

**CITY OF DELAWARE
CITY COUNCIL
CITY COUNCIL CHAMBERS
1 SOUTH SANDUSKY STREET
7:00 P.M.**

AGENDA

6:30 P.M. – EXECUTIVE SESSION: pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (1) personnel, Section 121.22 (G) (5) matters required to be kept confidential by State statute, Section 121.22 (G) (2) acquisition of property for public purpose and 121.22(G) (8) consideration of confidential information related to a request for economic development assistance.

REGULAR MEETING

July 24, 2017

1. ROLL CALL
2. INVOCATION – Pastor Kale Booher, Lifepoint
3. PLEDGE OF ALLEGIANCE
4. APPROVAL of the Motion Summary of the regular meeting of Council held on June 26, 2017, as recorded and transcribed.
5. CONSENT AGENDA
 - A. Acceptance of the Motion Summary for the Shade Tree Commission meeting held May 23, 2017.
 - B. Acceptance of the Motion Summary for the Historic Preservation Commission meeting held May 24, 2017.
 - C. Acceptance of the Motion Summary for the Civil Service Commission meeting held May 3, 2017.
 - D. Acceptance of the Motion Summary for the Planning Commission meeting held June 7, 2017.
 - E. Resolution No. 17-42, a resolution appointing members to the Delaware Northern New Community Authority and Delaware South New Community Authority, and specifying the term of the appointments.
 - F. Resolution No. 17-43, a resolution authorizing the City Manager to prepare and submit an application to participate in the Ohio Public Works Commission (OPWC) Local Transportation Improvements (LTIP) Grant Program (Round 32), and to execute contracts as required for the Winter Street and North Union Street resurfacing

and Winter Street Bridge Rehabilitation Project.

- G. Resolution No 17-44, a resolution authorizing the City Manager to enter into a cooperation agreement with Delaware County for an application to the Ohio Public Works Commission (OPWC) for the Winter Street and North Union Street resurfacing and Winter Street Bridge Rehabilitation Project (Round 32 Application).
- H. Resolution No. 17-45, a resolution authorizing the City Manager to submit an application for technical assistance through the Mid-Ohio Regional Planning Commission Insight2050 Technical Assistance Program.
- I. Establish August 14, 2017 at 7:20 p.m. as a date and time for a public hearing for Ordinance No. 17-54, an ordinance for Treplus Communities for approval of a Rezoning Amendment from B-3 (Community Business District) to B-3 PMU (Community Business District with a Planned Mixed Use Overlay District) for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision and Ordinance No. 17-55, an ordinance for Treplus Communities for approval of a Conditional Use Permit allowing the placement of a PMU (Planned Mixed Use Overlay District) for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision.

6. LETTERS, PETITIONS, AND PUBLIC COMMENTS

7. COMMITTEE REPORTS

8 PRESENTATION

- A. Proclamation recognizing Warren Rose III for achieving the rank of Eagle Scout through the Boy Scouts of America
- B. Proclamation recognizing Erik Boeriu and Citizens for the Fourth for their efforts organizing the Fourth of July Parade
- C. Delaware General Health District Update – Shelia Hiddleson, Health Commissioner
- D. A Market Based Plan for Climate Change – Marianne Gabel, Citizens’ Climate Lobby

9. CONSIDERATION OF NEW LIQUOR PERMITS

- A. Greater Gouda LLC, DBA Greater Gouda, 12 N Sandusky St., Delaware, OH 43015. Permit Class: C2

10. 7:30 P.M. PUBLIC DISCUSSION regarding a Designated Outdoor

Refreshment Area (DORA)

11. CONSIDERATION of Resolution No. 17-46, a resolution adopting the renaming of Eastside Park to Bennett Park.
12. CONSIDERATION of Resolution No. 17-47, a resolution authorizing the City Manager to sign and enter into an intergovernmental agreement with the Delaware County Commissioners for indigent defense services for Municipal Code violations.
13. CONSIDERATION of Resolution No. 17-48, a resolution authorizing the City Manager to enter into a partnering agreement with the Mid-Ohio Regional Planning Commission (MORPC) for the Point Railroad Bridge Replacement Project, DEL-36-11.03.
14. CONSIDERATION of Resolution No. 17-49, a resolution authorizing the City Manager to enter into a partnering agreement with the Mid-Ohio Regional Planning Commission (MORPC) for the Citywide Signals Upgrade Project Phase 1.
15. CONSIDERATION of Ordinance No. 17-50, an ordinance supplementing the 2017 Appropriations Ordinance to provide additional funding for Land Development-Engineering Professional Services, and declaring an emergency.
16. CONSIDERATION of Ordinance No. 17-51, an ordinance approving the sale of a Solid Waste Department 2006 International Recycling Truck that has outgrown its useful serviceable life.
17. CONSIDERATION of Ordinance No. 17-52, an ordinance to authorize and direct the City Manager to execute and sign a petition on behalf of the City of Delaware, Ohio, as the "Proximate City" within the meaning of Section 349.01 (M) of the Ohio Revised Code, to add property to the Berkshire Landing New Community Authority under Chapter 349 of the Ohio Revised Code, and declaring an emergency.
18. CONSIDERATION of Ordinance No. 17-53, an ordinance approving a Community Reinvestment Area Agreement and School Compensation Agreement with 2nd Half Ventures, LLC, Delaware City Schools, Delaware Area Career Center and the City of Delaware for investment in real property improvements on parcel 519-432-25-022-000 and declaring an emergency.
19. CONSIDERATION of Ordinance No. 17-54, an ordinance for Treplus

Communities for approval of a Rezoning Amendment from B-3 (Community Business District) to B-3 PMU (Community Business District with a Planned Mixed Use Overlay District) for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision.

20. CONSIDERATION of Ordinance No. 17-55, an ordinance for Treplus Communities for approval of a Conditional Use Permit allowing the placement of a PMU (Planned Mixed Use Overlay District) for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision.
21. CONSIDERATION of Ordinance No. 17-56, an ordinance for Treplus Communities for approval of a Preliminary Development Plan for Burr Oak Commons containing 92 apartments units on approximately 20.06 acres zoned B-3 PMU (Community Business District with a Planned Mixed Use Overlay District) and located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision.
22. FINANCE DIRECTOR'S REPORT
23. CITY MANAGER'S REPORT
24. COUNCIL COMMENTS
25. ADJOURNMENT

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Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held June 26

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6:30 EXECUTIVE SESSION: Mr. Rohrer motioned to enter into executive session at 6:31 p.m. This motion was seconded by Mrs. Keller and approved by a 6-0 vote. Council met in executive session pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (1) personnel, Section 121.22 (G) (5) matters required to be kept confidential by State statute, Section 121.22 (G) (2) acquisition of property for public purpose and 121.22(G) (8) consideration of confidential information related to a request for economic development assistance. Council conducted a discussion of those items with the following members present: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Jim Browning, Fourth Ward Kyle Rohrer, At-Large George Hellinger, and Mayor Carolyn Kay Riggle. Absent from the discussion was Vice-Mayor Kent Shafer. Following the discussion at 6:54 p.m., it was moved by Mrs. Keller that Council move into Open session, seconded by Mr. Browning and approved by a 6-0 vote.

The regular meeting of Council held June 26, 2017 was called to order at 7:00 p.m., in the City Council Chambers. The following members of Council were present: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Jim Browning, Fourth Ward Kyle Rohrer, At-Large George Hellinger, and Mayor Carolyn Kay Riggle who presided. Absent from the meeting was Vice-Mayor Kent Shafer. The invocation was given by Reverend Gunner Cerda, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, Dean Stelzer, Finance Director, Dave Efland, Planning and Community Development Director, Adam Moore, Police Captain, John Donahue, Fire Chief, Bill Ferrigno, Public Works Director/City Engineer, Ted Miller, Parks and Natural Resource Director, Jackie Walker, Assistant City Manager and Tom Homan, City Manager

Motion to Excuse: Mr. Jones motioned to excuse Vice-Mayor Shafer, seconded by Mr. Rohrer. Motion approved by a 6-0 vote.

ITEM 4: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held June 12, 2017, as recorded and transcribed.

Motion: Mr. Hellinger motioned to approve the Motion Summary of the regular meeting of Council held June 12, 2017, as recorded and transcribed, seconded by Mr. Rohrer. Motion approved by a 6-0 vote.

ITEM 5: CONSENT AGENDA

- A. Acceptance of the Motion Summary for the Parks and Recreation Advisory Board meeting held April 18, 2017.
- B. Resolution No. 17-36, a resolution appointing Council Members to various Committees, Commissions, and/or Boards.
- C. Resolution No. 17-37, a resolution appointing members to various Boards, Commissions, and/or Committees, and specifying the term of the appointment.
- D. Resolution No. 17-38, a resolution authorizing the City Manager to enter into a Cooperative Agreement with the Ohio Department of Transportation to install Rectangular Rapid Flashing Beacons (RRFB'S) on Troy Road at Barrett Street and on Pennsylvania Avenue at Heritage Boulevard.

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E. Resolution No. 17-39, a resolution cancelling the first regular meeting of City Council July 10, 2017.

Motion: Mr. Hellinger motioned to approve the Consent Agenda, seconded by Mr. Rohrer. Motion approved by a 6-0 vote.

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

PUBLIC COMMENT:

Deborah Guebert
265 W. Fountain Avenue
Delaware, Ohio 43015

Ms. Guebert voiced concerns regarding a potential DORA in the downtown area.

Joel Schaefer
242 W. Lincoln Avenue
Delaware, Ohio 43015

Mr. Schaefer voiced concerns regarding medical marijuana.

ITEM 7: COMMITTEE REPORTS

ITEM 8: CONSIDERATION OF NEW LIQUOR PERMITS

A. Olivina Taproom, LLC, DBA Olivina Taproom, 44 South Sandusky Street, Delaware, OH 43015. Permit Classes: C2 and D6.

Motion: Mrs. Keller motioned to accept without objection the liquor permit, seconded by Mr. Jones. Motion approved by a 6-0 vote.

ITEM 9: PRESENTATION

A. "The Point" Improvement Project Update - Bill Ferrigno, Public Works Director/City Engineer

ITEM 10: ESTABLISH

July 24, 2017 at 7:30 p.m. as a date and time for a public hearing regarding a Designated Outdoor Refreshment Area (DORA), contingent upon submission of the application to City Council by Friday, July 7, 2017.

Motion: Mr. Browning motioned to establish a public hearing on July 24, 2017 at 7:30 p.m. regarding a Designated Outdoor Refreshment Area, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 11: ORDINANCE NO. 17-40 [Second Reading]

AN ORDINANCE SUPPLEMENTING THE 2017 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR ENGINEERING WAGES, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

Motion: Mr. Hellinger motioned to suspend the rules for Ordinance No. 17-40, seconded by Mr. Rohrer. Motion approved by a 6-0 vote.

Motion: Mr. Hellinger motioned to enact the emergency clause for Ordinance No. 17-40, seconded by Mr. Rohrer. Motion approved by a 6-0

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vote.

Motion: Mr. Hellinger motioned to adopt Ordinance No. 17-40, seconded by Mr. Rohrer. Motion approved by a 6-0 vote.

ITEM 12: ORDINANCE NO. 17-43 [Second Reading] AN ORDINANCE FOR PULTE HOMES APPROVING A FINAL DEVELOPMENT PLAN FOR THE COMMUNITIES AT GLENROSS SECTION 11 FOR 58 SINGLE FAMILY LOTS ON 22.74 ACRES ON PROPERTY ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED SOUTH OF CHESHIRE ROAD ON WINTERBOURNE DRIVE, SOLSTICE ROAD, STONE QUARRY DRIVE AND HOLLY BERRY LANE.

The Clerk read the ordinance for the second time.

Motion: Mr. Hellinger motioned to suspend the rules for Ordinance No. 17-43, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Motion: Mr. Hellinger motioned to adopt Ordinance No. 17-43, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 13: ORDINANCE NO. 17-44 [Second Reading] AN ORDINANCE FOR PULTE HOMES APPROVING A FINAL SUBDIVISION PLAT FOR THE COMMUNITIES AT GLENROSS SECTION 11 FOR 58 SINGLE FAMILY LOTS ON 22.74 ACRES ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED SOUTH OF CHESHIRE ROAD ON WINTERBOURNE DRIVE, SOLSTICE ROAD, STONE QUARRY DRIVE AND HOLLY BERRY LANE.

The Clerk read the ordinance for the second time.

Motion: Mr. Hellinger motioned to suspend the rules for Ordinance No. 17-44, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Motion: Mr. Hellinger motioned to adopt Ordinance No. 17-44, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 14: ORDINANCE NO. 17-45 [Second Reading] AN ORDINANCE FOR GLENN ROAD CAPITAL LLC., APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR BELMONT PLACE SECTIONS 4 AND 5 FOR 72 SINGLE FAMILY LOTS ON APPROXIMATELY 21.5 ACRES ON PROPERTY ZONED R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON MCNAMARA LOOP, NEVILLE LANE AND SQUAREGAITER LANE.

The Clerk read the ordinance for the second time.

Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 17-45, seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

Motion: Mrs. Keller motioned to adopt Ordinance No. 17-45, seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

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ITEM 15: ORDINANCE NO. 17-46 [Second Reading] AN ORDINANCE FOR GLENN ROAD CAPITAL LLC., APPROVING A FINAL DEVELOPMENT PLAN FOR BELMONT PLACE SECTIONS 4 AND 5 FOR 72 SINGLE FAMILY LOTS ON APPROXIMATELY 21.5 ACRES ON PROPERTY ZONED R-3 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON MCNAMARA LOOP, NEVILLE LANE AND SQUAREGAITER LANE.

The Clerk read the ordinance for the second time.

Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 17-46, seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

Motion: Mrs. Keller motioned to adopt Ordinance No. 17-46, seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

ITEM 16: ORDINANCE NO. 17-47 [Second Reading] AN ORDINANCE FOR GLENN ROAD CAPITAL LLC., APPROVING A PRELIMINARY SUBDIVISION PLAT FOR BELMONT PLACE SECTIONS 4 AND 5 FOR 72 SINGLE FAMILY LOTS ON APPROXIMATELY 21.5 ACRES ON PROPERTY ZONED R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON MCNAMARA LOOP, NEVILLE LANE AND SQUAREGAITER LANE.

The Clerk read the ordinance for the second time.

Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 17-47, seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

Motion: Mrs. Keller motioned to adopt Ordinance No. 17-47, seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

ITEM 17: ORDINANCE NO. 17-48 [Second Reading] AN ORDINANCE FOR GLENN ROAD CAPITAL LLC., APPROVING A FINAL SUBDIVISION PLAT FOR BELMONT PLACE SECTION 4 FOR 34 SINGLE FAMILY LOTS ON 10.426 ACRES ON PROPERTY ZONED R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON MCNAMARA LOOP AND SQUAREGAITER LANE.

The Clerk read the ordinance for the second time.

Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 17-48, seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

Motion: Mrs. Keller motioned to adopt Ordinance No. 17-48, seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

ITEM 18: RESOLUTION NO. 17-40 [First Reading] A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN INCENTIVE PACKAGE WITH COHATCH, 659 HIGH ST., WORTHINGTON, FOR A HIGH-END CO-WORKING SPACE IN DOWNTOWN DELAWARE.

The Clerk read the resolution for the first time.

Motion: Mr. Jones motioned to adopt Resolution No. 17-40, seconded by

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Mr. Browning. Motion approved by a 6-0 vote.

ITEM 19: RESOLUTION NO. 17-41 [First Reading]
A RESOLUTION OPPOSING THE PRESIDENT'S BUDGET PROPOSAL TO ELIMINATE FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S COMMUNITY DEVELOPMENT BLOCK GRANT AND THE HOME INVESTMENT PARTNERSHIPS PROGRAM.

The Clerk read the resolution for the first time.

Motion: Mr. Hellinger motioned to adopt Resolution No. 17-41, seconded by Mr. Jones. Motion approved by a 5-1 (Rohrer) vote.

ITEM 20: ORDINANCE NO. 17-49 [First Reading]
AN ORDINANCE APPROVING THE SALE OF A STREET DEPARTMENT 2002 INTERNATIONAL TANDEM DUMP TRUCK THAT HAS OUTGROWN ITS USEFUL SERVICEABLE LIFE.

The Clerk read the ordinance for the first time.

Motion: Mr. Hellinger motioned to suspend the rules for Ordinance No. 17-49, seconded by Mr. Browning. Motion approved by a 6-0 vote.

Motion: Mr. Hellinger motioned to adopt Ordinance No. 17-49, seconded by Mr. Browning. Motion approved by a 6-0 vote.

ITEM 21: FINANCE DIRECTOR'S REPORT

ITEM 22: CITY MANAGER'S REPORT

Mr. Homan discussed plans to present to Council the CIP by August 15, 2017.

Mr. Homan provided an update on the recently held MingoMan Triathlon.

ITEM 23: COUNCIL COMMENTS

Mrs. Keller addressed the concerns presented by Mr. Schaefer regarding medical marijuana. Mr. Schaefer requested permission to speak to Council to address Mrs. Keller's statement regarding medical marijuana.

Public Participation:

Joel Schaefer
242 W. Lincoln Avenue
Delaware, Ohio 43015

Mr. Browning informed Council of the upcoming block part for Stratford Wood.

Mr. Browning requested future discussion of the roads issue.

Mr. Hellinger requested information from Chief Donahue over the usage of naloxone.

Mr. Hellinger discussed the new admission policy at Mingo Pool and the need to distinguish services of the YMCA and City of Delaware.

Mayor Riggle provided information on the upcoming parade for the Fourth

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of July.

ITEM 24: ADJOURNMENT

Motion: Mr. Jones moved to adjourn the meeting. The meeting adjourned at 8:13 p.m.

Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk

SHADE TREE COMMISSION
May 23, 2017
MOTION SUMMARY

ITEM 1. Roll Call

Chairman Olen called the meeting to order at 7:01 p.m.

Members Present: Shannon Brewster , Dave Carey, Tom Glissman, Tom Wolber, Becki Wood-Meek, Vice-Chairwoman Susan Wright, and Chairman Paul Olen

Members Absent: Marisa Sulek and Jim Buck

Staff Present: Ted Miller, Parks and Natural Resource Director

Motion to Excuse: Mr. Wolber moved to excuse Ms. Sulek and Mr. Buck, seconded by Chairman Olen. Motion approved with a 7-0 vote.

ITEM 2. APPROVAL OF MOTION SUMMARY of Shade Tree Commission meeting of April 25, 2017 as recorded and transcribed.

Motion: Vice-Chairwoman Wright moved to approve the Motion Summary for the April 25, 2017 meeting, seconded by Mr. Wolber. Motion approved with a 7-0 vote.

ITEM 3. PUBLIC COMMENTS

ITEM 4. DISCUSSION of Community Outreach Programs

A. NOW Festival

Chairman Olen reminded the Commission that the date for the NOW Festival was June 10th from Noon to 3:00 p.m. Vice-Chairwoman Wright passed around a volunteer sign-up sheet. A discussion was held on distributing tree saplings during the event and various kid activities.

ITEM 5. DISCUSSION of Chapter 1168 Tree Preservation Regulations of the Planning and Zoning Code

Mr. Miller provided background information on the recent changes to Chapter 1168.07.

Chairman Olen informed the Commission that he made a public records request to the City Attorney for any payments made into the Tree Bank Fund from May of 2017 until the Fee Structure is updated.

Vice-Chairwoman Wright requested clarification on which directors are referred to in Chapter 1168. Mr. Miller informed the Commission that he recommended updates from The Director of Grounds and Facilities to be Parks and Natural Resource Director or City Arborist.

A discussion was held on where Tree Bank options are located.

Chairman Olen reviewed 1168.01 discussed the wording "reasonable development".

Chairman Olen recommended adding to 1168.01 (a) the following purposes:

8. Reduced Crime Rate
9. Sequester greenhouse gases while producing oxygen
10. Increase consumer spending and commercial districts
11. Create a sense of community and bring people together

Chairman Olen discussed the percentage of canopy loss throughout development and if 1168.02 (a) should be changed to five inch diameter at breast height. A discussion was held on the need to protect roots during construction.

A discussion was held on the waiving of fees for permits involving 10 trees or less in 1168.02 (c). Vice-Chairwoman requested the cost for permit. Mr. Miller informed the Commission the permit cost. Chairman Olen discussed the need to do an adjustment of inflation and recommended that the replacement cost be adjusted to \$115.00 per caliper inch.

Chairman Olen requested that the Director of Grounds and Facilities be designated as City Arborist in 1168.04 (b).

Chairman Olen requested clarification on who in the City of Delaware would make a decision on Tree replacement plan in 1168.05 (1). Mr. Miller discussed the role of the Planning Director to take the recommendation by a certified arborist.

A discussion was held on 1168.06-Removal of major trees and responsibility of damage to a tree during development. A discussion was held on how variances are granted. Chairman Olen reviewed the criteria on removing a tree.

A discussion was held on responsibility of developer and landowner on replacement and maintenance of landscaping.

The Commission was in agreement to continue the discussion at the next meeting.

ITEM 6. STAFF COMMENTS

ITEM 7. MEMBER COMMENTS

Ms. Brewster recommended using a placard on Arbor Day trees to promote the Shade Tree Commission and for educational benefits. A discussion was held on creating an arboretum.

Mr. Wolber discussed with the Commission the email response he received from Councilwoman Keller in regards to the BIA's request for changes to the Planning Department.

ITEM 8. PLAN REVIEWS

There were no plans to review during the meeting.

ITEM 9. ADJOURNMENT

Motion: Vice-Chairwoman Wright moved to adjourn the meeting, seconded by Mr. Carey. The Shade Tree Commission meeting adjourned at 8:42 p.m.

 6.26.17

Chairman Olen



Clerk

**HISTORIC PRESERVATION COMMISSION
MOTION SUMMARY
May 24, 2017**

ITEM 1. Roll Call

Chairman Koch called the Historic Preservation Commission meeting to order at 7:00 p.m.

Members Present: Joe Coleman, Erinn Nicley, Sherry Riviera, Stephanie Van Gundy, Councilman Kyle Rohrer, Vice-Chairman Mark Hatten, and Chairman Roger Koch

Staff Present: Dianne Guenther, Development Planner

ITEM 2. APPROVAL OF MOTION SUMMARY of the Historic Preservation Commission meeting held on February 22, 2017, as recorded and transcribed.

Motion: Councilman Rohrer moved to approve the Motion Summary of the Historic Preservation Commission meeting held on February 22, 2017, as recorded and transcribed, seconded by Vice-Chairman Hatten. Motion approved a by 5-0-2 (Coleman, Van Gundy) vote.

ITEM 3. REGULAR BUSINESS

A. 2016-1725: A request by JATAK LLC for a Certificate of Appropriateness for rear addition improvements at 18-20 West William Street which is zoned B-2 (Central Business District) and located in the Transitional Sub-district of the Downtown Historic District Overlay.

Ms. Guenther reviewed the property location and provided background history of the property, additions, and maintenance to the building. Ms. Guenther discussed the plan for the west rear addition and north wall restoration. The proposed colors, rear entry door style, and shed type awning were presented to the Commission. Ms. Guenther discussed the applicant's plans for masonry restoration and additional parking area after removal of the failing addition.

Ms. Guenther reviewed the applicant's plan to enclose the rear staircase. A discussion was held on the proposed materials, paint colors, and plans to repurpose two of the existing windows.

APPLICANT:

Jack Kahaian
JATAK LLC
18 West William Street
Delaware, Ohio 43015

Mr. Coleman requested that the siding to the addition consist of a smooth texture surface. Mr. Kahaian was agreeable to this request. A discussion was held on potential roof materials and the pitch of the roof. Mr. Kahaian discussed his plans to repurpose the windows on the east elevation.

Motion: Mr. Coleman moved to approve 2016-1725, along with all staff recommendations, and two additional recommendations that the awning on the back entrance is subject to administrative approval (item removed from Condition 3 as a stand-alone Condition), and that the wood or hardi-plank siding would be a smooth texture siding material, seconded by Vice-Chairman Hatten. Motion approved by a 7-0 vote.

ITEM 4. COMMISSION MEMBER COMMENTS AND DISCUSSION

Chairman Koch welcomed new Commission member Stephanie Van Gundy and confirmed she received orientation packet.

Vice-Chairman Hatten requested information on the discussion at the recent City Council meeting regarding potential demolition of city-owned property at 20 East William Street. Councilman Rohrer did inform the Commission that this request would come before the Commission before any action was taken.

Chairman Koch requested information on signage and patio permits. Ms. Guenther informed the Commission 29 inquiries for revocable sidewalk use permits for patios, flower pots, seating areas, or displaying merchandise on the public sidewalk were received. To date, 25 permits were issued out of the 29 inquiries. Ms. Guenther discussed continued efforts to keep business owners in compliance with signage standards.

Ms. Riviera requested an update on the plans for construction on the property of the former West End Grill at 14 West William Street. Ms. Guenther informed the Commission that the Planning Department will be meeting with the property owners to discuss their revised plans.

Councilman Rohrer requested an update on the issues faced by the Olivina Taproom. Chairman Koch informed the Commission that a gate had been installed perpendicular to Sandusky Street and is not visible. Ms. Guenther informed the Commission that the Chief Building Inspector will be reviewing the gate to ensure it meets the code requirements and the building owner will appear before the Commission for its approval.

ITEM 5. NEXT REGULAR MEETING: June 28, 2017

ITEM 7. ADJOURNMENT

Motion: Mr. Coleman moved to adjourn the meeting, seconded by Ms. Riviera.
The Historic Preservation Commission meeting adjourned at 7:44 p.m.



Roger Koch, Chairman



Elaine McCloskey, Clerk

**Civil Service Commission
Motion Summary
May 3, 2017**

ITEM 1. ROLL CALL

Chairman Rybka called the meeting to order at 3:00 pm.

Members Present: John Rybka, Brooke Acker and Eric Coss

Staff Present: Bruce Pijanowski, Police Chief, John Donahue, Fire Chief, Jessica Feller, Human Resource Manager, Darren Shulman, City Attorney and Lorrie Diaz, Human Resource Coordinator

ITEM 2. APPROVAL of the Motion Summary for the Civil Service Commission meeting held January 4, 2017, as recorded and transcribed.

Motion: Ms. Acker moved to approve of the Motion Summary for the January 4, 2017 Civil Service Commission meeting, seconded by Mr. Coss. Motion passed by a 3-0 vote.

ITEM 3. Update Firefighter/Paramedic Certified List

Chief Donahue discussed the addition of five names to the list. Chief Donahue discussed the Strategic Plan and efforts to hire part time employees and discussed the benefits to having part time employees. Chief Donahue informed the Commission that there are currently thirteen part time vacancies to fill.

Motion: Vice-Chairman Coss moved to accept the Firefighter/Paramedic Certified List as presented, seconded by Ms. Acker. Motion approved by a 3-0 vote.

ITEM 4. Update Police Officer Certified List

Chief Pijanowski reviewed the addition of six candidates to the list. Chief Pijanowski reviewed with the Commission the selection process.

Motion: Ms. Acker moved to accept the Police Officer Certified List, seconded by Vice-Chairman Coss. Motion approved by a 3-0 vote.

ITEM 5. Update Police Sergeant Certified List

Chief Pijanowski reviewed the current Police Sergeant Certified List. Chief Pijanowski informed the Commission that he does not anticipate any upcoming vacancies in the next year. Chief Pijanowski would like the expiration of the list to be January 6, 2018.

Motion: Vice-Chairman Coss moved to accept the Police Sergeant Certified List as presented, seconded by Ms. Acker. Motion approved by a 3-0 vote.

ITEM 6. REVIEW of Police Hiring Process

Chief Pijanowski provided background of age limit that was designated by former Police Chief Martin in 2006 from age 35 to 45. Chief Pijanowski recommended the age limit correlate with the Firefighter's Hiring Process.

Motion: Vice-Chairman Coss moved to accept the Police Hiring Process, seconded by Ms. Acker. Motion approved by a 3-0 vote.

ITEM 7. PUBLIC COMMENTS

There was no public comment.

ITEM 8. COMMITTEE COMMENTS

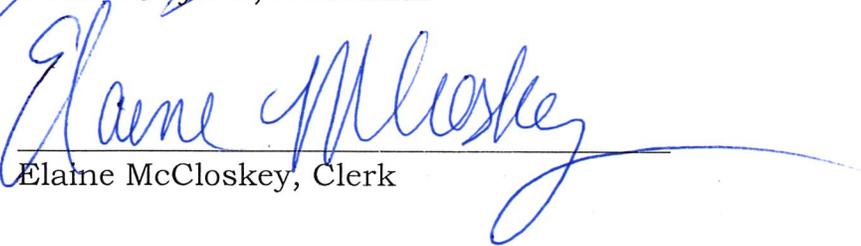
A discussion was held regarding national staffing levels.

ITEM 9. ADJOURNMENT

Motion: Vice-Chairman Coss moved to adjourn the Civil Service Commission meeting, seconded by Ms. Acker. The Civil Service Commission meeting was adjourned at 3:24 p.m.



John M. Rybka, Chairman



Elaine McCloskey, Clerk

PLANNING COMMISSION
June 7, 2017
MOTION SUMMARY

ITEM 1. Roll Call

Chairman Simpson called the meeting to order at 7:00 p.m.

Members Present: Jim Halter, Dean Prall, Andy Volenik, Councilmember George Hellinger, Vice-Chairman George Mantzoros, and Chairman Stacy Simpson.

Members Absent: Robert Badger

Staff Present: Matt Weber, Deputy City Engineer, Jeff Coleman, Project Engineer, Carrie Fortman, Project Engineer, Lance Schultz, Zoning Administrator, and Dave Efland, Planning and Community Development Director

Motion to Excuse: Councilmember Hellinger moved to excuse Mr. Badger, seconded by Mr. Halter. Motion approved by a 6-0 vote.

ITEM 2. Approval of the Motion Summary of the Planning Commission meeting held on May 3, 2017, as recorded and transcribed.

Motion: Mr. Halter moved to approve the Motion Summary for May 3, 2017 Planning Commission meeting, seconded by Councilmember Hellinger. Motion approved 6-0 vote.

ITEM 3. REGULAR BUSINESS

A. Communities at Glenross - Section 11

- (1) 2017-1030: A request by Pulte Homes for approval of a Final Development Plan for Communities at Glenross Section 11 for 58 single family lots on 22.74 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located south of Cheshire Road on Winterbourne Drive, Solstice Road, Stone Quarry Drive and Holly Berry Lane.
- (2) 2017-1031: A request by Pulte Homes for approval of a Final Subdivision Plat for Communities at Glenross Section 11 for 58 single family lots on 22.74 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located south of Cheshire Road on Winterbourne Drive, Solstice Road, Stone Quarry Drive and Holly Berry Lane.

Anticipated Process

- a. Staff Presentation

Mr. Schultz reviewed the proposed plan and plat. A discussion was held on the

emergency access location, landscape plans, and open space location. Mr. Weber discussed the plans and tentative schedule for completion for the roundabout.

Mr. Prall voiced a concern over the exterior materials to be used along the golf course and recommended that it have 50% natural material.

b. Applicant Presentation

APPLICANT:

Steve Peck
4900 Tuttle Crossing Blvd.
Columbus, Ohio

Mr. Peck informed the Commission that they were agreeable to all conditions. Mr. Peck addressed the concerns voiced regarding the materials to be used.

c. Public comment (not a public hearing)

There was no public participation.

d. Commission Action

Motion: Mr. Halter moved to approved 2017-1030, along with all staff conditions and recommendations, seconded by Councilmember Hellinger. Motion approved by a 6-0 vote.

Motion: Mr. Halter moved to approved 2017-1031, along with all staff conditions and recommendations, seconded by Councilmember Hellinger. Motion approved by a 6-0 vote.

B. Belmont Place – Sections 4 and 5

- (1) 2017-1040: A request by Glenn Road Capital LLC., for approval of a Preliminary Development Plan for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane.
- (2) 2017-1041: A request by Glenn Road Capital LLC., for approval of a Final Development Plan for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane.
- (3) 2017-1042: A request by Glenn Road Capital LLC., for approval of a Preliminary Subdivision Plat for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-3 PMU

(One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane.

- (4) 2017-1043: A request by Glenn Road Capital LLC., for approval of a Final Subdivision Plat for Belmont Place Section 4 for 34 single family lots on 10.426 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop and Squaregaiter Lane.

Anticipated Process

- a. Staff Presentation

Mr. Schultz reviewed the proposed plat and discussed the location of the pocket park, minimal house sizes and setbacks, design standards and materials, proposed landscape plan and pedestrian connectivity.

Mr. Prall voiced a concern over the current 3 feet mounding and that it provides minimal buffering.

- b. Applicant Presentation

APPLICANT:

Kevin McCauley
6689 Dublin Center Drive
Dublin, Ohio 43017

Mr. McCauley voiced discussed working with staff to provide additional trees on the mounding for buffering if the site allowed for them.

- c. Public comment (not a public hearing)

There was no public participation.

- d. Commission Action

Motion: Mr. Prall moved to approved 2017-1040, along with all staff conditions and recommendations, seconded by Mr. Volenik. Motion approved by a 6-0 vote.

Motion: Mr. Prall moved to approved 2017-1041, along with all staff conditions and recommendations, seconded by Vice-Chairman Mantzoros. Motion approved by a 6-0 vote.

Motion: Mr. Prall moved to approved 2017-1042, along with all staff conditions and recommendations, seconded by Mr. Volenik. Motion approved by a 6-0 vote.

Motion: Mr. Prall moved to approved 2017-1043, along with all staff conditions and recommendations, seconded by Mr. Volenik. Motion approved by a 6-0 vote.

ITEM 4. PLANNING DIRECTOR'S REPORT

Mr. Efland provided information on the Ohio Planning Conference that he recently attended.

Mr. Efland discussed the new signage with the City of Delaware new branding at the Water Treatment Plant.

Mr. Schultz reminded the Commission that the next meeting will be held on July 19, 2017.

ITEM 5. COMMISSION MEMBER COMMENTS AND DISCUSSION

Mr. Volenik informed the Commission that he may be unable to attend the July and potentially the August Planning Commission meetings due to the upcoming birth of his child.

Councilmember Hellinger voiced concerns over various property conditions and the need for code enforcement to monitor the properties.

Mr. Halter voiced a concern over a large crack on the Locust Curve Bike Trail.

Mr. Prall requested an update regarding the construction of the new fire station.

Vice-Chairman Mantzoros and Chairman Simpson provided an update on the Ohio Planning Conference that they recently attended with staff.

ITEM 6. NEXT REGULAR MEETING: July 19, 2017

ITEM 7. ADJOURNMENT:

Motion: Chairman Simpson moved for the June 7, 2017 Planning Commission meeting to adjourn. The meeting adjourned at 8:16 p.m.



Stacy Simpson, Chairperson



Elaine McCloskey, Clerk



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM E DATE: 07/24/2017
ORDINANCE NO: RESOLUTION NO: 17-42
READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council
FROM: R. Thomas Homan, City Manager
VIA: ---

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION APPOINTING MEMBERS TO THE DELAWARE NORTHERN NEW COMMUNITY AUTHORITY AND DELAWARE SOUTH NEW COMMUNITY AUTHORITY, AND SPECIFYING THE TERM OF THE APPOINTMENTS.

BACKGROUND:

REASON WHY LEGISLATION IS NEEDED:

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S):

POLICY CHANGES:

PRESENTER(S):

Mayor Riggle

RECOMMENDATION:

ATTACHMENT(S)

Letters of Interest

RESOLUTION NO. 17-42

A RESOLUTION APPOINTING MEMBERS TO THE DELAWARE NORTHERN NEW COMMUNITY AUTHORITY AND DELAWARE SOUTH NEW COMMUNITY AUTHORITY, AND SPECIFYING THE TERM OF THE APPOINTMENTS.

WHEREAS, Members are to be appointed to serve on various Committees, Commissions and Boards by the Mayor of the City of Delaware and confirmed by Council; and

WHEREAS, appointments may be renewed for additional two year terms pursuant to Ohio Revised Code Section 349.04; and

WHEREAS, the Mayor has appointed and Council has confirmed the following appointments.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Delaware that:

SECTION 1. The following appointments are hereby made:

1. Delaware Northern New Community Authority – Mike Hite- local Government appointee (term ending August 31, 2019)
2. Delaware Northern New Community Authority – Kay Hester – citizen appointee (term ending August 31, 2018)
3. Delaware Northern New Community Authority – David Miller - citizen appointee (term ending August 31, 2019)
4. Delaware Northern New Community Authority – Diane Nutter - citizen appointee (term ending August 31, 2018)
5. Delaware South New Community Authority – Bill Rogers - citizen appointee (term ending August 31, 2018)
6. Delaware South New Community Authority – Jim Hill - citizen appointee (term ending August 31, 2018)
7. Delaware South New Community Authority - Benjamin Kelly - citizen appointee (term ending August 31, 2019)
8. Delaware South New Community Authority – Jennifer Knittle - local government appointee (term ending August 31, 2019)

SECTION 2. Upon expiration of the terms listed above, the appointments shall continue until Council either appoints the member to a new term or appoints a replacement.

SECTION 3. The following appointments were made to the Delaware Northern New Community Authority by the Developer as stipulated in Ordinance No. 07-103.

1. Tim Todora – Zaremba Group (term ending August 31, 2019)
2. Gary Hough - Zaremba Group (term ending August 31, 2018)
3. Todd Hamula - Zaremba Group (term ending August 31, 2019)

SECTION 4. The following appointments were made to the Delaware South New Community Authority by the Developer as stipulated in Resolution No. 07-105.

1. Matt Callahan – Pulte Group (term ending August 31, 2019)
2. Randy Palmer – Kontogiannis & Associates (term ending August 31, 2019)

SECTION 4. This resolution shall be effective immediately upon its passage.

PASSED: _____, 2017

YEAS ____ NAYS ____
ABSTAIN ____

ATTEST: _____
CITY CLERK

MAYOR

Elaine McCloskey

From: Kay Hester <kay.hester11@yahoo.com>
Sent: Monday, June 26, 2017 1:44 PM
To: Elaine McCloskey
Subject: Subject: Board Member

Hi, Elaine:

It was a pleasure speaking with you earlier today.

As you requested, here is some information about myself. I have been involved in many areas of government as it relates to public volunteering. Not only have I been a voter (for over 30 years), I was a poll worker in the 2012 and 2016 General Elections, I also served on a jury for my county. I was also a member of my registered political party for several years where I used to live. So, as you can see, I have an extensive background volunteering for the public.

I have only lived in Delaware since the beginning of June. I find it an absolutely beautiful city and full of charm.

I would like to be considered as a board member for the Preserve at Quail Pass. I would find it an honor to do so for my new community members and for the city of Delaware.

Thank you for your consideration.

Best Regards,

Kay Hester

Elaine McCloskey

From: Mike Hite <mike@creativefoundations.org>
Sent: Tuesday, June 27, 2017 2:30 PM
To: Elaine McCloskey
Cc: Mike Hite
Subject: RE: New Community Authority Board

Elaine, sorry for the delay on replying to your email. And Yes I would be interested to be part of the Northern New Community Authority Board.

Most of my background has been in sales and marketing. I'm originally from Columbus but have lived in Florida, North Carolina, West Virginia, and then back to Columbus. Four years ago I started working at an organization that my nephew owns, Creative Foundations that is a private provider-serving adults with developmental disabilities. One of the programs that we offer is art/crafts that the individuals participate in. They create amazing art and products and I assist on getting their products out in the community by exhibits, art festivals, art display at Tuttle Mall, and we have now partnered with the Columbus Zoo and have some of the individuals art in their gift shops.

I relocated to Delaware 3 years ago and moved into the Preserve at Quail Pass when they first opened. This is such a great community to live in not only at the Preserve but the City of Delaware itself. It has grown so much as I remember Delaware being a small community in the sixties. Since I have moved here I am a member of the Noon Kiwanians Club and participating in their community projects.

I hope this brief information is sufficient but should you need additional information please feel free to contact me.

Thanks again,

Michael Hite
Aka "Uncle Mike"

From: Elaine McCloskey [mailto:EMcCloskey@delawareohio.net]
Sent: Tuesday, June 20, 2017 3:49 PM
To: Mike Hite <mike@creativefoundations.org>
Subject: New Community Authority Board

Mr. Hite

It was a pleasure speaking with you yesterday on the phone in regards to being on the Northern New Community Authority Board. It has been exciting to see an interest from yourself and others in your community in regards to the position. To help in making a recommendation to Delaware City Council, I am requesting that you email me a letter of interest to the position and provide some background information on yourself.

If you have any questions, please feel free to contact me. Again it was nice to meet you and I appreciate your interest in the board.

Thank you,

Clare
Dana
Dean



ZAREMBA GROUP

RECEIVED

JUN 27 2017

CMO

June 21, 2017

Mr. R. Thomas Homan
City Manager
City of Delaware
1 South Sandusky St.
Delaware, OH 42015

Re: Northern New Community Authority - Delaware, OH

Dear Tom:

Please allow this letter to serve notice that Todd Hamula, Senior Development Manager, at Zaremba Group, LLC respectfully requests that he be appointed to the Northern New Community Authority in Delaware.

We look forward to Todd becoming a member of the board.

Sincerely,

Gary Hough
Director of Shopping Center Development

cc: Todd Hamula
Greg Daniels

ZAREMBA GROUP, LLC

14600 DETROIT AVENUE • CLEVELAND, OHIO 44107
(216) 221-6600 • (216) 221-1031
www.zarembagroup.com



ZAREMBA GROUP

May 8, 2017

RECEIVED

MAY 11 2017

CMO'S OFF

Mr. R. Thomas Homan
City Manager
City of Delaware
1 South Sandusky St.
Delaware, OH 42015

Re: Northern New Community Authority - Delaware, OH

Dear Tom:

Please allow this letter to serve notice that Tim Todaro, Senior Leasing Director, at Zaremba Group, LLC respectfully requests that he be appointed to the Northern New Community Authority in Delaware.

Tim Todaro will be replacing Gary Biales, who is no longer with Zaremba Group, LLC. Pending his appointment, Tim will attend the upcoming annual meeting on June 19, 2017.

We look forward to Tim becoming a member of the board.

Sincerely,

Gary Hough
Director of Shopping Center Development

cc: Tim Todaro
Greg Daniels

ZAREMBA GROUP, LLC

14600 DETROIT AVENUE • CLEVELAND, OHIO 44107

(216) 221-6600 • (216) 221-1031

www.zarembagroup.com



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM F	DATE: 07/24/2017
ORDINANCE NO:	RESOLUTION NO: 17-43
READING: FIRST	PUBLIC HEARING: NO

TO:	Mayor and Members of City Council
FROM:	R. Thomas Homan, City Manager
VIA:	William L. Ferrigno, P.E., Director of Public Works/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) LOCAL TRANSPORTATION IMPROVEMENTS (LTIP) GRANT PROGRAM (ROUND 32), AND TO EXECUTE CONTRACTS AS REQUIRED FOR THE WINTER STREET AND NORTH UNION STREET RESURFACING AND WINTER STREET BRIDGE REHABILITATION PROJECT.

BACKGROUND:

The streets to be resurfaced and rehabilitated as part of this project are North Union Street and Winter Street; additionally repairs will be made to the Winter Street Bridge over the Olentangy River.

North Union Street is a north/south local street with a pavement rating of 'D+'. If North Union Street is not resurfaced in the next year or two it, it is expected that it will deteriorate to a point where a simple resurfacing treatment will be insufficient to extend the life of the road and a major reconstruction will be needed. North Union was last resurfaced in 2000. It has a total ADT of 3,577 vehicles composed of 90 trucks and 3,487 cars and bikes. The treatment being proposed is a 1.5 inch mill, a Fiber Stress Absorbing Membrane Interlayer (SAMI) and a 1.5 inch asphalt overlay.

East Winter Street is an east/west collector street with a pavement rating of 'C'. The asphalt surface course has reached the end of its useful life indicating that

a resurfacing is warranted. It was last resurfaced in 2001. E. Winter Street will be resurfaced from Franklin Street to Central Avenue. E. Winter Street has a total ADT load of 2,588 vehicles with 2,550 cars and bikes and 38 trucks. The treatment being proposed is a 1.5 inch mill, a Fiber Stress Absorbing Membrane Interlayer (SAMI) and a 1.5 inch asphalt overlay.

North Union Street and Winter Street also have high volume of pedestrian traffic that must traverse uneven walks and potholes located in crosswalks. The selected treatment will provide a smooth and safe wearing surface for vehicles, pedestrians and cyclists. This treatment will also help to delay further base asphalt deterioration.

The Winter Street Bridge (SFN: 2160072) is a concrete deck and steel beam bridge with stacked stone abutments that was constructed in 1915. As of 2016 it has Bridge Rating of 6 (Satisfactory). The repairs to the bridge are replacing missing stones in the west abutment with concrete, remove and replaced deteriorated portions of the concrete approach slabs, and replacing sections of deteriorated sidewalk.

Lastly, the signalized intersection at Union Street & Central Avenue (SR 37) and the signalized intersection at Winter Street & Sandusky Street will be refurbished as part of this project in order to enhance safety and provide better visibility of the vehicular heads. The refurbishment will include the replacement of signal heads, wiring, and other aging signal components and hardware

REASON WHY LEGISLATION IS NEEDED:

Passage of this Resolution authorizes the City Manager to apply for grant funding in the amount of \$450,000 from OPWC. If grant funding is awarded, this Resolution also allows the City Manager to sign a formal OPWC Project Agreement (in July of 2018).

COMMITTEE RECOMMENDATION:

The Public Works Committee was cancelled for July and will not meet again until October.

FISCAL IMPACT(S):

The total project cost is currently estimated at \$920,322. Submitting a complete application requires budgeting sufficient funding to cover the City's contribution to the project, currently estimated at \$470,322. Depending on how the city funds its estimated local contribution of \$6.1 million for the Point Project over the next 6 years, resurfacing projects like this which require a local match may not be possible during that period. This underscore the critical need to secure more funding partners for the Point Project and to identify new funding sources.

POLICY CHANGES:

None

PRESENTER(S):

William L. Ferrigno, P.E., Director of Public Works/City Engineer

RECOMMENDATION:

Approval

ATTACHMENT(S)

Winter Street and North Union Street Resurfacing Exhibit

ATTEST: _____
CITY CLERK

MAYOR

NO.	DATE	DESCRIPTION	APPROVED

**N. UNION & WINTER ST.
IMPROVEMENT PLAN
APPROXIMATELY 8,465 FT COMBINED**

**O.P.W.C.
ROUND 32
EXHIBIT 1**



DATE ISSUED: 04/13/2017
Sheet 01/01

1.5-INCH MILL
ITEM 448 - 1.5" OVERLAY





FACT SHEET

AGENDA ITEM NO: CONSENT ITEM G DATE: 07/24/2017
ORDINANCE NO: RESOLUTION NO: 17-44
READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council
FROM: R. Thomas Homan, City Manager
VIA: William L. Ferrigno, P.E., Director of Public Works/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATION AGREEMENT WITH DELAWARE COUNTY FOR AN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE WINTER STREET & NORTH UNION STREET RESURFACING AND WINTER STREET BRIDGE REHABILITATION PROJECT (ROUND 32 APPLICATION).

BACKGROUND:

The streets to be resurfaced and rehabilitated as part of this project are North Union Street and Winter Street; additionally repairs will be made to the Winter Street Bridge over the Olentangy River.

North Union Street is a north/south local street with a pavement rating of 'D+'. If North Union Street is not resurfaced in the next year or two it, it is expected that it will deteriorate to a point where a simple resurfacing treatment will be insufficient to extend the life of the road and a major reconstruction will be needed. North Union was last resurfaced in 2000. It has a total ADT of 3,577 vehicles composed of 90 trucks and 3,487 cars and bikes. The treatment being proposed is a 1.5 inch mill, a Fiber Stress Absorbing Membrane Interlayer (SAMI) and a 1.5 inch asphalt overlay.

East Winter Street is an east/west collector street with a pavement rating of 'C'. The asphalt surface course has reached the end of its useful life indicating that a resurfacing is warranted. It was last resurfaced in 2001. E. Winter Street will

be resurfaced from Franklin Street to Central Avenue. E. Winter Street has a total ADT load of 2,588 vehicles with 2,550 cars and bikes and 38 trucks. The treatment being proposed is a 1.5 inch mill, a Fiber Stress Absorbing Membrane Interlayer (SAMI) and a 1.5 inch asphalt overlay.

North Union Street and Winter Street also have high volume of pedestrian traffic that must traverse uneven walks and potholes located in crosswalks. The selected treatment will provide a smooth and safe wearing surface for vehicles, pedestrians and cyclists. This treatment will also help to delay further base asphalt deterioration.

The Winter Street Bridge (SFN: 2160072) is a concrete deck and steel beam bridge with stacked stone abutments that was constructed in 1915. As of 2016 it has Bridge Rating of 6 (Satisfactory). The repairs to the bridge are replacing missing stones in the west abutment with concrete, remove and replaced deteriorated portions of the concrete approach slabs, and replacing sections of deteriorated sidewalk.

Lastly, the signalized intersection at Union Street & Central Avenue (SR 37) and the signalized intersection at Winter Street & Sandusky Street will be refurbished as part of this project in order to enhance safety and provide better visibility of the vehicular heads. The refurbishment will include the replacement of signal heads, wiring, and other aging signal components and hardware

REASON WHY LEGISLATION IS NEEDED:

Passage of this Resolution authorizes the City Manager to sign an agreement with Delaware County accepting their contribution currently estimated at 5.4% (with a cap of \$50,000) towards this project.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

The total project cost is currently estimated at \$920,322. Submitting a complete application requires budgeting sufficient funding to cover the City's contribution to the project, currently estimated at \$470,322.

POLICY CHANGES:

None

PRESENTER(S):

William L. Ferrigno, P.E., Director of Public Works/City Engineer

RECOMMENDATION:

Approval

ATTACHMENT(S)

None



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM H DATE: 07/24/2017
ORDINANCE NO: RESOLUTION NO: 17-45
READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council
FROM: R. Thomas Homan, City Manager
VIA: William L. Ferrigno, P.E., Director of Public Works/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR TECHNICAL ASSISTANCE THROUGH THE MID-OHIO REGIONAL PLANNING COMMISSION INSIGHT2050 TECHNICAL ASSISTANCE PROGRAM

BACKGROUND:

The City has been contemplating the adoption of a complete streets policy for some time, however lacks the internal staff time necessary to research, review and develop a policy appropriate for implementation in the City of Delaware. The recent MORPC Insight2050 program provides a resource by which through an application for technical assistance, the City can utilize MORPC expertise in the development of a complete streets policy. Such policy would address issues concerning multimodal forms of transportation, and how these alternate forms of transportation are best accommodated through policy, land development regulations, and capital planning. Examples of such projects include designated bikeways, bike lanes, accessible streets and intersection improvements, bike parking etc. If approved, the City will work with MORPC staff for approximately one year in the development of the complete streets policy.

REASON WHY LEGISLATION IS NEEDED:

Mayor/Council support is required as part of the grant application process.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

None

PRESENTER(S):

William L. Ferrigno, P.E., Director of Public Works/City Engineer

RECOMMENDATION:

Approval

ATTACHMENT(S)

None

RESOLUTION NO. 17-45

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR TECHNICAL ASSISTANCE THROUGH THE MID-OHIO REGIONAL PLANNING COMMISSION INSIGHT2050 TECHNICAL ASSISTANCE PROGRAM.

WHEREAS, the City of Delaware is a member of the Mid-Ohio Regional Planning Commission (MORPC); and

WHEREAS, MORPC has launched the insight2050 Technical Assistance Program which offers community and transportation planning assistance to MORPC members through a competitive application process; and

WHEREAS, the City of Delaware has submitted a Letter of Intent to MORPC to assist with the development of a complete streets program; and

WHEREAS, MORPC has deemed the proposed project eligible and encouraged the City to submit a full application by July 21, 2017; and

WHEREAS, if the project is approved, the project would be completed within one year and require in-kind match of staff time equivalent to at least 25% of MORPC staff time.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That a staff designee of City of Delaware is hereby authorized to apply for Technical Assistance through the insight2050 Technical Assistance Program programmed by the Mid-Ohio Regional Planning Commission (MORPC) for the development of a complete streets program.

SECTION 2. That the Council acknowledges and understands the “Insight2050 Technical Assistance Program Guide” and confirms to the best of its knowledge that the information contained in the project application is accurate, that it intends to diligently pursue that project, and that a local match of in-kind staff time will be provided.

SECTION 3. That it is hereby found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meeting open to the public and in compliance with the law.

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

3340674 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	GREATER GOUDA LLC DBA GREATER GOUDA 12 N SANDUSKY ST DELAWARE OH 43015	
06 26 2017 <small>ISSUE DATE</small>				
06 26 2017 <small>FILING DATE</small>				
C2 <small>PERMIT CLASSES</small>				
21 <small>TAX DISTRICT</small>	022	B	B63450 <small>RECEIPT NO.</small>	

FROM **06/29/2017**

<small>PERMIT NUMBER</small>		<small>TYPE</small>			
<small>ISSUE DATE</small>					
<small>FILING DATE</small>					
<small>PERMIT CLASSES</small>					
<small>TAX DISTRICT</small>			<small>RECEIPT NO.</small>		



MAILED **06/29/2017**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **07/31/2017**

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **B NEW 3340674**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature) _____ (Title)- Clerk of County Commissioner (Date) _____
 Clerk of City Council
 Township Fiscal Officer

**CLERK OF DELAWARE CITY COUNCIL
1 SOUTH SANDUSKY ST
DELAWARE OHIO 43015**

Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. For best results, search only ONE criteria at a time. If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

	SEARCH CRITERIA
Permit Number	<input type="text" value="3340674"/>
Permit Name / DBA	<input type="text"/>
Member / Officer Name	<input type="text"/>

[Search](#)[Reset](#)[Main Menu](#)

Member/Officer Name	Shares/Interest	Office Held
Permit Number: 3340674; Name: GREATER GOUDA LLC; DBA: DBA GREATER GOUDA; Address: 12 N SANDUSKY ST DELAWARE 43015		
MARK SMILES	MANAGE MEM	CEO

- [Ohio.Gov](#)
- [Ohio Department of Commerce](#)

[Commerce Home](#) | [Press Room](#) | [Forms](#) | [CPI Policy](#) | [Privacy Statement](#) | [Public Records Request Policy](#) | [Disclaimer](#) | [Employment](#) | [Contacts](#)



Delaware Police Department Liquor Permit Report

DPD Report Number L-17-4		Investigating Officer Detective D Madden #56	
Applicant (Primary Shareholder) Mark Smiles		Company Name (LLC) The Greater Gouda, LLC; DBA: The Greater Gouda	
Common Name The Greater Gouda		Address 12 North Sandusky St, Delaware, OH 43015	
Applicant Phone Number (614) 560-4034		Applicant E-Mail Address: bigcheese@greatergouda.com	
<input checked="" type="checkbox"/> Existing Business	Type of Business Gourmet Cheese & Fine Foods	Notification Type:	Date of Report 7/10/2017
<input type="checkbox"/> New Business (Supplement Attached)			
Permit Type			
<input type="checkbox"/> C1/C2X Beer only in original sealed container for carry out only. <input checked="" type="checkbox"/> C2 Wine and mixed beverages in sealed containers for carry out. <input type="checkbox"/> D1/D2X Beer only for on premises consumption or in sealed containers for carry out. <input type="checkbox"/> D2 Wine and mixed beverages for on premises consumption or in sealed containers for carryout. <input type="checkbox"/> D4 Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am. <input type="checkbox"/> D5 Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am. <input type="checkbox"/> Other			

Location Information

Churches, Libraries and or schools within 500 feet <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	School, church or library objection <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No Note: Objections are only permitted for <i>new permits</i> .
Police Calls for Service in past 12 months: None	Number of Police Reports in past 12 months: None
Calls for Service <i>excluding calls not related to the business</i> in past 12 months: None	Location is excessive drain on Police Resources: <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No
Nuisance Abatement Pending <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Accessible by Law Enforcement <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Site compliance checked by Dept. of Commerce <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 4/21/16	Private Club (Restricted Access Door) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Applicant Information

Records Checked <input checked="" type="checkbox"/> Ohio Law Enforcement Gateway <input checked="" type="checkbox"/> Delaware Police Department Database	
Applicant has an active warrant <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Record located for Liquor Law Violation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Local Record on file <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Criminal History Checked by Dept. of Commerce <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Problem History with DPD <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No	Contact made with Applicant <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Determination on Objection

<input checked="" type="checkbox"/> The Delaware Police Department does not find a legislative basis for requesting a hearing to object to the issuance of a liquor permit for this business.
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<input type="checkbox"/> The Delaware Police Department recommends requesting a hearing into the issuance of a liquor permit for this business, due to one or more of the following criteria for objection as set forth by the Ohio Revised Code. <ul style="list-style-type: none"> <input type="checkbox"/> Site does not conform to local building, safety and health codes (excluding zoning). <input type="checkbox"/> Law enforcement or state agents do not have ready access to the premises where alcoholic beverages are being served. <input type="checkbox"/> Physical location causes a public nuisance. <input type="checkbox"/> Site has been officially classified as a nuisance according to State Law. <input type="checkbox"/> Conviction of a crime by the applicant that relates to operating a liquor establishment. <input type="checkbox"/> Past improper operation of a location with a liquor permit. <input type="checkbox"/> Misrepresentation of material fact on the application. <input type="checkbox"/> Addiction of the applicant to alcohol or narcotics. <input type="checkbox"/> Formal objection by specific types of other locations to which the site is in certain proximity. <input type="checkbox"/> Conviction of the applicant of food stamp or WIC fraud. (Supplement Attached)
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**Delaware Police Department
Liquor Permit Report**

Supplement

Supplement Type

- New Business Description
- Police Department Objection
- Community Objection
- Other :

Applicant Mark Smiles is the owner/operator of The Greater Gouda, a store that specializes in gourmet cheeses and other fine foods (located at 12 North Sandusky St). Mr. Smiles intends on offering bottles of wine for sale individually and as part of cheese baskets/trays. No objections were received from any of the affected churches. Given the information at hand, there does not appear to be any reason for the Police Department to object to this permit.

Det. D. M. M. #50 7/12/2017
Investigating Officer Signature Date

Det. Sgt. Michael J. #16 7/18/17
Supervisor Signature Date



FACT SHEET

AGENDA ITEM NO: 11

DATE: 07/24/2017

ORDINANCE NO:

RESOLUTION NO: 17-46

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Ted Miller, Parks and Natural Resource Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION ADOPTING THE RENAMING OF EASTSIDE PARK TO BENNETT PARK.

BACKGROUND:

A request to rename Eastside Park to Bennett Park has been made to honor the late Richard Bennett. Mr. Bennett was heavily involved in the creation of Eastside Park and has been an influential leader for the City of Delaware. See the attached application for more information.

REASON WHY LEGISLATION IS NEEDED:

Per the Park Facilities & Dedication Policy the requested renaming must be considered by City Council.

COMMITTEE RECOMMENDATION:

The Parks and Recreation Boards has recommended approval of the renaming at the June 20, 2017.

FISCAL IMPACT(S):

None

POLICY CHANGES:

None

PRESENTER(S):

Ted Miller, Parks and Natural Resource Director

RECOMMENDATION:

Approval

ATTACHMENT(S)

Request Application

Letter from family

Park Renaming Policy

Dear Delaware City Council and Parks and Recreation Committee,

Shortly after our father Richard L. Bennett passed away, we were contacted by Pat Yankee to see if we would support an effort to rename Eastside Park after our dad. All three of us fully support the renaming, and we are very proud that dad made such an impression on people during his life that they want to see him honored in this way. Dad loved Delaware, and spent his life serving it and its citizens. He was especially proud of the park, and, he would be humbled and honored that those he touched are doing this for him. Thank you for your consideration of this matter.

Sincerely,

Shawn Bennett

Handwritten signature of Shawn Bennett in cursive script.

Kris Bennett

Handwritten signature of Kris Bennett in cursive script.

Erin Bennett

Handwritten signature of Erin Bennett in cursive script.

Nomination of Eastside Neighborhood Park to be named “Dick Bennett Park”:

Dick Bennet was born in Delaware, Ohio on April 18, 1942. He served our country in the U.S. Air Force from 1960-1968, he was a Delaware City Police Officer for 20 years, and was the head of the Delaware County Veterans Service for an additional 20 years.

Dick Bennett was proud of his east side roots. He always felt the east side kids deserved a park and he served on the East Side Park Committee that developed the current Eastside Park from an overgrown field to an established park. Dick’s residence overlooked this same park until he was forced to move after the passing of his wife and his own poor health.

He was also an active member of his east side church. Dick Bennett volunteered as a teacher at the JVS (now Delaware Area Career Center), as an east side Boy Scouts Leader, and for the Delaware Police Department Explorers unit. Dick Bennett also took two new Delaware City Police Officers from outside of Delaware and mentored them on the history of the City of Delaware. Both Sheriff Russell Martin and I were always grateful for this mentoring and introduction into real community policy.

Dick Bennett passed away on October 1, 2015 and is interred at Oakwood Cemetery in Delaware.

CITY OF DELAWARE
PARKS AND NATURAL RESOURCES
POLICIES AND PROCEDURES
PARK AND FACILITIES NAMING AND DEDICATION POLICY

1.0 POLICY:

- 1.1 It is the policy of the City of Delaware, Parks and Natural Resources to name newly acquired or developed or as-yet unnamed parks (or portions of park as described below) and recreation facilities, after following the procedures outlined below.
- 1.2 Parks may name significant portions of an otherwise named park, such as a fountain, playfield, pavilion, skate area, or playground.

2.0 PURPOSE OF POLICY:

- 2.1 The purpose of the park and facilities naming and dedication policy is to provide a clear process for naming and dedicating parks and facilities owned and managed by the Parks and Natural Resources Department.
- 2.2 Ensure that parks and recreational areas are easily identified and located.
- 2.3 Ensure that names given are consistent with the values and characteristics of the City of Delaware.
- 2.4 Assure the quality of the title/name, so that it will serve the purpose of the city in a permanent manner.
- 2.5 Encourage public participation and input in order to fully represent the best interest of the area affected.
- 2.6 Encourage and recognize the dedication of lands, or donations by individuals or groups.

3.0 DEFINITIONS:

- 3.1 Parks and Recreation Advisory Board (PRAB) – a citizen board created by the city Charter to advise the Parks and Natural Resources Director, the Mayor, the City Manager, City Council and other city departments with respect to park and natural resource matters.
- 3.2 Parks and Recreation Facilities – all properties and facilities in the park and recreation system of the City under ownership, management and/or control of the City of Delaware Parks and Natural Resources.

4.0 RESPONSIBILITY:

- 4.1 The Parks and Recreation Advisory Board is authorized to establish criteria and procedures to be followed in selecting names to be submitted to City Council.

5.0 PROCEDURES:

- 5.1 Staff, city residents, community leaders and organizations interested in proposing a name for a park, recreational area or facility must submit written recommendations, petitions, etc. for presentation to the Parks and Natural Resources Director for consideration by the Parks and Recreation Advisory Board. Recommendations need to describe in detail why the candidate merits such recognition. The Parks and Natural Resources Director will provide staff support.

CITY OF DELAWARE
PARKS AND NATURAL RESOURCES
POLICIES AND PROCEDURES
PARK AND FACILITIES NAMING AND DEDICATION POLICY

- 5.2 The Parks and Natural Resources Department will use the media, community groups, notification to those who have participated in community meetings relating to the development and or acquisition of the park site, and appropriate signage to solicit suggestions for names from organizations and individuals. The Parks and Natural Resources Department will acknowledge and record for consideration all suggestions, solicited or not.
 - 5.3 After considering the names and applying the criteria set forth in 6.0 below, the Parks and Natural Resources Director shall forward naming recommendations to the Parks and Recreation Advisory Board Chair, and provide the historical or other supportive information as appropriate to justify the recommendations.
 - 5.4 The Parks and Recreation Advisory Board shall consider all requests and submit a formal recommendation for names deemed worthy of consideration to the City Manager and City Council.
 - 5.5 The City Council will allow for public input and comment.
 - 5.6 The City Council will confirm park, recreation areas, and facility names by resolution.
 - 5.7 The City Council has final approval and may reject any naming or renaming request. If City Council rejects naming or renaming request the application will return to the Park & Recreation Advisory Board for submission of a new name.
- 6.0 CRITERIA:
- 6.1 To avoid duplication, confusing similarity, or inappropriateness, the PRAB, in considering name suggestions, will review existing park and facility names in the park system.
 - 6.2 In naming a park or facility, the PRAB will consider geographical location, historical or cultural significance, distinctive natural or geological features, and the wishes of the community in which it is located.
 - 6.3 In naming community centers and other facilities, the PRAB will give considerable weight to the names that reflect the geographic location that gives identity to the community.
 - 6.4 Parks and recreation facilities may be named for a person subject to the following conditions: the person must be deceased for a minimum of one year, and the person must have made a significant positive contribution to parks, recreation, or culture in the community without which the park/facility may not exist, or in which the individual's contributions enhanced a program or facility in an extraordinary way. The City will bear the cost of the sign, plaque or monument indicating the name of the individual for whom the facility is named.
 - 6.5 As a general rule, portions of a park or recreation facility will not have a name other than that of the entire facility. The Committee may consider exceptions in cases where, as a revenue or fundraising opportunity, a nomination is submitted to name a room within a community center after a corporate sponsor or in cases where an area within a park is distinctive enough, in the view of the Committee, to merit its own name.

CITY OF DELAWARE
PARKS AND NATURAL RESOURCES
POLICIES AND PROCEDURES
PARK AND FACILITIES NAMING AND DEDICATION POLICY

- 6.6 When naming after a person or persons, written documentation of approval by next of kin to be honored (if available/possible) is required as part of the proposal.
 - 6.8 Because temporary “working” designations tend to be retained, the Parks and Natural Resources Director will carry out the naming process for a new park facility as early as possible after its acquisition or development. Facilities will bear number designations until the naming process results in adoption of a name.
- 7.0 EXCLUSIONS
- 7.1 Naming associations with tobacco, alcohol, contraceptives, religious organizations, political candidates or adjudicated felons are prohibited.
 - 7.2 The dedication of small park amenities with an identifiable lifespan and not intended to be permanent such as fixed park benches and tables shall be addressed under a separate parks policy.
- 8.0 RENAMING
- 8.1 The intent of naming is for permanent recognition. The renaming of parks and facilities is strongly discouraged. It is recommended that efforts to change a name be subject to the most crucial examination so as not to diminish the original justification for the name or discount the value of the prior contributors. Parks named for subjects, other than individuals, may be changed in name only if the current name is ineffectual or inappropriate.
 - 8.2 The same criteria and procedures will apply to renaming an existing park or facility.



FACT SHEET

AGENDA ITEM NO: 12

DATE: 07/24/2017

ORDINANCE NO:

RESOLUTION NO: 17-47

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Darren Shulman, City Attorney

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AND ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE DELAWARE COUNTY COMMISSIONERS FOR INDIGENT DEFENSE SERVICES FOR MUNICIPAL CODE VIOLATIONS.

BACKGROUND:

The County Public Defender's Office requires each city to have an agreement in place with the County to pay for counsel for indigent defendants in Municipal Court.

Because defendants typically are not entitled to a public defender when charged under the City's Codified Ordinances, we have not had to issue a payment for indigent defense services during the life of this agreement.

REASON WHY LEGISLATION IS NEEDED:

The County Public Defender requires annual renewals, authorized by City Council Ordinance every year. This year the Public Defender has added additional language (highlighted in red) that must be included in the agreement.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

Darren Shulman, City Attorney

RECOMMENDATION:

approval

ATTACHMENT(S)

N/A

**AGREEMENT FOR INDIGENT DEFENSE SERVICES
FOR MUNICIPAL CODE VIOLATIONS
(ASSIGNED COUNSEL SYSTEM)**

This Agreement is entered into by and between the Delaware County Commissioners, with a mailing address of 101 North Sandusky Street, Delaware, Ohio 43015, (hereinafter referred to as the "County"), and the City of Delaware, with a mailing address of 1 South Sandusky Street, Delaware, Ohio 43015, (hereinafter referred to as the "City").

WHEREAS, the City recognizes its responsibility under the laws of the State of Ohio and of the United States of America to provide legal counsel to indigent persons charged with a violation of a City ordinance for which the penalty or any possible adjudication includes the potential loss of liberty; and

WHEREAS, the County has adopted a court-assigned counsel program, whereby individual attorneys are assigned on a case by case basis for indigent defendants who qualify; and

WHEREAS, the County, pursuant to R.C. 120.33, may enter into a contract with a municipal corporation under which the municipal corporation shall reimburse the County for counsel appointed to represent indigent persons charged with a violation of an ordinance of the municipal corporation; and

WHEREAS, these contracts must contain terms in conformance with OAC 120-1-09, and the parties must follow the Ohio Public Defender Commission standards and guidelines and the limits of the County Maximum Fee Schedule for Appointed Counsel in order for the County to obtain reimbursement for indigent defense costs, pursuant to R.C. 120.33 and R.C. 120.35, and pay the City its appropriate share; and

WHEREAS, this Agreement has been authorized by the City by Res./Ord. # _____, passed by the Delaware City Council on _____, and by Resolution No. ~~4417-~~ _____, passed by the County on _____.

NOW THEREFORE, the parties do mutually agree to bind themselves as follows:

1. REPRESENTATION

1.1 The City and County agree that the judges may assign by journal entry, recorded on the Court Docket, appointed counsel to represent indigent persons on or after the commencement date and during the term of this Agreement in which the defendant is indigent and charged with the commission of an offense or act that is a violation of a City ordinance and for which the penalty or any possible adjudication includes the potential loss of liberty.

1.2 Indigency shall be determined in accordance with the standards of indigency and other rules and guidelines established by the Ohio Public Defender Commission and the State Public Defender, pursuant to R.C. 120.03 and OAC 120-1-03. In addition to indigency determination, all other rules, standards and guidelines issued by the Office of the Ohio Public Defender and the Ohio Public Defender Commission shall be followed.

2. COMPENSATION

2.1 Pursuant to R.C. 120.33 and the aforesaid resolutions, the County shall pay all legal fees and expenses to counsel duly appointed by the court to represent indigent persons charged with violations of the ordinances of the City.

2.2 Payment for representation of indigent persons shall be in accordance with the fee schedule adopted by the County.

2.3 The City agrees to reimburse the County for all legal fees and expenses that are paid by the County according to Section 2.1 within thirty (30) days of receipt of an invoice for such fees

and expenses. Payments not made within thirty (30) days of receipt of an invoice shall be assessed a ten percent (10%) late payment penalty.

- 2.4 The County shall promptly pay to the City any reimbursement received from the Office of the Ohio Public Defender Commission pursuant to R.C. Chapter 120 for any amounts expended pursuant to this Agreement, within thirty (30) days of the receipt of said reimbursement. Payments not made within thirty (30) days of the receipt of reimbursement shall be assessed a ten percent (10%) late payment penalty.

3. DURATION OF CONTRACT AND TERMINATION

3.1 This Agreement shall ~~be for one year, commence on~~ September ~~____, 2011 to September ____,~~ 2012-12, 2017 and shall remain in effect through December 31, 2018. This Agreement may be renewed for additional one year terms upon proper resolution by each party agreeing to the one year extension and proper appropriation of funding for the new year. Copies of the resolutions shall be sent to the Ohio Public Defender, 250 East Broad Street, Suite 1400, Columbus, Ohio 43215.

3.2 If the County or the City shall fail to fulfill in a reasonable, timely, and proper manner its obligations under this Agreement, or if either party shall substantially violate any of the covenants, agreements, or stipulations of this Agreement, then the aggrieved party shall thereupon have the right to terminate this Agreement by giving written notice to the other party of the termination and specifying an effective date thereof at least thirty (30) days before the effective date of termination. Termination by either party shall not constitute a waiver of any other right or remedy it may have in law or in equity for breach of this Agreement by the other party.

3.3 Written notice shall be considered furnished when it is sent by Certified Mail return receipt requested or is hand delivered.

4. TERMS OF AGREEMENT

4.1 As soon as is reasonably practical after a case is finally disposed of by the court, the court shall approve counsel fees in accordance with the standards of indigency, which fees shall not be taxed as part of the costs of the case. In only exceptional circumstances shall the court approve attorney's fees in excess of the schedule established by the County.

4.2 Recognizing that the requests for reimbursements must be received by the State Public Defender within ninety (90) days of the end of the calendar month in which a case is finally disposed of by the court, the clerk of court shall promptly notify the County of the fees of which have been approved.

4.3 After approval, the County Auditor shall thereafter process the fees and expenses approved by the court in accordance with the procedure set forth in R.C. 120.33.

4.4 There shall be no discrimination against any employee who is employed in the work covered by this Agreement or against any application for such employment because of race, color, religion, sex, age, handicap, or national origin. This provision shall apply to, but not be limited to, employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, raises of pay or other forms of compensation, and selection for training, including apprenticeship. The County shall include a similar provision in any subcontract for services covered by this Agreement.

4.5 No personnel of the parties or member of the governing body of any locality or other public official or employee of any such locality in which, or relating to which, the work under this Agreement is being carried out, and who exercises any functions or responsibilities in



FACT SHEET

AGENDA ITEM NO: 13

DATE: 07/24/2017

ORDINANCE NO:

RESOLUTION NO: 17-48

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: William L. Ferrigno, Public Works Director/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PARTNERING AGREEMENT WITH THE MID-OHIO REGIONAL PLANNING COMMISSION (MORPC) FOR THE POINT RAILROAD BRIDGE REPLACEMENT PROJECT, DEL-36-11.03.

BACKGROUND:

The Point Project represents the City's most important transportation improvement. In 2016, the city applied for MORPC Attributable Funding for this project and was notified in 2017 that the project had been selected for funding. The attached resolution authorizes the City Manager to enter into a partnering agreement with MORPC for this project.

REASON WHY LEGISLATION IS NEEDED:

Intergovernmental Agreements require City Council approval.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

See attached Project Funding Sheet

POLICY CHANGES:

N/A

PRESENTER(S):

William L. Ferrigno, P.E. – Public Works Director/City Engineer

RECOMMENDATION:

Approval

ATTACHMENT(S)

Project Funding Sheet
MORPC Partnering Agreement

RESOLUTION NO. 17-48

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PARTNERING AGREEMENT WITH THE MID-OHIO REGIONAL PLANNING COMMISSION (MORPC) FOR THE POINT RAILROAD BRIDGE REPLACEMENT PROJECT, DEL-36-11.03.

WHEREAS, the City of Delaware has identified the Point Railroad Bridge replacement as the City's most important transportation improvement project; and

WHEREAS, the City of Delaware applied for Mid-Ohio Regional Planning Commission (MORPC) Attributable Funding for the Point Project; and

WHEREAS, on July 7, 2017, MORPC notified the city that the Point Project has been selected for MORPC Attributable Funding pursuant to Resolution T-1-17 on March 7, 2017; and

WHEREAS, the City of Delaware recognizes its local funding obligation for this project of approximately \$6.1 million; and

WHEREAS, the City of Delaware will use its best effort to secure additional funding partners; and

WHEREAS, the City of Delaware understands its obligation as to this project, which are more particularly described in the attached Partnering Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DELAWARE, OHIO THAT:

SECTION 1. The City Manager of the City of Delaware is authorized to enter in to the attached Partnering Agreement with the Mid-Ohio Regional Planning Commission for the following MORPC Attributable Fund project: Point Railroad Bridge Replacement Project – DEL-36-11.03.

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 3. That this resolution shall be in force and effect immediately upon its passage.

PASSED: _____, 2017

YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR

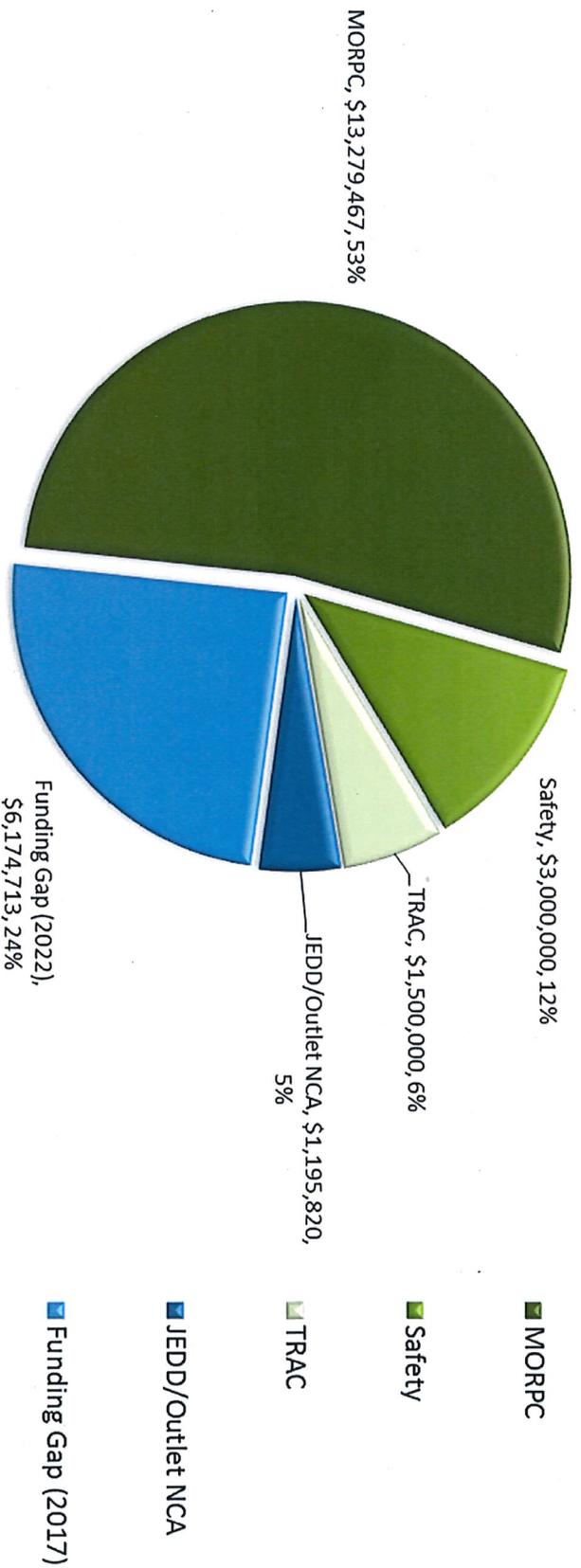
The Point - Project Funding

Project Costs (2022)

• PE/EE	\$1,000,000
• FE	\$2,300,000
• RR Force Account	\$1,600,000
• ROW	\$2,000,000
• Construction	\$17,500,000
• Construction ENG	\$750,000
Total	\$25,150,000

Funding Sources (2017)

• Federal Attributable STP	\$13,279,467
• ODOT Safety Funds	\$3,000,000
• ODOT TRAC	\$1,500,000
• JEDD	\$1,195,820
Total	\$19,522,687





Mid-Ohio Regional
Planning Commission

111 Liberty Street, Suite 100
Columbus, Ohio 43215

T 614.228.2663
TTY 1.800.750.0750

www.morpc.org

July 7, 2017

Mr. R. Thomas Homan
Manager, City of Delaware
1 South Sandusky Street
Delaware, Ohio 43015-4316

Matthew B. Weber P.E.
Deputy Delaware City Engineer
440 East William Street
Delaware, Ohio 43015

Dear Mr. Homan and Mr. Weber:

Your project, US 36 & SR 37 from west of Foley Street & east of East Street to SR 521, Major Widening/Bridge Replacement, has been selected for MORPC-attributable funding. MORPC receives an allocation of federal transportation funding in accordance with federal transportation law and by Ohio Department of Transportation (ODOT) policy. MORPC has established *Policies for Managing MORPC-Attributable Funds* (Policies) to guide the solicitation, selection and administration of these funds. The Policies were last adopted in April 2016.

Beginning in the spring of 2016, MORPC requested updated cost and schedule information from previous funding commitments and solicited, evaluated and selected projects for new funding commitments. This process concluded with the adoption of the program of projects to receive MORPC-attributable funding via Resolution T-1-17 on March 7, 2017.

In accordance with the Policies, entities that receive funding are to enter into a partnering agreement that specifies the scope and schedule of the project receiving the funding commitment as well as the project sponsor and MORPC's commitment to be knowledgeable and deliver the project through ODOT's Project Development Process (PDP). This requires that the project sponsor and consultant, if applicable, attend quarterly meetings and provide other information to MORPC so that progress through the PDP can be monitored. The project manager, Matt Weber, should remain in contact with MORPC staff and communicate any changes to the scope, cost and schedule promptly. This letter, once signed by both parties, constitutes the partnering agreement.

Via MORPC Resolution T-1-17, \$1,680,000 of ROW and \$11,599,467 of CON funding for US 36 & SR 37 from west of Foley Street & east of East Street to SR 521, Major Widening/Bridge Replacement (PID 103626) was awarded. However, with changes to the project's ODOT funding, MORPC has adjusted the funding commitment per the City of Delaware's request to be entirely in the CON phase as follows.

William Murdock, AICP
Executive Director

Matt Greeson
Chair

Rory McGuinness
Vice Chair

Karen J. Angelou
Secretary

Phase	State Fiscal Year	Amount
CON	2022	\$13,279,467

For the construction phase, MORPC was not able to commit funding in the fiscal year proposed by the schedule in the Final Application. If MORPC-attributable funding is not available when the project is ready, financing options include a State Infrastructure Bank (SIB) loan, a loan from another Metropolitan Planning Organization, or other financing mechanisms. MORPC will work with Delaware in pursuing these options.

To ensure the implementation of this schedule and track the availability of funding for this and other projects, project milestones will be monitored. The date listed below for the Final Plans and Bid Package Submittal to ODOT will be used to establish the dates that will trigger penalties per the Policies if they are not met.

Milestone	Scheduled Date	Trigger Date for Score Reduction	Trigger Date for Ineligibility
Final Plans and Bid Package Submittal to ODOT	1/11/2021	1/11/2022	1/11/2023

As outlined in the Policies, if the construction encumbrance is delayed beyond the fiscal year in which funds are committed above, future applications submitted for MORPC-attributable funding will have their score reduced by 5 points; if the construction encumbrance is delayed by more than one year beyond the fiscal year in which funds are committed above, the sponsoring jurisdiction will be ineligible to submit new projects for MORPC-attributable funding. Penalties will be applied until the milestone creating the penalty is complete.

Additionally, projects that miss obligation dates that result in the loss of funding to the region will have their federal share reduced by 10 percentage points (typically from 80 percent to 70 percent).

Since the milestone for Final Plans and Bid Package Submittal to ODOT is after December 31, 2018, MORPC requires the project sponsor to submit an update in spring of 2018.

July 7, 2017

Mr. R. Thomas Homan/Mr. Matthew Weber

Page 3

See the Policies for additional information and don't hesitate to contact MORPC staff with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Thea J. Walsh".

Thea J. Walsh, AICP
Director
Transportation Systems & Funding

MORPC agrees to fund the US 36 & SR 37 from west of Foley Street & east of East Street to SR 521, Major Widening/Bridge Replacement project in the amounts shown above according to the included schedule, contingent upon MORPC's continued federal funding. The City of Delaware agrees to the amounts shown above and the included schedule and is aware of the potential penalties of failing to maintain that schedule. Changes to the scope, cost and schedule as outlined in this agreement must be approved in accordance with the Policies.



Director
Transportation Systems & Funding
Mid-Ohio Regional Planning Commission

7/7/2017

Date

CEO
City of Delaware

Date



FACT SHEET

AGENDA ITEM NO: 14

DATE: 07/24/2017

ORDINANCE NO:

RESOLUTION NO: 17-49

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: William L. Ferrigno, Public Works Director/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PARTNERING AGREEMENT WITH THE MID-OHIO REGIONAL PLANNING COMMISSION (MORPC) FOR THE CITYWIDE SIGNALS UPGRADE PROJECT PHASE 1.

BACKGROUND:

In 2016 the City applied for MORPC funding for a Citywide Signal Improvement Project, which was selected by MORPC for funding in 2017. The project will result in improved signal timing throughout the City of Delaware.

REASON WHY LEGISLATION IS NEEDED:

Intergovernmental Agreements require City Council approval.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

See attached Project Funding Sheet

POLICY CHANGES:

N/A

PRESENTER(S):

William L. Ferrigno, P.E. – Public Works Director/City Engineer

RECOMMENDATION:

Approval

ATTACHMENT(S)

Project Funding Sheet

MORPC Partnering Agreement

RESOLUTION NO. 17-49

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PARTNERING AGREEMENT WITH THE MID-OHIO REGIONAL PLANNING COMMISSION (MORPC) FOR THE CITYWIDE SIGNALS UPGRADE PROJECT PHASE 1.

WHEREAS, in 2016 the City of Delaware applied for MORPC Attributable Funding for the Citywide Signal Upgrade Project Phase 1; and

WHEREAS, on July 7, 2017, MORPC notified the city that the Citywide Signal Upgrade Project Phase 1 has been selected for MORPC Attributable Funding pursuant to Resolution T-1-17 on March 7, 2017; and

WHEREAS, the City of Delaware understands its obligation as to this project, which are more particularly described in the attached Partnering Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DELAWARE, OHIO THAT:

SECTION 1. The City Manager of the City of Delaware is authorized to enter into the attached Partnering Agreement with the Mid-Ohio Regional Planning Commission for the following MORPC Attributable Fund Project: Citywide Signal Upgrade Project Phase 1.

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 3. That this resolution shall be in force and effect immediately upon its passage.

PASSED: _____, 2017 YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____ CITY CLERK
_____ MAYOR

Signals Phase A - Project Funding

Funding Sources (2017)

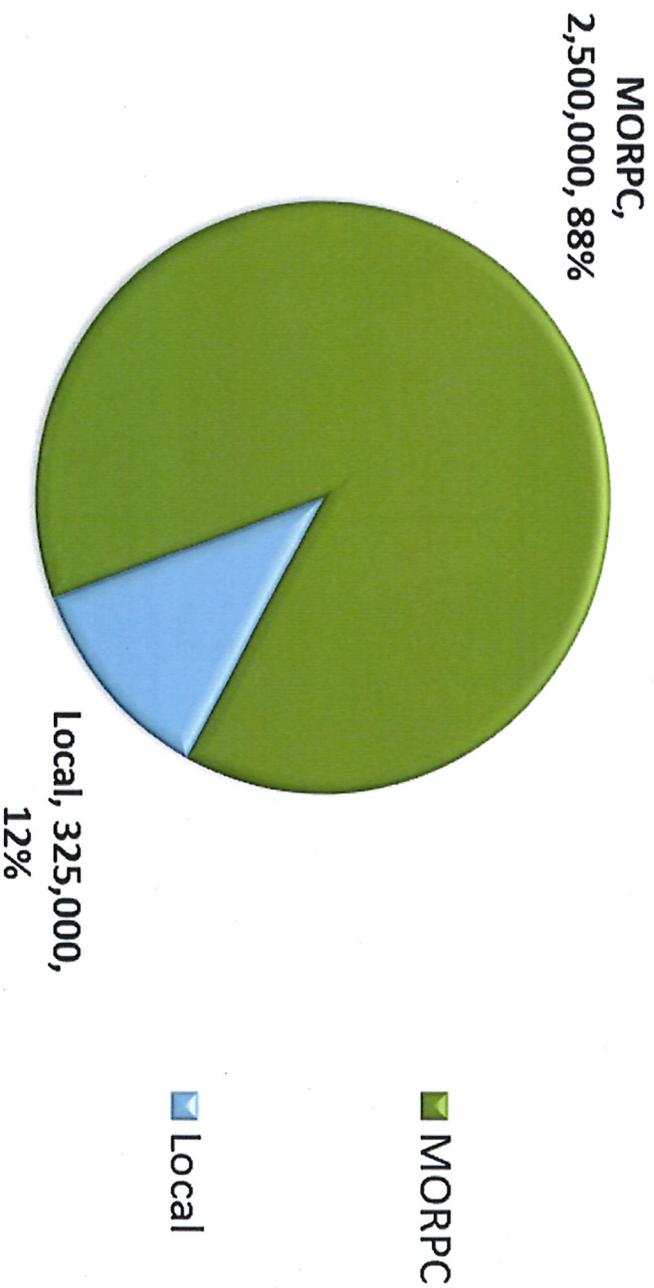
- Federal Attributable STP \$2,500,000
- Local \$325,000

Total \$2,825,000

Project Costs (2019)

- PE/EE \$50,000
- FE \$200,000
- ROW \$75,000
- Construction \$2,500,000
- Construction ENG In-House

Total \$2,825,000





Mid-Ohio Regional
Planning Commission

111 Liberty Street, Suite 100
Columbus, Ohio 43215

T 614.228.2663
TTY 1.800.750.0750

www.morpc.org

July 7, 2017

Mr. R. Thomas Homan
Manager, City of Delaware
1 South Sandusky Street
Delaware, Ohio 43015-4316

Matthew B. Weber P.E.
Deputy Delaware City Engineer
440 East William Street
Delaware, Ohio 43015

Dear Mr. Homan and Mr. Weber:

Your project, **Delaware Signal System Upgrade**, has been selected for MORPC-attributable funding. MORPC receives an allocation of federal transportation funding in accordance with federal transportation law and by Ohio Department of Transportation (ODOT) policy. MORPC has established *Policies for Managing MORPC-Attributable Funds* (Policies) to guide the solicitation, selection and administration of these funds. The Policies were last adopted in April 2016.

Beginning in the spring of 2016, MORPC requested updated cost and schedule information from previous funding commitments and solicited, evaluated and selected projects for new funding commitments. This process concluded with the adoption of the program of projects to receive MORPC-attributable funding via Resolution T-1-17 on March 7, 2017.

In accordance with the Policies, entities that receive funding are to enter into a partnering agreement that specifies the scope and schedule of the project receiving the funding commitment as well as the project sponsor and MORPC's commitment to be knowledgeable and deliver the project through ODOT's Project Development Process (PDP). This requires that the project sponsor and consultant, if applicable, attend quarterly meetings and provide other information to MORPC so that progress through the PDP can be monitored. The project manager, Matt Weber, should remain in contact with MORPC staff and communicate any changes to the scope, cost and schedule promptly. This letter, once signed by both parties, constitutes the partnering agreement.

Via MORPC Resolution T-1-17, funding for the Delaware Signal System Upgrade (PID 105799) has been awarded for the following phase.

Phase	State Fiscal Year	Amount
CON	2022	\$2,500,000

For the construction phase, MORPC was not able to commit funding in the fiscal year proposed by the schedule in the Final Application. If MORPC-attributable funding is not available when the project is ready, financing options include a State

William Murdock, AICP
Executive Director

Matt Greeson
Chair

Rory McGuiness
Vice Chair

Karen J. Angelou
Secretary

Infrastructure Bank (SIB) loan, a loan from another Metropolitan Planning Organization, or other financing mechanisms. MORPC will work with Delaware in pursuing these options.

To ensure the implementation of this schedule and track the availability of funding for this and other projects, project milestones will be monitored. The date listed below for the Final Plans and Bid Package Submittal to ODOT will be used to establish the dates that will trigger penalties per the Policies if they are not met.

Milestone	Scheduled Date	Trigger Date for Score Reduction	Trigger Date for Ineligibility
Final Plans and Bid Package Submittal to ODOT	6/1/2020	12/31/2021	12/31/2022

As outlined in the Policies, if the construction encumbrance is delayed beyond the fiscal year in which funds are committed above, future applications submitted for MORPC-attributable funding will have their score reduced by 5 points; if the construction encumbrance is delayed by more than one year beyond the fiscal year in which funds are committed above, the sponsoring jurisdiction will be ineligible to submit new projects for MORPC-attributable funding. Penalties will be applied until the milestone creating the penalty is complete.

Additionally, projects that miss obligation dates that result in the loss of funding to the region will have their federal share reduced by 10 percentage points (typically from 80 percent to 70 percent).

Since the milestone for Final Plans and Bid Package Submittal to ODOT is after December 31, 2018, MORPC requires the project sponsor to submit an update in spring of 2018.

See the Policies for additional information and don't hesitate to contact MORPC staff with any questions.

Sincerely,



Thea J. Walsh, AICP
Director
Transportation Systems & Funding

TJW:RN:bsn

July 7, 2017

Mr. R. Thomas Homan/Mr. Matthew Weber

Page 3

MORPC agrees to fund the Delaware Signal System Upgrade project in the amounts shown above according to the included schedule, contingent upon MORPC's continued federal funding. The City of Delaware agrees to the amounts shown above and the included schedule and is aware of the potential penalties of failing to maintain that schedule. Changes to the scope, cost and schedule as outlined in this agreement must be approved in accordance with the Policies.



_____	7/7/2017
Director Transportation Systems & Funding Mid-Ohio Regional Planning Commission	Date

_____	_____
CEO City of Delaware	Date



FACT SHEET

AGENDA ITEM NO: 15

DATE: 07/24/2017

ORDINANCE NO: 17-50

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: William L. Ferrigno, P.E., Director of Public Works/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE SUPPLEMENTING THE 2017 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR LAND DEVELOPMENT-ENGINEERING PROFESSIONAL SERVICES, AND DECLARING AN EMERGENCY.

BACKGROUND:

The Public Works Department – Division of Traffic & Engineering Services – utilizes engineering consulting firms to supplement in-house staff efforts to provide plan review and construction inspection services for land development projects. The majority of the cost to provide these services is reimbursed through a flat fee invoiced before the services are provided.

REASON WHY LEGISLATION IS NEEDED:

The Land Development activity in the City of Delaware currently remains very high. The original 2016 appropriation of **\$500,000** is projected to be spent by the end of August. Construction activity is expected to ramp up even higher in the late summer and be at record levels through the fall of 2017.

COMMITTEE RECOMMENDATION:

None

FISCAL IMPACT(S):

The flat fees invoiced in the first half of 2017 exceed \$1.5M. The current 2017 expenses for this line item (as of 6/30/17) are \$322,000 and projected expenses are **\$890,000**.

POLICY CHANGES:

None

PRESENTER(S):

William L. Ferrigno, P.E., Director of Public Works/City Engineer

RECOMMENDATION:

Approval at Second Reading

ATTACHMENT(S)

Public Works – Land Development Cost/Revenue Tracking Sheets (2)

ORDINANCE NO. 17-50

AN ORDINANCE SUPPLEMENTING THE 2017 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR LAND DEVELOPMENT-ENGINEERING PROFESSIONAL SERVICES, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Delaware and its agents, provide both plan review and construction inspection services through the Public Works Department – Division of Traffic & Engineering Services, for infrastructure elements of development projects; and

WHEREAS, the provision of plan review and construction inspection services is an integral part in assuring the quality of new infrastructure constructed within and dedicated to the City; and

WHEREAS, the cost to the City of providing these services is charged to and reimbursed back to the City by the individual developers; and

WHEREAS, the amount included in the 2017 Budget to pay for these services is not sufficient based on current and projected development activity this year; and

WHEREAS, a supplemental appropriation will be necessary to continue to perform plan reviews and provide construction inspection on new development in 2017.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That there is hereby appropriated from the unencumbered balance of the General Fund \$400,000 increasing the following account:

Engineering Department	
Professional Services–Development (101-0065-5231)	\$400,000

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Ohio Revised Code.

SECTION 3. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace,

safety, health and welfare of the City and for the further reason to provide for the timely review of development plans and for the continued utilization of construction inspection services, and as such will be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION:

YEAS ___ NAYS ___
ABSTAIN ___

VOTE ON EMERGENCY CLAUSE:

YEAS ___ NAYS ___
ABSTAIN ___

PASSED: _____, 2017

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR

2017 Land Development & ROW Professional Service Expense Summary
(PROJECTIONS IN RED)

Professional Services - Expenses Acct: 101.0065.5231

1st Quarter (January-March)

	January	February	March	
Quality Control Inspection**	\$32,205.59	\$25,608.52	\$25,524.08	\$83,338.19
Pomeroy & Associates	\$9,687.62	\$11,805.31	\$8,441.55	\$29,934.48
City of Columbus	\$118.00	\$0.00	\$472.00	\$590.00
Total				\$113,862.67

2nd Quarter (April-June)

	April	May	June	
Quality Control Inspection**	\$46,475.69	\$51,314.99	\$76,452.18	\$174,242.86
Pomeroy & Associates	\$17,699.19	\$8,868.61	\$3,372.53	\$29,940.33
City of Columbus	\$2,596.00	\$354.00	\$781.75	\$3,731.75
Total				\$207,914.94

3rd Quarter (July-September)

	July	August	September	
Quality Control Inspection**	\$90,000.00	\$120,000.00	\$120,000.00	\$330,000.00
Pomeroy & Associates	\$12,000.00	\$12,000.00	\$8,000.00	\$32,000.00
City of Columbus	\$1,500.00	\$1,500.00	\$1,500.00	\$4,500.00
Total				\$366,500.00

4th Quarter (October-December)

	October	November	December	
Quality Control Inspection**	\$90,000.00	\$55,000.00	\$35,000.00	\$180,000.00
Pomeroy & Associates	\$6,000.00	\$6,000.00	\$6,000.00	\$18,000.00
City of Columbus	\$500.00	\$250.00	\$250.00	\$1,000.00
Total				\$199,000.00

Projected Year End Vendor Totals

Quality Control Inspection	\$767,581.05
Pomeroy & Associates	\$109,874.81
City of Columbus	\$9,821.75
Total	\$887,277.61

** Includes ROW expenses

City Staffing	Annual Cost	Utility	Total
Deputy Engineer	\$130,000.00	40%	\$52,000.00
Project Engineer II	\$115,000.00	90%	\$103,500.00
Project Engineer I	\$115,000.00	70%	\$80,500.00
Construction Manager	\$95,000.00	90%	\$85,500.00
Engineering Technician	\$92,000.00	50%	\$46,000.00
	\$547,000.00		\$367,500.00

Total Estimated Expense \$1,254,777.61

<u>2017 Available Funds</u>	<u>Date</u>	<u>Amount</u>
2017 Appropriation	1/1/2016	\$500,000.00

Total YTD \$500,000.00



FACT SHEET

AGENDA ITEM NO: 16

DATE: 07/24/2017

ORDINANCE NO: 17-51

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Bill Ferrigno, Public Works Director/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE APPROVING THE SALE OF A SOLID WASTE DEPARTMENT 2006 INTERNATIONAL RECYCLING TRUCK THAT HAS OUTGROWN ITS USEFUL SERVICEABLE LIFE.

BACKGROUND:

This vehicle has been deemed beyond its serviceable life to the City of Delaware. The recycling truck has been replaced with a newer model. The anticipated sale price will be in excess of the \$5,000.00 threshold.

REASON WHY LEGISLATION IS NEEDED:

Council approval for the sales is necessary based on Delaware City Code Section 108.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

Bill Ferrigno, Public Works Director/City Engineer

RECOMMENDATION:

Approval

ATTACHMENT(S)

N/A

ORDINANCE NO. 17-51

AN ORDINANCE APPROVING THE SALE OF A SOLID WASTE DEPARTMENT 2006 INTERNATIONAL RECYCLING TRUCK THAT HAS OUTGROWN ITS USEFUL SERVICEABLE LIFE.

WHEREAS, the City of Delaware is the owner of a 2006 International Recycling Truck which is anticipated will exceeded the \$5,000.00 threshold when offered for online sale; and

WHEREAS, The Public Works Director has determined that the vehicle is no longer needed for municipal purposes; and

WHEREAS, Council finds that the vehicle has no historical value.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Delaware, State of Ohio that:

SECTION 1. The 2006 International Recycling Truck be sold pursuant to Delaware City Code Section 108.

SECTION 2. The vehicle will be advertised for sale on the electronic website known as GovDeals. Bids will be electronically received by GovDeals by a date and time as established and sold to the highest bidder.

SECTION 3. This Council finds and determines that all formal actions of this council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION:

YEAS___NAYS___
ABSTAIN ___

PASSED: _____, 2017

YEAS___NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 17

DATE: 07/24/2017

ORDINANCE NO: 17-52

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Darren Shulman, City Attorney

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE TO AUTHORIZE AND DIRECT THE CITY MANAGER TO EXECUTE AND SIGN A PETITION ON BEHALF OF THE CITY OF DELAWARE, OHIO, AS THE "PROXIMATE CITY" WITHIN THE MEANING OF SECTION 349.01(M) OF THE OHIO REVISED CODE, TO ADD PROPERTY TO THE BERKSHIRE LANDING NEW COMMUNITY AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

BACKGROUND:

As the proximate city, Delaware must give approval if Berkshire Landing is going to expand its New Community Authority (NCA). In looking at the potential impact of the development on the City, staff recommends that the City approve this NCA without any financial consideration.

REASON WHY LEGISLATION IS NEEDED:

Under Ohio Revised Code the proximate city must give approval by ordinance or resolution.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

Negligible impact on City infrastructure caused by the future development.

POLICY CHANGES:

This is consistent with past practice regarding NCA requests.

PRESENTER(S):

Darren Shulman, City Attorney

RECOMMENDATION:

Approval

ATTACHMENT(S)

Executive Summary

Petition

ORDINANCE NO. 17-52

AN ORDINANCE TO AUTHORIZE AND DIRECT THE CITY MANAGER TO EXECUTE AND SIGN A PETITION ON BEHALF OF THE CITY OF DELAWARE, OHIO, AS THE “PROXIMATE CITY” WITHIN THE MEANING OF SECTION 349.01(M) OF THE OHIO REVISED CODE, TO ADD PROPERTY TO THE BERKSHIRE LANDING NEW COMMUNITY AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, Berkshire Crossing Development, LLC (the “Developer”) has previously submitted a petition to the City of Delaware requesting the establishment of a new community authority (the “Authority”) named the “Berkshire Landing New Community Authority” comprising over 1,000 acres in Delaware County, Ohio for the purposes of developing that property (the “Existing District”) as one functionally interrelated community, for the purposes of obtaining approval of the City as the “proximate city” under Section 349.01 of the Revised Code ;

WHEREAS, pursuant to Ordinance No. 118-2014 passed by City Council on December 22, 2014, the City provided its approval as the proximate City for the establishment of the Authority ;

WHEREAS, the Developer has requested that the City, as a “proximate city” sign a petition (the “Petition”) to be presented to the Board of Commissioners (the “Board”) of Delaware County Ohio (the “County”) to add approximately 237.22 acres (the “Additional Property”) to the Existing District governed by the Authority in accordance with the provisions of Chapter 349 of the Ohio Revised Code;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio, that:

Section 1. The City Manager is hereby authorized to execute and sign the Petition on behalf of the City and the Council, which Petition shall be presented to the Council pursuant to Chapter 349 of the Ohio Revised Code to add the Additional Property to the Existing District within the jurisdiction of the Berkshire Landing New Community Authority for the benefit of the City, its residents and the residents of the proposed new community authority. The City Manager’s signature on that Petition shall indicate the approval of that Petition by the “proximate city” within the meaning of Section 349.01(M) of the Ohio Revised Code.

Section 2. All other officers of the City are authorized to take such other

actions as may be needed in connection with addition of the Additional Property to the Existing District and to provide proximate city approval as needed for such actions.

Section 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of this City and for the further reason that this Ordinance is required to be immediately effective to provide for the timely consideration of the petition by the County, prior to the expiration of certain provisions in the law that make the establishment of such community authority possible, thus securing for the City and its residents additional economic benefits from the new community authority which are needed to provide for the health, welfare and safety of the residents of the City; wherefore, this Ordinance shall be full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION:

YEAS _____ NAYS _____
ABSTAIN _____

EMERGENCY CLAUSE:

YEAS _____ NAYS _____
ABSTAIN _____

PASSED: _____, 2017

YEAS _____ NAYS _____
ABSTAIN _____

ATTEST:

CITY CLERK

MAYOR

MEMORANDUM

TO: Hon. Carolyn Kay Riggle, City of Delaware
R. Thomas Homan, City of Delaware

FROM: Kip Wahlers (kip.wahlers@icemiller.com)

DATE: July 19, 2017

RE: Expansion of Territory of Berkshire Landing New Community Authority

In December 2014, Berkshire Crossing Development, LLC, as statutory developer under Chapter 349 of the Ohio Revised Code, submitted a petition to the City of Delaware, as proximate City, requesting the establishment of the Berkshire Landing New Community Authority (the "NCA"). The NCA presently consists of over 1000 acres and is depicted on Exhibit A-3 of the new petition. The City provided its approval of the NCA pursuant to Ordinance 118-2014, passed by the City Council on December 22, 2014. The NCA was initially established to provide financing for public infrastructure required by Delaware County and ODOT relating to the Tanger Outlets mall at the junction of US36/SR37 and I-71.

In 2016, BrookDoc Investments approached the NCA and the statutory developer seeking to add approximately 240 acres (the "Additional Property") to the existing NCA, as depicted and described in Exhibits A-1 and A-2 of the new petition; the new development will be primarily residential consisting of approximately 260 single family homes, 252 apartments and 151 condominiums when completed. Each of the residential properties will be assessed a 4 mill charge, in the case of single family residential and 5 mills in the case of condominiums, in order to provide amounts to the Olentangy Local School District and the Big Walnut Local School District to compensate them for agreeing to the provision of tax increment financing for infrastructure benefiting the Additional Property.

The ordinance to be considered by Council approves the addition of the Additional Property to the existing territory of the NCA., and provides the City's consent as proximate City within the meaning of Section 349.01(M) of the Ohio Revised Code.

Upon adoption of the Ordinance, I would ask that the City Clerk sign the Petition on page 4, evidencing the City's consent and approval.

Please feel free to contact me at (614) 462-1074 if you have any questions.

KLW

PETITION FOR AN ADDITION TO
A NEW COMMUNITY AUTHORITY

TO THE BOARD OF COMMISSIONERS
DELAWARE COUNTY, OHIO:

Pursuant to Chapter 349 of the Ohio Revised Code, Berkshire Crossing Development, LLC, an Ohio limited liability company (the "Developer"), hereby petitions the Board of Commissioners of Delaware County, Ohio (the "Commissioners") as the "organizational board of commissioners" within the meaning for Section 349.01(F) of the Ohio Revised Code for the addition of territory to the Berkshire Landing New Community Authority (the "Authority") heretofore established pursuant to Resolution 15-147 of the County, adopted February 5, 2015 pursuant to a Petition (the "Original Petition") filed with the County on December 23, 2014. The Developer is the "developer" within the meaning of Section 349.01(E) of the Ohio Revised Code for the new community district described in paragraph 3 below. Capitalized terms used in the Petition have the meanings give in Section 349.01 of the Ohio Revised Code unless otherwise defined or the context requires a different meaning.

The Developer further states as follows:

1. The proposed property is to be added to the "Berkshire Landing New Community Authority."
2. The principal office of the Authority is presently 250 West Street, Suite 700, Columbus, Ohio, or such other location as may hereafter be determined by the Board of Trustees of the Authority.
3. Attached to this Petition as Exhibit A-1 is a map of the land (the "Additional Property") to be added to the existing property ("Existing Property") within the Berkshire Landing New Community District (the "District"). Legal descriptions of each of the parcels included within the Additional Property (collectively, the "Property") are attached as Exhibit A-2, which include a full and accurate description of the boundaries of the District. All properties within those boundaries will be included in the District. The total additional acreage to be included in the District will be approximately 240.492 acres, all of which acreage is owned or controlled (within the meaning of Section 349.01(E) of the Ohio Revised Code) by the Developer. All of the Property located within the District is wholly within the boundaries of Delaware County. The Property to be included in the District is developable, taking into account the existing community, so that, taken together they will be a community characterized by well-balanced and diversified land use patterns, supported by the land acquisition and land development, and the community facilities acquired, constructed, operated and maintained by, the Authority. Depictions and descriptions of the Existing Property included within the District are included as Exhibit A-3 and Exhibit A-4, respectively. Attached to this Petition as Exhibits B-1 and B-2 is a statement setting forth the zoning regulations adopted or proposed for the area within the boundaries of the District for comprehensive

development as part of a new community. Copies of the applicable adopted zoning regulations are included as part of Exhibits B-1 and B-2.

5. Attached to this Petition as Exhibit C is a current plan indicating the proposed development program (the "Program") for the Additional Property to be included within District and Land Acquisition and Land Development activities, Community Facilities, Community Activities, and services which it is proposed that the Authority will undertake under the Program with respect to the Additional Property; the proposed method of financing these activities and services (including a description of the bases, timing, and manner of collecting any proposed community development charges); and the projected total residential population of, and employment within, the new community.

6. Consistent with Section 349.04 of the Ohio Revised Code, the board of trustees (the "Board") governing the Authority presently consists of seven members, with three of those members to be citizen members appointed by the Delaware County Board of Commissioners (the "Commissioners"), three members appointed by the Developer, and one member to be appointed by the Commissioners to serve as a representative of local government. Board members are subject to periodic re-appointment by the Developer and the Commissioners, respectively, with the Commissioners' re-appointments to be made in accordance with the resolution heretofore adopted by the Commissioners under Section 349.04 of the Revised Code.

7. Attached to this Petition as Exhibit D is a preliminary economic feasibility analysis for development of the Additional Property, including the area development pattern and demand, location and proposed size, present and future socio-economic conditions, public services provision, financial plan of the Property within the District, and a statement of the Developer's management capability.

8. The development will comply with all applicable environmental laws and regulations.

9. For purposes of the establishment of the Authority, the City of Delaware, Ohio, is the only "proximate city" as that term is defined in Section 349.01(M) of the Ohio Revised Code.

Attached Exhibits A, B, C and D are part of this Petition.

The Developer hereby requests that the Commissioners, as the organizational board of commissioners under Section 349.03 of the Ohio Revised Code, determine that this Petition complies as to form and substance with the requirements of Section 349.03 of the Ohio Revised Code, and further requests that the Commissioners fix the time and place of a hearing on this Petition for the establishment of the Authority. Pursuant to Section 349.03(A) of the Ohio Revised Code, pending determination by the Delaware County Commissioners that this Petition complies with Section 349.03 of the Ohio Revised Code that hearing must be held not less than thirty nor more than forty-

five days after the filing of this Petition pursuant to Section 349.03 of the Ohio Revised Code on this ____ day of _____, 2017.

IN WITNESS WHEREOF, Petitioner has caused this Petition for Addition of the Berkshire Landing New Community Authority to be executed by its duly authorized representative as of the day and year first above written.

BERKSHIRE CROSSING DEVELOPMENT,
LLC, as Developer

By: _____

Name: _____

Title: _____

Proximate City Approval

The City of Delaware, Ohio, by its Ordinance No. ____-2017 passed by its City Council on _____, 2017, has authorized the undersigned, the City Clerk of the City of Delaware, to sign this Petition, and the Petition is herewith signed, as evidence of that approval.

City of Delaware, Ohio

By: _____
City Clerk

EXHIBIT A-1

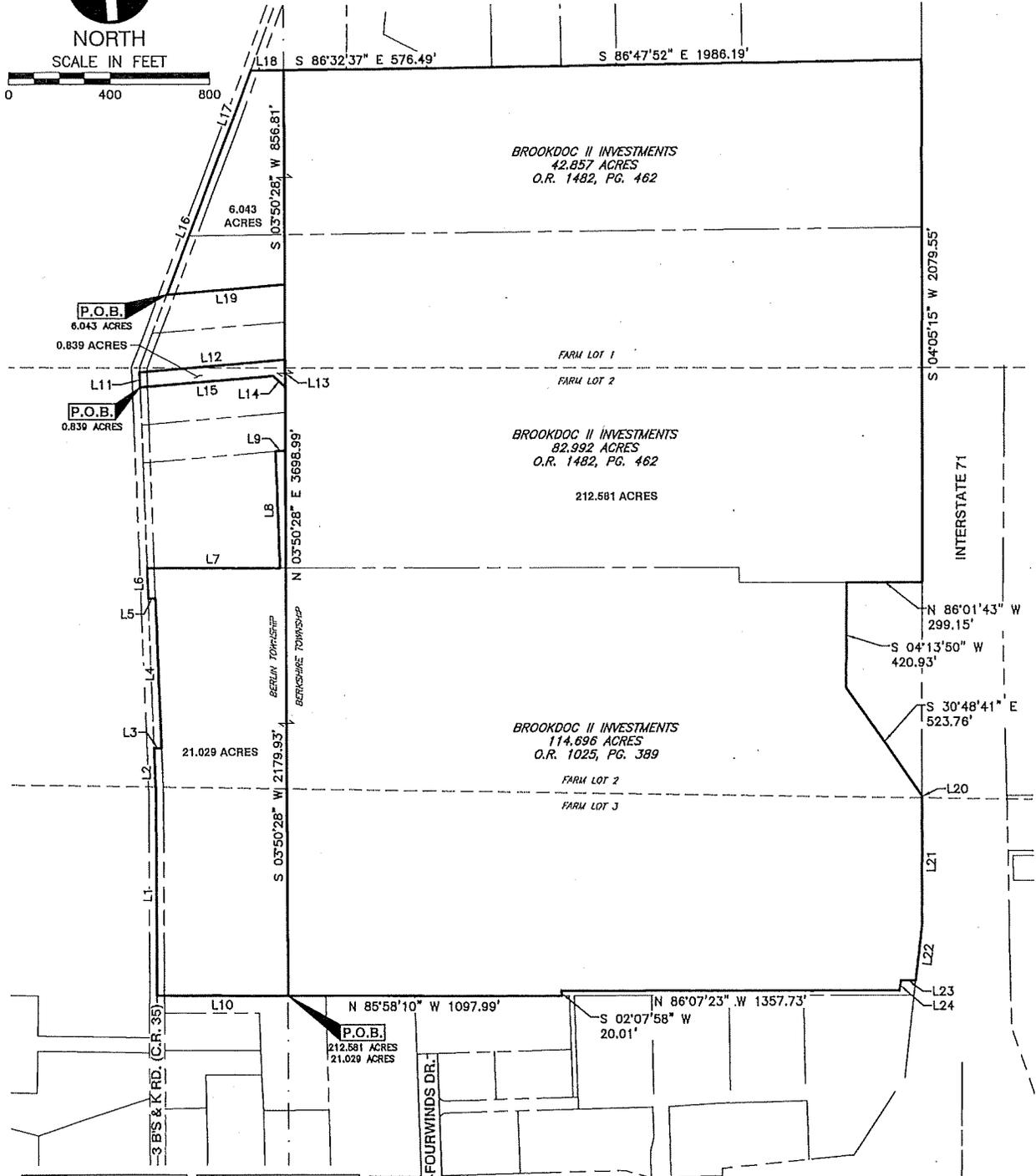
MAP OF ADDITIONAL PROPERTY

PARCEL EXHIBIT

STATE OF OHIO, COUNTY OF DELAWARE, TOWNSHIP OF BERKSHIRE AND BERLIN,
 FARM LOTS 1, 2, AND 3, SECTION 1, TOWNSHIP 4, RANGE 17
 UNITED STATES MILITARY LANDS



NORTH
 SCALE IN FEET



LINE #	DIRECTION	LENGTH
L1	N 03°53'05" E	786.75'
L2	N 01°48'28" E	103.79'
L3	S 86°08'23" E	30.02'
L4	N 01°48'28" E	599.99'
L5	N 86°08'23" W	30.02'
L6	N 01°48'28" E	120.68'
L7	S 88°01'30" E	536.92'
L8	N 01°50'52" E	485.60'
L9	N 89°04'08" E	39.12'
L10	N 85°58'10" W	529.07'
L11	N 01°50'35" E	60.07'
L12	N 89°08'42" E	590.82'
L13	S 03°50'28" W	108.42'
L14	N 43°29'33" W	65.32'
L15	S 89°08'42" W	540.33'
L16	N 24°58'03" E	552.10'
L17	N 24°34'10" E	406.15'

LINE #	DIRECTION	LENGTH
L18	S 86°32'37" E	134.02'
L19	S 89°08'42" W	478.10'
L20	S 04°08'53" W	10.04'
L21	S 04°24'53" W	516.18'
L22	S 10°28'38" W	214.66'
L23	N 88°07'23" W	59.67'
L24	S 10°28'20" W	39.87'

BASIS OF BEARINGS
 THE BEARINGS SHOWN ON THIS SURVEY ARE BASED ON A PORTION OF THE CENTERLINE OF THREE B'S & K ROAD AS BEING NORTH 03°53'05" EAST AS ESTABLISHED BY GPS OBSERVATION ON AUGUST 23, 2016.

C&E
Civil & Environmental Consultants, Inc.
 250 Old Wilson Bridge Road · Suite 250 · Worthington, OH 43085
 614-540-6633 · 888-599-8808
 www.cecinc.com

BERLIN & BERKSHIRE TOWNSHIP
 DELAWARE COUNTY, OHIO

PARCEL EXHIBIT

DRAWN BY: JEC CHECKED BY: MAS APPROVED BY: JAM EXHIBIT: 1 OF 1
 DATE: APRIL 2017 DWG SCALE: 1"=400' PROJECT NO: 161-167

EXHIBIT A-2

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY



**DESCRIPTION OF 21.029 ACRES
BERLIN TOWNSHIP, DELAWARE COUNTY OHIO**

Situated in the State of Ohio, County of Delaware, Township of Berlin, Farm Lots 2 and 3, Section 1, Township 4, Range 17, being part of that 114.696 acres described in deed to Brookdoc Investments, of record in Official Record 1025, Page 389, and part of that 82.992 acres described in deed to Brookdoc II Investments, of record in Official Record 1482, Page 462, all being of record in the Recorder's Office, Delaware County, Ohio, and being more particularly described as follows:

BEGINNING, at the intersection of the east line of Berlin Township and the south line of said 114.696 acres;

Thence North 85°58'10" West, a distance of 529.07 feet, with the south line of said 114.696 acres, to a point in the centerline of North 3 B's & K Road (County Road 35);

Thence North 03°53'05" East, a distance of 796.75 feet, with the centerline of North 3 B's & K Road and the west line of said 114.696 acres, to a point;

North 01°48'26" East, a distance of 193.79 feet, continuing, with the centerline of North 3 B's & K Road and the west line of said 114.696 acres, to a point;

Thence South 86°08'23" East, a distance of 30.02 feet, with a line of said 114.696 acres, to a point in the east right of way line of said North 3 B's & K Road;

Thence North 01°48'26" East, a distance of 599.98 feet, with the line common to said 114.696 acres and the east right of way of said 3 B's & K Road, to a point;

Thence North 86°08'23" West, a distance of 30.02 feet, to a point in the centerline of said North 3 B's & K Road;

Thence North 01°48'26" East, a distance of 120.88 feet, with the common line of said 141.696 acres and the centerline of said North 3 B's & K Road, to a point at the northwest corner of said 141.696 acres;

Thence South 86°01'30" East, a distance of 536.92 feet, with the north line of said 141.696 acres, to the southwest corner of said 82.992 acres;

Thence with the perimeter of said 82.992 acres the following courses:

North 01°59'52" East, a distance of 465.60 feet, to a point;

North 89°04'06" East, a distance of 39.12 feet, to a point in the east line of Berlin Township;

Thence South 03°50'28" West, a distance of 2179.93 feet, through said 114.696 acres and with the east line of said Berlin Township, to the **POINT OF TRUE BEGINNING**, and containing 21.029 acres, more or less.

The bearings shown on the above description are based on the portion of the centerline of 3 B's & K Road as being North 03°53'05" East as established by GPS observations on August 23, 2016.

The above description is not intended to be used for the transfer of real property and does not meet the minimum conveyance standards set forth by the Delaware County Engineer and Delaware County Auditor's Office.



**DESCRIPTION OF 0.839 ACRES
BERLIN TOWNSHIP, DELAWARE COUNTY OHIO**

Situated in the State of Ohio, County of Delaware, Township of Berlin, Farm Lots 1 and 2, Section 1, Township 4, Range 17, being part of that 82.992 acres described in deed to Brookdoc II Investments, of record in Official Record 1482, Page 462, all being of record in the Recorder's Office, Delaware County, Ohio, and being more particularly described as follows:

BEGINNING, at a corner of said 82.992 acres in the centerline of North 3 B's & K Road (County Road 35);

Thence North 01°50'35" East, a distance of 60.07 feet, with the centerline of North 3 B's & K Road and a west line of said 82.992 acres, to a corner of said 82.992 acres;

Thence North 89°08'42" East, a distance of 590.62 feet, with a north line of said 82.992 acres, to a point in the east line of said Berlin Township;

Thence South 03°50'28" West, a distance of 108.42 feet, through said 82.992 acres and with the east line of said Berlin Township, to a point;

Thence with the south line of said 82.992 acres the following courses:

North 43°29'33" West, a distance of 65.32 feet, to a point;

South 89°08'42" West, a distance of 540.33 feet, to the **POINT OF TRUE BEGINNING**, and containing 0.839 acres, more or less.

The bearings shown on the above description are based on the portion of the centerline of 3 B's & K Road as being North 03°53'05" East as established by GPS observations on August 23, 2016.

The above description is not intended to be used for the transfer of real property and does not meet the minimum conveyance standards set forth by the Delaware County Engineer and Delaware County Auditor's Office.



**DESCRIPTION OF 6.043 ACRES
BERLIN TOWNSHIP, DELAWARE COUNTY OHIO**

Situated in the State of Ohio, County of Delaware, Township of Berlin, Farm Lot 1, Section 1, Township 4, Range 17, being part of that 82.992 acres and that 42.857 acres described in deed to Brookdoc II Investments, of record in Official Record 1482, Page 462, all being of record in the Recorder's Office, Delaware County, Ohio, and being more particularly described as follows:

BEGINNING, at a corner of said 82.992 acres in the centerline of North 3 B's & K Road (County Road 35);

Thence North $24^{\circ}56'03''$ East, a distance of 552.19 feet, with the centerline of North 3 B's & K Road and a west line of said 82.992 acres and said 42.857 acres, to a point;

Thence North $24^{\circ}34'10''$ East, a distance of 406.15 feet, with the centerline of North 3 B's & K Road and a west line of said 42.857 acres, to the northwest corner of said 42.857 acres;

Thence South $86^{\circ}32'37''$ East, a distance of 134.02 feet, with a north line of said 42.857 acres, to a point in the west line of Berlin Township;

Thence South $03^{\circ}50'28''$ West, a distance of 856.81 feet, through said 82.992 acres and with the east line of said Berlin Township, to a point;

Thence South $89^{\circ}08'42''$ West, a distance of 478.10 feet, to the **POINT OF TRUE BEGINNING**, and containing 6.043 acres, more or less.

The bearings shown on the above description are based on the portion of the centerline of 3 B's & K Road as being North $03^{\circ}53'05''$ East as established by GPS observations on August 23, 2016.

The above description is not intended to be used for the transfer of real property and does not meet the minimum conveyance standards set forth by the Delaware County Engineer and Delaware County Auditor's Office.



**DESCRIPTION OF 212.581 ACRES
BERKSHIRE TOWNSHIP, DELAWARE COUNTY OHIO**

Situated in the State of Ohio, County of Delaware, Township of Berkshire, Farm Lots 1, 2 and 3, Section 1, Township 4, Range 17, being part of that 82.992 acres and that 42.857 acres described in deed to Brookdoc II Investments, of record in Official Record 1482, Page 462, and part of that 114.696 acres described in deed to Brookdoc Investments, of record in Official Record 1025, Page 389, all being of record in the Recorder's Office, Delaware County, Ohio, and being more particularly described as follows:

BEGINNING, at the intersection of the west line of Berkshire Township and the south line of said 114.696 acres;

Thence North 03°50'28" East, a distance of 3698.99 feet, through said 114.696 acres, said 82.992 acres and said 42.857 acres and with the west line of said Berkshire Township, to a point in the north line of said 42.857 acres;

Thence 86°32'37" East, a distance of 576.49 feet, with the north line of said 42.857 acres, to a point;

Thence South 86°47'52" East, a distance of 1986.19 feet, continuing with the north line of said 42.857 acres, to the northeast corner of said 42.857 acres, also being in the west line of the Limited Access right of way of Interstate 71;

Thence South 04°05'15" West, a distance of 2079.55 feet, with the west line of the limited access right of way of said Interstate 71 and the east lines of said 42.857 acres and said 82.992 acres, to the southeast corner of said 82.992 acres;

Thence North 86°01'43" West, a distance of 299.15 feet, with the south line of said 82.992 acres, to the northeast corner of said 114.696 acres;

Thence South 04°13'50" West, a distance of 420.93 feet, with the east line of said 114.696 acres, to a point;

Thence South 30°48'41" East, a distance of 523.76 feet, with the east line of said 114.696 acres, to a point in the west line of the limited access right of way of said Interstate 71;

Thence with the west line of the limited access right of way of said Interstate 71 and east line of said 114.696 acres, the following courses:

South 04°06'53" West, a distance of 10.04 feet, to a point;

South 04°24'53" West, a distance of 516.18 feet, to a point;

South 10°28'36" West, a distance of 214.55 feet, to a point;

Thence with the southerly line of said 114.696 acres, the following courses:

North 86°07'23" West, a distance of 59.67 feet, to a point;

South 10°28'20" West, a distance of 39.87 feet, to a point;

North 86°07'58" West, a distance of 1357.73 feet, to a point;

South 02°07'58" West, a distance 20.01 feet, to a point;

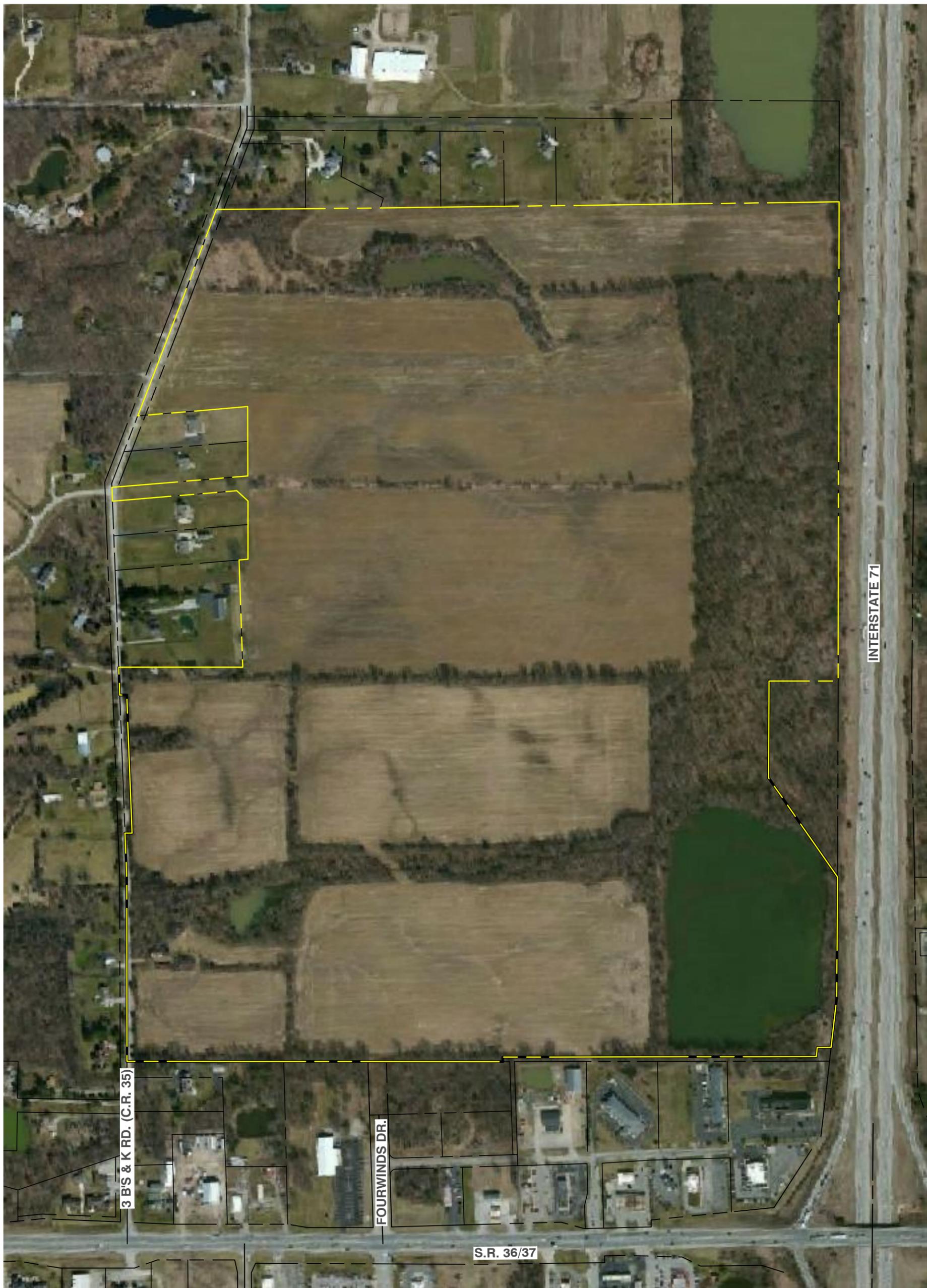
North 85°58'10" West, a distance of 1097.99 feet, to the **POINT OF TRUE BEGINNING**, and containing 212.581 acres, more or less.

The bearings shown on the above description are based on the portion of the centerline of 3 B's & K Road as being North 03°53'05" East as established by GPS observations on August 23, 2016.

The above description is not intended to be used for the transfer of real property and does not meet the minimum conveyance standards set forth by the Delaware County Engineer and Delaware County Auditor's Office.

EXHIBIT A-3

DEPICTION OF EXISTING PROPERTY



NORTH
SCALE IN FEET



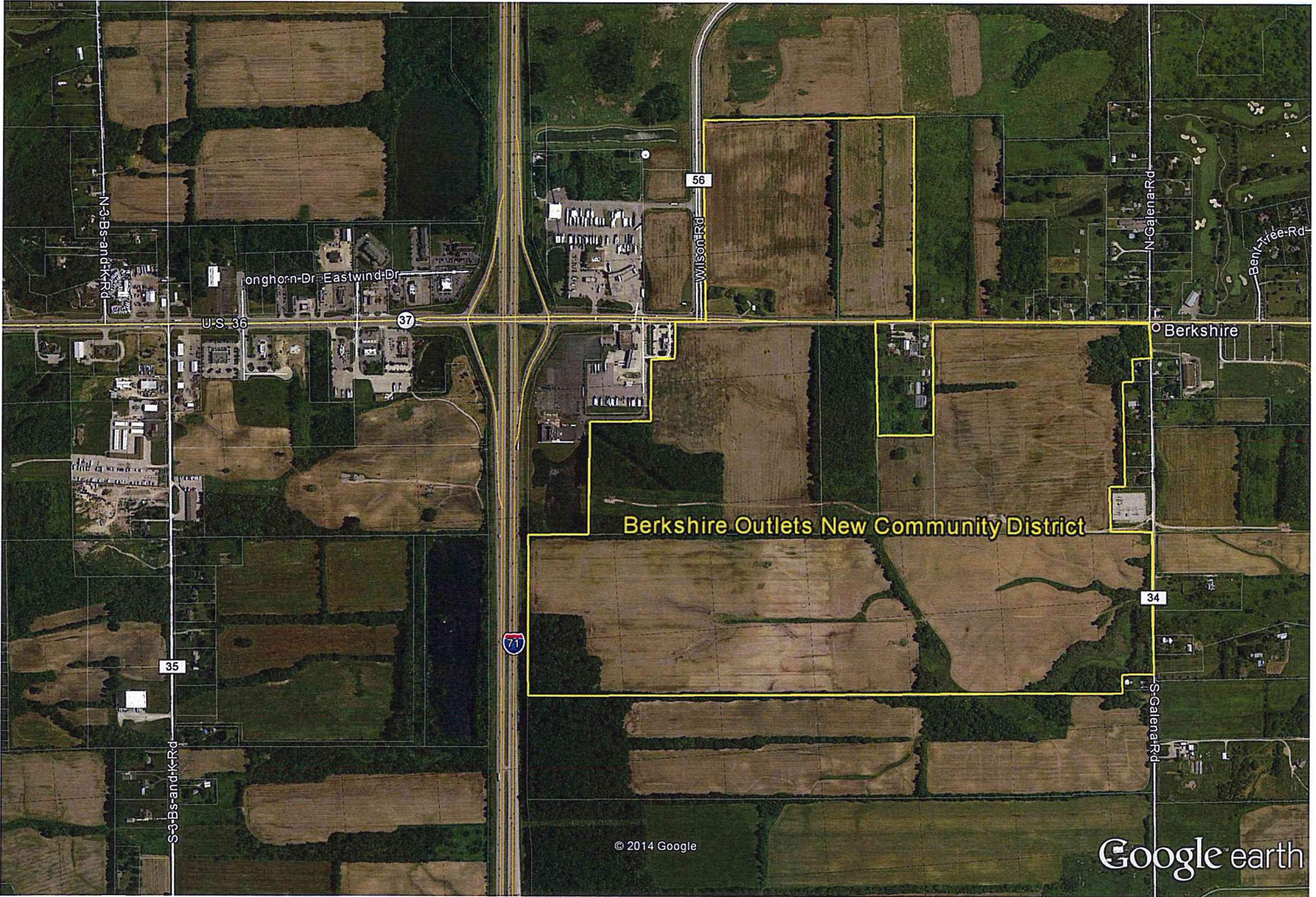
Civil & Environmental Consultants, Inc.

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614-540-6633 · 888-598-6808
www.cecinc.com

BERLIN & BERKSHIRE TOWNSHIP
DELAWARE COUNTY, OHIO

PARCEL EXHIBIT

DRAWN BY:	AB	CHECKED BY:	MCR	APPROVED BY:	MCR	EXHIBIT:	1 OF 1
DATE:	JULY 2017	DWG SCALE:	1"=400'	PROJECT NO:	161-167		



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Google Earth Pro





FACT SHEET

AGENDA ITEM NO: 18

DATE: 07/24/2017

ORDINANCE NO: 17-53

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Sean Hughes, Economic Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE APPROVING A COMMUNITY REINVESTMENT AREA AGREEMENT AND SCHOOL COMPENSATION AGREEMENT WITH 2nd HALF VENTURES, LLC, DELAWARE CITY SCHOOLS, DELAWARE AREA CAREER CENTER AND THE CITY OF DELAWARE FOR INVESTMENT IN REAL PROPERTY IMPROVEMENTS ON PARCEL 519-432-25-022-000 AND DECLARING AN EMERGENCY.

BACKGROUND:

We are requesting City Council's approval for the City Manager to enter into a Community Reinvestment Area (CRA) Tax Incentive Agreement and School Compensation Agreement with 2nd HALF VENTURES, LLC, DELAWARE CITY SCHOOLS and THE DELAWARE AREA CAREER CENTER for a \$310,000 investment in a new building on parcel 519-432-25-022-000, the vacant lot to the West of 12 West restaurant.

Owner David DiStefano has submitted an application for the Community Reinvestment Area Tax Abatement.

With the new building, the company has committed to hiring 9 FTEs with a payroll of \$350,000 within three years of completion and occupancy of the building.

REASON WHY LEGISLATION IS NEEDED:

We calculated a 100%/15 year CRA tax abatement generating an approximate \$70,640.85 in tax savings after 15 years on his \$310,000 investment. Due to the abatement being for a new payroll of \$350,000, a School Compensation Agreement is

not required. The schools must approve the CRA because it is over 50% and the total proposed school compensation on improvements is less than 50%.

The Tax Incentive Negotiation Committee and Staff are recommending a 100%/15 year CRA to assist the company with the construction of this new building which is a significant investment in our historic downtown. The company also will enter into a company paid School Pilot Payment Agreement equaling \$1,170.04 per year or \$17,550.60 after 15 years. These pilot payments would be divided between DCS and DACC in accordance with their respective tax rates. With the recommendations as made, this project would achieve a 166.37% ROI for the City with \$97,125 in income taxes after 15 years multiplied by an INPLAN multiplier. The schools would achieve a 24.84% ROI, but also would retain the taxes they currently receive on the unimproved building of \$589.89 per year or \$8,848.35 after 15 years. With the School Compensation Agreement in place the schools will receive two times more revenue than they are currently receiving on the vacant parcel.

This proposed incentive package provides an opportunity to spur considerable investment and continue the upward progress of investment and new businesses in our historic downtown.

COMMITTEE RECOMMENDATION:

Tax Incentive Review Council, 6/29/17

VOTE: Approval

FISCAL IMPACT(S):

COST: N/A

FUND SOURCES: N/A

BUDGETED: NO

DEPARTMENTS IMPACTED: Economic Development

POLICY CHANGES:

N/A

PRESENTER(S):

Kelsey Scott, Economic Development Specialist

RECOMMENDATION:

Approval

ATTACHMENT(S)

CRA School Notification Letters

Incentives Application

CRA Agreement

School Compensation Agreement

Map Exhibit of Building Location

ORDINANCE NO. 17-53

AN ORDINANCE APPROVING A COMMUNITY REINVESTMENT AREA AGREEMENT AND SCHOOL COMPENSATION AGREEMENT WITH 2nd HALF VENTURES, LLC, DELAWARE CITY SCHOOLS, DELAWARE AREA CAREER CENTER AND THE CITY OF DELAWARE FOR INVESTMENT IN REAL PROPERTY IMPROVEMENTS ON PARCEL 519-432-25-022-000 AND DECLARING AN EMERGENCY.

WHEREAS, the City of Delaware has encouraged development of and investment in real property in the area designated as Community Reinvestment Area 141-1135-1 pursuant to ORC 3735; and

WHEREAS, the City of Delaware by Resolution Number 01-52, resolved to review and approve all Community Reinvestment Area Agreements which meet the statutory guidelines; and

WHEREAS, the City of Delaware partners with impacted school districts to ensure mutual benefit from economic development projects; and

WHEREAS, the Council of the City of Delaware established an economic development fund to attract, incentive and assist high return on investment projects in the City of Delaware.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF DELAWARE, DELAWARE COUNTY, OHIO, that:

SECTION 1. The Community Reinvestment Area Agreement by and between the City of Delaware and 2nd HALF VENTURES, LLC meets all of the guidelines established by the State of Ohio and the City of Delaware, and the same is hereby approved.

SECTION 2. The School Compensation Agreement by and between the City of Delaware, Delaware City School District and 2nd HALF VENTURES, LLC meets all of the school compensation guidelines established by the State of Ohio and the City of Delaware, and the same is hereby approved.

SECTION 4. That the City Council of the City of Delaware hereby authorizes the execution of said agreements by the City Manager to implement the Community Reinvestment Area Program and School Compensation Agreement for this project.

SECTION 5. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the

passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 6. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health and welfare of the City, and is necessary to finalize negotiations, and as such will be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION:

YEAS ___ NAYS ___
ABSTAIN ___

VOTE ON EMERGENCY CLAUSE:

YEAS ___ NAYS ___
ABSTAIN ___

PASSED: _____, 2017

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



July 6, 2017

Mary Beth Freeman
Superintendent
Delaware Area Career Center
4565 Columbus Pike
Delaware, OH 43015

Paul Craft
Superintendent
Delaware City Schools
74 W. William St.
Delaware, OH 43015

RE: 2nd Half Ventures, LLC Community Reinvestment Area Request for Tax Incentives and School Compensation Agreement

Dear Superintendents Craft and Freeman:

In an effort to assist 2nd Half Ventures, LLC in their effort to invest in and redevelop a vacant and key parcel in our downtown, the City of Delaware's Incentive Negotiation Committee, that includes the superintendents and treasurers from the impacted school districts, negotiated a 100% for 15 year CRA tax abatement for their potential construction of a new building on Parcel #51943225022000. As part of the CRA abatement, the companies have agreed to a School Compensation Agreement with annual payments to the school districts equaling 30% of what the school districts would have seen without the abatement on the new construction. The total of payments to both Delaware City Schools and Delaware Area Career Center would be \$1,170.04/year for a total of \$17,550.60 after fifteen years.

All incentives are based on 2nd Half Ventures, LLC's commitments to the creation of 9 new full-time equivalent jobs to the City of Delaware with a payroll minimum of \$350,000 within 3 years of the completion of your project. A copy of their application for tax incentives is attached.

CRA (ORC 3735.65-70) guidelines require that Boards of Education be informed of amendments, notice requirements, review rights, meeting requests, revenue sharing requirements, and/or program participation. Since the CRA legislation and company agreements contain many legal requirements, you may want to review Ohio Revised Code references (please see: <http://onlinedocs.andersonpublishing.com/>).

The City of Delaware is requesting a waiver of the required 45 business day notice period so that Delaware City Council will be able to consider these requests at our regularly scheduled Council meeting on August 14, 2017, held at Delaware City Hall, 1 South Sandusky Street, Delaware, at 7:00 P.M. A

second reading and public hearing may be scheduled for August 28, 2017, but may not be needed if Council chooses to take action on the first reading for economic development purposes. School Board Members, staff and the public are welcome to attend these meetings. Please let me know if you require any further assistance. I can be reached at 740.203.1016 or shughes@delawareohio.net. Please email me with confirmation of receipt of this notification so that I can send it with our petition to the Ohio Development Services Agency.

Yours Sincerely,
Sean Hughes
Economic Development Director

xc: Honorable George Kaitsa, Auditor
R. Thomas Homan, City Manager
Dean Stelzer Finance Director
Melissa Lee , Treasurer, Delaware City School District
Chris Bell, Treasurer, Delaware Area Career Center
Bob Lamb, Delaware County Economic Development Director

Attached:

1. ORC 3735.671
2. 2nd Half Ventures, LLC application for tax incentives

3735.671 Written agreement where commercial or industrial property is to be exempted.

(A) If construction or remodeling of commercial or industrial property is to be exempted from taxation pursuant to section [3735.67](#) of the Revised Code, the legislative authority and the owner of the property, prior to the commencement of construction or remodeling, shall enter into a written agreement, binding on both parties for a period of time that does not end prior to the end of the period of the exemption, that includes all of the information and statements prescribed by this section. Agreements may include terms not prescribed by this section, but such terms shall in no way derogate from the information and statements prescribed by this section.

(1) Except as otherwise provided in division (A)(2) or (3) of this section, an agreement entered into under this section shall not be approved by the legislative authority unless the board of education of the city, local, or exempted village school district within the territory of which the property is or will be located approves the agreement. For the purpose of obtaining such approval, the legislative authority shall certify a copy of the agreement to the board of education not later than forty-five days prior to approving the agreement, excluding Saturday, Sunday, and a legal holiday as defined in section [1.14](#) of the Revised Code. The board of education, by resolution adopted by a majority of the board, shall approve or disapprove the agreement and certify a copy of the resolution to the legislative authority not later than fourteen days prior to the date stipulated by the legislative authority as the date upon which approval of the agreement is to be formally considered by the legislative authority. The board of education may include in the resolution conditions under which the board would approve the agreement. The legislative authority may approve an agreement at any time after the board of education certifies its resolution approving the agreement to the legislative authority, or, if the board approves the agreement conditionally, at any time after the conditions are agreed to by the board and the legislative authority.

(2) Approval of an agreement by the board of education is not required under division (A)(1) of this section if, for each tax year the real property is exempted from taxation, the sum of the following quantities, as estimated at or prior to the time the agreement is formally approved by the legislative authority, equals or exceeds fifty per cent of the amount of taxes, as estimated at or prior to that time, that would have been charged and payable that year upon the real property had that property not been exempted from taxation:

(a) The amount of taxes charged and payable on any portion of the assessed valuation of the new structure or remodeling that will not be exempted from taxation under the agreement;

(b) The amount of taxes charged and payable on tangible personal property located on the premises of the new structure or of the structure to be remodeled under the agreement, whether payable by the owner of the structure or by a related member, as defined in section [5733.042](#) of the Revised Code without regard to division (B) of that section.

(c) The amount of any cash payment by the owner of the new structure or structure to be remodeled to the school district, the dollar value, as mutually agreed to by the owner and the board of education, of any property or services provided by the owner of the property to the school district, whether by gift, loan, or otherwise, and any payment by the legislative authority to the school district pursuant to section [5709.82](#) of the Revised Code.

The estimates of quantities used for purposes of division (A)(2) of this section shall be estimated by the legislative authority. The legislative authority shall certify to the board of education that the estimates have been made in good faith. Departures of the actual quantities from the estimates subsequent to approval of the agreement by the

board of education do not invalidate the agreement.

(3) If a board of education has adopted a resolution waiving its right to approve agreements and the resolution remains in effect, approval of an agreement by the board is not required under this division. If a board of education has adopted a resolution allowing a legislative authority to deliver the notice required under this division fewer than forty-five business days prior to the legislative authority's execution of the agreement, the legislative authority shall deliver the notice to the board not later than the number of days prior to such execution as prescribed by the board in its resolution. If a board of education adopts a resolution waiving its right to approve agreements or shortening the notification period, the board shall certify a copy of the resolution to the legislative authority. If the board of education rescinds such a resolution, it shall certify notice of the rescission to the legislative authority.

(B) Each agreement shall include the following information:

(1) The names of all parties to the agreement;

(2) A description of the remodeling or construction, whether or not to be exempted from taxation, including existing or new structure size and cost thereof; the value of machinery, equipment, furniture, and fixtures, including an itemization of the value of machinery, equipment, furniture, and fixtures used at another location in this state prior to the agreement and relocated or to be relocated from that location to the property, and the value of machinery, equipment, furniture, and fixtures at the facility prior to the execution of the agreement; the value of inventory at the property, including an itemization of the value of inventory held at another location in this state prior to the agreement and relocated or to be relocated from that location to the property, and the value of inventory held at the property prior to the execution of the agreement;

(3) The scheduled starting and completion dates of remodeling or construction of real property or of investments made in machinery, equipment, furniture, fixtures, and inventory;

(4) Estimates of the number of employee positions to be created each year of the agreement and of the number of employee positions retained by the owner due to the remodeling or construction, itemized as to the number of full-time, part-time, permanent, and temporary positions;

(5) Estimates of the dollar amount of payroll attributable to the positions set forth in division (B)(4) of this section, similarly itemized;

(6) The number of employee positions, if any, at the property and at any other location in this state at the time the agreement is executed, itemized as to the number of full-time, part-time, permanent, and temporary positions.

(C) Each agreement shall set forth the following information and incorporate the following statements:

(1) A description of real property to be exempted from taxation under the agreement, the percentage of the assessed valuation of the real property exempted from taxation, and the period for which the exemption is granted, accompanied by the statement: "The exemption commences the first year for which the real property would first be taxable were that property not exempted from taxation. No exemption shall commence after

(insert date) nor extend beyond (insert date)."

(2) "..... (insert name of owner) shall pay such real property taxes as are not exempted under this agreement and are charged against such property and shall file all tax reports and returns as required by law. If (insert name of owner) fails to pay such taxes or file such returns and reports, exemptions from taxation granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter."

(3) "..... (insert name of owner) hereby certifies that at the time this agreement is executed, (insert name of owner) does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which (insert name of owner) is liable under Chapter 5733., 5735., 5739., 5741., 5743., 5747., or 5753. of the Ohio Revised Code, or, if such delinquent taxes are owed, (insert name of owner) currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against (insert name of owner). For the purposes of this certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes."

(4) "..... (insert name of municipal corporation or county) shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions."

(5) "If for any reason (insert name of municipal corporation or county) revokes the designation of the area, entitlements granted under this agreement shall continue for the number of years specified under this agreement, unless (insert name of owner) materially fails to fulfill its obligations under this agreement and (insert name of municipal corporation or county) terminates or modifies the exemptions from taxation pursuant to this agreement."

(6) "If (insert name of owner) materially fails to fulfill its obligations under this agreement, or if (insert name of municipal corporation or county) determines that the certification as to delinquent taxes required by this agreement is fraudulent, (insert name of municipal corporation or county) may terminate or modify the exemptions from taxation granted under this agreement."

(7) "..... (insert name of owner) shall provide to the proper tax incentive review council any information reasonably required by the council to evaluate the applicant's compliance with the agreement, including returns filed pursuant to section [5711.02](#) of the Ohio Revised Code if requested by the council."

(8) "This agreement is not transferable or assignable without the express, written approval of (insert name of municipal corporation or county)."

(9) "Exemptions from taxation granted under this agreement shall be revoked if it is determined that (insert name of owner), any successor to that person, or any related member (as those terms are defined in division (E) of section 3735.671 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under division (E) of section 3735.671 or section [5709.62](#) or [5709.63](#) of the Ohio Revised Code prior to the time

prescribed by that division or either of those sections."

(10) "..... (insert name of owner) and (insert name of municipal corporation or county) acknowledge that this agreement must be approved by formal action of the legislative authority of (insert name of municipal corporation or county) as a condition for the agreement to take effect. This agreement takes effect upon such approval."

The statement described in division (C)(6) of this section may include the following statement, appended at the end of the statement: ", and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this agreement." If the agreement includes a statement requiring repayment of exempted taxes, it also may authorize the legislative authority to secure repayment of such taxes by a lien on the exempted property in the amount required to be repaid. Such a lien shall attach, and may be perfected, collected, and enforced, in the same manner as a mortgage lien on real property, and shall otherwise have the same force and effect as a mortgage lien on real property.

(D) Except as otherwise provided in this division, an agreement entered into under this section shall require that the owner pay an annual fee equal to the greater of one per cent of the amount of taxes exempted under the agreement or five hundred dollars; provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars, the fee shall not exceed two thousand five hundred dollars. The fee shall be payable to the legislative authority once per year for each year the agreement is effective on the days and in the form specified in the agreement. Fees paid shall be deposited in a special fund created for such purpose by the legislative authority and shall be used by the legislative authority exclusively for the purpose of complying with section [3735.672](#) of the Revised Code and by the tax incentive review council created under section [5709.85](#) of the Revised Code exclusively for the purposes of performing the duties prescribed under that section. The legislative authority may waive or reduce the amount of the fee, but such waiver or reduction does not affect the obligations of the legislative authority or the tax incentive review council to comply with section [3735.672](#) or [5709.85](#) of the Revised Code.

(E) If any person that is party to an agreement granting an exemption from taxation discontinues operations at the structure to which that exemption applies prior to the expiration of the term of the agreement, that person, any successor to that person, and any related member shall not enter into an agreement under this section or section [5709.62](#), [5709.63](#), or [5709.632](#) of the Revised Code, and no legislative authority shall enter into such an agreement with such a person, successor, or related member, prior to the expiration of five years after the discontinuation of operations. As used in this division, "successor" means a person to which the assets or equity of another person has been transferred, which transfer resulted in the full or partial nonrecognition of gain or loss, or resulted in a carryover basis, both as determined by rule adopted by the tax commissioner. "Related member" has the same meaning as defined in section [5733.042](#) of the Revised Code without regard to division (B) of that section.

The director of development shall review all agreements submitted to the director under division (F) of this section for the purpose of enforcing this division. If the director determines there has been a violation of this division, the director shall notify the legislative authority of such violation, and the legislative authority immediately shall revoke the exemption granted under the agreement.

(F) When an agreement is entered into under this section, the legislative authority authorizing the agreement shall

forward a copy of the agreement to the director of development within fifteen days after the agreement is entered into.

Effective Date: 09-26-2003; 03-23-2005



INCENTIVES APPLICATION

1. a. Name of property owner, home or main office address, contact person, and telephone number (attach additional pages if multiple enterprise participants).

Enterprise Name: 2nd Half Ventures
Contact Person: David DiStefano

Address: PO Box 648, Delaware, Ohio 43015
Telephone Number: (202) 674-1516

b. Project site: 14 W William St, Delaware, Ohio 43015
Contact Person: David DiStefano

Address: PO Box 648, Delaware, Ohio 43105
Telephone Number: (202) 674-1516

Date: 6/14/17

2. a. Nature of commercial/industrial activity (manufacturing, warehousing, wholesale or retail stores, or other) to be conducted at the site. **Restaurant**

b. List primary 6 digit North American Industry Classification System (NAICS) #
Business may list other relevant SIC numbers. _____

c. If a consolidation, what are the components of the consolidation? (must itemize the location, assets, and employment positions to be transferred: **N/A**)

d. Form of business of enterprise (corporation, partnership, proprietorship, or other). **LLC**

3. Name of principal owner(s) or officers of the business. **David DiStefano**

4. a. State the enterprise's current employment level at the proposed project site: **0**

b. Will the project involve the relocation of employment positions or assets from one Ohio location to another? Yes **No**

c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located:

d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees): **6 full-time, 15 part-time**

e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets: **N/A**

f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated? **N/A**

5. Does the Property Owner owe:

a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?

Yes__ No **X**

b. Any monies to the State or a state agency for the administration or enforcement of any environmental laws of the State? Yes__ No **X**

c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not?

Yes__ No **X**

d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets).

6. Project Description:

7. Project will begin _____, 20____ and be completed _____, 20____ provided a tax exemption is provided.

8. a. Estimate the number of new employees the property owner will cause to be created at the facility that is the project site (job creation projection must be itemized by the name of the employer, full and part-time and permanent and temporary): **6 full-time, 6 part-time**

b. State the time frame of this projected hiring: **6 months** _____ yrs.

c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary employees): **Several weeks prior to opening restaurant.**

9. a. Estimate the amount of annual payroll such new employees will add \$ _____ (new annual payroll must be itemized by full- and part-time and permanent and temporary new employees). **\$250,000 full-time and \$100,000 part-time**

b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$ **N/A**

10. An estimate of the amount to be invested by the enterprise to establish, expand,

renovate or occupy a facility:	\$ 410,000
A. Acquisition of Buildings:	\$ \$60,000
B. Additions/New Construction:	\$ \$250,000
C. Improvements to existing buildings:	\$
D. Machinery & Equipment:	\$ \$75,000
E. Furniture & Fixtures:	\$ \$25,000
F. Inventory:	\$
 Total New Project Investment:	 \$410,000

11. a. Business requests the following incentives:

100% 15 years CRA tax abatement.

b. Business's reasons for requesting incentives (be quantitatively specific as possible):

The reason for the tax abatement request is because the site is vacant and 2nd Half Ventures LLC is constructing an entirely new building. New build construction costs are three to four times the cost of existing buildings in downtown Delaware. Therefore, for the project to be financially viable, 2nd Half Ventures is requesting tax relief support.

Submission of this application expressly authorizes (name of local jurisdiction) to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item# 5 and to review applicable confidential records. As part of this application, the property owner may also be required to directly request from the Ohio Department of Taxation, or complete a waiver form allowing the Department of Taxation to release specific tax records to the local jurisdiction considering the request. (The Applicant agrees to supply additional information upon request.)

The Applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66(C)(1) and 2921.13(D)(1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefits as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

Name of Property Owner David DiStefano Date ; 6/14/17

Signature  Typed Name and Title

* A copy of this proposal must be forwarded by the local governments to the affected Board of Education along with notice of the meeting date on which the local government will review the proposal. Notice must be given a minimum of fourteen (14) days prior to the scheduled meeting to permit the Board of Education to appear and/or comment before the

legislative authorities considering the request.

**** Attach to Final Incentives Agreements as Exhibit A**

COMMUNITY REINVESTMENT AREA AGREEMENT
CITY OF DELAWARE and 2nd HALF VENTURES, LLC

This agreement made and entered into by and between the City of Delaware, Ohio, a municipal government, with its main offices located at 1 South Sandusky Street, Delaware, Ohio 43015 and 2nd HALF VENTURES, LLC, PO Box 648, Delaware, OH 43015, WITNESSETH;

WHEREAS, the City of Delaware has encouraged the development of real property and the acquisition of personal property located in the area designated as Community Reinvestment Area 141-1135-01; and

WHEREAS, 2nd HALF VENTURES, LLC desires to construct a new building in Downtown Delaware at 14 W. William St. (Parcel #51943225022000) for retail use within the boundaries of the aforementioned Community Reinvestment Area, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

WHEREAS, the Council of the City of Delaware, Ohio, by Resolution No. 17-52 adopted July 23, 2001, designated the area as a "Community Reinvestment Area" pursuant to Chapter 3735 of the Ohio Revised Code; and

WHEREAS, effective September 4, 2001, the Director of Development of the State of Ohio determined that the aforementioned area designated in said Resolution No. 01-52 contains the characteristics set forth in Section 3735.66 of the Ohio Revised Code and confirmed said area as Community Reinvestment Area #141-1135-01 under said Chapter 3735; and

WHEREAS, the City of Delaware, having the appropriate authority for the stated type of project desires to provide 2nd HALF VENTURES, LLC with incentives available for the development of the PROJECT in said Community Reinvestment Area under Chapter 3735 of the Ohio Revised Code; and

WHEREAS, 2nd HALF VENTURES, LLC has submitted a proposed agreement application (herein attached as Exhibit A) to the City of Delaware (hereinafter referred to as "APPLICATION"); and

WHEREAS, 2nd HALF VENTURES, LLC has remitted the required state application fee of \$750.00 made payable to the Ohio Department of Development with the APPLICATION to be forwarded to said department with a copy of the final agreement; and

WHEREAS, the Tax Incentive Negotiating Committee of the City of Delaware investigated the APPLICATION of 2nd HALF VENTURES, LLC on June 29, 2017, and recommended approval to the Council of the City of Delaware on the basis that 2nd HALF VENTURES, LLC is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Community Reinvestment Area and improve the economic climate of the City of Delaware; and

WHEREAS, the project site as proposed by 2nd HALF VENTURES, LLC is located in the Delaware City School District and the Delaware Area Career Center. Per the attached resolutions authorizing the superintendents to act on behalf of their boards and noted in the minutes of the June 29, 2017, meeting of the Tax Incentive Negotiating Committee meeting, the boards of education have been notified in accordance with Section 5709.83 and been given a copy of the APPLICATION; and

WHEREAS, pursuant to Section 3735.67(A) and in conformance with the format required under Section 3735.671(B) of the Ohio Revised Code, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. 2nd HALF VENTURES, LLC shall a new building in historic Downtown Delaware located at 14 West William Street on Parcel 51943225022000, as the same is known and designated on the Auditor's revised list of lots in Delaware, Ohio.

The PROJECT will involve a total on-site infrastructure investment by 2nd HALF VENTURES, LLC of TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000), plus or minus 10%, at the PROJECT site according to the following:

Real Property	
New Building Construction	\$
On-Site Infrastructure	<u>\$250,000</u>
Sub Total Real Property	\$250,000
Land Acquisition	\$60,000
Total Real Property	\$310,000
Personal Property	
Equipment	\$0
F&F	\$0
Inventory	<u>\$0</u>
Total Investment	\$310,000

No tax incentives are available for the Personal Property.

The PROJECT will begin by September 1, 2017 and all acquisition, construction and construction will be completed by May 1, 2018.

2. 2nd HALF VENTURES, LLC shall create or cause to be hired within a time period not exceeding 12 months after the completion of construction and subsequent occupancy of the aforesaid facility, the equivalent of 6 new full-time permanent job opportunities, 6 new part-time permanent job opportunities, 0 full-time temporary job opportunities, and 0 part-time temporary job opportunities, for a total of 9 full-time equivalent (FTE) job opportunities to be created by the PROJECT.

The job creation period begins May 1, 2018 and all jobs will be in place by May 1, 2021 (3 years or 36 months after the completion of the PROJECT per ORC3735B4).

2nd HALF VENTURES, LLC currently have 0 full-time employees, and 0 part-time employees at the project site.

2nd HALF VENTURES, LLC has 0 employees at other sites in Ohio or the US.

This increase in the number of employees shall result in at least THREE HUNDRED AND FIFTY THOUSAND DOLLARS (\$350,000) in total annual payroll (\$350,000 NEW FULL TIME PERMANENT) generated at the PROJECT site by May 1, 2021.

Based on new job and payroll creation levels, the City of Delaware estimates an annual new employee income tax revenue amount of \$6,475 (\$350,000 payroll times the current income tax rate of 1.85%) for the PROJECT. If in any year of this Agreement the level of new and retained payroll does not reach or falls below levels established by this Agreement, 2nd HALF VENTURES, LLC agree to reimburse the City of Delaware for lost employee income taxes. The City of Delaware and 2nd HALF VENTURES, LLC agree to add a 3% inflation factor per year. Should the City's income tax rates change, these figures are adjusted accordingly.

3. 2nd HALF VENTURES, LLC shall provide to the proper Tax Incentive Review Council any information reasonably required by the council to evaluate the property owner's compliance with the agreement, including returns filed pursuant to section 5711.02 of the Ohio Revised Code if requested by the council (ORC3735.671C7).

ADDITIONAL REQUIREMENTS:

- a. 2nd HALF VENTURES, LLC shall make the following payments totaling \$17,550.60 to Delaware City School District and Delaware Area Career Center (Split between districts based on current tax rate percentage split.) to benefit the districts' educational initiatives. This payment shall be subject to the terms and conditions of a separate School Compensation Agreement between 2nd HALF VENTURES, LLC, DELAWARE CITY SCHOOLS, DELAWARE AREA CAREER CENTER and the CITY OF DELAWARE. The company will make these payments directly to the school districts upon receipt of invoices from the Delaware City Schools and Delaware Area Career Center for the amounts established in the School Compensation Agreement issued at the following times.

<u>School Compensation Payment #</u>	<u>Payment Due Date</u>	<u>Amount</u>
Payment #1	9/30/20	\$1,170.04
Payment #2	9/30/21	\$1,170.04
Payment #3	9/30/22	\$1,170.04
Payment #4	9/30/23	\$1,170.04
Payment #5	9/30/24	\$1,170.04
Payment #6	9/30/25	\$1,170.04
Payment #7	9/30/26	\$1,170.04
Payment #8	9/30/27	\$1,170.04
Payment #9	9/30/28	\$1,170.04
Payment #10	9/30/29	\$1,170.04
Payment #11	9/30/30	\$1,170.04
Payment #12	9/30/31	\$1,170.04
Payment #13	9/30/32	\$1,170.04
Payment #14	9/30/33	\$1,170.04
Payment #15	9/30/34	\$1,170.04

- b. 2nd HALF VENTURES, LLC shall maintain a membership in the MAINSTREET DELAWARE, INC.
 - c. 2nd HALF VENTURES, LLC shall contact the Superintendent, Delaware Area Career Center for information on adult education and training services.
4. City of Delaware hereby grants 2nd HALF VENTURES, LLC a tax exemption for real property improvements made to the PROJECT site pursuant to Section 3735.67 of the Ohio Revised Code and shall be for fifteen (15) years in the following amounts:

<u>Year of Tax Exemption</u>	<u>Tax Exemption Amount</u>
Year 1	100%
Year 2	100%
Year 3	100%
Year 4	100%
Year 5	100%
Year 6	100%
Year 7	100%
Year 8	100%
Year 9	100%
Year 10	100%
Year 11	100%
Year 12	100%
Year 13	100%
Year 14	100%
Year 15	100%

The exemption commences the first full taxable year the facility is 100% complete. No exemption shall commence before December 31, 2017, nor extend beyond December 31, 2034. Said exemption shall be based on the increase on the assessed value of real property attributed to the real property improvements at the PROJECT site. 2nd HALF VENTURES, LLC must file the appropriate tax forms (DTE 23) with the County Auditor to effect and maintain the exemptions covered in the agreement.

- 5. A. The City of Delaware **waives** the annual fee equal to the greater of one percent of the dollar value of incentives offered under the agreement or five hundred dollars (ORC3735.671D).
- 6. 2nd HALF VENTURES, LLC shall pay such real and tangible personal property taxes as are not exempted under this agreement and are charged against such property and shall file all tax reports and returns as required by law. If 2nd HALF VENTURES, LLC fails to pay such taxes or file such returns and reports after written notification, all incentives granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter (ORC3735.671C2).
- 7. City of Delaware shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions (ORC3735.671C4).

8. If for any reason the Community Reinvestment Area designation expires, the Director of the Ohio Department of Development revokes certification of the area, or the City of Delaware revokes the designation of the area, entitlements granted under this agreement shall continue for the number of years specified under this agreement, unless 2nd HALF VENTURES, LLC materially fails to fulfill its obligations under this agreement and the City of Delaware terminates or modifies the exemptions from taxation granted under this agreement (ORC3735.671C5).
9. If 2nd HALF VENTURES, LLC materially fails to fulfill its obligations under this agreement, or if the City of Delaware determines that the certification as to delinquent taxes required by this agreement is fraudulent, the City of Delaware may terminate or modify the exemptions from taxation granted under this agreement and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this agreement (ORC3735.671C6).
10. 2nd HALF VENTURES, LLC hereby certifies that at the time this agreement is executed, 2nd HALF VENTURES, LLC does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which 2nd HALF VENTURES, LLC is liable under Chapter 5733., 5735., 5739., 5741., 5743., 5747., or 5753. of the Ohio Revised Code, or, if such delinquent taxes are owed, 2nd HALF VENTURES, LLC, currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against 2nd HALF VENTURES, LLC. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes (ORC3735.671C3).
11. 2nd HALF VENTURES, LLC affirmatively covenants that 2nd HALF VENTURES, LLC do not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.
12. 2nd HALF VENTURES, LLC and the CITY OF DELAWARE acknowledge that this agreement must be approved by formal action of the legislative authority of the City of Delaware and approval and execution of this agreement by 2nd HALF VENTURES, LLC as a condition for the agreement to take effect (ORC3735.671C10).
13. The City of Delaware has developed a policy to ensure recipients of a Community Reinvestment Area tax benefits practice non-discriminating hiring in its operations. By executing this agreement, 2nd HALF VENTURES, LLC is committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.
14. Exemptions from taxation granted under this agreement shall be revoked if it is determined that 2nd HALF VENTURES, LLC any successor property owner, or any related member (as those terms are defined in Division (E) of Section 3735.671 of the

Ohio Revised Code) has violated the prohibition against entering into this agreement under Division (E) of Section 3735.671 or Section 5709.62 or 5709.63 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections (ORC3735.671C9).

15. 2nd HALF VENTURES, LLC affirmatively covenants that it has made no false statements to the State or local political subdivisions in the process of obtaining approval of the Community Reinvestment Area incentives. If any representative of 2nd HALF VENTURES, LLC has knowingly made a false statement to the State or local political subdivision to obtain the Community Reinvestment Area incentives, 2nd HALF VENTURES, LLC shall be required to immediately return all benefits received under the Community Reinvestment Area Agreement pursuant ORC Section 9.66 (C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC Section 9.66(C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to ORC Section 2921.13A3, which is punishable by a fine of not more than \$100 and/or a term of imprisonment of not more than six months.
16. 2nd HALF VENTURES, LLC acknowledge that this agreement is not transferable or assignable without the express, written approval of the City of Delaware (ORC3735.671C8).
17. 2nd HALF VENTURES, LLC acknowledge that if any person that is party to an agreement granting an exemption from taxation discontinues operations at the structure to which that exemption applies prior to the expiration of the term of the agreement, that person, any successor to that person, and any related member shall not enter into an agreement under this section or sections 5709.62, 5709.63, or 5709.632 of the Ohio Revised Code, and no legislative authority shall enter into such an agreement with such a person, successor, or related member, prior to the expiration of five years after the discontinuation of operations. As used in this division, 'successor' means a person to which the assets or equity of another person has been transferred, which transfer resulted in the full or partial non-recognition of gain or loss, or resulted in a carryover basis, both as determined by rule adopted by the tax commissioner. 'Related member' has the same meaning as defined in section 5733.042 of the Ohio Revised Code without regard to Division (B) of that section (ORC3735.671E).
18. 2nd HALF VENTURES, LLC hereby represent that it has full authority to act, negotiate, and execute this agreement.

IN WITNESS WHEREOF, the City of Delaware, Ohio, by R. Thomas Homan, its City Manager, and pursuant to Ordinance 17-__ adopted on June 12, 2017, has caused this instrument to be executed this _____ day of _____ 2017 and 2nd HALF VENTURES, LLC has caused this instrument to be executed on this _____ day of _____ 2017

CITY OF DELAWARE

By: _____
R. Thomas Homan, City Manager

2nd HALF VENTURES, LLC

David DiStefano, Owner

Approved as to form:

By: _____
Darren Shulman, Delaware City Attorney

School Compensation Agreement
2nd HALF VENTURES, LLC
Community Reinvestment Area #141-1135-01

This agreement between the **City of Delaware**, a municipal corporation, with its offices at 1 South Sandusky Street, Delaware, Ohio 43015; **Delaware City School District Board of Education**, a public school district, with its principal offices at 74 West William St., Delaware, Ohio 43015; **Delaware Area Career Center Board of Education**, a public school district with its principal offices at 4565 Columbus Pike, Delaware, OH 43015 and **2nd HALF VENTURES, LLC**, PO BOX 648, Delaware, Ohio 43015, specifies the manner in which and procedures to be used pursuant to Ohio Revised Code 3735 authorizing general compensation relating to the Community Reinvestment Area tax abatement for the renovation of a building at 38 E. Winter St. in Delaware's Community Reinvestment Area #141-1135-01.

WHEREAS, the Community Reinvestment Program, pursuant to Chapter 3735 of the Ohio Revised Code authorizes cities and counties to grant real property tax exemptions on eligible new investments; and

WHEREAS, the Council of the City Council of Delaware, Ohio, by Resolution No. 01-52, adopted July 23, 2001, designated the area as a "Community Reinvestment Area" pursuant to Chapter 3735 of the Ohio Revised Code; and

WHEREAS, effective September 4, 2001, the Director of Development of the State of Ohio determined that the aforementioned area designated in said Resolution No. 01-52 contains the characteristics set forth in Section 3735.66 of the Ohio Revised Code and confirmed said area as Community Reinvestment Area #141-1135-01 under said Chapter 3735; and

Whereas, effective November 26, 2001, a Delaware City School District Board of Education resolution authorized the Superintendent to act on its behalf to negotiate, approve, and define terms and conditions on any Tax Incentive Agreement; the minutes of the May 2, 2017 Tax Incentive Negotiating Committee document the Superintendent's approval; and

Whereas, effective April 15, 2004, a Delaware Area Career Center Board of Education resolution authorized the Superintendent to act on its behalf to negotiate, approve, and define terms and conditions on any Tax Incentive Agreement; the minutes of the June 29, 2017, Tax Incentive Negotiating Committee document the Superintendent's approval; and

Whereas, the City of Delaware within **Ordinance Number 17-__** adopted on _____, 2017, has acted pursuant to ORC 3735 to grant a tax exemption to **2nd HALF VENTURES, LLC.**, and entered into a formal Community Reinvestment Area abatement agreement on _____, **2017**; and

Whereas, Item 3(a) of the Community Reinvestment Area Agreement relating to the aforementioned project requires compensation to the Delaware City School District and Delaware Area Career Center for the sole benefit of educational initiatives.

Now therefore, in consideration of the foregoing and of the mutual promises, covenants, and agreements hereinafter set forth by the City of Delaware, Delaware City School District, Delaware Area Career Center and 2nd HALF VENTURES, LLC, agree as follows:

Section 1. 2nd HALF VENTURES, LLC, shall pay ONE-THOUSAND ONE HUNDREN AND SEVENTY DOLLARS AND FOUR CENTS (\$1,170.04) per year for fifteen (15) years to the Delaware City School District and Delaware Area Career Center in accordance with the terms and conditions set forth in Item 3(a) of the Community Reinvestment Area Agreement for the referenced project. This payment shall be made upon receipt of invoices per the instructions set forth in Item 3(a) of the Community Reinvestment Area Agreement relating to the aforementioned project, and the first payment shall be due September 30, 2020 and dispersed per Section 2 of this agreement.

Section 2. The cash payments made by 2nd HALF VENTURES, LLC., to the Delaware City School District and Delaware Area Career Center **satisfies ORC Section 5709.82C(2) (School Compensation Agreement is mutually acceptable)** and shall be used for educational initiatives for the sole benefit of the Delaware City Schools and the Delaware Area Career Center, as follows:

a.	Delaware City School District	\$1,122.43
b.	Delaware Area Career Center	\$47.61
c.	Total	\$1,170.04

Section 3. This agreement may be amended or modified by the parties, only in writing, signed by all parties to the agreement or by applicable law changes.

Note: All parties agree that if Ohio tax reform results in no net tax incentive benefits (if the sum of tax incentives offered through the Community Reinvestment Area Agreement minus the school compensation payment is negative), 2nd HALF VENTURES, LLC may request that the City of Delaware Tax Incentive Review Council recommend agreement modification or termination. No School Compensation payment is required if there is no net tax benefit to 2nd HALF VENTURES, LLC.

Section 4. This agreement sets forth the entire agreement and understanding between the parties as to the subject matter contained herein and merges and

supersedes all prior discussions, agreements, and undertakings of every kind between the parties with respect to the subject matter of this agreement.

Section 5. All payments, certificates, reports, and notices which are required to or may be given pursuant to the provisions of this agreement shall be sent by regular mail, postage prepaid, and shall be deemed to have been given or delivered when so mailed to the following addresses:

R. Thomas Homan, City Manager
City of Delaware
1 South Sandusky Street
Delaware, Ohio 43015

Paul A. Craft, PhD, Superintendent
Delaware City School District
74 W. William St.
Delaware, Ohio 43015

Mary Beth Freeman, Superintendent
Delaware Area Career Center
4565 Columbus Pike
Delaware, Ohio 43015

David DiStefano, Owner
2nd HALF VENTURES, LLC
PO BOX 648
Delaware, OH 43015

Any party may change its contact or mailing address for receiving notices and reports by giving written notice of such change to the other parties.

Section 7. The invalidity of any provision of this agreement shall not affect the other provisions of this agreement, and this agreement shall be construed in all respects as if any invalid portions were omitted.

In witness whereof, the parties have caused this Agreement to be executed as of this **day of** **2017**.

CITY OF DELAWARE

R. Thomas Homan

DELAWARE CITY SCHOOL DISTRICT

Paul A. Craft, Superintendent

DELAWARE AREA CAREER CENTER

Mary Beth Freeman, Superintendent

2nd HALF VENTURES, LLC.

David DiStefano, Owner

Approved as to form:

By: _____
Darren Shulman, Delaware City Attorney

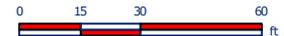


14 W William - 2nd Half Ventures CRA

Information contained within this map may be used to generally locate, identify and inventory land parcels within Delaware County. Delaware County cannot warrant or guarantee the information contained herein, including, but not limited to its accuracy or completeness. The map parcel lines shown are approximate and this information cannot be constructed or used as a "legal description" of a parcel. Flood Plain information is obtained from FEMA and is administered by the Delaware County Building Department (740-833-2201). Please report any errors or omissions to the Delaware County Auditor's office at delcogis@co.delaware.oh.us. Prepared by: Delaware County Auditor's GIS Office



Delaware County Auditor
George Kaitsa





FACT SHEET

AGENDA ITEM NO: 19

DATE: 07/24/2017

ORDINANCE NO: 17-54

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: YES

AUGUST 14, 2017 AT 7:20 P.M.

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE FOR TREPLUS COMMUNITIES FOR APPROVAL OF A REZONING AMENDMENT FROM B-3 (COMMUNITY BUSINESS DISTRICT) TO B-3 PMU (COMMUNITY BUSINESS DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) FOR BURR OAK COMMONS CONTAINING 92 APARTMENT UNITS ON APPROXIMATELY 20.06 ACRES LOCATED ON THE NORTH SIDE OF SR 37 JUST WEST OF WESTFIELD SHOPPING CENTER AND JUST EAST OF LANTERN CHASE SUBDIVISION.

BACKGROUND:

See attached staff report.

REASON WHY LEGISLATION IS NEEDED:

Per Chapter 1130 Amendments of the Codified Ordinances.

COMMITTEE RECOMMENDATION:

Planning Commission approved this case 6-0 on July 19, 2017.

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Planning and Community Development Director

RECOMMENDATION:

Staff recommends approval

ATTACHMENT(S)

See attached

ORDINANCE NO. 17-54

AN ORDINANCE FOR TREPLUS COMMUNITIES FOR APPROVAL OF A REZONING AMENDMENT FROM B-3 (COMMUNITY BUSINESS DISTRICT) TO B-3 PMU (COMMUNITY BUSINESS DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) FOR BURR OAK COMMONS CONTAINING 92 APARTMENT UNITS ON APPROXIMATELY 20.06 ACRES LOCATED ON THE NORTH SIDE OF SR 37 JUST WEST OF WESTFIELD SHOPPING CENTER AND JUST EAST OF LANTERN CHASE SUBDIVISION.

WHEREAS, the Planning Commission at its meeting of July 19, 2017 recommended approval of a Rezoning Amendment for Treplus Communities from B-3 (Community Business District) to B-3 PMU (Community Business District with a Planned Mixed Use Overlay District) for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision (2017-1394).

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Rezoning Amendment Rezoning Amendment for Treplus Communities from B-3 (Community Business District) to B-3 PMU (Community Business District with a Planned Mixed Use Overlay District) for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision, is hereby confirmed, approved, and accepted with the following condition that:

1. Any new structure(s) or any change of land use shall require conformance to all provisions of the Development Text and any conditions of approval.

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION:

YEAS ___ NAYS ___
ABSTAIN ___

PASSED: _____, 2017

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR

CASE NUMBER: 2017-1394-1396

REQUEST: Multiple Requests

PROJECT: Burr Oak Commons

MEETING DATE: July 19, 2017

APPLICANT/OWNER

Treplus Communities
1515 Lakeshore Drive, Suite 225
Columbus, Ohio 43204

REQUEST

2017-1394: A request by Treplus Communities for approval of a Zoning Amendment from B-3 (Community Business District) to B-3 PMU (Planned Mixed Use Overlay District) for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision.

2017-1395: A request by Treplus Communities for approval of a Conditional Use Permit allowing the placement of a PMU (Planned Mixed Use Overlay District) for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision.

2017-1396: A request by Treplus Communities for approval of a Preliminary Development Plan for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres zoned B-3 PMU and located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision.

PROPERTY LOCATION & DESCRIPTION

The subject 20 acres is located north of SR 37 between Westfield Shopping Center and the Lantern Chase subdivision. The subject site is zoned B-3 (Community Business District). The properties to the north and west are zoned R-3 (One-Family Residential), the properties to the east are zoned R-6 (Multi-Family Residential District) and B-3 and the property to the south is zoned R-6.

BACKGROUND/PROPOSAL

Treplus Communities develops, builds and holds apartment projects for residents aged 55 and older who are a renter by choice want flexibility, carefree living and the ability to age in place, while achieving compliance with the Housing for Older Persons Act of 1995 (HOPA). Therefore, the developer is proposing a zone change to B-3 PMU (Community Business District with Planned Mixed Use Overlay District) from the current B-3 zoning on the subject 20.06 acre site to allow 92 single story apartments (approximately 4.58 units per acre) that are universal designed one, two and two plus bedrooms ranging from 1100-1600 square feet. There would be 25 apartment buildings with a commons building and associated tenant and visitor parking. Access to the development would be from a proposed curb cut on SR 37 and a pre-existing access easement through the Westfield Shopping Center while providing a bike/pedestrian path along SR 37 per the Bicycle and Pedestrians Plan 2017. Also in May 2017, the applicant presented a concept plan to the Planning Commission and now is moving forward with the project.

STAFF ANALYSIS

- **COMPREHENSIVE PLAN:** The Comprehensive Plan Map recommends a future land use of Mixed Use for the subject site in the Delaware Run Sub-Area. The mixed use designation is defined as a mix of land uses on an individual site that provides a transition to adjacent land uses, using creative site design approaches. Specific to the overall sub-area in which the property is located, the Delaware Run Sub-Area, the Comprehensive Plan contains the following land use recommendations that are applicable to this site:
 - LU27.1 The completion of current residential developments is supported. The construction of new residential developments is supported if the densities are consistent with the recommendations of the Future Land Use Map.
 - LU27.5 Institutional uses, such as senior residential, are supported in the subarea.

In conclusion, although the proposed apartment complex, Lantern Chase Subdivision and Westfield Shopping Center are developed on different parcels at different times by different developers but would be considered a single mixed use development if developed concurrently per today's standards and would create a traditional buffer from the existing single family development (Lantern Chase) to a commercial development (Westfield Shopping Center) on the subject vacant parcel. Therefore, it appears the proposed apartment development

would likely be more compatible with the Land Use Plan than most commercial uses currently allowed on B-3 zoned property (the current zoning of the site) with a proposed apartment development of appropriate size, scale, buffering and building materials to the adjacent single family residential development to the north and west.

- **ZONING:** As previously mentioned, the zoning for the subject site is B-3 which does not permit residential uses; therefore a zone change would be required. Staff has suggested the applicant pursue a Planned Mixed Use (PMU) Overlay. The PMU Overlay gives the greatest flexibility yet the most control to the City and the Applicant over the redevelopment of the property. This is the only true planned district in the City of Delaware zoning toolbox that allows an Applicant and the City to craft a zoning solution unique to the site and needs of a particular development. In this instance, the preservation of a highly sensitive property and required buffering adjacent to single family residential uses can be most effectively achieved by using a PMU Overlay rather than simply applying a different base or overlay district available for consideration under the current Zoning Code. The PMU approach, through a negotiated process, allows the applicant to craft a zoning text that is able to support a different development pattern while ensuring the City has retained, and in many cases gained, control of the development to ensure a very specific and higher quality development than which could otherwise be achieved through a base zoning district. The applicant does have certain rights of use and development available under the current B-3 zoning district which permits several as-of-right and conditional commercial uses but not any residential uses. Along with the zoning amendment to a PMU, the zoning process would also require Conditional Use Permit, Preliminary Development Plan and Final Development Plan approval by the Planning Commission and City Council. The proposed change would actually zone the site in keeping with the current comprehensive plan land use designation.

- **GENERAL ENGINEERING:** The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.

The Engineering Department prepared a Preliminary Engineering Services Technical Review for the Concept Plan proposal (see attached memo). This review outlines the preliminary engineering comments related to transportation, sanitary sewer collection, storm water management, water distribution and other items. All comments of this review must be satisfactorily addressed prior to Final Development Plan approval.

- **ROADS AND ACCESS:** The site would have primary access from a proposed full movement curb cut on SR 37 and secondary access from a recorded easement through the Westfield Shopping Center. A left hand turn lane on eastbound SR 37 would be constructed by the developer. The looped internal roads would be private but would have to be constructed to public standards or equivalent as approved by the City Engineer. The developer shall ensure adequate emergency access to and from the development. The Preliminary Development Plan shows general compliance with this with the exception of a short "pinch point" area just west of the Commons building. The developer shall adequately address this "pinch point" area to ensure that emergency access is completely as determined to be acceptable to the City. This shall be determined with the Final Development Plan. Currently, the concept of an emergency access drive to the east of the Commons building is being explored as a means to adequately address this issue. Other alternatives potentially exist but whatever alternative is ultimately advanced must be acceptable to the City as determined with the Final Development Plan. Ultimately, the entire development would have to achieve compliance with the minimum engineering, public works and fire department requirements.
- **PEDESTRIAN CONNECTIVITY:** External and internal pedestrian connectivity would be required for the proposed development. A bike path along SR 37 stubs into this site from the Westfield Shopping Center and is proposed to extend west through this site and the Lantern Chase subdivision to the western boundary line of the City. The City would require the developer to construct and dedicate the bike path along the frontage of their subject property along SR 37 per the adopted Bicycle and Pedestrian Plan 2017 and City Engineers requirements. Also, the developer is proposing a five foot wide pedestrian path through the development to the bike path along SR 37 and to the Westfield Shopping Center via the secondary access road. Additionally, potentially a sidewalk connection to the north from Farmland Drive in the Lantern Chase Subdivision to the development could be made. This is complicated by several factors however. One, the path would literally run

through a detention basin. Two, the property is not owned by the applicant but by the Lantern Chase Homeowners Association. Three, the adjacent neighbor (immediately west of the aforementioned detention basin) has expressed concerns about a pathway adjacent to his home that was never planned previously. This could be a connection the applicant can further investigate prior to Final Development Plan should City Council desire it.

- **SITE CONFIGURATION:** As mentioned earlier, the primary access point from SR 37 and the secondary access point from Westfield Shopping Center converge just north of the proposed retention pond that fronts SR 37 and then extends north into the 92 unit development in 25 buildings. Each unit would have a patio or deck depending on the grade. The private road would loop the site with apartment buildings on the exterior of the site with two roads and an alley that bisects the aforementioned loop road with apartment buildings located adjacent to the roads and alley. A commons building would be located just north of the primary and secondary road intersection into the development with 20 parking spaces. The entire development would have 371 parking spaces with 164 garage spaces (i.e. a one bedroom apartment equals a one car garage and a two bedroom apartment equals a two car garage), 164 drive way spaces (one per bedroom), 23 overflow spaces and 20 spaces at the clubhouse.

The 92 units in 25 buildings (between 2 and 6 unit buildings) would be divided into 20 one bedroom units, 34 two bedroom units and 38 two plus bedroom units. This equates to approximately 80% two bedroom and 20% one bedroom units. Each unit would have an attached garage and would encompass between 1,100 to 1,600 square feet. The unit amenities include gourmet kitchens with stainless steel appliances, granite countertops, universal design which includes no step showers/entrances, lever doors, wide halls and LED lights, trash totes placement to and from garages, bulk removal, on-site management and in home check-in for traveling residents. The clubhouse would include a fitness center, business center, club rooms for cards, yoga, book club, events activities, patio with fire pit, and a café with Wi-Fi.

- **BUILDING DESIGN:** While the PMU Overlay has many benefits for both the City and the Applicants, perhaps the most significant benefit is the architectural and landscaping design control it allows the City and negotiated flexibility it offers the applicants to produce a development that is better than one that would be executed under a base zoning designation. The developer's proposed elevations portray a modern architectural style with the following building materials: 1) tan synthetic "Delaware" stone veneer ledge stone walls and wainscoting; 2). monterey sand premium horizontal siding (0.44" thick); 3). charcoal smoke and canyon drift thick board and batten siding (0.50" thick); 4).glacier white premium vinyl trim (3.5"); 5). white aluminum gutters and downspouts; 6). Glacier white louvered gable vents; 7). weatherwood dimensional shingles. In conclusion, the proposed building materials appear to be consistent with other recently approved multi-family developments with compliance of the approved development text.
- **LANDSCAPING & SCREENING:** The applicant is proposing a comprehensive landscape plan that includes private street trees, foundation landscaping and perimeter mounding and buffering. They are proposing 128 private street trees throughout the development and extensive foundation planting for each building. The perimeter buffering along the northern and western property lines adjacent to the single family homes shall be a minimum 12 foot high continuous buffer consisting of evergreen trees (in a staggered alignment) and a 4 foot high earthen mound to buffer the single family residents to the north and west. If the mound height is greater than 4 feet, the trees on that portion of the mound may be smaller so long as the total is at least 12 feet high. However, in no case shall a tree be less than 6 feet in height regardless of mound height. All landscaping plans shall be reviewed and approved by the Shade Tree Commission.
- **TREE REMOVAL & REPLACEMENT:** The site has wooded areas in the southern portion of the site along SR 37, along the eastern boundary adjacent to the existing apartments and scattered throughout the site. The applicant provided a tree survey for the entire site that documents the total number of trees and caliper inches which yields 488 trees with 4,414 caliper inches. The Final Development Plan would need to identify which trees are being preserved and which trees are being eliminated and any removal and replacement would need to achieve compliance with Chapter 1168 Tree Preservation Requirements or the schedule in the proposed development text as approved. Staff believes the trees in the southern and eastern portions of the site should be placed in a permanent tree preservation easement or preserve and could potentially be counted then toward the removal of any trees in the PMU designation.

- **GATEWAYS & CORRIDORS PLAN:** The applicant is proposing a monument sign at the primary entrance along SR 37 and a monument sign at the secondary entrance through the Westfield Hill Shopping Center easement. The exact location, size and building material of each sign would need to be documented during the Final Development Plan approval. Also the monument signs shall achieve compliance with the minimum zoning requirements and the adopted Gateways & Corridors Plan.
- **LIGHTING:** The applicant submitted a lighting plan that identifies 60 black light poles with gooseneck fixtures that are 16 feet high located throughout the development. All lighting plans would need to be submitted, reviewed and approved by the Chief Building Official and achieve compliance with the minimum zoning requirements.
- **REFUSE SERVICE:** The Public Works Department will provide residential pick-up service to this project using individual tip cart collection. The trash service will consist of tip carts picked up at the bottom of each street with service provided by the City of Delaware. In the event units are clustered around parking courts (3 such area are preliminary proposed), the developer shall provide a common concrete area adjacent to the primary street and the developer (or management company) shall ensure the tip carts are moved to this area for the designated pick up as with the other units and then moved back to the units themselves. This will ensure a coordinated, street side pick-up area.
- **COMMUNITY IMPACT ASSESSMENT:** The applicant submitted a Community Impact Assessment (CIA) that achieves compliance with the submittal requirements with minimal impacts to public services and the health, safety and general welfare and quality of life in the City.
- **CONDITIONAL USE PERMIT:** The proposed development achieves compliance with conditional use permit requirements per the zoning code and approved development text.

STAFF RECOMMENDATION (2017-1394 – REZONING AMENDMENT)

Staff recommends approval of a request by Treplus Communities of a Zoning Amendment from B-3 (Community Business District) to B-3 PMU (Planned Mixed Use Overlay District) for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision, with the following condition that:

1. Any new structure(s) or any change of land use shall require conformance to all provisions of the Development Text and any conditions of approval.

STAFF RECOMMENDATION (2017-1395 – CONDITIONAL USE PERMIT)

Staff recommends approval of a request by Treplus Communities of a Conditional Use Permit allowing the placement of a PMU (Planned Mixed Use Overlay District) for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision.

STAFF RECOMMENDATION (2017-1396 – PRELIMINARY DEVELOPMENT PLAN)

Staff recommends approval of a request by Treplus Communities of a Preliminary Development Plan for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres zoned B-3 PMU and located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision, with the following conditions that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. A sidewalk shall be located on one side of the private streets as determined with the Final Development Plan.

PLANNED MIXED USE DEVELOPMENT TEXT
TREPLUS COMMUNITIES
BURR OAK COMMONS
DELAWARE, OHIO

1. DESCRIPTION OF DEVELOPMENT

Arthur Partners, LLC, dba Treplus (“Developer”) is proposing to rezone the approximate 20 acre site north of SR 37, west of Westfield Shopping Center and east of Lantern Chase Subdivision from B-3 (Community Business District) to B-3 PMU (Community Business District with a Planned Mixed Use Development District) for a 92 unit apartment development with a density of approximately 4.58 units per acre.



2. GENERAL DEVELOPMENT STANDARDS

- A. **Purpose and Intent.** It is the intent of the Developer to provide a planned multi-family development with high quality site improvements, architectural design, signage and amenities. This Development Text represents the zoning requirements for this development as agreed upon between the Developer and the City.
- B. **Conformance with Codified Ordinances and City Policy.** Unless noted otherwise within this development text, all development will be constructed and provided in conformance with the then current Codified Ordinances and City Policy in effect at the time of application.
- C. **Limitations.** Nothing in this text shall prohibit additional restrictions or requirements from being placed on the approval of any Final Development Plan.
- D. **Major Modifications.** Once a Final Development Plan has been approved by City Council, any subsequent major modification to that plan shall only be permitted by resubmission and approval of a revised Final Development Plan through the procedures set forth in the Zoning Code. Major modification for the purposes of this text shall mean any modification of the approved Final Development Plan, as determined by the Director of Planning & Community Development, that results in:
- (1) Any major change in the use or occupancy other than those uses specifically listed in this text.
 - (2) Major change in the approved location of land uses and/or buildings and building sizes of more than 10%.
 - (3) Substantial alteration of the basic geometry of the street layout and/or operation characteristics of any element of the approved access points and parking facilities that result in a change in operating characteristics or character.
- E. **Minor Modifications.** Once a Final Development Plan has been approved by City Council, any subsequent minor modification to that plan shall only be permitted by resubmission and approval by the Director of Planning and Community Development of a revised Final Development Plan. Minor modification for the purposes of this text shall mean any modification of the approved Final Development Plan, as determined by the Director of Planning & Community Development, that results in:
- (1) Any modification that is not considered a major modification by this Zoning Text or by determination of the Director of Planning & Community Development.
 - (2) Any minor change to the use or occupancy of the structures onsite other than those uses specifically allowed in this text or any minor changes to the approved site layout.
 - (3) Minor alteration of the basic geometry of the street layout and/or operation characteristics of any element of the approved access points and parking facilities that result in a change in operating characteristics or character.
 - (4) Minor structural alterations that do not alter the overall design intent of the building.

F. Preliminary & Final Development Plan

1. The proposed site plan and building elevations require Preliminary and Final Development Plan approval by the Planning Commission and City Council.

G. Tree Removal and Replacement. Tree removal and replacement shall meet all requirements of Chapter 1168 along with the following replacement schedule:

- (1) Trees in poor condition shall not be replaced (dead, damaged or diseased).
- (2) Trees in fair condition shall be replaced at 50%.
- (3) Trees in good condition shall be replaced at 100%
- (4) Ash trees shall not be replaced and must be removed from the site.
- (5) Other tree species considered by the City Arborist to be a species of poor quality will be considered as such with a 0% replacement value.
- (6) The schedule above shall be applied to the proposed Final Development Plan and tree survey for preservation and removal of trees. This shall be done prior to or concurrent with the Final Development Plan submission. Trees proposed to be permanently preserved shall be given credit based upon their caliper inches per the tree survey and the schedule above calculated against the total caliper inches proposed to be removed (again in accordance with the schedule above and the tree survey). If there still remains a balance of caliper inches due, the developer shall replant these on site and in addition to any required or proposed trees, shall make a payment in lieu of replanting these at \$100 per caliper inch, or any such combination that achieves a zero balance due.

3. SITE PLAN

The project is located on the north side of SR 37 on a 20.06 acre parcel between Westfield Shopping Center and Lantern Chase Subdivision with the primary access point from a proposed full movement curb cut from SR 37 and secondary access from a recorded easement through the Westfield Shopping Center. The looped internal street network would be private. The Developer is proposing 92 single story apartments in 25 apartment buildings for a density of approximately 4.58 units per acre, plus a Commons/Community Building. Among the amenities at Burr Oak, the Developer plans to include a community garden at or near the Commons/Community Building, with the exact location to be determined in the course of planning final drainage and drainage for the Final Development Plan. The one, two and two plus bedroom apartments would range from at least 1,100 up to 1,600 square feet. A retention basin would be located along SR 37 just west of the entrance. Both mail delivery and trash service would be at each unit, with trash service consisting of totes picked up at the bottom of each driveway with service provided by the City of Delaware. In the event units are clustered around parking courts (3 such areas are preliminarily proposed), the developer shall provide a common concrete area adjacent to the primary street and the developer (or management company) shall ensure totes are moved to this area for the designated pick up as with the other units and then moved back to the units themselves thereafter. This will ensure a coordinated street side pick-up area.

4. SITE USES

A. **Uses.** The following uses shall be considered permitted, conditionally permitted, or limited uses as represented in the chart below by P, C, or L, respectively, and as defined

by attached Chapter 1121 of the Zoning Code. Any use not listed in the chart shall be considered a prohibited use unless amended by action of the Planning Commission and City Council through a Zoning Amendment process.

- (1) **Permitted Uses.** Permitted uses are permitted by-right and shall meet all development standards specified within this text and the Zoning Code, as applicable.
- (2) **Conditionally Permitted Uses.** In addition to all standards specified within this development text, uses listed as conditionally permitted uses shall meet all the then current Zoning Code standards for approval of a Conditional Use Permit current at the time of application for the specific conditional use as well as any other regulations contained within the Zoning Code and applicable to the conditional use.
- (3) **Limited Uses.** Limited uses shall be considered permitted uses subject to complying with all the specific limitations and restrictions as specified within this text as determined by Final Development Plan approval.
- (4) **Accessory Uses and Structures.** Although not specified in the chart below, accessory uses, which are considered allowed uses, include those items that are customarily incidental and secondary to the principal use of the land. Such items include but are not limited to signs, fences, trash receptacles and enclosures, and off-street parking areas. If the uses are specified as conditional or limited uses the processes and limitations shall apply regardless of accessory use status.

Land Use Category	Uses
(a) Residential	
(1) Single-Family Dwelling	P
(2) Multi-Family (not to exceed 4.58 dwelling units per acre) with accessory Commons/Club House. Dwelling Units are to be age restricted to at least one occupant being at least 55 years old per the Federal Housing for Older Persons Act.(HOPA)	P
(3) Bed and Breakfast	P
(b) Office Professional Services	
(1) Offices – Administrative, Business and Professional	P
(2) Medical/Dental Offices health and allied services	P
(c) Community Facilities	
(1) Place of Worship	C

Land Use Category	Uses
(2) Day Care Center – child/adult	C
(3) Nursing Home	P
(4) Public Safety and Service Facility	C

(5) **Prohibited Uses.**

- i) **Adult Entertainment Businesses:** (also known as sexually oriented businesses) are expressly prohibited from locating anywhere on the proposed Development site.
- ii) **Wireless telecommunication facilities including installations known as small cell sites and Distributed Antenna Systems (DAS):** Towers are expressly prohibited from the entire Development area. Small cell sites, DAS, antennas, and/or amplifiers may be permitted so long as they are completely camouflaged so as to be not visible either within an enclosed building or the structure to which they are attached if external. These shall be reviewed individually administratively for compliance with these regulations.
- iii) **Outdoor Storage:** No outdoor storage is permitted on the site which includes open dumps, mineral extraction, etc.
- iv) **Medical Marijuana:** No medical marijuana principal or accessory uses are permitted on the subject site.
- v) **Games of Skill:** Accessory or principle for-profit, non-charitable, skill based gaming uses oriented towards adults and designed to substantially mimic gambling devices such as but not limited to spinning skill stop games but not including traditional video arcade type games typically found in restaurant/party center arrangements, for example Dave & Buster’s, Magic Mountain, and Chuck E. Cheese

B. **Lot Standards.** The following standards shall apply for lot standards and coverage.

Lot Standards	
(1) Minimum lot area	Per approved FDP
(2) Minimum lot width and frontage	Per approved FDP
(3) Maximum building coverage	Per approved FDP
(4) Maximum lot coverage	Per approved FDP

C. **Building Setback Standards.** The following standards shall apply for minimum building setbacks, except as otherwise approved on the Final Development Plan. Decorative architectural elements such as decks, canopies and overhangs shall be permitted to encroach into any setback provided that no encroachment shall exceed 5 feet.

Minimum Building Setbacks	
(1) Setback from SR 37	50 ft.
(2) Setback from private street	When adjacent to driveway & sidewalk - 25 ft. When adjacent to driveway – 20 ft. When not adjacent to driveway – 10 ft
(3) Setback from private alley	When adjacent to a driveway & sidewalk - 25 ft. When adjacent to driveway – 20 ft. When not adjacent to driveway- 10 ft.
(4) Setback from adjacent property line (perimeter setback)	
a. Adjacent to residential zoned property (north, west and south)	30 ft.
b. Adjacent to commercially zoned property (northeast)	20 ft.

D. **Parking Setbacks.** The following standards shall apply for minimum parking setbacks. Parking setbacks include any parking space, parking lot drive aisle, and parking lot circulation aisle, except as otherwise approved on the Final Development Plan.

Minimum Parking Setbacks	
(1) Setback from adjacent property line (perimeter setback)	30 ft

E. **Maximum Building Height.** The maximum height of any building or structure shall be 30 feet as measured from finished floor elevation to the highest point of the roof.

F. **Building Design.** The intent of this regulation to create a cohesive and unified design throughout the entire development, each building (dwellings and Commons/Community Building) shall be consistent in overall design, color, material, and architectural pattern as determined through the Final Development Plan review process that is not dissimilar from the preliminary architectural renderings and that achieves compliance with the following requirements:

- (1) The architectural design/patterns of multi-family dwellings and the Commons/Community Building shall be similar and may be repeated from one building to the next to unify the project into a single architectural style. Similarities shall include window styles and patterns, 3:12 roof pitches, use and mix of exterior materials, and building massing.
- (2) Exterior materials color palette shall consist of natural colors including white. Additional colors may be used as accents but may not be high-gloss colors.
- (3) The exterior materials shall be as shown in the Preliminary Development Plan Architectural Elevations. Stone (cultured or real) shall be used on the front, side, and rear elevations of each structure for at least a wainscoting and garage surrounds as determined in final form with an approved Final Development Plan and not inconsistent with the Architectural Elevations provided in the Preliminary Development Plan.
- (4) EIFS and Stucco or similar products are prohibited as exterior materials, except as accents.
- (5) As shown in the attached Architectural Elevations, all front elevations shall include a variety of styles, colors, and/or materials types of materials to provide variety throughout the community.
- (6) Treated lumber shall be painted or stained.
- (7) Any exposed foundation walls more than 12" high shall be faced with brick or stone.
- (8) Trim board around all corners, windows, and doors shall be a minimum of 3.5 inches all around. If a shutter or shutters are used no trim is required adjacent to the window.
- (9) Frieze trim a minimum of 3.5 inches wide shall be required under all overhangs and gables as shown on the Architectural Elevations in the Preliminary Development Plan. The roofs shall have dimensional asphalt shingles.
- (10) The principal roof structure shall have an eave overhang of not less than 12 inches with return.
- (11) Windows shall be of vertical or square proportion. Accent windows may be circular, half-round, or octagonal and are limited to one per elevation unless used in a pair. The rear and side elevations shall have a minimum of one window.
- (12) All multi-family dwelling units shall have one garage per bedroom with a two car garage maximum. Front elevations shall be designed to de-emphasize the visual impact of the garage. All garage doors facing a private street shall be architecturally upgraded to include design

elements consistent with the design of the apartment and development. Developer shall use white garage doors with windows that will match the trim color.

- (13) Accessory structures such as enclosures for dumpsters and other similar structures shall consist of brick, stone, or similar approved products as the exterior material and be designed in a consistent and cohesive manner to the principal building in which it serves.

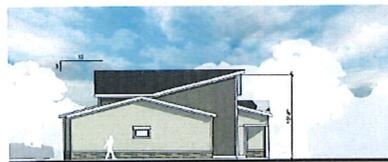
think. create. do.



A-01 FRONT ELEVATION
1/4" = 1' = 0"



A-02 REAR ELEVATION
1/4" = 1' = 0"



A-03 SIDE ELEVATION
1/4" = 1' = 0"



A-04 SIDE ELEVATION
1/4" = 1' = 0"

EXTERIOR MATERIAL PALETTE

<p>ROOFING SHINGLE 36 YEAR WOODSHAKE SHINGLE COLOR: BROWN/BLACK</p>	<p>PREMIUM VINYL SIDING CLASSIC WHITE VINYL SIDING COLOR: WHITE TEXTURE: SMOOTH</p>	<p>PREMIUM VINYL SIDING CLASSIC WHITE VINYL SIDING COLOR: WHITE TEXTURE: SMOOTH</p>	<p>PREMIUM VINYL SIDING CLASSIC WHITE VINYL SIDING COLOR: WHITE TEXTURE: SMOOTH</p>
<p>STONE BASE SANDSTONE STONE COLOR: TAUPE TEXTURE: NATURAL</p>	<p>PREMIUM VINYL SIDING CLASSIC WHITE VINYL SIDING COLOR: WHITE TEXTURE: SMOOTH</p>	<p>PREMIUM VINYL SIDING CLASSIC WHITE VINYL SIDING COLOR: WHITE TEXTURE: SMOOTH</p>	<p>PREMIUM VINYL SIDING CLASSIC WHITE VINYL SIDING COLOR: WHITE TEXTURE: SMOOTH</p>
			<p>CEILING / DOWNSPOUTS DOWNSPOUTS COLOR: WHITE TEXTURE: SMOOTH</p>



G. **Parking.** The amount of parking shall be as approved on the Final Development Plan and not inconsistent with the Preliminary Development Plan. No on street parking will be permitted. Additional guest and overflow parking shall be provided per the approved Final Development Plan but in no case shall be below 40 spaces. Each dwelling unit shall include garage spaces and driveway spaces in the ratio of at least one per bedroom/unit.

H. **Landscaping and Screening.** All landscaping shall meet the requirements of the Zoning Code and the Gateways & Corridors Plan; except as otherwise approved on the Final Development Plan.

- (1) Street trees shall be required along the private streets per the zoning code.
- (2) Building foundation landscaping shall be required per the zoning code.
- (3) The buffering along the northern and western property lines adjacent to the single family homes shall be a minimum 12 foot high continuous buffer consisting of (at a minimum) evergreen trees (in a staggered

alignment and a 4 foot high earthen mound to buffer the single family residents to the north and west. If the mound height is greater than 4 feet, the trees on that portion of the mound may be smaller so long as the total is at least 12 ft. high. However, in no case shall a tree be less than 6 feet in height regardless of mound height.

- I. **Lighting.** Building, site, and accent lighting shall be provided in accordance with the current zoning and building code

- k. **Signs.** A comprehensive sign plan shall be provided and approved in conformance with Section 1165 Signs of the zoning code and adopted Gateways and Corridor Plan and shall be provided as part of the Final Development Plan.

- l. **Roads.** The private streets shall be constructed to public standards or equivalent as approved by the City Engineer. The engineering drawings for such improvements shall accompany the submittal of the Final Development Plan as well as the Engineering record drawings.

- m. **Pedestrian/Bike Path.** A pedestrian path shall be required through the development to connect to SR 37 and the Westfield Shopping Center and constructed per the City Engineer. Other internal private sidewalks are encouraged to allow safe pedestrian access throughout the development. A bike path along the frontage of the site adjacent to SR 37 shall be constructed and dedicated to the City per the City Engineer requirements.

- n. **Utilities.** All new utilities(s) to be constructed and/or extended within the development shall comply with the City minimum requirements or as approved by the City Director of Utilities. The engineering drawings for such improvements shall accompany the submittal of the Final Development Plan.

- o. **Emergency Access.** The developer shall ensure adequate emergency access to and from the development. The Preliminary Development Plan shows general compliance with this with the exception of a short 'pinch point' area just west of the Commons building. The developer shall adequately address this 'pinch point' area to ensure that emergency access is complete as determined acceptable to the City. This shall be determined with the Final Development Plan. Currently, the concept of an emergency access drive to the east of the Commons building is being explored as a means to adequately address this. Other alternatives potentially exist but whatever alternative is ultimately advanced must be acceptable to the City as determined with the Final Development Plan.

PRELIMINARY ENGINEERING SERVICES TECHNICAL REVIEW

ANNEX/REZONING
 CONCEPT PLAN
 PRELIM DEVEL PLAN
 OTHER

PROJECT	Burr Oak		
LOCATION	East of Lantern Chase Dr, North of SR 37, West of existing Westfield shopping center		
DEVELOPER	Treplus		
PREPARED BY	Carrie Fortman/Matt Weber	DATE:	4/27/2017

This report is provided to serve as an overview of critical (red flag) technical issues associated with the proposed development project. The comments are to be considered general in nature and are presented in order to identify critical technical matters that require specific consideration during the planning and engineering review process. The report is not intended to identify all technical requirements and issues, and additional comments are to be expected following the submission of a complete set of engineering plans and associated supporting reports and technical documentation, for a detailed review by the City Engineering Department. Preliminary Technical Reviews are performed during initial project development phases only.

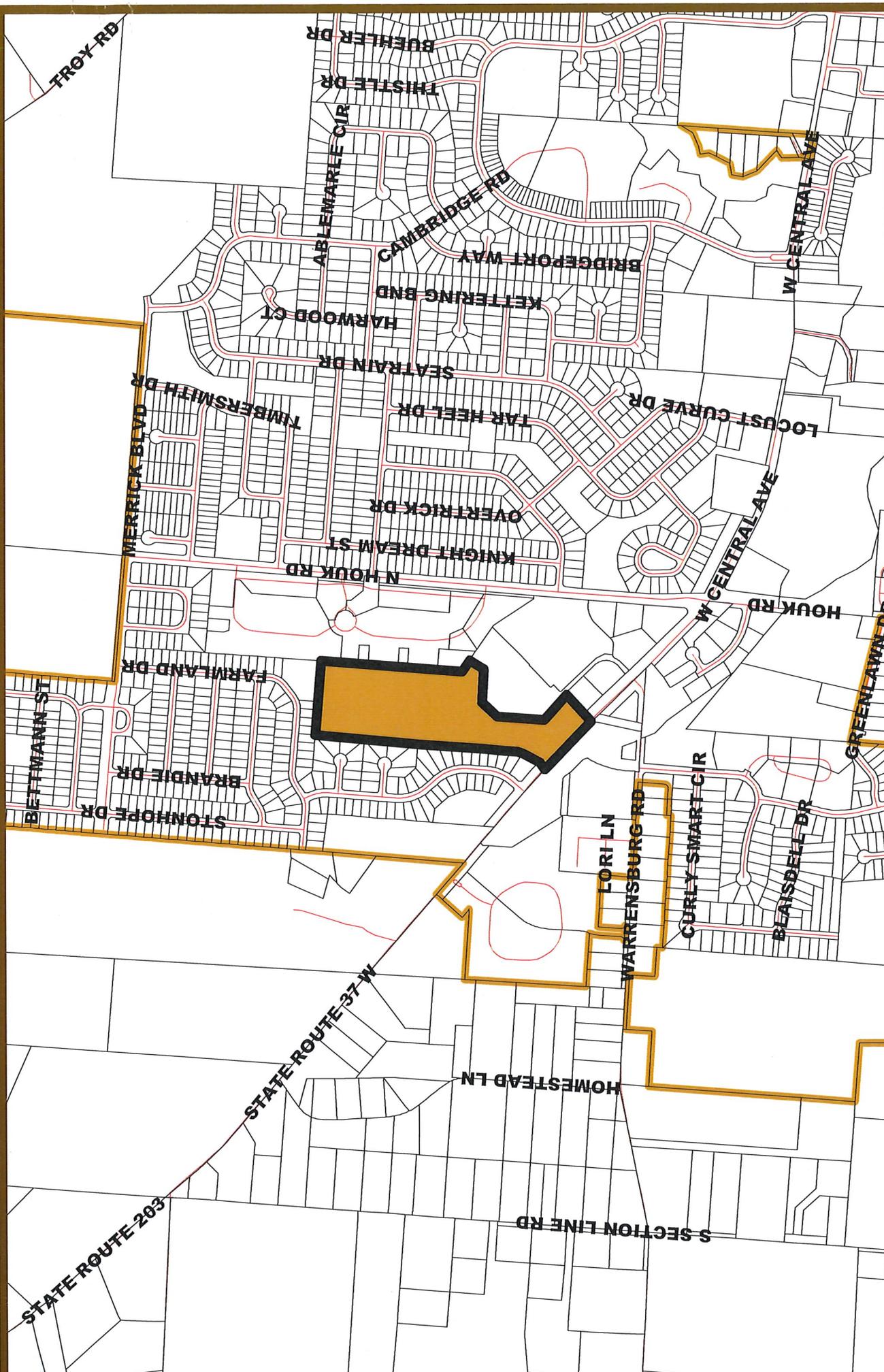
Transportation Overview

1.	Impact on existing roadways, intersections, pavement condition: One access is permitted onto SR 37 (City of Delaware jurisdiction). Second access through Westfield shopping center.
2.	Traffic impact study (TIS) considerations: Treplus has committed to design and construction of an eastbound left turn lane, as such the TIS has been waived in place of this commitment.
3.	Right-of-way requirements: A. Developer to dedicate necessary temporary and permanent easements for bike path improvement across the frontage (US 37). B. Developer to dedicate necessary right-of-way for the eastbound left turn lane.
4.	New roadway infrastructure requirements: Streets will be private, however they must be constructed to public street standard pavement section and turning radii (i.e., must support and accommodate Fire Ladder truck)
5.	Special pedestrian & bikeway facilities: A. Sidewalks are to be provided throughout the development on at a minimum one side of all private roadways. B. Sidewalk connection from the development to the Westfield shopping center, as well as to the (future) bike path along SR 37 shall also be provided. <i>Per Planning: The City shall require the developer to extend the bike path along the frontage of the subject property along SR 37 per the adopted Bicycle and Pedestrian Plan 2017 and City Engineers requirements. However, if construction on the subject development does not commence by May 2018 then the City will extend the bike per the aforementioned bike plan.</i> C. Ideally, connection is also to be made via a minimum 5-FT wide path with Lantern Chase subdivision, tying into existing sidewalk along Farmland Dr. Developer should be encouraged to make this connection with the Lantern Chase HOA.
6.	Funding involvement (CDA, Tif, Contributions): Not Applicable.

Sanitary Sewer Collection

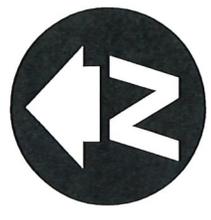
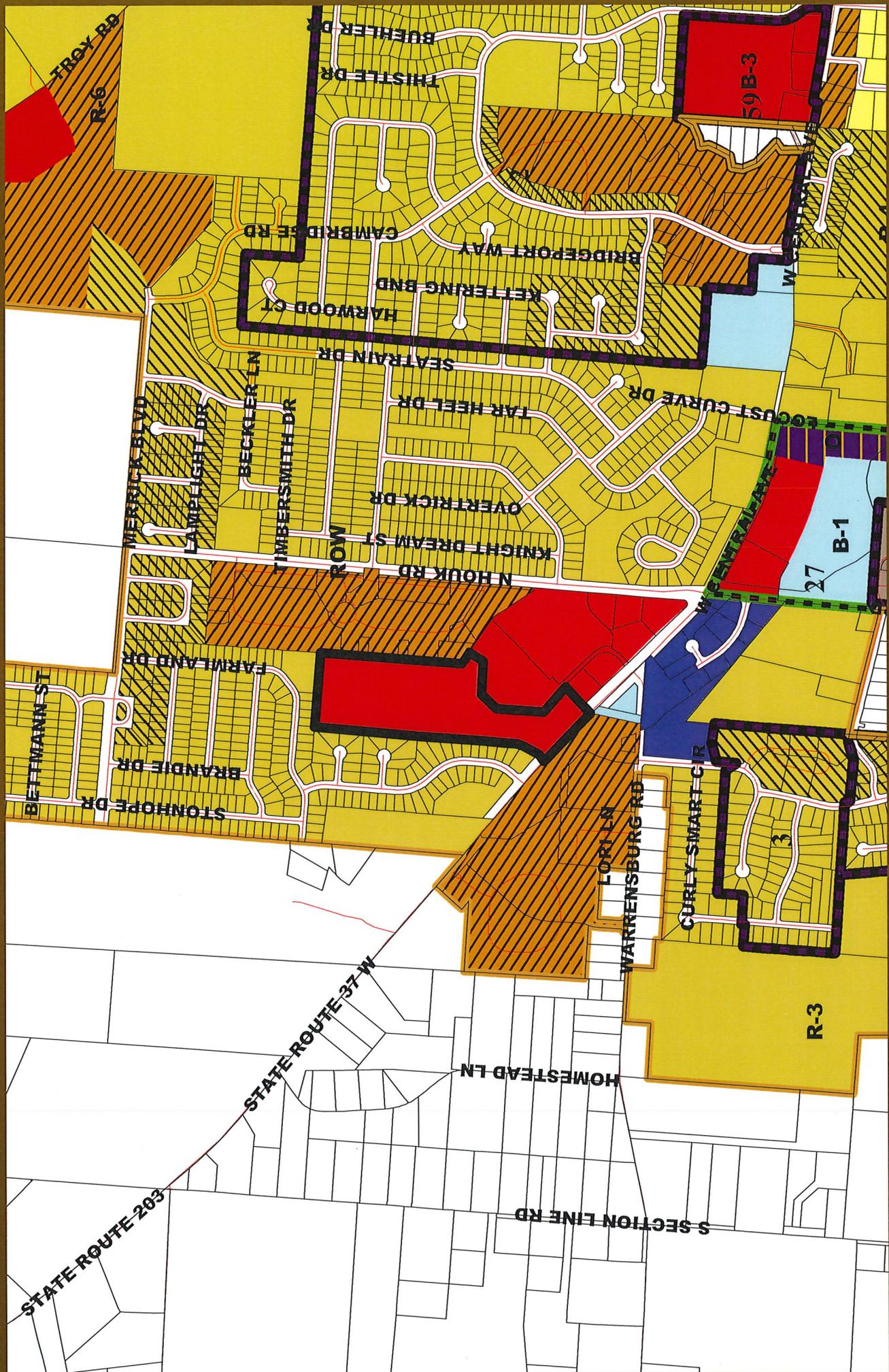
1.	Availability of sewer access adjacent to site: 18" Sanitary Main line is present along SR 37.
2.	Required off-site sewer line extensions: None.
3.	Tributary area considerations: Service to be to this site only with private lines.

4.	Special assessment district requirements: Not Applicable.
Storm Water Control	
1	Tributary area considerations and requirements: Offsite areas are already running through modern designed detention systems. Outfall for this site is the stream on site.
2	Existing storm water conditions and issues: There is a stream along east side of the site, running north-south, that is to be classified and acknowledged by Ohio EPA.
3	BMP requirements: Mitigate any repair setback and intrusions per the Olentangy permit and City of Delaware Design Guide.
Water Distribution System	
1.	Availability of water supply access adjacent to site: 12" Water main is present along SR 37.
2.	Required off-site water line extensions: None.
3.	Tributary area considerations: Service to be to this site only with private lines.
Special Land Development Requirements	
1.	
2.	
3.	



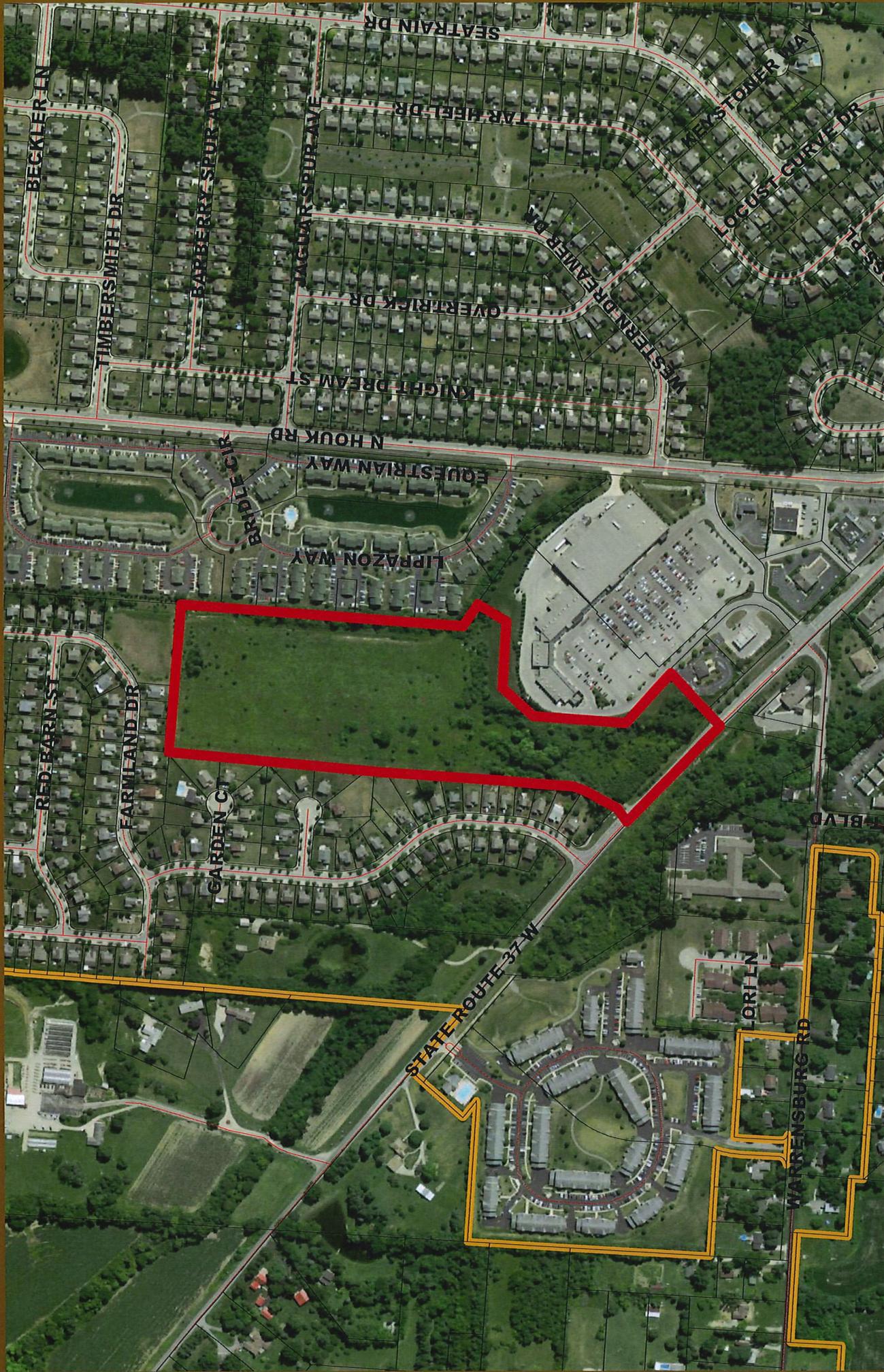
2017-1394-1396
 Zoning Amendment, Conditional Use Permit and
 Preliminary Development Plan
 Burr Oak Commons
 Location Map





2017-1394-1396
 Zoning Amendment, Conditional Use Permit and
 Preliminary Development Plan
 Burr Oak Commons
 Zoning Map





2017-1394-1396
 Zoning Amendment, Conditional Use Permit and
 Preliminary Development Plan
 Burr Oak Commons
 Aerial (2016)

think. create. do.

BURR OAK COMMONS (BY THE NUMBERS)

92 TOTAL NUMBER OF UNITS

- 20 01 BEDROOM
- 34 02 BEDROOM
- 38 2+ BEDROOM

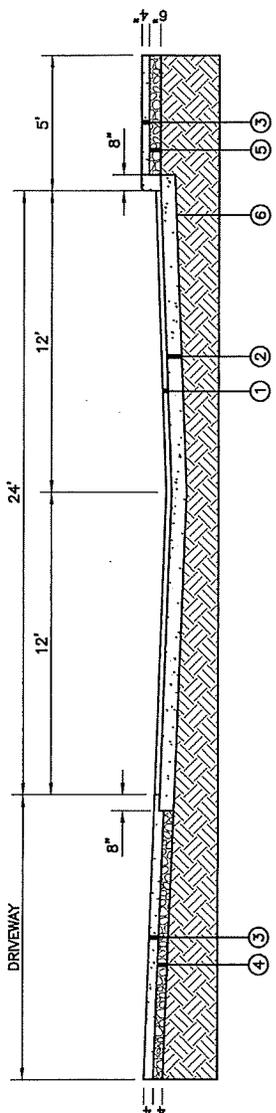
371 TOTAL NUMBER OF PARKING SPACES

- 164 GARAGE (ONE PER BD / UNIT)
- 164 DRIVEWAY (ONE PER BD / UNIT)
- 020 COMMONS
- 023 OVERFLOW (LOCKED THROUGHOUT SITE)

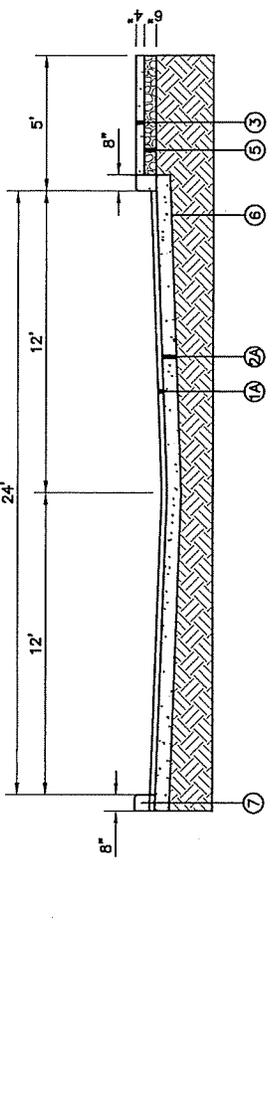
PEDESTRIAN CONNECTIVITY



PROPOSED SITE PLAN
SHEET # 694P

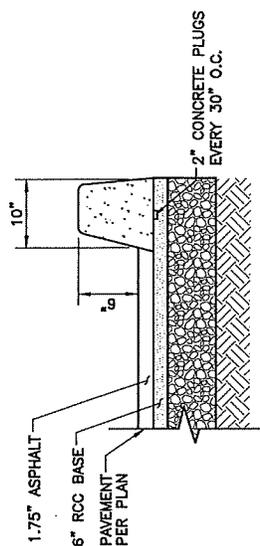


LIGHT DUTY PAVEMENT SECTION
NOT TO SCALE

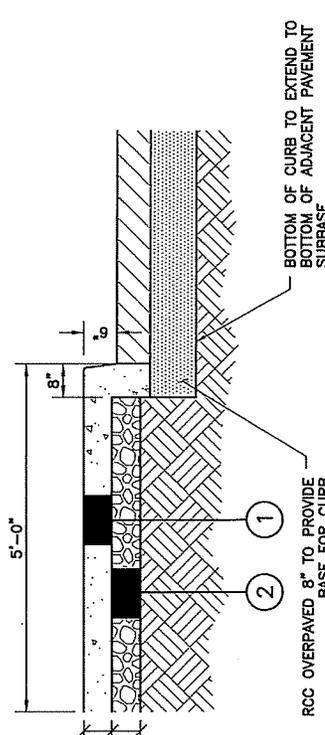


HEAVY DUTY PAVEMENT SECTION
NOT TO SCALE

- ① 1.50" ASPHALT
- ② 1.75" ASPHALT
- ③ 5" RCC BASE
- ④ 6" RCC BASE
- ⑤ 4" CONCRETE
- ⑥ 4" AGGREGATE BASE
- ⑦ 6" GRAVEL SUBBASE
- ⑧ COMPACTED SUBGRADE
- ⑨ 10" EXTRUDED CURB



EXTRUDED CURB DETAIL
NOT TO SCALE



- ① 4" CONCRETE CURB & SIDEWALK
- ② 6" GRAVEL SUBBASE

CURB & SIDEWALK COMBO DETAIL
NOT TO SCALE

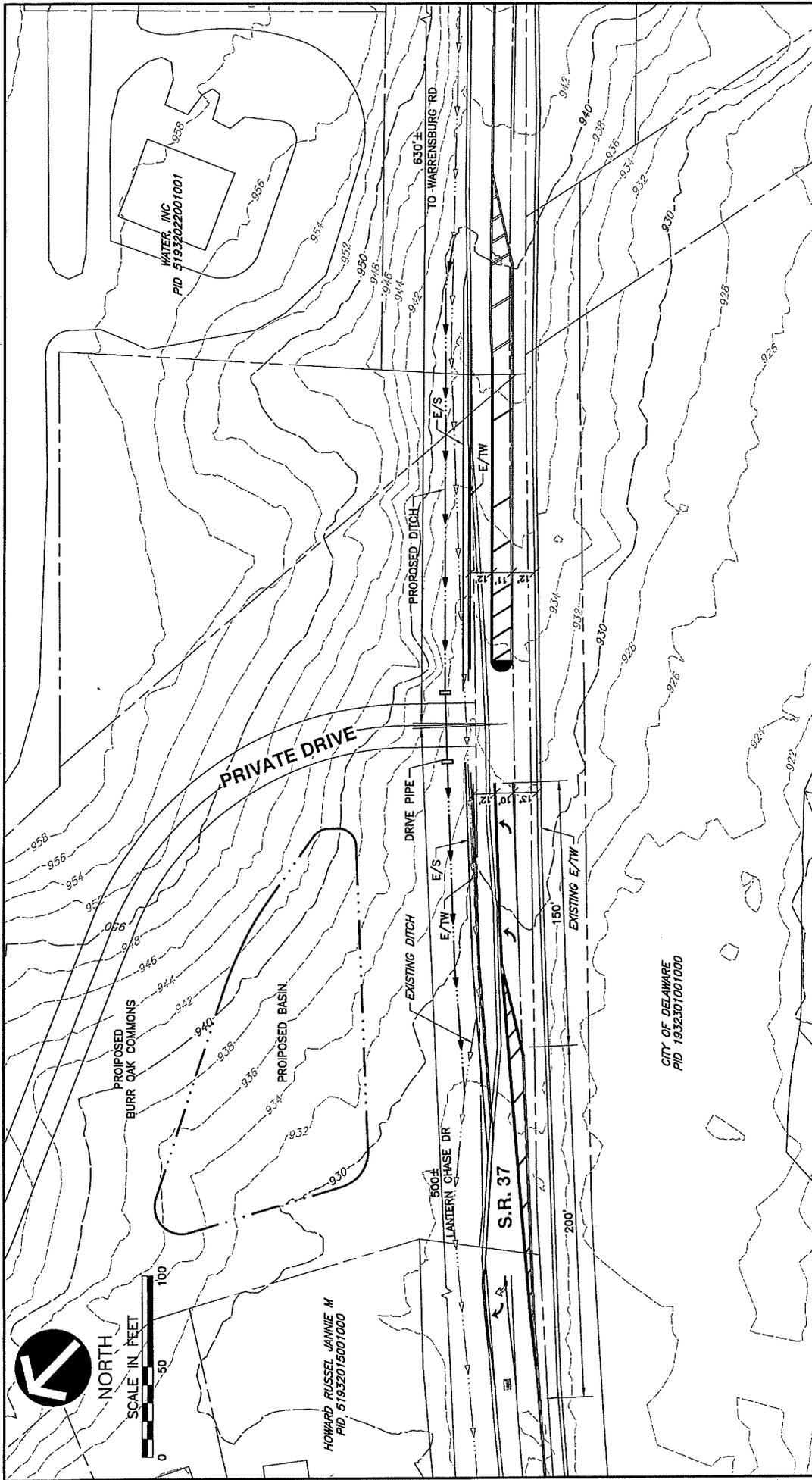


Civil & Environmental Consultants, Inc.
250 Old Wilson Bridge Road · Suite 250 · Worthington, OH 43095
614-540-6633 · 888-598-6608
www.cecinc.com

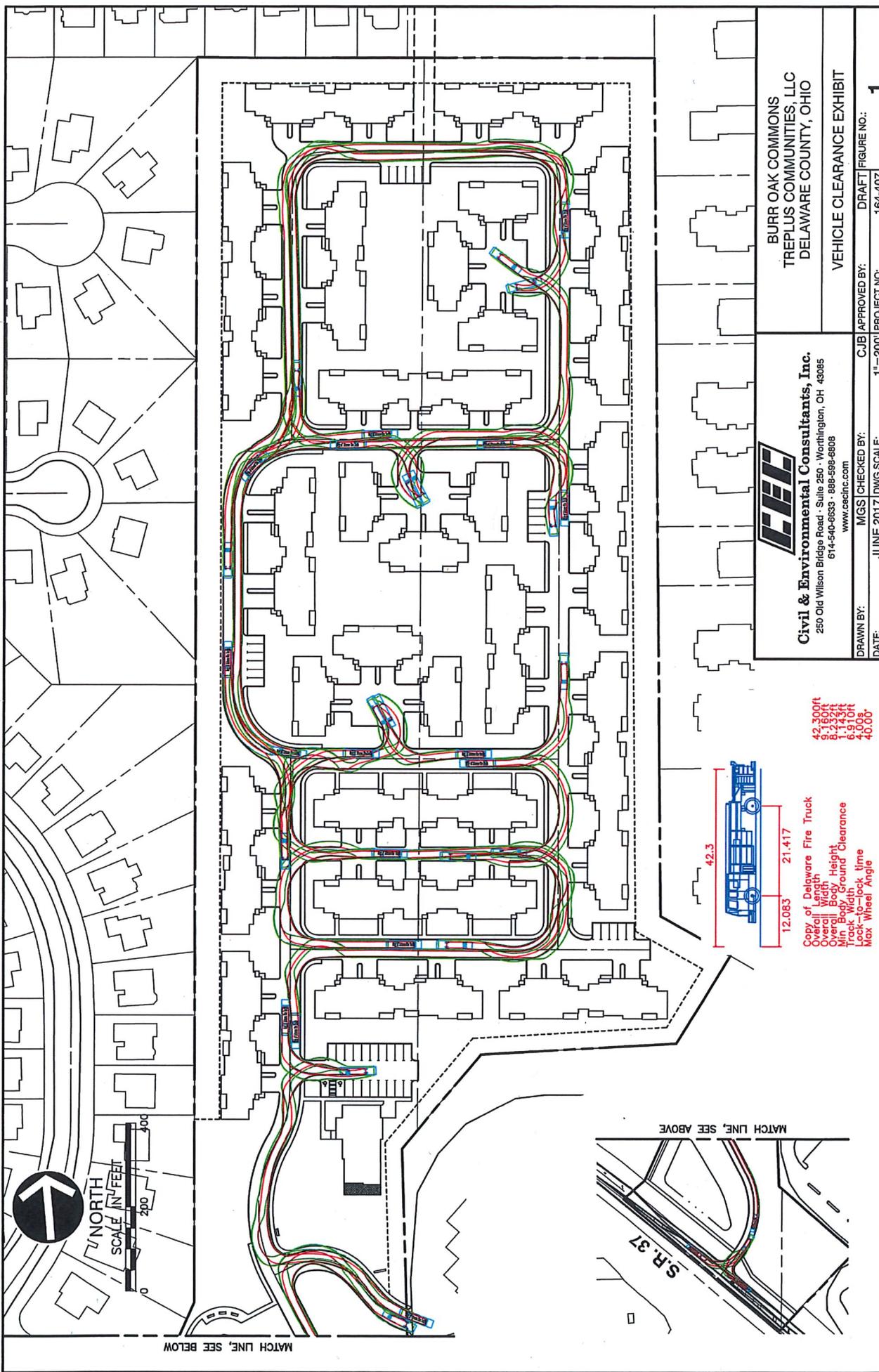
BURR OAK
TREPUS COMMUNITIES, LLC
CITY OF DELAWARE

TYPICAL SECTIONS

DRAWN BY: MGS CHECKED BY: CJB APPROVED BY: AS STATED PROJECT NO: 164-477
DATE: JUNE 2017 DWG SCALE: AS STATED PROJECT NO: 164-477



 Civil & Environmental Consultants, Inc. 250 Old Wilson Bridge Road • Suite 250 • Worthington, OH 43085 614-540-5633 • 888-598-6808 www.ceeinc.com	BURR OAK COMMONS TREPUS COMMUNITIES, LLC DELAWARE COUNTY, OHIO
	TURN LANE EXHIBIT
DRAWN BY: MGS CHECKED BY: CJB APPROVED BY: _____ DATE: FEBRUARY 2017 DWG SCALE: 1" = 50' PROJECT NO: 164-407	DRAFT EXHIBIT: 1

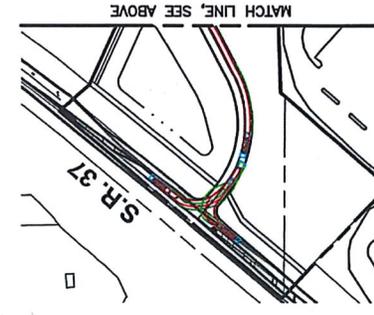


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 www.cecinc.com

**BURR OAK COMMONS
 TREPPLUS COMMUNITIES, LLC
 DELAWARE COUNTY, OHIO**

VEHICLE CLEARANCE EXHIBIT

DRAWN BY: MGS **CHECKED BY:** CJB **APPROVED BY:** _____ **DRAFT FIGURE NO.:** 1
DATE: JUNE 2017 **DWG SCALE:** 1"=200' **PROJECT NO.:** 164-407



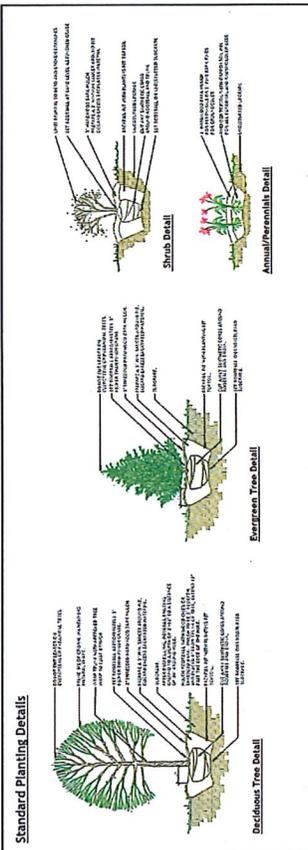
MATCH LINE, SEE BELOW

MATCH LINE, SEE ABOVE



Plant Materials List

Item	Quantity	Material/Description	Size	Calendar	Remarks
01	20	Plant Material	1 1/2" Cal.	000	Not Included
02	20	Plant Material	1 1/2" Cal.	000	Not Included
03	20	Plant Material	1 1/2" Cal.	000	Not Included
04	20	Plant Material	1 1/2" Cal.	000	Not Included
05	20	Plant Material	1 1/2" Cal.	000	Not Included
06	20	Plant Material	1 1/2" Cal.	000	Not Included
07	20	Plant Material	1 1/2" Cal.	000	Not Included
08	20	Plant Material	1 1/2" Cal.	000	Not Included
09	20	Plant Material	1 1/2" Cal.	000	Not Included
10	20	Plant Material	1 1/2" Cal.	000	Not Included
11	20	Plant Material	1 1/2" Cal.	000	Not Included
12	20	Plant Material	1 1/2" Cal.	000	Not Included
13	20	Plant Material	1 1/2" Cal.	000	Not Included
14	20	Plant Material	1 1/2" Cal.	000	Not Included
15	20	Plant Material	1 1/2" Cal.	000	Not Included
16	20	Plant Material	1 1/2" Cal.	000	Not Included
17	20	Plant Material	1 1/2" Cal.	000	Not Included
18	20	Plant Material	1 1/2" Cal.	000	Not Included
19	20	Plant Material	1 1/2" Cal.	000	Not Included
20	20	Plant Material	1 1/2" Cal.	000	Not Included
21	20	Plant Material	1 1/2" Cal.	000	Not Included
22	20	Plant Material	1 1/2" Cal.	000	Not Included
23	20	Plant Material	1 1/2" Cal.	000	Not Included
24	20	Plant Material	1 1/2" Cal.	000	Not Included
25	20	Plant Material	1 1/2" Cal.	000	Not Included
26	20	Plant Material	1 1/2" Cal.	000	Not Included
27	20	Plant Material	1 1/2" Cal.	000	Not Included
28	20	Plant Material	1 1/2" Cal.	000	Not Included
29	20	Plant Material	1 1/2" Cal.	000	Not Included
30	20	Plant Material	1 1/2" Cal.	000	Not Included
31	20	Plant Material	1 1/2" Cal.	000	Not Included
32	20	Plant Material	1 1/2" Cal.	000	Not Included
33	20	Plant Material	1 1/2" Cal.	000	Not Included
34	20	Plant Material	1 1/2" Cal.	000	Not Included



- ### General Notes
- Contractor shall be responsible for making items in detail with all underground utilities, pipes and structures. Contractor shall not proceed with construction as designed when it is obvious that unknown obstructions and/or grade differences exist. Such conditions shall be immediately brought to the attention of the authorized owner's representative.
 - Contractor shall be responsible for any coordination with subcontractors as required to accomplish planting operations.
 - All work shall be performed by a landscape contractor with minimum 5 year experience with similar projects of scope and size.
 - Final location of all plant materials shall be subject to the approval of the owner's representative/architect/City of Delaware.
 - All planting beds are to be top dressed with 2" of organic blend soil (James Hill) and incorporated into the top 12" of existing soil by means of sub-grading.
 - All planting beds are to be matched with shored hardwood mulch to a depth of 2".
 - All plant material shall match specifications per species and shall comply with ANSI Z60.1 "Standards for Nursery Stock".
 - Trees, shrubs and perennials shall be installed as per details noted on landscape sheet L-1. Concrete holes for tree planting are shown on the north side of the sheet.
 - Plant materials shall be installed in the ground by the contractor. Type of soil to be used shall be as specified on the sheet. Seed to be applied at a rate of 4 lbs. per 1,000 sq. ft. In the event of a discrepancy the plan will take precedence over the materials list.
 - Site benches are manufactured by The Park and Facilities Catalog. Rollbacks single contour redwood bench, 29 1/4" length, In-Ground Mount. All metal powder coated painted black, 10 Anmet. 7" total benches to be used on site.



EMI
Environmental Management, Inc.
P.O. Box 175
Dublin, Ohio 43017-0175
(614) 976-9988

Burr Oak Site/Tree Plan



Designed By:	Dennis Karem	Date:	2017 06 05 1719
Drafted By:	EMN	Scale:	1"=60' on 24x36
EMI Contact:	Dennis Karem	Drawing Number:	L1





BURR OAK COMMONS

City of Delaware Ohio
June 2017



Preliminary Development Plan Submittal



Table of Contents

Burr Oak Commons
June 2017

1. Project Summary
2. Application
3. Legal Description
4. Property Owners
5. Illustrative Site Plan
6. Development Text
7. Community Impact Assessment
8. Preliminary Development Plan
 - a. Open Space Plan
 - b. Utility Plan
 - c. Typical Sections
 - d. Turn Lane
 - e. Vehicle Clearance
9. Tree Survey
10. Architectural Elevations
11. Landscape Site Plan and Details
12. Photometric Plan
13. Company Profile



Project Summary

Burr Oaks Commons
June 2017

Burr Oak Commons is a proposed 92-unit luxury apartment community for residents aged 55 and older, in compliance with the Housing for Older Persons Act of 1995 (HOPA). The community is proposed for Rte 37 between Houk Rd and Lantern Chase Subdivision, behind the Kroger Shopping Center and Troy Farms Apartments. The community is a low-density apartment development that is designed to be very walkable, connected to the community, and have direct access to the shopping center per an existing easement.

The proposed community will provide large single-story plans with 1, 2 and 2 bedrooms plus a den ranging in size from 1200 – 1600 square feet. All will have attached garages and driveways with aprons. Additional guest parking is provided as well. The apartments have a stylish look and adhere to the principals of Universal Design creating an ideal environment for long term residency. The apartments offer residents true maintenance free living without large personal capital commitments. Baby boomers and empty nesters in Delaware are on the go and want a home that is as user friendly as possible while still providing luxurious living close to their community.

The apartments are open plan and oversized with gourmet kitchens, private patios, powder rooms, laundry rooms with hook-ups, and loft ceilings. In keeping with the key elements of Universal design, the apartments include no-step designs including zero threshold showers, wide doorways and halls, single floor living, accessible electrical controls, lever door and faucet handles and superb lighting.

Most importantly, the development features a community garden and Commons center with a fully equipped gym; Wi-Fi café; meeting spaces; yoga and activity areas for a wide range of programming directed by the interests of residents with the assistance of property management to create a strong sense of community.

Burr Oak will offer a high level of concierge service through on-site management, local service referrals and a 24-7 virtual concierge app. However, the community will not offer any health-care or food service and will therefore, not be direct competition for nearby Continuing Care Retirement Communities. Residents are welcome to contract with services to provide in-home care if they need or desire.

Owner/developer

Arthur Partners, LLC (dba Treplus Communities, "Treplus") is under contract to purchase the subject property from Troy Farms of Delaware, LLC.

Treplus is a premier apartment community developer and owner meeting the needs of the discerning baby-boomer, a renter-by-choice who wants flexibility, care-free living, and the ability to age in place. Treplus develops, builds and holds apartment projects designed according to Universal Access principles for residents aged 55 and older, in compliance with the Housing for Older Persons Act of 1995 (HOPA).

The contemplated project is essentially an infill project, currently zoned as B-3 Community Business to permit a wide range of businesses, such as automobile and RV sales, building heights up to 40' and minimal setbacks. Even though much of the upland portion of the property is level, a relatively steep change in elevation on the southern edge from SR 37 and a stream along the eastern edge present some challenges. The proposed project has two points of access, at SR 37 and also by way of a private easement through the Westfield Shopping Center (recorded at OR 45, PG 265 on Aug. 9, 2000).



**CITY OF DELAWARE, OHIO
PLANNING & COMMUNITY DEVELOPMENT
MASTER APPLICATION FORM**



Project # _____

Case # _____

Planning Commission

- | | | |
|--|--|---|
| <input type="checkbox"/> Amended Final Development Plan | <input type="checkbox"/> Final Development Plan Extension | <input type="checkbox"/> Substitution of a Non- Conforming Use |
| <input type="checkbox"/> Amended Final Subdivision Plat | <input type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Vacation-Alley |
| <input type="checkbox"/> Amended Preliminary Development Plan | <input type="checkbox"/> Final Subdivision Plat Extension | <input type="checkbox"/> Vacation-Easement |
| <input type="checkbox"/> Amended Preliminary Subdivision Plat | <input type="checkbox"/> Floodplain Permit | <input type="checkbox"/> Vacation-Street |
| <input type="checkbox"/> Annexation Review | <input type="checkbox"/> Lot Split | <u>Board of Zoning Appeals</u> |
| <input type="checkbox"/> Combined Preliminary & Final Development Plan | <input type="checkbox"/> Pre-annexation Agreement | <input type="checkbox"/> Appeal Administrative Decision or Interpretation |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input checked="" type="checkbox"/> Preliminary Development Plan | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Concept Plan | <input type="checkbox"/> Preliminary Dev Plan Extension | <input type="checkbox"/> Substitution of Equal or Less Non-Conforming Use |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Sub Plat | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Determination of Similar Use | <input type="checkbox"/> Preliminary Sub Plat Extension | |
| <input type="checkbox"/> Development Plan Exemption | <input type="checkbox"/> Rezoning | |
| <input type="checkbox"/> Final Development Plan | <input type="checkbox"/> Subdivision Variance | |

Subdivision/Project Name Burr Oak Commons Address SR 37, Delaware, OH 43015

Acreage 20.06 +/- Square Footage 182,000* Number of Lots -1- Number of Units 92

* 182,000 incl. sq. footage for Commons

Zoning District/Land Use B-3 Proposed Zoning/Land Use PMU Parcel # 51932001014000

Applicant Name Arthur Partners, LLC (dba Treplus Communities) Contact Person Jane Arthur Roslovic

Applicant Address 1515 Lake Shore Drive, Suite 225, Columbus, OH 43204

Phone 614-228-0326 Fax 614-228-2181 E-mail jarthur@trepluscommunities.com

Owner Name Troy Farms of Delaware, LLC Contact Person Dr. John Melvin, M.D.

Owner Address c/o Fruth & Co., 163 N. Sandusky Street, Delaware, OH 43015

Phone 215-955-6574 Fax 215-955-2311 E-mail John.Melvin@jefferson.edu

Engineer/Architect/Attorney Manos, Martin & Pergram, Co., LPA Contact Person Andrew Wecker, Esq.

Address 50 North Sandusky Street, Delaware, OH 43015

Phone 740-363-1313 Fax 740-362-3288 E-mail awecker@mmpdlaw.com

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

Troy Farms of Delaware, LLC

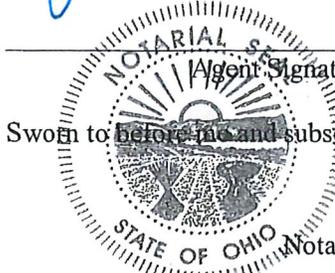
By:
Owner Signature

Andrew Wecker, Authorized Representative
Owner Printed Name

Agent Signature TERESA J. HUFFMAN

Agent Printed Name _____

Sworn to before me and subscribed in my presence this 6th day of June, 2017.



TERESA J. HUFFMAN
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
08-12-2017

Notary Public

SCHEDULE OF FEES

Application	Fee	
	Single-Family Lot	All Other Development ¹
Comprehensive Plan Amendment	\$500	\$500
Rezoning	\$250	\$500 plus \$100 per acre
Concept Plan	Non-applicable ²	\$500
Preliminary Development Plan	Non-applicable	\$750 plus \$50 per acre or \$100 per dwelling unit if multi-family or condominium
Final Development Plan	Non-applicable	\$1,000 plus \$50 per acre or \$100 per dwelling unit if multi-family or condominium
Combined Preliminary & Final Development Plans	Non-applicable	\$1,000 plus \$50 per acre or \$100 per dwelling unit if multi-family or condominium
Development Plan Exemption	Non-applicable	\$500
Development Plan Amendment	Non-applicable	\$750
Development Plan-Approval Deadline Extension	Non-applicable	\$500
Conditional Use Permit (Planning Commission or Board of Zoning Appeals)	\$150	\$500
Variance (Zoning)	\$150	\$300 for the first variance and \$50 for each subsequent variance
Substitution of a Non-Conforming Use	\$25	\$200
Appeal of an Administrative Decision	\$25	\$200
Code Interpretation/ Determination	\$25	\$100
Determination of a Substantially Similar Use	Non-applicable	\$75
Variance: Extension of the Approval Deadline	\$25	\$150
Preliminary Plat	Non-applicable	\$750 plus \$100 per lot or \$50 per acre if a non-single-family subdivision plat
Final Plat	Non-applicable	\$1,000 plus \$100 per lot or \$50 per acre if a non-single-family subdivision plat
Amended Plat (Preliminary or Final Plat)	Non-applicable	\$750
Extension of the Plat Approval Deadline	Non-applicable	\$500
Subdivision Variance	Non-applicable	\$300 for the first variance and \$50 for each subsequent variance
Lot Split (Minor Subdivision)	\$75	\$100 plus \$50 per lot to be split
Floodplain Use Permit	\$100	\$300
Floodplain Letter of Interpretation	\$50	\$200
Alley, Street, or Easement Vacation	\$100	\$250
Annexation Review	\$50	\$500

¹ Includes single-family subdivision plats.

² "Non-Applicable" means that the noted application does not apply to an existing single-family lot. If the code is amended to extend an application to single-family lots, then the appropriate fee must be established.

DESCRIPTION OF 20.056 ACRES
NORTH OF STATE ROUTE 37
EAST OF LANTERN CHASE DRIVE
DELAWARE, OHIO

Situated in the State of Ohio, County of Delaware, City of Delaware, being located in Farm Lots 26 and 27, Section 3, Township 5, Range 19, United State Military Lands, being 20.056 acres of that original 125.4 acre tract as described in a deed to Troy Farms of Delaware, LLC, Of record in Official Record 1220, Page 57, all references to records herein being to those located in the Delaware County Recorder's Office and being more particularly described as follows:

Beginning at a mag nail set in the centerline of State Route 37 (width varies) at the southeasterly corner of "Lantern Chase Section 1, Part 1", a subdivision of record in Plat Cabinet 2, Slides 201,201A and 201B;

Thence North $44^{\circ}15'45''$ East, along the easterly perimeter of said subdivision, a distance of 60.00 feet to an iron pin set in the northerly right-of-way line of State Route 37 at the southeasterly corner of Lot 7240 as shown and delineated upon said plat;

Thence North $28^{\circ}55'59''$ East, continuing along said easterly perimeter, a distance of 154.00 feet to a 1" O.D. pipe found at an angle point in said perimeter;

Thence North $04^{\circ}49'30''$ East, continuing along said easterly perimeter, a distance of 1,480.50 feet to a 1" O.D. pipe found at the northeasterly corner of said "Lantern Chase Section 1, Part 1" and in the southerly perimeter of "Lantern Chase Section 1, Part 2", a subdivision of record in Plat Cabinet 2, Slides 256, 256A and 256B;

Thence South $85^{\circ}10'30''$ East, along said southerly perimeter, a distance of 543.60 feet to a 1" O.D. pipe found at the southeasterly corner of said "Lantern Chase Section 1, Part 2" in the westerly line of "Troy Farms Condominium Forth Amendment", of record in Plat Cabinet 3, Page 740;

Thence South $04^{\circ}14'33''$ West, along said westerly line and the westerly lines of "Troy Farms Condominium Correction to Second Amendment" of record in Plat Cabinet 3, Page 308 and "Troy Farms Condominium Third Amendment" of record in Plat Cabinet 3, Page 310, a distance of 1,022.47 feet to an iron pin set at an angle point in said Third Amendment;

Thence South $55^{\circ}31'57''$ East, along the southerly line of said "Troy Farms Condominium Third Amendment", a distance of 101.23 feet to an iron pin found with a plastic cap inscribed "PL SYST 6641" at the northwesterly corner of Lot 7778, as shown and delineated upon the plat "Westfield Shopping Center", a subdivision of record in Plat Cabinet 2, Slides 256, 256A and 246B"

Thence along the westerly perimeter of said Lot 7778 the following courses:

1. South $34^{\circ}28'03''$ West, a distance of 123.23 feet to an iron pin found with a plastic cap inscribed "PL SYST 6641";
2. North $85^{\circ}06'52''$ West, a distance of 232.85 feet to an iron pin set;
3. South $46^{\circ}27'49''$ West, a distance of 149.42 feet to an iron pin found with a plastic cap inscribed "PL SYST 6641";
4. South $04^{\circ}48'34''$ West, a distance of 344.21 feet to an iron pin found with a plastic cap inscribed "PL SYST 6641";
5. South $43^{\circ}32'11''$ East, a distance of 238.54 feet to an iron pin set in the westerly line of that 0.883 acre tract as described in a deed to Waters Inc., of record in Official Record 1296, Page 170;



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Thence South 46°27'47" West, along said westerly line, passing an iron pin set at the southwesterly corner of said 0.883 acre tract in the northerly right-of-way line of State Route 37, at a distance of 178.35 feet, a total distance of 238.35 feet to a mag nail set in the centerline of State Route 37 at the southwesterly corner of said "Westfield Shopping Center";

Thence North 45°43'21" West, along said centerline, a distance of 479.08 feet to the place of beginning and containing 20.056 acres of land of which 11.608 acres lies within Farm Lot 27 and 8.448 acres lies within Farm Lot 26.

Bearings herein are based on the Ohio State Plane Coordinate System, North Zone, NAD 83 (2011 adjustment), establishing a bearing of North 46°27'47" West, for the centerline of State Route 37.

Iron pins set consist of a 5/8" rebar, 30" long with a plastic cap inscribed "IBI GROUP/S-6872/S7740".

This description was prepared by IBI Group, Inc. based on recent field surveys of the premises in November of 2015.



IBI Group

By David L. Chiesa 12-3-15
David L. Chiesa date
Registered Surveyor No. 7740



Property Owners

Burr Oak Commons
June 2017

<u>Owner Name</u>	<u>Address</u>
AMH 2015-2 BORROWER LLC	22 LANTERN CHASE DR; DELAWARE; 43015
ANDERSON TANYA R & DANIEL E	104 LANTERN CHASE CT; DELAWARE; 43015
ARMSTRONG ROD & JENNIFER L	130 GARDEN CT; DELAWARE; 43015
BENDER JAMES M DEBORAH A	52 LANTERN CHASE DR; DELAWARE; 43015
BROWN AARON & ERICA	64 LANTERN CHASE DR; DELAWARE; 43015
BUBIS CORINNE	134 GARDEN CT; DELAWARE; 43015
CHERRY BRADY L JENNIFER A	2203 FARMLAND DR; DELAWARE; 43015
DELAWARE RADIATION ONCOLOGY INC	1949 STATE ROUTE 37 W STE A; DELAWARE; 43015
FELLER BRANDON L & JESSICA L	128 GARDEN CT; DELAWARE; 43015
HANDLER MELISSA & LUKENS ANDREW	2215 FARMLAND DR; DELAWARE; 43015
HING KENNETH W & RUTH E	34 LANTERN CHASE DR; DELAWARE; 43015
HOWARD RUSSELL JANNIE M	10 LANTERN CHASE DR; DELAWARE; 43015
HPI TROY FARMS LLC	181 SADDLEBROOK CT; DELAWARE; 43015
HPI TROY FARMS LLC	185 SADDLEBROOK CT; DELAWARE; 43015
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HPI TROY FARMS LLC	0 LIPPAZON WAY UNIT 5D; DELAWARE; 43015
HPI TROY FARMS LLC	0 LIPPAZON WAY UNIT 6D; DELAWARE; 43015
HUGUENARD CHELSEA & CONLEY NATHAN	46 LANTERN CHASE DR; DELAWARE; 43015
JOHNSON WILLIAM E	2233 FARMLAND DR; DELAWARE; 43015
KOSTREVA MICHAEL J & YEYOUNG	110 LANTERN CHASE CT; DELAWARE; 43015
KROGER COMPANY THE	801 N HOUK RD; DELAWARE; 43015
MARQUIS MATTHEW RYAN & ASHLEY DANIELLE	2197 FARMLAND DR; DELAWARE; 43015
NEELY BRENDA L	40 LANTERN CHASE DR; DELAWARE; 43015
NHF RE2 LLC	2270 WARRENSBURG RD; DELAWARE; 43015
PETROVICH BRANKO & TERESA M	108 LANTERN CHASE CT; DELAWARE; 43015
QUEEN CLYDE J NAOMI V	16 LANTERN CHASE DR; DELAWARE; 43015
ROUTT MEGHAN M	106 LANTERN CHASE CT; DELAWARE; 43015
SHERRILL KATHY N & DORSE M	2227 FARMLAND DR; DELAWARE; 43015
SHRUM DAVID E MICHELLE A	2209 FARMLAND DR; DELAWARE; 43015
TARNOVICH WILLIAM R	70 LANTERN CHASE DR; DELAWARE; 43015
TROY FARMS CONDO ASSOC COMMON ELEMENT	124 LIPPAZON WAY; DELAWARE; 43015
TWEED KEVIN C & JENNIFER A	28 LANTERN CHASE DR; DELAWARE; 43015
WATERS INC	2080 STATE ROUTE 37 W; DELAWARE; 43015
WESTFIELD SHOPPING CENTER LLC	817 N HOUK RD; DELAWARE; 43015
WESTFIELD SHOPPING CENTER LLC	821 N HOUK RD; DELAWARE; 43015
WESTFIELD SHOPPING CENTER LLC	837 N HOUK RD; DELAWARE; 43015
WESTFIELD SHOPPING CENTER LLC	825 N HOUK RD; DELAWARE; 43015
WESTFIELD SHOPPING CENTER LLC	819 N HOUK RD; DELAWARE; 43015
WESTFIELD SHOPPING CENTER LLC	811 N HOUK RD; DELAWARE; 43015
WESTFIELD SHOPPING CENTER LLC	807 N HOUK RD; DELAWARE; 43015
WESTFIELD SHOPPING CENTER LLC	829 N HOUK RD; DELAWARE; 43015
WESTFIELD SHOPPING CENTER LLC	823 N HOUK RD; DELAWARE; 43015
WESTFIELD SHOPPING CENTER LLC	831 N HOUK RD; DELAWARE; 43015

WESTFIELD SHOPPING CENTER LLC	809 N HOUK RD; DELAWARE; 43015
WESTFIELD SHOPPING CENTER LLC	805 N HOUK RD; DELAWARE; 43015
WESTFIELD SHOPPING CENTER LLC	813 N HOUK RD; DELAWARE; 43015
WESTFIELD SHOPPING CENTER LLC	815 N HOUK RD; DELAWARE; 43015
WESTFIELD SHOPPING CENTER LLC	803 N HOUK RD; DELAWARE; 43015
WESTFIELD SHOPPING CENTER LLC	835 N HOUK RD; DELAWARE; 43015
WILEY DEBORAH FELL & ANDREW LEE	2221 FARMLAND DR; DELAWARE; 43015
WONDER CANDICE M & CARANO NICHOLAUS E	58 LANTERN CHASE DR; DELAWARE; 43015
WONDERLY DIANE L & DAVID A	76 LANTERN CHASE DR; DELAWARE; 43015

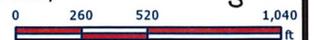


Troy Farms - Burr Oak - 150' Buffer

Information contained within this map may be used to generally locate, identify and inventory land parcels within Delaware County. Delaware County cannot warrant or guarantee the information contained herein, including, but not limited to its accuracy or completeness. The map parcel lines shown are approximate and this information cannot be constructed or used as a "legal description" of a parcel. Flood Plain information is obtained from FEMA and is administered by the Delaware County Building Department (740-833-2201). Please report any errors or omissions to the Delaware County Auditor's office at delcogs@co.delaware.oh.us. Prepared by: Delaware County Auditor's GIS Office



Delaware County Auditor
George Kaitsa



Printed on 6/8/2017

think. create. do.

BURR OAK COMMONS (BY THE NUMBERS)

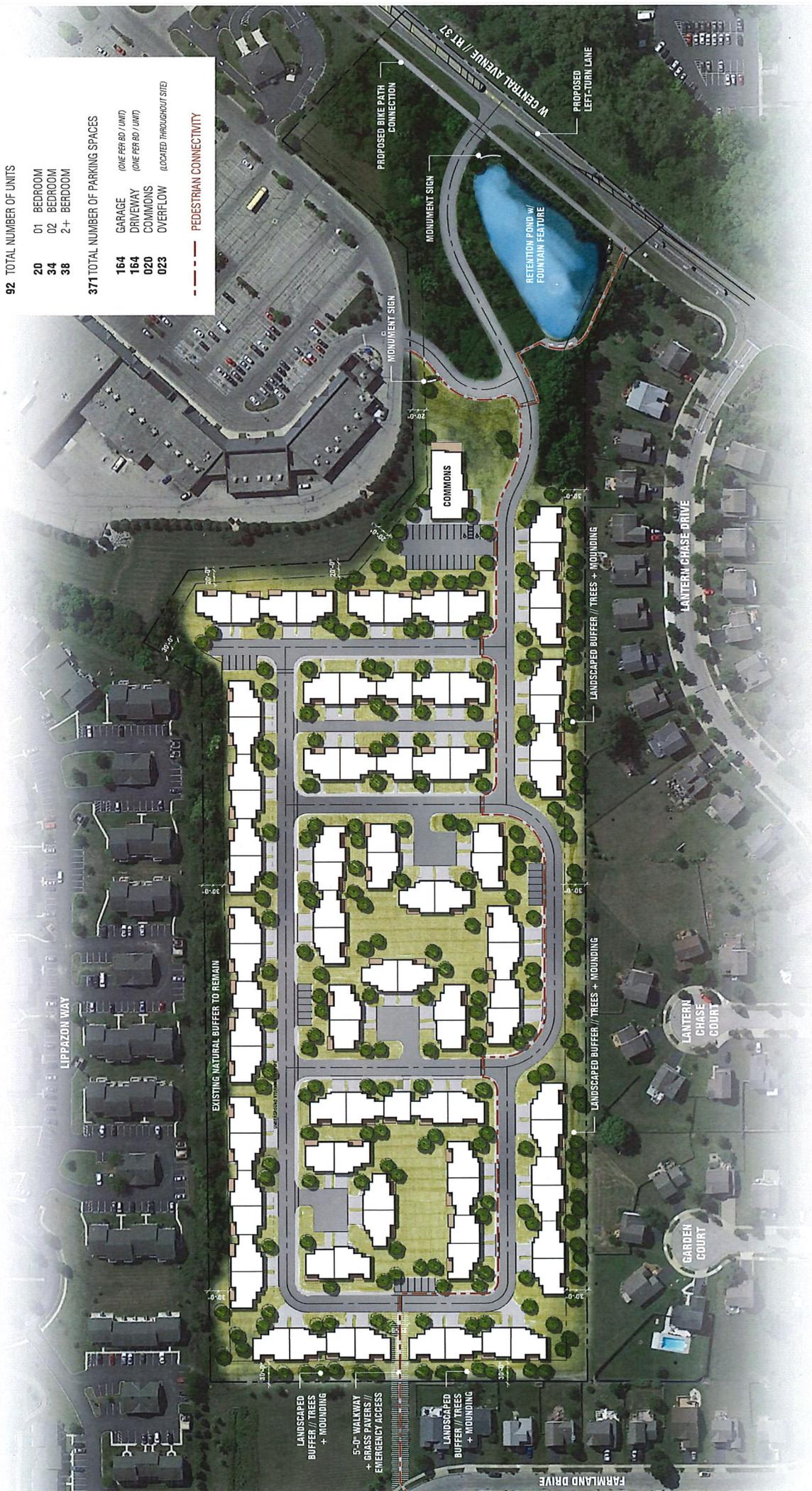
92 TOTAL NUMBER OF UNITS

- 20 01 BEDROOM
- 34 02 BEDROOM
- 38 2+ BEDROOM

371 TOTAL NUMBER OF PARKING SPACES

- 164 GARAGE (ONE PER RD / UNIT)
- 164 DRIVEWAY (ONE PER RD / UNIT)
- 020 COMMONS
- 023 OVERFLOW (LOCATED THROUGHOUT SITE)

PEDESTRIAN CONNECTIVITY



PROPOSED SITE PLAN
SCALE: 1" = 60'-0"



Community Impact Assessment

Burr Oak Commons
June 2017

1. Summary

- a. Rezoning the Troy Farms 20.06 acres (Delaware Co. Auditor's PID 51932001014000, "Troy Farms") from B-3 Community Business provides a unique opportunity to:
 - i. Bring 92 single story units that are Universal Design 1, 2 and 2+ bedrooms ranging from 1200-1600 square feet
 - ii. Provide right-of-way access to advance the City of Delaware's planned improvements for bicyclists and pedestrians from Lantern Chase to the Westfield Shopping Center and the YMCA;
 - iii. Buffer the Lantern Chase community of single family homes from commercial development;
 - iv. Provide a 55+HOPA Compliant project to the City of Delaware
 1. Minimal to no impact expected on:
 - a. student enrollment in Delaware City Schools
 - b. utilization of police, fire or emergency services
 2. Burr Oak will not provide any medical services or meals.
 3. However, Burr Oak will be desirable to people looking at CCRC Independent Living (continuing care retirement community) projects such as Willowbrook.

2. Developer Review

- a. Treplus¹ strives to be the premier apartment community developer for the discerning baby-boomer, a renter-by-choice who wants flexibility, care-free living, and the ability to age in place.
- b. Treplus develops, builds and holds apartment projects for residents aged 55 and older
 - i. Treplus takes the extra steps to manage its properties in compliance with the Housing for Older Persons Act of 1995 (HOPA)
 - ii. Residents in a Treplus community avoid maintenance work and costs – and are willing to pay up to \$2,200/month for this flexibility and ease of living
 - iii. Programming is centered around a Commons and a Community Garden.
 1. Otherwise, Treplus tries to integrate with and support existing community resources as far as retail and recreation.
 2. Examples of such community resources in Delaware include the Westfield Shopping Center and YMCA on Houk Road, Ohio Wesleyan University and SourcePoint.
 3. SourcePoint and Treplus have complimentary goals - the slogan from SourcePoint's rebranded marketing strategy is "Thrive after 55".

¹ Treplus is a dba for Arthur Partners, LLC.

3. Burr Oak as a development

- a. Site Plan Overview
 - i. 92 Unit
 - ii. Rents ranging between \$1,700 and \$2,200 per month
 - iii. Spacious one-story units
 - iv. Pet friendly
 - v. Attached garages
 - vi. Amenities and Concierge Services
 - vii. Onsite staff and maintenance
- b. Universal Design: no step showers/entrances, lever doors, wide halls, LED lights
 - i. Product designed for aging in place.
 - ii. Treplus expects to have long term residents with low turnover.
 - iii. Treplus will provide a high level of service –
 1. Trash totes placement to and from garage, bulk removal
 2. Onsite management
 3. In home check-in for traveling residents
- c. Unit floor plans will include:
 - i. 1, 2 and 2+ bedroom and bath with a half bath
 - ii. Attached garage
 - iii. Oversized units ranging 1200-1600 square feet
- d. Commons / Community Garden
 - i. Fitness Center,
 - ii. Business Center,
 - iii. Garden, and
 - iv. Club room for cards, yoga, book club, events, activities, programming, patio with fire pit (on the back side of the community center by shopping center), café with WiFi
- e. Garage- 1 or two spaces on the apron, extra parking throughout the development
- f. Gourmet Kitchens with stainless steel appliances, granite countertops
- g. Private porch entrances and private patios

4. Burr Oak, Lantern Chase and Westfield Shopping Center as part of a larger mixed use community

- a. Except for vehicular traffic (from Merrick Blvd. and Houk Road to the north, and State Route 37 to the south, a distance of approximately 0.7 mile) Lantern Chase to the west is cut off from the Westfield Shopping Center to the east and the YMCA to the south.
- b. In return for the City rezoning Troy Farms and granting full access onto SR 37, Treplus² would be willing to:

² Treplus is currently in contract to buy Troy Farms from Troy Farms of Delaware, LLC, the record owner. City staff has indicated to Treplus that the city does not intend to proceed with the bicycle and pedestrian way until 2018, at which point Treplus hopes to have completed its Final Development Plan and have closed on its purchase of Troy Farms.

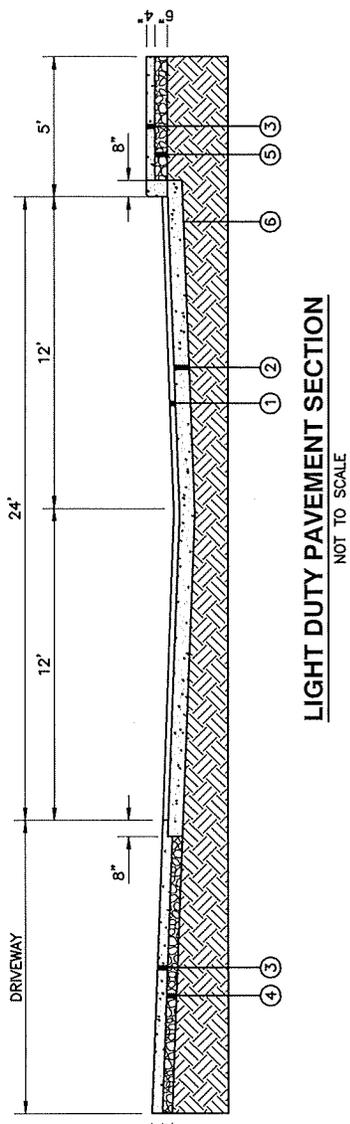
- i. grant a right-of-way along SR 37 for the City to use in completing its planned bicycle and pedestrian way;
 - ii. install a left turn lane (so long as the City does not require additional traffic studies).
- c. Troy Farms has two points of access, at SR 37 and also by way of a private easement through the Westfield Shopping Center (recorded at OR 45, PG 265 on 8/9/2000).

5. Impact on Public Services

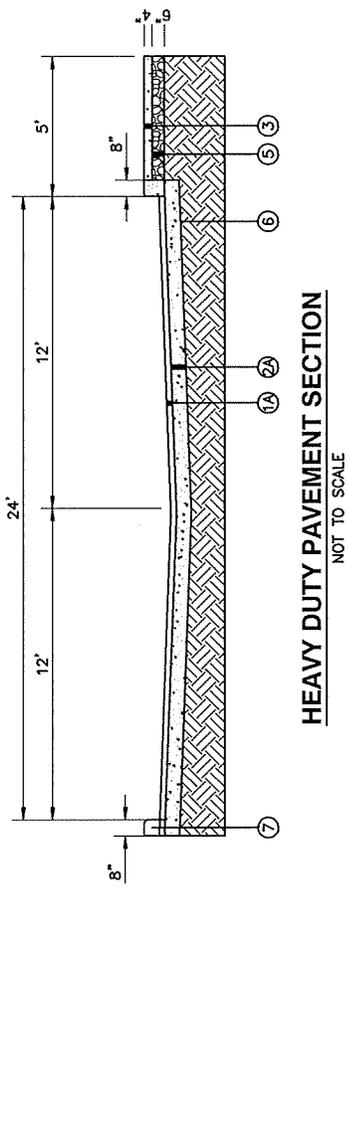
- a. **Tax Effect** – Treplus will have two employees on site, a property manager and a concierge. Burr Oak residents will add additional income to the city's tax base, and the improvement of what is now vacant land will add to the real estate tax base for public schools and county social services. The current market value of Troy Farms is \$729,400, which generates \$18,032 annually in real estate taxes; current construction estimates for Burr Oak Commons are that buildings and improvements would total approximately \$19,500,000.00, which would generate \$403,727 annually in real estate taxes.
- b. **Police and Fire** - There is no anticipation of additional load to the existing police and fire department other than emergency services
- c. **Schools** – There will be minimal to no impact on student enrollment in the Delaware City Schools.
- d. **Parks and Recreation** – Please see earlier discussion on the willingness of Treplus to participate in a right-of-way solution to complete a portion of the City's bicycle and pedestrian way.
- e. **Traffic Control** - No additional traffic control signals. Based on existing traffic studies the City has from prior developers, Treplus is willing to install one left turn lane.

6. General Requirements

- a. **Financial Interest** - The building cost for this project is estimated at \$19,500,000.00.
- b. **Economic Impact** - The short term economic impact will be the creation of construction jobs for a period of twelve months. Treplus anticipates having two full-time equivalent employees on site post-construction.
- c. **Construction Scheduling** - The proposed project is to be completed within twelve months from the start of construction. Construction is planned to begin after City Council approves the Final Development Plan, which is projected for 2nd quarter 2018.
- d. **Adjacent Developments** – Lantern Chase, to the west, is a neighborhood of single family homes. To the east are apartments and the Westfield Shopping Center.
- e. **Alternatives** – A number of prior developers, both commercial and residential, have looked at Troy Farms, all without closing. Treplus believes Burr Oak Commons is uniquely suited for Troy Farms.

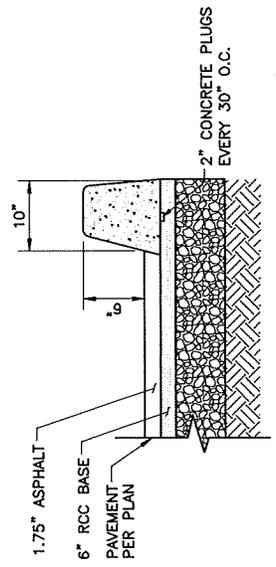


LIGHT DUTY PAVEMENT SECTION
NOT TO SCALE

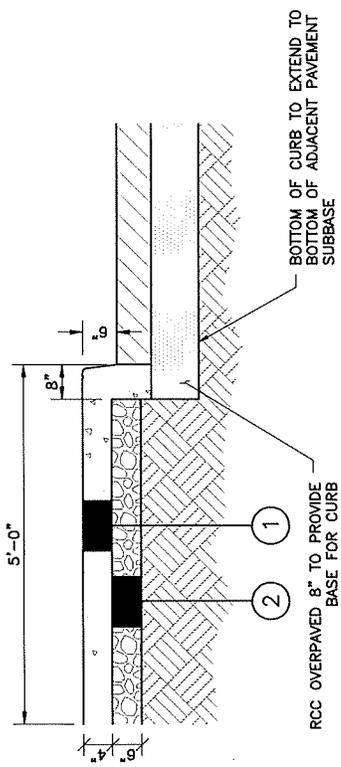


HEAVY DUTY PAVEMENT SECTION
NOT TO SCALE

- ① 1.50" ASPHALT
- ② 1.75" RCC BASE
- ③ 5" RCC BASE
- ④ 6" RCC BASE
- ⑤ 4" CONCRETE
- ⑥ 4" AGGREGATE BASE
- ⑦ 6" GRAVEL SUBBASE
- ⑧ COMPACTED SUBGRADE
- ⑨ 10" EXTRUDED CURB



EXTRUDED CURB DETAIL
NOT TO SCALE



- ① 4" CONCRETE CURB & SIDEWALK
- ② 6" GRAVEL SUBBASE

CURB & SIDEWALK COMBO DETAIL
NOT TO SCALE

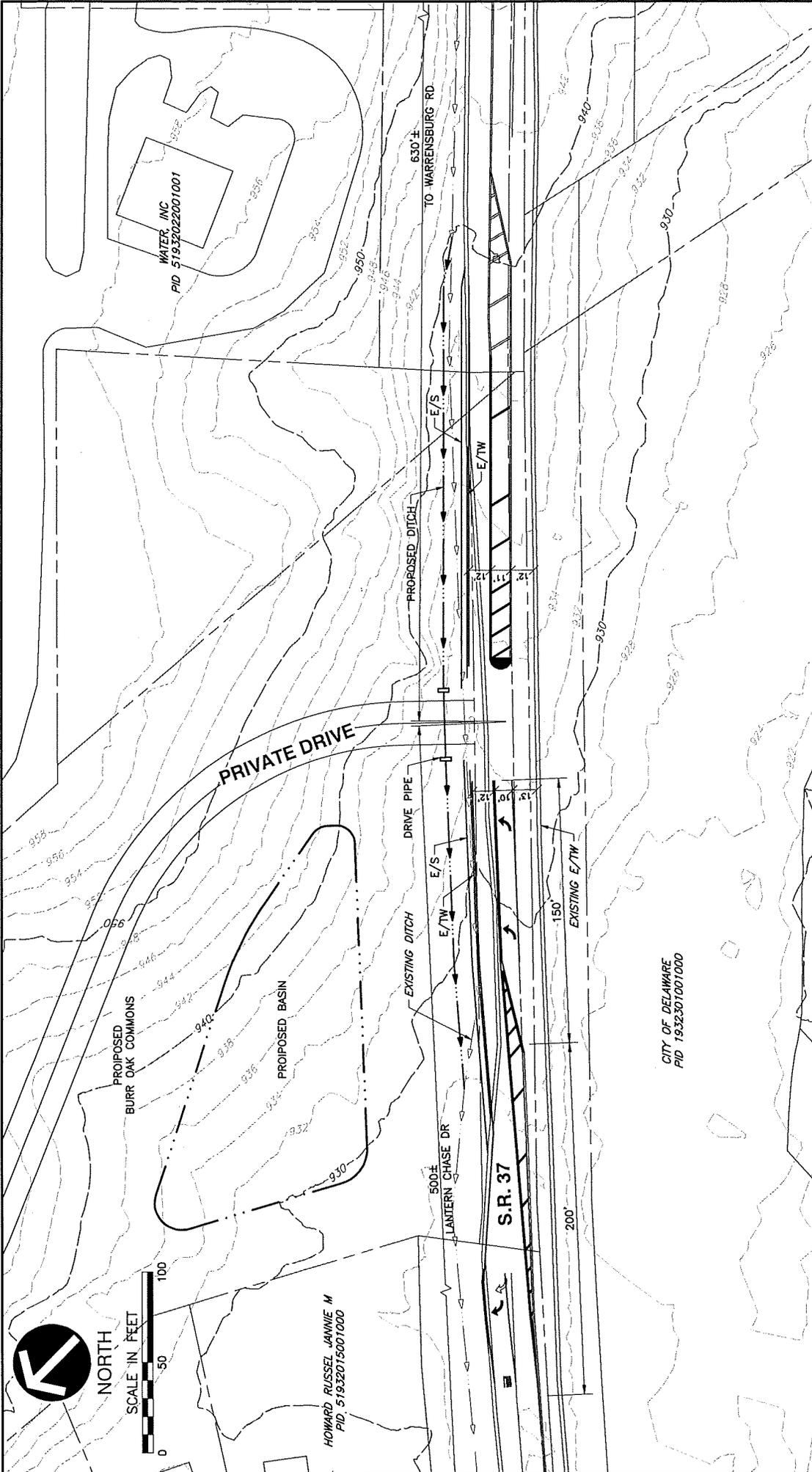


Civil & Environmental Consultants, Inc.
250 Old Wilson Bridge Road - Suite 250 - Worthington, OH 43085
614-540-6633 - 888-568-6608
www.cecinc.com

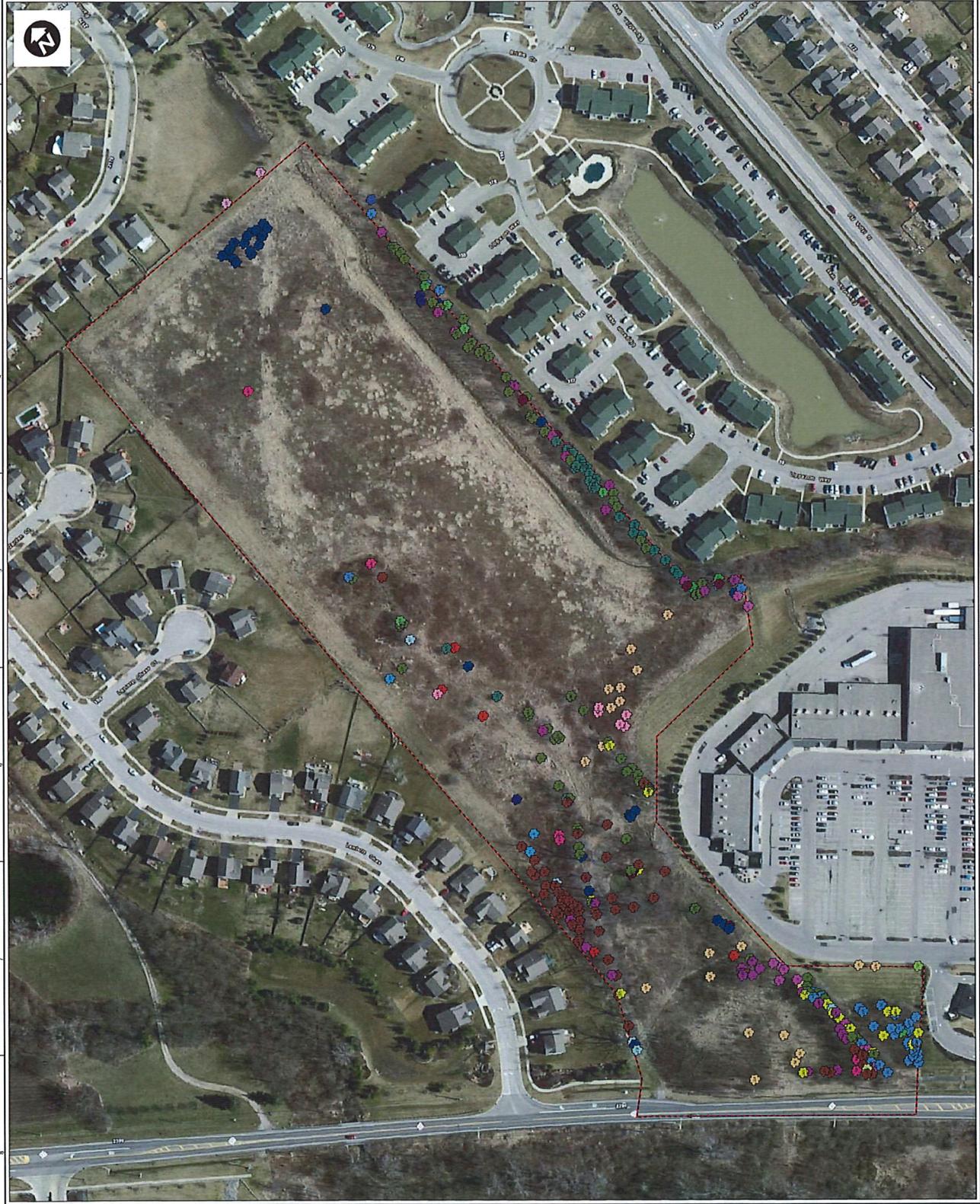
BURR OAK
TREPLUS COMMUNITIES, LLC
CITY OF DELAWARE

TYPICAL SECTIONS

DATE:	JUNE 2017	DWG SCALE:	AS STATED	PROJECT NO.:	164-477
DRAWN BY:	MGS	CHECKED BY:	CJB	APPROVED BY:	
				DRAFT	FIGURE NO.:
					1



 <p>Civil & Environmental Consultants, Inc. 250 Old Wilson Bridge Road · Suite 250 · Worthington, OH 43085 614-540-6633 · 888-598-6608 www.ceeinc.com</p>	<p>BURR OAK COMMONS TREPPLUS COMMUNITIES, LLC DELAWARE COUNTY, OHIO</p>	
	<p>TURN LANE EXHIBIT</p>	
<p>DATE: FEBRUARY 2017</p>	<p>DRAWN BY: MGS</p>	<p>CJB APPROVED BY:</p>
<p>DATE: FEBRUARY 2017</p>	<p>DWG SCALE: 1"=50'</p>	<p>PROJECT NO: 164-407</p>
		<p>DRAFT EXHIBIT: 1</p>



LEGEND

APPROXIMATE SITE BOUNDARY

- Tree Species**
- Apple
 - Ash Green
 - Ash White
 - Birch
 - Bur Oak
 - Cherry Black
 - Cottonwood
 - Elm American
 - Elm European
 - Elm Sycamore
 - Hickory
 - Hawthorn
 - Locust Black
 - Locust Honey
 - Maple Silver
 - Maple Sugar
 - Maple Red
 - Oak Black
 - Oak Pin
 - Oak White
 - Orange-Red
 - Pine White
 - Willow Black

SCALE IN FEET

0 75 150

NOTES: REFERENCE THE GEOGRAPHIC INFORMATION SYSTEM (GIS) DATA FOR THE PROJECT. THE DATA WAS OBTAINED FROM THE DELAWARE COUNTY GIS DEPARTMENT. THE DATA WAS OBTAINED FROM THE DELAWARE COUNTY GIS DEPARTMENT. THE DATA WAS OBTAINED FROM THE DELAWARE COUNTY GIS DEPARTMENT.

Civil & Environmental Consultants, Inc.
 2200 W. Main Street, Suite 200, Warren, OH 44481
 www.civilandenv.com

TREPLUS COMMUNITIES, LLC
 BURR OAK COMMONS
 CITY OF DELAWARE
 DELAWARE COUNTY, OHIO

DATE: 07/20/2017
 SCALE: 1" = 75' FEET
 PROJECT NO.: 164-437

TREE SURVEY MAP

1

Stem ID	Tree ID	Common Name	Scientific Name	Condition	DBH Size	*Multiple DBH	XCOORD	YCOORD
1	1	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	8		-83.11236288	40.31190818
2	2	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	9	2 trunk 6	-83.11234068	40.31192519
3	2	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	6	2 trunk 6	-83.11234068	40.31192519
4	3	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	6	2 trunk 6	-83.11232085	40.31194522
5	3	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	6	2 trunk 6	-83.11232085	40.31194522
6	4	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	7		-83.11232738	40.31199889
7	5	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	9		-83.11231945	40.31201068
8	6	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	11		-83.11225757	40.31204151
9	7	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	11		-83.11225527	40.31205179
10	8	Apple	<i>Malus sp.</i>	Poor	7		-83.11230026	40.31206478
11	9	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	10	2 trunk 6	-83.11234246	40.31208176
12	9	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	6	2 trunk 6	-83.11234246	40.31208176
13	10	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	9		-83.11229653	40.31208751
14	11	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	10		-83.11232987	40.31211433
15	12	Elm, American	<i>Ulmus americana</i>	Good	11		-83.11239541	40.31211414
16	13	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	9		-83.11239829	40.31217783
17	14	Oak, Pin	<i>Quercus palustris</i>	Good	14		-83.11226019	40.31217288
18	15	Elm, American	<i>Ulmus americana</i>	Good	11		-83.11226849	40.31218233
19	16	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	12		-83.11226505	40.31222528
20	17	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	11		-83.11227111	40.31222556
21	18	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	11		-83.11237969	40.31229017
22	19	Bradford Pear	<i>Pyrus calleryana</i>	Fair	7		-83.11219315	40.31243449
23	20	Hackberry	<i>Celtis occidentalis</i>	Fair	9	2 trunk 6	-83.11247817	40.31256508
24	20	Hackberry	<i>Celtis occidentalis</i>	Fair	6	2 trunk 6	-83.11247817	40.31256508
25	21	Bradford Pear	<i>Pyrus calleryana</i>	Fair	10		-83.11253429	40.31255621
26	22	Locust, Black	<i>Robinia pseudoacacia</i>	Good	10		-83.11252981	40.31259236
27	23	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	17	3 stems 15, 14	-83.11250762	40.31249116
28	23	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	15	3 stems 15, 14	-83.11250762	40.31249116
29	23	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	14	3 stems 15, 14	-83.11250762	40.31249116
30	24	Hackberry	<i>Celtis occidentalis</i>	Fair	10	3 stems 7,6	-83.11250009	40.31247657
31	24	Hackberry	<i>Celtis occidentalis</i>	Fair	7	3 stems 7,6	-83.11250009	40.31247657
32	24	Hackberry	<i>Celtis occidentalis</i>	Fair	6	3 stems 7,6	-83.11250009	40.31247657
33	25	Hackberry	<i>Celtis occidentalis</i>	Good	6		-83.11253233	40.31249297
34	26	Hackberry	<i>Celtis occidentalis</i>	Good	12		-83.11248923	40.31245743
35	27	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	13		-83.11250127	40.31245724
36	28	Hackberry	<i>Celtis occidentalis</i>	Good	7		-83.11249483	40.31243763
37	29	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	14		-83.1125069	40.31240641
38	30	Elm, American	<i>Ulmus americana</i>	Good	9		-83.11250281	40.31241108
39	31	Elm, Slippery	<i>Ulmus rubra</i>	Good	7		-83.11250352	40.31237774
40	32	Oak, White	<i>Quercus alba</i>	Good	15		-83.11252084	40.31233123
41	33	Hackberry	<i>Celtis occidentalis</i>	Good	11		-83.11251229	40.31233083
42	34	Elm, American	<i>Ulmus americana</i>	Good	6		-83.11251175	40.31232465
43	35	Locust, Black	<i>Robinia pseudoacacia</i>	Good	13		-83.11251158	40.31228129
44	36	Locust, Black	<i>Robinia pseudoacacia</i>	Good	11		-83.11250778	40.31225301
45	37	Elm, American	<i>Ulmus americana</i>	Good	7		-83.11252598	40.31225796
46	38	Elm, American	<i>Ulmus americana</i>	Fair	7	2 trunk 6	-83.11250966	40.31224698
47	38	Elm, American	<i>Ulmus americana</i>	Fair	6	2 trunk 6	-83.11250966	40.31224698
48	39	Hackberry	<i>Celtis occidentalis</i>	Fair	7	2 trunk 6	-83.11252485	40.31219114
49	39	Hackberry	<i>Celtis occidentalis</i>	Fair	6	2 trunk 6	-83.11252485	40.31219114
50	40	Hackberry	<i>Celtis occidentalis</i>	Good	9		-83.11253748	40.31216145
51	41	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	11		-83.1125263	40.31216203
52	42	Locust, Black	<i>Robinia pseudoacacia</i>	Fair	11	2 trunk 11	-83.1125476	40.31213191
53	42	Locust, Black	<i>Robinia pseudoacacia</i>	Fair	11	2 trunk 11	-83.1125476	40.31213191
54	43	Locust, Black	<i>Robinia pseudoacacia</i>	Good	10		-83.11252644	40.31211782
55	44	Elm, American	<i>Ulmus americana</i>	Good	8		-83.11251481	40.31209045
56	45	Hackberry	<i>Celtis occidentalis</i>	Good	6		-83.11251889	40.31208189
57	46	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	10		-83.11256768	40.31206538
58	47	Oak, White	<i>Quercus alba</i>	Good	23		-83.11258081	40.31204198
59	48	Locust, Black	<i>Robinia pseudoacacia</i>	Fair	13	2 trunk 13	-83.11256383	40.31203242
60	48	Locust, Black	<i>Robinia pseudoacacia</i>	Fair	13	2 trunk 13	-83.11256383	40.31203242
61	49	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	11		-83.1125413	40.31202731
62	50	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	14		-83.11254038	40.31197566
63	51	Maple, Sugar	<i>Acer saccharum</i>	Good	10		-83.11261606	40.31202081
64	52	Oak, Pin	<i>Quercus palustris</i>	Good	13		-83.11261812	40.31212622
65	53	Cherry, Black	<i>Prunus serotina</i>	Fair	10		-83.11275065	40.31215119
66	54	Maple, Sugar	<i>Acer saccharum</i>	Fair	6		-83.11279122	40.31216659
67	55	Bradford Pear	<i>Pyrus calleryana</i>	Fair	6		-83.11284224	40.31233284
68	56	Bradford Pear	<i>Pyrus calleryana</i>	Fair	6		-83.11290297	40.31231931
69	57	Bradford Pear	<i>Pyrus calleryana</i>	Fair	6		-83.11283405	40.31244961
70	58	Bradford Pear	<i>Pyrus calleryana</i>	Fair	6		-83.11297865	40.31257568
71	59	Bradford Pear	<i>Pyrus calleryana</i>	Fair	6		-83.11323686	40.31307235
72	60	Maple, Sugar	<i>Acer saccharum</i>	Good	21		-83.11302558	40.31344009
73	61	Maple, Sugar	<i>Acer saccharum</i>	Good	33		-83.11299078	40.3134909
74	62	Maple, Sugar	<i>Acer saccharum</i>	Good	27		-83.11269148	40.31375579
75	63	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	7		-83.11254859	40.31371513
76	64	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	7		-83.11250581	40.31370861
77	65	Hackberry	<i>Celtis occidentalis</i>	Fair	10		-83.11266818	40.31364375
78	66	Elm, American	<i>Ulmus americana</i>	Fair	12		-83.11275482	40.31349887
79	67	Osage-Orange	<i>Maclura pomifera</i>	Fair	10		-83.11278398	40.31350993
80	68	Osage-Orange	<i>Maclura pomifera</i>	Fair	7		-83.11280042	40.31350876
81	69	Maple, Sugar	<i>Acer saccharum</i>	Poor	19		-83.11264013	40.31340395
82	70	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	8		-83.11262208	40.31308287
83	71	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	8		-83.11260918	40.31302543
84	72	Osage-Orange	<i>Maclura pomifera</i>	Fair	8		-83.11259464	40.31300327

Stem ID	Tree ID	Common Name	Scientific Name	Condition	DBH Size	*Multiple DBH	XCOORD	YCOORD
85	73	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	8		-83.11260629	40.31299331
86	74	Ash, White	<i>Fraxinus americana</i>	Fair	6		-83.11270433	40.31288665
87	75	Bradford Pear	<i>Pyrus calleryana</i>	Fair	6		-83.11263175	40.31289436
88	76	Cherry, Black	<i>Prunus serotina</i>	Fair	8		-83.11272644	40.31281776
89	77	Cherry, Black	<i>Prunus serotina</i>	Fair	8	2 trunk 7	-83.1127466	40.31280179
90	77	Cherry, Black	<i>Prunus serotina</i>	Fair	7	2 trunk 7	-83.1127466	40.31280179
91	78	Cherry, Black	<i>Prunus serotina</i>	Fair	14		-83.11274338	40.31279561
92	79	Maple, Sugar	<i>Acer saccharum</i>	Fair	12		-83.11272726	40.31278174
93	80	Cherry, Black	<i>Prunus serotina</i>	Fair	14	3 stems 10,8	-83.1127528	40.31279074
	80	Cherry, Black	<i>Prunus serotina</i>	Fair	10	3 stems 10,8	-83.1127528	40.31279074
95	80	Cherry, Black	<i>Prunus serotina</i>	Fair	8	3 stems 10,8	-83.1127528	40.31279074
96	81	Cherry, Black	<i>Prunus serotina</i>	Fair	12		-83.1127079	40.31275807
97	82	Locust, Black	<i>Robinia pseudoacacia</i>	Good	9		-83.112614	40.31265067
98	83	Bradford Pear	<i>Pyrus calleryana</i>	Fair	6		-83.11290206	40.31289492
99	84	Bradford Pear	<i>Pyrus calleryana</i>	Fair	8		-83.11236567	40.31403874
100	85	Hackberry	<i>Celtis occidentalis</i>	Fair	17		-83.11233765	40.31393101
101	86	Hackberry	<i>Celtis occidentalis</i>	Fair	9		-83.11233467	40.31386673
102	87	Hackberry	<i>Celtis occidentalis</i>	Fair	6		-83.11236979	40.31386893
103	88	Hackberry	<i>Celtis occidentalis</i>	Fair	12	2 trunk 8	-83.11233467	40.31382271
104	88	Hackberry	<i>Celtis occidentalis</i>	Fair	8	2 trunk 8	-83.11233467	40.31382271
105	89	Maple, Sugar	<i>Acer saccharum</i>	Fair	15	3 stems 10, 13	-83.11234308	40.31374324
106	89	Maple, Sugar	<i>Acer saccharum</i>	Fair	13	3 stems 10, 13	-83.11234308	40.31374324
107	89	Maple, Sugar	<i>Acer saccharum</i>	Fair	10			
108	90	Boxelder	<i>Acer negundo</i>	Good	9		-83.1130573	40.31397235
109	91	Boxelder	<i>Acer negundo</i>	Good	7		-83.11315171	40.31392501
110	92	Maple, Sugar	<i>Acer saccharum</i>	Good	8		-83.11317103	40.31388063
111	93	Maple, Sugar	<i>Acer saccharum</i>	Fair	10	2 trunk 8	-83.11317735	40.31380739
112	93	Maple, Sugar	<i>Acer saccharum</i>	Fair	8	2 trunk 8	-83.11317735	40.31380739
113	94	Maple, Sugar	<i>Acer saccharum</i>	Good	12		-83.1132307	40.31375628
114	95	Maple, Sugar	<i>Acer saccharum</i>	Good	11		-83.11327534	40.31373405
115	96	Maple, Sugar	<i>Acer saccharum</i>	Good	9		-83.11323721	40.31382761
116	97	Hackberry	<i>Celtis occidentalis</i>	Fair	11		-83.11269246	40.31420453
117	98	Hackberry	<i>Celtis occidentalis</i>	Fair	13		-83.11254682	40.31422307
118	99	Hackberry	<i>Celtis occidentalis</i>	Fair	10		-83.11252326	40.31421157
119	100	Hackberry	<i>Celtis occidentalis</i>	Fair	11		-83.11252315	40.31422456
120	101	Hackberry	<i>Celtis occidentalis</i>	Fair	15	2 trunk 12	-83.11253623	40.31428248
121	101	Hackberry	<i>Celtis occidentalis</i>	Fair	12	2 trunk 12	-83.11253623	40.31428248
122	102	Cherry, Black	<i>Prunus serotina</i>	Fair	10		-83.11256297	40.31429275
123	103	Hackberry	<i>Celtis occidentalis</i>	Fair	11		-83.11255787	40.3143927
124	104	Hackberry	<i>Celtis occidentalis</i>	Fair	8		-83.11254904	40.31440492
125	105	Ash, White	<i>Fraxinus americana</i>	Fair	6		-83.11258885	40.31486897
126	106	Hawthorn	<i>Crataegus crus-galli</i>	Fair	7		-83.11262764	40.31489326
127	107	Elm, Slippery	<i>Ulmus rubra</i>	Good	22		-83.11275138	40.31504525
128	108	Hackberry	<i>Celtis occidentalis</i>	Fair	8		-83.11273225	40.31512302
129	109	Hackberry	<i>Celtis occidentalis</i>	Fair	8		-83.11271174	40.31512174
130	110	Hackberry	<i>Celtis occidentalis</i>	Fair	7	2 trunk 7	-83.1127277	40.31513027
131	110	Hackberry	<i>Celtis occidentalis</i>	Fair	7	2 trunk 7	-83.1127277	40.31513027
132	111	Apple	<i>Malus sp.</i>	Fair	14	3 stems 10,8	-83.11271225	40.31514135
133	111	Apple	<i>Malus sp.</i>	Fair	10	3 stems 10,8	-83.11271225	40.31514135
134	111	Apple	<i>Malus sp.</i>	Fair	8	3 stems 10,8	-83.11271225	40.31514135
135	112	Maple, Sugar	<i>Acer saccharum</i>	Fair	12	2 trunk 12	-83.11260143	40.31535153
136	112	Maple, Sugar	<i>Acer saccharum</i>	Fair	12	2 trunk 12	-83.11260143	40.31535153
137	113	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	6		-83.11187368	40.31696476
138	114	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	10		-83.1118669	40.3169292
139	115	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	10		-83.11187062	40.31691084
140	116	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	10		-83.11176632	40.31688645
141	117	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	8	2 trunk 6	-83.11175922	40.31690231
142	117	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	6	2 trunk 6	-83.11175922	40.31690231
143	118	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	10		-83.11169303	40.31689305
144	119	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	12		-83.11164603	40.31691409
145	120	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	10		-83.11163168	40.31693908
146	121	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	6	2 trunk 6	-83.1116743	40.31696312
147	121	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	6	2 trunk 6	-83.1116743	40.31696312
148	122	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	8	3 stems 6,6	-83.11163955	40.31695161
149	122	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	6	3 stems 6,6	-83.11163955	40.31695161
150	122	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	6	3 stems 6,6	-83.11163955	40.31695161
151	123	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	6		-83.11158135	40.31694968
152	124	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	7		-83.11158437	40.31691958
153	125	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	12		-83.11163857	40.31691056
154	126	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	10		-83.1116772	40.31645116
155	127	Cherry, Black	<i>Prunus serotina</i>	Fair	10	3 stems 8,9	-83.11109083	40.31652366
156	127	Cherry, Black	<i>Prunus serotina</i>	Fair	9	3 stems 8,9	-83.11109083	40.31652366
157	127	Cherry, Black	<i>Prunus serotina</i>	Fair	8	3 stems 8,9	-83.11109083	40.31652366
158	128	Hackberry	<i>Celtis occidentalis</i>	Fair	13	2 trunk 10	-83.11109633	40.31639243
159	128	Hackberry	<i>Celtis occidentalis</i>	Fair	10	2 trunk 10	-83.11109633	40.31639243
160	129	Hackberry	<i>Celtis occidentalis</i>	Fair	10	2 trunk 9	-83.1111065	40.31635593
161	129	Hackberry	<i>Celtis occidentalis</i>	Fair	9	2 trunk 9	-83.1111065	40.31635593
162	130	Hackberry	<i>Celtis occidentalis</i>	Good	6		-83.11110171	40.31623921
163	131	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	13	3 stems 12,10	-83.11111456	40.31620305
164	131	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	12	3 stems 12,10	-83.11111456	40.31620305
165	131	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	10	3 stems 12,10	-83.11111456	40.31620305
166	132	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	11		-83.11108678	40.31613208
167	133	Apple	<i>Malus sp.</i>	Poor	10		-83.11112053	40.31605552
168	134	Cottonwood, Eastern	<i>Populus deltoides</i>	Good	15		-83.11115276	40.31609133

Stem ID	Tree ID	Common Name	Scientific Name	Condition	DBH Size	*Multiple DBH	XCOORD	YCOORD
169	135	Hackberry	<i>Celtis occidentalis</i>	Good	6		-83.11116195	40.31607133
170	136	Hackberry	<i>Celtis occidentalis</i>	Good	6		-83.11111031	40.31595366
171	137	Apple	<i>Malus sp.</i>	Fair	9		-83.11114639	40.31591818
172	138	Hackberry	<i>Celtis occidentalis</i>	Good	7		-83.11117144	40.31584831
173	139	Hackberry	<i>Celtis occidentalis</i>	Good	6		-83.11117348	40.31584755
174	140	Hackberry	<i>Celtis occidentalis</i>	Good	6		-83.1111489	40.31578384
175	141	Hackberry	<i>Celtis occidentalis</i>	Good	6		-83.11115871	40.31574157
176	142	Hackberry	<i>Celtis occidentalis</i>	Good	10		-83.11117456	40.31561405
177	143	Hawthorn	<i>Crataegus crus-galli</i>	Fair	7		-83.1111767	40.31556311
178	144	Cherry, Black	<i>Prunus serotina</i>	Poor	10		-83.11118101	40.31555514
179	145	Hackberry	<i>Celtis occidentalis</i>	Poor	8		-83.11117243	40.31547841
180	146	Osage-Orange	<i>Maclura pomifera</i>	Good	7		-83.11120044	40.31548047
181	147	Hackberry	<i>Celtis occidentalis</i>	Good	7		-83.11123252	40.31540201
182	148	Cottonwood, Eastern	<i>Populus deltoides</i>	Good	21		-83.11121417	40.31534443
183	149	Osage-Orange	<i>Maclura pomifera</i>	Good	20		-83.1112081	40.31524824
184	150	Cherry, Black	<i>Prunus serotina</i>	Fair	13	2 trunk 11	-83.11122956	40.31526318
185	150	Cherry, Black	<i>Prunus serotina</i>	Fair	11	2 trunk 11	-83.11122956	40.31526318
186	151	Cherry, Black	<i>Prunus serotina</i>	Good	9		-83.11121425	40.31517151
187	152	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6		-83.11122071	40.31516457
188	153	Hawthorn	<i>Crataegus crus-galli</i>	Fair	7		-83.1112252	40.31514137
189	154	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6		-83.11121403	40.31513598
190	155	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6	2 trunk 6	-83.11120986	40.31508893
191	155	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6	2 trunk 6	-83.11120986	40.31508893
192	156	Hawthorn	<i>Crataegus crus-galli</i>	Fair	7		-83.11121832	40.31506004
193	157	Hawthorn	<i>Crataegus crus-galli</i>	Fair	7		-83.11121446	40.31503993
194	158	Hawthorn	<i>Crataegus crus-galli</i>	Fair	7		-83.11122968	40.31505015
195	159	Hawthorn	<i>Crataegus crus-galli</i>	Fair	7	2 trunk 6	-83.11122999	40.31500738
196	159	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6	2 trunk 6	-83.11122999	40.31500738
197	160	Hawthorn	<i>Crataegus crus-galli</i>	Fair	8		-83.11122389	40.31496643
198	161	Apple	<i>Malus sp.</i>	Fair	11		-83.11124877	40.31489694
199	162	Cherry, Black	<i>Prunus serotina</i>	Good	6		-83.11118873	40.31489927
200	163	Hackberry	<i>Celtis occidentalis</i>	Good	10		-83.11120583	40.31485826
201	164	Hackberry	<i>Celtis occidentalis</i>	Good	15		-83.11123984	40.31483246
202	165	Hackberry	<i>Celtis occidentalis</i>	Good	8		-83.1112498	40.31480069
203	166	Hawthorn	<i>Crataegus crus-galli</i>	Fair	7	3 stems 6,6	-83.11125472	40.31468144
204	166	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6	3 stems 6,6	-83.11125472	40.31468144
205	166	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6	3 stems 6,6	-83.11125472	40.31468144
207	166	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6	2 trunk 6	-83.11126701	40.31462144
206	167	Hawthorn	<i>Crataegus crus-galli</i>	Fair	8	2 trunk 6	-83.11126701	40.31462144
208	168	Hawthorn	<i>Crataegus crus-galli</i>	Fair	7	2 trunk 6	-83.11127717	40.31452813
209	168	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6	2 trunk 6	-83.11127717	40.31452813
210	169	Hawthorn	<i>Crataegus crus-galli</i>	Fair	9		-83.11127196	40.31445874
211	170	Hawthorn	<i>Crataegus crus-galli</i>	Fair	9	2 trunk 8	-83.11127358	40.31439216
212	170	Hawthorn	<i>Crataegus crus-galli</i>	Fair	8	2 trunk 8	-83.11127358	40.31439216
213	171	Hawthorn	<i>Crataegus crus-galli</i>	Fair	8		-83.11127483	40.31436921
214	172	Cherry, Black	<i>Prunus serotina</i>	Good	12		-83.1112775	40.31432168
215	173	Willow, Black	<i>Salix nigra</i>	Fair	9	2 trunk 8	-83.1112702	40.31427769
216	173	Willow, Black	<i>Salix nigra</i>	Fair	8	2 trunk 8	-83.1112702	40.31427769
217	174	Hackberry	<i>Celtis occidentalis</i>	Fair	12	4 trunk 10,6,6	-83.11120415	40.31425534
218	174	Hackberry	<i>Celtis occidentalis</i>	Fair	10	4 trunk 10,6,6	-83.11120415	40.31425534
219	174	Hackberry	<i>Celtis occidentalis</i>	Fair	6	4 trunk 10,6,6	-83.11120415	40.31425534
220	174	Hackberry	<i>Celtis occidentalis</i>	Fair	6	4 trunk 10,6,6	-83.11120415	40.31425534
221	175	Hackberry	<i>Celtis occidentalis</i>	Fair	11	2 trunk 10	-83.11121094	40.31425615
222	175	Hackberry	<i>Celtis occidentalis</i>	Fair	10	2 trunk 10	-83.11121094	40.31425615
223	176	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	13		-83.11114779	40.31419867
224	177	Willow, Black	<i>Salix nigra</i>	Good	11		-83.11111585	40.31421697
225	178	Cottonwood, Eastern	<i>Populus deltoides</i>	Good	9		-83.1111082	40.31411445
226	179	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	10		-83.11105771	40.31410769
227	180	Locust, Black	<i>Robinia pseudoacacia</i>	Fair	10	2 trunk 9	-83.11110864	40.31409382
228	180	Locust, Black	<i>Robinia pseudoacacia</i>	Fair	9	2 trunk 9	-83.11110864	40.31409382
229	181	Locust, Black	<i>Robinia pseudoacacia</i>	Fair	9	2 trunk 8	-83.11110725	40.31402485
230	181	Locust, Black	<i>Robinia pseudoacacia</i>	Fair	8	2 trunk 8	-83.11110725	40.31402485
231	182	Bradford Pear	<i>Pyrus calleryana</i>	Fair	6		-83.11181407	40.31427107
232	183	Bradford Pear	<i>Pyrus calleryana</i>	Fair	8	bradford 2 trunk 8	-83.11202932	40.31417518
233	183	Bradford Pear	<i>Pyrus calleryana</i>	Fair	8	bradford 2 trunk 8	-83.11202932	40.31417518
234	184	Bradford Pear	<i>Pyrus calleryana</i>	Fair	7	bradford 2 trunk 6	-83.11215941	40.31413972
235	184	Bradford Pear	<i>Pyrus calleryana</i>	Fair	6	bradford 2 trunk 6	-83.11215941	40.31413972
236	185	Bradford Pear	<i>Pyrus calleryana</i>	Fair	6		-83.11209303	40.31413143
237	186	Maple, Silver	<i>Acer saccharinum</i>	Fair	7		-83.11212247	40.31406411
238	187	Maple, Silver	<i>Acer saccharinum</i>	Fair	7		-83.11218007	40.31402901
239	188	Hackberry	<i>Celtis occidentalis</i>	Fair	10	2 trunk 10	-83.11229382	40.31422419
240	188	Hackberry	<i>Celtis occidentalis</i>	Fair	10	2 trunk 10	-83.11229382	40.31422419
241	189	Maple, Silver	<i>Acer saccharinum</i>	Fair	9	2 trunk 8	-83.11223766	40.31416678
242	189	Maple, Silver	<i>Acer saccharinum</i>	Fair	8	2 trunk 8	-83.11223766	40.31416678
243	190	Hawthorn	<i>Crataegus crus-galli</i>	Poor	7		-83.11275688	40.31398313
244	191	Hackberry	<i>Celtis occidentalis</i>	Fair	10	5 trunk 8,7,7,6	-83.11274448	40.31397247
245	191	Hackberry	<i>Celtis occidentalis</i>	Fair	8	5 trunk 8,7,7,6	-83.11274448	40.31397247
246	191	Hackberry	<i>Celtis occidentalis</i>	Fair	7	5 trunk 8,7,7,6	-83.11274448	40.31397247
247	191	Hackberry	<i>Celtis occidentalis</i>	Fair	7	5 trunk 8,7,7,6	-83.11274448	40.31397247
248	191	Hackberry	<i>Celtis occidentalis</i>	Fair	6	5 trunk 8,7,7,6	-83.11274448	40.31397247
249	192	Maple, Sugar	<i>Acer saccharum</i>	Fair	6		-83.11277155	40.31396921
250	193	Hackberry	<i>Celtis occidentalis</i>	Good	7		-83.11284164	40.31384531
251	194	Hackberry	<i>Celtis occidentalis</i>	Good	9		-83.11284501	40.31383818
252	195	Maple, Sugar	<i>Acer saccharum</i>	Poor	23		-83.11286174	40.31382682

Stem ID	Tree ID	Common Name	Scientific Name	Condition	DBH Size	*Multiple DBH	XCOORD	YCOORD
253	196	Cottonwood, Eastern	<i>Populus deltoides</i>	Good	44		-83.11294529	40.3137334
254	197	Elm, Slippery	<i>Ulmus rubra</i>	Good	14		-83.11317392	40.31373061
255	198	Maple, Sugar	<i>Acer saccharum</i>	Good	6		-83.11319123	40.31372581
256	199	Maple, Sugar	<i>Acer saccharum</i>	Good	6		-83.11320574	40.31369504
257	200	Maple, Sugar	<i>Acer saccharum</i>	Good	6		-83.11319667	40.31365978
258	201	Maple, Sugar	<i>Acer saccharum</i>	Good	6		-83.11321674	40.31366024
259	202	Maple, Sugar	<i>Acer saccharum</i>	Good	7		-83.11322013	40.31365152
260	203	Maple, Sugar	<i>Acer saccharum</i>	Good	10		-83.11326178	40.31363616
261	204	Maple, Sugar	<i>Acer saccharum</i>	Good	6		-83.11327582	40.31362808
262	205	Maple, Sugar	<i>Acer saccharum</i>	Good	7		-83.11329674	40.31361549
263	206	Maple, Sugar	<i>Acer saccharum</i>	Good	12		-83.1133002	40.31363548
264	207	Maple, Sugar	<i>Acer saccharum</i>	Good	7		-83.11324924	40.31359332
265	208	Maple, Sugar	<i>Acer saccharum</i>	Good	7		-83.11324491	40.31358975
266	209	Maple, Sugar	<i>Acer saccharum</i>	Good	7		-83.11324134	40.31358273
267	210	Maple, Sugar	<i>Acer saccharum</i>	Good	7		-83.11320176	40.31357697
268	211	Maple, Sugar	<i>Acer saccharum</i>	Good	9		-83.11320077	40.31355978
269	212	Maple, Sugar	<i>Acer saccharum</i>	Good	6		-83.11318526	40.3135791
270	213	Maple, Sugar	<i>Acer saccharum</i>	Good	6		-83.11319563	40.31360344
271	214	Maple, Sugar	<i>Acer saccharum</i>	Good	8		-83.11319525	40.31363017
272	215	Maple, Sugar	<i>Acer saccharum</i>	Good	26		-83.11319533	40.31342124
273	216	Ash, White	<i>Fraxinus americana</i>	Fair	6		-83.11330938	40.31336935
274	217	Maple, Sugar	<i>Acer saccharum</i>	Good	24		-83.11327934	40.3132942
275	218	Maple, Sugar	<i>Acer saccharum</i>	Good	21		-83.1133118	40.3132128
276	219	Maple, Sugar	<i>Acer saccharum</i>	Good	26		-83.11338742	40.3131405
277	220	Elm, Slippery	<i>Ulmus rubra</i>	Good	8		-83.11353254	40.31293389
278	221	Cottonwood, Eastern	<i>Populus deltoides</i>	Good	52		-83.11353784	40.31291863
279	222	Elm, Slippery	<i>Ulmus rubra</i>	Good	8		-83.1135497	40.31289141
280	223	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	9		-83.1123951	40.31194512
281	224	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	8	2 trunk 6	-83.11235576	40.31194644
282	224	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	6	2 trunk 6	-83.11235576	40.31194644
283	225	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	10		-83.11233081	40.31195763
284	226	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	8		-83.1123023	40.31196865
285	227	Elm, American	<i>Ulmus americana</i>	Good	11		-83.11230585	40.31198821
286	228	Elm, American	<i>Ulmus americana</i>	Good	10		-83.11228339	40.31197675
287	229	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	9		-83.11228238	40.31198121
288	230	Elm, American	<i>Ulmus americana</i>	Good	11		-83.11223153	40.31200821
289	231	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	9	2 trunks 6	-83.11222719	40.31207296
290	231	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	6	2 trunks 6	-83.11222719	40.31207296
292	232	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	14		-83.11217115	40.31206841
293	233	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	9		-83.11225024	40.31214591
294	234	Elm, American	<i>Ulmus americana</i>	Good	16		-83.1122366	40.31215629
295	235	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	8	2 trunks 6	-83.11237901	40.31226337
296	235	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	6	2 trunks 6	-83.11237901	40.31226337
297	236	Bradford Pear	<i>Pyrus calleryana</i>	Fair	6		-83.11212324	40.31237446
298	237	Elm, Siberian	<i>Ulmus pumila</i>	Fair	10		-83.11193724	40.31223405
299	238	Hackberry	<i>Celtis occidentalis</i>	Good	9		-83.11251173	40.31253771
300	239	Cherry, Black	<i>Prunus serotina</i>	Good	14		-83.11256084	40.31253406
301	240	Maple, Sugar	<i>Acer saccharum</i>	Good	6		-83.11254467	40.31251967
302	241	Hackberry	<i>Celtis occidentalis</i>	Good	11		-83.11253795	40.31251928
303	242	Elm, American	<i>Ulmus americana</i>	Good	7		-83.11256312	40.31251691
304	243	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	11	2 trunks 11	-83.11253853	40.31247995
305	243	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	11	2 trunks 11	-83.11253853	40.31247995
306	244	Cherry, Black	<i>Prunus serotina</i>	Good	6		-83.11253628	40.3124429
307	245	Cherry, Black	<i>Prunus serotina</i>	Good	6		-83.11253942	40.31244093
308	246	Elm, American	<i>Ulmus americana</i>	Fair	8	2 trunks 8	-83.11251845	40.31236236
309	246	Elm, American	<i>Ulmus americana</i>	Fair	8	2 trunks 8	-83.11251845	40.31236236
310	247	Elm, American	<i>Ulmus americana</i>	Good	6		-83.11250375	40.31235087
311	248	Cherry, Black	<i>Prunus serotina</i>	Good	14		-83.11250186	40.3123516
312	249	Cherry, Black	<i>Prunus serotina</i>	Good	8		-83.11255753	40.31228296
313	250	Cherry, Black	<i>Prunus serotina</i>	Good	7		-83.11256836	40.31225461
314	251	Cherry, Black	<i>Prunus serotina</i>	Good	6		-83.11257163	40.31222692
315	252	Hackberry	<i>Celtis occidentalis</i>	Fair	11	2 trunks 9	-83.1125402	40.31221556
316	252	Hackberry	<i>Celtis occidentalis</i>	Fair	9	2 trunks 9	-83.1125402	40.31221556
318	253	Maple, Sugar	<i>Acer saccharum</i>	Good	10		-83.11258408	40.31216376
319	254	Oak, Pin	<i>Quercus palustris</i>	Good	15		-83.11261714	40.31212219
320	255	Maple, Sugar	<i>Acer saccharum</i>	Good	9		-83.11256844	40.31212206
321	256	Maple, Sugar	<i>Acer saccharum</i>	Good	7		-83.11261576	40.31208345
322	257	Oak, Black	<i>Quercus velutina</i>	Good	6		-83.11261416	40.31205559
323	258	Maple, Sugar	<i>Acer saccharum</i>	Good	8		-83.11263686	40.31203974
324	259	Oak, Pin	<i>Quercus palustris</i>	Good	10		-83.11267011	40.31208389
325	260	Maple, Sugar	<i>Acer saccharum</i>	Good	9		-83.11257564	40.31211662
326	261	Maple, Sugar	<i>Acer saccharum</i>	Fair	13		-83.11281239	40.3121915
327	262	Cherry, Black	<i>Prunus serotina</i>	Fair	8		-83.11289119	40.31224581
328	263	Elm, American	<i>Ulmus americana</i>	Fair	10		-83.1129122	40.31225718
329	264	Bradford Pear	<i>Pyrus calleryana</i>	Fair	6		-83.11315872	40.31239694
330	265	Maple, Sugar	<i>Acer saccharum</i>	Good	40		-83.11293541	40.31338831
331	266	Maple, Sugar	<i>Acer saccharum</i>	Good	28		-83.11283456	40.3136483
332	267	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	7		-83.11255193	40.31370282
333	268	Maple, Sugar	<i>Acer saccharum</i>	Fair	11		-83.11272897	40.31351466
334	269	Hackberry	<i>Celtis occidentalis</i>	Fair	9		-83.11278708	40.31352069
335	270	Maple, Sugar	<i>Acer saccharum</i>	Good	52		-83.1128059	40.3133509
336	271	Hackberry	<i>Celtis occidentalis</i>	Fair	12		-83.11266406	40.31317681
338	272	Hackberry	<i>Celtis occidentalis</i>	Fair	6		-83.11267376	40.31318044
340	273	Hackberry	<i>Celtis occidentalis</i>	Fair	14		-83.11267145	40.31317816

Stem ID	Tree ID	Common Name	Scientific Name	Condition	DBH Size	*Multiple DBH	XCOORD	YCOORD
341	274	Bradford Pear	<i>Pyrus calleryana</i>	Fair	7		-83.112802	40.31297763
342	275	Hackberry	<i>Celtis occidentalis</i>	Fair	19	2 trunks 12	-83.11264733	40.31282128
343	275	Hackberry	<i>Celtis occidentalis</i>	Fair	12	2 trunks 12	-83.11264733	40.31282128
344	276	Cherry, Black	<i>Prunus serotina</i>	Fair	8		-83.11265058	40.31280571
345	277	Cherry, Black	<i>Prunus serotina</i>	Fair	8		-83.11264739	40.31275693
346	278	Locust, Black	<i>Robinia pseudoacacia</i>	Fair	8	2 trunks 7	-83.11256414	40.31272902
347	278	Locust, Black	<i>Robinia pseudoacacia</i>	Fair	7	2 trunks 7	-83.11256414	40.31272902
348	279	Locust, Black	<i>Robinia pseudoacacia</i>	Good	11		-83.11254494	40.31268745
349	280	Locust, Black	<i>Robinia pseudoacacia</i>	Good	8		-83.1125452	40.31267245
350	281	Hackberry	<i>Celtis occidentalis</i>	Fair	18		-83.11232349	40.31403265
351	282	Elm, American	<i>Ulmus americana</i>	Fair	12		-83.11233111	40.3140158
352	283	Hackberry	<i>Celtis occidentalis</i>	Fair	6		-83.11235764	40.31379688
353	284	Hackberry	<i>Celtis occidentalis</i>	Fair	8		-83.11234803	40.31377562
354	285	Maple, Sugar	<i>Acer saccharum</i>	Fair	6		-83.11234567	40.31377648
355	286	Hackberry	<i>Celtis occidentalis</i>	Fair	11		-83.11235359	40.31372668
356	287	Hackberry	<i>Celtis occidentalis</i>	Fair	7		-83.11235568	40.31373763
359	288	Elm, American	<i>Ulmus americana</i>	Fair	11		-83.11236505	40.31372983
360	289	Bradford Pear	<i>Pyrus calleryana</i>	Fair	7	2 trunks 7	-83.11251319	40.31404557
361	289	Bradford Pear	<i>Pyrus calleryana</i>	Fair	7	2 trunks 7	-83.11251319	40.31404557
362	290	Mulberry, Red	<i>Morus rubra</i>	Fair	6		-83.11298315	40.31414693
364	291	Maple, Sugar	<i>Acer saccharum</i>	Fair	9	2 trunks 8	-83.11316724	40.31397023
365	291	Maple, Sugar	<i>Acer saccharum</i>	Fair	8	2 trunks 8	-83.11316724	40.31397023
366	292	Maple, Sugar	<i>Acer saccharum</i>	Good	8		-83.11323555	40.3138516
367	293	Ash, White	<i>Fraxinus americana</i>	Fair	9	2 trunks 9	-83.11276336	40.31453986
368	293	Ash, White	<i>Fraxinus americana</i>	Fair	9	2 trunks 9	-83.11276336	40.31453986
369	294	Ash, White	<i>Fraxinus americana</i>	Fair	8		-83.11283093	40.31476783
370	295	Maple, Silver	<i>Acer saccharinum</i>	Fair	8	2 trunks 7	-83.11286835	40.31476867
371	295	Maple, Silver	<i>Acer saccharinum</i>	Fair	7	2 trunks 7	-83.11286835	40.31476867
372	296	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6		-83.11261511	40.31456094
373	297	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	16		-83.11261165	40.31475991
374	298	Boxelder	<i>Acer negundo</i>	Fair	6		-83.11301199	40.3149802
375	299	Hackberry	<i>Celtis occidentalis</i>	Fair	6		-83.11291357	40.31497309
376	300	Hackberry	<i>Celtis occidentalis</i>	Fair	9		-83.11273826	40.31544451
377	301	Locust, Honey	<i>Gleditsia triacanthos</i>	Fair	6		-83.11274598	40.31546363
378	302	Oak, Pin	<i>Quercus palustris</i>	Fair	6		-83.11259098	40.31543517
379	303	Oak, Pin	<i>Quercus palustris</i>	Fair	6		-83.11238223	40.31643436
381	304	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	7		-83.11190099	40.31697738
382	305	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	9		-83.11184405	40.31697628
383	306	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	6		-83.11179377	40.3169845
384	307	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	8		-83.11175108	40.3169487
385	308	Cottonwood, Eastern	<i>Populus deltoides</i>	Fair	6		-83.11170571	40.31696219
386	309	Pine, White	<i>Pinus strobus</i>	Fair	8		-83.11165299	40.31714352
387	310	Pine, White	<i>Pinus strobus</i>	Fair	8		-83.11136832	40.31713369
388	311	Ash, Green	<i>Fraxinus pennsylvanica</i>	Fair	6		-83.11099407	40.31666723
389	312	Locust, Honey	<i>Gleditsia triacanthos</i>	Good	6		-83.11105439	40.31661965
390	313	Hackberry	<i>Celtis occidentalis</i>	Good	8		-83.11110864	40.31643425
391	314	Hackberry	<i>Celtis occidentalis</i>	Good	7		-83.11109975	40.31642866
392	315	Hackberry	<i>Celtis occidentalis</i>	Good	11		-83.11109727	40.31623036
393	316	Willow, Black	<i>Salix nigra</i>	Good	8		-83.11113226	40.31619641
394	317	Mulberry, Red	<i>Morus rubra</i>	Fair	8	2 trunks 6	-83.11119842	40.31618003
395	317	Mulberry, Red	<i>Morus rubra</i>	Fair	8	2 trunks 6	-83.11119842	40.31618003
396	318	Mulberry, Red	<i>Morus rubra</i>	Fair	6		-83.11121982	40.31615674
397	319	Hackberry	<i>Celtis occidentalis</i>	Good	6		-83.11117323	40.3161149
398	320	Cherry, Black	<i>Prunus serotina</i>	Good	8		-83.11119008	40.31606129
399	321	Cherry, Black	<i>Prunus serotina</i>	Good	6		-83.11120291	40.31593953
400	322	Hackberry	<i>Celtis occidentalis</i>	Good	9		-83.11120271	40.31592657
401	323	Hackberry	<i>Celtis occidentalis</i>	Fair	10	3 trunks 7, 8	-83.11121082	40.31584274
402	323	Hackberry	<i>Celtis occidentalis</i>	Fair	8	3 trunks 7, 8	-83.11121082	40.31584274
403	323	Hackberry	<i>Celtis occidentalis</i>	Fair	7	3 trunks 7, 8	-83.11121082	40.31584274
404	324	Hackberry	<i>Celtis occidentalis</i>	Good	6		-83.11118377	40.31578858
405	325	Hackberry	<i>Celtis occidentalis</i>	Fair	14	2 trunks 12	-83.11122855	40.31555619
406	325	Hackberry	<i>Celtis occidentalis</i>	Fair	12	2 trunks 12	-83.11122855	40.31555619
407	326	Hackberry	<i>Celtis occidentalis</i>	Good	10		-83.11124039	40.31539699
408	327	Hackberry	<i>Celtis occidentalis</i>	Good	8		-83.11123648	40.3153851
409	328	Hackberry	<i>Celtis occidentalis</i>	Good	8		-83.11124429	40.31530175
411	329	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6	2 trunks 6	-83.11123561	40.3152299
412	329	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6	2 trunks 6	-83.11123561	40.3152299
413	330	Cherry, Black	<i>Prunus serotina</i>	Good	6		-83.11125886	40.31514553
414	331	Hackberry	<i>Celtis occidentalis</i>	Fair	16	3 trunks 12, 6	-83.11125474	40.31511804
415	331	Hackberry	<i>Celtis occidentalis</i>	Fair	12	3 trunks 12, 6	-83.11125474	40.31511804
416	331	Hackberry	<i>Celtis occidentalis</i>	Fair	6	3 trunks 12, 6	-83.11125474	40.31511804
417	332	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6		-83.11127089	40.315074
418	333	Hawthorn	<i>Crataegus crus-galli</i>	Fair	7		-83.11125499	40.31507975
420	334	Hawthorn	<i>Crataegus crus-galli</i>	Fair	7	2 trunks 6	-83.11126297	40.31498306
421	334	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6	2 trunks 6	-83.11126297	40.31498306
422	335	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6	2 trunks 6	-83.1112496	40.31495599
423	335	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6	2 trunks 6	-83.1112496	40.31495599
424	336	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6		-83.11127496	40.31494922
427	337	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6		-83.11126359	40.31493915
428	338	Cherry, Black	<i>Prunus serotina</i>	Good	7		-83.11131388	40.31482728
429	339	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6		-83.11128543	40.31475826
430	340	Hawthorn	<i>Crataegus crus-galli</i>	Fair	6		-83.11129359	40.31465888
432	341	Hackberry	<i>Celtis occidentalis</i>	Good	8		-83.1112927	40.3146102
433	342	Hackberry	<i>Celtis occidentalis</i>	Good	16		-83.11130399	40.31456476

Stem ID	Tree ID	Common Name	Scientific Name	Condition	DBH Size	*Multiple DBH	XCOORD	YCOORD
434	343	Osage-Orange	<i>Maclura pomifera</i>	Good	18		-83.11128933	40.31429886
435	344	Hackberry	<i>Celtis occidentalis</i>	Good	7		-83.11128928	40.31424091
436	345	Hackberry	<i>Celtis occidentalis</i>	Good	9		-83.1112862	40.31423832
437	346	Hackberry	<i>Celtis occidentalis</i>	Good	6		-83.11126071	40.3142266
438	347	Cherry, Black	<i>Prunus serotina</i>	Good	8		-83.11123396	40.31422211
439	348	Osage-Orange	<i>Maclura pomifera</i>	Good	9		-83.1113888	40.31419719
441	349	Hackberry	<i>Celtis occidentalis</i>	Good	7		-83.11106167	40.31416092
442	350	Cherry, Black	<i>Prunus serotina</i>	Good	10		-83.11105236	40.31415894
443	351	Bradford Pear	<i>Pyrus calleryana</i>	Fair	6		-83.11150087	40.3142658
444	352	Bradford Pear	<i>Pyrus calleryana</i>	Fair	6		-83.1118796	40.31418023
445	353	Bradford Pear	<i>Pyrus calleryana</i>	Fair	6		-83.1120871	40.31421096
446	354	Maple, Silver	<i>Acer saccharinum</i>	Fair	7	2 trunks 6	-83.11221329	40.31418248
447	354	Maple, Silver	<i>Acer saccharinum</i>	Fair	6	2 trunks 6	-83.11221329	40.31418248
448	355	Maple, Silver	<i>Acer saccharinum</i>	Fair	7		-83.11219212	40.31405331
449	356	Hackberry	<i>Celtis occidentalis</i>	Fair	7		-83.11229168	40.31431344
454	357	Hackberry	<i>Celtis occidentalis</i>	Fair	7	2 trunks 6	-83.11228881	40.31431643
455	357	Hackberry	<i>Celtis occidentalis</i>	Fair	6	2 trunks 6	-83.11228881	40.31431643
457	358	Hackberry	<i>Celtis occidentalis</i>	Fair	7		-83.11273593	40.3140525
462	359	Oak, Pin	<i>Quercus palustris</i>	Good	8		-83.11295155	40.3138851
463	360	Oak, Pin	<i>Quercus palustris</i>	Good	7		-83.11297041	40.31386632
464	361	Hackberry	<i>Celtis occidentalis</i>	Fair	11	2 trunks 8	-83.11291814	40.31377848
465	361	Hackberry	<i>Celtis occidentalis</i>	Fair	8	2 trunks 8	-83.11291814	40.31377848
466	362	Hackberry	<i>Celtis occidentalis</i>	Fair	8	2 trunks 6	-83.11294337	40.31375082
467	362	Hackberry	<i>Celtis occidentalis</i>	Fair	6	2 trunks 6	-83.11294337	40.31375082
469	363	Maple, Sugar	<i>Acer saccharum</i>	Good	34		-83.11301801	40.31364983
470	364	Cottonwood, Eastern	<i>Populus deltoides</i>	Good	34		-83.11306379	40.31359393
471	365	Elm, American	<i>Ulmus americana</i>	Fair	9	2 trunks 6	-83.11309248	40.31355255
472	365	Elm, American	<i>Ulmus americana</i>	Fair	6	2 trunks 6	-83.11309248	40.31355255
473	366	Hackberry	<i>Celtis occidentalis</i>	Good	6		-83.11310202	40.31354546
474	367	Cherry, Black	<i>Prunus serotina</i>	Good	7		-83.11309129	40.31353187
477	368	Maple, Sugar	<i>Acer saccharum</i>	Good	8		-83.1131254	40.3135017
478	369	Maple, Sugar	<i>Acer saccharum</i>	Good	6		-83.11313334	40.31348531
480	370	Maple, Sugar	<i>Acer saccharum</i>	Good	9		-83.11323901	40.31352326
481	371	Cherry, Black	<i>Prunus serotina</i>	Good	11		-83.11327476	40.31355857
482	372	Maple, Sugar	<i>Acer saccharum</i>	Good	10		-83.11328818	40.31353899
483	373	Maple, Sugar	<i>Acer saccharum</i>	Good	6		-83.11327584	40.31349446
484	374	Maple, Sugar	<i>Acer saccharum</i>	Good	10		-83.11333463	40.31345975
485	375	Cherry, Black	<i>Prunus serotina</i>	Good	7		-83.11332517	40.31341295
486	376	Cherry, Black	<i>Prunus serotina</i>	Good	6		-83.11332961	40.31323006
487	377	Elm, American	<i>Ulmus americana</i>	Good	7		-83.11337213	40.31313753
488	378	Maple, Sugar	<i>Acer saccharum</i>	Good	6		-83.11348038	40.31300221
Total DBH =					4414			

think. create. do.



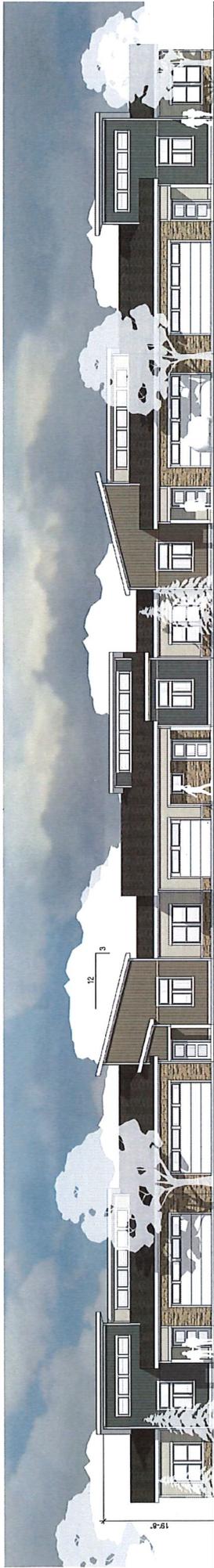
CONCEPTUAL RENDER
NOT TO SCALE
STREET VIEW

BURR OAK COMMONS
PRELIMINARY DEVELOPMENT PLAN SUBMITTAL
JUNE 24, 2011

Treplus
Communities

archall
ARCHITECTURAL ALLIANCE

think. create. do.



01 FRONT ELEVATION
1/8" = 1'-0"
BUILDING TYPE 01



01 REAR ELEVATION
1/8" = 1'-0"
BUILDING TYPE 01



01 SIDE ELEVATION
1/8" = 1'-0"
BUILDING TYPE 01



01 SIDE ELEVATION
1/8" = 1'-0"
BUILDING TYPE 01

EXTERIOR MATERIAL PALETTE

	ROOFING SHINGLE 30-YEAR DIMENSIONAL SHINGLE COLOR: WEATHERED WOOD
	STONE BASE LENE STONE / TAN GRAUATED JOINT / ANT / BRISTAO

	PREMIUM VINYL SIDING 0.4" THICK CLAYBOARD PREMIUM SIDING COLOR: MONTEZ SAND HORIZONTAL
	PREMIUM VINYL SIDING 0.4" THICK GLACIER WHITE COLOR: GLACIER WHITE 7/8" WINDOWS AND DOOR OPENINGS. CORNER, GUT AND GABLE CONDITIONS.

	PREMIUM VINYL SIDING 0.4" THICK BOARD & BATTEN PREMIUM SIDING COLOR: CANYON DRIFT VERTICAL
	PREMIUM VINYL SIDING 0.4" THICK BOARD & BATTEN PREMIUM SIDING COLOR: CHARCOAL SMOKE VERTICAL

	PREMIUM VINYL SIDING LOWEDED GABLE VENT COLOR: GLACIER WHITE *LOCATED @ GLENERSTORY OPENINGS
	CUTTERS / DOWNSPOUTS 0.4" THICK DOWNSPOUT, POSTHOLE COLOR: WHITE *ALL DOWNSPOUTS INCORPORATE SP-PLUS FEEDS.

think. create. do.



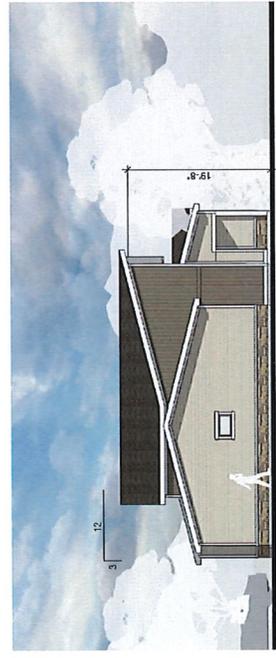
02 FRONT ELEVATION BUILDING TYPE 02
A 1/8" = 1'-0"



02 REAR ELEVATION BUILDING TYPE 02
B 1/8" = 1'-0"



02 SIDE ELEVATION BUILDING TYPE 02
D 1/8" = 1'-0"



02 SIDE ELEVATION BUILDING TYPE 02
C 1/8" = 1'-0"

EXTERIOR MATERIAL PALETTE

	ROOFING SHINGLE 30-YEAR DIMENSIONAL SINGLE COLOR: WEATHERED WOOD
	STONE BASE SYNTHETIC STONE VENEER COLOR: BLENDED GRAY GRADED JOINT (NOT BRISTACO)

	PREMIUM VINYL SIDING 0.44" THICK CLARIBOND PREMIUM SIDING COLOR: MONTELEONE SAND HORIZONTAL
	PREMIUM VINYL SIDING 3.50" TWIN & BATTEN PREMIUM SIDING COLOR: GLACIER WHITE *ALL WINDOWS AND DOOR OPENINGS, CORNICES, GABLE AND BASE CONDITIONS.

	PREMIUM VINYL SIDING 0.50" THICK BOARD & BATTEN PREMIUM SIDING COLOR: CANYON DREIF VERTICAL
	PREMIUM VINYL SIDING 3.50" TWIN & BATTEN PREMIUM SIDING COLOR: CHARCOAL GRAY VERTICAL

	PREMIUM VINYL SIDING LOUVERED CABLE VENT COLOR: GLACIER WHITE *LOCATED @ GLENERSTARY OPENINGS
	CUTTERS / DOWNSPOUTS 2" ALUMINUM K-PROFILE COLOR: WHITE *ALL DOWNSPOUTS INCORPORATE SPACER PLUGS.

think. create. do.



03 FRONT ELEVATION
1/8" = 1'-0"
BUILDING TYPE 03F



03 REAR ELEVATION
1/8" = 1'-0"
BUILDING TYPE 03F



03 SIDE ELEVATION
1/8" = 1'-0"
BUILDING TYPE 03F



03 SIDE ELEVATION
1/8" = 1'-0"
BUILDING TYPE 03F

EXTERIOR MATERIAL PALETTE

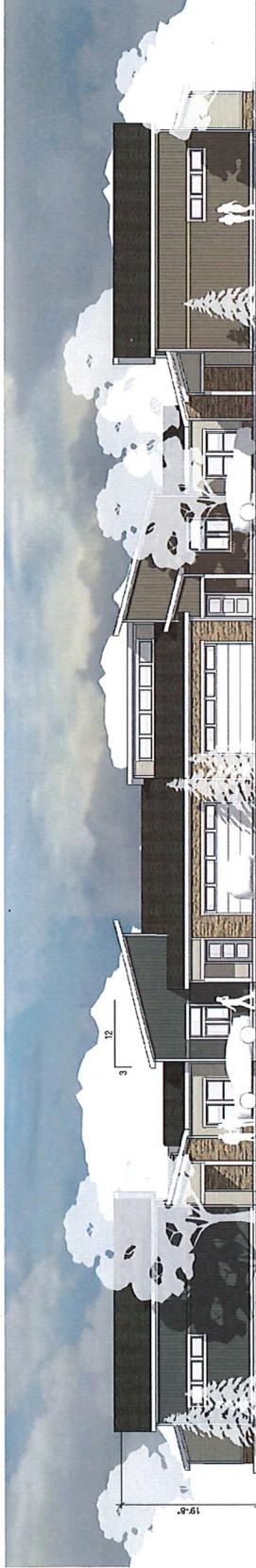
	ROOFING SHINGLE 30-YEAR DIMENSIONAL SHINGLE COLOR: WEATHERED WOOD
	STONE BASE 3/4" THICK STONE & CEMENT LENGE STONE / TAN / BROUTED JOINT / 1/8" / 2" / 3" / 4"

	PREMIUM VINYL SIDING 0.44" THICK CLAY-TONED PREMIUM SIDING COLOR: WEATHERED SAND HORIZONTAL
	PREMIUM VINYL SIDING 0.50" THIN COLOR: GLACIER WHITE

	PREMIUM VINYL SIDING 0.50" THICK BOARD & BATTEN PREMIUM SIDING COLOR: LANTERN DRIFT VERTICAL
	PREMIUM VINYL SIDING 0.50" THICK BOARD & BATTEN PREMIUM SIDING COLOR: CHARCOAL SAND VERTICAL

	PREMIUM VINYL SIDING LOWEDED CABLE KIRT COLOR: GLACIER WHITE *LOCATED @ GALLERY OPENINGS
	GUTTERS / DOWNSPOUTS SEAMLESS ALUMINUM 1" PROFILE COLOR: WHITE *ALL DOWNSPOUTS INCORPORATE SPASH BLOCKS

think. create. do.



04 FRONT ELEVATION
1/8" = 1'-0"
BUILDING TYPE 04



04 REAR ELEVATION
1/8" = 1'-0"
BUILDING TYPE 04



04 EXTERIOR SIDE ELEVATION
1/8" = 1'-0"
BUILDING TYPE 04

EXTERIOR MATERIAL PALETTE

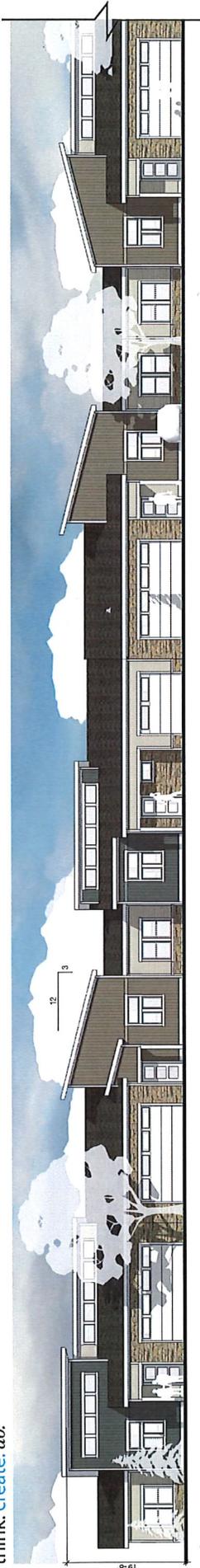
	ROOFING SHINGLE 30-YEAR DIMENSIONAL SHINGLE COLOR: WEATHERED WOOD
	STONE BASE 3/4" THICK STONE BLOCKER LEGE STONE / TAN / CRUETED JOINT / NOT ZINCOAD

	PREMIUM VINYL SIDING 0.41" THICK CLARIBOND PREMIUM SIDING COLOR: WHEAT SMOKE HORIZONTAL
	PREMIUM VINYL SIDING 3.50" TBM COLOR: GLACIER WHITE

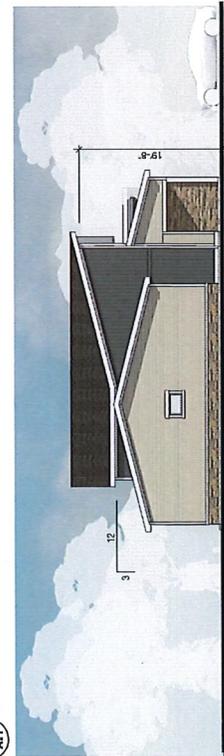
	PREMIUM VINYL SIDING 0.50" THICK BOARD & BATTEN PREMIUM SIDING COLOR: CHARN DRIFT VERTICAL
	PREMIUM VINYL SIDING 0.50" THICK BOARD & BATTEN PREMIUM SIDING COLOR: CHARCOAL SMOKE VERTICAL

	PREMIUM VINYL SIDING LOWPERF GABLE VENT COLOR: GLACIER WHITE *LOCATED @ GLEATORY OPENINGS
	GUTTERS / DOWNSPOUTS SEAMLESS ALUMINUM, K-PROFILE COLOR: WHITE *ALL DOWNSPOUTS INCORPORATE SPASH BLOCKS

think. create. do.



05 FRONT ELEVATION
A.1 1/8" = 1'-0"
BUILDING TYPE DSF



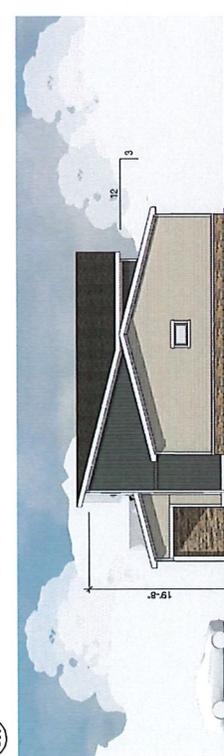
05 SIDE ELEVATION
B 1/8" = 1'-0"
BUILDING TYPE DSF



05 FRONT ELEVATION
A.2 1/8" = 1'-0"
BUILDING TYPE DSF



05 REAR ELEVATION
C.1 1/8" = 1'-0"
BUILDING TYPE DSF



05 SIDE ELEVATION
D 1/8" = 1'-0"
BUILDING TYPE DSF



05 REAR ELEVATION
C.2 1/8" = 1'-0"
BUILDING TYPE DSF

EXTERIOR MATERIAL PALETTE

	ROOFING SHINGLE 30-YEAR DIMENSIONAL SHINGLE COLOR: WEATHERED WOOD
	STONE BASE 1/2" THICK STONE COLOR: CLACER WHITE GRADED JOINT (NOT PRISTINO)

	PREMIUM VINYL SIDING 0.42" THICK CLARBOARD PREMIUM SIDING COLOR: MONTEREY SAND HORIZONTAL
	PREMIUM VINYL SIDING 0.42" THICK CLARBOARD PREMIUM SIDING COLOR: CLACER WHITE VERTICAL

	PREMIUM VINYL SIDING 0.42" THICK BOARD & BATTEN PREMIUM SIDING COLOR: CHARCOAL GREY VERTICAL
	PREMIUM VINYL SIDING 0.42" THICK BOARD & BATTEN PREMIUM SIDING COLOR: CHARCOAL GREY VERTICAL

	PREMIUM VINYL SIDING LOWEDED CABLE VENT COLOR: CLACER WHITE *LOCATED @ GLEATORY OPENINGS
	GUTTERS / DOWNSPOUTS SEAMLESS ALUMINUM K-PROFILE COLOR: WHITE *ALL DOWNSPOUTS INCORPORATE SPACER BLOCKS

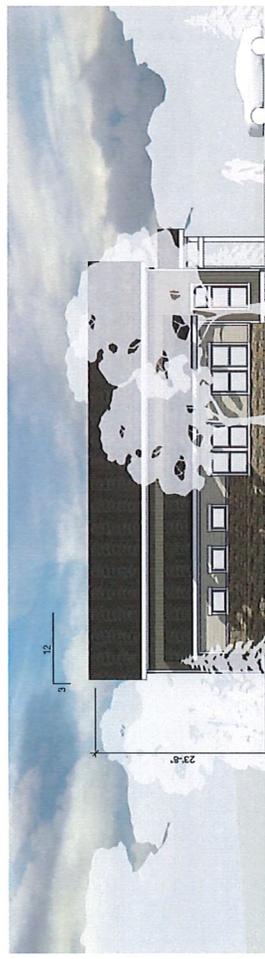
think. create. do.



CD A FRONT ELEVATION
1/8" = 1'-0"
COMMONS



CD B REAR ELEVATION
1/8" = 1'-0"
COMMONS



CD C SIDE ELEVATION
1/8" = 1'-0"
COMMONS



CD D SIDE ELEVATION
1/8" = 1'-0"
COMMONS

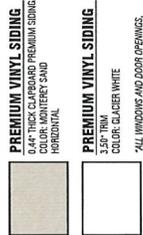
EXTERIOR MATERIAL PALETTE



ROOFING SHINGLE
30-YEAR DIMENSIONAL SHINGLE
COLOR: WEATHERED WOOD

STONE BASE
STONE: STONE MASTER
LEGE STONE / TAN // GROUTED JOINT (NOT APPLICABLE)

GUTTERS / DOWNSPOUTS
COLOR: WHITE
* ALL DOWNSPOUTS INCORPORATE SPYGLASS BLOCKS.



PREMIUM VINYL SIDING
0.44" THICK CLAYBOARD PREMIUM SIDING
COLOR: CLAYBRIEF
HORIZONTAL

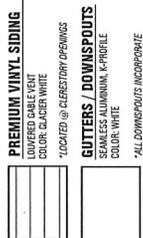
PREMIUM VINYL SIDING
0.44" THICK BOARD & BATTEN PREMIUM SIDING
COLOR: CHARCOAL SAND
VERTICAL

PREMIUM VINYL SIDING
0.44" THICK BOARD & BATTEN PREMIUM SIDING
COLOR: CLAYBRIEF
VERTICAL



PREMIUM VINYL SIDING
0.44" THICK BOARD & BATTEN PREMIUM SIDING
COLOR: CLAYBRIEF
HORIZONTAL

PREMIUM VINYL SIDING
0.44" THICK BOARD & BATTEN PREMIUM SIDING
COLOR: CHARCOAL SAND
VERTICAL



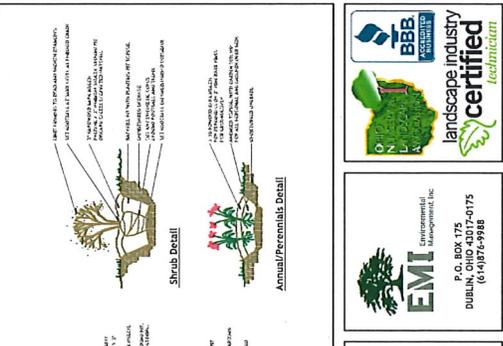
PREMIUM VINYL SIDING
DOWNSPOUT GABLE VENT
COLOR: CLAYBRIEF
* LOCATED @ GABLESTORY OPENINGS

GUTTERS / DOWNSPOUTS
SEAMLESS ALUMINUM 4" RIBBLE
COLOR: WHITE
* ALL DOWNSPOUTS INCORPORATE SPYGLASS BLOCKS.



Plant Materials List

Symbol	Quantity	Material/Comments	Size	Conditions	Remarks
01	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
02	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
03	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
04	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
05	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
06	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
07	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
08	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
09	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
10	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
11	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
12	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
13	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
14	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
15	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
16	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
17	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
18	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
19	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
20	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
21	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
22	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
23	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
24	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
25	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
26	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
27	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
28	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
29	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
30	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
31	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
32	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
33	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
34	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
35	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
36	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
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39	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
40	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
41	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
42	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
43	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
44	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
45	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
46	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
47	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
48	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
49	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
50	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
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52	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
53	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
54	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
55	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
56	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
57	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
58	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
59	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
60	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
61	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
62	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
63	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
64	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
65	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
66	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
67	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
68	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
69	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
70	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
71	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
72	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
73	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
74	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
75	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
76	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
77	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
78	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
79	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
80	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
81	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
82	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
83	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
84	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
85	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
86	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
87	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
88	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
89	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
90	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
91	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
92	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
93	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
94	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
95	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
96	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
97	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
98	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
99	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established
100	20	Grass Sod	1' x 1' x 1"	Well Established	Well Established



Burr Oak Site/ Tree Plan

BBB
Business
Bridges

EMT
Environmental
Management, Inc.

P.O. BOX 175
DUBLIN, OHIO 43017-0175
(614) 891-9888

General Notes

- Contractor shall be responsible for making themselves familiar with all underground utilities, pipes and structures. Contractor shall take sole responsibility for any construction due to damage of said utilities.
- Such conditions shall be immediately brought to the attention of the authorized owner's representative.
- Contractor shall be responsible for any coordination with subcontractors as required to accomplish planting operations.
- All work shall be performed by a landscape contractor with minimum 5 years experience with similar projects of scope and size.
- Final location of all plant materials shall be subject to the approval of the owner's representative/architect/City of Delaware.
- All planting beds are to be top dressed with 3" of organic blend soil (James Mix) and incorporated into the top 12" of existing soil by means of rototilling.
- All plant materials shall match specifications per species and shall comply with ANSI Z60.1 "Standards for Nursery Stock".
- Tree planting shall be done in accordance with the standards set forth in the attached landscape sheet L-1.
- Contractor shall field stake and coordinate all tree locations with City of Delaware Planning Department.
- All areas noted to be seeded will be fine graded and hydro seeded. Type of seed to be used shall be determined by the contractor but should not always be assumed to be correct.
- Plant material quantities are listed for the benefit of the contractor but should not always be assumed to be correct.
- In the event of a discrepancy the plan will take precedence over the materials list.
- Site benches are manufactured by The Park and Facilities Catalog, Pullades single contour reinforced bench, 99 1/2" length, In-Ground Mount.
- All metal powder coated painted black. No Armet. 7 total benches to be used on site.

Designed By: Dennis Karem

Drafted By: EMN

EMI Contact: Dennis Karem

Date: 2017 06 05 17:19

Scale: 1"=60' on 24x36

Drawing Number: L1

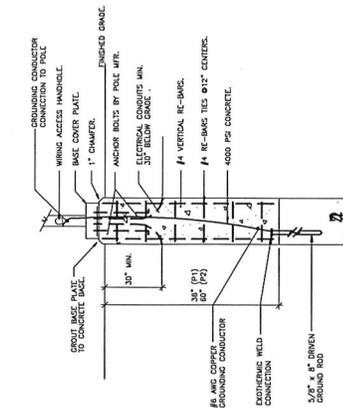


REVISION	DATE

Point One Design, Ltd.
 Consulting Engineers
 9911 York Trails Drive (4279) Dayton, Ohio 45423
 454-230-1800 Fax: 454-230-1831
 2800 Corporate Exchange Dr., Suite 270 Columbus, Ohio 43231
 614-540-3000 Fax: 614-540-3002
 info@pointonedesign.com
 cefr@pointonedesign.com

ROADWAY PHOTOMETRIC PLAN
 BURR OAK
 DELAWARE, OHIO

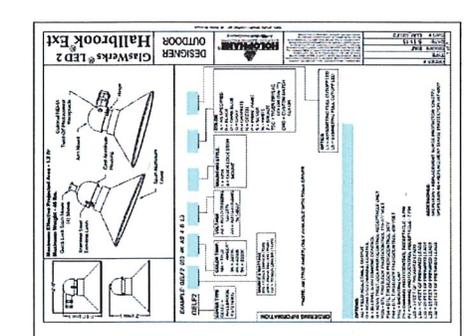
PROJECT NO. 175844
 DRAWN BY: EDJ
 CHECKED BY: JAK
 SCALE:
 DATE: 6/5/2017
 SHEET NO. **PM.01**



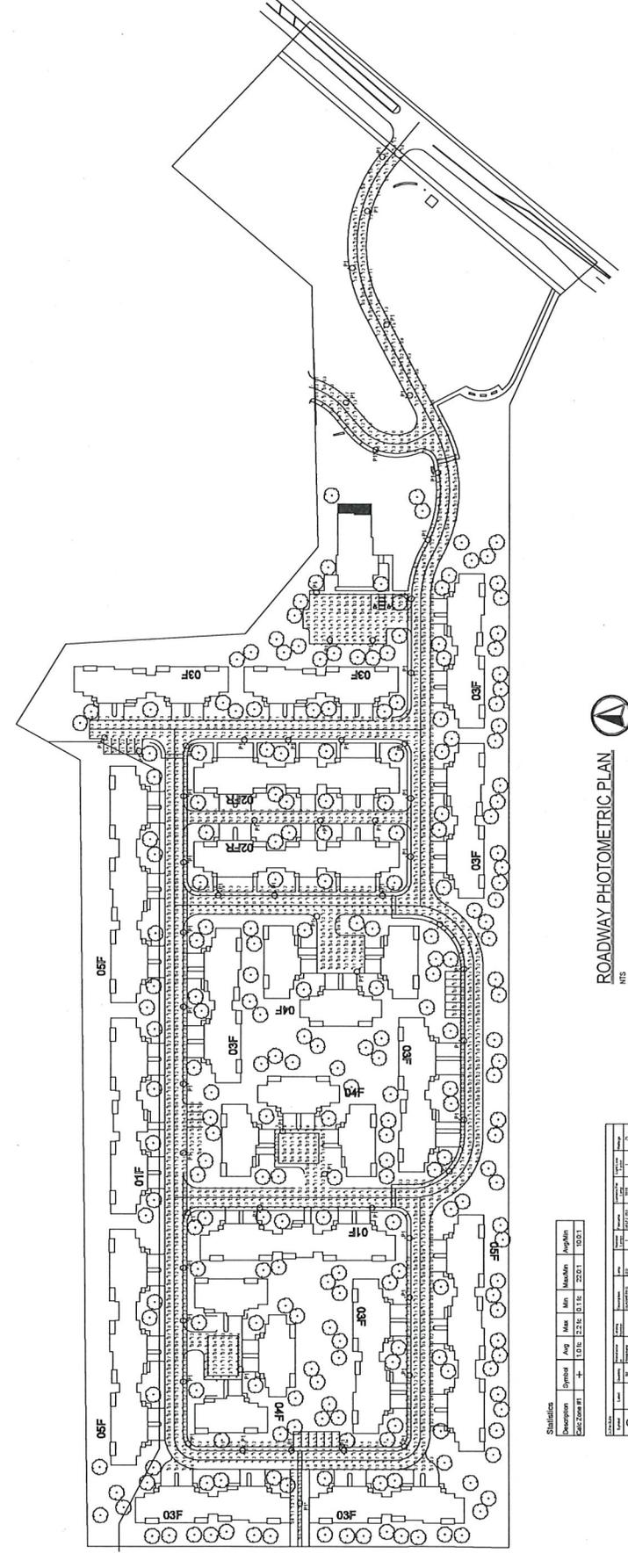
POLE BASE
 NTS



P/LIGHT FIXTURE ON POLE
 (IF APPLICABLE)



P/LIGHT FIXTURE



ROADWAY PHOTOMETRIC PLAN
 NTS

Statistics

Symbol	Avg	Min	Max	PerMin
01F	100	100	100	100
02F	100	100	100	100
03F	100	100	100	100
04F	100	100	100	100
05F	100	100	100	100

Category	Value
01F	100
02F	100
03F	100
04F	100
05F	100



Company Profile

Burr Oak Commons
June 2017

Contact Information:

Jane Arthur Roslovic

Ann Arthur Cook

Geoffrey W. Arthur

Mission Statement – to build and retain a profitable collection of premier rental communities for active baby-boomers.

Vision Statement – to develop premier rental communities focused on meeting the needs of the discerning baby-boomer - offering their desired amenities and concierge service for long-term residency.

Values

Honesty/Integrity (professional)
Trust
Respect
Fair
Purpose
Passion
Open Communication
Responsible (fiscally, socially, professionally)
Individualism
Work/life Balance
Community stewardship
Create Meaningful economic value

A **hip***, new rental housing experience for the young at heart

*smart and sophisticated

The Opportunity

With the aging of the large baby-boom generation (born '46 – '64) and increased lifespan, the 50 and over population of the United States is projected to increase 20% by 2030 to 132MM. In considering options for their future housing, this demographic of mature adults will be focusing on new priorities driven by the desire to age in place in independent housing while remaining close to their current community. These priorities include - housing accessibility; affordability; proximity to shopping; social interaction /connectivity and access to support services.

A large proportion of this group, with no children living at home and nearing or in retirement, will be considering downsizing from their current homes for lifestyle considerations including - services, accessibility, flexibility and maintenance and property tax free living. There is seriously inadequate and insufficient housing stock for this group. Housing which incorporates all basic elements of Universal Design (UD) accessibility comprises less than 1% of all US housing stock. The 5 basic UD design elements including: no-step entry, single floor living, wide doorways and halls, accessible electrical controls, lever door and faucet handles.

Target Resident Profile

Baby Boomers who want to downsize within their current community - improving or maintaining their proximity to family, friends, town and medical services and community activities. One or two person households with income levels \$70k plus – renters by choice – looking to downsize in or near their current community - to single level property with attached

garage and UD design for next phase of life. We have conducted focus group studies to target the amenities desired by the target resident. Market studies sizing opportunities for specific sites have also been provided.

Product Attributes

Site locations and plans – Density of 6 – 8 units per acre and community size of 80 – 120 units. Located in green/urban area submarkets in the outskirts of larger cities. The areas targeted will be smaller towns with an adequate, affordable supply of land in good proximity to town for multifamily low-density zoning and adequate population catchment/income (e.g. Newark, Marysville, Pickerington, Delaware to Columbus Ohio). Properties will be close to shopping and health-care facilities. Well landscaped property with walking trails or in close proximity to outdoor recreation.

Floor plans – Large single-level floor plan of one to two bedrooms plus a den, 1.5 to 2.5 baths with attached garage. Open plan living with dining area and kitchen bar/island, ample storage with walk in closets, and laundry room.

Style & Construction – Contemporary design with shed roofs, mixed materials and loft style windows to maximize natural light – a noticeably stand-out design for the multifamily market. Classic condo style finishes – LVT hard wood floors, granite counter-tops. Universal Design for full access and ability to age in place – including no-step entry, single floor living, wide doorways and halls, accessible electrical controls, lever door and faucet handles. Green Design for energy efficiencies and minimal impact.

Services/Amenities – Hands on, full service on-site property management. Treplus will have a unique management plan with very selective criteria for on-site property management and facilities management. A Commons building for casual social interaction, events and resident private use will be a key feature of the communities. The leasing/management office and maintenance offices will be headquartered in the commons for convenience. The Commons will have gathering spaces with Wi-Fi and seating, business center and library, kitchen, fitness center, patio with grill and fire pit. The communities will provide a wide range of amenities including trash pick-up, home checks for traveling residents and concierge services delivered through a proactive community management. Smoke free buildings will be available.

Competitive Positioning

Renters by choice are opting to rent as a lifestyle choice and they want great conveniences, flexibility and personalized services when choosing their apartment home. Treplus apartment communities will offer the complete package of location, floor plan design, contemporary & universal design, convenience, and amenities for the discriminating renter by choice. After consumer research, we believe we have put together a formula for delivering all of the relevant lifestyle needs.

Focus Group Findings

Treplus Communities has contracted multiple market studies. One group of 50 – 60 year olds and one group of 61 – 70 year olds. All had family income >\$70k and all were considering downsizing from their current housing in the near future. Most intend to transition to one-floor

living whether or not they had considered mobility issues. The top amenities that these groups stated they would be willing to pay a premium for included:

- Additional bedrooms: 2 to 3 bedroom plans
- Ample storage closets
- Work/hobby space and storage in garage
- Attached 2 car garage
- Gas heat
- Technology ready – cable; Ethernet wiring; wireless internet
- Patio
- Close to outdoor activity – walking/biking trails

Many other features were highlighted and discussed. They want quiet, secure communities with easy access to basic shopping. They like the idea of a clubhouse with party room, kitchen, big screen TV, seating and outdoor patio, (but aren't ready for a senior center). They are sensitive to the issue of home security as they travel and may be away from home for extended periods. The groups viewed an early version of the concept floor plans and facades and provided comments - they liked the feel of the interiors with hardwood floors, high ceilings and a pass through kitchen. While the bulk of the participants were living in single family homes, many want to be free of the responsibilities of house and garden maintenance and property taxes and intend to live in their next home until they need assisted living.

Company Leadership

Jane Arthur Roslovic - has been in the real estate investment business as a managing member of Treplus Communities LLC since 2011. With her partners, they have identified and acquired 368 multi-family units and secured \$70mm in financing. She has served on the board of Broad Street Financial Co., Treplus' parent company since 2007. Jane has experience in acquiring, managing, increasing value and selling a small manufacturing business, The Kingswood Company. Prior to Kingswood, Jane worked for Fifth Third Bank in non- Profit and Public Funds banking in the Central Ohio market growing the visibility in this market through significant loans and deposit relationships. Jane started her career in multi-family management of 500+ apartments and development of \$10MM in residential real estate. Education; Southern Methodist University, 1984. Member of the Board of Trustees for the following organizations in Central Ohio: Columbus School for Girls, Urban Growth, Franklin Park Conservatory, Charles Kleibacker Fund at The Columbus Museum of Art.

Ann Arthur Cook – has been in the real estate investment business as a managing member of Treplus Communities LLC since 2011. With her partners, they have identified and acquired 368 multi-family units and secured \$70mm in financing. She has served on the board of Broad Street Financial Co., Treplus' parent company since 2007. Ann was a banker with Irving Trust and Bankers Trust Co. in Insurance Co. banking, M&A, and Asset Backed Finance 1980 – 1989. Between 1987 and the present, Ann and her husband have traded in numerous residential and investment properties in New York, Montana, London UK and Munich DE – lived in UK and Germany 1999 – 2011. Education: Smith College BA 1980; Harvard Business School MBA 1985.

Geoffrey William Arthur – Geoff has been in the real estate investment business as a principal of Treplus Communities LLC since 2011. With his partners, they have identified and acquired

368 multi-family units and secured \$70mm in financing. Geoff is a principal, owner, board member, and officer of Broad Street Financial Co., Treplus' parent company, since 1993. Geoff managed the oil and gas production business of Broad Street Financial Co. since 1993 until its divestiture in 2015. Geoff actively manages the legal activities of the company which include investments in technology, oil and gas, real estate, trading securities and private equity partnerships. Education: Vanderbilt University BA 1987; The Ohio State University, College of Law 1990. Member of the Board of Trustees for the following organizations in Central Ohio: Greenlawn Cemetery; YFC Central Ohio; Gracehaven, Inc.

UNIVERSAL DESIGN

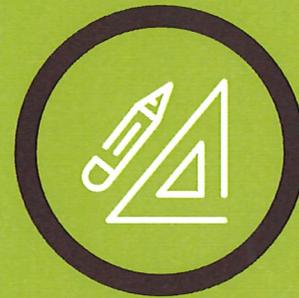
— FOR ACCESSIBILITY —

We have gone to great lengths to ensure that our homes include the key elements of Universal Design - promoting accessibility and the ability to age-in-place in a beautiful and appealing space.



Our apartment homes include:

- No step entries into the home
- No steps within the home – including no-step showers (tubs in the 2nd bath)
- Surfaces that are stable, firm, and slip resistant (wood look flooring and tile)
- Wide interior doors, hallways, and baths
- Lever handles for opening doors rather than twisting knobs
- Bright and appropriate lighting, particularly task lighting
- Light switches and electrical outlets at heights that are more accessible.
- Future need for grab bars in bathrooms are part of the normal fixtures/towel bars



Universal Design (UD):

Universal Design (UD) is an approach to design that creates a better quality of life for a wide range of individuals regardless of age, ability or situation.

The main principles of Universal Design include - Equitable Use; Flexibility in Use; Simple and Intuitive Use; Perceptible Information; Tolerance for Error; Low Physical Effort; Size and Space for Approach and Use

Very little of the US housing stock, even new build, incorporates Universal Design. Retrofitting old housing can be difficult, expensive, and unattractive (think, ramps).



FACT SHEET

AGENDA ITEM NO: 20

DATE: 07/24/2017

ORDINANCE NO: 17-55

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: YES

AUGUST 14, 2017 AT 7:20 P.M.

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE FOR TREPLUS COMMUNITIES FOR APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) FOR BURR OAK COMMONS CONTAINING 92 APARTMENT UNITS ON APPROXIMATELY 20.06 ACRES LOCATED ON THE NORTH SIDE OF SR 37 JUST WEST OF WESTFIELD SHOPPING CENTER AND JUST EAST OF LANTERN CHASE SUBDIVISION.

BACKGROUND:

See attached staff report.

REASON WHY LEGISLATION IS NEEDED:

To achieve compliance with Section 1148 Conditional Use Regulations of the zoning code.

COMMITTEE RECOMMENDATION:

Planning Commission approved this case 6-0 on July 19, 2017.

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Planning and Community Development Director

RECOMMENDATION:

Staff recommends approval

ATTACHMENT(S)

See attached

ORDINANCE NO. 17-55

AN ORDINANCE FOR TREPLUS COMMUNITIES FOR APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) FOR BURR OAK COMMONS CONTAINING 92 APARTMENT UNITS ON APPROXIMATELY 20.06 ACRES LOCATED ON THE NORTH SIDE OF SR 37 JUST WEST OF WESTFIELD SHOPPING CENTER AND JUST EAST OF LANTERN CHASE SUBDIVISION.

WHEREAS, the Planning Commission at its meeting of July 19, 2017 recommended approval of a Conditional Use Permit allowing the placement of a PMU (Planned Mixed Use Overlay District) for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision (2017-1395).

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Conditional Use Permit allowing the placement of a PMU (Planned Mixed Use Overlay District) for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision, is hereby confirmed, approved, and accepted.

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION:

YEAS___NAYS___
ABSTAIN ___

PASSED: _____, 2017

YEAS___NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 21

DATE: 07/24/2017

ORDINANCE NO: 17-56

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE FOR TREPLUS COMMUNITIES FOR APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR BURR OAK COMMONS CONTAINING 92 APARTMENT UNITS ON APPROXIMATELY 20.06 ACRES ZONED B-3 PMU (COMMUNITY BUSINESS DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON THE NORTH SIDE OF SR 37 JUST WEST OF WESTFIELD SHOPPING CENTER AND JUST EAST OF LANTERN CHASE SUBDIVISION.

BACKGROUND:

See attached staff report.

REASON WHY LEGISLATION IS NEEDED:

Per Chapter 1129 Procedures of the Codified Ordinances.

COMMITTEE RECOMMENDATION:

Planning Commission approved this case 6-0 on July 19, 2017.

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Planning and Community Development Director

RECOMMENDATION:

Staff recommends approval

ATTACHMENT(S)

See attached

ORDINANCE NO. 17-56

AN ORDINANCE FOR TREPLUS COMMUNITIES FOR APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR BURR OAK COMMONS CONTAINING 92 APARTMENT UNITS ON APPROXIMATELY 20.06 ACRES ZONED B-3 PMU (COMMUNITY BUSINESS DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON THE NORTH SIDE OF SR 37 JUST WEST OF WESTFIELD SHOPPING CENTER AND JUST EAST OF LANTERN CHASE SUBDIVISION.

WHEREAS, the Planning Commission at its meeting of July 19, 2017 recommended approval of a Preliminary Development Plan for Treplus Communities for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres zoned B-3 PMU (Community Business District with a Planned Mixed Use Overlay District) and located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision (2017-1396).

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Preliminary Development Plan for Treplus Communities for Burr Oak Commons containing 92 apartment units on approximately 20.06 acres zoned B-3 PMU (Community Business District with a Planned Mixed Use Overlay District) and located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision, is hereby confirmed, approved, and accepted with the following condition that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. A sidewalk shall be located on one side of the private streets as determined with the Final Development Plan.
3. The City shall require the developer to construct and dedicate the bike path along the frontage of the subject property along SR 37 per the

- adopted Bicycle and Pedestrian Plan 2017 and City Engineers requirements.
4. The proposed apartment buildings shall achieve compliance with the design standards of the approved development text.
 5. The perimeter buffering along the northern and western property lines adjacent to the single family homes shall be a minimum 12 foot high continuous buffer consisting of evergreen trees (in a staggered alignment) and a 4 foot high earthen mound to buffer the single family residents to the north and west. If the mound height is greater than 4 feet, the trees on that portion of the mound may be smaller so long as the total is at least 12 feet high. However, in no case shall a tree be less than 6 feet in height regardless of mound height.
 6. The Tree Preservation Regulations in Chapter 1168 pertaining to tree replacement and preservation shall be addressed prior to or concurrent with the Final Development Plan approval.
 7. Any landscape plans shall be reviewed and approved by the Shade Tree Commission.
 8. A lighting plan shall be reviewed and approved by the Chief Building Official.
 9. The exact location, size and materials of the monument signs shall be documented on the Final Development Plan.
 10. The Public Works Department shall provide residential pick-up service to this project using individual tip cart collection. The trash service will consist of tip carts picked up at the bottom of each driveway with service provided by the City of Delaware. In the event units are clustered around parking courts (3 such area are preliminary proposed), the developer shall provide a common concrete area adjacent to the primary street and the developer (or management company) shall ensure the tip carts are moved to this area for the designated pick up as with the other units and then moved back to the units themselves.
 11. The developer shall achieve compliance with City emergency access requirements prior to Final Development Plan approval.

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION:

YEAS ___ NAYS ___
ABSTAIN ___

PASSED: _____, 2017

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



JUNE FINANCE REPORT

TO: Members of City Council
FROM: Dean Stelzer, Finance Director
DATE: July 20, 2017

Reports Included

<u>Page</u>	<u>Reports</u>	<u>Purpose</u>
2	Revenues by Source	This summary compares year-to-date revenues for 2017 to 2016 by source.
3	General Fund	Summary of General Fund budgeted revenues, expenditures and fund balance.
4	Other Operating Funds	Summary of budgeted revenues, expenditures, & fund balances for non-general fund operating funds.
5	Other Funds	Other non-operating funds revenues, expenditures and fund balance.
6	Insurance	Summary of the City's self-funded health insurance costs with comparisons to last year.
7	Income Tax	Monthly income tax collections for last three years. Also includes tax collection projections for remainder of the year.
8	Recreation Levy Summary	Reflects 2017 and total Recreation Levy expenditures by Phase.

Highlights:

- * Income tax collections year-to-date are 3.83% above 2016 levels. The budget projected increase 6.5%. If the collection rate holds through the remainder of the year the General Fund tax collections will be \$350,000 below the budget estimate.
- * Engineering Fee reimbursements in the General Fund are up \$700k over last year's amount. An additional appropriation is proposed to increase the expenditures associated with this reimbursement.
- * Other development related revenues, impact fees, capacity fees are down 19.4% compared to 2016.
- * Most expenditures are in line with mid-year budget estimates.

YTD 2017 Budget Supplementals

- 17-17 \$9,333 - General Fund - Refund fire insurance bond
- 17-31 \$14,000 - Project Trust Fund - Springfield Trail/Howald
- 17-36 \$60,000 - General Bond Retirement Fund, \$36,000 Water Fund, \$10,000 Sewer Bond Fund - Bond issuance costs.
- 17-37 \$175,000 - General Fund - Comprehensive Plan
- 17-39 \$5,000 - General Fund - AEP industrial park sign replacement
- 17-40 \$50,000 - General Fund - Engineering Wages

FINANCE DIRECTOR'S REPORT
REVENUES BY SOURCE
June 30, 2017

	Revenues @ 6/30/17	Revenues @ 6/30/16	% Change
TAXES			
Income Tax	\$ 14,717,391	\$ 14,174,168	3.83%
Property Tax	912,355	979,176	-6.82%
Local Government Fund	293,810	297,990	-1.40%
Hotel/Motel Tax	31,869	33,664	-5.33%
Gasoline Taxes	560,669	555,544	0.92%
License Plate Tax	335,910	334,084	0.55%
FEES			
Franchise Fee (cable tv)	\$ 184,045	\$ 177,024	3.97%
Parking Meter & Lot Fees	44,169	45,706	-3.36%
Fines/Forfeitures/Court Diversion Fees	72,047	74,462	-3.24%
Impact Fees	266,508	437,706	-39.11%
Airport - Fuel	243,299	182,108	33.60%
Cemetery	82,956	69,403	19.53%
Golf Course	86,188	86,642	-0.52%
REIMBURSEMENTS			
Engineering Fees	\$ 1,328,629	\$ 629,176	111.17%
Fire/EMS Reimbursement	682,041	67,389	912.10%
Prosecutor Reimbursements	150,625	126,518	19.05%
Building Permits and Fees	390,859	431,367	-9.39%
UTILITY CHARGES			
Water - Meter Charges	\$ 2,585,951	\$ 2,500,644	3.41%
- Capacity Fees	748,908	858,291	-12.74%
Sewer - Meter Charges	3,146,232	3,084,093	2.01%
- Capacity Fees	723,206	815,451	-11.31%
Refuse	1,752,846	1,702,502	2.96%
Storm Sewer	425,440	427,247	-0.42%
MUNICIPAL COURT REVENUES	\$ 1,796,259	\$ 1,724,550	4.16%

FINANCE DIRECTOR'S REPORT
GENERAL FUND REVENUES
June 30, 2017

June 50.0% of year	Revenues 6/30/2017	2017 Budget	Revenues As % of Budget	Comparative Revenues 6/30/2016	% Change YTD
GENERAL FUND					
Property Tax	706,401	1,522,000	46.41%	753,780	(6.29%)
City Income Tax	7,960,639	14,391,065	55.32%	7,667,176	3.83%
Other Taxes	1,013	0	0.00%	1,112	0.00%
Local Government Fund	293,810	617,500	47.58%	297,990	(1.40%)
Fines and Forfeitures	72,047	145,000	49.69%	74,462	(3.24%)
Engineering Fees	1,328,629	810,000	164.03%	629,176	111.17%
Prosecutor Contracts	150,625	260,000	57.93%	126,518	19.05%
Parking Meters	17,945	37,000	48.50%	19,587	(8.38%)
Other Fees and Contracts	12,484	0	0.00%	18,040	(30.80%)
Liquor Permits	39,488	45,000	87.75%	37,229	6.07%
Franchise Fees	184,045	355,000	51.84%	177,024	3.97%
Licenses & Permits	390,859	725,000	53.91%	431,367	(9.39%)
Investment Income	119,306	175,000	68.17%	51,668	130.91%
Miscellaneous	30,716	150,000	20.48%	60,099	(48.89%)
Reimbursements	78,999	168,000	47.02%	50,743	55.68%
Transfers	918,056	1,920,000	47.82%	901,235	1.87%
TOTAL	12,305,062	21,320,565	57.71%	11,297,206	8.92%

GENERAL FUND EXPENDITURES

	Expenses 6/30/2017	2017 Budget	Expenses As % of Budget	Comparative Expenses 6/30/2016	% Change YTD
GENERAL FUND					
City Council	62,239	151,797	41.00%	41,479	50.05%
City Manager	362,803	684,160	53.03%	364,052	(0.34%)
Human Resources	155,522	349,298	44.52%	125,881	23.55%
Economic Development	230,830	388,834	59.36%	187,923	22.83%
Legal Affairs/Prosecution	385,848	797,760	48.37%	389,170	(0.85%)
Finance	739,133	1,551,135	47.65%	706,038	4.69%
Income Tax Refunds	334,724	360,000	92.98%	298,714	12.06%
General Administration	2,898,748	5,684,387	50.99%	2,390,748	21.25%
Risk Management	2,178	332,900	0.65%	9,628	(77.38%)
Police	3,975,426	8,173,369	48.64%	3,742,602	6.22%
Planning	508,364	1,136,486	44.73%	488,352	4.10%
Engineering	709,389	1,485,329	47.76%	622,625	13.94%
City Buildings	214,554	478,763	44.81%	195,704	9.63%
TOTAL	10,579,758	21,574,218	49.04%	9,562,916	10.63%

General Fund Beginning Balance January 1, 2017	4,382,218
2017 General Fund Revenues	12,305,062
2017 General Fund Expenditures	(10,579,758)
Advances to Other Funds	-
Outstanding Encumbrances 6/30/17	(342,756)
General Fund Ending Fund Balance June 30, 2017	<u>5,764,766</u>

FINANCE DIRECTOR'S REPORT

OTHER OPERATING FUNDS

June 30, 2017

REVENUES

	Revenues 6/30/2017	2017 Budget	Revenues As % of Budget	Comparative Revenues 6/30/2016	% Change YTD
STREET MAINTENANCE & REPAIR	1,420,170	2,806,691	50.60%	1,351,297	5.10%
STORM SEWER	426,032	852,000	50.00%	428,023	(0.47%)
PARKS AND RECREATION	809,866	1,427,500	56.73%	650,813	24.44%
CEMETERY	120,455	212,500	56.68%	89,401	34.74%
AIRPORT OPERATIONS	335,919	711,218	47.23%	277,615	21.00%
FIRE/EMS INCOME TAX	9,353,512	14,940,746	62.60%	5,535,999	68.96%
MUNICIPAL COURT	1,286,519	2,736,750	47.01%	1,241,486	3.63%
GOLF COURSE	86,188	173,700	49.62%	86,642	(0.52%)
WATER	2,925,499	5,650,132	51.78%	2,663,949	9.82%
SEWER	3,364,385	7,180,000	46.86%	3,246,541	3.63%
REFUSE	1,775,230	3,588,500	49.47%	1,718,294	3.31%
GARAGE ROTARY	322,720	645,440	50.00%	301,554	7.02%
INFORMATION TECH. ROTARY	526,425	1,052,850	50.00%	468,465	12.37%
TOTAL	22,752,920	41,978,027	54.20%	18,060,079	25.98%

EXPENDITURES

	Expenditures 6/30/2017	2017 Budget	Expenses As % of Budget	Comparative Expenses 6/30/2016	% Change YTD
STREET MAINTENANCE & REPAIR	1,316,625	2,924,173	45.03%	1,153,406	14.15%
STORM SEWER	671,867	1,542,458	43.56%	290,110	131.59%
PARKS AND RECREATION	644,389	1,393,719	46.24%	612,382	5.23%
CEMETERY	135,680	411,281	32.99%	115,046	17.94%
AIRPORT OPERATIONS	298,029	801,551	37.18%	289,601	2.91%
FIRE/EMS INCOME TAX	4,585,420	14,111,551	32.49%	5,136,288	(10.73%)
MUNICIPAL COURT	1,234,457	2,641,901	46.73%	1,198,605	2.99%
GOLF COURSE	84,926	200,014	42.46%	83,323	1.92%
WATER OPERATIONS	2,982,176	5,939,211	50.21%	2,884,413	3.39%
SEWER OPERATIONS	3,472,965	7,391,675	46.98%	2,783,980	24.75%
REFUSE	1,613,661	5,370,832	30.04%	1,712,381	(5.77%)
GARAGE ROTARY	287,847	643,633	44.72%	303,227	(5.07%)
INFORMATION TECH. ROTARY	459,132	1,053,120	43.60%	408,690	12.34%
TOTAL	17,787,174	44,425,119	40.04%	16,971,452	4.81%

FUND BALANCES

	Fund Balance 1/1/2017	Revenues 6/30/2017	Expenditures 6/30/2017	Outstanding Encumb.	Fund Balance 6/30/2017
STREET MAINTENANCE & REPAIR	442,970	1,420,170	1,316,625	113,102	433,413
STORM SEWER	1,921,698	426,032	671,867	159,665	1,516,198
PARKS AND RECREATION	232,381	809,866	644,389	126,615	271,243
CEMETERY	299,378	120,455	135,680	14,934	269,219
AIRPORT OPERATIONS	232,295	335,919	298,029	88,528	181,657
FIRE/EMS INCOME TAX	5,637,179	9,853,512	4,585,420	288,235	10,617,036
MUNICIPAL COURT	1,881,840	1,286,519	1,234,457	6,898	1,927,004
GOLF COURSE	69,962	86,188	84,926	11,241	59,983
WATER OPERATIONS	1,421,338	2,925,499	2,982,176	198,053	1,166,608
SEWER OPERATIONS	2,661,859	3,364,385	3,472,965	162,975	2,390,304
REFUSE	2,185,719	1,775,230	1,613,661	413,929	1,933,359
GARAGE ROTARY	273,429	322,720	287,847	68,382	239,920
INFORMATION TECH. ROTARY	561,103	526,425	459,132	63,747	564,649
TOTAL	17,821,151	23,252,920	17,787,174	1,716,304	21,570,593

FINANCE DIRECTOR'S REPORT
OTHER FUND REVENUES/EXPENSES/FUND BALANCE
June 30, 2017

	Beginning Fund Balance	Revenues 6/30/2017	Expenses 6/30/2017	Outstanding Encumbrances	Ending Fund Balance
STATE HIGHWAY IMPROVEMENT	106,060	52,251	0	0	158,311
LICENSE FEE	223,448	207,285	0	0	430,733
TREE FUND	211,030	81,851	50,000	0	242,881
AIRPORT 2000 T-HANGAR	143,529	47,730	39,570	0	151,689
RECREATION FACILITIES TAX	3,530,990	1,206,219	705,693	73,724	3,957,792
AIRPORT TIF	57,415	12,501	0	0	69,916
GLENN RD BRIDGE TIF	1,463,310	460,786	53,249	189,062	1,681,785
SKY CLIMBER/V&P TIF	0	9,796	9,796	40,204	(40,204)
MILL RUN TIF	0	72,581	72,581	87,419	(87,419)
COURT IDIAM	18,784	8,315	18,137	4,494	4,468
DRUG ENFORCEMENT	54,013	2,771	140	0	56,644
COURT ALCOHOL TREATMENT	516,519	47,765	10,790	0	553,494
OMVI ENFORCEMENT/EDUCATION	4,036	1,097	0	0	5,133
POLICE JUDGEMENT	114,881	20,659	18,676	10,000	106,864
PARK DEVELOPMENT	205,177	26,808	0	0	231,985
COMPUTER LEGAL RESEARCH	486,966	150,282	29,826	15,134	592,288
COURT SPECIAL PROJECTS	865,397	148,888	24,393	31,720	958,172
PROBATION SERVICES	451,587	153,393	12,428	13,501	579,051
POLICE/FIRE DISABILITY	0	205,953	205,953	0	0
COMMUNITY PROMOTION FUND	45,497	41,994	54,874	41,890	(9,273)
CDBG GRANT	2,530	0	492	0	2,038
ED REVOLVING LOAN	478,274	54,612	32,897	79,774	420,215
HOUSING GRANT PROGRAM INCOME	27,018	0	14,400	12,618	0
CHIP GRANT	(62,267)	166,636	119,703	27,853	(43,187)
GENERAL BOND RETIREMENT	72,367	1,752,278	1,491,919	0	332,726
PARK IMPROV BONDS FUND	107,796	648,542	376,451	0	379,887
SE HIGHLAND SEWER BOND FUND	83,023	499,173	295,386	0	286,810
CAPITAL IMPROVEMENT	1,408,850	1,119,590	771,099	776,905	980,436
FAA AIRPORT GRANT	(374,800)	362,892	19,485	37,600	(68,993)
FAA AIRPORT AIP GRANT	(406,370)	428,897	25,000	0	(2,473)
EQUIPMENT REPLACEMENT	199,822	455,000	404,848	163,066	86,908
PARK IMPACT FEE	1,082,919	159,715	86,271	287,133	869,230
POLICE IMPACT FEE	334,055	22,296	18,545	880	336,926
FIRE IMPACT FEE	330,732	42,816	19,564	886	353,098
MUNICIPAL SERVICES IMPACT FEE	535,122	49,895	33,064	886	551,067
GLENN ROAD CONSTRUCTION FUNDS	3,486,736	10,957,481	11,384,158	17,792	3,042,267
PARKING LOTS	28,666	26,224	18,189	0	36,701
WATER CIP	9,903,611	4,061,599	4,886,044	107,821	8,971,345
SEWER CIP	6,835,942	3,691,710	4,323,893	197,683	6,006,076
SELF INSURANCE	2,216,317	2,451,036	2,762,902	11,752	1,892,699
WORKERS COMP RESERVE	1,973,888	288,600	155,423	6,505	2,100,560
FIRE DONATION	5,765	580	0	0	6,345
PARK DONATION	25,000	0	0	0	25,000
POLICE DONATION	7,809	40	0	0	7,849
MAYOR'S DONATION	1,958	800	1,243	35	1,480
PROJECT TRUST	560,120	4,195	9,209	2,291	552,815
UNCLAIMED FUNDS	68,119	1,902	0	0	70,021
DEVELOPMENT RESERVE FUND	807,886	0	0	0	807,886
RESERVE ACCOUNT FUND	1,012,323	0	0	0	1,012,323
BERKSHIRE JEDD FUND	32,427	116,362	81,103	118,897	(51,211)
CEMETERY PERPETUAL CARE FUND	36,063	126	879	0	35,310
STATE PATROL TRANSFER	252	32,670	32,670	0	252
STATE BUILDING PERMIT FEES	474	3,471	3,253	0	692
PERFORMANCE BOND FUND	164,146	0	0	0	164,146
TOTAL	39,485,212	30,358,063	28,674,196	2,357,525	38,811,554

City of Delaware
Employee Health Insurance Plan
June 30, 2017

Account	June 2017	YTD 2017	2017 Budget	% of Budget	YTD 2016	% Change 2016-17
Life Insurance	\$ 2,333	\$ 13,904	\$ 29,000	47.9%	\$ 13,618	2.1%
Insurance Opt-Out	2,595	15,070	30,500	49.4%	13,370	12.7%
Preventative Care	1,993	17,468	45,000	38.8%	18,131	-3.7%
Vision Coverage	2,060	6,697	13,600	49.2%	-	0.0%
Administrative Fees						
Excise Tax	-	-	40,000	0.0%	1,632	0.0%
TPA Fees	8,687	48,105	86,000	55.9%	39,950	20.4%
PPO Fees	3,710	21,896	46,000	47.6%	21,182	3.4%
Broker Fees	-	-	7,000	0.0%	3,026	-100.0%
Total Admin	<u>12,397</u>	<u>70,001</u>	<u>179,000</u>	39.1%	<u>65,790</u>	6.4%
Stop Loss Insurance	53,603	319,549	620,000	51.5%	256,625	24.5%
Claims						
Medical	296,295	1,816,002	3,400,000	53.4%	1,442,634	25.9%
Dental	16,783	130,499	300,000	43.5%	111,911	16.6%
Prescription	<u>57,015</u>	<u>373,712</u>	<u>715,000</u>	52.3%	<u>300,268</u>	24.5%
Total Claims	<u>370,093</u>	<u>2,320,213</u>	<u>4,415,000</u>	52.6%	<u>1,854,813</u>	25.1%
Total Costs	445,074	2,762,902	5,332,100	51.8%	2,222,347	24.3%
Employee Payment	69,271	426,214	820,000	52.0%	383,611	
Reimbursements	<u>13,874</u>	<u>81,960</u>	<u>300,000</u>	27.3%	<u>130,006</u>	
NET PLAN COSTS	\$ 361,929	\$ 2,254,728	\$ 4,212,100	53.5%	\$ 1,708,730	32.0%

**MONTHLY INCOME TAX REVENUES
2015-2017**

	2015				% OF ACTUAL	2016				% OF ACTUAL	2017				% OF BUDGET
	W/H	PERSONAL	BUSINESS	TOTAL		W/H	PERSONAL	BUSINESS	TOTAL		W/H	PERSONAL	BUSINESS	TOTAL	
JANUARY	1,386,435	325,735	145,382	1,857,552		1,433,007	317,649	37,649	1,788,305		1,794,272	205,680	204,662	2,204,614	
FEBRUARY	1,374,902	315,054	84,287	1,774,243		2,161,101	396,158	52,085	2,609,344		1,304,987	327,145	95,437	1,727,569	
MARCH	1,122,427	601,839	98,726	1,822,992		1,237,708	545,907	234,748	2,018,363		1,175,241	625,299	195,522	1,996,062	
APRIL	1,299,084	2,094,760	670,933	4,064,777		1,481,257	2,185,373	575,354	4,241,984		1,786,686	2,352,889	1,092,340	5,231,915	
MAY	1,283,212	133,840	38,214	1,455,266		1,390,669	153,006	33,392	1,577,067		1,388,195	185,269	50,869	1,624,333	
JUNE	1,255,611	146,124	199,120	1,600,855		1,267,769	426,520	238,738	1,933,027		1,284,197	481,309	167,392	1,932,898	
SUBTOTAL	7,721,671	3,617,352	1,236,662	12,575,685	55.03%	8,971,511	4,024,613	1,171,966	14,168,090	56.73%	8,733,578	4,177,591	1,806,222	14,717,391	55.30%
JULY	1,426,574	318,033	55,623	1,800,230		1,426,206	146,332	33,356	1,605,894						
AUGUST	1,379,035	213,566	22,758	1,615,359		1,470,975	140,043	25,584	1,636,602						
SEPTEMBER	1,219,497	194,176	224,009	1,637,682		1,167,550	523,048	257,476	1,948,074						
OCTOBER	1,258,135	403,492	95,560	1,757,187		1,760,852	262,154	134,880	2,157,886						
NOVEMBER	1,437,276	240,304	53,785	1,731,365		1,283,667	213,128	13,244	1,510,039						
DECEMBER	1,294,296	274,186	166,753	1,735,235		1,296,162	420,091	232,478	1,948,731						
TOTALS	15,736,484	5,261,109	1,855,150	22,852,743	102.12%	17,376,923	5,729,409	1,868,984	24,975,316	104.09%	8,733,578	4,177,591	1,806,222	14,717,391	55.30%

BUDGETED 22,378,779 23,993,421 26,614,811
Budgeted Increase % 6.56%

	Total Receipts	Jan-April Receipts	% of Annual Collections	Projection based on ten year trend	
				JAN-JUNE 2017 RECEIPTS =	\$14,717,391
2007	12,865,504	7,013,529	54.51%		
2008	14,159,170	8,020,285	56.64%	HIGH =	54.51% \$26,997,344
2009	14,719,896	8,110,427	55.10%	LOW =	56.73% \$25,943,616
2010	15,185,348	8,434,378	55.54%		
2011	17,765,717	9,810,969	55.22%	LAST 3 YR	
2012	19,658,101	10,940,918	55.66%	AVG =	55.95% \$26,302,676
2013	20,557,766	11,367,457	55.30%		
2014	21,537,420	12,083,423	56.10%	*2017 BUDGETED RECEIPTS	\$26,614,811
2015	22,852,743	12,575,685	55.03%		
2016	24,975,316	14,168,090	56.73%		
		10 Year Avg.	55.58%		

FINANCE DIRECTOR'S REPORT
RECREATION LEVY
June 30, 2017

Account #	Description	2014 Expended	2015 Expended	2016 Expended	2017 Expended	2017 Encumbered	2017 Remaining Budget	Total 2014 - 2017
Phase 1 - \$20,000,000								
233-0233- 5230	Design	7,090	0	0	0	0	0	7,090
5513	Other Park Improvements	14,981	0	0	0	0	0	14,981
5521	National Guard City Alternatives	117,500	0	0	0	0	0	117,500
5533	Veterans Park Restroom/Shelter	0	100,000	150,000	0	0	0	250,000
	Total	139,571	100,000	150,000	0	0	0	389,571
Phase 2 - \$3,800,000								
233-0233- 5522	Park Asphalt Projects	306,291	59,111	27,841	0	0	0	393,243
5523	Park Seal Coating Projects	36,025	100,894	0	0	0	30,000	166,919
5524	Smith Park Trail	27,461	3,699	205,818	0	0	0	236,978
5525	Park Irrigation	0	0	0	0	0	0	0
5526	Park Aeration	20,109	0	0	0	0	286,000	306,109
5527	Parks General Construction Projects	113,737	6,250	12,645	0	0	157,581	290,213
5528	Dog Park	32,354	34,003	0	0	0	0	66,357
5529	Drainage & Excavation Projects	2,608	0	0	0	0	18,000	20,608
5530	Miscellaneous Park Improvements	42,715	0	0	0	0	25,000	67,715
5531	Veterans Park Parking Lot Addition	337,203	0	0	0	0	0	337,203
5532	Wayfinding and Signage	0	0	0	8,500	15,250	0	23,750
5534	Veterans Park Playtoy	0	152,551	94,449	0	58,474	-58,474	247,000
5535	Splashpad Construction	5,300	479,956	51,627	0	0	0	536,883
5536	Parkland Acquisition/Improvement	0	722,272	428,577	0	0	0	1,150,849
5537	Park Improvements Contingency	3,040	0	0	0	0	0	3,040
5538	Pickleball Courts	0	17,035	0	0	0	0	17,035
5710	In House Design	0	4,237	0	0	0	0	4,237
	Total	926,843	1,580,008	820,957	8,500	73,724	458,107	3,868,139
	Phase 1 Totals	139,571	100,000	150,000	0	0	0	389,571
	Phase 1 Reimbursements	72,000						72,000
	Phase 1 Net Cost	67,571	100,000	150,000	0	0	0	317,571
	Phase 1 Net Cost 2009-2013							19,609,505
	TOTAL PHASE 1 COSTS							19,927,076
	Phase 2 Totals	926,843	1,580,008	820,957	8,500	73,724	458,107	3,868,139
	Phase 2 Reimbursements		212,722					212,722
	TOTAL PHASE 2 COSTS	926,843	1,367,286	820,957	8,500	73,724	458,107	3,655,417
	TOTAL ALL PHASES							23,582,493

TO: Mayor Riggle and Members of Council

FROM: R. Thomas Homan, City Manager

SUBJECT: Miscellaneous Matters

DATE: July 24, 2017

1. **Calendar**

See Attached

2. **Per Section 73 Of The City Charter The City Manager Is To Report Contract Agreements**

See Attached

3. **Bi-Weekly Meetings**

June 20

* Strand Board Meeting

June 26

* First Commonwealth Bank Reception

* Rotary

* Council

June 29

* JEDD Board Meeting

* Main Street Delaware Ambiance Award

July 10

* Rotary

July 11

* Sister City Advisory Board Meeting

* MORPC

July 17

* Rotary

* Strand Board Meeting

4. **Required Reading**

Bulk Item Collection Program Update

2016 Annual Impact Fee Report

July

Sun *Mon* *Tue* *Wed* *Thu* *Fri* *Sat*

1

2

3

4

5

6

7

8

City Offices
Closed

Planning
Commission
moved to July 19

9

10

11

12

13

14

15

Council

Civil Service
Commission 3 pm
Sister City 6pm
Public Works
Public Utilities-
canceled

BZA-Canceled

16

17

18

19

20

21

22

Parks & Rec Bd
7pm-Canceled

Planning
Commission 7pm

Airport
Commission 7pm

23

24

25

26

27

28

29

Council

Shade Tree 7pm

HPC 7pm

30

31

2017

August

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2 Civil Service Commission 3pm Planning 7 pm	3	4	5
6	7	8	9 BZA 7pm	10	11	12
13	14 Council 7pm	15 Parks & Rec Bd 7pm	16 Finance 1:00 pm	17	18	19
20	21 Parking & Safety 7pm	22 Shade Tree-7pm	23 HPC-7pm	24	25	26
27	28 Council 7pm	29	30	31		

2017

CONTRACT APPROVAL – July 24, 2017

VENDOR	EXPLANATION OF AGREEMENT	2017 AMOUNT	DEPARTMENT
HDR Engineering	Engineering services for sanitary sewer modeling for sewer capacity	\$10,000.00	Public Utilities
CHA Consultants	Task Order #16 Taxiway A Construction Services	\$71,020.00	Public Works
ODOT	Land lease from ODOT for land adjacent to the Justice Center	\$2,000/yr	Public Works
Columbus Asphalt Paving, Inc.	West Central Ave. Sidewalk Improvement Project	\$149,723.10	Public Works
URETEK USA Inc.	US 23/ US 42 Emergency Culvert Repairs	\$137,200.00	Public Works



MEMORANDUM

TO: R Thomas Homan, City Manager
Delaware City Council

FROM: William L. Ferrigno, P.E., Director of Public Works/City Engineer

DATE: July 24, 2017

RE: Bulk Item Refuse Collection – Pilot Program Update

The bulk item refuse collection program began in May with the first scheduled collection date occurring on Tuesday, May 9th. Public demand for the service was initially very high necessitating a second collection date be scheduled, that was subsequently performed on Tuesday, May 23rd. Two collection dates were similarly held in June, and will be planned for July as well. The public response has been very favorable of this service with many comments noting the convenience, safety and reliability of the new service. Residents have been willing to make payments in person at the Public Works facility as currently required without complaint. Three scheduled pick-ups resulted in refunds as the resident found alternate means to dispose of their items.

As of the July 11th collection, the pilot program serviced 134 stops collecting a variety of items including appliances, furniture and other large household items. Appliances have been delivered to the Sims Recycling Center on London Road where the City receives a nominal payment for the value of recyclable materials. Remaining items are collected via rear load packer, and taken to the County Transfer Station. The table below summarizes the pilot program success to date.

Date	No. Stops	Total items	Man Hours	Labor & Equipment Cost	Net Disposal Cost	Fees Received	Cost per Stop
May 9 th	36	75	19	\$1204.79	\$157.82	\$927.15	\$37.85
June 13 th	32	98	14.5	\$919.45	\$162.35	\$778.84	\$33.81
June 27 th	34	69	14	\$887.74	\$162.91	\$767.50	\$30.90
July 11 th	32	70	13	\$824.33	\$165.74	\$816.79	\$30.94
Totals	134	312	60.5	\$3836.31	\$648.82	\$3290.28	

It is anticipated that demand for the program will remain high and continued service should be extended though the year. An option currently under evaluation is implementation of twice per month pick-up from March through October, and then monthly over the winter months. Additional consideration may be given to including the service cost within the monthly rates instead of the current per stop service fee in practice. Final recommendations will be presented in the one-year pilot project report due in April 2018.



MEMORANDUM

TO: City Council
FROM: Dean Stelzer, Finance Director
DATE: June 25, 2017
RE: Annual Impact Fee Report

Attached is the annual Impact Fee Report for 2016 required as part of our impact fee legislation. The report reflects the following:

- Part A. – Impact fees paid to the City by month for 2016.
- Part B. – Impact fee expenditures for 2016 by project.
- Part C. – Detail for individual projects.

The current status of the four Impact Fee funds:

Park Impact Fees – Outstanding Debt for the Mingo Pool/Office expansion and the Skate Park construction will be paid off in 2016. Funds were used in 2016 to complete a new greenhouse at the E. William St. facility and for professional services for bike path preliminary design work. The 2016 expenditures also reflect the Veteran’s Plaza project at the Community Center site. 2017 projects are planned for bike/walking trail construction and for conversion of the Ross St. maintenance area to parkland.

Police Impact Fees – Current police impact fee collections are being utilized to pay back money borrowed to expand the Police Station several years ago. The debt issued matures in 2032 and it is anticipated that all fees collected will need to be allocated to future debt service payments.

Fire Impact Fees – Current fire impact fee collections are being utilized to pay back money borrowed to construct Station 303. The debt issued matures in 2032 and it is anticipated that most fees collected will need to be allocated to future debt service payments.

Municipal Impact Fees – Current municipal impact fee collections are being utilized to pay back money borrowed to expand the Justice Center and to acquire and improve the Public Works facility. The debt issued matures in 2032.

The current impact fees (single family) of \$1,226 Parks, \$162 Police, \$314 Fire, and \$366 Municipal were last increased in 2006 and are assessed at 90% of the maximum calculated impact for Parks and Fire, and 100% of the maximum calculated impact for Police and Municipal fees.

**City of Delaware
Impact Fee Annual Report
1/1/16 - 12/31/16**

A. Impact Fee Funds Collected

	<u>Parks Impact Fee</u>	<u>Police Impact Fees</u>	<u>Fire Impact Fee</u>	<u>Municipal Impact Fee</u>
January	30,203	3,985	7,745	9,034
February	19,616	12,299	17,904	17,439
March	18,390	2,430	4,710	5,490
April	27,588	19,135	32,700	31,292
May	31,876	11,496	27,238	26,673
June	47,681	6,291	12,227	14,262
July	13,486	7,091	10,333	10,212
August	15,938	14,700	29,821	27,905
September	40,005	5,283	9,266	11,952
October	39,250	41,507	73,681	68,952
November	28,998	17,854	24,668	24,161
December	13,486	1,782	3,454	4,026
Totals	\$ 326,517	\$ 143,853	\$ 253,747	\$ 251,398

B. Impact Fees Expended by Service Area

	<u>2016 Expenditures</u>	<u>Prior Year Expenditures</u>	<u>Total Project Expenditures</u>
Park Services			
City Bike Plan	15,045	23,994	39,039
Veteran's Plaza	425,000	50,000	475,000
Greenhouse	8,438	39,226	47,664
Refunds	-	31,447	31,447
Debt Service - Interest (less premium)	4,845	267,949	272,794
TOTAL PARKS	\$ 453,328	\$ 412,616	\$ 865,944
Police Services			
Refunds	-	4,140	4,140
Debt Service - Interest (less premium)	19,621	189,057	208,678
TOTAL POLICE	\$ 19,621	\$ 193,197	\$ 212,818
Fire Services			
Refunds	-	8,077	8,077
Debt Service - Interest	68,452	169,513	237,965
TOTAL FIRE	\$ 68,452	\$ 177,590	\$ 246,042
Municipal Improvement			
Refunds	-	9,430	9,430
Debt Service - Interest (less premium)	43,004	287,497	330,501
TOTAL MUNICIPAL	\$ 43,004	\$ 296,927	\$ 339,931

City of Delaware Impact Fee 2015 Annual Report

C. Expenditures

Park Development:

Project #: **PR 2015-1**
Description: *City Bike Plan*
Purpose: Create a bikeway masterplan
Location: various
Amount: \$15,045
Prior Years: \$23,994
Date Initiated: 2015
Date Completed: Open
Useful Life: 15 years
Other Non-Impact
Funds Utilized: \$0
% Impact Fees: 100.0%
In Current City CIP: No

Project #: **PR 2015-2**
Description: *Greenhouse Construction*
Purpose: Provide a facility to enable in-house landscaping
Location: East William St. facility
Amount: \$8,438
Prior Years: \$39,226
Date Initiated: 2015
Date Completed: 2015
Useful Life: 20 years
Other Non-Impact
Funds Utilized: \$0
% Impact Fees: 100.0%
In Current City CIP: No

Project #: **PR 2014-1**
Description: *Veteran's Plaza Contribution*
Purpose: Provide a passive park memorial and meeting area adjacent to the YMCA
Location: South Houk Road off DiGenova Way
Amount: \$425,000
Prior Years: \$50,000
Date Initiated: 2014
Date Completed: 2016
Useful Life: 20 years
Other Non-Impact
Funds Utilized: \$528,569
% Impact Fees: 10.0%
In Current City CIP: No

Police Services:

None in 2016 – all cost debt service on previous financed projects.

Fire Services:

None in 2016 – all cost debt service on previous financed projects.

Municipal Improvement Services:

None in 2016 – all cost debt service on previous financed projects.

City of Delaware
Impact Fee 5 Year Utilization Report
As of 12/31/16

	Expended in 2001	Expended in 2002	Expended in 2003	Expended in 2004	Expended in 2005	Expended in 2006	Expended in 2007	Expended in 2008	Expended in 2009	Expended in 2010	Expended in 2011	Expended in 2012	Expended in 2013	Expended in 2014	Expended in 2015	Expended in 2016	Unspent Balance
Park Services																	
2001 Collections	\$ 355,426	(44,335)	(244,276)	(66,815)													\$ -
2002 Collections	\$ 326,135		(182,370)	(143,765)													\$ -
2003 Collections	\$ 631,809			(280,723)	(351,086)												\$ -
2004 Collections	\$ 456,381				(8,954)	(447,427)											\$ -
2005 Collections	\$ 456,296					(456,296)											\$ -
Interest Income	\$ 22,720					(22,720)											\$ -
2006 Collections	\$ 208,278					(208,278)											\$ -
Interest Income	\$ 29,922					(29,922)											\$ -
2007 Collections	\$ 236,667					(236,667)											\$ -
Interest Income	\$ 12,432					(12,432)											\$ -
2008 Collections	\$ 138,949					(138,949)											\$ -
Reimbursed Prior Cost- ONG	\$ 977,720					(129,164)	(848,556)										\$ -
Interest Income	\$ 8,583					(8,583)											\$ -
2009 Collections	\$ 124,474						(124,474)										\$ -
Interest Income	\$ 2,230						(2,230)										\$ -
2010 Collections	\$ 127,504						(127,504)										\$ -
Interest Income	\$ 462						(462)										\$ -
2011 Collections	\$ 133,652						(133,652)										\$ -
Interest Income	\$ 209						(209)										\$ -
2012 Collections	\$ 211,779						(42,938)	(124,103)	(44,738)								\$ -
Interest Income	\$ 304							(304)									\$ -
2013 Collections	\$ 317,171							(9,682)	(58,281)	(25,092)	(21,789)	(17,980)	(63,802)	(72,641)	(47,904)		\$ -
Interest Income	\$ 455													(455)			\$ -
2014 Collections	\$ 274,859														(274,859)		\$ -
Interest Income	\$ 646														(646)		\$ -
2015 Collections	\$ 230,198														(129,464)		\$ 100,734
Interest Income	\$ 1,144																\$ 1,144
2016 Collections	\$ 326,517																\$ 326,517
Grant and Donation Income	\$ 528,569																\$ 528,569
Interest Income	\$ 3,286																\$ 3,286
Expenditure Carryover																	\$ -
Total	6,144,777	(44,335)	(244,276)	(249,165)	(424,488)	(360,040)	(1,690,438)	(1,280,025)	(124,103)	(58,281)	(25,092)	(21,789)	(17,980)	(63,802)	(72,641)	(453,328)	960,250
								977,720									
								853,617									

	Expended in 2001	Expended in 2002	Expended in 2003	Expended in 2004	Expended in 2005	Expended in 2006	Expended in 2007	Expended in 2008	Expended in 2009	Expended in 2010	Expended in 2011	Expended in 2012	Expended in 2013	Expended in 2014	Expended in 2015	Expended in 2016	Unspent Balance
Police Services																	
2001 Collections	\$ 98,615	(23,083)	(75,532)														\$ -
2002 Collections	\$ 109,666	(34,106)	(19,350)	(56,210)													\$ -
2003 Collections	\$ 96,251			(62,430)	(35,821)												\$ -
2004 Collections	\$ 95,842				(54,580)	(17,540)	(23,722)										\$ -
2005 Collections	\$ 112,317					(112,317)											\$ -
Interest Income	\$ 3,681					\$ (3,681)											\$ -
2006 Collections	\$ 106,369					(24,321)	(84,048)										\$ -
Interest Income	\$ 8,010					\$ (8,010)											\$ -
2007 Collections	\$ 76,178							(76,178)									\$ -
Interest Income	\$ 73,474							\$ (73,474)									\$ -
2008 Collections	\$ 234,524						(234,524)										\$ -
Interest Income	\$ 35,556						(35,556)										\$ -
2009 Collections	\$ 48,753						(48,753)										\$ -
Interest Income	\$ 1,598						(1,598)										\$ -
2010 Collections	\$ 19,172						(19,172)										\$ -
Interest Income	\$ 434						(434)										\$ -
2011 Collections	\$ 24,016						(24,016)										\$ -
Interest Income	\$ 198						(198)										\$ -
2012 Collections	\$ 31,715						(31,715)										\$ -
Interest Income	\$ 216						(216)										\$ -
2013 Collections	\$ 69,341						(69,341)										\$ -
Interest Income	\$ 229						(229)										\$ -
2014 Collections	\$ 62,180						(62,180)										\$ -
Interest Income	\$ 228						(228)										\$ -
2015 Collections	\$ 66,872						(66,872)										\$ -
Interest Income	\$ 383						(383)										\$ -
2016 Collections	\$ 143,853						(143,853)										\$ -
Interest Income	\$ 1,349						(1,349)										\$ -
Expenditure Carryover																	
Total	1,525,020	(23,083)	(109,638)	(19,350)	(118,640)	(90,401)	(17,540)	(172,051)	(1,029,024)	(221,237)	(12,586)	(7,344)	(30,659)	(23,036)	(21,312)	(19,621)	\$ (377,281)
																	(377,281)

	Expended in 2001	Expended in 2002	Expended in 2003	Expended in 2004	Expended in 2005	Expended in 2006	Expended in 2007	Expended in 2008	Expended in 2009	Expended in 2010	Expended in 2011	Expended in 2012	Expended in 2013	Expended in 2014	Expended in 2015	Expended in 2016	Unspent Balance
Fire Services																	
2001 Collections	\$ 174,257		(110,660)		(18,027)	(45,570)	-										\$ -
2002 Collections	\$ 231,030				(231,030)												\$ -
2003 Collections	\$ 163,329				(10,908)	(41,413)	(111,008)										\$ -
2004 Collections	\$ 180,093							(180,093)									\$ -
2005 Collections	\$ 147,981								(147,981)								\$ -
Interest Income	\$ 18,419								\$ (18,419)								\$ -
2006 Collections	\$ 198,512								(8,077)	(190,435)							\$ -
Interest Income	\$ 28,948								\$ (13,693)	\$ (15,255)							\$ -
2007 Collections	\$ 139,900										(139,900)						\$ -
Interest Income	\$ 49,303										\$ (49,303)						\$ -
2008 Collections	\$ 287,008										(287,008)						\$ -
Interest Income	\$ 26,154										(26,154)						\$ -
2009 Collections	\$ 61,737										(61,737)						\$ -
Interest Income	\$ 3,059										(3,059)						\$ -
2010 Collections	\$ 37,619										(37,619)						\$ -
Interest Income	\$ 1,453										(1,453)						\$ -
2011 Collections	\$ 50,626										(50,626)						\$ -
Interest Income	\$ 605										(605)						\$ -
2012 Collections	\$ 61,972										(61,972)						\$ -
Interest Income	\$ 200										(200)						\$ -
2013 Collections	\$ 114,863										(114,863)						\$ -
Interest Income	\$ 52										(52)		(79,584)	(24,391)			\$ -
2014 Collections	\$ 107,831										(107,831)						\$ -
Interest Income	\$ 125										(125)		(49,575)	(58,256)			\$ -
2015 Collections	\$ 115,911										(115,911)						\$ -
Interest Income	\$ 256										(256)			(10,071)			\$ 105,840
2016 Collections	\$ 253,747										(253,747)						\$ 256
Interest Income	\$ 1,190										(1,190)						\$ 253,747
Future Substation																	\$ 1,190
Set-Aside																	\$ 492,527
Substation Expenditures																	\$ (492,527)
Total	2,456,180	-	(110,660)	-	(18,027)	(287,508)	(41,413)	(29,592)	-	(21,674)	(582,770)	(763,206)	(18,243)	(79,584)	(74,018)	(68,452)	381,033

	Expended in 2001	Expended in 2002	Expended in 2003	Expended in 2004	Expended in 2005	Expended in 2006	Expended in 2007	Expended in 2008	Expended in 2009	Expended in 2010	Expended in 2011	Expended in 2012	Expended in 2013	Expended in 2014	Expended in 2015	Expended in 2016	Unspent Balance
Municipal Improvements																	
2006 Collections	\$ 88,510																\$ -
Interest Income	\$ 2,241						\$ (88,810)										\$ -
2007 Collections	\$ 141,323						\$ (2,241)										\$ -
Interest Income	\$ -						\$ (141,323)										\$ -
2008 Collections	\$ 268,105						\$ (268,105)										\$ -
Interest Income	\$ 32,680						\$ (32,680)										\$ -
2009 Collections	\$ 58,331						\$ (58,331)										\$ -
Interest Income	\$ 2,408						\$ (2,408)										\$ -
2010 Collections	\$ 42,527						\$ (42,527)										\$ -
Interest Income	\$ 433						\$ (433)										\$ -
2011 Collections	\$ 51,803						\$ (51,803)										\$ -
Interest Income	\$ 179						\$ (179)										\$ -
2012 Collections	\$ 70,219						\$ (70,219)										\$ -
Reimbursed Prior Cost-Sewer	\$ 45,000						\$ (45,000)										\$ -
Interest Income	\$ 186						\$ (186)										\$ -
2013 Collections	\$ 124,957						\$ (124,957)										\$ -
Reimbursed Prior Cost-Sewer	\$ 65,000						\$ (65,000)										\$ -
Interest Income	\$ 238						\$ (238)										\$ -
2014 Collections	\$ 115,692						\$ (3,269)										\$ -
Reimbursed Prior Cost-Sewer	\$ 65,000						\$ (65,000)										\$ -
Interest Income	\$ 275						\$ (275)										\$ -
2015 Collections	\$ 119,953						\$ (119,953)										\$ -
Reimbursed Prior Cost-Sewer	\$ 65,000						\$ (65,000)										\$ -
Interest Income	\$ 499						\$ (499)										\$ -
2016 Collections	\$ 251,398						\$ (251,398)										\$ -
Reimbursed Prior Cost-Sewer	\$ 65,000						\$ (65,000)										\$ -
Interest Income	\$ 2,015						\$ (2,015)										\$ -
Expenditure Carryover																	\$ (1,129,943)
Total	1,679,272						(997,709)	(818,927)	(723,947)	(30,244)	(13,965)	(16,024)	(68,293)	(50,389)	(46,713)	(43,004)	(1,129,943)