

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

AGENDA

7:00 P.M. REGULAR MEETING

June 24, 2019

1. ROLL CALL
2. INVOCATION – Chaplain Jon Powers, Ohio Wesleyan University
3. PLEDGE OF ALLEGIANCE
4. APPROVAL of the Motion Summary of the regular meeting of Council held on June 10, 2019, as recorded and transcribed.
5. CONSENT AGENDA
 - A. Acceptance of the Motion Summary of the Finance Commission meeting held on April 3, 2019, as recorded and transcribed.
 - B. Acceptance of the Motion Summaries of the Parking Safety Committee meeting held on October 15, 2018 and January 7, 2019, as recorded and transcribed.
 - C. Resolution No. 19-23, a resolution authorizing the City Manager to enter into an agreement with the Ohio Bureau of Criminal Investigations (BCI) for the use of the National Webcheck Program Services and Equipment and to execute successor agreements between the same parties with substantially similar conditions.
 - D. Resolution No. 19-24, a resolution authorizing the City Manager to sign the Holder of the Record Agreement between the Delaware City Police Department and Delaware County Emergency Communications.
 - E. Resolution No. 19-25, a resolution authorizing the City Manager to sign the United States Marshals Service Violent Offender Task Force Memorandum of Understanding.
 - F. Resolution No. 19-26, a resolution authorizing the City Manager to sign a subsidy agreement with the State of Ohio Department of Natural Resources Division of Wildlife to accept grant funds
 - G. Resolution No. 19-27, a resolution authorizing the restriction of on street parking on the north side of West Fountain Avenue and Euclid Avenue between the hours of 7:30 am and 3:45 pm on

school days.

6. LETTERS, PETITIONS, AND PUBLIC COMMENTS
7. COMMITTEE REPORTS
8. STAFF INTRODUCTION
 - A. Kyle Kridler, Assistant City Manager
9. DIRECTOR UPDATE
 - A. Bruce Pijanowski - Chief of Police
10. PRESENTATIONS
 - A. Delaware Citizen Police Academy Alumni Association – John Rybka, Former Vice-President and Bernie Workman, Former President
 - B. Memorial signage request recognizing Elmer W.B. Curry – Benny Shoultz, Curator, Meeker Homestead Museum
 - C. Revised Traffic Calming Guide for Neighborhood Streets and Hull Drive Discussion – Bill Ferrigno, Public Works Director/City Engineer
11. 7:30 PUBLIC HEARING AND SECOND READING of Ordinance No. 19-35, an ordinance approving a Conditional Use Permit for the Ohio Wesleyan Village Student Housing located at the northwest corner of Liberty Street and Park Avenue on approximately 3 acres zoned PO/I (Planned Office/Institutional District).
12. SECOND READING of Ordinance No. 19-36, an ordinance for Ohio Wesleyan University approving a Combined Preliminary and Final Development Plan for Ohio Wesleyan Village Student Housing located at the northwest corner of Liberty Street and Park Avenue on approximately 3 acres zoned PO/I (Planned Office/Institutional District).
13. 7:30 PUBLIC HEARING AND SECOND READING of Ordinance No. 19-37, an ordinance for approval of an alley vacation request by Ohio Wesleyan University of an alley for Ohio Wesleyan Village Student Housing located along the north side of Park Avenue just west of Liberty.
14. THIRD READING of Ordinance No. 19-32, an ordinance accepting the annexation of 100.648± acres of land more or less, description and map are attached hereto as Exhibits “A” and “B” for the annexation known as the Grden LLC Annexation by Michael R. Shade, Agent for the petitioners.

15. THIRD READING of Ordinance No. 19-29, an ordinance approving a Rezoning Amendment for Grden LLC., for Winterbrooke Place from A-1 (Agricultural District) to R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) containing 263 single family lots on approximately 100.6 acres and located on the north side of Peachblow Road just east of the Belmont Place Subdivision (Parcel #'s 418-330-01-019-000, 418-330-01-018-001, 418-330-018-000, 418-320-01-038-000).
16. THIRD READING of Ordinance No. 19-30, an ordinance approving a Conditional Use Permit for Grden LLC., allowing the placement of a PMU (Planned Mixed Used Overlay District) to be established for Winterbrooke Place containing 263 single family lots on approximately 100.6 acres and located on the north side of Peachblow Road just east of the Belmont Place Subdivision.
17. THIRD READING of Ordinance No. 19-31, an ordinance approving a Preliminary Development Plan for Grden LLC., for Winterbrooke Place containing 263 single family lots on approximately 100.6 acres zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on the north side of Peachblow Road just east of the Belmont Place Subdivision.
18. CONSIDERATION of Resolution No. 19-28, a resolution of no objection to the expansion of the Concord/Scioto Community Authority, A New Community Authority under Chapter 349 of the Ohio Revised Code.
19. FINANCE DIRECTOR'S REPORT
20. CITY MANAGER'S REPORT
21. COUNCIL COMMENTS
22. ADJOURNMENT

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BEAR GRAPHICS 800-325-6094 FORM NO. 10148

Held

June 10

20 19

The regular meeting of Council held June 10, 2019 was called to order at 7:00 p.m., in the City Council Chambers following the Citizen's Academy Graduation ceremony. 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, Vice-Mayor Shafer, and Mayor Carolyn Kay Riggle, who presided. The invocation was given by Reverend Adam Anderson of Old Stone Presbyterian Church, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, Kelsey Scott, Economic Development Specialist, Lee Yoakum, Community Affairs Coordinator, Bill Ferrigno, Public Works Director/City Engineer, Dean Stelzer, Finance Director, Dave Efland, Planning and Community Development Director, Bruce Pijanowski, Police Chief, and Jackie Walker, Assistant City Manager

ITEM 4: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held on May 13, 2019, as recorded and transcribed.

Motion: Mr. Browning motioned to approve the Motion Summary of the regular meeting of Council held May 13, 2019, seconded by Mrs. Keller. Motion approved by a 6-0-1 (Shafer) vote.

ITEM 5: CONSENT AGENDA

- A. Acceptance of the Motion Summary of the Planning Commission meeting held on May 1, 2019, as recorded and transcribed.
- B. Acceptance of the Motion Summary of the Civil Service Commission meeting held on May 1, 2019, as recorded and transcribed.
- C. Acceptance of the Motion Summary of the Finance Committee meeting held on January 23, 2019, as recorded and transcribed.
- D. Acceptance of the Motion Summary of the Airport Commission meeting held on October 18, 2018, as recorded and transcribed.
- E. Acceptance of the Motion Summaries of the Historic Preservation Commission meeting held on January, 23, 2019 and February 27, 2019, as recorded and transcribed.
- F. Establish June 24, 2019 at 7:30 p.m. as a date and time for a public hearing and second reading for Ordinance No. 19-35, an ordinance approving a Conditional Use Permit for the Ohio Wesleyan Village Student Housing located at the northwest corner of Liberty Street and Park Avenue on approximately 3 acres zoned PO/I Planned Office/Institutional District and Ordinance No. 19-37, an ordinance for approval of an alley vacation request by Ohio Wesleyan University of an alley for Ohio Wesleyan Village Student Housing located along the north side of Park Avenue just west of Liberty.

Motion: Vice-Mayor Shafer motioned to approve the Consent Agenda, seconded by Mr. Browning. Motion approved by a 7-0 vote.

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

PUBLIC COMMENT:

Travis Irvan
Delaware General Health District

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1 West Winter St.
Delaware, Ohio

Mr. Irvan provided Council with a copy of the Age-Friendly Assessment for Delaware County that was completed by the Delaware General Health District.

Adam Anderson
45 Park Avenue
Delaware, Ohio

Mr. Anderson voiced a concern regarding bike and pedestrian safety at Bernard and Sandusky. Mrs. Keller requested that this topic be referred to the Parking and Safety Committee. Mr. Ferrigno discussed that staff is looking at available funding and different options to make improvements to the area. Chief Pijanowski discussed that he has been working on a bill with Senator Brenner regarding state wide changes to pedestrian crosswalk laws.

Jeff Robinson
Common Ground Free Store Board Member
193 East Central Avenue
Delaware, Ohio

Mr. Robinson provided an invitation to City Council to their Fashions & Fixin's fundraising event on August 24, 2019.

Helen Stone
255 East William Street
Delaware, Ohio

Ms. Stone voiced a concern over the alley condition behind her street and that there is a lot of potholes.

ITEM 7: COMMITTEE REPORT

ITEM 8: PRESENTATIONS

- A. Proclamation recognizing Alzheimer Awareness Month presented to Lindsay Collins and Jessa Gary, Alzheimer's Association of Central Ohio
- B. Short Cut Alley Presentation – Susie Bibler, Executive Director of Main Street Delaware and Zach Price, Main Street Delaware Board Member

PRESENTORS:

Susie Bibler
Main Street Delaware, Executive Director
20 East Winter Street
Delaware, Ohio

Zach Price
Main Street Board Member
20 East Winter Street
Delaware, Ohio

Mrs. Bibler and Mr. Price provided a presentation for Short Cut

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Alley improvements. They discussed potential funding plans and options. Council voiced their support towards the project and to have further discussions regarding funding.

- C. Revised Traffic Calming Guide for Neighborhood Streets and Hull Drive Discussion - Bill Ferrigno, Public Works Director/City Engineer

Councilman Browning requested that Council discuss the recommendations from Hull Drive and Revised Traffic Calming Guide for Neighborhood Streets at the June 24, 2019 City Council meeting due to the residents of Hull Drive unable to attend the June 10 meeting.

ITEM 9: CONSIDERATION OF LIQUOR PERMIT (Relating to Stockholder Changes)

- A. Cazadores Corp DBA El Vaquero, 33 Wootring Street and Patio, Delaware, Ohio 43015. Permit Classes: D5 & D6

Motion: Mrs. Keller motioned to accept the liquor permit without objection, seconded by Mr. Browning. Motion approved by a 7-0 vote.

ITEM 10: ORDINANCE NO. 19-07 [Seventh Reading] AN ORDINANCE AMENDING CHAPTER 1121 AND 1143 OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF DELAWARE.

The Clerk read the ordinance for the seventh time.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-07, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 11: ORDINANCE NO. 19-26 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A REZONING AMENDMENT FOR JOHN & TESS MEEKER FOR MEEKERS VENUE FROM R-4 (MEDIUM DENSITY RESIDENTIAL DISTRICT) TO R-4 PMU (MEDIUM DENSITY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND EXTEND THE CURRENT PMU AT 377 EAST WILLIAM STREET TO 385 EAST WILLIAM STREET ON APPROXIMATELY 0.477 ACRES AND LOCATED AT 385 EAST WILLIAM STREET.

The Clerk read the ordinance for the second time. There was no public participation.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 19-26, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 19-26, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 12: ORDINANCE NO. 19-27 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR JOHN AND TESS MEEKER ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED FOR MEEKERS

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VENUE ON APPROXIMATELY 0.477 ACRES AND LOCATED AT 385 EAST WILLIAM STREET.

The Clerk read the ordinance for the second time. There was no public participation.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 19-27, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 19-27, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 13: ORDINANCE NO. 19-28 [Second Reading] AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR JOHN AND TESS MEEKER FOR MEEKERS VENUE ON APPROXIMATELY 0.477 ACRES ZONED R-4 PMU (MEDIUM DENSITY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED AT 385 EAST WILLIAM STREET.

The Clerk read the ordinance for the second time.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 19-28, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 19-28, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 14: ORDINANCE NO. 19-32 [Second Reading] AN ORDINANCE ACCEPTING THE ANNEXATION OF 100.648± ACRES OF LAND MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO AS EXHIBITS "A" AND "B" FOR THE ANNEXATION KNOWN AS THE GRDEN LLC ANNEXATION BY MICHAEL R. SHADE, AGENT FOR THE PETITIONERS.

The Clerk read the ordinance for the second time. Council to take Ordinance No. 19-32 to a third reading at the request of the Mr. Shade.

APPLICANT: Michael R. Shade Agent for the Petitioners P.O. Box 438 Delaware, Ohio

Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 19-32, seconded by Vice-Mayor Shafer. There was a discussion with the representative of the applicant, Mr. Shade and he requested that no action be taken until Council was ready to approve Winterbrooke Place. At the request of the applicant, Mrs. Keller withdrew her motion to suspend and rules. Vice-Mayor Shafer withdrew his second.

ITEM 15: ORDINANCE NO. 19-29 [Public Hearing and Second Reading] AN ORDINANCE APPROVING A REZONING AMENDMENT FOR GRDEN LLC., FOR WINTERBROOKE PLACE FROM A-1 (AGRICULTURAL DISTRICT) TO R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) CONTAINING 263 SINGLE FAMILY LOTS ON APPROXIMATELY 100.6 ACRES AND LOCATED ON

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THE NORTH SIDE OF PEACHBLOW ROAD JUST EAST OF THE BELMONT PLACE SUBDIVISION (PARCEL #'S 418-330-01-019-000, 418-330-01-018-001, 418-330-018-000, 418-320-01-038-000).

The Clerk read the ordinance for the second time. Council to take Ordinance No. 19-29 to a third reading.

APPLICANT:

Robert Grden
Grden LLC
1059 Wellington Blvd
Powell, Ohio

Mike Shade
Attorney at Law
P.O. Box 438
Delaware, Ohio

Jack Brickner
Planned Communities
110 Northwoods Blvd
Columbus, Ohio

Todd Faris
Faris Planning & Design
243 North 5th St, Suite 401
Columbus, Ohio

Brian Burkhart
250 Old Wilson Bridge Road
Worthington, Ohio

PUBLIC PARTICIPATION:

Steve Elliott
Representative for John and Toni Gundling
200 Civic Center Drive, Suite 1200
Columbus, Ohio

John Gundling
957 Peachblow Road
Delaware, Ohio

Mr. Elliott voiced the concerns of the Gundlings that were provided in their letter of objection. He discussed their concern to preserve the value to their home, the bike path location and that the Gundlings do not grant permission for the bike path to cross their property line. He requested a private property sign on both ends of the bike path location. Mr. Gundling voiced concerns over lack of buffering.

Council discussed the location of the retention ponds and recommended that the applicant and the Gundlings discuss if additional buffering can be placed.

ITEM 16: ORDINANCE NO. 19-30 [Public Hearing and Second Reading]

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AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR GRDEN LLC., ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USED OVERLAY DISTRICT) TO BE ESTABLISHED FOR WINTERBROOKE PLACE CONTAINING 263 SINGLE FAMILY LOTS ON APPROXIMATELY 100.6 ACRES AND LOCATED ON THE NORTH SIDE OF PEACHBLOW ROAD JUST EAST OF THE BELMONT PLACE SUBDIVISION.

The Clerk read the ordinance for the second time. Council to take Ordinance No. 19-30 to a third reading.

ITEM 17: ORDINANCE NO. 19-31 [Second Reading]

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR GRDEN LLC., FOR WINTERBROOKE PLACE CONTAINING 263 SINGLE FAMILY LOTS ON APPROXIMATELY 100.6 ACRES ZONED R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON THE NORTH SIDE OF PEACHBLOW ROAD JUST EAST OF THE BELMONT PLACE SUBDIVISION.

The Clerk read the ordinance for the second time. Council to take Ordinance No. 19-31 to a third reading.

ITEM 18: ORDINANCE NO. 19-33 [Second Reading]

AN ORDINANCE AMENDING THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

Motion: Vice-Mayor Shafer motioned to remove the emergency clause for Ordinance No. 19-33, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 19-33, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-33, as amended, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 19: ORDINANCE NO. 19-34 [First Reading]

AN ORDINANCE APPROVING A COMMUNITY REINVESTMENT AREA AGREEMENT WITH THE WESLEYAN INN AND THE CITY OF DELAWARE FOR INVESTMENT IN REAL PROPERTY IMPROVEMENTS ON A BUILDING AT 235 WEST WILLIAM STREET AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

APPLICANT:

Jim Manos
5973 Macewen Court
Dublin, Ohio

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 19-34, seconded by Mr. Jones. Motion approved by a 6-1 (Hellinger) vote.

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Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 19-34, seconded by Mr. Jones. Motion approved by a 5-2 (Hellinger, Keller) vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-34, seconded by Mr. Jones. Motion approved by a 6-1 (Hellinger) vote.

ITEM 20: ORDINANCE NO. 19-35 [First Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR THE OHIO WESLEYAN VILLAGE STUDENT HOUSING LOCATED AT THE NORTHWEST CORNER OF LIBERTY STREET AND PARK AVENUE ON APPROXIMATELY 3 ACRES ZONED PO/I (PLANNED OFFICE/INSTITUTIONAL DISTRICT).

The Clerk read the ordinance for the first time. A public hearing has been scheduled for June 24, 2019 at 7:30 p.m.

ITEM 21: ORDINANCE NO. 19-36 [First Reading]

AN ORDINANCE FOR OHIO WESLEYAN UNIVERSITY APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR OHIO WESLEYAN VILLAGE STUDENT HOUSING LOCATED AT THE NORTHWEST CORNER OF LIBERTY STREET AND PARK AVENUE ON APPROXIMATELY 3 ACRES ZONED PO/I (PLANNED OFFICE/INSTITUTIONAL DISTRICT).

The Clerk read the ordinance for the first time. Council to take Ordinance No. 19-36 to a second reading.

ITEM 22: ORDINANCE NO. 19-37 [First Reading]

AN ORDINANCE FOR APPROVAL OF AN ALLEY VACATION REQUEST BY OHIO WESLEYAN UNIVERSITY OF AN ALLEY FOR OHIO WESLEYAN VILLAGE STUDENT HOUSING LOCATED ALONG THE NORTH SIDE OF PARK AVENUE JUST WEST OF LIBERTY.

The Clerk read the ordinance for the first time. A public hearing has been scheduled for June 24, 2019 at 7:30 p.m.

ITEM 23: CITY MANAGER'S REPORT

Mrs. Walker discussed the cost estimate for police efforts to provide security at the Drag 101 event. The shop owner holding the event hired their own security. The police were used to monitor the crowd outside that had gathered.

ITEM 24: COUNCIL COMMENTS

Councilman Rohrer informed Council that he will not be at the June 24, 2019 City Council meeting.

Councilman Browning provided a copy of the Apartment Complex Enrollment and Tax Analysis provided by Superintendent Craft at a previous school board meeting.

ITEM 25: 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

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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.

Mrs. Keller motioned to enter into executive session at 9:41 p.m. This motion was seconded by Mr. Browning and approved by a 7-0 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, Vice-Mayor Kent Shafer, and Mayor Carolyn Kay Riggle. Following the discussion at 9:56 p.m., it was moved by Mr. Jones that Council move into Open session, seconded by Vice-Mayor Shafer and approved by a 7-0 vote.

ITEM 26: ADJOURNMENT

Motion: Mrs. Keller motioned to adjourn the meeting, seconded by Vice-Mayor Shafer. The meeting adjourned at 9:57 p.m.

Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk

**FINANCE COMMITTEE
MOTION SUMMARY
April 3, 2019**

ITEM 1. Roll Call

Chairman Hellinger called the Finance Committee meeting to order at 3:32 p.m.

Members Present: Vice-Mayor Kent Shafer, Vice-Chairman Chris Jones and Chairman George Hellinger

Staff Present: Bill Ferrigno, Public Works Director/City Engineer, Dean Stelzer, Finance Director, Jackie Walker, Assistant City Manager and Tom Homan, City Manager

ITEM 2. Approval of the Motion Summary for the meeting held January 23, 2019 as recorded and transcribed.

Motion: Vice-Mayor Shafer moved to approve the Motion Summary from January 23, 2019, as recorded and transcribed, seconded by Vice-Chairman Jones. Motion approved by a 3-0 vote.

ITEM 3. Review of Financial Management Policies

Mr. Stelzer discussed a recent bond sale related to the Glenn Road project.

ITEM 4. 2019-2023 CIP Plan Amendments

Mr. Stelzer discussed proposed amendments to the 2019 plan. He reviewed the General Fund Summary that is used for CIP and recommended allocation from the 2019 General Fund. He discussed the 20% reserve balance, which is over the targeted 17% recommended reserve balance. He discussed changes to Airport Improvement Fund and utilizing grant funding. The Committee discussed street resurfacing and city grant match transportation, DiGenova Way connector. Grant project changes is the East William Street project in which the bids were higher than expected.

Mr. Stelzer reviewed maintenance improvements and the previous supplemental that were brought before Council related to Co-Hatch and the City Hall Annex building for renovations to the second floor. Mrs. Walker discussed that current improvements are being done to the interior of the second floor and the installation of the skywalk. She discussed the issue with past flooding and efforts to improve. Also discussed is the estimated cost for security and bathroom facility on the second floor. Estimates were received to repair sidewalks in front of City Hall. Mr. Homan reviewed the access points to the second floor annex building.

ITEM 5. Road Levy Options

Mr. Homan provided an update on the Gas Tax that was approved at the state level and how that will impact the City. Vice-Chairman Jones discussed that the funds received go to maintenance of local streets. The Committee discussed their concerns on trying for a road levy. Vice-Chairman Jones recommended seeing how the funds from the gas tax benefits the local streets before determining a levy needs. Chairman Hellinger voiced concerns that there is never a good time to raise taxes, but that infrastructure improvements are necessary to alleviate congestion issues that are unable to be addressed by the gas tax. The Committee also discussed licensing fees.

ITEM 6. Staff Comments

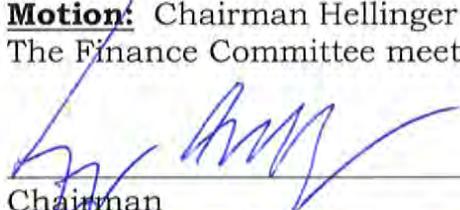
ITEM 7. Member Comments

ITEM 8. Next Meeting Date

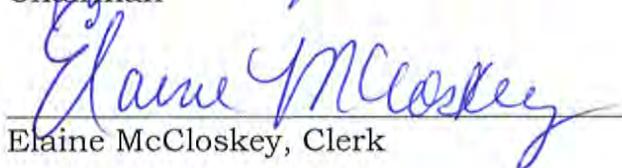
The Committee discussed scheduling a meeting in late May.

ITEM 9. Adjournment

Motion: Chairman Hellinger moved to adjourn the Finance Committee meeting, The Finance Committee meeting adjourned at 4:53 p.m.



Chairman



Elaine McCloskey, Clerk

**PARKING AND SAFETY
MOTION SUMMARY
October 15, 2018**

ITEM 1. ROLL CALL

Chairman Shafer called the Parking and Safety Meeting to begin at 6:00 p.m.

Members Present: Vice-Chairwoman Lisa Keller and Chairman Kent Shafer

Members Absent: Councilman Chris Jones

Staff Present: Jessica Ormeroid, Project Manager, Bill Ferrigno, Public Works Director/City Engineer, John Donahue, Fire Chief, Bruce Pijanowski, Police Chief

ITEM 2. APPROVAL of the Motion Summary of the Parking and Safety Committee meeting held August 20, 2018, as recorded and transcribed.

Motion: Vice-Chairwoman Keller moved to approve the Motion Summary of the Parking and Safety Committee meeting held August 20, 2018, seconded by Chairman Shafer. Motion approved by a 2-0 vote.

ITEM 3. PUBLIC COMMENT

ITEM 4. DISCUSSION and CONSIDERATION of the installation of “No Parking” signage on both sides of Glengary Drive at the curve in the Kensington Place Subdivision.

Public works received a complaint, school busses could not get in and actually had to back down the street. Came up in 2013 as well. Citizens negotiated an agreement amongst themselves. PW recommends no parking on both sides of curve if not at least one side. Have been 2 hit/skip accidents in 2018

PUBLIC COMMENT:

Linda O'Rourke
207 Glengary Dr.
Delaware, Ohio

Complained in 2013 because busses could not get through. Had an agreement from 207 Glengary to 189 Glengary to not park on the outside of the curve.

House next to 189 was sold to a rental company. There are 7-8 people living in house, which means many cars. Opposes no parking on both sides of road because there will be no parking available on street.

Cassie Bair
200 Glengary Dr.
Delaware, Ohio

Ms. Bair lives on the curve in question. The houses around all have 5 cars and no one parks in garage. Husband has had to park far away from home due to this. Doesn't think it is fair for family to have to park on another street. OK with making no parking on odd side of street. Has been in touch with Chief Pijanowski. People are parking away from curb so busses can barely make it through. Chief Donahue pointed out that we want to make sure of clear access to fire hydrant.

Sharon Rathburn
195 Glengary Dr.
Delaware, OH

Family has three cars. Her high-school-aged son has to park down the street due to the excessive parking on the street.

Question was raised on if there would be enough maneuverability for a fire truck if parking was restricted on one side. Chief stated that the fire department would make it work.

Motion: Vice-Chairman Keller motioned to approve the installation of "No Parking" signage on the outside of the curve Glengary Dr. in the Kensington Place Subdivision, seconded by Chairman Shafer. Motion approved by a 2-0 vote.

ITEM 5. DISCUSSION and CONSIDERATION of the installation of "No Parking" restrictions for one parking space on Catherine Street at the new emergency entrance at Boardman Arts Park.

Chief Pijanowski shared that the park has seen some increased traffic and a gate has been installed for when they bring things in and out of the park. It also allows for City emergency vehicles if necessary. Request is to restrict parking in just one spot in front of the gate. Staff supports this request.

PUBLIC COMMENT:
Roxanne Amidon
161 W. Winter St.
Delaware, OH

Ms. Amidon stated that the gate was put in from feedback from police and others during the Antique Festival to enable access not only from the alley but from the Catherine Street as well. There was not much of an issue, but the Arts Park would like to preserve that one spot to be able to get in and out. Posting no parking signs during events is not cost effective

Motion: Vice-Chairwoman Keller moved to approve the installation of no parking restrictions for one parking space on Catherine Street at the new emergency entrances at Boardman Arts Park. Motion was seconded by Chairman Shaffer. Motion approved by a 2-0 vote.

ITEM 6. DISCUSSION of the installation of a three-way-stop at the intersection of Rock Creek Drive and Willow Run Lane.

Ms. Ormeroid stated there was a complaint from the school regarding issues and concerns with school age children crossing at this location. A memo was distributed. Staff completed a multi-way-stop warrant analysis and determined that a multi-way stop was not warranted. Staff made the recommendation that this would be a good location for RFPs. There are static warning signs in place but they are not as effective.

Vice-Chairman Keller stated that when she would drop and pick her kids off, she avoided this area altogether and would pick up her kids in another area. Principal Woodworth contacted her.

PUBLIC COMMENT:

Travis Woodworth
Schultz Elementary School Principal
499 Applegate Lane
Delaware, Ohio

Mr. Woodworth explained that they have explored and tried many different ways to handle the traffic at this specific location. Have put out a request for parent volunteers for the 8-8:30 time frame and 3-3:30. Did not get a huge amount of support due to availability. Principal Woodworth is short of staff to man this area, but has gone out himself to make sure the children are safe. Speaks to kids about staying safe in this area. Many parents are trying to avoid the area but it is still an issue.

Public Works suggested extending the school zone with flashers. Worried about multi-way stop, it gives a false sense of security to children crossing.

Darwin Thiele
236 Rock Creek Dr.
Delaware, OH

Chelsee Thiele
236 Rock Creek Dr.
Delaware, OH

Ms. Thiele stated that she was involved in an incident where a mother dropping off her child almost hit another child in the cross walk. It is very easy to get distracted.

Motion: Vice-Chairwoman Keller motioned to pass the recommendation onto City Council to expand the school zone on Rock Creek Drive and installation of school flashers and the installation of RFB at the crosswalk and request for funding from City Council, seconded by Chairman Shafer. Motion approved by a 2-0 vote.

ITEM 7. DISCUSSION to parking changes to Franklin and East William Street public lots.

Mr. Ferrigno discussed the plans to introduce electrical car charging stations at the East William Street lot location. He discussed the need to research which company to use. He discussed need to determine regulations to ensure that regular vehicles or electric cars do not use the space as a personal space and it is used for the purpose intended. He discussed working with AEP for a grant for funding and discussed the projected cost for equipment.

Mr. Ferrigno discussed the Franklin Street parking lot and refuse collection plan. He stated that the pilot program is working well and would like to consolidate the three dumpsters. He stated that four parking spaces will need dedicated for the central collection location. He discussed the location of a handicap parking space.

Motion: Vice-Chairwoman Shafer motioned to approve the parking changes to Franklin Street to accommodate the central dumpster location, seconded by Chairman Shafer. Motion approved by 2-0 vote.

ITEM 8. UPDATE on Overhead Detection Warning

Ms. Ormeroid provided an update on the project.

ITEM 9. STAFF COMMENTS

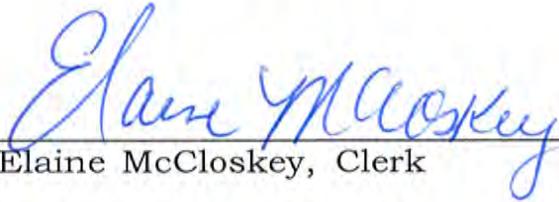
ITEM 10. COMMITTEE COMMENTS

ITEM 11. ADJOURNMENT

Motion: Councilwoman Keller moved to adjourn the meeting, seconded by Chairman Shafer. The Parking and Safety Committee Meeting adjourned at 7:39 p.m.



Kent Shafer, Chairman



Elaine McCloskey, Clerk

**PARKING AND SAFETY
MOTION SUMMARY
January 7, 2019**

ITEM 1. ROLL CALL

Chairman Shafer called the Parking and Safety Meeting to begin at 6:00 p.m.

Members Present: Councilman Chris Jones, Vice-Chairwoman Lisa Keller and Chairman Kent Shafer

Staff Present: Jessica Ormeroid, Project Manager, Nathan McCoy, Project Manager, Bill Ferrigno, Public Works Director/City Engineer, John Donahue, Fire Chief, Bruce Pijanowski, Police Chief

ITEM 2. REVIEW

A. W. Hull Traffic Counts

Mr. Ferrigno summarized the past concerns of West Hull Drive. He provided an exhibit that included access point locations to the North Community Plaza and additional access points into the plaza off of U.S. 23. He reviewed the existing traffic counts at the Liberty Entrance on West Hull Drive which was at 2981 ADT. Two days were reviewed in September of 2018 on peak hours from 10:30 am -1:15 pm and 4:00 pm and 6:45 pm to determine traffic counts during these hours. He also reviewed that 2300-2600 vehicles per day use West Hull Dr. to travel between Liberty Road and the north Plaza entrance, which is approximately 75-85% of total traffic.

B. W Hull Vehicle Speeding

Mr. Ferrigno reviewed the speed and accident data for West Hull Drive. The crash history of West Hull Drive was reviewed from 2011 to 2018 and showed eleven accidents over an eight year period. The 85% of speed is reported to be at 30 mph. This is typical for many local streets and neighborhoods.

ITEM 3. REVIEW PILOT STUDY OF NORTH PLAZA EXIT ACCESS RESTRICTIONS

A. Alternate 'A' Arrangement

Mr. Ferrigno reviewed the Proposed Pilot Study for North Plaza Access Modification 'A', which would have a right-out with a median. He discussed having striping on pavement to not allow left turn out of the

plaza onto West Hull Dr. The delineators on West Hull Drive would prevent cars from turning left.

B. Alternate 'B' Arrangement

The proposed pilot study North Plaza Access Modification 'B' would prevent any exit from the north Plaza access point to exit onto West Hull Drive. Vehicles would be able to access the north Plaza entrance from West Hull Drive, but would not be able to exit from the Plaza. Mr. McCoy discussed the usage of Tuff Curb Delineators during the pilot program to prohibit egress and make access point ingress only.

C. Pros/Cons

Mr. McCoy reviewed the cost to Modification 'A' at approximately \$16,000 and Modification 'B' at \$8,000. These estimates are for the pilot program only and there would be an estimated additional cost of \$15,000-\$20,000 for permanent installation.

Mr. Ferrigno discussed the pros and cons of diverting traffic off of West Hull Drive and to neighboring streets. He discussed it is difficult to determine what access routes drivers will use during the pilot program but that staff would be gathering that data during the pilot program. He voiced a concern over the increase risk to drivers going northbound on U.S. 23 and turning left on West Hull Drive. Staff informed the Committee that the turn lane on U.S. 23 can handle approximately 10-15 cars. Ms. Ormeroid discussed the accident history for U.S. 23.

D. Implementation Schedule

Mr. Ferrigno reviewed the plan to provide 30 day advance notification to Plaza visitors and have a pilot study program for approximately 60-90 days.

E. Review of Public Feedback

Mr. Ferrigno discussed both negative and supportive comments that were received through social media.

Mr. Ferrigno did inform the Committee that U.S. Properties granted permission to staff to perform the pilot program and provide them with results.

ITEM 4. DISCUSSION OF ALTERNATIVE TRAFFIC CALMING PILOT INITIATIVE

A. Proposed arrangement/calming elements

Mr. Ferrigno discussed alternate pilot study initiatives which includes lane narrowing with edge line striping, volume reduction through speed bumps, and the use of the Dynamic Speed Feedback Signs.

B. Narrowing pros/cons/cost

Mr. Ferrigno discussed that the traffic calming measure of lane narrowing is related more to speed issues and does not have the impact to volume reduction.

C. Temporary Speed Bump pros/cons/costs

Mr. Ferrigno discussed the typical policy to not be supportive of the use of speedbumps due to potential damage to fire apparatus and delayed response times. It also poses an issue on road maintenance, such as plowing. Chief Donahue discussed that speed bumps can cause a 10-15 second delay per speed bump and that the goal is to arrive onsite within 6 minutes of receiving the emergency call. He discussed that poly carbon materials used in homes have accelerated the rate that fires can spread. He recognized that the majority of calls are for EMS.

Mr. Ferrigno discussed the use of speed bumps that have breaks in them that a typical Fire or EMS truck wheel basin will fit through it. Chief Donahue was agreeable to discuss the use of this type of speed bump further. Mr. Ferrigno reported that speed bumps cost is approximately \$5,000 per bump.

D. Speed Feedback Signs pros/cons/costs

Mr. Ferrigno discussed that the cost of the signage is \$7,500. It provides a minor reduction in vehicle speeds.

E. Emergency Service Impacts/Mitigation

F. Cost

A discussion was held on the financing of pilot programs and funding for installation of traffic calming measures and devices.

Mr. Jones asked staff what year the homes were built and what phase was it connected to the shopping center. Mr. Ferrigno explained that the first phase was started in 1994 with some homes and that the shopping center was there prior to the homes. Vice-Chairwoman Keller discussed that the original design was a straight shot and that there were changes. Mr. Ferrigno discussed that during the planning process the bend and stop

sign were added.

ITEM 5. PUBLIC COMMENTS

Randall Hinderer
187 West Hull Drive
Delaware, Ohio

Mr. Hinderer discussed that when they were purchasing their home the plan that they received was that there West Hull Drive would not be a connector street but a cul de sac. He voiced a concern over the safety of the residents and questioned how often fire and ems utilize the street. Chief Donahue informed him that he did not have the statistics on him.

Denise Young
117 Beech Drive
Delaware, Ohio

Ms. Young voiced that she thought traffic may be alleviated on West Hull Drive with the installation of a traffic signal on Hawthorn Blvd. She voiced concerns that diverted traffic off of West Hull Drive could create issues to Hawthorn Blvd. She questioned if the south egress access point onto U.S. 23 would need to have a left turn lane to accommodate the additional traffic turning left on U.S. 23 out of the plaza.

Dave Jenkins
321 West Hull Drive
Delaware, Ohio

Mr. Jenkins voiced support for the pilot and that residents of West Hull Drive will be inconvenience as well as others.

Vice-Chairwoman Keller voiced concerns over increased speed issues as people attempt to make up for lost time while sitting at the light to exit the plaza.

Jim Bauer
176 Hull Court
Delaware, Ohio

Mr. Bauer discussed that the pilot program was a cooperative effort with U.S. Properties and city staff. He addressed social media post reflecting that residents should have known that the road was a cut through road prior to moving into their homes and that some homeowners were told that it would be a cul de sac.

David Hague

180 Hull Court
Delaware, Ohio

Mr. Hague stated that out of all the collector/residential streets in the City of Delaware staff had to review data from Dublin to find a street with comparable issues and layout. He discussed the unique issues that surround West Hull Drive that other streets in the City do not have. He discussed the need for hard data from the pilot program to determine the appropriate outcome.

Jim Browning
189 Hawthorn Blvd.
Delaware, Ohio

Councilman Browning voiced his support for the pilot study.

Cheri Gifford
234 West Hull Drive
Delaware, Ohio

Ms. Gifford discussed that when she moved into the neighborhood that the street would not connect. She questioned where the traffic went prior to the installation of West Hull Drive as a connector. Mr. Ferrigno discussed that residents utilized Cottswald and Somerset. She discussed that in the past it was recommended to use speed bumps and questioned why that was not implemented years ago. Mr. Ferrigno discussed that may have been at the HOA level and that no formal request or action was received back from the community.

Barb Holman
237 West Hull Drive
Delaware, Ohio

Ms. Holman informed the Committee that she moved into her house in 1995 and that before there was access to Liberty Road people were cutting through the grass to access once some trees were removed. She discussed the difficulty safely backing out of her driveway and concerns about increase traffic once the Coughlin Crossing Shopping Center is constructed.

Elizabeth Hoover
213 Hawthorn Blvd
Delaware, Ohio

Ms. Hoover voiced questions regarding the length of the pilot and if there would still be access to West Hull Drive from Liberty. She questioned that if speed is not a concern and there is little accident history, than why is volume considered a problem.

Rachel Spitzen
U.S. Properties Representative
3665 Fishinger Blvd.
Columbus, Ohio

Ms. Spitzen voiced that U.S. Properties had signed an agreement to support the pilot program.

Vice-Chairwoman Keller questioned what nearby streets can accept the high volume of traffic by diverting the vehicles. Mr. Ferrigno discussed that the hope is drivers will utilize larger roads and that they will be assessing the traffic impacts during the pilot program.

Bethany Davis
297 West Hull Drive
Delaware, Ohio

Ms. Davis questioned if the pilot program did not proceed as planned due to the concerns voiced on social media. She questioned if the City can utilize surveillance cameras. Chief Pijanowski discussed that there are Traffic Enforcement Surveillance Camera Laws that would need to follow. Vice-Chairwoman Keller informed that the comments on social media were not a factor in the delay of the pilot program, but that there was confusion between staff and the Committee on if the pilot program had been approved by the Committee. She discussed the purpose of this special meeting was to allow the committee to make a formal decision regarding the pilot program.

Barb Swisher
291 West Hull Drive
Delaware, Ohio

Ms. Swisher discussed the increase in traffic in the past thirteen years and could staff look at reducing the speed limit to 15-20 mph. She discussed difficulty backing out of driveway due to the curve in the road and traffic.

Councilman Jones voiced that he was undecided on the pilot program, but that he recommended that the decision goes to Council. He voiced concerns over setting a precedence to other residents that have difficulty with traffic cut through and that they will request a pilot study and how would the City fund these requests.

Vice-Chairwoman Keller voiced concerns that there is no measure of what it too high of traffic on a road and the drivers use West Hull Drive as it is the fastest route for them. She discussed the need to determine the benchmark of success.

She questioned what is the decreased amount of cars traveling on West Hull Drive is needed to reflect that the pilot was successful. She is in favor of having Council make a decision regarding the pilot program as there are implications that would affect the City as a whole.

Chairman Shafer recommended that staff provide a presentation to Council at an upcoming meeting to receive direction from Council regarding the pilot program. Mr. Hague recommended that the Committee consider having the presentation presented to Council at the February 11, 2019 meeting to give residents time to prepare.

ITEM 6. FORMAL RECOMMENDATION BY COMMITTEE

Motion: Councilman Jones recommended that this issue is presented to Council for tentatively the February 11, 2019 City Council meeting, seconded by Vice-Chairwoman Keller. Motion approved by a 3-0 vote.

ITEM 7. STAFF COMMENTS

Mr. Ferrigno discussed the concerns voiced by residents regarding what Rockford Homes presented to their sales trailer and it sounds as if they were shown a Phase 1 Plat. He stated that the Preliminary Plat that was approved by the Planning Commission and City Council shows that Hull Drive would be a through road. There was discussion back in the late 1980's if there should be a through road or an extension of Pollyanna Drive. Eventually it was laid out to create West Hull Drive. He discussed that the Preliminary Plans would have shown the plans for West Hull Drive to always be a through road.

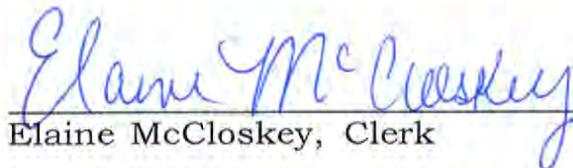
ITEM 8. COMMITTEE COMMENTS

ITEM 9. ADJOURNMENT

Motion: Councilwoman Jones moved to adjourn the meeting. The Parking and Safety Committee Meeting adjourned at 7:41 p.m.



Kent Shafer, Chairman



Elaine McCloskey, Clerk



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM C DATE: 06/24/2019
ORDINANCE NO: RESOLUTION NO: 19-23
READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council
FROM: R. Thomas Homan, City Manager
VIA: Bruce Pijanowski, Police Chief

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO BUREAU OF CRIMINAL INVESTIGATIONS (BCI) FOR THE USE OF THE NATIONAL WEBCHECK PROGRAM SERVICES AND EQUIPMENT AND TO EXECUTE SUCCESSOR AGREEMENTS BETWEEN THE SAME PARTIES WITH SUBSTANTIALLY SIMILAR CONDITIONS.

BACKGROUND:

This agreement between the City of Delaware and the Ohio Attorney General's Office allows the police department to continue to provide criminal background checks to the public. We currently house equipment in the Justice Center lobby. This service is needed by many people in order to be eligible for licensing, employment and volunteer activities. The Police Department has been providing fingerprinting and background services in this manner since 2010, when submission of inked fingerprints for background checks was phased out.

REASON WHY LEGISLATION IS NEEDED:

Approval will allow the police department to continue to provide background check services to the public.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

This service generates a slight revenue for each transaction. The city is billed by the Attorney General's office for each records check as follows: BCI - \$22.00, FBI - \$24.00, BCI&FBI - \$46.00. The city charges \$35.00 for each individual check (BCI, FBI) and \$60.00 for each BCI&FBI check.

POLICY CHANGES:

N/A

PRESENTER(S):

Bruce Pijanowski, Chief of Police

RECOMMENDATION:

Approval

ATTACHMENT(S)

Copy of Agreement

RESOLUTION NO. 19-23

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO BUREAU OF CRIMINAL INVESTIGATIONS (BCI) FOR THE USE OF THE NATIONAL WEBCHECK PROGRAM SERVICES AND EQUIPMENT AND TO EXECUTE SUCCESSOR AGREEMENTS BETWEEN THE SAME PARTIES WITH SUBSTANTIALLY SIMILAR CONDITIONS.

WHEREAS, the City of Delaware Police Department provides fingerprinting services for persons in various occupations and volunteer roles as required under Ohio law; and

WHEREAS, the City of Delaware Police Department is desirous of obtaining, and BCI is required and willing to provide, the criminal history record check services as long as proper payment is made for the criminal history records.

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

SECTION 1. That the City of Delaware hereby agrees to the terms of the Ohio Bureau of Criminal Investigations user agreement and authorizes the city manager to sign any such similar successor agreement to allow the police department to continue to submit finger print cards.

SECTION 2. This resolution shall be effective immediately upon its passage.

PASSED: _____, 2019 YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK MAYOR

**AGREEMENT
FOR NATIONAL WEBCHECK®
PROGRAM SERVICES AND EQUIPMENT**

This Agreement (“Agreement”) between the Ohio Attorney General (“Attorney General”), which oversees the Bureau of Criminal Investigation (“BCI”), and City of Delaware Police Department (“Agency”) is effective on the latest date of signature below, and identifies the terms, conditions, duties, and responsibilities of each party regarding the National WebCheck® (“WebCheck”) program and equipment. The Agreement also ensures that the information received from the Attorney General is used appropriately by Agency and within the requirements of the Ohio Revised Code, the Ohio Administrative Code, and Federal laws and regulations.

I. Purpose

Under Ohio law, persons in various occupations and volunteer roles must obtain criminal background checks in order to be eligible for licensing, employment and volunteer activities. Such criminal background checks are available through the WebCheck services administered by the Attorney General, through BCI. This Agreement sets forth the terms and conditions under which Agency may obtain and disseminate criminal background check information through WebCheck services.

II. Basic Agency Responsibilities

- A. Agency must procure WebCheck equipment from a vendor that has been certified by BCI as an approved provider and maintain the equipment as directed by the vendor.
- B. Agency agrees to comply with any and all monitoring requests made by the Attorney General in a timely and complete manner.
- C. Agency agrees to comply with any and all training requirements set forth by the Attorney General. Agency’s participation in an initial training will be required before Agency will be granted access to the WebCheck services.

III. Agency Responsible for Full and Timely Payment of Fees to Be Charged by Attorney General

- A. To ensure full and prompt payment, Agency agrees to make fee payments to the Attorney General using commercially reasonable payment methods as directed by the Attorney General. Such methods may include, without limitation, payments via Automated Clearing House (“ACH”) or other electronic payment method. Notice of any changes in the required payment methods shall be provided pursuant to Section XI.
- B. Attorney General shall submit invoices to Agency as follows:
Agency: City of Delaware Police Department
Address: 70 North Union Street
Delaware, Ohio 43015
Attn: Julie Elke

- C. Absent more specific requirements provided by the Attorney General, the Attorney General will issue a monthly invoice to Agency and payments shall be made pursuant to this Section. Agency understands that failure to pay the Attorney General the appropriate criminal background check fees within 30 days after an invoice is issued by the Attorney General may result in termination of access to WebCheck services. Agency also understands that a fee of \$35.00 may be charged to the Agency to reinstate access to WebCheck services after the delinquent account is paid in full.
- D. If payment is not received within 75 days after an invoice is issued, Agency shall be in default and the Attorney General may exercise all legal rights and remedies as set forth in Paragraph X below. Interest owed for such non-payment of fees shall accrue at the rate set forth in Ohio Revised Code Sections 131.02, 5703.47, and 126.30 as applicable.
- E. Agency shall pay the following fees for criminal background checks:
 - a. The fee set forth in Ohio Administrative Code 109:5-1-01, as it may be amended from time to time, for a background check of BCI records; and
 - b. \$24.00 for a background check of FBI records.
- F. The Attorney General may increase the fees charged for background checks of BCI and/or FBI records at any time prior to Agency conducting a background check, and upon notice to Agency.

IV. Restrictions on Dissemination of WebCheck Information

- A. The parties acknowledge that access to computerized criminal history (“CCH”) information is governed by both state and federal statutes. Any violation of these statutes and/or the dissemination restrictions set forth in this Section will constitute a default for which the Attorney General may immediately terminate Agency’s direct and indirect use of and access to WebCheck services.
- B. Dissemination of the FBI CCH must be limited to the following:
 - a. Criminal justice and governmental non-criminal justice agencies.
 - b. Pursuant to 28 USC §534, Pub. L. 92-544, CCH information must not be disseminated to a third party organization.
 - c. The CCH information must not be used for any purpose other than outlined in 28 USC §534, Pub. L. 92-544 or Ohio Revised Code statutes approved by the U.S. Attorney General.
- C. Dissemination of the BCI CCH must be limited to the following:
 - a. The information must not be used for any purpose other than authorized in R.C. 109.572 and related Ohio Revised Code statutes.
 - b. The information may only be released to the individual/organization authorized on the BCI waiver for release of criminal history information. It is not permissible for the Agency to copy and distribute the results of a criminal history background check to multiple organizations.

V. Compliance with Civilian Background Check Requirements

- A. Agency must comply with all civilian background check requirements included in Ohio law and the Ohio Civilian Background Check Training Manual published by the Ohio Attorney General.
- B. Agency understands that an FBI background check does not replace a BCI background check and may be done only when authorized by an approved Pub. L. 92-544 state statute. A background BCI

check must be completed for every individual requiring a background check for employment purposes.

- C. Agency understands that failure to adhere to any requirement set forth in this Agreement may result in termination of WebCheck services. It is further understood that additional training and/or a \$35.00 reinstatement fee may be required to restore access to WebCheck services.

VI. Duty to Maintain Accurate, Auditable Records of Transactions

The Agency agrees that BCI's Quality Assurance Unit may audit all WebCheck transactions submitted by Agency. The Agency hereby agrees to keep accurate, auditable records of each WebCheck transaction for at least one (1) year following each transaction. The Agency also agrees to allow BCI employees access to this information during normal business hours.

VII. Prohibition against Unauthorized or Inappropriate Use of WebCheck Information

Agency agrees that unauthorized use of computerized criminal history information is in violation of state and/or federal law and can lead to criminal charges. If Agency is a non-criminal justice agency, Agency acknowledges that applicants for positions in their organizations may authorize access to their criminal history records for the use of that specific agency only as described in Section VIII below. Inappropriate use or dissemination of computerized criminal history information will result in termination of Agency's access to WebCheck services. Further, Agency understands that misuse or falsification of information transmitted and received through the WebCheck program may result in criminal felony charges being filed.

VIII. Rights and Responsibilities Concerning Employee Access to WebCheck Information

- A. The Agency shall not permit an individual to access, disseminate or otherwise use WebCheck information if that individual has ever been convicted of:
 - a. A felony; and/or
 - b. Any other crime involving theft, deceit, fraud or other act of moral turpitude.
- B. If Agency is a private, non-government agency, Agency agrees that, prior to permitting an individual to access, disseminate or otherwise use National WebCheck information, Agency shall conduct, at its own expense, a BCI background check on that individual.

IX. Term and Termination

- A. This Agreement will be effective beginning on the latest date of signature below. Either party may terminate this Agreement for any reason after providing three (3) days written notice to the other party. Otherwise, this Agreement will terminate three (3) years from the effective date.
- B. This Agreement cannot be transferred by Agency. If Agency transfers its equipment to another party, this Agreement will terminate automatically.

X. Default and Immediate Termination

The Agency's failure to satisfy any of the terms, conditions, duties, and responsibilities set forth in this Agreement shall constitute a default for which the Attorney General may immediately and without notice terminate this Agreement and Agency's use of and access to WebCheck services. The Attorney General shall also have the right to pursue any and all other remedies against Agency for failure to satisfy any of the terms, conditions, duties, and responsibilities set forth in this Agreement.

XI. Communications, Approval and Notices

Any communications, approvals and notices that must be made to or by the parties pursuant to this Agreement shall be made in writing using the addresses set forth below.

XII. Entire Agreement

This Agreement contains the entire agreement between the parties hereto and shall not be modified, amended or supplemented, or any rights herein waived, unless specifically agreed upon in writing by the parties hereto. This Agreement supersedes any and all previous agreements, whether written or oral, between the parties.

XIII. Facsimile Signatures

Any party hereto may deliver a copy of its counterpart signature page to this Agreement via fax or e-mail. Each party hereto shall be entitled to rely upon a facsimile signature of any other party delivered in such a manner as if such signature were an original.

Remainder of page intentionally left blank

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives.

City of Delaware Police Department
(Agency name)

By: _____

Name: R. Thomas Homan

Title: City Manager

Date: _____

Contact Name: David Fields

Address: 70 North Union Street

Delaware, Ohio 43015

E-mail: dfields@delawareohio.net

Telephone: 740-203-1151

FAX: 740-203-1198

FED TAX ID NO: 31-640-0225

AGENCY ID NO: GGI249

Type: Government Non-Government
 Other _____

OHIO ATTORNEY GENERAL

By: _____

Beth Owens

Director of Identification, BCI

Date: _____

BCI

Attn: Civilian Quality Assurance

PO Box 365

London, OH 43140

E-mail: NationalWebcheck@ohioattorneygeneral.gov

Telephone: 740-845-2113

FAX: 866-912-7118

If your Agency operates more than one National WebCheck system under the same agency ID please list the contact person, phone number and address of each location (attach a separate sheet if necessary).

Contact Name: _____

Phone Number: _____

E-mail address: _____

Address: _____

City, State, Zip Code: _____

Contact Name: _____

Phone Number: _____

E-mail address: _____

Address: _____

City, State, Zip Code: _____

Contact Name: _____

Phone Number: _____

E-mail address: _____

Address: _____

City, State, Zip Code: _____

Contact Name: _____

Phone Number: _____

E-mail address: _____

Address: _____

City, State, Zip Code: _____



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM D DATE: 06/24/2019
ORDINANCE NO: RESOLUTION NO: 19-24
READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council
FROM: R. Thomas Homan, City Manager
VIA: Bruce Pijanowski, Police Chief

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE HOLDER OF THE RECORD AGREEMENT BETWEEN THE DELAWARE CITY POLICE DEPARTMENT AND DELAWARE COUNTY EMERGENCY COMMUNICATIONS.

BACKGROUND:

The Delaware County Emergency Communications center provides dispatch services for the City of Delaware Police Department. Part of those duties include entering and removing data from the Law Enforcement Automated Data System (LEADS) and the National Crime Information Center (NCIC). In order to provide this service, it is required that an agreement be in place to formalize the understanding of the responsibilities between the agencies in the management of these data entries. Specifically, the agreement spells out the duties of each entity that will continue to allow Delaware County Emergency Communications to enter and modify records on behalf of the police department. This resolution will also authorize the city manager to sign any successor agreements that are substantially the same.

REASON WHY LEGISLATION IS NEEDED:

Authorization for the City Manager to sign any agreements pertaining to the Police Department Holder of the Record Agreement with Delaware County Emergency Communications will assure that the police department has full time coverage and capabilities to have important records such as warrants and stolen property entered into LEADS and NCIC.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

No cost to the city, although certain liabilities are assumed.

POLICY CHANGES:

N/A

PRESENTER(S):

Bruce Pijanowski, Chief of Police

RECOMMENDATION:

Approval

ATTACHMENT(S)

Copy of Agreement

RESOLUTION NO. 19-24

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A HOLDER OF THE RECORD AGREEMENT WITH DELAWARE COUNTY EMERGENCY COMMUNICATIONS.

WHEREAS, the Delaware Police Department benefits from the services that the Delaware County Emergency Communications Center provides related to Law Enforcement Automated Data System (LEADS) information and entries; and

WHEREAS, the 9-1-1 Center desires to provide such services and information to the Delaware Police Department pursuant to the terms and conditions set forth in this Agreement.

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

SECTION 1. That the City of Delaware hereby agrees to the terms of the LEADS Holder of the Record Agreement and authorizes the city manager to sign any such similar successor agreement with Delaware County.

SECTION 2. This resolution shall be effective immediately upon its passage.

PASSED: _____, 2019 YEAS___ NAYS___ ABSTAIN ___

ATTEST: _____ CITY CLERK _____ MAYOR



HOLDER OF THE RECORD AGREEMENT

This Holder of the Record Agreement between Delaware City Police Department and Delaware County Emergency Communicaitons dated May 1, 2019 shall be a supplement to a valid User Agreement pursuant to LEADS Administrative Rule 4501:2-10-03(C)(6). All parties agree to the following:

Delaware County Emergency Communicaitons shall be responsible for entering records into LEADS and / or NCIC. Any agency having investigative authority and jurisdiction and having an FBI CJIS - assigned ORI must enter records into NCIC 2000 which meet NCIC 2000 criteria as soon as reasonably possible after the minimum data for entry is available.

Delaware County Emergency Communicaitons shall be responsible for updating all Delaware City Police Department records maintained in LEADS / NCIC in accordance with this Agreement.

Every agency that enters records destined for NCIC 2000 must assure that hit confirmation is available for all records, except III records, 24 hours a day either at that agency or through a written agreement with another agency at its location.

Delaware City Police Department shall notify Delaware County Emergency Communicaitons immediately when any record referred to in this Agreement is to be cleared, canceled or modified in accordance with LEADS / NCIC standards.

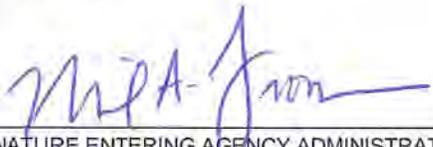
Delaware City Police Department shall provide complete supporting documentation to Delaware County Emergency Communicaitons prior to initial record entries being made by said agency.

Delaware County Emergency Communicaitons shall maintain warrants, reports, protection orders and other associated documents at its location to substantiate all entries made on behalf of Delaware City Police Department.

Delaware County Emergency Communicaitons shall provide regular validations of any record referred to in this Agreement to LEADS in accordance with LEADS / NCIC standards and requirements.

Delaware City Police Department shall provide validation of any record referred to in this Agreement to Delaware County Emergency Communicaitons according to the validation schedule required by LEADS / NCIC standards and requirements.

Any additions or attachments to this Agreement must be reviewed and accepted by LEADS. Upon execution of this Agreement by all parties it becomes part of the aforementioned User Agreements.

By: 
SIGNATURE ENTERING AGENCY ADMINISTRATOR
Michael Frommer
PRINTED ENTERING AGENCY ADMINISTRATOR

Title: County Administrator
Delaware County Emergency
Agency: Communicaitons
ORI: OH021013N

By: _____
SIGNATURE NON-ENTERING AGENCY ADMINISTRATOR
Bruce Pijanowski
PRINTED NON-ENTERING AGENCY ADMINISTRATOR

Title: Chief
Agency: Delaware City Police Department
ORI: OH0210100

Date: 4/24/2019

Date: _____



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM E DATE: 06/24/2019
ORDINANCE NO: RESOLUTION NO: 19-25
READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council
FROM: R. Thomas Homan, City Manager
VIA: Bruce Pijanowski, Police Chief

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE UNITED STATES MARSHALS SERVICE VIOLENT OFFENDER TASK FORCE MEMORANDUM OF UNDERSTANDING.

BACKGROUND:

The Unites States Marshals Service (USMS) has historically operated a violent offender task force in the central Ohio region. Their activity in areas to the North of Columbus has led them to establish a greater presence in Delaware County, and to solicit a more formal involvement with the agencies in Delaware and other counties outside of Franklin Co. Greater involvement would benefit the USMS Violent Offender Task Force by allowing them to generate more activity and to coordinate more effectively with local agencies. The police department would benefit from better coordination of activities within the city and with access to the task force for assistance.

REASON WHY LEGISLATION IS NEEDED:

Authorization is required for the City Manager to sign any inter-governmental agreement.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

Personnel costs

POLICY CHANGES:

N/A

PRESENTER(S):

Bruce Pijanowski, Chief of Police

RECOMMENDATION:

Approval

ATTACHMENT(S)

Copy of MOU

RESOLUTION NO. 19-25

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE UNITED STATES MARSHALS SERVICE VIOLENT OFFENDER TASK FORCE.

WHEREAS, the United States Marshal’s Service (USMS) desires a formal relationship with the Delaware Police Department for purposes of coordination with the USMS Violent Offender Task Force; and

WHEREAS, the Delaware Police Department would benefit from a formal relationship with United States Marshal’s Service; pursuant to the terms and conditions set forth in this Agreement.

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

SECTION 1. That the City of Delaware hereby agrees to the terms of the Unites States Marshal’s Service Violent Offender Task Force – Memorandum of Understanding and authorizes the city manager to sign the MOU.

SECTION 2. This resolution shall be effective immediately upon its passage.

PASSED: _____, 2019 YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK MAYOR

United States Marshals Service
Violent Offender Task Force - Memorandum of Understanding

Rev. 10/2018

PARTIES AND AUTHORITY:

This Memorandum of Understanding (MOU) is entered into by the

and the United States Marshals Service (USMS) pursuant to 28 U.S.C. § 566(e)(1)(B). As set forth in the Presidential Threat Protection Act of 2000 and directed by the Attorney General, the USMS has been granted authority to direct and coordinate permanent USMS Violent Offender Task Forces consisting of Federal, state, and local law enforcement authorities for the purpose of locating and apprehending fugitives. The authority of the USMS to investigate fugitive matters as directed by the Attorney General is set forth in 28 USC § 566. The Director's authority to direct and supervise all activities of the USMS is set forth in 28 USC § 561(g) and 28 CFR 0.111. The authority of United States Marshals and Deputy U.S. Marshals, "in executing the laws of the United States within a State . . . [to] exercise the same powers which a sheriff of the State may exercise in executing the laws thereof" is set forth in 28 USC § 564. Additional authority is derived from 18 USC § 3053 and Office of Investigative Agency Policies Resolutions 2 & 15. (See also) "Memorandum for Howard M. Shapiro, General Counsel, Federal Bureau of Investigation" concerning the "Authority to Pursue Non-Federal Fugitives", issued by the U.S. Department of Justice, Office of Legal Counsel, dated February 21, 1995. (See also) Memorandum concerning the Authority to Pursue Non-Federal Fugitives, issued by the USMS Office of General Counsel, dated May, 1, 1995. (See also) 42 U.S.C. § 16941(a)(the Attorney General shall use the resources of federal law enforcement, including the United States Marshals Service, to assist jurisdictions in locating and apprehending sex offenders who violate sex offender registration requirements).

MISSION:

The primary mission of the task force is to investigate and arrest, as part of joint law enforcement operations, persons who have active state and federal warrants for their arrest. The intent of the joint effort is to investigate and apprehend local, state and federal fugitives, thereby improving public safety and reducing violent crime.

Each participating agency agrees to refer cases for investigation by the VOTF (Violent Offender Task Force). Cases will be adopted by the VOTF at the discretion of the District Chief Deputy. Targeted crimes will primarily include violent crimes against persons, weapons offenses, felony drug offenses, failure to register as a sex offender, and crimes committed by subjects who have a criminal history involving violent crimes, felony drug offenses, and/or weapons offenses. Upon receipt of a written request, the VOTF may also assist non-participating law enforcement agencies in investigating, locating and arresting their fugitives. Task force personnel will be assigned federal, state, and local fugitive cases for investigation. Investigative teams will consist of personnel from different agencies whenever possible. Participating agencies retain responsibility for the cases they refer to the VOTF.

Federal fugitive cases referred to the task force for investigation by any participating agency will be entered into the National Crime Information Center (NCIC) by the USMS or originating agency, as appropriate. State or local fugitive cases will be entered into NCIC (and other applicable state or local lookout systems) as appropriate by the concerned state or local agency.

SUPERVISION:

The VOTF will consist of law enforcement and administrative personnel from federal, state, and local law enforcement agencies. Agency personnel must be approved by the District Chief Deputy prior to assignment to the VOTF. Agency personnel may be removed at any time at the discretion of the District Chief Deputy.

Direction and coordination of the VOTF shall be the responsibility of the USMS District Chief Deputy. Administrative matters which are internal to the participating agencies remain the responsibility of the respective agencies. Furthermore, each agency retains responsibility for the conduct of its personnel.

A Task Force Advisory Committee, consisting of representatives of participating agencies and USMS district personnel, may be established at the discretion of the District Chief Deputy and will meet and confer as necessary to review and address issues concerning operational matters within the VOTF.

PERSONNEL:

In accordance with Homeland Security Presidential Directive 12, personnel assigned to the task force are required to undergo background investigations in order to be provided unescorted access to USMS offices, records, and computer systems. The USMS shall bear the costs associated with those investigations. Non-USMS law enforcement officers assigned to the task force will be deputized as Special Deputy U.S. Marshals.

Task force personnel may be required to travel outside of the jurisdiction to which they are normally assigned in furtherance of task force operations. State or local task force officers (TFOs) traveling on official business at the direction of the USMS shall be reimbursed directly by the USMS for their travel expenses in accordance with applicable federal laws, rules, and regulations.

REIMBURSEMENT:

If the Marshals Service receives Asset Forfeiture funding for either 1) overtime incurred by state and local investigators who provide full time support to USMS VOTF joint law enforcement task forces; or 2) travel, training, purchase or lease of police vehicles, fuel, supplies or equipment for state and local investigators in direct support of state and local investigators, the USMS shall, pending availability of funds, reimburse your organization for expenses incurred, depending on which category of funding is provided.

Reimbursement of overtime work shall be consistent with the Fair Labor Standards Act. Annual overtime for each state or local law enforcement officer is capped at the equivalent of 25% of a GS-1811-12, Step 1, of the general pay scale for the Rest of United States. Reimbursement for all types of qualified expenses shall be contingent upon availability of funds and the submission of a proper request for reimbursement which shall be submitted quarterly on a fiscal year basis, and which provides the names of the investigators who incurred overtime for the VOTF during the quarter; the number of overtime hours incurred, the hourly regular and overtime rates in effect for each investigator, and the total quarterly cost.

The request for reimbursement must be submitted to the District Chief Deputy, who will review the request for reimbursement, stamp and sign indicating that services were received and that the request for reimbursement is approved for payment. Supporting documentation must accompany requests for reimbursement for equipment, supplies, training, fuel, and vehicle leases.

VEHICLES:

Pending the availability of asset forfeiture funding, the USMS may acquire vehicles to be utilized by state and local investigators assigned to the VOTF. Vehicles provided by the USMS remain in the control of the USMS and must be used solely in support of VOTF operations. The vehicles must be available for exclusive use of the TFOs assigned to the VOTF by the undersigned participant agency for the duration of the agency's participation on the task force. If the agency is no longer a participating member of the VOTF, any USMS vehicle provided to the agency for use by TFO(s) must be returned to the USMS. Operators of USMS-provided vehicles must adhere to USMS policy regarding the use of government owned vehicles. Any violation of the USMS vehicle policy may result in the vehicle being repossessed by the USMS and the operator and/or agency forfeiting the opportunity to utilize a USMS-provided vehicle in the future. Vehicles provided to state and local investigators may be subject to additional regulations or restrictions pursuant to USMS lease agreements. Replacement or removal of any vehicle provided by the USMS will be at the discretion of the USMS and/or subject to lease agreement terms.

EQUIPMENT:

Pending the availability of Asset Forfeiture funding, the USMS may purchase equipment for state and local investigators assigned to the VOTF. Equipment purchased by the USMS using Asset Forfeiture funding must be used solely in support of VOTF operations. The equipment must be available for exclusive use of the TFOs assigned to the VOTF by the undersigned participant agency for the duration of the agency's participation on the task force. If the agency is no longer a participating member of the VOTF, any equipment purchased with Asset Forfeiture and provided to TFOs from the agency may be retained by the agency.

Equipment provided by the USMS that is not purchased using Asset Forfeiture funding remains the property of the USMS and will be issued to state and local investigators for exclusive use in support of the VOTF. If the investigator or agency is no longer a participating member of the VOTF, any equipment issued that was not purchased with Asset Forfeiture funding will be returned to the USMS.

RECORDS AND REPORTS:

Original reports of investigation, evidence, and other investigative materials generated, seized, or collected by the VOTF shall be retained by the agency in the VOTF responsible for the case. However, evidence may be turned over to other law enforcement agencies as appropriate. Copies of investigative reports and other materials may be provided to other agencies in accordance with applicable laws, rules, and regulations. Task force statistics will be maintained in the USMS Mission System. Statistics will be made available to any participating agency upon request.

CONFIDENTIAL SOURCES / CONFIDENTIAL INFORMANTS:

Pending the availability of funds, the USMS may provide funding for payment of Confidential Sources (CS) or Confidential Informants (CI). The use of CS/CIs, registration of CS/CIs and all payments to CS/CIs shall comply with USMS policy. USMS payment to an individual providing information or "tip" related to a USMS offered reward on an active Fugitive case shall be accomplished by registering the individual or "tipster" through the established USMS CS payment process.

USE OF FORCE:

All members of the VOTF will comply with their agencies' guidelines concerning the use of firearms, deadly force, and less-than lethal devices, to include completing all necessary training and certification requirements. All members of the VOTF and their parent agencies will read and adhere to the DOJ Policy Statement on the Use of Less-Than-Lethal Devices, dated May 16, 2011. Copies of all applicable firearms, deadly force, and less-than-lethal policies shall be provided to the District Chief Deputy and each concerned TFO. In the event of a shooting involving task force personnel, the incident will be investigated by the appropriate agency(s).

Additionally, in the event of a shooting, the required reporting for the FBI National Use of Force Data Collection (NUOFDC) should be accomplished by the involved task force personnel's employing agency when the TFO is inside their primary/physical jurisdiction and by the USMS when the TFO is outside their employing agency's primary/physical jurisdiction. If the employing agency wishes to submit such NUOFDC entries regardless of the physical location of the event, that is allowed under this MOU with prior written notice to the USMS.

NEWS MEDIA:

Media inquires will be referred to the District Chief Deputy. A press release may be issued and press conference held, upon agreement and through coordination with participant agencies' representatives. All press releases will exclusively make reference to the task force.

RELEASE OF LIABILITY:

Each agency shall be responsible for the acts or omissions of its employees. Participating agencies or their employees shall not be considered as the agents of any other participating agency. Nothing herein waives or limits sovereign immunity under federal or state statutory or constitutional law.

EFFECTIVE DATE AND TERMINATION:

This MOU is in effect once signed by a law enforcement participant agency. Participating agencies may withdraw their participation after providing 30 days advanced written notice to the District Chief Deputy U.S. Marshal.

District:

Southern District of Ohio

United States Marshal:

Print Name:

Peter Tobin, USM

Signature:

Date:

Participant Agency:

Name:

Phone:

Location (City and State):

Participant Agency Representative(s):

Print Name and Title:

Signature:

Date:

Assistant Director, Investigative Operations Division:

Print Name:

Jeff Tyler

Signature:

Date:



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM F DATE: 06/24/2019

ORDINANCE NO: RESOLUTION NO: 19-26

READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Bruce Pijanowski, Police Chief

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A SUBSIDY AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES DIVISION OF WILDLIFE TO ACCEPT GRANT FUNDS.

BACKGROUND:

The Delaware Police Department held its first annual "Fish with a Cop" event last year at Blue Limestone Park for the youth within the city. The event was well attended and provided a very successful opportunity for officers to interact with youth beyond a formal encounter. It also provided an opportunity for the police department, in conjunction with the Ohio Department of Natural Resources, to bring awareness to the City's aquatic resources through a "hands on" educational fishing experience.

A second "Fish with a Cop" event has been scheduled for August of 2019. The State of Ohio Department of Natural Resources Division of Wildlife (ODNR) has agreed to assist the Delaware Police Department in facilitating this event. ODNR has awarded the City of Delaware Police Department with two subsidy grants in the amounts of \$2,500 and \$6,500 to purchase equipment (last year's attendees all received a free fishing pole) for the event.

REASON WHY LEGISLATION IS NEEDED:

All intergovernmental agreements require authorization by council and such agreement is required for the City of Delaware to accept the funds granted by the State of Ohio ODNR

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S):

None

POLICY CHANGES:

None

PRESENTER(S):

Bruce Pijanowski, Chief of Police

Adam Moore, Captain

RECOMMENDATION:

Approval

ATTACHMENT(S)

(2) Subsidy Agreements between the City of Delaware Police Department and the State of Ohio Department of Natural Resources Division of Wildlife

RESOLUTION NO. 19-26

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A SUBSIDY AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES DIVISION OF WILDLIFE TO ACCEPT GRANT FUNDS

WHEREAS, the City of Delaware Police Department facilitates a "Fishing with a Cop" event at a city park for the youth of Delaware; and

WHEREAS, the "Fishing with a Cop" event fosters youth engagement and builds community relationships through aquatic education, the use of aquatic resources, and promotes an angling opportunity in Ohio; mutual goals of the Delaware Police Department and Ohio Department of Natural Resources Division of Wildlife (ODNR); and

WHEREAS, the State of Ohio Department of Natural Resources Division of Wildlife (ODNR) supports and assists the Delaware Police Department with this event and has monies available, via grant, to purchase supplies and equipment; and

WHEREAS, the City of Delaware Police Department has qualified for an ODNR grant and/or grants.

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

SECTION 1. That the City Manager is hereby authorized to sign the subsidy agreement with the State of Ohio Department of Natural Resources Division of Wildlife accepting monies for use in facilitating the "Fishing with a Cop" event.

SECTION 2. This resolution shall be effective immediately upon its passage.

PASSED: _____, 2019

YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR

**SUBSIDY AGREEMENT
BETWEEN
DELAWARE CITY POLICE DEPARTMENT
AND
STATE OF OHIO
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE**

This Agreement is made and entered into this _____ day of _____, _____ by and between DELAWARE CITY POLICE DEPARTMENT, hereinafter referred to as the "Cooperator" and the State of Ohio, Department of Natural Resources, Division of Wildlife, 2045 Morse Rd., Bldg. G, Columbus, Ohio 43229, hereinafter referred to as the "Division" or "State." This Agreement is entered under the authority of Sections 1533.15 and 1533.28 of the Ohio Revised Code (R.C.).

This Agreement is made under the terms and conditions of a U.S. Department of the Interior, U.S. Fish and Wildlife Service (USFWS) grant to the Division through Federal Award Identification Number F18AF00502, effective July 1, 2018 in the amount of \$2500.00, with a total award amount of \$8,886,567.34 and known to the Division as Project No. DNRPIOAX01, CFDA No. 15.605.

WHEREAS, the Cooperator and the Division both have an interest in providing aquatic education programs to improve public awareness of aquatic resources and angling opportunities in Ohio; and

WHEREAS, the Cooperator is implementing aquatic education programs that will benefit anglers and educators in Ohio by making effective aquatic education and angling programs more available to all people, and will promote fishing, aquatic life systems, and sound stewardship of aquatic resources; and

WHEREAS, the Division receives federal funds from the Sport Fish Restoration program (CFDA No. 15.605) made available to Cooperator in the amount of \$2500.00 to support and enhance aquatic education programs and resources; and

WHEREAS, the Cooperator is qualified to provide aquatic education programs to the citizens of Ohio; and

NOW THEREFORE, in consideration of the mutual advantages resulting from such cooperation and the respective advantages assumed hereunder, the parties mutually agree as follows:

A. THE COOPERATOR SHALL:

1. Undertake the work and activities set forth in Exhibit 1 (hereinafter referred to as "Project"), which is attached hereto, and incorporated by reference as if fully rewritten herein. Successful fulfillment of this Agreement shall be measured by delivery of the supplied final report form within 60 days after each event or activity. The Division shall acknowledge the Cooperator's completion of, and have unrestricted authority to reproduce, distribute, and use in whole or in part, any submitted material, data, or report prepared as a consequence of this Agreement.
2. Abide by 2 CFR 200 "Uniform Guidance" to determine the permissibility of all costs, both those charged to the Division and those contributed by the Cooperator.
3. Upon payment of the final invoice by the Cooperator for work performed in connection with the Project, the Cooperator will refund to the Division any and all unexpended Project funds which were advanced to the Cooperator.

4. Consult with personnel of the Division for technical assistance and expertise as necessary to assure successful completion of the Project.
5. Maintain records of actual expenditures made on behalf of the work performed under the Agreement in accordance with 2 CFR 200 "Uniform Guidance" for a period of at least five years after final payment. These records are subject to audit by the Division, the U.S. Fish and Wildlife Service, the Comptroller General, or their representatives with reasonable notice to the Cooperator. The Division shall have the right to disallow any costs which are not reasonable, allocable to the work performed, nor allowable under the terms of 2 CFR 200 "Uniform Guidance." The Cooperator shall repay to the Division any such disallowed cost upon written notice but reserves the right to appeal any decision.
6. Maintain records of any equipment purchased under the terms of this Agreement indefinitely in accordance with 2 CFR 200 "Uniform Guidance." Any item listed in Exhibit 1 is deemed to have been approved by the Division for purchase by the Cooperator. Any item of equipment not listed in the proposal shall not be purchased without the prior written approval of the Division.
7. Provide appropriate recognition to the Division on the printed materials accompanying the production of their role in the Agreement project. This recognition shall include the prominent display of the Division of Wildlife and USFWS Wildlife and Sportfish Restoration logos on all publications, related printed materials, and websites.
8. Maintain a complete accounting of all instructor and volunteer time accumulated during this Project. Volunteer time and other contributions may be used by the Division for in-kind matching funds. The Cooperator shall report this information to the Division within 60 days following the date of the last activity of the Project.
9. Not convert equipment to uses other than those originally approved by the Division, and shall not transfer said equipment without cost, and shall not sell said equipment without written approval of the Division. If, for any reason during the one-year period of this Agreement, the Cooperator finds that such equipment is no longer needed for its originally approved use, the Cooperator shall notify the Division in writing of such finding. With written approval of the Division, the Cooperator may convert said equipment to a use other than that originally approved, transfer said equipment without cost, or sell said equipment. For conversions, sales, or transfers made during the one-year period, the Cooperator shall repay to the Division within forty-five (45) days of the approved disposition of said equipment, seventy-five percent (75%) of any expended funds granted by the Division for the originally approved purchase of said equipment.
10. If, at the end of the one-year period, the market value of the equipment is greater than fifty percent (50%) of any expended funds granted by the Division for the originally-approved purchase of said equipment, the Cooperator shall develop a disposition plan and request approval from the Division. If the market value of the equipment is less than fifty percent (50%) of the expended funds granted by the Division for the originally-approved purchase of said equipment, the Cooperator may dispose of the equipment in a manner consistent with 2 CFR 200 "Uniform Guidance."

B. THE DIVISION SHALL:

1. Provide funding in the amount of \$2500.00 for performance of the Project. Obligations of the State are subject to the provisions of the R.C. Section 126.07.
2. Provide technical assistance needed to assure understanding of Project requirements.
3. Have the right to inspect club facilities to ensure compliance with Agreement criteria.
4. Acknowledge the Cooperator as a partner in the Division's aquatic education efforts.
5. Evaluate & score applications based on Agreement criteria.
6. Evaluate final project reports based on the application and Agreement requirements.

C. IT IS MUTUALLY AGREED AND UNDERSTOOD THAT:

1. Work under this Agreement shall not commence until the Cooperator has been officially notified by the Division to proceed. Any services or materials supplied by the Cooperator prior to such notification shall not give rise to any legal obligation upon the Division.
2. No indirect costs are authorized as part of this Agreement. This award *is not* for research and development purposes.
3. This Agreement is effective as of the date first written above and shall continue in effect until June 30, 2019. At that time the state may renew the Agreement under the same terms and conditions by mutual written agreement for a term ending June 30, 2020. Performance by the Division under this Agreement may be dependent upon the appropriation of funds by the Ohio General Assembly. If the Ohio General Assembly fails at any time to continue funding for the payments due hereunder, this Agreement is hereby terminated as of the date that the funding expires without further obligation of the Division.
4. The terms of this Agreement are subject to revision by mutual, written, consent by both parties; and further provided that, prior to the completion of this Agreement, either party hereto shall have the option and privilege of terminating this Agreement by giving a thirty (30)-day written notice of intention to terminate to the other party. If the Agreement is terminated at the request of the Cooperator then a full refund of the Agreement monies shall be required within thirty (30) days. If the Agreement is terminated by the Division, the Cooperator shall reimburse the Division for unexpended funds.
5. The Division reserves the right at any time after execution of this Agreement, to terminate the Agreement, in whole, or in part, upon written notification to the Cooperator. At termination, the Cooperator shall furnish to the Division a copy of all invoices and records per paragraph A.5., with a statement as to the amount of work completed on said Project. Upon receipt of the above information the Chief, Division of Wildlife, shall determine the percent completion of the Project, and pay a pro-rated amount of the original Agreement price based on said percentage. The Cooperator agrees that determination of said amount, by the Chief, Division of Wildlife, is a binding and final determination. However, the Cooperator may request reconsideration by the Chief, Division of Wildlife, upon evidence not initially submitted at the time of termination of the Agreement.
6. This Agreement is not part of any other Agreement between the Cooperator and the Ohio Department of Natural Resources and/or the Division.
7. If the Cooperator does not comply with all the terms and conditions of this Agreement, the Agreement shall be immediately canceled and all monies due the Cooperator shall be forfeited to the State.
8. The Cooperator shall be solely responsible for any and all claims and liability for personal injury, including death, or property damage resulting from negligent or intentional acts or omissions of the Cooperator and its employees while they are conducting the work performed under this Agreement.
9. On and after the date of this Agreement, and to the extent allowable by law, the Cooperator agrees to defend and hold the State harmless from loss, damage, or liability in case of claim or suit made against the State by reason of any incident arising from, concerning, or in any way connected with the implementation, construction, operation, or maintenance of the Project.
10. The laws of the state of Ohio shall govern this Agreement and any claims arising in any way out of this Agreement. Any provision of this Agreement prohibited by the law of Ohio shall be deemed void and of no effect; however, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained

herein. Any litigation arising out of or relating in any way to this Agreement or the performance hereunder shall be brought only in the courts of Franklin County, Ohio, and Cooperator hereby irrevocably consents to such jurisdiction.

11. The Cooperator certifies that neither it nor its employees are public employees of the Division under federal and state law for tax, retirement deduction, and Workers' Compensation purposes and that the Cooperator carries Workers' Compensation coverage. The Cooperator is undertaking the work under this Agreement as an independent contractor and not as an agent or employee of the Division. Nothing in this Agreement shall be construed so as to create a partnership, joint venture, or other relationship between the parties.
12. Cooperator affirms that it has all the approvals, licenses, or other qualifications needed to conduct business in Ohio and that all are current. Cooperator represents and warrants that it is not debarred from consideration for contract awards by the Director of the Department of Administrative Services, pursuant to either R.C. 153.02 or R.C. 125.25. If for any reason Cooperator becomes disqualified from conducting business in Ohio during the term of this Agreement, Cooperator shall both immediately notify the Division in writing and cease performance of work.
13. Cooperator represents and warrants that it is not debarred from consideration for contract awards under 2 CFR 180. If, for any reason, the Cooperator becomes disqualified from conducting business in the United States during the term of this Agreement, or if Cooperator becomes subject to any reportable event outlined in Section 872 of Public Law 110-417 (41 U.S.C. 2313), Cooperator shall both immediately notify the Division in writing and cease performance of work. Failure to provide such notice in a timely fashion as required by the Federal funding authority shall void this Agreement and may be sufficient cause for the State or the Federal funding agency to debar the Cooperator from future State contracting opportunities as may be permitted by state or federal law, guidance for which is provided at 2 CFR Sections 180 and 200.212.
14. The Cooperator shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, age, military status, disability, national origin, or ancestry. The Cooperator shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, sexual orientation, age, military status, disability, national origin or ancestry. Such action shall include, but is not limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination, including apprenticeship. The Cooperator agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Division setting forth the provisions of this nondiscrimination clause.
15. This program receives Federal financial assistance from the U.S. Fish and Wildlife Service. Under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, the U.S. Department of the Interior and its bureaus prohibit discrimination on the bases of race, color, national origin, disability, age or sex (in educational programs). If you believe that you have been discriminated against in any program, activity, or facility, or if you desire further information, please write to:

The U. S. Fish and Wildlife Service
Office for Diversity and Civil Rights Programs-External Programs
4040 N. Fairfax Drive, Suite 130
Arlington, VA 22203

16. The Cooperator affirmatively represents and warrants to the Division that it is not subject to a finding for recovery under R.C. 9.24, or that it has taken appropriate remedial steps required under R.C. 9.24 or otherwise qualifies under that section. Cooperator agrees that if this representation or warranty is deemed to be false, the Agreement shall be void

ab initio as between the parties to this Agreement, and any funds paid by the Division hereunder immediately shall be repaid to the Division, or an action for recovery immediately may be commenced by the Division for recovery of said funds.

17. The Cooperator affirms that, as applicable to it, no party listed in Division (I) or (J) of R.C. Section 3517.13 or spouse of such party has made, as an individual, within the two previous calendar years, one or more contributions totaling in excess of \$1,000.00 to the Governor or to his campaign committees.
18. The Cooperator agrees to comply with all applicable state and federal drug-free workplace laws. The Cooperator shall make a good faith effort to ensure that all program participants will not purchase, transfer, use, or possess illegal drugs or alcohol or abuse prescription drugs in any way while under the Cooperator's supervision during its training programs. The Cooperator further agrees to provide smoke-free classrooms for all participants.
19. The Cooperator by signature on this document, certifies that it: (i) has reviewed and understands the Ohio ethics and conflict of interest laws as found in R.C. Chapter 102 and in R.C. Sections 2921.42 and 2921.43, and (ii) will take no action inconsistent with those laws. The Cooperator understands that failure to comply with Ohio's ethics and conflict of interest laws is, in itself, grounds for termination of this Agreement and may result in the loss of other contracts or grants with the State of Ohio.
20. The Cooperator affirms to have read and understands Executive Order 2019-12D issued by Ohio Governor Mike DeWine and signed and completed the Standard Affirmation and Disclosure Form and shall abide by those requirements in the performance of this Agreement and perform no services required under this Agreement outside of the United States. The Executive Order is available at the following website: <https://governor.ohio.gov/wps/portal/gov/governor/media/executive-orders/2019-12d>
21. The Cooperator will not assign any of its rights nor delegate any of its duties and responsibilities under this Agreement without prior written consent of the Division. Any assignment or delegation not consented to may be deemed void by the Division.
22. Pursuant to R. C. 9.76, the Cooperator hereby declares that it is not boycotting any jurisdiction with whom the State of Ohio can participate in open trade, including the nation of Israel, and will not do so during the term of this Agreement.
23. This Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original and taken together shall be deemed to be one and the same instrument. This Agreement may be executed and delivered by electronically in Microsoft Word or PDF format.
24. For any notices under this Agreement to be effective the notice must be made in writing and delivered to the contact provided below.

<p>ODNR-DOW Contacts:</p> <p>John Farson (614)265-6310</p>	<p>Cooperator Contact:</p> <p>JOHN HARTMAN (740) 203-1133</p>	<p>Federal Grant Contact:</p> <p>Chris French (614) 265-6721</p> <p>Ann Schneider (612) 713-5146</p>
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IN WITNESS WHEREOF, the parties hereto have set their hands as of the date(s) written herein below.

COOPERATOR

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE

Signature of Authorized Officer

Kendra S. Wecker, Chief

Division of Wildlife

As Designee For:

Mary C. Mertz, Director

Ohio Department of Natural Resources

Printed Name

Title

Date

DELAWARE CITY POLICE DEPARTMENT
Organization Name

Date

316400225
Federal Tax ID Number

620143008
DUNS Number

**SUBSIDY AGREEMENT
BETWEEN
CITY OF DELAWARE POLICE DEPARTMENT
AND
STATE OF OHIO
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE**

This Agreement is made and entered into this _____ day of _____, _____ by and between CITY OF DELAWARE POLICE DEPARTMENT (DUNS No. 071643498), hereinafter referred to as the "Cooperator" and the State of Ohio, Department of Natural Resources, Division of Wildlife, 2045 Morse Rd., Bldg. G, Columbus, Ohio 43229, hereinafter referred to as the "Division" or "State." This Agreement is entered under the authority of Sections 1533.15 and 1533.28 of the Ohio Revised Code (R.C.).

This Agreement is made under the terms and conditions of a U.S. Department of the Interior, U.S. Fish and Wildlife Service (USFWS) grant to the Division through Federal Award Identification Number F-69-P-27, effective July 1, 2019 in the amount of \$6,500.00, with a total award amount of \$8,745,406.71 and known to the Division as Project No. DNRPIOAX01, CFDA No. 15.605.

WHEREAS, the Cooperator and the Division both have an interest in providing aquatic education programs to improve public awareness of aquatic resources and angling opportunities in Ohio; and

WHEREAS, the Cooperator is implementing aquatic education programs that will benefit anglers and educators in Ohio by making effective aquatic education and angling programs more available to all people, and will promote fishing, aquatic life systems, and sound stewardship of aquatic resources; and

WHEREAS, the Division receives federal funds from the Sport Fish Restoration program (CFDA No. 15.605) made available to Cooperator in the amount of \$6,500.00 to support and enhance aquatic education programs and resources; and

WHEREAS, the Cooperator is qualified to provide aquatic education programs to the citizens of Ohio; and

NOW THEREFORE, in consideration of the mutual advantages resulting from such cooperation and the respective advantages assumed hereunder, the parties mutually agree as follows:

A. THE COOPERATOR SHALL:

1. Undertake the work and activities set forth in Exhibit 1 (hereinafter referred to as "Project"), which is attached hereto, and incorporated by reference as if fully rewritten herein. Successful fulfillment of this Agreement shall be measured by delivery of the supplied final report form within 60 days after each event or activity. The Division shall acknowledge the Cooperator's completion of, and have unrestricted authority to reproduce, distribute, and use in whole or in part, any submitted material, data, or report prepared as a consequence of this Agreement.
2. Abide by 2 CFR 200 "Uniform Guidance" to determine the permissibility of all costs, both those charged to the Division and those contributed by the Cooperator.
3. Upon payment of the final invoice by the Cooperator for work performed in connection with the Project, the Cooperator will refund to the Division any and all unexpended Project funds which were advanced to the Cooperator.

4. Consult with personnel of the Division for technical assistance and expertise as necessary to assure successful completion of the Project.
 5. Maintain records of actual expenditures made on behalf of the work performed under the Agreement in accordance with 2 CFR 200 "Uniform Guidance" for a period of at least five years after final payment. These records are subject to audit by the Division, the U.S. Fish and Wildlife Service, the Comptroller General, or their representatives with reasonable notice to the Cooperator. The Division shall have the right to disallow any costs which are not reasonable, allocable to the work performed, nor allowable under the terms of 2 CFR 200 "Uniform Guidance." The Cooperator shall repay to the Division any such disallowed cost upon written notice but reserves the right to appeal any decision.
 6. Maintain records of any equipment purchased under the terms of this Agreement indefinitely in accordance with 2 CFR 200 "Uniform Guidance." Any item listed in Exhibit 1 is deemed to have been approved by the Division for purchase by the Cooperator. Any item of equipment not listed in the proposal shall not be purchased without the prior written approval of the Division.
 7. Provide appropriate recognition to the Division on the printed materials accompanying the production of their role in the Agreement project. This recognition shall include the prominent display of the Division of Wildlife and USFWS Wildlife and Sportfish Restoration logos on all publications, related printed materials, and websites.
 8. Maintain a complete accounting of all instructor and volunteer time accumulated during this Project. Volunteer time and other contributions may be used by the Division for in-kind matching funds. The Cooperator shall report this information to the Division within 60 days following the date of the last activity of the Project.
 9. Not convert equipment to uses other than those originally approved by the Division, and shall not transfer said equipment without cost, and shall not sell said equipment without written approval of the Division. If, for any reason during the one-year period of this Agreement, the Cooperator finds that such equipment is no longer needed for its originally approved use, the Cooperator shall notify the Division in writing of such finding. With written approval of the Division, the Cooperator may convert said equipment to a use other than that originally approved, transfer said equipment without cost, or sell said equipment. For conversions, sales, or transfers made during the one-year period, the Cooperator shall repay to the Division within forty-five (45) days of the approved disposition of said equipment, seventy-five percent (75%) of any expended funds granted by the Division for the originally approved purchase of said equipment.
 10. If, at the end of the one-year period, the market value of the equipment is greater than fifty percent (50%) of any expended funds granted by the Division for the originally-approved purchase of said equipment, the Cooperator shall develop a disposition plan and request approval from the Division. If the market value of the equipment is less than fifty percent (50%) of the expended funds granted by the Division for the originally-approved purchase of said equipment, the Cooperator may dispose of the equipment in a manner consistent with 2 CFR 200 "Uniform Guidance."
- B. THE DIVISION SHALL:
1. Provide funding in the amount of **\$6,500.00** for performance of the Project. Obligations of the State are subject to the provisions of the R.C. Section 126.07.
 2. Provide technical assistance needed to assure understanding of Project requirements.
 3. Have the right to inspect club facilities to ensure compliance with Agreement criteria.
 4. Acknowledge the Cooperator as a partner in the Division's aquatic education efforts.
 5. Evaluate & score applications based on Agreement criteria.

6. Evaluate final project reports based on the application and Agreement requirements.
- C. IT IS MUTUALLY AGREED AND UNDERSTOOD THAT:
1. Work under this Agreement shall not commence until the Cooperator has been officially notified by the Division to proceed. Any services or materials supplied by the Cooperator prior to such notification shall not give rise to any legal obligation upon the Division.
 2. No indirect costs are authorized as part of this Agreement. This award *is not* for research and development purposes.
 3. This Agreement is effective as of the date first written above and shall continue in effect until June 30, 2020. At that time the state may renew the Agreement under the same terms and conditions by mutual written agreement for a term ending June 30, 2021. Performance by the Division under this Agreement may be dependent upon the appropriation of funds by the Ohio General Assembly. If the Ohio General Assembly fails at any time to continue funding for the payments due hereunder, this Agreement is hereby terminated as of the date that the funding expires without further obligation of the Division.
 4. The terms of this Agreement are subject to revision by mutual, written, consent by-both parties; and further provided that, prior to the completion of this Agreement, either party hereto shall have the option and privilege of terminating this Agreement by giving a thirty (30)-day written notice of intention to terminate to the other party. If the Agreement is terminated at the request of the Cooperator then a full refund of the Agreement monies shall be required within thirty (30) days. If the Agreement is terminated by the Division, the Cooperator shall reimburse the Division for unexpended funds.
 5. The Division reserves the right at any time after execution of this Agreement, to terminate the Agreement, in whole, or in part, upon written notification to the Cooperator. At termination, the Cooperator shall furnish to the Division a copy of all invoices and records per paragraph A.5., with a statement as to the amount of work completed on said Project. Upon receipt of the above information the Chief, Division of Wildlife, shall determine the percent completion of the Project, and pay a pro-rated amount of the original Agreement price based on said percentage. The Cooperator agrees that determination of said amount, by the Chief, Division of Wildlife, is a binding and final determination. However, the Cooperator may request reconsideration by the Chief, Division of Wildlife, upon evidence not initially submitted at the time of termination of the Agreement.
 6. This Agreement is not part of any other Agreement between the Cooperator and the Ohio Department of Natural Resources and/or the Division.
 7. If the Cooperator does not comply with all the terms and conditions of this Agreement, the Agreement shall be immediately canceled and all monies due the Cooperator shall be forfeited to the State.
 8. The Cooperator shall be solely responsible for any and all claims and liability for personal injury, including death, or property damage resulting from negligent or intentional acts or omissions of the Cooperator and its employees while they are conducting the work performed under this Agreement.
 9. On and after the date of this Agreement, and to the extent allowable by law, the Cooperator agrees to defend and hold the State harmless from loss, damage, or liability in case of claim or suit made against the State by reason of any incident arising from, concerning, or in any way connected with the implementation, construction, operation, or maintenance of the Project.
 10. The laws of the state of Ohio shall govern this Agreement and any claims arising in any way out of this Agreement. Any provision of this Agreement prohibited by the law of Ohio shall be deemed void and of no effect; however, such invalidity, illegality, or

unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein. Any litigation arising out of or relating in any way to this Agreement or the performance hereunder shall be brought only in the courts of Franklin County, Ohio, and Cooperator hereby irrevocably consents to such jurisdiction.

11. The Cooperator certifies that neither it nor its employees are public employees of the Division under federal and state law for tax, retirement deduction, and Workers' Compensation purposes and that the Cooperator carries Workers' Compensation coverage. The Cooperator is undertaking the work under this Agreement as an independent contractor and not as an agent or employee of the Division. Nothing in this Agreement shall be construed so as to create a partnership, joint venture, or other relationship between the parties.
12. Cooperator affirms that it has all the approvals, licenses, or other qualifications needed to conduct business in Ohio and that all are current Cooperator represents and warrants that it is not debarred from consideration for contract awards by the Director of the Department of Administrative Services, pursuant to either R.C. 153.02 or R.C. 125.25. If for any reason Cooperator becomes disqualified from conducting business in Ohio during the term of this Agreement, Cooperator shall both immediately notify the Division in writing and cease performance of work.
13. Cooperator represents and warrants that it is not debarred from consideration for contract awards under 2 CFR 180. If, for any reason, the Cooperator becomes disqualified from conducting business in the United States during the term of this Agreement, or if Cooperator becomes subject to any reportable event outlined in Section 872 of Public Law 110-417 (41 U.S.C. 2313), Cooperator shall both immediately notify the Division in writing and cease performance of work. Failure to provide such notice in a timely fashion as required by the Federal funding authority shall void this Agreement and may be sufficient cause for the State or the Federal funding agency to debar the Cooperator from future State contracting opportunities as may be permitted by state or federal law, guidance for which is provided at 2 CFR Sections 180 and 200.212.
14. The Cooperator shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, age, military status, disability, national origin, or ancestry. The Cooperator shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, sexual orientation, age, military status, disability, national origin or ancestry. Such action shall include, but is not limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination, including apprenticeship. The Cooperator agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Division setting forth the provisions of this nondiscrimination clause.
15. This program receives Federal financial assistance from the U.S. Fish and Wildlife Service. Under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, the U.S. Department of the Interior and its bureaus prohibit discrimination on the bases of race, color, national origin, disability, age or sex (in educational programs). If you believe that you have been discriminated against in any program, activity, or facility, or if you desire further information, please write to:

The U. S. Fish and Wildlife Service
Office for Diversity and Civil Rights Programs-External Programs
4040 N. Fairfax Drive, Suite 130
Arlington, VA 22203

IN WITNESS WHEREOF, the parties hereto have set their hands as of the date(s) written herein below.

COOPERATOR

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE

Signature of Authorized Officer

Kendra S. Wecker, Chief
Division of Wildlife
As Designee For:
Mary C. Mertz, Director
Ohio Department of Natural Resources

Printed Name

Title

Date

Organization Name

Date

Federal Tax ID Number

FISCAL IMPACT(S):

Costs were incurred to install the signage as a temporary condition in 2018, so no additional materials are needed to make this a permanent installation.

POLICY CHANGES:

None

PRESENTER(S):

Bruce Pijanowski, Chief of Police

RECOMMENDATION:

Approval

ATTACHMENT(S)

Response to survey

3A

Bruce Pijanowski

From: kris prengaman <kris.s.preng@gmail.com>
Sent: Sunday, April 7, 2019 9:39 AM
To: Bruce Pijanowski
Subject: [BULK] Parking on fountain ave

Importance: Low

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hi! In response to your letter, i was never bothered by the kids parking in front of my house. Mine is the corner house and the driveway is off Euclid ave. So your change to the rules has had no impact.

I will add that I am glad there's no parking on Euclid though!

Kris Prengaman

Bruce Pijanowski

From: Clay Snyder <clay@snyderfuneralhomes.com>
Sent: Thursday, April 11, 2019 6:33 PM
To: Bruce Pijanowski
Subject: Fwd: Parking W Fountain Ave.
Attachments: IMG_6880.jpg; IMG_6877.jpg; IMG_6878.jpg; IMG_6882.jpg

*****ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.*****

Chief Pijanowski:

Appreciate you for reaching out regarding the continued parking concerns on W. Fountain Ave.

I have attached photos the parking concern which occurs every M-F in front of our house at 275 W. Fountain Ave., of the 11 or so cars which now park on the South side of Fountain Ave during the restrictions, 6 plus are usually in front of our house. You can see the one individual car encroaching our personal driveway this past Tuesday. The issues of trash and parking in front of our trash cans on trash day continues to be an issue. With the largest curbiage if you will we continue to be the bearer of the current "solution" in the midst of feeling the largest real estate tax burden for that curbiage and inconvenience as a property owner.

I assure you the two residents on the North side of the Fountain and directly in front of our house are not able to park in front of their own house due to the restrictions and being required to move their vehicles before 7:45 am. Each of them have two cars requiring one for each to also be parked in front of our house. I in fact am also frustrated when because of the student parking consuming all the frontage in front of our home, that there is not room for our guests to park in front of our house, let alone any of our own personal vehicles.

As mentioned previously, I would suggest permit stickers being issued for the residents between Euclid and Forest Streets so that those home owners and or guests can at least park in front of their own house. Replacing the signage to read permit parking only during M-F 7:30 - 3:45 would stop the issue of student parking. Perhaps a "Guest Pass" that the residents could then place in the windows of those visiting guests automobiles during those restricted times. I also fully appreciate that your department does not want to take their time and efforts to deal with the issue, but please understand and appreciate that those of us on W. Fountain Ave must deal with the issue daily while school is in session.

The neighbor, I believe who caused the original concern (thus handicapping the property owners on the South side of W. Fountain Ave.) has sold their home it would appear and will be leaving the neighborhood.

Certainly no easy solution, I as a tax paying resident just do not care for being the brunt of it.

Again, I suggest permit parking only during those hours requiring the school to be responsible for providing space for the students or removing the restrictions so that all the property owners are required to deal with the pain of the issue rather than just three.

Thank you for being an open ear to it's remedy.

Clay

3A

Clay Snyder

Snyder-Rodman Funeral Center
DeVore-Snyder Funeral Homes
Delaware and Sunbury
740-362-1611



3A

Resident
W. Fountain Ave
Delaware, OH 43015

April 2, 2019

Dear Resident,

Prior to the 2018-2019 school year, City Council took up the issue of restricting parking on W. Fountain Ave between Forest Ave and Euclid Ave. City Council ultimately made the decision to ban parking *for a one school year trial period* on the N. side of W. Fountain Ave between the hours of 7:30 AM and 3:45 PM on school days.

As we are nearing the end of the school year, I am now reaching out to the impacted neighbors to get your feedback on how the parking ban has worked, and to solicit feedback as we consider next steps.

If you should have any observations, comments or concerns that may be helpful in evaluating this parking ban, please feel free to call me at 740-203-1101, or email me at bpijanowski@delawareohio.net.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bruce Pijanowski".

Bruce Pijanowski
Chief of Police

3A

RESIDENT
256 W. FOUNTAIN AVE.
DELAWARE, OH 43015

RESIDENT
262 W. FOUNTAIN AVE.
DELAWARE, OH 43015

RESIDENT
270 W. FOUNTAIN AVE.
DELAWARE, OH 43015

RESIDENT
276 W. FOUNTAIN AVE.
DELAWARE, OH 43015

RESIDENT
282 W. FOUNTAIN AVE.
DELAWARE, OH 43015

RESIDENT
292 W. FOUNTAIN AVE.
DELAWARE, OH 43015

RESIDENT
291 W. FOUNTAIN AVE.
DELAWARE, OH 43015

RESIDENT
275 W. FOUNTAIN AVE.
DELAWARE, OH 43015

RESIDENT
265 W. FOUNTAIN AVE.
DELAWARE, OH 43015

RESIDENT
255 W. FOUNTAIN AVE.
DELAWARE, OH 43015

RESIDENT
75 W. FOREST AVE.
DELAWARE, OH 43015



PRESENTATION A:

Delaware Citizen Police Academy Alumni Association

Presented by:

**John Rybka, Former Vice-President
Bernie Workman, Former President**

Delaware Citizen Police Academy Alumni Association (DCPAAA)



Informational Briefing

Presented by:

John Rybka, Past Vice-President, DCPAAA

Bernie Workman, Past President, DCPAAA

DCPAAA By-Laws 501(c)(3)

- **Purpose:**

- To function as an interactive support program between the Delaware Police Department and the citizen, and
- To expand knowledge in the areas of law enforcement, crime prevention, and public safety.

- **Police Liaison Officer:**

- Acts in an advisory capacity to the corporation and is the primary contact for the corporation with the Delaware Police Department via the chain of command that exists at the time within the department.
- Ptl. Robert Hatcher (Crime Prevention, Community Relations) so assigned.

DCPAAA Standard Operating Procedures Manual

- **Mission:**

- To serve the community by interacting through the Delaware Police Department to make the city a better place to live and work; today and tomorrow.

- **Volunteer Expectations:**

- The Department requires all members to subscribe to its ethical standards of conduct and to act in a reasonable, considerate, and professional manner to fellow members and the public at all times.

- **Strict Adherence to the Department's Core Values:**

- Courtesy, Excellence, Integrity, Honor, Trust, Respect, and Professionalism.

How We Support the Community

- **Child Identification Cards.**
- **1st Friday Foot Patrols.**
- **Parades:**
 - **4th of July Parade.**
 - **Horse Parade.**
 - **Veterans Parade.**
 - **Christmas Parade.**
- **Walk a Mile.**
 - **Approximately 300 Hot Dogs Served.**
 - **Information Booth.**
- **New Moon Half Marathon.**
- **Mingo Man Marathon.**
- **Family Festival.**
- **Cops and Shops (1st Friday).**
 - **Approximately 400 Hot Dogs Served.**
 - **Information Booth.**
- **Local Sports Events (i.e., OWU).**
- *Vacation House Checks (Under Review).*
- *Joined with the Central Ohio Citizen Police Alumni Association (COCPAAA) in supporting the families of the slain Westerville Patrolmen.*

How We Support the Police Department

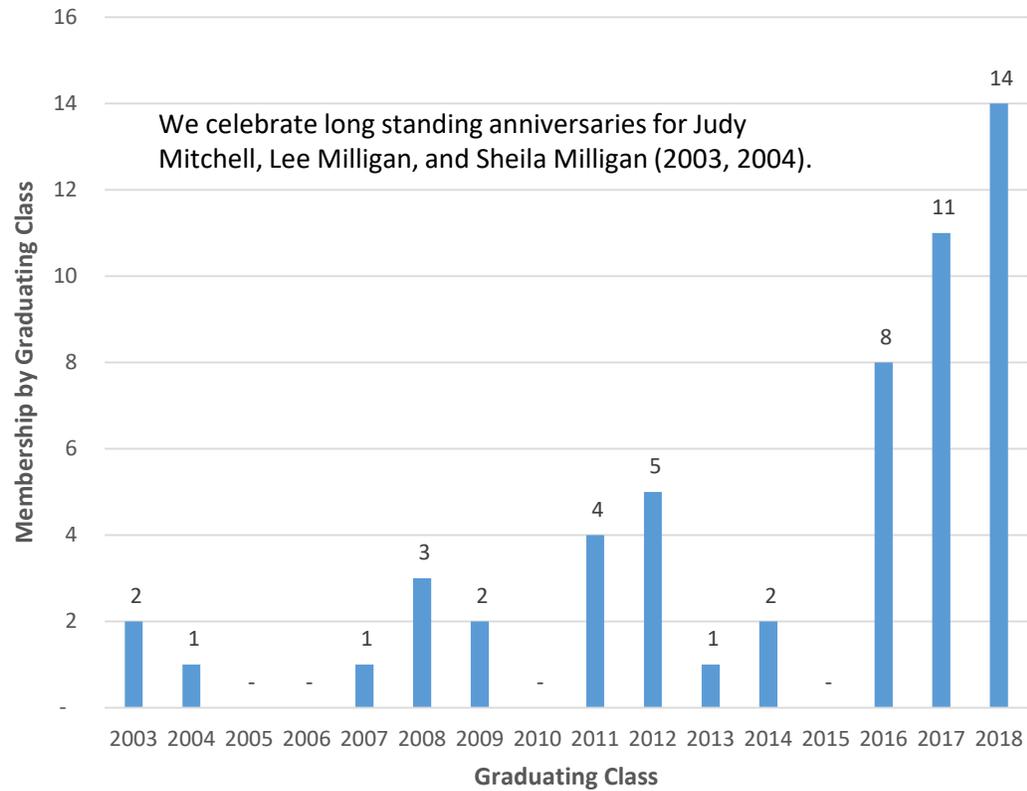
- **Annual Police Awards Banquet.**
- **Semi-Annual Appreciation Luncheons.**
- **Adopt-a-Cop Program.**
 - 12 Officers Currently Participating.
- **Light Administrative Support Upon Request (i.e., Shredding).**
- **Fundraising for Community Events and Equipment (i.e., FOE Bingo).**
- **Donated to the School Resource Officers Association.**
- **Bike-a-Thon at YMCA.**
- **Crisis Intervention Training at YMCA.**
- **Crowd Management Training for Local Bike Police.**
- **Halloween Ride-a-Longs.**
 - Candy for Trick-or-Treaters.
- **Citizen Police Academy**
 - Entry and Exit Dinners.

Expanding Our “Body of Knowledge”

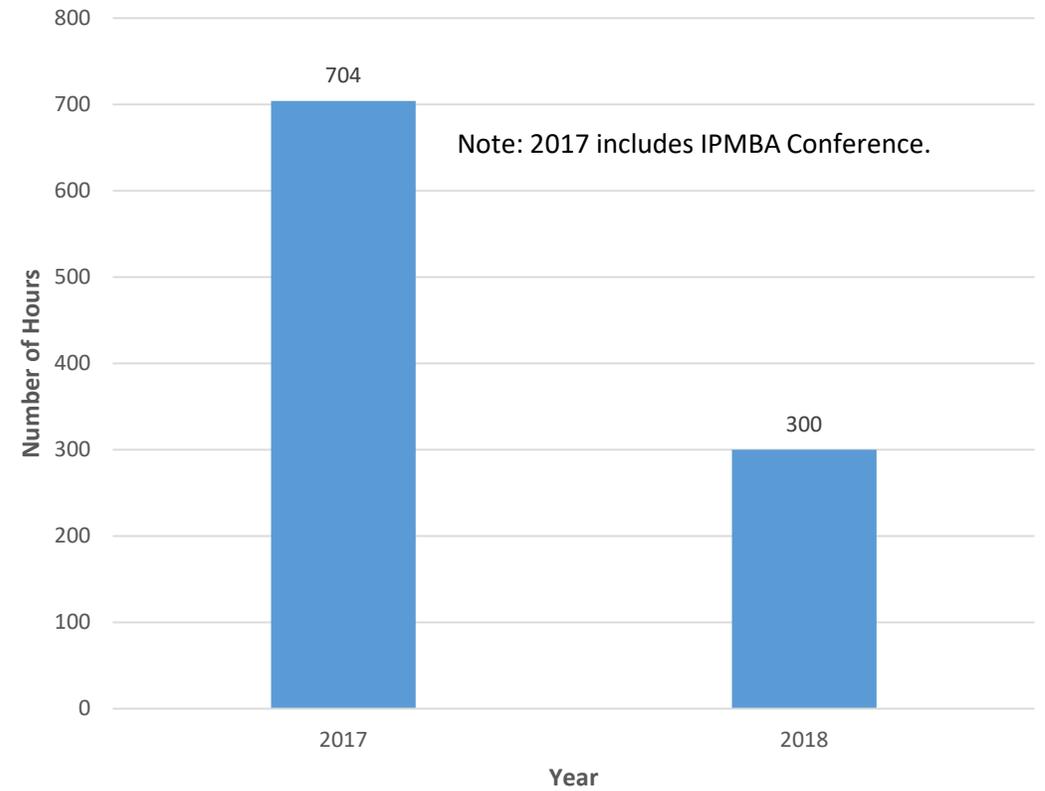
- **Ohio Crime Prevention Association Conference (April 2018).**
 - Membership held by DCPAAA.
- **Human Trafficking Forum (May 2018).**
 - Presentations by victim advocates and a trafficking survivor.
 - Sponsored by COCPAAA.
- **Catch Court w/ Judge Paul Herbert (September 2018).**
 - A means of giving human trafficking victims an opportunity to make a better life for themselves.
 - Sponsored by COCPAAA.
- **COCPAAA Meetings.**
 - Idea and Information Exchange.

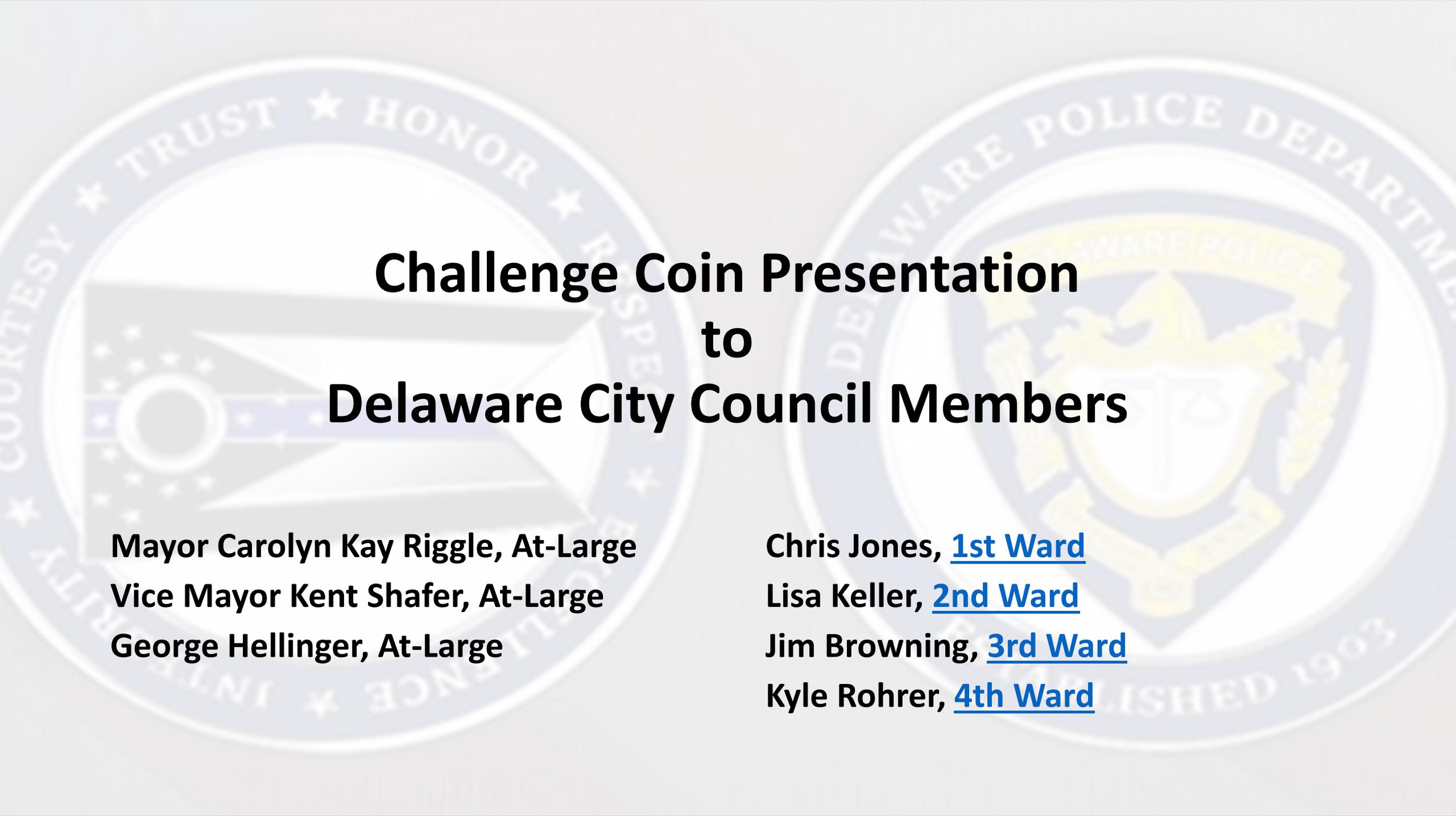
Current DCPAAA Membership

We currently have 47 DCPAAA members.



"Productive" Volunteer Hours





Challenge Coin Presentation to Delaware City Council Members

Mayor Carolyn Kay Riggle, At-Large
Vice Mayor Kent Shafer, At-Large
George Hellinger, At-Large

Chris Jones, [1st Ward](#)
Lisa Keller, [2nd Ward](#)
Jim Browning, [3rd Ward](#)
Kyle Rohrer, [4th Ward](#)



PRESENTATION B:

Memorial Street Signage for Elmer W.B. Curry

**Presented by:
Benny Shoults, Curator
Meeker Homestead Museum**

Tom Homan
City of Delaware
1 South Sandusky Street
Delaware, OH 43015



Dear Tom,

I emailed a few weeks ago about where I begin to request a memorial street sign. I've been plenty busy in completing the exhibit work for the current exhibit at Meeker Homestead Museum which mainly focuses on Elmer Washington Bryant Curry. Elmer Curry is the subject of the sign of which I'm requesting. On Tuesday May 21, an article about this exhibit, more importantly about this man and the school he founded in the City of Delaware, appeared in the Delaware Gazette. It triggered my desire to make the memorial street sign happen. I'm attaching a bulleted summary to give you the quick study of the Man and the School, all which began in Delaware. Its something that needs to have the attention of all citizens of the City of Delaware and the County of Delaware as well. It is well overdue that Elmer Curry, Professor Curry, gets recognized as one of Delaware's iconic figures. In addition to the memorial street sign on London Road, I'm also working on support for erecting a Historical Marker in or around Ross Park. I would be happy to present the history to you and City Council if so requested. I was part of the program, "The Curry School", at the Barn at Stratford in April that presented EWB Curry and the Curry Institute. I have a 20-minute PowerPoint presentation ready to go. So, as you stated in your email reply, it all begins with you. I have now presented the idea and await your response.

Sincerely,

Handwritten signature of Benny Shoults in blue ink.

Benny Shoults
Curator of the Meeker Homestead Museum – Delaware County Historical Society

Ten Points

Elmer Washington Bryant Curry - Born – 1871, Died - 1930

1. African-American-Professor, Founder of his school, Reverend, Orator, Political Figure
2. Born in Delaware in 1871 on South Street (now London Road)
3. Attended Mixed Race Public School
4. Graduated 1889, Delaware High School
5. Attended four years at Ohio Wesleyan University while being a Janitor there.
6. Trained as an Attorney for two years
7. Was the first African-American to teach in Delaware City Schools
8. Started “Place of Knowledge for Old and Young” in January of 1889 on David Street in Delaware, later called Curry Normal and Industrial Institute in Urbana, Ohio
9. He taught over 2000 African-American men, women and children
10. Was a well-known Preacher and Orator in his time. Preached the Gospel, Defended the African-American race, spoke on Civil Rights and Temperance Movement.

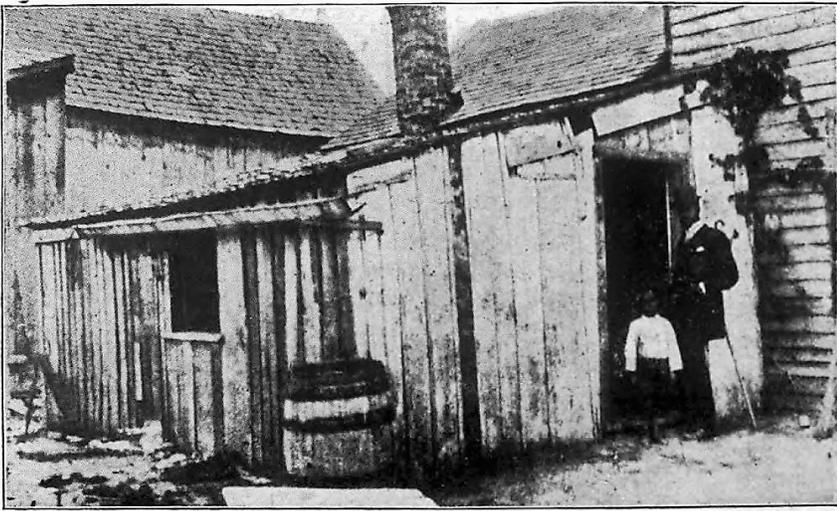
General points

1. Delaware City Schools was one of the few school districts in Ohio that allowed mixed race classes. This was established in 1871. Ohio law did not require this until 1887. Picture on the poster of the 1880, 3rd grade class picture verifies this, along with a good possibility that Curry is in the second row.
2. Elmer’s parents, George and Julia Frances (Berty), are both buried in Oak Grove Cemetery.
3. Curry moved his school to Mechanicsburg in 1895 and then on to Urbana in 1897
4. Elmer Curry is buried in Oak Dale Cemetery in Urbana, Ohio.
5. The Curry College was much like Booker T. Washington’s Tuskegee Institute in Alabama, philosophy was teaching academic subjects along with practical trade skills.
6. Kitchen Shed he rented for 50 cents a month while charging students 25 cents a week.

Curry wrote in his book, “The Story of the Curry Institute as told by Founder EWB Curry,” the following;

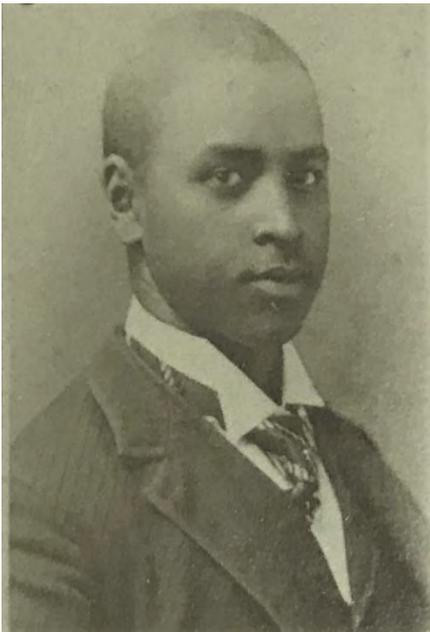
“Thus, in Delaware, the place of my birth, in her public schools, college, university, gravel pit, stone quarry, law offices and school rooms, I received a general training, and great help to in in my life’s work”.

FYI, his 48-page book is available free online - <https://babel.hathitrust.org>



The Shed Kitchen School, 1889.

The Curry School began
at 19 David Street in
Delaware, Ohio



Elmer Curry's
Delaware High
School graduation
picture from 1889



The Curry School in
Urbana, Ohio



CURRY WAY

E.W.B. Curry founder of the Curry Normal and Industrial Institute

Proposed Memorial Street Sign

Corner of Sandusky and London Road

Corner of Liberty Street and London Road

6/24/2019

Presentation Draft of Curry Memorial Street Signs Proposal – Presentation 6/24/2019

Good evening, my name is Benny Shoults, Curator for the Delaware County Historical Society's Meeker Homestead Museum. I reside at 176 West Lincoln Ave. I would like to thank City Council for inviting me here tonight and to allow me to share an important chapter in our city's history, something that had its roots in the South Side of Delaware 130 years ago.

First, I want you to remember this name, EWB Curry.

Delaware County and the City of Delaware were very active locations for the Underground Railroad. This is a well-known part of our history, but what is not well known are the contributions of individual African American people. There are hundreds of stories that portray the African-American experiences here, but today I want to share with you a little known piece of the City of Delaware's history, a story of an remarkable man who in 1871 was born in a log house on South Street, now London Road, and grew up on David Street . He was the son of a traveling Baptist Minister; the church young Curry attended was the Second Baptist Church on Ross Street, where later his father would become the Pastor there. He attended the mixed-race City of Delaware Schools and graduated from Delaware High School. He went on to attend Ohio Wesleyan University, he became the first African American schoolteacher in the Delaware City Schools and studied law for two years under the guidance of Wickham and Marriott. At 17, while still attending high school he began his destiny's work, later he would write, "Inspired with the thought that the educated head, skilled hands and a heart responsive to the highest and best, alone would emancipate my people." Elmer Washington Bryant Curry created a school primarily for African Americans and that all began in a shed in the rear of a house at 19 David Street right here in Delaware. Elmer Curry having very meager beginnings went on to develop a school to not only teach an academic education, but to teach practical trade skills. The important first 6 years here in Delaware formed the model that would eventually find its home in Urbana Ohio as the Curry Normal and Industrial Institute. During the time from 1889 until the early 1930's, the Curry Normal and Industrial Institute taught over 2000 African Americans, many who went on to become teachers themselves or went on to achieve a higher education because they were inspired to learn, and some others became the builders of the 20th Century, creating a better life for themselves and their families. The School became known as the "Tuskegee of the North", after the famous school founded by Booker T. Washington in 1881 in Alabama. I would like to leave you with this thought: E.W. B. Curry was another hidden African American hero in the history of our country, our state and our city. I'm suggesting we remember E.W.B. Curry and the good that he brought to his time and his people by creating a memorial street sign to be located at the corner of London Road and South Sandusky and another one at Liberty Street and London Road. This is but a brief introduction to the school and the man, however there is no doubt that Professor Curry, as he became known throughout the country, became the historical figure in part to his early Delaware influences. I respectfully ask your consideration on this proposal. *(Approximately 5 minutes)*



PRESENTATION C:

Revised Traffic Calming Guide for Neighborhood Streets and Hull Drive Discussion

**Presented by:
Bill Ferrigno, Public Works
Director/City Engineer**



MEMORANDUM

TO: Mayor Riggle and Members of City Council
FROM: R. Thomas Homan, City Manager
CC: Bill Ferrigno, Public Works Director / City Engineer
DATE: June 6, 2019
RE: W. Hull Drive Improvements

I have reviewed the attached memorandum from Bill Ferrigno and concur with his recommendation to use Hull Drive as a pilot program for pavement narrowing striping, as depicted in the attached exhibit. While this measure will not impact volume, it will, in my opinion, help to reduce the speed along the street and address some, but not all, of the longstanding complaints the City has heard from residents of Hull Drive.



MEMORANDUM

TO: R Thomas Homan, City Manager

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

DATE: May 24, 2019

RE: Adoption of Traffic Calming Guide & Recommendations for W Hull Drive Improvements

The attached Traffic Calming Guide for Residential Streets has been prepared by staff of the Public Works Department, presented to City Council for review and comment on May 13th, and is now ready for adoption as part of the City's Technical Design Standards. The guide provides direction in properly evaluating and addressing the need for installing traffic calming measures on local and collector neighborhood streets to mitigate concerns over undesirable motor vehicle operation. It is my recommendation the guide be adopted as revised.

As part of the overall Traffic Calming work, a request by the Ravines at Stratford, aka West Hull Drive neighborhood, has been under consideration for the past year and a half to address traffic concerns. Both motor vehicle speeding and volume have been identified as issues by the residents, and more recently a focus on the number of vehicles failing to come to a complete rest at the stop sign controlled intersection of W Hull Drive and Hull Court. Numerous traffic studies and data collected confirm that W Hull Drive serves as a Collector street as originally planned for and designed, carrying an ADT of 2900 vehicles per day. 85% speeds vary from 29MPH to 31MPH indicating a low to moderate speeding concern. A proposed pilot project to test the impacts of limiting traffic access to W Hull Drive from the Delaware Community Plaza was ultimately deferred in favor of maintaining full public access to the collector street.

Though traffic volume will not be addressed by the addition of non-intrusive traffic calming measures, it is anticipated that the pavement narrowing striping proposed for the entire length of W Hull Drive as shown in the attached exhibit, may result in a mild drop of 2-3MPH in vehicle speeds. Additionally, increased compliance at the stop sign controlled intersection may be realized with the enhanced striping package proposed for that location. The cost of the improvements are estimated at \$7,500.00 and can be funded through the remaining balance of the annual long line striping funds included in the annual traffic maintenance budget. I recommend these improvements be completed this season as presented, and monitored for the next 12 to 24 months for effectiveness.

From: [Jackie Walker](#)
To: [Elaine McCloskey](#)
Cc: [Bill Ferrigno](#)
Subject: FW: Traffic Calming Guide Modifications
Date: Tuesday, June 11, 2019 3:41:16 PM

Please make sure that this information is included in the 6/24/19 Council Packet

Jacqueline M Walker
Assistant City Manager
City of Delaware
740-203-1010
jwalker@delawareohio.net



From: Bill Ferrigno
Sent: Tuesday, June 11, 2019 2:17 PM
To: Carolyn Riggle; Chris Jones; Darren Shulman; Elaine McCloskey; George Hellinger; Jackie Walker; Jim Browning; Kent Shafer; Kim Gepper; Kyle Rohrer; Lisa Keller; R Thomas Homan
Cc: Kyle Kridler
Subject: Traffic Calming Guide Modifications

As requested by Councilwoman Keller, the following summary is provided of the modifications included in the final May 30 version of the Traffic Calming Guide document from the April 15th draft version. The only substantive change was in section 4.0 regarding funding strategies. The other changes were primarily to clean up the appearance and clarity of sections. With council concurrence, the final document will be used for the purpose of providing guidance to staff and the community on further issues concerning the implementation of traffic calming measures.

Section 4.0 Funding Strategies (Page 8)

- Replaced entire April 15th section with revised language. Removed suggested “neighborhood contributions” language and chart and replaced with language suggesting city contribution is discretionary and pending availability of funding.

Section 5.0 Non-Intrusive TCMs

- Correcting section number that inadvertently shows up as 4.0 and should be 5.0
- Added image of non-intrusive striping TCM.

Section 6.0 Intrusive TCM

- Added image of typical intrusive TCM

Section 7.0 Recommended Applications Chart Revisions

- Removed \$ Cost column as it was confusing
- Separated non-intrusive TCM's (top rows) from intrusive TCM's (Bottom rows)
- Replaced green shaded with 'X' indicating recommended measure for that condition
- Moved note indicating ADT>1500 VPD to heading under collector streets
- Added note under collector streets that intrusive TCM's that prevent the use and function of a public road by the public are not generally recommended.

Appendices – Reformatted several paragraphs, sentence spacing, image locations etc. for appearance.

Please contact me with any additional questions concerning the final proposed document.

Thank you,

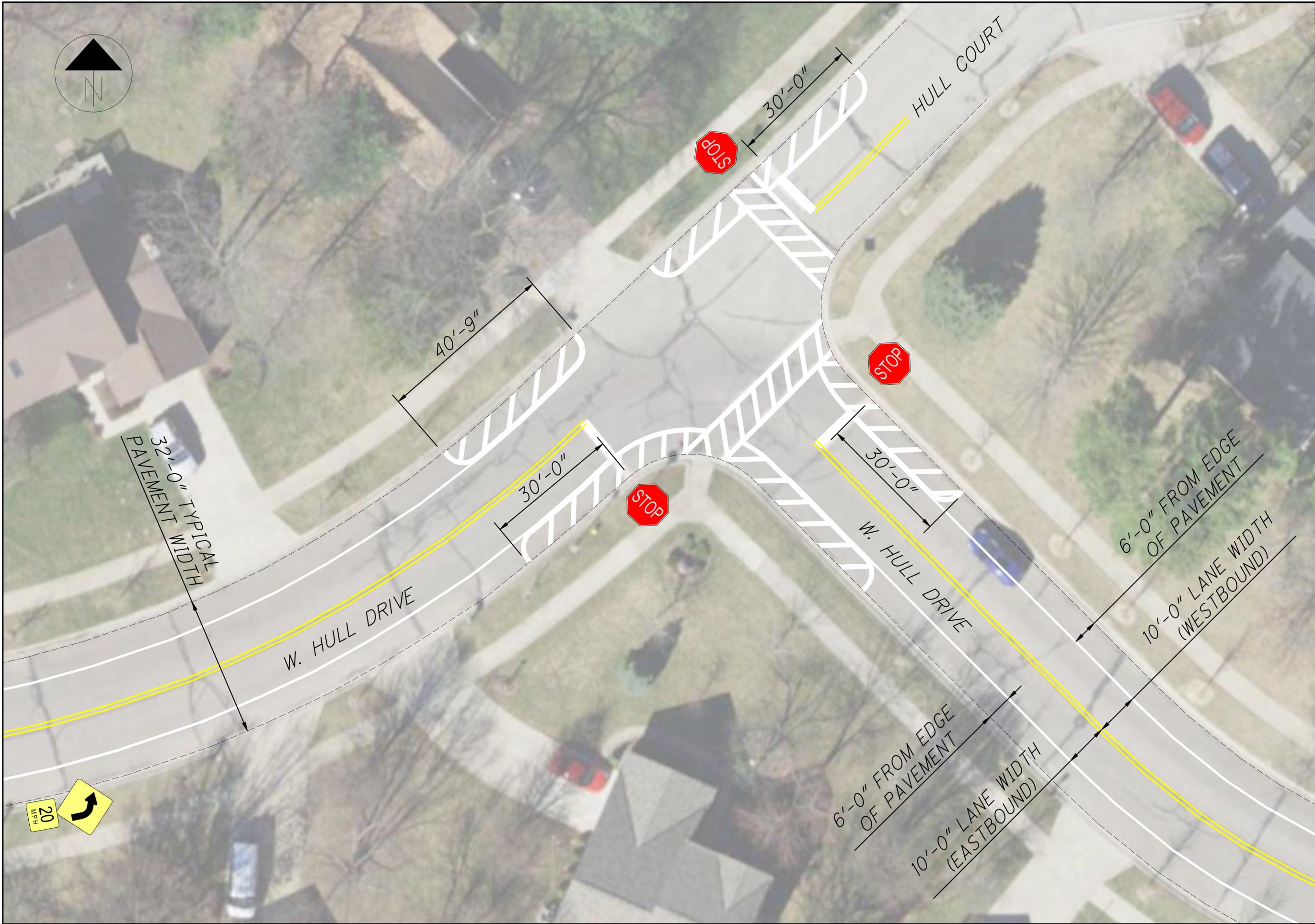
Bill Ferrigno

William L. Ferrigno, P.E.
Director of Public Works/City Engineer
City of Delaware, Ohio
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NO.	DATE	REVISIONS DESCRIPTION	APPROVED

W. HULL DRIVE TRAFFIC CALMING

W. HULL DRIVE & HULL CT. INTERSECTION



DATE ISSUED:
05/29/2019

SHEET
1 OF 1



Please

Traffic Calming Guide
for
Neighborhood Streets

Down

City of Delaware

Public Works Department

Revised May 30, 2019

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 - 3.4 Draft Traffic Calming Plan
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- 5.0 Non-Intrusive Traffic Calming Measures
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- 7.0 Recommended Applications of Traffic Calming Measures
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Appendices

- Appendix A – Non-Intrusive Traffic Calming Measures
- Appendix B -- Intrusive/Barrier Traffic Calming Measures
- Appendix C – 85th Percentile Speed
- Appendix D – Criteria for Installation of Dynamic Speed Feedback Signs
- Appendix E – Multi-Way Stop Sign Policy

1.0 Introduction and Overview

The City of Delaware has long-standing policy for implementing traffic calming measures with the goal being safer streets and lower vehicular speeds in residential neighborhoods, near schools, and other areas with high numbers of pedestrians and bicyclists. In the past, policy has lumped regulatory measures with non-regulatory measures. Also, some older policy advocates traffic calming measures that have been deemed ineffective over the years or are outdated due to advances in technology. In the past, the use of the term “traffic calming measures” has been overly broad. Therefore, the purpose of this manual is to give City leaders new focus and direction in keeping City streets safer for all modes of travel. This manual replaces the City’s existing traffic calming policy and attempts to address the most frequently requested items from the public.

Speeding in residential neighborhoods is often times a concern among City of Delaware residents because of its effect on the livability of our streets and neighborhoods. In response to citizen concerns, the City of Delaware has developed the Neighborhood Traffic Calming Guide to more effectively work with neighborhoods in developing appropriate traffic solutions. The work represents a collaborative effort by the City of Delaware Police Department, Public Works Department, Parking and Safety Committee and Citizens to address speeding concerns on public streets.

The purpose of traffic calming is to address problems associated with neighborhood speeding, though the techniques and traffic calming measures can be extended to higher order major collector and minor arterial routes as well. Cut-thru traffic is often blamed as the source of neighborhood speeding problems, however it has been found that both neighborhood residents as well as motorists travelling through a residential area are equally likely to exceed posted speed limits. Therefore, the focus of this document is to provide guidance in mitigating vehicle speed regardless of origin or destination.

A successful traffic calming program requires involvement and cooperation from the impacted residents, travelling public, and local jurisdiction. Delaware’s Traffic Calming Guide employs an approach that incorporates Education, Encouragement, Enforcement, Engineering, and Evaluation in resolving traffic issues.

Public **Education** and **Encouragement** are recommended first steps for residents to help promote traffic calming in their neighborhoods. Motorists are made aware of community concerns and reminded of the importance of safe driving habits. Well informed motorists regarding safety concerns and traffic laws in neighborhoods, are more likely to follow the rules. The implementation of a yard sign campaign is an inexpensive means to remind all motorists of the posted speed limit and risks associated with speeding in a residential neighborhood. Speed feedback display units can be used to promote awareness and reinforce safe driving habits by showing actual travel speeds next to the posted speed limit. The community can also play a role through encouraging motorists to respect the speed

limits within residential areas and to consider alternative routes on higher level roads to help reduce the traffic load on a particular street.

Enforcement typically involves an increased presence of law enforcement to monitor and enforce the speed limits in neighborhoods. Enforcement efforts should be undertaken as much as possible prior to implementation of physical traffic calming devices. Citizens can call the City of Delaware Police Department at (740)203-1111 and report areas where speeding is perceived to be a problem and request enforcement.

There are cases where enhanced public **Education, Encouragement and Enforcement** need to be supplemented with additional measures to address traffic concerns such as continued complaints over excessive speeding, vehicular crashes and pedestrian incidents. In these cases **Engineering Analysis, Design and Follow-up Evaluation** may be initiated to further understand the issue and make recommendations to mitigate the undesirable behavior. In these cases engineering strategies can involve adding non-intrusive signage, pavement marking and geometric roadway features that result in lowered vehicle speeds on affected roads. These physical traffic calming measures are indiscriminate and affect all motorists; therefore, they are used after education, encouragement and enforcement strategies have been exhausted. More intrusive traffic calming measures are available if the volume of traffic must be adjusted, redirected or otherwise changed to address a particular safety concern within a neighborhood such as high crash history or congestion.

An **Evaluation** of traffic calming measures generally follows the installation of traffic calming measures to verify the effectiveness in addressing a particular traffic safety concern. Evaluation may involve community survey, social media feedback, additional speed studies, and traffic counts to determine the impacts a particular measure may have had on motorist behavior. Adjustments to traffic calming measures may be recommended based on the results of the evaluation.

2.0 Program Limitations

Traffic calming is a community-driven effort, however there are limitations as to the effectiveness that calming measures achieve, and those requesting improvements should have realistic expectations as to what those benefits are. Additionally, what may seem like obvious solutions are often not viable in accordance with accepted traffic regulations and codes.

- a) As a municipal organization, the City must abide by regulations set forth by our State and Federal government. The Ohio Manual of Uniform Traffic Control Design (OMUTCD) is a governing set of regulations adopted by the State of Ohio, which contains specific regulations regarding the use of public right of way, and specifically concerning pavement markings, signage and the management of traffic. The City of Delaware does not approve of any infrastructure modification or improvement that is not specifically permitted under the regulations of the OMUTCD.

- b) For the purposes of this guide, the recommendations are limited to implementation on publically owned local residential and collector streets.
- c) There is limited funding available for the construction of permanent traffic calming measures. If it is determined that permanent traffic calming measures are recommended, funding sources must be considered. Section 4.0 addresses recommended strategies for the funding of traffic calming measures in various situations.
- d) In some instances, the implementation of certain traffic calming measures can result in unintended consequences such as increased traffic in surrounding streets and neighborhoods, increased vehicle noise and pollution, sign clutter, tree removal, and the reduction or elimination of on-street parking.
- e) It has been found that the use of traffic calming measures is minimally effective in reducing vehicle speeds when the measured 85th percentile speeds are determined to be below 30 MPH. (See Appendix C for definition of 85th percentile speed)

3.0 Development of Neighborhood Traffic Calming Plans

The following process is followed when evaluating requests for the installation of proposed traffic calming measures on a neighborhood street.



3.1 Receipt of Initial Traffic Complaint

A request for the installation of traffic calming measures can be initiated by an individual, neighborhood group and/or by City staff. If the request is initiated by a neighborhood group, it is recommended that the neighbors designate a point-of-contact who will act as a liaison between City staff and other neighborhood residents. In any case, the consideration for, and the implementation of traffic calming measures should involve considerable neighborhood consensus building in the community. The neighborhood point-of-contact should submit, on behalf of the neighborhood, a formal written request to the City of Delaware Parking and Safety Committee explaining the concerns and to request traffic calming measures be implemented. Requests can be sent via email or through the City website.

Following initial receipt of a request for traffic calming, Public Works and Police staff will work with the neighborhood point-of-contact to define the specific nature of the complaint as well as the neighborhood study area. The study area may include more streets within a neighborhood than the street associated with the complaint. It is important to include an expanded study area because traffic calming measures installed on one street may have an impact on adjacent streets resulting in the shifting of a problem as opposed to mitigating it.

3.2 Review Eligibility for Neighborhood Traffic Calming

Traffic calming measures are generally most effective in residential areas to manage speeds along residential streets, and where there exists the highest interaction between pedestrians, cyclists, parked vehicles, and pets. Therefore, only streets meeting the following criteria are appropriate candidates for further consideration for implementation of the neighborhood traffic calming measures detailed in this guide.

- ✓ Streets with a posted speed limit of 25 mph
- ✓ Streets classified as a local or neighborhood collector street
- ✓ Streets with an ADT < 3500 vehicles per day
- ✓ Street is not a cul-de-sac
- ✓ Streets is not designated as primary emergency response route

3.3 Data Collection & Analysis

The following data is collected by Public Works and Police staff within the study area and used in analyzing the traffic characteristics, driving patterns and motorist behavior of a particular street in question.

- ✓ Vehicle Speeds to document the 85th percentile speeds
- ✓ Average Daily Traffic (ADT) volumes on all streets within the study area
- ✓ Turning movement counts at pertinent intersections that are within the study area during the peak hours 7AM-9AM, 11AM-1PM and/or 4PM-6PM (if applicable)
- ✓ Pedestrian counts at intersections if study area is near-by or adjacent to a school and/or park
- ✓ Accident history and rate of occurrence
- ✓ Roadway condition/geometrics
- ✓ Percent cut-through traffic

The collected data is reviewed to help identify observable safety issue such as excessive vehicle speeds, or conditions leading to the perception of speeding, and to make a determination as to what traffic calming measure(s) may be effective in addressing the issues. Staff will also identify the potential negative effects associated with the installation of traffic calming measures including impacts on the provision of emergency services, city refuse collection, highway maintenance and snow removal operations. Additional consideration is given to the impact on institutions such as, but not limited to, local schools, hospitals and emergency care facilities.

3.4 Draft Traffic Calming Plan

City staff will develop a Traffic Calming Plan that identifies strategies to help reduce speeding, and that employs the Educate, Encourage, Enforcement, Engineering and Evaluation approach. Traffic Calming measures may include non-intrusive/guidance strategies, more intrusive measures, or a combination of both. Non-intrusive strategies include educational programs, enforcement, signage, pavement markings, construction of islands, bump-outs, chicanes etc., all to influence the motorist behavior in a particular location. The more Intrusive measures generally involve construction of deterrents that limit vehicle direction of travel and access to particular street. Non-intrusive measures are most successful in managing vehicle speed while intrusive measures are implemented to control vehicle volumes. Both have advantages and disadvantages as further described in detail in the information provided in Appendix A and B.

3.5 Public Involvement Process

Following development of a draft traffic calming plan, staff will present the plan before the public and accept public input as to the proposal. City staff will prepare a summary describing the problem and potential solutions and make the information available to all interested parties via a combination of door hangers, mail service and other social media outlets. All interested parties are invited to attend a public discussion of the issue to be held during a regularly scheduled City Parking & Safety Committee meeting. Property owners within the study area, generally defined as those households and businesses fronting the affected segments of the project street(s), will receive additional information regarding the identified problem and potential traffic calming measures being considered. This includes, but not limited to, homeowners, businesses, apartment tenants and area schools. Adjustments to the plan may be considered based on public feedback.

3.6 Legislative Review & Approvals

The City Parking & Safety Committee will make a final recommendation as to the approval or denial of a proposed traffic calming initiative for a particular area. For those plans recommended for approval, the recommendation is taken before full City Council for consideration, and ultimate approval. Because the Neighborhood Traffic Calming policy is for guidance only, City Council may have to consider such things such as public acceptance and project construction and funding responsibilities before any improvements can be implemented.

3.7 Implementation of Traffic Calming Plan

Depending on the extent of the Neighborhood Traffic Calming Plan and the amount of funding available, the traffic calming measures may be implemented in phases and evaluated prior to considering full implementation. Construction of improvements may be by the property owners group, the city, or a combination of both entities. Some improvements can be installed any time of the year such as additional new signage, while others requiring changes to pavement markings, curb and roadway are generally restricted to the April through October construction season.

3.8 Evaluation

A follow-up evaluation will be conducted to ensure that the strategies implemented are effective. The evaluation includes additional traffic counts and speed studies after each set of measures has been implemented. If speeding has not effectively reduced, the City and neighborhood residents will have additional meetings to determine what further measures may be needed.

The City will also be reviewing unintended consequences such as redistribution of vehicle trips to other residential streets, increase in accident rates, or other traffic problems developing as a result of the implementation of the traffic calming plan. Depending on the severity of the unanticipated consequences, the City may modify the plan, reduce the plan, or eliminate it all together.

4.0 Funding Strategies for Construction of Traffic Calming Measures

Available funding for transportation system improvements is limited, and in many cases tied to the availability of outside revenues such as grants, safety program funds or other State sources. The value of traffic calming improvements are generally too low to make good candidate projects for grant programs, yet larger than what can typically be managed in the annual traffic maintenance operations budget at current funding levels. Nevertheless, as the need arises to make traffic calming improvements within the community, it would be helpful to have an established source of funding to allocate toward these efforts. Once a requested improvement has been identified, evaluated and approved for installation through the guidelines established in the Traffic Calming Guide, the cost of the improvement could be added to the next operations budget for funding consideration by council as part of the overall budget approval process. For improvements considered critical in nature addressing a high-risk situation, where prudence demands a immediate response, a recommendation could be made to Council to consider a supplemental appropriation so that the improvement could be made sooner. For low impact improvements, Council could require alternative funding arrangements such as specifying a neighborhood HOA provide some of all of the funding required to make an improvement. In all cases, the City should only fund projects that will have a positive and measurable impact on improving neighborhood safety as it relates to traffic calming.

4.0 Non-Intrusive Traffic Calming Measures

Non-intrusive traffic calming measures are most effective at increasing motorist's awareness of their surroundings, and have been shown to yield a drop in vehicle travel speeds of up to several miles per hour in the correct application. Non-intrusive measures however, generally do not result in a notable drop in traffic volume, though the more physical alterations could discourage a motorist from travel on a treated street. Non-intrusive measures may be most effective when implemented in combination e.g. establishing a neighborhood yard sign "Speed Watch" program concurrent with the introduction of new pavement striping.

The cost of non-intrusive measures vary widely and can range from a few hundred dollars to tens of thousands or more for complex modifications to roadway geometry. Details regarding the approved non-intrusive traffic calming measures utilized within the City of Delaware are found in Appendix A.



A note about the use of Stop signs – The use of Stop signs is not a recognized nor approved means to manage neighborhood speeding though it may seem like an obvious approach to “slow” motorists down. The reality is that unwarranted Stop signs can increase risk and safety concerns in areas where they have been placed, as motorists quickly realize the minimal chance of encountering side street traffic and end up “rolling through” an intersection. The result is a diminished respect for Stop signs. Improper installations have actually been shown to result in an increase in vehicle speed both ahead of and following a Stop sign installation. Appendix E describes the only permitted applications for multi-way Stop sign applications under very limited conditions.

6.0 Intrusive/Barrier Traffic Calming Measures

Intrusive barriers are most effective in diverting traffic away from any given street regardless of trip origin or destination, by directing motorists toward adjacent streets or alternative routes. These type of traffic calming measures may be helpful in addressing changes to traffic volumes that were not originally anticipated or otherwise previously present. In some cases the volume of traffic on a street exceeds that which can be associated just from the neighborhood. This often presents conflict as residents feel that they have certain rights to the management of the level of traffic using the public right of way fronting their respective properties, in contrast with the permissible use by non-resident motorists on the same street. In general, the implementation of intrusive barriers should be reserved to address safety issues such as high accident rates, continuous congestion, and intersection delay. See Appendix B for specific details of the Intrusive traffic calming measures utilized within the City of Delaware.



7.0 Recommended Applications of Traffic Calming Measures

The following table provides recommendations as to the use of certain traffic calming measures on local and collector streets as a function of 85% speed. Not all traffic calming measures are suitable for both local streets and collector roadways. Only those measures indicated with an 'X' are approved for the specified condition.

Traffic Calming Measure	Local Street			Collector Street		
	85 th % Over Posted Limit			85 th % Over Posted Limit ADT>1500		
	0-5 MPH	6-10 MPH	11+ MPH	0-5 MPH	6-10 MPH	11+ MPH
Police Enforcement		X	X		X	X
Public Encouragement	X	X	X	X	X	X
Yard Sign Campaign	X	X	X	X	X	X
Enhanced Crosswalks		X	X	X	X	X
Pavement Striping		X	X	X	X	X
Speed Feedback Signs		X	X		X	X
Intersection Bump-outs		X	X		X	X
Curb Bump-outs			X			X
Chicanes			X			X
Median Islands			X			X
Chokers			X			X
Roundabouts			X			X
Speed Bumps			X			
Raised Intersections			X			
Time of Day Restrictions						X
One-Way Streets			X	Generally the application of 'Intrusive' traffic calming measures that restrict the use of a public road planned as a collector servicing local and regional traffic is not recommended		
Diverter Islands			X			
Turn Restrictions			X			

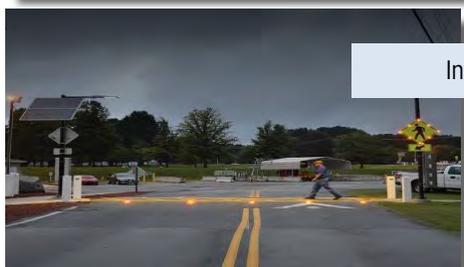
8.0 Non-Compliant Traffic Calming Measures (Not Permitted in Delaware)



Non-compliant crosswalk markings



Non-compliant crosswalk markings



In-pavement lighting



Non-compliant symbols/wording

Speed Limit

Appendix A – Non-Intrusive Traffic Calming Measures

Neighborhood Yard Signs

Yard signs are temporary plastic signs in the front yards of community residents, which serve as a vivid reminder to drive 25 mph within neighborhoods. The sign is connected with metal stakes, similar to an advertisement sign or political candidate’s sign, and is placed on private property at the discretion of the property owner. These signs may not be installed within the right-of-way of the adjacent street because they are not compliant with the Ohio Manual of Uniform Traffic Control Devices (OMUTCD), which regulates the types and designs of signs installed above or adjacent to all roads within the State of Ohio.

Advantages:

- Can be effective in reducing speeding by community residents. These signs are most effective when a community is supportive and promotes the need for speed reduction through other community educational efforts.
- Inexpensive to manufacture

Disadvantages:

- Impact may be reduced over time unless regularly reinforced. Moving the signs periodically may cause them to be continually noticed.



Dynamic Speed Feedback Signs

On occasion, local communities have sought to resolve their traffic speed issues and traffic diversion issues through the use of artificially reduced speed limits. Section 4511.12 of the Ohio Revised Code (ORC) establishes statutory speed limits and prescribes how those speed limits may be altered when an engineering study determines that they do not fit the road and traffic conditions.

Speed limit signs in and of themselves are rarely effective in reducing travel speeds and they should not be used as a standalone device. Experience has shown that drivers tend to travel at the speed that is most comfortable, based on the surrounding roadway environment. Speed limit signs may be installed to reinforce existing speed limits or to supplement other traffic calming devices. Speed limits set at levels less than those expected by drivers eventually lead to increased disregard of the signed speed limit.



Dynamic speed feedback signs provide a real-time display of a driver's vehicular speed at a particular location where speeding has been documented to be a problem. These signs are used in conjunction with a regulatory speed limit sign to give drivers an immediate confirmation of their actual speed in comparison to the legal speed limit. The dynamic speed feedback signs serve to supplement regular enforcement of speed limits alerting drivers to specific driving behavior. Although residential streets carry the lowest volume of traffic and are subject to the fewest accidents, they are often the subject of the most complaints regarding neighborhood speeding. Residents observe vehicles being driven at speeds perceived as "too fast" and conclude the need for increased local speed enforcement or for the installation of all Way Stop Signs along the route. In many cases, the speeds perceived as excessive by residents while standing in their yards are the same that they operate their vehicles at while driving.

Advantages:

- Studies have shown these signs produce 10-20% reductions in speeding violations, along with an increase in compliance with the posted speed limit.
- Can be cost effective when compared with the construction of physical traffic calming measures to reduce speed.

Disadvantages:

- Expensive initial cost with continuous maintenance and repair costs.
- Impact may be reduced over time unless regularly enforced by local police.

Pavement Striping

Pavement striping means of controlling speed includes measures to effectively narrow the travel lanes to encourage lower speeds, to emphasize pedestrian crossings or to supplement signing regulations (such as existing stop signs). Striping which can be used in traffic calming includes centerlines, edge lines, crosswalks and stop bars. Pavement striping options can vary depending on the type of striping being used; therefore, the application of each type of striping treatment is as follows:



Centerline Striping: Centerline striping is primarily used for residential streets without existing centerlines. In many cases, a centerline stripe can be effective in channeling traffic and thereby reducing speeds. There are also other specialized striping techniques that can be used to draw attention to lane markings, such as the addition of reflective pavement markers where appropriate.



Edge Line Striping: Edge line striping is also effective in residential areas to narrow the lanes and/or provide additional delineation for other uses. Reducing the lane width has the potential for reducing speed by creating a narrower traffic lane. The area between the edge of the road and the lane marking can often be used for parking or as a bike lane, depending on the resulting shoulder width.



Enhanced Crosswalks: At high volume pedestrian crossings, striped crosswalks might be appropriate to channelize pedestrians and notify motorists of pedestrians crossing the street. Crosswalks alone may not provide the desired level of protection or call sufficient attention to a pedestrian to allow them to safely cross the street. Depending on the need, there are a variety of crosswalk options that may be used at intersections to identify the safest place to cross. These includes enhanced diagonal ladder-style striping and possibly the use of textured pavements to increase the visibility by the motorist and encourage slowing down.



Advantages:

- Centerline striping can be effective in reducing sideswipe accidents, as it channelizes traffic in its own lane.
- Centerline striping can be combined with edge lines to create narrower travel lanes, which subsequently help to slow traffic.
- Edge line striping may increase bicycle and pedestrian safety by moving vehicular traffic closer to the centerline providing more shoulder space for bicycles and pedestrians.
- Crosswalks provide a visible pedestrian crossing, increasing pedestrian awareness and safety.

Disadvantages:

- Periodic maintenance of striping.
- Striping can lose its effectiveness in reducing speed over time as regular users of the street become more comfortable with the physical space they have available to operate.
- Crosswalks used without other traffic control devices may lure pedestrians into a false sense of security.
- Appearance of the road with paint striping may cause residents to feel that the road is a higher classification than a local residential street.
- Potential loss of on-street parking in order to provide 10 foot minimum lane width for vehicular traffic which doesn't leave adequate width for an 8 foot wide parking aisle on both sides of the street.

Choker Islands

A choker narrows the travel lanes of a road by bringing the existing curbs closer to the centerline of the road. The typical two-lane choker is 20-foot wide (curt-to-curb) at its most narrow point. Chokers should extend toward the centerline beyond any parking lanes. While the typical curb to curb width of a two-lane curb extension is significantly less than most streets, there is sufficient width for vehicles to pass each other. As a result, speed reductions will be modest.

The length of a choker can vary depending on the location of driveways and curbside parking. By bringing the curbs closer together, chokers may also present a favorable location to install a mid-block crosswalk (either raised or level with the roadway) because crossing distances are reduced, motor vehicle speeds are lower, and the combination of design elements will draw greater visual attention to the crossing location.



Chokers can be created by either curb extensions or edge islands. Edge islands are less aesthetic but leave existing drainage channels open. They also make it possible to provide bicycle bypass lanes on streets without curbside parking. If motor vehicle volumes are large, chokers can be hazardous to bicyclists, who get squeezed by passing motorists. In such cases the bicycle bypass lanes should be considered.

Advantages:

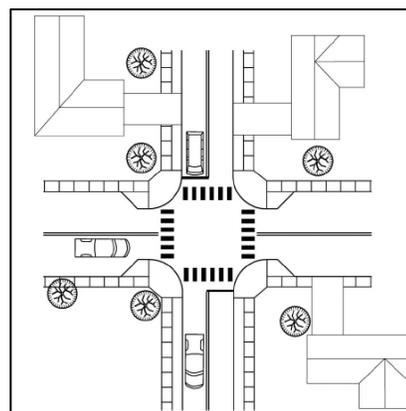
- Reduced speeds in area of choker.
- Minimal impact to driving comfort.
- Where provided, shorter crossing distances for pedestrians.
- Protects adjacent on-street parking spaces.
- Provides landscaping opportunity.
- Can accommodate emergency vehicles.

Disadvantages:

- Only a modest reduction in vehicle speeds can be expected, unless chokers are used in conjunction with other speed reduction measures.
- Loss of some on-street parking spaces.

Corner Bump-Outs

Corner extensions are chokers installed at intersections. Reduced curb radii can reduce speeds on approaches that are not stop controlled and decrease pedestrian crossing distances. Operational analyses should always be performed when corner extensions are constructed to ensure that the intersection will operate acceptably with respect to queues and delays.



Advantages:

- Reduces speeds through the intersection area.
- Shorter crossing distances for pedestrians.
- Provides landscaping opportunity.
- Can accommodate emergency vehicles for through movements.

Disadvantages:

- Loss of on-street parking spaces.
- Potentially high cost, if there are significant utility and drainage impacts.
- Forces bicyclists into travel lanes at intersections.
- Can make right turns by large vehicles more difficult.
- Obstruction to distracted motorist.
- Impact roadway drainage.
- Impede snow removal.

Median Islands (Center Island Narrowing)

Center island narrowing is achieved by placing an island in the centerline of the roadway at the entry point to a neighborhood or midblock which narrows the lane width on either side of the island. The visual appearance of the narrowed lanes will encourage drivers to slow down. In addition to slowing traffic, center island narrowing provides opportunities to provide a pedestrian refuge area (if at a pedestrian crossing location), landscaping, or installation of entrance features or gateway signs. To be most effective, the islands should be raised islands. Median treatments often incorporate textured pavements on the island itself, particularly for median islands without raised concrete islands, where textured pavements are essential in helping draw attention to the island.



Advantages:

- Reduced speeds.
- Shorter crossing distances for pedestrians.
- If sufficiently wide enough (6-foot minimum), islands can provide a refuge area for pedestrians in the middle of the roadway.
- Provides a visual break in the streetscape and reduces the wide open appearance.
- Provides landscaping opportunity.
- Creates visual cues to drivers at entrance of a residential neighborhood.
- Little impact on emergency vehicles.

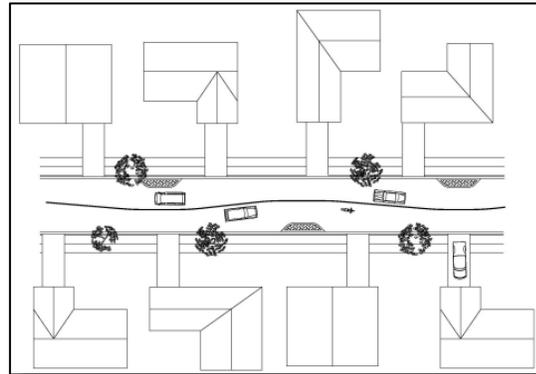


Disadvantages:

- Only modest speed reduction can be expected from standalone installations.
- Loss of on-street parking spaces.
- May force bicyclists into travel lanes at lane narrowing points.
- May impact driveways.
- Obstruction to distracted motorist.
- Impact roadway drainage.
- Impede snow removal.

Chicanes

Chicanes are a series of curb extensions or narrowing of the roadway that alternate from one side of the street to the other, forming an S-shaped and curvilinear roadway alignment. The purpose of a chicane is to introduce horizontal curvature to the road, breaking up the “runway effect” of wide, straight streets.



Advantages:

- Speed reductions.
- Accommodates large vehicles and has little effect on emergency response times.
- Provides a visual break in the streetscape and reduces the wide open appearance of the street.
- Provides landscaping opportunities.

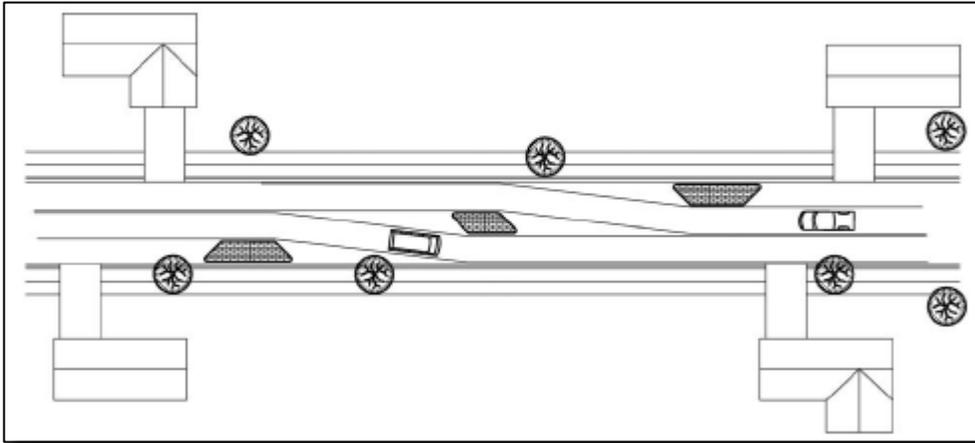
Disadvantages:

- Loss of on-street parking spaces.
- Bicyclists have less space to occupy the road through the narrowed portions.
- Some aggressive/careless drivers may view chicanes as an “obstacle course”, leading to sharp cornering, braking and acceleration to negotiate the islands and curb extensions.
- Obstruction to distracted motorist.
- Impact roadway drainage.
- Impede snow removal.

Lateral Shifts

A lateral shift is a variation of the typical chicane. It has the same dimensions and details as the typical chicane, but because the roadway alignment shifts only one, has a crossing approximately 5 mph higher than a chicane of the same dimensions.

The typical lateral shift separates opposing traffic by means of a center island. Without a center island, some drivers may cross the centerline to minimize the deflection of their travel path. With the center island, drivers cannot veer into the opposing lane as easily, thus improving the safety and effectiveness of the later shift.



Advantages:

- Feasible method of reducing vehicle speeds on higher classified collector roads.
- Accommodates larger vehicles and has negligible effect on emergency response times.
- Provides visual break in the streetscape and reduces the wide open appearance of the street.
- Lane shifts discourage high speeds by forcing horizontal deflection.
- Provides landscaping opportunities.



Disadvantages:

- Loss of on-street parking spaces.
- Narrows pavement surface requiring consideration for providing space bicycles.
- Curb extensions can become expensive if drainage system adjustments are required.
- Obstruction to distracted motorist.
- Impact roadway drainage.
- Impede snow remov

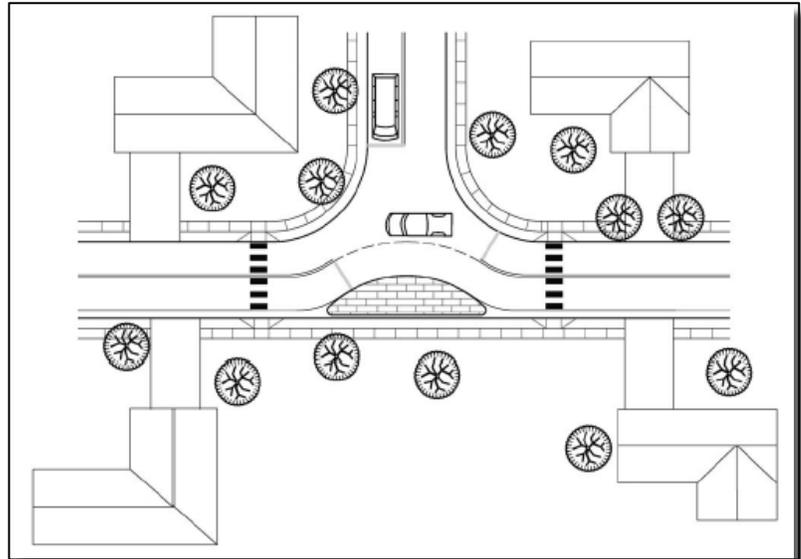


Realigned Intersections

Realigned intersections create changes in the horizontal alignment at the approaches to T-intersections. Curbed islands are used to convert the straight approaches of the through street into a curving street within the intersection. Realigned intersections may provide conditions where warrants are met for additional traffic controls (i.e. all-way stop, etc.).

Advantages:

- Reduced speeds.
- Shorter crossing distances for pedestrians.
- Accommodates large vehicles and has negligible effect on emergency response times.
- Reduces straight line of sight and enhances visual breaks in the streetscape.
- Provides landscaping opportunities.



Disadvantages:

- Loss of on-street parking spaces.
- Narrows pavement surface requiring consideration for providing space bicycles.
- Curb extensions can become expensive if drainage system adjustments are required.
- May create congestion and increase delay on the major street during the peak periods.
- Obstruction to distracted motorist.
- Impact roadway drainage.
- Impede snow removal.



Roundabouts

Roundabouts are becoming more accepted as an intersection design that can often address capacity and safety issues in a more effective manner than installing a traffic signal or all way stop condition. Depending on the traffic operational issue and size of the intersecting roads, roundabouts can be designed in three general sizes: full roundabouts, mini-roundabouts and neighborhood traffic circles.

Full roundabouts are primarily found on higher functional classification roads such as collectors and arterials. They are the largest size and are designed to handle higher volumes and speeds. The full roundabout is typically sized to accommodate trucks and buses circulating around the central island and the central island is non-traversable. Full roundabouts generally do not fit within the footprint of residential collector and local roads, therefore, the City of Delaware reserves their use for the larger, higher classified roads and are not installed as a traffic calming measure.

Mini-roundabouts and neighborhood traffic circles are small roundabouts with traversable central islands and are appropriate as a traffic calming measure to solve certain traffic calming issues. While they are similar in design, neighborhood traffic circles are smaller and, therefore, are slightly different in the way vehicles operate through them. The Federal Highway Administration's (FHWA) report [Mini-Roundabouts](#) defines the difference between mini-roundabouts and neighborhood traffic circles as follows:

Mini-roundabouts are distinguished from neighborhood traffic circles primarily by their traversable islands and yield control on approaches, which allows them to function as other roundabouts do. Neighborhood traffic circles are typically built at the intersections of local streets for reasons of traffic calming and/or aesthetics. They typically are operated as two-way stop-controlled intersections and frequently do not include raised neighborhood traffic circles, left-turning vehicles must turn in front of the central island, potentially conflicting with other circulating traffic.

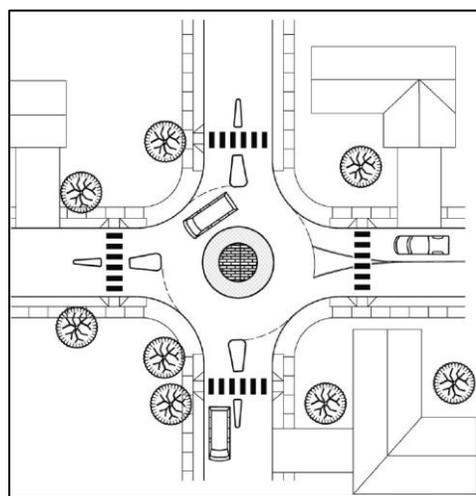
Mini-roundabouts are typically intended for use on residential streets with operating speeds of 30 mph or less. Mini-roundabouts, with yield cross speeds of 20 mph or less, typically require only minor modification to existing intersections. Depending on the width of the intersection and the diameter of the circular island, large vehicles (emergency vehicles and buses) may not be able to negotiate the turn around the central island. In order to facilitate those vehicles, mini-roundabouts are typically designed to include mountable concrete aprons, and with a fully traversable raised central island, so that large vehicles may be permitted to turn left over the circular island rather than going around it.



Neighborhood traffic circles have many of the same features of a mini-roundabout, except they are installed in smaller intersections and are designed to avoid modification of an existing intersection. In neighborhood traffic circles most vehicles larger than a passenger car must travel over at least a portion of the central island to make a left turn. Therefore, due to their small size, typically neighborhood traffic circles do not raise any portion of the central island and are installed without diverter islands on the approaches.

Advantages:

- Improved safety: a traditional four-legged intersection has 16 potential vehicle/pedestrian conflict points and 16 potential vehicle/vehicle conflict points for a total of 32 conflict points. A mini-roundabout or a neighborhood traffic circle has only 8 potential vehicle/pedestrian conflict points and only 4 potential vehicle/vehicle conflict points for a total of only 12 potential conflict points.
- Reduced speeds.
- Little right-of-way is needed for construction of a mini-roundabout and no right-of-way is required for a neighborhood traffic circle.
- Provides traffic calming and traffic control for two streets simultaneously.
- Lower maintenance cost than traffic signals.
- May reduce cut-through traffic volumes.
- Mini-roundabouts can be implemented at modest cost.



Disadvantages:

- Emergency response times may be affected if designed for too low a speed.
- May require additional street lighting.
- Potential loss of on-street parking spaces on intersection approaches.
- The raised island of a mini-roundabout can force bicycles and cars closer together increasing the possibility of conflicts.
- May require curb ramps to be relocated further back along the approaches to the mini-roundabout or neighborhood traffic circle.
- Obstruction to distracted motorist.
- Impact roadway drainage.
- Impede snow removal.



Speed Bumps

Speed humps are elongated mounds installed across the pavement. Individual designs may vary slightly, but typically they are approximately 3-4 inches high, parabolic in shape and between 12 and 14 feet in length. The profile of a 3 inch high speed hump is gentle enough to provide a comfortable ride when traversed at a speed of approximately 20-25 mph. At high speeds, it becomes more uncomfortable for motorists to drive over the speed humps. To reduce speeds over a longer distance, a number of speed humps can be installed. ITE's *Guidelines for the Design and Application of Speed Humps and Speed Tables* recommends a spacing of 260-feet to 500-feet for the series of speed humps to be effective.

The guidelines further recommend that "The first speed hump in a series is normally located in a position where it cannot be approached at high speed from either direction. To achieve this objective, it is typically installed within 200 feet or less of a small-radius curve or stop sign, if installed on a street with significant downgrade, at the top of a hill".

Advantages:

- Speed reduction for vehicles without increasing accident rates.
- Less need for additional enforcement.
- Possible reduction in cut-through traffic.
- Provides visual reinforcement to discourage speeding.
- Durable and long life span.



Disadvantages:

- Emergency response time may be affected. Approximate delay between 3 and 5 seconds per hump for fire trucks and up to 10 seconds for ambulance with patient.
- Degraded physical driving comfort for auto and truck users.
- Potential increased noise due to vehicle braking and accelerating and the vibration of loose items in truck beds or trailers.
- May impede bicyclists due to the changes in vertical grades.
- Requires a sufficiently long stretch of road to install a series of devices.
- May divert traffic to other streets.
- May result in some motorists speeding up between speed humps.
- Requires additional signage and pavement markings.
- Motorcycles may bypass the speed humps via drainage gutters without slowing.
- Obstruction to distracted motorist.
- Impact roadway drainage.
- Impede snow removal.

Note: The City does not currently permit the use of speed bumps on collector streets or primary emergency response routes.

Speed Table/Raised Crosswalk

Speed tables or raised crosswalks are similar in nature to speed humps. They span the full width of the street like speed humps and contain a level area on top of the hump like speed cushions, often marked with a crosswalk. Typically, they are longer than both speed humps (typically 22 feet long) and have a longer flat section in the middle of the devices.

When a speed table is designated as a crosswalk through the use of striping or pavers, it is known as a raised crosswalk. While a 3-inch height is preferable, raised crosswalks can be higher than a speed hump, to ensure that they are level with the adjacent sidewalk/curb. If mid-block pedestrian crossings are an issue, the use of a raised mid-block crosswalk may be an appropriate treatment to lower vehicle travel speeds where pedestrians enter the street. It should be noted that mid-block pedestrian crossings should only be considered per the guidelines established in the City's "Crosswalk Installation & Enhancement Guide".

Advantages:

- Speed reduction for vehicles without increasing accident rates.
- Little need for additional enforcement.
- Possible reduction in cut-through traffic.
- Provides visual reinforcement to discourage speeding.
- Raised crosswalks improve pedestrian safety.
- Relatively low implementation cost.

Disadvantages:

- Emergency response time may be affected. Approximate delay between 3 and 5 seconds per hump for fire trucks and up to 10 seconds for ambulance with patient.
- Degraded physical driving comfort for auto and truck users.
- Potential increased noise due to vehicle braking and accelerating and the vibration.
- May impede bicyclists due to vertical grades.
- May divert traffic to other streets.
- Requires additional signage and pavement markings.
- Motorcycles may bypass the speed humps via drainage gutters without slowing.
- Obstruction to distracted motorist.
- Impact roadway drainage.
- Impede snow removal.



Note: The City does not currently permit the use of speed tables on collector streets or primary emergency response routes.

Raised Intersections

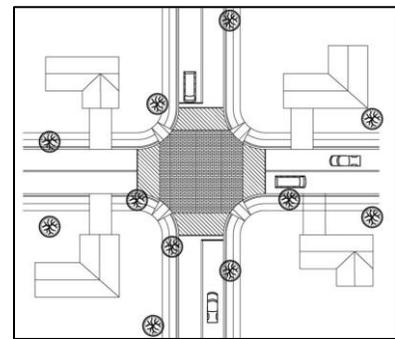
A raised intersection is similar to a raised crosswalk, except that the raised section covers an entire intersection, including crosswalks. Approach ramps are provided on all street approaches, resulting in calming of traffic on both intersecting streets. Raised intersections are especially



applicable in dense urban areas, where installation of speed humps would result in a larger loss of on-street parking than that of the installation of a raised intersection. A typical installation would be at a signal controlled or all-way stop controlled intersection with large volumes of pedestrians. Raised intersections reinforce the stop condition, or in the case of signalized intersections, the need to slow down and watch for pedestrians.

Advantages:

- Supports speed and accident reduction.
- Reduced need for enforcement.
- Possible reduction in cut-through traffic.
- Visual reinforcement to discourage speeding.
- Minimizes impact to on street parking.
- Raised crosswalks improve pedestrian safety.



Disadvantages:

- Emergency response time may be affected. Approximate delay between 3 and 5 seconds per hump for fire trucks and up to 10 seconds for ambulance with patient.
- May divert traffic to nearby streets.
- Generally requires a major, costly redesign of storm drainage systems.
- Increased difficulty for turning large vehicles.
- Degraded physical driving comfort.
- Requires additional signage and pavement markings.
- Can require major utility relocations.
- High design and construction costs.
- Potential increased noise due to vehicle braking and accelerating and the vibration of loose items in truck beds or trailers.
- Obstruction to distracted motorist.
- Impede snow removal.

Note: The City does not currently permit the use of raised islands speed bumps on collector streets or primary emergency response routes.

Appendix B – Intrusive Traffic Calming Measures

Partial Closures

Partial closures are barriers that block travel in one direction for a short distance on otherwise two-way streets. They are also sometimes called partial closures or one-way closures. When two partial closures are placed across from one another at an intersection, the result is a semi-diverter that blocks through movement on a cross street. In some cases, a path can be built behind the measure to accommodate bicycle and pedestrian traffic and separate them from vehicular traffic.

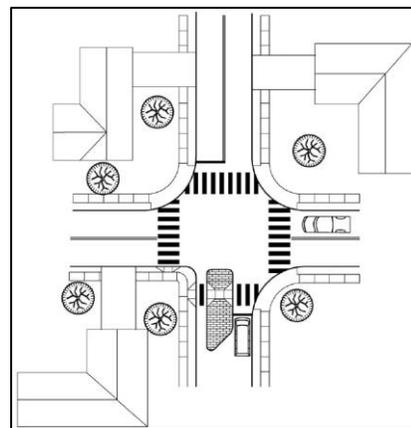


Advantages:

- Reduces volumes and cut-through traffic.
- More effective than signing.
- Interrupts straight street sight lines for motorists and narrows the pavement width through the closure island, which may reduce speed in the open direction.
- Reduces crossing distances for pedestrians.
- Provides landscaping opportunity.

Disadvantages:

- Restricts residents' access by increasing their travel path and time for some movements.
- Emergency vehicles may have increased response times.
- Traffic is diverted to other streets and potentially to other neighborhoods.
- Potential for wrong-way travel.
- Obstruction to distracted motorist.
- Impact roadway drainage.
- Impede snow removal.

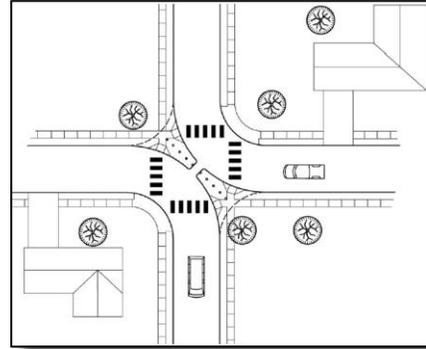


Diagonal Diverters

Diagonal diverters are barriers placed diagonally across an intersection blocking the through movement. They are also called full diverters and diagonal road closures. Diagonal diverters can have an at-grade pass through that allows bicycles and pedestrians to navigate along the original street alignment. The islands should be signed or landscaped with vertical elements to draw motorists' attention, so that they see the measure on their approach.

Advantages:

- Reduces volumes and cut-through traffic.
- More effective than signing.
- Interrupts sight lines for motorists with potential for a reduction in speed approaching and through the diversion curve.
- Provides a landscaping opportunity.



Disadvantages:

- May increase travel distance and time for residents of the street for certain trip patterns.
- Emergency vehicles may have increased response times.
- Traffic is diverted to other streets and potentially to other neighborhoods.
- Obstruction to distracted motorist.
- Impact roadway drainage.
- Impede snow removal.

Intersection Barriers

Intersection barriers are raised islands located along the centerline of a street and continuing through an intersection to block the through movement at a cross street. They also prevent cars on the cross street from turning left at the intersection. Intersection barriers are also referred to as intersection diverters or, occasionally, as island diverters. Intersection barriers differ from center islands in that they are intended to force or prevent a turning movement rather than narrow the road like a center island.



Advantages:

- Reduces volumes and cut-through traffic.
- More effective than signing.
- Interrupts straight street sight lines for motorists.
- Eliminates left turn and angle crashes at intersections.

Disadvantages:

- May increase travel distance and time for residents of the street.
- Emergency vehicles may have increased response times.
- Traffic is diverted to other streets and potentially to other neighborhoods.
- Obstruction to distracted motorist.
- Impact roadway drainage.
- Impede snow removal.

Forced Turn Islands/Restrictions

Forced turn islands are raised islands on approaches to an intersection that force a vehicle to turn right at an intersection and block through movements. They are sometimes called forced turn channelization, pork chops or right turn islands.

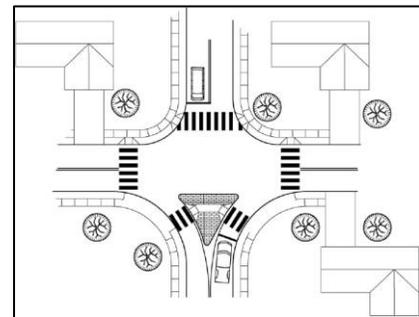


Advantages:

- Reduces volumes and cut-through traffic.
- More effective than signing.
- Interrupts sight lines for motorists.

Disadvantages:

- May increase travel distance and time for residents of the street.
- Emergency vehicles may have increased response times.
- Traffic is diverted to other streets and potentially to other neighborhoods.
- Obstruction to distracted motorist.
- Impact roadway drainage.
- Impede snow removal.



One-Way Streets

Making a street one-way involves limiting the direction of travel on a street to one direction only through regulation and signing. In many communities, an individual street carries a much larger traffic burden than other streets within the same community. Sometimes a larger traffic volumes on these streets is due to the design of the street layout within the subdivision, or in some cases, it is the result of a particular route being used by traffic attempting to avoid congestion on the surrounding highway system. When these situations occur, often the simplest and easiest solution is to distribute the additional traffic burden to other streets. This can be achieved in some cases by designating the high volume street as a one-way street and then designating a parallel street one-way in the opposite direction.



One-way streets may be used on any classification of street (local, collector or arterial) where traffic engineering studies indicate that operational improvements can be achieved by the implementation of a one-way street system. For use on local roads, as a traffic calming solution, the use of a one-way system is appropriate when the traffic volume on the single street exceeds the highest traffic volumes on any other street within the subdivision by 100% or more and the street is not intentionally designed to serve as the collector road for the subdivision. It is also important for the traffic volumes on the high volume street to be generally balanced in both directions and the geometric design features on the high volume street and the parallel street to be approximately the same. When such conditions exist, community streets may be a candidate for a one-way street system.

It should be noted that some streets within subdivisions are intended to be higher volume collector streets for the community and are thus wider than the standard subdivision street. Generally, these streets also have a limited number of properties with direct driveway access. In subdivisions with this type of higher volume collector street, using a one-way street system to divert traffic to a parallel street, which is narrower and provides driveway access to many more properties, would not be appropriate.

Advantages:

- One-way streets can reduce the traffic volumes on the higher volume street by 40% to 60%
- One-way streets may discourage cut-through traffic from using subdivision streets to avoid congestion on the adjacent roadway network.
- If supported by the community, a one-way street system is fairly easy to implement.
- A one-way street system is a low cost solution to traffic problems arising from cut-through traffic and high traffic volumes.

Disadvantages:

- A one-way street system will shift some volume on traffic (to be estimated by an engineering study) to a parallel street, increasing, in some cases significantly, the traffic volumes on that second street.
- Residents on the parallel street may not be willing to share the reduction of the traffic burden on the higher volume street.
- Traffic speeds may increase as traffic volumes decrease on the higher volumes street and motorists no longer need to contend with opposing traffic.
- Increased circulation and travel time will be required for residents with homes along the one-way streets to access their properties.

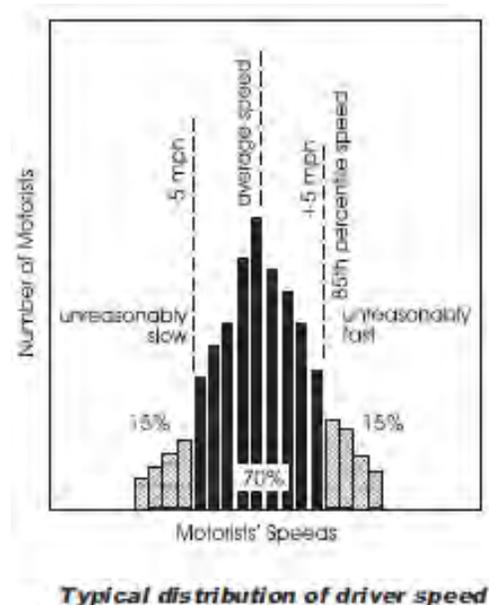


Appendix C – 85th Percentile Speed

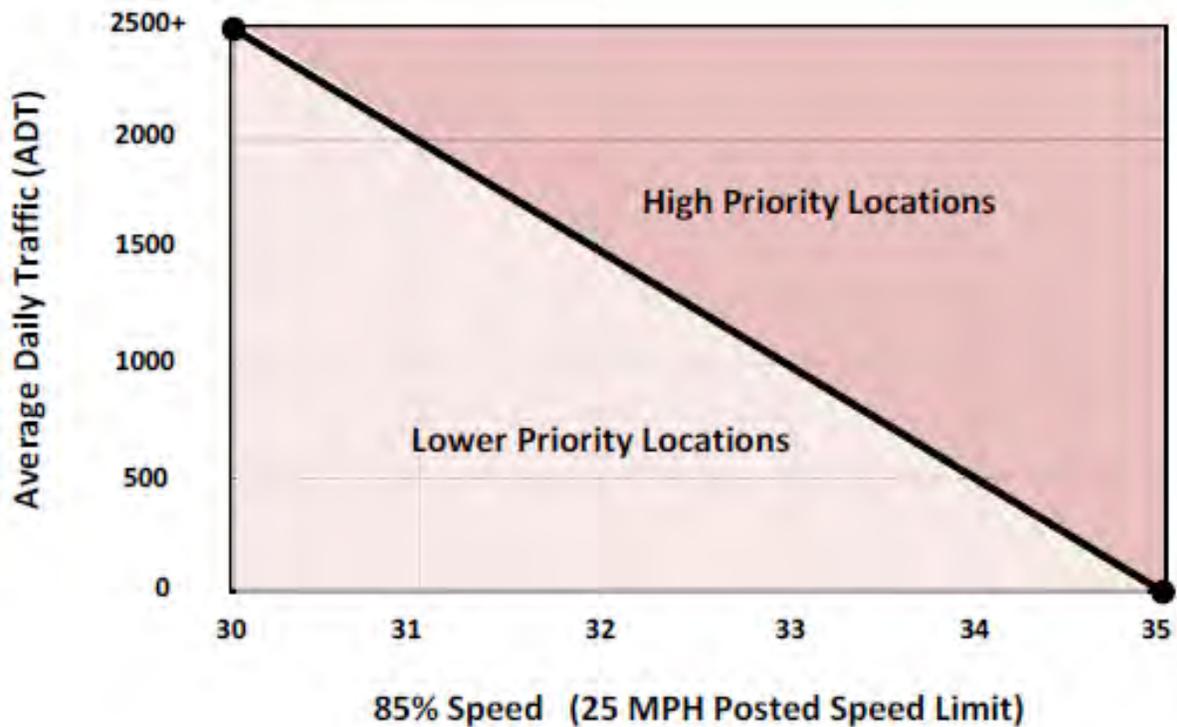
Determination of 85th Percentile Speeds: By definition, the 85% speed is the speed at which 85 percent of all motorists are travelling at or below, or the speed that separates the bottom 85% of vehicle speeds from the top 15%. The 85th percentile speed statistic is of particular interest in planning because the 85th percentile speed is often located at the upper end of a range of speeds that includes the majority of motorists who select “safe and proper speeds”.

The most widely accepted method by state and local agencies is to set the speed limit at the nearest 5 mph increment to the 85th percentile speed. For instance, if the 85th percentile speed were measured at 27 mph, then the speed limit on the road would typically be set at 25 mph.

Studies have shown that crash rates are lowest around the 85th percentile speed. Drivers traveling significantly faster or slower than this speed are at greater risk of being in an accident. It is not high speeds alone that relate to crash risk, it is the variation of speed within the traffic stream. Other considerations such as accidents and real dangers not perceivable by drivers may suggest a need for a lower speed limit. Since speed limits are generally set using the 85th percentile speed, it is expected that 15 percent of the vehicles will exceed the speed limit on a regular basis.



Appendix D – Criteria for Installation of Dynamic Speed Feedback Signs



- 85th Percentile Speed shall be greater than 30 MPH on a street with posted speed limit of 25 MPH.
- Limited to one (1) set of DSFS units per street and locations to be determined by City.
- Street within a School Zone that contains school flashers and where the 85th percentile speed is greater than 5 mph over the school zone posted speed limit during restricted hours. The signs would only be permitted to be active while the school zone flashers are in operation.
- Streets where crash data suggests that frequent and reoccurring accidents can be clearly linked to excessive vehicle speed may be considered.
- City may periodically re-evaluate the vehicle speeds on streets with DSFS to determine if the presence of the units remains effective; and may relocate the unit to an alternate location to improve efficacy.
- All recommended installations are subject to the availability of funding.

Appendix E – Multi-Way Stop Sign Policy

Multi-way stop signs are intersection controls established for certain operating conditions. As with speed limits, drivers must recognize the need for the controls or they will eventually begin to ignore the control that they deem unnecessary. In the case of stop signs, that would mean disregarding the sign and potentially posing a risk to another motorist or pedestrian. Studies on the use of stop signs as a standalone, non-construction, traffic calming solution for speed control, indicate that drivers will actually exceed speed limits between signs to make up for lost time if they feel that the stop signs serve no other purpose than to slow traffic down.

Where Multi-way Stop Control can be Useful

The OMUTCD states “Multi-way stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multi-way stops includes pedestrians, bicyclists and all road users expecting other road users to stop. Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal.”

Criteria for Warranted Multi-Way Stop Control

Section 2B.07 of the OMUTCD gives criteria for a multiway stop sign installation. The following is from the OMUTCD:

The decision to install multiway stop control should be based on an engineering study.

The following criteria should be considered in the engineering study for a multiway STOP sign installation:

- a. Where traffic control signals are justified, the multiway stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.
- b. Five or more reported crashes in a 12-month period that are susceptible to correction by a multiway stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.
- c. Minimum volumes:
 1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day, and
 2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour, but
 3. If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the above values.

- d. Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.

Option:

Other criteria that may be considered in an engineering study include:

- a. The need to control left-turn conflicts;
- b. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;
- c. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to safely negotiate the intersection unless conflicting cross traffic is also required to stop; and
- d. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multiway stop control would improve traffic operational characteristics of the intersection.

Location Evaluation Procedures and Considerations

On occasion, local communities have sought to resolve their traffic speed and traffic diversion issues through the use of multi-way stop signs. Numerous studies conducted by transportation agencies and universities have consistently shown the use of this method as standalone, non-constructive solution for traffic calming are counterproductive. Based on past research and the resulting national and state policies, the City of Delaware will not create safety hazards along City maintained roads by installing unwarranted multi-way stop signs as a standalone traffic calming solution unless the following policy requirements are met per Resolution No. 03-79:

- a. Request for additional stop sign be presented to the City in writing from the neighborhood group or appointed representative.
- b. A signed petition be presented demonstrating neighborhood support for additional stop signs by at least 75% of property owner with property fronting the affected streets for a distance of at least five-hundred feet in all directions of the intersection.
- c. The intersection being considered is located on streets defined as residential, low-volume local streets with a traffic county of less than 2000 vehicles per day.
- d. A current speed study indicates the recorded 85th percentile speed be at least 5 mph in excess of the posted speed limit.
- e. A thorough evaluation of the intersection by the Public Works Director/City Engineer, Fire Chief, Police Chief, and City Attorney find no specific reason to prohibit the installation of the additional stop sign.
- f. That the City retains the ability to remove the additional stop sign if any unforeseen negative impacts to traffic or public safety result from the installation.
- g. Favorable recommendation of the requested stop sign by the Parking and Safety Committee and approval by City Council, or by approval of City Council by a vote of at least five members in favor of the requested installation if not being favorably recommended by the Parking and Safety Committee.

Advantages:

- Provide orderly traffic flow.
- Reduce the severity and frequency of right angle and left turn crashes.
- Relatively inexpensive and quick to implement.

Disadvantages:

- Potential for increased speeds between controlled intersections.
- Some other types of crashes could increase.
- Increases delay to all legs of the intersection.
- Works best with only single lane approaches.
- Total intersection capacity is limited.
- Can interrupt the progressive flow of traffic on a route causing increased delay and stopping.



FACT SHEET

AGENDA ITEM NO: 11

DATE: 06/24/2019

ORDINANCE NO: 19-35

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: YES
June 24, 2019 at 7:30 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 APPROVING A CONDITIONAL USE PERMIT FOR THE OHIO WESLEYAN VILLAGE STUDENT HOUSING LOCATED AT THE NORTHWEST CORNER OF LIBERTY STREET AND PARK AVENUE ON APPROXIMATELY 3 ACRES ZONED PO/I PLANNED OFFICE/INSTITUTIONAL DISTRICT.

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 recommended approval by a vote of 6-0 on June 5, 2019.

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. 19-35

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR THE OHIO WESLEYAN VILLAGE STUDENT HOUSING LOCATED AT THE NORTHWEST CORNER OF LIBERTY STREET AND PARK AVENUE ON APPROXIMATELY 3 ACRES ZONED PO/I PLANNED OFFICE/INSTITUTIONAL DISTRICT.

WHEREAS, the Planning Commission at its meeting of June 5, 2019 recommended approval of a Conditional Use Permit for the Ohio Wesleyan Village Student Housing located at the northwest corner of Liberty Street and Park Avenue on approximately 3 acres zoned PO/I Planned Office /Institutional District (2019-0924).

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

SECTION 1. That the Conditional Use Permit for the Ohio Wesleyan Village Student Housing located at the northwest corner of Liberty Street and Park Avenue on approximately 3 acres, is hereby confirmed, approved, and accepted with the following conditions that:

- 1. The building and site shall be developed per any approved Combined Preliminary and Final Development Plan with all approved conditions.

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: _____, 2019

YEAS___NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 12

DATE: 06/24/2019

ORDINANCE NO: 19-36

RESOLUTION NO:

READING: SECOND

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 OHIO WESLEYAN UNIVERSITY APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR OHIO WESLEYAN VILLAGE STUDENT HOUSING LOCATED AT THE NORTHWEST CORNER OF LIBERTY STREET AND PARK AVENUE ON APPROXIMATELY 3 ACRES ZONED PO/I (PLANNED OFFICE/INSTITUTIONAL DISTRICT).

BACKGROUND:

See attached report

REASON WHY LEGISLATION IS NEEDED:

To achieve compliance with Section 1129.05 Final Development Plan requirements of the zoning code.

COMMITTEE RECOMMENDATION:

Planning Commission approved this case 6-0 on June 5, 2019.

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. 19-36

AN ORDINANCE FOR OHIO WESLEYAN UNIVERSITY APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR OHIO WESLEYAN VILLAGE STUDENT HOUSING LOCATED AT THE NORTHWEST CORNER OF LIBERTY STREET AND PARK AVENUE ON APPROXIMATELY 3 ACRES ZONED PO/I PLANNED OFFICE/INSTITUTIONAL DISTRICT.

WHEREAS, the Planning Commission at its meeting on June 5, 2019 recommended approval of a Combined Preliminary and Final Development Plan for Ohio Wesleyan University for a Combined Preliminary and Final Development Plan for Ohio Wesleyan Village Student Housing located at the northwest corner of Liberty Street and Park Avenue on approximately 3 acres zoned PO/I Planned Office/Institutional District (2019-0925).

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

SECTION 1. That the Combined Preliminary and Final Development Plan for Ohio Wesleyan University for Ohio Wesleyan Village Student Housing located at the northwest corner of Liberty Street and Park Avenue on approximately 3 acres zoned PO/I Planned Office/Institutional District, is hereby confirmed, approved, and accepted 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. The appropriate amount of right-of-way shall be dedicated to the City at the northwestern portion of Liberty Street and Park Avenue per the City Engineer.
3. The Applicant shall submit all building elevations along with material and color samples for all building materials for staff review and approval.
4. The mechanical equipment area shall be screened from public view by a wall made of stone or brick to match the building.
5. The proposed student housing building shall achieve compliance with the City design standards per the submitted drawings as approved by staff.

6. The City shall independently approve the 2019 OWU parking study and OWU shall have to achieve compliance with such approval
7. The Ohio Wesleyan University shall replace 218 caliper inches of trees or a revised amount based on the City Arborist review and approval of final construction drawings. The University shall utilize the land bank option for replacement that achieves compliance with Chapter 1168 Tree Preservation Regulations. The exact location, amount and type of trees within the University Campus and the City shall be determined per an agreement between the University and the City. This agreement shall be executed prior to approval of the occupancy permit of the subject building.
8. A continuous row of shrubs a minimum 3 foot high at installation shall be planted along Park Avenue adjacent to the parking lot. Also, trees shall be installed in each parking island and within the proposed bio-swale located in the parking lot.
9. Any street trees or other on-site trees damaged by construction shall be replaced.
10. The landscape plans shall be reviewed and approved by the Shade Tree Commission.
11. A lighting plan that achieves compliance with the minimum zoning requirements and shall be reviewed and approved by the Chief Building Official.
12. Any signage shall achieve compliance with the minimum zoning requirements and the adopted Gateways and Corridor Plan.
13. The entire development shall achieve compliance with the minimum fire department requirements.
14. The project area shall be consolidated into one lot as practical.

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: _____, 2019

YEAS___NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 13

DATE: 06/24/2019

ORDINANCE NO: 18-37

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: YES
June 24, 2019 at 7:30 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 APPROVAL OF AN ALLEY VACATION REQUEST BY OHIO WESLEYAN UNIVERSITY OF AN ALLEY FOR OHIO WESLEYAN VILLAGE STUDENT HOUSING LOCATED ALONG THE NORTH SIDE OF PARK AVENUE JUST WEST OF LIBERTY ST.

BACKGROUND:

See attached report

REASON WHY LEGISLATION IS NEEDED:

Per Chapter 910 Street and Alley Vacations of the Codified Ordinances.

COMMITTEE RECOMMENDATION:

Planning Commission approved this case 6-0 on June 5, 2019.

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. 19-37

AN ORDINANCE FOR APPROVAL OF AN ALLEY VACATION REQUEST BY OHIO WESLEYAN UNIVERSITY OF AN ALLEY FOR OHIO WESLEYAN VILLAGE STUDENT HOUSING LOCATED ALONG THE NORTH SIDE OF PARK AVENUE JUST WEST OF LIBERTY ST.

WHEREAS, the Planning Commission at its meeting of June 5, 2019 recommended approval of an Alley Vacation request by Ohio Wesleyan University of an alley for Ohio Wesleyan Village Student Housing located along the north side of Park Ave. just west of Liberty St. (2019-0926).

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

SECTION 1. That the Alley Vacation for Ohio Wesleyan University of an alley for Ohio Wesleyan Village Student Housing located along the north side of Park Ave. just west of Liberty St, is hereby confirmed, approved, and accepted with the following conditions that:

1. The alley vacation shall be recorded at the County by the applicant.

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: _____, 2019

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST:

CITY CLERK

MAYOR



PLANNING COMMISSION / STAFF REPORT

CASE NUMBER: 2019-0924-0926

REQUEST: Multiple Requests

PROJECT: Ohio Wesleyan Village Student Housing

MEETING DATE: June 5, 2019

APPLICANT/OWNER

Ohio Wesleyan University
61 South Sandusky Street
Delaware, Ohio 43015

REQUEST

2019-0924: A request by Ohio Wesleyan University for approval of a Conditional Use Permit to allow the Ohio Wesleyan Village Student Housing located at the northwest corner of Liberty Street and Park Avenue on approximately 3 acres zoned PO/I Planned Office/Institutional District.

2019-0925: A request by Ohio Wesleyan University for approval of a Combined Preliminary and Final Development Plan for Ohio Wesleyan Village Student Housing located at the northwest corner of Liberty Street and Park Avenue on approximately 3 acres zoned PO/I Planned Office/Institutional District.

2019-0926: A request by Ohio Wesleyan University for approval of Alley Vacation for Ohio Wesleyan Village Student Housing located at the northwest corner of Liberty Street and Park Avenue on approximately 3 acres zoned PO/I Planned Office/Institutional District.

PROPERTY LOCATION & DESCRIPTION

The site area encompasses approximately three acres which is located on the northwest corner of Liberty Street and Park Avenue and is zoned PO/I Planned Office/Institutional District. The property and areas to the north, east and west are zoned PO/I while the properties to the south are zoned R-6 (Multi-Family Residential District). The University owns the property to the north, east and west and is part of their campus.

BACKGROUND/PROPOSAL

Ohio Wesleyan University has received donations earmarked toward upgrading the residential campus by constructing new student housing options and renovating existing facilities. Phase 1 would include the construction of a three-story 46,500 square foot 126 dwelling unit student housing building with a 115 space parking lot located at the northwest corner of Liberty Road and Park Avenue. The student housing building would contain 112 single occupant bedrooms, 8 double occupancy bedrooms and a 2 bedroom apartment for the residential assistant. Each suite would have common bathing and living area. The first floor will also have a meeting room and mini-campus store with an outdoor plaza. Also, the Smith Edwards dormitory would be renovated in Phase 1 but is not part of this application. Future phases would likely include the demolition of Bashford Hall and Thompson Hall and the construction of new student housing in this area.

STAFF ANALYSIS

- **ZONING:** As previously mentioned, the subject property is zoned PO/I which permits multi-family dwelling units as a conditional use with approval by the Planning Commission and City Council. The proposed student housing would achieve compliance with Chapter 1148.02 General Criteria of All Conditional Uses and there are not any Supplemental Regulations for Specific Uses for the proposed multi-family use in this manner per Chapter 1148.05. Along with the Conditional Use Permit, the proposal would also require Combined Preliminary and Final Development Plan and Alley Vacation approval by the Planning Commission and City Council.
- **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.
- **ROADS AND ACCESS:** The proposed three-story 46,500 square foot 126 unit student housing building would be located fronting Liberty Street with a 115 space parking lot located fronting Park Avenue. There would be two curb cuts from Park Avenue into the parking lot. To help correct the right-of-way offset between Park Avenue east and west of Liberty Street, the City Engineer is requesting the appropriate amount of right-of-way to be dedicated to the City at the northwestern portion of Liberty Street and Park Avenue.

-
- **PEDESTRIAN CONNECTIVITY:** Per the adopted Bicycle and Pedestrian Master Plan 2027, there are not any proposed bike paths across the subject properties. However, the existing sidewalk along Liberty Street and Park Avenue would remain and would have to be maintained by the developer.
 - **SITE CONFIGURATION:** The three-story 46,500 square foot 126 unit student housing building would be located on the west side of Liberty Street centered on Rowland Avenue to the east (the main pedestrian walkway thru campus), The building would be located approximately 53 feet west of Liberty Street right-of-way and just east of Bashford Hall and Thompson Hall. The student housing building would have two courtyard gardens on the front elevation and an outdoor plaza on the rear elevation for the students. A 151 space parking lot would be located 20 feet north of the Park Avenue right-of-way and just south of Bashford Hall. A bio-swale would be located within the parking lot and outlet into an underground storm water storage facility located just east of the parking lot. A mechanical equipment area screened by a wall from public view would be located just east of the parking lot also. The wall shall be constructed of brick or stone that matches the proposed building. A network of internal sidewalks would connect the new student housing building with the parking lot, adjacent dormitories and the public sidewalk for convenient and safe routes for the student population. Some of the internal sidewalks would have to be constructed to withhold a fire truck. Access to the existing dormitories and the proposed new building and parking lot would have to achieve compliance with all fire department requirements.
 - **PARKING:** Section 1161.05 Specific Parking Standards for College/University Uses of the zoning code specifically calls for a parking study to be prepared in cases such as this to determine overall campus parking demand and use. In July 2015, OWU prepared a Rowland Avenue Student Housing Parking Study and now they have are in the process of preparing a parking study for the entire campus to address the future expansion of the campus. The applicant was not able to produce a parking study prior to the date of the report for review by Staff. They have indicated they will present such at the Planning Commission meeting. Staff is confident there is sufficient parking across campus to accommodate student and faculty vehicles based upon past studies and current knowledge of the parking situation on campus. The University will ultimately be responsible for actively managing the parking on the campus and they have the unique ability to compel students and faculty to park at designated locations and to enforce and penalize them if they do not follow university rules, even if the parking is remote which is typical on a college campus. The City shall independently approve the parking study and OWU would have to achieve compliance with such approval.
 - **BUILDING DESIGN:** The proposed three-story 46,500 square foot 126 unit student housing building would be comprised of a mix of red/orange modular brick and white fiber cement siding with several single hung windows capped off with a pitched roof with asphalt shingles. In conclusion, the proposed building design, materials and colors appear to be compatible with the recent existing construction within the University and would be a good model for the future student housing proposed on the campus. All building appurtenances (coping, downspouts, etc.) should be painted to match the adjacent building color. The Applicant shall submit all building elevations along with material and color samples for all building materials for staff review and approval.
 - **LANDSCAPING & SCREENING:** The applicant is proposing a comprehensive landscape plan that includes street trees, parking lot and building foundation landscaping. The owner would be responsible to replace any street trees removed in construction and supplement street trees where necessary along Liberty Street and Park Avenue. The applicant identifies the appropriate amount of building foundation landscaping but would require parking lot landscaping. A continuous row of shrubs a minimum 3 foot high at installation would be required along Park Avenue adjacent to the parking lot. Also, trees shall be installed in each parking island and within the proposed bio-swale located in the parking lot. All landscaping plans shall be reviewed and approved by the Shade Tree Commission.
 - **TREE REMOVAL & REPLACEMENT:** The applicant has provided a tree survey that indicates 218 caliper inches of trees are located in this project area and would be removed because of this project per their preliminary plans. The City Arborist is in the process of reviewing the tree survey to verify the amount and condition of the trees identified as being removed at this time. Upon review by the City Arborist and the approved final construction drawings should result in in a firm number of caliper inches that would be removed. Per Chapter 1168 Tree Preservation Regulations, the applicant can replace the trees inch for inch, make a payment in lieu of planting of \$100 per inch, or a combination of both. The applicant is proposing to

replace the trees within a tree bank per Chapter 1168.07 with new trees that would be planted on the Ohio Wesleyan Campus and/or within the City Park system. The exact locations, amount and type of trees within the University Campus and the City would be determined per an agreement between the University and the City. This agreement shall be executed prior to occupancy of the proposed student housing building.

- **SIGNAGE:** The applicant has not proposed any signage with this application. Any future signage shall achieve compliance with the minimum zoning requirements and the adopted Gateways & Corridors Plan.
- **LIGHTING:** The applicant did not provide lighting plans plan but the required plans (parking lot, site and building lighting) shall achieve compliance with the zoning code and shall need to be approved by the Chief Building Official.
- **CONDITIONAL USE PERMIT:** The proposed development achieves compliance with Conditional Use Permit requirements per Chapter 1148.02 General Criteria For All Conditional Use and Chapter 1148.05 Supplemental Regulations for Specific Uses (the proposed use does not have any supplemental regulation requirements).
- **ALLEY VACATION:** A public alley is located perpendicular to Park Avenue approximately 200 feet west of Liberty Street where the proposed parking lot is located (eastern portion of the parking lot). Ohio Wesleyan University is the property owner of the property to the east and west of the existing alley right-of-way. There are not any public utilities and/or easements within the subject right-of-way. Therefore, the vacation of the right-of-way shall be dedicated to Ohio Wesleyan University per the City Codified Ordinances.
- **PHASES:** As mentioned about, Ohio Wesleyan University is proposing to construct and renovate the student residential component of the campus. Phase 1 would include the new student housing in this application and the renovation of Smith/Edwards Hall located just north of the new student housing. Future phase would likely include the demolition of Bashford Hall and Thompson Hall and the construction of new student housing in this area.

STAFF RECOMMENDATION (2019-0924 – CONDITIONAL USE PERMIT)

Staff recommends approval of a request by Ohio Wesleyan University for a Conditional Use Permit to allow the Ohio Wesleyan Village Student Housing located at the northwest corner of Liberty Street and Park Avenue on approximately 3 acres zoned PO/I Planned Office/Institutional District, with the following condition:

1. The building and site shall be developed per the any approved Combined Preliminary and Final Development Plan with all approved conditions.

STAFF RECOMMENDATION (2019-0925 COMBINED PRELIMIARY & FINAL DEVELOPMENT PLAN)

Staff recommends approval of a request by Ohio Wesleyan University for a Combined Preliminary and Final Development Plan for Ohio Wesleyan Village Student Housing located at the northwest corner of Liberty Street and Park Avenue on approximately 3 acres zoned PO/I Planned Office/Institutional District, with the following conditions:

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. The appropriate amount of right-of-way shall be dedicated to the City at the northwestern portion of Liberty Street and Park Avenue per the City Engineer.
3. The Applicant shall submit all building elevations along with material and color samples for all building materials for staff review and approval.
4. The mechanical equipment area shall be screened from public view by a wall made of stone or brick to match the building.
5. The proposed student housing building shall achieve compliance with the City design standards per the submitted drawings as approved by staff.

6. The City shall independently approve the 2019 OWU parking study and OWU shall have to achieve compliance with such approval
7. The Ohio Wesleyan University shall replace 218 caliper inches of trees or a revised amount based on the City Arborist review and approval of final construction drawings. The University shall utilize the land bank option for replacement that achieves compliance with Chapter 1168 Tree Preservation Regulations. The exact location, amount and type of trees within the University Campus and the City shall be determined per an agreement between the University and the City. This agreement shall be executed prior to approval of the occupancy permit of the subject building.
8. A continuous row of shrubs a minimum 3 foot high at installation shall be planted along Park Avenue adjacent to the parking lot. Also, trees shall be installed in each parking island and within the proposed bio-swale located in the parking lot.
9. Any street trees or other on-site trees damaged by construction shall be replaced.
10. The landscape plans shall be reviewed and approved by the Shade Tree Commission.
11. A lighting plan that achieves compliance with the minimum zoning requirements and shall be reviewed and approved by the Chief Building Official.
12. Any signage shall achieve compliance with the minimum zoning requirements and the adopted Gateways and Corridor Plan.
13. The entire development shall achieve compliance with the minimum fire department requirements.
14. The project area shall be consolidated into one lot as practical.

STAFF RECOMMENDATION (2019-0926 ALLEY VACATION)

Staff recommends approval of a request by Ohio Wesleyan University for approval of an Alley Vacation for Ohio Wesleyan Village Student Housing located at the northwest corner of Liberty Street and Park Avenue on approximately 3 acres zoned PO/I Planned Office/Institutional District, with the following condition that:

1. The alley vacation shall be recorded at the County by the applicant.

Ohio Wesleyan University – Village Student Housing

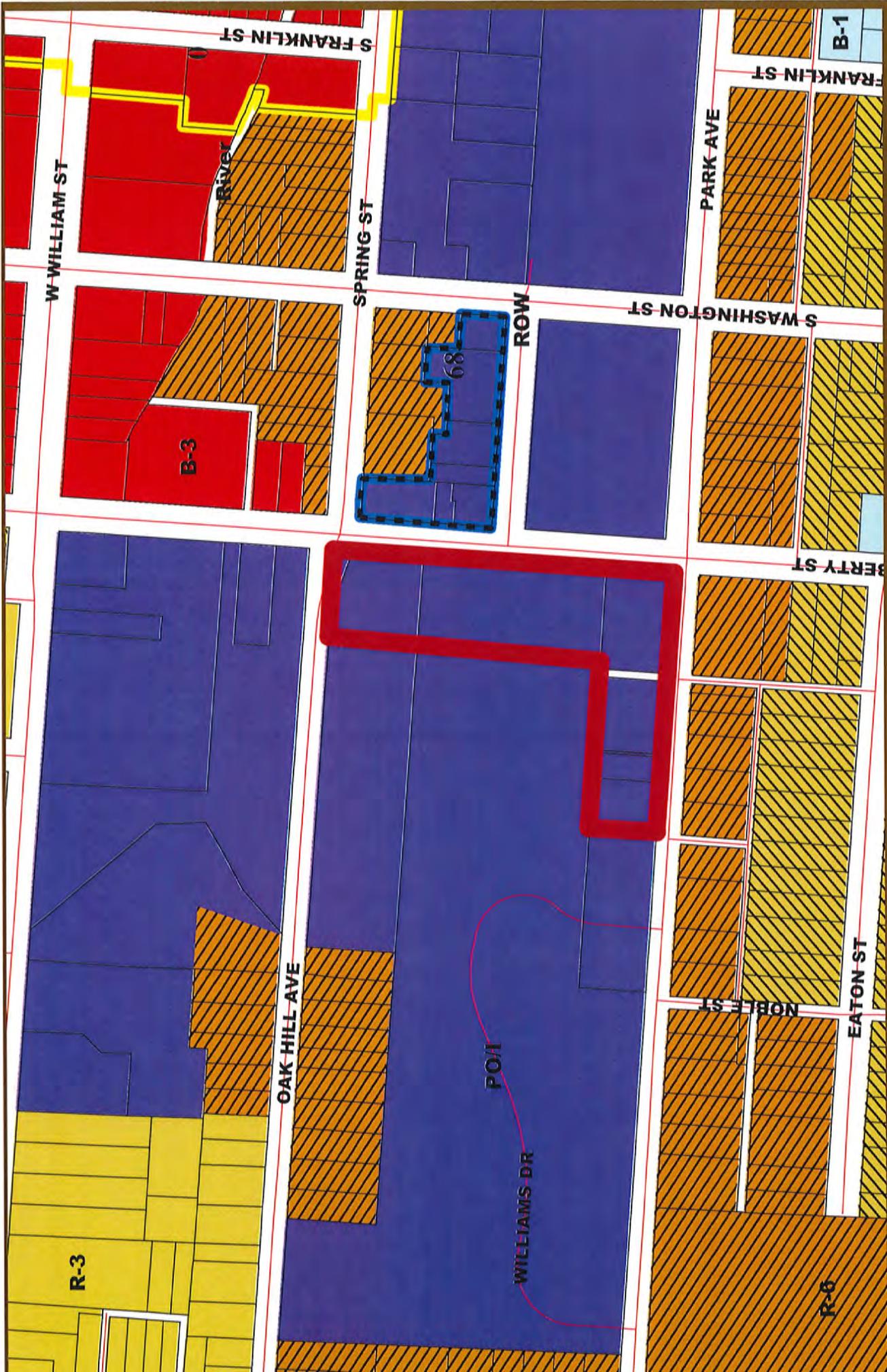
Ohio Wesleyan plans to build a new dormitory for its upper class students. It will be a three story, metal stud framed structure with cement board siding and brick veneer with a sloped asphalt shingle roof. The footprint square footage is 15, 600 sq. ft. The building will contain 112 single occupant bedrooms and 8 double occupancy bedrooms. These will be arranged in 4, 6 and 8 room suites. Each suite will have a common bathing and living area. The first floor will also have a meeting room and a mini-campus store with an outdoor plaza.

This will be the first phase of new student housing on the campus. Future phases will replace the existing dormitories of Bashford Hall and Thomson Hall. A separate phase will renovate the existing Smith Hall dormitory.



2019-0924-0926
 Conditional Use Permit, Combined Preliminary and
 Final Development Plan & Alley Vacation
 Ohio Wesleyan University - Liberty Street and Park Avenue
 Location Map





2019-0924-0926
 Conditional Use Permit, Combined Preliminary and
 Final Development Plan & Alley Vacation
 Ohio Wesleyan University - Liberty Street and Park Avenue
 Zoning Map





2019-0924-0926
Conditional Use Permit, Combined Preliminary and
Final Development Plan & Alley Vacation
Ohio Wesleyan University - Liberty Street and Park Avenue
Aerial (2016) Map



EMHT
Engineering, Mapping, & Technology
17700 W. 13th Street, Suite 100
Cincinnati, OH 45244
Phone: (513) 763-1234
Fax: (513) 763-1235
www.emht.com

PRELIMINARY
NOT TO BE USED FOR
CONSTRUCTION
PLANS DATE
March 23, 2019

IF PLACE NOT SHOWN, IS INTENDED BY THE CITY.
SECTION 1.0: GENERAL NOTES
1.0-1. ALL UTILITIES SHOWN ON THIS PLAN ARE TO BE MAINTAINED IN PLACE AND PROTECTED. ANY CHANGES TO UTILITIES SHALL BE APPROVED BY THE CITY ENGINEER AND THE UTILITIES COMPANY.
1.0-2. ALL UTILITIES SHALL BE MAINTAINED AT ALL TIMES AND SHALL BE PROTECTED BY THE CONTRACTOR.
1.0-3. ALL UTILITIES SHALL BE MAINTAINED AT ALL TIMES AND SHALL BE PROTECTED BY THE CONTRACTOR.
1.0-4. ALL UTILITIES SHALL BE MAINTAINED AT ALL TIMES AND SHALL BE PROTECTED BY THE CONTRACTOR.
1.0-5. ALL UTILITIES SHALL BE MAINTAINED AT ALL TIMES AND SHALL BE PROTECTED BY THE CONTRACTOR.
1.0-6. ALL UTILITIES SHALL BE MAINTAINED AT ALL TIMES AND SHALL BE PROTECTED BY THE CONTRACTOR.
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1.0-9. ALL UTILITIES SHALL BE MAINTAINED AT ALL TIMES AND SHALL BE PROTECTED BY THE CONTRACTOR.
1.0-10. ALL UTILITIES SHALL BE MAINTAINED AT ALL TIMES AND SHALL BE PROTECTED BY THE CONTRACTOR.

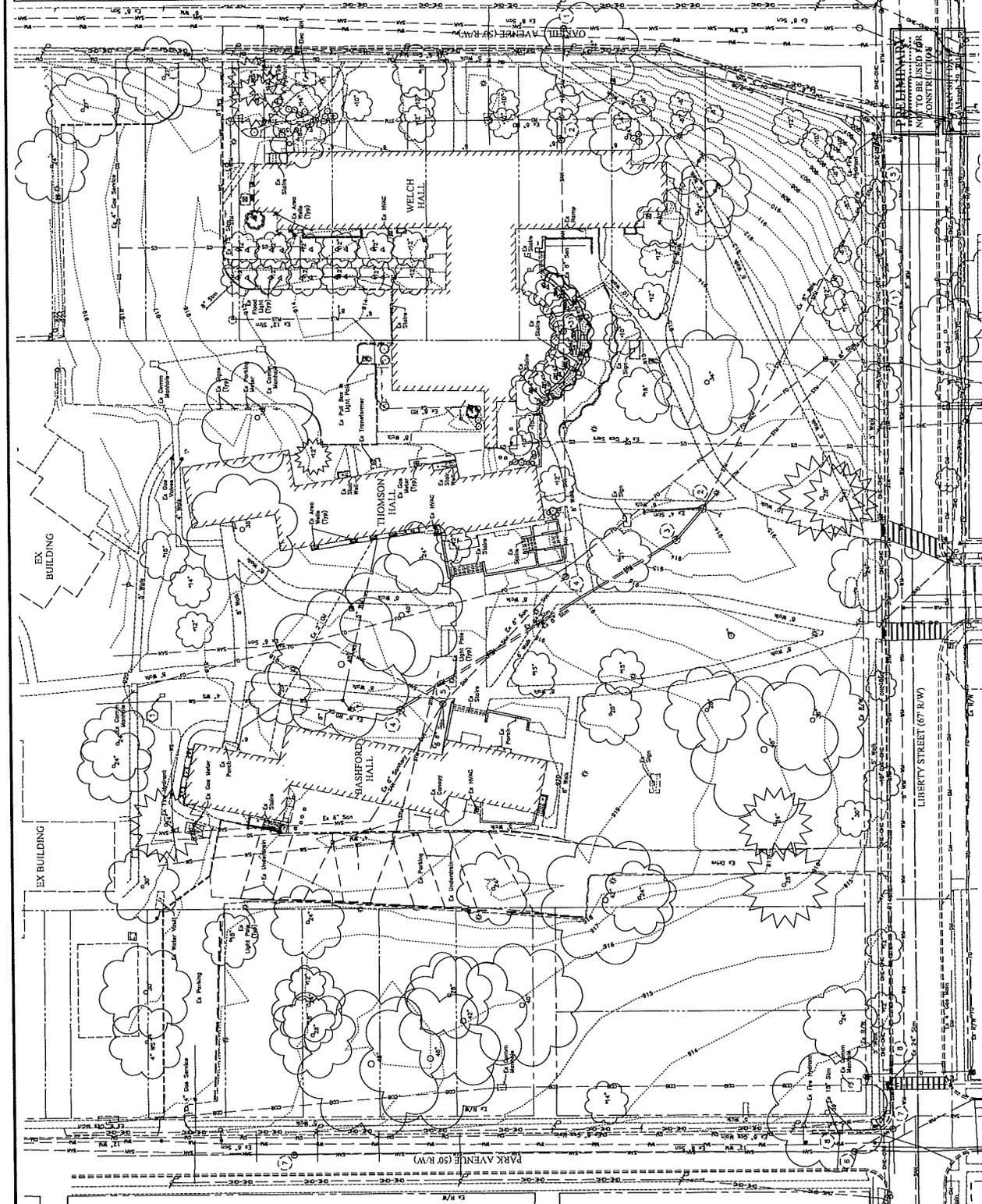
SECTION 2.0: CONSTRUCTION NOTES
2.0-1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.
2.0-2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.
2.0-3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.
2.0-4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.
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2.0-9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.
2.0-10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.

SECTION 3.0: MATERIALS AND WORKMANSHIP
3.0-1. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE CITY ENGINEER.
3.0-2. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE CITY ENGINEER.
3.0-3. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE CITY ENGINEER.
3.0-4. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE CITY ENGINEER.
3.0-5. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE CITY ENGINEER.
3.0-6. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE CITY ENGINEER.
3.0-7. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE CITY ENGINEER.
3.0-8. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE CITY ENGINEER.
3.0-9. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE CITY ENGINEER.
3.0-10. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE CITY ENGINEER.

SECTION 4.0: SCHEDULE AND PROGRESS
4.0-1. ALL CONSTRUCTION SHALL BE COMPLETED BY THE DATE SPECIFIED IN THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.
4.0-2. ALL CONSTRUCTION SHALL BE COMPLETED BY THE DATE SPECIFIED IN THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.
4.0-3. ALL CONSTRUCTION SHALL BE COMPLETED BY THE DATE SPECIFIED IN THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.
4.0-4. ALL CONSTRUCTION SHALL BE COMPLETED BY THE DATE SPECIFIED IN THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.
4.0-5. ALL CONSTRUCTION SHALL BE COMPLETED BY THE DATE SPECIFIED IN THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.
4.0-6. ALL CONSTRUCTION SHALL BE COMPLETED BY THE DATE SPECIFIED IN THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.
4.0-7. ALL CONSTRUCTION SHALL BE COMPLETED BY THE DATE SPECIFIED IN THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.
4.0-8. ALL CONSTRUCTION SHALL BE COMPLETED BY THE DATE SPECIFIED IN THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.
4.0-9. ALL CONSTRUCTION SHALL BE COMPLETED BY THE DATE SPECIFIED IN THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.
4.0-10. ALL CONSTRUCTION SHALL BE COMPLETED BY THE DATE SPECIFIED IN THE CITY ENGINEER'S APPROVED CONSTRUCTION PLAN.

SECTION 5.0: ENVIRONMENTAL AND SAFETY
5.0-1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE ENVIRONMENTAL REGULATIONS.
5.0-2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE ENVIRONMENTAL REGULATIONS.
5.0-3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE ENVIRONMENTAL REGULATIONS.
5.0-4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE ENVIRONMENTAL REGULATIONS.
5.0-5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE ENVIRONMENTAL REGULATIONS.
5.0-6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE ENVIRONMENTAL REGULATIONS.
5.0-7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE ENVIRONMENTAL REGULATIONS.
5.0-8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE ENVIRONMENTAL REGULATIONS.
5.0-9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE ENVIRONMENTAL REGULATIONS.
5.0-10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE ENVIRONMENTAL REGULATIONS.

SYMBOL	DESCRIPTION	REVISIONS
[Symbol]	Garage	
[Symbol]	Stairway/Curb Ramp	
[Symbol]	Center Line Swale	
[Symbol]	Perimeter/Retain	
[Symbol]	Water Main	
[Symbol]	Water Service	
[Symbol]	Domestic Water Service	
[Symbol]	Fire Water Service	
[Symbol]	Sanitary Sewer Mch	
[Symbol]	Sanitary Sewer Service	
[Symbol]	Storm Sewer	
[Symbol]	Roof Drain	
[Symbol]	Underdrain	
[Symbol]	Underground Electric Service	
[Symbol]	Electric Duct Bank	
[Symbol]	Overhead Electric	
[Symbol]	Overhead Electric & Communications	
[Symbol]	Underground Street Lighting	
[Symbol]	Private Site Lighting	
[Symbol]	Communications Duct Bank	
[Symbol]	Communications Duct Bank	
[Symbol]	Natural Gas Mch	
[Symbol]	Natural Gas Service	
[Symbol]	Tree Rise	
[Symbol]	Ornamental Tree/Shrub	
[Symbol]	Bedroom/Emergency Tree	
[Symbol]	Detachable Warning Posts	
[Symbol]	Curb & Gutter Inlet	
[Symbol]	Wheel Block	
[Symbol]	Headless Pavement Symbol	
[Symbol]	Ballast	
[Symbol]	Light Pole	
[Symbol]	Transformer	
[Symbol]	Gas Meter	
[Symbol]	Pull Box	



EXISTING LEGEND

GENERAL NOTES

- Existing conditions are shown based upon survey field notes and aerial photography. All utility lines shown are based on the survey field notes and are supplemented by Geographic Information System (GIS) data and record plan information. The design engineer assumes no responsibility for the accuracy of utility lines shown on this plan. The contractor shall verify the utility lines shown on this plan with the utility owners, and locations of above ground utility structures.
- Utility utilities are shown based upon available record plan information and field observations. The design engineer assumes no responsibility for the accuracy of utility lines shown on this plan. The contractor shall verify the utility lines shown on this plan with the utility owners, and locations of above ground utility structures.
- Utility utilities are shown based upon available record plan information and field observations. The design engineer assumes no responsibility for the accuracy of utility lines shown on this plan. The contractor shall verify the utility lines shown on this plan with the utility owners, and locations of above ground utility structures.
- Utility utilities are shown based upon available record plan information and field observations. The design engineer assumes no responsibility for the accuracy of utility lines shown on this plan. The contractor shall verify the utility lines shown on this plan with the utility owners, and locations of above ground utility structures.

ABBREVIATIONS

DB Do Not Disturb
DND Do Not Disturb
EX Existing
R/W Right-of-Way
R/W Right-of-Way
REC Record
TO TO Be Returned

CODED NOTES

- Emergency Phone
- Storm Sewer Structures
- C&G Inlet - TC-406-46

NOT TO BE USED FOR CONSTRUCTION

DEMOLITION LEGEND

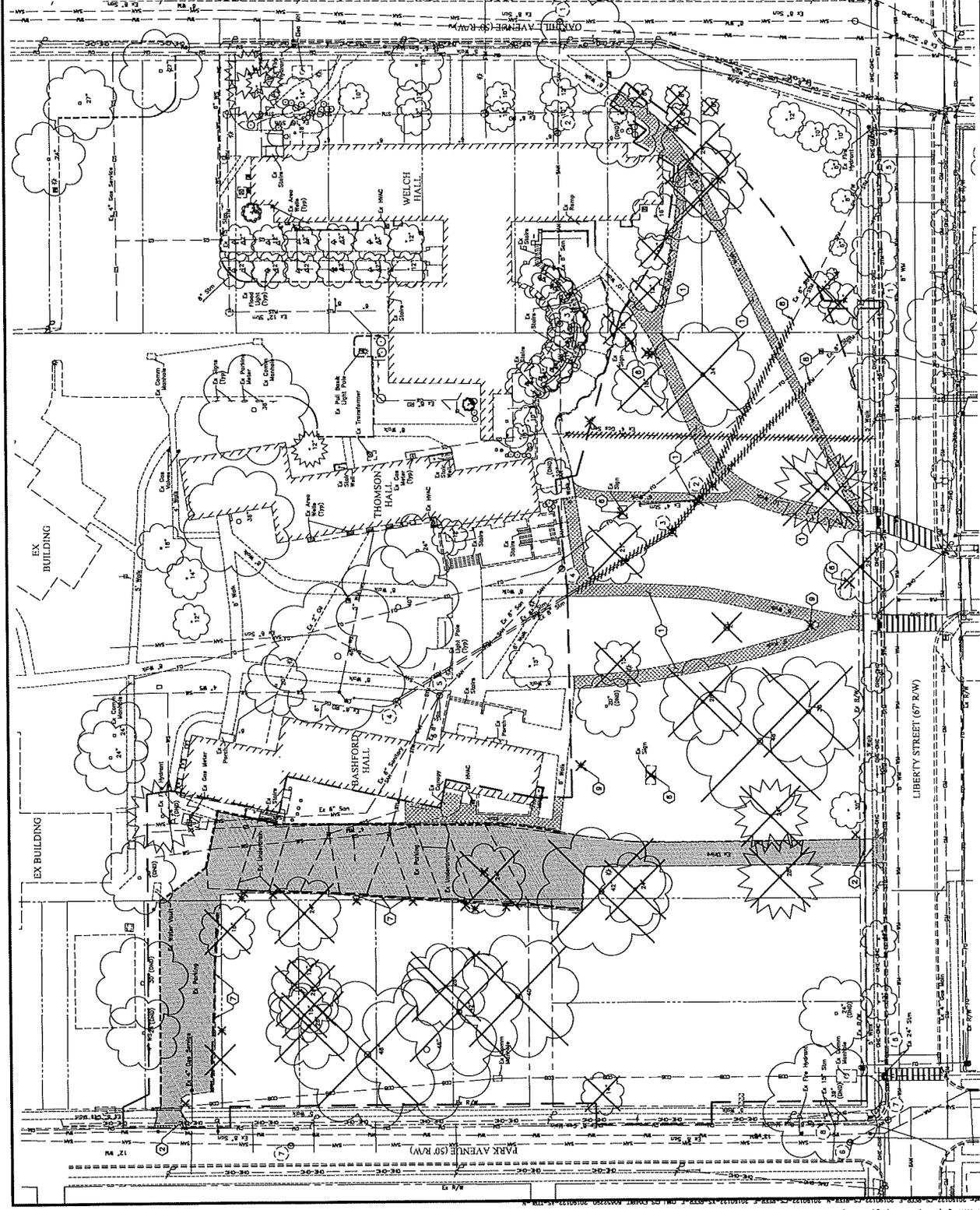
--- (dashed line)	Seawall Line
--- (long dashed line)	Remove Existing Utility
--- (short dashed line)	Remove Existing Fence
--- (dash-dot line)	Remove Curb
--- (cross-hatch)	Remove Existing Vegetation
--- (diagonal lines)	Remove Existing Concrete Sidewalk and Aggregate Base
--- (horizontal lines)	Remove Existing Asphalt and Aggregate Base
--- (vertical lines)	Remove Existing Trees
--- (X-hatch)	Remove Existing Sign

GENERAL NOTES

1. Basmati all demolition work shall be in accordance with the Ohio Department of Transportation (ODOT) Manual of Practice (MOP) 603.11.1, Phased and Compacted per ODOT 603.11.1.
2. Outside right of way, basmati all demolition under and above ground utilities shall be in accordance with the Ohio Department of Transportation (ODOT) Manual of Practice (MOP) 603.11.1, Phased and Compacted per ODOT 603.11.1. Basmati all demolition outside of right of way shall be in accordance with the Ohio Department of Transportation (ODOT) Manual of Practice (MOP) 603.11.1, Phased and Compacted per ODOT 603.11.1.
3. Existing utilities shall be protected and remain in place undisturbed unless specifically listed for abandonment.
4. The Contractor shall obtain all necessary permits prior to demolition.
5. It shall be the responsibility of the contractor to remove all debris from the site and to provide a clean site ready for re-use or return to a specific organization, off-site prior to project completion. In no instance shall the contractor be responsible for the removal of any debris from the site.
6. Seawall shall be demolished in accordance with the limits of demolition with neat, straight lines, except any removal of improvements, all pavement shall be removed and replaced with new pavement. Any existing pavement shall be removed and replaced with new pavement. Any existing pavement shall be removed and replaced with new pavement.
7. Any existing pavement disturbed beyond the work shown on the plans shall be repaired or replaced in accordance with Item 202 of the Contractor's Supplemental Specifications for the project. The Contractor shall be responsible for the repair or replacement of any existing pavement that may become damaged as a result of demolition.
8. The Contractor shall be responsible for any and all utility work that may be required to complete the project. The Contractor shall be responsible for the installation of any new utility work.
9. The Contractor shall be responsible for the installation of any new utility work.
10. Provide a minimum of 6" of topsoil and seed all areas with Item 202 of the Contractor's Supplemental Specifications for the project.
11. Ensure that all erosion and sediment control measures are in place prior to beginning demolition, refer to sheet 13 for erosion & sediment control information.

- CODED NOTES**
- 1 Remove existing concrete sidewalk.
 - 2 Sawcut for depth existing pavement per General Note #1, this sheet.
 - 3 Remove existing existing vegetation.
 - 4 Abandon existing storm sewer pipe.
 - 5 Remove existing storm sewer pipe.
 - 6 Remove, salvage and deliver existing sign to Owner.
 - 7 Remove existing parking block.
 - 8 Cut existing storm sewer and plug after new storm is connected.
 - 9 Remove existing light pole.

PRELIMINARY
 NOT TO BE USED FOR
 CONSTRUCTION
 PLAN SET ONLY
 (UNLESS NOTED)



NO.	DATE	DESCRIPTION

OHIO WESTLEVA UNIVERSITY
 COMPOSITE UTILITY PLAN

OWU VILLAGE STUDENT HOUSING
 XXXX S. LIBERTY STREET
 CITY OF DELAWARE DELAWARE COUNTY, OHIO
 SITE RESTRICTION PLAN

EMT
 DATE: April 16, 2019
 SCALE: 1" = 30'
 JOB NO: 20190122
 SHEET: 7/14

PROPOSED

Water Service	—
Domestic Water Service	—
Fire Water Service	—
Sanitary Sewer Service	—
Storm Sewer	—
Roof Drain	—
Underground Electric Service	—
Site Lighting	—
Communications Service	—
Natural Gas Service	—

□ Catch Basin	• Fire Hydrant
□ Curb & Gutter Inlet	• Valve
□ Headwall w/ Rock Protection	• Reducer
□ Manhole	• Fire Department Connection
• Check Valve	• Light Pole (Refer to Utility Schedule)
• Gas Meter (By service provider)	• Transformer

GENERAL NOTES

- Where potential grade conflicts might occur with existing utilities, the engineer will determine the location, depth, and laying pipe or duct and provide the engineer with the necessary information. The engineer will determine if any adjustments are necessary. Connections to the sanitary sewer system are prohibited.

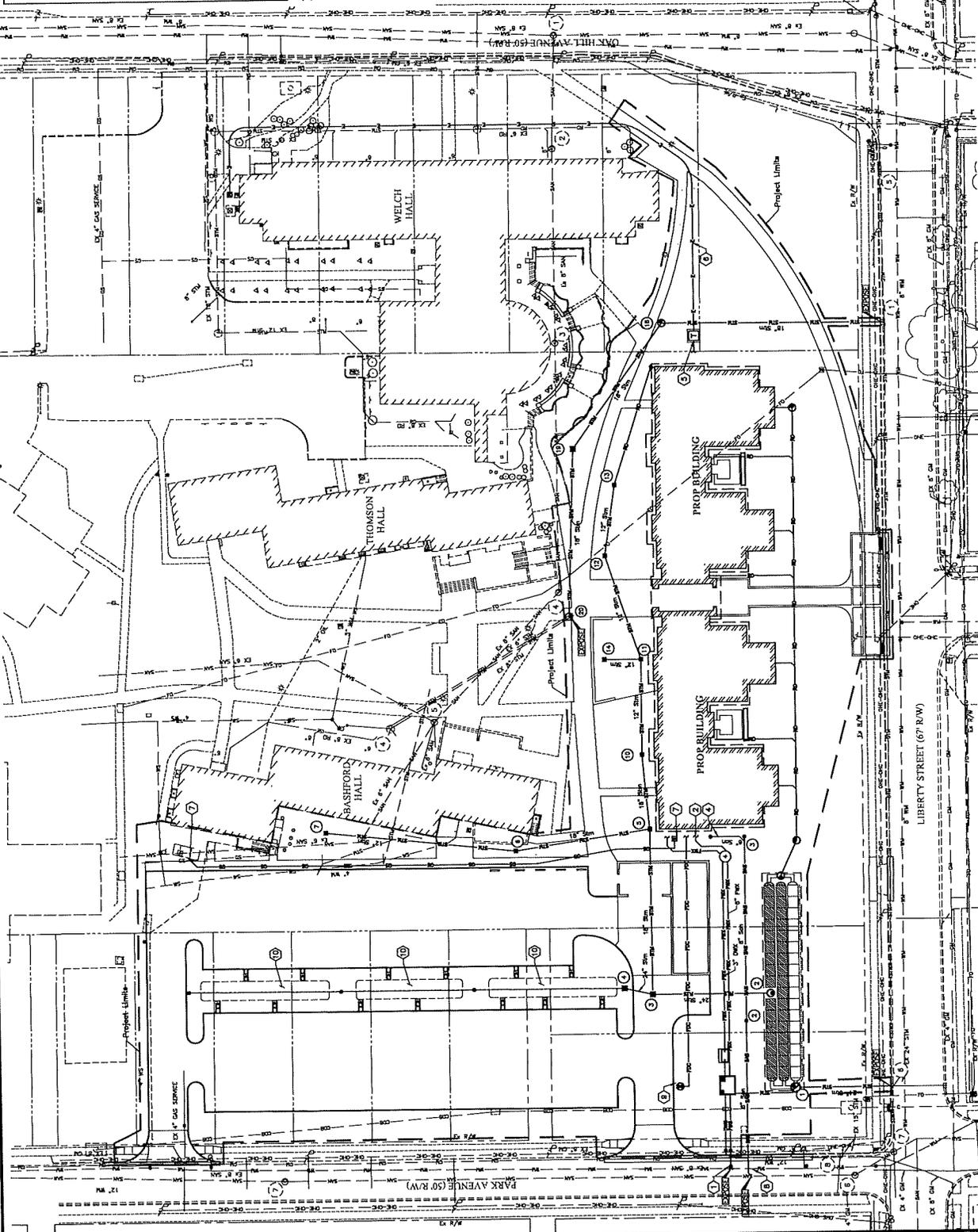
CODED NOTES

- Expose existing 12" water main, install 12x36" Tapping box and valve.
- Expose existing sanitary sewer building connection. Coordinate building entry with plumbing drawings.
- Roof drain connection, coordinate final connection with architectural drawings.
- Sanitary sewer building connection. Coordinate building with plumbing drawings.
- Transformer (supplied by utility provider). Refer to electrical drawings for electrical services. Coordinate with electrical site plan for number and size of conductors required.
- 1" Gas service. Coordinate building entry with plumbing drawings.
- Reinforce all pavement, curb and sidewalk disturbed by utility installation per City of Delaware standard drawings. Street pavement minimum 8" topsoil and sand and match per City standards.
- Fire Department Connection.
- Site-Scale

GRAPHIC SCALE
 1 inch = 30 feet

PRELIMINARY
 NOT FOR PERMITTING OR CONSTRUCTION

PLAN SET DATE
 March 29, 2019



REVISIONS	DATE	DESCRIPTION

OHIO WESLEYAN UNIVERSITY

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
 108
 SITE CONSTRUCTION PLAN
 OWS VILLAGE STUDENT HOUSING
 XXXX S. LIBERTY STREET
 UTILITY PROFILES

EMHT
 EARTH MANAGEMENT TECHNOLOGIES
 10000 W. STATE ST. SUITE 100
 COLUMBUS, OHIO 43240
 614.291.1234

DATE: May 1, 2019

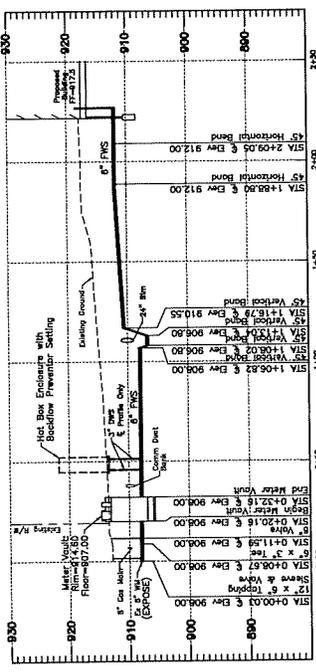
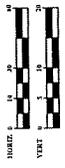
SCALE: Horiz 1" = 10'
 Vert 1" = 10'

JOB NO.: 21090122

SHEET: 8/14

- GENERAL NOTES**
- The Contractor shall field verify locations and elevations of any existing utilities. The contractor shall be responsible for any conflicts to the engineer prior to construction of utilities.
 - All elevations are based upon the North American Vertical Datum (NAVD) 1988.
 - Proposed grades shown in this profile indicate final elevations. All utilities shown in this profile are final placement elevations unless otherwise noted.
 - Backfill for waterline shall be in accordance with CMSC Section 01111. All other backfills shall be in accordance with CMSC Section 01111. All backfills shall be compacted in 4" lifts with the respective site Electric, Technology and Plumbing plans. Drawings in profile are shown for reference only.
 - 8" PWS in a trench for clarity, 3" DWS line shall have the same centerline profile elevations. Except where noted on profile.
- CODED NOTES**
- 1) 12" Minimum clearance between utilities.
 - 2) Refer to water service termination Detail A, sheet 5. Coordinate with Plumbing AND Fire Protection Contractors.
 - 3) 12" Minimum clearance between utilities.
 - 4) 12" Minimum clearance between utilities.
 - 5) 12" Minimum clearance between utilities.
 - 6) Refer to water service termination Detail A, sheet 5. Coordinate with Plumbing AND Fire Protection Contractors.
 - 7) 12" Minimum clearance between utilities.
 - 8) Refer to water service termination Detail A, sheet 5. Coordinate with Plumbing AND Fire Protection Contractors.
 - 9) Refer to water service termination Detail A, sheet 5. Coordinate with Plumbing AND Fire Protection Contractors.
 - 10) Refer to water service termination Detail A, sheet 5. Coordinate with Plumbing AND Fire Protection Contractors.
- Note to plumbing plans for connection into building for sanitary service

PRELIMINARY
 NOT TO BE USED FOR
 CONSTRUCTION
 PLAN SET DATE
 MARCH 24, 2019



NO.	DATE	DESCRIPTION

OHIO WESTLYAN UNIVERSITY
 XXXX S. LIBERTY STREET
 STORM SEWER PROFILES

EMHT
 ENGINEERING, MECHANICAL & ARCHITECTURE
 2410 W. 12th Street, Columbus, OH 43228
 Phone: 614.222.0000 Fax: 614.222.0000

DATE: April 16, 2019
 SCALE: Horiz: 1" = 10' Vert: 1" = 10'
 JOB NO.: 20180122
 SHEET: 9/14

GENERAL NOTES:

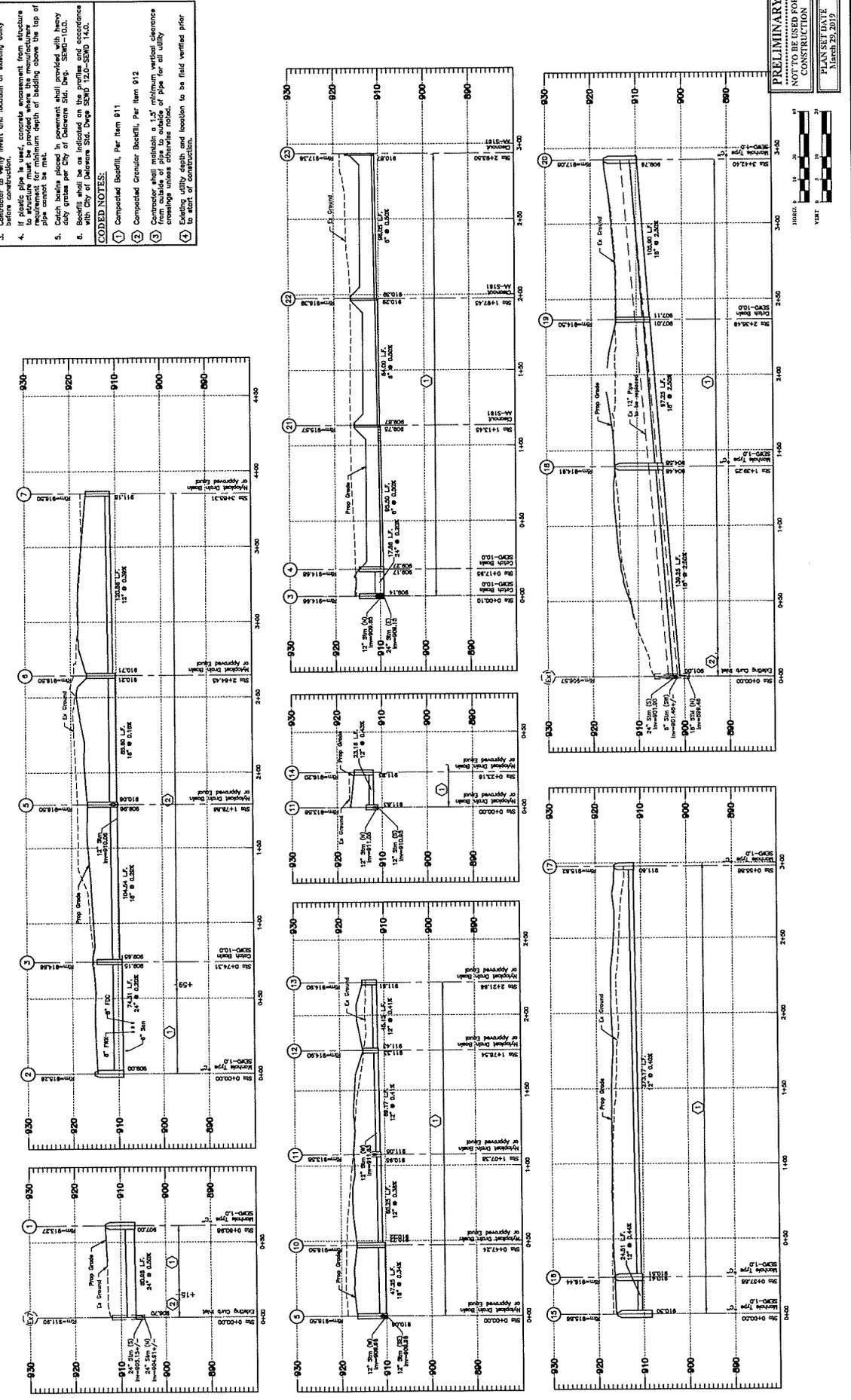
- All elevations on this plan are based on NAVD 1988 datum, unless otherwise noted.
- Backfill shall be compacted in horizontal lifts, with loose material in the center of the lift. The maximum dry density as determined by test shall be at least 95% of the maximum dry density of the "Standard" compaction test (ASTM D-1557).
- Contractor to verify invert and location of existing utility lines in construction.
- Contractor to verify invert and location of existing utility lines in construction. All existing utilities shall be marked and, where necessary, relocated. All structures shall be constructed to meet the minimum depth of bedding above the top of pipe cannot be less than 18" for 12" pipe and 24" for 18" pipe. All structures shall be constructed with heavy duty pipe and manholes in accordance with City of Delaware standards, per Item 911.
- Backfill shall be as indicated on the profile and in accordance with City of Delaware Std. Draw SWS-12.0-SWS-14.0.

CODED NOTES:

1. Compacted Backfill, Per Item 911
2. Compacted Granular Backfill, Per Item 912
3. Concrete shall be placed in 12" minimum vertical increments from outside of pipe to outside of pipe for all utility encasings unless otherwise noted.
4. Existing utility depth and location to be field verified prior to start of construction.

NOTE GEN-36:

Utility trenches which the influence of the roadway are to be filled and compacted per Item 912 of the DDO C&S. Utility trenches within the right of way but outside the roadway influence shall be filled and compacted with material meeting the same requirements as within the roadway influence. The backfill material for any utility trench shall be as indicated on the profile and in accordance with City of Delaware standards, per Item 911. All structures shall be constructed with heavy duty pipe and manholes in accordance with City of Delaware standards, per Item 911. All structures shall be constructed with heavy duty pipe and manholes in accordance with City of Delaware standards, per Item 911. All structures shall be constructed with heavy duty pipe and manholes in accordance with City of Delaware standards, per Item 911.



PRELIMINARY
 NOT TO BE USED FOR
 CONSTRUCTION

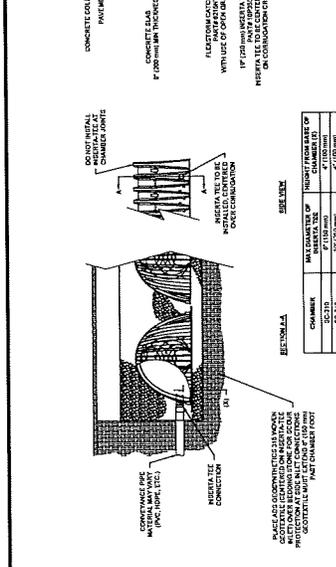
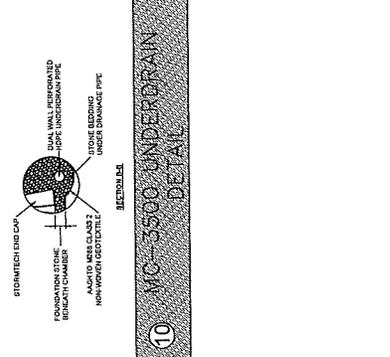
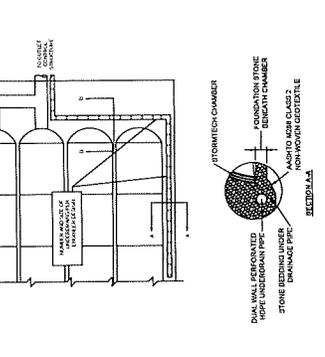
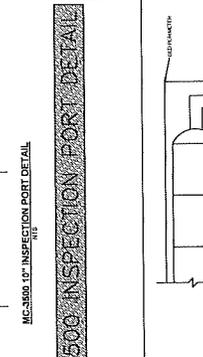
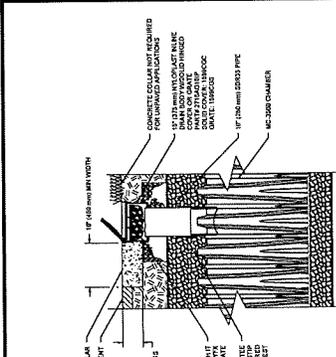
PLAN SHEET 9/14
 March 29, 2019

NO.	DATE	DESCRIPTION

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
 OWU VILLAGE STUDENT HOUSING
 FOR
 XXXX S. LIBERTY STREET
 OHIO WESLEYAN UNIVERSITY

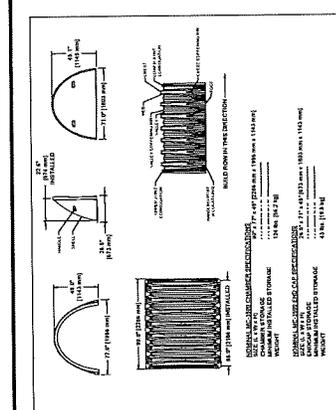
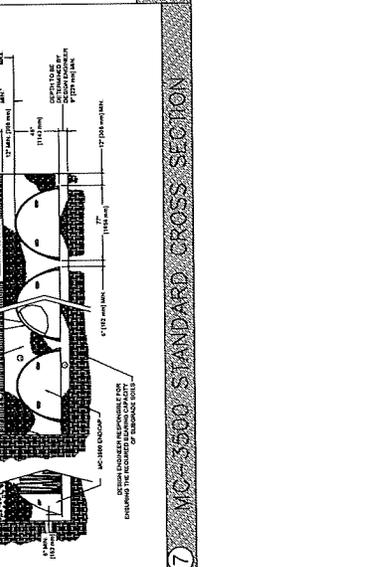
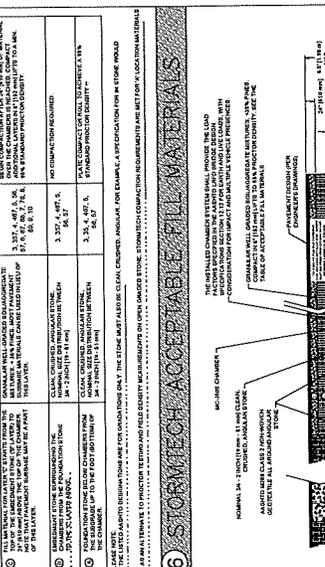
EMHT
 ENGINEERING, ARCHITECTURE & DESIGN
 1000 N. W. 10TH AVE., SUITE 100
 BOCA RATON, FL 33432
 DATE: April 12, 2019

SCALE: 1" = 30"
 JOB NO.: 20180122
 SHEET: 10/14



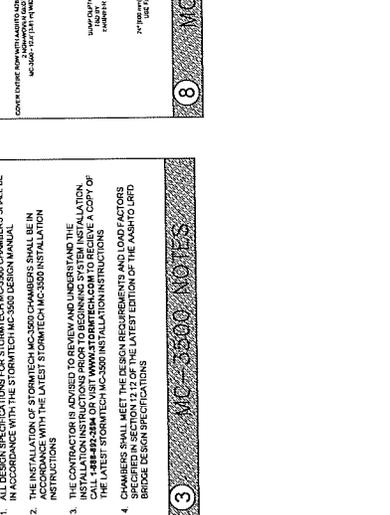
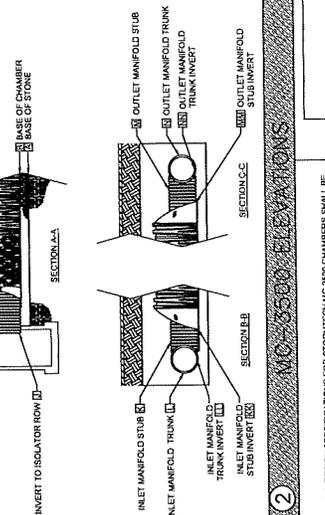
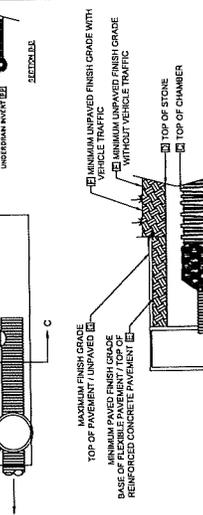
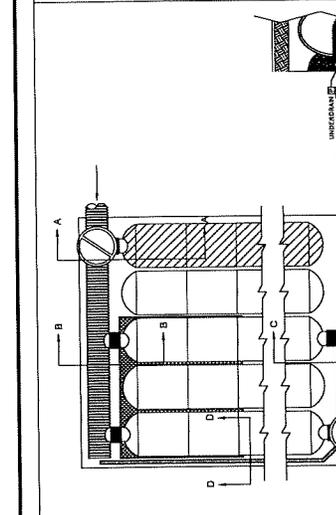
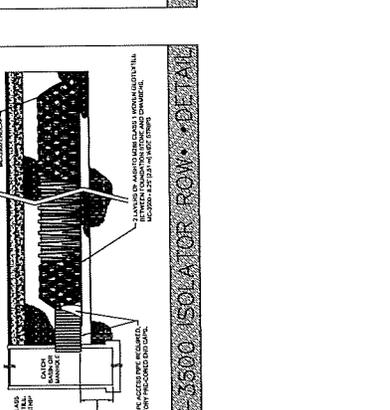
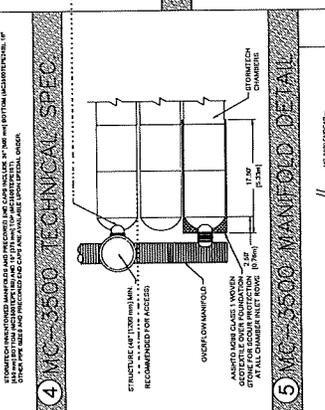
ACCEPTABLE FILL MATERIALS, STORMTECH MC-3500 CHAMBER SYSTEMS

MATERIAL LOCATION	DESCRIPTION	ASHTO M30 DESIGNATION	COMPACTION/DENSITY REQUIREMENT
1	FILL MATERIAL FOR THE CHAMBER WALLS AND THE CHAMBER FLOOR	NA	MINIMUM 95% COMPACTION TO 4 INCHES FROM THE CHAMBER WALLS AND THE CHAMBER FLOOR
2	FILL MATERIAL FOR THE CHAMBER FLOOR	3, 3.5, 4, 4.5, 5, 6, 7, 8, 9, 10, 11, 12	MINIMUM 95% COMPACTION TO 4 INCHES FROM THE CHAMBER WALLS AND THE CHAMBER FLOOR
3	CHAMBER FLOOR	3, 3.5, 4, 4.5, 5, 6, 7, 8, 9, 10, 11, 12	MINIMUM 95% COMPACTION TO 4 INCHES FROM THE CHAMBER WALLS AND THE CHAMBER FLOOR
4	CHAMBER WALLS	3, 3.5, 4, 4.5, 5, 6, 7, 8, 9, 10, 11, 12	MINIMUM 95% COMPACTION TO 4 INCHES FROM THE CHAMBER WALLS AND THE CHAMBER FLOOR
5	CHAMBER WALLS	3, 3.5, 4, 4.5, 5, 6, 7, 8, 9, 10, 11, 12	MINIMUM 95% COMPACTION TO 4 INCHES FROM THE CHAMBER WALLS AND THE CHAMBER FLOOR



MC-3500 TECHNICAL SPEC

ITEM	DESCRIPTION	QUANTITY	UNIT
1	MC-3500 CHAMBER	1	EA
2	MC-3500 MANHOLE	1	EA
3	MC-3500 INVERT	1	EA
4	MC-3500 TRUNK	1	EA
5	MC-3500 STUB	1	EA



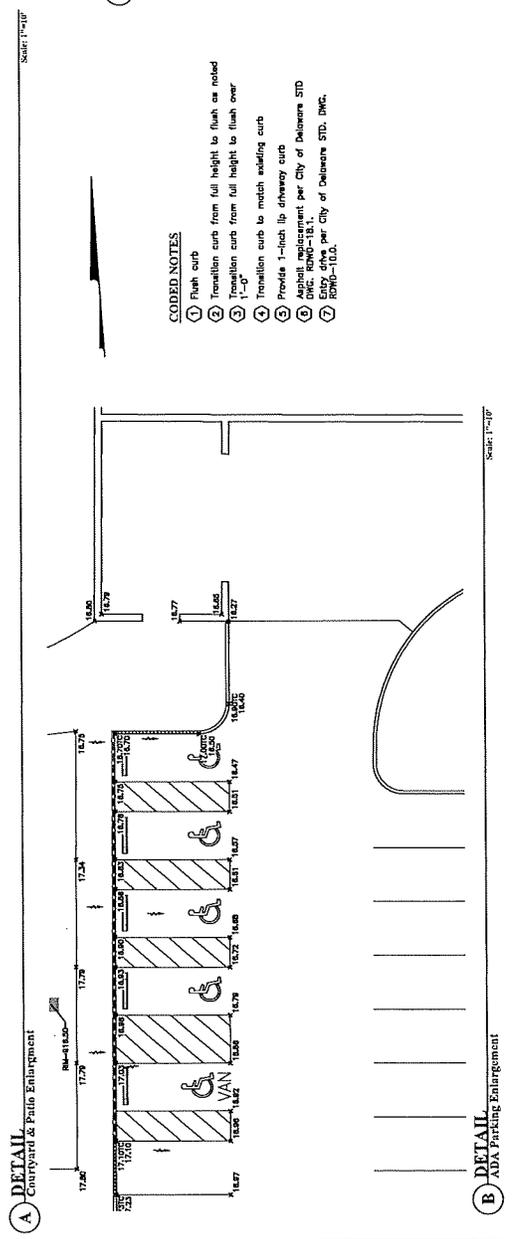
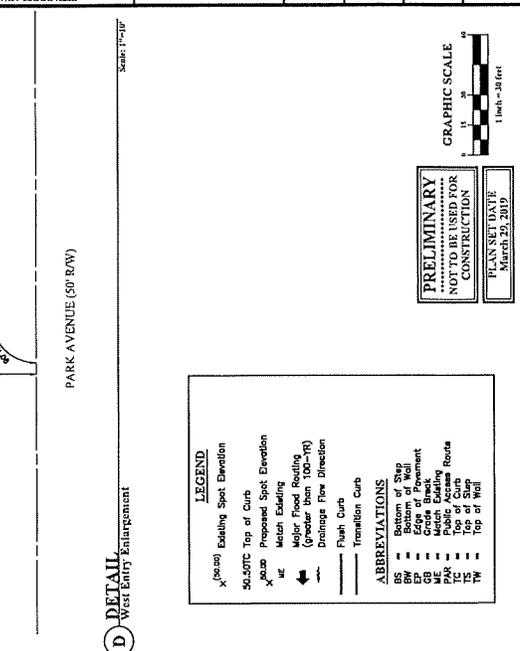
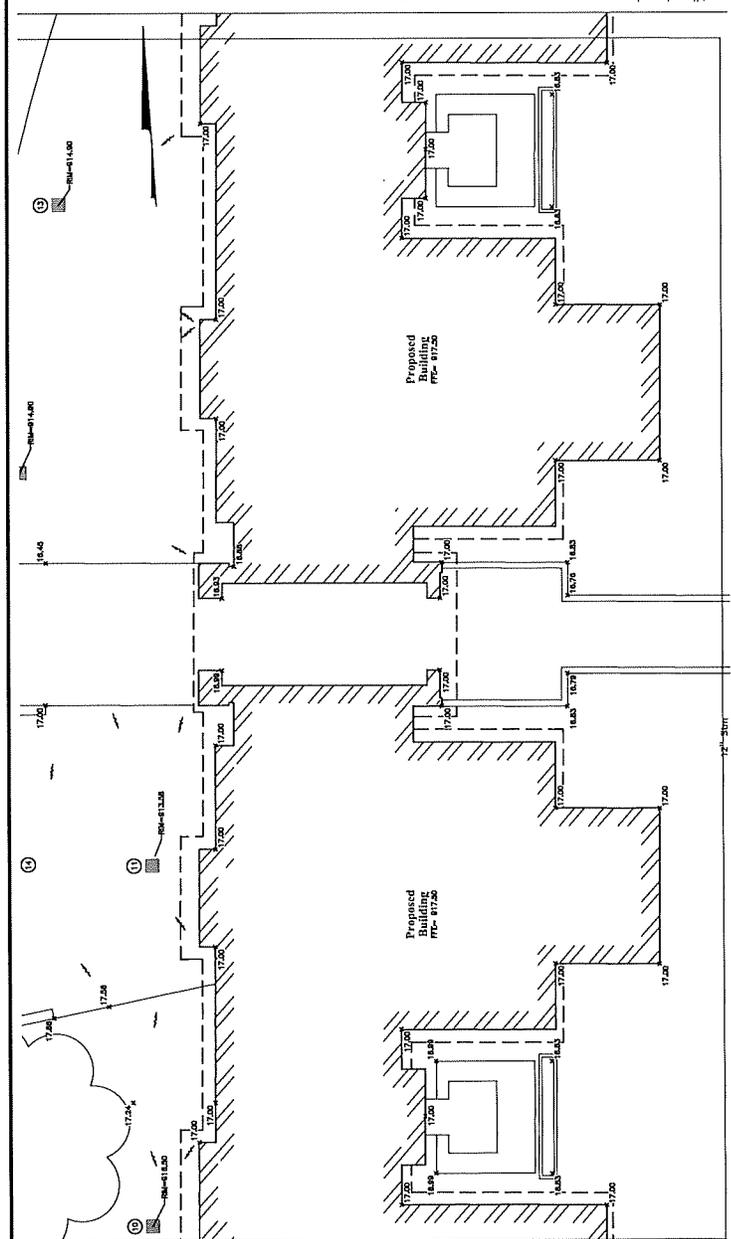
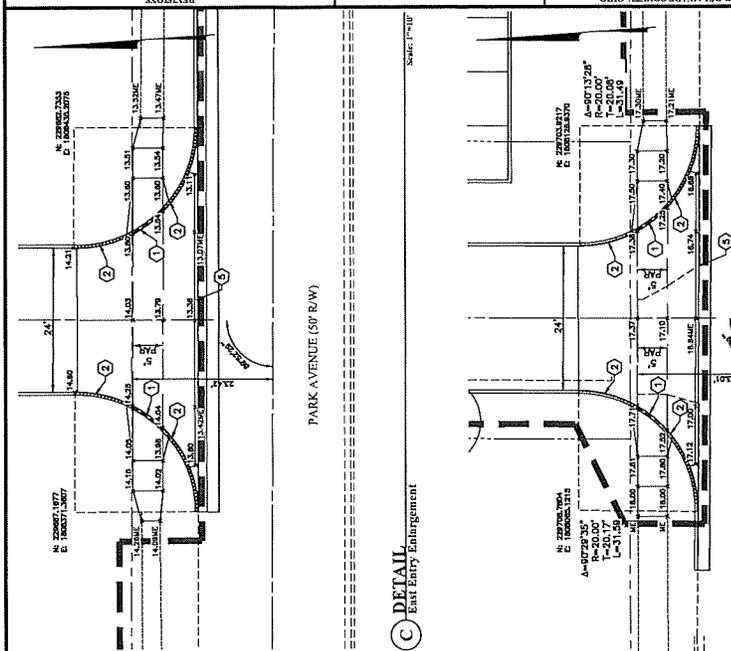
1. ALL DESIGN SPECIFICATIONS FOR STORMTECH MC-3500 CHAMBERS SHALL BE IN ACCORDANCE WITH THE STORMTECH MC-3500 DESIGN MANUAL, WHICH IS AVAILABLE AT THE LATEST EDITION OF THE STORMTECH MC-3500 INSTALLATION INSTRUCTIONS.
 2. THE CONTRACTOR IS ADVISED TO REVIEW AND UNDERSTAND THE INSTALLATION INSTRUCTIONS PRIOR TO BEGINNING SYSTEM INSTALLATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A COPY OF THE LATEST STORMTECH MC-3500 INSTALLATION INSTRUCTIONS.
 3. CHAMBERS SHALL MEET THE DESIGN REQUIREMENTS AND LOAD FACTORS SPECIFIED IN SECTION 4.1.2 OF THE LATEST EDITION OF THE ASHRAE LFRD BRIDGE DESIGN SPECIFICATIONS.
 4. CHAMBERS SHALL MEET THE DESIGN REQUIREMENTS AND LOAD FACTORS SPECIFIED IN SECTION 4.1.2 OF THE LATEST EDITION OF THE ASHRAE LFRD BRIDGE DESIGN SPECIFICATIONS.

DATE	DESCRIPTION

CITY OF DELAWARE COUNTY, OHIO
 19th STREET
 OVA VILLAGE STUDENT HOUSING
 XXXX S. LIBERTY STREET
 GRADING ENLARGEMENTS

EMHT
 ENGINEERING & ARCHITECTURE
 2000 W. 17th Street, Suite 100
 Columbus, OH 43228
 Phone: 614.261.1111
 Fax: 614.261.1112
 www.emht.com

DATE: May 1, 2019
 SCALE: 1" = 30'
 JOB NO.: 20180122
 SHEET: 12/14



- CODED NOTES**
- 1 Flush curb
 - 2 Transition curb from full height to flush as noted
 - 3 Transition curb from full height to flush over
 - 4 Transition curb to match existing curb
 - 5 Provide 1-inch lip driveway curb
 - 6 Asphalt replacement per City of Delaware STD
 - 7 EBMG-10.0.

- LEGEND**
- X(=) Existing Spot Elevation
 - 5(=) Proposed Spot Elevation
 - uc Meter Elevation
 - MC Meter Reading
 - DR Drains Flow Direction
 - FC Flush Curb
 - TC Transition Curb
- ABBREVIATIONS**
- BS Bottom of Step
 - EW Edge of Walk
 - EP Edge of Pavement
 - GP Grade Break
 - PA Public Access Route
 - TC Top of Curb
 - TW Top of Wall

PRELIMINARY
 NOT FOR CONSTRUCTION

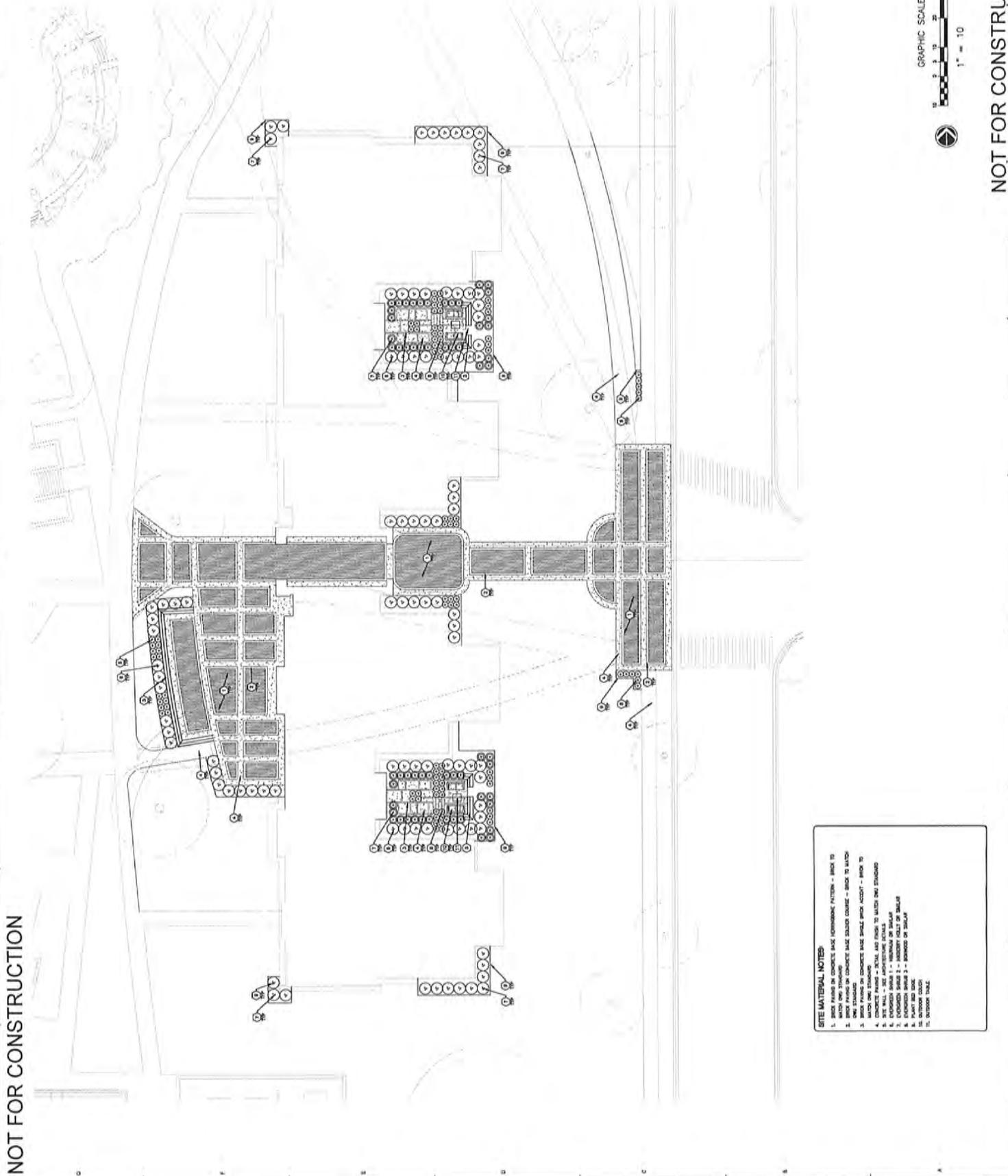
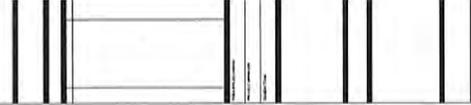
PLAN SET DATE
 March 29, 2019

GRAPHIC SCALE
 1 inch = 30 feet

NOT FOR CONSTRUCTION



NOT FOR CONSTRUCTION



NOT FOR CONSTRUCTION

- SITE MATERIAL NOTES**
1. BRICK PAVING IN CONCRETE BASE (ORIENTED PATTERN) - BRICK TO MATCH
 2. BRICK PAVING IN CONCRETE BASE (RANDOM COLOR) - BRICK TO MATCH ONE STANDARD
 3. CONCRETE PAVING IN CONCRETE BASE (RANDOM COLOR) - BRICK TO MATCH ONE STANDARD
 4. CONCRETE PAVING - DETAIL AND FINISH TO MATCH ONE STANDARD
 5. CONCRETE PAVING - FINISH TO MATCH ONE STANDARD
 6. COLORED SAND 1 - RANDOM COLOR
 7. COLORED SAND 2 - RANDOM COLOR
 8. PLANT AND SOIL
 9. OUTSIDE CURB
 10. OUTSIDE WALK



Casey McCarty Cert #OH-6735A

Customer Name: Ohio Wesleyan University
Arborist Audit; Tree Evaluation
#05212019

- 1.) Walnut 17.20 DBH Strong taper healthy buds strong scaffold branches, healthy. *Juglans nigra*
- 2.) Walnut 21.66 DBH strong taper healthy buds strong scaffold branches, healthy! *Juglans nigra*
- 3.) Walnut 15.29 Strong taper, girdling roots healthy buds, strong scaffold branches 90% healthy. *Juglans nigra*
- 4.) Walnut 22.61 DBH strong taper girdling roots, some die back top part of canopy, decay of trunk signs of compartmentalization. 70% healthy *Juglans nigra*
- 5.) Maple 19.43DBH signs of insect damage at the base of the tree. Healthy canopy good growth. Appears the roots from tree six have married together "inoculation" 50% unhealthy. *acer saccharum*
- 6.) Maple 37.90 DBH unhealthy taper, over 40% dieback multiple leads with decay 30% healthy *acer saccharum*
- 7.) Maple 50.32DBH 10% die back at canopy root flare lots of mower damage signs of insect damage multiple cavity's 3/4 up major lead removed no signs of compartmentalization. 40% healthy. *acer saccharum*
- 8.) Maple 49.68DBH root flare is weak, large amounts of included bark, dieback of canopy, multiple open cavities. 35% healthy *acer saccharum*
- 9.) Maple 51.27DBH weak taper open cavities at the base dieback of canopy missing major lead. 40% healthy *acer saccharum*

- 10.) Catalpa 29.94DBH weak taper, major insect damage to base of the tree hollow. Die back of canopy multiple cavity's. 30% healthy *catalpa bignonioides*
- 11.) Maple 33.76DBH major die back of canopy good signs of compartmentalization open cavity's 15 ft up weak taper 50% healthy *acer saccharum*
- 12.) Walnut 28.98DBH unhealthy taper open cavity at base of tree Canopy dieback root compaction 40% unhealthy *Juglans nigra*
- 13.) White oak 41.40DBH strong taper healthy new growth, strong scaffold branches 90% healthy *Quercus alba*
- 14.) Silver maple 13.38 DBH healthy taper good canopy growth healthy *acer saccharinum*
- 15.) Norway spruce 24.84 DBH healthy growth fruiting healthy *picea abies*
- 16.) Norway spruce 19.75 DBH healthy growth fruiting healthy *picea abies*
- 17.) Maple 26.43DBH healthy growth. Good taper, some damage from mower.80% health *acer Saccharinum*
- 18.) Beech 41.72 DBH Strong base, lots of included bark good canopy growth 80% healthy. *fagus*
- 19.) Sourwood 33.12 DBH bark is discolored taper is poor clear insect damage, canopy is 50% in new growth multiple dead leads. *Oxydendrum arboreum*
- 20.) Walnut 24.84 DBH good taper late growth open cavities on scaffold branches, no insect damage, late growth 80% health *Juglans nigra*
- 21.) Maple 29.94 DBH several open cavity's on base and scaffold branches, significant mower damage to root flare, visible insect damage girdling roots. 85% canopy life *acer saccharum*
- 22.) Maple 18.76 DBH open cavity's on base and scaffold branches girdling roots good canopy health limited die back, hollow witnessed cleaner from mop bucket being emptied out. "Chemical damage" 40% health *acer saccharum*
- 23.) White pine 24.20 DBH browning of the needles obvious insect damage, salt damage to grass surrounding the tree, black fruiting bodies on dead needles fungus "Dothistroma needle blight" 20% health *pinus strobus*
- 24.) White pine 17.83 DBH browning of the needles obvious insect damage, salt damage to grass surrounding the tree black fruiting bodies on dead needles suggest fungus. "Dothistroma needle blight" 20% health *pinus strobus*
- 25.) Maple 17.52 DBH good taper, girdling roots, starting of compartmentalization *acer saccharum*

- 26.) American elm 8.60 DBH healthy canopy good root flare, healthy tree. *Ulmus americana*
- 27.) Silver maple 28.98 DBH 50% canopy growth insect damage fungi on scaffold branches 40% healthy *acer saccharinum*
- 28.) Pin oak 12.74 DBH full canopy good taper healthy tree *Quercus palustris*
- 29.) Sweet gum 11.78 DBH full canopy, good compartmentalization, healthy taper, no trunk damage 100% healthy *liquidambar styraciflua*
- 30.) Norway maple 14.68 DBH 50% canopy sun burned bark, clear insect damage 50% healthy *Acer Platanoides*
- 31.) Locust 32.48 DBH canopy 80% *robinia pseudoacacia*
- 32.) Locust 60 DBH girdling roots, hanging limbs, 70% canopy life root restriction 70% healthy *robinia pseudoacacia*
- 33.) Locust 69 DBH severe mower damage to root flare, good compartmentalization canopy life 80% fungi on one lead tree health 75% *robinia pseudoacacia*
- 34) Maple 24.52 DBH good root taper, excellent canopy health, good compartmentalization so root damage from mower 85% *acer platanoides*
- 35) Black Walnut 21.97 DBH good root taper, signs of insect damage at base and trunk, great scaffold branches, over all health 75% *juglans nigra*

The Tree Guy
943 Adams St
Marion, Oh 43302
740.361.1080
thetreeguy.com
casey@thetreeguy.com



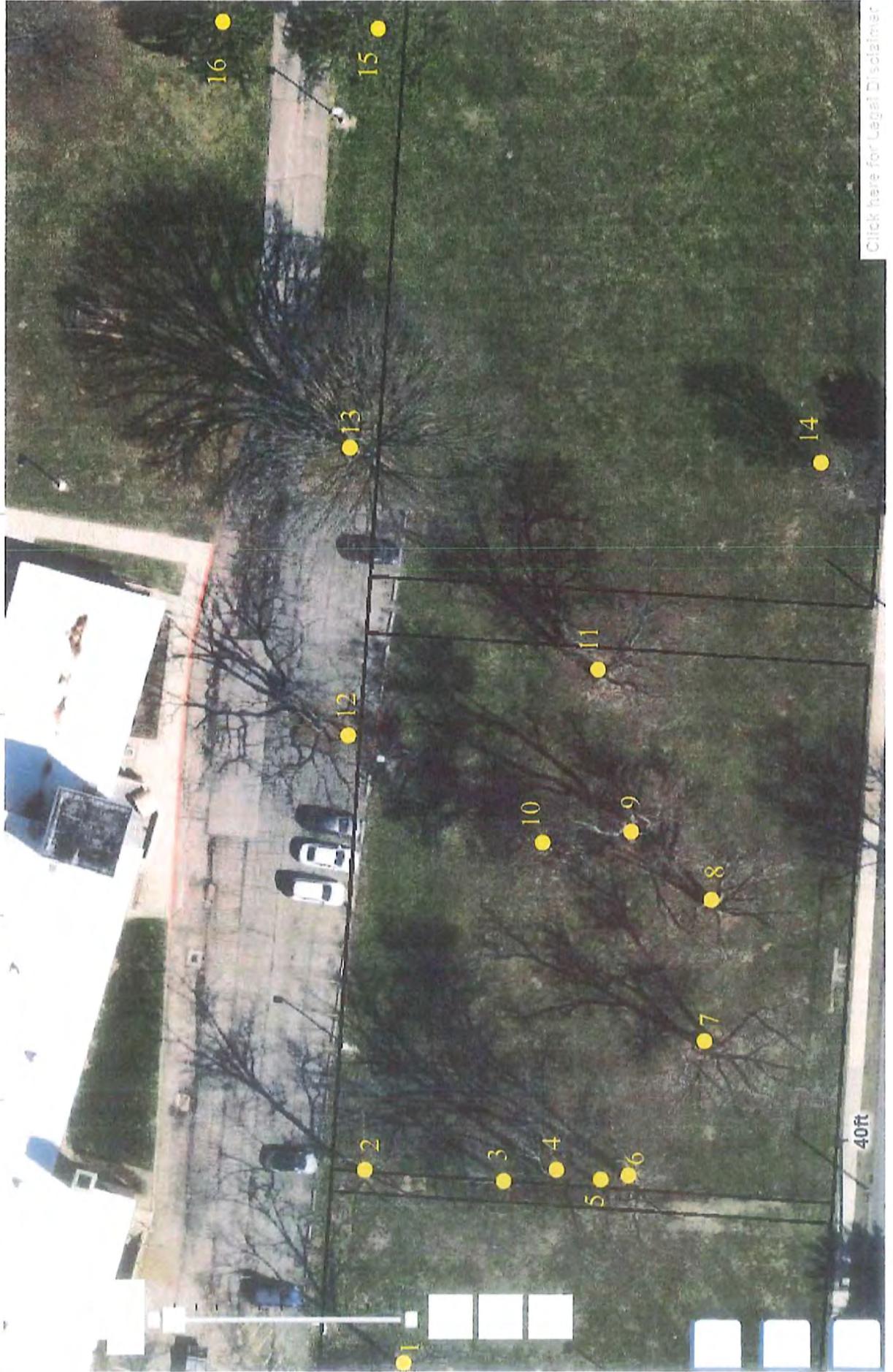


Delaware County GIS
George Kaitisa, MBA, County Auditor
About the Auditor



Robert Parsons, GIS Director
Report an Issue

- Property Search
- Severenced Search
- Subdivision Search
- Reporter Search
- ReSearch
- Tools
- Maps
- Printing
- Links
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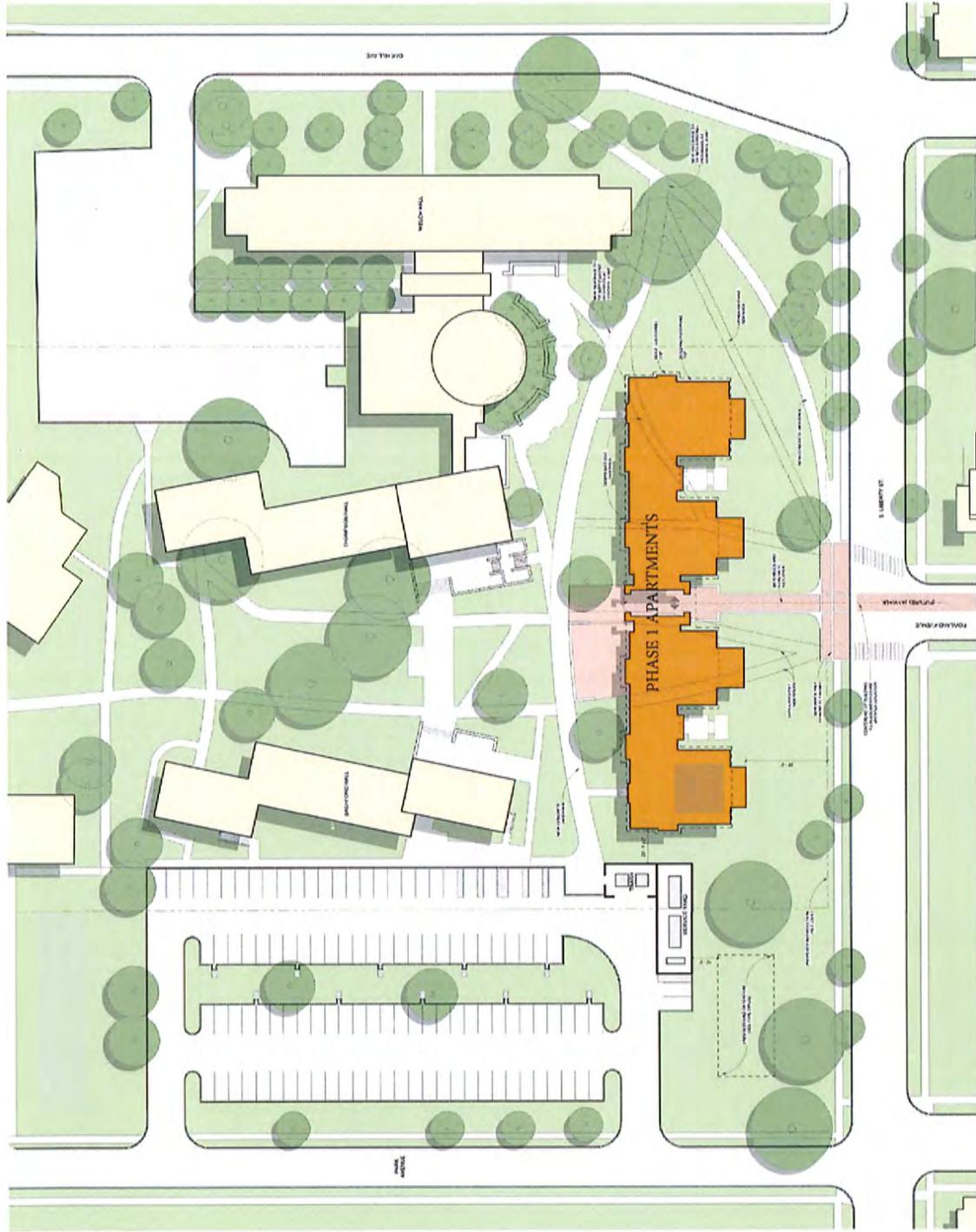
Tree Removal
Village Apts

Location	Common Name	Genus Species	Health	DBH	Caliper Inch
1.) Bashford Lawn (south)	Walnut	Juglans Nigra	Healthy	17.20	54.01
2.) Bashford Lawn (south)	Walnut	Juglans Nigra	Healthy	21.66	68.02
3.) Bashford Lawn (south)	Walnut	Juglans Nigra	90% Health	15.29	48.02
4.) Bashford Lawn (south)	Walnut	Juglans Nigra	70% Health	22.61	71.00
5.) Bashford Lawn (south)	Maple	Acer Saccharum	50% Unhealthy	19.43	61.02
6.) Bashford Lawn (south)	Maple	Acer Saccharum	30% Health	37.90	119.01
7.) Bashford Lawn (south)	Maple	Acer Saccharum	40% Health	50.32	158.01
8.) Bashford Lawn (south)	Maple	Acer Saccharum	35% Health	49.68	156.00
9.) Bashford Lawn (south)	Maple	Acer Saccharum	40% Health	51.27	160.99
10.) Bashford Lawn (south)	Catalpa	Cat. Bignoniodes	30% Health	29.94	94.02
11.) Bashford Lawn (south)	Maple	Acer Saccharum	50% Health	33.76	106.01
12.) Bashford Lawn (southeast)	Walnut	Juglans Nigra	40% Unhealthy	28.98	91.00
13.) Bashford Lawn (south)	White Oak	Querus Alba	90% Health	41.40	130.00
14.) Bashford Lawn (south)	Silver Maple	Acer Saccharum	Healthy	13.38	42.02
15.) Bashford Lawn (southeast)	Norway Spruce	Picea Abies	Healthy	24.84	78.00
16.) Bashford Lawn (east)	Norway Spruce	Picea Abies	Healthy	19.75	62.02
17.) Bashford Lawn (east)	Maple	Acer Saccharum	80% Health	26.43	83.00
18.) Bashford Lawn (east)	Beech	Fagus	80% Health	41.72	131.01
19.) Bashford Lawn (east)	Sour Wood	Oxydendrum Arbo	50% Health	33.12	104.00
20.) Thompson Lawn (east)	Walnut	Juglans Nigra	80% Health	24.84	78.00
21.) Thompson Lawn (east)	Maple	Acer Saccharum	85% Health	29.94	94.02
22.) Thompson Lawn (east)	Maple	Acer Saccharum	40% Health	18.76	58.91
23.) Welch Lawn (east)	White Pine	Pinus Strobus	20% health	24.20	75.99
24.) Thompson Lawn (east)	White Pine	Pinus Strobus	20% health	17.83	55.99
25.) Welch Lawn (east)	Maple	Acer Saccharum	Healthy	17.52	55.02
26.) Welch Lawn (east)	American Elm	Ulmus Americana	Healthy	8.60	27.01
27.) Welch Lawn (east)	Silver Maple	Acer Saccharum	50% Health	28.98	91.00
28.) Welch Lawn (east)	Pin Oak	Quercus Palustris	Healthy	12.74	40.01
29.) Welch Lawn (northeast)	Sweetgum	Limquid. Styrac.	Healthy	11.78	37.00
30.) Welch Lawn (northeast)	Norway Maple	Acer Platanoides	50% Health	14.68	46.10
31.) Welch Lawn (northeast)	Locust	Robinia Psuedo.	80% Health	32.48	101.99
32.) Welch Lawn (northeast)	Locust	Robinia Psuedo.	70% Health	60.00	188.40
33.) Welch Lawn (northeast)	Locust	Robinia Psuedo.	75% Health	69.00	216.66
34.) Thompson Lawn (southeast)	Maple	Acer Platanoides	85% Health	24.52	77.00
35.) Thompson Lawn (east)	Black Walnut	Juglans Nigra	75% Health	21.97	69
				996.52	3129.26

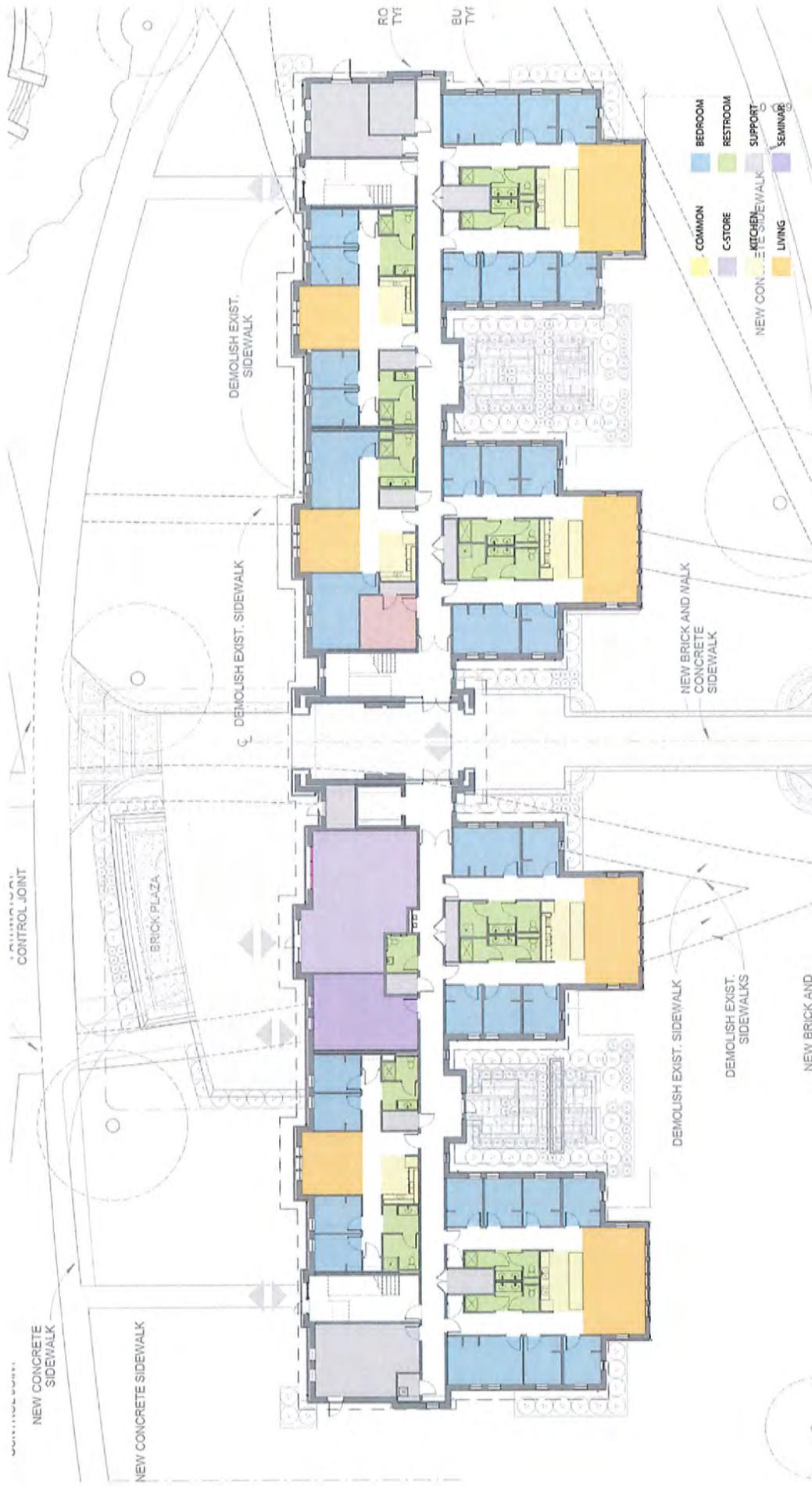
OHIO WESLEYAN UNIVERSITY
VILLAGE STUDENT HOUSING



05/01/2019







LITTLE
 STANDARD ARCHITECTURAL CONSULTING



FLOOR PLAN: LEVEL 1

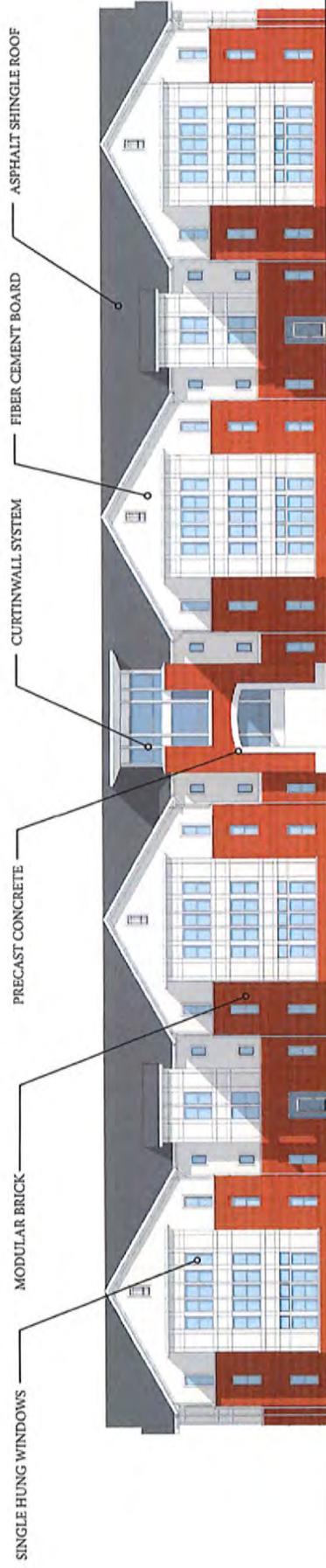
05/01/2019



- COMMON
- C-STORE
- KITCHEN
- LIVING
- BEDROOM
- RESTROOM
- SUPPORT
- SEMINAR



-
 BEDROOM
-
 RESTROOM
-
 COMMON
-
 C-STORE
-
 KITCHEN
-
 SUPPORT
-
 LIVING
-
 SEMINAR



ELEVATION: FRONT

05/01/2019

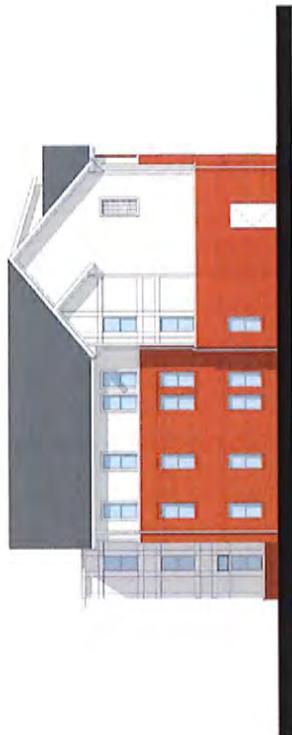


LITTLE
LITERARY ARCHITECTURAL CONSULTING

bishm
architects, inc.

ELEVATION: BACK

05/01/2019



LITTLE
ENGINEERS ARCHITECTS INTERIORS CONSULTANTS



ELEVATION: SIDE

05/01/2019







LITTLE
UNIVERSITY ARCHITECTURAL CONSULTING

b | s | h | m
architects, inc.

3D VIEW: OVERALL

05/01/2019



Evans, Mischwitz, Hombelton & Tiron, Inc.
 Engineers • Surveyors • Planners • Scientists
 5500 New Albany Road, Columbus, OH 43054
 Phone: 614.773.4520 Fax: 614.773.3448
 emht.com

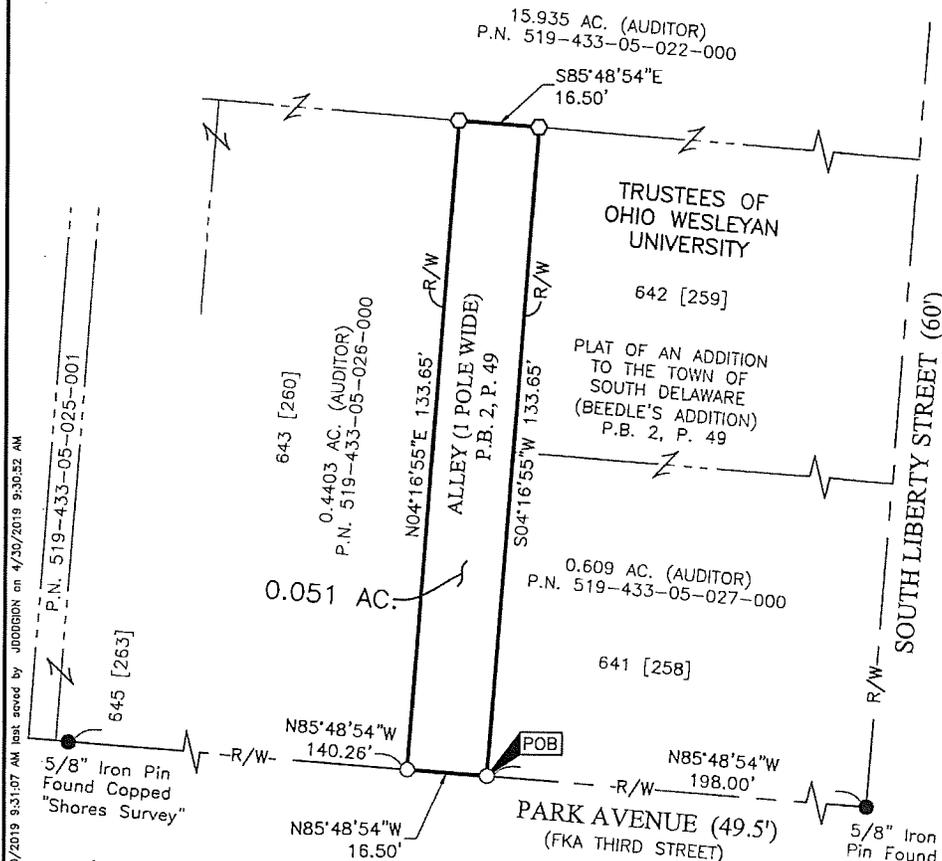
VACATION OF ALLEY

QUARTER TOWNSHIP 4, TOWNSHIP 5, RANGE 19
 UNITED STATES MILITARY DISTRICT
 CITY OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO

Date: April 30, 2019

Job No: 2019-0145

Scale: 1" = 30'

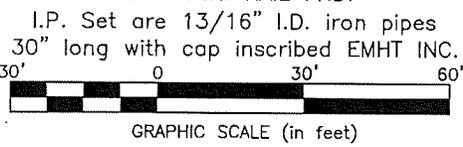


I:\2019\0145\DWG\04-SHEETS\BOUNDARY\20190145-05-01-DWG plotted by DODGION, JOHN on 4/30/2019 9:31:07 AM last saved by J000600N on 4/30/2019 9:30:52 AM

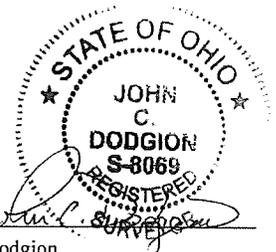
- = STONE FND.
- = MON. FND.
- = I.P. FND.
- = I.P. SET
- = MAG. NAIL FND.
- = MAG. NAIL SET
- ▲ = R.R. SPK. FND.
- △ = R.R. SPK. SET
- ◆ = P.K. NAIL FND.

SURVEY NOTE:
 This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

BASIS OF BEARING:
 The bearings shown hereon are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011).



NOTE:
 [] Indicates original lot number as demonstrated on plat.



By John C. Dodgion Date 04/30/2019
 Professional Surveyor No. 8069

VACATION OF ALLEY
0.051 ACRE

Situated in the State of Ohio, County of Delaware, City of Delaware, lying in Quarter Township 4, Township 5, Range 19 of the United States Military District, and being all of that alley (one pole wide) dedicated for public use as shown in the subdivision plat entitled Plat of an Addition to the Town of South Delaware (also known as Beedle's Addition) of record in Plat Book 2, Page 49, being the first alley west of South Liberty Street (all references are to the records of the Recorder's Office, Delaware County, Ohio) and being more particularly described as follows:

DESCRIPTION FOR CLOSING ONLY
 RPC Approval Required
 Municipal Approval Required
Delaware County Engineer
6/12/19

BEGINNING at an iron pin set at the southwesterly corner of Lot 641 (original number 258) of said Beedle's Addition and the southerly terminus of the easterly right-of-way line of said alley, in the northerly right-of-way line of Park Avenue (formerly Third Street) as shown on Plat Book 2, Page 49;

Thence North 85° 48' 54" West, with said northerly right-of-way line, a distance of 16.50 feet to an iron pin set at the southeasterly corner of Lot 643 (original number 260) of said Beedle's Addition and the southerly terminus of the westerly right-of-way line of said alley;

Thence North 04° 16' 55" East, with the easterly line of said Lot 643 and said westerly right-of-way line, a distance of 133.65 feet to a magnetic nail set at the northeasterly corner of said lot and the northerly terminus of said alley westerly right-of-way line;

Thence South 85° 48' 54" East, with the northerly terminus of said alley, a distance of 16.50 feet to a magnetic nail set at the northwesterly corner of Lot 642 (original number 259) of said Beedle's Addition and the northerly terminus of said alley easterly right-of-way line;

Thence South 04° 16' 55" West, with the westerly line of said Lots 642 and 641 and said alley easterly right-of-way line, a distance of 133.65 feet to the POINT OF BEGINNING, containing 0.051 acre, more or less.

Subject, however, to all legal rights-of-ways and/or easements, if any, of previous record.

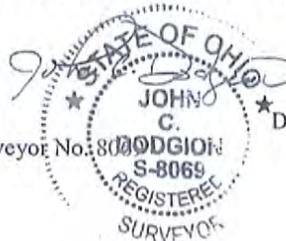
Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown herein are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011).

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

John C. Dodgion
Professional Surveyor No. 8009



04/30/2019

Date



FACT SHEET

AGENDA ITEM NO: 14

DATE: 06/24/2019

ORDINANCE NO: 19-32

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Dave Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE ACCEPTING THE ANNEXATION OF 100.648± ACRES OF LAND MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO AS EXHIBITS "A" AND "B" FOR THE ANNEXATION KNOWN AS THE GRDEN LLC ANNEXATION BY MICHAEL R. SHADE, AGENT FOR THE PETITIONERS.

BACKGROUND:

This process involves several steps and actions by the County and City in order for an annexation to ultimately be accepted by the City. The City took the first city step in the process which required determination of services the City could provide – the Resolution of Services passed February 25, 2019 via Resolution 19-08. The legislation before City Council currently is the final acceptance of annexation which would bring the property into the City. City Council must decide to accept, accept with conditions, or deny the annexation. If no action is taken by the ORC dictated time frame ending on July 9, 2019, ORC dictates that the annexation will be denied. The Applicant has begun the rezoning and initial development planning process. Planning Commission, on May 1, 2019 recommended approval with conditions. The cases will advance to City Council for consideration next. There was discussion with some neighbors at the Commission hearing that resulted in direction to the applicant to work on some details of the plan including additional landscaping. The Applicant agreed to do so in the intervening month or so prior to the public hearing. The public hearings are anticipated to be set for June 10, 2019. Since July 9, 2019 is the last day to consider the annexation (this would effectively occur at the City

Council meeting of July 8, 2019) this will present some overlap between the annexation and the zoning and development timeframes. Therefore, multiple readings of this annexation are anticipated.

Some City Council members had asked for additional information regarding costs of development related to this annexation. The Applicant presented a response to this at the Commission hearing and is anticipated to do so with the upcoming hearings. Additionally, the City Manager has provided on March 8, 2019 copies of the Fiscal Impact Analysis from Tishler & Associates for Council review. These conclusions largely remain the same from a development type standpoint. Additionally important to remember is that the development will also generate revenue to the community in several areas. Again, the revenues were detailed by the Applicant at the Commission meeting. Both costs and revenues were detailed and submitted to the city in the form of the Community Impact Assessment document which can be reviewed as well. This information will be packaged together and delivered to Council for the June 10, 2019 meeting in anticipation of the public hearing on the Zoning Amendment and Conditional Use Permit. The proposed development and annexation, in the opinion of Staff, also complies with our current Comprehensive Plan, virtually completes the southeastern corner of the city with respect to development and our utility boundary, and provides planned and needed transportation connections for roadways and bikepaths among other benefits to the community. Finally, as was noted in the Fact Sheets for the Resolution of Services for this annexation, Staff suggests several conditions of annexation that will provide certainty and clarity to the City as well as the Applicant:

1. The applicant shall include the property in the Delaware South New Community Authority.
2. A \$1,000 per dwelling unit additional transportation fee shall be required similar to other properties in the area to ensure needed transportation improvements in the area.
3. The property is within the South East Highland trunk sewer district requiring an additional sewer capacity charge of \$3,200 per dwelling unit in addition to the standard and customary capacity fees of the city in effect at the time of permitting.
4. The extension of any needed infrastructure for water, sewer, or roadways shall be at the cost to the development and as required by the City through the normal and customary development review process.

REASON WHY LEGISLATION IS NEEDED:

The Ohio Revised Code provides the process that annexations must follow throughout Ohio. This legislation is the final City step in the process to formally accept the annexation of the property. The City has until July 9, 2019 to pass this acceptance of annexation Ordinance or it is considered by ORC to be denied.

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S):

POLICY CHANGES:

PRESENTER(S):

Dave Efland, Planning and Community Development Director

RECOMMENDATION:

Approval at or before the July 8, 2019 City Council meeting.

ATTACHMENT(S)

County Resolution

Petition

Map

City Resolution

ORDINANCE NO. 19-32

AN ORDINANCE ACCEPTING THE ANNEXATION OF 100.648± ACRES OF LAND MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO AS EXHIBITS "A" AND "B" FOR THE ANNEXATION KNOWN AS THE GRDEN LLC ANNEXATION BY MICHAEL R. SHADE, AGENT FOR THE PETITIONERS.

WHEREAS, Michael R. Shade, agent for the petitioners, has filed with the Delaware County Commissioners for annexation of 100.648 acres of land, more or less, the description and map are attached hereto as Exhibits A and B; and

WHEREAS, Michael R. Shade, as agent for the petitioners on February 11, 2019 delivered to the Clerk of the Delaware City Council the notice of his filing of the annexation petition with the Board of County Commissioners of Delaware County and its clerk on February 7, 2019; and

WHEREAS, the Ohio Revised Code requires that within 20 days following the date the petition is filed, the City Council shall, by resolution, adopt a statement as to what services, if any, the City will provide and an approximate date by which it will provide them to the territory proposed for annexation, upon annexation, which was completed when City Council passed a Resolution of Services on February 25, 2019 via Resolution 19-08; and

WHEREAS, the proposed annexation applied for in the petition to the Delaware County Commissioners has been approved, by them for annexation to the City of Delaware on March 7, 2019 (See attached) The territory to be annexed is described in the attached Exhibits "A" and "B"; and

WHEREAS, the certified transcript of the proceedings for annexation, with an accurate map of the territory, together with the petition of annexation and other papers relating to the proceedings of the County Commissioners, are on file with the Clerk of Council, and have been for more than sixty days.

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

SECTION 1. That Council hereby accepts the annexation of 100.648 acres of land, description and plat of which are hereby attached as Exhibits "A" and "B" on the annexation known as the Grden Annexation by Michael R. Shade, agent for the petitioners with the following conditions that:

1. That upon annexation to the City of Delaware of 100.648± acres more or

less as delineated on the attached Exhibits A and B, the Applicant/Property Owner at their sole expense shall provide and install all necessary roadways, lines, hydrants, and other appurtenances as required by the City in order to complete required roadway connections and to receive city utility services.

2. The applicant shall include the property in the Delaware South New Community Authority.
3. A \$1,000 per dwelling unit additional transportation fee shall be required similar to other properties in the area to ensure needed transportation improvements in the area.
4. The property is within the South East Highland trunk sewer district requiring an additional sewer capacity charge of \$3,200 per dwelling unit in addition to the standard and customary capacity fees of the city in effect at the time of permitting.
5. The extension of any needed infrastructure for water, sewer, or roadways shall be at the cost to the development and as required by the City through the normal and customary development review process.

SECTION 2. That the Clerk of Council is directed to make five copies of this ordinance, to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof. The Clerk shall then forthwith deliver one copy to the Secretary of State, and shall file notice of annexation with the Board of Elections, the County Auditor, the County Recorder, and the County Engineer within thirty days after it becomes effective, and the Clerk shall do all other things required by law.

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, 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.

PASSED: _____, 2019

YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



Delaware County Commissioners

Jeff Benton
Barb Lewis
Gary Merrell

County Administrator
Michael Frommer

Deputy Administrator
Dawn Huston

Clerk to the Commissioners
Jennifer Walraven

March 11, 2019

RECEIVED

MAR 12 2019

Elaine McCloskey
City of Delaware Clerk
1 S Sandusky Street
Delaware, OH 43015
*Hand Delivered

RE: Annexation of 100.648 acres
Berlin Township to the City of Delaware

Dear Ms. McCloskey:

The Delaware County Commissioners in Regular Session on March 7, 2019 adopted a Resolution granting Prayer of Petition for 100.648 acres, more or less, from Berlin Township to City of Delaware.

I am herewith forwarding a certified copy of the Commissioners' Journal Resolution, a copy of the annexation petition and a copy of all other papers in the Commissioners' annexation folder.

If you have questions, please call me at 740-833-2105.

Sincerely,

A handwritten signature in blue ink that reads "Sarah Dinovo".

Sarah Dinovo,
Assistant Clerk to the Commissioners



Delaware County Commissioners

Jeff Benton
Barb Lewis
Gary Merrell

County Administrator
Michael Frommer

Deputy Administrator
Dawn Huston

Clerk to the Commissioners
Jennifer Walraven

RESOLUTION NO. 19-144

IN THE MATTER OF ACKNOWLEDGING RECEIPT OF ANNEXATION PETITION FROM AGENT FOR THE PETITIONER, MICHAEL R. SHADE, REQUESTING ANNEXATION OF 100.648 ACRES OF LAND IN BERLIN TOWNSHIP TO THE CITY OF DELAWARE:

It was moved by Mr. Merrell, seconded by Mr. Benton to acknowledge that on February 7, 2019, the Clerk to the Board of Commissioners received an annexation petition request to annex 100.648 acres from Berlin Township to the City of Delaware.

Vote on Motion Mr. Benton Aye Mr. Merrell Aye Mrs. Lewis Aye

I, Sarah Dinovo, Assistant Clerk to the Board of Commissioners hereby certify that the foregoing is a true and correct copy of a resolution of the Board of Commissioners of Delaware County duly adopted February 21, 2019 and appearing upon the official records of the said Board.

Sarah Dinovo
Assistant Clerk to the Commissioners



Delaware County Commissioners

Jeff Benton
Barb Lewis
Gary Merrell

County Administrator
Michael Frommer

Deputy Administrator
Dawn Huston

Clerk to the Commissioners
Jennifer Walraven

RESOLUTION NO. 19-197

IN THE MATTER OF GRANTING ANNEXATION PETITION, FROM AGENT FOR THE PETITIONER, MICHAEL R. SHADE, REQUESTING ANNEXATION OF 100.648 ACRES OF LAND IN BERLIN TOWNSHIP TO THE CITY OF DELAWARE:

It was moved by Mr. Benton, seconded by Mr. Merrell to approve the following resolution:

WHEREAS, on February 7, 2019, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by Michael R. Shade, agent for the petitioners, of 100.648 acres, more or less, from Berlin Township to the City of Delaware; and

WHEREAS, pursuant to section 709.023 of the Revised Code, if the Municipality or Township does not file an objection within 25 days after filing of the annexation petition, the Board at its next regular session shall enter upon its journal a resolution granting the proposed annexation; and

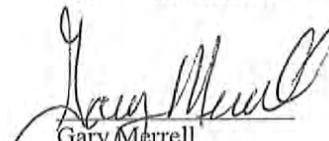
WHEREAS, 25 days have passed and the Clerk of the Board has not received an objection from the City of Delaware or the Township of Berlin;

NOW, THEREFORE, BE IT RESOLVED the Delaware County Board of Commissioners grants the annexation petition request to annex 100.648 acres, more or less, in Berlin Township to the City of Delaware.

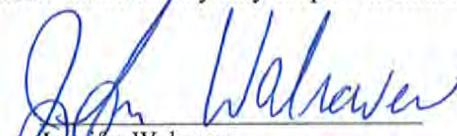
Vote on Motion Mrs. Lewis Aye Mr. Merrell Aye Mr. Benton Aye


Barb Lewis
County Commissioner


Jeff Benton
County Commissioner


Gary Merrell
County Commissioner

I, Jennifer Walraven, Clerk to the Board of County Commissioners hereby certify that the foregoing is a true and correct copy of a resolution of the Board of County Commissioners of Delaware County duly adopted on March 7, 2019, and appearing upon the official records of said Board.


Jennifer Walraven
Clerk to Commissioners

RECEIVED

MAR 4 2019

Michael R. Shade
Agent for Petitioners
P.O. Box 438, Delaware, Ohio 43015
(740) 363-9232
Fax (740) 363-0146

February 27, 2019

Elaine McCloskey
Clerk of City Council
City of Delaware, Ohio
City Hall
1 S. Sandusky Street
Delaware, Ohio 43015

Claudia Smith
Fiscal Officer of Berlin Township
3271 Cheshire Rd.
Delaware, OH 43015-9621

CORRECTION LETTER

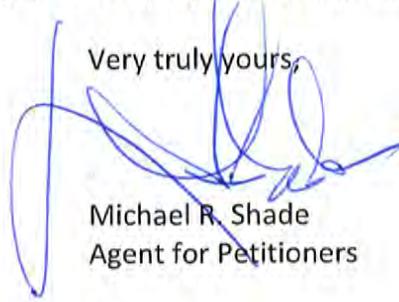
**Re: PETITION FOR GRDEN LLC ANNEXATION TO THE CITY OF DELAWARE, OHIO
FROM THE TOWNSHIP OF BERLIN CONSISTING OF 100.648 ACRES: EXPEDITED TYPE 2
ANNEXATION**

Pursuant to the requirements of Chapter 709 and the Annexation Guidelines adopted by the Board of County Commissioners of Delaware County, Ohio, you are hereby notified that a petition for the above referenced annexation (Petition herein), a copy of which is enclosed, was filed with the Board of County Commissioners of Delaware County, Ohio and its Clerk on February 7, 2019 at approximately 8:16 o'clock a.m. This is an Expedited Type 2 Annexation proceeding under the Guidelines and Procedures adopted by Resolution of the Board of Delaware County Commissioners for the processing of an annexation proceeding and is being submitted pursuant to the provisions of Section 709.021 ORC when owners unanimously request annexation and Section 709.023 ORC when the area being annexed is not to be excluded from the township. As you can see from the "Map of the Territory to be Annexed to the City of Delaware" attached to the Petition, the Petitioners are seeking annexation of 100.648 acres. This action matter will come before the Board of Delaware County Commissioners of Delaware County, Ohio on **March 7, 2019 at 9:30 a.m.** at the Commissioner's Hearing Room, 101 N. Sandusky Street, Delaware, Ohio 43015

A duplicate original of this letter is being mailed to each of you by certified mail, return receipt requested, number 7014 2870 0001 0090 5141 as to the Clerk of the Council of the City of Delaware and number 7014 2870 0001 0090 5158 as to the Fiscal Officer of Berlin Township.

Please do not hesitate to contact me should you have questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Michael R. Shade", is written over the typed name and title.

Michael R. Shade
Agent for Petitioners

Enclosure

**PETITION FOR GRDEN LLC ANNEXATION
TO THE CITY OF DELAWARE, OHIO FROM THE TOWNSHIP OF BERLIN CONSISTING OF
100.648 ACRES: EXPEDITED TYPE 2 ANNEXATION**

STATE OF OHIO

COUNTY OF DELAWARE, ss.

CORRECTED AFFIDAVIT OF PROOF OF SERVICE

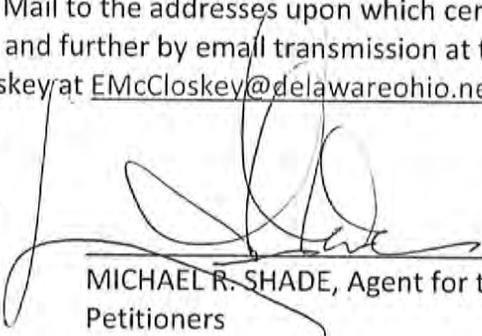
Pursuant to the requirements of Section 709.023(B) ORC, Michael R. Shade, being first duly sworn, deposes and says that the following statements are true:

1. Affiant is the Agent for the Petitioners in the above referenced petition;
2. Affiant is the person who delivered the required statutory notices;
3. Previously on February 7, 2019, the Affiant mailed duplicate originals of the letter of notice ("notice") to Elaine McCloskey, Clerk of City Council of the City of Delaware, Ohio, by certified mail, return receipt number 7014 2870 0001 0090 5141 and to Claudia Smith Fiscal Officer of Berlin Township, by certified mail, return receipt number 7014 2870 0001 0090 5158. A complete copy of the petition for annexation and all attachments accompanied each notice. The return receipts were attached to the original Affidavit of Proof of Service.

4. Affiant states that in assembling for filing the Affidavit of Proof of Service that the date for the hearing before the Delaware County Commissioners was stated to be on March 7, 2017 at 9:30 o'clock a.m. This was due to scrivener error and the two parties specified above have been sent corrective letters of service and notice of hearing stating that the hearing before the Delaware County Commissioners will be on March 7, 2019 at 930 o'clock a.m.

5. Affiant further states that the parties set forth and paragraph 3 above were sent a corrective letter by Regular US Mail to the addresses upon which certified mail service had been previously obtained and further by email transmission at their known email addresses, to wit, Elaine McCloskey at EMcCloskey@delawareohio.net and Claudia Smith at clerk@berlintwp.us.

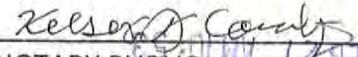
Further affiant sayeth naught.


MICHAEL R. SHADE, Agent for the
Petitioners

Sworn to and subscribed in my presence this 27th day of February, 2019.



KELSEY J. CORDING
Notary Public, State of Ohio
My Commission Expires 08-20-2019


NOTARY PUBLIC

RECEIVED
2019 FEB 27 AM 10:17
DELAWARE COUNTY COMMISSIONERS

Michael R. Shade
Agent for Petitioners
P.O. Box 438, Delaware, Ohio 43015
(740) 363-9232
Fax (740) 363-0146

February 27, 2019

Elaine McCloskey
Clerk of City Council
City of Delaware, Ohio
City Hall
1 S. Sandusky Street
Delaware, Ohio 43015

Claudia Smith
Fiscal Officer of Berlin Township
3271 Cheshire Rd.
Delaware, OH 43015-9621

CORRECTION LETTER

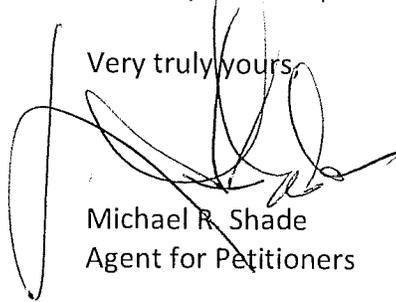
**Re: PETITION FOR GRDEN LLC ANNEXATION TO THE CITY OF DELAWARE, OHIO
FROM THE TOWNSHIP OF BERLIN CONSISTING OF 100.648 ACRES: EXPEDITED TYPE 2
ANNEXATION**

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Please do not hesitate to contact me should you have questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael R. Shade". The signature is stylized with large loops and a long horizontal stroke at the end.

Michael R. Shade
Agent for Petitioners

Enclosure

Michael Shade

From: Michael Shade
Sent: Wednesday, February 27, 2019 10:06 AM
To: 'Elaine McCloskey'
Subject: Correction Letter
Attachments: DOC126.pdf

Elaine, Please find attached a correction letter that was originally sent back to you on February 7, 2019. Inadvertently, there was scrivener error on the year of the date of the hearing before the Delaware County Commissioners. The date as originally indicated was March 7, 2017 at 930 o'clock a.m. and it should have read March 7, 2019 at 930 o'clock a.m. I am sending the letter of correction by both US regular Mail and by this email. I have also filed this letter with the clerk of the Delaware County Commissioners with a Corrected Affidavit of Proof of Service. Should you have any questions, please do not hesitate to contact me. Thanks.---Mike

Michael R. Shade
Shade and Shade
Attorneys at Law
1 West Winter Street, Suite 410
PO Box 438
Delaware, OH 43015
PH: 740-363-9232
Fax: 740-363-0146

Michael R. Shade
Agent for Petitioners
P.O. Box 438, Delaware, Ohio 43015
(740) 363-9232
Fax (740) 363-0146

February 27, 2019

Elaine McCloskey
Clerk of City Council
City of Delaware, Ohio
City Hall
1 S. Sandusky Street
Delaware, Ohio 43015

Claudia Smith
Fiscal Officer of Berlin Township
3271 Cheshire Rd.
Delaware, OH 43015-9621

CORRECTION LETTER

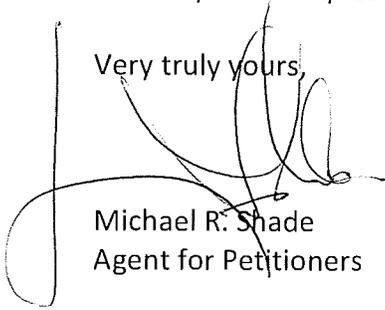
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FROM THE TOWNSHIP OF BERLIN CONSISTING OF 100.648 ACRES: EXPEDITED TYPE 2
ANNEXATION**

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Please do not hesitate to contact me should you have questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael R. Shade", is written over the typed name. The signature is fluid and cursive, with a large loop at the end.

Michael R. Shade
Agent for Petitioners

Enclosure

Michael Shade

From: Michael Shade
Sent: Wednesday, February 27, 2019 10:07 AM
To: 'Claudia Smith'
Subject: Correction Letter
Attachments: DOC127.pdf

Claudia, Please find attached a correction letter that was originally sent back to you on February 7, 2019. Inadvertently, there was scrivener error on the year of the date of the hearing before the Delaware County Commissioners. The date as originally indicated was March 7, 2017 at 930 o'clock a.m. and it should have read March 7, 2019 at 930 o'clock a.m. I am sending the letter of correction by both US regular Mail and by this email. I have also filed this letter with the clerk of the Delaware County Commissioners with a Corrected Affidavit of Proof of Service. Should you have any questions, please do not hesitate to contact me. Thanks.---Mike

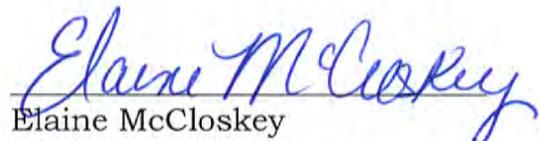
Michael R. Shade
Shade and Shade
Attorneys at Law
1 West Winter Street, Suite 410
PO Box 438
Delaware, OH 43015
PH: 740-363-9232
Fax: 740-363-0146



RESOLUTION CERTIFICATION

I, Elaine McCloskey, being the duly appointed as Clerk of City Council of Delaware, Ohio, do hereby swear and attest that the attached document is a true and correct copy of Resolution No. 19-08 as passed on February 25, 2019 by the Delaware City Council.




Elaine McCloskey
Clerk of City Council

This Resolution Certification dated this 26 day of February in the year 2019.

RESOLUTION NO. 19-08

A RESOLUTION INDICATING WHAT SERVICES THE CITY OF DELAWARE WILL PROVIDE TO 100.648± ACRES OF LAND, MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO FOR THE ANNEXATION KNOWN AS THE GRDEN LLC ANNEXATION BY MICHAEL R. SHADE, AGENT FOR THE PETITIONERS.

WHEREAS, Michael R. Shade, agent for the petitioners, has filed with the Delaware County Commissioners for annexation of 100.648 acres of land, more or less, the description and map are attached hereto; and

WHEREAS, Michael R. Shade, as agent for the petitioners on February 11, 2019 delivered to the Clerk of the Delaware City Council the notice of his filing of the annexation petition with the Board of County Commissioners of Delaware County and its Clerk on February 7, 2019; and

WHEREAS, the Ohio Revised Code requires that within 20 days following the date the petition is filed, the City Council shall, by resolution, adopt a statement as to what services, if any, the City will provide and an approximate date by which it will provide them to the territory proposed for annexation, upon annexation.

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

SECTION 1. That upon annexation to the City of Delaware of 100.648± acres more or less as delineated on the attached Exhibits, the City will provide the following services by the approximate date indicated as to each, provided all necessary lines, hydrants, and other apparatus are installed by the property owner as required by the City and said services shall be provided under the same conditions and same costs as they are provided to other residents in the City of Delaware:

- (a) Water - upon acceptance of annexation
- (b) Sanitary Sewer - upon acceptance of annexation
- (c) Refuse - upon acceptance of annexation
- (d) Fire - upon acceptance of annexation
- (e) Police - upon acceptance of annexation
- (f) Road maintenance-upon acceptance of annexation

SECTION 2. That the Council of the City of Delaware, pursuant to Ohio

Revised Code Section 709.023(D), hereby consents to the annexation.

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.

SECTION 4. That the Clerk of Council shall prepare and furnish to the agent for the petitioners a certified copy of this resolution and file with the Delaware County Board of County Commissioners on or before 20 days from the filing of the annexation petition.

SECTION 5. That if the territory is annexed and becomes subject to zoning by the City of Delaware and the City permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under the current county or township zoning regulations in the adjacent land remaining within the township from which the territory was annexed, the Council of the City of Delaware will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed and the adjacent land remaining within the township for purposes of this ordinance, buffer includes open space, landscaping, fences, walls, and other structured elements; streets and street rights of way; and bicycle and pedestrian paths and sidewalks.

SECTION 6. That this resolution shall take effect and be in force immediately after this passage.

PASSED: February 25, 2019

YEAS 6 NAYS 0
ABSTAIN 0

ATTEST: Elaine McCuskey
CITY CLERK

Carol Kaye
MAYOR

Michael R. Shade
Agent for Petitioners
P.O. Box 438, Delaware, Ohio 43015
(740) 363-9232
Fax (740) 363-0146

RECEIVED
FEB 11 2019

February 7, 2019

Elaine McCloskey
Clerk of City Council
City of Delaware, Ohio
City Hall
1 S. Sandusky Street
Delaware, Ohio 43015

Claudia Smith
Fiscal Officer of Berlin Township
3271 Cheshire Rd.
Delaware, OH 43015-9621

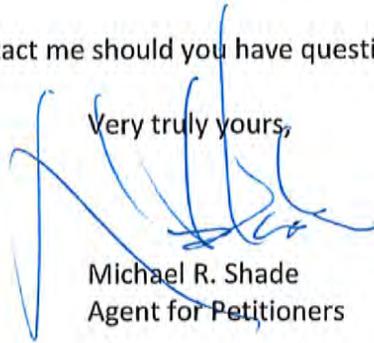
**Re: PETITION FOR GRDEN LLC ANNEXATION TO THE CITY OF DELAWARE, OHIO
FROM THE TOWNSHIP OF BERLIN CONSISTING OF 100.648 ACRES: EXPEDITED TYPE 2
ANNEXATION**

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Please do not hesitate to contact me should you have questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Michael R. Shade', is written over the typed name and title.

Michael R. Shade
Agent for Petitioners

Enclosure

BOARD OF COUNTY COMMISSIONERS OF
DELAWARE COUNTY, OHIO

**PETITION FOR
GRDEN, LLC
ANNEXATION
TO THE
CITY OF DELAWARE, OHIO
FROM THE
TOWNSHIP OF BERLIN
CONSISTING OF
100.648 ACRES:
EXPEDITED TYPE 2 ANNEXATION**

Petitioner

Grden LLC
Robert L. Grden, Designated Manager
1059 Wellington Blvd
Powell, OH 43065

Agent for Petitioners

Michael R. Shade
Attorney at Law
1 West Winter Street, Suite 410
Delaware, Ohio 43015
Phone: (740) 363-9232
Fax: (740)363-0146
Email : mrs@ss-dta.com

2019 FEB -7 AM 8:17
DELAWARE COUNTY
COMMISSIONERS

PETITION FOR GRDEN LLC ANNEXATION
TO THE CITY OF DELAWARE, OHIO FROM THE TOWNSHIP OF BERLIN
CONSISTING OF 100.648 ACRES: EXPEDITED TYPE 2 ANNEXATION

To: **The Board of County Commissioners of Delaware County, Ohio**

1. The undersigned petitioner ("the Petitioner" herein), being all of the owners of real estate in the following described territory consisting of 100.648 acres situated in the Township of Berlin, County of Delaware, which area is contiguous with, adjacent to, and/or surrounded by the City of Delaware in part, to wit: see the legal description attached hereto as Exhibit A and the attached map, both of which are incorporated by reference herein ("described territory"), respectfully petition that the described territory be annexed to the City of Delaware, Ohio.

The description of the described territory ("the description" herein) and map were prepared by Mark Alan Smith, P.S., Professional Surveyor No. 8232, CEC Civil & Environmental Consultants, Inc., for annexation purposes, from information of record in the Delaware County Courthouse. All record references, unless otherwise noted, are to public records on file at the Delaware County Recorder's Office; all statutory references, unless otherwise noted, are to the Ohio Revised Code.

2. In support of this Petition, the petitioners state that there are within the described territory sought to be annexed one (1) owner of the real estate. The real estate within area to be annexed and included in the description is owned as indicated on the following table:

Name of Petitioner	Address	Acreage Information	Deed Reference	Parcel ID No.
Grden LLC	1059 Wellington Blvd. Powell, OH 43065	Land Owned 101.968 ac. Lands of Owner in the ROW is 1.32 acres, more or less Total Lands of this Petitioner to be Annexed is 100.648 Acres	Official Record Vol. 951, Page 2796;	418-330-01-018-000 418-330-01-018-001 418-330-01-019-000 418-320-01-038-000
	Total Lands to be Annexed	100.648 Acres		

All public road rights of way abutting any part of the described territory are not being annexed into and will not be in the City of Delaware, Ohio except where the annexation is over lands on both sides of any roadway.

3. Michael R. Shade is hereby appointed Agent for the undersigned Petitioner ("the Agent" herein), as required by § 709.02 and the Agent's address is 1 West Winter Street, Suite 410, P.O. Box 438, Delaware, Ohio 43015. The agent is hereby authorized to make any amendment and/or decision which in his absolute and complete discretion is necessary or proper under the circumstances then existing and is specifically authorized to make any such amendment in order to correct any discrepancy or mistake noted by the Delaware County Engineer in his examination of the Petition and Plat. Any such amendment shall be made by the presentation of an amended description and map to the Board of County Commissioners on, before, or after the date set for hearing on this Petition.

4. An accurate map marked "Map of Territory to be Annexed to the City of Delaware" is attached hereto and made part of this petition.

5. A list containing the required information concerning all tracts, lots and parcels adjacent to or across the road from the area sought to be annexed is being filed by the Agent at the time of the filing of this Petition.

6. No island of unincorporated area is being created by this annexation.

7. This petition is filed as an Expedited II annexation proceeding under the Guidelines and Procedures adopted by Resolution of the Board of Delaware County Commissioners for the processing of annexation proceedings and is being submitted pursuant the provisions of § 709.021 when owners unanimously request annexation and § 709.023 when the area being annexed is not to be excluded from the township. The area sought to be annexed shall not upon the annexation be excluded from Berlin Township, Delaware County, Ohio in conformity with the provisions of § 709.023.

8. The City of Delaware, Ohio will pass and submit to the Board of County Commissioners of Delaware County, Ohio a resolution of services within twenty (20) days of the date of the filing of this petition and file same with the Clerk of the Board of County Commissioners of Delaware County, Ohio.

9. The current zoning in the Township of Berlin, Delaware County, Ohio is presently Farm Residential District (FR-1). The comprehensive plan duly adopted by the City of Delaware, Ohio anticipates that any future use would be for Mixed Use and Low and Medium Density Residential Uses. This proposed use may somewhat be an incompatible land use to the Farm Residential District in the Township of Berlin, Delaware County, Ohio but may not be incompatible to the long-term use plan for the area. The City of Delaware, Ohio will pass a resolution requiring that any buffering necessary as provided in Section 702.023 of the Ohio Revised Code shall be complied with and will follow the buffering requirements of the City of Delaware, Ohio Zoning Ordinances. Said resolution of services and buffering will be passed and submitted to the Board of County Commissioners of Delaware County, Ohio by the City of Delaware, Ohio within twenty (20) day of the date of the filing of this petition and file same with the Clerk of the Board of County Commissioners of Delaware County, Ohio.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

Signatures of Petitioner:

GRDEN LLC



Robert L. Grden, Designated Manager

Dated: February 4, 2019



**DESCRIPTION OF A PROPOSED ANNEXATION OF
A 100.648 ACRE TRACT
TO THE CITY OF DELAWARE
DELAWARE COUNTY, OHIO**

Situated in the State of Ohio, County of Delaware, Township of Berlin, located in Farm Lots 28 and 29, Section 3, Township 4, Range 18, of the United States Military Lands, and part of 45.968 acres, 5.001 acres, 36.502 acres and 14.542 acres as described in deed to Green LLC, of record in Official Record 951, Page 2796, all being of record in the Recorder's Office, Delaware County, Ohio and being more particularly described as follows:

BEGINNING, at a common corner of said 45.968 acres and a 90.584 acres as described in deed to Pulte Homes of Ohio LLC, of record in Official Record 1327, Page 1465, and said corner being an angle point in the existing City of Delaware Corporation Line as established by Ordinance Number 06-67 and of record in Official Record 718, Page 2150;

Thence South 00°58'45" West, with the west line of a 44.049 acre tract as described in deed to Evans Farm Delaware LLC, of record in Official Record 1334, Page 2672, a distance of 1908.62 feet, to a point on the north right of way line of Peachblow Road (Co. Rd. 98, 60 foot right of way);

Thence North 88°00'00" West, with the north right of way line of Peachblow Road, a distance of 1806.56 feet, to a point on the east line of a 5.000 acre tract described in deed to John Gundling and Toni Tiburzio, of record in Official Record 560, Page 167;

Thence North 01°03'26" East, with the east line of said 5.000 acres, a distance of 696.00 feet, to a point at the northeast corner of said 5.000 acre tract;

Thence North 88°00'00" West, with the north line of said 5.000 acres, a distance of 300.04 feet, to a point at the northwest corner of said 5.000 acre tract;

Thence South 01°03'26" West, with the west line of said 5.000 acres, a distance of 696.00 feet, to a point on the north right of way line of Peachblow Road;

Thence North 88°00'00" West, with the north right of way line of Peachblow Road, a distance of 120.02 feet, to a point on the east line of a 105.278 acre tract as described in deed to Grady Memorial Hospital, of record in Official Record 594, Page 212 and an angle point in the existing City of Delaware Corporation Line as established by Ordinance Number 05-15, of record in Official Record 740, Page 394;

Thence North 01°03'26" East, with the west line of said 36.502 acres and said 14.542 acres and the east line of the said 105.278 acre tract and the said existing City of Delaware Corporation Line, a distance of 2232.71 feet, to a point on the south line of a said 90.584 acre tract and the said existing City of Delaware Corporation Line.

Thence with said 90.584 acres and the existing City of Delaware Corporation line the following course:

South 87°40'25" East, a distance of 1084.42 feet, to a point;

South 00°58'45" West, a distance of 314.78 feet, to a point;

South 87°50'50" East, a distance of 1137.39 feet, to a point at a common corner of said 45.968 acres and a 90.584 acres, containing 100.648 acres, more or less, being approximately 21.272 acres in Farm Lot 28 and approximately 79.376 acres in Farm Lot 29.

4769.09 lineal feet of perimeter is contiguous with the existing corporation line of the City of Delaware.

A total of 10296.52 lineal feet of annexed perimeter.

46.3% of the perimeter of the annexed area is contiguous to the existing city of Delaware Corporation Line.

Being an Expedited II annexation.

No island of unincorporated area is being created with this annexation.

All bearings and distances shown on this survey are per deed of record and not the result of an actual boundary survey.



CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

Mark Alan Smith 8/03/2017

Mark Alan Smith, P.S.
Registered Surveyor No. 8232

Date

County Engineer
Delaware County, Ohio
I hereby certify the within to be a true copy
of the document that is on file in the Map
Department.
CHRIS E. BAUSERMAN, P.E., P.S.
County Engineer
By *Chris E. Bauserman*, Date 8/2/17

MAP OF TERRITORY TO BE ANNEXED TO CITY OF DELAWARE

SITUATED IN THE STATE OF OHIO, COUNTY OF DELAWARE, TOWNSHIP OF BERLIN, SECTION 3, RANGE 18 OF THE UNITED STATES MILITARY LANDS

COUNTY ENGINEER
DELAWARE COUNTY, OHIO
(HEREBY CERTIFY THE WITHIN TO BE A TRUE COPY OF THE DOCUMENT THAT IS ON FILE IN THE MAP DEPARTMENT.)
CHRIS E. RAUBERMAN, P.E., F.S.
PROFESSIONAL ENGINEER
BY: *[Signature]* DATE: 8/17/17

SURVEYOR'S NOTE:

ALL BEARINGS AND DISTANCES SHOWN ON THIS EXHIBIT ARE PER DEED FOR GRDEN LLC, OF RECORD IN OFFICIAL RECORD 951, PAGE 2796, AND NOT THE RESULT OF AN ACTUAL BOUNDARY SURVEY.

THERE IS 0 FEET OF COUNTY AND/OR TOWNSHIP ROADWAYS LOCATED WITHIN THE AREA TO BE ANNEXED.

CONTIGUITY CALCULATION

4,769.09 LINEAL FEET OF PERIMETER IS CONTIGUOUS WITH THE EXISTING CORPORATION LINE OF THE CITY OF DELAWARE.

A TOTAL OF 10,296.52 LINEAL FEET OF ANNEXED PERIMETER.

46.3% OF THE PERIMETER OF THE ANNEXED AREA IS CONTIGUOUS TO THE EXISTING CITY OF DELAWARE CORPORATION LINE.

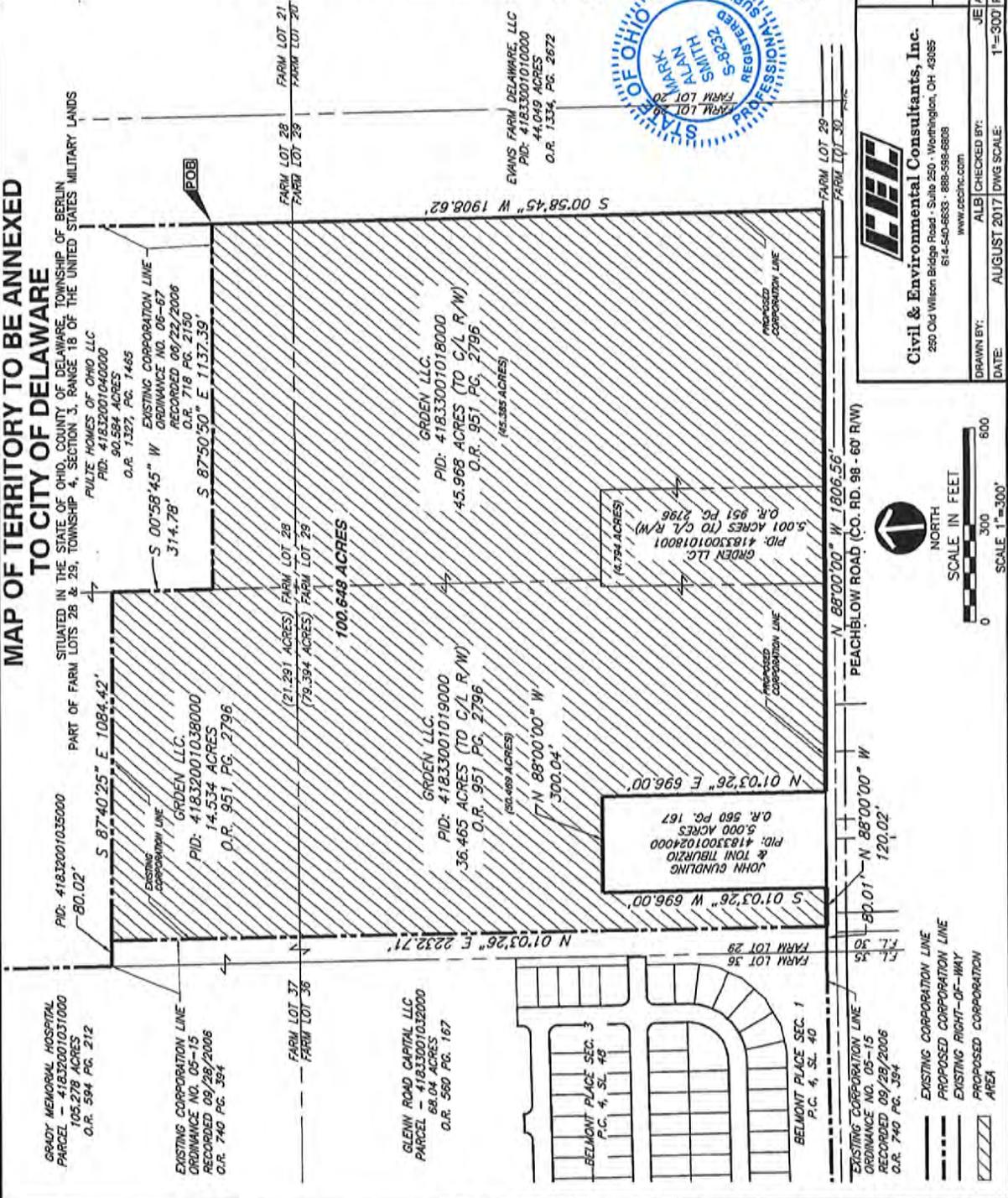
EXPEDITED II ANNEXATION

NO ISLAND OF UNINCORPORATED AREA IS BEING CREATED WITH THIS ANNEXATION.

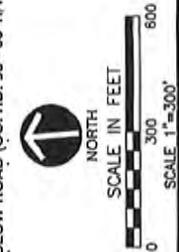
THIS ANNEXATION PLAT IS A GENERAL DESCRIPTION OF THE LOCATION OF PROPERTY TO BE ANNEXED AND IS NOT A BOUNDARY SURVEY AS DEFINED IN THE O.A.C. CHAPTER 4733-37.

ALL BEARINGS AND DISTANCES SHOWN ARE PER DEED OF RECORD IN OFFICIAL RECORD 951, PAGE 2796, OF RECORDS IN RECORDER'S OFFICE DELAWARE COUNTY, OHIO.

[Signature]
MARK ALAN SMITH, P.S.
PROFESSIONAL SURVEYOR 8232



Civil & Environmental Consultants, Inc.
250 Old Wilton Bridge Road • Suite 250 • Worthington, OH 43085
614-540-6633 • 888-588-6808
www.cedinc.com



DATE: AUGUST 2017 DWG SCALE: 1"=300'
DRAWN BY: ALB CHECKED BY: JE APPROVED BY: MASH
PROJECT NO.: 172-299

ANNEX

ANNEXATION PLAT

PEACHBLOW ROAD
BERLIN TOWNSHIP
DELAWARE COUNTY, OHIO

ANNEXATION PLAT

ANNEXATION PLAT

West of Property to be Annexed

GRADY MEMORIAL HOSPITAL
801 OHIOHEALTH BLVD
DELAWARE OH 43015

102.258

41832001031000

TERRI W. MELDRUM, ESQ.
STATUTORY AGENT FOR
GRADY MEMORIAL HOSPITAL
180 EAST BROAD STREET
COLUMBUS, OH 43215

North of Property to be Annexed

PULTE HOMES OF OHIO LLC
475 METRO PLACE
DUBLIN OH 43017

70.635

41832001035000

86.819

41832001040000

CORPORATION SERVICE COMPANY
STATUTORY AGENT FOR
PULTE HOMES OF OHIO LLC
50 WEST BROAD STREET SUITE 1330
COLUMBUS, OH 43215

**DELAWARE COUNTY MAP DEPARTMENT
COUNTY ADMINISTRATION BUILDING
140 N. SANDUSKY STREET
DELAWARE, OHIO
43015**

**CHRIS E. BAUSERMAN, P.E., P.S.
DELAWARE COUNTY ENGINEER**

August 7, 2017

The Board of Delaware County Commissioners
101 North Sandusky Street
Delaware, Ohio 43015

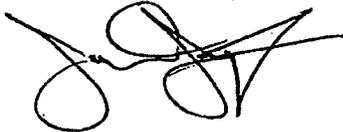
Re: Proposed 100.648 Acre Annexation in Berlin Township to the City of Delaware

Dear Honorable Board:

We have reviewed the attached Annexation Map and Written Description for the above referenced proposal. Said Map and Description are hereby approved in accordance with the Board of Delaware County Commissioner's Resolutions No. 02-862, dated July 1, 2002, which is entitled "Establishing General Orders for the Hearing of Annexation Petitions" and with those applicable sections of Ohio Revised Code Section 709.02. The actual petition document itself was not submitted to this department for review and therefore its content is not a part of this approval.

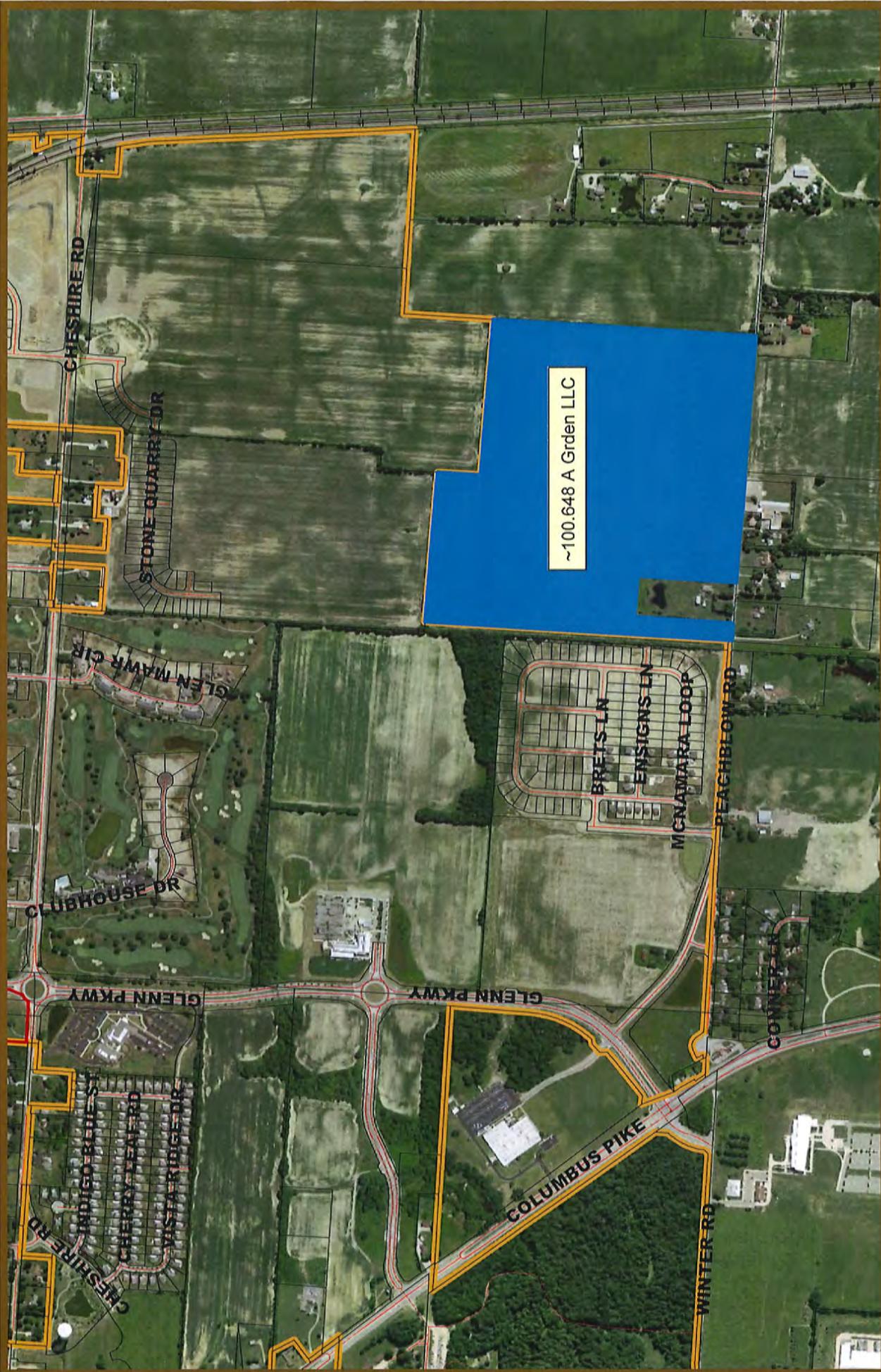
Respectfully Submitted,

Chris E. Bauserman, P.E., P.S.
Delaware County Engineer



Jack Jennings, P.S.
Supervisor

Enclosures (2 Sets)



~100.648 A Grden LLC



Annexation Location Map
Grden LLC Property



RECEIVED

MAR 4 2019

Michael R. Shade
Agent for Petitioners
P.O. Box 438, Delaware, Ohio 43015
(740) 363-9232
Fax (740) 363-0146

February 27, 2019

Elaine McCloskey
Clerk of City Council
City of Delaware, Ohio
City Hall
1 S. Sandusky Street
Delaware, Ohio 43015

Claudia Smith
Fiscal Officer of Berlin Township
3271 Cheshire Rd.
Delaware, OH 43015-9621

CORRECTION LETTER

**Re: PETITION FOR GRDEN LLC ANNEXATION TO THE CITY OF DELAWARE, OHIO
FROM THE TOWNSHIP OF BERLIN CONSISTING OF 100.648 ACRES: EXPEDITED TYPE 2
ANNEXATION**

Pursuant to the requirements of Chapter 709 and the Annexation Guidelines adopted by the Board of County Commissioners of Delaware County, Ohio, you are hereby notified that a petition for the above referenced annexation (Petition herein), a copy of which is enclosed, was filed with the Board of County Commissioners of Delaware County, Ohio and its Clerk on February 7, 2019 at approximately 8:16 o'clock a.m. This is an Expedited Type 2 Annexation proceeding under the Guidelines and Procedures adopted by Resolution of the Board of Delaware County Commissioners for the processing of an annexation proceeding and is being submitted pursuant to the provisions of Section 709.021 ORC when owners unanimously request annexation and Section 709.023 ORC when the area being annexed is not to be excluded from the township. As you can see from the "Map of the Territory to be Annexed to the City of Delaware" attached to the Petition, the Petitioners are seeking annexation of 100.648 acres. This action matter will come before the Board of Delaware County Commissioners of Delaware County, Ohio on **March 7, 2019 at 9:30 a.m.** at the Commissioner's Hearing Room, 101 N. Sandusky Street, Delaware, Ohio 43015

A duplicate original of this letter is being mailed to each of you by certified mail, return receipt requested, number 7014 2870 0001 0090 5141 as to the Clerk of the Council of the City of Delaware and number 7014 2870 0001 0090 5158 as to the Fiscal Officer of Berlin Township.

Please do not hesitate to contact me should you have questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Michael R. Shade", is written over the typed name and title.

Michael R. Shade
Agent for Petitioners

Enclosure

**PETITION FOR GRDEN LLC ANNEXATION
TO THE CITY OF DELAWARE, OHIO FROM THE TOWNSHIP OF BERLIN CONSISTING OF
100.648 ACRES: EXPEDITED TYPE 2 ANNEXATION**

STATE OF OHIO

COUNTY OF DELAWARE, ss.

CORRECTED AFFIDAVIT OF PROOF OF SERVICE

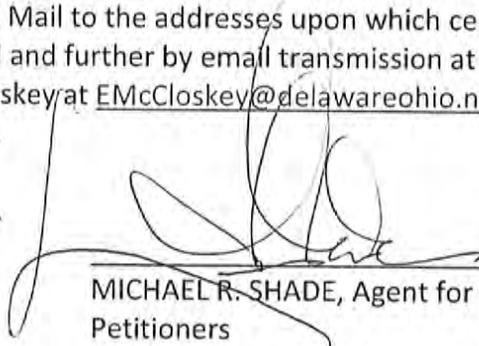
Pursuant to the requirements of Section 709.023(B) ORC, Michael R. Shade, being first duly sworn, deposes and says that the following statements are true:

1. Affiant is the Agent for the Petitioners in the above referenced petition;
2. Affiant is the person who delivered the required statutory notices;
3. Previously on February 7, 2019, the Affiant mailed duplicate originals of the letter of notice ("notice") to Elaine McCloskey, Clerk of City Council of the City of Delaware, Ohio, by certified mail, return receipt number 7014 2870 0001 0090 5141 and to Claudia Smith Fiscal Officer of Berlin Township, by certified mail, return receipt number 7014 2870 0001 0090 5158. A complete copy of the petition for annexation and all attachments accompanied each notice. The return receipts were attached to the original Affidavit of Proof of Service.

4. Affiant states that in assembling for filing the Affidavit of Proof of Service that the date for the hearing before the Delaware County Commissioners was stated to be on March 7, 2017 at 9:30 o'clock a.m. This was due to scrivener error and the two parties specified above have been sent corrective letters of service and notice of hearing stating that the hearing before the Delaware County Commissioners will be on March 7, 2019 at 930 o'clock a.m.

5. Affiant further states that the parties set forth and paragraph 3 above were sent a corrective letter by Regular US Mail to the addresses upon which certified mail service had been previously obtained and further by email transmission at their known email addresses, to wit, Elaine McCloskey at EMcCloskey@delawareohio.net and Claudia Smith at clerk@berlintwp.us.

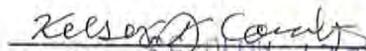
Further affiant sayeth naught.


MICHAEL R. SHADE, Agent for the
Petitioners

Sworn to and subscribed in my presence this 27th day of February, 2019.



KELSEY J. CORDING
Notary Public, State of Ohio
My Commission Expires 08-20-2019


NOTARY PUBLIC

RECEIVED
2019 FEB 27 AM 10:17
DELAWARE COUNTY COMMISSIONERS

Michael R. Shade
Agent for Petitioners
P.O. Box 438, Delaware, Ohio 43015
(740) 363-9232
Fax (740) 363-0146

February 27, 2019

Elaine McCloskey
Clerk of City Council
City of Delaware, Ohio
City Hall
1 S. Sandusky Street
Delaware, Ohio 43015

Claudia Smith
Fiscal Officer of Berlin Township
3271 Cheshire Rd.
Delaware, OH 43015-9621

CORRECTION LETTER

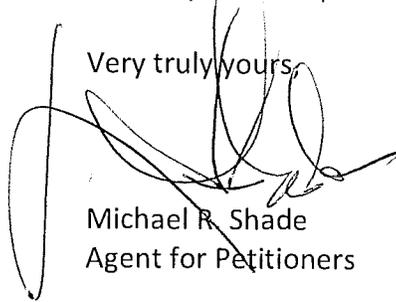
**Re: PETITION FOR GRDEN LLC ANNEXATION TO THE CITY OF DELAWARE, OHIO
FROM THE TOWNSHIP OF BERLIN CONSISTING OF 100.648 ACRES: EXPEDITED TYPE 2
ANNEXATION**

Pursuant to the requirements of Chapter 709 and the Annexation Guidelines adopted by the Board of County Commissioners of Delaware County, Ohio, you are hereby notified that a petition for the above referenced annexation (Petition herein), a copy of which is enclosed, was filed with the Board of County Commissioners of Delaware County, Ohio and its Clerk on February 7, 2019 at approximately 8:16 o'clock a.m. This is an Expedited Type 2 Annexation proceeding under the Guidelines and Procedures adopted by Resolution of the Board of Delaware County Commissioners for the processing of an annexation proceeding and is being submitted pursuant to the provisions of Section 709.021 ORC when owners unanimously request annexation and Section 709.023 ORC when the area being annexed is not to be excluded from the township. As you can see from the "Map of the Territory to be Annexed to the City of Delaware" attached to the Petition, the Petitioners are seeking annexation of 100.648 acres. This action matter will come before the Board of Delaware County Commissioners of Delaware County, Ohio on March 7, 2019 at 9:30 a.m. at the Commissioner's Hearing Room, 101 N. Sandusky Street, Delaware, Ohio 43015

A duplicate original of this letter is being mailed to each of you by certified mail, return receipt requested, number 7014 2870 0001 0090 5141 as to the Clerk of the Council of the City of Delaware and number 7014 2870 0001 0090 5158 as to the Fiscal Officer of Berlin Township.

Please do not hesitate to contact me should you have questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael R. Shade". The signature is stylized with large loops and a long horizontal stroke at the end.

Michael R. Shade
Agent for Petitioners

Enclosure

Michael Shade

From: Michael Shade
Sent: Wednesday, February 27, 2019 10:06 AM
To: 'Elaine McCloskey'
Subject: Correction Letter
Attachments: DOC126.pdf

Elaine, Please find attached a correction letter that was originally sent back to you on February 7, 2019. Inadvertently, there was scrivener error on the year of the date of the hearing before the Delaware County Commissioners. The date as originally indicated was March 7, 2017 at 930 o'clock a.m. and it should have read March 7, 2019 at 930 o'clock a.m. I am sending the letter of correction by both US regular Mail and by this email. I have also filed this letter with the clerk of the Delaware County Commissioners with a Corrected Affidavit of Proof of Service. Should you have any questions, please do not hesitate to contact me. Thanks.---Mike

Michael R. Shade
Shade and Shade
Attorneys at Law
1 West Winter Street, Suite 410
PO Box 438
Delaware, OH 43015
PH: 740-363-9232
Fax: 740-363-0146

Michael R. Shade
Agent for Petitioners
P.O. Box 438, Delaware, Ohio 43015
(740) 363-9232
Fax (740) 363-0146

February 27, 2019

Elaine McCloskey
Clerk of City Council
City of Delaware, Ohio
City Hall
1 S. Sandusky Street
Delaware, Ohio 43015

Claudia Smith
Fiscal Officer of Berlin Township
3271 Cheshire Rd.
Delaware, OH 43015-9621

CORRECTION LETTER

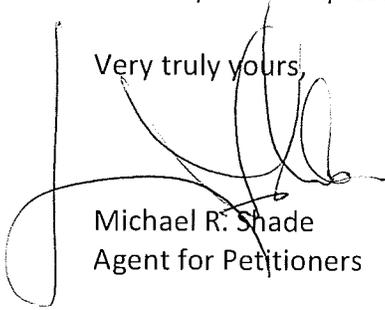
**Re: PETITION FOR GRDEN LLC ANNEXATION TO THE CITY OF DELAWARE, OHIO
FROM THE TOWNSHIP OF BERLIN CONSISTING OF 100.648 ACRES: EXPEDITED TYPE 2
ANNEXATION**

Pursuant to the requirements of Chapter 709 and the Annexation Guidelines adopted by the Board of County Commissioners of Delaware County, Ohio, you are hereby notified that a petition for the above referenced annexation (Petition herein), a copy of which is enclosed, was filed with the Board of County Commissioners of Delaware County, Ohio and its Clerk on February 7, 2019 at approximately 8:16 o'clock a.m. This is an Expedited Type 2 Annexation proceeding under the Guidelines and Procedures adopted by Resolution of the Board of Delaware County Commissioners for the processing of an annexation proceeding and is being submitted pursuant to the provisions of Section 709.021 ORC when owners unanimously request annexation and Section 709.023 ORC when the area being annexed is not to be excluded from the township. As you can see from the "Map of the Territory to be Annexed to the City of Delaware" attached to the Petition, the Petitioners are seeking annexation of 100.648 acres. This action matter will come before the Board of Delaware County Commissioners of Delaware County, Ohio on March 7, 2019 at 9:30 a.m. at the Commissioner's Hearing Room, 101 N. Sandusky Street, Delaware, Ohio 43015

A duplicate original of this letter is being mailed to each of you by certified mail, return receipt requested, number 7014 2870 0001 0090 5141 as to the Clerk of the Council of the City of Delaware and number 7014 2870 0001 0090 5158 as to the Fiscal Officer of Berlin Township.

Please do not hesitate to contact me should you have questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Michael R. Shade', written over the typed name and title.

Michael R. Shade
Agent for Petitioners

Enclosure

Michael Shade

From: Michael Shade
Sent: Wednesday, February 27, 2019 10:07 AM
To: 'Claudia Smith'
Subject: Correction Letter
Attachments: DOC127.pdf

Claudia, Please find attached a correction letter that was originally sent back to you on February 7, 2019. Inadvertently, there was scrivener error on the year of the date of the hearing before the Delaware County Commissioners. The date as originally indicated was March 7, 2017 at 930 o'clock a.m. and it should have read March 7, 2019 at 930 o'clock a.m. I am sending the letter of correction by both US regular Mail and by this email. I have also filed this letter with the clerk of the Delaware County Commissioners with a Corrected Affidavit of Proof of Service. Should you have any questions, please do not hesitate to contact me. Thanks.---Mike

Michael R. Shade
Shade and Shade
Attorneys at Law
1 West Winter Street, Suite 410
PO Box 438
Delaware, OH 43015
PH: 740-363-9232
Fax: 740-363-0146



FACT SHEET

AGENDA ITEM NO: 15

DATE: 06/24/2019

ORDINANCE NO: 19-29

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: YES
June 10, 2019 @ 8:00 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 APPROVING A REZONING AMENDMENT FOR GRDEN LLC., FOR WINTERBOOKE PLACE FROM A-1 (AGRICULTURAL DISTRICT) TO R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) CONTAINING 263 SINGLE FAMILY LOTS ON APPROXIMATELY 100.6 ACRES AND LOCATED ON THE NORTH SIDE OF PEACHBLOW ROAD JUST EAST OF THE BELMONT PLACE SUBDIVISION (PARCEL #'s 418-330-01-019-000, 418-330-01-018-001, 418-330-018-000, 418-320-01-038-000).

BACKGROUND:

6/10/2019 UPDATE:

Attached to the material for these cases are several lengthy documents. These are in support of information requested by City Council relative to questions raised about the overall costs/benefits of this development and specifically roadways. Additionally, the applicant has submitted their full presentation and a cover letter with some accompanying information to be included in the record and to allow their verbal presentation Monday night at the public hearing to be a brief summary of the overall proposal. Finally, an objection letter is included as well from the attorney for the Gundling's – a neighboring property. The documents include the following:

- 1) Mr. Grden has submitted a cover letter and full presentation.
- 2) The Community Impact Assessment (in full) that was submitted by the applicant. Page 21 in particular shows fiscal information that adds to the discussion about the cost/revenue of development question.

- 3) Mr. Grden submitted a spreadsheet (that is attached as a PDF) showing roadway costs and benefits which also helps to provide data to the discussion about costs/benefits of this development.
- 4) City Manager Tom Homan had provided Council previously the 2002 fiscal impact analysis prepared around the last Comprehensive Plan. As promised, it is included here so that all documents in this regard are in one place and with the relevant cases.
- 5) Mr. Elliott had supplied an objection letter to Planning Commission on behalf of his clients – the Gundling’s - whose property was sold to them by the Grden’s in approximately 1993, is located within the township and not subject to annexation nor development at this time, and whose property is effectively surrounded by the proposed Grden development proposed.

See attached staff report.

REASON WHY LEGISLATION IS NEEDED:

To achieve compliance with Chapter 1130 Amendments of the Codified Ordinances.

COMMITTEE RECOMMENDATION:

Planning Commission recommended approval by a vote of 5-0 on May 1, 2019.

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Planning and Community Development Director

RECOMMENDATION:

Staff recommends approval

ATTACHMENT(S)

Revised Buffer Plan Submitted 6/18/2018

See attached staff report

Additional Materials from Applicant:

- Cover Letter & Presentation
- Community Impact Assessment
- Spreadsheet re: roadway cost
- 2002 Fiscal Impact Analysis

Gundling’s Letter of Objection

ORDINANCE NO. 19-29

AN ORDINANCE APPROVING A REZONING AMENDMENT FOR GRDEN LLC., FOR WINTERBOOKE PLACE FROM A-1 (AGRICULTURAL DISTRICT) TO R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) CONTAINING 263 SINGLE FAMILY LOTS ON APPROXIMATELY 100.6 ACRES AND LOCATED ON THE NORTH SIDE OF PEACHBLOW ROAD JUST EAST OF THE BELMONT PLACE SUBDIVISION (PARCEL #'S 418-330-01-019-000, 418-330-01-018-001, 418-330-018-000, 418-320-01-038-000).

WHEREAS, the Planning Commission at its meeting of May 1, 2019 recommended approval of a Rezoning Amendment for Grden LLC., for Winterbrooke Place from A-1 (Agricultural District) to R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) containing 263 single family lots on approximately 100.6 acres and located on the north side of Peachblow Road just east of the Belmont Place Subdivision (Parcel #'s 418-330-01-019-000, 418-330-01-018-001, 418-330-018-000, 418-320-01-038-000) (PC Case 2019-0640).

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

SECTION 1. That the Rezoning Amendment for Grden LLC., for Winterbrooke Place from A-1 (Agricultural District) to R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) containing 263 single family lots on approximately 100.6 acres and located on the north side of Peachblow Road just east of the Belmont Place Subdivision (Parcel #'s 418-330-01-019-000, 418-330-01-018-001, 418-330-018-000, 418-320-01-038-000), is hereby confirmed, approved, and accepted with the following condition that:

1. Any change of use or major modification of the plan shall require conformance to all provisions of the Development Text.

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.

PASSED: _____, 2019

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 16

DATE: 06/24/2019

ORDINANCE NO: 19-30

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: YES
June 10, 2019 @ 8:00 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 APPROVING A CONDITIONAL USE PERMIT FOR GRDEN LLC., ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED FOR WINTERBROOKE PLACE CONTAINING 263 SINGLE FAMILY LOTS ON APPROXIMATELY 100.6 ACRES AND LOCATED ON THE NORTH SIDE OF PEACHBLOW ROAD JUST EAST OF THE BELMONT PLACE SUBDIVISION.

BACKGROUND:

6/10/2019 UPDATE:

Attached to the material for these cases are several lengthy documents. These are in support of information requested by City Council relative to questions raised about the overall costs/benefits of this development and specifically roadways. Additionally, the applicant has submitted their full presentation and a cover letter with some accompanying information to be included in the record and to allow their verbal presentation Monday night at the public hearing to be a brief summary of the overall proposal. Finally, an objection letter is included as well from the attorney for the Gundling's – a neighboring property. The documents include the following:

- 1) Mr. Grden has submitted a cover letter and full presentation.
- 2) The Community Impact Assessment (in full) that was submitted by the applicant. Page 21 in particular shows fiscal information that adds to the discussion about the cost/revenue of development question.

- 3) Mr. Grden submitted a spreadsheet (that is attached as a PDF) showing roadway costs and benefits which also helps to provide data to the discussion about costs/benefits of this development.
- 4) City Manager Tom Homan had provided Council previously the 2002 fiscal impact analysis prepared around the last Comprehensive Plan. As promised, it is included here so that all documents in this regard are in one place and with the relevant cases.
- 5) Mr. Elliott had supplied an objection letter to Planning Commission on behalf of his clients – the Gundling’s - whose property was sold to them by the Grden’s in approximately 1993, is located within the township and not subject to annexation nor development at this time, and whose property is effectively surrounded by the proposed Grden development proposed.

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 recommended approval by a vote of 5-0 on May 1, 2019.

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 staff report

Additional Materials from Applicant:

- Cover Letter & Presentation
- Community Impact Assessment
- Spreadsheet re: roadway cost
- 2002 Fiscal Impact Analysis

Gundling’s Letter of Objection



FACT SHEET

AGENDA ITEM NO: 17

DATE: 06/24/2019

ORDINANCE NO: 19-31

RESOLUTION NO:

READING: THIRD

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 APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR GRDEN LLC., FOR WINTERBOOKE PLACE CONTAINING 263 SINGLE FAMILY LOTS ON APPROXIMATELY 100.6 ACRES ZONED R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON THE NORTH SIDE OF PEACHBLOW ROAD JUST EAST OF THE BELMONT PLACE SUBDIVISION.

BACKGROUND:

6/10/2019 UPDATE:

Attached to the material for these cases are several lengthy documents. These are in support of information requested by City Council relative to questions raised about the overall costs/benefits of this development and specifically roadways. Additionally, the applicant has submitted their full presentation and a cover letter with some accompanying information to be included in the record and to allow their verbal presentation Monday night at the public hearing to be a brief summary of the overall proposal. Finally, an objection letter is included as well from the attorney for the Gundling's – a neighboring property. The documents include the following:

- 1) Mr. Grden has submitted a cover letter and full presentation.
- 2) The Community Impact Assessment (in full) that was submitted by the applicant. Page 21 in particular shows fiscal information that adds to the discussion about the cost/revenue of development question.

- 3) Mr. Grden submitted a spreadsheet (that is attached as a PDF) showing roadway costs and benefits which also helps to provide data to the discussion about costs/benefits of this development.
- 4) City Manager Tom Homan had provided Council previously the 2002 fiscal impact analysis prepared around the last Comprehensive Plan. As promised, it is included here so that all documents in this regard are in one place and with the relevant cases.
- 5) Mr. Elliott had supplied an objection letter to Planning Commission on behalf of his clients – the Gundling’s - whose property was sold to them by the Grden’s in approximately 1993, is located within the township and not subject to annexation nor development at this time, and whose property is effectively surrounded by the proposed Grden development proposed.

See attached report

REASON WHY LEGISLATION IS NEEDED:

To achieve compliance with Section 1129 requirements of the zoning code.

COMMITTEE RECOMMENDATION:

Planning Commission approved this case 5-0 on May 1, 2019.

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Planning and Community Development Director

RECOMMENDATION:

Staff recommends approval as submitted with the documented conditions.

ATTACHMENT(S)

See attached staff report

Additional Materials from Applicant:

- Cover Letter & Presentation
- Community Impact Assessment
- Spreadsheet re: roadway cost
- 2002 Fiscal Impact Analysis

Gundling’s Letter of Objection

ORDINANCE NO. 19-31

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR GRDEN LLC., FOR WINTERBOOKE PLACE CONTAINING 263 SINGLE FAMILY LOTS ON APPROXIMATELY 100.6 ACRES ZONED R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON THE NORTH SIDE OF PEACHBLOW ROAD JUST EAST OF THE BELMONT PLACE SUBDIVISION.

WHEREAS, the Planning Commission at its meeting of May 1, 2019 recommended approval of a Preliminary Development Plan for Grden LLC., for Winterbrooke Place containing 263 single family lots on approximately 100.6 acres zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on the north side of Peachblow Road just east of the Belmont Place Subdivision (PC 2019-0642).

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

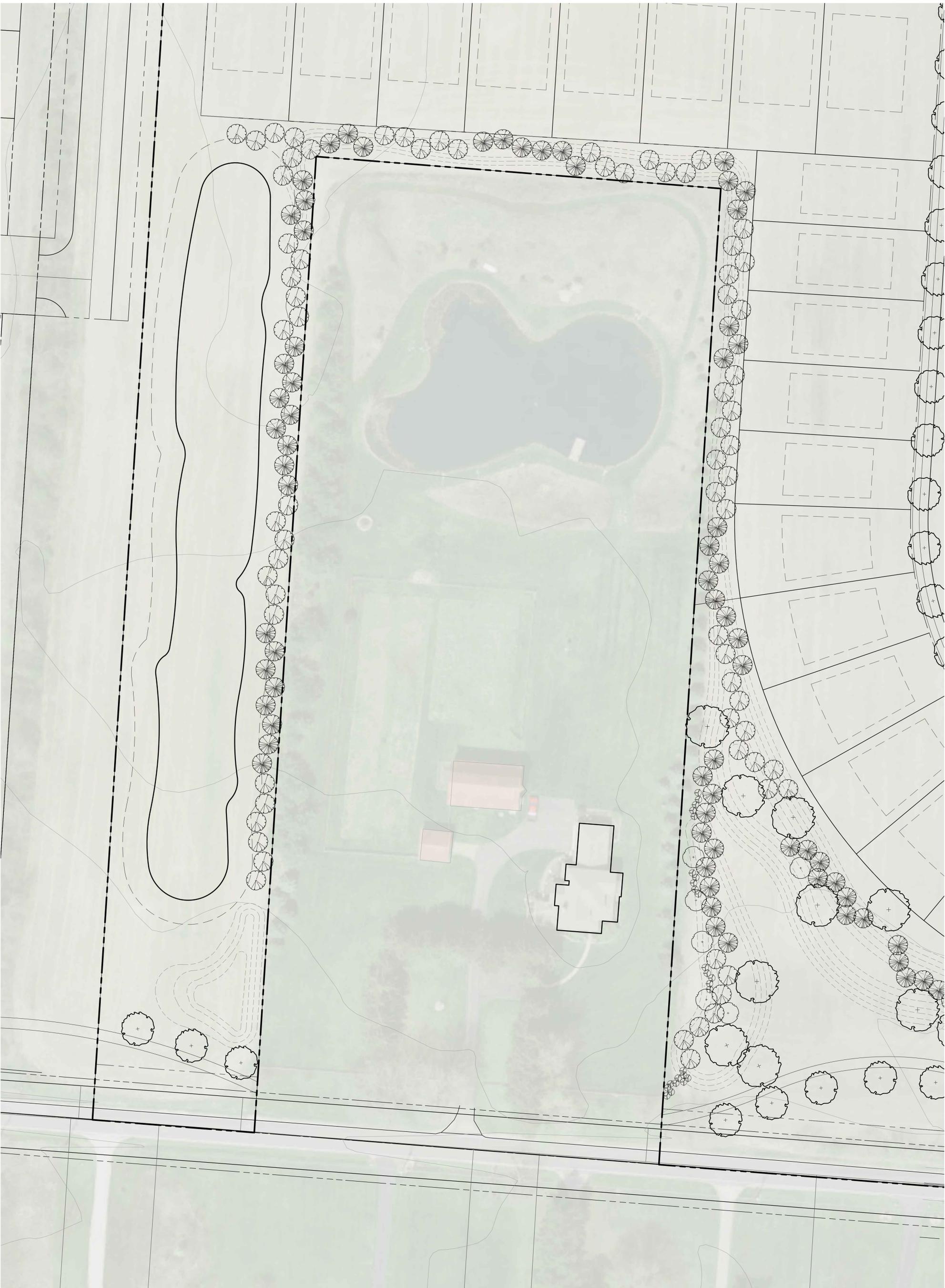
SECTION 1. That the Preliminary Development Plan for Grden LLC., for Winterbrooke Place containing 263 single family lots on approximately 100.6 acres zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on the north side of Peachblow Road just east of the Belmont Place Subdivision, is hereby confirmed, approved, and accepted with the following conditions that:

1. The Applicant needs to obtain final 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.
2. The developer shall be responsible for any improvements and/or financial obligations of the traffic impact study per the City Engineer and County Engineer.
3. The primary access to the development shall be from Peachblow Road at a proposed roundabout to be constructed in the future by the Delaware County Engineer (a fair share amount would be paid by developer per the County's requirements) for the subject development and the proposed developments located south of Peachblow Road in the County. If the County Engineer does not construct the proposed the roundabout

- prior to the developer initiating construction of the subject development, the proposed access point to Peachblow Road shall be a traditional intersection with a stop sign.
4. All retention ponds shall be setback from a public road per the City Engineer.
 5. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
 6. The single family houses shall comply with the minimum architectural standards in the approved development text and per applicable sections of the current zoning code.
 7. All the active open space areas shall have amenities approved by staff and the tot lots shall be exceptionally well programmed and appointed with a variety of amenities across the development including areas for active field space. The final details of each tot lot and active open spaces shall be reviewed and approved with every Final Development Plan and Final Subdivision Plat. All opens spaces shall be owned and maintained by the homeowners association but allow public access.
 8. A minimum 3-6 foot high mound with landscaping shall be located along both sides Winterbourne Drive to be consistent with the roadway treatment in the Communities of Glenross and a 3-6 high mound with landscaping shall be located along Peachblow Road to be consistent with the treatment along Belmont Place.
 9. Along the eastern property line adjacent to the existing single family house, a buffer shall established that would require a 5 to 6 high mound with a continuous screen of landscaping with minimum 6 foot high evergreen trees planted 20 feet on-center in staggered alignment. The setback shall range from 25 feet at lot 220 to 230 feet at lot 227 (on the Preliminary Development Plan).
 10. Along the northeastern and north property line to existing single family house, the setback and buffering from lot 220 (east) to lot 215 (north) (on the Preliminary Development Plan) shall have a 25 foot setback that shall require a 3 to 4 high mound with a continuous screen of landscaping with minimum 6 foot high evergreen trees planted 20 feet on-center in staggered alignment.
 11. A street tree plan shall be submitted and approved by the Shade Tree Commission.
 12. Any tree removal and/or replacement requirements shall achieve compliance with the approved development text.
 13. The existing tree lines along the north and eastern perimeters of the development shall be preserved and placed in a tree preservation

**REVISED BUFFER PLAN
WINTERBROOKE PLACE AND
GUNDLING PROPERTY**

SUBMITTED: JUNE 18, 2019

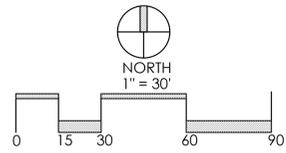


GUNDLING PROPERTY BUFFER ENLARGEMENT PLAN

WINTERBROOKE PLACE

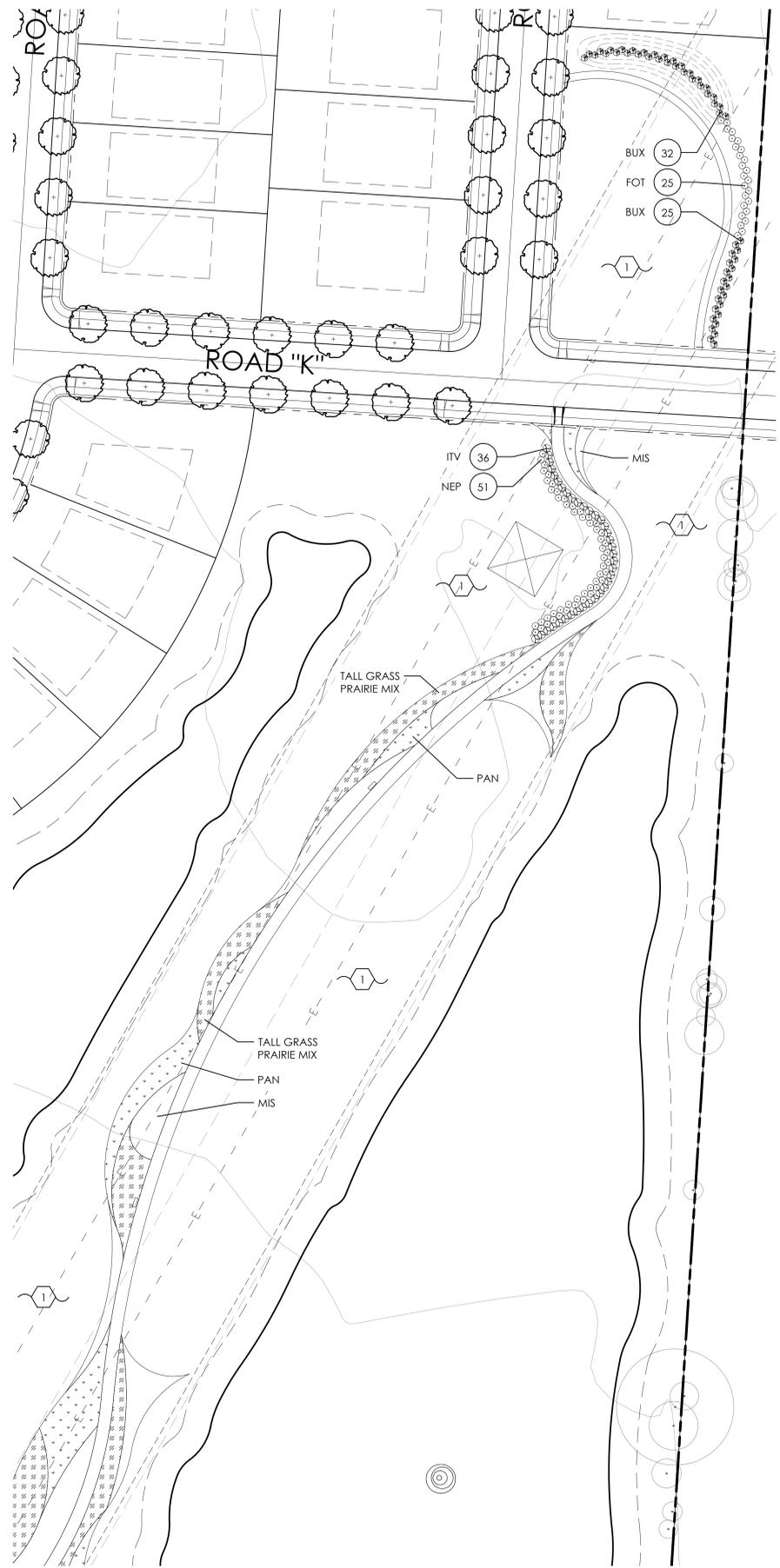
PREPARED FOR ARLINGTON BUILDERS

DATE: 6/18/19



Faris Planning & Design

LAND PLANNING LANDSCAPE ARCHITECTURE
243 N. 5th Street Suite 401 Columbus, OH 43215
p (614) 487-1964 www.farisplanninganddesign.com



1 SOUTHEAST PARK ENLARGEMENT PLAN
1"=40'

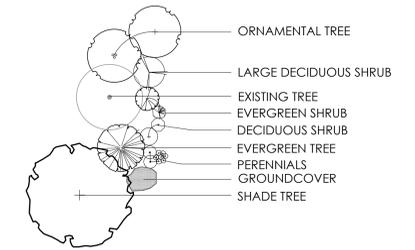
PLANT LIST
(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.	REMARKS
TREES						
57	PAB	PICEA ABIES	NORWAY SPRUCE	5'-6' HGT.	B&B	
7	PAB1	PICEA ABIES	NORWAY SPRUCE	8' HGT.	B&B	
42	PGL	PICEA GLAUCA	WHITE SPRUCE	5'-6' HGT.	B&B	
8	PGL1	PICEA GLAUCA	WHITE SPRUCE	8' HGT.	B&B	
17	POM	PICEA OMORIKA	SERBIAN SPRUCE	5'-6' HGT.	B&B	
3	QUE	QUERCUS RUBRA	RED OAK	2" CAL.	B&B	
2	ZEL	ZELKOVA SERRATA 'GREEN VASE'	GREEN VASE ZELKOVA	2" CAL.	B&B	
5	MAG	MAGNOLIA VIRGINIANA	SWEETBAY MAGNOLIA	1.5" CAL.	B&B	
SHRUBS						
57	BUX	BUXUS 'GREEN GEM'	GREEN GEM BOXWOOD	18" HGT.	B&B	
25	FOT	FOTHERGILLA GARDENII	DWARF FOTHERGILLA	18" HGT.	B&B	
36	ITV	ITEA VIRGINICA 'HENRY'S GARNET'	HENRY'S GARNET SWEETSPIRE	24" HGT.	B&B	
25	VIB	VIBURNUM DENTATUM 'CHRISTOM'	BLUE MUFFIN VIBURNUM	24" HGT.	B&B	
PERENNIALS/ORNAMENTAL GRASSES						
TBD	MIS	MISCANTHUS SINENSIS 'LITTLE ZEBRA'	LITTLE ZEBRA MAIDEN GRASS	1 GAL.	CONT.	
51	NEP	NEPETA X FAASSENII 'WALKER'S LOW'	WALKER'S LOW CATMINT	1 GAL.	CONT.	
TBD	PAN	PANICUM VIRGATUM 'SHENANDOAH'	SHENANDOAH SWITCH GRASS	1 GAL.	CONT.	

*NOTE: ANNUALS TO BE PLANTED BY OWNER. NOT IN INITIAL LANDSCAPE COSTS.

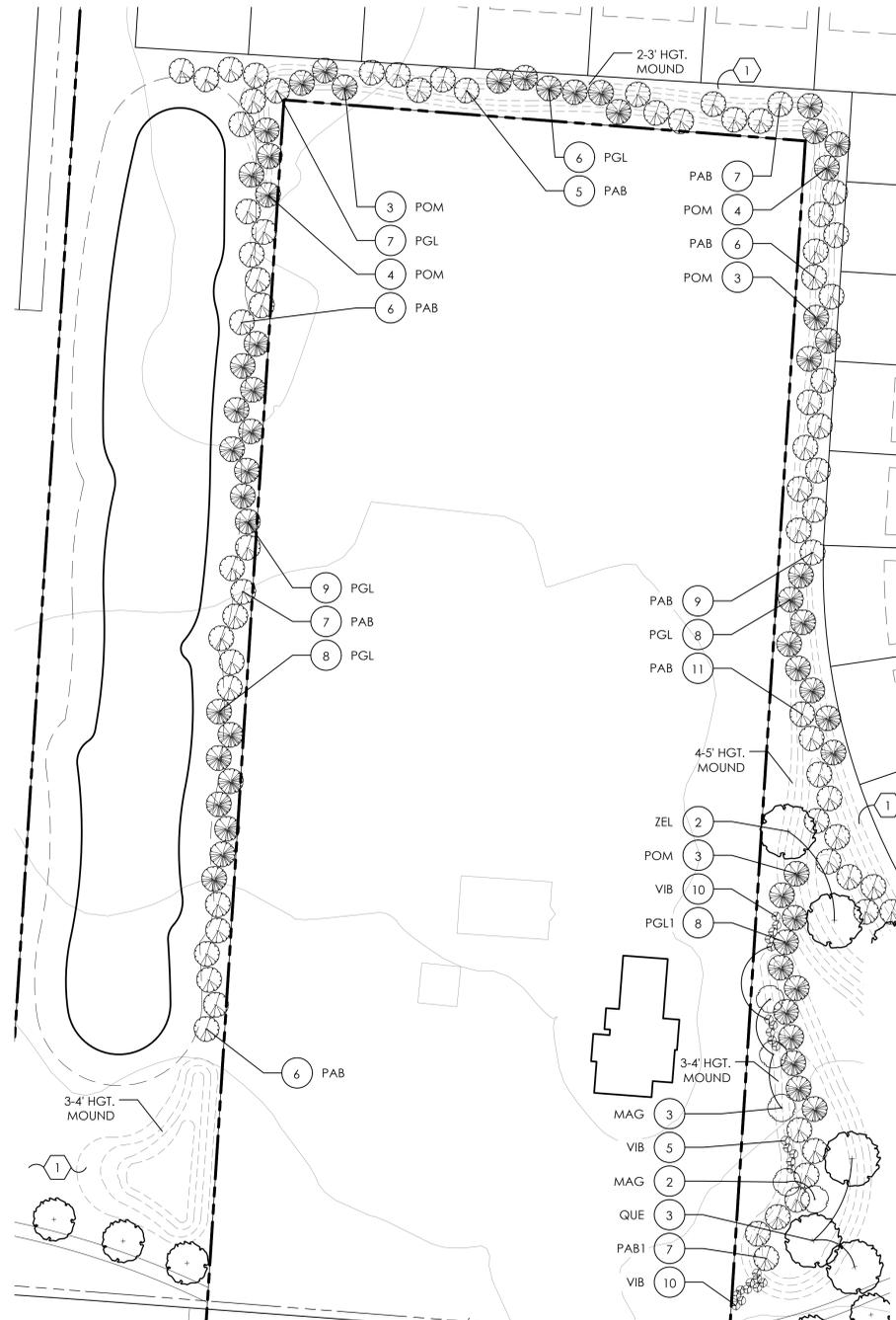
PLANT KEY TYPICALS

SEE PLANT LIST FOR SPECIFIC PLANT SPECIES

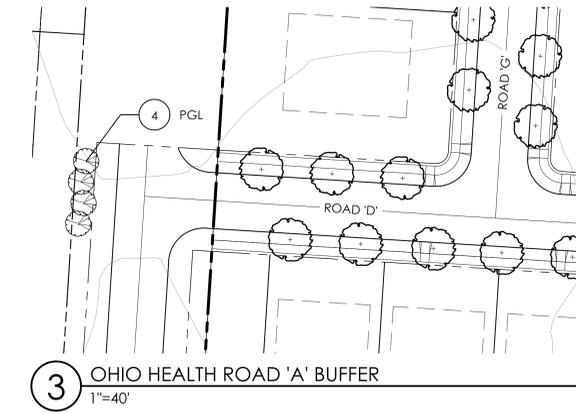


CONSTRUCTION NOTES:

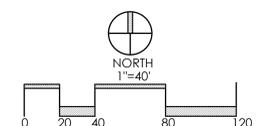
1 LAWN AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.



2 SOUTHWEST BUFFER ENLARGEMENT PLAN
1"=40'



3 OHIO HEALTH ROAD 'A' BUFFER
1"=40'



REVISIONS	
ENLARGEMENT LANDSCAPE PLANS	
WINTERBROOKE PLACE PREPARED FOR ARLINGTON BUILDERS 10590 WELLINGTON BLVD. POWELL, OH 43065	
Paris Planning & Design LANDSCAPE ARCHITECTURE 243 N. 5th Street Suite 401 Columbus, OH 43215 p (614) 487-1944 www.parisplanninganddesign.com	
DATE	6/18/19
PROJECT	17082
SHEET	
D-4	

CASE NUMBERS: 2019-0640-0642

REQUEST: Multiple Requests

PROJECT: Winterbrooke Place

MEETING DATE: May 1, 2019

APPLICANT/OWNER

Grden LLC
10590 Wellington Place
Powell, Ohio 43065

REQUESTS

2019-0640: A request by Grden LLC for approval of a Rezoning Amendment from A-1 (Agricultural District) to R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) for Winterbrooke Place containing 263 single family lots on approximately 100.6 acres and located on the north side of Peachblow Road just east of the Belmont Place Subdivision.

2019-0641: A request by Grden LLC for approval of a Conditional Use Permit allowing the placement of PMU (Planned Mixed Use Overlay District) to be established for Winterbrooke Place containing 263 single family lots on approximately 100.6 acres and located on the north side of Peachblow Road just east of the Belmont Place Subdivision.

2019-0642: A request by Grden LLC for approval of a Preliminary Development Plan for Winterbrooke Place containing 263 single family lots on approximately 100.6 acres zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on the north side of Peachblow Road just east of the Belmont Place Subdivision.

PROPERTY LOCATION & DESCRIPTION

The subject four parcels are located on the north side of Peachblow Road just east of the Belmont Place Subdivision and south of the Communities at Glenross. The subject site is located in the township and zoned FR-1 (Farm Residential District) and is in the process of being annexed into the City. The property to the north is zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and the property to the west is zoned PO/I PMU (Planned Office/Institutional District with a Planned Mixed Use Overlay District) in the City and the property to the east is zoned PRD (Planned Residential District) and the properties to the south are zoned FR-1 and PID (Planned Industrial District) in the township.

BACKGROUND/PROPOSAL

As mentioned above, the subject 100.6 acre site is currently located in the township but the owner is in the process of annexing the property into the City for the proposed development. The site is located within the City utility service area and has long been planned to be part of the City if developed. If annexed into the City the site would be automatically zoned A-1 (Agricultural District) as required by the Codified Ordinances and the applicant is requesting a R-3 PMU zoning district to be compatible to the Communities at Glenross and Belmont Place Subdivisions located north and west of the site respectively.

The proposal would consist of 263 single family lots on approximately 100.6 acres for a density of 2.61 units per acre with just over 27% open space (27.47 acres). Primary access to the site would be from Peachblow Road at a proposed roundabout to be constructed by the Delaware County Engineer for the subject development and the proposed Berlin Meadows development located south of Peachblow Road in the County while secondary access would be from Belmont Place Subdivision to the west (to be constructed in Phase 1 of the development) and from Communities at Glenross to north through Winterbourne Drive (the date of the completion of the Communities at Glenross is unknown at this point).

STAFF ANALYSIS

- **ZONING:** Staff recommended and the developer agreed to rezone the property to R-3 PMU (Planned Mixed Use Overlay District) with development text to allow greater flexibility and creativity in the layout of the development, create active and passive open space and to be consistent with the Communities at Glenross south of Cheshire Road (zoned R-2 PMU with a density of approximately 2.31 units per acre) located to the north and Belmont Place (zone R-3 PMU with a density of approximately 2.75 units per acre in Sections 1-5) located to the east are both planned districts with similar uses and densities.

- **LAND USE:** The proposed single-family development is consistent with the Comprehensive Plan recommendation for Low Density Single-Family land use in the “Cheshire Subarea” of the plan. The proposed density of 2.61 units per acres is less than the 2.0-3.25 dwelling units per acre in the Comprehensive Plan. This is consistent with the two adjacent City developments as well (one is slightly higher and one is slightly lower). Specific to the overall sub-area in which the property is located, the Cheshire Sub-Area, the Comprehensive Plan contains the following land use recommendations that are applicable to these properties and consistent with this development proposal,
 - LU23.3 The Cheshire Subarea will generally continue to be a focus of residential development given its location at the southerly entrance to the City and closer proximity to employment centers. The City supports residential developments with higher valued homes and condominium developments than found in other parts of the City. The City does not support additional “entry level” product in this subarea – except in support of adjacent or nearby employment centers. It is the City’s clear expectation that residential development in the Glenn Road corridor will contain a mix of housing products, but it will not be “entry level” housing.
 - LU23.4 Creative and imaginative site design techniques will be used. Mixing densities and unit types is supported within residential developments, as is the use of small open spaces to create interest and a sense of place within neighborhoods. Neighborhood collectors should incorporate medians or roundabouts to create attractive corridors and slow traffic.

- **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 a technical review by the Engineering Department once a complete plan set is submitted for review.

- **ROADS AND TRAFFIC:** The proposed development requires a traffic impact study that would need to be approved by the City and the County (Peachblow Road is township road which is under county jurisdiction). The developer would be responsible for any improvements and/or financial obligations the subject residential development would have in the area per the City and/or County Engineer.

The primary access to the site would be from Peachblow Road at a proposed roundabout to be constructed in the future by the Delaware County Engineer (a fair share amount would be paid by developer per the County’s requirements) for the subject development and the proposed developments located south of Peachblow Road in the County while secondary access would be from the Belmont Place Subdivision to the west through Ensigns Lane (to be constructed in Phase 1 of the subject development) and from the Communities at Glenross to the north through Winterbourne Drive (the date of the completion of the Communities at Glenross is unknown at this point). If the County Engineer does not construct the proposed roundabout prior to the developer initiating construction of the subject development, the proposed access point to Peachblow Road would be a traditional intersection with a stop sign.

Internally, the single access point from Peachblow Road would be extended north to connect with Winterbourne Drive in the Communities at Glenross Subdivision. Winterbourne Drive has not been extended to the subject developers northern property line at the current time but is part of the plan. This road is a non-loaded connector road per the City Thoroughfare Plan. A secondary connection would be made to the west to connect an internal residential street to the Belmont Place Subdivision through the Ohio Health property (60 foot wide panhandle lot). The Ohio Health panhandle lot could provide an access road to be extended from Peachblow Road north to the proposed future hospital location and maybe constructed in the future if needed. Also, an internal street would be stubbed to the property to the east (future Evans Farm development). The remainder of the streets would be residential in nature and would have to be constructed to public standards and achieve compliance with the minimum engineering requirements. Also, the development shall be in the Delaware South New Community Authority, subject to the single family lot transportation fee (\$1,000 per dwelling unit) in effect at the time of building permit issuance and is subject to the South East Highland Sanitary Sewer additional capacity charge of \$3,200 per dwelling units.

- **SITE LAYOUT:** The layout is designed around the location of Winterborne Drive connection to the Communities at Glenross (along the northern portion of the subject site) that extends south to Peachblow Road with single family lots located east and west of the spine road. Of the proposed 263 single family lots, the developer is proposing 106 single family lots located east of Winterbourne Drive and 157 single family

lots located west of Winterbourne Drive. The site is further complicated by being bisected by overhead electric transmission easement this is 150 feet wide.

The developer is proposing 263 single family lots with 21 of the lots being 80 x130 (10,400 square feet), 130 lots being 65 x130 (8,450 square feet) and 112 lots being 52 x 130 (6,760). More specifically on the 106 single family lots located on the east side of Winterbourne Drive, there would be 41- 65x130 (8,450 square feet) lots located along the northeastern portion of the site adjacent to the Communities at Glenross and 65-52x130 (6,760 square feet) lots located just north of Peachblow Road. Of the 157 lots west of Winterbourne Drive, there would be 21- 80x130 (10,400 square feet) lots located along the northwestern portion of the site adjacent to the Communities at Glenross, 89-65x130 (8,450 square feet) lots located just east of the Belmont Place Subdivision and 47-52x130 (6,760 square feet) lots located just north of Peachblow Road.

By way of comparison, Communities at Glenross south of Cheshire Road includes 293, 65 foot wide lots, 88, 80 foot wide lots and 106, 50 foot wide lots. The price points of all the 50 wide lots to date have been in excess of \$300,000. The eastern half of Belmont Place Subdivision includes 146, 65 foot wide lots. Thus given the location and lot types proposed with this development in relation to the adjacent development, this development is consistent, provides a variety of lot types and has logical transitions between them. Additionally, the proposed development in the County to the south of Peachblow Road includes smaller lots, planned commercial development, a school site and major roadway improvements. Locating the smaller width lots along the southern boundary of the proposed development is therefore also a logical transition to these developments (see attached plans).

In the proposed development, the front yard setback would be a minimum 25 feet for all lots and the minimum rear yard setback would be 30 feet for all lots. The side yard setbacks for 80 foot wide lots would be 7.5 feet (15 feet total), for 65 foot lots would be 6.5 feet (13 feet total) and for 52 foot lots would be 5 feet (10 feet total). Patios, decks and other exterior improvements can extend 15 feet into the 30 foot rear yard setback. The minimum house size for an 80 foot wide lot would be 2,000 square feet, for an 65 foot wide lot would be 1,800 square feet and for a 52 foot wide lot would be 1,500 square feet as written in the draft development text. Staff recommends for the 52 foot wide lots, that one-story houses shall be 1,600 square feet minimum and two-story houses shall be 1,800 square feet minimum to be consistent with the Communities at Glenross smaller width lots. Also to comply with the base zoning code, all the corner lots would be required to be oversized by 30% from the base lot size.

There are four proposed detention basins located within the development (three along Peachblow Road and one in the northwestern portion of the site) and 150 foot wide power easement along the extreme southeastern portion of the site. Also, there are five active open space areas throughout the development. In addition, a landscape buffer with mounds and trees is required along Winterbourne Drive to be consistent with the roadway treatment in the Communities of Glenross while preserving as many trees as possible and a landscape buffer with mounds and trees is required along Peachblow Road to be consistent with the treatment along Belmont Place. Also, mounding and landscaping shall be required adjacent to the existing single family house to the southwest per the development text and plan submitted. This specifically includes buffering along the eastern property line adjacent to the existing house to be established that would require a 5 to 6 high mound with a continuous screen of landscaping with minimum 6 foot high evergreen trees planted 20 feet on-center in staggered alignment. The setback shall range shall be from 25 feet at lot 220 to 230 feet at lot 227 (on the Preliminary Development Plan). Also, the setback and buffering from lot 220 (northeast) to lot 215 (north) (on the Preliminary Development Plan) shall have a 25 foot setback that would require a 3 to 4 high mound with a continuous screen of landscaping with minimum 6 foot high evergreen trees planted 20 feet on-center in staggered alignment.

- **DESIGN:** The applicant is proposing specific house design standards for each size lot size (80 foot, 65 foot and 52 foot) and overall design standards for all the houses to be consistent with the adjacent subdivisions of the Communities at Glenross and Belmont Place. The percentage of natural materials on the front elevations of the 52 foot wide lots is significantly higher than the 50 foot wide lots in the Communities at Glenross (25%). The proposed standards would include: 1.) 100% natural material on all elevations for 80 foot lots adjacent to the Communities at Glenross; 2.) Minimum 40% natural materials on the front elevations for on all 52 and 65 foot lots; 3.) The exterior elevations of each house excluding garage doors, entrance doors,

gutters, shutters, downspouts and windows shall consist of brick, stone, cultured stone, stucco, wood siding or fibrous cement siding (all considered natural materials); 4). All houses shall have a minimum 2 car attached garage; 5). All houses shall have dimensional shingles; 7). All primary roof pitches on front and rear facing gabled elevations shall be a minimum of 5:12. All primary roof pitches on side facing gabled elevations shall be a minimum of 6:12. All other accessory elevations shall be a minimum roof pitch of 3-1/2:12. In addition, all the houses shall comply with Chapter 1171.08 Residential Development Design Criteria and Performance Standards.

- **BIKE PATHS AND PEDESTRIAN ROUTES:** The applicant is proposing a bike path along the north side of Peachblow Road and along both sides of Winterbourne Drive per the City Engineer's requirements to be consistent with the Belmont Place and the Communities at Glenross Subdivisions respectively and achieve compliance with the adopted Bicycle and Pedestrian Master Plan 2027. Also, the applicant is proposing bike paths or sidewalks in all five active open space areas that would connect to the proposed bike path/sidewalk network in the development. Sidewalks will be provided on both sides of all public streets in the subdivision.
- **PARKLAND AND OPEN SPACE:** The proposed plan has 27.47 acres of open space (27.29%) of which 14.22 acres (14.13%) is active park open space which appears to be divided into 5 areas throughout the site. The primary active open space area located just west of the main entrance into the development would have amenities such as a shelter house, picnic tables and bocce court and a bike path along Peachblow Road. A second large open space is located just east of the main entrance on Peachblow Road which contains two detention basins and a 150 foot wide overhead power line easement. The amenities include a bike path and benches. A third smaller open space is located just north of the above mentioned open space and has a sidewalk going through the area. A fourth open space is located in the northeastern portion of the development behind lots 69-79 and 16-23. Amenities in this area include a tot lot and a sidewalk connecting two street access points into the open area. A fifth open space area is located in the northwestern portion of the development which includes a detention basin and a tot lot, benches and a sidewalk connection to two street access points into the open space. The tot lots shall be exceptionally well programmed and appointed with a variety of amenities across the development including areas for active field space. The final details of each tot lot and active open spaces shall be reviewed and approved with every Final Development Plan and Final Subdivision Plat. All open spaces shall be owned and maintained by the homeowners association but allow public access.
- **TREE PRESERVATION:** Per the submitted survey with the Preliminary Development Plan, the applicant is removing 915 caliper inches of trees (107 trees) while the applicant is preserving 1771.5 caliper inches of trees (211 trees). Therefore the applicant is preserving significantly more trees (856.5 caliper inches) than ones being removed and achieves compliance of the proposed development text and other recently approved PMU's. However if any trees are removed during construction, the trees would have to be documented and inventoried to ensure they achieve compliance with the approved development text. Staff recommends that utilities should not be located within tree preservation easements and ensure the subject lots impacted could yield a maximum size house with an acceptable deck.
- **UTILITIES:** The site would be serviced by City sanitary sewer and water that would have to be extended by the developer.
- **LIGHTING PLAN:** A lighting plan has not been submitted but would be required for Final Subdivision Plat approval and would have to achieve compliance with the zoning code and approved by the City.
- **FIRE DEPARTMENT:** The proposed development would need to be capable of supporting and allowing the full maneuverability of the fire department ladder truck along with complying with all other fire department requirements.
- **PHASING:** The applicant has provided a preliminary phasing plan which indicates the site would be developed in seven phases. Phase I (73 lots) would be located just west of Winterbourne Drive fronting Peachblow Road while Phase 2 (29 lots) would be just north of Phase 1. Phase 3 (23 lots) would be east of Winterbourne Drive. Phase 4 (33 lots) would be located north of phase 2. Phase 5 (27 lots) would be located east of Phase 3 while Phase 6 (56 lots) would be located north of Phase 3. Phase 7 (22 lots) would be located north of Phase 4 in the extreme northwestern portion of the site.

STAFF RECOMMENDATION (2019-0640 – REZONING)

Staff recommends approval of a request by Grden LLC for a Rezoning Amendment from A-1 (Agricultural District) to R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) for Winterbrooke Place containing 263 single family lots on approximately 100.6 acres and located on the north side of Peachblow Road just east of the Belmont Place Subdivision, with the following condition that:

1. Any change of use or major modification of the plan shall require conformance to all provisions of the Development Text.

STAFF RECOMMENDATION (2019-0641 – CONDITIONAL USE PERMIT)

Staff recommends approval of a request by Grden LLC for a Conditional Use Permit allowing the placement of PMU (Planned Mixed Use Overlay District) to be established for Winterbrooke Place containing 263 single family lots on approximately 100.6 acres and located on the north side of Peachblow Road just east of the Belmont Place Subdivision.

STAFF RECOMMENDATION – (2019-0642 PRELIMINARY DEVELOPMENT PLAN)

Staff recommends approval of a request by Grden LLC for a Preliminary Development Plan for Winterbrooke Place containing 263 single family lots on approximately 100.6 acres zoned R-3 PMU(One-Family Residential District with a Planned Mixed Use Overlay District) and located on the north side of Peachblow Road just east of the Belmont Place Subdivision, with the following conditions:

1. The Applicant needs to obtain final 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.
2. The developer shall be responsible for any improvements and/or financial obligations of the traffic impact study per the City Engineer and County Engineer.
3. The primary access to the development shall be from Peachblow Road at a proposed roundabout to be constructed in the future by the Delaware County Engineer (a fair share amount would be paid by developer per the County's requirements) for the subject development and the proposed developments located south of Peachblow Road in the County. If the County Engineer does not construct the proposed the roundabout prior to the developer initiating construction of the subject development, the proposed access point to Peachblow Road shall be a traditional intersection with a stop sign.
4. All retention ponds shall be setback from a public road per the City Engineer.
5. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
6. The single family houses shall comply with the minimum architectural standards in the approved development text and per applicable sections of the current zoning code.
7. All the active open space areas shall have amenities approved by staff and the tot lots shall be exceptionally well programed and appointed with a variety of amenities across the development including areas for active field space. The final details of each tot lot and active open spaces shall be reviewed and approved with every Final Development Plan and Final Subdivision Plat. All opens spaces shall be owned and maintained by the homeowners association but allow public access.
8. A minimum 3-6 foot high mound with landscaping shall be located along both sides Winterbourne Drive to be consistent with the roadway treatment in the Communities of Glenross and a 3-6 high mound with landscaping shall be located along Peachblow Road to be consistent with the treatment along Belmont Place.

9. Along the eastern property line adjacent to the existing single family house, a buffer shall established that would require a 5 to 6 high mound with a continuous screen of landscaping with minimum 6 foot high evergreen trees planted 20 feet on-center in staggered alignment. The setback shall range from 25 feet at lot 220 to 230 feet at lot 227 (on the Preliminary Development Plan).
10. Along the northeastern and north property line to existing single family house, the setback and buffering from lot 220 (east) to lot 215 (north) (on the Preliminary Development Plan) shall have a 25 foot setback that shall require a 3 to 4 high mound with a continuous screen of landscaping with minimum 6 foot high evergreen trees planted 20 feet on-center in staggered alignment.
11. A street tree plan shall be submitted and approved by the Shade Tree Commission.
12. Any tree removal and/or replacement requirements shall achieve compliance with the approved development text.
13. The existing tree lines along the north and eastern perimeters of the development shall be preserved and placed in a tree preservation easement along with the preserved trees located west of Winterbourne Drive.
14. The bike paths along both sides of Winterbourne Drive and the north side of Peachblow Road shall be installed by the developer and located within an easement dedicated to the City and shall be maintained by the Homeowner's Association.
15. The street lighting plan shall be submitted, reviewed and approved by the Chief Building Official and achieve compliance with all zoning requirements prior to final subdivision plat approval of each phase.
16. The development shall be in the Delaware South New Community Authority, subject to the single family lot transportation fee (\$1,000 per dwelling unit) in effect at the time of building permit issuance and is subject to the South East Highland Sanitary Sewer additional capacity charge of \$3,200 per dwelling units.
17. For the 52 foot wide lots, one-story houses shall be a minimum 1,600 square feet and the two-story houses shall be a minimum 1,800 square feet to be consistent with the smaller width lots in the Communities at Glenross.

PLANNED MIXED USE DEVELOPMENT TEXT
ARLINGTON BUILDERS
WINTERBROOKE PLACE
DELAWARE, OHIO

1. DESCRIPTION OF DEVELOPMENT

Arlington Builders ("Applicant") is proposing to rezone the approximate 100.648 acre site north of Peachblow Road, south of The Communities at Glenross and east of the Belmont Place A-1 (Agricultural) to R-3 PMU (One Family Residential with a Planned Mixed-Use Development District) for a 263-unit single family development with a density of approximately 2.61 units per acre.



2. GENERAL DEVELOPMENT STANDARDS

- A. Purpose and Intent.** It is the intent of the Applicant to provide a planned single-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 Applicant 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 systems of pedestrian paths 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 systems of pedestrian paths 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. As there is no builder yet engaged in this project, building standards are included with the Preliminary Development Plan, with actual elevation samples submitted with Final Development Plan approval.

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) Per the submitted tree survey with the preliminary development plan, the applicant is removing 915 caliper inches (107 trees).
- (7) Per the submitted tree survey with the preliminary development plan, the applicant is preserving 1771.5 caliper inches of trees (211 trees).
- (8) Therefore, the applicant is preserving significantly more trees (856.5 caliper inches) than ones being removed and achieves compliance with the intent of Chapter 1168 Tree Preservation Regulations and other recently approved PMU's.
- (9) 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 remains a balance of caliper inches due, the applicant shall replant these on site and in addition to any required or proposed trees, or make a payment in lieu of replanting these at \$100 per caliper inch, or any such

combination that achieves a zero-balance due.

- H. Utilities to be Located Underground.** All new utilities serving the Property shall be located underground. Additionally, and if determined to be economically feasible, any existing utilities that will serve the Property that are located above ground shall be relocated underground. The Applicant and the City shall work together to ensure that any technical and financial information provided by the respective utility company is fair and reasonable. Cell towers, DAS and small cell site(s) applications shall not be allowed within the subdivision.
- I. Composite Utility Plan Required.** Prior to the installation of any non-City owned utility, a composite utility plan shall be submitted for review and approval by the City. Such plan shall depict the location and type of all non-City owned utilities including the location and type of any above ground pedestal, transformer, meter, cabinet, and other such above ground structures that support the respective utility. Any above ground structure shall be inconspicuously located, dark green in color, and if located in any front yard shall not be higher than 5 feet.
- J. Construction Trailers.** Construction trailers shall meet all requirements of the current Zoning Code and shall be removed once construction activity has moved to another phase of the development. For example, once the public improvements have been accepted in Phase 2 any construction trailer located in Phase 1 shall be relocated to Phase 2 provided the respective builder is or will be constructing lots in the subsequent phase.

3. SITE PLAN

The project is located on an approximate 100.648-acre site north of Peachblow Road, south of the Communities at Glenross and east of Belmont Place with primary access from Peachblow Road and an extension of Winterbourne Drive (from Communities at Glenross), with secondary access points from Ensigns Lane (Belmont Place) to the west, and a future road stub to the east. The applicant has been working with the Ohio Health to the west to accomplish the Ensigns Lane connection. . The Applicant is proposing 263 single family homes, on three lot sizes, for a density of approximately 2.61 units per acre. Among the amenities, the applicant plans to include 2 tot lots, a picnic area with shelter and picnic benches and bocce ball, open space and gathering areas, and extensive multiuse path network and landscaping. Open space shall be provided that includes +/-27.47 acres of open space (+/-27.29%) , with +/-14.22 (+/-14.13%) acres being suitable for public open space.

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 and C. 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) 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-Single Family	Uses
(a) Residential	
(1) Detached Single-Family Dwelling	P
(2) Minor Home Occupation	P

(b) Recreational Open Space	
(1) Park/Playground	P
(2) Non-commercial recreation facility (including Home owners association controlled facilities)	P
(c) Other	
(1) Public Safety and Service Facility (local Service)	C

B. Lot Standards. The following standards shall apply for minimum principal building setbacks (including accessory structures attached to the principal structure) based on the type of dwelling unit

Lot Standards	
(1) Minimum lot area	80' lots -10,400 sf. 65' lots-8,450 sf. 52' lots-6,760 sf.
(2) Minimum front yard setback*	25' minimum
(3) Minimum side yard setback*	80' lots-7.5' minimum (15' total) 65' lots-6.5' minimum (13'total) 52' lots-5' minimum (10' total)
(4) Minimum Rear Yard setback*	Per approved FDP 30' minimum

*Front, Side and Rear Yard setbacks shall not apply to minor architectural projections such as eaves, chimneys, lower level egress window wells and bay windows. Such

projections may extend 3 feet into the required yard setback. Patios, decks, and other exterior improvements can extend 15' into the 30' rear yard setback.

C. Floor Area Requirements Each dwelling unit shall provide for the following minimum floor area, exclusive of basements, unfinished attic spaces, garages, and any attached or detached accessory buildings.

(1) 80' lots -2,000 sf.

(2) 65' lots -1,800 sf.

(3) 52' lots – 1,500 sf.

All homes must have at least an attached 2 car garage

D. Building Design. Unless otherwise modified within this Development Text, all dwellings shall meet the minimum building design requirements of Chapter 1171, R-3 District standards for detached single-family dwellings and the additional standards as described below for each type of lot size and shall be consistent with the submitted elevations.

E. Exterior Material and Trim Standards.

80' lots

100% of all elevations of each building (excluding garage doors, entrance doors, gutters, shutters, downspouts and windows) shall consist of natural materials such as brick, stone, cultured stone, wood,, and engineered siding products (including cementitious fiberboard and other engineered siding products approved by the City of Delaware, e.g. HardiPlank™) (collectively “Natural Materials”). Not less than 50% of the front elevation (excluding doors, windows shutters, gutters and downspouts) shall consist of a natural material other than stucco. Gutters (and the material by which they are attached to the home), downspouts, soffits, shutters, garage and entrance doors may be of man-made materials such as metal, vinyl, aluminum or glass. No concrete or split face block shall be permitted, except for the basement or foundation walls. The roofs of all homes shall have dimensional shingles.

65' lots

At least 40% of the front facade elevation of each building (excluding garage doors, entrance doors, gutters, downspouts and windows) shall consist of brick, stone, or cultured stone, wood and engineered siding products (including cementitious fiberboard and other engineered siding products approved by the City of Delaware, e.g. HardiPlank™). All vinyl siding shall have a minimum thickness of .044 mils. Gutters (and the material by which they are attached to the home), downspouts, soffits, shutters, garage and entrance doors may be of man-made materials such as metal, vinyl, aluminum or glass. No concrete or split face

block shall be permitted, except for the basement or foundation walls. The roofs of all homes shall have dimensional shingles.

52' lots

At least 40% of the front facade elevation of each building (excluding garage doors, entrance doors, gutters, downspouts and windows) shall consist of brick, stone, or cultured stone, wood and engineered siding products (including cementitious fiberboard and other engineered siding products approved by the City of Delaware, e.g. HardiPlank™). All vinyl siding shall have a minimum thickness of .044 mils. Gutters (and the material by which they are attached to the home), downspouts, soffits, shutters, garage and entrance doors may be of man-made materials such as metal, vinyl, aluminum or glass. No concrete or split face block shall be permitted, except for the basement or foundation walls. The roofs of all homes shall have dimensional shingles.

Standards for all lot sizes

- a) The color palette shall consist of earth tones including whites, blues, greens and grays, but shall not be of a high-chroma color. Additional colors may be used as accents but may not be high gloss or high-chroma colors.
- b) Street lights shall achieve compliance with the then current Chapter 1158 Lighting Plan requirements.
- c) Parking will be provided at a minimum of 2 spaces per dwelling unit in an attached garage.
- d) All primary roof pitches on front and rear facing gabled elevations shall be a minimum of 5:12. All primary roof pitches on side facing gabled elevations shall be a minimum of 6:12. All other accessory elevations shall be a minimum roof pitch of 3-1/2:12.
- e) Trim board around all corners, windows, and doors shall be a minimum of 4 inches all around.
- f) EIFS or similar products are prohibited as an exterior material.
- g) Frieze trim a minimum of 4 inches wide is required under all overhangs and gables.
- h) All home elevations shall be reviewed and approved by the Director of Planning & Community Development to establish compliance with the Building Design requirements of this Development Text.

- i) Materials on each home shall be varied to provide variety throughout the community.
- j) All front elevations shall include a variety of styles, colors, and/or materials types of materials and shall meet the varied locations requirement of Chapter 1171. C.
- k) Minimum 8 inch overhangs and rakes.
- l) Lintels and sills in masonry walls shall be brick soldier course, limestone, or sandstone, along with other manufactured stone products.
- m) Although porch railing and column details are encouraged to vary from home to home, porch columns shall have a minimum 6 x 6 inch cross section or diameter. Treated lumber shall be painted or stained, except when used on outdoor decks.
- n) All homes shall provide an identifiable entry with entry coverings and stoops being a minimum of 3 feet deep or the minimum necessary for building code regulations, whichever is greater.
- o) Front elevations shall be designed to de-emphasize the visual impact of the garage. All garage doors facing a public street shall be architecturally upgraded to include design elements consistent with the design of the home and development including matching the door color. and may incorporate a glass course, add trim packages to give the appearance of stable doors, man doors, hinged swing doors, and other similar architectural elements.
- p) **Accessory Structures.** Fences (other than decorative fencing along front entrance paths and front porches) are prohibited in any front yard and must meet the standard fence specifications as provided with the Final Development Plan. Attached decks and patios may extend up to fifteen (15) feet into a required rear setback provided the encroachment does not adversely impact any easement. All other accessory structures shall meet the requirements of the current Zoning Code.
- q) The Homeowner Association covenants shall not preclude the use of solar panels located upon primary house structures.

F. Landscaping and Screening. All landscaping shall meet the requirements of the then current Zoning Code and the Gateways & Corridors Plan unless modified herein.

1. All street tree plantings shall meet the requirements and approval process of the Zoning Code unless modified in this Development Text. Street trees

shall be a minimum of 1.75 caliper inches as measured at breast height at the time of installation or per City Arborist.

2. Along Peachblow Road and Winterbourne Drive, an undulating earth mound, no less than 3 feet and not more than 6 feet in height with a mix of deciduous and coniferous plantings shall be provided. Mounding shall be omitted in locations of existing trees, power line easements, and areas meeting sight distance requirements per the approved Final Development Plan. Existing deciduous trees shall offset the need for additional deciduous trees.

3. A setback and screening with mounding and landscaping shall be established adjacent to the single family house to the southwest of the development (PID 418-330-01-024-000).

- a. Along the eastern property line adjacent to the existing house a buffer shall established that would require a 5 to 6 high mound with a continuous screen of landscaping with minimum 6 foot high evergreen trees planted 20 feet on-center in staggered alignment. The setback shall range from 25 feet at lot 220 to 230 feet at lot 227 (on the Preliminary Development Plan).
- b. The setback and buffering from lot 220 (east) to lot 215 (north) (on the Preliminary Development Plan) shall have a 25 foot setback that would require a 3 to 4 high mound with a continuous screen of landscaping with minimum 6 foot high evergreen trees planted 20 feet on-center in staggered alignment.
- c. A detention basin is located west of the house and no landscaping is required.

4. Landscaping for each single-family home shall meet the requirements of the Residential Exterior Design Standards.

5. Common HOA landscaping shall be well maintained including regular mowing, trimming, mulching, weeding and replacement if needed.

G. Pedestrian Connectivity. Pedestrian connectivity shall be provided throughout the subdivision and future development. Concrete sidewalks or paths shall be provided on both sides of all public streets unless multi-use paths of appropriate width and material shall be provided as shown on the approved Final Development Plan per engineering requirements.

- (1) A bike path shall be required along the north side of Peachblow Road per the adopted Bicycle and Pedestrian Master Plan 2027.
- (2) A bike path shall be required along both sides of Winterbourne Drive per the adopted Bicycle and Pedestrian Master Plan 2027 to connect to

the bike path in the Communities of Glenross along Winterbourne Drive.

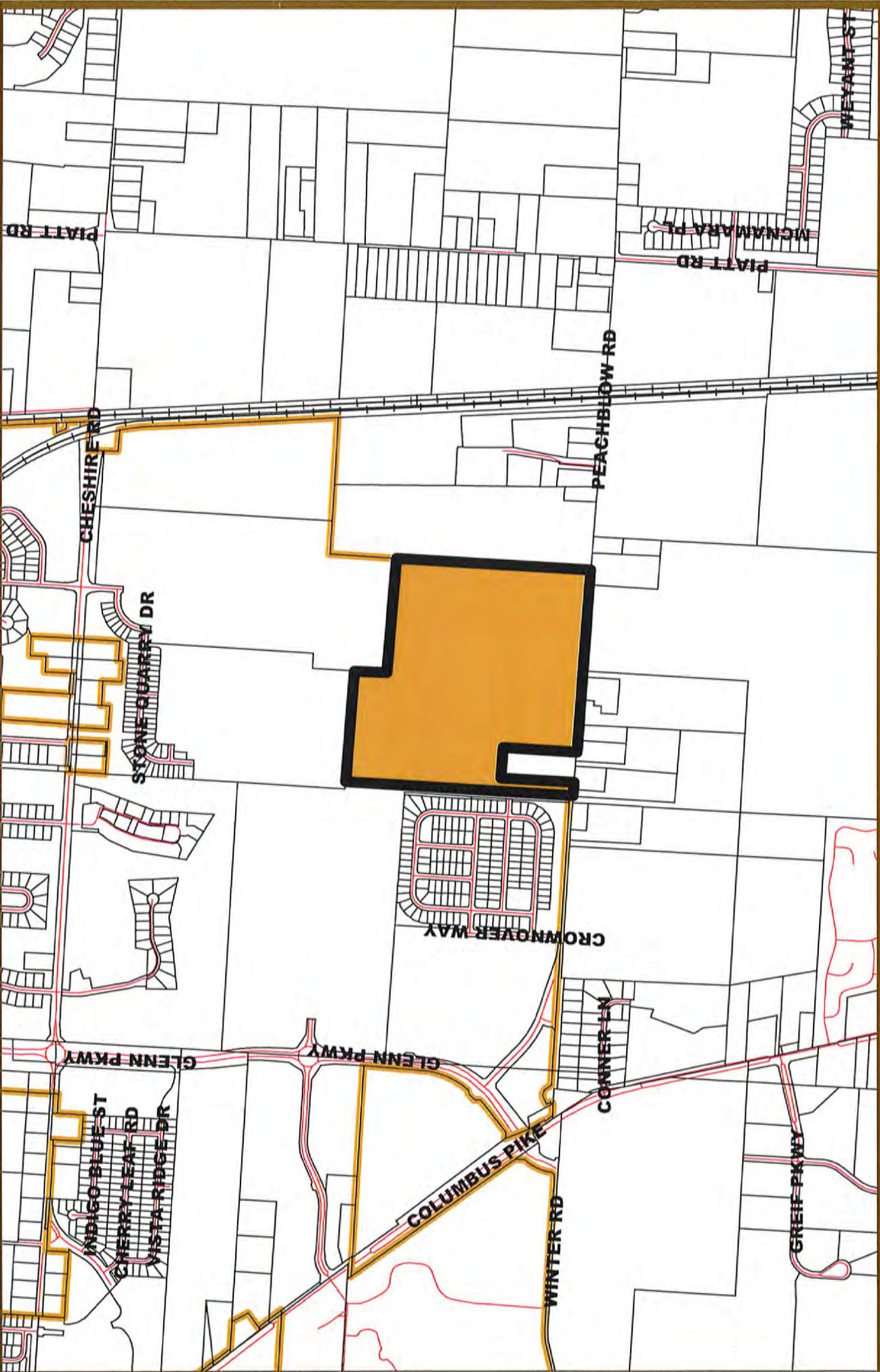
H. Open Spaces. Open spaces shall be landscaped and designed in a manner consistent with the overall development. Landscaping and design plans for all open spaces shall be submitted and approved with the Final Development Plan and include, at a minimum, the following:

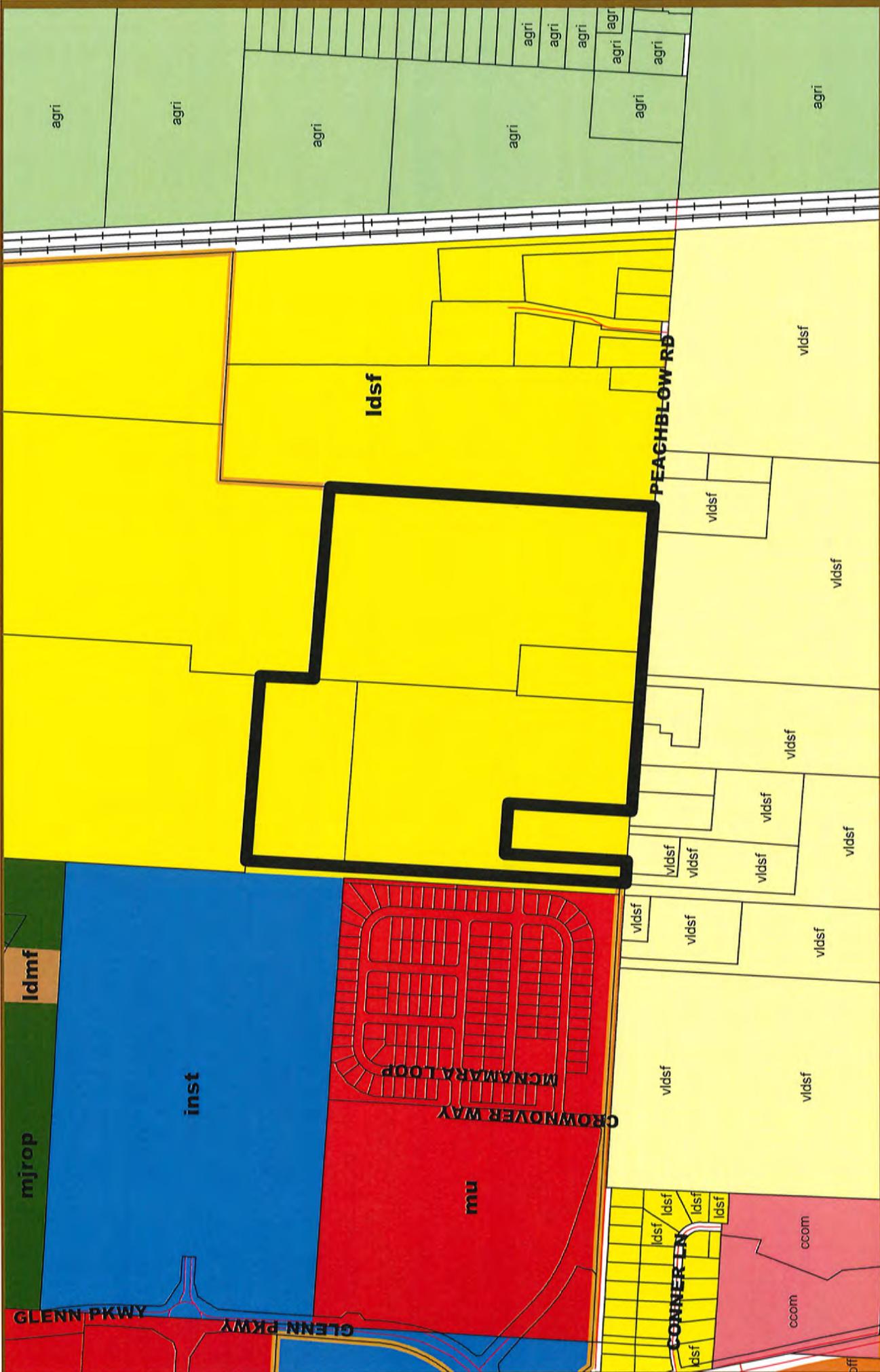
1. Sidewalks or multi-use paths shall be provided throughout the open space to link the amenities of the open space to the adjacent public sidewalk or pathway network and provide active recreation throughout as approved on the Preliminary Development Plan.
2. Crosswalks leading to open spaces shall be provided and as acceptable by the City Engineer.
3. Amenities include two tot lots, a public picnic with shelter and picnic benches, bocce ball, open space and gathering areas, and extensive multi-use paths and landscaping as depicted on the Preliminary Development Plan. Tot lots shall be exceptionally well programmed and appointed with a variety of amenities across the development including areas for active field space. The final details of each shall be reviewed and approved with every Final Development Plan and Final Subdivision Plat.
4. All open spaces shall be constructed with the public infrastructure with the respective phase in which the open space is located. Landscaping shall be installed at the first time of year in which it is appropriate to install such plant material provided the acceptance of public improvements occurs during an inappropriate time for planting and the incomplete landscaping is bonded with the City.

I. Entry Features and Signs. With the Final Development Plan, a comprehensive entry feature and signage plan shall be submitted. All signs shall be designed and located in a manner that is appropriate and consistent with the overall design of the Subdivision. Internally illuminated signs are prohibited, but externally illuminated and backlighting (haloglow) of lettering is permitted. Decorative internally illuminated pillar and sign wall caps as depicted on the Site Details of the submittal shall not be considered internally illuminated signage and shall be allowed with this PMU.



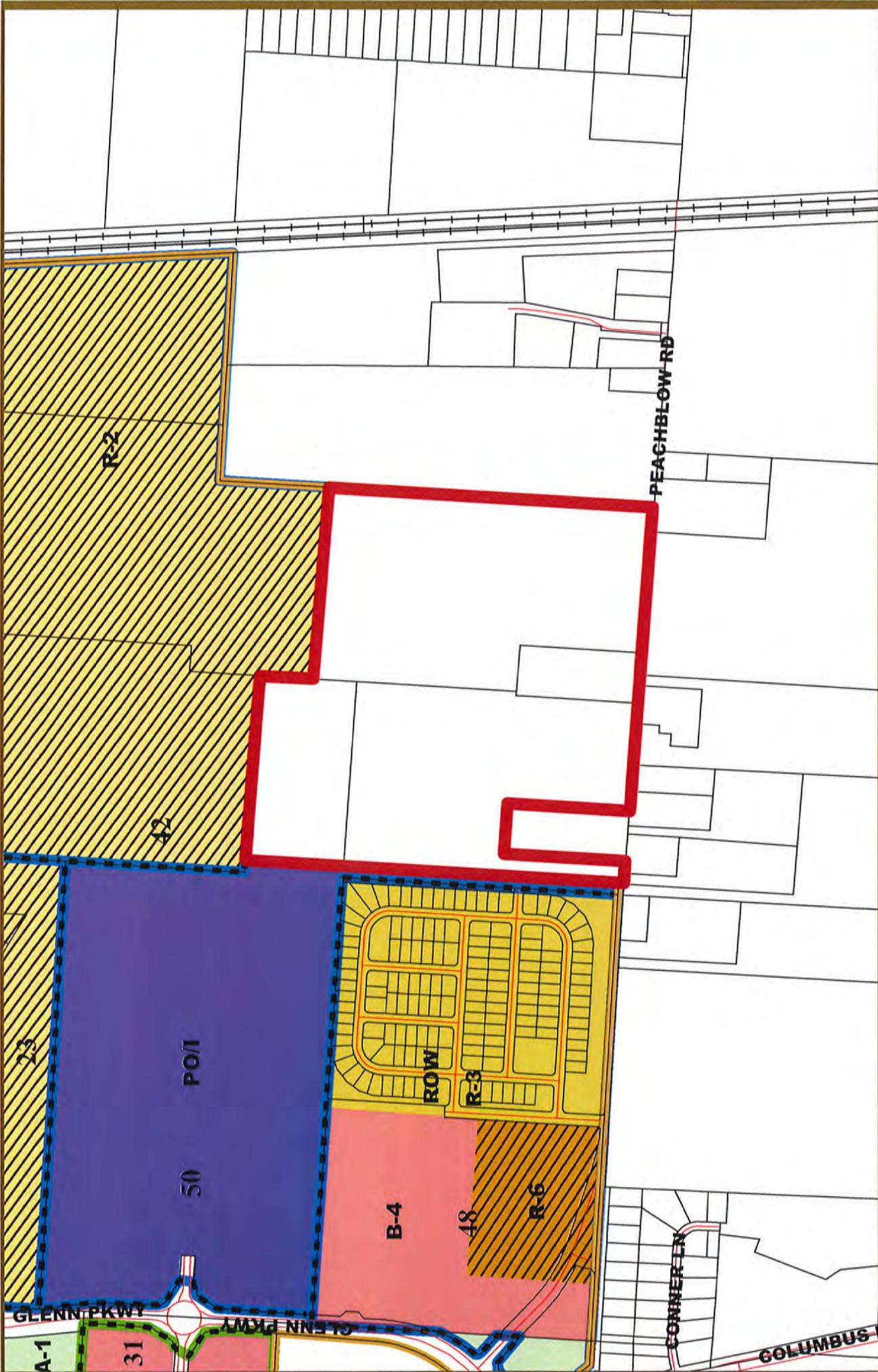
2019-0640-0642
Rezoning Amendment, Conditional Use Permit &
Preliminary Development Plan
Winterbrooke Place
Location Map





2019-0640-0642
 Rezoning Amendment, Conditional Use Permit &
 Preliminary Development Plan
 Winterbrooke Place
 Comprehensive Plan Map





2019-0640-0642
 Rezoning Amendment, Conditional Use Permit &
 Preliminary Development Plan
 Winterbrooke Place
 Zoning Map

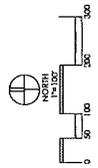




2019-0640-0642
Rezoning Amendment, Conditional Use Permit &
Preliminary Development Plan
Winterbrooke Place
Aerial (2016) Map



REVISIONS	WINTERBROOKE PLACE ARINGTON BUILDERS 10629 WINTERBROOKE PLACE FARMERSVILLE, OH 43024		Patis Planning & Design 14505 STATE ROUTE 103 COLUMBUS, OH 43240 614.427.1944 www.patisplanning.com	
	DATE	4/24/19	PROJECT	17082
			SHEET	C-2





REVISIONS	

EXISTING CONDITIONS
PLAN

WINTERBROOKE PLACE
ARLINGTON BUILDERS
1000 MILLINGTON BLVD
FARMINGTON, CT 06031

Paris Planning & Design
Landscape Architecture
1500 WASHINGTON ST
SUITE 200
BOSTON, MA 02118
TEL: 617-452-1111
WWW.PARISPLANNING.COM

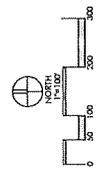
DATE 4/3/19
PROJECT 17082
SHEET

C-3

SOIL TYPES

1. BWA - BROWN SILT LOAM, 0 TO 2 PERCENT SLOPES
2. BBA - BROWN SILT LOAM, 2 TO 4 PERCENT SLOPES
3. BWA - BROWN SILT LOAM, 4 TO 6 PERCENT SLOPES
4. PWA - PINKISH BROWN SILT CLAY, 0 TO 1 PERCENT SLOPES

SEE INQUIRIES REGARDING SOILS PER DELAWARE COUNTY CG AND SOIL TYPES INFORMATION IS PER USDA.



REVISIONS	

OPEN SPACE PLAN

WINTERBROOKE PLACE
 RATION BUILDERS
 1000 WINTERBROOKE PLACE
 FORT WORTH, TEXAS 76104

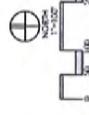
Tart's Planning & Design
 1400 FRANKLIN
 SUITE 100
 FORT WORTH, TEXAS 76104

DATE	4/24/19
PROJECT	17032
SHEET	

C-5

SITE DATA

TOTAL SITE AREA	512.64 AC
TOTAL REQUIRED OPEN SPACE	160.13 AC (31.2%)
TOTAL PROVIDED OPEN SPACE	137.62 AC (26.8%)
REQUIRED PARK OPEN SPACE	135.24 AC (26.4%)
PROVIDED PARK OPEN SPACE	114.22 AC (22.3%)
UNMET PORTION OF PARKS	21.02 AC (4.1%)
UNMET PORTION OF OPEN SPACE	24.91 AC (4.9%)
UNMET PORTION OF REVENUE	\$2,626,417 (\$5.04/AC)



REVISIONS

NO.	DATE	DESCRIPTION

WINTERBOURNE DRIVE
LANDSCAPE PLAN

WINTERBROOKE PLACE
LANDSCAPE PLAN

Part's Planning & Design
 10000 BELLEVILLE ROAD, SUITE 100
 WILLOW BROOK, IL 60097
 TEL: 630.584.1111 FAX: 630.584.1112
 WWW.PARTSPANNING.COM

DATE: 4/24/19
 PROJECT: 17082
 SHEET: D-2

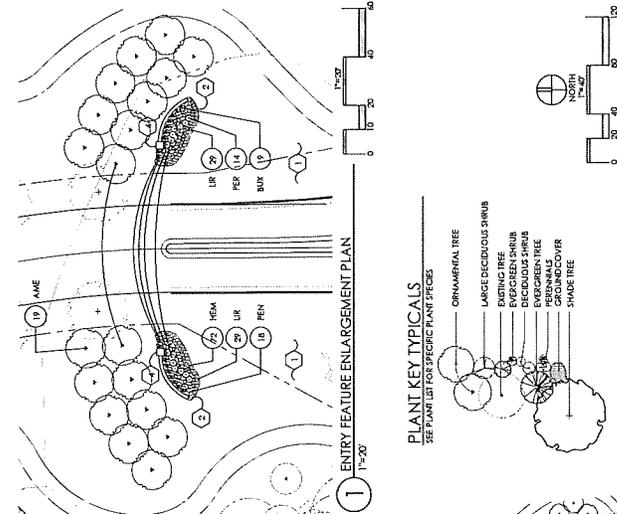
PLANT LIST
 COMMON NAME, SYMBOLOGY, HEIGHT, SPACING, COMMENTS

SYMBOL	COMMON NAME	HEIGHT	SPACING	COMMENTS
1	AMELANCHIER	15'	10'	ORNAMENTAL TREE
2	AMELANCHIER	15'	10'	ORNAMENTAL TREE
3	AMELANCHIER	15'	10'	ORNAMENTAL TREE
4	AMELANCHIER	15'	10'	ORNAMENTAL TREE
5	AMELANCHIER	15'	10'	ORNAMENTAL TREE
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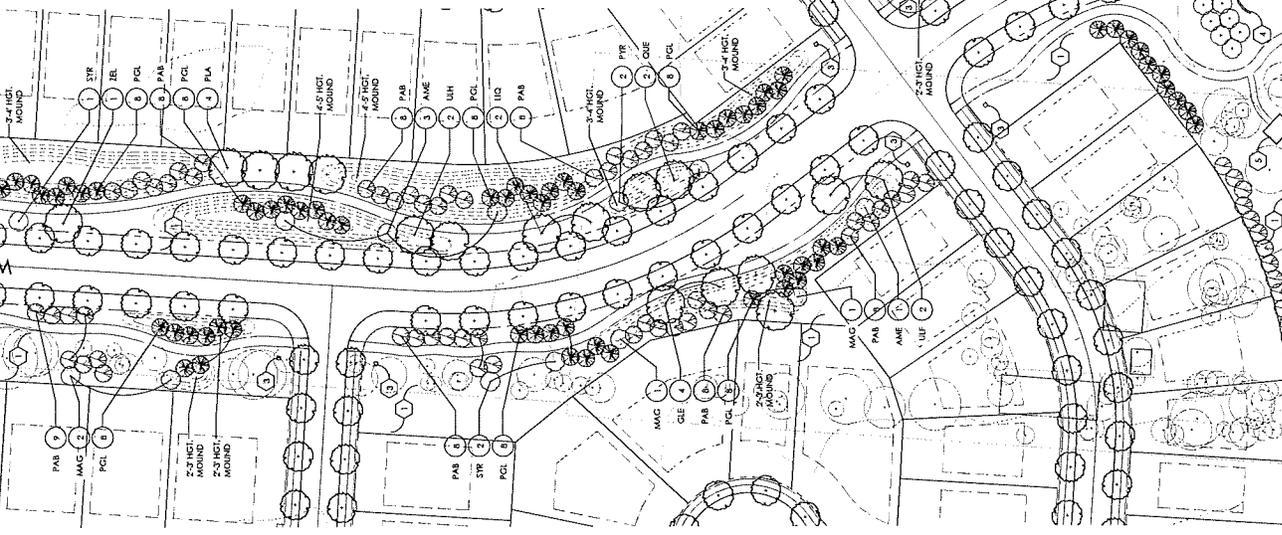
CONSTRUCTION NOTES:

1. ALL AREAS PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
2. LANDSCAPE AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
3. ENTRY COLUMN - SEE SHEET D-5/ DETAIL 4
4. ENTRY SIGN - SEE SHEET D-5/ DETAIL 5
5. SHELTER HOUSE - SEE SHEET D-5/ DETAIL 1
6. 10' LOT - SEE SHEET D-5/ DETAIL 2
7. BOCCO COURT - SEE SHEET D-5/ DETAIL 3
8. TEMPORARY SIGN - SEE SHEET D-5/ DETAIL 4

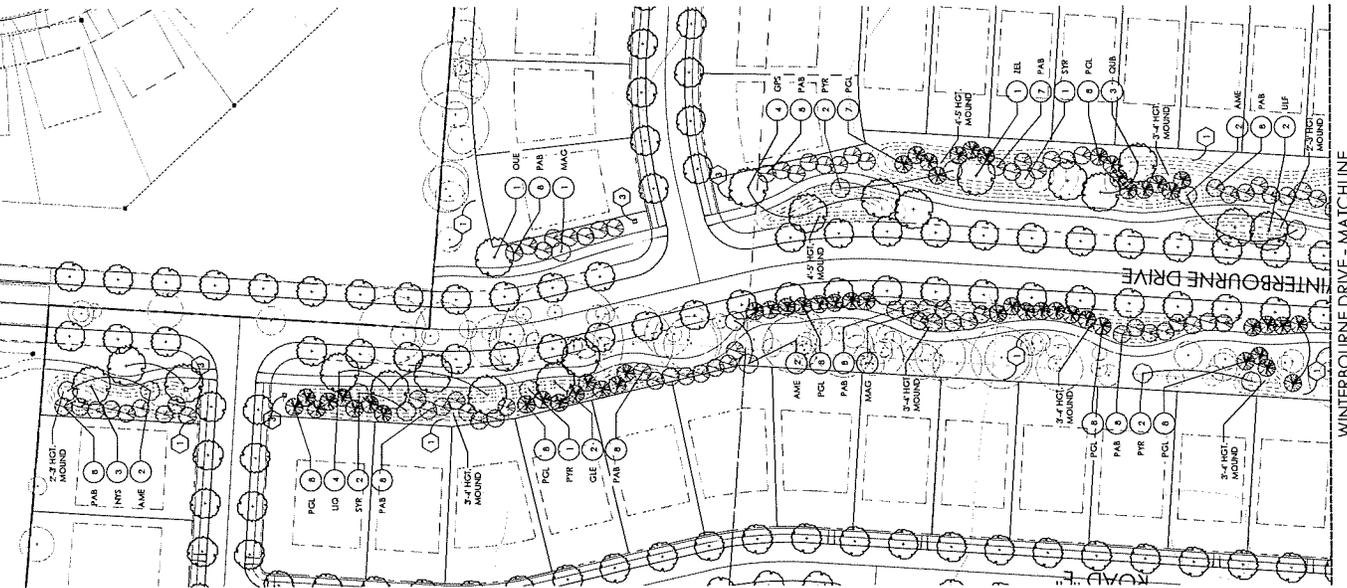
2 COLUMN ENLARGEMENT PLAN
 (TYP. OF 10)



WINTERBOURNE DRIVE - MATCHLINE



WINTERBOURNE DRIVE - MATCHLINE



REVISIONS

NO.	DATE	DESCRIPTION

ENLARGEMENT LANDSCAPE PLANS

WINTERBROOKE PLACE

Taris Planning & Design
 LANDSCAPE ARCHITECTS
 240 N. 4th Street
 Columbus, OH 43215
 TEL: 614.221.1111
 WWW.TARISPLANNING.COM

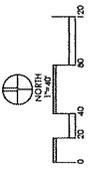
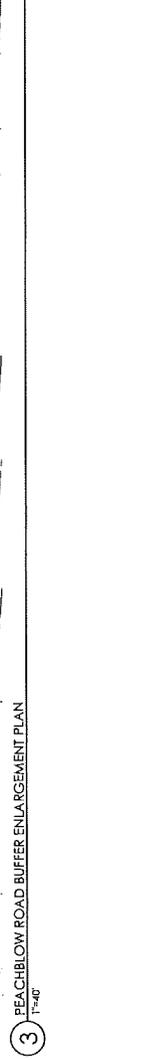
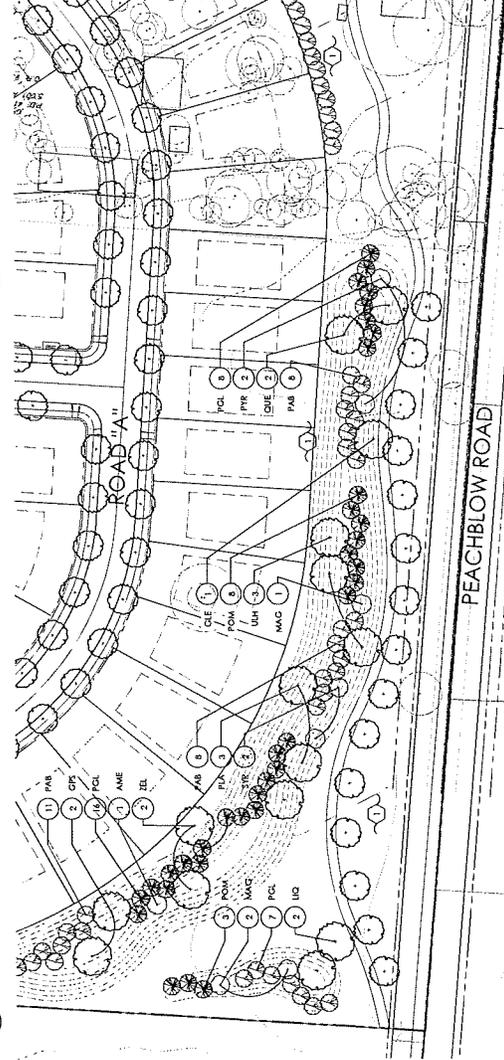
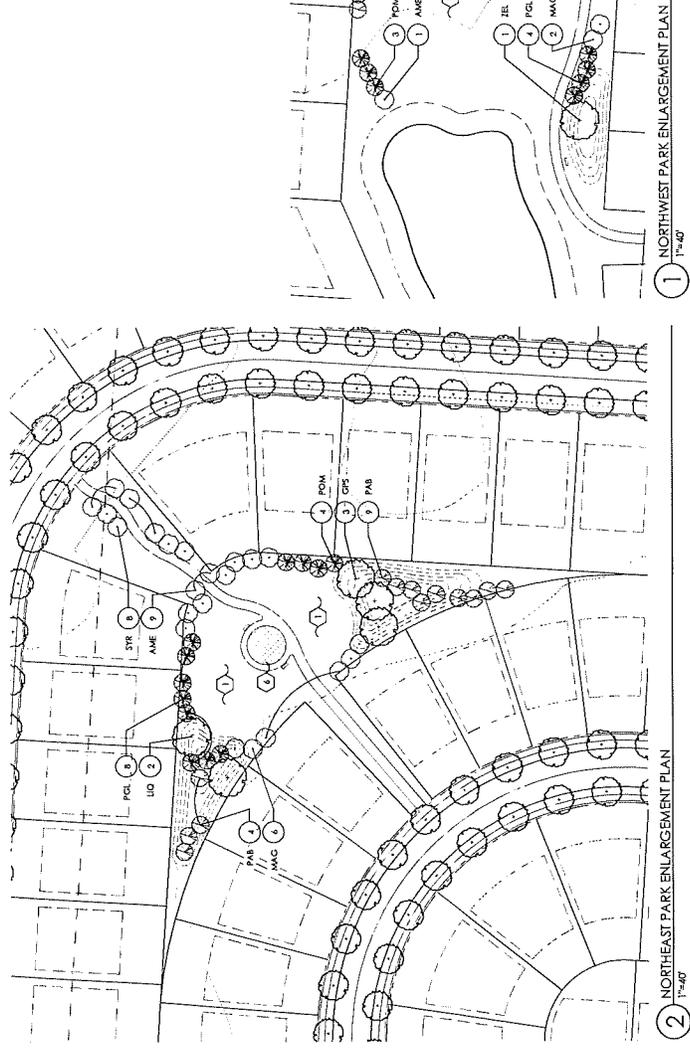
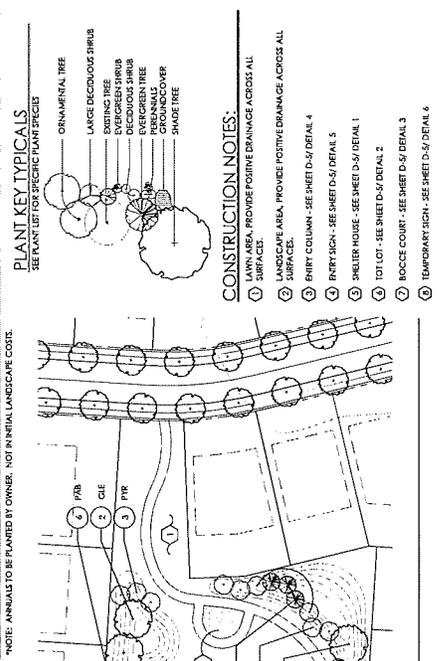
DATE	4/24/19
PROJECT	17082
SHEET	

D-3

PLANT LIST
 (CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SITE	COND.	REMARKS
11	AME	AMBELANCHIER * GRANDIDORA	AUTUMN BRILLIANCE	1, 2 CAL	BAB	
5	OPS	GRINGO BLODA	PRINCE OF DENMARK	2 CAL	BAB	
3	GLE	CELESTIA TRICANTHOS	NEWM'S STICCOLE	2 CAL	BAB	
3	MAG	MAGNOLIA VIRGINIANA	MAGNOLIA	1, 2 CAL	BAB	
11	MAG	MAGNOLIA VIRGINIANA	MAGNOLIA	1, 2 CAL	BAB	
66	PAB	PICEA ABIES	NORWAY SPRUCE	5-4 HOI.	BAB	
51	PCL	PICEA CLAUCA	WHITE SPRUCE	5-4 HOI.	BAB	
3	PCL	PICEA MARMILA	SCOTCH PINE	2 CAL	BAB	
3	PVA	PLATANUS ACERIFOLIA	NORTON CIRCLE	2 CAL	BAB	
5	PTR	PIRUS CALLERYANA	CLEVELAND SELECT	1, 2 CAL	BAB	
2	OLE	QUERCUS RUBRA	RED OAK	2 CAL	BAB	
3	UHL	ULMUS * HORSFIELD	HORSFIELD ELM	2 CAL	BAB	
4	ZEL	ZELKOVA SERATA	GREEN VASE ZELKOVA	2 CAL	BAB	
3	HYD	HYDRANGEA PANICULATA	JANE	24 HOI.	BAB	
30	MSC	MISCANTHUS SINENSIS	'ORACULUM'	2 CAL	BAB	
3	PER	PERENNIAL ORNAMENTAL GRASSES				

*NOTE: ANNUALS TO BE PLANTED BY OWNER. NOT IN FINAL LANDSCAPE COPTS.



REVISIONS

SITE DETAILS

WINTERBROOKE PLACE
 AN ARINGTON BUILDERS
 PROJECT
 10000 WINTERBROOKE PLACE
 FORT MYERS, FL 33907

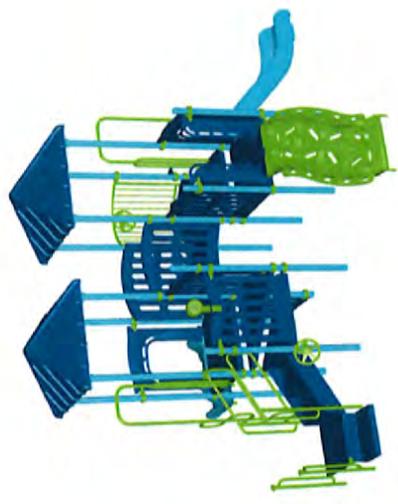
Farris Planning & Design
 14001 UNIVERSITY BLVD
 SUITE 100
 FORT MYERS, FL 33907
 PHONE: 888.444.4444
 WWW.FARRISPLANNING.COM

DATE	4/2/19
PROJECT	17082
SHEET	

D-5



1 SHELTER HOUSE
 OR OWNER APPROVED EQUAL



2 TOT LOT
 OR OWNER APPROVED EQUAL



3 BOCCIE COURT
 OR OWNER APPROVED EQUAL

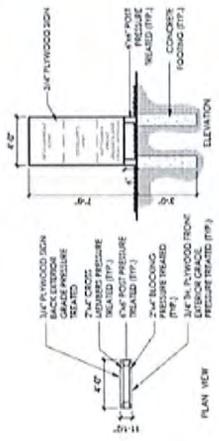


4 ENTRY COLUMN
 SCALE: 1" = 4'



5 ENTRY SIGN
 SCALE: 1" = 4'

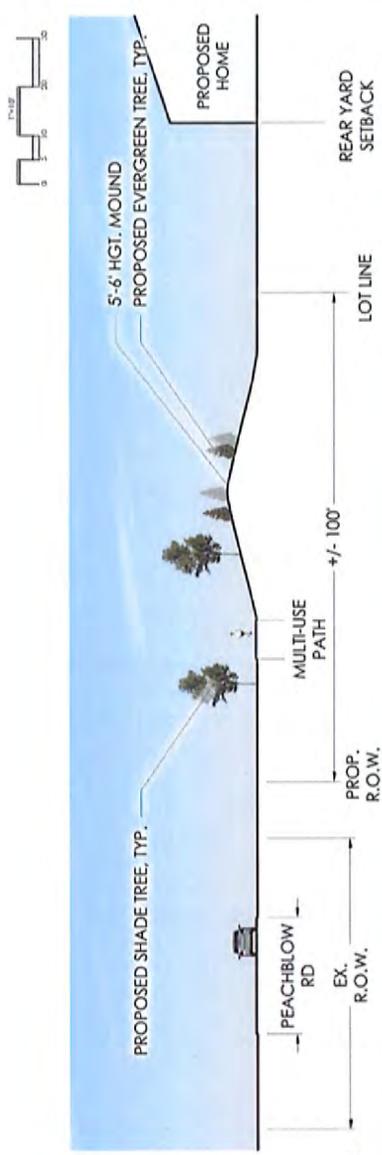
NOTE: 12 MIN. SPACING FROM R.O.W. SIGNAGE TO BE DOUBLE ZERO



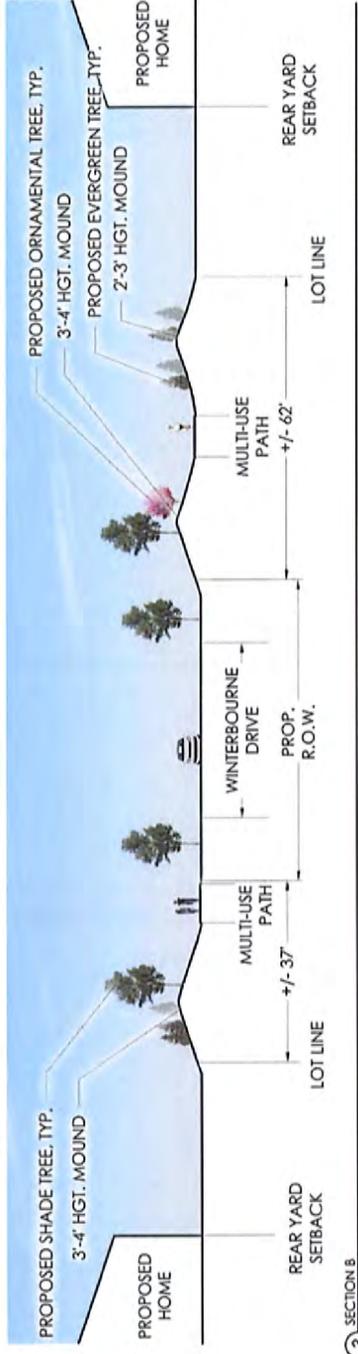
6 TEMPORARY SIGN DETAIL
 N.T.S.



1 KEY PLAN
N.T.S.



2 SECTION A
SCALE: 1"=10'



3 SECTION B
SCALE: 1"=10'



4 SECTION C
SCALE: 1"=10'

REVISIONS

LANDSCAPE SECTIONS

WINTERBROOKE PLACE
ARINGTON BUILDERS
10001 WINTERBROOKE
FROYL, CH 22035

Farris Planning & Design
1402 JAMES MADISON BLVD
SUITE 401
DALLAS, TX 75244
214.428.1144
www.farrisplanning.com

DATE	4/24/19
PROJECT	17082
SHEET	

D-6

NO.	DATE	DESCRIPTION

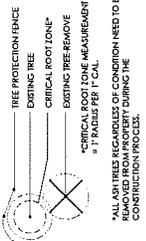
TREE PRESERVATION PLAN

WINTERBROOKE PLACE
ARLINGTON BUILDERS
PRACTICES
10590 WALKINGTON BLVD.
FONTELL, OH 43025

Paris Planning & Design
LANDSCAPE ARCHITECTS
2414 N. 11TH ST.
DUBLIN, OH 43017
www.parisplanninganddesign.com

DATE	4/24/19
PROJECT	1708Z
SHEET	

D-7

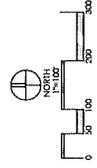


*ALL ASH TREES REGARDLESS OF CONDITION NEED TO BE REMOVED IMMEDIATELY PRIOR TO ANY CONSTRUCTION PROCEED.

CONSTRUCTION NOTES:
 1. PRESERVED TREES ARE TO BE PROTECTED BY FENCING.
 2. SEE DETAIL 1, THIS SHEET.

EXISTING TREE DATA

TOTAL TREES PRESERVED	311 TREES
CAULIPER INCHES PRESERVED	1771.5 CAULIPER INCHES
TOTAL TREES TO BE REMOVED	107 TREES
CAULIPER INCHES REMOVED	915 CAULIPER INCHES
TOTAL TREES	318 TREES
TOTAL CAULIPER INCHES	2686.5 CAULIPER INCHES



**DESCRIPTION OF A PROPOSED ANNEXATION OF
A 100.648 ACRE TRACT
TO THE CITY OF DELAWARE
DELAWARE COUNTY, OHIO**

Situated in the State of Ohio, County of Delaware, Township of Berlin, located in Farm Lots 28 and 29, Section 3, Township 4, Range 18, of the United States Military Lands, and part of 45.968 acres, 5.001 acres, 36.502 acres and 14.542 acres as described in deed to Grden LLC, of record in Official Record 951, Page 2796, all being of record in the Recorder's Office, Delaware County, Ohio and being more particularly described as follows:

BEGINNING, at a common corner of said 45.968 acres and a 90.584 acres as described in deed to Pulte Homes of Ohio LLC, of record in Official Record 1327, Page 1465, and said corner being an angle point in the existing City of Delaware Corporation Line as established by Ordinance Number 06-67 and of record in Official Record 718, Page 2150;

Thence South 00°58'45" West, with the west line of a 44.049 acre tract as described in deed to Evans Farm Delaware LLC, of record in Official Record 1334, Page 2672, a distance of 1908.62 feet, to a point on the north right of way line of Peachblow Road (Co. Rd. 98, 60 foot right of way);

Thence North 88°00'00" West, with the north right of way line of Peachblow Road, a distance of 1806.56 feet, to a point on the east line of a 5.000 acre tract described in deed to John Gundling and Toni Tiburzio, of record in Official Record 560, Page 167;

Thence North 01°03'26" East, with the east line of said 5.000 acres, a distance of 696.00 feet, to a point at the northeast corner of said 5.000 acre tract;

Thence North 88°00'00" West, with the north line of said 5.000 acres, a distance of 300.04 feet, to a point at the northwest corner of said 5.000 acre tract;

Thence South 01°03'26" West, with the west line of said 5.000 acres, a distance of 696.00 feet, to a point on the north right of way line of Peachblow Road;

Thence North 88°00'00" West, with the north right of way line of Peachblow Road, a distance of 120.02 feet, to a point on the east line of a 105.278 acre tract as described in deed to Grady Memorial Hospital, of record in Official Record 594, Page 212 and an angle point in the existing City of Delaware Corporation Line as established by Ordinance Number 05-15, of record in Official Record 740, Page 394;

Thence North 01°03'26" East, with the west line of said 36.502 acres and said 14.542 acres and the east line of the said 105.278 acre tract and the said existing City of Delaware Corporation Line, a distance of 2232.71 feet, to a point on the south line of a said 90.584 acre tract and the said existing City of Delaware Corporation Line.

Thence with said 90.584 acres and the existing City of Delaware Corporation line the following course:

South 87°40'25" East, a distance of 1084.42 feet, to a point;

South 00°58'45" West, a distance of 314.78 feet, to a point;

South 87°50'50" East, a distance of 1137.39 feet, to a point at a common corner of said 45.968 acres and a 90.584 acres, containing 100.648 acres, more or less, being approximately 21.272 acres in Farm Lot 28 and approximately 79.376 acres in Farm Lot 29.

4769.09 lineal feet of perimeter is contiguous with the existing corporation line of the City of Delaware.

A total of 10296.52 lineal feet of annexed perimeter.

46.3% of the perimeter of the annexed area is contiguous to the existing city of Delaware Corporation Line.

Being an Expedited II annexation.

No island of unincorporated area is being created with this annexation.

All bearings and distances shown on this survey are per deed of record and not the result of an actual boundary survey.



CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

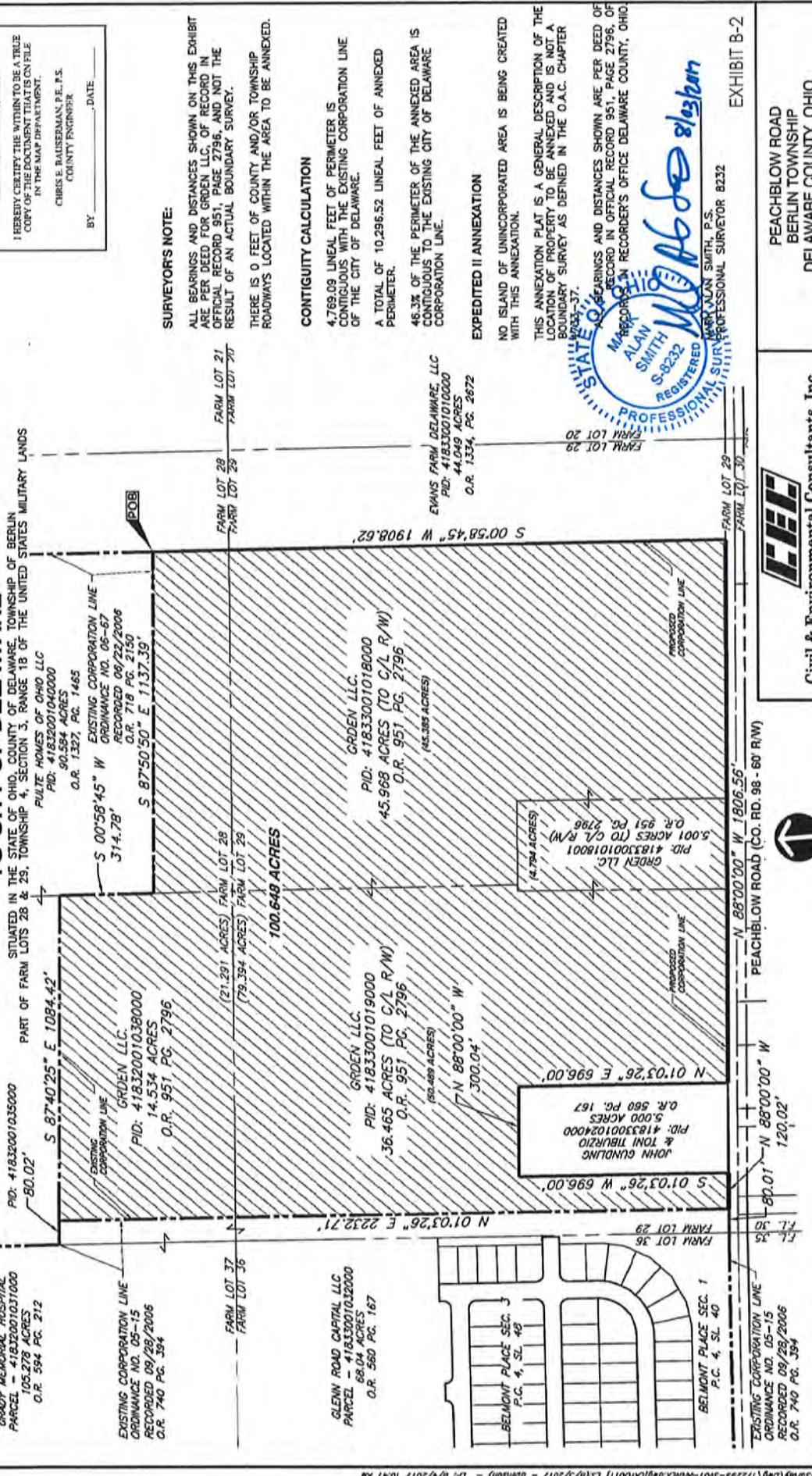
8/09/2017

Mark Alan Smith, P.S.
Registered Surveyor No. 8232

Date

County Engineer
Delaware County, Ohio
I hereby certify the within to be a true copy
of the document that is on file in the Map
Department.
CHRIS E. BAUSERMAN, P.E., P.S.
County Engineer
By _____, Date _____

MAP OF TERRITORY TO BE ANNEXED TO CITY OF DELAWARE



COUNTY ENGINEER
 WILMARE COUNTY, OHIO
 I HEREBY CERTIFY THE WITHIN TO BE A TRUE
 COPY OF THE DOCUMENT THAT IS ON FILE
 IN THE MAP DEPARTMENT.
 CHUCK E. BAUSERMAN, P.E. P.S.
 COUNTY ENGINEER
 BY: _____ DATE: _____

SURVEYOR'S NOTE:

ALL BEARINGS AND DISTANCES SHOWN ON THIS EXHIBIT ARE PER DEED FOR GROEN LLC, OF RECORD IN OFFICIAL RECORD 951, PAGE 2796, AND NOT THE RESULT OF AN ACTUAL BOUNDARY SURVEY.
 THERE IS 0 FEET OF COUNTY AND/OR TOWNSHIP ROADWAYS LOCATED WITHIN THE AREA TO BE ANNEXED.

CONTIGUITY CALCULATION

4,789.08 LINEAL FEET OF PERMETER IS CONTIGUOUS WITH THE EXISTING CORPORATION LINE OF THE CITY OF DELAWARE.
 A TOTAL OF 10,296.52 LINEAL FEET OF ANNEXED PERMETER.
 48.3% OF THE PERIMETER OF THE ANNEXED AREA IS CONTIGUOUS TO THE EXISTING CITY OF DELAWARE CORPORATION LINE.

EXPEDITED II ANNEXATION

NO ISLAND OF UNINCORPORATED AREA IS BEING CREATED WITH THIS ANNEXATION.
 THIS ANNEXATION PLAT IS A GENERAL DESCRIPTION OF THE LOCATION OF PROPERTY TO BE ANNEXED AND IS NOT A BOUNDARY SURVEY AS DEFINED IN THE O.A.C. CHAPTER 163.37.

ALL BEARINGS AND DISTANCES SHOWN ARE PER DEED OF RECORD IN OFFICIAL RECORD 951, PAGE 2796, OF RECORDS IN RECORDER'S OFFICE DELAWARE COUNTY, OHIO.

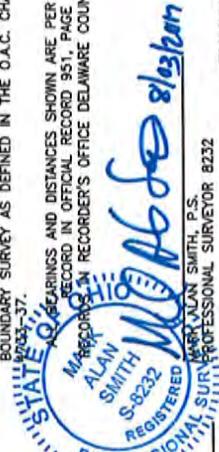


EXHIBIT B-2

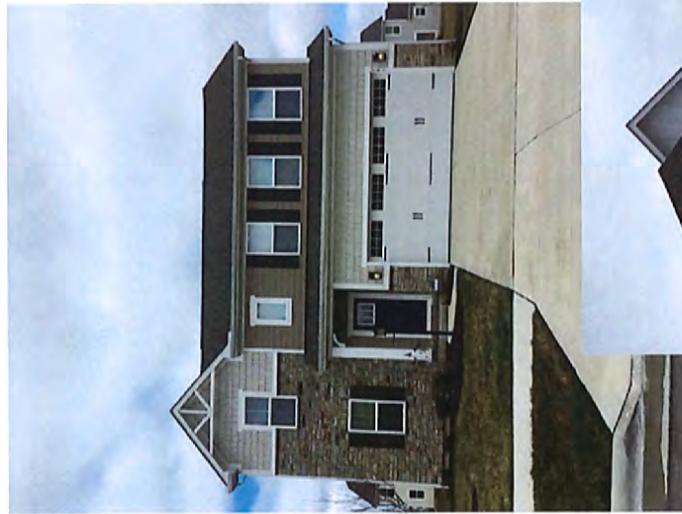
 Civil & Environmental Consultants, Inc. 250 Old Wilson Bridge Road - Suite 250 - Worthington, OH 43085 614-540-8633 - 888-588-8808 www.ceeinc.com	DRAWN BY: _____ CHECKED BY: _____ APPROVED BY: _____ DATE: AUGUST 2017 DWS SCALE: 1"=300'
	PEACHBLOW ROAD BERLIN TOWNSHIP DELAWARE COUNTY, OHIO ANNEXATION PLAT DRAWING NO.: 172-299 PROJECT NO.: 1"-300'



52' LOT EXAMPLES

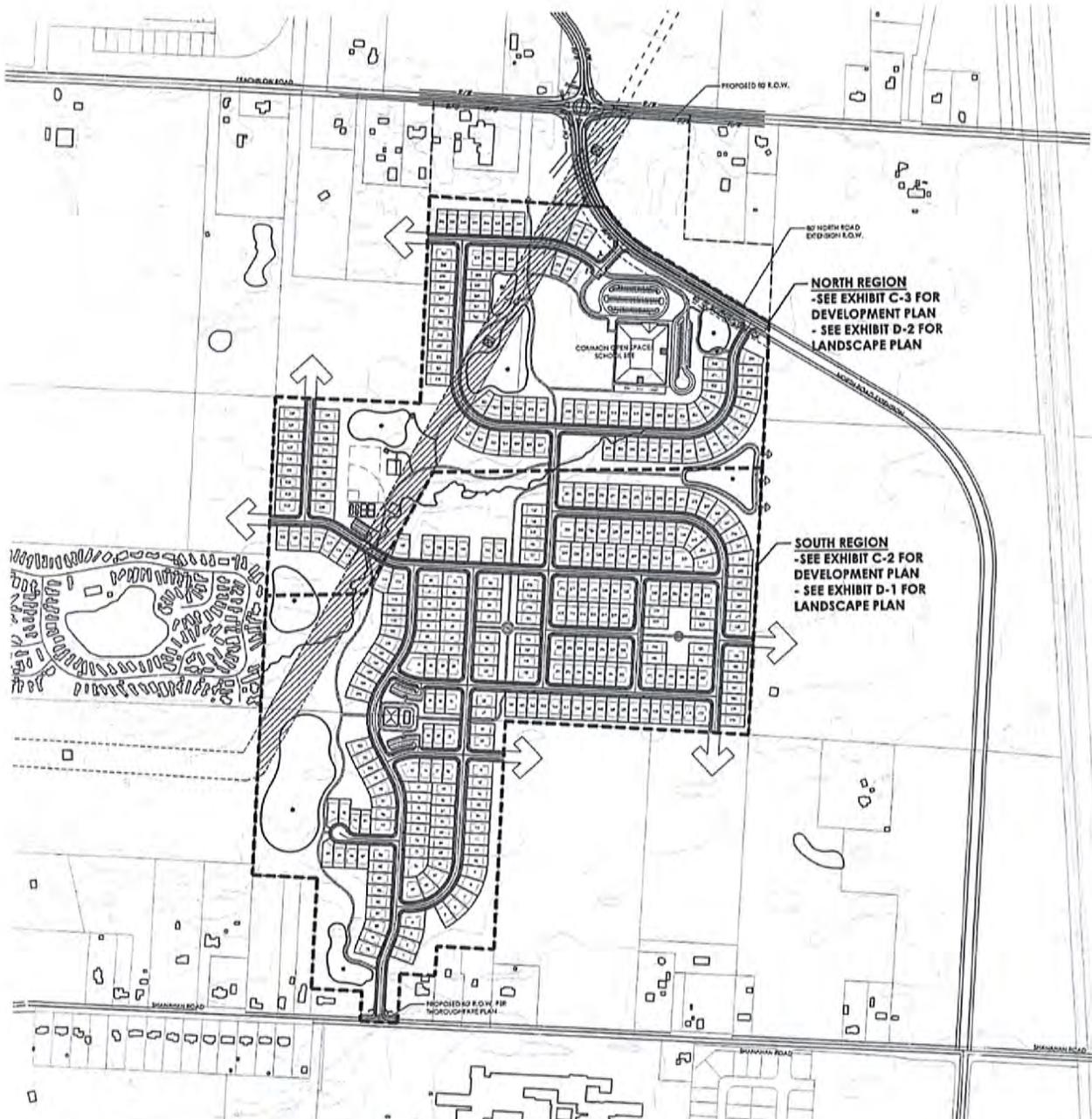


65' LOT EXAMPLES



80' LOT EXAMPLES





NORTH REGION
 -SEE EXHIBIT C-3 FOR
 DEVELOPMENT PLAN
 - SEE EXHIBIT D-2 FOR
 LANDSCAPE PLAN

SOUTH REGION
 -SEE EXHIBIT C-2 FOR
 DEVELOPMENT PLAN
 - SEE EXHIBIT D-1 FOR
 LANDSCAPE PLAN

VICINITY MAP



SITE DATA - R-3 WITH PRD OVERLAY

TOTAL ACRES	1182.43 AC	56 x 130 LOTS	120 (20%)
NET DEVELOPABLE AREA (NPA GROSS)	1135.67 AC	42 x 130 LOTS	127 (20%)
BASED ON	111.44 AC	44 x 130 LOTS	115 (20%)
ACTUAL NET DEVELOPABLE	1143.41 AC		
TOTAL LOTS	362 LOTS		
GROSS DENSITY	1.96 DU/AC		
NET DENSITY	3.32 DU/AC		
COMBACH OPEN SPACE	~16431 AC		
TOTAL OPEN SPACE	~16431 AC		
OPEN SPACE (20% REQUIRED)	MEET		

REVISED - BZC 19-001
SUBMITTED
03/26/2019

OVERALL DEVELOPMENT PLAN

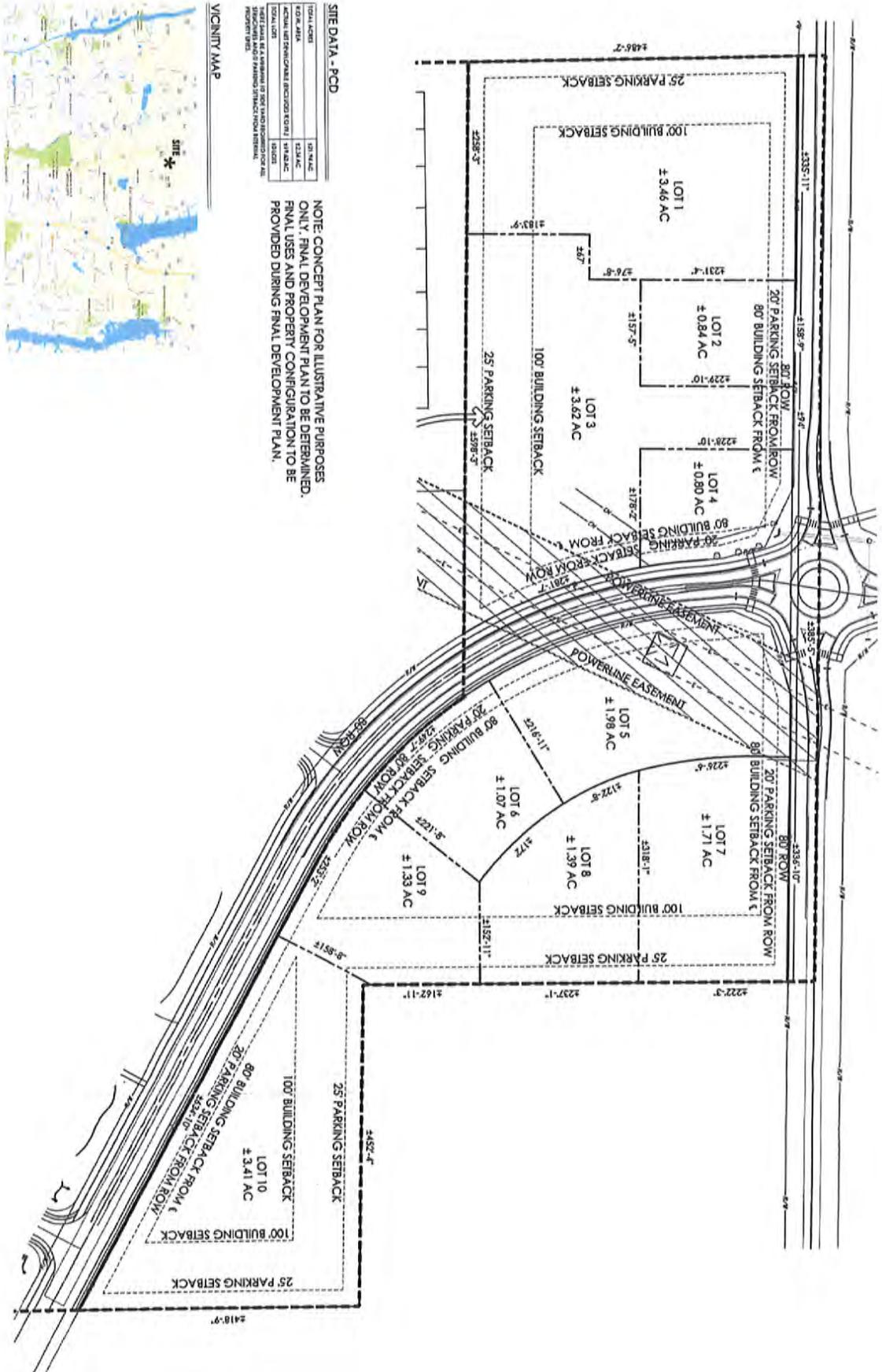
BERLIN MEADOWS - R-3 WITH PRD OVERLAY

PREPARED FOR METRO DEVELOPMENT

DATE: 02/01/19

EXHIBIT C-1

Faris Planning & Design
 1440 PLAINFIELD
 211 N. 8th Street
 # 114, 48714
 LANDSCAPE ARCHITECTURE
 1440 PLAINFIELD
 211 N. 8th Street
 # 114, 48714
 www.farisplanninganddesign.com



SITE DATA - PCD

TOTAL ACRES	60.74 AC
ACRES ADJACENT TO HIGHWAY	12.54 AC
ACRES OF UNDEVELOPED PROPERTY	15.46 AC
TOTAL LOTS	10 LOTS
NET BUILDING AREA	107,000 SQ FT
NET PARKING AREA	25,000 SQ FT

NOTE: CONCEPT PLAN FOR ILLUSTRATIVE PURPOSES ONLY. FINAL DEVELOPMENT PLAN TO BE DETERMINED. FINAL USES AND PROPERTY CONFIGURATION TO BE PROVIDED DURING FINAL DEVELOPMENT PLAN.

VICINITY MAP

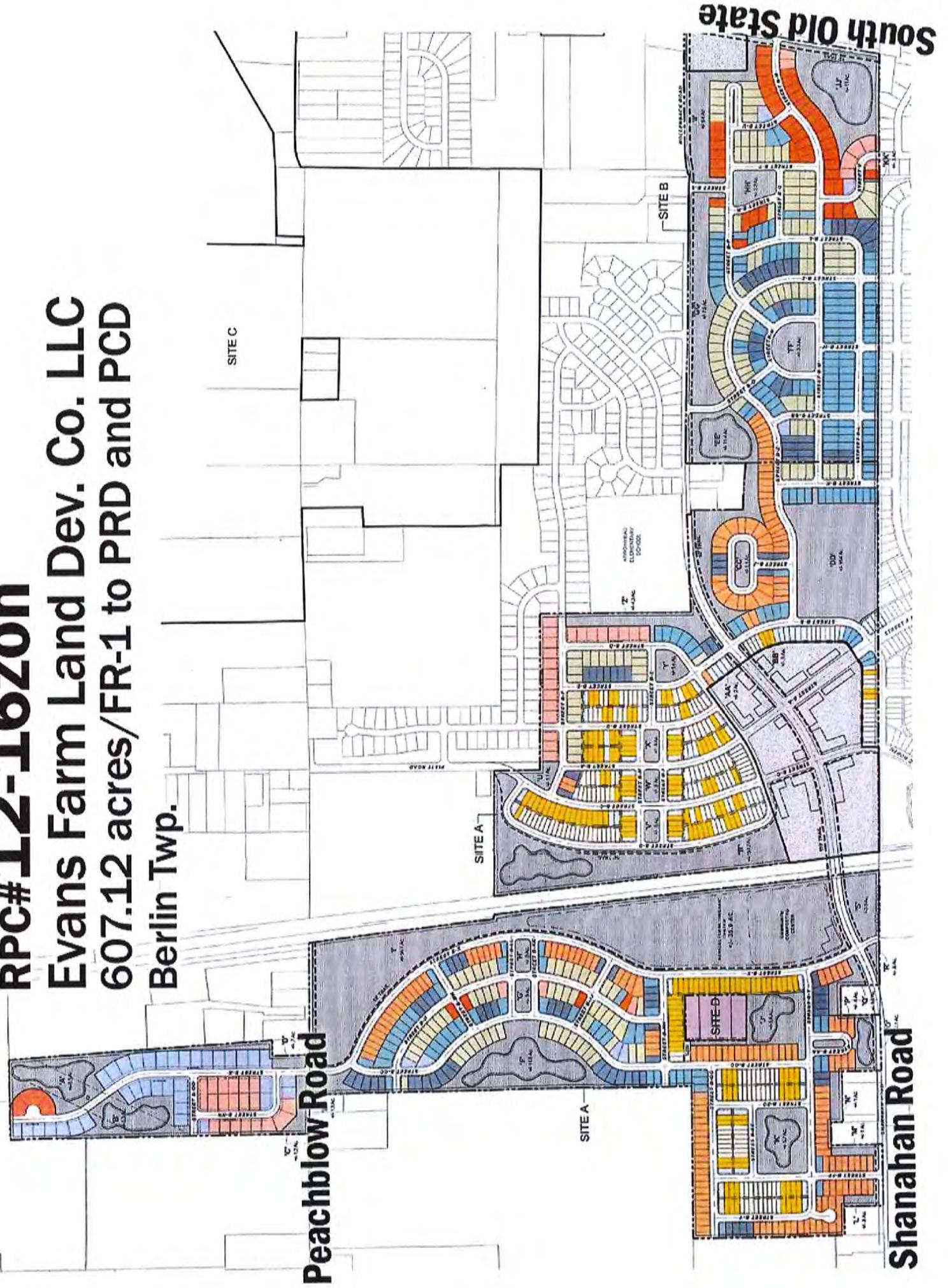


DEVELOPMENT PLAN
BERLIN MEADOWS - PCD
 PREPARED FOR MERO DEVELOPMENT
 DATE: 2/20/11

EXHIBIT C-1

Harris Planning & Design
 ARCHITECTURAL
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE
 PLANNING
 SURVEYING

RPC# 12-16Z0N
Evans Farm Land Dev. Co. LLC
607.12 acres/FR-1 to PRD and PCD
Berlin Twp.



COMMUNITY IMPACT ASSESSMENT

Project Name	Winterbrooke Place
Applicant	Robert L. Grden Designated Manager
Owner	Grden LLC
Zoning Requested	R-3 with Conditional Use Permit for PMU (Planned Mixed-Use)

A. General Provisions and Requirements:

1. Acreage	100.648 Acres Exclusive of Existing Right-Of-Way
2. Pin Nos.	<u>Parcels Presently in the Township of Berlin, Delaware County, OH until Annexed:</u> 41832001038000; 41833001018000; 41833001018001 and 41933001019000 as is Currently Shown on the Delaware County Auditor's Tax Duplicate
3. Current Zoning	<u>Lands Presently in the Township of Berlin:</u> FR-1 (Farm Residential District)

B. Specific Information

1. Legal Description	See Addendum A attached hereto. Grden LLC currently owns a total of 101.968 acres of which 1.32 acres is the road right of way. See Addendum A-1 for the Legal Description of the 100.648 acres being annexed to the City of Delaware, Ohio. The last recorded survey indicated a total acreage of 102.0138. This was
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	recalculated at the time of the preparation of Map of Annexation and is reflected in the Petition for Annexation.																																
a. Reference	Official Record Vol. 951, Pages 2796-2801, Recorders Office, Delaware County, Ohio																																
b. Current Land Assessment	Two current Ditch Assessments. One for Ditch Construction and one for Ditch Maintenance which runs from 2018 – 2025.																																
c. Adjacent Parcels/ Including Ownership	<table border="1"> <thead> <tr> <th><u>PIN</u></th> <th><u>Owner</u></th> </tr> </thead> <tbody> <tr> <td>41832001035000</td> <td>PULTE HOMES OF OHIO LLC</td> </tr> <tr> <td>41832001040000</td> <td>PULTE HOMES OF OHIO LLC</td> </tr> <tr> <td>41833001010000</td> <td>EVANS FARM DELAWARE LLC</td> </tr> <tr> <td>41833001013000</td> <td>REBECCA JANE KRUPAR JAMES MATTHEW KOCH</td> </tr> <tr> <td>41833001014000</td> <td>KENNEY ASSET MANAGEMENT LLC</td> </tr> <tr> <td>41833001016000</td> <td>PEACHBLOW LAND II LLC</td> </tr> <tr> <td>41833001017000</td> <td>PEACHBLOW LAND II LLC</td> </tr> <tr> <td>41833001020000</td> <td>JFMG II LLC</td> </tr> <tr> <td>41833001024000</td> <td>JOHN M. GUNDLING TONI T. TIBURZIO</td> </tr> <tr> <td>41833001021000</td> <td>MARK E VANDEVORT NANCY VANDERVORT</td> </tr> <tr> <td>41833001022002</td> <td>PATRICIA ANN LOGAN</td> </tr> <tr> <td>41833001022000</td> <td>PATRICIA ANN LOGAN</td> </tr> <tr> <td>41833001023000</td> <td>MICHAEL E ZYSK RENEE M ZYSK</td> </tr> <tr> <td>41833001022001</td> <td>JENNIFER STRAWSER DYAN STRAWSER</td> </tr> <tr> <td>41832001031000</td> <td>GRADY MEMORIAL HOSPITAL</td> </tr> </tbody> </table>	<u>PIN</u>	<u>Owner</u>	41832001035000	PULTE HOMES OF OHIO LLC	41832001040000	PULTE HOMES OF OHIO LLC	41833001010000	EVANS FARM DELAWARE LLC	41833001013000	REBECCA JANE KRUPAR JAMES MATTHEW KOCH	41833001014000	KENNEY ASSET MANAGEMENT LLC	41833001016000	PEACHBLOW LAND II LLC	41833001017000	PEACHBLOW LAND II LLC	41833001020000	JFMG II LLC	41833001024000	JOHN M. GUNDLING TONI T. TIBURZIO	41833001021000	MARK E VANDEVORT NANCY VANDERVORT	41833001022002	PATRICIA ANN LOGAN	41833001022000	PATRICIA ANN LOGAN	41833001023000	MICHAEL E ZYSK RENEE M ZYSK	41833001022001	JENNIFER STRAWSER DYAN STRAWSER	41832001031000	GRADY MEMORIAL HOSPITAL
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41833001022001	JENNIFER STRAWSER DYAN STRAWSER																																
41832001031000	GRADY MEMORIAL HOSPITAL																																
d. Recitation of Covenants Existing or Proposed and Running with the Land	None at Present																																

2. Location and Access	<p>The entire property is located north of Peachblow Road. All access is presently to the south on Peachblow Road with location and access to the east into the Township and county road system and to the west there will be access to Glenn Parkway. If the development is approved, Winterbourne Drive will be constructed through the middle of the development connecting with Winterbourne Drive to the north and eventually the North Street Road extension to the south. Also, if the development is approved a road connection will be made to the west connecting Winterbrooke Place and Belmont Estates at Ensign Lane with an eventual dedication across the Grady Memorial Hospital Property.</p>
3. Adjacent Lands	<p>North - City of Delaware (R-2 One-Family Residential District Pulte Homes of Ohio); East - Township of Berlin (FR-1 Farm Residential). (Evans Farm Delaware LLC Project); South – Township of Berlin FR-1 Housing and Industrial Zoning (Primarily the Kenney Asset Management LLC Development Commercial, Elementary School and Residential Project and Industrial Zoning on the Peachblow Land II LLC Properties). West - City of Delaware Belmont Estates and Glen Road Capital LLC (R-3 One family Residential District and B-4 General Business District; Northwest and West-City of Delaware by Grady Memorial Hospital (PO/I Planned Office/Industrial District)</p>
4. Existing Site Land Use	<p>Current use of lands in the Township of Berlin are Farm/Residential. (FR-1 District). All lands coming into the City are brought into the City of Delaware as agricultural until rezoned.</p>

5. Maps, Charts	See Addendum B attached hereto
6. Environmental Impacts	A Phase One Environmental has been conducted and is attached as Addendum I.
	<p>a. Topography and Drainage: Drainage flow on the property is from northeast to west/ southwest toward the Olentangy River west of the proposed Winterbourne Drive and north to south/ southwest east of Winterbourne Drive. The entire property is sloped towards and part of the Olentangy River Watershed District. See Addendum C, D and E attached hereto.</p> <p>b. Vegetation: This parcel of land has a vegetation in the form of trees in the south-central area of the property. The balance of the acreage has been farming ground for at least 30 years. The remainder of the property is without trees except in the old fence line areas. See Addendum F attached hereto.</p> <p>c. Soils: Map of soils is attached hereto as Addendum G.</p> <p>d. Ecology: Land over the years was agricultural. No unusual vegetation.</p>

<p>7. Air and Noise Pollution</p>	<p>No site activity or uses will be included that will generate any unusual noise or air pollution, except normal dust from farming operations, not normally present in residential developments. There will be a higher level of noise and dust during construction period and will be limited to parcels under construction. Noise from traffic and pollution from existing traffic on U.S. 23 will override any proposed uses that will take place on this property. Traffic is currently not fully using Winterbourne Drive and that may alter vehicle noise in the area. However, most of the traffic will be residential vehicle traffic.</p>
<p>8. Sanitary Sewers & Storm Drainage</p>	<p>At present, drainage is provided by farm tiles and county tiling systems of the 1920's. With development, drainage and retention systems will be installed and constructed on the subject premises to City Standards. Sanitary Sewer and Water are available to be extended to the east through the Grady Memorial Hospital property at Ensign Lane.</p>
<p>9. Traffic and Parking</p>	<p>A traffic study is currently being prepared by Todd Stanhope, Director of Traffic Engineering, Smart Services, Inc. When the traffic study is complete it will be submitted by a separate submission upon coordinating the traffic studies of proposed Berlin Meadows and Winterbrooke Place by the Delaware County Engineer and in coordination with Delaware City Engineer.</p>
<p>10. View Interference</p>	<p>Because of the size of the land and its proposed use and the distance from existing structures planned both to the North, West and South. No significant view interference is expected.</p>
<p>11. Historic Sites</p>	<p>None that applicant is aware of at the present time.</p>

12. Compatibility	The proposed residential development of different houses should enhance and compliment the Pulte Development to the north; Ryan Homes to the west; farm residential development of Evans Farms to the east and south and Kenney Asset Management Development to the south of this project as well as an elementary school site, commercial and existing Industrial uses located in the Township of Berlin opposite the Grden LLC property along Peachblow Road to the South.
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C. Impact on Public Services.

1. Tax Effect	<p>It is difficult to ascertain the overall tax effect of this project. This will be a phased project with various residential uses. Income tax shall be generated from both the Construction Phase and the End Use Phase with three (3) potential residential components, over (5) or possibly six (6) phases.</p> <p>See Addendum H attached hereto.</p> <p>Addendum H includes no income tax projections for the construction phases.</p> <p>A Municipal Impact Fee will be charged as each building permit for each lot is pulled on the project.</p>
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<p>2. Police & Fire</p>	<p>City of Delaware has annexed lands to the north and west. No more impact on police and fire is expected than usual police and fire service to the north, east, west and south of the property and the residential property to the east. A fire station is currently being constructed on Cheshire Road at Glenn Road to the northwest. Police and Fire Impact Fees will be paid as each building permit is pulled for each residential unit prior to construction. Fire Service is also provided by the Berlin Township Fire Department.</p>
<p>3. Schools</p>	<p>The entire project is in the Olentangy Local School District. The residential nature of the project should have no more impact on schools under the residential uses currently being developed on the north and west of the project as well as future residential projects planned for the east and south of the project.</p>
<p>4. Parks and Recreation</p>	<p>The primary development plan will set forth location acreage both for recreation and open space throughout the project. Parks and Recreation Impact Fees will be paid at the time permits are pulled for the construction of each residential unit in the subdivision.</p>

5. Traffic Control	<p>Winterbourne Drive is being constructed through this project through the middle of the property. This is a major spine road running north and south through the center of this project and will serve to connect the proposed Winterbourne Drive to the north and the proposed County's North Street Road connected to the south. Additionally, at Peachblow Road, it is anticipated that Delaware County will either install a roundabout or a lighted intersection</p>
--------------------	---

D. General Requirements	
1. Financial Interest	<p>See Addendum H attached hereto.</p> <p>The expected value of the project at build out at current average sale price is \$99,950,000.00 for housing improvements and lot land value.</p>
2. Coordination	<p>All coordination of services has been with the City of Delaware, Ohio. Intersection and access improvements on Peachblow Road on the south will require input and coordination with City of Delaware and the Delaware County Engineers Office. The Delaware County Engineer has full authority for Peachblow Road.</p>
3. Economic Impact	<p>Demands for police and fire services should be similar to all existing residential developments in the City of Delaware.</p> <p>Economic benefits to the community will be significant to the general retail stores and centers presently in the City and County.</p>

4. Construction Scheduling	It seems likely that this project will be phased in its development once if the rezoning and preliminary and final development plans are approved. Internal construction within the project should be capable of completion in a timely manner.
5. Adjacent Development	See Item B. c. above
6. Alternatives	It appears given the surrounding land uses and the City Masterplan and pre-annexation negotiations, the best use of this land is a residential use with buffering along the south property line and possibly limited along the eastern property line abutting Evans Farm property which is currently buffered by an Ohio Edison High Tension Power Line.

Respectfully submitted,



Michael R. Shade
Attorney at Law

WINTERBROOKE PLACE
ADDENDUM A:
ORIGINAL DESCRIPTION

ADDENDUM A

Situated in the State of Ohio, County of Delaware, and in the Township of Berlin:

Being a Part of Lot Number 28 and 29 in Section 3, Township 4, North, Range 18 West, United States Military Lands, Berlin Township, Delaware County, State of Ohio and being more particularly described as follows:

Commencing at an existing 3/4 inch dia. iron pipe located at the southeast corner of Lot 29, said point being on the centerline of County Road 98 (Peachblow Road);

Thence along the centerline of County Road 98 and common line between Lots 29 and 30 North $88^{\circ} 00' 00''$ West for a distance of 333.05 feet to a survey nail set at the southeast corner of hereinafter described 111.169 acre tract and the POINT OF BEGINNING.

Thence continuing along said centerline of County Road 98 and common lot line North $88^{\circ} 00' 00''$ West for a distance of 2306.68 feet to a railroad spike set at the Southwest corner of Lot 29 and grantor's southwest corner;

Thence along Grantor's west line north $01^{\circ} 06' 25''$ East for a distance of 2262.96 feet to an iron pin set at Grantor's Northwest corner (passing over an iron pin set at a distance of 30.00 feet and the Line between Lots 29 and 28 at a distance of 1647.11 feet, more or less);

Thence along Grantor's North line South $87^{\circ} 40' 25''$ East for a distance of 1164.44 feet to an iron pin set on the West line of 39.50 acre tract of land, now or formerly owned by Thomas E. McNamara, Deed Vol. 328, Page 365;

Thence along said West line South $00^{\circ} 58' 45''$ West for a distance of 314.78 feet to an iron pin set at the southwest corner of aforesaid 39.50 acre tract;

Thence along the south line of said 39.50 acre tract South $87^{\circ} 50' 50''$ East for a distance of 1137.39 feet to an iron pin set at Grantor's northeast corner;

Thence along Grantor's East line South $00^{\circ} 58' 45''$ West for a distance of 1938.62 feet to a survey nail set on the centerline of County Road 98 and South line of Lot 29 (passing over the line between Lots 28 and 29 at a distance of 291.45 feet, more or less and iron pin set at a distance of 1907.54 feet) and the PLACE OF BEGINNING.

Containing 24.028 acres, more or less in Lot 28 and 87.141 acres more or less of 111.169 acres, more or less.

This description prepared from a survey performed by Steven A. Fox, Registered Professional Surveyor 7000, and dated March 18, 1989.

EXCEPTING THEREFROM a 4.1552 acre tract:

Situated in the Township of Berlin, County of Delaware, and State of Ohio;

Being a part of Farm Lots 28 and 29, Section 3, Township 4 N., Range 18 W. U.S. Military Lands and being a part of a tract now or formerly owned by Ray L. Grden, Ray D. Grden, Jr., Gary P. Grden and Robert L. Grden, as described in Deed Book 512, Page 421, more particularly described as follows:

Beginning at a railroad spike found in the centerline of County Road 98, Peachblow Road, and at the common corner of Farm Lots 29, 30, 35 and 36 being THE TRUE PLACE OF BEGINNING;

Thence from said POINT OF BEGINNING and with the line common to Farm Lots 29 and 36 and the east line of the property now or formerly owned by Neil K. Rammelsberg and Helen E. Rammelsberg, as described in Deed Book 283, Page 149, North $01^{\circ} 03' 26''$ East (passing at 30.00 feet an iron pin set) a total distance of 1671.97 feet to an iron pin found at the common corner of Farm Lots 28, 29, 36 and 37;

Thence with the line common to Farm Lots 28 and 37, also being the east line of a tract now or formerly owned by Young Soon Lee, as described in Deed Book 504, Page 79, North $01^{\circ} 03' 26''$ East a distance of 590.74 feet to an iron pin set;

Thence with the south line of a tract now or formerly owned by Robert G. Borrows Trustee as described in Deed Book 477, Page 664, South $87^{\circ} 40' 21''$ East a distance of 80.02 feet to an iron pin set;

Thence through the parent tract South $01^{\circ} 03' 26''$ West (passing over an iron pin set at 2232.25 feet) a total distance of 22.62 25 feet to a railroad spike set in the centerline of Peachblow Road and on the south line of Farm Lot 29;

Thence with the line common to Farm Lots 29 and 30 North $80^{\circ} 00' 00''$ west a distance of 80.01 feet to the TRUE POINT OF BEGINNING. **Containing 4.1552 acres**, more or less. Farm Lot 28, containing 1.0853 acres, and Farm Lot 29 containing 3.0699 acres, more or less.

All iron pines set are 5/8" solid iron pins with yellow plastic caps stamped Stults and Associates.

Bearing system based on center line of Peachblow Road County Road 98 taken from Deed Book 497, Page 263.

This tract is not intended to create a building site.

EXCEPTING THEREFROM a 5.00 acre tract:

Situated in the Township of Berlin, County of Delaware, and State of Ohio;

Being a part of Farm Lot 29, Section 3, Township 4, North, Range 18 West U.S. Military Lands and being a part of a tract now or formerly owned by Ray L. Grden, Ray D. Grden, Jr., Gary P. Grden, and Robert L. Grden, as described in Deed Book 512, Page 421, more particularly described as follows:

Commencing at a railroad spike found in the centerline of County Road 98, Peachblow Road, and at the common corner of Farm Lots 29, 30, 35 and 36.

Thence along the centerline of County Road 98 (S. 88° 00' 00" East) a distance of 200.03 feet to a railroad spike set at the PLACE OF BEGINNING.

Thence north 01° 03' 26" East (passing over an iron pin set at 30.00 feet) a total distance of 726.00 feet to an iron pin set;

Thence south 88° 00' 00" East a distance of 300.04 feet to an iron pin set;

Thence South 01° 03' 26" West (passing over an iron pin set at 696.00 feet) a total distance of 726.00 feet to a railroad spike set in the centerline of Peachblow Road and on the south line of Farm Lot 29;

Thence with the line common to Farm Lots 29 and 30 North 80° 00' 00" West a distance of 300.04 feet to THE TRUE POINT OF BEIGNNING.

Containing 5.00 acres, more or less.

All iron pins set are 5/8" solid iron pins with yellow plastic caps stamped Stults and Associates.

Bearing system based on centerline of Peachblow Road County Road 98, taken from Deed Book 497, Page 263.

LEAVING 102.0138 ACRES, MORE OR LESS.

WINTERBROOKE PLACE

ADDENDUM A-1: ANNEXATION DESCRIPTION



Civil & Environmental Consultants, Inc.

ADDENDUM A-1

DESCRIPTION OF A PROPOSED ANNEXATION OF A 100.648 ACRE TRACT TO THE CITY OF DELAWARE DELAWARE COUNTY, OHIO

Situated in the State of Ohio, County of Delaware, Township of Berlin, located in Farm Lots 28 and 29, Section 3, Township 4, Range 18, of the United States Military Lands, and part of 45.968 acres, 5.001 acres, 36.502 acres and 14.542 acres as described in deed to Grden LLC, of record in Official Record 951, Page 2796, all being of record in the Recorder's Office, Delaware County, Ohio and being more particularly described as follows:

BEGINNING, at a common corner of said 45.968 acres and a 90.584 acres as described in deed to Pulte Homes of Ohio LLC, of record in Official Record 1327, Page 1465, and said corner being an angle point in the existing City of Delaware Corporation Line as established by Ordinance Number 06-67 and of record in Official Record 718, Page 2150;

Thence South 00°58'45" West, with the west line of a 44.049 acre tract as described in deed to Evans Farm Delaware LLC, of record in Official Record 1334, Page 2672, a distance of 1908.62 feet, to a point on the north right of way line of Peachblow Road (Co. Rd. 98, 60 foot right of way);

Thence North 88°00'00" West, with the north right of way line of Peachblow Road, a distance of 1806.56 feet, to a point on the east line of a 5.000 acre tract described in deed to John Gundling and Toni Tiburzio, of record in Official Record 560, Page 167;

Thence North 01°03'26" East, with the east line of said 5.000 acres, a distance of 696.00 feet, to a point at the northeast corner of said 5.000 acre tract;

Thence North 88°00'00" West, with the north line of said 5.000 acres, a distance of 300.04 feet, to a point at the northwest corner of said 5.000 acre tract;

Thence South 01°03'26" West, with the west line of said 5.000 acres, a distance of 696.00 feet, to a point on the north right of way line of Peachblow Road;

Thence North 88°00'00" West, with the north right of way line of Peachblow Road, a distance of 120.02 feet, to a point on the east line of a 105.278 acre tract as described in deed to Grady Memorial Hospital, of record in Official Record 594, Page 212 and an angle point in the existing City of Delaware Corporation Line as established by Ordinance Number 05-15, of record in Official Record 740, Page 394;

Thence North 01°03'26" East, with the west line of said 36.502 acres and said 14.542 acres and the east line of the said 105.278 acre tract and the said existing City of Delaware Corporation Line, a distance of 2232.71 feet, to a point on the south line of a said 90.584 acre tract and the said existing City of Delaware Corporation Line.

Thence with said 90.584 acres and the existing City of Delaware Corporation line the following course:

South 87°40'25" East, a distance of 1084.42 feet, to a point;

South 00°58'45" West, a distance of 314.78 feet, to a point;

South 87°50'50" East, a distance of 1137.39 feet, to a point at a common corner of said 45.968 acres and a 90.584 acres, containing 100.648 acres, more or less, being approximately 21.272 acres in Farm Lot 28 and approximately 79.376 acres in Farm Lot 29.

4769.09 lineal feet of perimeter is contiguous with the existing corporation line of the City of Delaware.

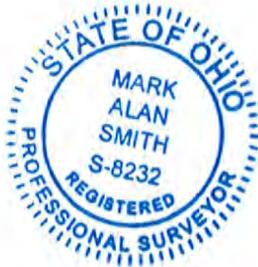
A total of 10296.52 lineal feet of annexed perimeter.

46.3% of the perimeter of the annexed area is contiguous to the existing city of Delaware Corporation Line.

Being an Expedited II annexation.

No island of unincorporated area is being created with this annexation.

All bearings and distances shown on this survey are per deed of record and not the result of an actual boundary survey.

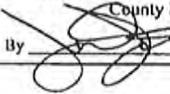


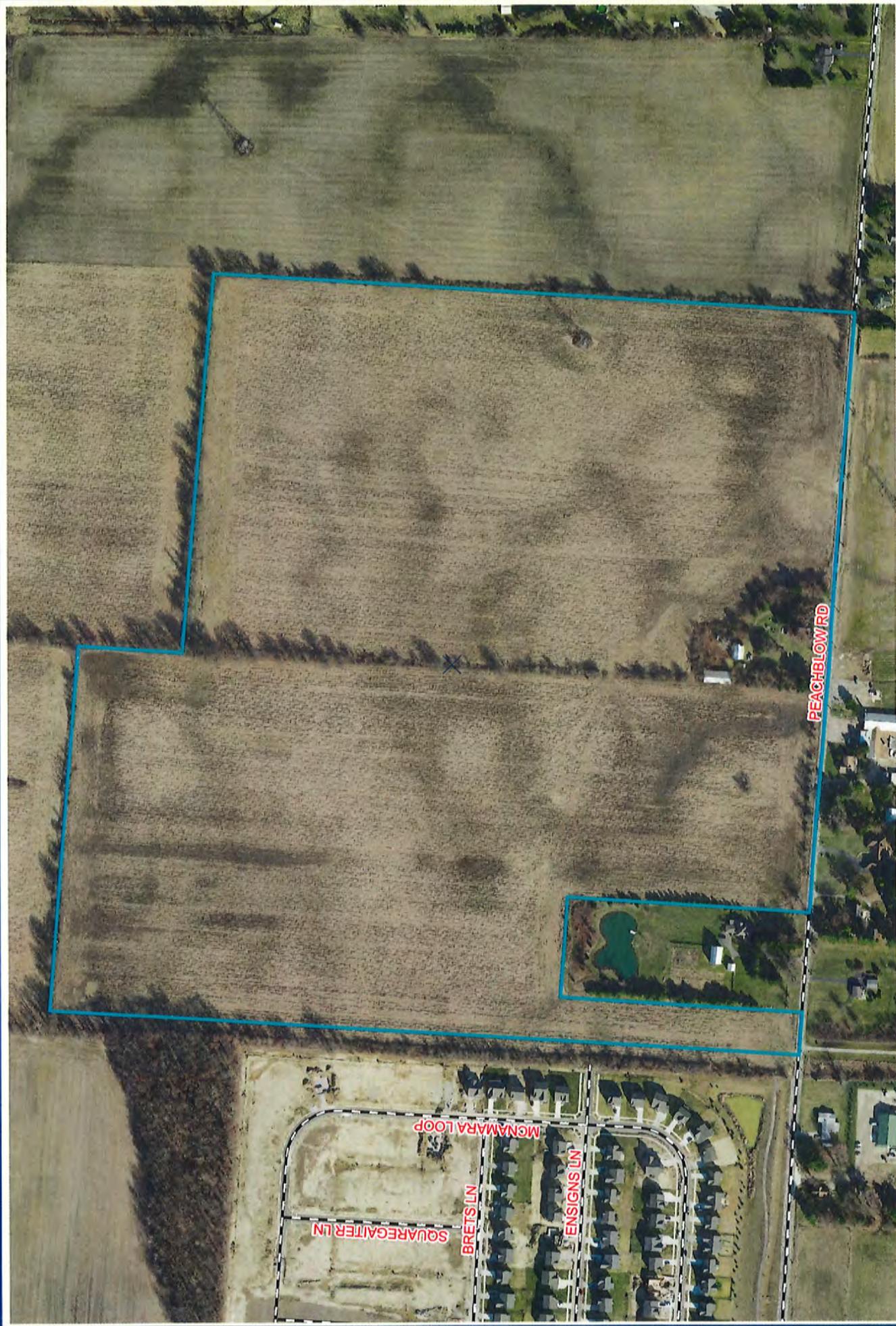
CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

8/03/2017

Mark Alan Smith, P.S.
Registered Surveyor No. 8232

Date

<p>County Engineer Delaware County, Ohio</p> <p>I hereby certify the within to be a true copy of the document that is on file in the Map Department.</p> <p>CHRIS E. BAUSERMAN, P.E., P.S. County Engineer</p> <p>By  Date 8/7/17</p>



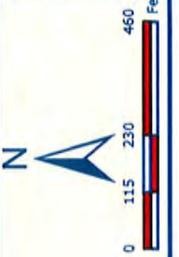
Delaware County Auditor
George Kaitsa

WINTERBROOK PLACE ADDENDUM B: MAP OF PROPERTY

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 mapping data shown is approximate and this information is not to be construed or used as a "legal description" of a parcel.

Please report any errors or omissions to the Delaware County Auditor's office.
Prepared by: Delaware County Auditor's GIS Office on March 2019.



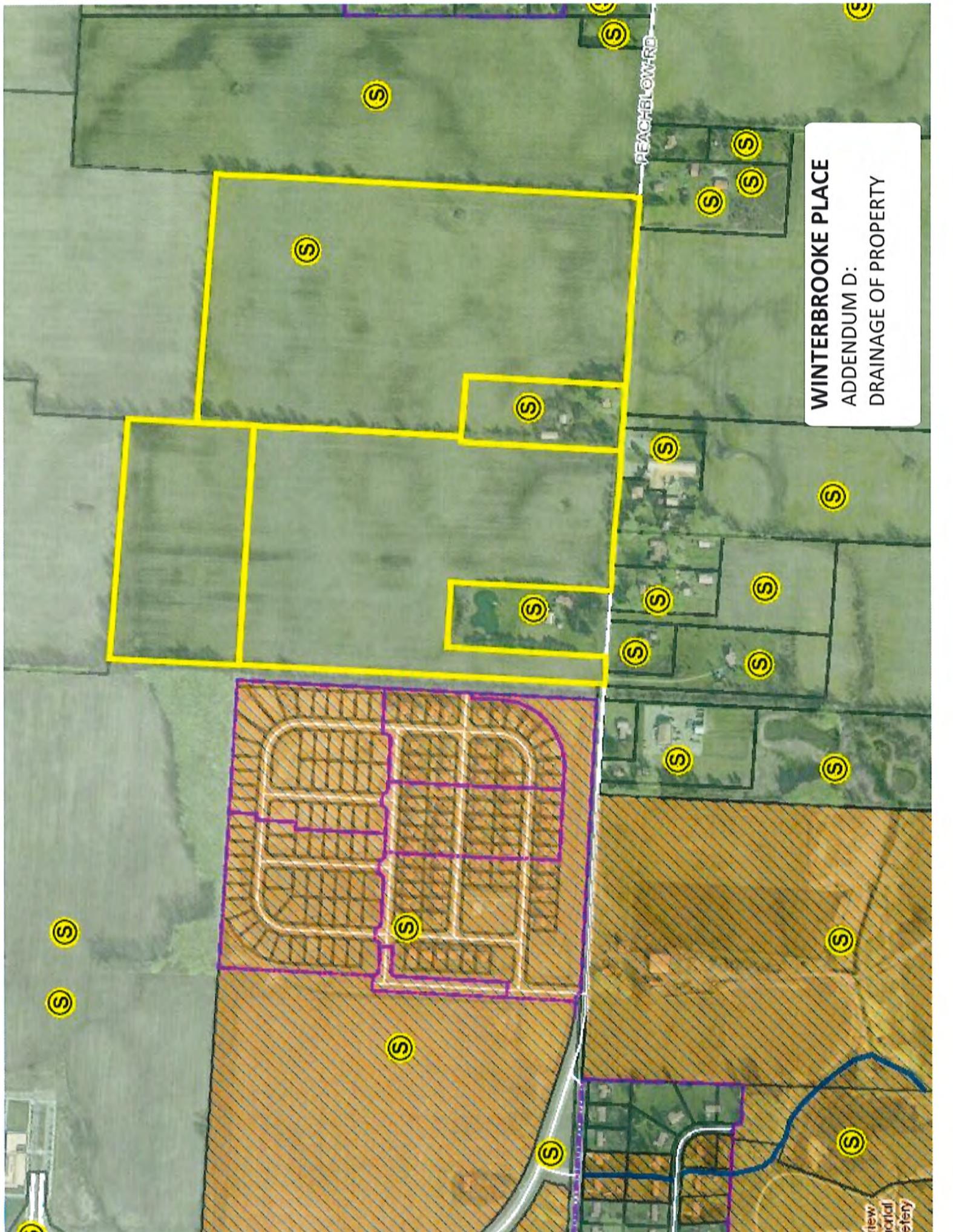


WINTERBROOK PLACE
ADDENDUM C: TOPOGRAPHY OF PROPERTY

Information contained within this map may be used to generally locate, identify and inventory land parcels within Delaware County. Delaware County does not warrant the accuracy, reliability, or completeness of the information shown on this map. Aerial photo is current as of April 2018. Please report any errors or omissions to the Delaware County Auditor's office. Prepared by: Delaware County Auditor's GIS Office on March 2015.



Delaware County Auditor
 George Kaitsa

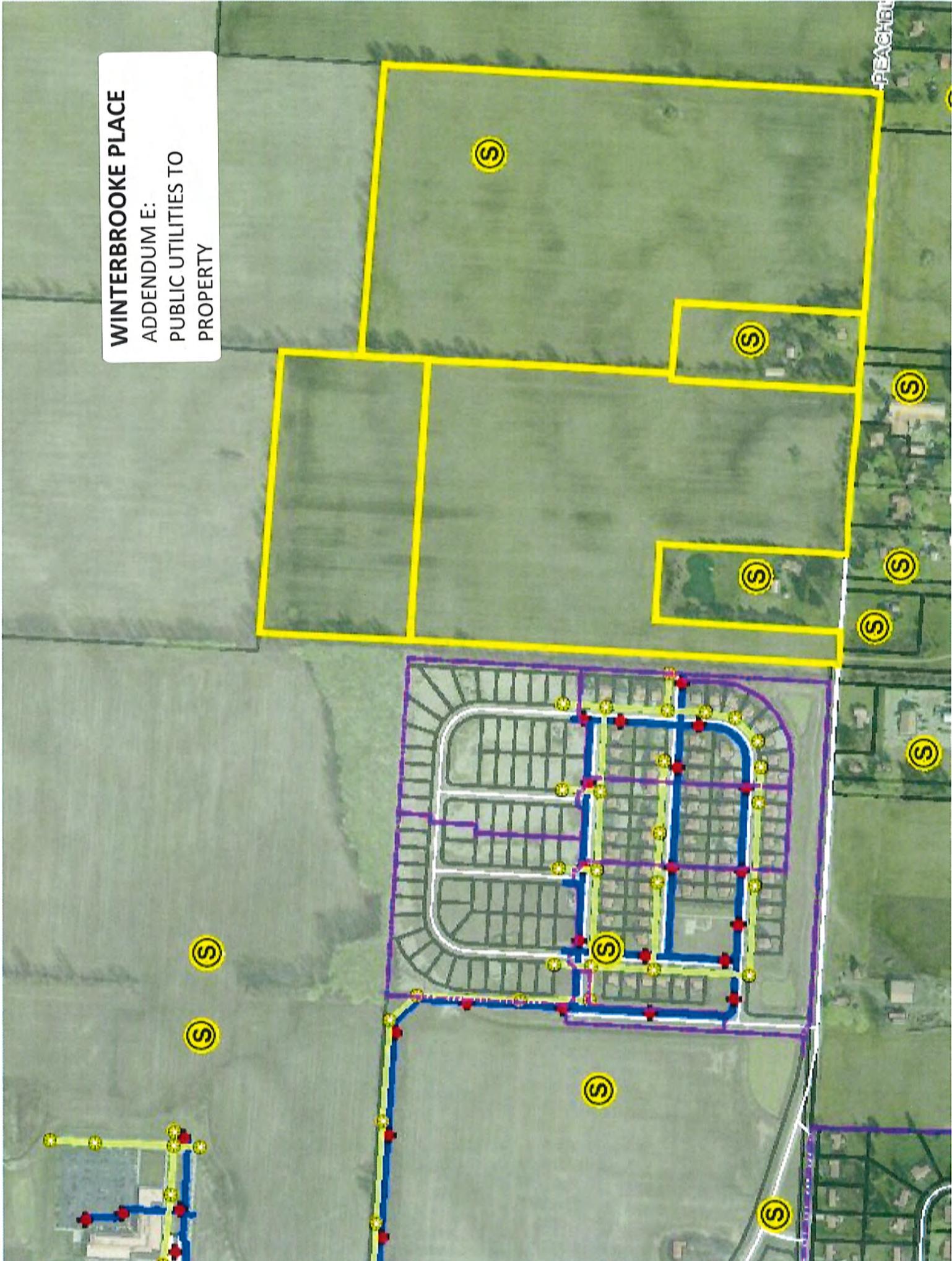


PEACHELOW RD

WINTERBROOKE PLACE
ADDENDUM D:
DRAINAGE OF PROPERTY

view
portal
refery

WINTERBROOKE PLACE
ADDENDUM E:
PUBLIC UTILITIES TO
PROPERTY



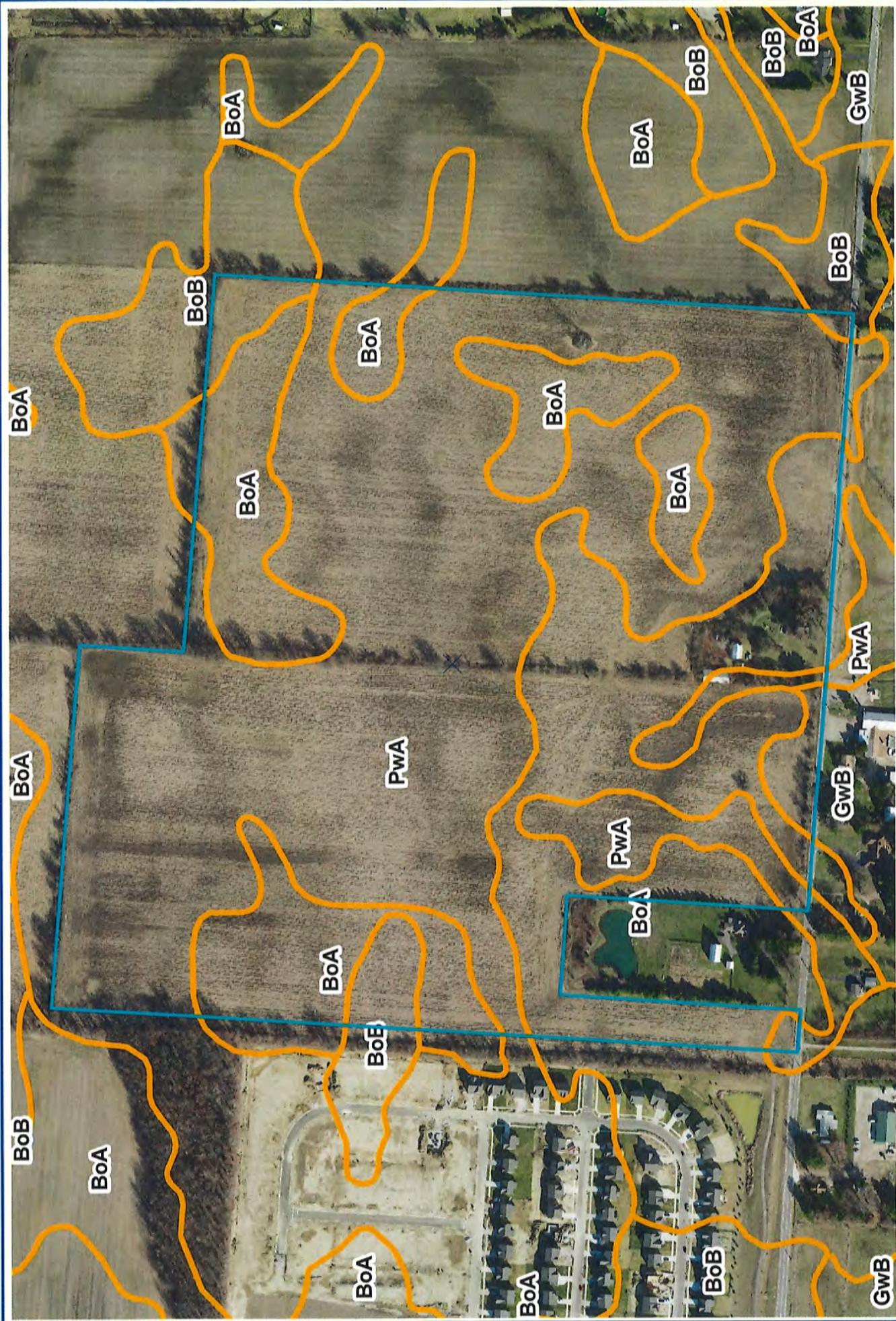


Delaware County Auditor
George Kaitsa

WINTERBROOK PLACE ADDENDUM F: VEGETATION

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 mapping data shown is approximate and this information cannot be construed or used as a "legal description" of a parcel. Aerial photo is current as of April 2018.
Please report any errors or omissions to the Delaware County Auditor's office.
Prepared by: Delaware County Auditor's GIS Office on March 2023.

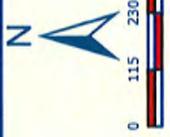




Delaware County Auditor
George Kaitsa

**WINTERBROOK PLACE
ADDENDUM G: SOILS**

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 mapping data shown is approximate and this information cannot be construed or used as a "legal description" of a parcel. Aerial photo is current as of April 2018. Please report any errors or omissions to the Delaware County Auditor's office. Prepared by: Delaware County Auditor's GIS Office on March 2019.



Feet

FEES & CHARGES

PROPERTY OWNERSHIP	TOTAL
AREA	100,648
SCHOOL DISTRICT	
NUMBER OF HOUSING DWELLING UNITS	263
FEE OR CHARGES	
REZONING/ANNEXATION/CUP	11,064.80
PRELIMINARY PLAN / PLAT	33,132.40
FINAL PLAN / PLAT	33,632.40
SUBTOTAL	77,829.60
BUILDING PERMITS AND CHARGES	526,000.00
SANITARY SEWER CAPACITY FEE	1,416,255.00
WATER CAPACITY FEE	1,485,950.00
IMPACT FEES	543,884.00
ENGINEERING FEES	480,422.00
SHSC / TRANSPORTATION CHARGE	921,500.00
TOTAL FEES	5,451,840.60
* AVERAGE ANNUAL UTILITY CHARGE AT BASE RATE	\$151,488.00

TOTAL ESTIMATED PROJECT FEES TO BE PAID TO CITY	\$5,451,840.60
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TOTAL ESTIMATED ANNUAL INCOME TO BE PAID TO CITY	Full \$842,120.00
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ADDITIONAL ON AND OFF SITE ROADWAY COST	
WINTERBROOKE DRIVE	\$ 1,612,100.00
ENSIGN DRIVE	\$ 315,000.00
TOTAL	\$ 1,927,100.00

**ADDENDUM H
WINTERBROOKE PLACE**

INCOME TAX

SECTION	TYPE OF HOUSES	NUMBER OF UNITS	AVERAGE HHI	CITY TAX	TOTAL TAX
WINTERBROOK	52'	112	160,000	2960.00	\$331,520.00
	65'	130	180,000	3330.00	\$432,900.00
	80'	21	200,000	3700.00	\$77,700.00
TOTAL			AVERAGE HOUSEHOLD INCOME		
			174,105	TOTAL ANNUAL INCOME TAX	\$842,120.00
MEDIAN HOUSEHOLD INCOME- CITY OF DELAWARE					
U.S. CENSUS BUREAU 2010					
MEDIAN HOUSEHOLD INCOME- CITY OF DELAWARE					
* STATISTICAL ATLAS 2016					
POWELL MEDIAN INCOME					
147,344					
DOES NOT INCLUDE INCOME TAXES RECEIVED DURING CONSTRUCTION					

PROPERTY TAXES BREAKDOWN

PHASES - WINTERBROOKE PLACE

	NUMBER OF UNITS	AVERAGE SALE PRICE	TOTAL SALE VALUATION	BERLIN TWP	DELAWARE CORP	SCHOOLS
WINTERBROOK						
52' Lots (\$310,000 - \$340,000)	112	\$325,000.00	\$36,400,000.00			
65' Lots (\$375,000 - \$425,000)	130	\$400,000.00	\$52,000,000.00			
80' Lots (\$525,000 - \$575,000)	21	\$550,000.00	\$11,550,000.00			
TOTAL	263	TOTAL	\$99,950,000.00			
		AVERAGE	\$380,038.00	\$217,634.89	\$40,313.84	\$1,876,589.58

WINTERBROOKE PLACE
ADDENDUM I:
PHASE / ENVIRONMENT OF
PROPERTY

PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

**GRDEN PROPERTY
PEACHBLOW ROAD
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO**

Prepared for:

**ARLINGTON BUILDERS, INC.
10590 WELLINGTON BOULEVARD
POWELL, OHIO 43065**

Prepared by:

**CIVIL & ENVIRONMENTAL CONSULTANTS, INC.
250 OLD WILSON BRIDGE ROAD, SUITE 250
WORTHINGTON, OHIO 43085**

CEC Project 172-299

July 6, 2017



Civil & Environmental Consultants, Inc.

ADDITIONAL MATERIALS:

- **Grden Cover Letter and Presentation**
- **Community Impact Assessment**
- **Spreadsheet re: road cost**
- **2002 Fiscal Impact Analysis**
- **Gundling's Letter of Objection**

Bob Grden / Grden LLC

June 3, 2019

10590 Wellington Blvd,

Powell, Ohio

City Council Members,

I would like to thank the City of Delaware for their support in our endeavor to develop approximately 100 acres that my Father has owned for about 30 years. I would also like to give you a brief outline of some of the obstacles we have encountered throughout the process of trying to develop this property. Our largest obstacle was acquiring easements from OhioHealth to cross their 80' strip of land separating us from the City utilities currently stubbed at Belmont Place the development to our west. It took two years and many meetings Matt Weber and Dave Efland attended, to try to convince OhioHealth to grant the easements. We finally have a signed recorded contract with them that will cost us close to \$315,000 to have the needed easements for utility connection. Then we were required to put a no-load roadway through the center of our property which current estimates are \$2.2 million. We also had a problem with the alignment of Ensigns Lane coming from Belmont place that we were required to connect to for a secondary access for us and Belmont Place. Ensigns lane was placed in a position that made it impossible for us to connect without acquiring an easement from a neighboring property owner and also getting a diversion from the radius requirements from the City. After two years of trying to work out something with the Neighbor which seemed as if it was going to happen. I even had a contract and surveyed exhibits drafted, the homeowner changed his mind and wanted additional compensation for the .067 of an acre I needed for the radius. We had to go back to OhioHealth and ask to reroute the roadway so we would not need the neighbor's property to move forward. He is now asking for additional buffering, I have included some professional pictures of the buffering he currently has in place around his entire property. We have also been requested by the Builders we are talking to for smaller lots. We have done some research, and provided that as well, with articles pertaining to lot sizes in general across the country, there has been a steady decrease in lot sizes as you will see from the associated articles. We also encountered a problem with our alignment to Peachblow Road with the proposed development to our South. Metro development wanted this alignment to be moved east so their portion of no-load roadway would be decreased. We had many meetings with the City and County and finally agreed upon a placement of the alignment which is more centered on our property to utilize existing trees at our entrance. The County also agreed to install a fee based roundabout at this intersection. We are also being required to join the Glenn Parkway NCA which will require all our residents to pay 7.5 mills for future roadway improvements to Glenn Parkway. We feel very fortunate to finally be in front of City Council for possible approvals of our preliminary development plan.

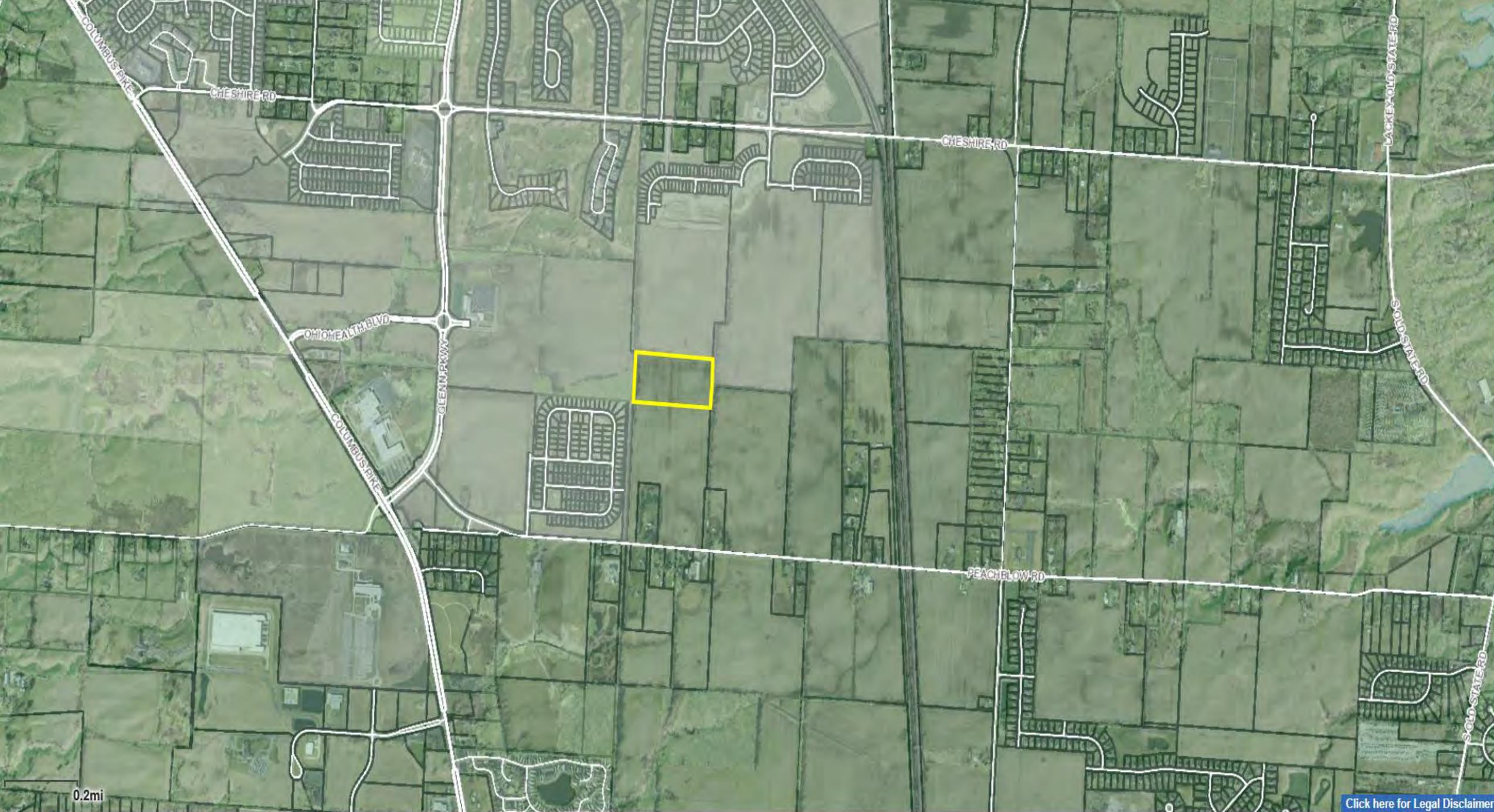
There were some questions raised at our resolution of services hearing regarding the annexation of our property and the ability of the City to maintain these roadways in light of the current problems they are encountering with maintaining roads and associated costs. I did an analysis which I have included with what I have submitted to Dave Efland and the City for our upcoming hearing. I would like to give a brief explanation of the spread sheet and will be available to answer any questions as well. We asked Matt Weber for costs to maintain roadways and he sent us a pamphlet generated by the City including himself and Bill Ferrigno as authors. It details associated costs with maintenance, preservation and

resurfacing of roadways. These are the three costs associated with the costs to maintain roads. I based the life cycle of a road at 25 years which is when less driven residential roads would need to be resurfaced. I calculated an annual cost for all three aspects of road maintenance cost per year then compared this to annual income tax revenue generated by the development and there is a large surplus annually based on projected income ranges. This development will easily maintain their own roadways as well as helping to City with current challenges with older inner City road maintenance costs.

We are looking forward to receiving preliminary development approvals and moving forward with our project on the City's southern border. We have been talking to several builders which have great interest in this project and are anticipating a quick absorption in this already dynamic area.

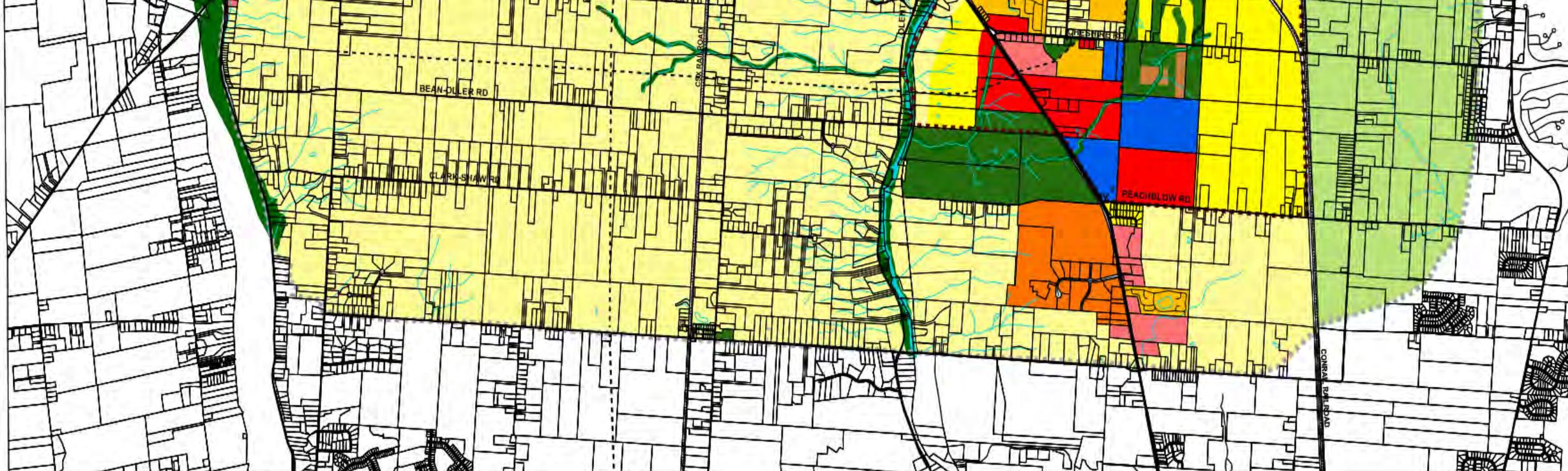
Best Regards,

Bob Grden



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[Click here for Legal Disclaimer](#)

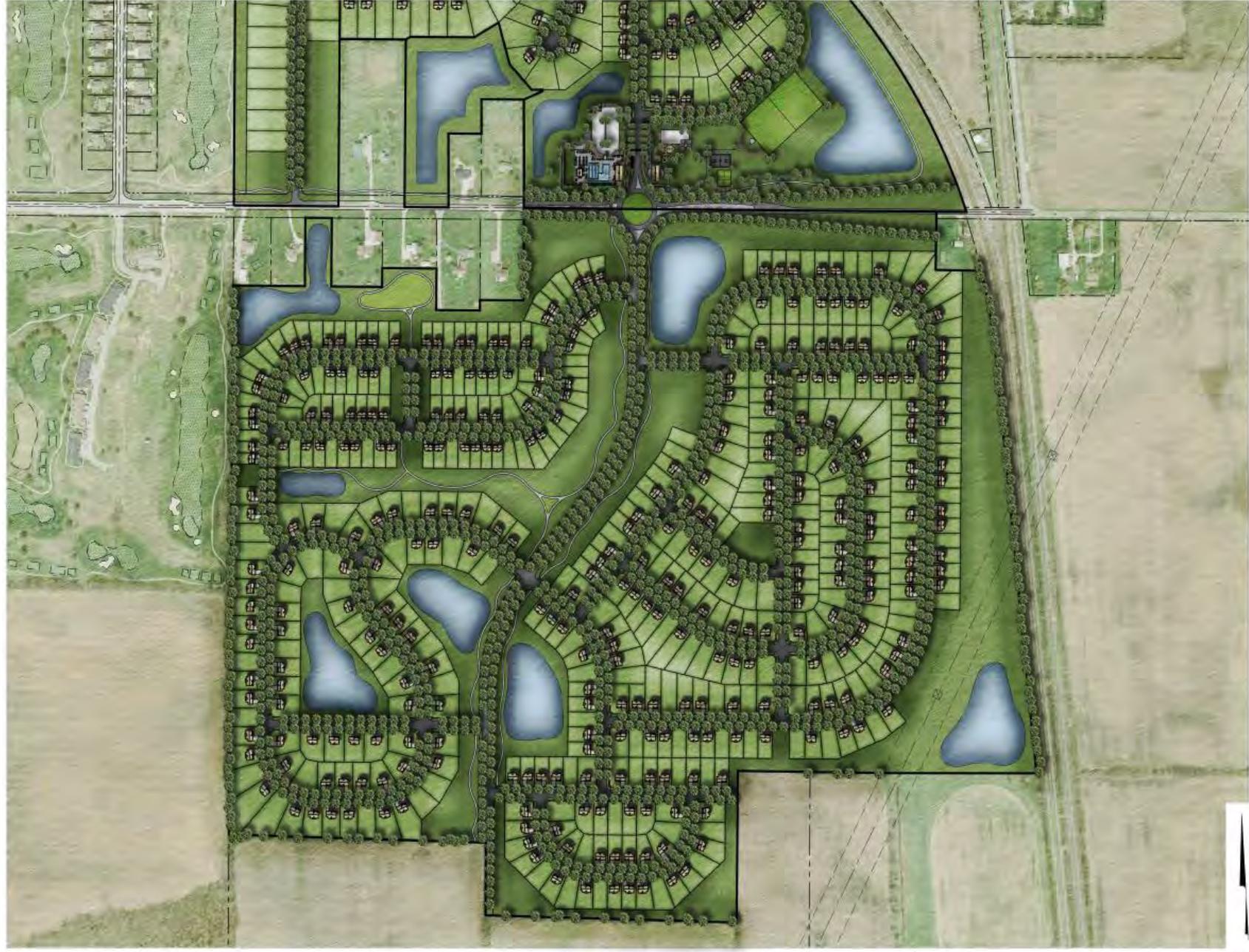


Future Land Use Map

COMPREHENSIVE PLAN

	DENSITY	PREFERRED ZONING FOR UNDEVELOPED SITES		
Agriculture/Rural Residential	Less than 1 du/ac	A-1	Mixed Use	Streams and Rivers
Very Low Density Single-Family	1-2 du/ac	ER-1 and ER-2	Commercial	Existing Arterials
Low Density Single-Family	2-3.25 du/ac	R-1 and R-2	Office/Flex Office	Proposed Arterials
Moderate Density Single-Family	3.25-4.75 du/ac	R-3 and R-4	Institutional	Generalized Future Corporate Boundary
High Density Single-Family	4.75-7.25 du/ac	R-5, R-6, and R-7	Light Manufacturing	North
Low Density Multi-Family	6-8 du/ac	R-5	Heavy Manufacturing	0 0.25 0.5 1 Miles
Moderate Density Multi-Family	8-10 du/ac	R-6	Major Open Space	CITY OF DELAWARE PLANNING & COMMUNITY DEVELOPMENT
High Density Multi-Family	10+ du/ac	R-7 and R-8	Floodplains/Major Greenways	Adopted: 03/08/04 Ord. 04-024 Admndments: 08/23/04 Ord. 04-132 05/23/05 Ord. 05-041 08/07/04 Ord. 04-148 04/04/06 Ord. 06-052
				Railroads Planning Area

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DATE
JUNE 1, 2016

SCALE
None

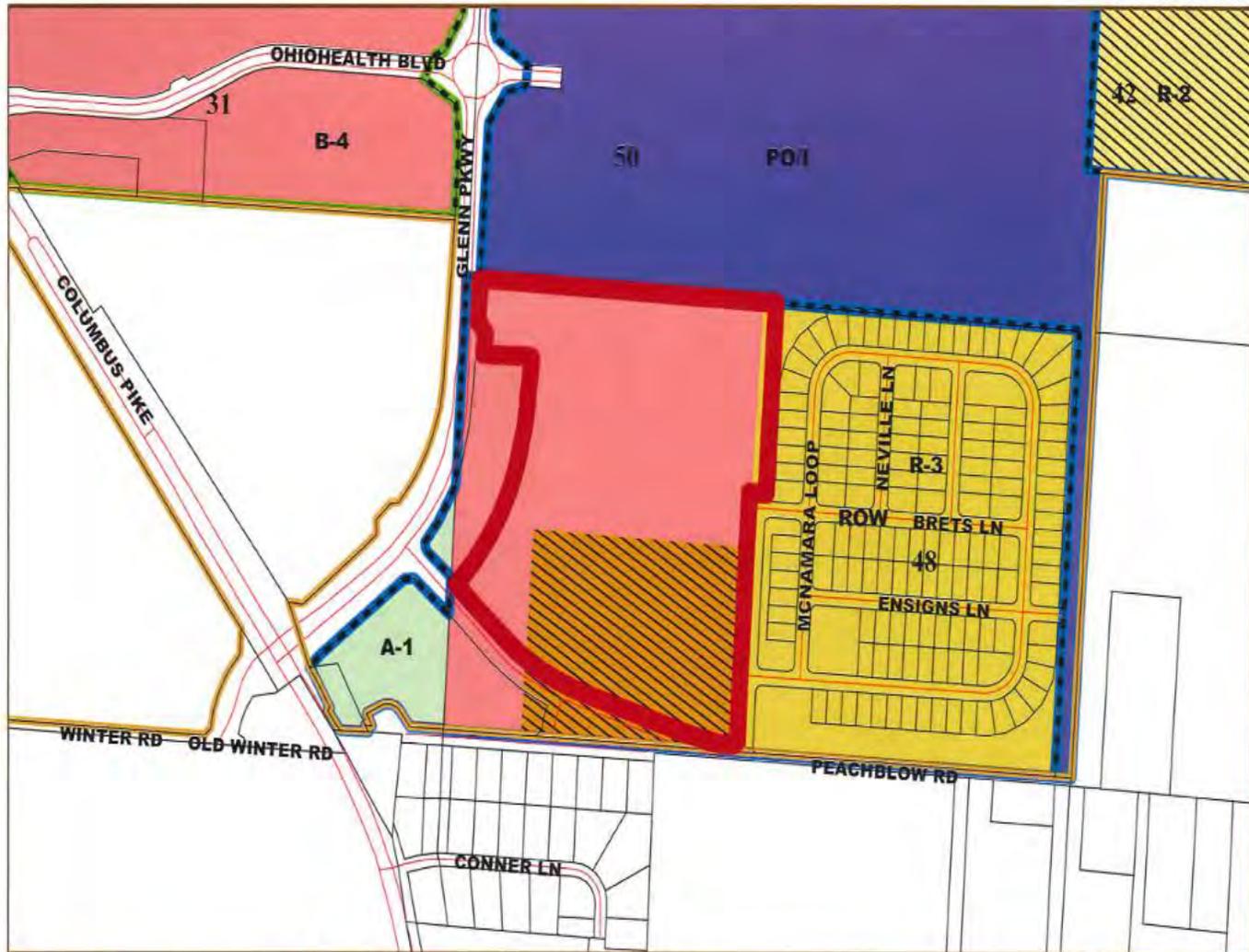
SUB NO.
2009044

SHEET
5/5

CITY OF OHIO STATE COLLEGE ASSISTANT, OHIO
FOR DEVELOPMENT PLAN
**COMMUNITIES AT GLENROSS
ILLUSTRATIVE SITE PLAN**

Pulte
COMMUNITIES
4000 Foothills Parkway, Suite 200
Cincinnati, OH 45240

NO.	REVISION	DATE



EST 1808
CITY OF
DELAWARE
OHIO

2019-0655-0656, 0659-0660
Final Development Plan and Subdivision Plat
Belmont Place - Section 6 & 7
Zoning Map



RPC#09-19zon

Metro Development

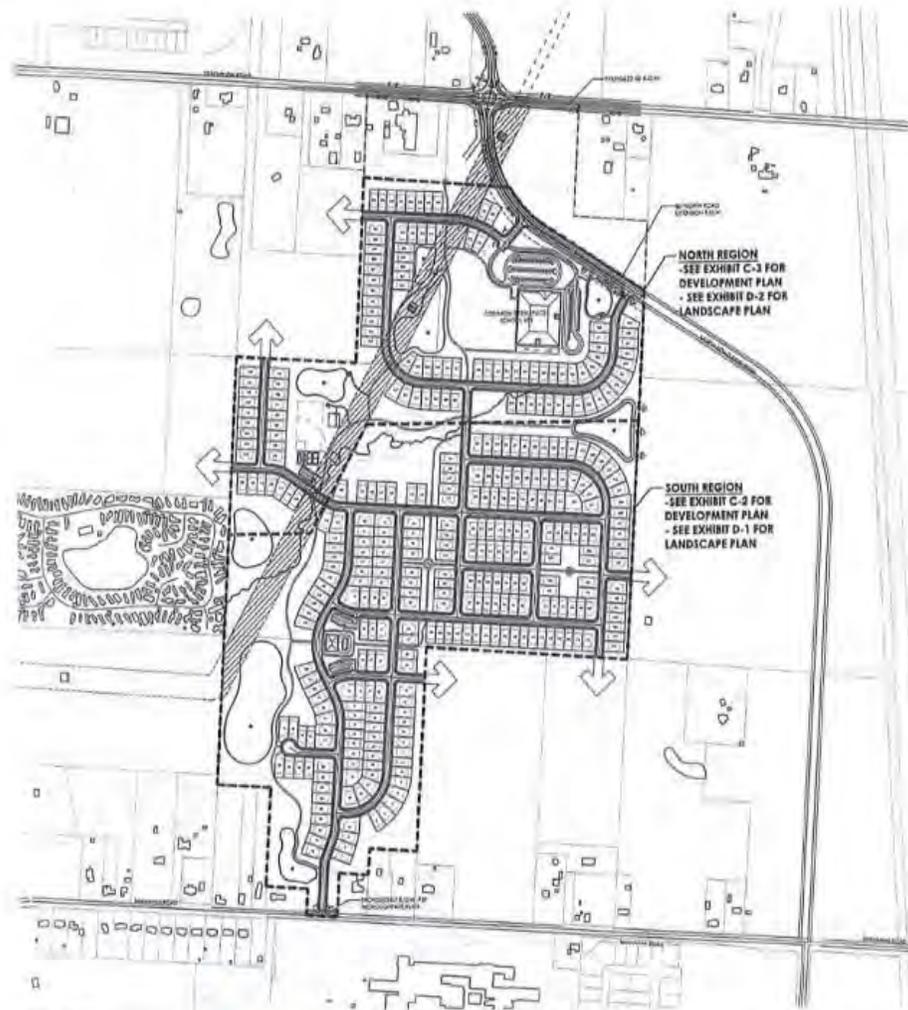
20.85 acres / FR-1 & PID to PCD

Berlin Twp.



RPC#08-19zon
Metro Development
(Berlin Meadows)
183.81 acres / FR-1 to R-3/PRD
Berlin Twp.





NORTH REGION
 - SEE EXHIBIT C-3 FOR
 DEVELOPMENT PLAN
 - SEE EXHIBIT D-2 FOR
 LANDSCAPE PLAN

SOUTH REGION
 - SEE EXHIBIT C-3 FOR
 DEVELOPMENT PLAN
 - SEE EXHIBIT D-1 FOR
 LANDSCAPE PLAN

VICINITY MAP



SITE DATA - R-3 WITH PRD OVERLAY

NET AREA	1.16 AC ±	NET AREA	1.16 AC ±
NET DEVELOPABLE AREA	1.16 AC ±	NET AREA	1.16 AC ±
NET AREA	1.16 AC ±	NET AREA	1.16 AC ±
NET AREA	1.16 AC ±	NET AREA	1.16 AC ±
NET AREA	1.16 AC ±	NET AREA	1.16 AC ±
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REVISED - BZC 19-001
SUBMITTED
03/26/2019

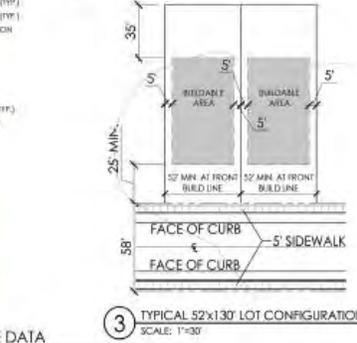
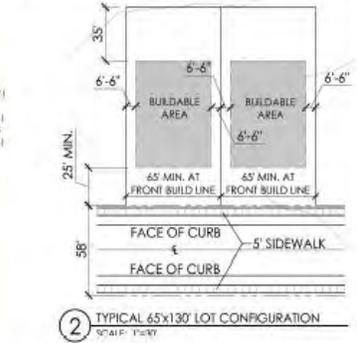
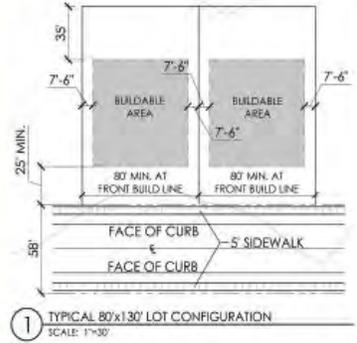


SITE DATA

TOTAL SITE ACRES	6100.688 AC.
TOTAL REQUIRED OPEN SPACE	420.13 AC. (20%)
TOTAL PROVIDED OPEN SPACE	527.47 AC. (22.25%)
REQUIRED PARK OPEN SPACE	510.06 AC. (10%)
PROVIDED PARK OPEN SPACE	616.22 AC. (14.18%)
TOTAL LOTS	263
DENSITY	2.61 DW/AC

LOT SCHEDULE

80' LOTS	21 LOTS (101-121)
65' LOTS	130 LOTS (126-106, 128-216)
52' LOTS	112 LOTS (1-65, 217-263)



REVISIONS

ILLUSTRATIVE PLAN

WINTERBROOKE PLACE
ARLINGTON BUILDERS
POWERED BY AAR

Farris Planning & Design
LAND PLANNING • ARCHITECTURE
1000 N. Street, Suite 100
Arlington, VA 22201
www.farrisplanning.com

DATE: 4/24/19
PROJECT: 17087
SHEET: C-4

PLANT LIST

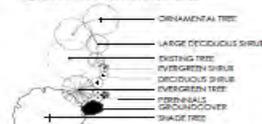
(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SET	COND.	REMARKS
11	AMB	AMELANCHIER * GRANDIFLORA AUTUMN BRILLIANCE	AUTUMN BRILLIANCE SERVICEBERRY	1.5' CAL.	SAB	
5	GPS	IGNACIO BELLA 'RETRICION ENTRY'	RETRICION ENTRY GINKGO	2' CAL.	SAB	
3	ISL	GEORGIA NOLANSTED * INSELS SVYDOSE	STYLIS TROPY LOCUST	2' CAL.	SAB	
4	IG	LIQUIDAMBAR SYRACUSIA 'MOOREAN'	MOOREAN SWEET GUM	2' CAL.	SAB	
11	MAG	MAGNOLIA VIRGINIANA	SWEETBAY MAGNOLIA	1.5' CAL.	SAB	
66	PAB	PICTA ABIES	NORWAY SPRUCE	5-6 HGT.	SAB	
53	PGL	PICTA GLAUCA	WHITE SPRUCE	5-6 HGT.	SAB	
31	POB	PICTA OMBRICA	STRIPED SPRUCE	5-6 HGT.	SAB	
3	PLA	PLATANUS ACERIFOLIA 'MORTON CIRCLE'	EXCLAMATION POINT LONDON PLANE TREE	2' CAL.	SAB	
5	PFB	PYRUS CALLERYANA 'CLEVELAND SELECT'	CLEVELAND SELECT PEAR	1.5' CAL.	SAB	
2	QUR	QUERCUS RUBRA	RED OAK	2' CAL.	SAB	
16	SYR	SYRINGA SPICULATA 'IVORY SILK'	IVORY SILK SYRINGA	1.5' CAL.	SAB	
3	USL	ULMUS * 'HOMERSTAD'	HOMERSTAD ULM	2' CAL.	SAB	
4	ZEL	ZELCOVIA SERBATA 'GREEN VASE'	GREEN VASE ELDER	2' CAL.	SAB	
51	HP	HYDRANGEA PANICULATA 'LANE'	LANE HYDRANGEA	2' CAL.	SAB	
51	HP	HYDRANGEA PANICULATA 'LANE'	LITTLE LANE LANE HYDRANGEA	2' CAL.	SAB	
PERENNIAL/ORNAMENTAL GRASSES			MADONN GRASS			
1	MS	MISCANTHUS SINENSIS 'GRACILIMUS'	MADONN GRASS	2' CAL.	COND.	

*NOTE: ANNUALS TO BE PLANTED BY OWNER. NOT IN INITIAL LANDSCAPE COST.

PLANT KEY TYPICALS

(SEE PLANT LIST FOR SPECIFIC PLANT SPECIES)



CONSTRUCTION NOTES:

- 1) LAWN AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
- 2) LANDSCAPE AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
- 3) ENTRY COLUMN - SEE SHEET D-4/ DETAIL 4
- 4) ENTRY SIGN - SEE SHEET D-4/ DETAIL 5
- 5) WINTER HOUSE - SEE SHEET D-4/ DETAIL 1
- 6) TOP LOT - SEE SHEET D-4/ DETAIL 2
- 7) BOCCO COURT - SEE SHEET D-4/ DETAIL 3
- 8) TEMPORARY SIGN - SEE SHEET D-4/ DETAIL 4

REVISIONS

NO.	DATE	DESCRIPTION

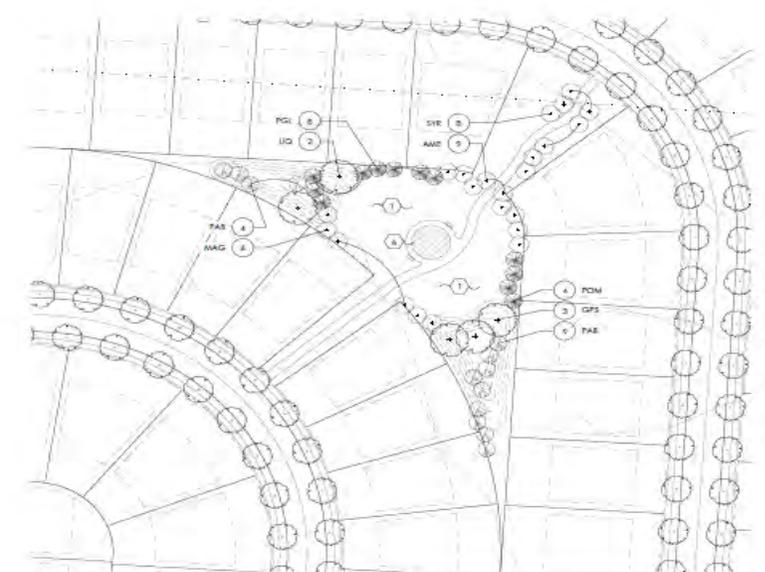
ENLARGEMENT LANDSCAPE PLANS

WINTERBROOKE PLACE
ARLINGTON BUILDERS
1100 WINTERBROOKE BLVD.
FOWLER, CO. MO.

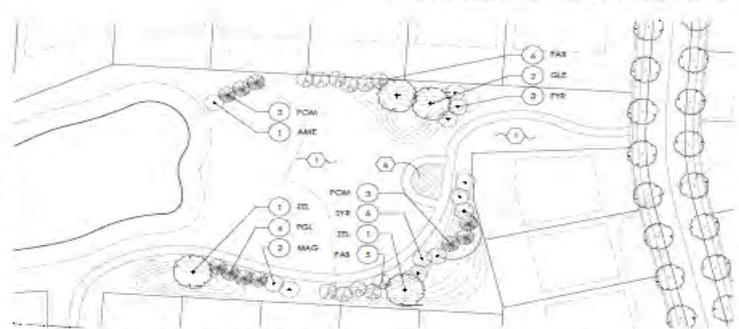
Fair Planning & Design
LANDSCAPE ARCHITECT
1100 WINTERBROOKE BLVD.
FOWLER, CO. MO. 65033
TEL: 660-222-1100 FAX: 660-222-1101
WWW.FAIRPLANNING.COM

DATE	4/24/19
PROJECT	17082
SHEET	

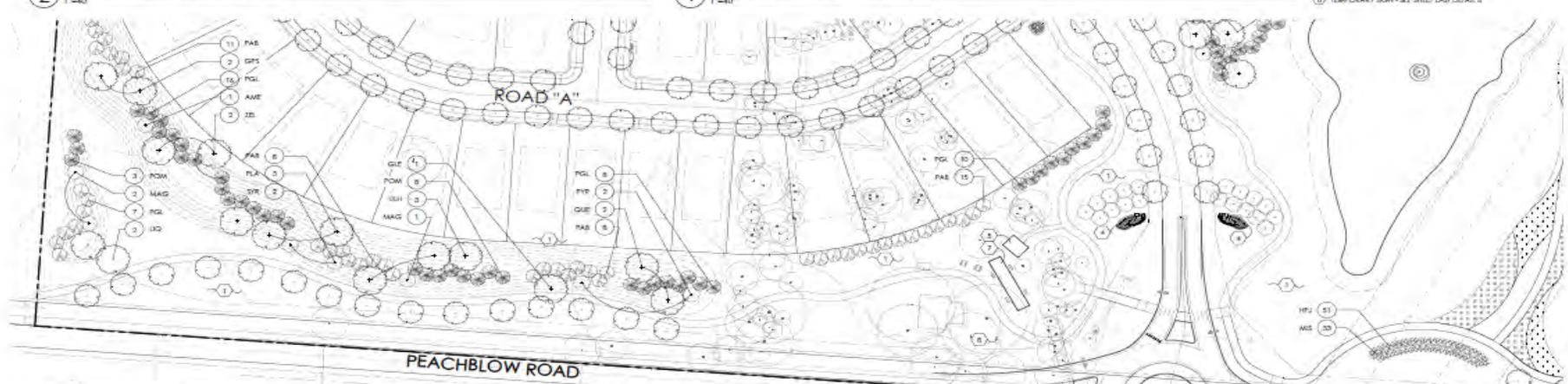
D-3



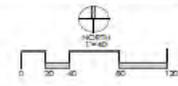
2 NORTHEAST PARK ENLARGEMENT PLAN
1"=40'



1 NORTHWEST PARK ENLARGEMENT PLAN
1"=40'



3 PEACHBLOW ROAD BUFFER ENLARGEMENT PLAN
1"=40'



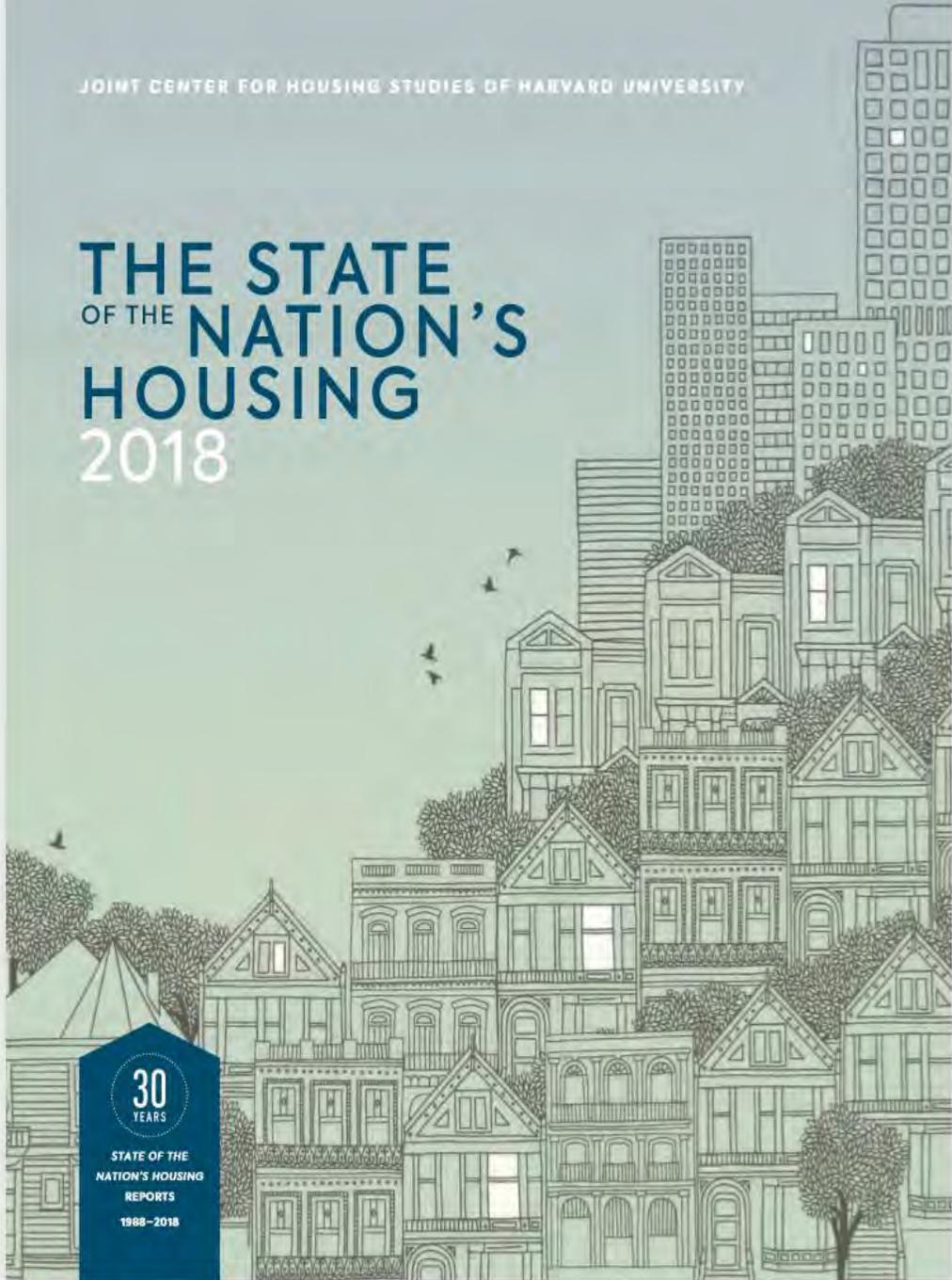
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JOINT CENTER FOR HOUSING STUDIES OF HARVARD UNIVERSITY

THE STATE OF THE NATION'S HOUSING 2018



30
YEARS

STATE OF THE
NATION'S HOUSING
REPORTS
1988-2018

percent contractor fee. While on par with 2017, this represents a 12 percent jump from 2014 after adjusting for inflation.

Modular housing, constructed in factory conditions before being transported and assembled on site, could provide at least part of the answer. Including the value of land, the median price for a new modular unit was \$217,200 in 2016—nearly \$90,000 less than for a new site-built home. To date, however, homebuilders have been slow to adopt this innovation, with only 15,000 modular homes added in 2016. Indeed, modular housing has never accounted for more than 4 percent of single-family construction in the United States. By comparison, modular housing accounts for 9 percent of new homes in Germany, 12–16 percent in Japan, and 20 percent in the Netherlands.

PERSISTENTLY LOW INVENTORIES AND SLOWING SALES

The National Association of Realtors reports that the number of homes on the market fell from 1.65 million in 2016 to 1.46 million in 2017. The single-family inventory alone shrank 11 percent, from 1.45 million to 1.29 million. In December 2017, for-sale inventories were at their lowest levels since at least 1999 for all homes and since 1982 for single-family homes. Meanwhile, the for-sale vacancy rate fell to 1.5 percent in the first quarter of 2018, matching the lowest readings since 1994.

Supplies were tight nearly everywhere (Figure 11). Of the 93 large metros tracked by Zillow, only one had a for-sale inventory of

more than 6.0 months in 2017. Markets in many Western metros were especially hot, with supplies of less than a month in both San Francisco and San Jose. Home sales in Salt Lake City, Seattle, and Stockton also closely tracked the number of homes on the market. At the other extreme, the metros with the largest inventories of available homes were Bridgeport (6.9 months), El Paso (5.6 months), New Haven (5.3 months), Virginia Beach (4.8 months), and Scranton (4.8 months).

Constrained by limited inventory, growth in home sales slowed from 4.5 percent in 2016 to only 1.9 percent in 2017, to a total of 6.1 million units. Although increasing for the third consecutive year, existing home sales led the slowdown with just 1.1 percent growth, to 5.5 million units. The only appreciable upticks in sales (2–3 percent) were in the South and West.

In contrast, new home sales rose 9.3 percent from 2016, to 613,000 units. This was the sixth straight year of growth from the five-decade low of 306,000 units in 2011. More than half (55 percent) of new home sales were in the South, and about a quarter were in the West. Of the remaining sales, 12 percent were in the Midwest and only 7 percent in the Northeast.

CONTINUED CLIMB IN HOME PRICES

Nominal home prices rose 6.2 percent over the course of 2017, even faster than the 5.3 percent increase in 2016. In real terms, home price appreciation was a strong 4.6 percent. As a result, the median price of an existing home rose from \$237,387 in 2016 to \$238,800 in 2017.

Recent home price trends vary sharply across the country. JCHS analysis of the FHFA All-Transactions Index indicates that nominal home prices in 13 of the nation's 100 largest metro areas rose more than 10 percent last year. The biggest increases were in the West, especially the Seattle (14 percent), Las Vegas (14 percent), and Salt Lake City (10 percent) metro areas. Appreciation also hit double digits in Dallas, Grand Rapids, Nashville, and Orlando. In contrast, home prices fell slightly in McAllen and were essentially flat in Bridgeport, Hartford, and New Haven.

By the end of 2017, nominal home prices in 59 of the nation's 100 largest markets exceeded their pre-crisis peaks. Prices were further above peak in metros that experienced only a modest downturn after the crash and then a surge in appreciation, such as Denver (62 percent above peak), Austin (58 percent), Dallas (55 percent), and Houston (44 percent). Other metros with above-peak home prices had posted less of a drop but also a milder rebound. In Albany, for example, home prices fell just 6 percent during the housing crisis, then climbed 10 percent through 2017 to stand 3 percent above the previous peak. Similar trends are evident in Little Rock, Oklahoma City, and Tulsa. In still other metros, home prices rebounded sharply from a severe drop. Los Angeles is one example, where nominal home prices fell by 36 percent after the crash, but now exceeded the previous peak by 3 percent.

FIGURE 11

Inventories of Homes for Sale Continue to Shrink in Markets Across the Country

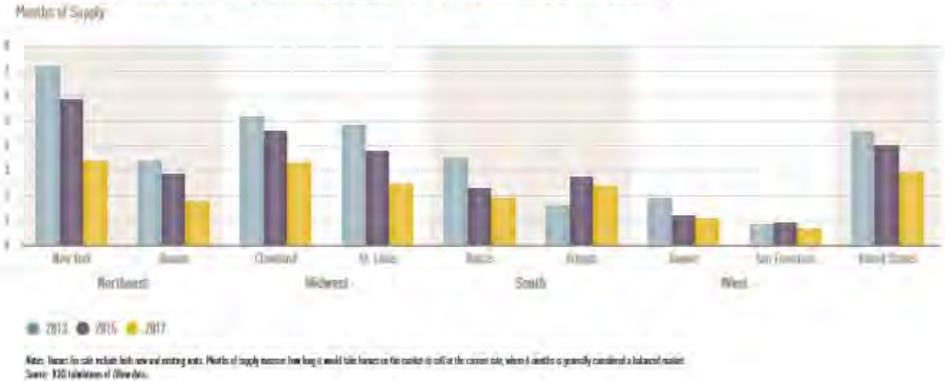


FIGURE 10

Although Increasing Somewhat, Construction of Modest-Sized Housing Remains Limited

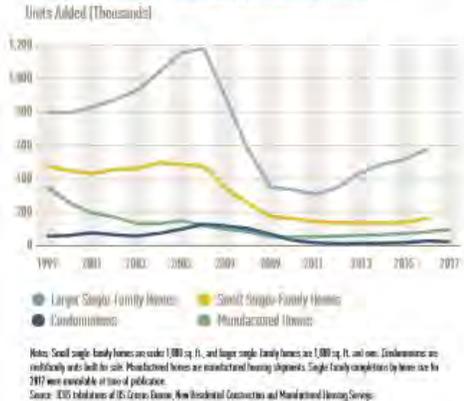
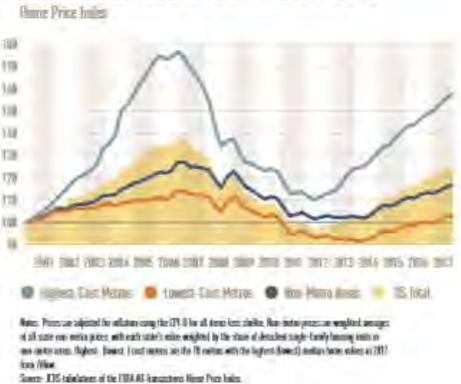


FIGURE 12

Real Home Prices Have Risen in Most Markets Since 2000, But Especially in Highest-Cost Metros



Home prices in markets that experienced the worst boom-bust cycles are lagging the most relative to past peaks. In the most extreme example, prices in Las Vegas plummeted 61 percent and more than doubled since, but still stand 22 percent below peak. Bakersfield, Cape Coral, and Fresno underwent similarly severe cycles, leaving home prices at least 20 percent below peak.

Measured in real terms, home price increases since 2000 have been especially steep in the nation's 10 highest-cost metros (including Boston, New York, San Francisco, and Seattle), where appreciation was an astounding 67 percent (Figure 12). In contrast, prices in the 10 lowest-cost metros (including Dayton, El Paso, Memphis, and Syracuse) were up just 3 percent in real terms over this period.

Real home prices in non-metro areas also climbed by a relatively strong 18 percent in 2000–2017. The largest increases were in the non-metro areas of North Dakota (85 percent), Hawaii (69 percent), Montana (52 percent), and South Dakota (45 percent). Moreover, in 19 of the 47 states with non-metro counties, home price appreciation in those areas outpaced statewide increases. Over this period, non-metro home prices declined in only four states—Michigan (down 6 percent), Ohio (6 percent), Connecticut (2 percent), and Indiana (2 percent).

GROWING CONCERNS ABOUT AFFORDABILITY

Rising prices have made homes less affordable, particularly at the low end of the market. In 2017, real home prices for the lowest-cost homes (selling for 75 percent or less of the median sales price)

were up 6.9 percent—more than twice the 3.3 percent increase in prices for highest-cost homes (selling for at least 125 percent of the median). Between 2000 and 2017, real prices for the nation’s lowest-cost units soared nearly 80 percent, compared with 28 percent for highest-cost units.

The runup in prices is most dramatic in the neighborhoods of the nation’s highest-cost metro areas. In markets where the median home value was above \$250,000 in 2017, home prices appreciated 69 percent on average in lowest-cost neighborhoods and 45 percent in highest-cost neighborhoods in 2012–2017. Although prices in these lowest-cost neighborhoods had dropped sharply after the housing crash, the real median home value ballooned from about \$179,000 in 2012 to \$297,000 by the end of 2017.

Meanwhile, increases in the median sales price of existing homes have outstripped growth in median household income for six years. As a result, the price of a typical existing home sold in 2017 was more than four times the median income. Among the 100 largest metros, 33 had price-to-income ratios above 4.0, including five with ratios above 8.0 (Figure 13).

Topping the list is San Jose, where the median sales price was 10.0 times the median household income, followed closely by Los Angeles (9.5 times), Honolulu (9.2 times), San Francisco (8.9 times), and San Diego (8.1 times). On the flip side, price-to-income ratios

were below 3.0 in 25 metro areas last year, including Pittsburgh, Rochester, Syracuse, Toledo, and Wichita. By comparison, nearly three-quarters of large metro areas had price-to-income ratios below 3.0 in 1988, while only 14 metros had ratios over 4.0.

THE OUTLOOK

The housing sector faces significant challenges in the short term. Labor shortages, rising materials costs, limited land availability, and land-use regulations are all holding down growth in new residential construction. Meanwhile, inventories of existing homes for sale are at all-time lows, pushing up prices and making homebuying more difficult, especially for low- and moderate-income households.

Over the medium and longer terms, however, demographic forces will support a pickup in housing construction. The latest Census Bureau projections indicate that the population of 30–44 year olds, the age group most likely to buy new homes, will increase by 8.5 million over the next decade. Of course, the housing preferences of millennials, as well as the decisions that baby boomers make about aging in place, will determine the types and locations of homes demanded. The critical question, however, is whether the homebuilding industry can supply, and local regulations allow, enough new housing to meet the need for homes affordable to a broad range of households.



With its oldest members now in their late 20s and early 30s, the millennial generation is forming new households in greater numbers and moving to different states in search of opportunity. At the same time, nearly 10,000 baby boomers turn 65 every day, raising the average age of US households. Although wealth is growing, homeowners and those at the top have captured most of the gains, and millions of households have little or no wealth. Going forward, immigration will become an increasingly large, albeit unpredictable, source of population growth and therefore housing demand.

MILLENNIALS PROPPING UP HOUSEHOLD GROWTH

The latest Census Bureau data point to moderate household growth in 2017. The Housing Vacancy Survey, the most consistent source of estimates, puts the increase at 930,000 households, in line with growth in 2016 and well above the annual average in 2006–2011. All three major Census Bureau surveys show that household growth has picked up over the past three years, with increases ranging from 800,000 to 1.1 million annually—above post-recession lows but short of the 1.35 million annual average in 2000–2006.

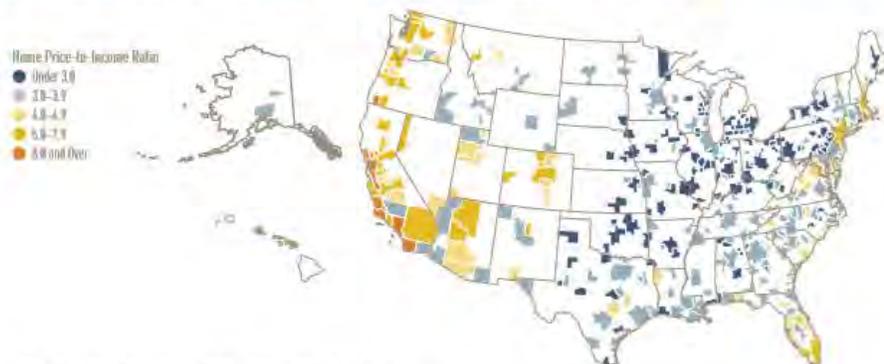
The millennial generation is driving much of the rebound in household growth, forming an average of 2.1 million net new households annually in 2012–2017. The acceleration of household growth largely reflects the sheer number of millennials moving into the age groups most likely to head their own households (Figure 14). For example, when members at the peak of this large generation were aged 20–24 in 2011, only one in four headed an independent household. At ages 25–29 in 2016, that share increased to 42 percent. By the time they reach the ages of 30–34 in 2021, half of this group will likely head households.

Even so, millennials are not forming households at the same rates as past generations at the same ages. In fact, household headship rates among young adults are still declining, albeit more slowly than after the recession. Indeed, 26 percent of adults aged 25–34 were living with parents or other relatives in 2017, while 9 percent were doubling up with non-family members—both shares all-time highs. Still, population growth among young adults has outweighed relatively low headship rates, lifting new household formations and overall household growth.

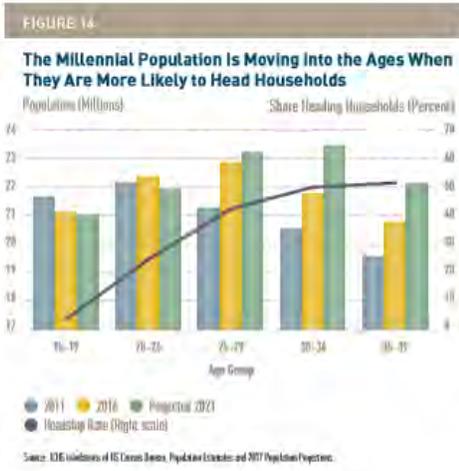
The aging of the US population has also boosted the number of older households because the baby-boom generation is so much larger than the preceding generation. Eight years after the oldest baby boomers hit 65, younger members of that generation are now turning 65 at a rate of 3.6 million a year. In the past 10 years alone, the number of older households grew by over 7 million, rising from one in five households to one in four. By 2035, one out of every three households will be at least 65 years old.

FIGURE 13

Median Home Prices in Most Western Metros Are Five Times Greater than Incomes



Note: Home prices are the median sale price of existing homes and incomes are the median household income within markets.
Source: JCHS tabulations of HUD, Metropolitan Area Price, and Moody's Analytics forecasts.



THE IMPORTANCE OF IMMIGRATION TO HOUSING
 As a major source of adult population growth, immigration has driven a significant share of US household growth over the past three decades. According to Census Bureau data, the number of foreign-born households more than doubled from 7.7 million in 1990 to 17.8 million in 2016, accounting for more than a third of the growth in households over that time. American Community Survey estimates show that the foreign-born share of household growth was even higher in 2006-2016, at 41 percent.

Immigrants have a sizable presence in housing markets, making up 20 percent of renter households and 12 percent of homeowners. While adding to housing demand during expansions, immigrants also bolster demand during downturns. For example, 1.5 million foreign-born households joined the ranks of homeowners in 2006-2016, offsetting the 1.1 million drop in native-born homeowners. Similarly, immigrants buoyed the weak rental market in the late 1990s and early 2000s, adding 1.8 million new renter households at a time when the number of native-born renters declined by 0.6 million.

Immigrants have also helped to stabilize both urban and rural communities that would have otherwise lost population. For example, Philadelphia is among the 47 metro areas where international immigration fully offset domestic outmigration between 2010 and 2017. Also during this period, 3.8 million international immigrants moved to the core counties of the nation's largest metros, compared with a 1.2 million net loss to domestic migration. Another 250,000 international migrants moved to rural counties, helping to replace some of the 800,000 residents lost to outmigration.

Immigrants will become an even larger source of US population growth in the future as natural increase among the native-born population slows (Figure 15). Indeed, even given the Census Bureau's new, lower projections of net immigration, the immigrant share of population growth will increase from 42 percent in 2018 to 67 percent in 2040. As the foreign-born share of population growth rises, so, too, will their share of household growth.

INCOMES RISING BUT DISPARITIES REMAIN
 The recent acceleration in income growth is likely to increase housing demand because higher incomes enable individuals to form new households and existing households to buy homes or make other housing-related purchases. Although flat at \$25,300 in 2016, real per capita incomes were up 6.5 percent over the previous two years and 7.5 percent over the previous three. Per capita income growth in 2013-2016 was especially strong among the age groups most likely to head new households, with median incomes up 12.0 percent among 25-34 year olds and up 11.5 percent among 35-44 year olds (Figure 16).

At last measure, real median household income grew 3.8 percent in 2015-2016 to a record \$59,000. Income gains across all age groups helped to offset previous declines, although to varying degrees. Increases among households in the 25-34 and 35-44 year old age groups were especially large, boosting incomes 3-4 percent above previous peaks. In contrast, median incomes of households aged 45-54 and 55-64 were only back to 2006 levels.

Meanwhile, income growth among older households has been on a steady upward trend. Between 2006 and 2016, the median income for 65-74 year-old households rose 22 percent while that for the 75-and-over age group climbed 15 percent. Indeed, the real incomes of households in these two older age groups were 38 percent and 32 percent higher than those for same-age households in 1988.

Despite substantial gains at the low end of the income spectrum, the gap between rich and poor has widened. Average incomes for households in the bottom income quintile rose sharply in 2015-2016 but, at just \$12,900 in inflation-adjusted terms, were still 5 percent below the previous peak in 2006 and 9 percent below the level in 2000. Meanwhile, average real incomes for households in the top quintile stood at \$213,500 in 2016, up 7 percent from the previous peak and 8 percent from the level in 2000. As a result, the average income of households in the top quintile was 16.6 times higher than the average income of households in the bottom quintile in 2016, compared with 14.0 times in 2000.

Black white and Hispanic-white income gaps also remain sizable. In 2016, the median income for black households (\$39,000) was 40 percent below the \$65,000 median for white households, while that for Hispanic households (\$47,800) was 27 percent below. These disparities are only slightly smaller than 30 years ago, when the black-white income gap was 44 percent and the Hispanic-white gap was 33 percent.

INCREASING INEQUALITY OF WEALTH
 The 2016 Survey of Consumer Finances reports that real median household wealth rose 16 percent between 2013 and 2016, with homeowners reaping most of the increase. Strong growth in home equity lifted the median wealth of homeowners from \$201,600 to \$231,400, while the real median wealth of renter households dropped from \$5,600 to \$5,000. With these changes, the median net wealth of homeowner households was 46 times that of renter households. Even among renters in the top income quartile of all households, median wealth (\$116,900) was well below that of owners (\$710,000).

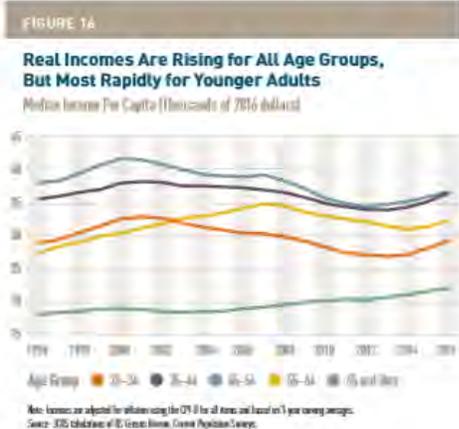
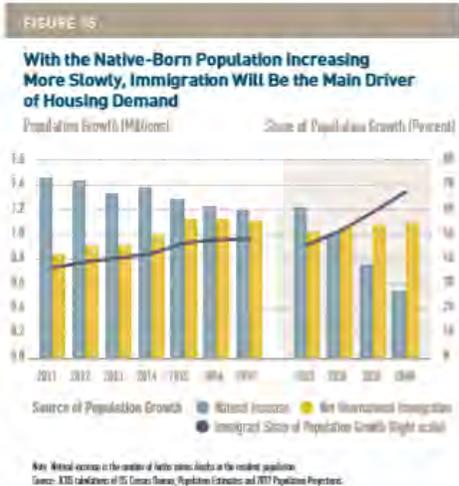
In addition, the median wealth of white households in 2016 (\$162,800) was ten times higher than that of black households (\$16,300) and eight times higher than that of Hispanic households (\$21,400). Low minority homeownership rates are a factor, but the median net wealth of white homeowners was also roughly 2.5 times that of black and Hispanic owners. Moreover, home equity makes up a much larger share of household wealth for the average minority homeowner, accounting for 56 percent among blacks, 65 percent among Hispanics, and 49 percent among all other minorities. By comparison, the share among white homeowners is just 38 percent.

Despite recent gains, the net wealth of younger households remains well below historical levels. Indeed, the median wealth of 25-34 year olds rose 19 percent in 2013-2016, to \$17,600—still 39 percent lower than in 1995. Similarly, the median net wealth of 35-44 year olds was up by 23 percent, to \$59,700, but still lagged the 1995 level by 27 percent. Even among the 45-54 year-old age group, median net wealth of \$124,040 was still 15 percent lower than in 1995. Higher student loan debt and lower homeownership rates among households in these age groups account for much of these disparities.

In sharp contrast, the median wealth of households age 65 and over was \$239,100 in 2016, fully 51 percent above the level in 1995. This increase has occurred despite a 19 percentage-point jump in the share of older owners carrying mortgage debt over this period, to 41 percent. In addition, the median amount of mortgage debt among these older owners was \$72,000, more than double the inflation-adjusted average of \$28,200 in 1995.

Notably, households in the top income quartile posted the largest increase in net wealth in 2013-2016, up 28 percent to a record high of \$621,100. The median net wealth of households in the bottom income quartile, however, rose a modest 7 percent over this period to stand 43 percent below its 2007 peak. Indeed, top quartile households received outsized shares of the income and wealth generated by economic growth over the past three decades (Figure 17). Measured from 1989, \$50 trillion of the \$54 trillion gains in real household net worth went to the top 20 percent of households, while some \$23.6 trillion went to the wealthiest 1 percent.

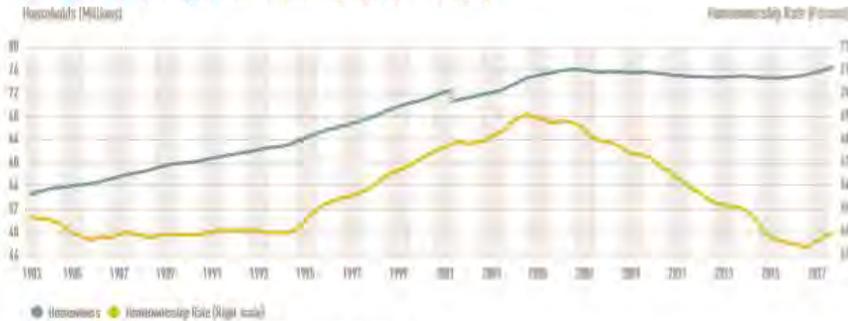
GROWTH IN LOW-WEALTH HOUSEHOLDS
 With so much wealth accruing to so few, the number of US households with little or no wealth is on the increase. After a modest rise



in the 1990s and early 2000s, the number of households with less than \$20,000 in wealth jumped during the last recession from 30.8 million in 2007 to 37.6 million in 2010. In 2016, after several years of economic recovery, 38.5 million households (31 percent of households) had net wealth of less than \$20,000, and 14.4 million of this group (11 percent of all households) had zero or negative wealth.

FIGURE 20

After Years of Decline, the Homeownership Rate Has Turned Up



Notes: HUD and Fannie Mae's annual surveys through the first quarter of 2018. HUD is the benchmark series in 2001-2007 as a result of data availability. Source: HUD (Department of Housing and Urban Development); Fannie Mae.

points below the 1987 level. Moreover, the black homeownership rate is also 6.6 percentage points below its mid-2000s peak, considerably more than the 5.0 percentage point difference for Asians, 3.4 percentage point difference for Hispanics, and 3.7 percentage point difference for whites. Taken together, these trends mean that while the Hispanic-white and Asian-white homeownership gaps have narrowed somewhat over the past three decades, the black-white gap has widened substantially.

Meanwhile, households age 65 and over are the only age group that had higher homeownership rates in 2017 than in 1987, with a gain of 3.3 percentage points bumping their rate up to 78.7 percent. Indeed, the fact that the national rate is now within 0.1 percentage point of its 1987 level reflects the surge in the number of older homeowners. Homeownership rates for all other age groups fell markedly over this period. The rate for 35-44 year olds dropped the most, down 8.3 percentage points to 59.0 percent. The rate for 25-34 year olds also stood at only 39.2 percent last year—well below the 45.5 percent posted 30 years earlier. However, these younger households saw a 0.6 percentage point increase in 2017—the largest homeownership gain of any age group.

CHANGING HOMEOWNER DEMOGRAPHICS

Like the US population overall, homeowners are aging. JCHS analysis of Decennial Census and American Community Survey data shows that the median age of homeowners increased from 50 in 1990 to 56 in 2016, while that of all households rose from 45 to 52. Strikingly, the numbers of homeowners in all five-year age groups under 45 were lower in 2016 than in 1990, while the numbers in all

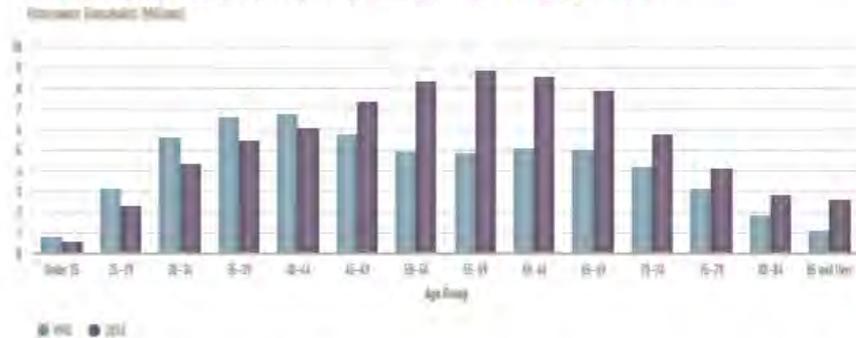
age groups over 45 were higher (Figure 21). The fastest growth has been among households in their pre-retirement years (50s and 60s). Between 1990 and 2016, the aging of the baby boomers pushed up the number of homeowners in their 50s by 75 percent and the number in their 60s by 63 percent. In combination with lower homeownership rates among younger households, these trends mean that the share of homeowners aged 65 and over increased from one in four in 1990 to one in three in 2016.

A 2014 AARP survey indicates that 88 percent of today's age 65 and over adults want to remain in their homes as they age. The growing number and share of older homeowners are therefore likely to have at least two important consequences for the housing market. First, assuming that the baby boomers follow through on their intentions to age in place, the inventory of houses for sale will depend even more heavily on additions to supply over the next two decades. Second, aging-related difficulty with activities of daily living may prompt many older homeowners to modify their homes to improve accessibility, generating sizable growth in the remodeling market.

In addition to being older, US homeowners are also more diverse. Between 1990 and 2016, the share of white owners fell from 86.4 percent to 76.7 percent. Over this period, the number of Asian owners rose roughly 250 percent (3.3 million) and the number of Hispanic owners rose nearly 200 percent (4.6 million). The number of black homeowners increased by a much more modest 39 percent (1.6 million), but still outpaced the 13 percent increase in white homeowners (6.7 million). Hispanic households thus accounted for 28 percent of homeowner growth in 1990-2016, Asians for 20 per-

FIGURE 21

With the Aging of the Baby Boomers, Homeowners Are Much Older Today than in 1990



Source: HUD (Department of Housing and Urban Development); Fannie Mae.

cent, and blacks for 10 percent. Although their numbers are rising much more slowly, white households still contributed 41 percent of the total growth in homeowners between 1990 and 2016.

A growing number and share of homes are owned by immigrants. Indeed, the number of foreign-born homeowners more than doubled to 9.1 million in 1990-2016. As a result, the share of homeowners born outside the US jumped from 7 percent to 12 percent. The 5.0 million foreign-born homeowners added over this period accounted for nearly a third (31 percent) of total homeowner growth, underscoring the important role that immigration plays in the homeownership market.

RISING PRICES BUT RELATIVE AFFORDABILITY

Continuing a steady upward climb, the nominal median sales price of existing homes increased from \$233,800 in 2016 to \$247,200 in 2017. Although higher prices mean larger downpayments, the recent uptick in incomes and persistently low interest rates have kept monthly payments affordable (Figure 22). In fact, the monthly payment for the median single-family home purchased in 2017, assuming a 30-year loan with a 3.5 percent downpayment at the average interest rate, totaled \$1,620 in real terms—slightly below the \$1,650 averaged in the 30 years from 1987 to 2016, but more than \$900 below the real median in 1981 when interest rates were at an all-time high.

However, interest rates on 30-year loans are on the rise, moving up from 3.65 percent on average in 2016 to 3.99 percent in 2017, and then to 4.47 percent in April 2018. In combination with higher

prices, last year's increase pushed up monthly payments on the median-priced home by about \$100 in 2016-2017. If interest rates rise by a full percentage point over the course of 2018, to 4.99 percent, monthly payments would increase by \$142, to \$1,761, even if home prices stay constant. But if interest rates climb to 4.99 percent and home prices also rise at the same rate as in 2017, the median monthly mortgage payment would increase by \$220, to \$1,839.

While still relatively affordable in the nation as a whole, homeownership in some metros remains far out of reach for the typical household (Figure 23). In the high-cost Los Angeles market, for example, a household with the area median income would be able to afford the monthly mortgage payments on only 11 percent of recently sold homes. And because these homes include studio apartments and other small units suitable for only one or two people, the affordable options for families are even more limited. By contrast, even a low-income (bottom-quartile) household in Pittsburgh would be able to afford 26 percent of recently sold homes. Such dramatic differences in affordability contribute to large disparities in homeownership across metro areas. Of the nation's 50 largest metros, Pittsburgh has the highest homeownership rate of 70 percent, while Los Angeles has the lowest rate of 48 percent.

SHRINKING OPPORTUNITIES TO REFINANCE

The drop in mortgage interest rates from above 10 percent in 1988 to below 4 percent in 2012 provided a strong incentive for homeowners to lower their long-term housing costs by refinancing. For example, a homebuyer who purchased a median-priced home in 2002 with a 30-year mortgage, an interest rate of 6.54 percent, and a downpay-

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FEDS Notes



November 03, 2017

Having a Lot Isn't Enough: Trends in Upsizing Houses and Shrinking Lots

Dillon Bowen and Geng Li¹

Properties like those in Figure 1 from a suburban community in Atlanta, Georgia, were a rare sight twenty or thirty years ago.² According to the CoreLogic real estate database, a typical house in this community boasts 6 bedrooms, 5 full baths, and a massive over 8,000 square feet of indoor space. By contrast, the 8,700-square-foot lot on which the house sits is barely large enough to contain it.

Today, this residential community—with its behemoth houses and diminutive lawns—exemplifies a national trend: larger houses built on smaller lots. The median size of single family residences built from 1980 to 2014 grew by 50 percent, from 1,600 to 2,400 square feet. By contrast, during that same time, the median lot size shrank by over 20 percent, dwindling from 11,300 to 8,800 square feet. As a result, we observe a marked increase in the building-to-lot-size ratio, the median of which ballooned from 0.14 for houses constructed in 1980 to 0.27 for those constructed in 2014.

Several recent articles and real estate blogs have noted this trend. A blog entry by CoreLogic, <http://www.corelogic.com/blog/authors/bin-he/2017/04/the-more-the-merrier.aspx#.WZRGW2e3R7b>, for instance, argues that expanding houses and shrinking lots reflect a substitution effect from lots to homes, given the relatively faster appreciation of land prices. Other articles have attributed at least part of this trend to increased proximity to public greenways, parks, and bodies of water, which function as a substitute for private lawns (Cho, Clark, Park, and Kim 2009, https://www.jstor.org/stable/27647865?seq=1#page_scan_tab_contents). Smaller lots may also be indicative of increasing population density in economic centers (McGill 2016, <https://www.theatlantic.com/business/archive/2016/07/lawns-census-bigger-homes-smaller-lots/489590/>), while larger buildings could be the product of changes to zoning regulations (Thompson 2013, <http://www.seattletimes.com/seattle-news/tiny-lots-big-houses-neighbors-feeling-squeeze-despite-ban/>)

the ratio along these dimensions. For example, counties with more expensive properties, higher household incomes, denser populations, and relatively fewer retirees appear to have properties with higher building-to-lot-size ratios.

Figure 2: A Plot of Land and Building Sizes (National Median)

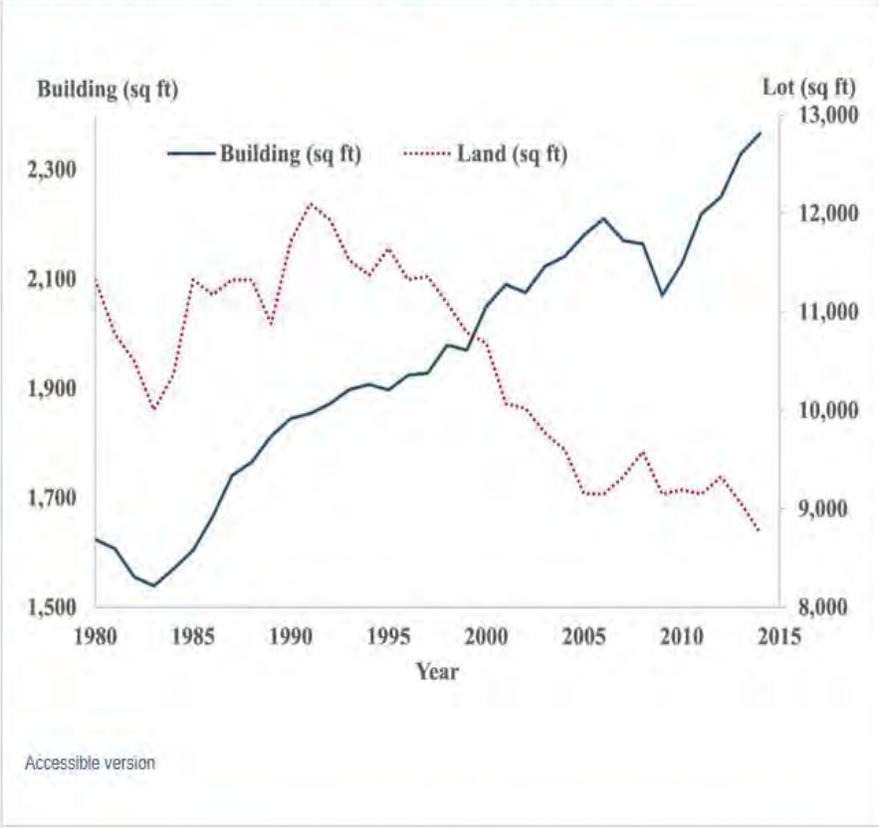


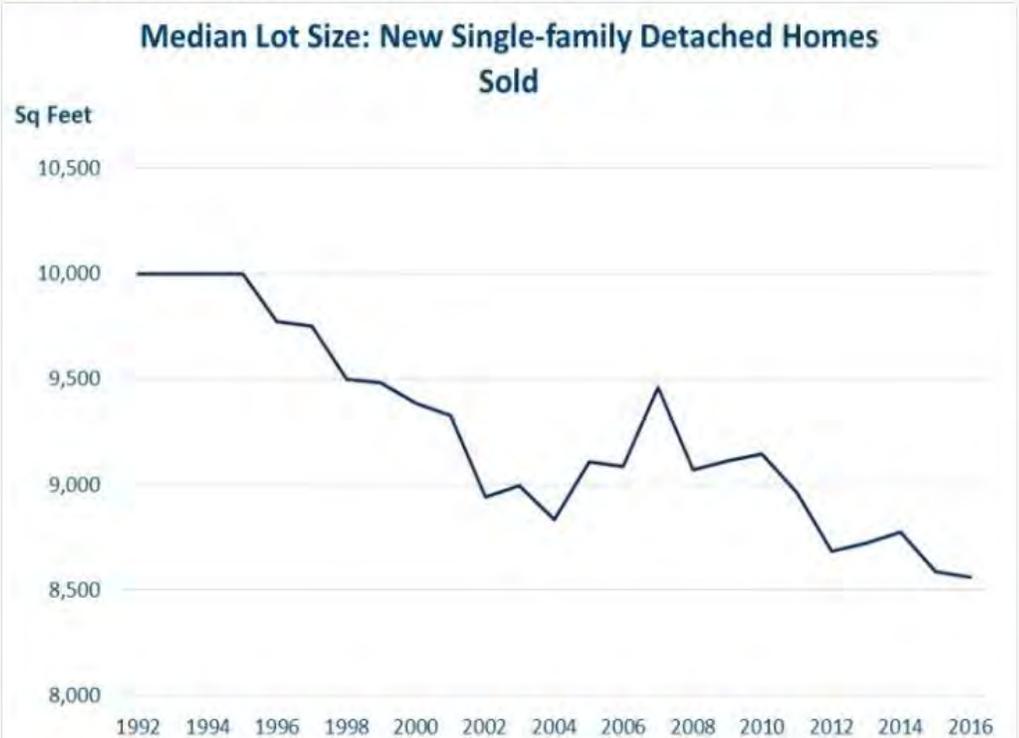
Figure 3: National and Regional Median Building-to-Lot-Size Ratios by Year of Construction



Lot Size is at a New Record Low

BY [NATALIA SINIAVSKAIA](#) on OCTOBER 3, 2017 • [\(0\)](#)

The median lot size of a new single-family detached home sold in 2016 stands at 8,562 square feet, or just under one-fifth of an acre. This is a new record low and a small decline since 2015, when the median lot size fell under 8,600 square feet for the first time since Census Bureau's Survey of Construction (SOC) started tracking the series for single-family detached homes.



Source: US Census Bureau

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May 2: MBA of Pierce County, WA

Average new construction lot size remains at record low

by ANDREW MORRELL

SEPTEMBER 5, 2018



In keeping with a decades-old trend, **an analysis of Census Bureau data** by the National Association of Home Builders found that the median size of a lot on which a new home was built in 2017 reached a record low of 8,560 square feet. While only two square feet less than 2016's median lot size, it is still the lowest the figure has fallen since the Census Bureau began tracking the data in 1992.

Somewhat paradoxically, the size of the typical lot for a new home has been shrinking even as **the footprint of the home itself is growing**. Trulia reported last year that the average home built in 2015 took up **25 percent of available space** on its lot, while homes built 40 years earlier covered just 13.9 percent on average. From approximately 1930 through the 1970s, lots and homes tended to grow in tandem nationwide, according to Trulia.

These trends and data apply only to single-family, detached, speculatively built homes — not custom homes. The distinction is important, according to the NAHB, as custom home lots average around one acre. Meanwhile, lots in newly built subdivisions now average around one-fifth of that (0.2 acres).

Lots may be much smaller or larger than average in certain regions of the U.S. New England states like Maine, Massachusetts and Vermont boasted the highest median lot size — 0.4 acres, or 17,424 square feet. The NAHB explained that many local zoning regulations throughout New England are aimed at reducing density, resulting in an increased median lot size.

The Pacific states of California, Oregon and Washington had the smallest median lot size of 0.15 acres, or 6,534 square feet. These states have higher population densities and less developed land, both of which contribute to smaller lots.

DECEMBER 20, 2018

2019 Housing and Construction Market Trends To Watch

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CONSTRUCTION INSIGHTS



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economist for Dodge Data & Analytics. "After advancing 11% to 14% each year from 2012 through 2015, total construction starts climbed 7% in both 2016 and 2017, and a 3% increase is estimated for 2018."

Home Prices Will Continue Rising. Given the current supply-and-demand situation, it appears likely that home prices in most U.S. cities will continue to rise throughout 2019. This is a continuation of the current market trend, rather than a new development.

According to Zillow, the median home price in the U.S. rose by 8.1% over the past year. They predict that prices would rise by 6.5% over the next 12 months. This forecast was issued in July 2018 and therefore extends into the summer of 2019.

"Strong buyer demand, constrained inventory, and ready-to-buy first timers are the key underlying dynamics driving today's housing market. The macro-factors that have defined real estate in recent years – strong demand and weak supply – continue to set the tone for the industry," said Joe Kirchner, senior economist for [realtor.com](https://www.realtor.com).

Millennials Will Continue to Buy Homes. Why is this important? Millennials make up 34% of American homebuyers in 2017, a greater percentage than any other age group, according to the National Association of Realtors. Around 70% of millennials expect to live in single-family homes by 2020, according to a study from the Urban Land Institute, a real-estate and land-use think tank.

Great Gains in Home Improvement and Remodeling. Builders and contractors can take remodeling to the bank. Literally. This industry segment is up 8% over 2019 to a whopping \$210 billion. Look for this number to continue to rise in 2019 as constrained (and rising) home sales are driving above-average improvements. Demand should remain strong due to rising home prices, increasing wages, and low unemployment.

Mortgage Rates Will Rise. In June 2018, the Mortgage Bankers Association (MBA) updated its long-range forecast. They predicted that average 30-year mortgage rates would rise to 4.9% by the fourth quarter of 2018, and inch upward over 5% in 2019 as well. Economists from Freddie Mac made a similar prediction.

What might the real estate market do in 2019, in response to rising rates? Most likely nothing. The economy is strong and employment is high, so there is steady demand for homes in most housing markets across the country. A modest rise in



PAVE
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Pavement Condition Report

Access Delaware
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Submitted by:

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

Matthew B. Weber, P.E. - Deputy City Engineer

Nathaniel E. McCoy, P.E. - Project Manager

Shane Harding - Engineering Technician

PAVEMENT CONDITION REPORT

2018 UPDATE



The following table summarizes the funding required to address all pavement maintenance work identified through this year's pavement condition evaluation.

2018 Pavement Treatment Cost Summary				
Condition	Miles	Treatment	Cost per Mile	Total Cost
Very Good	40	Preservation	\$7,500	\$300,000*
Good	83	Preservation	\$100,000	\$8,300,000*
Poor	30	Resurfacing	\$375,000	\$11,250,000
Very Poor	6	Reconstruction	\$1,000,000	\$6,000,000

* Preservation costs would be spread over several year period

The purpose of conveying these figures is to demonstrate that the City has fallen significantly behind in spending required funds on pavement maintenance. The most immediate need is to address the 36 miles of pavement that have been rated as "Poor" or "Very Poor", requiring an immediate investment of \$17 million for resurfacing or reconstruction of these streets. Costs associated with treating "Good" streets are typically spread over several years, though an annual expenditure of \$750,000 to \$1,000,000 dedicated toward system preservation would be appropriate for a street network the size of Delaware's. Arguably, from an economic standpoint, treatment of the "Very Poor" streets could be deferred without increased consequence because the majority of pavement deterioration has already occurred. Nevertheless, at current funding levels, the number of streets requiring resurfacing or reconstruction will continue to increase until adequate resources become available to fund a sustainable pavement maintenance program.

Sustainable Pavement Maintenance

Pavement deteriorates at varying rates depending on a number of factors including volume of vehicles and large trucks, pavement drainage and surface maintenance.

High volume (arterial) roads generally require resurfacing every 10 to 15 years, while less travelled residential streets may last up to 25 years and longer if properly maintained. In general, the top course of asphalt on any particular street will remain in "Very Good" or "Good" condition for a longer period if appropriate preservation treatments are applied, thus increasing the pavement's life cycle. To reduce annual maintenance costs, it is recommended that the City introduce a significant amount of preservation effort in its

*83 miles of Delaware's streets
would benefit from an
application of preservation
treatments today*

Road Condition Rating Criteria



VERY GOOD –

- “Like new” condition
- Minor crack sealing may be required
- Asphalt binder shows little or no reveal around individual stones
- Maintenance treatments will add little to no value in extending pavement life



GOOD –

- Light to moderate cracking
- Open transverse joints or cracks
- Repairs in areas may be required
- Asphalt binder shows a minor to moderate reveal around individual stones
- Ideal time to apply preservation treatments in addition to crack seal



POOR –

- Moderate to heavy amounts of cracking
- Minor to moderate structural deficiencies
- Repairs in areas are required
- Asphalt binder failing/light raveling
- Potholes begin to form
- Preservation treatments are no longer an options resurfacing is required.



VERY POOR –

- Severe amounts of cracking
- Significant structural deficiencies
- Widespread repairs required
- Asphalt binder failed/heavy raveling of surface
- Pothole are widespread
- Full depth removal and reconstruction required



Wed 4/24/2019 12:40 PM

Jack Brickner <jbrickner@plannedcommunitiesinc.com>

FW: DELAWARE COUNTY ROAD MAINTENANCE COSTS

To: Bob Grden (arlingtonbuilders@columbus.rr.com)

Message

Pavement Maintenance Plan.pdf (197 KB)

From: Jack Brickner
Sent: Monday, March 04, 2019 4:29 PM
To: Bob Grden (arlingtonbuilders@columbus.rr.com)
Subject: FW: DELAWARE COUNTY ROAD MAINTENANCE COSTS

Bob--info from the County on my maintenace inquiry

Expecting to hear back from Liberty Township this week--which may be more applicable

Jack

From: Ungashick, Jerry [<mailto:J.Ungashick@co.delaware.oh.us>]
Sent: Monday, March 04, 2019 4:25 PM
To: Jack Brickner
Subject: DELAWARE COUNTY ROAD MAINTENANCE COSTS

Mr. Brickner-

Here are the estimated/average dollars/SY for the maintenance of our various roadways.

ROAD/SURFACE	\$0.55/SY (see attachment)
MOWING R/W	\$0.04/SY
SIGNAGE	\$0.09/SY
GUARD RAIL	\$0.01/SY
SNOW & ICE	\$0.16/SY

Above estimated \$ figures do not include:
Drainage/culvert maintenance
Traffic signals
Bridge maintenance
Curb & Gutter maintenance

If you have questions or need additional information please do not hesitate to call.

Jerry



Jerry E. Ungashick
Operations Manager
Delaware County Engineer's Office
a: 50 Channing St., Delaware, OH 43015
p: (740) 833-2415
c: (740) 272-0406
e: jungashick@co.delaware.oh.us
w: www.delawarecountvengineer.org



Public Works Department MEETING MINUTES

Subject: Connection to Peachblow Rd by both Grden Development north of Peachblow Rd and Metro Development (Berlin Meadows) south of Peachblow Rd
Date | Time: 2/21/19 | 9:30-10:30am
Location: Delaware County Engineers Office, Sanitary Engineer's Office Conference Room
Composed By: Carrie F. Fortman, P.E.

DISCUSSION/NOTES

- Present – see scanned sign-in sheet
 - Initial discussion was with respect to
 - o which development would establish the alignment/intersection point of Peachblow Rd.
 - o DCEO requirement that the intersection point of Peachblow Rd be a minimum of 2200-FT from the centerline of the railroads tracks to the immediate east.
 - o Proximity to high tension power lines is of concern. DCEO stated that the intersection of Wilson Rd (Tanger Outlet Mall access) at SR 36 is close to power lines in which the traffic technicians routinely have difficulty servicing the street light, pedestrian lights, and traffic lights due to the presence of static electricity.
 - o J.Thomas stated there is zoning/planning commission meeting next Tuesday (2/26/19) regarding the Berlin Meadows projects with Berlin Township.
 - the school to be within Berlin Meadows is to have a 2020 start date and need to have North Rd (assumed current roadway name/reference for the roadway intersecting Peachblow Rd through the Metro development.
- The sanitary connection to service Berlin Meadows will also be required to be completed, having a currently proposed alignment beginning at 23, near Speedway adjacent to Shannahan) then follow through the Hooks property and working across to the Berlin Meadows development.
- Metro development has been in process for over 2 years now; he stated the traffic study (TIS) was completed 2 years ago. M.Love responded to this

stating that the TIS has not been accepted, and at this time requires amendment to include changes to the commercial portion and addition to the elementary school.

- o J.Picin commented that to date no preliminary engineering has been completed to date for the Metro development
- o M.Shade specified that the Grden development requires approval of both the City and the County.
- M.Weber commented a roundabout has the ability/option to accommodate atypical alignments
- T. Faris commented on the Metro development an adjustment regarding the allowable radius would aid on the impact to commercial lots

S:\Engineering\ENGINEERING DEPARTMENT\LAND DEVELOPMENT PROJECTS\Projects\Grden Property 13-026 (New ID TBD)\Correspondence\2019-02-21 Meeting Minutes.doc



Public Works Department MEETING MINUTES

Subject: Connection to Peachblow Rd by both Grden Development north of Peachblow Rd and Metro Development (Berlin Meadows) south of Peachblow Rd
Date | Time: 2/21/19 | 9:30-10:30am
Location: Delaware County Engineers Office, Sanitary Engineer's Office Conference Room
Composed By: Carrie F. Fortman, P.E.

- R.Riley agreed with M.Weber's comment regarding a roundabout, adding the benefits with navigating the overhead power line support, and preferred intersection type
- R. Riley commented the County would be willing to take contribution from both developers; allowing for a traditional intersection at the start of each respective development. Peachblow Rd improvement would then be made and completed by the County at a suitable future date. County would establish/provide a preliminary alignment for entry from both developments *(after meeting note: On 2/26/19 J.Piccin provided to T.Faris via email the Peachblow-North Concept in PDF format, requesting the layout (for both developments) incorporate this concept).*

- Proximity/minimum distance from overhead power line support will need to be determined.
- Potential to use City collector street lighting standard at the roundabout, as well as City design standards for the roundabout.
- Summary:
 - o County to provide a preliminary roundabout alignment to both developers
 - o Metro to amend their TIS to include the school and submit to DCEO for review and approval.
 - o Upon approval of the TIS completed by Metro, Grden would then amend the TIS to include the Grden development.

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AGREEMENT FOR MUTUAL EXCHANGE OF PARCELS OF LAND

This Agreement for Mutual Exchange of Parcels of Land (the "Agreement") is executed, delivered and made effective as of November ____, 2018 (the "Effective Date"), by and between **JOHN M. GUNDLING AND TONI T. TIBURZIO**, Husband and Wife, at 957 PEACHBLOW RD LEWIS CENTER OH 43035 ("**GUNDLING/ TIBURZIO**"), and **GRDEN LLC**, an Ohio Limited Liability Company with a mailing address of 10590 Wellington Boulevard, Powell, Ohio 43065 ("**GRDEN**").

WITNESSETH:

Background Information and Preliminary Statements

- A. **The Parties and the Properties.** **GUNDLING/ TIBURZIO** is the owner and developer of a tract of land consisting of 5.00 acres located in the Township of Berlin, Delaware County, Ohio (the "**GUNDLING/ TIBURZIO** Property"), which is delineated and identified on the site plan attached hereto as **Exhibit A** and incorporated in the description attached hereto as **Exhibit B** consisting of .067 acres, more or less, of which is included (the "Site Plan"). **GRDEN LLC** is the owner of a tract of land containing approximately 102.011 acres, more or less, (the "**GRDEN** Property"), which is located adjacent to and abuts the **GUNDLING/ TIBURZIO** Property and is also delineated and identified on the Site Plan in Exhibit D and identifies the .482 acres described therein.
- B. **Purpose of This Agreement.** To provide for **GRDEN**, or its successors and/or assigns, by **GUNDLING/ TIBURZIO** a warranty deed for the conveyance of .067 acres for the eventual extension of Ensign Drive to the west and part of the Glenn Road Capital Project and part of the City of Delaware's neighborhood thoroughfare plan upon annexation to the City of Delaware. In exchange for the conveyance **GUNDLING/TIBURZIO**'s .067 acres to **GRDEN**, **GRDEN** will convey by warranty deed to **GUNDLING/TIBURZIO** an area of land consisting of .482 acres, more or less, as an exchange property as specified above.

NOW, THEREFORE, in consideration of the premises, as set forth in the foregoing Background Information and Preliminary Statements, and of the mutual promises herein set forth, and for other good and valuable consideration paid, the parties do hereby grant and convey to each other the following proposed warranty deeds and do hereby make the following related agreements on and subject to the following terms, conditions, covenants, restrictions and provisions, intending to be legally bound hereby:

ARTICLE I

Exchange of Lands by Mutual Agreement

Section 1.1 Mutual Agreement. The Parties hereto mutually agreed to exchange the lands of each other described in exhibits B and D attached hereto

Section 1.2 Exchanged Properties. **GRDEN** agrees to exchange .482 acres, more or less, described in Exhibit D and **GUNDLING/TIBURZIO** agrees to exchange .067 acres, more or less, described in Exhibit B.

Section 1.3 Delivery of Deed Documents. Upon execution of this agreement and within thirty (30) days of the execution of this agreement, the parties hereto shall execute and deliver to each other deeds set forth in Exhibits E and F attached hereto.

ARTICLE II

Terms of Exchange and Acquisition by Parties

Section 2.1 Consideration. The Parties hereto agree that the promise to exchange certain lands described in exhibits B and D and the actual exchange thereof shall be the full consideration for the exchange between the Parties hereto.

Section 2.2 Additional Consideration. **GRDEN** shall additionally pay for all recording charges related to the recording of deeds and the cost of preparation of all legal descriptions and plats thereof. **GRDEN** shall also pay any and all conveyance taxes, if any, on the conveyance of the parcels herein granted.

Section 2.3 Duration of Agreement. This agreement shall be fulfilled and terminated upon the occurrence of the of the leader of the recording of all deeds set forth in Exhibits E and F or the construction Ensign Drive on the property of **GRDEN** described in Exhibits C and D.

ARTICLE III

GRDEN Obligations

Section 3.1 Construction of Ensign Drive on GRDEN Property. **GRDEN**, its successors and/or assigns, shall construct the Ensign Drive extension on its property at such time that said project phase adjacent to the roadway is completed and the roadway shall be constructed in accordance with the requirements of the city of Delaware, Ohio.

Section 3. Restoration. **GRDEN** shall restore the property adjacent to the **GUNDLING/TIBURZIO** in accordance with the preliminary development text approved by the city of Delaware, Ohio and the road construction requirements of the city of Delaware, Ohio. Further, **GRDEN** shall restore the land adjacent to the lands of **GUNDLING/TIBURZIO** to a similar condition prior to construction with allowance for the installation of tree lawn trees in accordance with city regulations.

ARTICLE IV

Defaults and Remedies

Section 4.1. Defaults. If either party (the "defaulting party") should fail to observe any of the terms, conditions, restrictions or provisions of, or should fail to perform any of its covenants or obligations under, this Agreement within a period of 30 days after the other party (the "non-defaulting party") has given to the defaulting party written notice thereof, then the defaulting party shall be in default under this Agreement; provided that if the obligation is of such a nature that the same cannot, with due diligence, be reasonably performed within such 30-day period, then such default shall be deemed to have been cured if the defaulting party commences such performance within such 30-day period and thereafter undertakes and proceeds with due diligence to complete the same and does complete the same within a reasonable time. If a default has occurred and is not cured within the time period specified in this Section 4.1, then the non-defaulting party shall have all of the rights and remedies afforded to it by law and equity and also all of the rights and remedies set forth in Section 4.2 hereof, any one or more of which may be exercised and enforced independently or concurrently at any time after such default, without further notice to the defaulting party and without waiving any of the non-defaulting party's other rights and remedies, and all of which shall, to the extent applicable, survive the termination of any right granted in this Agreement.

Section 4.2. Remedies.

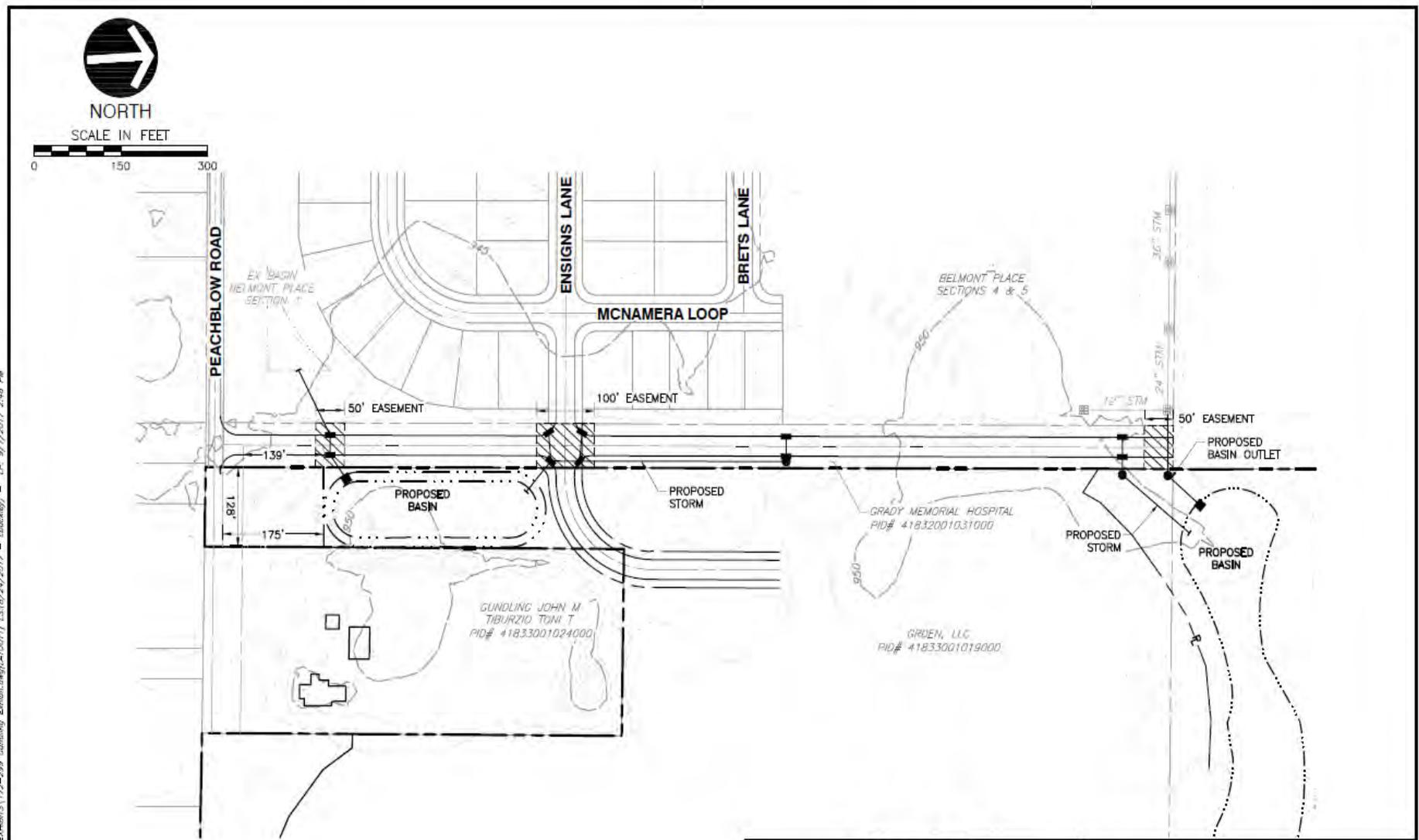
(a) **Cure.** The non-defaulting party may cure any default of the defaulting party under this Agreement; and if the non-defaulting party should do so, then it shall be entitled to be reimbursed for all costs and expenses incurred by it in connection therewith, from either the defaulting party, its contractors, or its insurance carriers.

(b) **Civil Actions.** The non-defaulting party may sue the defaulting party for the specific performance of any obligation undertaken by the defaulting party in this Agreement, for injunctive or other equitable relief, or for damages in any court of competent jurisdiction, in order to recover any such amount as may be due and payable to the non-defaulting party.

ARTICLE V

Indemnification

GRDEN shall indemnify **GUNDLING/TIBURZIO** from any claims for damages to property and or persons arising out of the construction, use and maintenance of Ensign Drive, and the use of the Ensign Drive herein granted, unless caused by the negligence or wrongful intentional acts of **GUNDLING/TIBURZIO**, or its agents, employees, contractors or subcontractors.



P:\2017\172-299\1-CADD\DWG\EXHIBITS\172-299_Gundling Exhibit.dwg(LAYOUT1) LS(R/24/2017 - chuckky) - LP_9/7/2017 2:48 PM



SCALE IN FEET
 0 150 300

 Civil & Environmental Consultants, Inc. 250 Old Wilson Bridge Road - Suite 250 - Worthington, OH 43085 614-540-6633 · 888-598-8808 www.cecinco.com		ARLINGTON BUILDERS PEACHBLOW ROAD	
		OHIO HEALTH ENTRANCE DRIVE DRAINAGE EXHIBIT	
DRAWN BY: MGS DATE: JULY 2017	CHECKED BY: CJB DWG SCALE: 1"=150'	APPROVED BY: DRAFT PROJECT NO: 172-299	FIGURE NO.: 1



FARM LOT 37 P.O.B.
FARM LOT 36
3/4-INCH PIN FOUND

L11
L12
L13
L14
0.092 ACRES

GLENN ROAD CAPITAL LLC
PARCEL - 41833001032000
68.04 ACRES
O.R. 560 PG. 167

GRADY MEMORIAL HOSPITAL
PARCEL - 41832001031000
105.278 ACRES
O.R. 594 PG. 212

GRDEN LLC.
PID: 41833001019000
36.502 ACRES (TO C/L R/W)
O.R. 951 PG. 2796

BASIS OF BEARINGS
THE BEARINGS SHOWN HEREON ARE
BASED ON SOUTH 03°35'57" WEST
FOR THE EAST LINE OF THAT 103.066
ACRES AS SHOWN IN OFFICIAL
RECORD 696, PAGE 2249.



0.184 ACRES

L17
L16
0.067 ACRES
P.O.B.

N 03°36'27" E 639.30'

JOHN GUNDLING
& TONI TRBURZIO
PID: 41833001024000
5.000 ACRES
O.R. 560 PG. 167



MA Smith
MARK ALAN SMITH
REGISTERED SURVEYOR NO. S-8232
DATE 7/21/2011

L7	N 03°36'27" E	100.00'
L8	S 86°23'26" E	80.00'
L9	S 03°36'30" W	100.00'
L10	S 86°23'26" E	80.00'
L11	N 85°49'12" W	80.00'
L12	S 03°36'27" W	50.00'
L13	N 85°49'12" W	80.00'
L14	N 03°36'27" E	50.00'
L15	S 85°27'14" E	200.00'
L16	N 03°36'27" E	87.24'
L17	S 85°27'12" E	55.19'



C&E
Civil & Environmental Consultants, Inc.
250 Old Wilson Bridge Road · Suite 250 · Worthington, OH 43085
614-540-6633 · 888-598-6808

0.092 ACRE EASEMENT
0.184 ACRE EASEMENT
0.067 ACRE EASEMENT
0.092 ACRE EASEMENT
BERLIN TOWNSHIP



- Exp
- Cre
- Edit
- Cor
- Cor
- Org
- Red
- Pro
- Opt
- Fill
- Ad
- Sen
- Mo

Send, PDFs



Tue 4/9/2019 6:14 PM

John @ StraightUp Equipment <jmg@straightupeq.com>

RE: Land swap

To: arlingtonbuilders@columbus.rr.com

Cc: 'David M. Efland'; 'Lance Schultz'

Bob,

Thanks for updating me on your latest plan to incorporate our property into your development. Our last meeting concerning your offer left me at a loss. I'm not quite sure what your offer is. I have talked with other developers and realtors alike that have assured me that \$650,000 is a reasonable price for the property, and we are standing by that number for now.

As far as filing this new rendering with the city, I'm not sure that you can do that without first having it in contract or at least having some type of written agreement with Toni and myself, or without first annexing our property into the City.

Understanding that you have not reached an agreement with Ohio Health or with the city to access the development using their private road is curious to me. Why wouldn't you use the road radius out of Belmont Place that you originally proposed, if you had control of it?

Another initial thought I have when looking at your new rendering concerns the lots to the east side of my property. They straddle the lot line and would require additional land from you. I am still open to working out a deal to sell you our property-at an acceptable price, and on other acceptable terms including that it would be subject only to your getting final rezoning approval.

Please let me know your thoughts on the above questions-and I am confident that we can accommodate your time frame and help make the process go smoothly but only at the price that we have discussed.

John Gundling

From: Arlington Builders [<mailto:arlingtonbuilders@columbus.rr.com>]**Sent:** Monday, April 8, 2019 12:35 PM**To:** 'John @ StraightUp Equipment'**Cc:** 'David M. Efland'; 'Lance Schultz'**Subject:** RE: Land swap[↑ Next](#)[↓ Previous](#)

John,

Wondering if you have given any consideration to the offer we spoke to you and Toni about on the 29th at your house. I have attached a rendering that Todd Faris drafted incorporating your 5 acres into our development we have also allowed for utilities to be connected to your property as well. It is our intention to file this version with the City for approval. After our meeting I assumed you do not plan on staying put, but maybe haven't fully decided. Our thought was to at least provide access to your property through our subdivision with roadway connection and utility access, if we come to terms on an agreement to purchase your property or you could develop yourself or sell to another developer. I will be giving you the option but would like to at least have a decision by the end of the week as to how you would like us to proceed with our proposal to the City. We can propose both options to the City dependent on your input. We are truly giving you the option and as I have stated many times in the past, we are trying to work with you as we move forward. We can either propose to the city the initial drawing I presented to you with more buffering or the attached drawing with the road stubbed into your property for future development, if we were to purchase this is what would make it feasible for us. This version would allow for 16 additional lots and your house on a lot, the lot numbered one would be deleted due to the fact that we would need to reconfigure the pond. Please advise and feel free to call me with any questions.

Thanks,

Bob Grden

From: John @ StraightUp Equipment [<mailto:jmg@straightupeq.com>]**Sent:** Tuesday, March 26, 2019 4:14 PM**To:** 'Bob Grden' <arlingtonbuilders@columbus.rr.com>**Subject:** RE: Land swap

Hey Bob, My wife Toni is just getting over the flu and as I mentioned before, this is a busy week for me. It looks like Friday will work best. Any time after 11:00am. Just let me know if that will work for you. We also thought it might be helpful for you to give us some idea of the options that your considering so we can give them some thought beforehand. Thanks John

From: Bob Grden [<mailto:arlingtonbuilders@columbus.rr.com>]**Sent:** Monday, March 25, 2019 4:12 PM**To:** John @ StraightUp Equipment**Subject:** Re: Land swap

John,



Fri 4/19/2019 12:28 PM

John @ StraightUp Equipment <jmg@straightupeq.com>

RE: Land swap

To: 'Bob Grden'

Cc: 'Elliott, Steven P.'

Bob, I have meet with the city and let them know that I am not interested in having the roadway stubbed into my property. We plan to strongly reiterate this decision again at the hearing on May 1st. Could you please forward your buffering plan for the previous layout dated 3/8/19 that you presented. Thanks John

From: Bob Grden [mailto:arlingtonbuilders@columbus.rr.com]**Sent:** Tuesday, April 9, 2019 8:57 PM**To:** John @ StraightUp Equipment**Cc:** David M. Efland; Lance Schultz**Subject:** Re: Land swap

John,

I have spoken to the City regarding the roadway stubbed to your property, your property does not need to be annexed for us to stub a roadway to it. If you are planning on selling your property and not staying there and truly believe the development will lower your value than I would advise you to request us to stub the roadway into your property. If you have a developer that would like to purchase your property for \$650,000 I will work with them to annex and possibly include your piece within our development but this would have to be done very quickly. I'm not a buyer at \$650,000, I would consider it at \$550,000 as I stated before with the contingency of no opposition through the process and also receiving approvals as currently drawn, but I would have to have the roadway stub. I would consider selling you the extra land you would need to complete the plan as drawn if you or someone else would like develop your piece. We have been talking about this for close to two years now and I need a decision this week on the layout. I just need to know if you plan on selling or staying? If you sell my advice would be to have us stub the roadway, if we were to purchase your property this is the only way it would be feasible financially for us, therefore if you chose to not have the roadway stub I would not be interested in a purchase agreement with you. I am trying to work with you to the absolute best of my ability to take your needs into consideration with in our plan. I'm just at the point where I have to have a decision as to the roadway stub, if you choose this we can talk further about purchase, you could develop yourself, or you could sell to developer and have them develop as we have drafted. If your decision is to not have the roadway stubbed I would be happy to talk to you about buffering and what you would like as far as tree selections and mounding. This all would ultimately all have to be approved by the City as well.

Thanks,
Bob Grden

Sent from my iPad

On Apr 9, 2019, at 6:13 PM, John @ StraightUp Equipment <jmg@straightupeq.com> wrote:

Bob,

Thanks for updating me on your latest plan to incorporate our property into your development. Our last meeting concerning your offer left me at a loss. I'm not quite sure what your offer is. I have talked with other developers and realtors alike that have assured me that \$650,000 is a reasonable price for the property, and we are standing by that number for now.

As far as filing this new rendering with the city, I'm not sure that you can do that without first having it in contract or at least having some type of written agreement with Toni and myself, or without first annexing our property into the City.

Understanding that you have not reached an agreement with Ohio Health or with the city to access the development using their private road is curious to me. Why wouldn't you use the road radius out of Belmont Place that you originally proposed, if you had control of it?

Another initial thought I have when looking at your new rendering concerns the lots to the east side of my property. They straddle the lot line and would require additional land from you. I am still open to working out a deal to sell you our property-at an acceptable price, and on other acceptable terms including that it would be subject only to your getting final rezoning approval.

Please let me know your thoughts on the above questions-and I am confident that we can accommodate your time frame and help make the process go smoothly but only at the price that we have discussed.

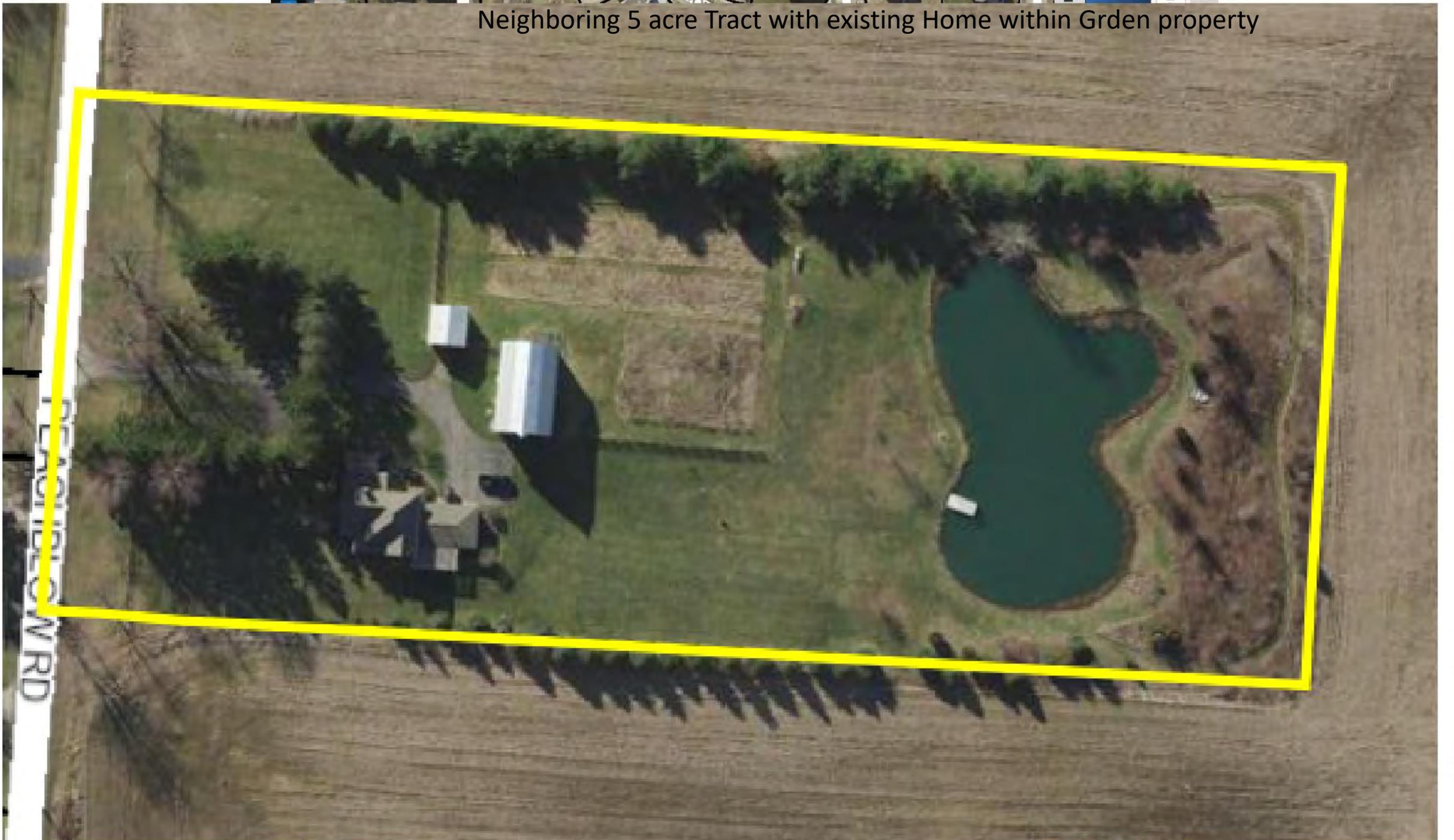
John Gundling

From: Arlington Builders [mailto:arlingtonbuilders@columbus.rr.com]**Sent:** Monday, April 8, 2019 12:35 PM**To:** 'John @ StraightUp Equipment'**Cc:** 'David M. Efland'; 'Lance Schultz'**Subject:** RE: Land swap

John,



Neighboring 5 acre Tract with existing Home within Grden property



PEACOCKBLOW RD

From Peachblow Rd Looking Down West Property Line



Front West Side



photograph
1, from right
to left



Front West Side



Front west
Side

2

ladder marks
the beginning
of the trees



West Rear Corner



Middle West Facing North



Middle West Side



photograph 2, from right to left, at the far left is the curve around to the right.

West Side Facing South



North West Corner



North end existing buffer



Middle Back of Property

right to left, curve to back view of trees at back of barn
and house



North end of property



North East Corner



North East Corner Facing South



Noeth East Corner



East side of Pond



East Property line



East Property Line Facing
South



COMMUNITY IMPACT ASSESSMENT

Project Name	Winterbrooke Place
Applicant	Robert L. Grden Designated Manager
Owner	Grden LLC
Zoning Requested	R-3 with Conditional Use Permit for PMU (Planned Mixed-Use)

A. General Provisions and Requirements:

1. Acreage	100.648 Acres Exclusive of Existing Right-Of-Way
2. Pin Nos.	<u>Parcels Presently in the Township of Berlin, Delaware County, OH until Annexed:</u> 41832001038000; 41833001018000; 41833001018001 and 41933001019000 as is Currently Shown on the Delaware County Auditor's Tax Duplicate
3. Current Zoning	<u>Lands Presently in the Township of Berlin:</u> FR-1 (Farm Residential District)

B. Specific Information

1. Legal Description	See Addendum A attached hereto. Grden LLC currently owns a total of 101.968 acres of which 1.32 acres is the road right of way. See Addendum A-1 for the Legal Description of the 100.648 acres being annexed to the City of Delaware, Ohio. The last recorded survey indicated a total acreage of 102.0138. This was
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	recalculated at the time of the preparation of Map of Annexation and is reflected in the Petition for Annexation.																																
a. Reference	Official Record Vol. 951, Pages 2796-2801, Records Office, Delaware County, Ohio																																
b. Current Land Assessment	Two current Ditch Assessments. One for Ditch Construction and one for Ditch Maintenance which runs from 2018 – 2025.																																
c. Adjacent Parcels/ Including Ownership	<table border="1"> <thead> <tr> <th><u>PIN</u></th> <th><u>Owner</u></th> </tr> </thead> <tbody> <tr> <td>41832001035000</td> <td>PULTE HOMES OF OHIO LLC</td> </tr> <tr> <td>41832001040000</td> <td>PULTE HOMES OF OHIO LLC</td> </tr> <tr> <td>41833001010000</td> <td>EVANS FARM DELAWARE LLC</td> </tr> <tr> <td>41833001013000</td> <td>REBECCA JANE KRUPAR JAMES MATTHEW KOCH</td> </tr> <tr> <td>41833001014000</td> <td>KENNEY ASSET MANAGEMENT LLC</td> </tr> <tr> <td>41833001016000</td> <td>PEACHBLOW LAND II LLC</td> </tr> <tr> <td>41833001017000</td> <td>PEACHBLOW LAND II LLC</td> </tr> <tr> <td>41833001020000</td> <td>JFMG II LLC</td> </tr> <tr> <td>41833001024000</td> <td>JOHN M. GUNDLING TONI T. TIBURZIO</td> </tr> <tr> <td>41833001021000</td> <td>MARK E VANDEVORT NANCY VANDERVORT</td> </tr> <tr> <td>41833001022002</td> <td>PATRICIA ANN LOGAN</td> </tr> <tr> <td>41833001022000</td> <td>PATRICIA ANN LOGAN</td> </tr> <tr> <td>41833001023000</td> <td>MICHAEL E ZYSK RENEE M ZYSK</td> </tr> <tr> <td>41833001022001</td> <td>JENNIFER STRAWSER DYAN STRAWSER</td> </tr> <tr> <td>41832001031000</td> <td>GRADY MEMORIAL HOSPITAL</td> </tr> </tbody> </table>	<u>PIN</u>	<u>Owner</u>	41832001035000	PULTE HOMES OF OHIO LLC	41832001040000	PULTE HOMES OF OHIO LLC	41833001010000	EVANS FARM DELAWARE LLC	41833001013000	REBECCA JANE KRUPAR JAMES MATTHEW KOCH	41833001014000	KENNEY ASSET MANAGEMENT LLC	41833001016000	PEACHBLOW LAND II LLC	41833001017000	PEACHBLOW LAND II LLC	41833001020000	JFMG II LLC	41833001024000	JOHN M. GUNDLING TONI T. TIBURZIO	41833001021000	MARK E VANDEVORT NANCY VANDERVORT	41833001022002	PATRICIA ANN LOGAN	41833001022000	PATRICIA ANN LOGAN	41833001023000	MICHAEL E ZYSK RENEE M ZYSK	41833001022001	JENNIFER STRAWSER DYAN STRAWSER	41832001031000	GRADY MEMORIAL HOSPITAL
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d. Recitation of Covenants Existing or Proposed and Running with the Land	None at Present																																

2. Location and Access	<p>The entire property is located north of Peachblow Road. All access is presently to the south on Peachblow Road with location and access to the east into the Township and county road system and to the west there will be access to Glenn Parkway. If the development is approved, Winterbourne Drive will be constructed through the middle of the development connecting with Winterbourne Drive to the north and eventually the North Street Road extension to the south. Also, if the development is approved a road connection will be made to the west connecting Winterbrooke Place and Belmont Estates at Ensign Lane with an eventual dedication across the Grady Memorial Hospital Property.</p>
3. Adjacent Lands	<p>North - City of Delaware (R-2 One-Family Residential District Pulte Homes of Ohio); East - Township of Berlin (FR-1 Farm Residential). (Evans Farm Delaware LLC Project); South – Township of Berlin FR-1 Housing and Industrial Zoning (Primarily the Kenney Asset Management LLC Development Commercial, Elementary School and Residential Project and Industrial Zoning on the Peachblow Land II LLC Properties). West - City of Delaware Belmont Estates and Glen Road Capital LLC (R-3 One family Residential District and B-4 General Business District; Northwest and West-City of Delaware by Grady Memorial Hospital (PO/I Planned Office/Industrial District)</p>
4. Existing Site Land Use	<p>Current use of lands in the Township of Berlin are Farm/Residential. (FR-1 District). All lands coming into the City are brought into the City of Delaware as agricultural until rezoned.</p>

5. Maps, Charts	See Addendum B attached hereto
6. Environmental Impacts	A Phase One Environmental has been conducted and is attached as Addendum I.
	<p>a. Topography and Drainage: Drainage flow on the property is from northeast to west/ southwest toward the Olentangy River west of the proposed Winterbourne Drive and north to south/ southwest east of Winterbourne Drive. The entire property is sloped towards and part of the Olentangy River Watershed District. See Addendum C, D and E attached hereto.</p> <p>b. Vegetation: This parcel of land has a vegetation in the form of trees in the south-central area of the property. The balance of the acreage has been farming ground for at least 30 years. The remainder of the property is without trees except in the old fence line areas. See Addendum F attached hereto.</p> <p>c. Soils: Map of soils is attached hereto as Addendum G.</p> <p>d. Ecology: Land over the years was agricultural. No unusual vegetation.</p>

<p>7. Air and Noise Pollution</p>	<p>No site activity or uses will be included that will generate any unusual noise or air pollution, except normal dust from farming operations, not normally present in residential developments. There will be a higher level of noise and dust during construction period and will be limited to parcels under construction. Noise from traffic and pollution from existing traffic on U.S. 23 will override any proposed uses that will take place on this property. Traffic is currently not fully using Winterbourne Drive and that may alter vehicle noise in the area. However, most of the traffic will be residential vehicle traffic.</p>
<p>8. Sanitary Sewers & Storm Drainage</p>	<p>At present, drainage is provided by farm tiles and county tiling systems of the 1920's. With development, drainage and retention systems will be installed and constructed on the subject premises to City Standards. Sanitary Sewer and Water are available to be extended to the east through the Grady Memorial Hospital property at Ensign Lane.</p>
<p>9. Traffic and Parking</p>	<p>A traffic study is currently being prepared by Todd Stanhope, Director of Traffic Engineering, Smart Services, Inc. When the traffic study is complete it will be submitted by a separate submission upon coordinating the traffic studies of proposed Berlin Meadows and Winterbrooke Place by the Delaware County Engineer and in coordination with Delaware City Engineer.</p>
<p>10. View Interference</p>	<p>Because of the size of the land and its proposed use and the distance from existing structures planned both to the North, West and South. No significant view interference is expected.</p>
<p>11. Historic Sites</p>	<p>None that applicant is aware of at the present time.</p>

12. Compatibility	The proposed residential development of different houses should enhance and compliment the Pulte Development to the north; Ryan Homes to the west; farm residential development of Evans Farms to the east and south and Kenney Asset Management Development to the south of this project as well as an elementary school site, commercial and existing Industrial uses located in the Township of Berlin opposite the Grden LLC property along Peachblow Road to the South.
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C. Impact on Public Services.

1. Tax Effect	<p>It is difficult to ascertain the overall tax effect of this project. This will be a phased project with various residential uses. Income tax shall be generated from both the Construction Phase and the End Use Phase with three (3) potential residential components, over (5) or possibly six (6) phases.</p> <p>See Addendum H attached hereto.</p> <p>Addendum H includes no income tax projections for the construction phases.</p> <p>A Municipal Impact Fee will be charged as each building permit for each lot is pulled on the project.</p>
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2. Police & Fire	City of Delaware has annexed lands to the north and west. No more impact on police and fire is expected than usual police and fire service to the north, east, west and south of the property and the residential property to the east. A fire station is currently being constructed on Cheshire Road at Glenn Road to the northwest. Police and Fire Impact Fees will be paid as each building permit is pulled for each residential unit prior to construction. Fire Service is also provided by the Berlin Township Fire Department.
3. Schools	The entire project is in the Olentangy Local School District. The residential nature of the project should have no more impact on schools under the residential uses currently being developed on the north and west of the project as well as future residential projects planned for the east and south of the project.
4. Parks and Recreation	The primary development plan will set forth location acreage both for recreation and open space throughout the project. Parks and Recreation Impact Fees will be paid at the time permits are pulled for the construction of each residential unit in the subdivision.

5. Traffic Control	<p>Winterbourne Drive is being constructed through this project through the middle of the property. This is a major spine road running north and south through the center of this project and will serve to connect the proposed Winterbourne Drive to the north and the proposed County's North Street Road connected to the south. Additionally, at Peachblow Road, it is anticipated that Delaware County will either install a roundabout or a lighted intersection</p>
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D. General Requirements	
1. Financial Interest	<p>See Addendum H attached hereto.</p> <p>The expected value of the project at build out at current average sale price is \$99,950,000.00 for housing improvements and lot land value.</p>
2. Coordination	<p>All coordination of services has been with the City of Delaware, Ohio. Intersection and access improvements on Peachblow Road on the south will require input and coordination with City of Delaware and the Delaware County Engineers Office. The Delaware County Engineer has full authority for Peachblow Road.</p>
3. Economic Impact	<p>Demands for police and fire services should be similar to all existing residential developments in the City of Delaware.</p> <p>Economic benefits to the community will be significant to the general retail stores and centers presently in the City and County.</p>

4. Construction Scheduling	It seems likely that this project will be phased in its development once if the rezoning and preliminary and final development plans are approved. Internal construction within the project should be capable of completion in a timely manner.
5. Adjacent Development	See Item B. c. above
6. Alternatives	It appears given the surrounding land uses and the City Masterplan and pre-annexation negotiations, the best use of this land is a residential use with buffering along the south property line and possibly limited along the eastern property line abutting Evans Farm property which is currently buffered by an Ohio Edison High Tension Power Line.

Respectfully submitted,



Michael R. Shade
Attorney at Law

WINTERBROOKE PLACE
ADDENDUM A:
ORIGINAL DESCRIPTION

ADDENDUM A

Situated in the State of Ohio, County of Delaware, and in the Township of Berlin:

Being a Part of Lot Number 28 and 29 in Section 3, Township 4, North, Range 18 West, United States Military Lands, Berlin Township, Delaware County, State of Ohio and being more particularly described as follows:

Commencing at an existing 3/4 inch dia. iron pipe located at the southeast corner of Lot 29, said point being on the centerline of County Road 98 (Peachblow Road);

Thence along the centerline of County Road 98 and common line between Lots 29 and 30 North 88° 00' 00" West for a distance of 333.05 feet to a survey nail set at the southeast corner of hereinafter described 111.169 acre tract and the POINT OF BEGINNING.

Thence continuing along said centerline of County Road 98 and common lot line North 88° 00' 00" West for a distance of 2306.68 feet to a railroad spike set at the Southwest corner of Lot 29 and grantor's southwest corner;

Thence along Grantor's west line north 01° 06' 25" East for a distance of 2262.96 feet to an iron pin set at Grantor's Northwest corner (passing over an iron pin set at a distance of 30.00 feet and the Line between Lots 29 and 28 at a distance of 1647.11 feet, more or less);

Thence along Grantor's North line South 87° 40' 25" East for a distance of 1164.44 feet to an iron pin set on the West line of 39.50 acre tract of land, now or formerly owned by Thomas E. McNamara, Deed Vol. 328, Page 365;

Thence along said West line South 00° 58' 45" West for a distance of 314.78 feet to an iron pin set at the southwest corner of aforesaid 39.50 acre tract;

Thence along the south line of said 39.50 acre tract South 87° 50' 50" East for a distance of 1137.39 feet to an iron pin set at Grantor's northeast corner;

Thence along Grantor's East line South 00° 58' 45" West for a distance of 1938.62 feet to a survey nail set on the centerline of County Road 98 and South line of Lot 29 (passing over the line between Lots 28 and 29 at a distance of 291.45 feet, more or less and iron pin set at a distance of 1907.54 feet) and the PLACE OF BEGINNING.

Containing 24.028 acres, more or less in Lot 28 and 87.141 acres more or less of 111.169 acres, more or less.

This description prepared from a survey performed by Steven A. Fox, Registered Professional Surveyor 7000, and dated March 18, 1989.

EXCEPTING THEREFROM a 4.1552 acre tract:

Situated in the Township of Berlin, County of Delaware, and State of Ohio;

Being a part of Farm Lots 28 and 29, Section 3, Township 4 N., Range 18 W. U.S. Military Lands and being a part of a tract now or formerly owned by Ray L. Grden, Ray D. Grden, Jr., Gary P. Grden and Robert L. Grden, as described in Deed Book 512, Page 421, more particularly described as follows:

Beginning at a railroad spike found in the centerline of County Road 98, Peachblow Road, and at the common corner of Farm Lots 29, 30, 35 and 36 being THE TRUE PLACE OF BEGINNING;

Thence from said POINT OF BEGINNING and with the line common to Farm Lots 29 and 36 and the east line of the property now or formerly owned by Neil K. Rammelsberg and Helen E. Rammelsberg, as described in Deed Book 283, Page 149, North $01^{\circ} 03' 26''$ East (passing at 30.00 feet an iron pin set) a total distance of 1671.97 feet to an iron pin found at the common corner of Farm Lots 28, 29, 36 and 37;

Thence with the line common to Farm Lots 28 and 37, also being the east line of a tract now or formerly owned by Young Soon Lee, as described in Deed Book 504, Page 79, North $01^{\circ} 03' 26''$ East a distance of 590.74 feet to an iron pin set;

Thence with the south line of a tract now or formerly owned by Robert G. Borrows Trustee as described in Deed Book 477, Page 664, South $87^{\circ} 40' 21''$ East a distance of 80.02 feet to an iron pin set;

Thence through the parent tract South $01^{\circ} 03' 26''$ West (passing over an iron pin set at 2232.25 feet) a total distance of 22.62 25 feet to a railroad spike set in the centerline of Peachblow Road and on the south line of Farm Lot 29;

Thence with the line common to Farm Lots 29 and 30 North $80^{\circ} 00' 00''$ west a distance of 80.01 feet to the TRUE POINT OF BEGINNING. **Containing 4.1552 acres**, more or less. Farm Lot 28, containing 1.0853 acres, and Farm Lot 29 containing 3.0699 acres, more or less.

All iron pines set are 5/8" solid iron pins with yellow plastic caps stamped Stults and Associates.

Bearing system based on center line of Peachblow Road County Road 98 taken from Deed Book 497, Page 263.

This tract is not intended to create a building site.

EXCEPTING THEREFROM a 5.00 acre tract:

Situated in the Township of Berlin, County of Delaware, and State of Ohio;

Being a part of Farm Lot 29, Section 3, Township 4, North, Range 18 West U.S. Military Lands and being a part of a tract now or formerly owned by Ray L. Grden, Ray D. Grden, Jr., Gary P. Grden, and Robert L. Grden, as described in Deed Book 512, Page 421, more particularly described as follows:

Commencing at a railroad spike found in the centerline of County Road 98, Peachblow Road, and at the common corner of Farm Lots 29, 30, 35 and 36.

Thence along the centerline of County Road 98 (S. 88° 00' 00" East) a distance of 200.03 feet to a railroad spike set at the PLACE OF BEGINNING.

Thence north 01° 03' 26" East (passing over an iron pin set at 30.00 feet) a total distance of 726.00 feet to an iron pin set;

Thence south 88° 00' 00* East a distance of 300.04 feet to an iron pin set;

Thence South 01° 03' 26" West (passing over an iron pin set at 696.00 feet) a total distance of 726.00 feet to a railroad spike set in the centerline of Peachblow Road and on the south line of Farm Lot 29;

Thence with the line common to Farm Lots 29 and 30 North 80° 00' 00" West a distance of 300.04 feet to THE TRUE POINT OF BEIGNNING.

Containing 5.00 acres, more or less.

All iron pins set are 5/8" solid iron pins with yellow plastic caps stamped Stults and Associates.

Bearing system based on centerline of Peachblow Road County Road 98, taken from Deed Book 497, Page 263.

LEAVING 102.0138 ACRES, MORE OR LESS.

WINTERBROOKE PLACE

ADDENDUM A-1: ANNEXATION DESCRIPTION



Civil & Environmental Consultants, Inc.

ADDENDUM A-1

DESCRIPTION OF A PROPOSED ANNEXATION OF A 100.648 ACRE TRACT TO THE CITY OF DELAWARE DELAWARE COUNTY, OHIO

Situated in the State of Ohio, County of Delaware, Township of Berlin, located in Farm Lots 28 and 29, Section 3, Township 4, Range 18, of the United States Military Lands, and part of 45.968 acres, 5.001 acres, 36.502 acres and 14.542 acres as described in deed to Grden LLC, of record in Official Record 951, Page 2796, all being of record in the Recorder's Office, Delaware County, Ohio and being more particularly described as follows:

BEGINNING, at a common corner of said 45.968 acres and a 90.584 acres as described in deed to Pulte Homes of Ohio LLC, of record in Official Record 1327, Page 1465, and said corner being an angle point in the existing City of Delaware Corporation Line as established by Ordinance Number 06-67 and of record in Official Record 718, Page 2150;

Thence South 00°58'45" West, with the west line of a 44.049 acre tract as described in deed to Evans Farm Delaware LLC, of record in Official Record 1334, Page 2672, a distance of 1908.62 feet, to a point on the north right of way line of Peachblow Road (Co. Rd. 98, 60 foot right of way);

Thence North 88°00'00" West, with the north right of way line of Peachblow Road, a distance of 1806.56 feet, to a point on the east line of a 5.000 acre tract described in deed to John Gundling and Toni Tiburzio, of record in Official Record 560, Page 167;

Thence North 01°03'26" East, with the east line of said 5.000 acres, a distance of 696.00 feet, to a point at the northeast corner of said 5.000 acre tract;

Thence North 88°00'00" West, with the north line of said 5.000 acres, a distance of 300.04 feet, to a point at the northwest corner of said 5.000 acre tract;

Thence South 01°03'26" West, with the west line of said 5.000 acres, a distance of 696.00 feet, to a point on the north right of way line of Peachblow Road;

Thence North 88°00'00" West, with the north right of way line of Peachblow Road, a distance of 120.02 feet, to a point on the east line of a 105.278 acre tract as described in deed to Grady Memorial Hospital, of record in Official Record 594, Page 212 and an angle point in the existing City of Delaware Corporation Line as established by Ordinance Number 05-15, of record in Official Record 740, Page 394;

Thence North 01°03'26" East, with the west line of said 36.502 acres and said 14.542 acres and the east line of the said 105.278 acre tract and the said existing City of Delaware Corporation Line, a distance of 2232.71 feet, to a point on the south line of a said 90.584 acre tract and the said existing City of Delaware Corporation Line.

Thence with said 90.584 acres and the existing City of Delaware Corporation line the following course:

South 87°40'25" East, a distance of 1084.42 feet, to a point;

South 00°58'45" West, a distance of 314.78 feet, to a point;

South 87°50'50" East, a distance of 1137.39 feet, to a point at a common corner of said 45.968 acres and a 90.584 acres, containing 100.648 acres, more or less, being approximately 21.272 acres in Farm Lot 28 and approximately 79.376 acres in Farm Lot 29.

4769.09 lineal feet of perimeter is contiguous with the existing corporation line of the City of Delaware.

A total of 10296.52 lineal feet of annexed perimeter.

46.3% of the perimeter of the annexed area is contiguous to the existing city of Delaware Corporation Line.

Being an Expedited II annexation.

No island of unincorporated area is being created with this annexation.

All bearings and distances shown on this survey are per deed of record and not the result of an actual boundary survey.

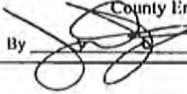


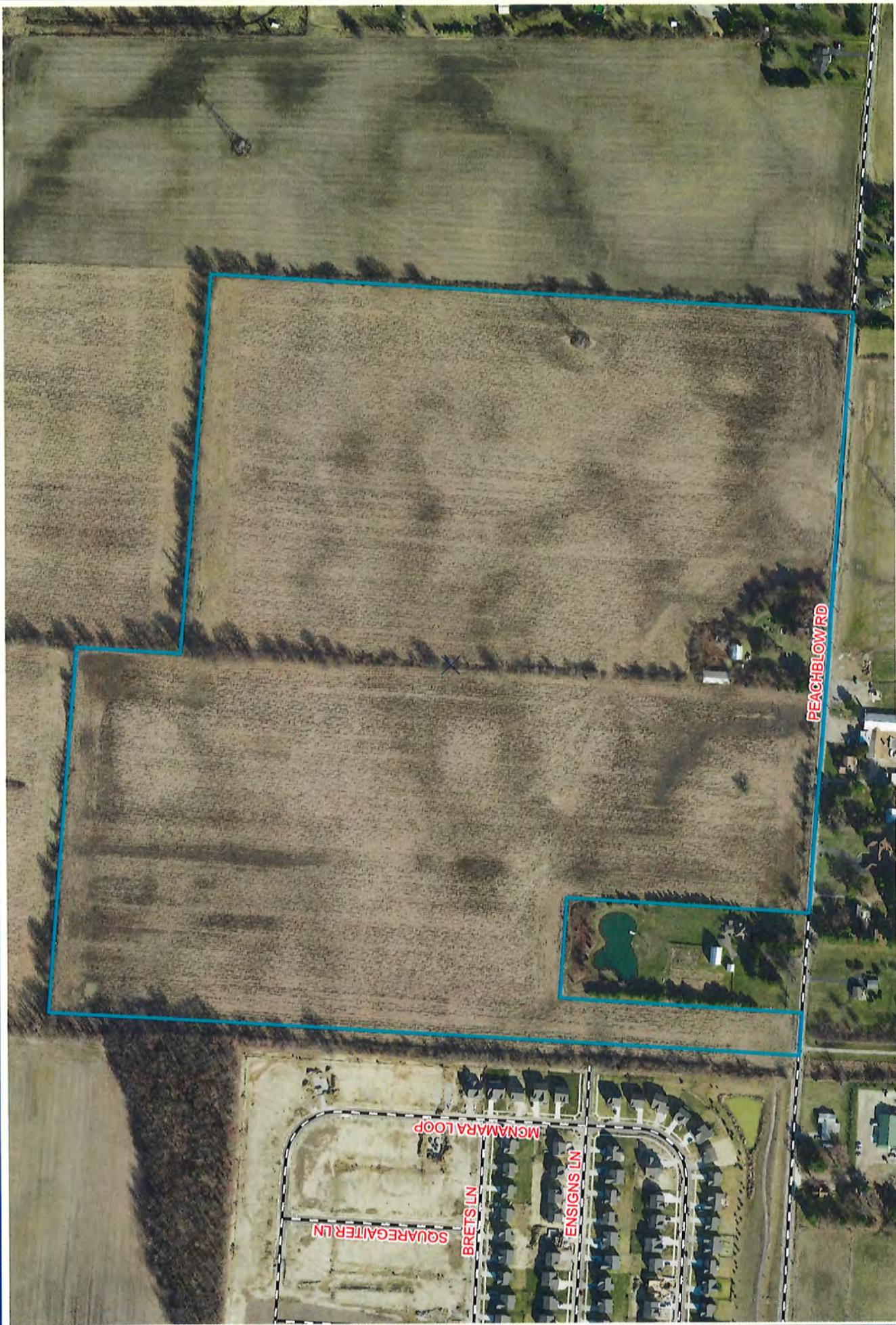
CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

8/03/2017

Mark Alan Smith, P.S.
Registered Surveyor No. 8232

Date

County Engineer Delaware County, Ohio	
I hereby certify the within to be a true copy of the document that is on file in the Map Department.	
CHRIS E. BAUSERMAN, P.E., P.S. County Engineer	
By 	Date 8/7/17

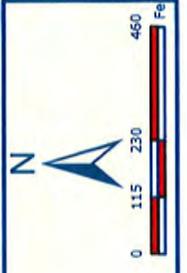


Delaware County Auditor
George Kaitsa

**WINTERBROOK PLACE
ADDENDUM B: MAP OF PROPERTY**

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 mapping data shown is approximate and this information cannot be construed or used as a "legal description" of a parcel. Aerial photo is courtesy of Delaware County Auditor's office. Please report any errors to the Delaware County Auditor's office. Prepared by: Delaware County Auditor's GIS Office on March 2015.



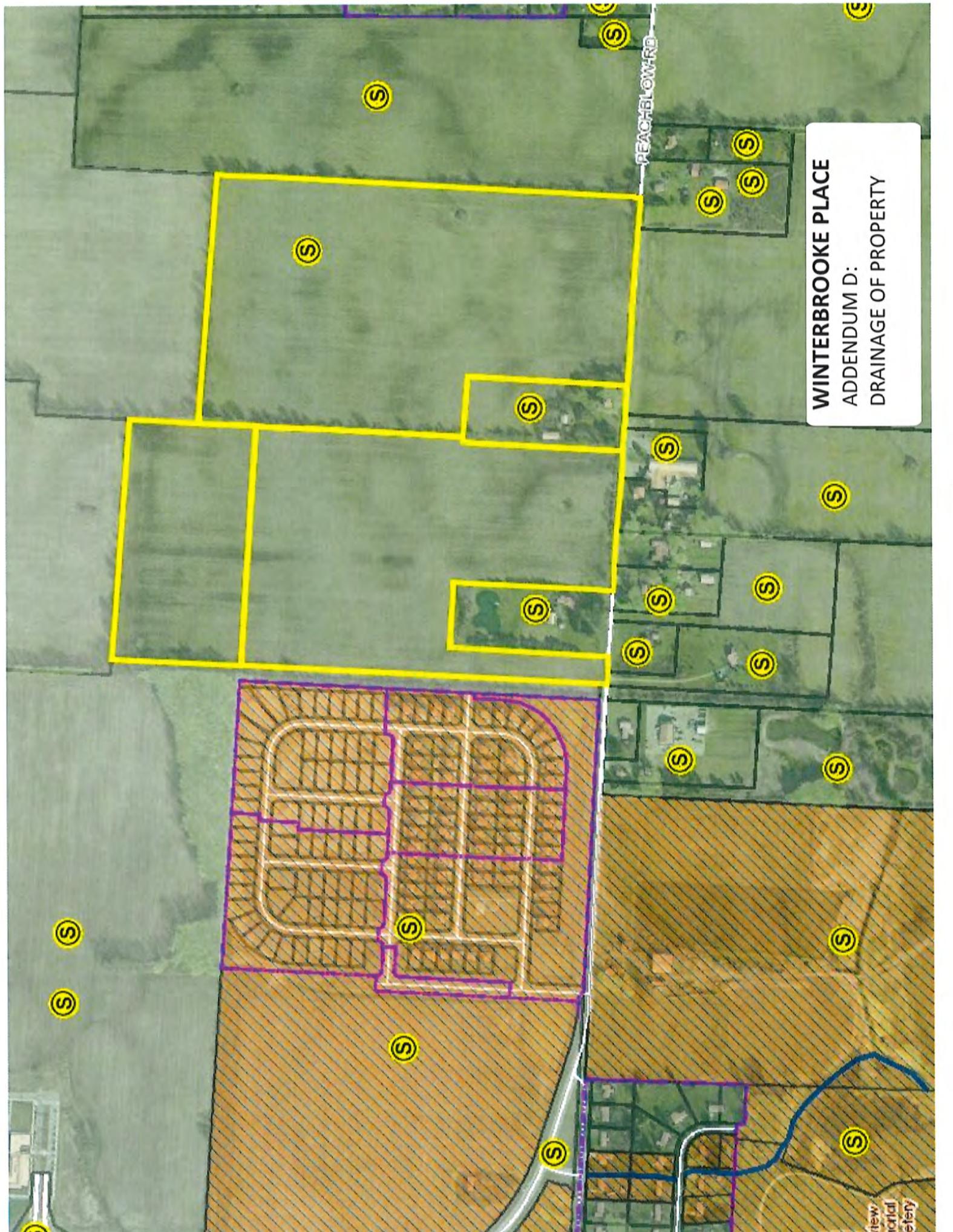


WINTERBROOK PLACE
ADDENDUM C: TOPOGRAPHY OF PROPERTY

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 accuracy or completeness of the information shown on this map. Aerial photo is current as of April 2015. Please report any errors or omissions to the Delaware County Auditor's office. Prepared by: Delaware County Auditor's GIS Office on March 2015.



Delaware County Auditor
 George Kaitsa

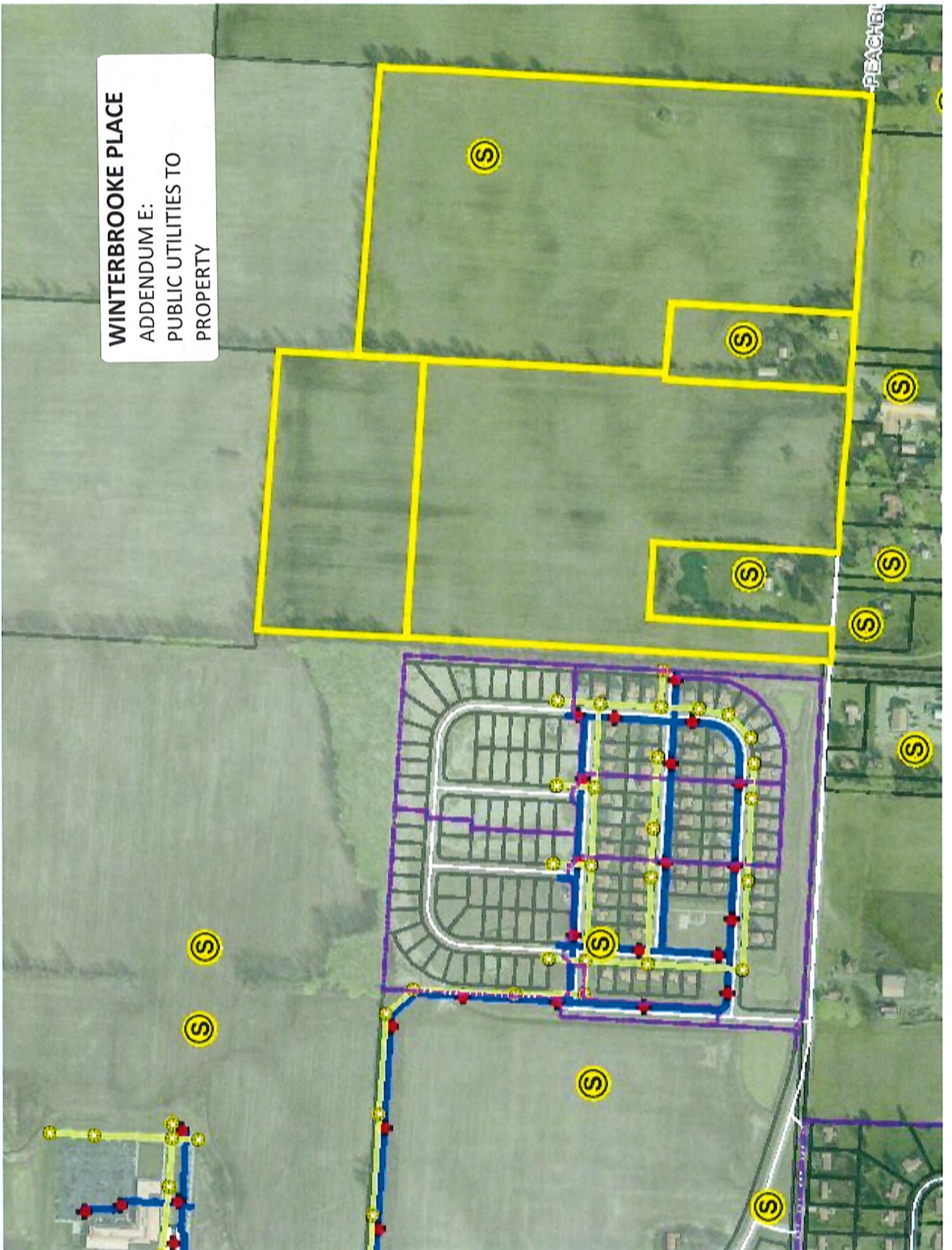


WINTERBROOKE PLACE
ADDENDUM D:
DRAINAGE OF PROPERTY

PEACHELOW RD

view
portal
refery

**WINTERBROOKE PLACE
ADDENDUM E:
PUBLIC UTILITIES TO
PROPERTY**



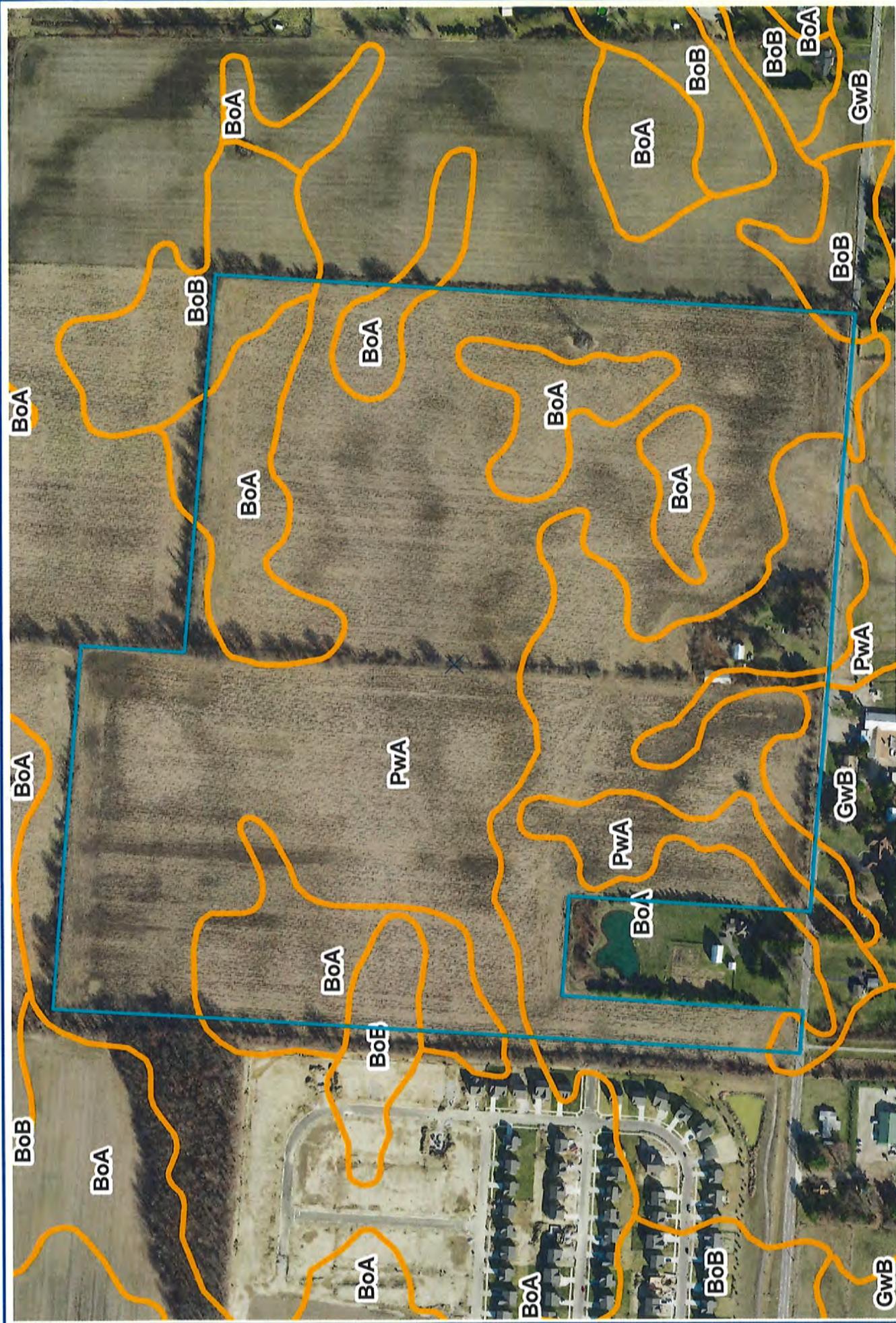


Delaware County Auditor
George Kaitsa

WINTERBROOK PLACE ADDENDUM F: VEGETATION

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 mapping data shown is approximate and this information cannot be construed or used as a "legal description" of a parcel. Aerial photo is current as of April 2018. Please report any errors or omissions to the Delaware County Auditor's office. Prepared by: Delaware County Auditor's GIS Office on March 2019.





Delaware County Auditor
George Kaitsa

WINTERBROOK PLACE ADDENDUM G: SOILS

Information contained within this map may be used to generate reports, identify and inventory land parcels within Delaware County. Delaware County does not warrant or guarantee the information contained herein, including, but not limited to its accuracy or completeness. The mapping data shown is approximate and this information cannot be constructed or used as a "legal description" of a parcel. Aerial photo is current as of April 2018.

Please report any errors or omissions to the Delaware County Auditor's office.
Prepared by: Delaware County Auditor's GIS Office on March 2018.



FEES & CHARGES

PROPERTY OWNERSHIP	TOTAL
AREAGE	100.648
SCHOOL DISTRICT	
NUMBER OF HOUSING DWELLING UNITS	263
FEE OR CHARGES	
REZONING/ANNEXATION/CUP	11,064.80
PRELIMINARY PLAN / PLAT	33,132.40
FINAL PLAN / PLAT	33,632.40
SUBTOTAL	77,829.60
BUILDING PERMITS AND CHARGES	526,000.00
SANITARY SEWER CAPACITY FEE	1,416,255.00
WATER CAPACITY FEE	1,485,950.00
IMPACT FEES	543,884.00
ENGINEERING FEES	480,422.00
SHSC / TRANSPORTATION CHARGE	921,500.00
TOTAL FEES	5,451,840.60
* AVERAGE ANNUAL UTILITY CHARGE AT BASE RATE	\$151,488.00

TOTAL ESTIMATED PROJECT FEES TO BE PAID TO CITY	\$5,451,840.60
--	-----------------------

TOTAL ESTIMATED ANNUAL INCOME TO BE PAID TO CITY	Full \$842,120.00
---	--------------------------

ADDITIONAL ON AND OFF SITE ROADWAY COST	
WINTERBROOKE DRIVE	\$ 1,612,100.00
ENSIGN DRIVE	\$ 315,000.00
TOTAL	\$ 1,927,100.00

**ADDENDUM H
WINTERBROOKE PLACE**

INCOME TAX

SECTION	TYPE OF HOUSES	NUMBER OF UNITS	AVERAGE HHI	CITY TAX	TOTAL TAX
WINTERBROOK	52'	112	160,000	2960.00	\$331,520.00
	65'	130	180,000	3330.00	\$432,900.00
	80'	21	200,000	3700.00	\$77,700.00
TOTAL					
MEDIAN HOUSEHOLD INCOME- CITY OF DELAWARE		AVERAGE HOUSEHOLD INCOME	174,105	TOTAL ANNUAL INCOME TAX	\$842,120.00
MEDIAN HOUSEHOLD INCOME- CITY OF DELAWARE	54,367	U.S. CENSUS BUREAU 2010			
POWELL MEDIAN INCOME	57,000	* STATISTICAL ATLAS 2016			
	147,344				
DOES NOT INCLUDE INCOME TAXES RECEIVED DURING CONSTRUCTION					

PROPERTY TAXES BREAKDOWN

PHASES - WINTERBROOKE PLACE

	NUMBER OF UNITS	AVERAGE SALE PRICE	TOTAL SALE VALUATION	BERLIN TWP	DELAWARE CORP
WINTERBROOK					
52' Lots (\$310,000 - \$340,000)	112	\$325,000.00	\$36,400,000.00		
65' Lots (\$375,000 - \$425,000)	130	\$400,000.00	\$52,000,000.00		SCHOOLS
80' Lots (\$525,000 - \$575,000)	21	\$550,000.00	\$11,550,000.00		
TOTAL	263	TOTAL	\$99,950,000.00	\$217,634.89	\$40,313.84
		AVERAGE	\$380,038.00		\$1,876,589.58

WINTERBROOKE PLACE
ADDENDUM I:
PHASE / ENVIRONMENT OF
PROPERTY

PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

**GRDEN PROPERTY
PEACHBLOW ROAD
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO**

Prepared for:

**ARLINGTON BUILDERS, INC.
10590 WELLINGTON BOULEVARD
POWELL, OHIO 43065**

Prepared by:

**CIVIL & ENVIRONMENTAL CONSULTANTS, INC.
250 OLD WILSON BRIDGE ROAD, SUITE 250
WORTHINGTON, OHIO 43085**

CEC Project 172-299

July 6, 2017



Civil & Environmental Consultants, Inc.

Winterbrooke Place maintenance and preservation of added roadways 4-22-2019

Roadway preservation calculation

Pavement Condition Report 2018/ City of Delaware

We will be adding 12,100 feet of roadway to the City

Miles added to the City (5,280 feet are in one mile)

Winterbourne main arterial road 2200 L.F.

.41 Mile

Other residential roads 9900 L.F.

1.875 miles

TOTAL Roadways

2.29 Miles

According to pavement condition report 2018 page 9

\$7,500 a mile for preservation for a mile of NEW ROADWAY

Cost for roadway preservation annually

\$ 17,175.00

Roadway Resurfacing Cycle Cost Analysis

According to same document high volume Arterial roads

deteriorates at a rate to need resurfacing in about 10 to 15 years

Current resurface cost per mile \$375,000

12.5 years resurface cost based on 25 year cycle

(2x\$375,000x.41)=\$307,500/25yr. - Annual cost

\$ 12,300.00

Residential roads less traveled roads last up to 25 years

before resurfacing required

\$375,000x1.875=\$703,125/25yr. - Annual cost

\$ 28,125.00

Cost for roadway resurfacing annually

\$ 40,425.00

Maintenance Per Delaware County Engineer

(9900x26'/9) + (2200x32'/9) = 36,422 Square Yards

36,422 yards @ \$.30 a yard = \$10,927

Cost of roadway maintenance annually

\$ 10,927.00

Cost of Road Maintenance and Preservation Incl. Resurfacing

\$ 68,527.00

Annual Income Tax Revenue for 263 Households

\$ 842,120.00

Total Annual Surplus

\$773,593.00

FISCAL IMPACT ANALYSIS

DELAWARE, OHIO

Prepared for
City of Delaware, Ohio

August 6, 2002

Prepared by



Tischler & Associates, Inc.
Fiscal, Economic, and Planning Consultants



**TISCHLER &
ASSOCIATES, INC.**

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Suite N210
Bethesda, MD 20816
(301) 320-6900
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80 Annandale Road
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(818) 790-6170
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(800) 424-4318

tischlcrassociates.com

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Fiscal Impact Analysis
•
Capital Improvements Programs
•
Impact Fees
•
Growth Policy Planning
•
Economic and Market Analysis
•
Fiscal and Economic Software
tailored for each community



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tischlerassociates.com

I. EXECUTIVE SUMMARY

A. Background

The City of Delaware has contracted with Tischler & Associates, Inc. (TA) to evaluate the fiscal impact of two growth scenarios on five different fiscal analysis zones (FAZ). One of the five FAZs contains the existing city, while the other four are annexation candidates. The purpose is to see if new growth in each FAZ generates net revenues or deficits to the City. The following funds were included in the analysis: General Fund; Parks and Recreation Fund; and Street Maintenance and Repair Fund. Relevant capital improvement revenues and costs were also included and are reflected in the General Fund.

As a first step, TA prepared the "Level-Of-Service, Cost, and Revenue Factors" document (LOS document), which discusses City services and facilities anticipated to be impacted by new development. It is assumed all current City levels-of-service will be maintained during the forecast period.

The level-of-service (LOS) assumptions have been utilized in combination with the various land use scenarios below to calculate the fiscal impact on the City of Delaware's budget for the 20-year period between 2001 and 2020. Calculations were performed using TA's FISCALS software designed exclusively for this assignment.

B. Fiscal Results

For this analysis, TA evaluated five different FAZs under two different growth scenarios for each FAZ. These are summarized below.

1. Existing City FAZ

The existing city figures are largely based on the development of the older, central part of Delaware and on the west side of the City. Preliminary plans have been submitted and approved for the large majority of the remaining vacant acreage and the figures for this area are based on already approved projects. What is not known is how fast these projects will be built out. The two scenarios assume different rates of development and some minor differences in nonresidential development. This is the only FAZ in which the 2020 land use assumptions for residential development are the same under both scenarios. The numbers for the six individual housing unit categories reflect new units unlike the total cumulative numbers for the other categories in the Existing City FAZ.

Fiscal Impact Analysis
•
Capital Improvements Programs
•
Impact Fees
•
Growth Policy Planning
•
Economic and Market Analysis
•
Fiscal and Economic Software
tailored for each community

Existing City FAZ Projections

	2020		Difference 1 to 2
	1	2	
Total			
Population	48,473	48,473	0
Housing Units	18,962	18,962	0
2 units per acre	725	725	0
2.9 units per acre	2,212	2,212	0
3.3 units per acre	2,212	2,212	0
Semi-attached (7 units per acre)	0	0	0
Quadraplex (6-8 units per acre)	414	414	0
Garden apts. (10 units per acre)	3,043	3,043	0
Employment	15,195	16,442	-1,247
Retail KSF	2,117	2,367	-250
Office KSF	763	908	-145
Industrial/Flex KSF	3,852	3,892	-40

2. Northeast FAZ

The Northeast FAZ includes substantial areas on the east side of the City, both north and south of SR 36/37, and the northeast side of the City. Scenario 1 includes the development of a major lift station in the FAZ and is more aggressive in the percentage of residential area that will develop by 2020. Scenario 2 includes no major lift station and slower absorption of residential development.

Northeast FAZ Projections

	2020		Difference 1 to 2
	1	2	
Total			
Population	15,064	6,151	8,913
Housing Units	7,190	2,854	4,336
2 units per acre	492	58	434
2.9 units per acre	539	129	410
3.3 units per acre	1,815	1,181	634
Semi-attached (7 units per acre)	935	701	234
Quadraplex (6-8 units per acre)	1,833	78	1,756
Garden apts. (10 units per acre)	1,576	707	869
Employment	1,675	2,175	-500
Retail KSF	500	500	0
Office KSF	40	100	-60
Industrial/Flex KSF	150	300	-150

3. North FAZ

The North FAZ is located north of Hill Miller Road between the reservoir on the east and the CSX Railroad on the west. The scenarios under this FAZ assume that major sewer construction takes place in this area. Most of the North area could not receive substantial development without sewer improvements. The difference between the two scenarios is that a lower level of development is assumed under Scenario 2.

North FAZ Projections

Total	2020		Difference 1 to 2
	1	2	
Population	5,402	3,410	1,992
Housing Units	2,291	1,534	757
2 units per acre	340	102	238
2.9 units per acre	391	187	203
3.3 units per acre	267	373	-106
Semi-attached (7 units per acre)	0	0	0
Quadraplex (6-8 units per acre)	755	226	529
Garden apts. (10 units per acre)	539	646	-107
Employment	1,143	580	563
Retail KSF	415	207	208
Office KSF	25	15	10
Industrial/Flex KSF	6	3	3

4. Southeast FAZ

The Southeast FAZ extends all the way to Berlin Township. For this analysis, it is assumed that the eastern half will not develop. Both scenarios assume some major investments in sewer systems. Major differences in the scenarios are the amount and distribution of residential development.

Southeast FAZ Projections

Total	2020		Difference 1 to 2
	1	2	
Population	11,058	6,984	4,074
Housing Units	4,371	2,760	1,610
2 units per acre	429	1,074	-644
2.9 units per acre	593	494	99
3.3 units per acre	843	0	843
Semi-attached (7 units per acre)	0	0	0
Quadraplex (6-8 units per acre)	2,505	1,193	1,312
Garden apts. (10 units per acre)	0	0	0
Employment	83	38	45
Retail KSF	3	0	3
Office KSF	20	10	10
Industrial/Flex KSF	0	0	0

5. Southwest FAZ

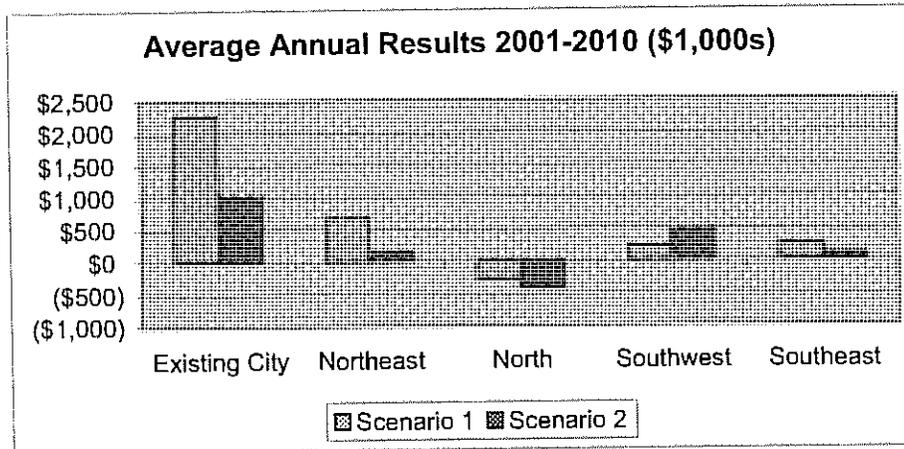
The Southwest FAZ, located along US 42 south of the city, has no residential development included in the analysis. Only industrial and a small amount of retail and office development are assumed.

Southwest FAZ Projections

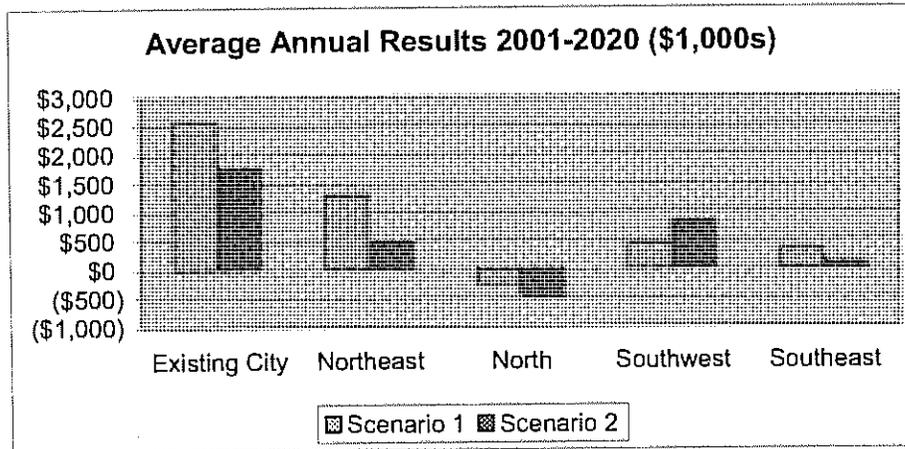
Total	2020		Difference 1 to 2
	1	2	
Population	0	0	0
Housing Units	0	0	0
2 units per acre	0	0	0
2.9 units per acre	0	0	0
3.3 units per acre	0	0	0
Semi-attached (7 units per acre)	0	0	0
Quadraplex (6-8 units per acre)	0	0	0
Garden apts. (10 units per acre)	0	0	0
Employment	3,249	5,383	-2,135
Retail KSF	0	50	-50
Office KSF	0	50	-50
Industrial/Flex KSF	1,785	2,785	-1,000

C. Fiscal Impact Results

The average annual results provide a good way of comparing multiple scenarios. The results are shown for two time periods: 1) 2001 to 2010 and 2) 2001 to 2020.



Over the short term (2001-2010), only the North FAZ generates average annual net deficits under both scenarios. The other four FAZs generate net revenues under both scenarios.



In comparing the 10-year and 20-year average annual result differences, the fiscal results generally improve over the longer term. All FAZs, with the exception of the North FAZ, show net revenues for both time periods under both scenarios. The net results worsen slightly over the long term for the North and Southeast under Scenario 2.

D. Findings and General Conclusions

The following are some findings and general conclusions established by the analysis.

- The General Fund generates net revenues in most cases. However, these net revenues subsidize net deficits in the Parks and Recreation Fund and Street Maintenance and Repair Fund, and also subsidize the development of capital facilities.
- The Existing City FAZ generates the best results for both scenarios due to the significant amount and type of development assumed as well as lower capital facility needs and associated operating costs. This is a result of existing infrastructure already being in place
- The Northeast FAZ, which is positive in both time periods, improves over the longer term, particularly under Scenario 1, because of the combination of lower amounts of residential development and higher amounts of nonresidential development.
- The Southwest FAZ exhibits similar tendencies to the Northeast FAZ.
- The Southeast FAZ has modest net revenues because of the high costs of providing fire protection (i.e., station and associated costs). The results in the short term are similar to those over the long term because of continued capital expenditures in out years.
- The North FAZ has the only deficits. This is primarily due to the road costs relative to the level of development.

- The results indicate that the City is dependent on income tax revenues, particularly from nonresidential activities. However, in the case of residential development, the direct benefits are only seen if residents of these homes work outside the City. Otherwise, the income tax is generated at the point of employment due to the City residents working in the City, and no other income tax is collected. Based on the assumptions provided by the City, it is assumed that 75 percent of households in each FAZ with residential developer work outside the City.
- The highest net results for the City would be seen if workers in Delaware's businesses lived outside the City, and pay the 1.4 percent rate, and residents of Delaware work outside the City, and pay the 0.7 percent rate. This would maximize income tax revenues.
- Intergovernmental revenues are an important component of the City's revenue stream. In particular, distributions from the State for the Local Government Fund generate significant revenues related to residential development.

It is important to acknowledge that fiscal issues are only one concern. Environmental, land use, housing availability, economic development, and traffic issues must also be taken into consideration when making any final decisions on what is best for the City. Since the analysis shows that new growth within the City pays for itself, the City has ability to subsidize annexation in order to exercise its control over future land uses around the City. In addition, because of the amount of vacant land in each of the FAZs, the City has the opportunity to steer development in a manner consistent with community goals.

Another perspective is provided by the "Prototype Fiscal Impact Analysis" report, a separate product. This product, which looks at the fiscal impact by type of land use, versus scenarios, shows that Office and Industrial land uses generate net revenues. For residential, the more expensive housing generates direct net revenues if it is assumed that the occupants work outside the City.

The results of this fiscal analysis do not directly correlate to the results in the prototype analysis. This is primarily due to two factors. First, in this fiscal analysis, it is assumed that 75 percent of all housing units have workers whose jobs are outside the City. The prototype study calculated the fiscal results assuming the household workers either worked inside or outside the City, not that 75 percent of all housing units have workers whose jobs are outside the City.

Another significant difference between the two studies relates to expenditures. The prototype study uses an average cost approach, while the fiscal study uses a marginal cost approach. The difference can be explained by examining Fire costs. Under the prototype analysis, Fire costs were projected by taking Fire expenditures and dividing them by population and employment. This figure was then applied to population and employment in each prototype to generate Fire costs for that land use. In the fiscal study, some Fire expenditures, such as supplies and services, are projected on an average basis. Other expenses, such as salaries, are projected on a marginal basis. The result is that expenditures in the prototype study can tend to overstate actual costs.

A third difference between the two studies relates to capital facilities. In the prototype study, capital facility costs are represented by impact fees proceeds and transfers from the General Fund to the CIP. In the fiscal study, some capital facilities are projected based on demand factors, while others are entered directly, reflecting actual capital expenditures identified by the City.

II. METHODOLOGY AND MAJOR ASSUMPTIONS

This analysis projects the fiscal impacts to the City of growth within the City and of annexing areas adjacent to the City under two different growth scenarios, which vary by FAZ. The analysis examines these impacts from 2001 to 2020, based on the current levels-of-service. The FY01 budget was used as a baseline since it is representative of the current fiscal year operations. Constant 2001 dollars are used throughout the study. The 2001 population and job estimates, in addition to the current number of dwelling units, were used to calculate unit costs and service level thresholds.

In order to provide an understanding of the overall methodology used in this fiscal impact analysis, a brief explanation of the FISCALS process follows. The FISCALS software utilizes two types of input data. The first category of demographic/economic projections is called Demand Base data inputs. These numerical projections include data such as population, housing units, employment, and nonresidential space.

The second type of input data relates to the government service levels, costs, and revenues. The government service level, cost and revenue data used in the fiscal analysis have been determined and agreed upon by TA and City personnel. This data has been incorporated into TA's FISCALS system designed for this assignment to calculate the annual costs, revenues, and capital facilities by department or function, where appropriate.

The following major assumptions regarding the fiscal methodology should be noted:

Marginal, Growth-Related Costs and Revenues: For this analysis, costs and revenues that are directly attributable to new growth *and* annexation are included. Both operating and capital costs are taken into consideration. Wherever possible, a marginal cost approach was used. In some cases, the data used are average costs, based on a decision by City staff and TA that this is the best information available at this time. Some costs are not expected to be impacted by demographic changes, and may be fixed in this analysis, such as some administrative functions within a department. In some cases, there is a realization that only a portion of costs will increase.

Level-Of-Service: The cost projections are based on the assumption that the current level of spending, as provided in FY01 budget, will continue through the 20-year analysis period. The current level of spending is referred to as the current level-of-service (LOS) in this type of analysis.

Revenue Structure and Tax Rates: Revenues are projected assuming that the current revenue structure and tax rates, as defined by the FY01 adopted budget, will not change during the analysis period.

Inflation Rate: The rate of inflation is assumed to be zero throughout the projection period, and cost and revenue projections are in constant 2001 dollars. This assumption is in accord with current budget data and avoids the difficulty of speculating on inflation rates and their effect on cost and revenue categories. It also avoids the problem of interpreting results expressed in inflated dollars over an extended period of time.

Non-Fiscal Evaluations: It should be noted that while a fiscal impact analysis is an important consideration in planning decisions, it is only one of several issues that should be considered. Environmental and social issues, for example, should also be considered when making planning and policy decisions. The above notwithstanding, this analysis will enable interested parties to understand the fiscal implications of future development.

III. LAND USE SCENARIOS

Each FAZ was analyzed under two scenarios, which vary for each FAZ. The narrative and data for each scenario were provided by City staff.

1. Existing City FAZ

The existing city figures are largely based on the development of the older, central part of Delaware and on the west side of the City. The west side has been the center of considerable development pressure over the past five years. Most of the land in the central and west areas has already been planned. That is, preliminary plans have been submitted and approved for the large majority of the area. Figures for this area are based on already approved projects. What is not known is how fast these projects will be built out. The two scenarios simply assume different rates of development.

The two scenarios within the existing City reflect the same distribution of housing and nonresidential development. The basic question is the pace at which the existing City achieves build-out. By the year 2020, the 8,606 housing units are estimated to be distributed as follows: 725 units at 2 units per acre; 2,212 housing units at 2.9 units per acre; 2,212 units at 3.3 units per acre; 414 quadraplexes; and 3,043 garden apartments. As reflected below, the major difference in scenarios is the pace at which the housing units are absorbed. By 2010 under Scenario 1, all 8,606 housing units will be absorbed while under scenario 2, only 4,303 will have been absorbed. Under Scenario 1 an annual average of 861 housing units is assumed for the first 10 years, and under Scenario 2 the average will be 430. By 2020, the total number of housing units absorbed is the same under both scenarios.

Existing City FAZ Projections

	2000	2005		2010		2020	
		1	2	1	2	1	2
Total							
Population	26.700	37.587	32.143	48.473	37.587	48.473	48.473
Housing Units	10.356	14.659	12.508	18.962	14.659	18.962	18.962
2 units per acre		363	181	725	363	725	725
2.9 units per acre		1.106	553	2.212	1.106	2.212	2.212
3.3 units per acre		1.106	553	2.212	1.106	2.212	2.212
Semi-attached (7 units per acre)		0	0	0	0	0	0
Quadraplex (6-8 units per acre)		207	104	414	207	414	414
Garden apts. (10 units per acre)		1.522	761	3.043	1.522	3.043	3.043
Employment	13.780	14.666	14.666	15.195	15.195	15.195	16.442
Retail KSF	1.867	1.992	1.992	2.117	2.117	2.117	2.367
Office KSF	663	713	713	763	763	763	908
Industrial/Flex KSF	3.822	3.837	3.837	3.852	3.852	3.852	3,892

Under both scenarios, the following nonresidential development is projected by 2010: 2,117 thousand square feet (KSF) of retail; 763 KSF of office; and 3,852 KSF of industrial/flex. However, under Scenario 1, nonresidential development ceases by 2010, while it continues in Scenario 2. An additional 250 KSF of retail, 145 KSF of office, and 40 KSF of industrial/flex are assumed in 2020 under Scenario 2. Employment numbers are based on the amount of nonresidential space being projected.

2. Northeast FAZ

The Northeast FAZ includes substantial areas on the east side of the City, both north and south of SR 36/37, and the northeast side of the City. In total, this FAZ encompasses an area from the river, north of the city, east across US 42 and continuing down US 36 to the railroad tracks paralleling the highway on its south side. The area to the east is relatively well served with sewer, while the area in the northeast is partly served and would need the development of a lift station.

Scenario 1 includes the development of a major lift station in the FAZ and is more aggressive in the percentage of residential area that will develop by 2020. Scenario 2 includes no major lift station and slower absorption of residential development.

As shown below, the population in 2020 under Scenario 1 is 15,064 compared to 6,151 in Scenario 2. In that same year, the number of housing units is 7,190 in Scenario 1 and 2,854 in Scenario 2. Under Scenario 1, the breakdown of units is as follows: 492 units at 2 units per acre; 539 units at 2.9 units per acre; 1,815 units at 3.3 units per acre; 935 semi-attached units; 1,833 quadraplexes; and 1,576 garden apartments. In 2020 under Scenario 2, the housing units break out as follows: 58 units at 2 units per acre; 129 units at 2.9 units per acre; 1,181 units at 3.3 units per acre; 701 semi-attached units; 78 quadraplexes; and 707 garden apartments. The average number of housing units on an annual basis is 360 under Scenario 1 and 143 under Scenario 2.

Scenario 1 assumes the following nonresidential development by the year 2020: 500 KSF of retail; 40 KSF of office; and 150 KSF square feet of industrial/flex. This translates to employment of 1,675. For Scenario 2, a more aggressive schedule for nonresidential development is assumed. This includes 500 KSF of retail space, 100 KSF of office space, and 300 KSF of industrial/flex space. Employment generated by this development totals 2,175.

Northeast FAZ Projections

	2005		2010		2020	
	1	2	1	2	1	2
Total						
Population	3,766	1,538	7,532	3,075	15,064	6,151
Housing Units	1,798	713	3,595	1,427	7,190	2,854
2 units per acre	123	15	246	29	492	58
2.9 units per acre	135	32	269	64	539	129
3.3 units per acre	454	295	907	590	1,815	1,181
Semi-attached (7 units per acre)	234	175	468	351	935	701
Quadraplex (6-8 units per acre)	458	19	917	39	1,833	78
Garden apts (10 units per acre)	394	177	788	353	1,576	707
Employment	419	544	837	1,088	1,675	2,175
Retail KSF	125	125	250	250	500	500
Office KSF	10	25	20	50	40	100
Industrial/Flex KSF	38	75	75	150	150	300

3. North FAZ

The North FAZ is located north of Hill Miller Road between the reservoir on the east and the CSX Railroad on the west. The scenarios under this FAZ assume that a major sewer construction takes place in this area. Most of the North area could not receive substantial development without sewer improvements. Development would otherwise be limited along US 23 where some capacity might be obtained and water would likely be available without major sewer construction.

As shown below, the population of Scenario 1 is significantly higher in 2020 compared to Scenario 2, 5,402 versus 3,410. The housing unit count is similarly much greater in Scenario 1 (2,291) than in Scenario 2 (1,534). All housing types exist in the North FAZ except semi-attached. The greatest number of units under Scenario 1 are quadraplexes at 755 units. There are estimated to be 539 garden apartments under Scenario 1, 340 units at 2 units per acre, 391 units at 2.9 units per acre, and 267 units at 3.3 units per acre. In Scenario 2, the number of units at 3.3 units per acre and the number of garden apartments increase over Scenario 1 to 373 and 545 units respectively. The three other types of units being developed are reduced in Scenario 2: 102 units at 2 units per acre; 187 units at 2.9 units per acre; and 226 quadraplexes.

Retail will have 415 KSF under Scenario 1 and 207 KSF under Scenario 2. By 2020, there will be 25 KSF of office space in Scenario 1 and 15 KSF in Scenario 2. For industrial/flex space, the projections are for 6 KSF under Scenario 1 and 3 KSF under Scenario 2.

North FAZ Projections

	2005		2010		2020	
	1	2	1	2	1	2
Total						
Population	1,351	853	2,701	1,705	5,402	3,410
Housing Units	573	384	1,145	767	2,291	1,534
2 units per acre	85	25	170	51	340	102
2.9 units per acre	98	47	195	94	391	187
3.3 units per acre	67	93	133	187	267	373
Semi-attached (7 units per acre)	0	0	0	0	0	0
Quadraplex (6-8 units per acre)	189	57	377	113	755	226
Garden apts (10 units per acre)	135	162	270	323	539	646
Employment	286	145	572	290	1,143	580
Retail KSF	104	52	208	104	415	207
Office KSF	6	4	13	8	25	15
Industrial/Flex KSF	2	1	3	2	6	3

4. Southeast FAZ

The Southeast FAZ includes the area located south of Armstrong Road and east of the Olentangy River to the former Conrail Railroad tracks in the east. The Southeast FAZ extends all the way to Berlin Township, but for this analysis, it is assumed that the eastern half will not develop. Only the western portion west of the tracks and east of Berlin Station Road are assumed to develop. This greatly reduces the amount of potential acreage, but still leave a substantial amount. The two scenarios for the Southeast reflect different housing distributions. Both scenarios assume some major investments in sewer systems. No one sewer project is critical to the assumptions in this case.

The two scenarios for the Southeast reflect different housing distributions. It is also assumed that the year 2020 will represent about two-thirds of the total build-out of the scenario. In Scenario 1, by the year 2020 there will be about 429 units on half-acre sites, 593 housing units at 2.9 units per acre, and 843 units at 3.3 units per acre. There are also 2,505 garden apartments projected in this scenario. Nonresidential development is limited to 20 KSF of office space and 3 KSF of retail generating a total of 83 employees.

Southeast FAZ Projections

	2005		2010		2020	
	1	2	1	2	1	2
Total						
Population	2,765	1,746	5,529	3,492	11,058	6,984
Housing Units	1,093	690	2,185	1,380	4,371	2,760
2 units per acre	107	268	215	537	429	1,074
2.9 units per acre	148	124	296	247	593	494
3.3 units per acre	211	0	422	0	843	0
Semi-attached (7 units per acre)	0	0	0	0	0	0
Quadraplex (6-8 units per acre)	626	298	1,252	596	2,505	1,193
Garden apts. (10 units per acre)	0	0	0	0	0	0
Employment	21	9	42	19	83	38
Retail KSF	1	0	2	0	3	0
Office KSF	5	3	10	5	20	10
Industrial/Flex KSF	0	0	0	0	0	0

In Scenario 2, 1,074 units on half-acre sites and 494 units at 2.9 units per acre are projected. In addition, it is assumed that 1,193 garden apartments will be developed. For nonresidential development, 10 KSF of office is expected, which would generate 38 employees.

5. Southwest FAZ

The Southwest FAZ is located along US 42 south of the city. This FAZ has no residential development included in the analysis. Sewer capacity does exist in the southwest part of the city, but any new development will require sewer extension. In the long-term, this area will need some lift station capacity. However, that will primarily occur after 2020, so no limitations as to sewer have been assumed for this analysis.

As stated above, the Southwest FAZ has no residential development. Instead, it reflects office and industrial/flex space as indicated below. The major difference is the pace of absorption. Under Scenario 1 it is assumed the average absorption will be 90 KSF per year of industrial/flex and in Scenario 2 the absorption will be double that, 140 KSF per year. Under Scenario 1, there will be 3,249 additional employees, and under Scenario 2, there will be an increase of 5,383 employees by 2020.

Southwest FAZ Projections

	2005		2010		2020	
	1	2	1	2	1	2
Total						
Population	0	0	0	0	0	0
Housing Units	0	0	0	0	0	0
2 units per acre	0	0	0	0	0	0
2 9 units per acre	0	0	0	0	0	0
3 3 units per acre	0	0	0	0	0	0
Semi-attached (7 units per acre)	0	0	0	0	0	0
Quadplex (6-8 units per acre)	0	0	0	0	0	0
Garden apts (10 units per acre)	0	0	0	0	0	0
Employment	812	1,346	1,624	2,692	3,249	5,383
Retail KSF	0	13	0	25	0	50
Office KSF	0	13	0	25	0	50
Industrial/Flex KSF	446	696	893	1,393	1,785	2,785

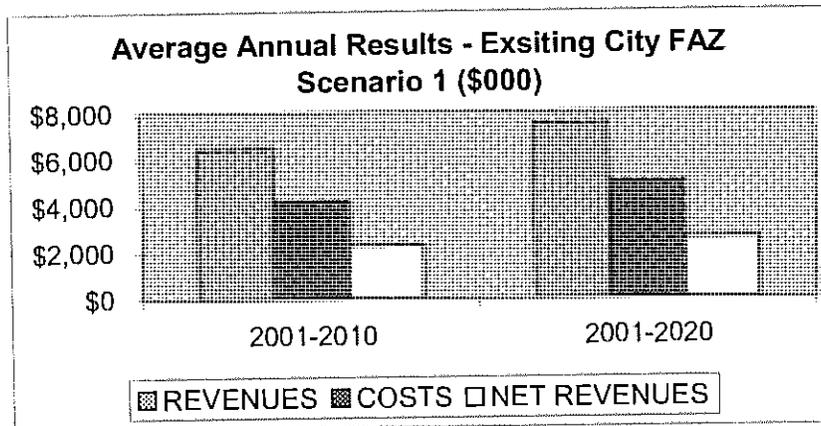
IV. FISCAL IMPACT RESULTS

The fiscal impacts are discussed in terms of average annual and annual net results. The average annual net results are discussed first because they provide a good way of comparing multiple scenarios. All results are those from new growth and exclude costs and revenues from the existing City population and employment base. The following funds were included in the analysis: General Fund; Parks and Recreation Fund; and Street Maintenance and Repair Fund. Capital improvement revenues and costs are also included as reflected in the Capital Improvements and Debt Service Fund.

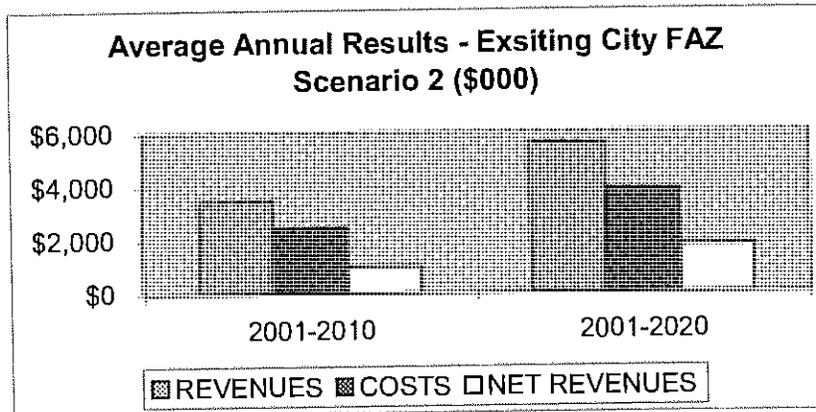
A. Average Annual Results

1. Existing City FAZ

The chart below summarizes the average annual net fiscal results (revenues minus expenditures) for the Existing City FAZ under Scenario 1. The results are shown for two time periods: 1) 2001 to 2010, and 2) 2001 to 2020. The results show average annual net revenues for both time periods under this scenario. From 2001 to 2010, the FAZ generates average annual net revenues of \$2.3 million. Over the 20-year analysis period, \$2.6 million in average annual net revenues is generated.



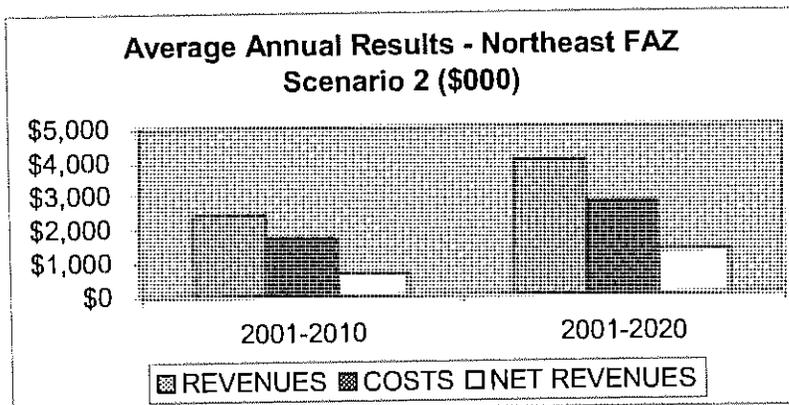
Under Scenario 2, the Existing City FAZ generates average annual net revenues over both time periods. For the first 10 years, the FAZ generates \$1 million annually. Over the 20-year analysis period, the average annual revenues generated are \$1.8 million. The results under Scenario 2 are slightly lower due to the slower growth, as well as the higher level of Retail development, which generates net deficits, as compared to Scenario 1.



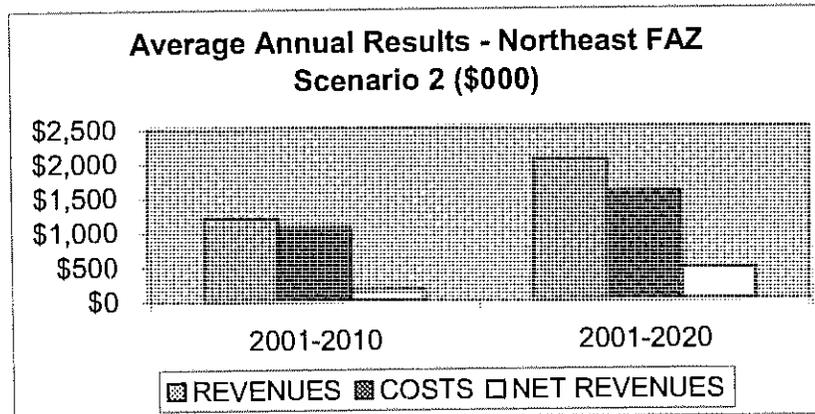
The Existing City FAZ generates the best results of all FAZs. This is primarily a result of the large increase in development projected in this FAZ. In particular, there is a significant increase in the projected number of low-density homes. These units generate a significant amount of income tax revenue, \$784 per unit for 2 du/acre and \$496 per unit for 2.9 du/acre. This assumes that 75 percent of these residents work outside the City. The 20-year results are better than the 10-year period due to the higher capital costs in the first 10 years of the analysis.

2. Northeast FAZ

Average annual net revenues of \$670,000 are generated by the Northeast FAZ under Scenario 1 from 2001 to 2010. Over the 20-year analysis period, the FAZ generates average annual net revenues of \$1.3 million.



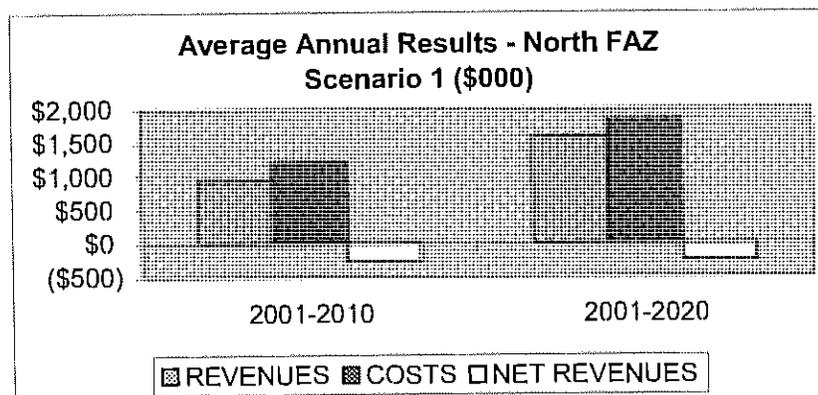
Under Scenario 2, the Northeast FAZ generates net deficits over both time periods. From 2001 to 2010, net deficits of \$148,000 are generated on an average annual basis. From 2010 to 2020, the net revenues total \$462,000 on an average annual basis. The results under Scenario 2 are slightly lower due to the slower growth, including a significantly lower amount of high-end housing units.



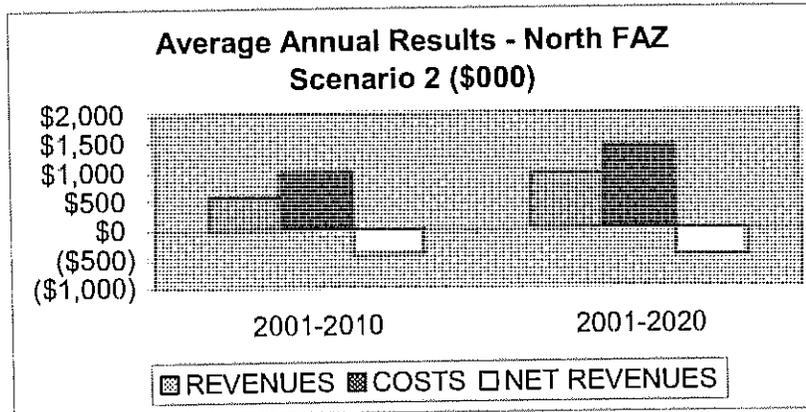
The primary reason that this FAZ generates average annual net revenues over the long term is that there is a significant amount of nonresidential development, which generates substantial income tax revenues. The results are higher over 20-year analysis period compared to the first 10-year period is that there are significant capital expenditures in early years.

3. North FAZ

The chart below summarizes the average annual net results for the North FAZ under Scenario 1. For the first 10 years, an average net deficit of \$277,000 is generated annually. Over the 20-year analysis period, average annual net deficits of \$259,000 are generated.



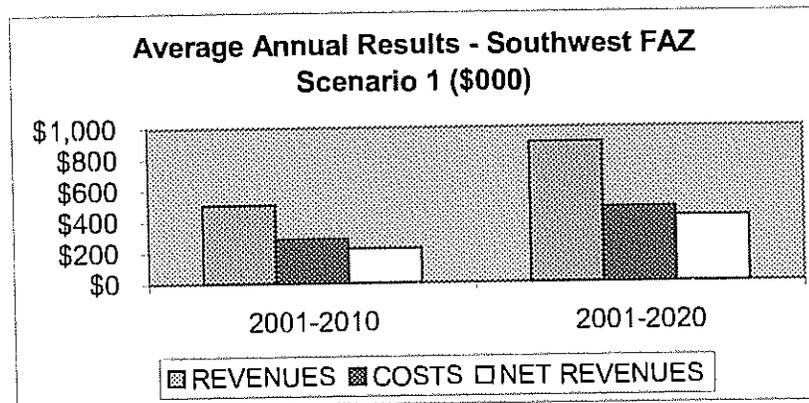
The North FAZ generated net deficits over both time periods under Scenario 2. In the short run (2001 to 2010), the net deficit averages \$427,000 on an average annual basis. Over the long-term (2001 to 2020), average annual deficits total \$476,000. The results are lower under Scenario 2 due to the lower amount of higher-end housing.



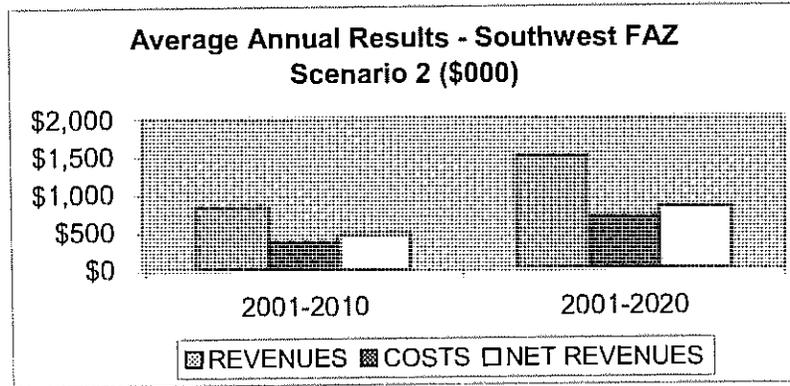
Both revenues and expenditures are lower in the North FAZ than the previous two FAZs examined. However, a major contributor to the deficit results is the road costs associated with this FAZ, relative to the level of development projected. The results over 10 years and 20 years are comparable.

4. Southwest FAZ

The chart below summarizes the average annual net fiscal results for the Southwest FAZ under Scenario 1. The results show average annual net deficits for both time periods under this scenario. From 2001 to 2010, the FAZ generates average annual revenues of \$221,000. Over the 20-year analysis period, \$421,000 in average annual net revenues is generated.



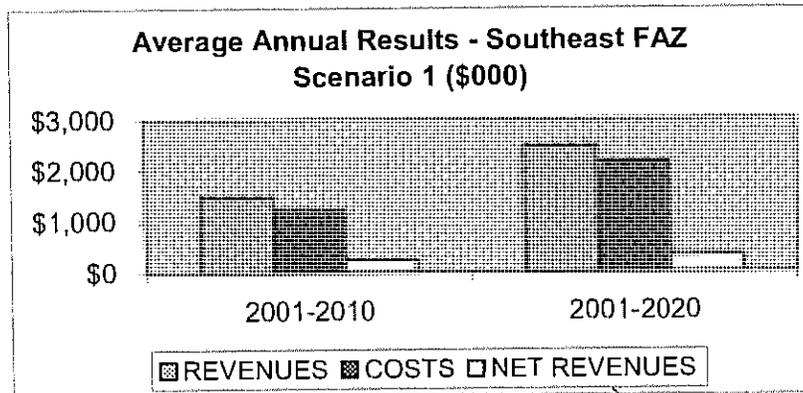
As indicated in the table below, the Southwest FAZ generates average annual net revenues for both time periods under Scenario 2. From 2001 to 2010, the average net revenues total \$468,000 annually. For the 20-year analysis period, the net revenues total \$811,000 on an average annual basis. Scenario 2 results are higher than Scenario 1 results due to the higher level of nonresidential development in Scenario 2.



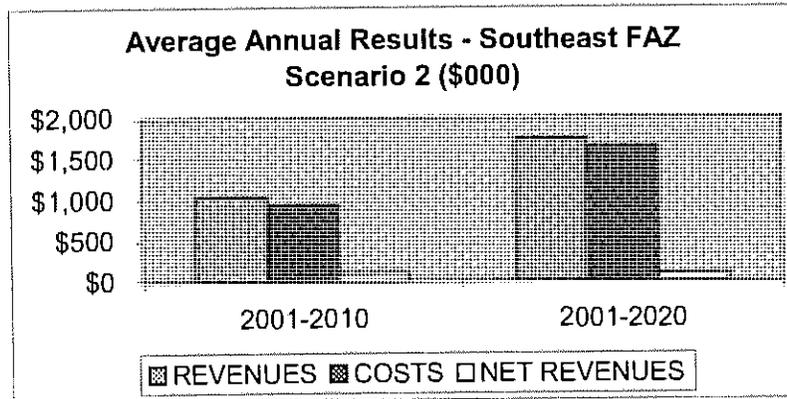
All of the development in the Southwest FAZ is nonresidential. Both costs and revenues are lower in this FAZ than in any other. The average annual results are higher under Scenario 2. This is primarily due to the higher revenues from the nonresidential development. However, the results under both scenarios are comparable. The lower results over the short-term are due to the higher capital facility costs in early years.

5. Southeast FAZ

A break-even result is generated by the Southeast FAZ under Scenario 1 from 2001 to 2010. For the first 10 years, the results show average annual net revenues of \$258,000. Over the 20-year analysis period, the FAZ generates average annual net deficits of \$323,000.



Under Scenario 2, the Southeast FAZ generates net revenues over both time periods. From 2001 to 2010, net revenues of \$104,000 are generated on an average annual basis. From 2010 to 2020, the net revenues total \$100,000 on an average annual basis. Scenario 2 results are slightly lower than Scenario 1 due to the lower level of single-family homes and nonresidential development.

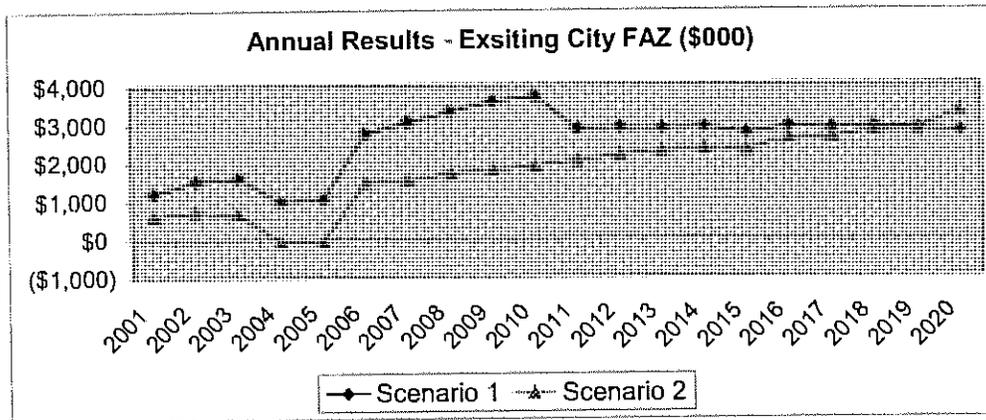


This FAZ generates only slight net revenues primarily because of the high costs of providing fire protection (i.e., station added). Scenario 1 generates better results than Scenario 2 because of the higher level of development, including slightly higher nonresidential development. The results in the short-term are slightly better than in the long-term because of continued capital expenditures in out years.

B. Annual Results

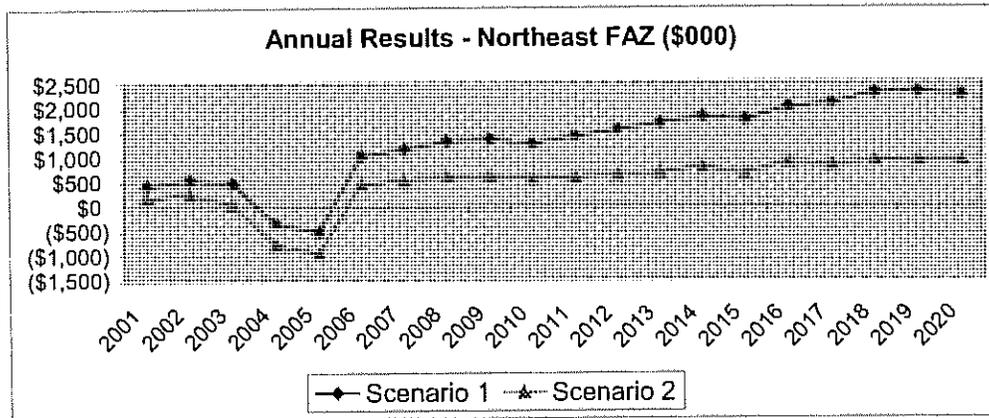
1. Existing City FAZ

The chart below shows the annual net fiscal results for the Existing City FAZ. Under Scenario 2, the results show annual deficits in years 2004 through 2006. This is due to the large road expenditures in these years. Under Scenario 1, annual net revenues decline in 2010. This is due to the fact that development ceases in that year, and impact fee revenues are no longer generated in the FAZ.



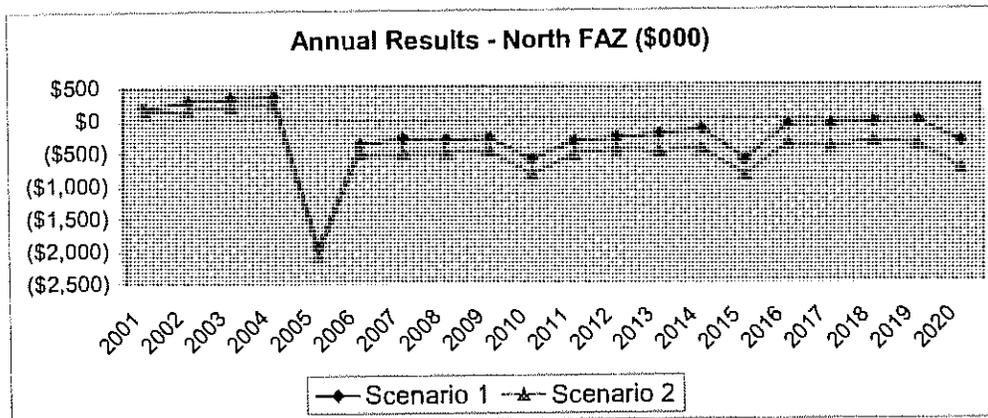
2. Northeast FAZ

Annual net fiscal results for the Northeast FAZ are shown in the chart below. Net deficits are shown in 2004 and 2005 because of road and fire capital expenditures. The results are more positive for Scenario 1 due to the higher level of development in this scenario.



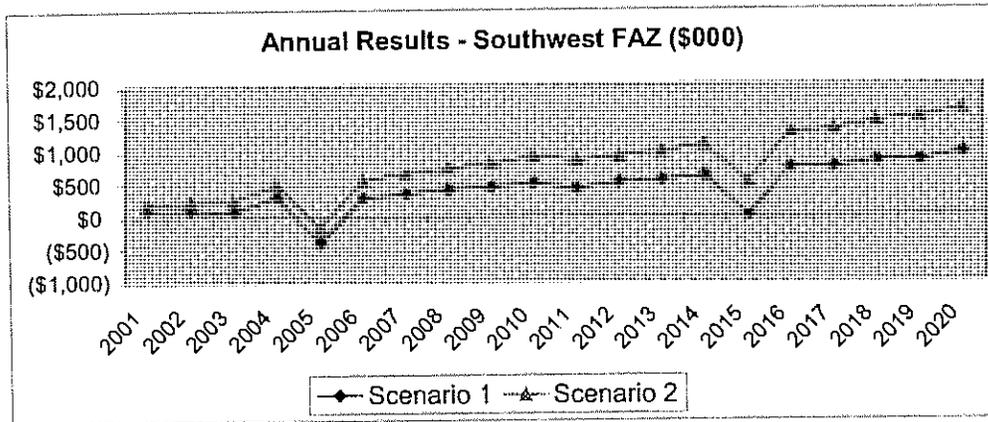
3. North FAZ

The chart below shows the annual net fiscal results for the North FAZ. Net revenues are shown in the short term primarily due to a lack of large capital expenditures in those years. Upon the addition of new capital improvements, especially fire facilities, net deficits are shown on an annual basis.



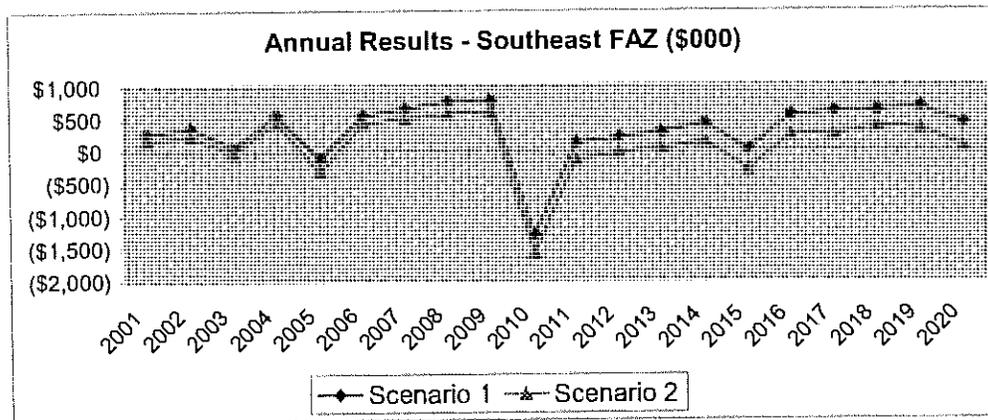
4. Southwest FAZ

Annual results for the Southwest FAZ are shown below. These results show net deficits in only two years under both scenarios. In 2005, net deficits are seen due to police and fire apparatus expenditures.



5. Southeast FAZ

The annual results for the Southeast FAZ are shown below. These are deficits in some years due to capital expenditures for fire, police, and streets. Under Scenario 1, results are slightly higher due to the higher level of development under that scenario.



V. REVENUE AND EXPENDITURE DETAILS

A. General Fund

1. Existing City FAZ

The table below shows the General Fund revenues and expenditures for the Existing City FAZ under Scenario 1. The odd-numbered years have been left out to allow the table to fit on the page. Taxes and Intergovernmental transfers account for the vast majority of revenues. Taxes include property and income taxes as well as other tax categories. Intergovernmental revenues are primarily transfers from the State. On the expenditure side, Police costs represent the largest component, making up about a third of total expenditures. General Administration costs are the next greatest expenditure category. This category includes transfers to the CIP. Municipal Court costs are the next highest expenditure category.

Existing City - Scenario 1 GENERAL FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Taxes	\$787	\$1,573	\$2,334	\$3,071	\$3,807	\$3,807	\$3,807	\$3,807	\$3,807	\$3,807
Intergovernmental	\$410	\$819	\$1,227	\$1,632	\$2,038	\$2,038	\$2,038	\$2,038	\$2,038	\$2,038
Charges for Service	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fines, Licenses, and Permits	\$468	\$494	\$520	\$545	\$571	\$129	\$129	\$129	\$129	\$129
Other Revenues	\$3	\$6	\$8	\$11	\$14	\$14	\$14	\$14	\$14	\$14
Non-Operating Revenue	\$161	\$321	\$479	\$635	\$791	\$791	\$791	\$791	\$791	\$791
Total	\$1,828	\$3,213	\$4,569	\$5,895	\$7,220	\$6,779	\$6,779	\$6,779	\$6,779	\$6,779
OPERATING EXPENDITURES										
City Council	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
City Manager	\$15	\$30	\$119	\$134	\$149	\$223	\$223	\$223	\$223	\$223
Information Technology	\$10	\$19	\$29	\$38	\$47	\$47	\$47	\$47	\$47	\$47
Economic Development	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Legal Affairs	\$0	\$0	\$45	\$45	\$45	\$90	\$90	\$90	\$90	\$90
Prosecutor	\$27	\$53	\$80	\$106	\$133	\$133	\$133	\$133	\$133	\$133
Municipal Court	\$86	\$171	\$255	\$338	\$421	\$421	\$421	\$421	\$421	\$421
Finance	\$59	\$119	\$178	\$237	\$297	\$297	\$297	\$297	\$297	\$297
General Administration	\$220	\$440	\$657	\$871	\$1,085	\$1,085	\$1,085	\$1,085	\$1,085	\$1,085
Risk Management	\$6	\$12	\$18	\$24	\$30	\$30	\$30	\$30	\$30	\$30
Police	\$212	\$501	\$747	\$1,037	\$1,338	\$1,338	\$1,338	\$1,338	\$1,338	\$1,338
Fire	\$22	\$44	\$65	\$87	\$108	\$108	\$108	\$108	\$108	\$108
Planning	\$28	\$56	\$83	\$110	\$137	\$137	\$137	\$137	\$137	\$137
Engineering	\$21	\$41	\$62	\$82	\$102	\$102	\$102	\$102	\$102	\$102
Building Maintenance	\$16	\$32	\$48	\$64	\$79	\$79	\$79	\$79	\$79	\$79
Total	\$721	\$1,519	\$2,387	\$3,174	\$3,972	\$4,091	\$4,091	\$4,091	\$4,091	\$4,091
NET REVENUES	\$1,107	\$1,694	\$2,182	\$2,721	\$3,249	\$2,688	\$2,688	\$2,688	\$2,688	\$2,688
CUMULATIVE REVENUES	\$1,849	\$4,952	\$9,005	\$14,187	\$20,436	\$25,804	\$31,180	\$36,556	\$41,932	\$47,308

As with scenario 1, Taxes and Intergovernmental transfers comprise the majority of revenues under Scenario 2. For expenditures, Police and General Administration costs are again the highest categories, over a combined 50 percent of all expenses.

**Existing City - Scenario 2
GENERAL FUND**

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Taxes	\$458	\$917	\$1,350	\$1,758	\$2,166	\$2,510	\$2,855	\$3,199	\$3,544	\$4,277
Intergovernmental	\$210	\$421	\$629	\$835	\$1,041	\$1,241	\$1,441	\$1,641	\$1,842	\$2,076
Charges for Service	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fines, Licenses, and Permits	\$240	\$254	\$268	\$281	\$294	\$309	\$321	\$333	\$346	\$363
Other Revenues	\$2	\$3	\$4	\$6	\$7	\$9	\$10	\$11	\$13	\$14
Non-Operating Revenue	\$86	\$173	\$257	\$338	\$420	\$495	\$570	\$645	\$721	\$833
Total	\$997	\$1,767	\$2,508	\$3,218	\$3,928	\$4,563	\$5,197	\$5,831	\$6,465	\$7,564
OPERATING EXPENDITURES										
City Council	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
City Manager	\$8	\$16	\$98	\$106	\$114	\$195	\$202	\$209	\$216	\$227
Information Technology	\$5	\$10	\$15	\$20	\$25	\$30	\$34	\$39	\$43	\$50
Economic Development	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Legal Affairs	\$0	\$0	\$45	\$45	\$45	\$90	\$90	\$90	\$90	\$90
Prosecutor	\$13	\$27	\$40	\$53	\$66	\$80	\$93	\$106	\$119	\$133
Municipal Court	\$46	\$92	\$137	\$180	\$223	\$264	\$304	\$344	\$384	\$444
Finance	\$30	\$59	\$89	\$119	\$148	\$178	\$208	\$237	\$267	\$297
General Administration	\$118	\$235	\$350	\$462	\$573	\$677	\$781	\$886	\$990	\$1,140
Risk Management	\$3	\$7	\$10	\$13	\$16	\$19	\$22	\$25	\$27	\$32
Police	\$140	\$276	\$351	\$568	\$705	\$817	\$1,034	\$1,171	\$1,338	\$1,475
Fire	\$12	\$24	\$35	\$46	\$57	\$67	\$78	\$88	\$98	\$114
Planning	\$15	\$30	\$44	\$59	\$73	\$86	\$99	\$112	\$125	\$144
Engineering	\$11	\$22	\$33	\$44	\$54	\$64	\$74	\$83	\$93	\$108
Building Maintenance	\$9	\$17	\$26	\$34	\$42	\$50	\$57	\$65	\$72	\$84
Total	\$409	\$815	\$1,273	\$1,748	\$2,142	\$2,615	\$3,075	\$3,454	\$3,863	\$4,335
NET REVENUES	\$588	\$952	\$1,234	\$1,470	\$1,786	\$1,948	\$2,122	\$2,377	\$2,601	\$3,229
CUMULATIVE REVENUES	\$993	\$2,715	\$5,019	\$7,800	\$11,214	\$14,975	\$19,173	\$23,800	\$28,875	\$34,832

2. Northeast

As expected, the greatest amount of revenues comes from the Taxes and Intergovernmental transfers for the Northeast FAZ under Scenario 1. These two categories increase to over 80 percent of all revenues. For expenditures, Police and General Administration costs account for the majority of costs, over 50 percent of total costs.

Northeast - Scenario 1 GENERAL FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Taxes	\$307	\$614	\$921	\$1,229	\$1,536	\$1,843	\$2,150	\$2,457	\$2,764	\$3,072
Intergovernmental	\$143	\$286	\$429	\$572	\$716	\$859	\$1,002	\$1,145	\$1,288	\$1,431
Charges for Service	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fines, Licenses, and Permits	\$199	\$209	\$218	\$227	\$236	\$246	\$255	\$264	\$274	\$283
Other Revenues	\$1	\$2	\$3	\$4	\$5	\$6	\$7	\$8	\$9	\$10
Non-Operating Revenue	\$57	\$114	\$171	\$228	\$285	\$343	\$400	\$457	\$514	\$571
Total	\$708	\$1,225	\$1,743	\$2,261	\$2,778	\$3,296	\$3,814	\$4,331	\$4,849	\$5,366
OPERATING EXPENDITURES										
City Council	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
City Manager	\$5	\$11	\$90	\$96	\$101	\$180	\$186	\$191	\$197	\$202
Information Technology	\$3	\$7	\$10	\$14	\$17	\$21	\$24	\$27	\$31	\$34
Economic Development	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Legal Affairs	\$0	\$0	\$45	\$45	\$45	\$90	\$90	\$90	\$90	\$90
Prosecutor	\$9	\$18	\$28	\$37	\$46	\$55	\$64	\$73	\$83	\$92
Municipal Court	\$30	\$61	\$91	\$122	\$152	\$182	\$213	\$243	\$274	\$304
Finance	\$21	\$41	\$62	\$82	\$103	\$123	\$144	\$164	\$185	\$205
General Administration	\$78	\$156	\$234	\$312	\$390	\$467	\$545	\$623	\$701	\$779
Risk Management	\$2	\$4	\$7	\$9	\$11	\$13	\$15	\$17	\$20	\$22
Police	\$71	\$143	\$214	\$285	\$499	\$570	\$642	\$750	\$821	\$1,035
Fire	\$8	\$16	\$23	\$31	\$39	\$47	\$54	\$62	\$70	\$78
Planning	\$10	\$20	\$30	\$40	\$49	\$59	\$69	\$79	\$89	\$99
Engineering	\$7	\$15	\$22	\$29	\$37	\$44	\$52	\$59	\$66	\$74
Building Maintenance	\$6	\$11	\$17	\$23	\$29	\$34	\$40	\$46	\$52	\$57
Total	\$251	\$502	\$872	\$1,124	\$1,517	\$1,887	\$2,138	\$2,427	\$2,678	\$3,071
NET REVENUES	\$457	\$723	\$871	\$1,137	\$1,261	\$1,409	\$1,675	\$1,905	\$2,171	\$2,295
CUMULATIVE REVENUES	\$811	\$2,155	\$3,725	\$5,835	\$8,335	\$11,043	\$14,291	\$17,973	\$22,151	\$26,720

The following table shows the General Fund details for the Northeast FAZ under Scenario 2. Taxes and Intergovernmental revenues account for about 80 percent of total revenues. Police and General Administration costs comprise about 50 percent of total expenditures.

**Northeast - Scenario 2
GENERAL FUND**

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Taxes	\$177	\$355	\$532	\$709	\$886	\$1,064	\$1,241	\$1,418	\$1,596	\$1,773
Intergovernmental	\$63	\$126	\$189	\$252	\$315	\$378	\$441	\$504	\$567	\$630
Charges for Service	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fines, Licenses, and Permits	\$89	\$94	\$98	\$103	\$107	\$112	\$116	\$121	\$125	\$130
Other Revenues	\$0	\$1	\$1	\$2	\$2	\$3	\$3	\$4	\$4	\$5
Non-Operating Revenue	\$28	\$57	\$85	\$114	\$142	\$170	\$199	\$227	\$256	\$284
Total	\$359	\$632	\$906	\$1,180	\$1,453	\$1,727	\$2,001	\$2,275	\$2,548	\$2,822
OPERATING EXPENDITURES										
City Council	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
City Manager	\$3	\$5	\$82	\$85	\$87	\$164	\$167	\$170	\$172	\$175
Information Technology	\$2	\$3	\$5	\$7	\$9	\$10	\$12	\$14	\$15	\$17
Economic Development	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Legal Affairs	\$0	\$0	\$45	\$45	\$45	\$90	\$90	\$90	\$90	\$90
Prosecutor	\$4	\$7	\$11	\$15	\$19	\$22	\$26	\$30	\$34	\$37
Municipal Court	\$15	\$30	\$45	\$60	\$76	\$91	\$106	\$121	\$136	\$151
Finance	\$8	\$17	\$25	\$34	\$42	\$50	\$59	\$67	\$75	\$84
General Administration	\$38	\$77	\$115	\$154	\$192	\$231	\$269	\$308	\$346	\$385
Risk Management	\$1	\$2	\$3	\$4	\$5	\$6	\$8	\$9	\$10	\$11
Police	\$6	\$73	\$140	\$145	\$212	\$279	\$285	\$352	\$500	\$505
Fire	\$4	\$8	\$12	\$15	\$19	\$23	\$27	\$31	\$35	\$39
Planning	\$5	\$10	\$15	\$20	\$25	\$30	\$34	\$39	\$44	\$49
Engineering	\$4	\$7	\$11	\$15	\$18	\$22	\$26	\$29	\$33	\$37
Building Maintenance	\$3	\$6	\$9	\$11	\$14	\$17	\$20	\$23	\$26	\$28
Total	\$92	\$246	\$518	\$610	\$764	\$1,036	\$1,128	\$1,282	\$1,516	\$1,608
NET REVENUES	\$267	\$387	\$388	\$569	\$690	\$691	\$872	\$993	\$1,032	\$1,214
CUMULATIVE REVENUES	\$442	\$1,125	\$1,864	\$2,912	\$4,201	\$5,546	\$7,200	\$9,094	\$11,129	\$13,465

3. North FAZ

The table below shows the General Fund details for the North FAZ under Scenario 1. As in the previous FAZs, Taxes and Intergovernmental transfers account for the vast majority of revenues. Fire costs comprise the largest component of expenditures, ranging from 37 to 65 percent after 2004. Police and General Administration costs are the next largest expenditure categories.

North - Scenario 1 GENERAL FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Taxes	\$129	\$259	\$388	\$517	\$646	\$776	\$905	\$1,034	\$1,164	\$1,293
Intergovernmental	\$53	\$106	\$159	\$212	\$265	\$318	\$371	\$424	\$477	\$530
Charges for Service	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fines, Licenses, and Permits	\$68	\$71	\$75	\$78	\$82	\$85	\$89	\$93	\$96	\$100
Other Revenues	\$0	\$1	\$1	\$2	\$2	\$2	\$3	\$3	\$3	\$4
Non-Operating Revenue	\$22	\$45	\$67	\$89	\$112	\$134	\$156	\$179	\$201	\$223
Total	\$273	\$481	\$690	\$898	\$1,107	\$1,315	\$1,524	\$1,733	\$1,941	\$2,150
OPERATING EXPENDITURES										
City Council	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
City Manager	\$2	\$4	\$80	\$82	\$85	\$161	\$163	\$165	\$167	\$169
Information Technology	\$1	\$3	\$4	\$5	\$7	\$8	\$9	\$11	\$12	\$13
Economic Development	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Legal Affairs	\$0	\$0	\$45	\$45	\$45	\$90	\$90	\$90	\$90	\$90
Prosecutor	\$3	\$7	\$10	\$13	\$16	\$20	\$23	\$26	\$30	\$33
Municipal Court	\$12	\$24	\$36	\$48	\$59	\$71	\$83	\$95	\$107	\$119
Finance	\$7	\$15	\$22	\$29	\$37	\$44	\$52	\$59	\$66	\$74
General Administration	\$30	\$61	\$91	\$121	\$151	\$182	\$212	\$242	\$272	\$303
Risk Management	\$1	\$2	\$3	\$3	\$4	\$5	\$6	\$7	\$8	\$8
Police	\$5	\$71	\$75	\$141	\$146	\$212	\$216	\$283	\$349	\$353
Fire	\$3	\$6	\$720	\$723	\$726	\$729	\$732	\$735	\$738	\$741
Planning	\$4	\$8	\$12	\$15	\$19	\$23	\$27	\$31	\$35	\$39
Engineering	\$3	\$6	\$9	\$12	\$14	\$17	\$20	\$23	\$26	\$29
Building Maintenance	\$2	\$4	\$7	\$9	\$11	\$13	\$16	\$18	\$20	\$22
Total	\$74	\$209	\$1,113	\$1,248	\$1,321	\$1,576	\$1,649	\$1,784	\$1,920	\$1,993
NET REVENUES	\$199	\$272	(\$423)	(\$349)	(\$215)	(\$260)	(\$125)	(\$52)	\$22	\$156
CUMULATIVE REVENUES	\$330	\$869	(\$52)	(\$757)	(\$1,254)	(\$1,849)	(\$2,168)	(\$2,339)	(\$2,303)	(\$2,058)

Under Scenario 2, the same pattern continues with Fire costs generating the largest expenditure category, comprising from about 56 to 75 percent after 2004.

**North - Scenario 2
GENERAL FUND**

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Taxes	\$74	\$149	\$223	\$297	\$372	\$446	\$520	\$595	\$669	\$743
Intergovernmental	\$33	\$66	\$99	\$132	\$165	\$198	\$231	\$264	\$297	\$330
Charges for Service	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fines, Licenses, and Permits	\$44	\$46	\$48	\$50	\$53	\$55	\$57	\$59	\$61	\$64
Other Revenues	\$0	\$0	\$1	\$1	\$1	\$1	\$2	\$2	\$2	\$2
Non-Operating Revenue	\$14	\$27	\$41	\$54	\$68	\$82	\$95	\$109	\$122	\$136
Total	\$165	\$288	\$412	\$535	\$659	\$782	\$905	\$1,029	\$1,152	\$1,275
OPERATING EXPENDITURES										
City Council	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
City Manager	\$1	\$3	\$78	\$79	\$80	\$156	\$157	\$158	\$160	\$161
Information Technology	\$1	\$2	\$2	\$3	\$4	\$5	\$6	\$7	\$7	\$8
Economic Development	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Legal Affairs	\$0	\$0	\$45	\$45	\$45	\$90	\$90	\$90	\$90	\$90
Prosecutor	\$2	\$4	\$6	\$8	\$10	\$12	\$15	\$17	\$19	\$21
Municipal Court	\$7	\$14	\$22	\$29	\$36	\$43	\$51	\$58	\$65	\$72
Finance	\$5	\$9	\$14	\$19	\$23	\$28	\$33	\$37	\$42	\$46
General Administration	\$18	\$37	\$55	\$74	\$92	\$110	\$129	\$147	\$165	\$184
Risk Management	\$1	\$1	\$2	\$2	\$3	\$3	\$4	\$4	\$5	\$5
Police	\$3	\$5	\$8	\$72	\$75	\$77	\$141	\$144	\$147	\$211
Fire	\$2	\$4	\$717	\$718	\$720	\$722	\$724	\$726	\$728	\$730
Planning	\$2	\$5	\$7	\$9	\$12	\$14	\$17	\$19	\$21	\$24
Engineering	\$2	\$4	\$5	\$7	\$9	\$11	\$12	\$14	\$16	\$18
Building Maintenance	\$1	\$3	\$4	\$5	\$7	\$8	\$10	\$11	\$12	\$14
Total	\$45	\$90	\$965	\$1,071	\$1,116	\$1,280	\$1,387	\$1,432	\$1,477	\$1,584
NET REVENUES	\$120	\$199	(\$553)	(\$536)	(\$457)	(\$498)	(\$481)	(\$403)	(\$325)	(\$308)
CUMULATIVE REVENUES	\$201	\$559	(\$594)	(\$1,704)	(\$2,658)	(\$3,701)	(\$4,703)	(\$5,548)	(\$6,237)	(\$6,892)

4. Southwest FAZ

The following table shows the General Fund details for the Southwest FAZ under Scenario 1. Taxes are the largest expenditure category, accounting for over 70 percent of the total. The City Manager category is the largest expenditure component, accounting for as high as 37 percent of the total costs. The General Administration category also accounts for a large portion of costs, about 30 to 50 percent.

**Southwest - Scenario 1
GENERAL FUND**

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Taxes	\$121	\$242	\$363	\$484	\$606	\$727	\$848	\$969	\$1,090	\$1,211
Intergovernmental	\$10	\$20	\$30	\$40	\$50	\$60	\$70	\$80	\$90	\$100
Charges for Service	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fines, Licenses, and Permits	\$28	\$30	\$31	\$33	\$34	\$36	\$37	\$39	\$40	\$42
Other Revenues	\$0	\$0	\$1	\$1	\$1	\$1	\$1	\$2	\$2	\$2
Non-Operating Revenue	\$11	\$22	\$33	\$44	\$55	\$66	\$78	\$89	\$100	\$111
Total	\$171	\$315	\$459	\$603	\$747	\$891	\$1,034	\$1,178	\$1,322	\$1,466
OPERATING EXPENDITURES										
City Council	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
City Manager	\$1	\$2	\$77	\$78	\$79	\$154	\$155	\$156	\$157	\$159
Information Technology	\$1	\$1	\$2	\$3	\$3	\$4	\$5	\$5	\$6	\$7
Economic Development	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Legal Affairs	\$0	\$0	\$45	\$45	\$45	\$90	\$90	\$90	\$90	\$90
Prosecutor	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Municipal Court	\$6	\$12	\$18	\$24	\$30	\$35	\$41	\$47	\$53	\$59
Finance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
General Administration	\$14	\$29	\$43	\$58	\$72	\$87	\$101	\$116	\$130	\$145
Risk Management	\$0	\$1	\$1	\$2	\$2	\$3	\$3	\$3	\$4	\$4
Police	\$1	\$1	\$2	\$3	\$3	\$4	\$5	\$6	\$6	\$7
Fire	\$2	\$3	\$5	\$6	\$8	\$9	\$11	\$12	\$14	\$15
Planning	\$2	\$4	\$6	\$8	\$10	\$12	\$13	\$15	\$17	\$19
Engineering	\$1	\$3	\$4	\$6	\$7	\$9	\$10	\$11	\$13	\$14
Building Maintenance	\$1	\$2	\$3	\$4	\$6	\$7	\$8	\$9	\$10	\$11
Total	\$29	\$58	\$207	\$236	\$265	\$413	\$442	\$471	\$501	\$530
NET REVENUES	\$142	\$256	\$252	\$367	\$482	\$477	\$592	\$707	\$822	\$937
CUMULATIVE REVENUES	\$226	\$681	\$1,121	\$1,797	\$2,703	\$3,594	\$4,721	\$6,078	\$7,664	\$9,480

The following table shows the General Fund details for the Southwest FAZ under Scenario 2. City Manager and General Administration expenditures together account for over 50 percent of total costs.

**Southwest - Scenario 2
GENERAL FUND**

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Taxes	\$201	\$402	\$602	\$803	\$1,004	\$1,205	\$1,405	\$1,606	\$1,807	\$2,008
Intergovernmental	\$17	\$33	\$50	\$67	\$83	\$100	\$117	\$133	\$150	\$167
Charges for Service	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fines, Licenses, and Permits	\$46	\$48	\$51	\$53	\$56	\$58	\$61	\$63	\$66	\$69
Other Revenues	\$0	\$1	\$1	\$1	\$2	\$2	\$2	\$3	\$3	\$3
Non-Operating Revenue	\$18	\$37	\$55	\$73	\$92	\$110	\$129	\$147	\$165	\$184
Total	\$282	\$521	\$759	\$998	\$1,236	\$1,475	\$1,714	\$1,952	\$2,191	\$2,430
OPERATING EXPENDITURES										
City Council	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
City Manager	\$2	\$3	\$79	\$81	\$83	\$158	\$160	\$162	\$164	\$165
Information Technology	\$1	\$2	\$3	\$4	\$5	\$7	\$8	\$9	\$10	\$11
Economic Development	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Legal Affairs	\$0	\$0	\$45	\$45	\$45	\$90	\$90	\$90	\$90	\$90
Prosecutor	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Municipal Court	\$10	\$20	\$29	\$39	\$49	\$59	\$68	\$78	\$88	\$98
Finance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
General Administration	\$24	\$48	\$72	\$96	\$120	\$144	\$168	\$192	\$216	\$239
Risk Management	\$1	\$1	\$2	\$3	\$3	\$4	\$5	\$6	\$6	\$7
Police	\$1	\$3	\$4	\$5	\$7	\$70	\$71	\$73	\$74	\$75
Fire	\$3	\$5	\$8	\$10	\$13	\$15	\$18	\$20	\$23	\$25
Planning	\$3	\$6	\$10	\$13	\$16	\$19	\$22	\$25	\$29	\$32
Engineering	\$2	\$5	\$7	\$9	\$12	\$14	\$17	\$19	\$21	\$24
Building Maintenance	\$2	\$4	\$6	\$7	\$9	\$11	\$13	\$15	\$17	\$18
Total	\$49	\$97	\$265	\$313	\$362	\$591	\$639	\$688	\$736	\$785
NET REVENUES	\$233	\$423	\$495	\$685	\$875	\$884	\$1,074	\$1,265	\$1,455	\$1,645
CUMULATIVE REVENUES	\$372	\$1,124	\$2,011	\$3,285	\$4,940	\$6,668	\$8,722	\$11,156	\$13,970	\$17,165

5. Southeast FAZ

The table below shows the General Fund details for the Southeast FAZ under Scenario 1. As in the previous FAZs, Taxes and Intergovernmental transfers account for most of the revenues. Fire expenditures are the largest component of costs, ranging from 29 to 44 percent after 2010. Police and General Administration expenditures each account for about 12 to 25 percent of the total.

Southeast - Scenario 1 GENERAL FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Taxes	\$160	\$320	\$479	\$639	\$799	\$959	\$1,119	\$1,279	\$1,438	\$1,598
Intergovernmental	\$102	\$203	\$305	\$406	\$508	\$609	\$711	\$812	\$914	\$1,015
Charges for Service	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fines, Licenses, and Permits	\$116	\$122	\$128	\$135	\$141	\$147	\$153	\$160	\$166	\$172
Other Revenues	\$1	\$1	\$2	\$3	\$3	\$4	\$5	\$5	\$6	\$7
Non-Operating Revenue	\$38	\$76	\$114	\$152	\$190	\$228	\$266	\$304	\$342	\$380
Total	\$416	\$722	\$1,028	\$1,335	\$1,641	\$1,947	\$2,253	\$2,560	\$2,866	\$3,172
OPERATING EXPENDITURES										
City Council	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
City Manager	\$4	\$7	\$85	\$88	\$92	\$170	\$173	\$177	\$180	\$184
Information Technology	\$2	\$5	\$7	\$9	\$11	\$14	\$16	\$18	\$20	\$23
Economic Development	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Legal Affairs	\$0	\$0	\$45	\$45	\$45	\$90	\$90	\$90	\$90	\$90
Prosecutor	\$7	\$13	\$20	\$27	\$34	\$40	\$47	\$54	\$61	\$67
Municipal Court	\$20	\$40	\$61	\$81	\$101	\$121	\$142	\$162	\$182	\$202
Finance	\$15	\$30	\$45	\$60	\$75	\$90	\$105	\$121	\$136	\$151
General Administration	\$52	\$103	\$155	\$207	\$259	\$310	\$362	\$414	\$465	\$517
Risk Management	\$1	\$3	\$4	\$6	\$7	\$9	\$10	\$12	\$13	\$14
Police	\$5	\$73	\$140	\$145	\$212	\$279	\$285	\$352	\$500	\$505
Fire	\$5	\$10	\$16	\$21	\$737	\$742	\$747	\$752	\$758	\$763
Planning	\$7	\$13	\$20	\$26	\$33	\$40	\$46	\$53	\$59	\$66
Engineering	\$5	\$10	\$15	\$20	\$25	\$29	\$34	\$39	\$44	\$49
Building Maintenance	\$4	\$8	\$11	\$15	\$19	\$23	\$27	\$30	\$34	\$38
Total	\$127	\$316	\$623	\$750	\$1,650	\$1,958	\$2,084	\$2,273	\$2,543	\$2,670
NET REVENUES	\$289	\$406	\$405	\$584	(\$9)	(\$10)	\$169	\$287	\$323	\$502
CUMULATIVE REVENUES	\$488	\$1,211	\$1,987	\$3,065	\$3,668	\$3,613	\$3,861	\$4,344	\$5,044	\$5,959

Under Scenario 2, the same pattern continues. By 2010, Fire expenditures account for over 50 percent of total costs. By 2020, that percentage is reduced to 37 percent as Police and General Administration costs increase substantially.

**Southeast - Scenario 2
GENERAL FUND**

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Taxes	\$133	\$266	\$398	\$531	\$664	\$797	\$930	\$1,063	\$1,195	\$1,328
Intergovernmental	\$64	\$128	\$192	\$256	\$320	\$384	\$448	\$513	\$577	\$641
Charges for Service	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fines, Licenses, and Permits	\$73	\$77	\$81	\$85	\$89	\$93	\$97	\$101	\$105	\$109
Other Revenues	\$0	\$1	\$1	\$2	\$2	\$2	\$3	\$3	\$4	\$4
Non-Operating Revenue	\$24	\$48	\$72	\$96	\$120	\$144	\$168	\$192	\$216	\$240
Total	\$294	\$520	\$745	\$970	\$1,195	\$1,420	\$1,646	\$1,871	\$2,096	\$2,321
OPERATING EXPENDITURES										
City Council	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
City Manager	\$2	\$5	\$8	\$8	\$8	\$9	\$10	\$11	\$13	\$14
Information Technology	\$1	\$3	\$4	\$6	\$7	\$9	\$10	\$11	\$13	\$14
Economic Development	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Legal Affairs	\$0	\$0	\$45	\$45	\$45	\$90	\$90	\$90	\$90	\$90
Prosecutor	\$4	\$9	\$13	\$17	\$21	\$26	\$30	\$34	\$38	\$43
Municipal Court	\$13	\$26	\$38	\$51	\$64	\$77	\$89	\$102	\$115	\$128
Finance	\$10	\$19	\$29	\$38	\$48	\$57	\$67	\$76	\$86	\$95
General Administration	\$34	\$68	\$101	\$135	\$169	\$203	\$237	\$270	\$304	\$338
Risk Management	\$1	\$2	\$3	\$4	\$5	\$5	\$6	\$7	\$8	\$9
Police	\$3	\$7	\$7	\$7	\$14	\$14	\$14	\$21	\$21	\$28
Fire	\$3	\$7	\$10	\$13	\$27	\$31	\$34	\$37	\$40	\$42
Planning	\$4	\$8	\$12	\$17	\$21	\$25	\$29	\$33	\$37	\$42
Engineering	\$3	\$6	\$9	\$12	\$15	\$19	\$22	\$25	\$28	\$31
Building Maintenance	\$2	\$5	\$7	\$10	\$12	\$14	\$17	\$19	\$22	\$24
Total	\$81	\$163	\$425	\$506	\$1,359	\$1,560	\$1,641	\$1,784	\$1,865	\$2,009
NET REVENUES	\$213	\$357	\$320	\$464	(\$164)	(\$140)	\$4	\$87	\$231	\$313
CUMULATIVE REVENUES	\$354	\$996	\$1,558	\$2,414	\$2,787	\$2,428	\$2,364	\$2,466	\$2,856	\$3,410

B. Parks and Recreation Fund

1. Existing City FAZ

The charts below show the revenues and costs associated with the Parks and Recreation Fund for the Existing City FAZ. In both scenarios, net deficits are seen. This is due to the fact that recreation fees are not sufficient to cover recreation service costs

Existing City – Scenario 1

PARKS AND RECREATION FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Recreation Fees	\$8	\$16	\$24	\$32	\$40	\$48	\$56	\$64	\$72	\$80
Total	\$8	\$16	\$24	\$32	\$40	\$48	\$56	\$64	\$72	\$80
OPERATING EXPENDITURES										
Recreation Services	\$18	\$36	\$54	\$72	\$90	\$108	\$126	\$144	\$162	\$180
Total	\$18	\$36	\$54	\$72	\$90	\$108	\$126	\$144	\$162	\$180
NET REVENUES	(\$10)	(\$20)	(\$30)	(\$40)	(\$50)	(\$60)	(\$70)	(\$80)	(\$90)	(\$100)
CUMULATIVE REVENUES	(\$15)	(\$50)	(\$105)	(\$180)	(\$274)	(\$389)	(\$524)	(\$678)	(\$853)	(\$1,048)

Existing City – Scenario 2

PARKS AND RECREATION FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Recreation Fees	\$25	\$50	\$75	\$100	\$125	\$150	\$175	\$200	\$225	\$250
Total	\$25	\$50	\$75	\$100	\$125	\$150	\$175	\$200	\$225	\$250
OPERATING EXPENDITURES										
Recreation Services	\$56	\$112	\$168	\$224	\$280	\$336	\$393	\$449	\$505	\$561
Total	\$56	\$112	\$168	\$224	\$280	\$336	\$393	\$449	\$505	\$561
NET REVENUES	(\$31)	(\$62)	(\$93)	(\$124)	(\$155)	(\$186)	(\$217)	(\$248)	(\$280)	(\$311)
CUMULATIVE REVENUES	(\$46)	(\$154)	(\$324)	(\$557)	(\$851)	(\$1,208)	(\$1,627)	(\$2,109)	(\$2,652)	(\$3,258)

2. Northeast FAZ

The following charts show the Parks and Recreation Fund revenues and costs associates with the Northeast FAZ. As with the previous FAZ, net deficits are seen in each year.

Northeast – Scenario 1

PARKS AND RECREATION FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Recreation Fees	\$17	\$35	\$52	\$69	\$87	\$104	\$121	\$139	\$156	\$173
Total	\$17	\$35	\$52	\$69	\$87	\$104	\$121	\$139	\$156	\$173
OPERATING EXPENDITURES										
Recreation Services	\$39	\$78	\$117	\$155	\$194	\$233	\$272	\$311	\$350	\$388
Total	\$39	\$78	\$117	\$155	\$194	\$233	\$272	\$311	\$350	\$388
NET REVENUES	(\$22)	(\$43)	(\$65)	(\$86)	(\$108)	(\$129)	(\$151)	(\$172)	(\$194)	(\$215)
CUMULATIVE REVENUES	(\$32)	(\$108)	(\$226)	(\$387)	(\$592)	(\$839)	(\$1,130)	(\$1,463)	(\$1,840)	(\$2,259)

Northeast – Scenario 2

PARKS AND RECREATION FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Recreation Fees	\$7	\$14	\$21	\$28	\$35	\$42	\$50	\$57	\$64	\$71
Total	\$7	\$14	\$21	\$28	\$35	\$42	\$50	\$57	\$64	\$71
OPERATING EXPENDITURES										
Recreation Services	\$16	\$32	\$48	\$63	\$79	\$95	\$111	\$127	\$143	\$159
Total	\$16	\$32	\$48	\$63	\$79	\$95	\$111	\$127	\$143	\$159
NET REVENUES	(\$9)	(\$18)	(\$26)	(\$35)	(\$44)	(\$53)	(\$62)	(\$70)	(\$79)	(\$88)
CUMULATIVE REVENUES	(\$13)	(\$44)	(\$92)	(\$158)	(\$242)	(\$343)	(\$461)	(\$597)	(\$751)	(\$923)

3. North FAZ

The results for the North FAZ are similar to the previously mentioned FAZs. Revenues and expenditures are lower for this FAZ due to the smaller level of growth.

North – Scenario 1

PARKS AND RECREATION FUND

	2002	2004	2006	2008	2009	2010	2012	2014	2016	2018	2020
OPERATING REVENUES											
Recreation Fees	\$6	\$12	\$19	\$25	\$28	\$31	\$37	\$43	\$50	\$56	\$62
Total	\$6	\$12	\$19	\$25	\$28	\$31	\$37	\$43	\$50	\$56	\$62
OPERATING EXPENDITURES											
Recreation Services	\$14	\$28	\$42	\$56	\$63	\$70	\$84	\$97	\$111	\$125	\$139
Total	\$14	\$28	\$42	\$56	\$63	\$70	\$84	\$97	\$111	\$125	\$139
NET REVENUES	(\$8)	(\$15)	(\$23)	(\$31)	(\$35)	(\$39)	(\$46)	(\$54)	(\$62)	(\$69)	(\$77)
CUMULATIVE REVENUES	(\$12)	(\$39)	(\$81)	(\$139)	(\$174)	(\$212)	(\$301)	(\$405)	(\$525)	(\$660)	(\$810)

North – Scenario 2

PARKS AND RECREATION FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Recreation Fees	\$4	\$8	\$12	\$16	\$20	\$24	\$27	\$31	\$35	\$39
Total	\$4	\$8	\$12	\$16	\$20	\$24	\$27	\$31	\$35	\$39
OPERATING EXPENDITURES										
Recreation Services	\$9	\$18	\$26	\$35	\$44	\$53	\$62	\$70	\$79	\$88
Total	\$9	\$18	\$26	\$35	\$44	\$53	\$62	\$70	\$79	\$88
NET REVENUES	(\$5)	(\$10)	(\$15)	(\$19)	(\$24)	(\$29)	(\$34)	(\$39)	(\$44)	(\$49)
CUMULATIVE REVENUES	(\$7)	(\$24)	(\$51)	(\$88)	(\$134)	(\$190)	(\$256)	(\$331)	(\$416)	(\$511)

4. Southwest FAZ

The Southwest FAZ generates no impact on the Parks and Recreation Fund because there is no residential development associated with this FAZ.

5. Southeast FAZ

As with three of the four previous FAZs, the Southeast FAZ generates net deficits to the Parks and Recreation Fund.

Southeast – Scenario 1

PARKS AND RECREATION FUND										
	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Recreation Fees	\$13	\$25	\$38	\$51	\$64	\$76	\$89	\$102	\$114	\$127
Total	\$13	\$25	\$38	\$51	\$64	\$76	\$89	\$102	\$114	\$127
OPERATING EXPENDITURES										
Recreation Services	\$29	\$57	\$86	\$114	\$143	\$171	\$200	\$228	\$257	\$285
Total	\$29	\$57	\$86	\$114	\$143	\$171	\$200	\$228	\$257	\$285
NET REVENUES	(\$16)	(\$32)	(\$47)	(\$63)	(\$79)	(\$95)	(\$111)	(\$126)	(\$142)	(\$158)
CUMULATIVE REVENUES	(\$24)	(\$79)	(\$166)	(\$284)	(\$434)	(\$616)	(\$829)	(\$1,074)	(\$1,351)	(\$1,659)

Southeast – Scenario 2

PARKS AND RECREATION FUND										
	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
Recreation Fees	\$8	\$16	\$24	\$32	\$40	\$48	\$56	\$64	\$72	\$80
Total	\$8	\$16	\$24	\$32	\$40	\$48	\$56	\$64	\$72	\$80
OPERATING EXPENDITURES										
Recreation Services	\$18	\$36	\$54	\$72	\$90	\$108	\$126	\$144	\$162	\$180
Total	\$18	\$36	\$54	\$72	\$90	\$108	\$126	\$144	\$162	\$180
NET REVENUES	(\$10)	(\$20)	(\$30)	(\$40)	(\$50)	(\$60)	(\$70)	(\$80)	(\$90)	(\$100)
CUMULATIVE REVENUES	(\$15)	(\$50)	(\$105)	(\$180)	(\$274)	(\$389)	(\$524)	(\$678)	(\$853)	(\$1,048)

C. Street Maintenance and Repair Fund

1. Existing City FAZ

The tables below show the impact of the Existing City FAZ on the Street Maintenance and Repair Fund. Net deficits are seen in all years after 2003 under both scenarios. License Fee and Gasoline Tax revenues generated by the development are not sufficient to fund associated road maintenance in this FAZ.

Existing City – Scenario 1

STREET MAINTENANCE AND REPAIR FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
License Fees	\$42	\$69	\$97	\$125	\$139	\$139	\$139	\$139	\$139	\$139
Gasoline Tax	\$102	\$170	\$238	\$306	\$340	\$340	\$340	\$340	\$340	\$340
Total	\$144	\$239	\$335	\$431	\$479	\$479	\$479	\$479	\$479	\$479
OPERATING EXPENDITURES										
Street Maintenance and Repair	\$121	\$241	\$361	\$481	\$602	\$602	\$602	\$602	\$602	\$602
Total	\$121	\$241	\$361	\$481	\$602	\$602	\$602	\$602	\$602	\$602
NET OPERATING REVENUES	\$23	(\$2)	(\$26)	(\$51)	(\$123)	(\$123)	(\$123)	(\$123)	(\$123)	(\$123)
CUMULATIVE NET OPERATING REVENUES	\$58	\$67	\$28	(\$61)	(\$247)	(\$493)	(\$738)	(\$984)	(\$1,230)	(\$1,475)

Existing City – Scenario 2

STREET MAINTENANCE AND REPAIR FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
License Fees	\$21	\$35	\$49	\$62	\$76	\$90	\$104	\$118	\$132	\$143
Gasoline Tax	\$51	\$85	\$119	\$153	\$187	\$221	\$255	\$289	\$323	\$343
Total	\$72	\$120	\$168	\$215	\$263	\$311	\$359	\$407	\$455	\$486
OPERATING EXPENDITURES										
Street Maintenance and Repair	\$62	\$123	\$184	\$245	\$306	\$367	\$429	\$490	\$552	\$613
Total	\$62	\$123	\$184	\$245	\$306	\$367	\$429	\$490	\$552	\$613
NET REVENUES	\$10	(\$3)	(\$16)	(\$30)	(\$43)	(\$56)	(\$70)	(\$83)	(\$97)	(\$127)
CUMULATIVE REVENUES	\$27	\$28	\$2	(\$51)	(\$130)	(\$235)	(\$368)	(\$529)	(\$716)	(\$947)

2. Northeast FAZ

The impacts to the Street Maintenance and Repair Fund generated by the Northeast FAZ are shown in the tables below. Again, net deficits are seen in most years.

Northeast – Scenario 1

STREET MAINTENANCE AND REPAIR FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
License Fees	\$14	\$24	\$34	\$43	\$53	\$62	\$72	\$82	\$91	\$100
Gasoline Tax	\$35	\$59	\$82	\$106	\$129	\$153	\$176	\$200	\$223	\$236
Total	\$50	\$83	\$116	\$149	\$182	\$215	\$248	\$281	\$315	\$336
OPERATING EXPENDITURES										
Street Maintenance and Repair	\$41	\$82	\$124	\$165	\$206	\$247	\$289	\$330	\$371	\$412
Total	\$41	\$82	\$124	\$165	\$206	\$247	\$289	\$330	\$371	\$412
NET REVENUES	\$8	\$0	(\$8)	(\$16)	(\$24)	(\$32)	(\$40)	(\$48)	(\$56)	(\$76)
CUMULATIVE REVENUES	\$21	\$26	\$14	(\$13)	(\$57)	(\$117)	(\$194)	(\$286)	(\$395)	(\$531)

Northeast – Scenario 2

STREET MAINTENANCE AND REPAIR FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
License Fees	\$6	\$10	\$14	\$18	\$22	\$25	\$29	\$33	\$37	\$41
Gasoline Tax	\$14	\$24	\$34	\$43	\$53	\$62	\$72	\$82	\$91	\$100
Total	\$20	\$34	\$47	\$61	\$74	\$88	\$101	\$115	\$128	\$141
OPERATING EXPENDITURES										
Street Maintenance and Repair	\$19	\$38	\$57	\$76	\$95	\$114	\$133	\$153	\$172	\$191
Total	\$19	\$38	\$57	\$76	\$95	\$114	\$133	\$153	\$172	\$191
NET REVENUES	\$1	(\$4)	(\$10)	(\$15)	(\$21)	(\$27)	(\$32)	(\$38)	(\$43)	(\$50)
CUMULATIVE REVENUES	\$5	(\$1)	(\$18)	(\$46)	(\$85)	(\$135)	(\$197)	(\$269)	(\$353)	(\$448)

3. North FAZ

The impact of the North FAZ on the Street Maintenance and Repair Fund is shown in the following tables. As with the previous FAZs, net deficits are seen in most years. However, the deficits under Scenario 2 are minimal.

North – Scenario 1

STREET MAINTENANCE AND REPAIR FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
License Fees	\$5	\$9	\$12	\$15	\$19	\$22	\$26	\$29	\$33	\$37
Gasoline Tax	\$13	\$21	\$30	\$38	\$46	\$55	\$63	\$72	\$80	\$88
Total	\$18	\$30	\$42	\$53	\$65	\$77	\$89	\$101	\$113	\$125
OPERATING EXPENDITURES										
Street Maintenance and Repair	\$15	\$30	\$45	\$60	\$76	\$91	\$106	\$121	\$136	\$151
Total	\$15	\$30	\$45	\$60	\$76	\$91	\$106	\$121	\$136	\$151
NET REVENUES	\$3	(\$1)	(\$4)	(\$7)	(\$10)	(\$13)	(\$17)	(\$20)	(\$23)	(\$26)
CUMULATIVE REVENUES	\$7	\$8	\$2	(\$11)	(\$30)	(\$55)	(\$87)	(\$125)	(\$170)	(\$221)

North – Scenario 2

STREET MAINTENANCE AND REPAIR FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
License Fees	\$3	\$5	\$8	\$10	\$12	\$14	\$16	\$18	\$21	\$24
Gasoline Tax	\$8	\$13	\$19	\$24	\$29	\$35	\$40	\$45	\$51	\$57
Total	\$11	\$19	\$26	\$34	\$41	\$49	\$56	\$64	\$71	\$81
OPERATING EXPENDITURES										
Street Maintenance and Repair	\$9	\$18	\$27	\$36	\$45	\$53	\$62	\$71	\$80	\$89
Total	\$9	\$18	\$27	\$36	\$45	\$53	\$62	\$71	\$80	\$89
NET REVENUES	\$2	\$1	(\$0)	(\$2)	(\$3)	(\$5)	(\$6)	(\$8)	(\$9)	(\$8)
CUMULATIVE REVENUES	\$5	\$8	\$8	\$5	(\$1)	(\$10)	(\$21)	(\$36)	(\$53)	(\$71)

4. Southwest FAZ

The tables below show the impact of the Southwest FAZ on the Street Maintenance and Repair Fund. Net deficits are seen in all years under both scenarios. This is due to the fact that no revenues are generated in this FAZ because these revenues are allocated to residential development.

Southwest – Scenario 1

STREET MAINTENANCE AND REPAIR FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
License Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Gasoline Tax	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
OPERATING EXPENDITURES										
Street Maintenance and Repair	\$5	\$10	\$14	\$19	\$24	\$29	\$33	\$38	\$43	\$48
Total	\$5	\$10	\$14	\$19	\$24	\$29	\$33	\$38	\$43	\$48
NET REVENUES	(\$5)	(\$10)	(\$14)	(\$19)	(\$24)	(\$29)	(\$33)	(\$38)	(\$43)	(\$48)
CUMULATIVE REVENUES	(\$7)	(\$24)	(\$50)	(\$86)	(\$131)	(\$186)	(\$250)	(\$324)	(\$407)	(\$500)

Southwest – Scenario 2

STREET MAINTENANCE AND REPAIR FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
License Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Gasoline Tax	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
OPERATING EXPENDITURES										
Street Maintenance and Repair	\$8	\$15	\$23	\$31	\$38	\$46	\$54	\$62	\$69	\$77
Total	\$8	\$15	\$23	\$31	\$38	\$46	\$54	\$62	\$69	\$77
NET OPERATING REVENUES	(\$8)	(\$15)	(\$23)	(\$31)	(\$38)	(\$46)	(\$54)	(\$62)	(\$69)	(\$77)
CUMULATIVE NET OPERATING REVENUES	(\$12)	(\$38)	(\$81)	(\$139)	(\$212)	(\$300)	(\$404)	(\$523)	(\$658)	(\$808)

5. Southeast FAZ

The Street Maintenance and Repair Fund impacts associated with the Southeast FAZ are shown below. Under Scenario 1, the FAZ generates minimal net results with a cumulative net deficit of only \$12,000 over the 20-year analysis period. Under Scenario 2, the results show net deficits in all years after 2003.

Southeast – Scenario 1

STREET MAINTENANCE AND REPAIR FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
License Fees	\$11	\$18	\$25	\$32	\$39	\$46	\$53	\$60	\$67	\$73
Gasoline Tax	\$26	\$43	\$60	\$78	\$95	\$112	\$130	\$147	\$164	\$176
Total	\$36	\$61	\$85	\$109	\$134	\$158	\$182	\$207	\$231	\$249
OPERATING EXPENDITURES										
Street Maintenance and Repair	\$27	\$53	\$80	\$107	\$133	\$160	\$187	\$213	\$240	\$267
Total	\$27	\$53	\$80	\$107	\$133	\$160	\$187	\$213	\$240	\$267
NET REVENUES	\$10	\$7	\$5	\$3	\$0	(\$2)	(\$4)	(\$7)	(\$9)	(\$18)
CUMULATIVE REVENUES	\$21	\$37	\$48	\$55	\$56	\$54	\$46	\$34	\$16	(\$12)

Southeast – Scenario 2

STREET MAINTENANCE AND REPAIR FUND

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
OPERATING REVENUES										
License Fees	\$7	\$11	\$16	\$20	\$24	\$29	\$33	\$38	\$42	\$46
Gasoline Tax	\$16	\$27	\$38	\$49	\$60	\$71	\$82	\$93	\$104	\$115
Total	\$23	\$38	\$54	\$69	\$84	\$100	\$115	\$131	\$146	\$161
OPERATING EXPENDITURES										
Street Maintenance and Repair	\$23	\$46	\$68	\$91	\$114	\$137	\$160	\$182	\$205	\$228
Total	\$23	\$46	\$68	\$91	\$114	\$137	\$160	\$182	\$205	\$228
NET REVENUES	\$0	(\$7)	(\$15)	(\$22)	(\$30)	(\$37)	(\$44)	(\$52)	(\$59)	(\$67)
CUMULATIVE REVENUES	\$4	(\$7)	(\$32)	(\$73)	(\$128)	(\$198)	(\$284)	(\$384)	(\$499)	(\$629)

D. Capital Improvement and Debt Financing

This section outlines the impacts to capital facilities for each FAZ. Police, Fire, and Park capital facilities are funded, in part, from impact fees. The General Administration transfers, which were included as an expense under the General Fund, are tracked here as a revenue to Capital Improvements and Debt Financing. The fees used were from the updated TA impact fee report recently completed.

1. Existing City FAZ

The impacts on capital facilities from the Existing City FAZ are shown in the table below. Net deficits are seen in early years, primarily due to the lumpy expenditures for street facilities.

Existing City – Scenario 1

CAPITAL IMPROVEMENTS AND DEBT FINANCING										
	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
CAPITAL REVENUES										
Impact Fees	\$1,189	\$1,189	\$1,171	\$1,171	\$1,171	\$0	\$0	\$0	\$0	\$0
General Administration Transfers	\$220	\$440	\$657	\$871	\$1,085	\$1,085	\$1,085	\$1,085	\$1,085	\$1,085
Total	\$1,409	\$1,629	\$1,829	\$2,043	\$2,257	\$1,085	\$1,085	\$1,085	\$1,085	\$1,085
DEBT FINANCED CAPITAL EXPENDITURES										
Police	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fire	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Parks	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Streets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PAY-AS-YOU-GO CAPITAL EXPENDITURES										
Police	\$83	\$191	\$272	\$380	\$461	\$459	\$459	\$459	\$459	\$459
Fire	\$0	\$0	\$0	\$0	\$130	\$0	\$0	\$0	\$0	\$130
Parks	\$783	\$783	\$783	\$783	\$783	\$0	\$0	\$0	\$0	\$0
Streets	\$100	\$1,250	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$966	\$2,224	\$1,055	\$1,163	\$1,374	\$459	\$459	\$459	\$459	\$589
Total	\$966	\$2,224	\$1,055	\$1,163	\$1,374	\$459	\$459	\$459	\$459	\$589
NET REVENUES	\$443	(\$595)	\$774	\$880	\$883	\$626	\$626	\$626	\$626	\$496
CUMULATIVE REVENUES	\$414	(\$1,590)	(\$1,963)	(\$257)	\$1,532	\$2,758	\$3,984	\$5,080	\$6,279	\$7,348

Existing City – Scenario 2

CAPITAL IMPROVEMENTS AND DEBT FINANCING										
	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
CAPITAL REVENUES										
Impact Fees	\$623	\$623	\$605	\$605	\$605	\$611	\$611	\$611	\$611	\$611
General Administration Transfer	\$118	\$235	\$350	\$462	\$573	\$677	\$781	\$886	\$990	\$1,140
Total	\$741	\$858	\$955	\$1,067	\$1,179	\$1,288	\$1,392	\$1,496	\$1,600	\$1,750
DEBT FINANCED CAPITAL EXPENDITURES										
Police	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fire	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Parks	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Streets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PAY-AS-YOU-GO CAPITAL EXPENDITURES										
Police	\$69	\$150	\$204	\$285	\$339	\$420	\$501	\$555	\$636	\$717
Fire	\$0	\$0	\$0	\$0	\$130	\$0	\$0	\$0	\$0	\$130
Parks	\$392	\$392	\$392	\$392	\$392	\$392	\$392	\$392	\$392	\$392
Streets	\$100	\$1,250	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$561	\$1,792	\$596	\$677	\$861	\$812	\$893	\$947	\$1,028	\$1,239
Total	\$561	\$1,792	\$596	\$677	\$861	\$812	\$893	\$947	\$1,028	\$1,239
NET REVENUES	\$180	(\$934)	\$359	\$390	\$318	\$476	\$499	\$549	\$572	\$511
CUMULATIVE REVENUES	\$409	(\$551)	(\$1,224)	(\$473)	\$209	\$1,136	\$2,109	\$3,026	\$4,091	\$5,119

2. Northeast FAZ

The Northeast FAZ generates net deficits for capital facilities in early years under both scenarios. A major contributor to these results is the lumpy cost of the road improvements. Under Scenario 2, deficits are significantly larger due to the significant cost of capital facilities relative to the lower level of development.

Northeast – Scenario 1

CAPITAL IMPROVEMENTS AND DEBT FINANCING

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
CAPITAL REVENUES										
Impact Fees	\$424	\$424	\$424	\$424	\$424	\$424	\$424	\$424	\$424	\$424
General Administration Transfer	\$78	\$156	\$234	\$312	\$390	\$467	\$545	\$623	\$701	\$779
Total	\$502	\$580	\$658	\$736	\$814	\$892	\$970	\$1,048	\$1,125	\$1,203
DEBT FINANCED CAPITAL EXPENDITURES										
Police	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fire	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Parks	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Streets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PAY-AS-YOU-GO CAPITAL EXPENDITURES										
Police	\$11	\$65	\$146	\$173	\$254	\$308	\$362	\$443	\$470	\$551
Fire	\$0	\$0	\$0	\$0	\$130	\$0	\$0	\$0	\$0	\$130
Parks	\$271	\$271	\$271	\$271	\$271	\$271	\$271	\$271	\$271	\$271
Streets	\$100	\$1,250	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$382	\$1,586	\$417	\$444	\$655	\$579	\$633	\$714	\$741	\$952
Total	\$382	\$1,586	\$417	\$444	\$655	\$579	\$633	\$714	\$741	\$952
NET REVENUES	\$120	(\$1,006)	\$241	\$292	\$159	\$313	\$337	\$334	\$384	\$251
CUMULATIVE REVENUES	\$220	(\$891)	(\$1,801)	(\$1,229)	(\$821)	(\$234)	\$400	\$925	\$1,628	\$2,195

Northeast – Scenario 2

CAPITAL IMPROVEMENTS AND DEBT FINANCING

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
CAPITAL REVENUES										
Impact Fees	\$199	\$199	\$199	\$199	\$199	\$174	\$174	\$174	\$174	\$174
General Administration Transfer	\$38	\$77	\$115	\$154	\$192	\$231	\$269	\$308	\$346	\$385
Total	\$238	\$276	\$315	\$353	\$392	\$405	\$443	\$482	\$520	\$559
DEBT FINANCED CAPITAL EXPENDITURES										
Police	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fire	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Parks	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Streets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PAY-AS-YOU-GO CAPITAL EXPENDITURES										
Police	\$30	\$60	\$114	\$168	\$222	\$276	\$330	\$357	\$411	\$492
Fire	\$0	\$0	\$0	\$0	\$130	\$0	\$0	\$0	\$0	\$130
Parks	\$111	\$111	\$111	\$111	\$111	\$111	\$111	\$111	\$111	\$111
Streets	\$100	\$1,250	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$241	\$1,420	\$224	\$278	\$462	\$386	\$440	\$467	\$521	\$732
Total	\$241	\$1,420	\$224	\$278	\$462	\$386	\$440	\$467	\$521	\$732
NET REVENUES	(\$3)	(\$1,144)	\$91	\$75	(\$71)	\$18	\$3	\$14	(\$1)	(\$174)
CUMULATIVE REVENUES	\$13	(\$1,355)	(\$2,546)	(\$2,388)	(\$2,391)	(\$2,374)	(\$2,387)	(\$2,535)	(\$2,584)	(\$2,847)

3. North FAZ

Under both scenarios, small net revenues are seen a few years on an annual basis. However, net deficits are seen under both scenarios on a cumulative basis. This is primarily due to costs for a new fire station.

North – Scenario 1

CAPITAL IMPROVEMENTS AND DEBT FINANCING

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
CAPITAL REVENUES										
Impact Fees	\$164	\$164	\$164	\$164	\$164	\$164	\$164	\$164	\$164	\$164
General Administration Transfer	\$30	\$61	\$91	\$121	\$151	\$182	\$212	\$242	\$272	\$303
Total	\$194	\$225	\$255	\$285	\$316	\$346	\$376	\$406	\$437	\$467
DEBT FINANCED CAPITAL EXPENDITURES										
Police	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fire	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Parks	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Streets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PAY-AS-YOU-GO CAPITAL EXPENDITURES										
Police	\$5	\$32	\$86	\$113	\$140	\$221	\$248	\$275	\$329	\$356
Fire	\$0	\$0	\$0	\$0	\$430	\$0	\$0	\$0	\$0	\$430
Parks	\$97	\$97	\$97	\$97	\$97	\$97	\$97	\$97	\$97	\$97
Streets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$102	\$129	\$183	\$210	\$667	\$318	\$345	\$372	\$426	\$883
Total	\$102	\$129	\$183	\$210	\$667	\$318	\$345	\$372	\$426	\$883
NET REVENUES	\$93	\$96	\$72	\$75	(\$351)	\$28	\$31	\$34	\$11	(\$416)
CUMULATIVE REVENUES	\$148	\$316	(\$1,058)	(\$896)	(\$1,211)	(\$1,143)	(\$1,096)	(\$1,499)	(\$1,520)	(\$1,965)

North – Scenario 2

CAPITAL IMPROVEMENTS AND DEBT FINANCING

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
CAPITAL REVENUES										
Impact Fees	\$101	\$101	\$101	\$101	\$101	\$101	\$101	\$101	\$101	\$101
General Administration Transfer	\$18	\$37	\$55	\$74	\$92	\$110	\$129	\$147	\$165	\$184
Total	\$119	\$137	\$156	\$174	\$193	\$211	\$229	\$248	\$266	\$285
DEBT FINANCED CAPITAL EXPENDITURES										
Police	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fire	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Parks	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Streets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PAY-AS-YOU-GO CAPITAL EXPENDITURES										
Police	\$11	\$38	\$38	\$65	\$65	\$92	\$119	\$119	\$173	\$200
Fire	\$0	\$0	\$0	\$0	\$430	\$0	\$0	\$0	\$0	\$430
Parks	\$61	\$61	\$61	\$61	\$61	\$61	\$61	\$61	\$61	\$61
Streets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$72	\$99	\$99	\$126	\$556	\$153	\$180	\$180	\$234	\$691
Total	\$72	\$99	\$99	\$126	\$556	\$153	\$180	\$180	\$234	\$691
NET REVENUES	\$47	\$38	\$56	\$48	(\$364)	\$58	\$49	\$67	\$32	(\$407)
CUMULATIVE REVENUES	\$90	\$177	(\$1,238)	(\$1,114)	(\$1,436)	(\$1,346)	(\$1,246)	(\$1,567)	(\$1,555)	(\$1,964)

4. Southwest FAZ

Capital facility impacts for the Southwest FAZ are shown in the tables below. Under both scenarios, small net revenues are seen in most years. However, cumulative net deficits are seen due to the lumpy costs of fire expenditures.

Southwest – Scenario 1

CAPITAL IMPROVEMENTS AND DEBT FINANCING

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
CAPITAL REVENUES										
Impact Fees	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44
General Administration Transfe	\$14	\$29	\$43	\$58	\$72	\$87	\$101	\$116	\$130	\$145
Total	\$58	\$72	\$87	\$101	\$116	\$130	\$145	\$159	\$174	\$188
DEBT FINANCED CAPITAL EXPENDITURES										
Police	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fire	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Parks	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Streets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PAY-AS-YDU-GO CAPITAL EXPENDITURES										
Police	\$5	\$11	\$38	\$38	\$65	\$65	\$92	\$92	\$120	\$120
Fire	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Parks	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Streets	\$85	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$90	\$11	\$38	\$38	\$65	\$65	\$92	\$92	\$120	\$120
Total	\$90	\$11	\$38	\$38	\$65	\$65	\$92	\$92	\$120	\$120
NET REVENUES	(\$32)	\$61	\$49	\$63	\$51	\$65	\$53	\$67	\$54	\$68
CUMULATIVE REVENUES	\$4	(\$40)	(\$572)	(\$453)	(\$358)	(\$262)	(\$163)	(\$714)	(\$641)	(\$565)

Southwest – Scenario 2

CAPITAL IMPROVEMENTS AND DEBT FINANCING

	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
CAPITAL REVENUES										
Impact Fees	\$73	\$73	\$73	\$73	\$73	\$73	\$73	\$73	\$73	\$73
General Administration Transfer	\$24	\$48	\$72	\$96	\$120	\$144	\$168	\$192	\$216	\$239
Total	\$97	\$121	\$145	\$169	\$193	\$217	\$241	\$265	\$289	\$313
DEBT FINANCED CAPITAL EXPENDITURES										
Police	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fire	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Parks	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Streets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PAY-AS-YOU-GO CAPITAL EXPENDITURES										
Police	\$5	\$35	\$62	\$89	\$116	\$143	\$170	\$197	\$224	\$251
Fire	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Parks	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Streets	\$85	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$90	\$35	\$62	\$89	\$116	\$143	\$170	\$197	\$224	\$251
Total	\$90	\$35	\$62	\$89	\$116	\$143	\$170	\$197	\$224	\$251
NET CAPITAL REVENUES	\$7	\$86	\$83	\$80	\$77	\$74	\$71	\$68	\$65	\$62
CUM NET CAPITAL REVENUES	\$77	\$106	(\$363)	(\$188)	(\$46)	\$90	\$220	(\$306)	(\$215)	(\$131)

5. Southeast FAZ

The capital facility impacts generated by the Southeast FAZ are shown in the following tables. Net revenues are seen in most years under both scenarios. Also, cumulative net revenues are seen over 20 years under both scenarios.

Southeast – Scenario 1

CAPITAL IMPROVEMENTS AND DEBT FINANCING										
	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
CAPITAL REVENUES										
Impact Fees	\$289	\$289	\$289	\$289	\$289	\$288	\$288	\$288	\$288	\$296
General Administration Transfer	\$52	\$103	\$155	\$207	\$259	\$310	\$362	\$414	\$465	\$517
Total	\$340	\$392	\$444	\$496	\$547	\$598	\$650	\$702	\$753	\$813
DEBT FINANCED CAPITAL EXPENDITURES										
Police	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fire	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Parks	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Streets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PAY-AS-YOU-GO CAPITAL EXPENDITURES										
Police	\$5	\$11	\$45	\$45	\$35	\$72	\$72	\$99	\$99	\$99
Fire	\$0	\$0	\$0	\$0	\$1,530	\$0	\$0	\$0	\$0	\$430
Parks	\$199	\$199	\$199	\$199	\$199	\$199	\$199	\$199	\$199	\$199
Streets	\$40	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$244	\$210	\$244	\$244	\$1,764	\$271	\$271	\$298	\$298	\$728
Total	\$244	\$210	\$244	\$244	\$1,764	\$271	\$271	\$298	\$298	\$728
NET REVENUES	\$97	\$182	\$200	\$252	(\$1,217)	\$327	\$379	\$404	\$455	\$85
CUMULATIVE REVENUES	\$187	\$142	(\$100)	\$378	(\$588)	\$13	\$719	\$1,070	\$1,901	\$2,414

Southeast – Scenario 2

CAPITAL IMPROVEMENTS AND DEBT FINANCING										
	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
CAPITAL REVENUES										
Impact Fees	\$182	\$182	\$182	\$182	\$182	\$182	\$182	\$182	\$182	\$185
General Administration Transfer	\$34	\$68	\$101	\$135	\$169	\$203	\$237	\$270	\$304	\$338
Total	\$216	\$250	\$283	\$317	\$351	\$385	\$418	\$452	\$486	\$523
DEBT FINANCED CAPITAL EXPENDITURES										
Police	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fire	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Parks	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Streets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PAY-AS-YOU-GO CAPITAL EXPENDITURES										
Police	\$4	\$4	\$4	\$4	\$35	\$35	\$35	\$35	\$62	\$62
Fire	\$0	\$0	\$0	\$0	\$1,530	\$0	\$0	\$0	\$0	\$430
Parks	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126
Streets	\$40	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$170	\$130	\$130	\$130	\$1,691	\$161	\$161	\$161	\$188	\$618
Total	\$170	\$130	\$130	\$130	\$1,691	\$161	\$161	\$161	\$188	\$618
NET REVENUES	\$46	\$120	\$154	\$187	(\$1,340)	\$224	\$258	\$291	\$298	(\$95)
CUMULATIVE REVENUES	\$94	(\$71)	(\$430)	(\$72)	(\$1,265)	(\$862)	(\$390)	(\$281)	\$245	\$411

STEVEN P. ELLIOTT
200 Civic Center Drive, Suite 1200
Columbus, Ohio 43215

April 30, 2019

City of Delaware Planning
Commission
1 South Sandusky Street
Delaware, Ohio 43015
Attn: David M. Efland, Director

Subject: Letter of Objections to Winterbrooke Rezoning, Conditional Use Permit
and Preliminary Development Plan

Dear Mr. Efland:

I am representing John and Toni Gundling in connection with the proposed Winterbrooke development surrounding their property at 957 Peachblow Road, Lewis Center, Ohio (Tax Parcel No. 418-330-01-024-000). This letter is intended as an objection letter to the materials submitted to the Delaware City Planning Commission by Grden, LLC (the "Developer") in connection with the Developer's proposed single-family development known as Winterbrooke Place, which is being annexed into the City of Delaware (the "Development"). These submissions set forth the Developer's request for the City to re-zone the Developer's 100-acre Development site, to issue a Conditional Use Permit and to approve a Preliminary Development Plan for the Development.

I have reviewed with the Gundlings the submissions to the Planning Commission for this Development and the Staff Report based on those submissions issued at the end of last week. Based on our review, and previous discussions with Mr. Grden of the Developer and yourself, the following is a summary of the Gundlings' objections to the Development and the Developer's requested actions by the City for the Development:

- Access concerns:
 - Traffic study not completed
 - Primary access means (roundabout on Peachblow Road) not committed
 - Secondary access means (from Belmont development to the west) not committed (by Grady Memorial/Ohio Health – panhandle owner)
 - Dysfunctional alignment of secondary access means through Belmont and Ohio Health panhandle (two close 90 degree turns)
 - Alternate plan for access to Peachblow Road. Will the Ohio Health panhandle be a main access point?
- Engineering studies (including drainage plan) not completed
- Wetlands delineation not completed/included in Planning Commission submissions

- Inadequate mounding and buffering plan:
 - Non-compliant with inconsistent/incompatible use standards
 - Should include all boundaries of Gundling property on a continuous basis
 - Needs to include more plant screening for better opacity and more variety
 - Requirement for HOA maintenance/replacement
 - See attached letter from EDGE Landscape Architecture Group on behalf of the Gundlings
- Bike path “stubbed” at Gundling property lines:
 - Alternate route preferred
 - Require clear signage that path ends at Gundling “Private Property”
 - Encourages use of Gundling lawn or Peachblow Road
- Pond:
 - Needs buffering along entire property line
 - Commitment to wet pond with aeration
 - Requirement for HOA maintenance
- Lot size – too small, especially in area of Gundling property
- High density of Lots
- Non-compliance with City Comprehensive Plan
 - “Entry level” product not supported by City – all smaller Lots are entry level Lots
- Open areas primarily under high-voltage electric lines
- Private HOA and Deed Restrictions – No deed restrictions. Will these be required?
- Procedural issues:
 - Public notice included different development plan
 - Gundlings shown four different plans in last six weeks – no time to review/respond
 - All conditions of Staff report, as supplemented by the above objections, should be completed and satisfied prior to commencement of construction
- Significant reduction in aesthetic and economic values of Gundlings’ home

The Gundlings built their home in 1995, and have put considerable time and funds into making it an attractive and comfortable home site for themselves and their extended family. They are now being forced into a decision to stay in this home in the midst of the surrounding development, or sell their home and relocate -- all by reason of an excessively large development which is being prematurely considered and does not meet the buffering requirements for this materially different and incompatible land use (as noted above).

City of Delaware Planning Commission
April 30, 2019
Page 3

We would appreciate your sharing this letter with staff and Commission members for consideration. We are happy to discuss any of the above objections with the Planning Commission staff or members in a professional manner. I am planning to be present at the May 1 Planning Commission meeting.

Thank you for your consideration.

Respectfully,



Steven P. Elliott, Esq.

SPE/jrk

cc: John and Toni Gundling

April 30, 2019

Mr. John Gundling
957 Peachblow Road
Lewis Center, Ohio 43035

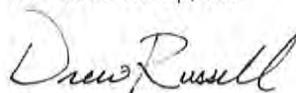
Dear Mr. Gundling:

After reviewing your property and the proposed preliminary development plan on the adjacent parcels, we understand your desire to have a buffer installed by the surrounding property owner to establish visual screening and security. It is our understanding that you would like this buffer to provide a solid, continuous, visual screen with 100% opacity within 3-5 years of the installation date.

In order to best achieve the desired results, we would recommend the following.

1. A landscaped earthen mound at least 4-6 feet high, with no more than a 3:1 slope.
2. A continuous planting of Evergreen Trees spaced 15 feet on center in a staggered pattern
3. 1 Deciduous Shade Tree, 2 Ornamental Trees and 10 Large Deciduous Shrubs per 100 linear feet installed on your side of the Evergreen Tree plantings to break up the evergreen wall effect. Deciduous Shrubs should be planted together with no less than 5 shrubs per group.
4. In order to help establish adequate screening within the desired time period, we recommend that the minimum plant sizes at the time of installation for all Evergreen Trees be eight 8 feet high, all Deciduous Shade Trees be 2.5" caliper, all Ornamental Trees to be 2" caliper, and all Deciduous Shrubs be 30 inch high.
5. We recommend that all mounding and landscaping be installed during the initial phases of the development to help establish the desired screening as quickly as possible.
6. In order to maintain the long-term integrity of the buffer, we recommend that all plantings be adequately maintained and that any dead or removed plantings be replaced within the next growing season.

Respectfully,
The EDGE Group, Inc.



Drew Russell
Associate



FACT SHEET

AGENDA ITEM NO: 18

DATE: 06/24/2019

ORDINANCE NO:

RESOLUTION NO: 19-28

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 OF NO OBJECTION TO FIVE EXPANSIONS OF THE CONCORD/SCIOTO COMMUNITY AUTHORITY, A NEW COMMUNITY AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE.

BACKGROUND:

The CIFA is a new community authority formed in 2007 pursuant to a Petition filed by Developer Triangle Properties located in Liberty and Concord Townships. Prior to its formation, the City of Delaware was identified as a “proximate city” (as defined in ORC Section 349.01(M)) and received notice of the proposed Petition to form the CIFA before it was filed with the Delaware County Board of Commissioners. Delaware provided its Consent to the formation of the CIFA before the filing, and a copy of said Consent was attached to the Petition. The CIFA is now working through the process of adding new territory to the CIFA, consisting of five individual expansion applications.

Council approved expansions of the NCA in June 2017, July 2016 and October 2014.

REASON WHY LEGISLATION IS NEEDED:

Under ORC Chapter 349.03(B), the CIFA must follow the same process as was used to establish the CIFA, which requires City Council approval.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

Darren Shulman, City Attorney

RECOMMENDATION:

Approval

ATTACHMENT(S)

Memo from City Manager regarding millage
Applications & Map Exhibits:

- Carpenter Mill
- Clark Shaw Reserve
- Heather Ridge
- Meadow at Home Road
- Village at Clark Shaw Reserve

City Approvals

RESOLUTION NO. 19-28

RESOLUTION OF NO OBJECTION TO THE EXPANSION OF THE CONCORD/SCIOTO COMMUNITY AUTHORITY, A NEW COMMUNITY AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE.

WHEREAS, the Concord/Scioto Community Authority (the “Authority”), as a new community authority under Chapter 349 of the Ohio Revised Code, exists within the boundaries of Delaware County, Ohio; and

WHEREAS, the Board of Trustees (the “Board”) of the Authority desires to expand the boundaries of the territory of the Authority (the “District”) to include the following additional properties (collectively, the “Properties”):

- Carpenter’s Mill, consisting of approximately 108.85 acres in Concord Township, Delaware County, with parcel numbers 319-240-01-046-000, 319-240-01-047-000, 319-240-01-048-000, and 319-230-02-103-000;
- Meadows at Home Road, consisting of approximately 10.25 acres in Concord Township, Delaware County, with parcel number 319-230-02-011-000;
- Village at Clark Shaw Reserve, consisting of approximately 24.24 acres in Liberty Township, Delaware County, with parcel number 419-340-02-019-000;
- Heather Ridge, consisting of approximately 38.9 acres in Concord Township, Delaware County, with parcel number 419-330-02-066-002; and
- Clark Shaw Reserve – Rockford, consisting of approximately 42.79 acres in Liberty Township, Delaware County, with parcel numbers 419-340-02-013-000, 419-340-02-014-000, 419-340-02-019-000, and 419-340-02-020-000.

WHEREAS, a community development charge will be levied against the property added to the District to pay the costs of community facilities that benefit the Property; and

WHEREAS, the City of Delaware (the “City”) may be defined as a “proximate city” under Section 349.01(M) of the Ohio Revised Code and has thus been informed of this proposed expansion.

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



MEMORANDUM

TO: Mayor Riggle and Members of Council
FROM: R. Thomas Homan, City Manager 
DATE: June 20, 2019
RE: Scioto/Concord NCA Millage Distribution

I have asked the question about whether the existing millage charge of 10.25 could be modified to provide a distribution to the city. In response to my question, Caleb Bell, one of the attorneys for the development provided the response below:

This community authority was established in Concord and Scioto Townships by action of the County Commissioners back in 2007. The community authority is a unique one in that its community development charge is driven toward the costs of the county's sewer plant and the county's sewer network. (I sometimes refer to this a "sewer authority" instead of a "development authority".) The sewer plant over on Moore Road is a County asset that will be paid back over time, in part with millage from this Authority.

The community development charge approved by the County Commissioners is 10.25 mills, and 2.0 mills of that is dedicated to the County. The remaining 8.25 mills is used first toward the costs of sewer and water infrastructure and second toward internal infrastructure (i.e., roads) of the areas being developed. Bonds of the County and bonds of the Authority have a claim on all 10.25 mills. Basically, all of this millage is dedicated toward sewer and infrastructure debt.

The City of Delaware considers these additions because of a vestige in the law. Proximate cities – roughly the largest city in the county where the Authority is located – must approve additions to this Authority because it was created back in 2007 and operates under older rules.

Thus, I am recommending that Council take favorable action on the resolution as presented.



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Michael L. Katz
614.227.4845
mkatz@bricker.com

MEMORANDUM

VIA E-MAIL

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

FROM: Christiane W. Schmenk
John Caleb Bell
Michael L. Katz

DATE: June 10, 2019

RE: Applications to Add Five Properties to the Concord/Scioto
Community Authority

We've prepared this executive summary to accompany the Applications to add five properties (the "Applications") to the Concord/Scioto Community Authority (the "Authority"). The Applications cover the following properties:

- Carpenter's Mill
- Meadows at Home Road
- Village at Clark Shaw Reserve
- Heather Ridge
- Clark Shaw Reserve – Rockford

The Applications were submitted to the City of Delaware, Ohio (the "City") on June 10, 2019, along with a draft resolution of "no-objection" to the Applications for City Council to consider, and draft signature pages to the Applications to be executed on behalf of the City, if so authorized by City Council.

Concord/Scioto Community Authority is a new community authority established pursuant to Chapter 349 of the Ohio Revised Code, and has district that covers property in Concord and Scioto Townships in Delaware County. See the map in Exhibit A to each of the Applications.

Concord/Scioto Development, LLC, the statutory developer for the Authority (the "Developer"), is preparing to petition the Delaware County Board of Commissioners to approve the addition of the five above properties to the Concord/Scioto Community Authority. Prior to submitting

Hon. Carolyn Kay Riggle
R. Thomas Homan
June 10, 2019
Page 2

the Applications to the Board of Commissioners, the Developer is requesting proximate city approval from the City.

The subject properties are situated adjacent to or near existing properties previously added to the Authority. *See* the maps in Exhibit A to each Application.

The Carpenter's Mill property, consisting of 108.85 acres, will be developed into 183 individually platted single-family residential lots by Pulte Homes of Ohio, LLC (the "Carpenter's Mill Builder"). The property is zoned as Planned Residential District. *See* Exhibit D to the Carpenter's Mill Application for the zoning approvals related to the Carpenter's Mill property.

The Meadows at Home Road property, consisting of 10.25 acres, will be developed into 25 condominium units by CV Real Property, LLC (the "Meadows at Home Road Builder"). The property is zoned as Planned Residential District. *See* Exhibit D to the Meadows at Home Road Application for the zoning approvals related to the Meadows at Home Road property.

The Village at Clark Shaw Reserve property, consisting of 24.24 acres, will be developed into 84 condominium units by Epcon Hyatts, LLC (the "Village at Clark Shaw Reserve Builder"). The property is zoned as Planned Residential District. *See* Exhibit D to the Village at Clark Shaw Reserve Application for the zoning approvals related to the Village at Clark Shaw Reserve property.

The Heather Ridge property, consisting of 38.9 acres, will be developed into 75 individually platted single-family residential lots by Homewood Corporation (the "Heather Ridge Builder"). The property is zoned as Planned Residential District. *See* Exhibit D to the Heather Ridge Application for the zoning approvals related to the Heather Ridge property.

The Clark Shaw Reserve – Rockford property, consisting of 42.79 acres, will be developed into 86 individually platted single-family residential lots by Rockford Homes, Inc. (the "Clark Shaw Reserve – Rockford Builder"). The property is zoned as Planned Residential District. *See* Exhibit D to the Clark Shaw Reserve – Rockford Application for the zoning approvals related to the Clark Shaw Reserve – Rockford property.

The Developer and each of the builders for the five projects outlined above (collectively, the "Builders") anticipate the construction of certain "community facilities" that will benefit each of the above properties. *See* preliminary list of anticipated community facilities in Exhibit G to each of the Applications. The Authority will finance these community facilities by levying a community development charge on the homes within the properties in the same manner as other areas within the Authority. *See* the plan of finance in Exhibit F to each of the Applications.

Hon. Carolyn Kay Riggle
R. Thomas Homan
June 10, 2019
Page 3

Additionally, each Application contains the traffic study and the Phase I environmental site assessment (or equivalent information) conducted for each of the properties in Exhibit H and Exhibit L, respectively, of each Application.

On behalf of the Developer, we respectfully request that City Council consider the resolution of “no-objection” and authorize the execution of the proximate city approval page on behalf of the City of Delaware.

Please let us know if you have any questions or if you would like to discuss the Applications further.

CWS
JCB
MLK

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DELAWARE COUNTY, OHIO

APPLICATION TO ADD PROPERTY TO THE CONCORD/SCIOTO COMMUNITY
AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF
THE CONCORD/SCIOTO COMMUNITY AUTHORITY AS A NEW COMMUNITY
AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE

Submitted by:

CONCORD/SCIOTO DEVELOPMENT, LLC

As the Developer

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DELAWARE COUNTY, OHIO

APPLICATION TO ADD PROPERTY TO THE CONCORD/SCIOTO COMMUNITY
AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF
THE CONCORD/SCIOTO COMMUNITY AUTHORITY AS A NEW COMMUNITY
AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE

The undersigned, Concord/Scioto Development, LLC (the “Developer”), is an Ohio limited liability company and is the “developer” within the meaning of Ohio Revised Code Section 349.01 for the Concord/Scioto Community Authority (the “Authority”), a new community authority established under and operating pursuant to Ohio Revised Code Chapter 349 (the “Act”).

On February 8, 2007, this Board of County Commissioners of Delaware County, Ohio (the “Board”) received a petition (the “Petition”) filed by Triangle Properties, Inc. (“Triangle”) under the Act to create the Authority. The Board approved the creation of the Authority on March 22, 2007 pursuant to its Resolution No. 07-331. The Board approved the assignment by Triangle of its rights, responsibilities, and duties as statutory developer of the Authority to the Developer on July 2, 2007 pursuant to its Resolution 07-809.

On December 1, 2014, the Board received an application to add the Rockford property to the Authority (the “Rockford Application”) filed by the Developer. On January 15, 2015, the Board approved the Rockford Application and so amended the Petition pursuant to its Resolution 15-54.

On August 18, 2016, the Board received (i) an application to add the Clark Shaw Moors (M/I Homes) property to the Authority (the “Clark Shaw Moors (M/I Homes) Application”), (ii) an application to add the Clark Shaw Moors (Rockford Homes) property to the Authority (the “Clark Shaw Moors (Rockford Homes) Application”), (iii) an application to add the Price Farms property to the Authority (the “Price Farms Application”), and (iv) an application to add the River Bluff property to the Authority (the “River Bluff Application”), all filed by the Developer. On September 29, 2016, the Board approved the Clark Shaw Moors (M/I Homes) Application and so amended the Petition pursuant to its Resolution 16-980, approved the Clark Shaw Moors (Rockford Homes) Application and so amended the Petition pursuant to its Resolution 16-981, approved the Price Farms Application and so amended the Petition pursuant to its Resolution 16-982, and approved the River Bluff Application and so amended the Petition pursuant to its Resolution 16-983.

On August 3, 2017, the Board received an application filed by the Developer to add the Scioto Ridge Crossing (M/I Homes) property to the Authority (the “Scioto Ridge Crossing Application”). On September 14, 2017, the Board approved the Scioto Ridge Crossing Application and so amended the Petition pursuant to its Resolution 17-952.

As authorized by Ohio Revised Code Section 349.03, the Developer now seeks Board approval to add certain real property described below to the territory of the Authority (the “District”) and to amend the Petition as necessary to accomplish the same, all pursuant to this

application (the “Application”). Exhibit A attached hereto is a map showing the existing District as well as the real property that the Developer now seeks to add to the District. To that end, with respect to the real property at issue in this Application, the Developer hereby applies as follows:

1. Property. The Developer seeks the addition to the District of certain real property consisting of approximately 108.85 acres in Concord Township, Delaware County, Ohio (the “Property”), which Property is identified in the records of the Delaware County Auditor at the time of this Application with parcel numbers 319-240-01-046-000, 319-240-01-047-000, 319-240-01-048-000 and 319-230-02-103-000. As described more particularly in the legal descriptions attached hereto as Exhibit B and as depicted in the map attached hereto as Exhibit C, which identifies the location of the Property and outline the initial plan of development for the Property, the Property is generally situated on the east and west sides of Steitz Road between Home Road and Rutherford Road. The Property is owned by or is under the control of the Developer through leases of at least 75 years’ duration, options, or contracts to purchase. The Developer hereby confirms that the addition of the Property will be conducive to the public health, safety, and convenience and welfare, will be consistent with the development of the District, and will further the plan of development for the District.
2. Zoning. The Property is zoned “Planned Residential District”, which designation will foster the necessary comprehensive development of the Property and the District as one functionally-interrelated community. The City of Powell, Delaware, Ohio approved said zoning designation with respect to the Property on May 18, 2017. A copy of the May 18, 2017 approval appears as Exhibit D hereto.
3. Development Plan. Pulte Homes of Ohio LLC, a Michigan limited liability company (“Pulte Homes”), plans to build 183 individually platted single-family residential lots on the Property. Consistent with the overall plan for the District, the Developer or Pulte Homes will provide for the District certain improvements constituting “community facilities” under the Act, including certain Community Facilities (as defined herein) in support of the Property. Exhibits F and G hereto provide additional details regarding the development plan and anticipated improvements to the Property.
4. Community Development Charge. The Developer proposes to issue revenue bonds to finance the Community Facilities and to secure said revenue bonds through the levy and collection of a 10.25-mill community development charge that will be paid by owners of real property within the Property pursuant to Ohio Revised Code Section 349.07. Pursuant to the Declaration of Covenants and Restrictions for the Authority (the “Declaration”), a 2.0-mill portion of the community development charge will be provided to Delaware County, Ohio. Pursuant to the Declaration, the community development charge with respect to any parcel within the District, including the Property, is chargeable and may be assessed by the Authority if a structure or building is located on a parcel and the parcel (i) receives approval to tap into the public sanitary sewer treatment system; (ii) receives approval to tap into the Del-Co Water Company, Inc. water system (or any successor thereto); or (iii) receives approval of a final development plan for lands, buildings, structures, and improvements to be included in said parcel from the applicable zoning jurisdiction.

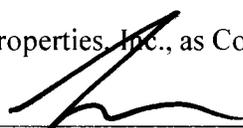
5. Economic Feasibility. The preliminary economic feasibility analysis for the District, including the area development pattern and demand, location and territory size, present and future socio-economic conditions, public services provision, financial plan, and the Developer's management capability, were attached to the Petition as Exhibit C (Development Plan), Exhibit F (Development Program), Exhibit I (demographic information for Concord Township), Exhibit J (demographic information for Scioto Township), Exhibit K (Financial Plan), and Exhibit L (management capability). The Statement of Economic Feasibility with respect to the Property is attached as Exhibit I hereto. Demographic information relating to Concord Township appears as Exhibit J hereto. The analysis additionally includes information about the Developer and Pulte Homes, which information appears in Exhibit K hereto.
6. Environmental Compliance. The Developer and Pulte Homes shall comply with all applicable environmental laws and regulations. As evidence of such anticipated compliance by the Developer, the Phase I Environmental Site Assessment relating to the Property is attached to this Application as Exhibit L.
7. Approvals. For the purposes of the establishment of the Authority as well as the expansion of the District, the City of Delaware, Ohio is the only city that can be defined as a "proximate city" as that term is defined in Ohio Revised Code Section 349.01(M). The City of Delaware, Ohio passed a resolution of no objection to the expansion of the District, a copy of which resolution is attached to this Application as Exhibit M.
8. Exhibits. Attached Exhibits A, B, C, D, E, F, G, H, I, J, K, L, and M are part of this Application, and the Petition and the exhibits thereto are incorporated herein as part of this Application.
9. Definitions. Words and terms not defined herein shall have the meanings given in Ohio Revised Code Section 349.01, unless context requires a different meaning.

The Developer hereby requests the Board, as the organizational board of commissioners under Ohio Revised Code Section 349.03, to determine that this Application complies as to form and substance with the requirements of Ohio Revised Code Section 349.03 and further requests that the Board fix the time and place of a hearing on this Application. Pursuant to Ohio Revised Code Section 349.03(A), that hearing must be held not less than thirty, nor more than forty-five days after the filing of this Application with the Clerk of the Board. This Application is filed with the Clerk of the Board this ____ day of _____, 2019.

Respectfully submitted,

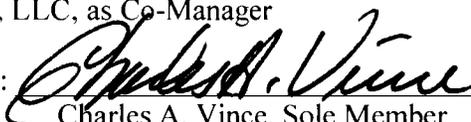
CONCORD/SCIOTO DEVELOPMENT, LLC, as Developer

By: Triangle Properties, Inc., as Co-Manager

By: 

Rowland S. Giller, III, President

By: CAV, LLC, as Co-Manager

By: 

Charles A. Vince, Sole Member

EXHIBIT A

Map of District and Additional Property

The attached map shows the territory of the Authority as well as the additional property proposed in this Application.

[Attached]

EXHIBIT B

Legal Description

The attached legal descriptions relate to the Property to be added to the Authority pursuant to this Application.

[Attached]

Situated in the City of Powell, Township of Liberty, County of Delaware, State of Ohio, being part of Farm Lots 8 and 5 in Section 2, Township 3, Range 19 of the United States Military Lands and being more particularly described as follows:

Commencing at a railroad spike found at the intersection of the centerlines of Township Road 122 (Rutherford Road) and Township Road 125 (Steitz Road);

thence North 03° 00' 00" East, along the said centerline of Township Road 125, a distance of 972.26 feet to a P.K. Nail set, being the northwest corner of a 25 acre tract now or formerly owned by G.E. Miller, as described in Deed Book 323, Page 74, also being the TRUE POINT OF BEGINNING of the following described tract;

thence North 03° 00' 00" East, continuing along the said centerline of Township Road 125, a distance of 360.00 feet to a P.K. Nail set;

thence South 87° 00' 00" East, (passing an iron bar set at 30.00 feet) a total distance of 726.20 feet to an iron bar set, all iron bar set are set with a plastic cap marked "SLSS RS 6612".

thence North 03° 00' 00" East, (passing an iron bar set at 300.00 feet) a total distance of 346.97 feet to an iron bar set;

thence South 87° 00' 00" East, a distance of 1,603.49 feet to an iron bar set, being on the west line of a 51.244 acre tract now or formerly owned by Edward Coughlin, as described in Deed Book 471, Page 620;

thence South 03° 06' 16" West, along the said west line of the 51.244 acre tract, a distance of 736.59 feet to a stone found, being the northeast corner of the said 25 acre tract;

thence North 86° 16' 16" West, along the north line of the said 25 acre tract, (passing an iron bar set at 2,298.54 feet) a total distance of 2,328.54 feet to the TRUE POINT OF BEGINNING;

containing 32.807 acres, more or less being part of an original 70 acre tract as described in Deed Book 213, Page 264;

There being approximately 21.602 acres in said Farm Lot 8 and approximately 11.205 acres in said Farm Lot 5;

subject to all easements, restrictions and rights-of-way, if any, of record.

Surveyed by Frank Celio, Surveyor, Registration Number 6612 on August 30, 1994. Basis of bearings is assumed.

Situated in the City of Powell, Township of Liberty, County of Delaware, State of Ohio, being part of Farm Lot 8 in Section 2, Township 3, Range 19 of the United States Military Lands and being more particularly described as follows:

Commencing at a railroad spike found at the intersection of the centerlines of Township Road 122 (Rutherford Road) and Township Road 125 (Steitz Road),

thence North $03^{\circ} 00' 00''$ East, along the said centerline of Township Road 125, a distance of 1,332.26 feet to a P.K. Nail set, being the TRUE POINT OF BEGINNING of the following described tract;

thence North $03^{\circ} 00' 00''$ East, continuing along the said centerline of Township Road 125, a distance of 300.00 feet to a P.K. Nail set;

thence South $87^{\circ} 00' 00''$ East, (passing an iron bar set at 30.00 feet) a total distance of 726.20 feet to an iron bar set, all iron bars set are set with a plastic cap marked "SLSS RS 6612";

thence South $03^{\circ} 00' 00''$ West, a distance of 300.00 feet to an iron bar set;

thence North $87^{\circ} 00' 00''$ West, (passing an iron bar set at 696.20 feet) a total distance of 726.20 feet to the TRUE POINT OF BEGINNING;

containing 5.001 acres, more or less being part of an original 70 acre tract as described in Deed Book 213, Page 264,

subject to all easements, restrictions and rights-of-way, if any, of record.

Surveyed by Frank Celio, Surveyor, Registration Number 6612 on August 30, 1994. Basis of bearings is assumed.

Situated in the City of Powell, Township of Liberty, County of Delaware, State of Ohio, being part of Farm Lots 8 and 5 in Section 2, Township 3, Range 19 of the United States Military Lands and being more particularly described as follows:

Commencing at a railroad spike found at the intersection of the centerlines of Township Road 122 (Rutherford Road) and Township Road 125 (Steitz Road);

thence North $03^{\circ} 00' 00''$ East, along the said centerline of Township Road 125, a distance of 1,632.36 feet to a P.K. Nail set, being the TRUE POINT OF BEGINNING of the following described tract;

thence North $03^{\circ} 00' 00''$ East, continuing along the said centerline of Township Road 125, a distance of 663.88 feet to a P.K. Nail set, being the southwest corner of a 12.00 acre tract now or formerly owned by Evelee Strong, as described in Deed Book 403, Page 275;

thence South $86^{\circ} 05' 23''$ East, along the south line of the said 12.00 acre tract, and along the south line of a 43.4 acre tract now or formerly owned by John Lane, as described as Tract One, Parcel 3 in Deed Book 323, Page 249, (passing an iron bar set at 30.00 feet) a total distance of 2,331.04 feet to an iron pipe found, being the southeast corner of the said 43.4 acre tract, also being on the west line of a 51.244 acre tract now or formerly owned by Edward Coughlin, as described in Deed Book 471, Page 620, all iron bars set are set with a plastic cap marked "SLSS RS 6612";

thence South $03^{\circ} 06' 16''$ West, along the said west line of the 51.244 acre tract, a distance of 579.88 feet to an iron bar set;

thence North $87^{\circ} 00' 00''$ West, a distance of 1,603.49 feet to an iron bar set;

thence South $03^{\circ} 00' 00''$ West, a distance of 46.97 feet to an iron bar set;

thence North $87^{\circ} 00' 00''$ West, (passing an iron bar set at 696.20 feet) a total distance of 726.20 feet to the TRUE POINT OF BEGINNING;

containing 32.794 acres, more or less being part of an original 70 acre tract s described in Deed Book 213, Page 264;

there being approximately 23.823 acres in said Farm Lot 8 and approximately 8.971 acres in said Farm Lot 5;

subject to all easements, restrictions and rights of way, if any, of record.

Surveyed by Frank Celio, Surveyor, Registration Number 6612 on August 30, 1994. Basis of bearings is assumed



DESCRIPTION OF A 32.264 ACRES

Situated in the State of Ohio, County of Delaware, City of Powell, Farm Lot 10, Section 2, Township 3, Range 19, United States Military Lands, being part of that 38.726 acres described in deed to Timothy K. Shelly, of record in Official Record 774, Page 2636 through 2640, all being of record in the Recorder's Office, Delaware County, Ohio, and being more particularly described as follows:

BEGINNING, at a stone found at the common corner of said 38.726 acres, that 1.888 acres described as the 7th Amendment of the Village at Scioto Reserve Condominium, of record in Official Record 594, Page 2168 and Lot 4730 as delineated on the subdivision plat of Liberty Village, of record in Plat Cabinet 3, Slide 639, same being in the line common to said Farm Lot 10 and Farm Lot 11;

Thence South 86°44'54" East, a distance of 1434.74 feet, passing an iron pin set at a distance of 1404.74 feet, with the line common to said 38.726 acres and said Liberty Village, to a mag nail set at the northeast corner of said 38.726 acres in the centerline of Steitz Road (60 feet wide - County Road 125);

Thence South 03°25'31" West, a distance of 1109.31 feet, with the centerline of Steitz Road and the east line of said 38.726 acres, to a mag nail set at the common corner of said 38.726 acres and that 5.001 acres described in deed to Timothy K. Shelly, of record in Official Record 781, Page 2874;

Thence North 87°05'54" West, a distance of 30.00 feet, with the line common to said 38.726 acres and said 5.001 acres, to an iron pin set in the west right of way line of said Steitz Road;

Thence North 03°25'31" East, a distance of 272.27 feet, with the west right of way line of said Steitz Road and parallel with and 30.00 feet west of the centerline of said Steitz Road, to an iron pin set;

Thence through said 38.726 acres the following courses:

North 86°44'54" West, a distance of 521.28 feet, passing an iron pin set at a distance of 347.22 feet, to an iron pin set;

North 88°11'36" West, a distance of 56.78 feet, to an iron pin set;

South 72°54'56" West, a distance of 58.18 feet, to an iron pin set;

South 60°28'00" West, a distance of 77.11 feet, to an iron pin set;

South 70°40'36" West, a distance of 142.21 feet, to an iron pin set;

North 86°44'54" West, a distance of 99.39 feet, to an iron pin set;

South 29°08'43" West, a distance of 116.99 feet, to an iron pin set at the northwest corner of said 5.001 acres;

Thence continuing through said 38.726 acres the following courses:

North 51°40'15" West, a distance of 108.61 feet, to an iron pin set;

South 36°38'21" West, a distance of 203.91 feet, to an iron pin set;

South 02°54'06" West, a distance of 196.38 feet, to an iron pin set in the line common to said 38.726 acres and that 5.001 acres described in deed to Gary M. Clark and Tamara Osborn-Clark, of record in Official Record 1135, Page 2770, also being in the common line of Farm Lot 9 and 10;

Thence North 87°05'54" West, a distance of 222.19 feet, with the line common to said 38.726 acres and said 5.001 acres to a 5/8-inch rebar found at the common corner of said 38.726 acres and said 5.001 acres, also being in the east line of that 20.527 acres described in deed to Terry R. Imar and Pati Alexis Imar, of record in Official Record 591, Page 15;

S.R. 19
Pg 234
DESCRIPTION FOR CLOSING ONLY
 RPC Approval Required
 Municipal Approval Required
Delaware County Engineer
3-20-18

Thence North 03°12'50" East, a distance of 1366.04 feet, with the line common to said 38.726 acres and said 20.527 acres, to the **POINT OF TRUE BEGINNING**, containing 32.264 acres, more or less.

The above description is based on the bearing of South 03°25'31" West for the centerline of Steitz Road as established by GPS and processed by OPUS at the time of the survey.

All iron pins set are 5/8-inch rebar, 30 inches in length, with a yellow cap bearing the name "CEC INC".

The above description was prepared from deeds of record, existing surveys and an actual field survey performed under my direct supervision in November 2016.



CIVIL & ENVIRONMENTAL CONSULTANTS, INC.


Mark Alan Smith, P.S.
Registered Surveyor No. 8232

3/20/2018
Date

EXHIBIT C

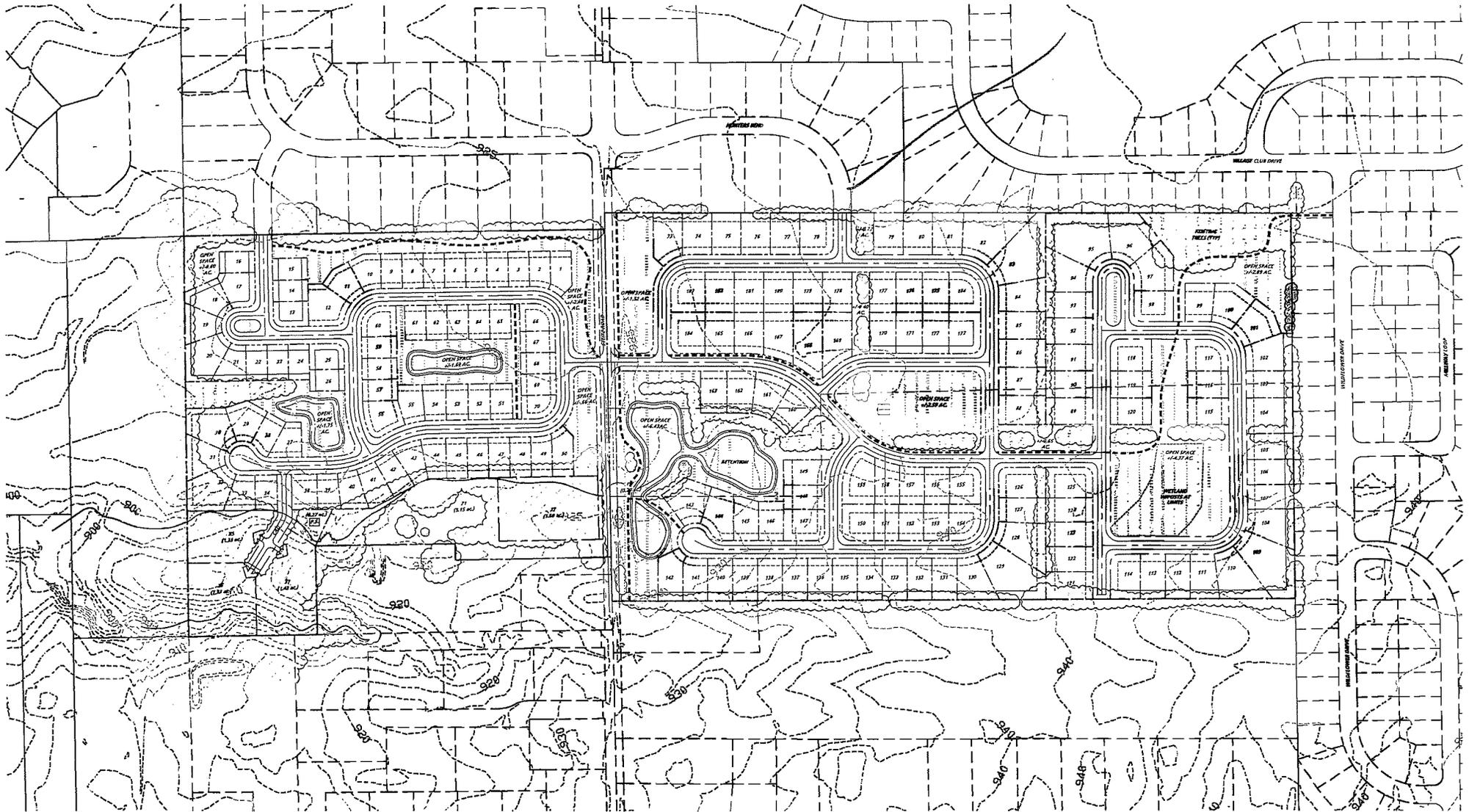
Map

The attached map shows the location and anticipated development of the Property.

[Attached]

WEST

EAST



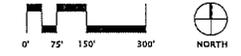
DEVELOPMENT DATA

SHELLY PROPERTY Total Area: +/-38.87 AC. Total Units: 72 47 - 100X150' LOTS 5 - ESTATE LOTS Gross Density: 1.85 DU/AC. Open Space Provided: +/-7.38 AC. (19%)	SMITH PROPERTY Total Area: +/-19.6 AC. Total Units: 111 49 - 85X130' LOTS 31 - 80X130' LOTS 4 - 95X130' LOTS 27 - 100X140' LOTS Gross Density: 1.57 DU/AC. Open Space Provided: +/-18.47 AC. (93%)	OVERALL DEVELOPMENT Total Area: +/-58.47 AC. Total Units: 183 47 - 100X150' LOTS 82 - 80X130' LOTS 31 - 90X130' LOTS 4 - 95X130' LOTS 27 - 100X140' LOTS 5 - ESTATE LOTS Gross Density: 1.67 DU/AC. Open Space Provided: +/-25.85 AC. (44%)
--	---	--

Preliminary Site Plan
SHELLY/SMITH PROPERTY - STEITZ ROAD
 LIBERTY TOWNSHIP, DELAWARE COUNTY, OHIO

183

Prepared for Pulte Homes
 Prepared by EDGE
 September 21, 2016



BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DELAWARE COUNTY, OHIO

APPLICATION TO ADD PROPERTY TO THE CONCORD/SCIOTO COMMUNITY
AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF
THE CONCORD/SCIOTO COMMUNITY AUTHORITY AS A NEW COMMUNITY
AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE

Submitted by:

CONCORD/SCIOTO DEVELOPMENT, LLC

As the Developer

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DELAWARE COUNTY, OHIO

APPLICATION TO ADD PROPERTY TO THE CONCORD/SCIOTO COMMUNITY
AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF
THE CONCORD/SCIOTO COMMUNITY AUTHORITY AS A NEW COMMUNITY
AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE

The undersigned, Concord/Scioto Development, LLC (the “Developer”), is an Ohio limited liability company and is the “developer” within the meaning of Ohio Revised Code Section 349.01 for the Concord/Scioto Community Authority (the “Authority”), a new community authority established under and operating pursuant to Ohio Revised Code Chapter 349 (the “Act”).

On February 8, 2007, this Board of County Commissioners of Delaware County, Ohio (the “Board”) received a petition (the “Petition”) filed by Triangle Properties, Inc. (“Triangle”) under the Act to create the Authority. The Board approved the creation of the Authority on March 22, 2007 pursuant to its Resolution No. 07-331. The Board approved the assignment by Triangle of its rights, responsibilities, and duties as statutory developer of the Authority to the Developer on July 2, 2007 pursuant to its Resolution 07-809.

On December 1, 2014, the Board received an application to add the Rockford property to the Authority (the “Rockford Application”) filed by the Developer. On January 15, 2015, the Board approved the Rockford Application and so amended the Petition pursuant to its Resolution 15-54.

On August 18, 2016, the Board received (i) an application to add the Clark Shaw Moors (M/I Homes) property to the Authority (the “Clark Shaw Moors (M/I Homes) Application”), (ii) an application to add the Clark Shaw Moors (Rockford Homes) property to the Authority (the “Clark Shaw Moors (Rockford Homes) Application”), (iii) an application to add the Price Farms property to the Authority (the “Price Farms Application”), and (iv) an application to add the River Bluff property to the Authority (the “River Bluff Application”), all filed by the Developer. On September 29, 2016, the Board approved the Clark Shaw Moors (M/I Homes) Application and so amended the Petition pursuant to its Resolution 16-980, approved the Clark Shaw Moors (Rockford Homes) Application and so amended the Petition pursuant to its Resolution 16-981, approved the Price Farms Application and so amended the Petition pursuant to its Resolution 16-982, and approved the River Bluff Application and so amended the Petition pursuant to its Resolution 16-983.

On August 3, 2017, the Board received an application filed by the Developer to add the Scioto Ridge Crossing (M/I Homes) property to the Authority (the “Scioto Ridge Crossing Application”). On September 14, 2017, the Board approved the Scioto Ridge Crossing Application and so amended the Petition pursuant to its Resolution 17-952.

As authorized by Ohio Revised Code Section 349.03, the Developer now seeks Board approval to add certain real property described below to the territory of the Authority (the “District”) and to amend the Petition as necessary to accomplish the same, all pursuant to this

application (the “Application”). Exhibit A attached hereto is a map showing the existing District as well as the real property that the Developer now seeks to add to the District. To that end, with respect to the real property at issue in this Application, the Developer hereby applies as follows:

1. Property. The Developer seeks the addition to the District of certain real property consisting of approximately 42.79 acres in Liberty Township, Delaware County, Ohio (the “Property”), which Property is identified in the records of the Delaware County Auditor at the time of this Application with parcel numbers 419-340-02-013-000, 419-340-02-014-000, 419-340-02-019-000, and 419-340-02-020-000. As described more particularly in the legal descriptions attached hereto as Exhibit B and as depicted in the map attached hereto as Exhibit C, which identifies the location of the Property and outline the initial plan of development for the Property, the Property is generally situated west of Sawmill Parkway, between Hyatts Road and Clark-Shaw Road. The Property is owned by or is under the control of the Developer through leases of at least 75 years’ duration, options, or contracts to purchase. The Developer hereby confirms that the addition of the Property will be conducive to the public health, safety, and convenience and welfare, will be consistent with the development of the District, and will further the plan of development for the District.
2. Zoning. The Property is zoned “Planned Residential District”, which designation will foster the necessary comprehensive development of the Property and the District as one functionally-interrelated community. The Board of Trustees of Liberty Township, Delaware County, Ohio (the “Trustees”) approved said zoning designation with respect to the Property on March 20, 2017. A copy of the minutes from the Trustees’ March 20, 2017 meeting appears as Exhibit D hereto. A copy of the Liberty Township zoning resolution appears as Exhibit E hereto.
3. Development Plan. Rockford Homes, Inc., an Ohio corporation (“Rockford”), plans to build 86 individually platted single-family residential lots on the Property. Consistent with the overall plan for the District, the Developer or Rockford will provide for the District certain improvements constituting “community facilities” under the Act, including certain Community Facilities (as defined herein) in support of the Property. Exhibits F and G hereto provide additional details regarding the development plan and anticipated improvements to the Property. Exhibit H provides a traffic study completed for the Property.
4. Community Development Charge. The Developer proposes to issue revenue bonds to finance the Community Facilities and to secure said revenue bonds through the levy and collection of a 10.25-mill community development charge that will be paid by owners of real property within the Property pursuant to Ohio Revised Code Section 349.07. Pursuant to the Declaration of Covenants and Restrictions for the Authority (the “Declaration”), a 2.0-mill portion of the community development charge will be provided to Delaware County, Ohio. Pursuant to the Declaration, the community development charge with respect to any parcel within the District, including the Property, is chargeable and may be assessed by the Authority if a structure or building is located on a parcel and the parcel (i) receives approval to tap into the public sanitary sewer treatment system; (ii) receives approval to tap into the Del-Co Water Company, Inc. water system (or any

successor thereto); or (iii) receives approval of a final development plan for lands, buildings, structures, and improvements to be included in said parcel from the applicable zoning jurisdiction.

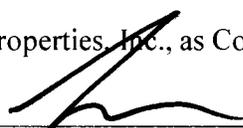
5. Economic Feasibility. The preliminary economic feasibility analysis for the District, including the area development pattern and demand, location and territory size, present and future socio-economic conditions, public services provision, financial plan, and the Developer's management capability, were attached to the Petition as Exhibit C (Development Plan), Exhibit F (Development Program), Exhibit I (demographic information for Liberty Township), Exhibit J (demographic information for Scioto Township), Exhibit K (Financial Plan), and Exhibit L (management capability). The Statement of Economic Feasibility with respect to the Property is attached as Exhibit I hereto. Demographic information relating to Liberty Township appears as Exhibit J hereto. The analysis additionally includes information about the Developer and Rockford, which information appears in Exhibit K hereto.
6. Environmental Compliance. The Developer and Rockford shall comply with all applicable environmental laws and regulations. As evidence of such anticipated compliance by the Developer, the Phase I Environmental Site Assessment relating to the Property is attached to this Application as Exhibit L.
7. Approvals. For the purposes of the establishment of the Authority as well as the expansion of the District, the City of Delaware, Ohio is the only city that can be defined as a "proximate city" as that term is defined in Ohio Revised Code Section 349.01(M). The City of Delaware, Ohio passed a resolution of no objection to the expansion of the District and executed a document exhibiting its approval, a copy of which resolution and approval is attached to this Application as Exhibit M.
8. Exhibits. Attached Exhibits A, B, C, D, E, F, G, H, I, J, K, L, and M are part of this Application, and the Petition and the exhibits thereto are incorporated herein as part of this Application.
9. Definitions. Words and terms not defined herein shall have the meanings given in Ohio Revised Code Section 349.01, unless context requires a different meaning.

The Developer hereby requests the Board, as the organizational board of commissioners under Ohio Revised Code Section 349.03, to determine that this Application complies as to form and substance with the requirements of Ohio Revised Code Section 349.03 and further requests that the Board fix the time and place of a hearing on this Application. Pursuant to Ohio Revised Code Section 349.03(A), that hearing must be held not less than thirty, nor more than forty-five days after the filing of this Application with the Clerk of the Board. This Application is filed with the Clerk of the Board this ____ day of _____, 2019.

Respectfully submitted,

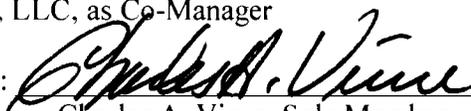
CONCORD/SCIOTO DEVELOPMENT, LLC, as Developer

By: Triangle Properties, Inc., as Co-Manager

By: 

Rowland S. Giller, III, President

By: CAV, LLC, as Co-Manager

By: 

Charles A. Vince, Sole Member

EXHIBIT A

Map of District and Additional Property

The attached map shows the territory of the Authority as well as the additional property proposed in this Application.

[Attached]

EXHIBIT B

Legal Description

The attached legal descriptions relate to the Property to be added to the Authority pursuant to this Application.

[Attached]

LEGAL DESCRIPTION
42.786 ACRES

Situated in the State of Ohio, County of Delaware, Township of Liberty, being in Farm Lots 35 and 38, Quarter Township 3, Township 4, Range 19 in the United States Military District, and also being part of the remainder of a 58.75 acre tract as conveyed to RKJ Judy LLC in Official Record 1495, page 895, part of a 40.0 acre tract and part of a 10.0 acre tract as both conveyed to Pauline L. Fisher and Donald E. Fisher in Official Record 13, Page 844 and Official Record 13, Page 848 as being further described as follows;

Commencing an iron pin set at the northeast corner of said Farm Lot 38, the southeast corner of Farm Lot 35, the southwest corner of Farm Lot 36, the northwest corner Farm Lot 37, being in the south line of a 9.958 acre tract (16WL) as conveyed to the Board of Delaware Commissioners in Official Record Number 1240, Page 1961, the north line of a 1.053 acre tract (15WL) as conveyed to the Board of Delaware Commissioners in Official Record Number 1082, Page 1248;

Thence with the south line of said Farm Lot 35, the north line of said Farm Lot 38, the south line of said 9.958 acre and the north line of said 1.053 acre tract, **N 86° 14' 52" W, 12.84 feet** to the northeast corner of the remainder of said 58.75 acre tract, an angle point in the south line of the remainder of a 30.000 acre tract as conveyed to Donald Scott Bauder and Kathy J. Bauder in Official Record 598, page 297, being in the westerly right of way line of Sawmill Parkway (R/W Varies) and also being the **TRUE POINT OF BEGINNING** for the land herein described as follows;

Thence with the east line of the remainder of said 58.75 acre tract, the west line of said 1.053 acre tract and the westerly right of way line of Sawmill Parkway, **S 14° 55' 55" W, 97.11 feet** to an iron pin set;

Thence across the remainder of said 58.75 acre tract the following fourteen (14) courses:

1. **N 86° 26' 57" W, 352.61 feet** to an iron pin set;
2. **S 03° 33' 03" W, 131.79 feet** to an iron pin set;
3. **N 86° 26' 57" W, 300.82 feet** to an iron pin set;
4. **N 03° 33' 03" E, 11.50 feet** to an iron pin set;
5. Along a curve to the left, having a central angle of **90° 00' 00"**, a radius of **18.50 feet**, an arc length of **29.06 feet**, and chord bearing and distance of **N 41° 26' 57" W, 26.16 feet** to an iron pin set;
6. **N 86° 26' 57" W, 136.50 feet** to an iron pin set;
7. **S 03° 33' 03" W, 875.00 feet** to an iron pin set;
8. **N 86° 26' 57" W, 135.00 feet** to an iron pin set;
9. **S 03° 33' 03" W, 216.04 feet** to an iron pin set;
10. **S 01° 12' 46" E, 60.21 feet** to an iron pin set;
11. **S 03° 33' 03" W, 59.00 feet** to an iron pin set;
12. **S 86° 26' 57" E, 132.44 feet** to an iron pin set;
13. **S 03° 33' 24" W, 107.55 feet** to an iron pin set;
14. **S 86° 32' 40" E, 184.98 feet** to an iron pin set in the west line of a 3.168 acre tract (8WD) as conveyed to the Board of Delaware County Commissioners in Official Record 840, Page 199 and the westerly right of way line of Sawmill Parkway;

DESCRIPTION FOR CLOSING ONLY
R/C Approval Required
Municipal Approval Required
Delaware County Engineer

7.13.18

Thence with the west line of said 3.168 acre tract, the westerly right of way line of Sawmill Parkway and the east line of the remainder of said 58.75 acre tract, **S 03° 27' 20" W, 40.00 feet** to a magnail set at angle point in the south line of said 58.75 acre tract and being in the centerline of Hyatts Road (R/W Varies);

Thence with the south line of the remainder of said 58.75 acre tract and the centerline of Hyatts Road, **N 86° 32' 40" W, 1008.38 feet** to a magnail set at the southwest corner of the remainder of said 58.75 acre tract and the southeast corner of a 5.032 acre tract as conveyed to Patrick A . Sells and Christal L. Caudill in Official Record 1134, Page 2572;

Thence with the west line of the remainder of said 58.75 acre tract and the east line of said 5.032 acre tract, **N 03° 37' 07" E, 1557.29 feet** to an iron pin set at the northwest corner of the remainder of said 58.75 acre tract, the northeast corner of said 5.032 acre tract, the southwest corner of said 40.0 acre tract, the southeast corner of a 48.89 acre tract as conveyed to Clarkshaw Reserve I LLC in Official Record 1553, Page 1306;

Thence across said 40.0 acre tract the following six (6) courses:

1. **N 52° 16' 33" E, 78.54 feet** to an iron pin set;
2. **N 01° 42' 57" E, 468.44 feet** to an iron pin set;
3. **S 86° 26' 57" E, 150.00 feet** to an iron pin set;
4. **N 03° 33' 03" E, 116.80 feet** to an iron pin set;
5. **S 86° 26' 57" E, 415.00 feet** to an iron pin set;
6. **N 03° 33' 03" E, 52.11 feet** to an iron pin set;

Thence across said 40.0 acre tract and said 10.0 acre tract, **S 86° 26' 57" E, 220.04 feet** to an iron pin set in the east line of said 10.0 acre tract and the west line of a 26.870 acre tract as conveyed to Carolyn R. Edwards in Official Record 531, Page 551;

Thence with the east line of said 10.0 acre tract and the west line of said 26.870 acre tract, **S 03° 38' 20" W, 689.60 feet** to an iron pin set at the southeast corner of said 10.0 acre tract and the southwest corner of said 26.870 acre tract and being in the north line of the remainder of said 58.75 acre tract;

Thence with the north line of the remainder of said 58.75 acre tract, the south line of said 26.870 acre tract and the south line of the remainder of said 30.000 acre tract, **S 86° 24' 09" E, 818.66 feet** to the **TRUE POINT OF BEGINNING**, containing **42.786 acres**, more or less.

The above description was prepared by Advanced Civil Design, Inc. and is based on existing records and an actual field survey by Advanced Civil Design in November of 2016. A drawing of the above description has been prepared and is a part hereof.

Iron pins set are 3/4" diameter iron pipe, 30" long and capped Advanced 7661.

Bearings are based on the Ohio State Plane Coordinated System, North Zone, NAD83 (NSRS2007). Said bearings were derived from GPS observation that determines a portion of the centerline of Hyatts Road to be S 86° 32' 40" E.

All references used in this description can be found at the Recorder's Office, Delaware County, Ohio.



ADVANCED CIVIL DESIGN, INC.

Jonathan E. Phelps 7/13/18

Jonathan E. Phelps
Registration Number 8241

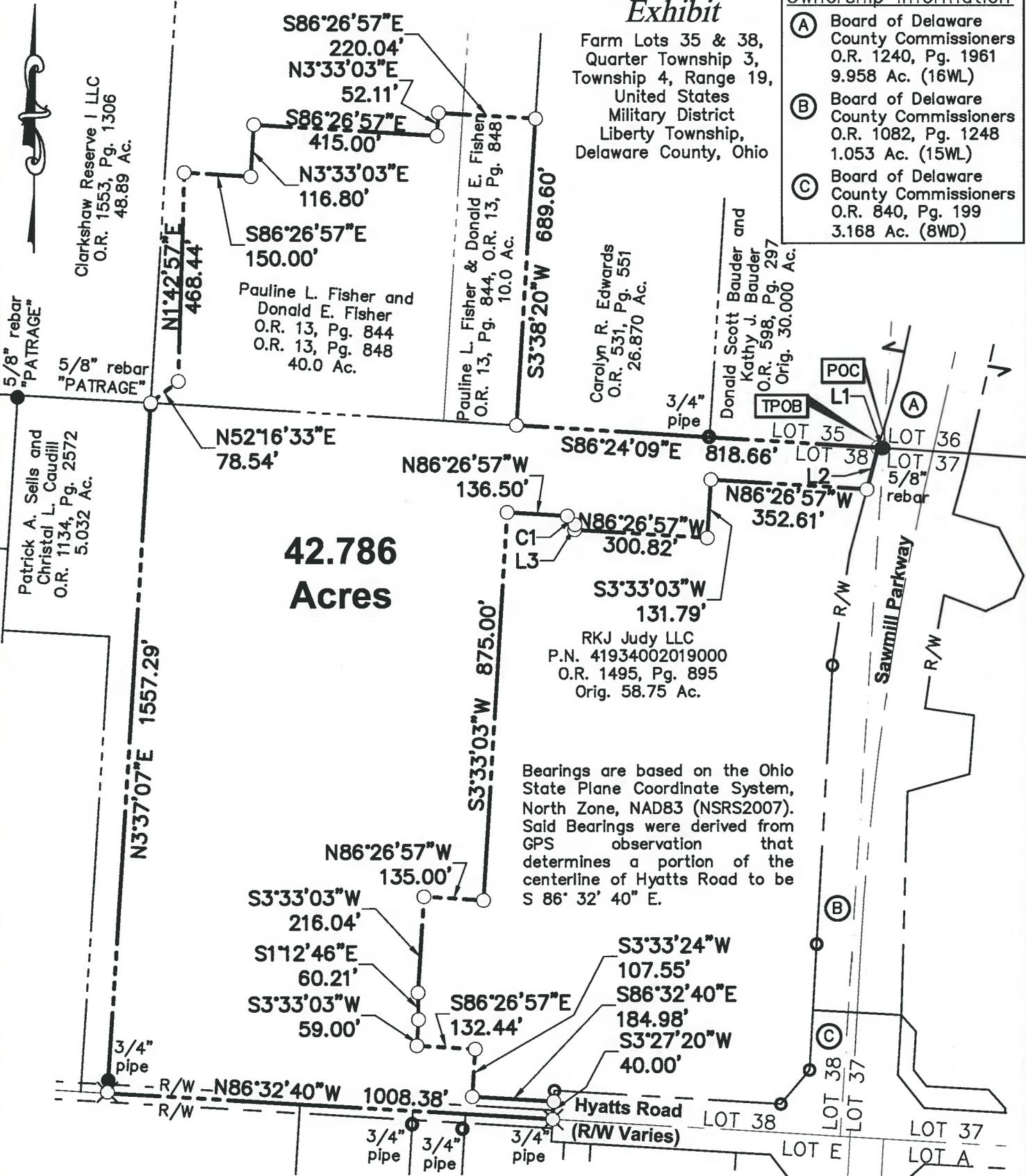
Z:\16-0013-17\survey42.786ac.doc

Z:\16-0134-128\DWG\PRODUCTION DRAWINGS\SURVEY\Split for Section of Plat\16-0134-128 Split Section 2.dwg 8.5 by 14 portrait Jul 06, 2018 - 9:27:43am jhelps

Exhibit

Farm Lots 35 & 38,
Quarter Township 3,
Township 4, Range 19,
United States
Military District
Liberty Township,
Delaware County, Ohio

Ownership Information	
(A)	Board of Delaware County Commissioners O.R. 1240, Pg. 1961 9.958 Ac. (16WL)
(B)	Board of Delaware County Commissioners O.R. 1082, Pg. 1248 1.053 Ac. (15WL)
(C)	Board of Delaware County Commissioners O.R. 840, Pg. 199 3.168 Ac. (8WD)



Bearings are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (NSRS2007). Said Bearings were derived from GPS observation that determines a portion of the centerline of Hyatts Road to be S 86° 32' 40" E.

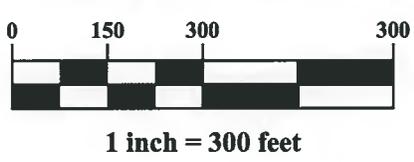
CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DIST.
C1	90°00'00"	18.50'	29.06'	N41°26'57"W	26.16'

LINE TABLE

LINE	DISTANCE	BEARING
L1	12.84'	N86°14'52"W
L2	97.11'	S14°55'55"W
L3	11.50'	N03°33'03"E

GRAPHIC SCALE



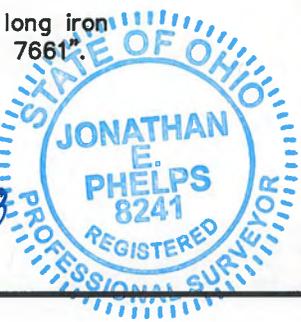
LEGEND

- Iron Pin Found
- Iron Pipe Found
- ✕ MagNail Found
- ▲ RR Spike Found
- Monument Box
- Iron Pin Set
- ✕ MagNail Set
- △ RR Spike Set

All iron pins set are 3/4" diameter, 30" long iron pipe with plastic cap inscribed "Advanced 7661".
This Survey is based on existing records from Delaware County, and from actual field survey work.

ADVANCED CIVIL DESIGN, INC.

Jonathan E. Phelps Date 7/6/18
Reg. No. 8241



DRAWN BY: JEP JOB NO.: 18-0159-128
DATE: 07/06/2018 CHECKED BY: JEP



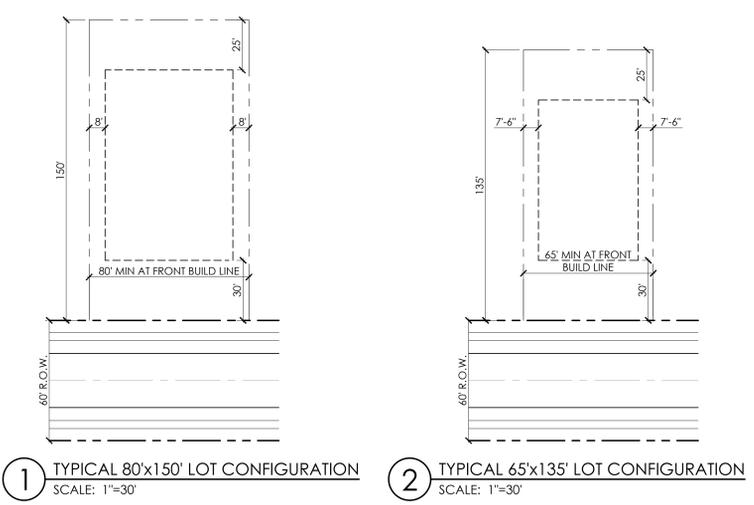
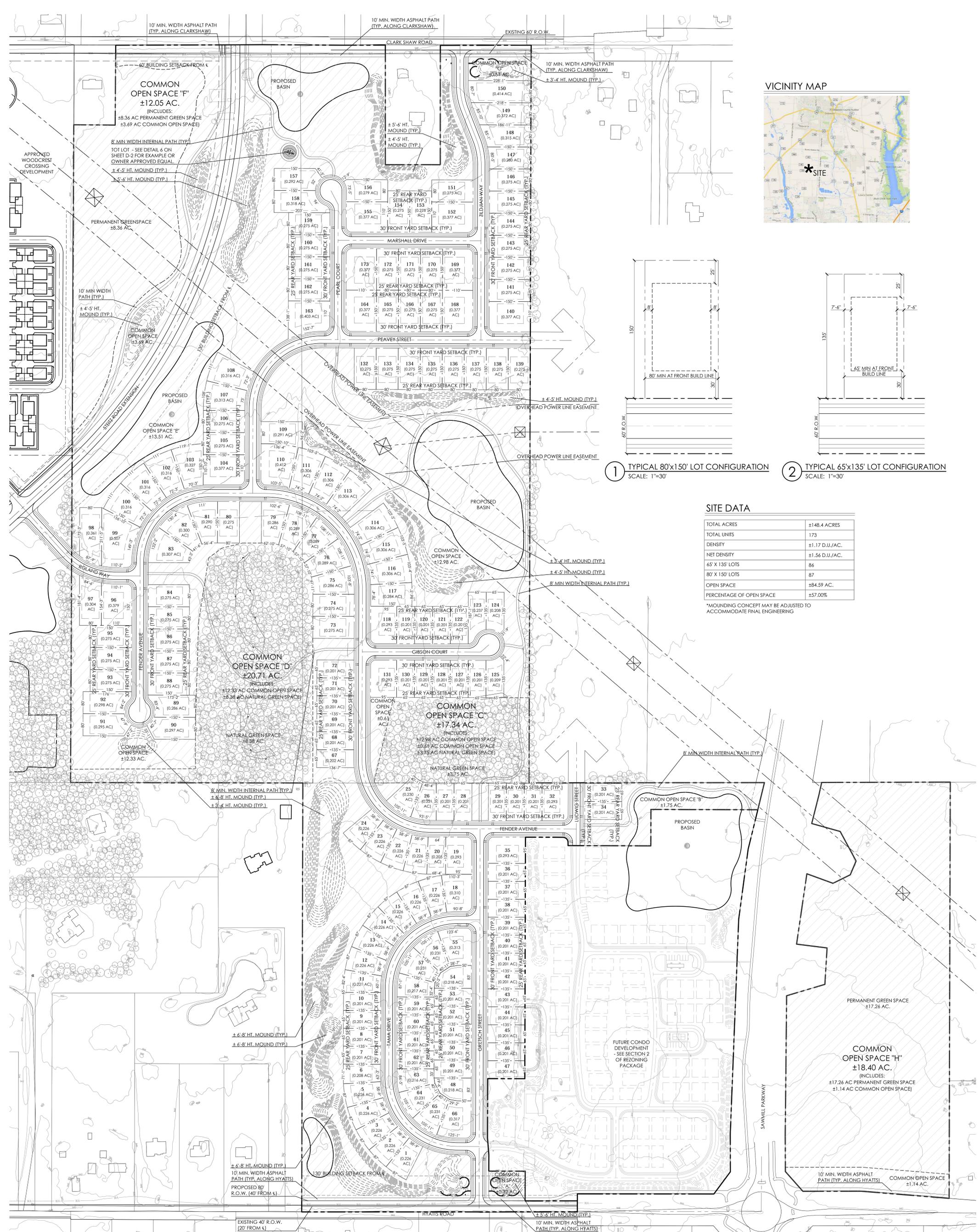
422 Beecher Road
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

EXHIBIT C

Map

The attached map shows the location and anticipated development of the Property.

[Attached]



SITE DATA

TOTAL ACRES	±148.4 ACRES
TOTAL UNITS	173
DENSITY	±1.17 D.U./AC.
NET DENSITY	±1.56 D.U./AC.
65' X 135' LOTS	86
80' X 150' LOTS	87
OPEN SPACE	±84.59 AC.
PERCENTAGE OF OPEN SPACE	±57.00%

*MOUNDING CONCEPT MAY BE ADJUSTED TO ACCOMMODATE FINAL ENGINEERING

PRELIMINARY DEVELOPMENT PLAN

EXHIBIT C-1

CLARK SHAW RESERVE
PREPARED FOR METRO DEVELOPMENT

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DELAWARE COUNTY, OHIO

APPLICATION TO ADD PROPERTY TO THE CONCORD/SCIOTO COMMUNITY
AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF
THE CONCORD/SCIOTO COMMUNITY AUTHORITY AS A NEW COMMUNITY
AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE

Submitted by:

CONCORD/SCIOTO DEVELOPMENT, LLC

As the Developer

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DELAWARE COUNTY, OHIO

APPLICATION TO ADD PROPERTY TO THE CONCORD/SCIOTO COMMUNITY
AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF
THE CONCORD/SCIOTO COMMUNITY AUTHORITY AS A NEW COMMUNITY
AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE

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On February 8, 2007, this Board of County Commissioners of Delaware County, Ohio (the “Board”) received a petition (the “Petition”) filed by Triangle Properties, Inc. (“Triangle”) under the Act to create the Authority. The Board approved the creation of the Authority on March 22, 2007 pursuant to its Resolution No. 07-331. The Board approved the assignment by Triangle of its rights, responsibilities, and duties as statutory developer of the Authority to the Developer on July 2, 2007 pursuant to its Resolution 07-809.

On December 1, 2014, the Board received an application to add the Rockford property to the Authority (the “Rockford Application”) filed by the Developer. On January 15, 2015, the Board approved the Rockford Application and so amended the Petition pursuant to its Resolution 15-54.

On August 18, 2016, the Board received (i) an application to add the Clark Shaw Moors (M/I Homes) property to the Authority (the “Clark Shaw Moors (M/I Homes) Application”), (ii) an application to add the Clark Shaw Moors (Rockford Homes) property to the Authority (the “Clark Shaw Moors (Rockford Homes) Application”), (iii) an application to add the Price Farms property to the Authority (the “Price Farms Application”), and (iv) an application to add the River Bluff property to the Authority (the “River Bluff Application”), all filed by the Developer. On September 29, 2016, the Board approved the Clark Shaw Moors (M/I Homes) Application and so amended the Petition pursuant to its Resolution 16-980, approved the Clark Shaw Moors (Rockford Homes) Application and so amended the Petition pursuant to its Resolution 16-981, approved the Price Farms Application and so amended the Petition pursuant to its Resolution 16-982, and approved the River Bluff Application and so amended the Petition pursuant to its Resolution 16-983.

On August 3, 2017, the Board received an application filed by the Developer to add the Scioto Ridge Crossing (M/I Homes) property to the Authority (the “Scioto Ridge Crossing Application”). On September 14, 2017, the Board approved the Scioto Ridge Crossing Application and so amended the Petition pursuant to its Resolution 17-952.

As authorized by Ohio Revised Code Section 349.03, the Developer now seeks Board approval to add certain real property described below to the territory of the Authority (the “District”) and to amend the Petition as necessary to accomplish the same, all pursuant to this

application (the “Application”). Exhibit A attached hereto is a map showing the existing District as well as the real property that the Developer now seeks to add to the District. To that end, with respect to the real property at issue in this Application, the Developer hereby applies as follows:

1. Property. The Developer seeks the addition to the District of certain real property consisting of approximately 38.9 acres in Concord Township, Delaware County, Ohio (the “Property”), which Property is identified in the records of the Delaware County Auditor at the time of this Application with parcel number 419-330-02-066-002. As described more particularly in the legal descriptions attached hereto as Exhibit B and as depicted in the map attached hereto as Exhibit C, which identifies the location of the Property and outline the initial plan of development for the Property, the Property is generally situated south of the Clark Shaw Moors project and north of Hyatts Road. The Property is owned by or is under the control of the Developer through leases of at least 75 years’ duration, options, or contracts to purchase. The Developer hereby confirms that the addition of the Property will be conducive to the public health, safety, and convenience and welfare, will be consistent with the development of the District, and will further the plan of development for the District.
2. Zoning. The Property is zoned “Planned Residential District”, which designation will foster the necessary comprehensive development of the Property and the District as one functionally-interrelated community. The Board of Trustees of Concord Township, Delaware County, Ohio (the “Trustees”) approved said zoning designation with respect to the Property on December 9, 2015. A copy of the minutes from the Trustees’ December 9, 2015 meeting appears as Exhibit D hereto. A copy of the Concord Township zoning resolution appears as Exhibit E hereto.
3. Development Plan. Homewood Corporation, an Ohio corporation (“Homewood”), plans to build 75 individually platted single-family residential lots on the Property. Consistent with the overall plan for the District, the Developer or Homewood will provide for the District certain improvements constituting “community facilities” under the Act, including certain Community Facilities (as defined herein) in support of the Property. Exhibits F and G hereto provide additional details regarding the development plan and anticipated improvements to the Property. Exhibit H provides a traffic study completed for the Property.
4. Community Development Charge. The Developer proposes to issue revenue bonds to finance the Community Facilities and to secure said revenue bonds through the levy and collection of a 10.25-mill community development charge that will be paid by owners of real property within the Property pursuant to Ohio Revised Code Section 349.07. Pursuant to the Declaration of Covenants and Restrictions for the Authority (the “Declaration”), a 2.0-mill portion of the community development charge will be provided to Delaware County, Ohio. Pursuant to the Declaration, the community development charge with respect to any parcel within the District, including the Property, is chargeable and may be assessed by the Authority if a structure or building is located on a parcel and the parcel (i) receives approval to tap into the public sanitary sewer treatment system; (ii) receives approval to tap into the Del-Co Water Company, Inc. water system (or any successor thereto); or (iii) receives approval of a final development plan for lands,

buildings, structures, and improvements to be included in said parcel from the applicable zoning jurisdiction.

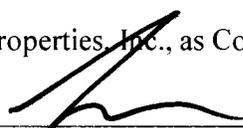
5. Economic Feasibility. The preliminary economic feasibility analysis for the District, including the area development pattern and demand, location and territory size, present and future socio-economic conditions, public services provision, financial plan, and the Developer's management capability, were attached to the Petition as Exhibit C (Development Plan), Exhibit F (Development Program), Exhibit I (demographic information for Concord Township), Exhibit J (demographic information for Scioto Township), Exhibit K (Financial Plan), and Exhibit L (management capability). The Statement of Economic Feasibility with respect to the Property is attached as Exhibit I hereto. Demographic information relating to Concord Township appears as Exhibit J hereto. The analysis additionally includes information about the Developer and Homewood, which information appears in Exhibit K hereto.
6. Environmental Compliance. The Developer and Homewood shall comply with all applicable environmental laws and regulations. As evidence of such anticipated compliance by the Developer, the Phase I Environmental Site Assessment relating to the Property is attached to this Application as Exhibit L.
7. Approvals. For the purposes of the establishment of the Authority as well as the expansion of the District, the City of Delaware, Ohio is the only city that can be defined as a "proximate city" as that term is defined in Ohio Revised Code Section 349.01(M). The City of Delaware, Ohio passed a resolution of no objection to the expansion of the District and executed a document exhibiting its approval, a copy of which resolution and approval is attached to this Application as Exhibit M.
8. Exhibits. Attached Exhibits A, B, C, D, E, F, G, H, I, J, K, L, and M are part of this Application, and the Petition and the exhibits thereto are incorporated herein as part of this Application.
9. Definitions. Words and terms not defined herein shall have the meanings given in Ohio Revised Code Section 349.01, unless context requires a different meaning.

The Developer hereby requests the Board, as the organizational board of commissioners under Ohio Revised Code Section 349.03, to determine that this Application complies as to form and substance with the requirements of Ohio Revised Code Section 349.03 and further requests that the Board fix the time and place of a hearing on this Application. Pursuant to Ohio Revised Code Section 349.03(A), that hearing must be held not less than thirty, nor more than forty-five days after the filing of this Application with the Clerk of the Board. This Application is filed with the Clerk of the Board this ____ day of _____, 2019.

Respectfully submitted,

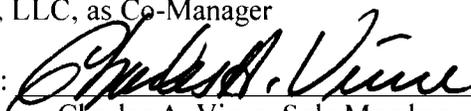
CONCORD/SCIOTO DEVELOPMENT, LLC, as Developer

By: Triangle Properties, Inc., as Co-Manager

By: 

Rowland S. Giller, III, President

By: CAV, LLC, as Co-Manager

By: 

Charles A. Vince, Sole Member

EXHIBIT A

Map of District and Additional Property

The attached map shows the territory of the Authority as well as the additional property proposed in this Application.

[Attached]

EXHIBIT B

Legal Description

The attached legal descriptions relate to the Property to be added to the Authority pursuant to this Application.

[Attached]

Zoning Description
38.4 +/- Acres
North of Hyatts Road
West of Sawmill Parkway

Situated in the State of Ohio, County of Delaware, Township of Concord, Farm Lot 39, Section 3, Township 4, Range 19, United States Military District and being all of a 30.00 acre tract of land conveyed to Roy K. Jackson and Judith M. Jackson, Trustees of record in Official Record 13, Page 89, all of a 6.00 acre tract of land conveyed to Metro Development, LLC of record in Official Record 1382, Page 1342 and being part of a 51.75 acre tract of land conveyed to Roy K. Jackson & Judith M. Jackson, Trustees of record in Official Record 13, Page 1086 and being more particularly described as follows:

Beginning, in the southerly line of said 51.75 acre tract of land, the same being in the southerly line of Farm Lot 39, the same being at the northwesterly corner of Farm Lot 21, the same being the northeasterly corner of Farm Lot 20, the same being in the easterly line of Concord Township, the same being in the westerly line of Liberty Township and being in the centerline of Hyatts Road;

Thence **N 86° 43' 48" W**, along a portion of the southerly line of said 51.75 acre tract of land, and the southerly line of said 30.00 acre tract of land and the southerly line of said 6.00 acre tract of land, the same being the southerly line of said Farm Lot 39, the same being the northerly line of said Farm Lot 20 and being along the centerline of said Hyatts Road, **1079.48 feet** to the southwest corner of said 6.00 acre tract of land;

Thence **N 03° 17' 51" E**, along the westerly line of said 6.00 acre tract of land, **1554.38 feet** to the northwesterly corner thereof, the same being the northerly line of said Farm Lot 39 and being the southerly line of Farm Lot 34;

Thence **S 86° 33' 10" E**, along the northerly line of said 30.00 acre tract of land, the northerly line of said 6.00 acre tract of land, a portion of the northerly line of said 51.75 acre tract of land, the same being the common line of said Farm Lot 39 and said Farm Lot 34, **1076.83 feet** to the easterly line of said Concord Township and the same being the westerly line of said Liberty Township;

Thence **S 03° 11' 58" W**, across said 51.75 acre tract of land and the same being the common line of said Concord Township and Liberty Township, **1551.05 feet** to the **True Point of Beginning**.

Containing **38.4 +/- acres**, more or less. Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on December 4, 2015 and is based on existing Delaware County Auditor's and Recorder's records.

This description is not to be used for the transfer of land.

ADVANCED CIVIL DESIGN, INC.

Zoning Exhibit ~ 38.4± Acre

Concord Township, Delaware County, Ohio
 Farm Lot 39, Section 3, Township 4, Range 19,
 United States Military District

Homewood Corporation
 PID: 41933002006000

S86°33'10"E 1076.83'

Farm Lot 34

Farm Lot 39

Homewood Corporation
 PID: 41933002004000

Roger C. & Catherine Stahl
 PID: 41933002063000

N317°51'E 1554.38'

Metro Development LLC
 O.R. 1382, Pg. 1342
 6.00 Ac.
 PID: 41933002064000

Roy K. Jackson &
 Judith M. Jackson, Trustees
 O.R. 13, Pg. 89
 30.00 Ac.
 PID: 41933002065000

38.4±

Concord Township
 Liberty Township

Roy K. Jackson &
 Judith M. Jackson, Trustees
 O.R. 13, Pg. 1086
 PID: 41933002066000

S311°58'W 1551.05'

R/W

R/W

40' R/W

N86°43'48"W 1079.48'
 Hyatts Road (R/W Varies)

HYATTS ROAD

Farm Lot 39

POB

50' R/W

Farm Lot 20

Farm Lot 21

R/W

William R. Thomas
 PID: 31922001012000

James Michael Jackson &
 Susan Massaro
 PID: 31922001010000

20

JANIC

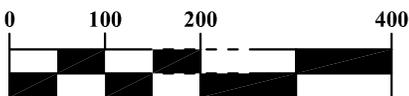
Joseph S. Anderson
 PID: 31922001012001

Amanda Dodson
 PID: 31922001011001

Ryan M. & Jamie L Miles
 PID: 31922001011000

PB 15

GRAPHIC SCALE



1 inch = 200 feet

This exhibit is based on information obtained from Delaware County GIS.

DRAWN BY: DRB

JOB NO.: 15-0106-128

DATE: 12/04/15

CHECKED BY: BCK



ADVANCED
 CIVIL DESIGN

ENGINEERS SURVEYORS

422 Beecher Road
 Gahanna, Ohio 43230

ph 614.428.7750

fax 614.428.7755

EXHIBIT C

Map

The attached map shows the location and anticipated development of the Property.

[Attached]

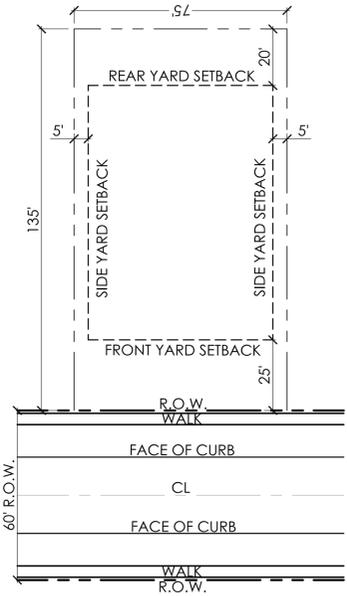


SITE DATA

TOTAL ACRES	+/- 38.90 ACRES
TOTAL UNITS	75 LOTS
DENSITY	+/- 1.93 D.U./AC.
75' X 135' LOTS	75
OPEN SPACE	+/- 12.55 AC.
PERCENTAGE OF OPEN SPACE	+/- 32.3%

*MOUNDING CONCEPT MAY BE ADJUSTED TO ACCOMMODATE FINAL ENGINEERING

VICINITY MAP



1 TYPICAL 75' LOT CONFIGURATION
SCALE: 1"=30'

PRELIMINARY DEVELOPMENT PLAN

EXHIBIT C-1

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DELAWARE COUNTY, OHIO

APPLICATION TO ADD PROPERTY TO THE CONCORD/SCIOTO COMMUNITY
AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF
THE CONCORD/SCIOTO COMMUNITY AUTHORITY AS A NEW COMMUNITY
AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE

Submitted by:

CONCORD/SCIOTO DEVELOPMENT, LLC

As the Developer

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DELAWARE COUNTY, OHIO

APPLICATION TO ADD PROPERTY TO THE CONCORD/SCIOTO COMMUNITY
AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF
THE CONCORD/SCIOTO COMMUNITY AUTHORITY AS A NEW COMMUNITY
AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE

The undersigned, Concord/Scioto Development, LLC (the “Developer”), is an Ohio limited liability company and is the “developer” within the meaning of Ohio Revised Code Section 349.01 for the Concord/Scioto Community Authority (the “Authority”), a new community authority established under and operating pursuant to Ohio Revised Code Chapter 349 (the “Act”).

On February 8, 2007, this Board of County Commissioners of Delaware County, Ohio (the “Board”) received a petition (the “Petition”) filed by Triangle Properties, Inc. (“Triangle”) under the Act to create the Authority. The Board approved the creation of the Authority on March 22, 2007 pursuant to its Resolution No. 07-331. The Board approved the assignment by Triangle of its rights, responsibilities, and duties as statutory developer of the Authority to the Developer on July 2, 2007 pursuant to its Resolution 07-809.

On December 1, 2014, the Board received an application to add the Rockford property to the Authority (the “Rockford Application”) filed by the Developer. On January 15, 2015, the Board approved the Rockford Application and so amended the Petition pursuant to its Resolution 15-54.

On August 18, 2016, the Board received (i) an application to add the Clark Shaw Moors (M/I Homes) property to the Authority (the “Clark Shaw Moors (M/I Homes) Application”), (ii) an application to add the Clark Shaw Moors (Rockford Homes) property to the Authority (the “Clark Shaw Moors (Rockford Homes) Application”), (iii) an application to add the Price Farms property to the Authority (the “Price Farms Application”), and (iv) an application to add the River Bluff property to the Authority (the “River Bluff Application”), all filed by the Developer. On September 29, 2016, the Board approved the Clark Shaw Moors (M/I Homes) Application and so amended the Petition pursuant to its Resolution 16-980, approved the Clark Shaw Moors (Rockford Homes) Application and so amended the Petition pursuant to its Resolution 16-981, approved the Price Farms Application and so amended the Petition pursuant to its Resolution 16-982, and approved the River Bluff Application and so amended the Petition pursuant to its Resolution 16-983.

On August 3, 2017, the Board received an application filed by the Developer to add the Scioto Ridge Crossing (M/I Homes) property to the Authority (the “Scioto Ridge Crossing Application”). On September 14, 2017, the Board approved the Scioto Ridge Crossing Application and so amended the Petition pursuant to its Resolution 17-952.

As authorized by Ohio Revised Code Section 349.03, the Developer now seeks Board approval to add certain real property described below to the territory of the Authority (the “District”) and to amend the Petition as necessary to accomplish the same, all pursuant to this

application (the “Application”). Exhibit A attached hereto is a map showing the existing District as well as the real property that the Developer now seeks to add to the District. To that end, with respect to the real property at issue in this Application, the Developer hereby applies as follows:

1. Property. The Developer seeks the addition to the District of certain real property consisting of approximately 10.25 acres in Concord Township, Delaware County, Ohio (the “Property”), which Property is identified in the records of the Delaware County Auditor at the time of this Application with parcel number 319-230-02-011-000. As described more particularly in the legal descriptions attached hereto as Exhibit B and as depicted in the map attached hereto as Exhibit C, which identifies the location of the Property and outline the initial plan of development for the Property, the Property is generally situated at 5055 Home Road. The Property is owned by or is under the control of the Developer through leases of at least 75 years’ duration, options, or contracts to purchase. The Developer hereby confirms that the addition of the Property will be conducive to the public health, safety, and convenience and welfare, will be consistent with the development of the District, and will further the plan of development for the District.
2. Zoning. The Property is zoned “Planned Residential District”, which designation will foster the necessary comprehensive development of the Property and the District as one functionally-interrelated community. The Board of Trustees of Concord Township, Delaware County, Ohio (the “Trustees”) approved said zoning designation with respect to the Property on April 20, 2016. A copy of the minutes from the Trustees’ April 20, 2016 meeting appears as Exhibit D hereto. A copy of the Concord Township zoning resolution appears as Exhibit E hereto.
3. Development Plan. CV Real Property, LLC, an Ohio limited liability company (“CV”), plans to build 25 condominium units on the Property. Consistent with the overall plan for the District, the Developer or CV will provide for the District certain improvements constituting “community facilities” under the Act, including certain Community Facilities (as defined herein) in support of the Property. Exhibits F and G hereto provide additional details regarding the development plan and anticipated improvements to the Property. As noted on the Exhibit H attached hereto, a traffic study was not completed for the Property.
4. Community Development Charge. The Developer proposes to issue revenue bonds to finance the Community Facilities and to secure said revenue bonds through the levy and collection of a 10.25-mill community development charge that will be paid by owners of real property within the Property pursuant to Ohio Revised Code Section 349.07. Pursuant to the Declaration of Covenants and Restrictions for the Authority (the “Declaration”), a 2.0-mill portion of the community development charge will be provided to Delaware County, Ohio. Pursuant to the Declaration, the community development charge with respect to any parcel within the District, including the Property, is chargeable and may be assessed by the Authority if a structure or building is located on a parcel and the parcel (i) receives approval to tap into the public sanitary sewer treatment system; (ii) receives approval to tap into the Del-Co Water Company, Inc. water system (or any successor thereto); or (iii) receives approval of a final development plan for lands,

buildings, structures, and improvements to be included in said parcel from the applicable zoning jurisdiction.

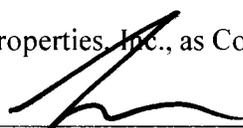
5. Economic Feasibility. The preliminary economic feasibility analysis for the District, including the area development pattern and demand, location and territory size, present and future socio-economic conditions, public services provision, financial plan, and the Developer's management capability, were attached to the Petition as Exhibit C (Development Plan), Exhibit F (Development Program), Exhibit I (demographic information for Concord Township), Exhibit J (demographic information for Scioto Township), Exhibit K (Financial Plan), and Exhibit L (management capability). The Statement of Economic Feasibility with respect to the Property is attached as Exhibit I hereto. Demographic information relating to Concord Township appears as Exhibit J hereto. The analysis additionally includes information about the Developer and CV, which information appears in Exhibit K hereto.
6. Environmental Compliance. The Developer and CV shall comply with all applicable environmental laws and regulations. As evidence of such anticipated compliance by the Developer, the Phase I Environmental Site Assessment relating to the Property is attached to this Application as Exhibit L.
7. Approvals. For the purposes of the establishment of the Authority as well as the expansion of the District, the City of Delaware, Ohio is the only city that can be defined as a "proximate city" as that term is defined in Ohio Revised Code Section 349.01(M). The City of Delaware, Ohio passed a resolution of no objection to the expansion of the District and executed a document exhibiting its approval, a copy of which resolution and approval is attached to this Application as Exhibit M.
8. Exhibits. Attached Exhibits A, B, C, D, E, F, G, H, I, J, K, L, and M are part of this Application, and the Petition and the exhibits thereto are incorporated herein as part of this Application.
9. Definitions. Words and terms not defined herein shall have the meanings given in Ohio Revised Code Section 349.01, unless context requires a different meaning.

The Developer hereby requests the Board, as the organizational board of commissioners under Ohio Revised Code Section 349.03, to determine that this Application complies as to form and substance with the requirements of Ohio Revised Code Section 349.03 and further requests that the Board fix the time and place of a hearing on this Application. Pursuant to Ohio Revised Code Section 349.03(A), that hearing must be held not less than thirty, nor more than forty-five days after the filing of this Application with the Clerk of the Board. This Application is filed with the Clerk of the Board this ____ day of _____, 2019.

Respectfully submitted,

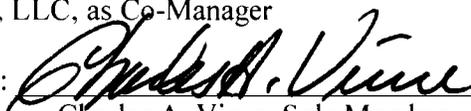
CONCORD/SCIOTO DEVELOPMENT, LLC, as Developer

By: Triangle Properties, Inc., as Co-Manager

By: 

Rowland S. Giller, III, President

By: CAV, LLC, as Co-Manager

By: 

Charles A. Vince, Sole Member

EXHIBIT A

Map of District and Additional Property

The attached map shows the territory of the Authority as well as the additional property proposed in this Application.

[Attached]

EXHIBIT B

Legal Description

The attached legal descriptions relate to the Property to be added to the Authority pursuant to this Application.

[Attached]

January 27, 2016

DESCRIPTION OF A 10.249 ACRE TRACT

Located in the Township of Concord, County of Delaware, State of Ohio, situated in Farm Lots 13 and 14, Section 2, Township 3, Range 19, United States Military Lands, being all of that 10.245 acre tract conveyed to Larry J. Swenson in O.R.V. 1045, Page 1319, said 10.249 acres (by Survey) being more particularly described as;

Commencing, for reference, at a survey nail found at the intersection of the centerlines of Home Road (C.R. 124) and Scioto Chase Boulevard; thence, North $87^{\circ}02'14''$ West, with the centerline of said Home Road, a distance of 1643.35 feet to an angle point in said centerline; thence, North $86^{\circ}50'16''$ West, with the centerline of said Home Road, with the northerly line of that 1.955 acre tract conveyed to Annabelle U. Dulin in D.B. 458, Page 645 and D.B. 388, Pg. 94 and with the southerly line of that 0.819 acre tract of land conveyed (for right-of-way purposes) in the "10th Amendment, The Point at Scioto Reserve Condominium", of record in Plat Cabinet 3, Slide 115, a distance of 105.51 feet to a survey nail set at the northwesterly corner of said 1.955 acres, the same being in the southerly line of said 0.819 acres, being the northeasterly corner of said 10.245 acres and being the TRUE PLACE OF BEGINNING;

Thence, from said TRUE PLACE OF BEGINNING, South $03^{\circ}32'46''$ West, with the westerly line of said 1.955 acres and with the easterly line of said 10.245 acres, passing a rebar set at a distance of 50.00 feet, a total distance of 795.57 feet to a $\frac{3}{4}$ -iron pipe found at the southwest corner of said 1.955 acres, the same being in the northerly line of the "Scioto Reserve Golf Course", a subdivision of record in Plat Cabinet 3, Slide 373 and being the southeasterly corner of said 10.245 acres;

Thence, North $86^{\circ}46'53''$ West, with the northerly line of said Scioto Reserve Golf Course subdivision and with the southerly line of said 10.245 acres, a distance of 554.83 feet to a rebar set at the southwest corner of said 10.245 acres;

Thence, North $02^{\circ}36'13''$ East, with an easterly line of said Scioto Reserve Golf Course subdivision, with an easterly line of Reserve "G", the easterly terminus of Valley View Lane (60' right-of-way), and an easterly line of Reserve "F", all being out of "Scioto Reserve, Section 2, Phase 2", a subdivision of record in Plat Cabinet 2, Slide 376 and with the westerly line of said 10.245 acres, passing a rebar set at a distance of 745.04 feet, a total distance of 795.04 feet to a survey nail set in the centerline of said Home Road, the same being the northwesterly corner of said 10.245 acres;

PLAT OF SURVEY

BEING 10.249 ACRES, SITUATED IN FARM LOTS
13 & 14, SECTION 2, TOWNSHIP 3, RANGE 19,
U.S.M.L., CONCORD TOWNSHIP, DELAWARE COUNTY, OHIO

HOME ROAD (C.R. 124)

SCIOTO RESERVE, SEC.2, PH.1
P.C. 2, SLIDE 375

SCIOTO RESERVE, SEC.2, PH.2
P.C. 2, SLIDE 376

LARRY J. SWENSON
10.245 AC.
O.R.V. 1045, PG. 1319

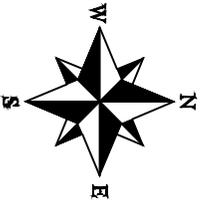
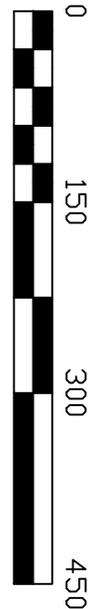
10.249 Acres
(BY SURVEY)

AUDITORS PARCEL
#31923002011000

9.101 Acres

1.148 Acres

REFERENCES
Auditors Tax Map
Deeds/Plats as noted on Survey
Monuments as shown on Survey
Surveys of Record



LEGEND:

- = 3/4" IRON PIPE FOUND (or noted otherwise)
- ◇ = SURVEY NAIL FOUND
- ◆ = SURVEY NAIL SET
- ⊙ = 5/8 x 30" REBAR (w/"B.L.SURVEYING, P.S.#7980" cap) SET

ADJOINERS:

(A) 10th AMENDMENT, THE POINT
AT SCIOTO RESERVE CONDOMINIUM
P.C. 3, SLIDE 115 (0.819 AC. R/W)

Bearings are based on S 86° 50' 16" W, as shown hereon for the centerline of Home Road (C.R. 124), as derived from GPS observations based on the Ohio State Plane Coordinate System (South Zone), NAD 83 (with an NSRS adjustment) using ODOT VRS.

I hereby certify that this boundary survey was prepared from an actual field survey and to the best of our knowledge and belief is correct and that this plat was prepared in accordance with Ohio Administrative Code Chapter 4733-37 "Standards for Boundary Surveys". All monumentation is found or to be set as shown.

William D. Beer
Registered Professional Surveyor No. 7980
Date _____

BENCHMARK LAND SURVEYING
3501 MANITA DRIVE
WESTERVILLE, OH 43081
(614) 794-9609 ~ Office
(614) 899-0336 ~ Fax
bmlsurveying@yahoo.com

EXHIBIT C

Map

The attached map shows the location and anticipated development of the Property.

[Attached]

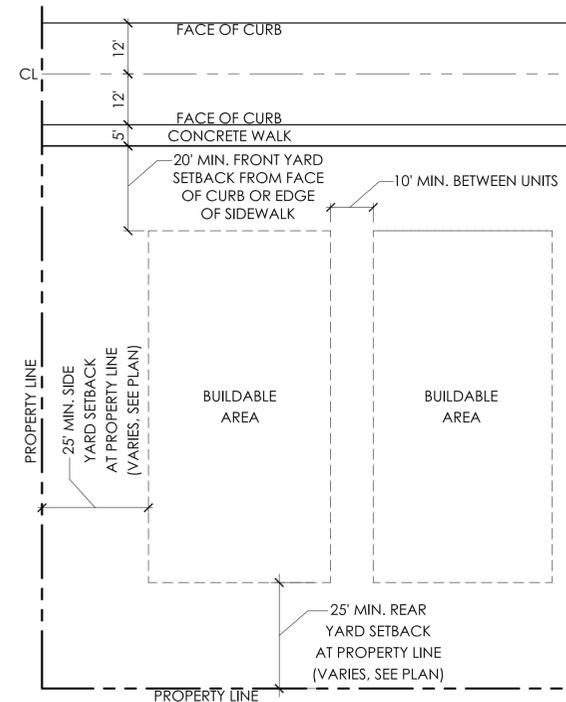


VICINITY MAP



TYPICAL UNIT LAYOUT

SCALE: 1"=20'



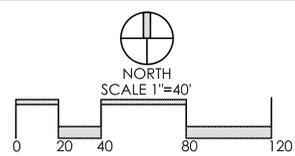
SITE DATA

TOTAL ACRES	±10.25 ACRES
TOTAL UNITS	26 UNITS
DENSITY	±2.5 D.U./AC.
OPEN SPACE	±4.32 AC.
% OPEN SPACE	±42 %

DEVELOPMENT PLAN

THE MEADOWS AT HOME ROAD

PREPARED FOR CV REAL PROPERTIES
DATE: 2-15-16



Faris Planning & Design

LAND PLANNING LANDSCAPE ARCHITECTURE
243 N. 5th Street Suite 401 Columbus, OH 43215
p (614) 487-1964

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DELAWARE COUNTY, OHIO

APPLICATION TO ADD PROPERTY TO THE CONCORD/SCIOTO COMMUNITY
AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF
THE CONCORD/SCIOTO COMMUNITY AUTHORITY AS A NEW COMMUNITY
AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE

Submitted by:

CONCORD/SCIOTO DEVELOPMENT, LLC

As the Developer

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DELAWARE COUNTY, OHIO

APPLICATION TO ADD PROPERTY TO THE CONCORD/SCIOTO COMMUNITY
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On February 8, 2007, this Board of County Commissioners of Delaware County, Ohio (the “Board”) received a petition (the “Petition”) filed by Triangle Properties, Inc. (“Triangle”) under the Act to create the Authority. The Board approved the creation of the Authority on March 22, 2007 pursuant to its Resolution No. 07-331. The Board approved the assignment by Triangle of its rights, responsibilities, and duties as statutory developer of the Authority to the Developer on July 2, 2007 pursuant to its Resolution 07-809.

On December 1, 2014, the Board received an application to add the Rockford property to the Authority (the “Rockford Application”) filed by the Developer. On January 15, 2015, the Board approved the Rockford Application and so amended the Petition pursuant to its Resolution 15-54.

On August 18, 2016, the Board received (i) an application to add the Clark Shaw Moors (M/I Homes) property to the Authority (the “Clark Shaw Moors (M/I Homes) Application”), (ii) an application to add the Clark Shaw Moors (Rockford Homes) property to the Authority (the “Clark Shaw Moors (Rockford Homes) Application”), (iii) an application to add the Price Farms property to the Authority (the “Price Farms Application”), and (iv) an application to add the River Bluff property to the Authority (the “River Bluff Application”), all filed by the Developer. On September 29, 2016, the Board approved the Clark Shaw Moors (M/I Homes) Application and so amended the Petition pursuant to its Resolution 16-980, approved the Clark Shaw Moors (Rockford Homes) Application and so amended the Petition pursuant to its Resolution 16-981, approved the Price Farms Application and so amended the Petition pursuant to its Resolution 16-982, and approved the River Bluff Application and so amended the Petition pursuant to its Resolution 16-983.

On August 3, 2017, the Board received an application filed by the Developer to add the Scioto Ridge Crossing (M/I Homes) property to the Authority (the “Scioto Ridge Crossing Application”). On September 14, 2017, the Board approved the Scioto Ridge Crossing Application and so amended the Petition pursuant to its Resolution 17-952.

As authorized by Ohio Revised Code Section 349.03, the Developer now seeks Board approval to add certain real property described below to the territory of the Authority (the “District”) and to amend the Petition as necessary to accomplish the same, all pursuant to this

application (the “Application”). Exhibit A attached hereto is a map showing the existing District as well as the real property that the Developer now seeks to add to the District. To that end, with respect to the real property at issue in this Application, the Developer hereby applies as follows:

1. Property. The Developer seeks the addition to the District of certain real property consisting of approximately 24.24 acres in Liberty Township, Delaware County, Ohio (the “Property”), which Property is identified in the records of the Delaware County Auditor at the time of this Application with parcel number 419-340-02-019-000. As described more particularly in the legal descriptions attached hereto as Exhibit B and as depicted in the map attached hereto as Exhibit C, which identifies the location of the Property and outline the initial plan of development for the Property, the Property is generally situated west of Sawmill Parkway, between Hyatts Road and Clark-Shaw Road. The Property is owned by or is under the control of the Developer through leases of at least 75 years’ duration, options, or contracts to purchase. The Developer hereby confirms that the addition of the Property will be conducive to the public health, safety, and convenience and welfare, will be consistent with the development of the District, and will further the plan of development for the District.
2. Zoning. The Property is zoned “Planned Residential District”, which designation will foster the necessary comprehensive development of the Property and the District as one functionally-interrelated community. The Board of Trustees of Liberty Township, Delaware County, Ohio (the “Trustees”) approved said zoning designation with respect to the Property on March 20, 2017. A copy of the minutes from the Trustees’ March 20, 2017 meeting appears as Exhibit D hereto. A copy of the Liberty Township zoning resolution appears as Exhibit E hereto.
3. Development Plan. Epcon Hyatts, LLC, an Ohio limited liability company, or a related entity (“Epcon”), plans to build 84 condominium units on the Property. Consistent with the overall plan for the District, the Developer or Epcon will provide for the District certain improvements constituting “community facilities” under the Act, including certain Community Facilities (as defined herein) in support of the Property. Exhibits F and G hereto provide additional details regarding the development plan and anticipated improvements to the Property. Exhibit H provides a traffic study completed for the Property.
4. Community Development Charge. The Developer proposes to issue revenue bonds to finance the Community Facilities and to secure said revenue bonds through the levy and collection of a 10.25-mill community development charge that will be paid by owners of real property within the Property pursuant to Ohio Revised Code Section 349.07. Pursuant to the Declaration of Covenants and Restrictions for the Authority (the “Declaration”), a 2.0-mill portion of the community development charge will be provided to Delaware County, Ohio. Pursuant to the Declaration, the community development charge with respect to any parcel within the District, including the Property, is chargeable and may be assessed by the Authority if a structure or building is located on a parcel and the parcel (i) receives approval to tap into the public sanitary sewer treatment system; (ii) receives approval to tap into the Del-Co Water Company, Inc. water system (or any successor thereto); or (iii) receives approval of a final development plan for lands,

buildings, structures, and improvements to be included in said parcel from the applicable zoning jurisdiction.

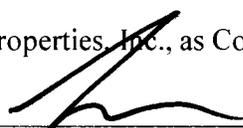
5. Economic Feasibility. The preliminary economic feasibility analysis for the District, including the area development pattern and demand, location and territory size, present and future socio-economic conditions, public services provision, financial plan, and the Developer's management capability, were attached to the Petition as Exhibit C (Development Plan), Exhibit F (Development Program), Exhibit I (demographic information for Liberty Township), Exhibit J (demographic information for Scioto Township), Exhibit K (Financial Plan), and Exhibit L (management capability). The Statement of Economic Feasibility with respect to the Property is attached as Exhibit I hereto. Demographic information relating to Liberty Township appears as Exhibit J hereto. The analysis additionally includes information about the Developer and Epcon, which information appears in Exhibit K hereto.
6. Environmental Compliance. The Developer and Epcon shall comply with all applicable environmental laws and regulations. As evidence of such anticipated compliance by the Developer, the Phase I Environmental Site Assessment relating to the Property is attached to this Application as Exhibit L.
7. Approvals. For the purposes of the establishment of the Authority as well as the expansion of the District, the City of Delaware, Ohio is the only city that can be defined as a "proximate city" as that term is defined in Ohio Revised Code Section 349.01(M). The City of Delaware, Ohio passed a resolution of no objection to the expansion of the District and executed a document exhibiting its approval, a copy of which resolution and approval is attached to this Application as Exhibit M.
8. Exhibits. Attached Exhibits A, B, C, D, E, F, G, H, I, J, K, L, and M are part of this Application, and the Petition and the exhibits thereto are incorporated herein as part of this Application.
9. Definitions. Words and terms not defined herein shall have the meanings given in Ohio Revised Code Section 349.01, unless context requires a different meaning.

The Developer hereby requests the Board, as the organizational board of commissioners under Ohio Revised Code Section 349.03, to determine that this Application complies as to form and substance with the requirements of Ohio Revised Code Section 349.03 and further requests that the Board fix the time and place of a hearing on this Application. Pursuant to Ohio Revised Code Section 349.03(A), that hearing must be held not less than thirty, nor more than forty-five days after the filing of this Application with the Clerk of the Board. This Application is filed with the Clerk of the Board this ____ day of _____, 2019.

Respectfully submitted,

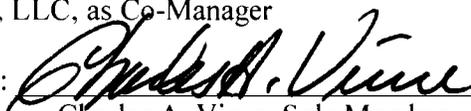
CONCORD/SCIOTO DEVELOPMENT, LLC, as Developer

By: Triangle Properties, Inc., as Co-Manager

By: 

Rowland S. Giller, III, President

By: CAV, LLC, as Co-Manager

By: 

Charles A. Vince, Sole Member

EXHIBIT A

Map of District and Additional Property

The attached map shows the territory of the Authority as well as the additional property proposed in this Application.

[Attached]

EXHIBIT B

Legal Description

The attached legal descriptions relate to the Property to be added to the Authority pursuant to this Application.

[Attached]

LEGAL DESCRIPTION
24.236 ACRES

Situated in the State of Ohio, County of Delaware, Township of Liberty, being in Farm Lots 38, Quarter Township 3, Township 4, Range 19 in the United States Military District, and also being part of the remainder of a 58.75 acre tract as conveyed to RKJ Judy LLC in Official Record 1495, page 895 as being further described as follows;

Commencing an iron pin set at the northeast corner of said Farm Lot 38, the southeast corner of Farm Lot 35, the southwest corner of Farm Lot 36, the northwest corner Farm Lot 37, being in the south line of a 9.958 acre tract (16WL) as conveyed to the Board of Delaware Commissioners in Official Record Number 1240, Page 1961, the north line of a 1.053 acre tract (15WL) as conveyed to the Board of Delaware Commissioners in Official Record Number 1082, Page 1248;

Thence with the south line of said Farm Lot 35, the north line of said Farm Lot 38, the south line of said 9.958 acre and the north line of said 1.053 acre tract, **N 86° 14' 52" W, 12.84 feet** to the northeast corner of the remainder of said 58.75 acre tract, an angle point in the south line of the remainder of a 30.000 acre tract as conveyed to Donald Scott Bauder and Kathy J. Bauder in Official Record 598, page 297, and being in the westerly right of way line of Sawmill Parkway (R/W Varies);

Thence with the east line of the remainder of said 58.75 acre tract, the west line of said 1.053 acre tract and the westerly right of way line of Sawmill Parkway, **S 14° 55' 55" W, 97.11 feet** to an iron pin set at the **TRUE POINT OF BEGINNING** for the land herein described as follows;

Thence continuing with the east line of the remainder of said 58.75 acre tract, the west line of said 1.053 acre tract and the westerly right of way line of Sawmill Parkway the following three (3) courses:

1. **S 14° 55' 55" W, 149.54 feet** to an iron pin set;
2. **S 08° 45' 45" W, 255.24 feet** to an iron pin set;
3. **S 03° 15' 04" W, 628.35 feet** to an iron pin set;

Thence with the east line of the remainder of said 58.75 acre tract, the west line of said 1.053 acre tract, the west line of a 3.168 acre tract (8WD) as conveyed to the Board of Delaware County Commissioners in Official Record 840, Page 199 and the westerly right of way line of Sawmill Parkway, **S 03° 12' 33" W, 283.26 feet** to an iron pin set;

Thence with the east line of the remainder of said 58.75 acre tract, the west line of said 3.618 acre tract and the westerly right of way line of Sawmill Parkway, **S 40° 07' 01" W, 100.65 feet** to an iron pin set at the southeast corner of the remainder of said 58.75 acre tract and being in the northerly right of way line of Hyatts Road;

Thence with the south line of the remainder of said 58.75 acre tract, the west line of said 3.168 acre tract and the northerly right of way line of Hyatts Road, **N 86° 32' 40" W, 513.39 feet** to an iron pin set;

Thence continuing with the south line of the remainder of said 58.75 acre tract, the west line of said 3.168 acre tract and the northerly right of way line of Hyatts Road, **S 03° 27' 20" W, 25.00 feet** to an iron pin set;

Thence across the remainder of said 58.75 acre tract the following fourteen (14) courses:

1. **N 86° 32' 40" W, 184.98 feet** to an iron pin set;
2. **N 03° 33' 24" E, 107.55 feet** to an iron pin set;
3. **N 86° 26' 57" W, 132.44 feet** to an iron pin set;
4. **N 03° 33' 03" E, 59.00 feet** to an iron pin set;
5. **N 01° 12' 46" W, 60.21 feet** to an iron pin set;
6. **N 03° 33' 03" E, 216.04 feet** to an iron pin set;
7. **S 86° 26' 57" E, 135.00 feet** to an iron pin set;
8. **N 03° 33' 03" E, 875.00 feet** to an iron pin set;
9. **S 86° 26' 57" E, 136.50 feet** to an iron pin set;
10. Along a curve to the right, a central angle of **90° 00' 00"**, a radius of **18.50 feet**, an arc length of **29.06 feet**, and chord bearing and distance of **S 41° 26' 57" E, 26.16 feet** to an iron pin set;
11. **S 03° 33' 03" W, 11.50 feet** to an iron pin set;
12. **S 86° 26' 57" E, 300.82 feet** to an iron pin set;
13. **N 03° 33' 03" E, 131.79 feet** to an iron pin set;
14. **S 86° 26' 57" E, 352.61 feet** to the **TRUE POINT OF BEGINNING**, containing **24.236 acres**, more or less.

The above description was prepared by Advanced Civil Design, Inc. and is based on existing records and an actual field survey by Advanced Civil Design in November of 2016. A drawing of the above description has been prepared and is a part hereof.

Iron pins set are 3/4" diameter iron pipe, 30" long and capped Advanced 7661.

Bearings are based on the Ohio State Plane Coordinated System, North Zone, NAD83 (NSRS2007). Said bearings were derived from GPS observation that determines a portion of the centerline of Hyatts Road to be S 86° 32' 40" E.

All references used in this description can be found at the Recorder's Office, Delaware County, Ohio.

ADVANCED CIVIL DESIGN, INC.

DESCRIPTION FOR CLOSING ONLY
<input type="checkbox"/> RPC Approval Required
<input type="checkbox"/> Municipal Approval Required
Delaware County Engineer

4-10-18

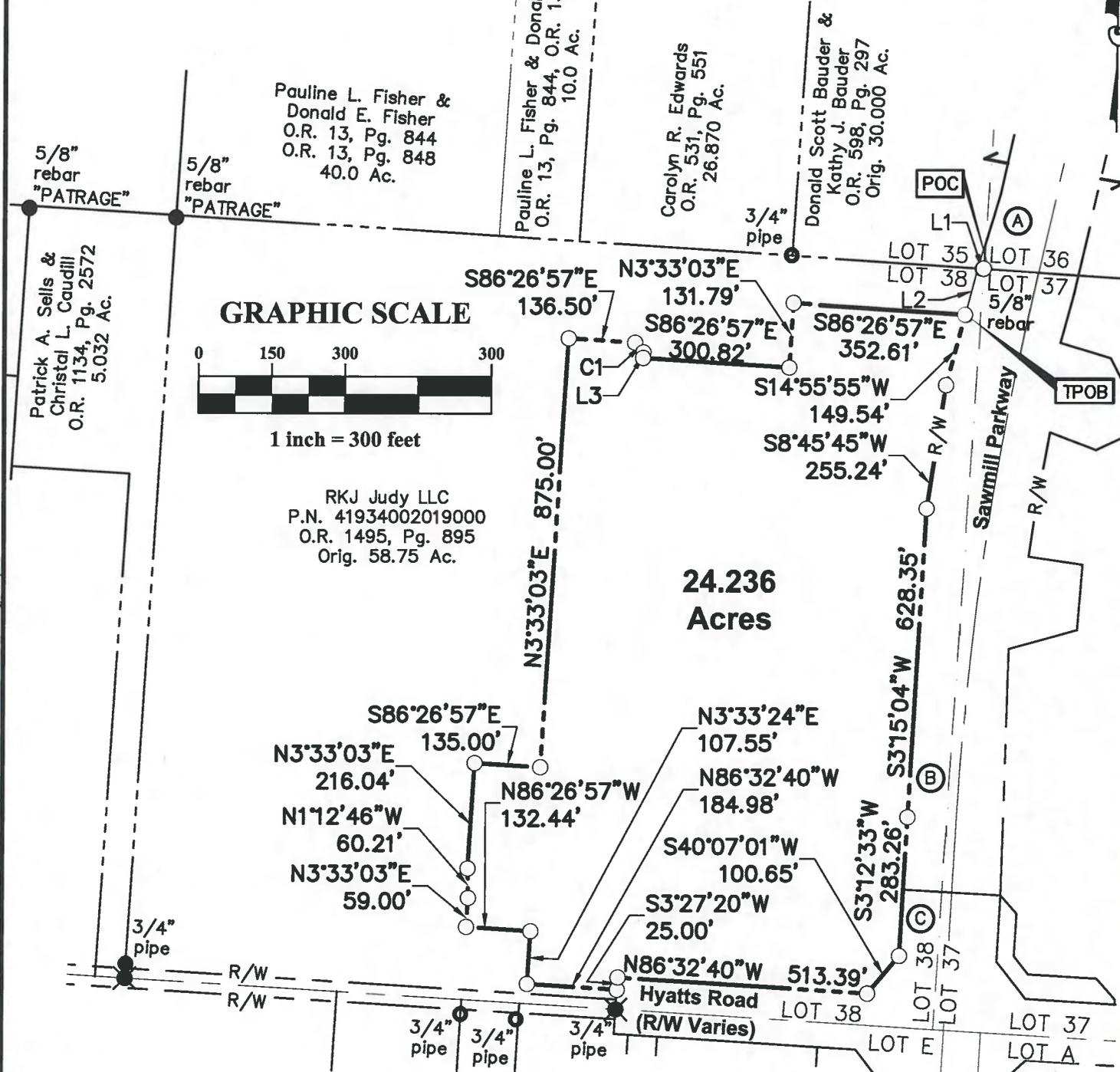


Jonathan E. Phelps 4/10/18
Jonathan E. Phelps
Registration Number 8241

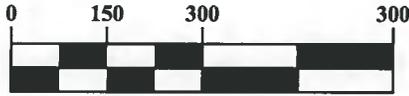
Exhibit

Farm Lots 30 & 35, Quarter Township 3,
Township 4, Range 19,
United States Military District
Liberty Township, Delaware County, Ohio

Bearings are based on the Ohio State
Plane Coordinate System, North Zone,
NAD83 (NSRS2007). Said Bearings were
derived from GPS observation that
determines a portion of the centerline
of Hyatts Road to be S 86° 32' 40" E.



GRAPHIC SCALE



1 inch = 300 feet

RKJ Judy LLC
P.N. 41934002019000
O.R. 1495, Pg. 895
Orig. 58.75 Ac.

**24.236
Acres**

LINE TABLE		
LINE	DISTANCE	BEARING
L1	12.84'	N86°14'52"W
L2	97.11'	S14°55'55"W
L3	11.50'	S03°33'03"W

LEGEND

- Iron Pin Found
- Iron Pipe Found
- ✕ MagNail Found
- ▲ RR Spike Found
- [M] Monument Box
- Iron Pin Set
- ✕ MagNail Set
- △ RR Spike Set

Ownership Information

- (A) Board of Delaware County Commissioners
O.R. 1240, Pg. 1961
9.958 Ac. (16WL)
- (B) Board of Delaware County Commissioners
O.R. 1082, Pg. 1248
1.053 Ac. (15WL)
- (C) Board of Delaware County Commissioners
O.R. 840, Pg. 199
3.168 Ac. (8WD)

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DIST.
C1	90°00'00"	18.50'	29.06'	S41°26'57"E	26.16'

revised: 04/10/2018

All iron pins set are 3/4" diameter, 30" long iron pipe with plastic cap inscribed "Advanced 7661".

This Survey is based on existing records from Delaware County, and from actual field survey work.

ADVANCED CIVIL DESIGN, INC.

Jonathan E. Phelps 4/10/18
Jonathan E. Phelps Date
Reg. No. 8241



DRAWN BY: JEP JOB NO.: 18-0159-128
DATE: 03/12/2018 CHECKED BY: JEP



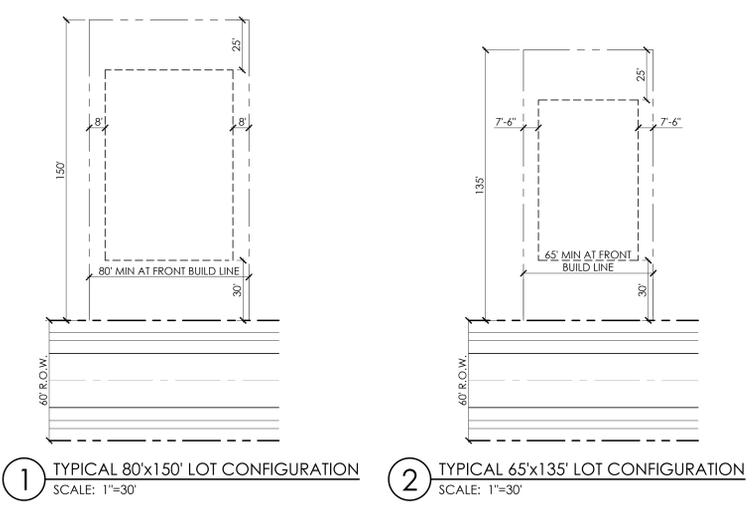
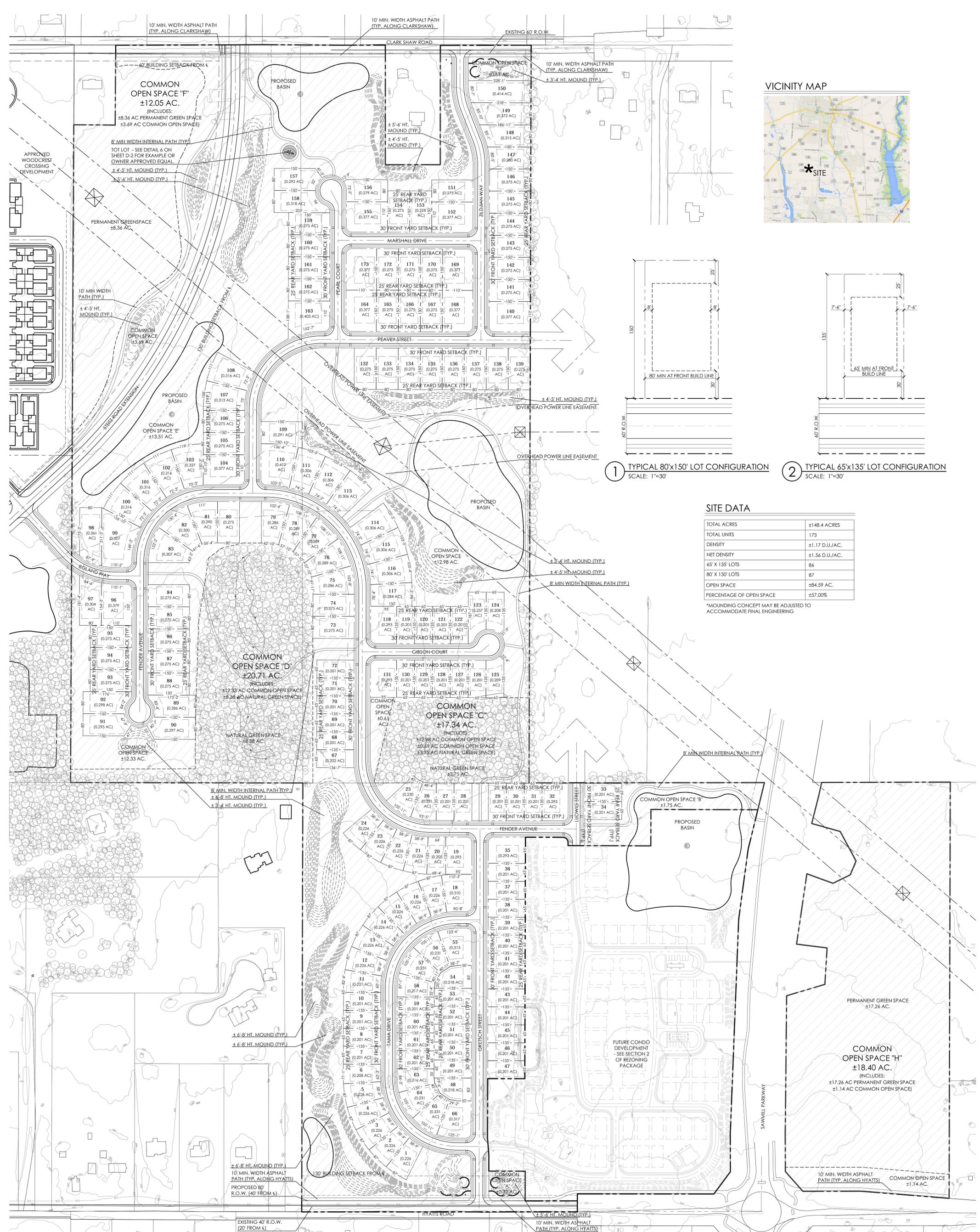
422 Beecher Road
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

EXHIBIT C

Map

The attached map shows the location and anticipated development of the Property.

[Attached]



SITE DATA

TOTAL ACRES	±148.4 ACRES
TOTAL UNITS	173
DENSITY	±1.17 D.U./AC.
NET DENSITY	±1.56 D.U./AC.
65' X 135' LOTS	86
80' X 150' LOTS	87
OPEN SPACE	±84.59 AC.
PERCENTAGE OF OPEN SPACE	±57.00%

*MOUNDING CONCEPT MAY BE ADJUSTED TO ACCOMMODATE FINAL ENGINEERING

APPROVAL OF THE CITY OF DELAWARE

The City of Delaware, by resolution number 19-____, adopted by the City Council of the City of Delaware on _____, 2019 (a copy of which is attached hereto) approves the foregoing Application to add certain real property to the district (the “District”) of the Concord/Scioto Community Authority District (the “Authority”) and has authorized the Mayor, the City Manager, or the Clerk of Council to sign this Application, and the Application is herewith signed as evidence of that approval. Pursuant to the Declaration of Covenants and Restrictions for the Authority, the community development charge with respect to any parcel within the District, including the real property to be added to the District by means of the instant petition, is chargeable and may be assessed by the Authority if a structure or building is located on a parcel and the parcel (i) receives approval to tap into the public sanitary sewer treatment system; (ii) receives approval to tap into the Del-Co Water Company, Inc. water system (or any successor thereto); or (iii) receives approval of a final development plan for lands, buildings, structures, and improvements to be included in said parcel from the applicable zoning jurisdiction.

CITY OF DELAWARE

By: _____
Name: _____
Title: _____

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CITY OF DELAWARE

By: _____
Name: _____
Title: _____



MAY FINANCE REPORT

TO: Members of City Council
FROM: Dean Stelzer, Finance Director
DATE: June 20, 2019

Reports Included

<u>Page</u>	<u>Reports</u>	<u>Purpose</u>
2	Revenues by Source	This summary compares year-to-date revenues for 2019 to 2018 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.

YTD 2019 Budget Supplementals

19-03	\$150,000 - Donation Fund - Hayes Statue
19-04	\$28,000 - CIP Fund Electric Parking System
19-15	\$1,150,000 - CIP E. William St. Grant Project
19-16	\$160,000 - CIP FUND Annex Improvements
19-17	\$650,000 - General Fund Transfers to CIP and SMR

FINANCE DIRECTOR'S REPORT

REVENUES BY SOURCE

May 31, 2019

	Revenues @ 5/31/19	Revenues @ 5/31/18	% Change
TAXES			
Income Tax	\$ 13,617,717	\$ 12,946,483	5.18%
Property Tax	1,117,668	1,093,647	2.20%
Local Government Fund	253,937	241,301	5.24%
Hotel/Motel Tax	25,536	29,463	-13.33%
Gasoline Taxes	489,480	476,031	2.83%
License Plate Tax	278,080	274,807	1.19%
FEES			
Franchise Fee (cable tv)	\$ 138,066	\$ 136,379	1.24%
Parking Meter & Lot Fees	30,995	33,531	-7.56%
Fines/Forfeitures/Court Diversion Fees	58,147	53,688	8.31%
Impact Fees	456,866	394,676	15.76%
Airport - Fuel	235,739	233,412	1.00%
Cemetery	72,739	99,764	-27.09%
Golf Course	52,073	53,624	-2.89%
REIMBURSEMENTS			
Engineering Fees	\$ 127,687	\$ 410,428	-68.89%
Fire/EMS Reimbursement	188,718	347,018	0.00%
Prosecutor Reimbursements	124,315	73,190	69.85%
Building Permits and Fees	526,513	447,210	17.73%
UTILITY CHARGES			
Water - Meter Charges	\$ 2,193,768	\$ 2,202,214	-0.38%
- Capacity Fees	1,206,617	1,036,775	16.38%
Sewer - Meter Charges	2,643,277	2,592,524	1.96%
- Capacity Fees	1,163,968	993,798	17.12%
Refuse	1,475,222	1,440,601	2.40%
Storm Sewer	365,074	363,441	0.45%
MUNICIPAL COURT REVENUES	\$ 1,477,116	\$ 1,404,825	5.15%

FINANCE DIRECTOR'S REPORT
GENERAL FUND REVENUES
May 31, 2019

May 41.7% of year	Revenues 5/31/2019	2019 Budget	Revenues As % of Budget	Comparative Revenues 5/31/2018	% Change YTD
GENERAL FUND					
Property Tax	855,424	1,629,406	52.50%	839,481	0.00%
City Income Tax	7,362,035	15,645,000	47.06%	7,001,430	5.15%
Other Taxes	22	0	0.00%	0	0.00%
Local Government Fund	253,937	618,976	41.03%	241,301	5.24%
Fines and Forfeitures	58,147	148,000	39.29%	53,688	8.31%
Engineering Fees	127,687	1,200,000	10.64%	410,428	(68.89%)
Prosecutor Contracts	124,315	285,000	43.62%	73,190	69.85%
Parking Meters	13,687	38,000	36.02%	15,435	(11.32%)
Other Fees and Contracts	15,240	0	0.00%	18,335	(16.88%)
Liquor Permits	40,906	45,000	90.90%	40,438	0.00%
Franchise Fees	138,066	405,000	34.09%	136,379	1.24%
Licenses & Permits	526,513	830,000	63.44%	447,210	17.73%
Investment Income	329,410	650,000	50.68%	201,095	63.81%
Miscellaneous	115,533	110,000	105.03%	28,007	0.00%
Reimbursements	93,340	200,000	46.67%	67,387	38.51%
Transfers	852,866	1,920,000	44.42%	826,858	3.15%
TOTAL	10,907,128	23,724,382	45.97%	10,400,662	4.87%

GENERAL FUND EXPENDITURES

	Expenses 5/31/2019	2019 Budget	Expenses As % of Budget	Comparative Expenses 5/31/2018	% Change YTD
GENERAL FUND					
City Council	62,737	184,347	34.03%	57,906	8.34%
City Manager	261,795	823,711	31.78%	274,647	(4.68%)
Human Resources	174,685	358,692	48.70%	110,829	57.62%
Economic Development	206,132	474,137	43.48%	217,290	(5.14%)
Legal Affairs/Prosecution	289,931	842,343	34.42%	305,839	(5.20%)
Finance	520,610	1,485,683	35.04%	574,521	(9.38%)
Income Tax Refunds	282,576	450,000	62.79%	277,456	1.85%
General Administration	2,696,895	6,090,255	44.28%	2,153,634	25.23%
Risk Management	11,904	349,100	3.41%	32,685	(63.58%)
Police	3,102,900	9,105,357	34.08%	3,216,024	(3.52%)
Planning	402,172	1,268,512	31.70%	432,797	(7.08%)
Engineering	529,644	1,988,887	26.63%	584,970	(9.46%)
City Buildings	211,686	554,958	38.14%	196,711	7.61%
TOTAL	8,753,667	23,975,982	36.51%	8,435,309	3.77%

General Fund Beginning Balance January 1, 2019	5,184,249
2019 General Fund Revenues	10,907,128
2019 General Fund Expenditures	(8,753,667)
Advances to Other Funds	1,236,286
Outstanding Encumbrances 5/31/19	(749,377)
General Fund Ending Fund Balance May 31, 2019	<u>7,824,619</u>

FINANCE DIRECTOR'S REPORT

OTHER OPERATING FUNDS

May 31, 2019

REVENUES

	Revenues 5/31/2019	2019 Budget	Revenues As % of Budget	Comparative Revenues 5/31/2018	% Change YTD
STREET MAINTENANCE & REPAIR	1,322,085	3,231,000	40.92%	1,198,894	10.28%
STORM SEWER	365,949	863,000	42.40%	364,211	0.48%
PARKS AND RECREATION	726,904	1,571,500	46.26%	516,228	40.81%
CEMETERY	114,406	256,000	44.69%	99,765	14.68%
AIRPORT OPERATIONS	321,442	924,840	34.76%	307,214	4.63%
FIRE/EMS INCOME TAX	5,476,389	11,866,361	46.15%	5,370,973	1.96%
MUNICIPAL COURT	1,075,553	2,744,000	39.20%	1,020,369	5.41%
GOLF COURSE	52,073	183,500	28.38%	53,624	(2.89%)
WATER	2,372,426	6,536,132	36.30%	2,315,470	2.46%
SEWER	2,851,578	7,407,971	38.49%	2,764,958	3.13%
REFUSE	1,506,931	3,672,095	41.04%	1,481,266	1.73%
GARAGE ROTARY	179,650	718,600	25.00%	164,455	9.24%
INFORMATION TECH. ROTARY	269,049	1,076,017	25.00%	269,004	0.02%
TOTAL	16,634,435	41,051,016	40.52%	15,926,431	4.45%

EXPENDITURES

	Expenditures 5/31/2019	2019 Budget	Expenses As % of Budget	Comparative Expenses 5/31/2018	% Change YTD
STREET MAINTENANCE & REPAIR	1,048,280	3,313,335	31.64%	1,128,688	(7.12%)
STORM SEWER	253,004	1,380,464	18.33%	198,988	27.15%
PARKS AND RECREATION	482,845	1,592,532	30.32%	477,342	1.15%
CEMETERY	83,083	315,113	26.37%	92,221	(9.91%)
AIRPORT OPERATIONS	355,837	974,226	36.53%	278,725	27.67%
FIRE/EMS INCOME TAX	4,636,422	11,182,079	41.46%	3,758,523	23.36%
MUNICIPAL COURT	940,166	2,734,190	34.39%	984,417	(4.50%)
GOLF COURSE	32,367	183,401	17.65%	56,361	(42.57%)
WATER OPERATIONS	1,634,945	6,336,213	25.80%	1,712,781	(4.54%)
SEWER OPERATIONS	1,489,336	7,075,047	21.05%	1,446,020	3.00%
REFUSE	1,160,712	3,813,216	30.44%	2,254,163	(48.51%)
GARAGE ROTARY	248,347	707,989	35.08%	252,354	(1.59%)
INFORMATION TECH. ROTARY	472,079	1,384,166	34.11%	404,284	16.77%
TOTAL	12,837,423	40,991,971	31.32%	13,044,867	(1.59%)

FUND BALANCES

	Fund Balance 1/1/2019	Revenues 5/31/2019	Expenditures 5/31/2019	Outstanding Encumb.	Fund Balance 5/31/2019
STREET MAINTENANCE & REPAIR	461,581	1,322,085	1,048,280	260,447	474,939
STORM SEWER	1,868,735	365,949	253,004	192,766	1,788,914
PARKS AND RECREATION	218,433	726,904	482,845	200,512	261,980
CEMETERY	265,769	114,406	83,083	3,362	293,730
AIRPORT OPERATIONS	272,195	321,442	355,837	156,434	81,366
FIRE/EMS INCOME TAX	9,031,814	5,476,389	4,636,422	179,680	9,692,101
MUNICIPAL COURT	2,744,978	1,075,553	940,166	12,525	2,867,840
GOLF COURSE	39,762	52,073	32,367	6,594	52,874
WATER OPERATIONS	1,219,585	2,372,426	1,634,945	212,116	1,744,950
SEWER OPERATIONS	3,134,518	2,851,578	1,489,336	167,960	4,328,800
REFUSE	909,634	1,506,931	1,160,712	781,459	474,394
GARAGE ROTARY	385,951	179,650	248,347	81,252	236,002
INFORMATION TECH. ROTARY	864,189	269,049	472,079	45,694	615,465
TOTAL	21,417,144	16,634,435	12,837,423	2,300,801	22,913,355

FINANCE DIRECTOR'S REPORT
OTHER FUND REVENUES/EXPENSES/FUND BALANCE
May 31, 2019

	Beginning Fund Balance	Revenues 5/31/2019	Expenses 5/31/2019	Outstanding Encumbrances	Ending Fund Balance
STATE HIGHWAY IMPROVEMENT	219,665	46,222	698	2,500	262,689
LICENSE FEE	238,083	179,828	51,546	14,894	351,471
TREE FUND	156,124	8,287	924	0	163,487
AIRPORT 2000 T-HANGAR	173,352	42,159	25,192	9,942	180,377
RECREATION FACILITIES TAX	4,583,228	1,142,996	675,696	235,000	4,815,528
AIRPORT TIF	109,485	13,626	0	0	123,111
GLENN RD BRIDGE TIF	2,878,284	504,612	1,343,634	116,693	1,922,569
SKY CLIMBER/V&P TIF	0	24,151	24,151	45,849	(45,849)
MILL RUN TIF	0	84,041	84,041	85,959	(85,959)
COURT IDIAM	30,321	13,301	20,858	4,689	18,075
DRUG ENFORCEMENT	57,260	2,919	13,561	431	46,187
COURT ALCOHOL TREATMENT	546,244	26,685	14,089	0	558,840
OMVI ENFORCEMENT/EDUCATION	6,468	1,045	3,471	0	4,042
POLICE JUDGEMENT	121,012	5,482	23,765	6,955	95,774
PARK DEVELOPMENT	184,116	0	0	0	184,116
COMPUTER LEGAL RESEARCH	714,293	110,227	27,494	86,610	710,416
COURT SPECIAL PROJECTS	752,409	111,847	32,292	5,827	826,137
PROBATION SERVICES	572,555	135,539	15,590	26,808	665,696
POLICE/FIRE DISABILITY	0	262,244	262,244	0	0
COMMUNITY PROMOTION FUND	69,220	25,536	53,524	54,500	(13,268)
CDBG GRANT	2,530	0	8,525	0	(5,995)
ED REVOLVING LOAN	270,186	45,308	72,375	34,061	209,058
HOUSING GRANT PROGRAM INCOME	0	8,150	0	0	8,150
CHIP GRANT	0	0	0	0	0
GENERAL BOND RETIREMENT	336,521	635,028	632,295	0	339,254
PARK IMPROV BONDS FUND	111,273	553,311	357,701	0	306,883
SE HIGHLAND SEWER BOND FUND	83,995	417,629	278,304	0	223,320
CAPITAL IMPROVEMENT	2,037,627	1,440,180	1,435,393	1,090,630	951,784
POINT PROJECT	565,337	142,536	39,200	647,150	21,523
FAA AIRPORT GRANT	48,413	0	0	0	48,413
FAA AIRPORT AIP GRANT	47,948	0	0	0	47,948
EQUIPMENT REPLACEMENT	158,550	250,000	61,447	337,405	9,698
PARK IMPACT FEE	1,455,146	238,584	60,653	112,852	1,520,225
POLICE IMPACT FEE	354,038	53,157	7,813	165	399,217
FIRE IMPACT FEE	397,705	88,506	79,954	169	406,088
MUNICIPAL SERVICES IMPACT FEE	361,999	98,549	68,319	102,736	289,493
GLENN ROAD CONSTRUCTION FUNDS	3,112,362	8,609,735	10,339,429	117,825	1,264,843
PARKING LOTS	45,944	17,308	14,270	19,673	29,309
WATER CIP	12,555,562	1,212,499	1,237,564	278,155	12,252,342
SEWER CIP	8,821,116	1,419,968	1,863,240	385,734	7,992,110
SELF INSURANCE	1,508,194	1,780,804	2,734,738	3,538	550,722
WORKERS COMP RESERVE	2,628,786	128,851	235,658	17,231	2,504,748
FIRE DONATION	6,345	0	5,462	0	883
PARK DONATION	16,410	47,984	47,700	9,600	7,094
POLICE DONATION	7,809	0	182	0	7,627
MAYOR'S DONATION	1,202	650	751	261	840
PROJECT TRUST	693,554	5,394	0	0	698,948
UNCLAIMED FUNDS	85,371	14,602	0	0	99,973
DEVELOPMENT RESERVE FUND	964,886	0	0	0	964,886
RESERVE ACCOUNT FUND	1,163,864	0	0	0	1,163,864
BERKSHIRE JEDD FUND	57,099	193,338	189,668	310,332	(249,563)
CEMETERY PERPETUAL CARE FUND	34,191	278	280	410	33,779
STATE PATROL TRANSFER	9,699	22,738	32,437	0	0
STATE BUILDING PERMIT FEES	466	5,273	4,442	0	1,297
PERFORMANCE BOND FUND	667,238	294,415	20,931	3,513	937,209
TOTAL	50,023,485	20,465,522	22,501,501	4,168,097	43,819,409

City of Delaware
Employee Health Insurance Plan
May 31, 2019

Account	May 2019	YTD 2019	2019 Budget	% of Budget	YTD 2018	% Change 2018-19
Life Insurance	\$ 4,228	\$ 10,583	\$ 27,000	39.2%	\$ 2,503	322.8%
Insurance Opt-Out	2,195	10,975	30,500	36.0%	10,875	0.9%
Preventative Care	5,739	11,050	55,000	20.1%	16,071	-31.2%
Vision Coverage	4,860	12,266	28,500	43.0%	15,306	0.0%
Administrative Fees						
Excise Tax	-	951	5,000	0.0%	939	0.0%
TPA Fees	15,743	41,092	99,500	41.3%	39,060	5.2%
PPO Fees	6,279	15,755	40,000	39.4%	15,251	3.3%
Broker Fees	841	3,510	6,500	54.0%	2,594	0.0%
Total Admin	22,863	61,308	151,000	40.6%	57,844	6.0%
Stop Loss Insurance	141,010	354,734	795,000	44.6%	309,119	14.8%
Claims						
Medical	279,823	1,688,639	4,250,000	39.7%	1,586,350	6.4%
Dental	23,671	111,559	285,000	39.1%	110,478	1.0%
Prescription	114,490	473,625	850,000	55.7%	337,114	40.5%
Total Claims	417,984	2,273,823	5,385,000	42.2%	2,033,942	11.8%
Total Costs	598,879	2,734,739	6,472,000	42.3%	2,445,660	11.8%
Employee Payment	77,473	409,326	893,568	45.8%	312,222	
Reimbursements	1,103	253,010	500,000	50.6%	142,249	
NET PLAN COSTS	\$ 520,303	\$ 2,072,403	\$ 5,078,432	40.8%	\$ 1,991,189	4.1%

**MONTHLY INCOME TAX REVENUES
2017-2019**

	2017				% OF ACTUAL	2018				% OF ACTUAL	2019				% OF BUDGET
	W/H	PERSONAL	BUSINESS	TOTAL		W/H	PERSONAL	BUSINESS	TOTAL		W/H	PERSONAL	BUSINESS	TOTAL	
JANUARY	1,794,272	205,680	204,662	2,204,614		1,741,914	440,952	56,565	2,239,431		1,570,681	603,605	80,207	2,254,493	
FEBRUARY	1,304,987	327,145	95,437	1,727,569		1,389,048	337,974	56,041	1,783,063		1,616,403	398,566	112,062	2,127,031	
MARCH	1,175,241	625,299	195,522	1,996,062		1,240,476	682,589	192,027	2,115,092		1,308,699	737,799	133,499	2,179,997	
APRIL	1,786,686	2,352,889	1,092,340	5,231,915		1,949,558	2,433,093	806,548	5,189,199		1,941,656	2,595,734	781,735	5,319,125	
MAY	1,388,195	185,269	50,869	1,624,333		1,387,867	213,714	18,117	1,619,698		1,440,447	242,575	54,049	1,737,071	
SUBTOTAL	7,449,381	3,696,282	1,638,830	12,784,493	49.36%	7,708,863	4,108,322	1,129,298	12,946,483	46.52%	7,877,886	4,578,279	1,161,552	13,617,717	47.06%
JUNE	1,284,197	481,309	167,392	1,932,898		1,407,521	622,838	374,208	2,404,567						
JULY	1,680,268	158,901	62,961	1,902,130		1,718,647	227,721	28,964	1,975,332						
AUGUST	1,395,822	124,025	26,462	1,546,309		1,363,624	171,517	142,149	1,677,290						
SEPTEMBER	1,303,188	421,650	287,996	2,012,834		1,648,825	624,312	164,383	2,437,520						
OCTOBER	1,697,249	257,687	81,440	2,036,376		1,675,716	307,591	462,819	2,446,126						
NOVEMBER	1,438,751	175,718	30,847	1,645,316		1,442,983	252,947	59,435	1,755,365						
DECEMBER	1,419,960	388,069	229,805	2,037,834		1,688,530	412,229	85,907	2,186,666						
TOTALS	17,668,816	5,703,641	2,525,732	25,898,189	97.31%	18,654,709	6,727,477	2,447,163	27,829,349	101.43%	7,877,886	4,578,279	1,161,552	13,617,717	47.06%
BUDGETED				26,614,811					27,437,537					28,936,941	

Total MAY % of Annual

Projection based on ten year trend!

TO: Mayor Riggle and Members of Council

FROM: R. Thomas Homan, City Manager

SUBJECT: Miscellaneous Matters

DATE: June 20, 2019

1. **Calendar**

See Attached

2. **Per Section 73 Of The City Charter The City Manager Is To Report Contract Agreements**

N/A

3. **Meetings**

June 5

United Way Affordable Housing Conversation

June 6

Sister City Meeting with Rand Guebert

June 7

COMMA

June 10

City Council –Jackie Walker

June 14

Police Swearing In- Jackie Walker

June 15

Juneteenth Celebration

June 17

Finance Meeting

June 18

Strand Board Meeting

June

2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5 3:30 Civil Service 6:30 Planning	6	7	8
9	10 7:00 City Council	11	12	13	14	15
16	17 3:30 Finance 6:00 Parking and Safety	18	19	20	21	22
23	24 7:00 City Council	25 6:30 Shade Tree	26 6:30 HPC - Cancelled	27	28	29
30						

July

2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4 City Offices Closed	5	6
7	8 7pm City Council	9 6pm Sister City	10 6:30 pm BZA	11	12	13
14	15	16 6:30 Parks & Rec	17 6:30 Planning	18 6:30 Airport Commission	19	20
21	22 7 pm City Council	23	24 6:30 pm HPC	25	26	27
28	29	30	31			