CITY OF DELAWARE
CITY COUNCIL
MEETING TO BE HELD VIRTUALLY VIA CISCO Webex **
March 8, 2021

AGENDA

6:30 P.M. **EXECUTIVE SESSION**

1. ROLL CALL

2. EXECUTIVE SESSION: pursuant to Ohio Revised Code Section 121.22 (G) (1) personnel, Section 121.22 (G) (2) acquisition of property for public purpose, Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (5) matters required to be kept confidential by State statute.

7:00 P.M. **REGULAR MEETING**

3. INVOCATION – Pastor Beth Gedert, Zion United Church of Christ

4. APPROVAL of the Motion Summary of the regular meeting of Council held on February 22, 2021, as recorded and transcribed.
   APPROVAL of the Motion Summary of the work session meeting of Council held on March 1, 2021, as recorded and transcribed.

5. CONSENT AGENDA
   A. Acceptance of the Motion Summary of the Shade Tree Commission meeting held on November 17, 2020, and December 15, 2020, as recorded and transcribed.
   B. Acceptance of the Motion Summary of the Planning Commission meeting held on January 6, 2021, as recorded and transcribed.
   C. Acceptance of the Motion Summary of the Historic Preservation Commission meeting held on January 27, 2021, as recorded and transcribed.
   D. Establish March 22, 2021 at 7:20 p.m. as a date and time for a public hearing and second reading of Ordinance No. 21-18, an ordinance amending Section 917.21(B) of the City's Codified Ordinances relating to capacity fees for sanitary sewer service permits.
   E. Establish March 22, 2021 at 7:25 p.m. as a date and time for a public hearing and second reading of Ordinance No. 21-19, an ordinance amending Section 913.20(B) of the City's Codified Ordinances relating to capacity fees for water service permits.

6. LETTERS, PETITIONS, AND PUBLIC COMMENTS

   - JOIN VIRTUAL MEETING: To provide live public comment please

email emccloskey@delawareohio.net or call 740-203-1013 to sign up by 3 p.m. the date of the meeting. **Name and address are required for public comment**. Comments are limited to 3 minutes.

- EMAIL, LETTER, PETITION: Emails, letters, and petitions received by 3 p.m. the date of the meeting will be presented to Council and submitted into the record. These items will not be read aloud during the meeting but will be available on the website following the meeting at the end of the next business day. **Name and address are required.**

- FACEBOOK: Comments received on Facebook will not be presented during the meeting and will be addressed by staff subsequent to the meeting as appropriate.

7. COMMITTEE REPORTS

8. SECOND READING of Resolution No. 21-10, a resolution authorizing the modification of certain traffic control signage to eliminate two (2) parking spaces within the North Franklin Street Parking Lot to provide access to properties located at 19 and 23 West Winter Street. (Tabled at the February 22, 2021 Meeting)

9. SECOND READING of Ordinance No. 21-10, an ordinance authorizing the City Manager to grant a non-exclusive ingress-egress easement on City property adjacent to 19 and 23 W. Winter Street. (Tabled at the February 22, 2021 Meeting)

10. CONSIDERATION of Resolution No. 21-11, a resolution accepting the recommendations of the Delaware City Tax Incentive Review Council (TIRC) on the status of the 2020 Community Reinvestment Area (CRA), Enterprise Zone (EZ) and Tax Increment Financing Programs (TIF).

11. CONSIDERATION of Ordinance No. 21-11, an ordinance granting an appeal of a conditional approval of a Certificate of Appropriateness for the request by MOHIO Pizza Co. for a proposed rear permanent patio at 23 North Sandusky Street, which is zoned B-2 (Central Business District) and located in the Downtown Core of the Downtown Historic District Overlay.

12. CONSIDERATION of Ordinance No. 21-12, an ordinance approving a Final Development Plan request by T&R Properties for Boulder Reserve containing 90 single-family attached units on approximately 21.44 acres on property zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) and located on the south side of Boulder Drive and east of the YMCA.

13. CONSIDERATION of Ordinance No. 21-13, an ordinance approving a Final Subdivision Plat request by T & R Properties for Boulder Reserve containing 90 single-family attached units on approximately 21.44 acres on property zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) and located on the south side of Boulder Drive and east of the YMCA.

14. CONSIDERATION of Ordinance No. 21-14, an ordinance approving a Final Development Plan request by Pulte Homes for the Communities at Glenross Section 17 containing 27 single family lots on 8.321 acres on property zoned R-2 PMU (One Family Residential District with a Planned Mixed-Use Overlay District) and located on Sunstone Lance and Cambrie Drive.

15. CONSIDERATION of Ordinance No 21-15, an ordinance approving a Final Subdivision Plat request by Pulte Homes for the Communities at Glenross Section 17 containing 27 Single Family Lots on 8.321 acres on property zoned R-2 PMU (One Family Residential District with a Planned Mixed-Use Overlay District) and located on Sunstone Lane and Cambrie Drive.

16. CONSIDERATION of Ordinance No. 21-16, an ordinance approving a Final Development Plan request by Pulte Homes for the Communities at Glenross Section 19 containing 36 single-family lots on 10.437 acres on property zoned R-2 PMU (One Family Residential District with a Planned Mixed-Use Overlay District) and located on Bluestone Lane.

17. CONSIDERATION of Ordinance No. 21-17, an ordinance approving a Final Subdivision Plat request by Pulte Homes for the Communities at Glenross Section 19 containing 36 single-family lots on 10.437 acres on property zoned R-2 PMU (One Family Residential District with a Planned Mixed-Use Overlay District) and located on Bluestone Lance.

18. CONSIDERATION of Ordinance No. 21-18, an ordinance amending Section 917.21(B) of the City's Codified Ordinances relating to capacity fees for sanitary sewer service permits.

19. CONSIDERATION of Ordinance No. 21-19, an ordinance amending Section 913.20(B) of the City's Codified Ordinances relating to capacity fees for water service permits.

20. CONSIDERATION of Ordinance No. 21-20, an ordinance authorizing the City Manager to execute a settlement agreement, supplementing the 2021 Appropriations.

21. CITY MANAGER'S REPORT & COVID-19 UPDATE:

22. COUNCIL COMMENT

23. ADJOURNMENT

** This meeting will be a virtual meeting. Residents are encouraged to view online through the City of Delaware Facebook page. To comply with the CDC recommendation prohibiting group meetings, no in person attendance by Council, staff, or the public will be available.

The regular meeting of Council held on February 22, 2021 and was called to order at 7:03 p.m. and was held remotely through Cisco Webex and streamed Live through Facebook due to the State of Emergency – Executive Order 2020-01D. The following members of Council were remotely present: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Riggle who presided. The invocation was delivered by Pastor Scott Logan, Agape International Cathedral.

Staff Present Remotely: Dave Efland, Planning and Community Development Director, Justin Nahvi, Finance Director, Natalia Harris, City Attorney, Kyle Kridler, Assistant City Manager, and Tom Homan, City Manager

ITEM 3: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held on February 8, 2021, as recorded and transcribed.
APPROVAL of the Motion Summary of the work session meeting of Council held on February 1, 2021, as recorded and transcribed.

Motion: Mrs. Keller motioned to approve the Motion Summary of the regular meeting of Council held on February 8, 2021, as recorded and transcribed and the work session meeting of Council held on February 1, 2021, as recorded and transcribed, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 4: CONSENT AGENDA

A. Acceptance of the Motion Summary of the Public Works/Public Utilities Committee meeting held on November 12, 2020, as recorded and transcribed.
B. Acceptance of the Motion Summary of the Parking and Safety Committee meeting held on October 19, 2020, as recorded and transcribed.
C. Resolution No. 21-09, a resolution appointing a representative and an alternate representative to the Ohio Public works Committee (OPWC) District 17 Integrating Committee for the period of April 2021 through April 2024.

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

ITEM 5: LETTERS, PETITIONS, AND PUBLIC COMMENTS

Kevin Anderson
Via Cisco Webex

ITEM 6: PRESENTATION

A. Update on Delaware City Schools – Heidi Kegley, Superintendent
B. Update from Delaware General Health District – Shelia Hiddleson, Health Commissioner, Dr. Mark Hickman, City Appointee Board Member, and Dolores Smith, City Appointee Board Member

ITEM 7: COMMITTEE REPORTS

ITEM 8: ORDINANCE NO. 21-07 [Public Hearing and Second Reading]
AN ORDINANCE FOR CENTRAL OHIO MOBILE VETERINARY SURGICAL SERVICES LLC., FOR APPROVAL OF A CONDITIONAL USE PERMIT REQUEST FOR A VETERINARY HOSPITAL AT 585 SUNBURY ROAD IN THE DELAWARE COMMERCIAL PARK AND ZONED B-3 (COMMUNITY BUSINESS DISTRICT).

The Clerk read the ordinance for the second time. The Clerk informed Council that there was no request to speak for the public hearing.

APPLICANT:
Dr. James Reynolds
3383 N. 3BKs Road
Sunbury, Ohio

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 21-07, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 21-07, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 9: ORDINANCE NO. 21-08 [Public Hearing and Second Reading]
AN ORDINANCE APPROVING A REZONING AMENDMENT FOR FIRST CITIZENS NATIONAL BANK FROM B-3 (COMMUNITY BUSINESS DISTRICT) TO B-2 (CENTRAL BUSINESS DISTRICT) AT 33 WEST WILLIAM STREET ON APPROXIMATELY 0.324 ACRES.

The Clerk read the ordinance for the second time. The Clerk informed Council that there was no request to speak for the public hearing.

APPLICANT:
Michael R. Shade
Shade and Shade LLC
236 West Central Avenue
Delaware, Ohio

Zach Price
Triad Architects
328 North Liberty Street
Delaware, Ohio

Mayor Riggle was unavailable from 8:15 p.m. to 8:17 p.m. due to computer connection issues.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 21-08, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Motion: Mrs. Keller motioned to adopt Ordinance No. 21-08, seconded by Mr. Hoffman. Motion approved by a 6-0 vote.

ITEM 10: ORDINANCE NO. 21-09 [Second Reading]
AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR FIRST CITIZENS NATIONAL BANK AT 33

WEST WILLIAM STREET ON PROPERTY ZONED B-2 (CENTRAL BUSINESS DISTRICT) ON APPROXIMATELY 0.324 ACRES.

The Clerk read the ordinance for the second time.

Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 21-09, seconded by Mr. Hoffman. Motion approved by a 6-0 vote.

Mayor Riggle returned to the meeting at 8:17 p.m.

Motion: Mrs. Keller motioned to adopt Ordinance No. 21-09, seconded by Mr. Hoffman. Motion approved by a 7-0 vote.

ITEM 11: RESOLUTION NO. 21-10 [First Reading]
A RESOLUTION AUTHORIZING THE MODIFICATION OF CERTAIN TRAFFIC CONTROL SIGNAGE TO ELIMINATE TWO (2) PARKING SPACES WITHIN THE NORTH FRANKLIN STREET PARKING LOT TO PROVIDE ACCESS TO PROPERTIES LOCATED AT 19 AND 23 WEST WINTER STREET.

The Clerk read the resolution for the first time.

Motion: Mr. Hoffman motioned to table Resolution No. 21-10 until the March 8, 2021 meeting, seconded by Mrs. Keller. Motion approved by a 6-0-1 (Riggle) vote.

ITEM 12: ORDINANCE NO. 21-10 [First Reading]
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO GRANT A NON-EXCLUSIVE INGRESS-EGRESS EASEMENT ON CITY PROPERTY ADJACENT TO 19 AND 23 W. WINTER STREET.

The Clerk read the ordinance for the first time.

Motion: Mr. Hoffman motioned to table Ordinance No. 21-10 until the March 8, 2021 meeting, seconded by Mrs. Keller. Motion approved by a 6-0-1 (Riggle) vote.

ITEM 13: FINANCE DIRECTOR'S REPORT

ITEM 14: CITY MANAGER'S REPORT & COVID-19 UPDATE
Mr. Homan recognized the Public Works staff regarding their snow removal efforts. A discussion was held on issues that were presented by the public relating to snow removal in cul- de sacs and snow piles. A discussion was held on current ordinances relating to snow removal on sidewalks.

He discussed work session items for the March 1 2021 meeting, including real estate market report, community aggregation, and reconsideration of the Evans Farm Annexation. He provided information on the waste-water sampling meeting with the Department of Health, and is awaiting on further information. The National League of Cities virtual conference is coming up.

ITEM 15: COUNCIL COMMENTS

Mrs. Keller discussed the topic of having the public be able to speak during public comment or hearings longer than the 3-minute allotted time.

Mr. Hellinger voiced that 3 minutes is more than enough speaking time to provide a public opinion.

ITEM 16: ADJOURNMENT

Motion: Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 8:44 p.m.

_____
Mayor Carolyn Kay Riggle

_____
Elaine McCloskey, Council Clerk

The work session meeting of Council was held on March 1, 2021 and was called to order at 6:30 p.m. and was held remotely through Cisco Webex and streamed Live through Facebook due to the State of Emergency – Executive Order 2020-01D. The following members of Council were remotely present: Second Ward Lisa Keller, Third Ward Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Riggle who presided. Absent from the meeting was First Ward Chris Jones.

Staff Present Remotely: Natalia Harris, City Attorney, Sean Hughes, Economic Development Director, Kyle Kridler, Assistant City Manager, and Tom Homan, City Manager

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

ITEM 2: PRESENTATION OF DELAWARE REAL ESTATE MARKET ASSESSMENT - Pete DiSalvo, DiSalvo Development Advisors

Mr. DiSalvo reviewed the purpose of the report which provided a detailed assessment of market-supported development opportunities and document research relevant to builders. The report also provides a strategic tool for city staff charged with planning and incentivizing future development. The report looks to identify market condition based on review of prior research, collect detailed inventories, identify occupancy and prevailing rates and development characteristics. It also looks to identify demographics, labor force and priority development areas.

ITEM 3: DISCUSSION ON COMMUNITY AGGREGATION

A. Presentation from Scioto Energy – Greg Bechert, Managing Partner at Scioto Energy and Fritz Drake, Business Development Manager at Scioto Energy

Mr. Homan discussed that Scioto Energy is used to purchase energy for the City of Delaware buildings. Mr. Bechert discussed that Scioto Energy was founding 2009 and is an energy broker in the State of Ohio. Scioto Energy has provided the City energy since 2017. He discussed that energy aggregation is negotiating a fee with an energy provider. He discussed the higher demand will cause a higher cost. Aggregate energy is usually participated mostly with the residential market and this can cause a higher demand. He discussed that aggregate energy could help to get a community to renewable energy if the community identifies this as a goal. He also discussed that renewable energy may not be a cost savings to the community. Mr. Hellinger questioned how they determine if there is enough sustainable energy available to meet the demand.

B. Presentation from Northeast Ohio Public Energy Council – Chuck Keiper, Executive Director of NOPEC

Mr. Keiper provided information and background history on energy deregulation in Ohio. He discussed the goal to provide choice and discount pricing to consumers and utilities are still regulated by PUCO. He reviewed the benefits of aggregation and

that opt-out aggregation was included in the deregulation legislation to allow communities to provide programs for its residents and small business. Benefits include potential savings due to larger buying power, ability to negotiate better terms and conditions, allows for more pricing/product options, protects participants from confusing or misleading offers, help to manage community energy goals. He discussed that NOPEC is a non-profit Council of Governments that is operated by the members for the members. The NOPEC mission is to service member communities and consumers. Core Focus is to aggregate, educate, and advocate to maximize the value of membership. He provided information on House Bill 6. He provided information on the NOPEC Governance and that each county/region has a vote in electing their representative to the NOPEC Board of Directors and each community appoints a representative to the NOPEC General Assembly. NOPEC receives fees from the energy suppliers who supply their customers with natural gas and electricity. They do not receive funding from residential or small business customers, taxpayers, or the communities that they serve. NOPEC is non-profit and member-director and committed to the interest of the community. He discussed the desire of communities to have green energy and that they work with those communities that are interested in a greener footprint. NOPEC offers a no risk terms and conditions with no penalty to change rate plans.

Council requested feedback from surrounding communities on their experiences with aggregate energy. Mr. Homan discussed the preference to have this a 2022 initiative due to timing and the city's responsibility to educate citizens on the ballot issue.

ITEM 4: DISCUSSION ON SEWER UTILITIES SERVICES FOR EVANS FARM

Mr. Homan provided an update on discussions with Evans Farm Delaware on utility services needs and the possibility for Council to reconsider the annexation that failed.

ITEM 5: NEXT WORK SESSION DATE: - April 5, 2021
Mr. Homan discussed that the topic for the April Work Session would be the report from Pros Consulting relating to parks and recreation.

ITEM 6: ADJOURNMENT

Motion: Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 8:28 p.m.

_____
Mayor Carolyn Kay Riggle

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Elaine McCloskey, Council Clerk

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SHADE TREE COMMISSION
November 17, 2020
MOTION SUMMARY

ITEM 1. Roll Call

Chairwoman Brewster called the virtual meeting to order at 6:30 p.m.

Members Virtually Present: Stan Eddy, Tom Glissman, Dave Carey, Tom Wolber, Becki Wood-Meek, Vice-Chairwoman Susan Wright and Chairwoman Shannon Brewster

Members Absent: Melissa Bargar and Grace Martin

Council Virtually Present: Drew Farrell, City Council Liaison

Staff Virtually Present: Ted Miller, Parks and Natural Resource Director and Casey McCarty, Arborist

Motion to Excuse: Vice-Chairwoman Wright moved to excuse Ms. Bargar and Ms. Martin, seconded by Mr. Carey. Motion approved with an 7-0 vote.

ITEM 2. INTRODUCTIO of New City Arborist, Casey McCarty

ITEM 3. APPROVAL OF MOTION SUMMARY of Shade Tree Commission meeting of June 23, 2020 as recorded and transcribed.

Motion: Vice-Chairwoman Wright moved to approve the Motion Summary for the June 23, 2020 meeting, seconded by Mr. Wolber. Motion approved with an 7-0 vote.

ITEM 4. PUBLIC COMMENTS

Brett Latta
376 North Sandusky Street
Delaware, Ohio

The Clerk read into the record an email sent by Mr. Latta. He questioned if the trees that will be removed along the Delaware Run related to the construction at the United Dairy Farmers site could be replanted in a different area.

Mr. Miller discussed that staff is still awaiting the final development plans and tree plans and survey that will need to be provided. Mr. Miller discussed that staff will look at potential areas for tree replacement.

ITEM 5. STAFF COMMENTS

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Mr. McCarty discussed that he has been working on the backlog of customer service requests and pruning. He discussed removing two large trees related to storm damage and have pruned 500 trees to date this month. There are plans to replant 106 trees in the next week.

Mr. Miller discussed having a arborist report provided to the Commission. Mr. Carey also requested a semi-annual report regarding the tree funds.

ITEM 6. MEMBER COMMENTS

Mr. Carey provided to the Commission some pictures and concerns relating to the cherry trees along the median at the US 42/23 – South Sandusky interchange. Mr. McCarty discussed looking at the trees and determining possible fungal and rodent damage.

Mr. Wolber discussed a concern relating to tree branches that are low hanging and that city code requires that no tree branch be lower than 8 feet of a sidewalk. He discussed that with the days shorter, he often gets hit with branches that are hard to see in the dark. Mr. McCarty discussed working with the streets department on sign clearance and training them into correct pruning procedures. He also discussed the need to sanitize equipment in between pruning as to not spread disease. Councilman Farrell discussed using the new City App to make service requests.

ITEM 7. PLAN REVIEWS

A. Springer Woods – Section 3, Phase 1 & 2 – approved with recommended changes by arborist.

ITEM 8. ADJOURNMENT

Motion: Mr. Wolber moved to adjourn the meeting, seconded by Mr. Carey. The Shade Tree Commission meeting adjourned at 7:11 p.m.

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Shannon Brewster
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Chairperson

Elaine McCluskey
Clerk

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SHADE TREE COMMISSION
December 15, 2020
MOTION SUMMARY

ITEM 1. Roll Call

Vice-Chairwoman Wright called the virtual meeting to order at 6:31 p.m.

Members Virtually Present: Stan Eddy, Dave Carey, Tom Wolber, Becki Wood-Meek, Vice-Chairwoman Susan Wright

Members Absent: Melissa Bargar, Tom Glissman, Grace Martin and Chairwoman Shannon Brewster

Council Virtually Present: Drew Farrell, City Council Liaison

Staff Virtually Present: Ted Miller, Parks and Natural Resource Director and Casey McCarty, Arborist

Motion to Excuse: Ms. Wood-Meek moved to excuse Ms. Bargar, Mr. Glissman, Ms. Martin, and Chairwoman Brewster, seconded by Mr. Carey. Motion failed with an 4-0-1 (Andears) vote.

ITEM 2. INTRODUCTION of New Commissioner, Nathan Andears

ITEM 3. APPROVAL OF MOTION SUMMARY of Shade Tree Commission meeting of November 17, 2020 as recorded and transcribed.

Motion: Ms. Wood-Meek moved to approve the Motion Summary for the November 17, 2020 meeting, seconded by Mr. Eddy. Motion failed with an 4-0-1 (Andears) vote.

ITEM 4. PUBLIC COMMENTS

There was no public comment received.

ITEM 5. PLAN REVIEWS
A. Terra Alta – Section 2, Parts 1 & 2

Motion: Mr. Carey motioned to approve the plans as submitted, seconded by Ms. Wood-Meek. Motion approved by a 5-0 vote.

ITEM 6. ADJOURNMENT

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Motion: Ms. Wood-Meek moved to adjourn the meeting, seconded by Chairwoman Wright. The Shade Tree Commission meeting adjourned at 6:50 p.m.

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Shannon Brewster
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Chairperson

Elaine McCloskey
Clerk

PLANNING COMMISSION
January 6, 2021
MOTION SUMMARY

ITEM 1. Roll Call
Chairman Simpson called the meeting to order at 6:31 p.m.

Members Present Virtually: Sara Anderson, Tajudeen Bakare, Dean Prall, Andy Volenik, Mayor Carolyn Kay Riggle, Vice-Chairman George Mantzoros and Chairman Stacy Simpson

Staff Present Virtually: Carrie Fortman, Project Engineer, Lance Schultz, Zoning Administrator and Dave Efland, Planning and Community Development Director

ITEM 2. APPROVAL of the Motion Summary of the Planning Commission meeting held December 2, 2020, as recorded and transcribed.

Motion: Mr. Prall motioned to approve the Motion Summary for the Planning Commission meeting held on December 2, 2020, as recorded and transcribed, seconded by Mr. Volenik. Motion approved with a 7-0 vote.

ITEM 3. REGULAR BUSINESS

(1) 2020-2918: A request by Grden LLC., for approval of an extension until January 31, 2023 to the approved Final Development Plan for Winterbrook Place Phase 1 consisting of 66 single-family lots on 30.452 acres zoned R-3 PMU (One Family District with a Planned Mixed Use Overlay District) and located on Winterbourne Drive, Sienna Glenn Drive, Mahogany Drive, Gardenia Lane and Silver Pine Lane.

(2) 2020-2919: A request by Grden LLC., for approval of an extension until January 31, 2023 to the approved Final Subdivision Plat for Winterbrook Place Phase 1 consisting of 66 single-family lots on 30.452 acres zoned R-3 PMU (One Family District with a Planned Mixed Use Overlay District) and located on Winterbourne Drive, Sienna Glenn Drive, Mahogany Drive, Gardenia Lane and Silver Pine Lane.

Anticipated Process

a. Staff Presentation
Mr. Schultz reviewed the previously approved Final Development Plan and Subdivision Plat for Phase 1. He discussed that the applicant is requesting a two-year extension to the Final Development Plan and Final Subdivision Plat for Phase 1 per Section 1129 and 1111. The extension is relating to the impact of the COVID-19 and development impediments of the site and the current economic conditions.

ITEM 7. ADJOURNMENT:

Motion: Chairman Simpson moved for the Planning Commission meeting to adjourn. The meeting adjourned at 6:57 p.m.

Chairperson

Elaine McCloskey, Clerk

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HISTORIC PRESERVATION COMMISSION
MOTION SUMMARY
January 27, 2021

ITEM 1. Roll Call
Chairman Coleman called the virtual meeting to order at 6:35 p.m.

Members Present: Cara Hering, Mark Reed, Mark Smiles, Sherry Riviera, Councilwoman Lisa Keller, Stephanie VanGundy, Chairman Joe Coleman

Staff Present: Dianne Guenther, Development Planner

ITEM 2. ELECTION OF OFFICERS

Motion: Ms. Riviera motioned to nominate Mr. Coleman as Chairperson, seconded by Mr. Smiles. There were no other nominations and Mr. Coleman agreed to this role. Motion approved by a 7-0 vote.

Motion: Councilwoman Keller motioned to nominate Ms. Riviera as Vice-Chairperson, seconded by Chairman Coleman. There were no other nominations and Ms. Riviera agreed to this role. Motion approved by a 7-0 vote.

ITEM 3. APPROVAL OF MOTION SUMMARY of the Historic Preservation Commission meeting held on December 16, 2020, as recorded and transcribed.

Motion: Mr. Reed motioned to approve the Motion Summary of the Historic Preservation Commission meeting held on December 16, 2020, as recorded and transcribed, seconded by Vice-Chairwoman Riviera. Motion approved with a 6-0-1(Van Gundy) vote.

ITEM 4. REGULAR BUSINESS

A. 2021-0047: A request by Triad Architects for a Certificate of Appropriateness for a proposed bank building renovation and addition at 33 West William Street, which is zoned B-3 (Community Business District) and located in the Transitional Sub-District of the Downtown Historic District Overlay.

Ms. Guenther discussed that the Applicant appeared at the December 16, 2020 HPC meeting for an informal review for the proposed project which entails renovation of the existing mini-bank building and drive-through lanes. There will also be a 2,170 square foot addition to the building's west side. She reviewed the proposed site plan and the revisions to the plan from the informal review, along with the proposed materials and coloring. The Commission was notified that if the Certificate of

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Appropriateness is approved by the Commission, the Applicant intends to work with City Staff to pursue rezoning of the site to B-2 Central Business District from the B-3 Community Business District.

APPLICANT:
Zach Price
Triad Architects
328 North Sandusky Street
Delaware, Ohio

The Commission discussed the elevation to the building in regards to the bricked in windows. Mr. Price discussed the preference for the bricked in windows to remain in the plan as submitted.

Motion: Vice-Chairwoman Riviera motioned to approve 2021-0047, as presented and including staff recommendations, seconded by Mr. Smiles. Motion approved by a 7-0 vote.

B. 2021-0049: A request by MOHIO Pizza for an Informal Review for a proposed rear permanent patio at 23 North Sandusky Street, which is zoned B-2 (Central Business District) and located in the Downtown Core of the Downtown Historic District Overlay.

Ms. Guenther discussed the proposal from the Applicant is related to the COVID-19 pandemic and the need to comply with CDC and Delaware County Health Department requirements for social distancing. Seating was limited due to these restrictions and that Applicant was approved for a COVID temporary patio permit at the rear of the building. Due to the western exposure, the area would become unbearably hot as the sun moves toward the west and the view also provided a less than ideal dining experience with adjacent grease traps, dumpsters, parking lots, utility wires. The Applicant placed removable wood pallets to attempt to screen the views and use umbrellas and a large banner to block the sun.

To create a better dining experience the Applicant is proposing a rear permanent patio with a constructed pergola with pleated cable shades on the top and sides. The pergola would have slatted or picket-type patio fencing around its base perimeter, with planters behind the fencing.

APPLICANT:
Monroe Nelson
MOHIO Pizza
6467 Taggert Road
Delaware, Ohio

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The Commission discussed the concept plan presented by staff. Ms. Riviera discussed using a taller fence to help shield the background view. Councilwoman Keller voiced her support of the concept plan. Chairman Coleman also voiced his support and recommended that the Applicant present a final design to the Commission.

C. DISCUSSIONS

(1) Fiberglass-Clad Windows

Ms. Guenther reviewed the background to the fiberglass-clad window discussion. She discussed conversation with federal and state representatives that discussed a paradigm shift at the state and federal level regarding materials in order to achieve historic profile appearance. She recommended that materials listed as alternatives in the Architectural Standards of Downtown Delaware do not rise to the level of specific manufacturers and models as they can often change.

Chairman Coleman requested more information from the experts regarding methodology to use to approve the windows. Ms. Van Gundy discussed that amending the standards regarding window options can be at a case-by-case basis. Ms. Riviera discussed that there are no specifics on aluminum clad or wood windows and would agree to the case-by-case approval. Ms. Guenther discussed the ability to review the current windows and the replacement product to get a good match. Ms. Hering recommended that staff include in staff reports the current window to compare to proposed. The Commission was in agreement to receive more detail information regarding the fiberglass window specifications from staff to proceed with amending the standards.

ITEM 5. STAFF COMMENTS

Ms. Guenther informed the Commission that the process for 2021 sidewalk permits will be starting.

ITEM 6. COMMISSION MEMBER COMMENTS AND DISCUSSION

ITEM 7. NEXT REGULAR MEETING: February 24, 2021

ITEM 8. ADJOURNMENT

Motion: Ms. Van Gundy moved to adjourn the meeting, seconded by Vice-Chairwoman Riviera. The Historic Preservation Commission meeting adjourned at 8:18 p.m.

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Joe Coleman
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Chairperson

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Elaine McCloskey
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Elaine McCloskey, Clerk

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CITY OF
DELAWARE
OHIO

ITEM 6:

PUBLIC COMMENT

From:	Willow, Anna
To:	Carolyn Riggle; Kent Shafer; George Hellinger; Chris Jones; Lisa Keller; Cory Hoffman; Drew Farrell; CMO; board@sustainabledelawareohio.org; R Thomas Homan; Elaine McCloskey
Cc:	board@sustainabledelawareohio.org
Subject:	Information from SDO in advance of this evening"s energy aggregation discussion
Date:	Monday, March 1, 2021 7:53:26 AM
Attachments:	Outlook-cztkjkqa.png RenewDelawareSlides.pdf

Caution! This message was sent from outside your organization.

Dear City Councilors, Mayor, and Staff:

In advance of this evening's work session on energy aggregation, Sustainable Delaware Ohio would like to share a set of slides that outline our key hopes for renewable energy aggregation as well as the timeline we envision. While we hope you will take a quick look at the attached pdf today, we also anticipate having a chance to briefly present this information at the March 8th Council Meeting. In addition, our members have the following questions that we hope you are able to ask of government energy aggregators (i.e., NOPEC, SOPEC), suppliers, and consultants:

- Can you guarantee an Ohio-based energy generation that supports Ohio clean energy jobs?
- How much of your current generation comes from Ohio-based generation?
- Will you commit to 100% renewable energy as your default offering?
- Can you currently work with cities to provide 100% renewable energy as the default offering?
- Do you allow net metering, and under what structure?
- Do you charge any fees for customers to leave after 21 days?
- When can a community leave your program without penalties?
- What is considered "green power" in your offerings?
- How many communities do you currently serve with a 100% green default program?

Thank you very much for your time and your commitment to this important issue! I know many SDO members look forward to listening to this evening's discussion online.

Sincerely,

Anna Willow (on behalf of Sustainable Delaware Ohio)

THE OHIO STATE UNIVERSITY

Anna J. Willow
Professor, Department of Anthropology
Affiliated Faculty, Sustainability Institute
willow.1@osu.edu
http://anthropology.osu.edu/people/willow.1

Prounouns: she, her, hers | Honorific: Dr.

Understanding ExtrACTIVISM: Culture and Power in Natural Resource Disputes (https://www.routledge.com/Understanding-ExtrACTIVISM-Culture-and-Power-in-Natural-Resource-Disputes/Willow/p/book/9781138607408)

Anthropology and Activism: New Contexts, New Conversations (https://www.routledge.com/Anthropology-and-Activism-New-Contexts-New-Conversations/Willow-Yotebieng/p/book/9780367464097)

Renew Delaware
Community Electric Aggregation

Sustainable Delaware Ohio

Delaware's Clean Energy Future

Community Choice Aggregation for 100% Clean Energy

Power A Clean Future Ohio

Ohio Environmental Council

Renew Delaware
Community Electric Aggregation

Why Community Choice Aggregation for 100% Clean Energy?



Save Delaware households money on their electric bills



Can support Ohio energy jobs, keep our dollars in Ohio



Freedom of choice for participants - no fee opt-out, net-metering



Do our part to address climate change and reduce harmful emissions that impact the health of our community

Sustainable Delaware Ohio

Renew Delaware
Community Electric Aggregation

How?

- **Approve ballot language**

  City council approves ballot language and city files ballot issue with Delaware County Board of Elections (no later than August 4th).

- **Run 'Yes' issue campaign**

  Sustainable Delaware Ohio (SDO)—in partnership with Power a Clean Future Ohio (PCFO) and Ohio Environmental Council (OEC)—will implement a campaign in the community to support passage.

- **Partner with non-profits for public education**

  A coalition of non-profit organizations (SDO, PCFO, OEC) stands ready to support the City of Delaware to provide public education resources for the community. See webpage here.

- **Choose supplier**

  After ballot issue passes, the city can move forward in 2022 by choosing a broker/supplier or by joining a government aggregator (e.g., SOPEC, NOPEC).

Sustainable Delaware Ohio

Renew Delaware
Community Electric Aggregation

Proposed Timeline for 2021

March	April	May	June	July
8 Earn Council's support to move forward with Renew Delaware campaign		Finalize ballot language 28	Council considers ballot language 14	Optional: Issue RFP for voter education and choose consultant

August	September	October	November	December
4 Deadline for City to submit ballot language to Board of Elections	SDO: voter education	SDO: voter education	2 Election day!	Begin consideration of RFP or gov. agg. options for 2022

Sustainable Delaware Ohio

Renew Delaware
Community Electric Aggregation

Recent Aggregation Success



Columbus passed Issue 1, Community Choice Aggregation

Voters approved Issue 1 by 76% for 100% renewable energy (2020)



Grove City passed Issue 10, Community Choice Aggregation

Voters approved Issue 10 by 63% for 100% renewable energy (2020)



Worthington passed Issue 39, Community Choice Aggregation

Voters approved Issue 39 by 75% (2018)

Sustainable Delaware Ohio

Renew Delaware
Community Electric Aggregation

Thank you!

Members of Sustainable Delaware Ohio are eager to answer your questions!

Please email us at:

board@sustainabledelawareohio.org

Sustainable Delaware Ohio

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 8

DATE: 03/08/2021

ORDINANCE NO:

RESOLUTION NO: 21-10

READING: SECOND

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

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

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION AUTHORIZING THE MODIFICATION OF CERTAIN TRAFFIC CONTROL SIGNAGE TO ELIMINATE TWO (2) PARKING SPACES WITHIN THE NORTH FRANKLIN STREET PARKING LOT TO PROVIDE ACCESS TO PROPERTIES LOCATED AT 19 AND 23 WEST WINTER STREET.

BACKGROUND:

The Rittenhouse Trust, which owns 19 West Winter Street, and the Furlongs, who own 23 West Winter Street, requested assistance in gaining rear access to their respective properties after the typical means by how they accessed their properties was terminated by the owners of Staas Brewery located at the southeast corner of West Winter Street and North Franklin Street. Both property owners seek reliable means by which to access their properties and have requested the City provide each of them a non-exclusive ingress-egress easement to their respective properties.

In order to provide the requested access, the City would need to eliminate two metered parking spaces in the North Franklin Street Parking Lot that currently exist behind their properties located at 19 and 23 West Winter Street.

REASON WHY LEGISLATION IS NEEDED:

The modification of parking meter zones requires City Council authorization per Section 353.03 of the City of Delaware Codified Ordinance.

COMMITTEE RECOMMENDATION:
The action is being taken as a result of the Parking and Safety Committee recommendation at the February 15, 2021 meeting.

FISCAL IMPACT(S):
The cost of materials and labor to remove a meter and install signs and pavement markings is estimated at $400.00 to come out of the Public Works Traffic Division annual operating budget.

POLICY CHANGES:
None

PRESENTER(S):
William L. Ferrigno, P.E., Public Works Director/City Engineer

RECOMMENDATION:
Approval

ATTACHMENT(S)
Exhibit A

RESOLUTION NO. 21-10

A RESOLUTION AUTHORIZING THE MODIFICATION OF CERTAIN TRAFFIC CONTROL SIGNAGE TO ELIMINATE TWO (2) PARKING SPACES WITHIN THE NORTH FRANKLIN STREET PARKING LOT TO PROVIDE ACCESS TO PROPERTIES LOCATED AT 19 AND 23 WEST WINTER STREET.

WHEREAS, the elimination of the two (2) westernmost parking spaces along the north side of the North Franklin Street Parking Lot has been requested to provide access to the properties located at 19 and 23 West Winter Street; and

WHEREAS, the Parking and Safety Committee has endorsed this restriction by a 3-0 vote at the February 15, 2021 meeting.

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

SECTION 1. The two (2) westernmost parking spaces along the north side of the North Franklin Street Parking Lot will be eliminated as shown on the attached Exhibit A to provide access to the properties located at 19 and 23 West Winter Street.

SECTION 2. That this resolution shall take effect and be in force immediately after its passage.

PASSED: _____, 2021 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR


W Winter
31
23
19
Area for Property Owner MOU/Agreement regarding cross-access
Franklin
Franklin Parking Lot
Eliminate (2) Public Parking Spaces to provide access to 19 & 23 W Winter Street Properties

Fred and Tami Furlong
10 Hillside Drive
Delaware, OH 43015
740 815-8877

December 23, 2020

The City of Delaware
City Hall
Delaware, OH 43015

To Whom It May Concern:

We own the building at 23-25 West Winter Street, which houses a successful (and until recently two successful) long time businesses in downtown Delaware. Previously we also owned the business housed within for 30 years. We sold the business in 2018, and the current owners of the business now wish to purchase and renovate the building. However, recent developments have raised a few questions, and an issue that we need to address before the sale can go through.

Access to the rear of the building for deliveries and employee parking is critical to the businesses there, as well as the business next door, Gibson the Florist, 19 West Winter Street, (another long-time downtown business). Access to these areas has been (as long as I've been involved, 32 years) from a drive entering off of North Franklin. With the addition of the patio at Staas on the corner, access to the rear of both businesses via this entry has been impacted.

We are requesting access to our properties through the City of Delaware public parking lot behind the businesses. Please let us know what we need to do to get this request in front of the proper people to hopefully get this resolved. I cannot stress enough how important this access to these businesses is, especially in these challenging times.

With a closing date of January 20 for the sale of the building, we'd especially like to see a quick solution to this issue. If there's any possibility it could be resolved before that date, we would be very appreciative. Should you need more information, or anything else from us, please contact us ASAP.

Thank you for your time,

Fred and Tami Furlong

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 9 | DATE: 03/08/2021

ORDINANCE NO: 21-10 | RESOLUTION NO:

READING: SECOND | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Natalia S. Harris, City Attorney

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO GRANT A NON-EXCLUSIVE INGRESS-EGRESS EASEMENT ON CITY PROPERTY ADJACENT TO 19 AND 23 W. WINTER STREET AND DECLARING AN EMERGENCY.

BACKGROUND:
The Rittenhouse Trust, which owns 19 W. Winter Street, and the Furlongs, who own 23 W. Winter Street, reached out to the City through email on December 23, 2020 and requested assistance in gaining rear access to their respective properties after the typical means by which they accessed their property was terminated by the owners of the property located at the corner of W. Winter and N. Franklin Streets.

Both the Furlongs and Rittenhouse seek a reliable means by which to access their properties and have requested the City provide each of them a non-exclusive ingress-egress easement to their respective properties. The map within "Attachment A" shows the area where the easement would exist.

To provide the requested easement, the City would need to remove two metered parking spaces that currently exist behind 19 and 23 W. Winter Street. A resolution to do so is on the Feb. 22nd Agenda to address this matter.

The proposed easement in "Attachment A" is still being reviewed by the parties. Consequently, this ordinance may not be ripe for passage at the February 22nd meeting.

REASON WHY LEGISLATION IS NEEDED:
The codified ordinances suggest Council approval is needed for the City Manager to execute the agreement.

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S):

POLICY CHANGES:

PRESENTER(S):
R. Thomas Homan, City Manager
Natalia S. Harris, City Attorney

RECOMMENDATION:

ATTACHMENT(S):
"Attachment A": Proposed Ingress-Egress Easement Letter

ORDINANCE NO. 21-10

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO GRANT A NON-EXCLUSIVE INGRESS-EGRESS EASEMENT ON CITY PROPERTY ADJACENT TO 19 AND 23 W. WINTER STREET AND DECLARING AN EMERGENCY.

WHEREAS, in December 2019 the Rittenhouse Trust, which owns 19 W. Winter Street, and the Furlongs, who own 23 W. Winter Street, approached the City and requested assistance in gaining rear access to their respective properties after the typical means by which they accessed their property was terminated by the owners of property located at the corner of W. Winter and N. Franklin Streets; and

WHEREAS, the City is the owner of certain real property located in Delaware County, Ohio, being Delaware County Tax Parcel Nos. 519-432-25-014-000, 519-432-25-015-000, 519-432-25-016-000 and 519-432-25-017-000 as demonstrated in "Attachment A" attached hereto; and

WHEREAS, Council approval to execute the easement agreement is needed pursuant to the City's codified ordinances.

NOW THEREFORE, Be It Ordained by the Council of the City of Delaware, State of Ohio:

SECTION 1. The City Manager is authorized to grant a non-exclusive ingress-egress easement on the above described property owned by the City in accordance with "Attachment A".

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

SECTION 3. EMERGENCY CLAUSE: This ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health, and welfare of the City and to provide immediate assistance needed by Delaware residents to access their property. Therefore, this Ordinance shall be in full force and in effect immediately upon its passage.

VOTE ON RULE SUSPENSION: YEAS____NAYS____
ABSTAIN ____

VOTE ON EMERGENCY CLAUSE: YEAS____ NAYS____
ABSTAIN ____

PASSED: _____, 2021 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

ATTACHMENT A

NON-EXCLUSIVE DEED OF INGRESS–EGRESS EASEMENT

This Non-Exclusive Deed of Ingress-Egress Easement (the "Easement") is made and entered into as of February ___, 2021 by and between the City of Delaware, Ohio (the "City"), Frederick Furlong and Tamara Furlong (the "Furlongs"), and Todd S. Rittenhouse, Trustee of the Rittenhouse Family Preservation Trust dated September 12, 2012 ("Rittenhouse").

WHEREAS, the City is the owner of certain real property located in Delaware County, Ohio, being Delaware County Tax Parcel Nos. 519-432-25-014-000, 519-432-25-015-000, 519-432-25-016-000 and 519-432-25-017-000, which real property is depicted on the attached Exhibit A which is incorporated herein by this reference (the "City Property");

WHEREAS, the Furlongs are the owners of certain real property located in Delaware County, Ohio (Delaware County Tax Parcel No. 519-432-25-011-000), which real property is depicted and described more particularly on the attached Exhibit B which is incorporated hereby by this reference (the "Furlong Property");

WHEREAS, Rittenhouse is the owner of certain real property located in Delaware County, Ohio (Delaware County Tax Parcel No. 519-432-25-010-000), which real property is depicted and described more particularly on the attached Exhibit C which is incorporated hereby by this reference (the "Rittenhouse Property");

WHEREAS, the City desires to create and declare an easement over and upon the existing driveway areas located on the City Property, and to create and declare an easement and provide an unobstructed point of access to the Furlong Property and the Rittenhouse Property as generally depicted on the attached Exhibit D which is incorporated herein by this reference (the "Easement Area"), for the benefit and use of and by the owners of the Furlong Property and the Rittenhouse Property and their respective successors and assigns for as long as the City owns the City Property, for the purpose of providing ingress and egress and access to and from the Furlong Property and the Rittenhouse Property from and to Franklin Street.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

1. The City, as owner of the City Property, does hereby grant, bargain, sell and convey to the Furlongs and to Rittenhouse, and their respective successors, assigns and invitees, a non-exclusive easement for the purpose of pedestrian and vehicular egress, ingress, access, passage and traffic over, upon and across the existing driveway areas located on the City Property and the Easement Area, together with all of the City's rights, privileges, easements and appurtenances in, over and upon adjoining and adjacent public and private parking areas, highways, roads, and streets necessary for egress and ingress and access over the existing driveway areas located on the City Property and the Easement Area.

2. By delivery and acceptance hereof, the parties hereto, by themselves agree to the following:

(a) The Furlongs and Rittenhouse, and their respective successors and assigns, and the City shall cooperate with each other to accommodate and shall not take or permit any actions which inhibit the use of the existing driveway areas located on the City Property and/or the Easement Area for ingress and egress purposes, except as otherwise set forth herein. The Furlongs and Rittenhouse and their respective successors and assigns, and the City shall not cause any damage to the existing driveway areas located on the City Property or the Easement Area, nor do any act or take any action affecting the existing driveway areas located on the City Property and/or the Easement Area which would prevent the use of thereof for ingress and egress purposes except as otherwise set forth herein. Notwithstanding anything contained herein to the contrary, the City shall have the right to relocate the Easement Area at its sole discretion provided such relocated Easement Area continues to provide ingress, egress and access to the Furlong Property and the Rittenhouse Property. In the event the City does determine to so relocate the Easement Area, the City and the then current owners of the Furlong Property and the Rittenhouse Property will enter into an Amendment of this Easement describing and depicting the relocated Easement Area.

(b) The City shall be responsible for the general repair, maintenance and upkeep of all paved areas and/or unpaved areas which are used for driveway purposes on the City Property including within the Easement Area (including snow and ice removal) and will maintain all such areas in good condition and repair for use as a roadway by the owners of the Furlong Property and the Rittenhouse Property. The cost of such repair, maintenance and upkeep shall be paid by the City. Any damage to the City Property caused directly by the owner(s) of the Furlong Property or their invitees or agents, shall be repaired and paid for by owner(s) of the Furlong Property. Any damage to the City Property caused directly by the owner(s) of the Rittenhouse Property or their invitees or agents, shall be repaired and paid for by owner(s) of the Rittenhouse Property.

3. The parties hereto acknowledge and agree that this Easement shall be subject and subordinate to all existing agreements and easements of record. Notwithstanding anything contained herein to the contrary, for so long as the City owns the City Property, the City shall have the right to terminate this Easement by providing the owners of the Furlong Property and the Rittenhouse Property twelve (12) months advance written notice of such termination. After providing the 12 month advance written notice of termination, the City shall in no way be

obligated to the owners of the Furlong Property and the Rittenhouse Property and their respective successors and assigns should it elect to terminate this Easement.

IN WITNESS WHEREOF, the undersigned, have executed this Non-Exclusive Deed of Ingress-Egress Easement effective as of the date first set forth above.

CITY OF DELAWARE, OHIO

By: _____

Title: _____

_____
Frederick Furlong

_____
Tamara Furlong

_____
Todd S. Rittenhouse, Trustee of the
Rittenhouse Family Preservation Trust
dated September 12, 2012

STATE OF OHIO
COUNTY OF DELAWARE, SS:

BE IT REMEMBERED, that on this _____ day of February, 2021, before me, a notary public in and for said State, personally came R. Thomas Homan, the City Manager of the City of Delaware, Ohio, who acknowledged the signing of the foregoing instrument to be his/her voluntary act and deed for the purposes set forth therein.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my seal on the day and year aforesaid.

_____
Notary Public

STATE OF OHIO
COUNTY OF DELAWARE, SS:

BE IT REMEMBERED, that on this _____ day of February, 2021, before me, a notary public in and for said State, personally came Frederick Furlong and Tamara Furlong, who acknowledged the signing of the foregoing instrument to be their voluntary act and deed for the purposes set forth therein.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my seal on the day and year aforesaid.

_____
Notary Public

STATE OF OHIO
COUNTY OF DELAWARE, SS:

BE IT REMEMBERED, that on this _____ day of February, 2021, before me, a notary public in and for said State, personally came Todd S. Rittenhouse, Trustee of the Rittenhouse Family Preservation Trust dated September 12, 2012, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed for the purposes set forth therein.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my seal on the day and year aforesaid.

_____
Notary Public

This Instrument prepared by Thad T. Rieger, Esq., 5775 Perimeter Drive, Suite 180, Dublin, Ohio 43017.

ATTACHMENT A

[Attach Exhibits A-D]

ATTACHMENT A



Fred and Tami Furlong
10 Hillside Drive
Delaware, OH 43015
740 815-8877

December 23, 2020

The City of Delaware
City Hall
Delaware, OH 43015

To Whom It May Concern:

We own the building at 23-25 West Winter Street, which houses a successful (and until recently two successful) long time businesses in downtown Delaware. Previously we also owned the business housed within for 30 years. We sold the business in 2018, and the current owners of the business now wish to purchase and renovate the building. However, recent developments have raised a few questions, and an issue that we need to address before the sale can go through.

Access to the rear of the building for deliveries and employee parking is critical to the businesses there, as well as the business next door, Gibson the Florist, 19 West Winter Street, (another long-time downtown business). Access to these areas has been (as long as I've been involved, 32 years) from a drive entering off of North Franklin. With the addition of the patio at Staas on the corner, access to the rear of both businesses via this entry has been impacted.

We are requesting access to our properties through the City of Delaware public parking lot behind the businesses. Please let us know what we need to do to get this request in front of the proper people to hopefully get this resolved. I cannot stress enough how important this access to these businesses is, especially in these challenging times.

With a closing date of January 20 for the sale of the building, we'd especially like to see a quick solution to this issue. If there's any possibility it could be resolved before that date, we would be very appreciative. Should you need more information, or anything else from us, please contact us ASAP.

Thank you for your time,

Fred and Tami Furlong

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 10 DATE: 03/08/2021

ORDINANCE NO: RESOLUTION NO: 21-11

READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Sean Hughes, Economic Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE DELAWARE CITY TAX INCENTIVE REVIEW COUNCIL (TIRC) ON THE STATUS OF THE 2020 COMMUNITY REINVESTMENT AREA (CRA), ENTERPRISE ZONE (EZ) AND TAX INCREMENT FINANCING PROGRAMS (TIF).

BACKGROUND:

City of Delaware is required, under Ohio Revised Code Sections 3735.69 and 5709.68 to submit an annual report regarding the status of each Agreement by March 31, to the Director of the Ohio Development Services Agency.

REASON WHY LEGISLATION IS NEEDED:

In order to maintain and continue commercial and residential tax exemptions/abatements (Enterprise Zone, Community Reinvestment Area and Tax Increment Financing Agreements), authorized per the Ohio Revised Code and City Resolutions and Ordinances, the City of Delaware legislative authority must appoint a Tax Incentive Review Council (TIRC). The TIRC annually reviews and makes recommendations to City Council to Continue, Modify or Terminate each tax abatement agreement. City Council's decisions to accept or change the TIRC's recommendations are annually reported to the Ohio Department of Development no later than March 31.

COMMITTEE RECOMMENDATION:

Tax Incentive Review Council, 2/24/21
VOTE: Approval

For 10 of the CRA agreements, the recipients had exceeded their hiring of new FTEs by 86% and exceeded their payroll commitments by 114%. Those are fully compliant and the committee recommended continuation.

The committee also reviewed nine CRA reports for which the companies were short of their FTE hiring commitments, but were generally all exceeding their payroll commitments. One had an employee resign just before the holidays and rehired that position early in 2021. One had exceeded its hiring commitment, but not its payroll commitment. One missed both commitments, but was only in the second year of its 3-year state required grace period. All had cited the pandemic as the primary reason for missing commitments. For these the committee recommended finding them in non-compliance and continuing their CRA agreements.

All TIF agreements were found to be compliant, therefore the committee recommends compliance and continuance.

All residential CRAs were found to be compliant, therefore the committee recommends compliance and continuance.

The committee is not charged with reviewing our Performance Based Economic Incentive Grant program, however, staff gave them a report on their performance.

- ONDA – This company is still working to transition more manufacturing to the United States from Italy. FTEs did not increase in 2020, however, payroll did increase. The payroll taxes have reimbursed the Development Reserve Fund 38% to date.
- CAMS – Due to a medical emergency, the owner of this company was not able to report. However, their 2020 payroll taxes fully reimbursed the Development Reserve Fund. At that point, they had fulfilled their commitments.
- Classic Steel Body – Due to some catastrophic events with the company ownership, the company had to make some production decisions that led to the utilization of existing out-of-state production facilities. Therefore, the company is out of compliance and is asking how they can reimburse the city for their Performance Based Economic Incentive Grant. In the very near future, Council will be presented with legislation terminating the agreement and requesting repayment.

Please see attached Minutes.

FISCAL IMPACT(S):
COST: N/A
FUND SOURCES: N/A
BUDGETED: NO

DEPARTMENTS IMPACTED: Economic Development

POLICY CHANGES:
N/A

PRESENTER(S):
Sean Hughes, Economic Development Director

RECOMMENDATION:
Approval

ATTACHMENT(S)
2021 TIRC Minutes
2021 CRA Abatements Status Report Summary Spreadsheet
2021 Performance Based Economic Incentive Grant Summary Spreadsheet
2021 TIFs Status Report Summary Spreadsheet
2021 Residential CRA Abatements Status Report Summary Spreadsheet

RESOLUTION NO. 21-11

A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE CITY OF DELAWARE TAX INCENTIVE REVIEW COUNCIL ON THE STATUS OF THE 2020 COMMUNITY REINVESTMENT AREA, ENTERPRISE ZONE, AND TAX INCREMENT FINANCING PROGRAMS.

WHEREAS, the purpose of the Delaware City Community Reinvestment Area (CRA), Enterprise Zone (EZ) and Tax Increment Financing (TIF) Programs (Programs) is to provide the community with an effective tool for managing and guiding economic development by enhancing the tax base, encouraging and sustaining long term investment in the community, enhancing the quality of life, and preserving existing and attracting new business investment with said Programs; and

WHEREAS, in accordance with Ohio Revised Code Section 5709.85, the duly appointed Delaware City Tax Incentive Review Council (TIRC) met on February 24, 2021 and reviewed the status of each active agreement within the Programs and developed recommendations to continue, modify, terminate or expire each active agreement; and

WHEREAS, the City of Delaware is required, under Ohio Revised Code Sections 3735.69 and 5709.68 to submit an annual report regarding the status of each agreement within the Programs by March 31st of each year to the Director of the Ohio Development Services Agency.

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

SECTION 1: The review and recommendations identified in the attached TIRC Meeting Minutes, "2021 Tax Incentive Review Council Summary Tax Year 2020," "2021 Tax Incentive Review Council Tax Year 2020 City of Delaware TIF Zones" and the "2021 Residential CRA Status Report Tax Year 2020" are by this Council.

SECTION 2: The City Manager is directed to forward to the Director of the Ohio Development Services Agency and all other appropriate entities, the attached reports, accepted recommendations and all other information as required pursuant to ORC Sections 3735.69 and 5709.68.

SECTION 3: That this Resolution shall take effect and be in force immediately after its passage.

PASSED: _____, 2021 YEAS _____ NAYS _____
ABSTAIN _____

ATTEST: _____ _____
City Clerk Mayor

EST 1808
CITY OF
DELAWARE
OHIO

,

CITY OF DELAWARE TAX INCENTIVE REVIEW COUNCIL (TIRC) MINUTES

Wednesday, February 24, 2020
2 p.m.
City Hall- CITY COUNCIL CHAMBERS

1. **Call to Order**

   Honorable George Kaitsa called to order the 2021 TIRC at 2:07 P.M.

2. **Roll Call**

   Members Present: Honorable George Kaitsa, Mayor Carolyn Kay Riggle, Tom Homan, Emily Hatfield, Chris Bell, Melissa Swearingen, Justin Navhi, and Tim Wells

   Staff Present: Sean Hughes and Courtney Hendershot

3. **Approval of Minutes**

   Mr. Bell made a motion to approve the minutes from 2020 City of Delaware Tax Incentive Review Council to Delaware City Council, seconded by Ms. Swearingen and approved by an 7-0 vote.

4. **Consent Agenda:** 2020 CRA/EZ Tax Abatement Reports

   Mr. Hughes explained that 10 CRA/EZ agreements (Symmetry I, AHP/Domtar, NABI/NFI, American Freight, Optimum Plastics/Charter NEX, Engineered Materials Systems (2015), Midwest Acoust-A-Fiber (2016), Midwest Acoust-A-Fiber (2018), COhatch and Kirby Ventures LLC(Oak & Brazen, LLC) were in compliance with their payroll goals and new and retained full time employee (FTE) goals. Mr. Homan made a motion to recommend COMPLIANCE on the Consent Agenda Abatement Agreements to Delaware City Council, seconded by Mayor Riggle and approved by an 7-0 vote. Mr. Homan made a motion to recommend CONTINUATION on the Consent Agenda Abatement Agreements to Delaware City Council, seconded by Mayor Riggle and approved by an 7-0 vote.

5. **Consideration Agenda:** 2nd Half Ventures CRA -

   Mr. Hughes explained that 2nd Half Ventures (SmOHked) met their 9 FTE commitment with 10 new FTEs. However, they did not meet the $350,000 payroll goal with the creation of $148,307.49 in payroll. They are in the 2nd year of their 3-year grace period. Mr.Hughes explained that the company missed their payroll goal by almost exactly the same amount as the previous year. The company stated this shortfall was due to the pandemic. Hughes recommended NON-COMPLIANCE and CONTINUATION on the 2nd Half Ventures CRA to the TIRC. Ms. Hatfield motioned for a recommendation of NON-COMPLIANCE and CONTINUATION to Delaware City Council with a second from Mr. Wells. The motion passed 8-0.

6. **Consideration Agenda:** V&P Hydraulics CRA –

   Mr. Hughes explained that V&P Hydraulics was short of their new FTE goal of 65 by 7% with 60 FTEs. However, they did exceed their payroll goal of 79% with $2,890.005.69 in payroll. Mr. Hughes noted that due to the pandemic related issue, there was a statement collected from them and attached for review. Also, noted V&P Hydraulics had been fully compliant in 2019. Hughes recommended NON-COMPLIANCE and CONTINUATION on the V&P Hydraulics CRA to the TIRC. Ms. Swearingen motioned for a recommendation of NON-COMPLIANCE and CONTINUATION to Delaware City Council with a second from Mr. Homan. The motion passed 8-0.

7. **Consideration Agenda:** Sky Climber CRA -

   Mr. Hughes explained Sky Climber has fell short of their new FTE goal of 45 by 7% with 42 new FTEs. However, they did exceed their payroll goal by 26% with $3,589,290 on payroll. Mr. Hughes noted that due to the pandemic related issue, there was a statement collected from them and attached for review and that they had been fully complaint in 2019. Hughes recommended NON-COMPLIANCE and CONTINUATION on the Sky Climber CRA to the TIRC. Mr. Wells motioned for a recommendation of NON-COMPLIANCE and CONTINUATION to Delaware City Council with a second from Mayor Riggle. The motion passed 8-0.

8. **Consideration Agenda:** Henkel CRA -

Mr. Hughes explained Henkel has fell short of their new FTE goal of 5 by 72% with 42new FTEs. They continued to retain 42 FTEs. Unfortunately, they had 1 FTE resign in December and were in the process of replacing them, but then extended into 2010 or they would have been compliant. However, they did exceed their payroll goal by 15% with $1,487,283 on payroll. Mr. Hughes noted that they had been fully complaint in 2019. Hughes recommended NON-COMPLIANCE and CONTINUATION on the Henkel CRA to the TIRC. Mr. Navhi motioned for a recommendation of NON-COMPLIANCE and CONTINUATION to Delaware City Council with a second from Ms. Swearingen. The motion passed 8-0.

9. **Consideration Agenda:** Engineered Materials Systems 2018 Expansion CRA -

Mr. Hughes explained that Engineered Materials Systems was short of their new FTE goal of 8 with 0 new FTEs (they were at 2 new FTEs last year). They also were short of their $700,000 new payroll goal with $547,673 in payroll. However, they are in the 2nd year of their 3-year grace period for commitments. Mr. Hughes noted that the company cited the pandemic as the reason for the loss of the 2 FTEs. They had hired a couple of part-time employees to help, but did not account for them even if their hours added up to an FTE. Mr. Hughes also noted that company recently changed its name to Nagase ChemteX Corporation. Hughes recommended NON-COMPLIANCE and CONTINUATION on the Engineered Materials Systems 2018 Expansion CRA to the TIRC. Mr. Homan motioned for a recommendation of NON-COMPLIANCE and CONTINUATION to Delaware City Council with a second from Mr. Navhi. The motion passed 8-0.

10. **Consideration Agenda:** Sky Climber Fabricating (formerly Precision Tower Products) CRA –

Mr. Hughes explained that Sky Climber Fabricating ceased operations as of August of 2018., however, Sky Climber Fabricating still owns the building and the land. Parent company Sky Climber utilizes the building for manufacturing. However, Sky Climber has only been able to hire 27 of the 35 committed FTEs but exceeded their new payroll commitment by 3% with $2,020,697.00 (committed to $1,970,000). Mr. Hughes noted that they are no longer in grace period. Hughes recommended NON-

COMPLIANCE and CONTINUATION on the Sky Climber Fabricating CRA to the TIRC. Mr. Wells motioned for recommending NON-COMPLIANCE and CONTINUATION to Delaware City Council with a second from Ms. Swearingen. The motion passed 8-0.

11. **Consideration Agenda:** Symmetry II CRA -

Mr. Hughes explained that Symmetry II has fallen short of their new FTE commitment of 28 FTEs with 25 new FTEs. However, they have exceeded the new payroll goal of $1,300,000 by 72% with $2,2237,865 in new payroll. Symmetry II is no longer in their grace period for commitments. Hughes recommended NON-COMPLIANCE and CONTINUATION on the Symmetry II CRA to the TIRC. Ms. Hatfield motioned for a recommendation of NON-COMPLIANCE and CONTINUATION to Delaware City Council with a second from Mr. Bell. The motion passed 8-0.

12. **Consideration Agenda:** KB42 LTD CRA -

Mr. Hughes explained that KB42 LTD has not yet met their hiring or payroll commitments of 10 new FTEs with 9 new FTEs (90% of goal) and $600,000 in payroll with $550,000 in payroll (92% if goal). KB42 LTD is in the third year of their 3-year grace period by state law. Hughes recommended NON-COMPLIANCE and CONTINUATION on the KB42 LTD CRA to the TIRC. Mr. Navhi motioned for a recommendation of NON-COMPLIANCE and CONTINUATION to Delaware City Council with a second from Ms. Hatfield. The motion passed 8-0.

13. **Consideration Agenda:** Ohio Power Company CRA -

Mr. Hughes explained that Ohio Power Company has not yet met their hiring goal of 9 FTEs with 6 new FTEs in 2020. However, they have exceeded payroll commitment of $456,412 by 37% with $624,600 in new payroll. Ohio Power Company has met retained FTE commitment of 24 FTEs. Ohio Power Company is in their first year of 3-year grace period for commitments. Hughes recommended NON-COMPLIANCE and CONTINUATION on the Ohio Power Company CRA to the TIRC. Mr. Wells abstains from any discussion on Ohio Power Company CRA. Ms. Swearingen motioned for a

recommendation of NON-COMPLIANCE and CONTINUATION to Delaware City Council with a second from Mr. Navhi. The motion passed 7-0 with one abstention.

14. Tax Increment Finance Districts (TIF)

Mr. Hughes reported that 12 active TIF agreements are in compliance by having had their respective payments in lieu of taxes on real property paid, distributed to the City to be deposited to the appropriate accounts and utilized for the respective projects. Staff recommended 12 active TIF Districts COMPLIANCE and CONTINUATION. Mr. Wells made a motion to recommend COMPLIANCE and CONTINUATION to Delaware City Council with a second from Mr. Navhi. The motion passed 8-0.

15. Residential CRA Agreements

Mr. Hughes reported that all 27 Residential CRA agreements are active and in COMPLIANCE (residential improvements had been made and remaining non-abated taxes were up to date). Staff recommended 27 active Residential CRA Agreements TIF Districts COMPLIANCE and CONTINUATION. Ms. Hatfield made a motion to recommend COMPLIANCE and CONTINUATION to Delaware City Council with a second from Mr. Bell. The motion passed 8-0.

16. Performance Based Economic Incentive Grants

Mr. Hughes discussed that current Performance Based Economic Incentive Grants for Classic Steel Body, CAMS and ONDA USA, LLC.

17. School Pilot Programs

Mr. Hughes discussed that all current school pilot payments were up to date and that he would be working with both the School Treasurers to issue 2021 invoices.

Adjournment

Honorable George Kaitsa adjourned the meeting at 2:59 P.M.

2021 TAX INCENTIVE REVIEW COUNCIL SUMMARY
TAX YEAR 2020

CITY OF DELAWARE OHIO

2021 TIRC SUMMARY					JOB & PAYROLL CREATION														REAL & PERSONAL PROPERTY INVESTMENT					
Report Submitted?	CRA	Company	Years/Abatement %	Year of Expiration	Total Payroll Goal	Retained Payroll Goal	New Payroll Goal	Current Total Payroll	Current Retained Payroll	Current New Payroll	% Achieved	FTE Goal	Retained FTE Goal	New FTE Goal	Current Total FTE	Current Retained FTE	Current New FTE	% Achieved	Parcel #	Taxes Paid in 2020	Total Taxes Paid thru Last Report	Total Taxes Paid Thru 12/31/2020 (Cumulative)	Taxes Forgone in 2020	Total Taxes Forgone Thru Last Report
YES	CRA 17-002	2nd Half Ventures	15/100%	12/31/2033	$350,000.00	$0.00	$350,000.00	$201,692.51	$0.00	$201,692.51	58%	9	0	9	9	0	9	100%	51943225022000	$558.54	$302.15	$860.69	$3,701.31	$3,701.31
	CRA 04-004	Symmetry One	15/100%	12/31/2020	$450,000.00	$0.00	$450,000.00	$1,064,705.00	$0.00	$1,064,705.00	237%	15	0	15	21	0	21	140%	Multiple	$5,522.56	$81,177.06	$86,699.62	$57,680.48	$746,691.18
YES	CRA 06-001	V&P Hydraulics	15/50%	12/31/2022	$2,300,000.00	$0.00	$2,300,000.00	$2,890,005.69	$0.00	$2,890,005.69	126%	65	0	65	60	0	60	92%	41922001006003	$30,565.14	$211,631.41	$242,196.55	$24,077.42	$171,019.96
YES	CRA 06-002	Sky Climber	15/50%	12/31/2022	$2,000,000.00	$0.00	$2,000,000.00	$3,589,290.00	$0.00	$3,589,290.00	179%	45	0	45	42	0	42	93%	41922001006002	$30,204.00	$326,750.38	$356,954.38	$24,048.00	$249,164.37
YES	CRA 06-003	Associated Hygienic Products	15/75%	12/31/2022	$7,480,879.00	$0.00	$7,480,879.00	$16,580,558.00	$0.00	$16,580,558.00	222%	201	0	201	298	0	298	148%	41922002001000	$115,121.00	$1,447,243.00	$1,562,364.00	$351,274.00	$3,688,469.00
YES	CRA 07-001	NABI Parts Division	15/50%	12/31/2023	$2,000,000.00	$0.00	$2,000,000.00	$4,173,489.00	$0.00	$4,173,489.00	209%	45	0	45	74	0	74	164%	41922002001001	$125,649.00	$1,074,072.00	$1,199,721.00	$99,224.23	$200,146.79
YES	CRA 10-001	American Freight	10/50%	12/31/2021	$2,120,000.00	$1,870,000.00	$250,000.00	$10,792,386.94	$1,870,000.00	$8,922,386.94	509%	35	30	5	75	30	45	214%	51944403010000	$28,048.12	$237,908.62	$265,956.74	$5,923.91	$50,675.67
YES	CRA 10-002	Henkel	10/40%	12/31/2021	$2,503,061.00	$2,400,000.00	$103,061.00	$3,887,283.00	$2,400,000.00	$1,487,283.00	115%	47	42	5	46	42	4	98%	41921105009000 41921105022000	$84,130.36	$587,781.82	$671,912.18	$18,573.94	$173,425.84
YES	CRA 11-001	Optimum Plastics	10/100%	12/31/2022	$3,000,000.00	$2,800,000.00	$200,000.00	$3,020,841.00	$2,800,000.00	$220,841.00	110%	63	55	8	81	55	8	100%	41922001017005	$76,759.00	$390,750.00	$467,509.00	$12,156.00	$66,955.00
YES	CRA 15-001	Engineered Material Systems (101 Innovation Court)	15/100%	12/31/2030	$3,400,000.00	$2,700,000.00	$700,000.00	$3,755,144.00	$2,700,000.00	$1,055,144.00	110%	46	38	8	49	38	11	107%	41922002003002	$19,736.68	$53,369.42	$73,106.10	$114,732.49	$432,157.48
YES	CRA 18-003	Engineered Materials Systems 2018 Expansion	15/100%	12/31/2033	$4,100,000.00	$1,055,144.00	$700,000.00	$3,907,471.00	$1,055,144.00	$152,327.00	22%	57	11	8	49	11	0	0%	41922002003002	$19,736.68	$13,915.86	$33,652.54	$55,136.73	$117,310.20
YES	CRA 15-002	Sky Climber Fabricating	15/100%	12/31/2031	$1,970,000.00	$0.00	$1,970,000.00	$2,020,697.00	$0.00	$2,020,697.00	103%	35	0	35	27	0	27	77%	41922001006004	$8,308.00	$22,531.46	$30,839.46	$156,360.00	$338,520.30
YES	CRA 16-000	Midwest Acoust-A-Fiber	10/100%	12/31/2026	$6,280,000.00	$5,860,000.00	$420,000.00	$6,280,000.00	$5,860,000.00	$420,000.00	100%	176	162	14	176	162	14	100%	41921006004000	$124,359.68	$235,983.32	$360,343.00	$69,794.23	$139,588.46
YES	CRA 18-001	Midwest Acoust-A-Fiber 2018 Expansion	10/100%	12/31/2028	$744,000.00	$420,000.00	$324,000.00	$1,780,157.00	$420,000.00	$1,360,157.00	332%	23	14	9	219	14	43	478%	41921006004000	$124,359.00	$235,984.00	$360,343.00	$69,794.00	$139,588.00
YES	CRA 16-001	Symmetry II	15/50%	12/31/2031	$1,300,000.00	$0.00	$1,300,000.00	$2,237,865.00	$0.00	$2,237,865.00	172%	28	0	28	25	0	25	89%	41922002003006	$46,052.50	$127,902.96	$173,955.46	$39,558.35	$100,717.83
YES	CRA 18-002	Cohatch	15/100%	12/31/2033	$960,000.00	$0.00	$960,000.00	$1,552,030.00	$0.00	$1,552,030.00	162%	24	0	24	49	0	49	204%	51943409027000	$0.00	$0.00	$13,949.90	$0.00	$0.00
YES	CRA 17-001	Kirby Ventures LLC and OAK & BRAZEN, LLC	15/100%	12/31/2032	$165,000.00	$0.00	$165,000.00	$416,492.94	$0.00	$416,492.94	252%	6	0	6	12	0	12	200%	51943109002000	$10,428.40	$12,345.67	$22,774.07	$2,673.56	$0.00
YES	CRA 17-003	KB42 LTD	15/100%	12/31/2032	$600,000.00	$0.00	$600,000.00	$550,000.00	$0.00	$550,000.00	92%	10	0	10	9	0	9	90%	51943108023000	$12,258.42	$5,242.38	$17,500.80	$1,944.40	$0.00
YES		Ohio Power Company	15/100%	12/31/2034	$2,199,322.00	$1,742,910.00	$456,412.00	$2,367,510.00	$1,742,910.00	$624,600.00	137%	33	24	9	30	24	6	67%	41924001051000	$67,062.00	$0.00	$67,062.00	$0.00	$0.00
				Total:	$43,922,262.00	$18,848,054.00	$22,729,352.00	$71,067,618.08	$18,848,054.00	$49,519,564.08	$49,519,564.08		376	549	1351	376	376	757		$928,859.08	$5,064,891.51	$6,007,700.49	$1,106,653.05	$6,618,131.39	$7,740,914.16

Performance Based Economic Incentive Grants

	Company	Grant Level	Anticipated full ROI Date	Total Payroll Goal	Retained Payroll Goal	New Payroll Goal	Current Total Payroll	Current Retained Payroll	Current New Payroll	% Achieved	FTE Goal	Retained FTE Goal	New FTE Goal	Current Total FTE	Current Retained FTE	Current New FTE	% Achieved	Parcel #	Income Taxes Paid for 2020	Total Income Taxes Paid to Date	Percent to Go to Development Reserve Fund	Total Reimbursed to Date	% Reimbursed to Date
PBEIG	CLASSIC STEEL BODY	$6,000	12/31/2022	$250,000.00	$0.00	$250,000.00	$0.00	$0.00	$0.00	0%	6	0	6	0	0	0	0%	51934406004000	$0.00	$0.00	45%	$0.00	0%
PBEIG	CAMS	$10,000	12/31/2020	$500,000.00	$0.00	$500,000.00	$0.00	$0.00	$560,331.89	112%	8	0	8	0	0	12	150%	41922002003006	$10,366.14	$10,366.14	100%	$10,000.00	100%
PBEIG	ONDA USA, LLC	$30,000	12/31/2020	$1,000,000.00	$0.00	$1,000,000.00	$447,608.04	$0.00	$447,608.04	45%	25	0	25	0	0	9	36%	41921104008000	$8,280.88	$22,780.47	100%	$11,483.99	38%
			Total:	$750,000.00	$0.00	$750,000.00	$447,608.04	$0.00	$0.00		14	0	14	0	0	0			$0.00	$0.00		$21,483.99	

2021 TAX INCENTIVE REVIEW COUNCIL
TAX YEAR 2020

CITY OF DELAWARE TIF ZONES

Area	Total Amount Disbursed	Amount to City	Expires
Airport #527- Jet Stream, Airspace	$0.00	$26,651.00	2027
#565- Braumiller Subdivision	$335,620.00	$335,620.00	2036
#562- Cheshire North	$342,755.00	$342,755.00	2036
#563- Cheshire South	$32,026.00	$32,026.00	2036
#564- Cheshire West	$133,632.00	$133,632.00	2036
#566- Evans Residential	$0.00	$2,029.00	2036
#776- Southeast Commercial	$0.00	$0.00	2037
#945- Skyclimber & V&P Hydraulics	$47,237.00	$47,237.00	2037
#1088- Zaremba- Mill Run	$133,006.00	$133,006.00	2039
Sawmill Parkway	$0.00	$0.00	0
Seattle House	$0.00	$0.00	2049
Buehler's	$0.00	$0.00	2048
TOTAL	$1,024,276.00	$1,052,956.00	



Notes
Improvement of intersection, utilities, ramps near airport
Glenn Parkway addition
Glenn Parkway addition
Glenn Parkway addition
Glenn Parkway addition
Glenn Parkway addition
For road improvments surrounding Ohio Health Blvd.
Payment of costs for acquring V&P and Skyclimber parcels
Paid to developer for Glenn Parkway
To Reimburse County for City portion of Sawmill Parkway
For Point Project
Central Ave. Turn Lane Improvements

2021 RESIDENTIAL CRA STATUS REPORT
TAX YEAR 2020

Name/Property Identification	Date Project Certified	Percent of Exemption	Term of Exemption	Total Project Investment	Total Real Property Investment Subject to Exemption	Date of Most Recent Council Review	Current Status	Taxes Foregone
2014-06 Dennis Ensign 5 Stilson Street 41912202005000 1 family new construction	8/28/2014	100%	7 yrs	$87,036.54	$87,036.54	2/25/2020	Active/Paid	$ 1,418.11
2014-05 Christopher Shelly 56 Kurrley Street 51944307007000 1 family new construction	9/10/2014	100%	7 yrs	$91,434.46	$91,434.46	2/25/2020	Active/Paid	$ 2,421.06
2014-04 David O Summers 126 Wilder Street 5194427005000 1 family new construction	5/9/2014	100%	7 yrs	137,000.00	137,000.00	2/25/2020	Active/Paid	$ 2,589.31
2014-03 James P. Manos 9B N. Sandusky Street 519-432-25-029-000 Remodel 2nd floor to residential	4/30/2014	100%	7 yrs	50,000.00	50,000.00	2/25/2020	Active/Paid	$ 1,184.78
2014-01 Kathleen G. Crawford 47 High Street 51943323006000 1 family new construction	1/27/2014	100%	7 yrs	111,112.80	111,112.80	2/25/2020	Active/Paid	$ 2,091.97
2020-05 Manos Properties - 235 W. William St. LLC 30 N. Sandusky St. 51943109006000 8 apartments remodeled	7/21/2020	100%	7 yrs	750,000.00	750,000.00	2/25/2020	Active/Paid	$ 17,968.20
2020-06 J&S Family Properties (Heidi Myers) 107 Ross St. 51943322001000 Apartments	7/30/2020	100%	7 yrs	17,071.61	17,071.61	2/25/2020	Active/Paid	$ 378.85
2020-07 TANNER JEREMY & HOLBEIN TANYA (formerly Kaizen Properties, LLC) 57 David St. 51943324009000 1 family new construction	7/24/2020	100%	7 yrs	100,000	100,000	2/25/2020	Active/Paid	$ 2,219.20
2020-01 LORTZ SHELLEY J & BRIGHT DAWN R 25 Smith St. 51944205010000 1 family new construction	2/6/2020	100%	7 yrs	128,500	128,500	2/25/2020	Active/Paid	$ 2,851.67
2020-02 WATENDO EMMERENCIA MESEH 80 Noble St. 51943324022001 1 family new construction	6/12/2020	100%	7 yrs	99,528	99,528	2/25/2020	Active/Paid	$ 2,208.72
2020-03 MONTUNNAS JULIAN 56 Scottwood Ct. 51944211049000 1 family remodel	6/17/2020	100%	7 yrs	3,615	3,615	2/25/2020	Active/Paid	$ 80.22
2020-04 MONTUNNAS JULIAN & RACHAEL 70 Griswold St. 51943209017000 3 apartments remodeled to single family	6/17/2020	100%	7 yrs	150,000	150,000	2/25/2020	Active/Paid	$ 3,328.80
2015-05 Jamison Bryant 51 Toledo Street	12/21/2015	100%	7 yrs	$107,161	$107,161	2/25/2020	Active/Paid	$ 2,230.96

51934403002000									
2015-04 Kiana Jones 167 Park Avenue 51943311006000	9/30/2015	100%	7 yrs	$106,762	$106,762	2/25/2020	Active/Paid	$	1,866.05
2015-03 Chris and Marcia Ball as applicants, owned by Habitat for Humanity 93 W Harrison Street 51943320015000	6/18/2015	100%	7 yrs	$110,441	$110,441	2/25/2020	Active/Paid	$	2,306.99
2015-02 Griswold Homes 36 Griswold Street 51943210012001	6/8/2015	100%	7 yrs	$428,000	$428,000	2/25/2020	Active/Paid	$	10,665.92
2015-01 Brittany Murfield 51 Stilson Street 41912202012000	1/13/2015	100%	7 yrs	$110,000	$110,000	2/25/2020	Active/Paid	$	1,964.38
2016-01 Adam Kroninger and Jessica Bittinger 55 David St. 51943324008000 New residential structure	3/10/2016	100%	7 yrs	$102,187	102,187	2/25/2020	Active/Paid	$	2,204.74
2016-02 Rebecca Hughes 181 S. Franklin St. 51943316008000 New residential structure	11/14/2016	100%	7 yrs	$93,429.57	$93,429.57	2/25/2020	Active/Paid	$	2,016.82
2017-01 Karianne R. Wyrick 16 David St 51943312023000 New residential structure	5/3/2017	100%	7 yrs	$128,000	$128,000.00	2/25/2020	Active/Paid	$	2,419.21
2017-02 COSG Investments LLC; Terry Whiteside 297 W. William St. 51943304012000 Remodel - Addition	6/12/2017	100%	7 yrs	$150,000.00+	$150,000.00+	2/25/2020	Active/Paid	$	3,292.50
2017-03 Jennifer S. Long; Living Trust 535 W. William St. 51934410007000 New residential structure	6/1/2017	100%	7 yrs	$300,000	$300,000.00	2/25/2020	Active/Paid	$	5,670.02
2017-04 Sara Hoover 252 S. Franklin St. 51943320034000 New residential structure	11/1/2017	100%	7 yrs	$150,000.00	$150,000.00	2/25/2020	Active/Paid	$	3,669.43
2018- 01 Rafael Rizo and Angelica Dominguez Morales 242 London Rd. 51943324020000 New residential structure	3/19/2018	100%	7 yrs	$90,000	$90,000		Active/Paid		$3,292.50
2019- 01 Leslie D. Joiner 14 Noble St. 51943322026000 New residential structure	1/10/2019	100%	7 yrs	$100,404	$100,404		Active/Paid		$2,456.17
2019- 02 Sara J Sepelak 136 Fair Ave. 51944218002000 New residential structure	4/24/2019	100%	7 yrs	$108,289	$108,289		Active/Paid	-	
2019- 03 BUCKEYE LAKE STORAGE LLC @ 2 - Jim Manos 7 & 9 E. William St. 51943109021000 Residential apartment remodel	7/25/2019	100%	7 yrs	$100,000	$100,000		Active/Paid	-	

AHP School Pilot - STILL PAID THROUGH DELAWARE COUNTY FOUNDATION

Agreement Details

Company agreed to pay $10,000.

Payment Due Date	Payment	Received
3/31/2007	$10,000	
3/31/2008	$10,000	
3/31/2009	$10,000	
3/31/2010	$10,000	
3/31/2011	$10,000	
3/31/2012	$10,000	4/13/2012
3/31/2013	$10,000	7/1/2013
3/31/2014	$10,000	2/26/2014
3/31/2015	$10,000	2/27/2015
3/31/2016	$10,000	4/4/2016
3/31/2017	$10,000	2/17/2017
3/31/2018	$10,000	3/31/2018
3/31/2019	$10,000	PAID
3/31/2020	$10,000	PAID
3/31/2021	$10,000	
3/31/2022	$10,000	
3/31/2023	$10,000	

12 Half Ventures New Building Project - 14 W. William

School Pilot Payment Agreeme Due Sept. 30

School Pilot Payment : 30% Pilot Payment to Schools due to 100% CRA

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

Year	Date Paid	Amount Paid DCS	Amount Paid DACC	TOTAL Amt Paid
2020	PAID	$1,122.43	$47.61	$1,170.04
2021				
2022				
2023				
2024				
2025				
2026				
2027				
2028				
2029				
2030				
2031				
2032				
2033				
2034				

COhatch Renovation Project - City Hall Annex (18 E. William), 1st Floor and Lower Level Only

School Pilot Payment Agreeme Due Sept. 30

School Pilot Payment : 30% Pilot Payment to Schools due to 100% CRA

a.	Delaware City School District	$6,864.51
b.	Delaware Area Career Center	$291.16
c.	Total	$7,155.67

Year	Date Paid	Amount Paid DCS	Amount Paid DACC	TOTAL Amt Paid
2020	PAID	$6,864.51	$291.16	$7,155.67
2021				
2022				
2023				
2024				
2025				
2026				
2027				
2028				
2029				
2030				
2031				
2032				
2033				
2034				

Symmetry I School Pilot - STILL PAID THROUGH DELAWARE COUNTY FOUNDATION

Agreement Details

Make the following payments totaling $129,766 to Delaware County Foundation that benefits Delaware City School District. Pay $9,982 per year for 11 years, pay $7,985.60 in year 12, pay $5,989.20 in year 13, $3,992.80 in year 14 and $1,996.40 in year 15. The old agreement was for five years. It was then extended for ten more years. Years 1-11: 100% tax exemption; Year 12: 80% tax exemption; Year 13: 60% tax exemption; Year 14: 40% tax exemption; Year 15: 20% tax exemption.

Payment Due Date	Payment	Received
9/30/2005	$9,982	9/28/2005
9/30/2006	$9,982	10/31/2006
9/30/2007	$9,982	12/31/2007
9/30/2008	$9,982	10/16/2008
9/30/2009	$9,982	9/30/2009
9/30/2010	$9,982	10/19/2010
9/30/2011	$9,982	10/12/2011
9/30/2012	$9,982	11/5/2012
9/30/2013	$9,982	9/28/2013
9/30/2014	$9,982	9/26/2014
9/30/2015	$9,982	9/3/2015
9/30/2016	$9,982.00	9/26/2016
9/30/2017	$5,989.20	10/20/2017
9/30/2018	$3,992.80	9/27/2018
9/30/2019	$0.00	

EMS Project - SCHOOLS INVOICE CITY

School Pilot Payment Assistance: 30% Pilot Payment to Schools due to 100% CRA

City to pay $11,659.69 per year for 15 years to DACC in the following amounts from EMS's RETAINED income taxes

a.	Delaware City School District	$11,179.26
b.	Delaware Area Career Center	$480.43
c.	Total	$11,659.69

Year	Date Paid		Amount Pa	Amount Paid DACC	TOTAL Amt Paid
2016		4/5/2017	11179.26	480.43	11659.69
2017		5/21/2018	11179.26	480.43	11659.69
2018	PAID		11179.26	480.43	11659.69
2019	PAID		11179.26	480.43	11659.69
2020	PAID		11179.26	480.43	11659.69
2021					
2022					
2023					
2024					
2025					
2026					
2027					
2028					
2029					
2030					

EMS 2018 Expansion Project

School Pilot Payment Assistance: 30% Pilot Payment to Schools due to 100% CRA

Company to pay 30% to schools for term of CRA (15 years)

a.	Delaware City School District	$11,859.94
b.	Delaware Area Career Center	$503.05
c.	Total	$12,362.99

Year	Reported Income Tax from RETAINED PAYROLL (pre-2019)	Date Paid	Amount Paid DCS	Amount Paid	TOTAL Amt Paid
2020		PAID	$11,859.94	$503.05	$12,362.99
2021					
2022					
2023					
2024					
2025					
2026					
2027					
2028					
2029					
2030					
2031					
2032					
2033					
2034					

SkyClimber Fabricating Precision Tower Products Project

School Compensation Agreement

City to pay 50% of new income taxes on the project based on 100%/15 year CRA with 35 NEW FTEs and $1,970,000 in NEW payroll

a.	Delaware City School District	$17,471.73
b.	Delaware Area Career Center	$750.77
c.	Total	$18,222.50

Year	Reported Payroll from NEW PAYROLL	NEW Income Tax for Payroll over $1 million	Infrastructure Cost	50% Schools Minus Infrastructure Costs Factor	Date Paid	Amount Paid DCS	Amount Paid DACC	TOTAL Amt Paid	
2017	$ 1,352,927.00	$ 6,529.15	$ -	$ 3,264.57	5/21/2018	$3,130.07	$134.50	$3,264.57	*$3,130.07 to DCS; $134.50 to DACC
2018	$ 1,272,403.69	$ 5,039.47	$ -	$ 2,519.73	PAID	$2,415.92	$103.82	$2,519.73	
2019	$ 1,758,281.00	$ 14,028.20	$ -	$ 7,014.10	PAID	$6,725.13	$288.97	$7,014.10	
2020									
2021									
2022									
2023									
2024									
2025									
2026									
2027									
2028									
2029									
2030									
2031									

Midwest Acoust-A-Fiber Expansion Project

School Pilot Payment Agreement

School Pilot Payment Assistance: 30% Pilot Payment to Schools due to 100% CRA

a.	Delaware City School District	$9,545.23
b.	Delaware Area Career Center	$404.87
c.	Total	$9,950.10

Year	Date Paid	Amount Pa	Amount Pa	TOTAL Amt Paid
2017	10/8/2018	9545.23	404.87	9950.1
2018	PAID	9545.23	404.87	9950.1
2019	PAID	9545.23	404.87	9950.1
2020	PAID	9545.23	404.87	9950.1
2021				
2022				
2023				
2024				
2025				
2026				

Midwest Acoust-A-Fiber 2018 Expansion Project

School Pilot Payment Agreement

School Pilot Payment Assistance from company: 30% Pilot Payment to Schools due to 100% CRA/10years

a.	Delaware City School District	$5,252.58
b.	Delaware Area Career Center	$222.79
c.	Total	$5,475.37

Year	Date Paid	Amount Paid DCS	Amount Pa	TOTAL Amt Paid
2020	PAID	$5,252.58	$222.79	$5,475.37
2021				
2022				
2023				
2024				
2025				
2026				
2027				
2028				
2029				

Symmetry II School Pilot Payments

If SDI and its tenants achieve a 70% or greater abatement at any time, they will then be required to pay a $3,000 annual School Pilot Payment for each additional 10% of abatement over the original 50%. For instance, if they achieve 70%, their School Pilot Payment for that year will be $6,000. These will be invoiced from and paid directly to the school districts. The maximum School Pilot Payment is $15,000 per year for this abatement.

Oak & Brazen Renovation Project - 38 E. Winter St.

School Pilot Payment Agreement

School Pilot Payment : 30% Pilot Payment to Schools due to 100% CRA

a.	Delaware City School District	$637.21
b.	Delaware Area Career Center	$27.03
c.	Total	$664.24

Year	Date Paid	Amount Paid DCS	Amount Pa	TOTAL Amt Paid
2018	To be paid 2019			
2019	PAID	$637.21	$27.03	$664.24
2020	PAID	$637.21	$27.03	$664.24
2021				
2022				
2023				
2024				
2025				
2026				
2027				
2028				
2029				
2030				
2031				
2032				

KB42 LTD Building Renovation Project - 44 N Sandusky (Bolton Insurance)

School Pilot Payment , Due Sept. 30

School Pilot Payment : 30% Pilot Payment to Schools due to 100% CRA

a.	Delaware City School District	$463.42
b.	Delaware Area Career Center	$19.66
c.	Total	$483.08

Year	Date Paid	Amount Pa	Amount Pa	TOTAL Amt Paid
2018	To be paid 2019			
2019	PAID	$463.42	$19.66	$483.08
2020	PAID	$463.42	$19.66	$483.08
2021				
2022				
2023				
2024				
2025				
2026				
2027				
2028				
2029				
2030				
2031				
2032				

AEP Expansion Project - Slack Road Service Facility

School Pilot Payment Agreement

School Pilot Payment : 30% Pilot Payment to Schools due to 100% CRA

a.	Delaware City School District	$59,704.58
b.	Delaware Area Career Center	$2,520.10
c.	Total	$62,224.68

Year	Date Paid	Amount Paid DCS	Amount Pa	TOTAL Amt Paid
2021				
2022				
2023				
2024				
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2035				

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 11 | DATE: 03/08/2021

ORDINANCE NO: 21-11 | RESOLUTION NO:

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Director of Planning & Community Development

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE GRANTING AN APPEAL OF A CONDITIONAL APPROVAL OF A CERTIFICATE OF APPROPRIATENESS FOR THE REQUEST BY MOHIO PIZZA CO. FOR A PROPOSED REAR PERMANENT PATIO AT 23 NORTH SANDUSKY STREET, WHICH IS ZONED B-2 (CENTRAL BUSINESS DISTRICT) AND LOCATED IN THE DOWNTOWN CORE OF THE DOWNTOWN HISTORIC DISTRICT OVERLAY.

BACKGROUND:

This item comes to Council as an appeal of an approved Certificate of Appropriateness with conditions granted by the Historic Preservation Commission. Under Section 1190.08 of the Zoning Code, the vote, which was 6(for)-0(against)-1(absent), is appealable to City Council. The Applicant has exercised his right to an appeal two specific aspects of the conditions of approval. For additional information see attached Staff reports. In summary of actions to date:

(1) The Applicant first introduced a rear permanent patio design concept behind MOHIO Pizza to the Historic Preservation Commission (HPC) at an Informal Review (HPC 2021-0049) at its Regular Meeting on January 27, 2021. Emphasis was placed on screening the sun on the west-facing patio and the views of the rear 'business end' of nearby businesses, such as dumpsters, grease pits, and parking lots. The concept was positively received. See attached Staff report for details.

(2) The Applicant was not able to appear before HPC at its February 24, 2021 Regular Meeting for a request a Certificate of Appropriateness for a final design for the rear permanent patio (HPC 2021-0332) due to work issues. Neither the Clerk nor Staff had received notification of potential absence. The long standing practice of the HPC in a case where an applicant or a representative of an Appilcant is not present is to table the case. Being aware of the Applicant's work schedule as a business owner and operator, HPC proceeded to hear the case for its possible approval. The project as presented would effectively achieve the goals of screening the sun and views to provide a more private and palatable dining experience. Staff had recommended approval of the proposed project as presented, with two standard conditions of seeking re-approval for design changes and to undertake the project according to all required codes.

(3) The Historic Preservation Commission, however, determined that the proposal did not fully meet the Design Review Guidelines nor did the proposal qualify for one (or more) of the substantial economic hardship or unusual circumstance elements given in Section 1190.06(d)(2) to substantiate an approval. HPC introduced a third condition regarding the patio fencing both as to its height and to screen material used to be attached to the fence. A Conditional Approval was granted so the project could advance. See attached Staff report for details.

(4) The Applicant subsequently has filed an appeal to City Council for approval of the project as originally presented as is their right given under Section 1190.08 APPEALS. Thus, this effectively appeals the additional conditions relative to a maximum fence height as well as the type of screening material attached to the fence. This was filed in a timely manner by the Applicant and thus the Zoning Code requires the matter to appear on the next available City Council agenda for review and determination. A simple majority of Council is required to approve the appeal.

The Applicant purchased the former Nectar candy store building in 2015, transforming it into a popular bistro featuring brick oven-baked pizzas. Pivoting with ongoing COVID19 health pandemic requirements which limited restaurant seating, the Applicant was approved for a City of Delaware COVID temporary patio permit at the rear of his building, which is on the Applicant's private property. With its western exposure, the patio eventually deterred customers with the sun and heat, as well as the views of parking lots, dumpsters, and grease pits which are common in the 'business end' of downtown buildings. Seeking a viable permanent solution to stabilize revenues, the Applicant proposed a pergola-type setting to screen patrons from the sun and unappetizing views. The project entails:

- Cable shades to be suspended from black metal grid support system attached to rear building wall and black metal vertical posts

within patio area. Cable shades to be suspended from top grid and lengthened to drape over western end of patio to shield sun from patio patrons.

- Cable shades to be code-compliant mesh-type fabric or Sunbrella-fabric with drainage grommets in burgundy color to match existing awnings and surrounding brick.
- Thirty seven (37) LF of 6-foot-high black metal historically appropriate picket style fence to be installed at patio perimeter with two 4-foot-wide gate openings on northwest corner to accommodate rear pick-up window and patio entry/egress and southeast corner to accommodate business side door per submitted sketch.
- Horizontal exterior-grade wood slats to be affixed to interior of patio fence to provide additional screening and spaced to allow air flow and possibly support small planter boxes on exterior.

HPC introduced a third condition that the patio fencing shall be consistent with a 36" height and an interior trellis used in place of the wooden slats proposed. Any deviation would require an additional appearance of the Applicant before HPC.

Although not specified in the Design Guidelines, three feet (36") is the typical height of patio fencing in the downtown area. In addition, three feet (36") is specified as the maximum height to screen historic district parking lots. In this particular setting, however, the higher 6-foot patio fence height is needed to provide the structure for screening the views and the sun on the western exposure of the proposed patio. By way of information, Section 1152 of the city code does allow a maximum fence height of six (6) feet above grade in rear yards in non-residential settings.

City Council has the authority to hear the case and apply the Architectural Guidelines and/or determine special circumstance exists. City Council could also determine that it reaches the same conclusion as HPC. Finally, City Council could craft amended conditions somewhere between those approved by HPC and what the applicant seeks. Staff is apprecaitve and sensitive to the deliberations of the HPC in this regard as well because whatever is decide may be used by future applicants for justifications for patios at the rear of properties which are not as widley used and therofre have not been decide by HPC in the past. Staff does not think that writing Standards for rear patios is warranted at this time and would note that each condition and oreitnation of property is different making writing standard guidelines very difficult.

Therefore, Staff recommends that City Council carefully consider the Staff reports, the Applicant's proposal, and the HPC decision and utilize the decision criteria in Section 1190.06(d)(2), which is outlined below, to judge the case on its own merits. City Council could find that special circumstances exist, that the proposal meets the guidelines, and/or that an economic hardship exists in

order to overturn the decision of the HPC and grant the Certificate of Appropriateness (COA) for the project as proposed. City Council could also impose any conditions of approval that it sees fit. Conversely, City Council could deny the appeal.

DECISION CRITERIA - Section 1190.06(d) is as follows:

(2) In ruling upon a certificate application, the HPC shall take into account the following:

A. The adherence of the environmental change to the historic district's adopted standards and guidelines; and

B. The effect of the HPC 's decision upon the applicant. The following criteria shall be used for all applicants to determine the existence of a substantial economic hardship or unusual and compelling circumstances:

1. Substantial economic hardship:
   i. Denial of a certificate shall result in a substantial reduction in the economic value of the property.
   ii. Denial of certificate shall result in a substantial economic burden on the applicant because the applicant cannot reasonably maintain the property in its current form.
   iii. No reasonable alternative exists consistent with the architectural standards and guidelines for the property.
2. Unusual and compelling circumstances:
   i. The property has little or no historical or architectural significance.
   ii. The property cannot be reasonably maintained in a manner consistent with the pertinent architectural standards and guidelines.
   iii. No reasonable means of saving the property from deterioration, demolition or collapse other than applicant's proposal exists.

A simple majority vote of City Council is required to overturn a decision of the Commission (as per Section 1190.08(b) APPEALS).

REASON WHY LEGISLATION IS NEEDED:

To achieve compliance with Section 1190.08(b) APPEALS requirement of the zoning code.

COMMITTEE RECOMMENDATION:

The Historic Preservation Commission conditionally approved this case at its Regular Meeting of February 24, 2021 meeting by a vote 6 for and 0 against, with 1 absent.

FISCAL IMPACT(S):

N/A

POLICY CHANGES:
N/A

PRESENTER(S):
David Efland, Director of Planning & Community Development

RECOMMENDATION:
Staff recommends that City Council carefully weigh all facts and the decision of the HPC against the criteria listed in Section 1190.06(d)(2) in making a decision. Staff continues to recommend approval of the project as originally submitted with the conditions noted in the ordinance.

Suggested Motion if Appeal is to be granted:
City Council, finding the decision criteria listed in Section 1190.06(d) to be satisfied, moves to approve the appeal as submitted including allowing a maximum 6 ft. fence with wooden slats, interior fabric, a trellis, or other similar approach as determined by the Director of Planning & Development that allows for effectively blocking the sun and undesirable view from the patio.

Suggested Motion if Appeal is to be denied:
City Council, finding the decision criteria listed in Section 1190.06(d) have not been satisfied, moves to deny the requested appeal.

ATTACHMENT(S)
Appeal Request
HPC 2021-0332 Certificate of Action
HPC 2021-0332 Staff Report for Certificate of Appropriateness
HPC 2021-0049 Staff Report for Informal Review

ORDINANCE NO. 21-11

AN ORDINANCE GRANTING AN APPEAL OF A CONDITIONAL APPROVAL OF A CERTIFICATE OF APPROPRIATENESS FOR THE REQUEST BY MOHIO PIZZA CO. FOR A PROPOSED REAR PERMANENT PATIO AT 23 NORTH SANDUSKY STREET, WHICH IS ZONED B-2 (CENTRAL BUSINESS DISTRICT) AND LOCATED IN THE DOWNTOWN CORE OF THE DOWNTOWN HISTORIC DISTRICT OVERLAY.

WHEREAS, the Historic Preservation Commission at its meeting on February 24, 2021 conditionally approved a Certificate of Appropriateness (COA) by a vote of 6 for and 0 against with 1 absent the request by MOHIO Pizza Co. for a proposed rear permanent patio at 23 North Sandusky Street, which is zoned B-2 (Central Business District) and located in the Downtown Core of the Downtown Historic District Overlay.

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

SECTION 1. That, finding the Decision Criteria listed in Section 1190.06(d) of the Zoning Code have been satisfied, the Certificate of Appropriateness application by MOHIO Pizza Company for a proposed rear permanent patio at 23 North Sandusky Street, which is zoned B-2 (Central Business District) and located in the Downtown Core of the Downtown Historic District Overlay be the same and is hereby confirmed, approved, and accepted with the following conditions:

1) This Appeal approval applies only to the specific property and project scope described in the submission.

2) The Applicant shall adhere to all applicable zoning and building code requirements and Historic District Architectural Standards for this project.

3) The maximum fence height permitted for this project shall be 6 ft. high.

4) In order to effectively block the sun intrusion into the patio and view from the patio and maintain an acceptable design aesthetic, the Applicant may use wooden slats, interior fabric, a trellis, or other method as approved by the Director of Planning and Community Development that is consistent with the original request.

SECTION 2. That in approving the Certificate of Appropriateness for said rear permanent patio proposal at 23 North Sandusky Street, this Council

overturns the decision of the Historic Preservation Commission as provided in Section 1190.08 (b) APPEALS of the City of Delaware Zoning Code finding that the proposal is in conformance with the Architectural Standards for Downtown Delaware as proposed or that a substantial economic hardship or unusual and compelling circumstances exist to grant the COA as given in Section 1190.06(d)(2).

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.

VOTE ON RULE SUSPENSION: YEAS____NAYS____
ABSTAIN ____

PASSED: _____, 2021 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

From: monroe nelson <mohio65@hotmail.com>
Sent: Tuesday, March 2, 2021 11:19 PM
To: David M. Efland <defland@delawareohio.net>
Subject: Re: Mohio appeal

I am appealing the part of the HPC finding on the specific height of the fencing being used. I also would like to address the material to be used on the inside of the fencing. The only way this patio will be successful is if I can shield the patron from the views of the parking lot and garbage dumpsters as well as my neighbors grease pit. I will attach photos of the views so you can fully understand this appeal. We are trying to provide a positive dining experience, and in this industry, if I can't provide that I am doomed for failure. During the pandemic, we tried throwing up whatever would stick to get patrons in the temporary patio. We learned that we are in direct sun exposure and the angle of the sun dipped underneath the shade sail we installed. The six foot fencing with wood slats behind it will provide the barrier for shielding the views. The vertical shades will block the sun from making the patio unusable. The material on the inside of the fencing can be changed out to a perforated material, like the shade sail material, to make the area less visible for the public. I also need to state that this patio is over 50 feet from the alley and will be blocked by cars in my lot. I also want to state that I am not taking up valuable parking for patrons by leaving plenty of parking for the employees. I believe that my patio is different than a patio placed on the main area of downtown and should be a consideration in this appeal.

Monroe Nelson
MOHIO PIZZA CO.
23 N Sandusky St.
Delaware Oh. 43015
Ph. 614-496-8422



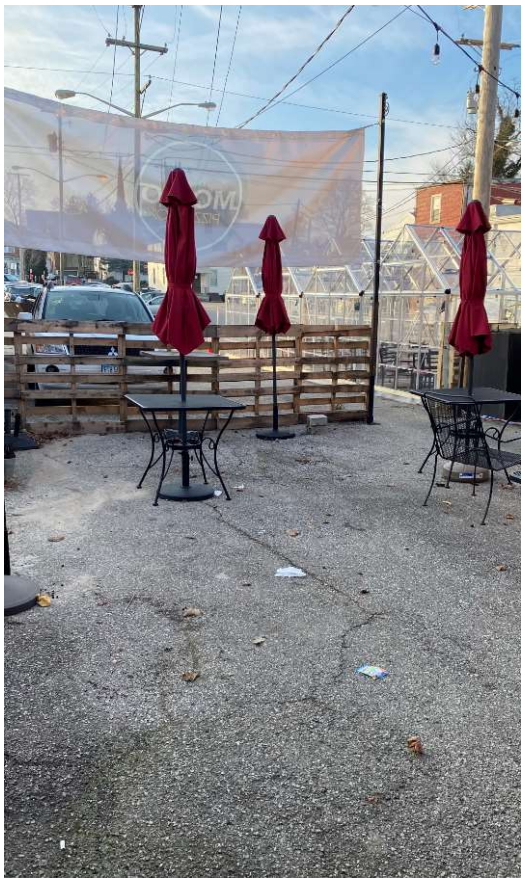
View Looking West



View Looking East



View Looking North



View Looking West

RE: HPC Case 2021-0332 Approval Certificate / Appeal Request

Dianne Guenther <dguenther@delawareohio.net>

Fri 2/26/2021 12:31 PM

To: monroe nelson <mohio65@hotmail.com>
Cc: David M. Efland <defland@delawareohio.net>

Thank you, Moe. We are acknowledging receipt of your request.
I have copied Dave Efland on this email, as well, for further direction.
Thanks! Dianne

Dianne L. Guenther
Development Planner
City of Delaware

From: monroe nelson <mohio65@hotmail.com>
Sent: Friday, February 26, 2021 12:28 PM
To: Dianne Guenther <dguenther@delawareohio.net>
Subject: Re: HPC Case 2021-0332 Approval Certificate / Appeal Request

Caution! This message was sent from outside your organization.

Dianne, I would like to proceed to appeal to city council regarding the height of the fence for privacy for my patio. I hope this is sufficient of a request. I will contact Dave directly to see about appearing at the march 8th meeting.
Thank you

Monroe Nelson
MOHIO PIZZA CO.
23 N Sandusky St.
Delaware Oh. 43015
Ph. 614-496-8422

From: Dianne Guenther <dguenther@delawareohio.net>
Sent: Friday, February 26, 2021 9:35 AM
To: monroe nelson <mohio65@hotmail.com>
Subject: HPC Case 2021-0332 Approval Certificate / Appeal Request

Dear Moe: Attached is your "Certificate of Action" from the Historic Preservation Commission (HPC) summarizing the Conditional Approval of your HPC Case 2021-0332 for a rear permanent patio for MOHIO Pizza Co at 23 N Sandusky St., which appeared on its February 24, 2021 agenda. Thank you for explaining and we understand why you were not able to attend the meeting.

In our discussion yesterday, you indicated appealing the case to City Council. In reviewing the processes, as you were not able to attend the Feb 24 meeting, you have two (2) options to pursue.

You may respond to this email in writing, within thirty (30) days of the Feb 24 HPC decision, as to which route you would like to take:

(1) Provide to this office in writing your intention to appear before HPC at its March 24, 2021 meeting to personally present your case and request for reconsideration of HPC's decision regarding the patio fencing on your case.
=OR=
(2) Provide to this office a written request for Appeal to City Council and include the grounds and items upon which you are seeking the Appeal.

Your request is then forwarded to the City's Planning and Community Development Director, David Efland for City Staff review and further direction. We will then contact you regarding the timing and process from there.

Please note you are able to proceed with obtaining the construction permit and installing the cable shades as presented, while the decision process is undertaken on the patio fencing. As always, please reach out to our office should you have any questions. We appreciate your continued cooperation and look forward to your response.

Thanks! Dianne

Dianne L. Guenther
Development Planner

City of Delaware
1 South Sandusky Street
Delaware, OH 43015
Website: www.delawareohio.net
Email: dguenther@delawareohio.net
Phone: 740-203-1623
Fax: 740-203-1699

This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.

EST 1808
CITY OF
DELAWARE
OHIO

CITY OF DELAWARE HISTORIC PRESERVATION COMMISSION ACTION
CERTIFICATE OF ACTION
CASE NO. 2021-0332: MOHIO Pizza Co. Rear Permanent Patio – 23 North Sandusky Street

Certificate Date: February 24, 2021

Case Number: HPC 2021-0032

Applicant: MOHIO Pizza Company, 23 North Sandusky Street, Delaware, Ohio 43015

Request: A request by MOHIO Pizza for a Certificate of Appropriateness for a proposed rear permanent patio at 23 North Sandusky Street, which is zoned B-2 (Central Business District) and located in the Downtown Core of the Downtown Historic District Overlay.

Exhibits Provided:
1. Renderings/Drawings
2. Certificate of Appropriateness Application and all attachments

Staff Recommendation: Staff recommends approval of the request by MOHIO Pizza for a Certificate of Appropriateness for a proposed rear permanent patio at 23 North Sandusky Street, which is zoned B-2 (Central Business District) and located in the Downtown Core of the Downtown Historic District Overlay, with two Staff conditions as presented. Project entails:

- Cable shades to be suspended from black metal grid support system attached to rear building wall and black metal vertical posts within patio area. Cable shades to be suspended from top grid and lengthened to drape over western end of patio to shield sun from patio patrons.
- Cable shades to be code-compliant mesh-type fabric or Sunbrella-type fabric with drainage grommets in burgundy color to match existing awnings and surrounding brick.
- Thirty seven (37) LF of 6-foot-high black metal historically appropriate picket style fence to be installed at patio perimeter with two 4-foot-wide gate openings on northwest corner to accommodate rear pick-up window and patio entry/egress and southeast corner to accommodate business side door per submitted sketch.
- Horizontal exterior-grade wood slats to be affixed to interior of patio fence to provide additional screening and spaced to allow air flow and possibly support small planter boxes on exterior.

Commission Action: On 2/24/2021, the Historic Preservation Commission granted a Conditional Approval of this request for a Certificate of Appropriateness for this project, with two Staff conditions as presented and a third Condition by the Commission as outlined below:

1) Any changes to the proposed design shall need, at a minimum, an Administrative Review by the HPC Chairman or appearance before the Historic Preservation Commission, depending on the extent of the change.
2) The Applicant shall undertake this project according to the State Building Code, City codes, and Historic District Architectural Standards, and obtain all required permits to accommodate the construction process.
3) Fencing shall be consistent with a 36" height and materials consistent with the Architectural Standards. (Interior wood slats may be substituted with an interior trellis.) Any deviation requires additional appearance of the Applicant before the Historic Preservation Commission.

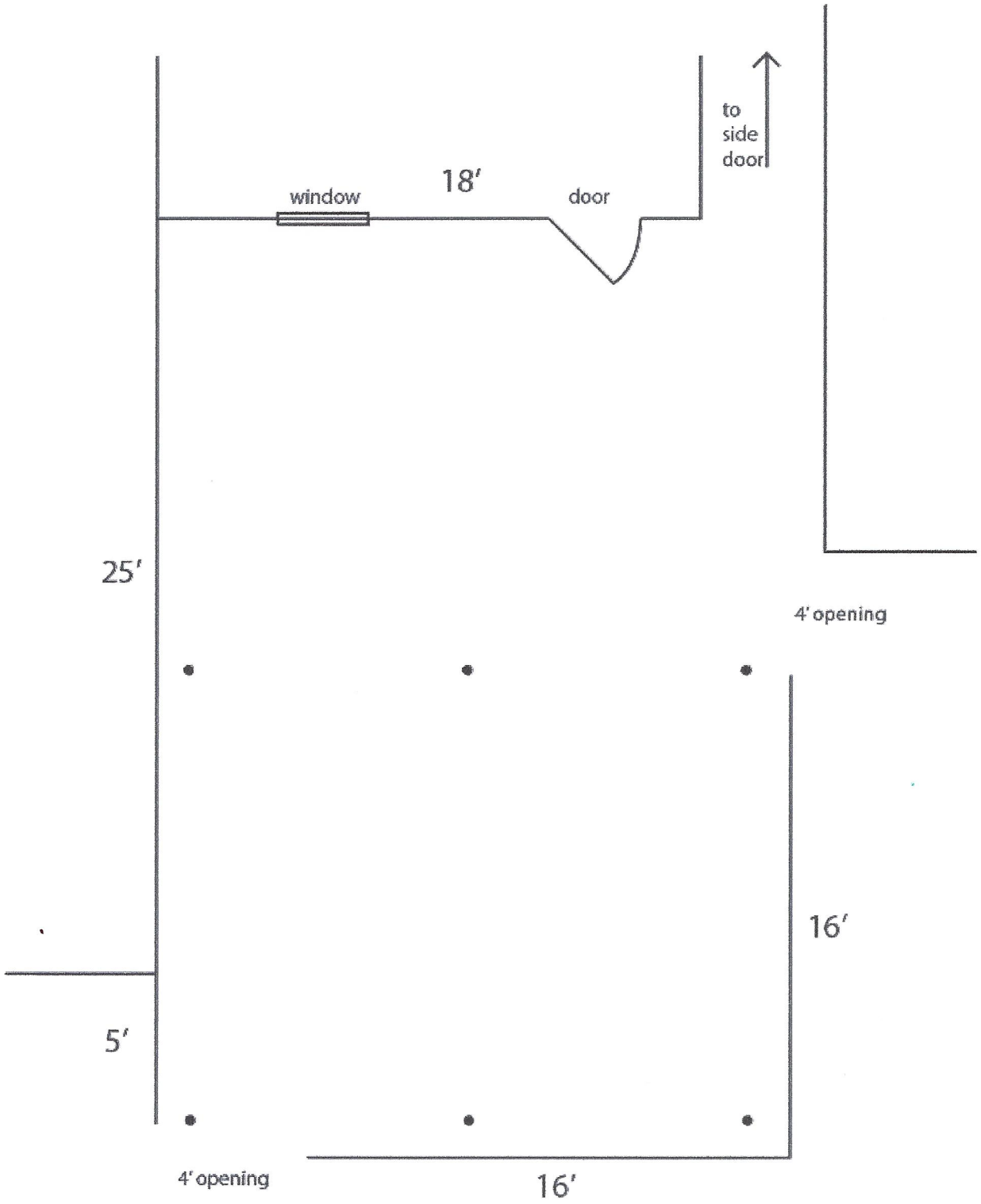
Commission Findings: On 2/24/2021, the Historic Preservation Commission reviewed all exhibits provided and Staff recommendations, and all applicable decision and review criteria given within Chapter 1190 of the Delaware City Zoning Code and determined beyond a reasonable doubt, that the decision criteria and standards for a conditional approval of a Certificate of Appropriateness had been met, with the Conditions noted above. Conditional Approval is granted, provided the project proceeds as presented with the Conditions noted above.

STAFF SIGNATURE

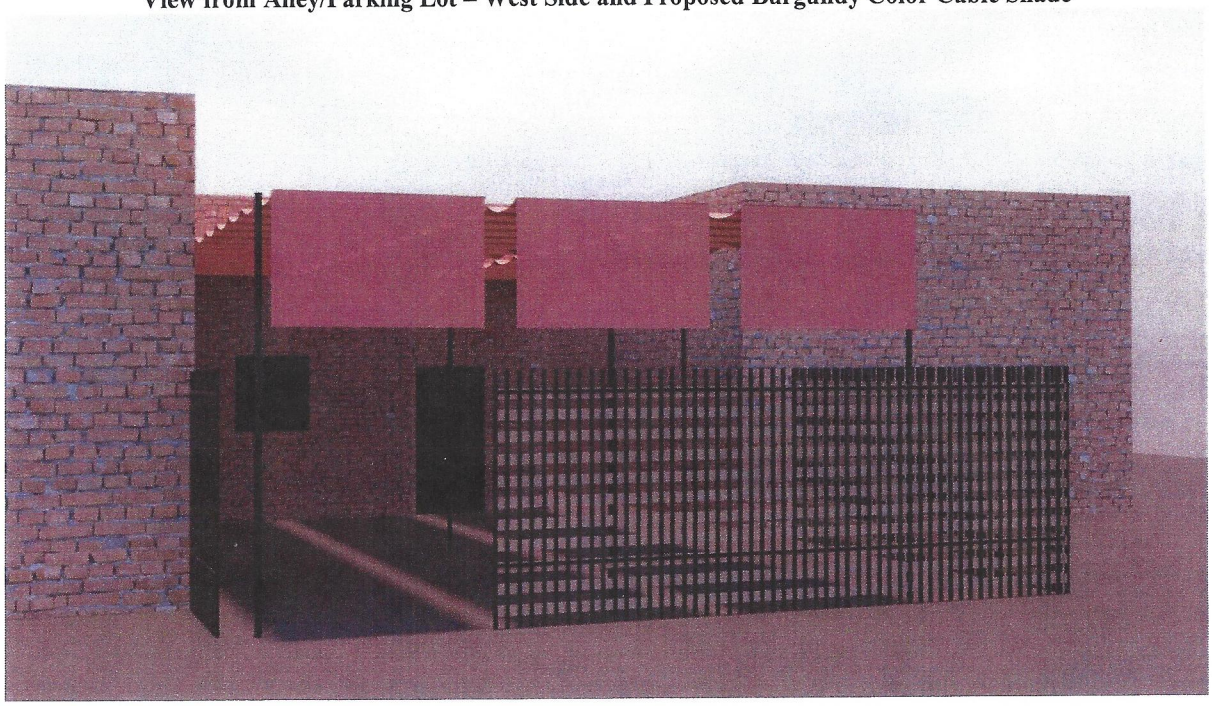
Dianne L. Guenther
Development Planner

This Certificate of Action is not a permit and does not authorize the commencement of any construction.
Contact the City of Delaware Inspection Division at 740-203-1600 regarding required permits for this project.
Retain this Certificate of Action for your project file.

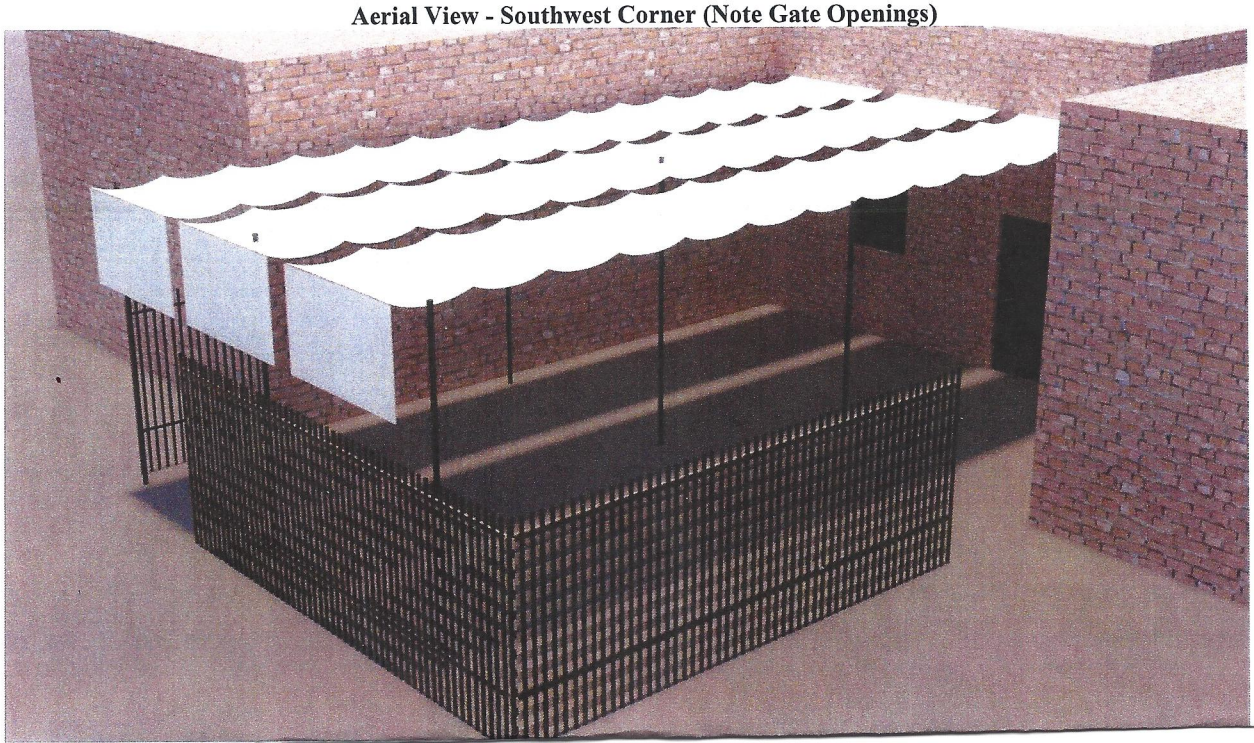
PROPOSED PATIO LAYOUT SKETCH



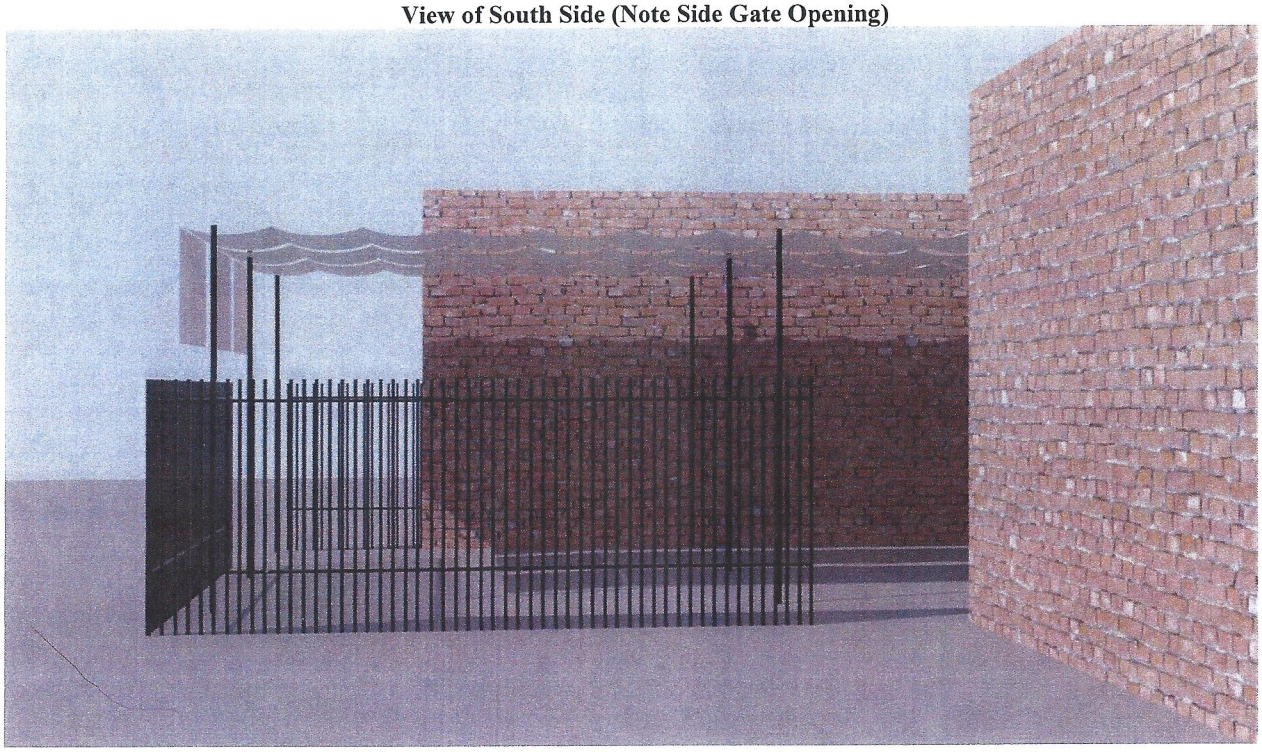
View from Alley/Parking Lot – West Side and Proposed Burgundy Color Cable Shade



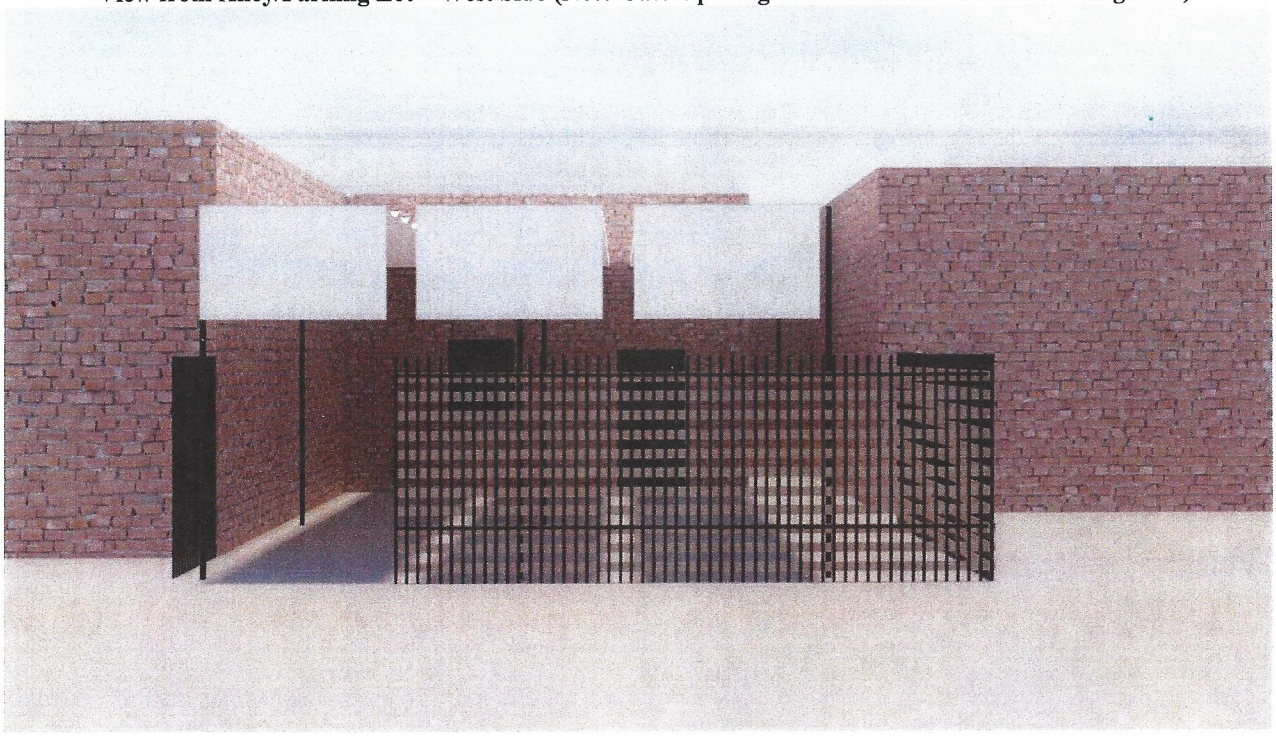
Aerial View - Southwest Corner (Note Gate Openings)



View of South Side (Note Side Gate Opening)



View from Alley/Parking Lot – West Side (Note Gate Opening and Horizontal Wood Screening Slats)



HISTORIC PRESERVATION COMMISSION / STAFF REPORT
CASE NUMBER: 2021-0332
REQUEST: Certificate of Appropriateness
PROJECT: 23 North Sandusky St Rear Permanent Patio
MEETING DATE: February 24, 2021

APPLICANT
MOHIO Pizza Company
23 North Sandusky Street
Delaware, Ohio 43015

REQUEST
2021-0332: A request by MOHIO Pizza for a Certificate of Appropriateness for a proposed rear permanent patio at 23 North Sandusky Street, which is zoned B-2 (Central Business District) and located in the Downtown Core of the Downtown Historic District Overlay.

LOCATION & DESCRIPTION
The subject site at 23 North Sandusky Street is located on the west side of North Sandusky Street between William and Winter Streets within the Downtown Core of the Historic District Overlay. The properties immediately to the north, south, and east are also located in the Downtown Core, while the properties to the west are in the Transitional Sub-district of the Historic District Overlay. The zoning is B-2 (Central Business District), as are the surrounding properties.

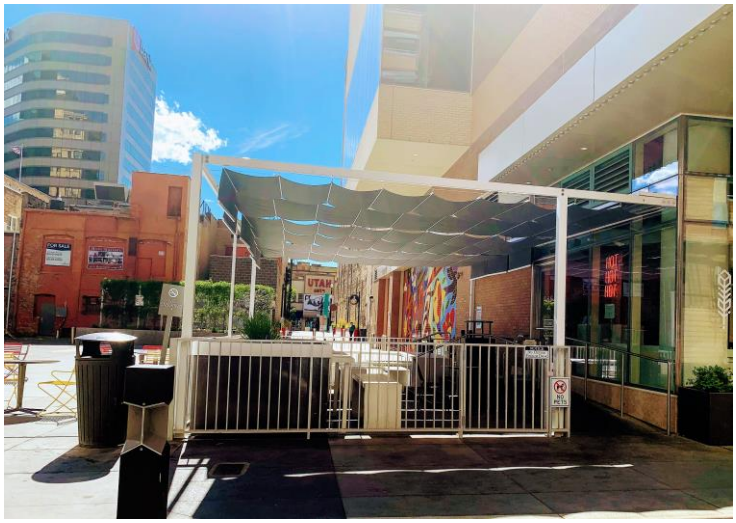
BACKGROUND
The last appearance of the Applicant before HPC was January 27, 2021 to introduce the concept of a permanent rear patio behind MOHIO Pizza Co. (HPC 2021-0049). The Applicant purchased the building in 2015, transforming the storefront into a popular bistro serving brick oven-baked pizzas, sandwiches, and salads, along with locally crafted beers, wine, and cocktails. Seating on the interior and on the front patio became limited due to the on-going COVID19 health pandemic. The Applicant was approved by the City of Delaware for a COVID temporary patio permit at the rear of the building, which is on the Applicant's private property. The space is inset between the two adjoining buildings and sits a safe distance from alley traffic and city parking lot traffic. However, due to the western exposure, the afternoon heat and proximity to the nearby 'business end' of buildings, such as grease pits and dumpsters, did not prove to provide an ideal setting or dining experience.

The fenced pergola-styled rear patio will provide much needed seating in the warmer months, as well as a unique positive dining experience for the Applicant's customers, screening them from the sun and less attractive nearby features. HPC was receptive to the idea.

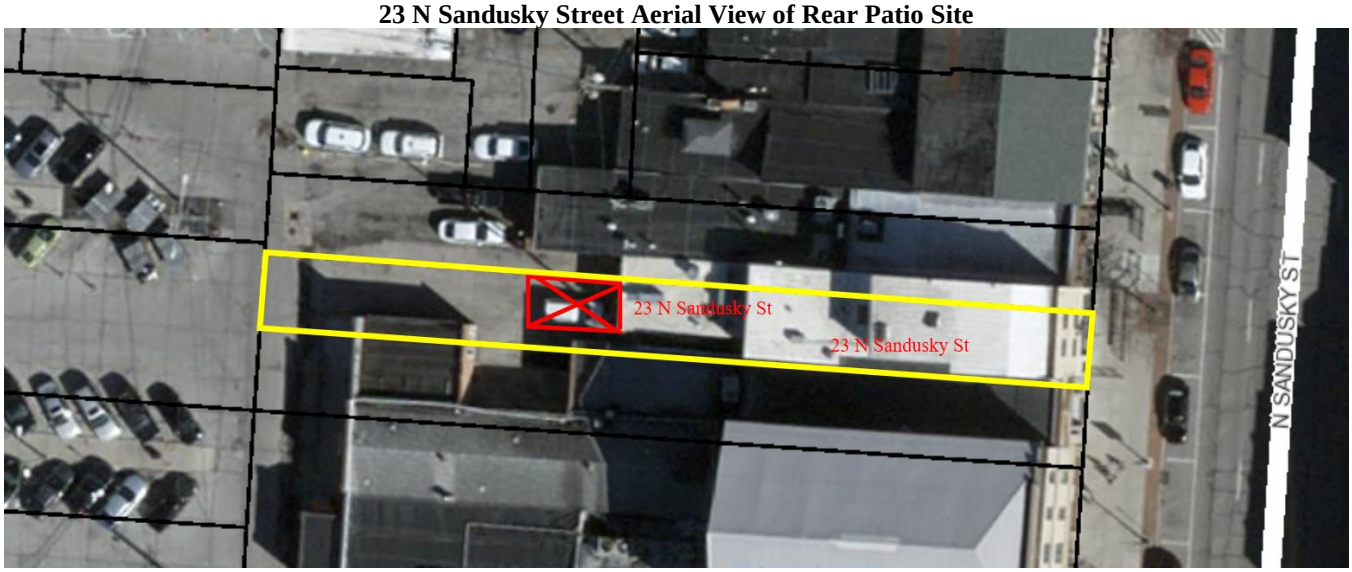
MOHIO Pizza Co. Covid19 Patio Seating 2020



Proposed Pergola Concept with Cable Shades and Fencing



23 N Sandusky Street Aerial View of Rear Patio Site



Proposed Rear Permanent Patio Area

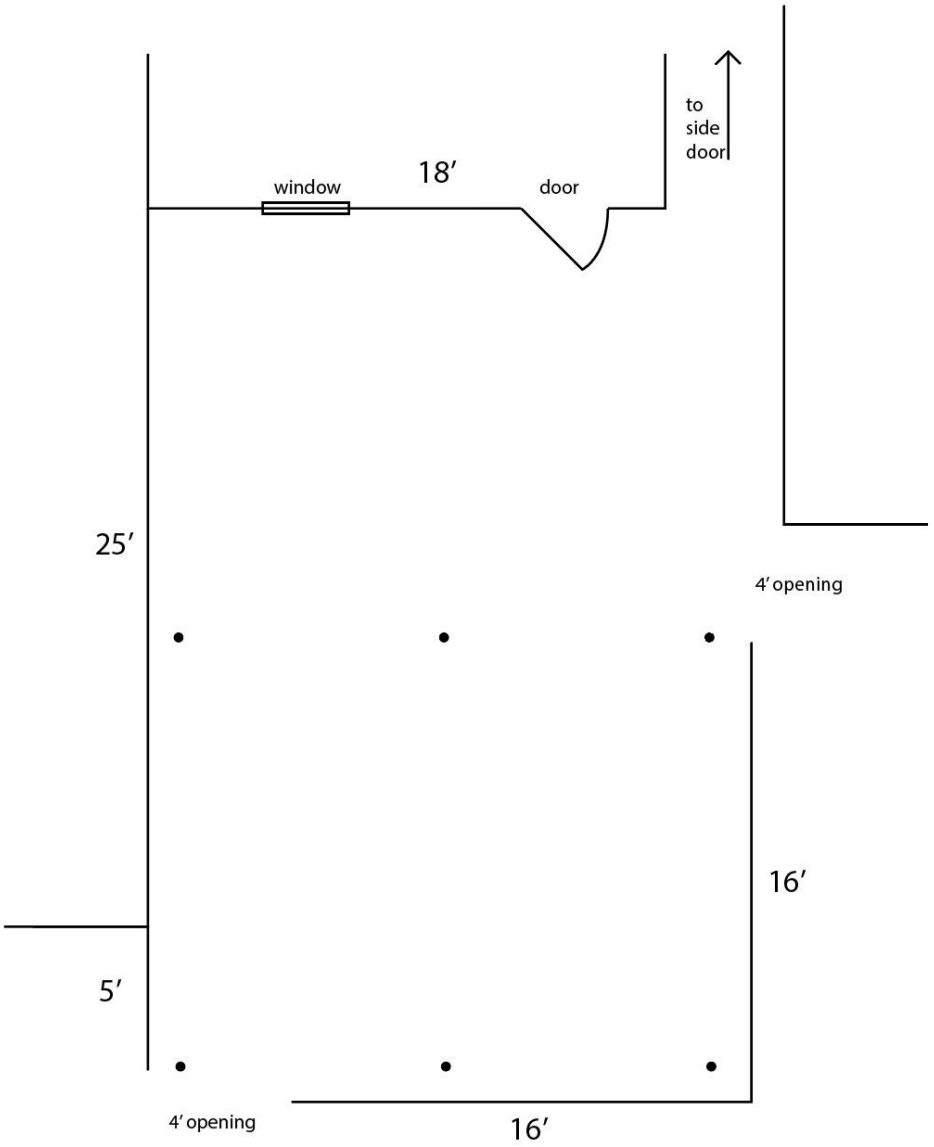


PROPOSAL

The Applicant presents the following design for review and seeks HPC's approval to move forward to the construction phase. Rather than a full pergola, the cable shades will be suspended from a less-invasive black metal grid support system attached to the rear building wall and black metal vertical posts within the patio area. The cable shades will be suspended from the top grid and, most importantly, the cable shades will be lengthened to drape over the western end of the patio to shield the sun from the patio patrons. To assist with screening the

parking lot, dumpsters, etc., a 6-foot-high black metal historically appropriate picket style fence will be installed on the perimeter as shown in the sketch below. Two 4-foot-wide gate openings will be installed: one on the northwest corner to accommodate the rear pick-up window and patio entry/egress and one on the southeast corner to accommodate the business side door. The patio fence will be placed to not interfere with access to Restoration Brew Worx to the north and the rear entry door of the Delaware County Board of Realtors building to the south. Horizontal wood slats will be affixed to the interior of the patio fence to provide for additional screening and spaced to allow air flow and to possibly support small planter boxes on the exterior. The Applicant is a contractor by trade and will install the cable shades and patio fencing himself after securing the appropriate permits.

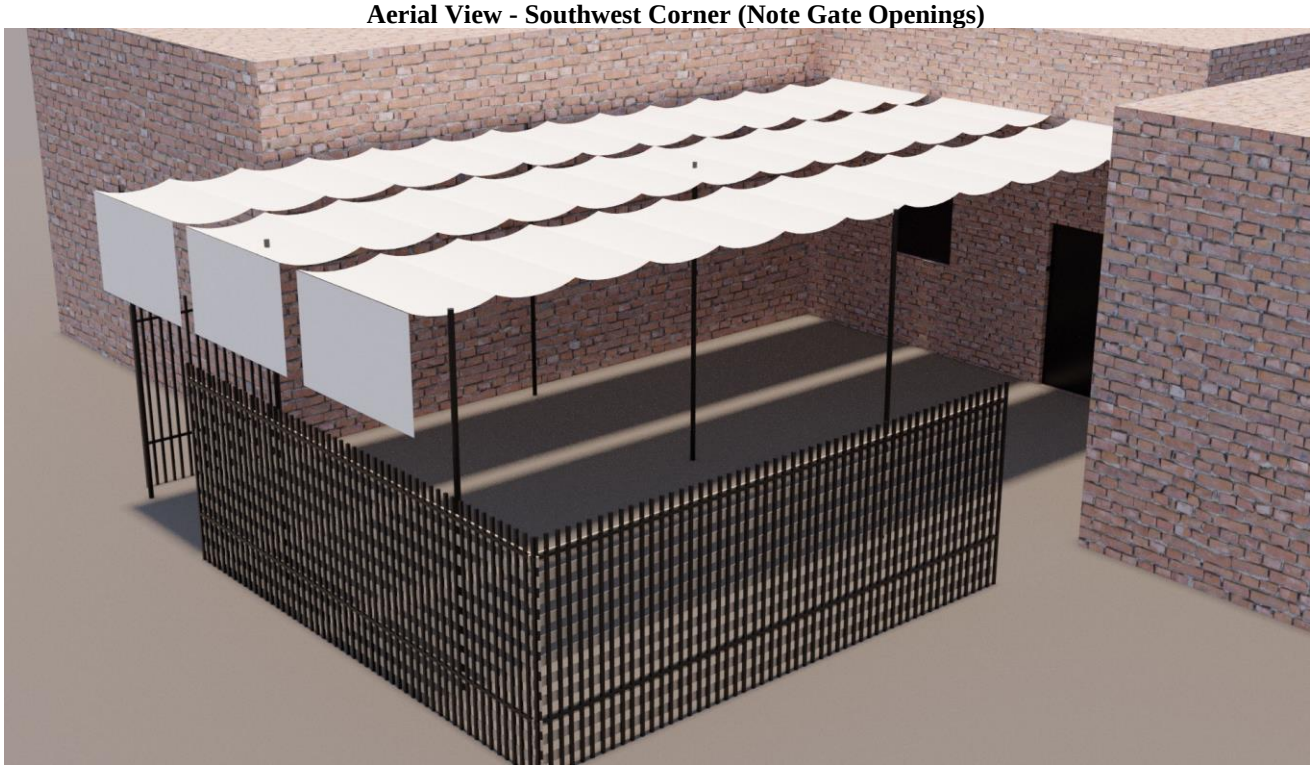
Proposed Patio Sketch



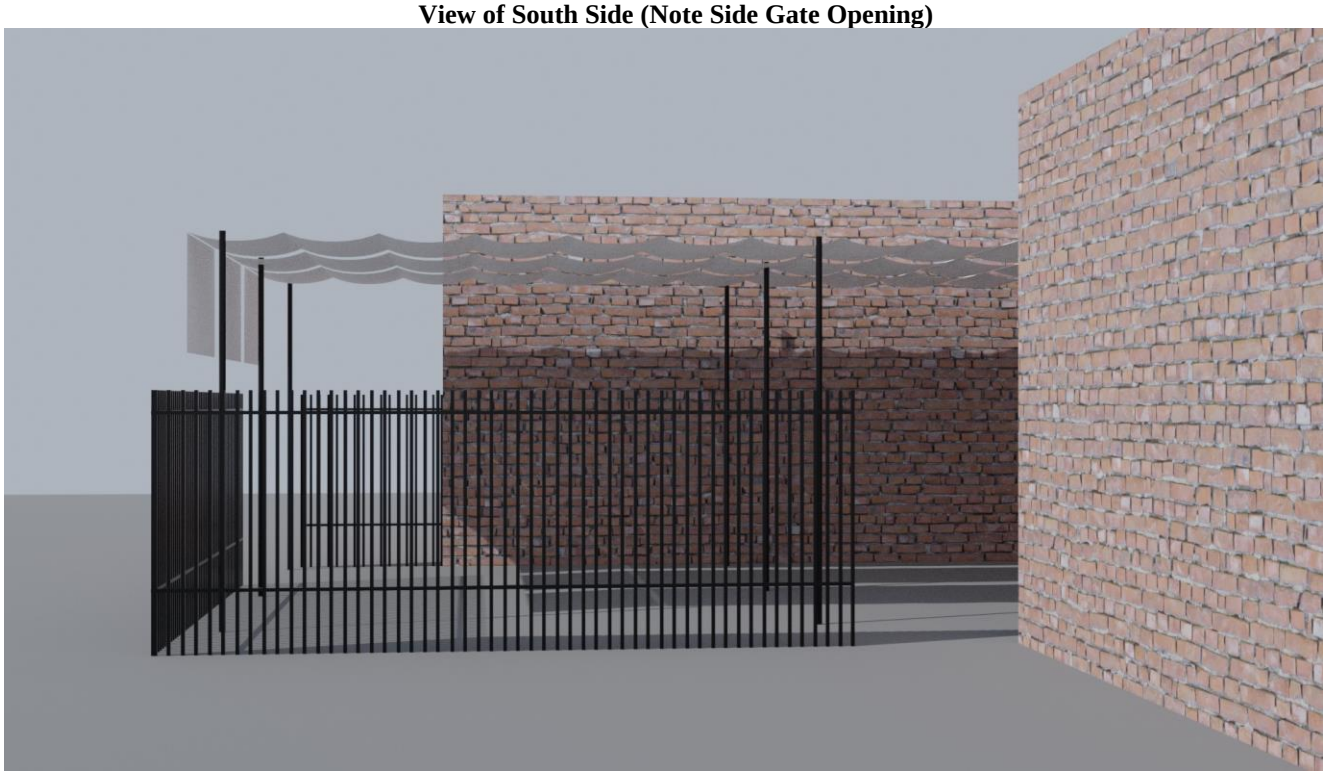
View from Alley/Parking Lot – West Side and Proposed Burgundy Color Cable Shade



Aerial View - Southwest Corner (Note Gate Openings)



View of South Side (Note Side Gate Opening)

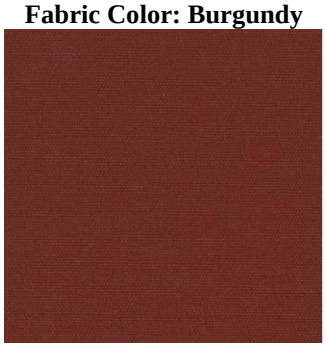


View from Alley/Parking Lot – West Side (Note Gate Opening and Horizontal Wood Screening Slats)



The selected fabric will be required to meet building code requirements. The fabric color will be burgundy to blend with the existing awnings at the rear of the building and with the surrounding brick. In addition, the cable shade manufacturer suggests a mesh-type fabric to allow for moisture evaporation and air flow. If a heavier Sunbrella-type fabric is selected, drainage grommets are recommended. (The white and gray colors depicted in the renderings are for illustrative purposes only.) The Applicant will re-use the tables and chairs already in place.

Fabric Color: Burgundy



The Applicant wishes to create a dining experience on the rear patio area that is just as enjoyable as the inside of the restaurant. The Applicant understands the patio needs to comply with the Architectural Standards in terms of colors and materials. The plan is mindful of access points to his building's rear entrances and the Board of Realtors Office to the south, Restoration BrewWorx to the north, and any easements. The patio is planned with proper openings for emergency forces access and public egress. The Applicant is hopeful HPC approves the request for a Certificate of Appropriateness and continues to be open to comments and suggestions. Upon approval, the Applicant will coordinate with City Staff to obtain the appropriate city department approvals and construction permits.

STAFF ANALYSIS

City Staff continues to be supportive of this permanent patio concept for MOHIO Pizza Co. at the rear of the building on the Applicant's private property. The modified design presented appears to fit the evolution of the Downtown nicely in creating and resulting in a pleasurable dining experience. The City Parking Plan calls for beautifying the parking lots and engaging in more activation of rear areas such as this, where appropriate and where there is room. The concept still leaves room for the every-day "business" of trash/dumpster location if needed in the future, as well as space for parking for the restaurant and the building. To the extent that any plant material could be included would be very helpful and make the space feel more friendly and inviting. With the space being on the western exposure, and the amount of heat that is generated throughout the day, the idea of cable shades and pull-downs for west side of patio makes sense. The concept seems to be a fit for this property, and as proposed, should be well-constructed and well-received.

The Architectural Standards speak to guidelines established for tables and chairs proposed for temporary placement on the public sidewalk area. The tables and chairs shall be comprised of metal or wood. The colors shall complement the storefront and not be "garish, bright, or fluorescent." The style and material of any barriers (planters, fences, etc.) shall complement the storefront. Regarding alcoholic beverage service, the area is be delineated by a physical boundary as required by the State Division of Liquor Control. The Standards do indicate a historically appropriate metal fence, and the typical fence in the downtown area is a black metal picket-style fence. The acceptability of the perimeters by Liquor Control prevails in this regard. As precedence, in addition to patio areas located on the public sidewalk rights-of-way, there are a number of patios located on private property in the Downtown area receiving HPC approvals, including: Amato's Pizza-6 South Sandusky Street, Old Dog Alehouse-13 West William Street, SMOHKED BBQ-14 West William Street, Roops Bar-17 North Union Street, Old Bag of Nails-66 North Sandusky Street, Moose Lodge-80 North Sandusky Street, and the Redmen Club-137

East Winter Street. Staff also offers that a pergola concept was positively received for the 14 West William Street new construction project during its Informal Review (HPC 2016-2532). The Applicant was not able to fit that design into the project budget, and the alternate patio design as currently existing on site was approved.

Should HPC continues to be supportive of the plan, in materials and colors that comply with the Architectural Standards, the Applicant will coordinate with City Staff for the departmental reviews that speaks to the technicalities of the project. Items such as safety force access, building ingress/egress, location of underground utility easements, access for adjoining properties, construction plans, traffic barriers, etc. will be discussed. City Staff does recommend approval for this project. The Applicant and City Staff are open to comments and suggestions from HPC.

STAFF RECOMMENDATION (HPC 2021-0332 – CERTIFICATE OF APPROPRIATENESS)
Staff recommends approval of the request by MOHIO Pizza for a Certificate of Appropriateness for a proposed rear permanent patio at 23 North Sandusky Street, which is zoned B-2 (Central Business District) and located in the Downtown Core of the Downtown Historic District Overlay, with the following Conditions that:

1) Any changes to the proposed design shall need, at a minimum, an Administrative Review by the HPC Chairman or appearance before the Historic Preservation Commission, depending on the extent of the change.
2) The Applicant shall undertake this project according to the State Building Code, City codes, and Historic District Architectural Standards, and obtain all required permits to accommodate the construction process.

COMMISSION NOTES:

MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled*_____

CONDITIONS/MISCELLANEOUS:

HISTORIC PRESERVATION COMMISSION / STAFF REPORT
CASE NUMBER: 2021-0049
REQUEST: INFORMAL REVIEW
PROJECT: 23 North Sandusky St Rear Permanent Patio
MEETING DATE: January 27, 2021

APPLICANT
MOHIO Pizza Company
23 North Sandusky Street
Delaware, Ohio 43015

REQUEST
2021-0049: A request by MOHIO Pizza for an Informal Review for a proposed rear permanent patio at 23 North Sandusky Street, which is zoned B-2 (Central Business District) and located in the Downtown Core of the Downtown Historic District Overlay.

LOCATION & DESCRIPTION
The subject site at 23 North Sandusky Street is located on the west side of North Sandusky Street between William and Winter Streets within the Downtown Core of the Historic District Overlay. The properties immediately to the north, south, and east are also located in the Downtown Core, while the properties to the west are in the Transitional Sub-district of the Historic District Overlay. The zoning is B-2 (Central Business District), as are the surrounding properties.

BACKGROUND
The last appearance of the Applicant before HPC was July 29, 2015 when façade renovations to the subject building were approved (HPC 2015-1399). Once the home to The Nectar Candyland from 1946 until 2008 when it closed, the site became the Delaware Dog restaurant from 2012 through early 2015. The Applicant purchased the building and transformed the storefront into a chic bistro serving artisanal pizzas baked in a brick oven, sandwiches, and salads, plus locally crafted beers, wine, and cocktails.

The Nectar Candyland – Circa 1950s

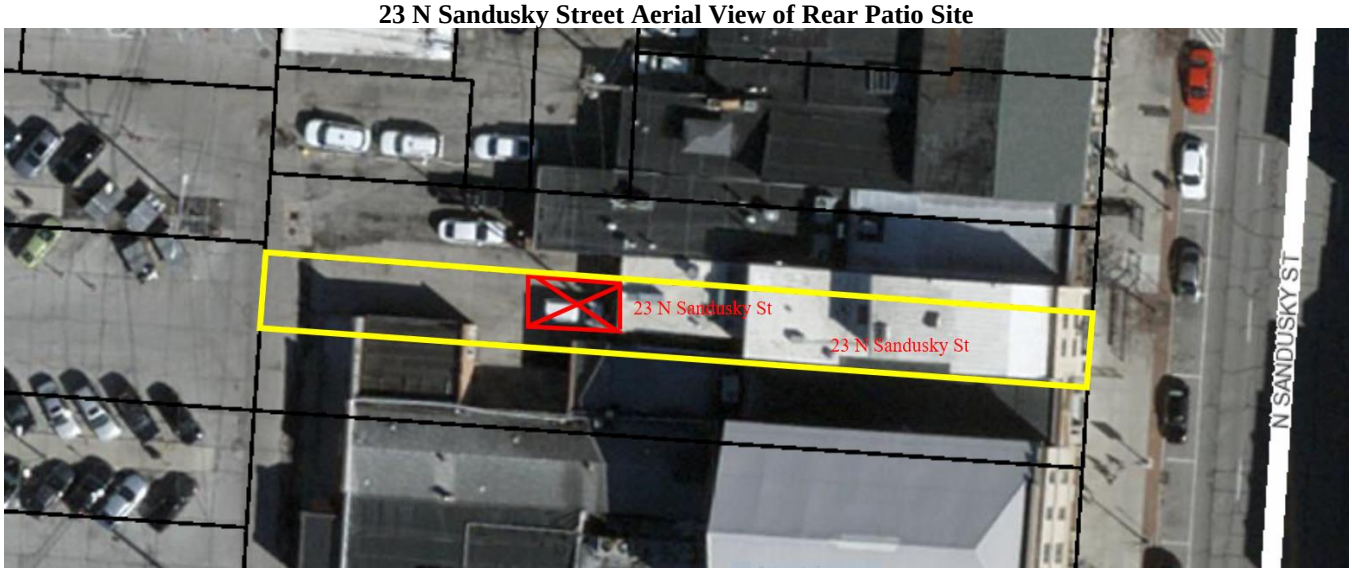


MOHIO Pizza Co. with Covid19 Patio Seating - 2020



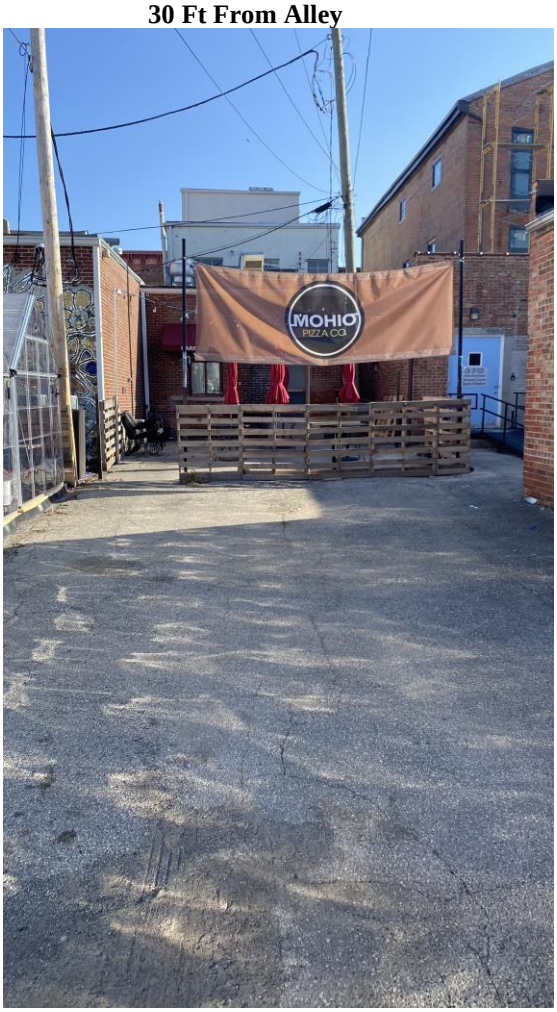
PROPOSAL
With the onset of the Covid19 health pandemic in March 2020, businesses pivoted to comply with CDC and Delaware County Health Department requirements for social distancing. Seating for the interior of the Applicant's restaurant and front patio became severely limited, and the Applicant was approved by the City of Delaware for a Covid temporary patio permit at the rear of the building, which is on the Applicant's private property. The space is inset between the two adjoining buildings and sits a safe distance from alley traffic and city parking lot traffic.

23 N Sandusky Street Aerial View of Rear Patio Site



Existing Patio Views

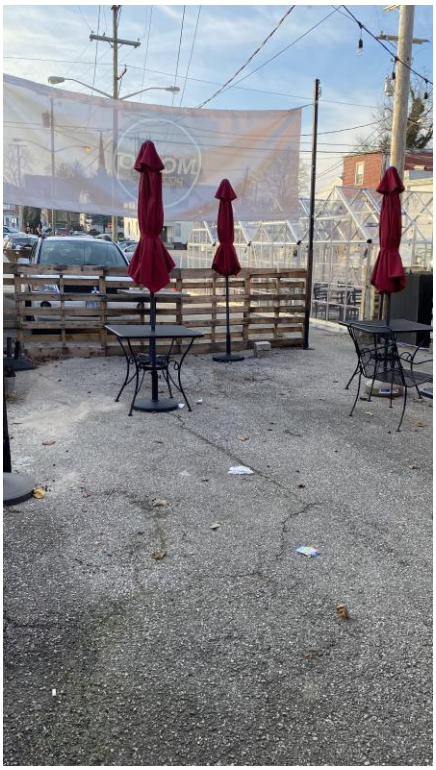
30 Ft From Alley



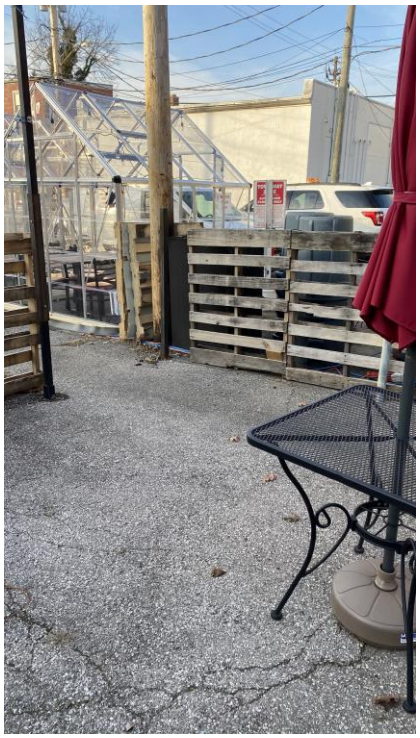
55 Ft From Alley



Views From Building West to Alley and City Parking Lot


Note Adjoining Restaurant Grease Pit Box at Right



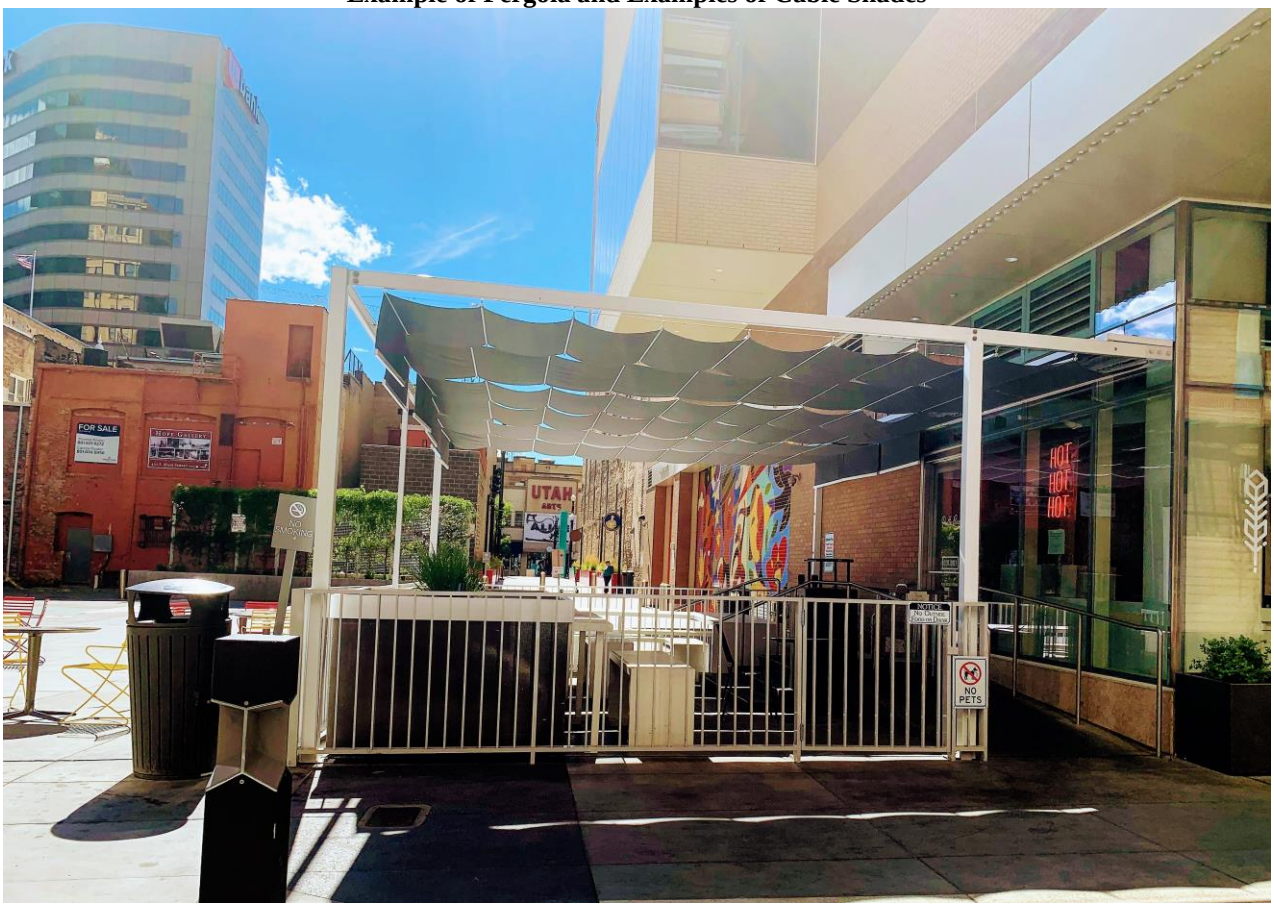


Customers Are Greeted by Dumpsters & Grease Pit at Patio Entrance.
Movable Wood Palettes Attempt to Screen Views

A seemingly ideal location, however, has not quite equated to an ideal dining experience. Due to the western exposure, the area becomes unbearably hot as the sun moves toward the west, even with umbrellas and an extended banner attempting to shield the sun. In addition, the customers' views are of the 'business end' of various elements that are at the back of properties: adjacent grease traps, dumpsters, parking lots, utility wires, etc. Removable wood pallets were erected attempting to screen the unattractive views. Because of the sun and the views, the Applicant indicated customers dine very quickly and leave, or do not want to use the rear patio and prefer to eat inside the restaurant, which has limited seating. At times, customers leave due to unavailable preferred seating. This is not an ideal situation for the customers and is not acceptable to the Applicant.

The Applicant wishes to create a dining experience on the rear patio area that is just as enjoyable as the inside of the restaurant. To that end, the Applicant is proposing to create a soft, warm, inviting permanent patio experience at the rear of the building by constructing a pergola with pleated cable shades on the top and sides. The pergola would have slatted or picket-type patio fencing around its base perimeter, with planters with greenery behind the fencing. Hanging planters and bistro lighting would accent the upper perimeter. The Applicant spoke with Chief Building Official Jerry Warner about the concept; the pergola would be not be attached to or harm the building and would be free-standing.

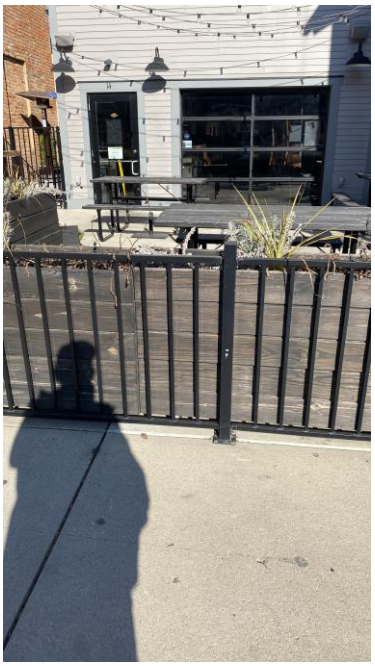
Example of Pergola and Examples of Cable Shades

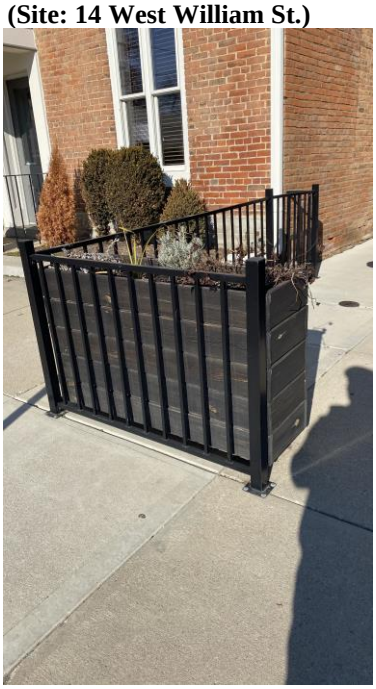






Example of Black Metal Patio Fencing With Planters
(Site: 14 West William St.)



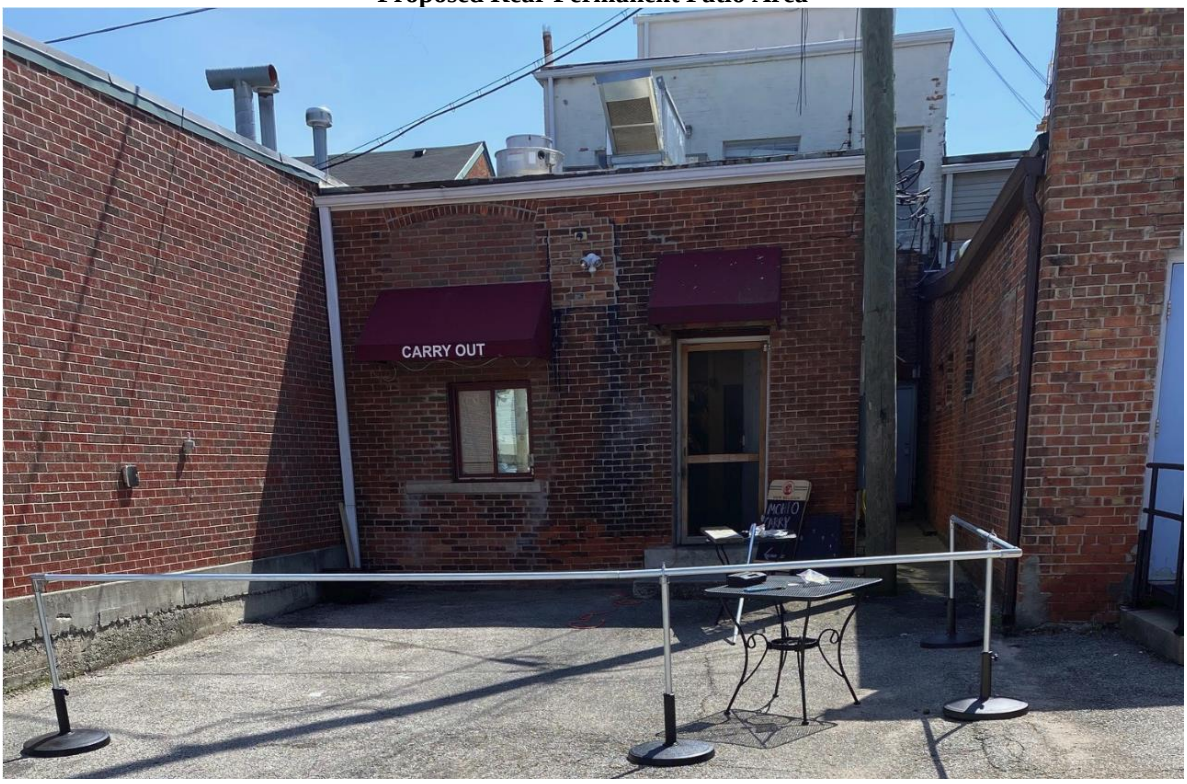




The Applicant understands the patio would need to comply with the Architectural Standards in terms of colors and materials. The pergola will more than likely be made of wood, using cedar lumber. The cable shades would be Sunbrella or Sunbrella-type fabric in a muted red brick color to blend into the brick building surroundings and the rear awnings already in place. The planter boxes will be wood, and the black metal patio fencing. He will be mindful of access points to his building's rear entrances and the Board of Realtors Office to the south, Restoration BrewWorx to the north, and any easements. The patio will be planned with proper openings for emergency forces access and public egress. He believes this concept will be good for the customers, good for his business, and

good for Downtown Delaware. The Applicant is hopeful HPC is supportive of the concept and is open to comments and suggestions.

Proposed Rear Permanent Patio Area



STAFF ANALYSIS

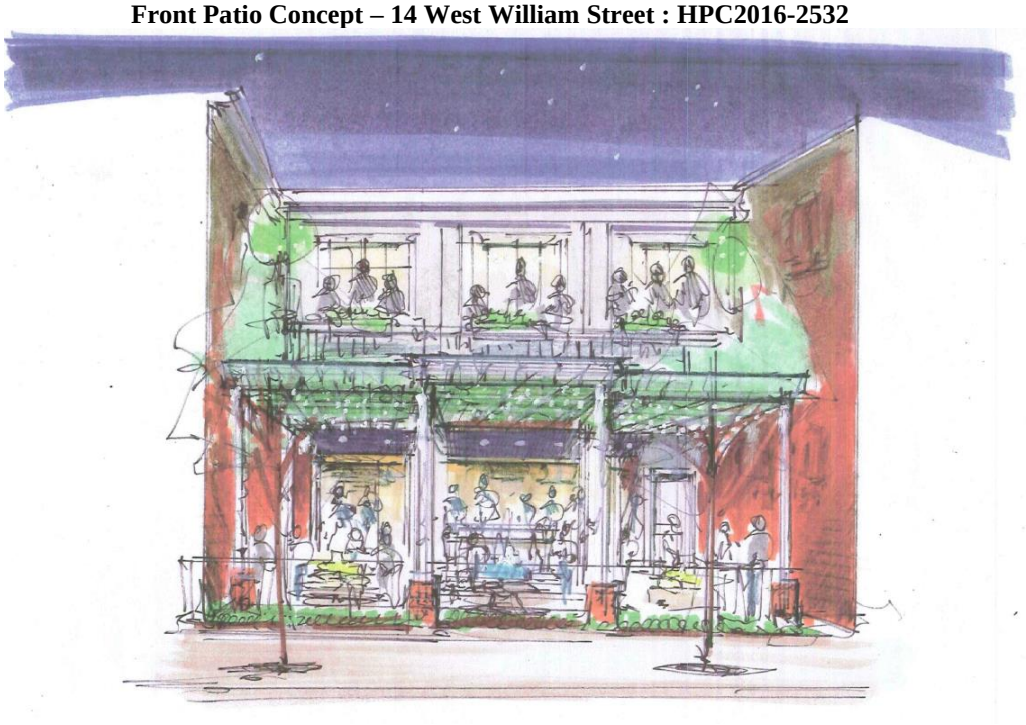
City Staff is excited and supportive of this permanent patio concept for MOHIO Pizza Co. at the rear of the building on the Applicant's private property. It appears to fit the evolution of the Downtown nicely in creating and resulting in a pleasurable dining experience. The City Parking Plan calls for beautifying the parking lots and engaging in more activation of rear areas such as this, where appropriate and where there is room. The concept still leaves room for the every-day "business" of trash/dumpster location if needed in the future, as well as space for parking for the restaurant and the building. To the extent that any plant material could be included and survive this environment would be very helpful and make the space feel much more friendly and inviting. With the space being on the western exposure, and the amount of heat that is generated throughout the day, the idea of cable shades and pull-downs for the south side and the west side of patio makes sense. The concept seems to be a fit for this property, and as proposed, should be well-constructed and well-received.

The Architectural Standards speak to guidelines established for tables and chairs proposed for temporary placement on the public sidewalk area. The tables and chairs shall be comprised of metal or wood. The colors shall complement the storefront and not be "garish, bright, or fluorescent." The style and material of any barriers (planters, fences, etc.) shall complement the storefront. Regarding alcoholic beverage service, the area is be delineated by a physical boundary as required by the State Division of Liquor Control. The Standards do indicate a historically appropriate metal fence, and the typical fence in the downtown area is a black metal picket-style fence. The acceptability of the perimeters by Liquor Control prevails in this regard. As precedence, in addition to patio areas located on the public sidewalk rights-of-way, there are a number of patios located on private property

in the Downtown area receiving HPC approvals, including: Amato's Pizza-6 South Sandusky Street, Old Dog Alehouse-13 West William Street, SMOHKED BBQ-14 West William Street, Roops Bar-17 North Union Street, Old Bag of Nails-66 North Sandusky Street, Moose Lodge-80 North Sandusky Street, and the Redmen Club-137 East Winter Street.

Staff also offers that a pergola concept was positively received for the 14 West William Street new construction project during its Informal Review (HPC 2016-2532). The Applicant was not able to fit that design into the project budget, and the alternate patio design as currently existing on site was approved.

Front Patio Concept – 14 West William Street : HPC2016-2532



Should HPC be supportive of the concept, in materials and colors that comply with the Architectural Standards, the Applicant will coordinate with City Staff to develop a plan that speaks to the technicalities of the project. Items such as safety force access, building ingress/egress, location of underground utility easements, access for adjoining properties, construction plans, traffic barriers, etc. will be discussed. The Applicant will then return to HPC with a request for a Certificate of Appropriateness. The Applicant and City Staff are open to comments and suggestions from HPC.

STAFF RECOMMENDATION (HPC 2021-0049 – INFORMAL REVIEW)
This project is presented for an Informal Review; therefore, no action is necessary. The Applicant and Staff are seeking comment from the Historic Preservation Commission regarding the proposed project prior to the Applicant's submittal of a formal application for a Certificate of Appropriateness.

COMMISSION NOTES:

MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled*_____

CONDITIONS/MISCELLANEOUS:

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 12 | DATE: 03/08/2021

ORDINANCE NO: 21-12 | RESOLUTION NO:

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN REQUEST BY T&R PROPERTIES FOR BOULDER RESERVE CONTAINING 90 SINGLE-FAMILY ATTACHED UNITS ON APPROXIMATELY 21.44 ACRES ON PROPERTY ZONED R-6 PUD (MULTI-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT) AND LOCATED ON THE SOUTH SIDE OF BOULDER DRIVE AND EAST OF THE YMCA.

BACKGROUND:
See attached report

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Chapter 1129 Procedures of the zoning code.

COMMITTEE RECOMMENDATION:
Planning Commission approved this case 7-0 on March 3, 2021.

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

ORDINANCE NO. 21-12

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN REQUEST BY T&R PROPERTIES FOR BOULDER RESERVE CONTAINING 90 SINGLE-FAMILY ATTACHED UNITS ON APPROXIMATELY 21.44 ACRES ON PROPERTY ZONED R-6 PUD (MULTI-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT) AND LOCATED ON THE SOUTH SIDE OF BOULDER DRIVE AND EAST OF THE YMCA.

WHEREAS, the Planning Commission at its meeting of March 3, 2021 recommended approval of a Final Development Plan request by T&R Properties for Boulder Reserve containing 90 single-family attached units on approximately 21.44 acres on property zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) and located on the south side of Boulder Drive and east of the YMCA (PC Case 2021-0268).

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

SECTION 1. That the Final Development Plan request by T&R Properties for Boulder Reserve containing 90 single-family attached units on approximately 21.44 acres on property zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) and located on the south side of Boulder Drive and east of the YMCA, 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. Lenell Loop shall be a 24-foot-wide private street built to public street standards per the City Engineer with no parking permitted on the streets per the Fire Department.
3. An internal sidewalk shall be located on one side of Lenell Loop.
4. A bike path shall be extended through the two common open spaces (overflow parking area to the north and dog park to the south) on the west side of Lenell Loop to the City bike path just west of the development.
5. The lots and houses shall comply with the minimum bulk and setback requirements as shown on this plan.

6. The single family attached units shall comply with PUD building material requirements and have minimum 8-inch overhangs and 4 inch window trim (or shutters) per Chapter 1171.08.
7. The minimum ranch duplex unit size shall be 1,340 square feet while the minimum townhome unit size with a one car garage shall be 1,410 square feet and the minimum townhome unit size with a two-car garage shall be 1,660 square feet.
8. A morning/sunroom, deck and the like shall be permitted and shall extend a maximum depth of 12 feet and the width shall be within the building envelope for all units.
9. The morning/sunroom, deck and the like building envelope shall be documented on the approved Final Development Plan and Final Subdivision Plat.
10. The mounding along western property shall include the installation of up to 25 trees and shall be the responsibility of the Homeowner's Association.
11. Individual building landscaping shall be required per Chapter 1171.08 Design Criteria and Performance Standards of the zoning code.
12. All landscaping plans shall be submitted, reviewed and approved by the Shade Tree Commission.
13. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations.
14. The open space within the development can be programmed with amenities per the owner and/or future residents.
15. A lighting plan shall be submitted, reviewed and approved by the City.
16. A sign permit application for the proposed entrance ground sign shall be submitted, reviewed and approved by staff.
17. A tree preservation easement shall be established for the trees along the railroad tracks.
18. The development shall achieve compliance with all fire department requirements.

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:	_____, 2021	YEAS____ NAYS____ ABSTAIN ____
ATTEST:	_____ CITY CLERK	_____ MAYOR

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 13 | DATE: 03/08/2021

ORDINANCE NO: 21-13 | RESOLUTION NO:

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE APPROVING A FINAL SUBDIVSION PLAT REQUEST BY T&R PROPERTIES FOR BOULDER RESERVE CONTAINING 90 SINGLE-FAMILY ATTACHED UNITS ON APPROXIMATELY 21.44 ACRES ON PROPERTY ZONED R-6 PUD (MULTI-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT) AND LOCATED ON THE SOUTH SIDE OF BOULDER DRIVE AND EAST OF THE YMCA.

BACKGROUND:
See attached report

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Chapter 1111 Subdivision Regulations of the zoning code.

COMMITTEE RECOMMENDATION:
Planning Commission approved this case 7-0 on March 3, 2021.

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

ORDINANCE NO. 21-13

AN ORDINANCE APPROVING A FINAL SUBDIVSION PLAT REQUEST BY T&R PROPERTIES FOR BOULDER RESERVE CONTAINING 90 SINGLE-FAMILY ATTACHED UNITS ON APPROXIMATELY 21.44 ACRES ON PROPERTY ZONED R-6 PUD (MULTI-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT) AND LOCATED ON THE SOUTH SIDE OF BOULDER DRIVE AND EAST OF THE YMCA.

WHEREAS, the Planning Commission at its meeting of March 3, 2021 recommended approval of a Final Subdivision Plat request by T&R Properties for Boulder Reserve containing 90 single-family attached units on approximately 21.44 acres on property zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) and located on the south side of Boulder Drive and east of the YMCA (PC Case 2021-0269).

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

SECTION 1. That the Final Subdivision Plat request by T&R Properties for Boulder Reserve containing 90 single-family attached units on approximately 21.44 acres on property zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) and located on the south side of Boulder Drive and east of the YMCA, 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. Lenell Loop shall be a 24-foot-wide private street built to public street standards per the City Engineer with no parking permitted on the streets per the Fire Department.
3. An internal sidewalk shall be located on one side of Lenell Loop.
4. A bike path shall be extended through the two common open spaces (overflow parking area to the north and dog park to the south) on the west side of Lenell Loop to the City bike path just west of the development.
5. The lots and houses shall comply with the minimum bulk and setback requirements as shown on this plan.

6. The single family attached units shall comply with PUD building material requirements and have minimum 8-inch overhangs and 4-inch window trim (or shutters) per Chapter 1171.08.
7. The minimum ranch duplex unit size shall be 1,340 square feet while the minimum townhome unit size with a one car garage shall be 1,410 square feet and the minimum townhome unit size with a two-car garage shall be 1,660 square feet.
8. A morning/sunroom, deck and the like shall be permitted and shall extend a maximum depth of 12 feet and the width shall be within the building envelope for all units.
9. The morning/sunroom, deck and the like building envelope shall be documented on the approved Final Development Plan and Final Subdivision Plat.
10. The mounding along western property shall include the installation of up to 25 trees and shall be the responsibility of the Homeowner's Association.
11. Individual building landscaping shall be required per Chapter 1171.08 Design Criteria and Performance Standards of the zoning code.
12. All landscaping plans shall be submitted, reviewed and approved by the Shade Tree Commission.
13. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations.
14. The open space within the development can be programmed with amenities per the owner and/or future residents.
15. A lighting plan shall be submitted, reviewed and approved by the City.
16. A sign permit application for the proposed entrance ground sign shall be submitted, reviewed and approved by staff.
17. A tree preservation easement shall be established for the trees along the railroad tracks.
18. The development shall achieve compliance with all fire department requirements.

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: _____, 2021 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

EST 1808
CITY OF
DELAWARE
OHIO

PLANNING COMMISSION / STAFF REPORT

CASE NUMBERS: 2021-0268-0269
REQUEST: Multiple Requests
PROJECT: Boulder Reserve
MEETING DATE: March 3, 2021

APPLICANT/OWNER
T&R Properties
3895 Stonebridge Court
Dublin, Ohio 43016

REQUEST
2021-0268: A request by T&R Properties for approval of a Final Development Plan for Boulder Reserve containing 90 single-family attached units on approximately 21.44 acres on property zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) and located on the south side of Boulder Drive and east of the City YMCA.
2021-0269: A request by T&R Properties for approval of a Final Subdivision Plat for Boulder Reserve containing 90 single-family lots on approximately 21.44 acres on property zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) and located on the south side of Boulder Drive and east of the City YMCA.

PROPERTY LOCATION & DESCRIPTION
The subject property is located on the south side of Boulder Drive and east of the City YMCA property. The subject site is zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District). The properties to the north and east are zoned R-3 PUD, the property to the west is zoned R-3 PMU (One Family Residential with a Planned Mixed Use Overlay District) and the properties to the south across the railroad tracks are zoned M-2 (General Manufacturing District).

BACKGROUND
This site is located in the Willowbrook Planned Unit Development (PUD) within the Multi-Family 4 Area which allows 90 multi-family units. This is the last residential zoned land of the Willowbrook Planned Unit Development which was approved in 1999.

The proposed development has 90 single family attached units that would include 54 ranch and 36 townhomes which would all be duplexes (a property line would be located at the common wall) located on a private loop street (Lenell Loop) around an existing retention pond on approximately 21.44 acres. The ranch duplexes would have two car garages and be similar to the products at the Enclaves at Adalee located on Houk Road. The townhomes would be two story in height and have one or two car garage options for the purchaser. The development would be connected to the existing City bike path along the southside of Boulder Drive by an internal private sidewalk on the interior of Lenell Loop and be connected to Veteran's Park bike path located just west of the development by paths through two common open spaces located just west of Lennel Loop. The development would have a total of 38 over flow parking spaces for visitors and the like, three cluster mailbox locations and a dog park.

STAFF ANALYSIS

- **COMPREHENSIVE PLAN:** The Comprehensive Plan recommends a future land use of Moderate Density Multi-Family (8-10 du/ac) for this area. The proposed development land use and density of 4.20 units per acre would achieve compliance with the Comprehensive Plan.
- **ZONING:** As mentioned above, the subject property was originally rezoned in 1999 to R-6 PUD with subsequent rezoning revisions in 2007, 2008 and 2018 which allows the proposed residential development. This subject area is identified as "Multi-Family Area 4" in the development text which permits 90 dwelling units. Prior to 2018, Multi-Family "Area 4" permitted 155 dwelling units but the 2018 rezoning amendment (Ordinance 18-21) transferred units from Multi-Family "Area 4" to "Multi-Family Area 3" which resulted in the The Flats on Houk development. From a procedure perspective, a Final Development Plan and Final Subdivision Plat would need to be reviewed and approved by the Planning Commission and City Council for the proposed development.

- **DEVELOPMENT TEXT:** The aforementioned R-6 PUD (as amended) has specific development text for the entire development pertaining to permitted uses, density, lot size, minimum dwelling size, building setbacks, landscaping, lighting, architectural elevations, etc.
- **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 primary access to the site would be two full movement access points on Boulder Drive that loops into the development thru a 24 foot wide private street that would be required to be constructed to pubic standards per the City Engineer with no parking permitted on the street per the Fire Department.
- **PEDESTRIAN CONNECTIVITY:** A private internal sidewalk would be located on the interior of Lenell Loop that would connect to the City bike path network located on the south side of Boulder Drive. Also there is a City bike path located just west of the subject development and staff is requesting a bike path be extended through the two common open spaces (overflow parking area to the north and dog park to the south) on the west side of Lenell Loop to the City bike path. The developer indicated he would be amenable to extend a similar path through the common open spaces.
- **LOT LAYOUT & SIZE:** The site layout would entail a looped street configuration around an existing retention pond with two access points from Boulder Drive. The development would have 90 lots that would contain 54 ranch duplexes (45'x100' minimum lot size) with a two-car garage and 36 two-story townhouses (36'x95' minimum lot size) with one or two car garages. Also, the applicant is proposing 38 common parking spaces (six separate locations), three cluster mailbox areas and a dog park within the development.

  The attached units (a property line would be located at the common wall) would have a minimum front yard setback of 25 feet except for the lots adjacent to the railroad track which would have a 22-foot front yard setback. The minimum rear yard setback is 25 feet except for the lots adjacent to the railroad tracks which would have a 15 foot rear yard setback. From a side yard setback perspective, there would be a minimum 10 feet between units. Also, morning/sunroom(s), decks and the like would be permitted to extend a maximum depth of 12 feet and the width would have to be within the building envelope for each unit (cannot be located within a easement without the easement owners consent). The catch basin behind lot 13544 may have to be moved to allow for a full morning/sunroom(s), decks and the like. The minimum ranch duplex unit size is 1,340 square feet while the minimum townhome unit size with a one car garage is 1,410 square feet and the minimum townhome unit size with a two car garage is 1,660 square feet. Furthermore, the subject condominium development would have a homeowner's association that would have a common maintenance plan for lawn, landscaping and snow removal, etc., within the development.
- **BUILDING DESIGN:** The ranch duplexes and the two-story townhomes shall achieve compliance with PUD building material requirements which requires some natural material, The ranch duplexes would have approximately 10% natural material with a limestone wainscoting and would be consistent with Enclaves at Addalee on Houk Road. The townhomes would have approximately 38% natural material with the one or two car garage option. The remainder of the building elevations would be various designs of vinyl siding. All the units would have minimum 8 inch overhangs and 4 inch window trim (or shutters) per Chapter 1171.08 fot he zoning code.
- **LANDSCAPING & SCREENING:** The applicant is proposing street trees along Boulder Drive and Lenell Loop and a 5 to 6-foot-high mound along the majority of the western property line adjacent to the City park. The developer indicated he would plant up to 25 trees on the proposed mound. The existing PUD and zoning code does not require any other landscaping. To the south is a railroad track and the existing tree line will be preserved as much as possible. To the east is a new single-family subdivision owned by the developer. All landscape plans would require review and approval by the Shade Tree Commission.
- **OPEN SPACE/PARKLAND:** There are six lots that are dedicated open space throughout the development with a dog park located in one of the of the common open spaces just west of Lenell Loop. The other open spaces are located where the overflow parking spaces are. Also, there is open space between Boulder Drive and the

retention pond. Staff would leave it to the owner and/or future residents if they want to program any of the open spaces. Therefore, the proposed development would achieve compliance with open space requirements of the approved PUD. Because the proposed development is adjacent to a community scale park, railroad track and single family homes, staff would recommend that fences that meet City requirements be permitted (the HOA could be more restrictive). The open space, reserves and any amenities shall be owned and maintained by the Homeowners Association.

- **TREE PRESERVATION:** There are some trees on the site but it is not appearant if any qualifying trees would be removed because of the development. However, if any trees are removed during construction they would have to achieve compliance with Chapter 1168 Tree Preservation Regulations.
- **LIGHTING PLAN:** A lighting plan for the private street shall be submitted, reviewed and approved by the City.
- **SIGNAGE:** The developer is proposing an entrance ground sign to be located just east of the western most access point to the development. The sign shall achieve compliance with zoning code and the adopted Gateways and Corridor Plan and with the other stone monument signs in the area. A sign permit application that includes more specific sign size, construction material, etc., would need to be reviewed and approved by staff.
- **FIRE DEPARTMENT:** Because of the width of the private street, the Fire Department requires that there be no parking on either side of the street. Also, the development shall achieve compliance with all other fire department requirements.

STAFF RECOMMENDATION – (2021-0268 FINAL DEVELOPMENT PLAN)

Staff recommends approval of a request by T&R Properties for a Final Development Plan for Boulder Reserve containing 90 single-family attached units on approximately 21.44 acres on property zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) and located on the south side of Boulder Drive and east of the City YMCA, 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.
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9. The morning/sunroom, deck and the like building envelope shall documented on the approved Final Development Plan and Final Subdivision Plat.
10. The mounding along western property shall include the installation of up to 25 trees and shall be the responsibility of the Homeowner's Association.
11. Individual building landscaping shall be required per Chapter 1171.08 Design Criteria and Performance Standards of the zoning code.
12. All landscaping plans shall be submitted, reviewed and approved by the Shade Tree Commission.

13. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations.
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16. A sign permit application for the proposed entrance ground sign shall be submitted, reviewed and approved by staff.
17. A tree preservation easement shall be established for the trees along the railroad tracks.
18. The development shall achieve compliance with all fire department requirements.

STAFF RECOMMENDATION – (2021- 0269 FINAL SUBDIVSION PLAT)
Staff recommends approval of a request by T&R Properties for a Final Subdivision Plat for Boulder Reserve containing 90 single-family lots on approximately 22.44 acres on property zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) and located on the south side of Boulder Drive and east of the City YMCA, with the following conditions that:

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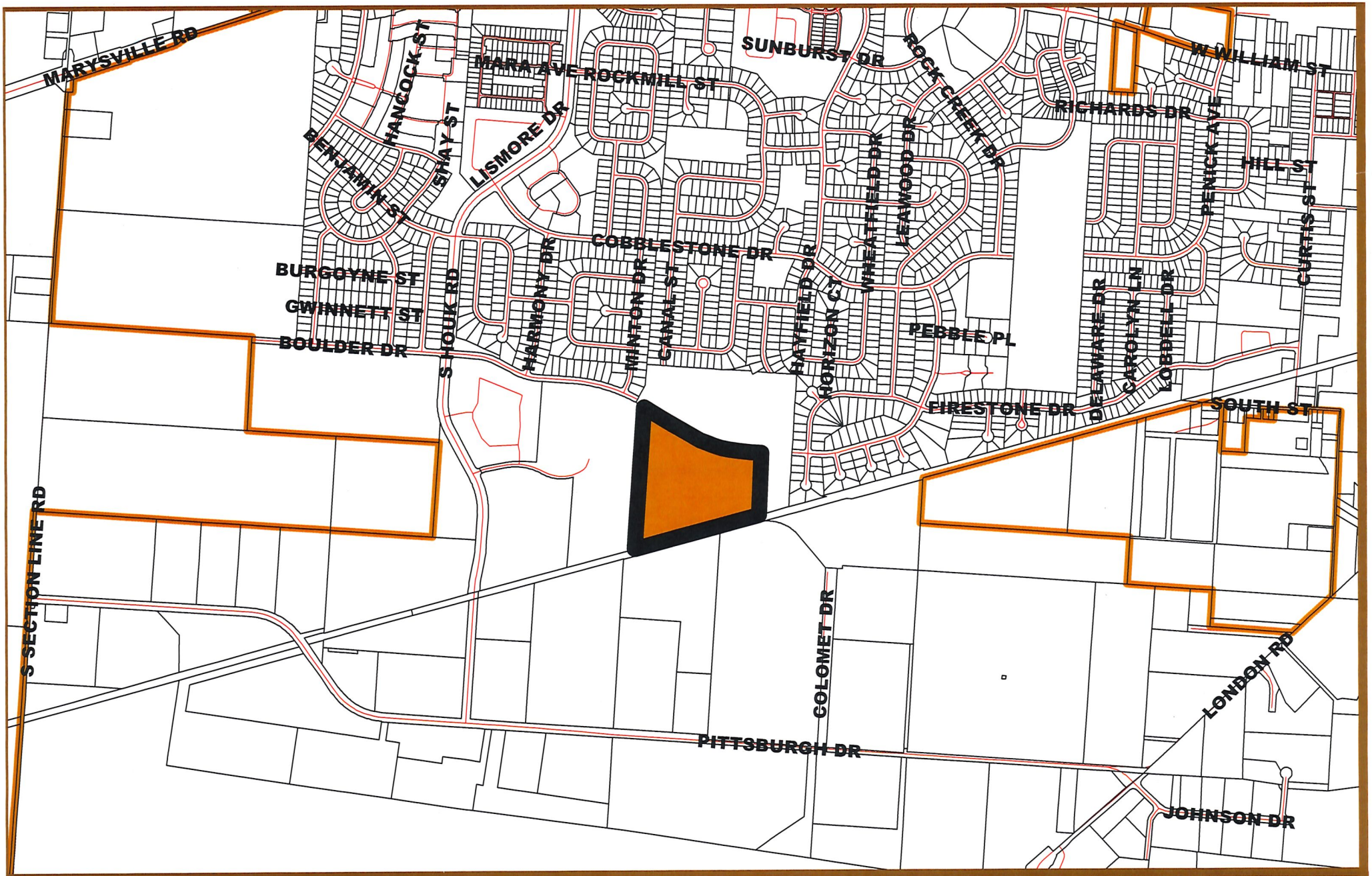
18. The development shall achieve compliance with all fire department requirements.

COMMISSION NOTES:

MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled*_____

CONDITIONS/MISCELLANEOUS:

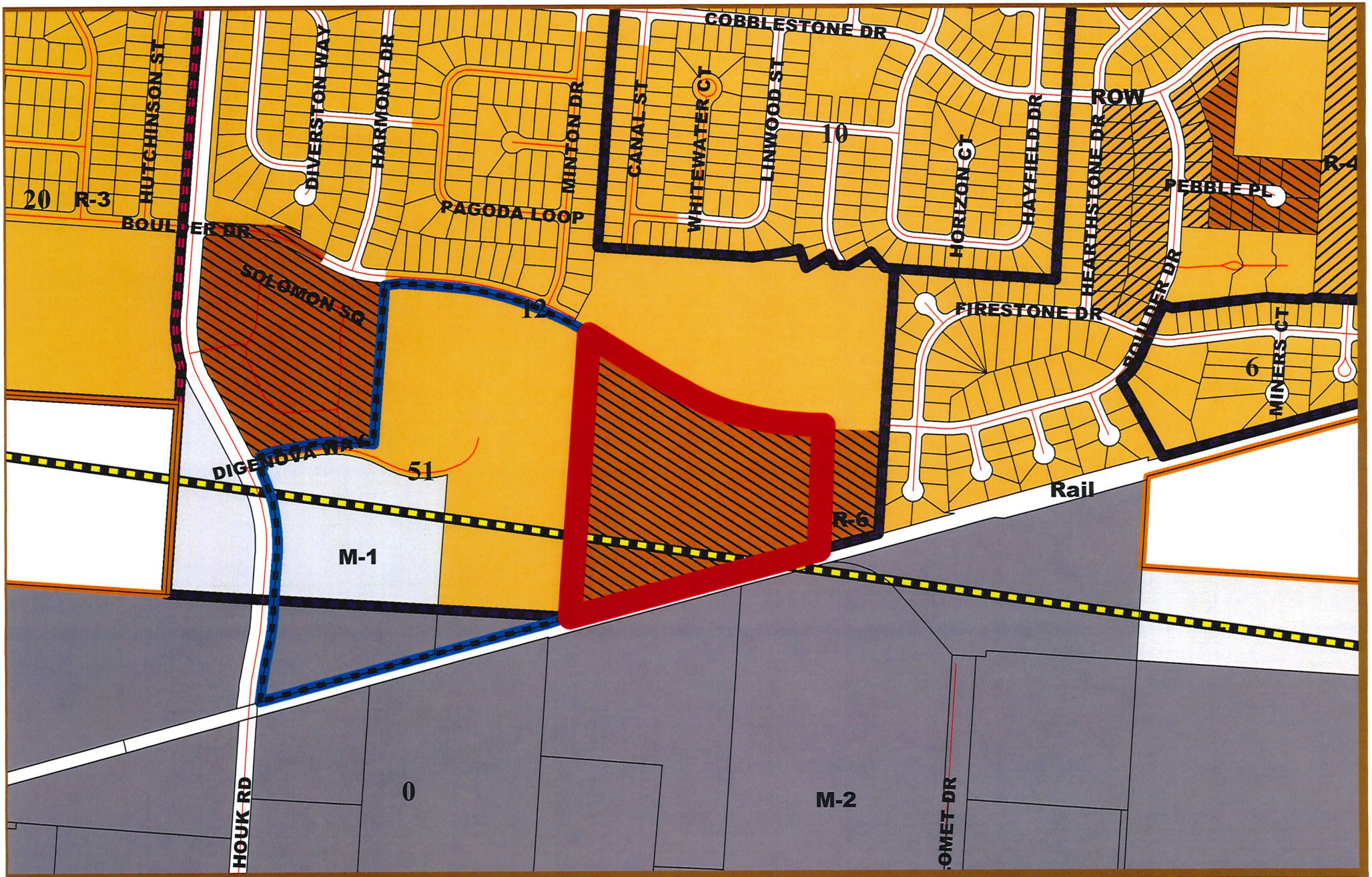
FILE:
ORIGINAL: 2/25/21
REVISED:



EST 1808
CITY OF
DELAWARE
OHIO

2021-0268-0269
Final Development Plan and Final Subdivision Plat
Boulder Reserve - Boulder Drive
Location Map

N



EST 1808
CITY OF
DELAWARE
OHIO

2021-0268-0269
Final Development Plan and Final Subdivision Plat
Boulder Reserve - Boulder Drive
Zoning Map

N



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OHIO

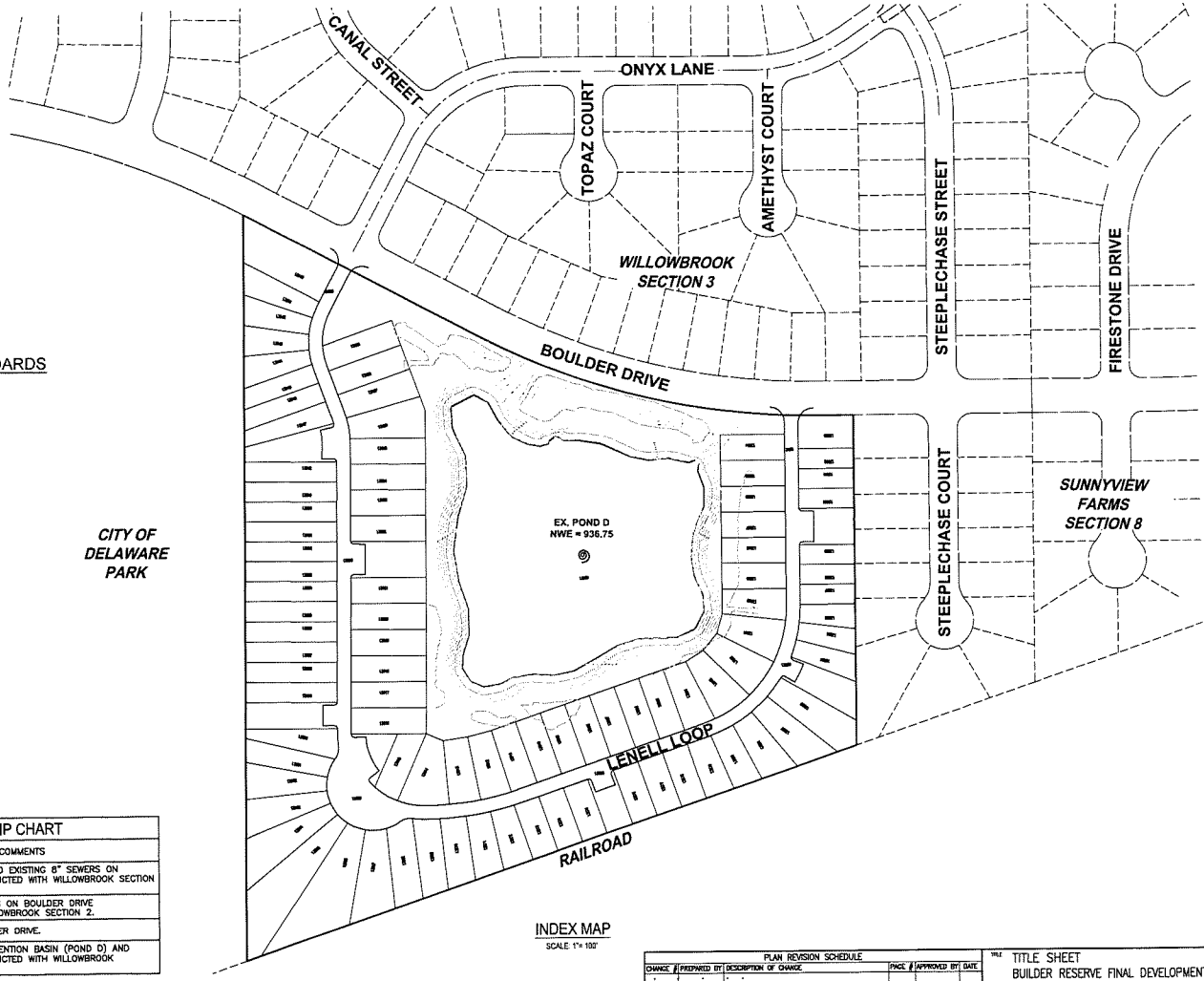
2021-0268-0269
Final Development Plan and Final Subdivision Plat
Boulder Reserve - Boulder Drive
Aerial (2019) Map

N

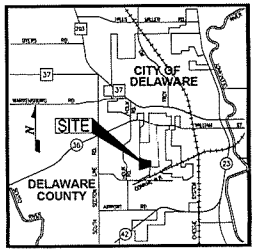
Boulder Reserve

Boulder Reserve is a beautiful, unique development set to be located directly off Boulder Dr, adjacent to Veterans Splash Park and City soccer fields. The community will include 90 homes, 54 ranches and 36 townhomes. These homes are all duplexes, and the site is such that all of these attached homes are located on a single road that loops around a lake with water fountain feature. The ranch duplexes will include a 2-car garage, and the townhome duplexes will include a 1 or 2 car garage. All homes are expected to be on slabs as to make the community more affordable. The ranch duplex product will be similar in style to the successful nearby development, the Enclave at Adalee. Depictions of what these ranch and townhome duplexes will look like are attached below. The community also includes a dog park, 2 mailbox centers, and additional parking spaces. We look forward to developing this gorgeous new community and satisfying the City of Delaware's needs with these "for sale" homes!

CITY OF DELAWARE, OHIO
BOULER RESERVE
FINAL DEVELOPMENT PLAN
2021



INDEX MAP
SCALE: 1"= 100'



VICINITY MAP
NOT TO SCALE

DEVELOPMENT SUMMARY		
DEVELOPMENT USE	NUMBER	ACREAGE
RIGHT-OF-WAY	-	-
RESERVES (LOTS 13630 & 13631)	2	9.63
PLATTED LOTS	90	11.81
TOTAL		21.44

PLATTED LOT DEVELOPMENT STANDARDS

MINIMUM LOT DIMENSIONS:	35' X 95' FOR TOWNHOMES 45'X100' FOR SINGLE-FAMILY
MINIMUM LOT AREA:	3,325 SF FOR TOWNHOMES 4,500 SF FOR SINGLE-FAMILY
MAXIMUM LOT COVERAGE:	40% FOR TOWNHOMES 40% FOR SINGLE-FAMILY

MAXIMUM BUILDING HEIGHT: 35 FT.

ZONING COMPLIANCE

THE PROPOSED DEVELOPMENT COMPLIES WITH ALL REQUIREMENTS OF THE APPROVED PUD ZONING TEXT. REZONING APPLICATION #PC09-24 & #PC09-25.

FLOOD DESIGNATION

THIS SITE LIES IN ZONE X OF FEMA FIRM PANEL 39041C0111K EFFECTIVE DATE APRIL 16, 2009.

INFRASTRUCTURE OWNERSHIP CHART			
INFRASTRUCTURE ITEM	PRIVATE	PUBLIC	COMMENTS
SANITARY SEWER		X	8" MAINS CONNECTING TO EXISTING 8" SEWERS ON BOULDER DRIVE CONSTRUCTED WITH WILLOWBROOK SECTION 2.
WATER		X	CONNECTED TO 8" MAINS ON BOULDER DRIVE CONSTRUCTED WITH WILLOWBROOK SECTION 2.
STREETS	X		CONNECTIONS TO BOULDER DRIVE.
STORM SEWERS	X		DRAINS TO EXISTING RETENTION BASIN (POND D) AND STORM SEWERS CONSTRUCTED WITH WILLOWBROOK SECTIONS 2 AND 3.

NOTE: THE CITY RESERVES THE RIGHT TO ENSURE ALL INFRASTRUCTURE IS PROPERLY CONSTRUCTED AND INSTALLED, REGARDLESS OF OWNERSHIP.

OWNER/DEVELOPER

MR. RON SABATINO
T&R PROPERTIES
3895 STONERIDGE LANE
DUBLIN, OH 43017
(614) 923-4000

SHEET INDEX

1 TITLE SHEET
2 SITE LAYOUT PLAN
3 SITE UTILITY PLAN
4 LIGHTING, LANDSCAPE & SIGNAGE PLAN

PLAN REVISION SCHEDULE					
CHANGE #	PREPARED BY	DESCRIPTION OF CHANGE	PAGE #	APPROVED BY	DATE
-	-	-			

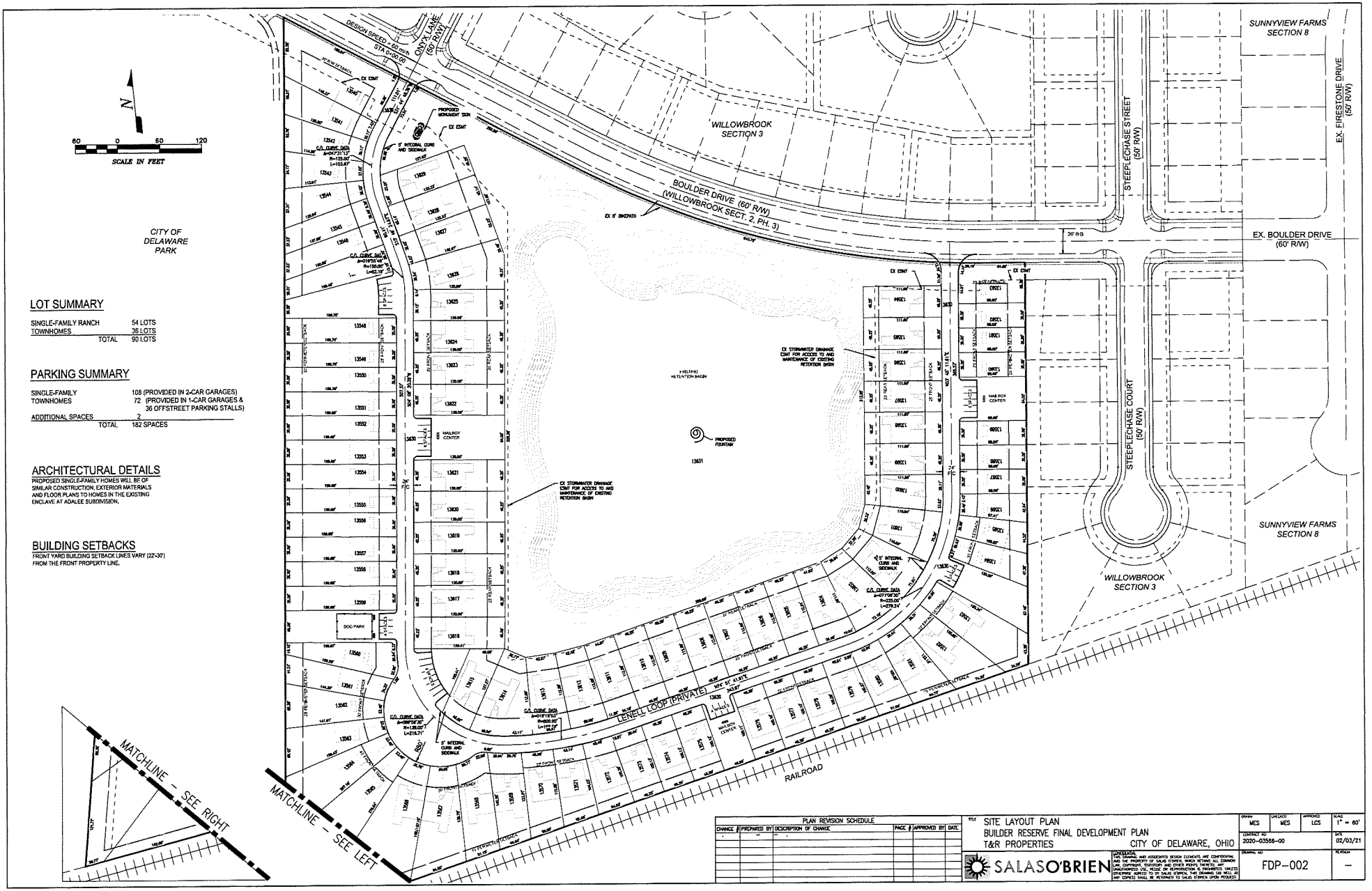
TITLE: TITLE SHEET
BUILDER RESERVE FINAL DEVELOPMENT PLAN
T&R PROPERTIES CITY OF DELAWARE, OHIO

SALASO'BRIEN

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DRAWN	CHECKED	APPROVED	SCALE
MES	MES	LCS	AS NOTED

CONTRACT NO: 2020-03568-00
DATE: 02/03/21
DRAWING NO: FDP-001
REVISION: -



LOT SUMMARY

SINGLE-FAMILY RANCH	54 LOTS
TOWNHOMES	36 LOTS
TOTAL	90 LOTS

PARKING SUMMARY

SINGLE-FAMILY	108 (PROVIDED IN 2-CAR GARAGES)
TOWNHOMES	72 (PROVIDED IN 1-CAR GARAGES & 36 OFFSTREET PARKING STALLS)
ADDITIONAL SPACES	2
TOTAL	182 SPACES

ARCHITECTURAL DETAILS

PROPOSED SINGLE-FAMILY HOMES WILL BE OF SIMILAR CONSTRUCTION, EXTERIOR MATERIALS AND FLOOR PLANS TO HOMES IN THE EXISTING ENCLAVE AT ADALEE SUBDIVISION.

BUILDING SETBACKS

FRONT YARD BUILDING SETBACK LINES VARY (22'-30') FROM THE FRONT PROPERTY LINE.

PLAN REVISION SCHEDULE

CHANGE #	PREPARED BY	DESCRIPTION OF CHANGE	PAGE #	APPROVED BY	DATE
-	-	-			

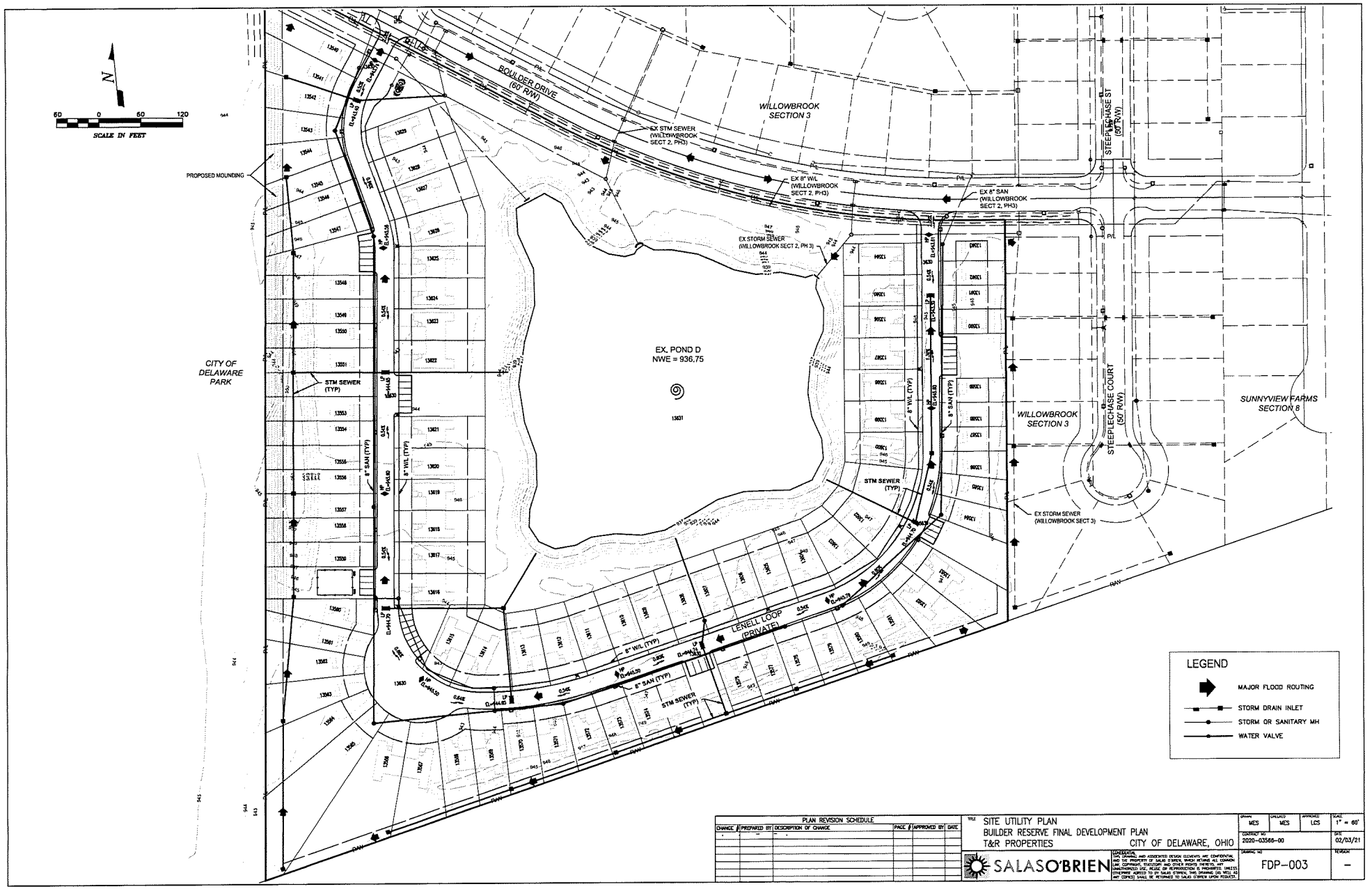
TITLE: SITE LAYOUT PLAN
BUILDER RESERVE FINAL DEVELOPMENT PLAN
T&R PROPERTIES CITY OF DELAWARE, OHIO

SALASO'BRIEN

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DRAWN	CHECKED	APPROVED	SCALE
MES	MES	LCS	1" = 60'

PROJECT NO: 2020-03566-00
DRAWING NO: FDP-002
DATE: 02/03/21
REVISION: -



PLAN REVISION SCHEDULE					
CHANGE #	PREPARED BY	DESCRIPTION OF CHANGE	PAGE #	APPROVED BY	DATE

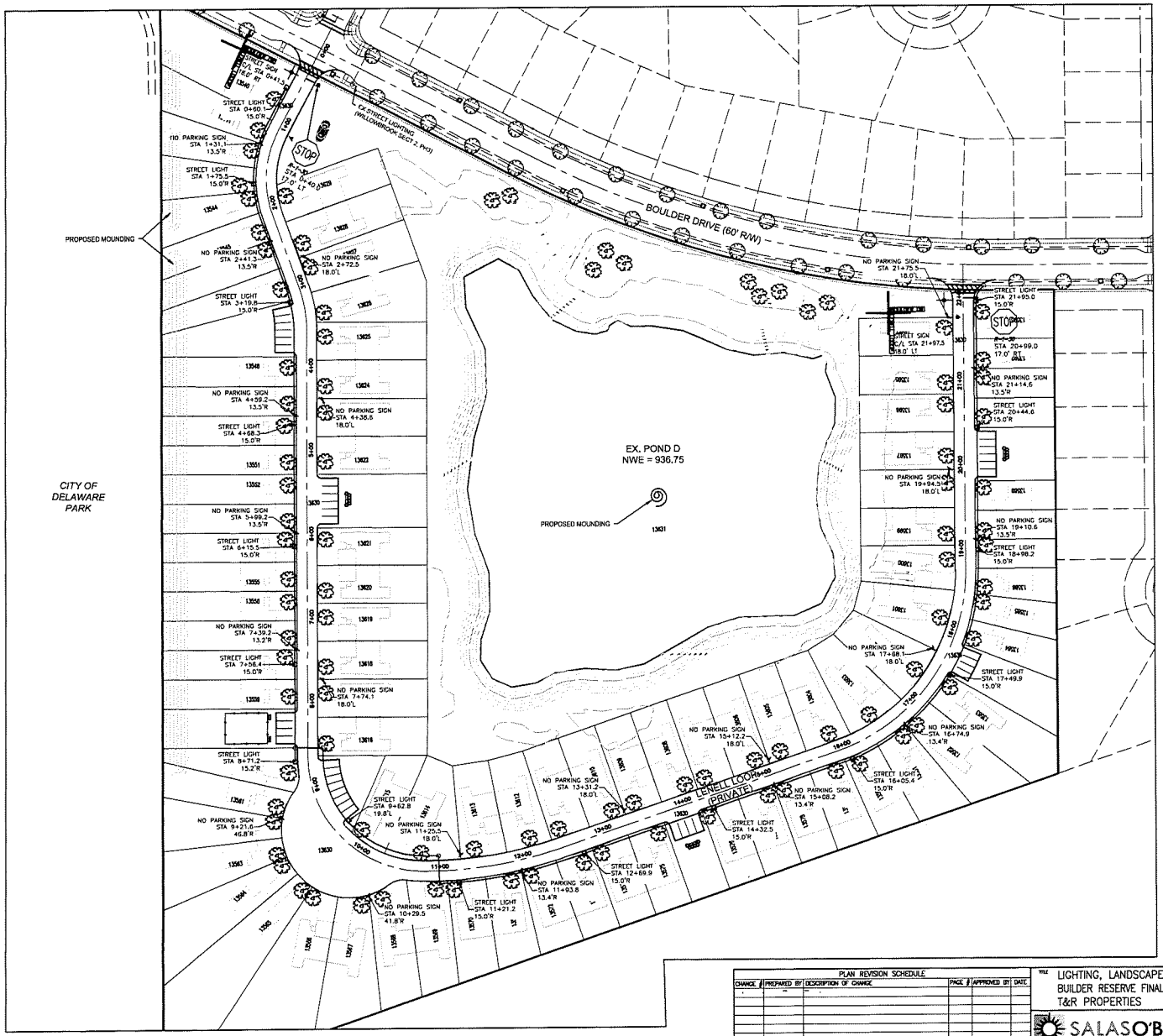
TITLE: SITE UTILITY PLAN
BUILDER RESERVE FINAL DEVELOPMENT PLAN
T&R PROPERTIES CITY OF DELAWARE, OHIO

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DRAWN	CHECKED	APPROVED	SCALE
MES	MES	LDS	1" = 60'

CONTRACT NO: 2020-03566-00
DATE: 02/03/21
DRAWING NO: FDP-003
REVISION: -



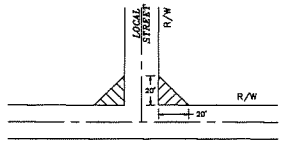
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60 0 60 120

SCALE IN FEET

LEGEND

- SIGNS
- STOP BAR
- CROSS WALK
- LIGHT POLE
- PULL BOX
- PROPOSED DECIDUOUS STREET TREE (1-3/4" MIN CALIPER AT TIME OF PLANTING)
- PROPOSED EVERGREEN TREE (1-3/4" MIN CALIPER AT TIME OF PLANTING)
- EXISTING DECIDUOUS STREET TREE



SIGHT DISTANCE TRIANGLE

NOT TO SCALE

NOTES: NO STREET TREES ARE TO BE PLANTED IN THE SIGHT TRIANGLE PER CITY OF DELAWARE ZONING CODE SECTION 1149.06.

NO STREET TREES ARE TO BE PLANTED WITHIN 10' OF FIRE HYDRANTS

STREET TREES ARE TO BE PLANTED PER RDWD-19.3, RDWD-33.1 AND RDWD-33.2

GENERAL NOTES:

1. ALL NURSERY STOCK SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMAN STANDARDS-ANSI Z60.1.
2. CONFIRM LOCATIONS OF ALL UTILITIES AND SUBSURFACE DRAIN LINES PRIOR TO TREE INSTALLATION.
3. TREE LOCATIONS SHALL BE LOCATED BY CONTRACTOR AND APPROVED BY THE SHADE TREE COMMISSION PRIOR TO INSTALLATION.
4. CONTRACTOR SHALL SEED OR SOD ALL AREAS DISTURBED DURING CONSTRUCTION.
5. CONTRACTOR SHALL THOROUGHLY WATER ALL LANDSCAPE PLANT MATERIAL AND MULCHED AREA AT TIME OF PLANTING THROUGH THE PERIOD OF ADJUSTMENT.
6. CONTRACTOR TO SLIGHTLY ADJUST TREE LOCATIONS AS NECESSARY TO AVOID UTILITIES.
7. TREES SHALL BE SELECTED FROM REGIONAL NURSERY GROWERS.

STREET TREES:

STREET TREES ARE TO BE PLANTED IN ACCORDANCE OF CITY OF DELAWARE ZONING CODE CHAPTER 1166.

1. TREES SHALL BE LIMITED TO SPECIES CHARACTERIZED AS HARDY, LONG-LIVED SHADE TREES, AS DEFINED BY THE SHADE TREE COMMISSION.
2. ONE TREE SHALL BE PROVIDED FOR EVERY LOT.
3. EACH TREE AT THE TIME OF INSTALLATION SHALL HAVE A MINIMUM CALIPER OF 1.75 INCHES AND A CLEAR TRUNK HEIGHT OF AT LEAST SIX (6) FEET. (ORD 02-54 PASSED JUNE 10, 2002)
4. TREES SHALL BE PLANTED AN ADEQUATE DISTANCE FROM INTERSECTIONS SO THAT AT FULL MATURITY SUCH PLANTING SHALL COMPLY WITH SECTION 1149.06 TO ENSURE THE UNOBSTRUCTED VISIBILITY OF MOTORISTS AND PEDESTRIANS.

PLAN REVISION SCHEDULE					
CHANGE #	PREPARED BY	DESCRIPTION OF CHANGE	PAGE #	APPROVED BY	DATE

TITLE: LIGHTING, LANDSCAPE AND SIGNAGE PLAN
BUILDER RESERVE FINAL DEVELOPMENT PLAN
T&R PROPERTIES
CITY OF DELAWARE, OHIO

SALAS O'BRIEN

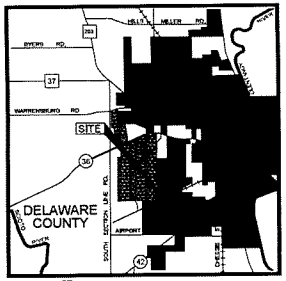
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DRAWN	CHECKED	APPROVED	SCALE
MES	MES	LCS	1" = 60'

CONTRACT NO: 2020-03566-00
DATE: 02/03/21
DRAWING NO: FDP-004
REVISION: -

BOUNDLER RESERVE

CITY OF DELAWARE, OHIO



VICINITY MAP
NOT TO SCALE

DESCRIPTION AND OWNER'S ACKNOWLEDGEMENT

SITUATED IN THE STATE OF OHIO, COUNTY OF DELAWARE, CITY OF DELAWARE, BEING A PART OF FARM LOT 12 IN QUARTER TOWNSHIP 2, TOWNSHIP 4 NORTH, RANGE 19 WEST OF THE UNITED STATES MILITARY LANDS, AND BEING 21.439 ACRES OUT OF AN ORIGINAL 117.407 ACRE TRACT CONVEYED TO MEDROCK LLC IN OFFICIAL RECORD 123, PAGE 1143, ALL RECORDS HEREIN ARE FROM THE RECORDER'S OFFICE, DELAWARE COUNTY, OHIO.

MEDROCK LLC, BEING THE OWNER OF THE LAND PLATTED HEREIN, DOES HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS IT'S "BOULDER RESERVE", A SUBDIVISION OF 92 LOTS NUMBER 1 THROUGH 92, AND DOES HEREBY ACCEPT THIS PLAT THE SAME.

EASEMENTS ARE RESERVED IN, OVER, AND UNDER AREAS DESIGNATED ON THIS PLAT AS "SANITARY EASEMENT", "STORM SEWER EASEMENT", AND "WATERLINE EASEMENT" FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF ALL PUBLIC AND QUASI-PUBLIC UTILITIES ABOVE AND BENETH THE SURFACE OF THE GROUND AND, WHERE NECESSARY, FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF SERVICE CONNECTIONS TO ALL ADJACENT LOTS AND LANDS, AND FOR STORM WATER DRAINAGE. WITHIN THOSE AREAS DESIGNATED AS "STORM SEWER EASEMENT", AN ADDITIONAL EASEMENT IS HEREBY RESERVED FOR THE PURPOSE OF CONSTRUCTING, OPERATING, AND MAINTAINING MAJOR STORM WATER DRAINAGE SWALES, AND/OR OTHER STORM WATER FACILITIES, ANY ABOVE GRADE STRUCTURES WITHIN "STORM SEWER EASEMENT" SHALL DESIGNED TO MAINTAIN THE FLOW OF RUNOFF IN SAID EASEMENT.

THE EASEMENTS SHOWN HEREON OUTSIDE THE PLATTED AREA WITHIN THOSE TRACTS OF LAND OWNED BY MEDROCK LLC AND ARE DEDICATED FOR THE USES AND PURPOSED STATED IN THE PRECEEDING PARAGRAPH.

THE UNDERSIGED FURTHER AGREES THAT ANY USE OF IMPROVEMENTS MADE ON THIS LAND SHALL BE IN CONFORMITY WITH ALL EXISTING VALID ZONING, PLATTING, HEALTH, OR OTHER LAWFUL RULES AND REGULATIONS INCLUDING THE APPLICABLE OFF-STREET PARKING AND ZONING REQUIREMENTS OF DELAWARE COUNTY, OHIO, FOR THE BENEFIT OF HIMSELF AND ALL OTHER SUBSEQUENT OWNERS OR ASSIGNS TAKING TITLE FROM, UNDER, OR THROUGH THE UNDERSIGNED.

MY WITNESS WHEREOF P. RONALD SABATINO, MANAGING PARTNER OF MEDROCK LLC, AN OHIO LIMITED LIABILITY COMPANY HAS CAUSED THIS CONVEYANCE TO BE EXECUTED THIS ____ DAY OF _____, 2021.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

_____
(WITNESS)

PRINTED: _____

_____
(WITNESS)

PRINTED: _____

MEDROCK LLC, AN OHIO
LIMITED LIABILITY COMPANY

_____
P. RONALD SABATINO
MANAGING PARTNER

NOTARY FOR OWNER

STATE OF OHIO SS

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED P. RONALD SABATINO, FOR SAID MEDROCK LLC, AN OHIO LIMITED LIABILITY COMPANY WHO ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT TO BE FREE AND VOLUNTARY ACT AND DEED, AND THE FREE AND VOLUNTARY ACT AND DEED OF SAID MEDROCK LLC, AN OHIO LIMITED LIABILITY COMPANY, FOR THE USE AND PURPOSE THEREIN EXPRESSED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED BY OFFICIAL SEAL THIS ____ DAY OF _____, 2021.

MY COMMISSION EXPIRES _____

_____
NOTARY PUBLIC

NOTES

1. ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.
2. "STORM SEWER EASEMENT" IS AN EASEMENT THAT IS HEREBY RESERVED FOR THE PURPOSE OF CONSTRUCTING, OPERATION AND MAINTAINING MAJOR STORM DRAINAGE SWALES, UNDERGROUND PRIVATED UTILITIES AND APPURTENANT WORKS IN ANY PART OF THE EASEMENT AREAS DESIGNATED AS "STORM SEWER EASEMENT" HEREON INCLUDING THE RIGHT TO CLEAN, REPAIR, AND CARE FOR SAID SWALES AND UTILITIES TOGETHER WITH THE RIGHT OF ACCESS TO SAID AREAS FOR SAID PURPOSE. EXCEPTED AS PROVIDED FOR IN THE DEVELOPER'S OVERALL SCHEME FOR THE DEVELOPMENT OF BOULDER RESERVE, NO ABOVE GRADE STRUCTURES, DAMS OR OTHER OBSTRUCTIONS TO THE FLOW OF STORM WATER RUNOFF ARE PERMITTED IN "STORM SEWER EASEMENT" AREAS AS DELINEATED ON THIS PLAT.
3. NOTICE IS HEREBY GIVEN TO ANY BUYER OF THE LOTS DELINEATED UPON THE PLAT THAT ON FILE WITH THE BUILDING DEPARTMENT OF THE CITY OF DELAWARE ARE SITE IMPROVEMENT PLANS FOR THE DEVELOPMENT OF SAID LOTS SHOWING PROPOSED LOT DRAINAGE AND RECOMMENDED MINIMUM FINISHED GRADE ELEVATIONS AND/OR LOT GRADING PLANS. SAID PLANS, AS APPROVED BY THE GOVERNMENTAL AGENCIES, ARE CONSIDERED A PART OF THE APPROVAL OF THIS SUBDIVISION AND ARE TO BE INCORPORATED INTO THE FINAL PLOT PLAN REQUIRED WITH THE BUILDING PERMIT.
4. ROOF DOWN SPOUTS, EASEMENT SUMP PUMPS, FOUNDATION DRAINS, STORM TILES, YARD INLETS AND CATCH BASINS OR ANY OTHER CLEAN WATER CONNECTION TO SANITARY SEWERS AND SEWAGE SYSTEMS ARE PROHIBITED.
5. BE ADVISED THAT A SUBSURFACE DRAINAGE SYSTEM MAY EXIST ON THE SITE. THE SYSTEM AND/OR OUTLET, IF LOCATED ON THIS PROPERTY, MUST BE MAINTAINED AT ALL TIMES.
6. WHERE INDICATED, "SANITARY SEWWER EASEMENTS" ARE INTENDED SOLELY FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF PRIVATE SANITARY SEWER AND SERVICE CONNECTIONS AND CANNOT BE OCCUPIED BY OTHER UTILITIES.
7. MAINTENANCE OF "STORM SEWER EASEMENT" SHALL BE THE RESPONSIBILITY OF THE OWNERS OF THE LOTS PLATTED HEREIN, THEIR SUCCESSORS, OR ASSIGNS, AND IS THE BE TRANSFERRED WITH OWNERSHIP OF SAID LOT.
8. THERE SHALL BE NO CONVEYENCE OF ANY LOT SMALLER IN WIDTH OR AREA THAN INDICATED ON THIS PLAT.
9. THE CITY OF DELWARE, OHIO SHALL BE NOTIFIED THREE (3) DAYS BEFORE THE COMMENCEMENT OF CONSTRUCTION ON PUBLIC IMPROVEMENTS IN ORDER TO PROVIDE PROPER SUPERVISION AND INSPECTION.
10. THE SUBDIVISION PLAT DOES NOT SHOW ALL EASEMENTS OF RECORD THAT MAY AFFECT THE SHOWN LOTS. A TITLE REPORT SHOULD BE OBTAINED TO ENSURE ALL EASEMENTS ARE KNOWN PRIOR TO DEVELOPMENT OF SAID LOTS.
11. ALL RECORD INFORMATION SHOWN HEREON WAS OBTAINED FROM RECORDER'S OFFICE, DELAWARE COUNTY, OHIO.
12. ALL IRON PIPES SET ARE 3/4" DIAMETER IRON PIPE BY 30" WITH PINS THAT READ "CW DESIGN GROUP, LLC".
13. MONUMENTATION IS TO BE PLACED UPON COMPLETION OF CONSTRUCTION NECESSARY TO THE IMPROVEMENT OF THIS LAND.
14. APPROVAL OF THIS PLAT BY THE CITY OF DELAWARE AND/OR ANY OTHER GOVERNMENTAL AUTHORITY SHALL IN NO WAY CONSTITUTE A DEDICATION OR ACCEPTANCE OF THE PRIVATE STREET "LENELL LOOP" SHOWN HEREON AND SAID PRIVATE STREET SHALL BE AND REMAIN A PRIVATE ACCESS WAY AND THE CITY OF DELWARE AND ANY OTHER PUBLIC AUTHORITY SIGNING THIS PLAT SHALL HAVE NO RESPONSIBILITY OR LIABILITY FOR OR ARISING OUT OF THE CONSTRUCTION, IMPROVEMENT, MAINTENANCE, AND/OR USE OF THE PRIVATE STREETS. THE OWNERS OF THESE LOTS AND THEIR SUCCESSORS AND ASSIGNS AGREE TO AND SHALL BE BOUND BY THE FOREGOING PROVISION, WHICH PROVISION SHALL BE DEEMED TO BE AND IS A COVENANT RUNNING WITH THE LAND.
15. MAINTENANCE OF ALL OPEN SPACE AND STREETS, THE STORM SEWER AND APPURTENANCES, THE SANITARY SEWER AND SERVICE CONNECTIONS, THE WATERLINES, VALVES, AND APPURTENANCES, AND SIDEWALK AND/OR PEDSTRIAN PATHWAYS IS THE RESPONSIBILITY OF THE OWNERS OF THE FEE SIMPLE LOTS WITHIN THIS SUBDIVISION AND/OR HOMEOWNERS ASSOCIATION OF BOULDER RESERVE, IT'S SUCCESSORS OR ASSIGNS. THE CITY OF DELAWARE SHALL NOT MAINTAIN ANY IMPROVEMENTS, INCLUDING STORM SEWER, SANITARY SEWER, OR WATERLINES WITHIN THE PRIVATE SUBDVISION.

FLOOD DESIGNATION

THE SUBJECT PROPERTY LIES IN ZONE X (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), AS DETERMINED BY GRAPHIC INTERPOLATION FROM THE FLOOD INSURANCE RATE MAP (FIRM), NUMBER 39041C0211K, WITH AN EFFECTIVE DATE OF APRIL 16, 2009, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

BASIS OF BEARINGS

THE BEARINGS DESCRIBED HEREIN ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83 (2011). SAID BEARINGS ORIGINATED FROM A FIELD TRAVERSE WHICH WAS REFERENCED TO SAID COORDINATE SYSTEM BY GPS OBSERVATIONS AND OBSERVATIONS OF SELECTED STATIONS IN THE OHIO DEPARTMENT OF TRANSPORTATION VIRTUAL REFERENCE STATION NETWORK. THE NORTH LINE OF THE NEW YORK CENTRAL LINES RAILROAD WITH THE MONUMENTED BEARING OF SOUTH 74°51'08" WEST IS THE BASIS OF BEARINGS.

ACREAGE BREAKDOWN

BUILDABLE LOTS (LOTS 1-90)	=	11.809 ACRES
PRIVATE R/W (LOT 91)	=	2.408 ACRES
OPEN SPACE (LOT 92)	=	7.222 ACRES
TOTAL ACREAGE	=	21.439 ACRES

ZONING/ SETBACKS / MINIMUM FLOOR AREAS

ZONING: PUD

FRONT YARD SETBACKS = VARIES 22' TO 42'
SIDE YARD SETBACKS = 0'
REAR YARD SETBACKS = VARIES 15' TO 25'
(ZONING SETBACKS ARE NOT CONSIDERED A SUBDIVISION PLAT RESTRICTION. SETBACKS SHOWN ARE THOSE IN EFFECT AT THE TIME OF APPROVAL OF THE FINAL PLAT)

OWNER/DEVELOPER

MEDROCK LLC
3895 STONERIDGE LANE
DUBLIN, OHIO 43017
(614) 923-4000

BOULDER RESERVE

PC CASE NO. _____ APPROVED BY THE PLANNING COMMISSION ON _____

APPROVED AND ACCEPTED THIS ____ DAY _____, 2021, BY ORDINANCE NO. _____ WHEREIN ALL EASEMENTS SHOWN DEDICATED HEREON ARE ACCEPTED AS SUCH BY THE CITY COUNCIL FOR THE CITY OF DELAWARE, OHIO.

APPROVED THIS ____ DAY OF _____, 2021.
ELAINE McCLOSKEY
CITY CLERK
DELAWARE, OHIO

APPROVED THIS ____ DAY OF _____, 2021.
R. THOMAS HOMAN
CITY MANAGER
DELAWARE, OHIO

APPROVED THIS ____ DAY OF _____, 2021.
DAVID M. EFLAND
PLANNING & COMMUNITY DEVELOPMENT DIRECTOR.
DELAWARE, OHIO

APPROVED THIS ____ DAY OF _____, 2021.
WILLIAM F. FERRIGNO, P.E.
PUBLIC WORKS DIRECTOR / CITY ENGINEER.
DELAWARE, OHIO

APPROVED THIS ____ DAY OF _____, 2021.
BLAKE JORDAN, P.E.
DIRECTOR OF PUBLIC WORKS,
DELAWARE, OHIO

TRANSFERRED THIS ____ DAY OF _____, 2021.
AUDITOR, DELAWARE COUNTY, OHIO

FILED FOR RECORD THIS ____ DAY OF _____, 2021 AT ____:____ PM.

FEE _____ FILED NO. _____
RECORDER, DELAWARE COUNTY, OHIO

RECORDED THIS ____ DAY OF _____, 2021 PLAT CABINET _____, SLIDES _____

CERTIFICATION

I HEREBY STATE THAT THIS SURVEY IS BASED ON ACTUAL FIELD MEASUREMENTS MADE UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS CORRECT.

CW DESIGN GROUP, LLC

PRELIMINARY - 02/03/2021

CHARLES A. WAGNER, P.S.
PROFESSIONAL SURVEYOR NO. 8091

CW Design Group
ENGINEERS | SURVEYORS
PHONE: 614-846-9279
972 Linkfield Drive
Worthington, Ohio 43085

N

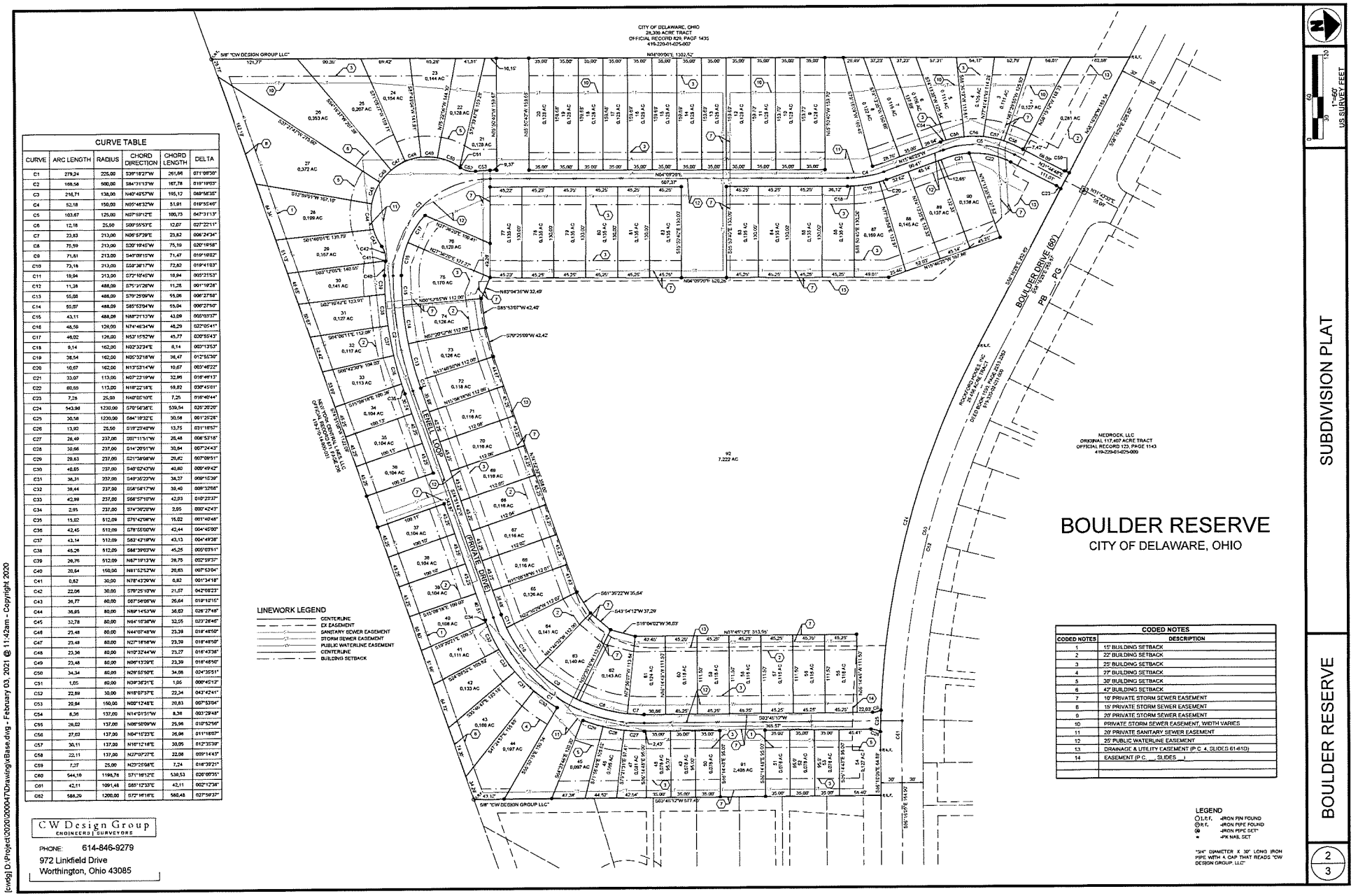
0 50 100 200
1"=100'
US SURVEY FEET

SUBDIVISION PLAT

BOULDER RESERVE

1
3

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BOULDER RESERVE

CITY OF DELAWARE, OHIO

CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH	DELTA
C1	279.24	225.00	S39°18'27"W	261.66	071°08'30"
C2	188.58	600.00	S84°31'13"W	187.78	018°00'03"
C3	216.71	138.00	N40°49'57"W	195.12	089°58'35"
C4	82.18	150.00	N55°46'32"W	81.91	031°23'46"
C5	103.67	125.00	N37°59'12"E	100.73	047°31'13"
C6	12.18	25.50	S09°55'53"E	12.07	027°22'11"
C7	23.83	213.00	N06°57'29"E	23.82	006°24'34"
C8	75.59	213.00	S20°19'45"W	75.19	020°19'58"
C9	71.81	213.00	S40°09'15"W	71.47	019°18'02"
C10	73.16	213.00	S59°36'17"W	72.82	019°41'03"
C11	19.94	213.00	S72°10'45"W	19.94	005°21'53"
C12	11.28	488.00	S75°31'26"W	11.28	001°19'28"
C13	55.08	488.00	S79°29'09"W	55.08	006°27'58"
C14	55.07	488.00	S85°53'04"W	55.04	006°27'50"
C15	43.11	488.00	N88°21'13"W	43.09	005°03'37"
C16	48.58	126.00	N74°46'34"W	48.29	022°05'41"
C17	46.02	126.00	N53°15'52"W	45.77	020°55'43"
C18	9.14	162.00	N02°32'34"E	9.14	003°13'53"
C19	36.54	162.00	N09°03'18"W	36.47	012°55'30"
C20	10.67	162.00	N13°53'14"W	10.67	003°46'22"
C21	33.07	113.00	N07°23'19"W	32.96	016°46'13"
C22	60.65	113.00	N18°22'18"E	59.92	030°45'01"
C23	7.25	25.00	N40°05'10"E	7.25	016°36'44"
C24	543.98	1230.00	S70°56'36"E	539.54	025°20'20"
C25	30.58	1230.00	S84°18'32"E	30.58	001°25'28"
C26	13.92	25.50	S18°23'48"W	13.75	031°16'57"
C27	28.49	237.00	S07°11'51"W	28.48	006°53'16"
C28	30.66	237.00	S14°20'51"W	30.64	007°24'43"
C29	29.63	237.00	S21°38'08"W	29.62	007°09'51"
C30	40.65	237.00	S40°02'43"W	40.60	009°49'42"
C31	38.31	237.00	S49°36'23"W	38.27	009°15'39"
C32	39.44	237.00	S58°56'57"W	39.40	009°32'08"
C33	42.98	237.00	S68°57'10"W	42.93	010°23'37"
C34	2.95	237.00	S74°30'20"W	2.95	000°42'43"
C35	15.02	512.09	S75°42'09"W	15.02	001°40'48"
C36	42.45	512.09	S78°55'00"W	42.44	004°45'00"
C37	43.14	512.09	S83°42'19"W	43.13	004°49'38"
C38	45.26	512.09	S88°39'03"W	45.25	005°03'51"
C39	26.76	512.09	N87°10'13"W	26.75	002°59'37"
C40	20.64	150.00	N81°52'52"W	20.63	007°53'04"
C41	0.82	30.00	N78°43'29"W	0.82	001°34'18"
C42	22.06	30.00	S76°25'10"W	21.57	042°08'23"
C43	36.77	60.00	S67°59'08"W	36.24	019°10'15"
C44	36.85	80.00	N69°14'53"W	36.53	026°23'48"
C45	32.78	80.00	N64°16'36"W	32.55	023°28'46"
C46	23.48	80.00	N44°07'48"W	23.39	016°48'50"
C47	23.48	80.00	N27°19'58"W	23.39	016°48'50"
C48	23.36	80.00	N10°32'44"W	23.27	016°43'38"
C49	23.48	80.00	N06°13'29"E	23.39	016°48'50"
C50	34.34	80.00	N29°55'50"E	34.08	024°35'51"
C51	1.05	80.00	N39°36'21"E	1.05	000°45'12"
C52	22.89	30.00	N18°07'37"E	22.34	043°42'41"
C53	20.64	150.00	N09°12'48"E	20.63	007°53'04"
C54	8.36	137.00	N14°01'31"W	8.36	003°29'48"
C55	28.02	137.00	N06°50'09"W	25.96	010°52'56"
C56	27.02	137.00	N04°15'23"E	26.98	011°18'07"
C57	30.11	137.00	N16°12'18"E	30.05	012°35'36"
C58	22.11	137.00	N27°07'27"E	22.08	009°14'43"
C59	7.27	25.00	N23°26'08"E	7.24	016°39'21"
C60	544.10	1196.76	S71°16'12"E	539.53	026°03'35"
C61	42.11	1091.48	S65°12'33"E	42.11	002°12'36"
C62	588.20	1200.00	S72°16'16"E	582.48	027°59'37"

CODED NOTES	
CODED NOTES	DESCRIPTION
1	15' BUILDING SETBACK
2	20' BUILDING SETBACK
3	25' BUILDING SETBACK
4	27' BUILDING SETBACK
5	30' BUILDING SETBACK
6	42' BUILDING SETBACK
7	10' PRIVATE STORM SEWER EASEMENT
8	15' PRIVATE STORM SEWER EASEMENT
9	20' PRIVATE STORM SEWER EASEMENT
10	PRIVATE STORM SEWER EASEMENT, WIDTH VARIES
11	20' PRIVATE SANITARY SEWER EASEMENT
12	20' PUBLIC WATERLINE EASEMENT
13	DRAINAGE & UTILITY EASEMENT (P.C. 4, SLIDES 61-61D)
14	EASEMENT (P.C. ___, SLIDES ___)

LEGEND
- I.F.F. -IRON PIN FOUND
- O.P.F. -IRON PIPE FOUND
- -IRON PIPE SET*
- -PK NAIL SET

*3/4" DIAMETER X 30" LONG IRON PIPE WITH A CAP THAT READS "CW DESIGN GROUP, LLC"

CW Design Group
ENGINEERS | SURVEYORS
PHONE: 614-846-9279
972 Linkfield Drive
Worthington, Ohio 43085

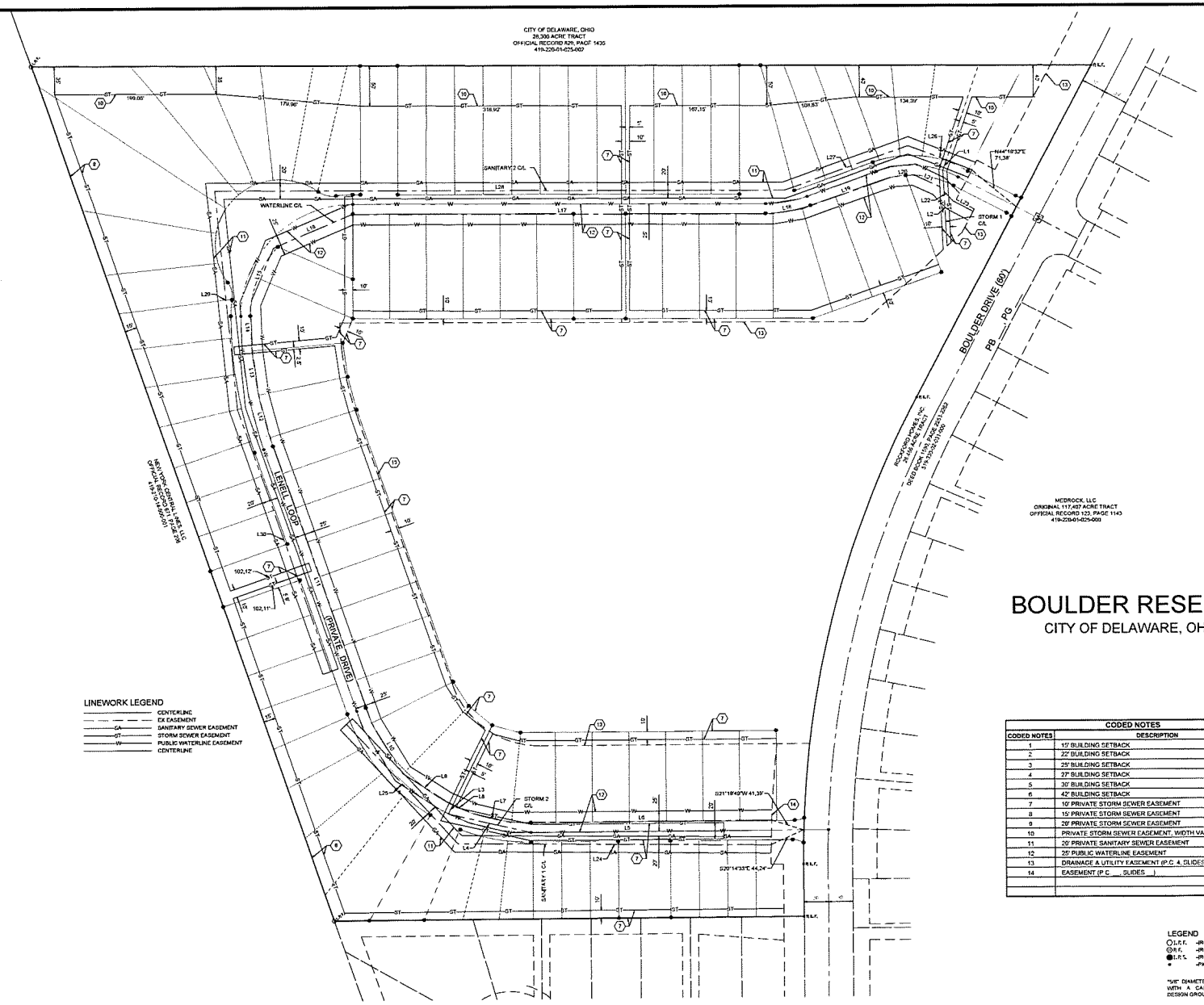
1"=60'
US SURVEY FEET

SUBDIVISION PLAT

BOULDER RESERVE

2/3

[cwdg] D:\Project\2020\20004\Drawing\Base.dwg - February 03, 2021 @ 11:42am - Copyright 2020



ALIGNMENT LINE TABLE		
LINE	LENGTH	DIRECTION
L1	12.00'	S67°29'55"E
L2	83.65'	S88°52'23"E
L3	12.27'	S58°36'16"E
L4	104.13'	N16°58'42"E
L5	237.00'	N03°45'12"E
L6	320.00'	S03°45'12"W
L7	49.32'	S17°42'53"W
L8	34.81'	S28°53'53"W
L9	63.79'	S36°50'01"W
L10	73.90'	S62°55'30"W
L11	375.12'	S74°51'42"W
L12	56.28'	S79°06'51"W
L13	53.67'	S86°39'28"W
L14	58.88'	N88°26'44"W
L15	74.11'	N83°19'36"W
L16	104.90'	N18°57'36"W
L17	517.29'	N04°09'20"E
L18	37.38'	N05°17'37"W
L19	116.93'	N15°46'25"W
L20	27.55'	N00°28'33"W
L21	53.92'	N29°13'35"E
L22	24.52'	N51°43'35"E
L23	27.99'	N31°43'52"E
L24	384.82'	S04°30'53"W
L25	201.52'	S51°23'56"W
L26	84.23'	S25°10'42"W
L27	161.25'	S15°46'25"E
L28	700.61'	S04°09'20"W
L29	271.72'	N88°19'28"E
L30	345.00'	N74°51'42"E

CODED NOTES	
CODED NOTES	DESCRIPTION
1	15' BUILDING SETBACK
2	22' BUILDING SETBACK
3	25' BUILDING SETBACK
4	27' BUILDING SETBACK
5	30' BUILDING SETBACK
6	42' BUILDING SETBACK
7	10' PRIVATE STORM SEWER EASEMENT
8	15' PRIVATE STORM SEWER EASEMENT
9	20' PRIVATE STORM SEWER EASEMENT
10	PRIVATE STORM SEWER EASEMENT, WIDTH VARIES
11	20' PRIVATE SANITARY SEWER EASEMENT
12	25' PUBLIC WATERLINE EASEMENT
13	DRAINAGE & UTILITY EASEMENT (P.C. 4, SLIDES 61-61D)
14	EASEMENT (P.C. ___ SLIDES ___)

BOULDER RESERVE

CITY OF DELAWARE, OHIO

LEGEND
- I.R.F. - IRON PIN FOUND
- I.P.F. - IRON PIPE FOUND
- I.R.S. - IRON PIN SET*
- PK NAIL SET

*"5/8" DIAMETER X 30" LONG REBAR WITH A CAP THAT READS "CW DESIGN GROUP LLC"

CW Design Group
ENGINEERS | SURVEYORS
PHONE 614-846-9279
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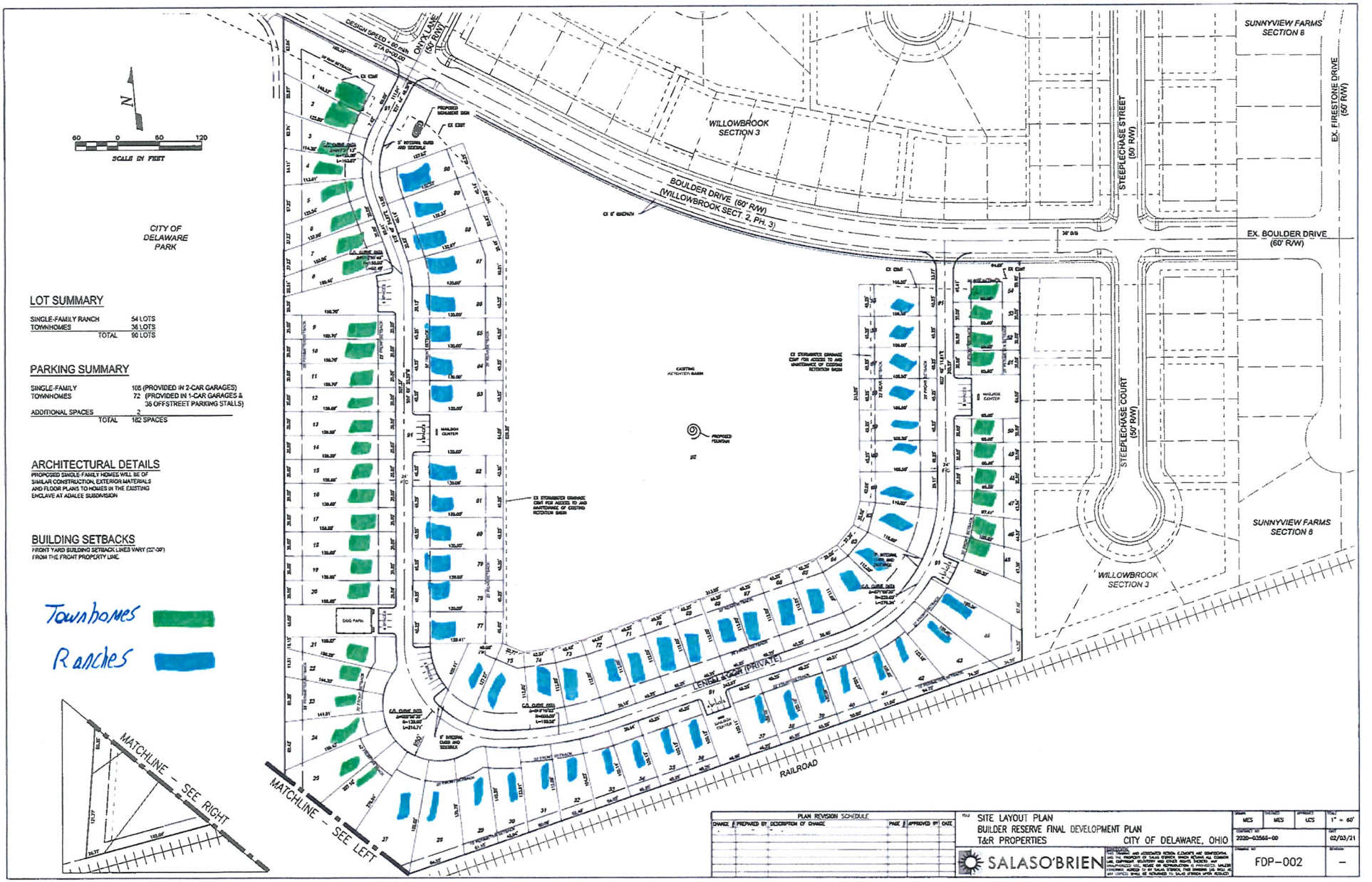
1"=60' US SURVEY FEET

SUBDIVISION EASEMENTS

BOULDER RESERVE

3 / 3

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N
60 0 60 120
SCALE IN FEET
CITY OF DELAWARE PARK
LOT SUMMARY
SINGLE-FAMILY RANCH 54 LOTS
TOWNHOMES 36 LOTS
TOTAL 90 LOTS
PARKING SUMMARY
SINGLE-FAMILY 108 (PROVIDED IN 2-CAR GARAGES)
TOWNHOMES 72 (PROVIDED IN 1-CAR GARAGES & 36 OFFSTREET PARKING STALLS)
ADDITIONAL SPACES 2
TOTAL 182 SPACES
ARCHITECTURAL DETAILS
PROPOSED SINGLE-FAMILY HOMES WILL BE OF SIMILAR CONSTRUCTION, EXTERIOR MATERIALS AND FLOOR PLANS TO HOMES IN THE EXISTING ENCLAVE AT ADALEE SUBDIVISION
BUILDING SETBACKS
FRONT YARD BUILDING SETBACK LINES VARY (22'-39') FROM THE FRONT PROPERTY LINE
Townhomes
Ranches
MATCHLINE - SEE RIGHT
MATCHLINE - SEE LEFT
ONYX LANE (50' R/W)
WILLOWBROOK SECTION 3
BOULDER DRIVE (60' R/W) (WILLOWBROOK SECT. 2, PH. 3)
SUNNYVIEW FARMS SECTION 8
STEEPLECHASE STREET (50' R/W)
EX. FIRESTONE DRIVE (60' R/W)
EX. BOULDER DRIVE (60' R/W)
STEEPLECHASE COURT (50' R/W)
LENNEL MANOR (PRIVATE)
RAILROAD
EXISTING RETENTION BASIN
PROPOSED FOUNTAIN
DOG PARK
PROPOSED MONUMENT SIGN
EX. ENTRANCE
5' INTEGRAL CURB AND SIDEWALK
24' PAVEMENT
30' R/W
EX. STORMWATER DRAINAGE EASEMENT FOR ACCESS TO AND MAINTENANCE OF EXISTING RETENTION BASIN
PLAN REVISION SCHEDULE
CHANGE # | PREPARED BY: | DESCRIPTION OF CHANGE | PAGE # | APPROVED BY: | DATE
SITE LAYOUT PLAN
BUILDER RESERVE FINAL DEVELOPMENT PLAN
T&R PROPERTIES
CITY OF DELAWARE, OHIO
SALASO'BRIEN
DRAWN MES
CHECKED MES
APPROVED CCS
SCALE 1" = 60'
CONTRACT NO. 2020-03565-00
DATE 02/03/21
DRAWING NO. FDP-002
REVISION -





A Front Elevation
3/16" = 1'-0"



A Front Elevation
3/16" = 1'-0"





Two-Car Garage Version of Townhome is Still in Design*

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 14 | DATE: 03/08/2021

ORDINANCE NO: 21-14 | RESOLUTION NO:

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN REQUEST BY PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 17 CONTAINING 27 SINGLE FAMILY LOTS ON 8.321 ACRES ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AND LOCATED ON SUNSTONE LANE AND CAMBRIE DRIVE.

BACKGROUND:
See attached report

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Chapter 1129 Procedures of the zoning code.

COMMITTEE RECOMMENDATION:
Planning Commission approved this case 7-0 on March 3, 2021.

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

ORDINANCE NO. 21-14

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN REQUEST BY PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 17 CONTAINING 27 SINGLE FAMILY LOTS ON 8.321 ACRES ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AND LOCATED ON SUNSTONE LANE AND CAMBRIE DRIVE.

WHEREAS, the Planning Commission at its meeting on March 3, 2021 recommended approval of a Final Development Plan request by Pulte Homes for the Communities at Glenross Section 17 containing 27 single family lots on 8.321 acres on property zoned R-2 PMU (One Family Residential District with a Planned Mixed Use Overlay District) and located on Sunstone Lane and Cambrie Drive (PC 2021-0275).

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

SECTION 1. That the Final Development Plan request by Pulte Homes for the Communities at Glenross Section 17 containing 27 single family lots on 8.321 acres on property zoned R-2 PMU (One Family Residential District with a Planned Mixed Use Overlay District) and located on Sunstone Lane and Cambrie Drive, is hereby confirmed, approved, and accepted with the following conditions that:

1. The Applicant needs to obtain final engineering approvals, including any storm water, utility, and cluster mailbox 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. Per the City Engineer, Section 16 Part 2 shall be constructed prior to Section 17 otherwise pre-construction for Section 17 shall not be approved.
3. The emergency access drive to Cheshire Road through Section 15 shall remain in place until a second access point to Winterbourne Drive is established on east side of Winterbourne Drive (proposed in Section 18).
4. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
5. The single-family houses shall comply with the minimum architectural standards and house size in the approved development text and per applicable sections of the current zoning code.
6. A street tree plan shall be approved by the Shade Tree Commission.

7. This section of the Communities at Glenross Subdivision is in the Delaware South New Community Authority, subject to a per dwelling unit additional transportation fee of $1,000 per unit due 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 unit.
8. All signage shall achieve compliance with the graphics and signage requirements in the development text and the previously approved wayfinding system and plan for the community.

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: _____, 2021 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 15 | DATE: 03/08/2021

ORDINANCE NO: 21-15 | RESOLUTION NO:

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT REQUEST BY PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 17 CONTAINING 27 SINGLE FAMILY LOTS ON 8.321 ACRES ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AND LOCATED ON SUNSTONE LANE AND CAMBRIE DRIVE.

BACKGROUND:
See attached report

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Chapter 1111 Subdivision Regulations

COMMITTEE RECOMMENDATION:
Planning Commission approved this case 7-0 on March 3, 2021.

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

ORDINANCE NO. 21-15

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT REQUEST BY PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 17 CONTAINING 27 SINGLE FAMILY LOTS ON 8.321 ACRES ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AND LOCATED ON SUNSTONE LANE AND CAMBRIE DRIVE.

WHEREAS, the Planning Commission at its meeting on March 3, 2021 recommended approval of a Final Subdivision Plat request by Pulte Homes for the Communities at Glenross Section 17 containing 27 single family lots on 8.321 acres on property zoned R-2 PMU (One Family Residential District with a Planned Mixed Use Overlay District) and located on Sunstone Lane and Cambrie Drive (PC 2021-0276).

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

SECTION 1. That the Final Subdivision Plat request by Pulte Homes for the Communities at Glenross Section 17 containing 27 single family lots on 8.321 acres on property zoned R-2 PMU (One Family Residential District with a Planned Mixed Use Overlay District) and located on Sunstone Lane and Cambrie Drive, is hereby confirmed, approved, and accepted with the following conditions that:

1. The Applicant needs to obtain final engineering approvals, including any storm water, utility, and cluster mailbox 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. Per the City Engineer, Section 16 Part 2 shall be constructed prior to Section 17 otherwise pre-construction for Section 17 shall not be approved.
3. The emergency access drive to Cheshire Road through Section 15 shall remain in place until a second access point to Winterbourne Drive is established on east side of Winterbourne Drive (proposed in Section 18).
4. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
5. The single-family houses shall comply with the minimum architectural standards and house size in the approved development text and per applicable sections of the current zoning code.
6. A street tree plan shall be approved by the Shade Tree Commission.

7. This section of the Communities at Glenross Subdivision is in the Delaware South New Community Authority, subject to a per dwelling unit additional transportation fee of $1,000 per unit due 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 unit.
8. All signage shall achieve compliance with the graphics and signage requirements in the development text and the previously approved wayfinding system and plan for the community.

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: _____, 2021 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

EST 1808
CITY OF
DELAWARE
OHIO

PLANNING COMMISSION / STAFF REPORT

CASE NUMBERS: 2021-0275-0276
REQUEST: Multiple Requests
PROJECT: Communities at Glenross – Section 17
MEETING DATE: March 3, 2021

APPLICANT/OWNER
Pulte Homes
475 Metro Place South Suite 200
Dublin, Ohio 43017

REQUEST
2021-0275: A request by Pulte Homes for approval of a Final Development Plan for the Communities at Glenross Section 17 for 27 single-family lots on approximately 8.321 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on Sunstone Lane and Cambrie Drive.
2021-0276: A request by Pulte Homes for approval of a Final Subdivision Plat for the Communities at Glenross Section 17 for 27 single-family lots on approximately 8.321 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on Sunstone Lane and Cambrie Drive.

PROPERTY LOCATION & DESCRIPTION
The subject property is located on the south side of Cheshire Road east of Winterbourne Drive and just west of the railroad tracks. The subject site is zoned R-2 PMU (One-Family Residential District with a Planned Mixed-Use Overlay District). The properties to the north, south, and west are zoned R-2 PMU while the property to the east across the railroad tracks is the township.

BACKGROUND
This project has an extensive zoning history that dates back to 2006, but the most recent significant action that pertains to the development south of Cheshire Road occurred in August 2016. At that time, City Council approved an amendment to the Zoning and Development Text, an amendment to the Preliminary Development Plan, and an amendment to the Preliminary Subdivision Plat for the Communities at Glenross for 487 single family lots on approximately 210.7 acres (sections 11-22). The Final Development Plan and Final Subdivision Plat for Sections 11 and 12 were approved in 2017. The Final Development Plan and Final Subdivision Plat for Section 15 was approved in 2018, Section 13 was approved in 2019, and Section 16 was approved in 2020.

Now the developer is requesting a Final Development Plan and Final Subdivision Plat for Section 17 which consists of 27 single-family lots on 8.321 acres. The Final Development Plan and Final Subdivision Plat for Section 17 has been submitted alongside the Final Development Plan and Final Subdivision Plat for Section 19 and together these two sections will complete a loop alongside Section 16.

STAFF ANALYSIS

- **ZONING:** As mentioned above, the zoning for the subject site is R-2 PMU which has a specific development plan and text for the subject development. From a procedural perspective, Final Development Plans and Final Subdivision Plats would need to be reviewed and approved by the Planning Commission and City Council for each section.
- **DEVELOPMENT TEXT:** The development text sets forth development standards for the residential development which has specific development text for the entire development pertaining to permitted uses, density, lot size, minimum dwelling size, building setbacks, landscaping, lighting, architectural elevations, etc. Section 17 is in Sub-Area IB of the approved Preliminary Development Plan and Preliminary Subdivision Plat. The development plan and text is sensitive to the existing residential surroundings while providing an appropriate transition to a very active pair of railroad tracks.
- **GENERAL ENGINEERING:** The Applicant needs to obtain engineering approvals, including any storm water, utility, and cluster mailbox issues that need to be worked out through the Engineering and Utilities Departments. Currently, stormwater and transportation improvements for Section 16 Part 2 have not yet been completed and shall be constructed prior to Section 17. 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.
- **UTILITIES:** The site would be serviced by City sanitary sewer (SE Highland trunk sewer) and water that would have to be extended by the developer from the existing development.

- **ROADS AND ACCESS:** Section 17 is located south of Cheshire Road and would be accessed from Winterbourne Drive which is the main north/south spine road for Sections 11-22 located south of Cheshire Road. There are five different access points to Section 17 which connect to Sections 16, 18, and 19. Cambridge Drive will extend north and south through Section 17 and Sunstone Lane extends east to west and connects to Bluestone Lane in Section 19 to create a loop alongside Section 16. All the streets are public and would have sidewalks on both sides of the street. In addition, there shall be no street parking near intersections or along the curved roads in this section.
- **PEDESTRIAN CONNECTIVITY:** The pedestrian connectivity plan identifies a bike path along Winterbourne Drive through the subject section that would connect into the City network per the approved Preliminary Development Plan. In addition, there would be sidewalks on both sides of the public streets.
- **LOT LAYOUT & SIZE:** Per the approved development text, the subject lots in Section 17 would be a minimum lot area of 8,450 square feet with minimum 65 feet lot widths and 130 feet lot depths. The front yard setback would be 25 feet, the rear yard setback would be 30 feet (decks and patios may encroach into the setback, but not closer than 15 feet from the lot line), and the side yard setback would be 20% of the lot width (not less than 6 feet) with a minimum house size of 1,600 square feet for a single story house and 1,800 square feet for a two-story house. Also, all the corner lots achieve compliance with the oversized corner lot requirements in the zoning code. An approximate 3.77-acre reserve area buffers the subject section from Winterbourne Drive that contains mounding, landscaping, and a bike path.
- **BUILDING DESIGN:** The design requirements for The Communities at Glenross south of Cheshire Road are based on the housing options in each Section and Sub-Area per the approved development text. The single-family lots in Sections 17 would require the following design requirements: 1.) At least 40% of the front façade elevation of each building (excluding garage doors, entrance doors, gutters, shutters, downspouts and windows) shall consist of natural materials, such as brick or stone. 2.) All vinyl siding shall have a minimum thickness of 0.044 mils; 3.) 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; 4.) No concrete or split face block shall be permitted, except for basement or foundation walls; 5.) The roofs of all homes shall have dimensional shingles. In addition, the homes shall achieve compliance with Residential Development Design Criteria and Performance Standards in Chapter 1171.08.
- **LANDSCAPING:** A street tree plan has been submitted and shall be required to be approved by Shade Tree Commission prior to installation.
- **OPEN SPACE/PARKLAND:** The Communities at Glenross Sections 11-22 has approximately 61.5 acres of open space (approximately 29.2%) in several reserve areas south of Cheshire Road. While this section will not contain any of this open space, the adjacent Section 16 contains approximately 3.77 acres of open space in the reserve area located along Winterbourne Drive as well as approximately 0.86 acres of active open space (tot lot).
- **TREE PRESERVATION:** There do not appear to be any qualifying trees (6 inches in caliper or larger) that would be removed in Section 17 but if any are removed during the construction, the developer would have to achieve compliance with Chapter 1168 Tree Preservation Regulations.
- **LIGHTING PLAN:** A lighting plan would have to be submitted, reviewed and approved by the City that achieves compliance with the zoning code.

STAFF RECOMMENDATION – (2021-0275 FINAL DEVELOPMENT PLAN)

Staff recommends approval of a request by Pulte Homes for a Final Development Plan for the Communities at Glenross Section 17 for 27 single-family lots on approximately 8.321 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed-Use Overlay District) and located on Sunstone Lane and Cambrie Drive, with the following conditions that:

1. The Applicant needs to obtain final engineering approvals, including any storm water, utility, and cluster mailbox 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. Per the City Engineer, Section 16 Part 2 shall be constructed prior to Section 17 otherwise pre-construction for Section 17 shall not be approved.

3. The emergency access drive to Cheshire Road through Section 15 shall remain in place until a second access point to Winterbourne Drive is established on east side of Winterbourne Drive (proposed in Section 18).
4. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
5. The single-family houses shall comply with the minimum architectural standards and house size in the approved development text and per applicable sections of the current zoning code.
6. A street tree plan shall be approved by the Shade Tree Commission.
7. This section of the Communities at Glenross Subdivision is in the Delaware South New Community Authority, subject to a per dwelling unit additional transportation fee of $1,000 per unit due 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 unit.
8. All signage shall achieve compliance with the graphics and signage requirements in the development text and the previously approved wayfinding system and plan for the community.

STAFF RECOMMENDATION – (2021-0276 FINAL SUBDIVSION PLAT)

Staff recommends approval of a request by Pulte Homes for a Final Subdivision Plat for the Communities at Glenross Section 17 for 27 single-family lots on approximately 8.321 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed-Use Overlay District) and located on Sunstone Lane and Cambrie Drive, with the following conditions that:

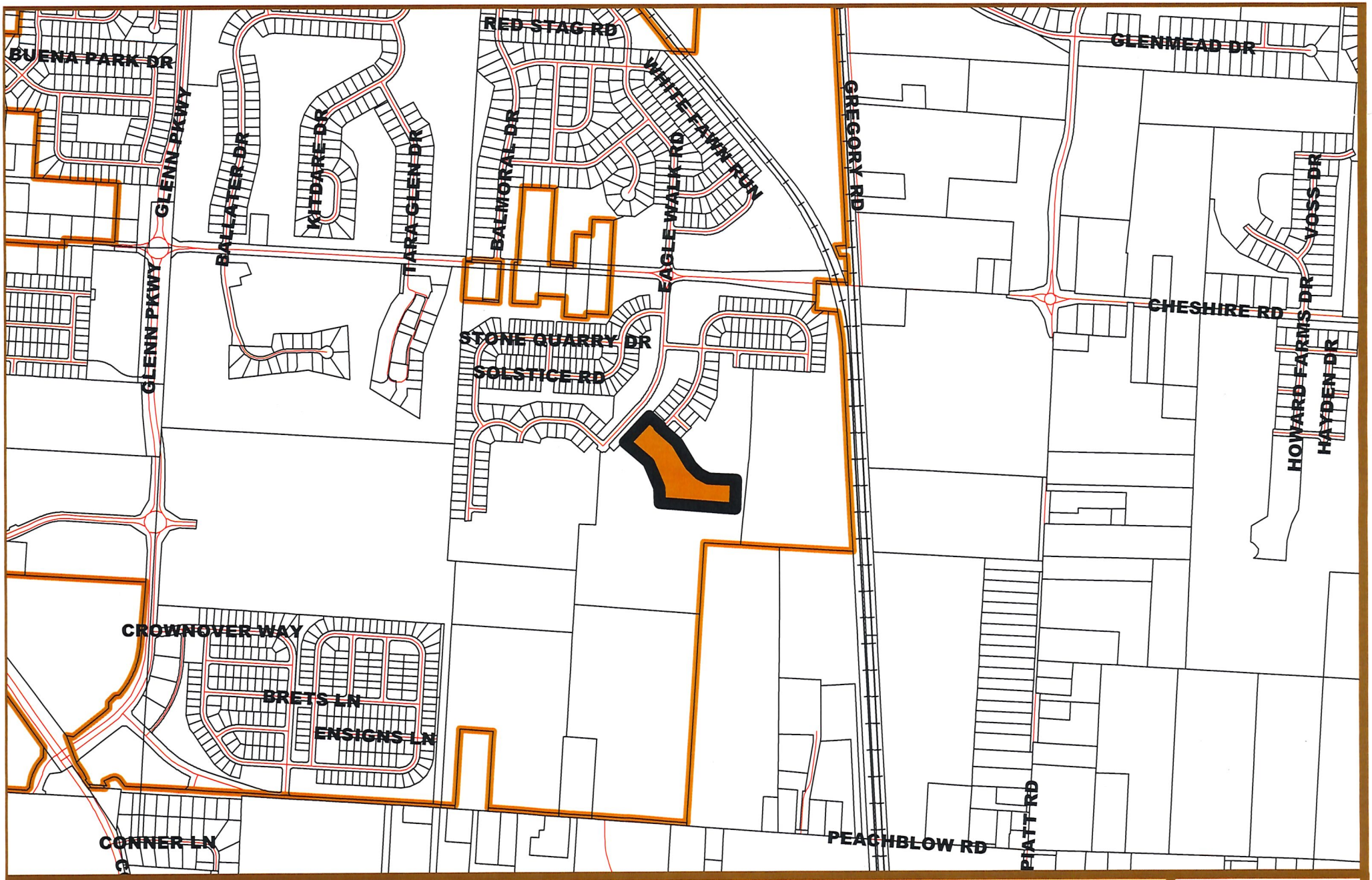
1. The Applicant needs to obtain final engineering approvals, including any storm water, utility, and cluster mailbox issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.
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6. A street tree plan shall be approved by the Shade Tree Commission.
7. This section of the Communities at Glenross Subdivision is in the Delaware South New Community Authority, subject to a per dwelling unit additional transportation fee of $1,000 per unit due 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 unit.
8. All signage shall achieve compliance with the graphics and signage requirements in the development text and the previously approved wayfinding system and plan for the community.

COMMISSION NOTES:

MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled*_____

CONDITIONS/MISCELLANEOUS:

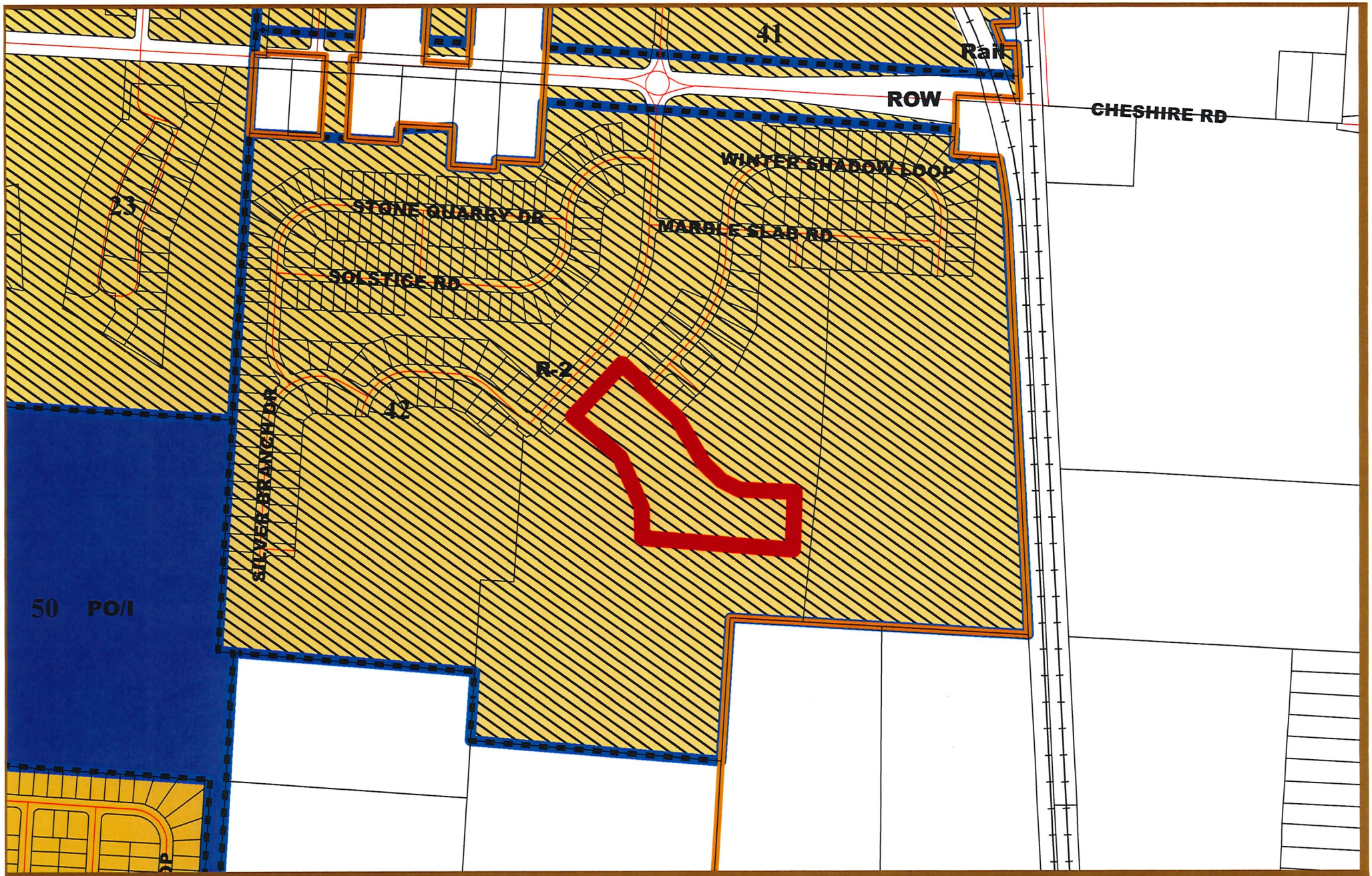
FILE:
ORIGINAL: **02/23/21**
REVISED:



EST 1808
CITY OF
DELAWARE
OHIO

2021-0275-0276
Final Development Plan and Final Subdivision Plat
Communities at Glenross - Section 17
Location Map

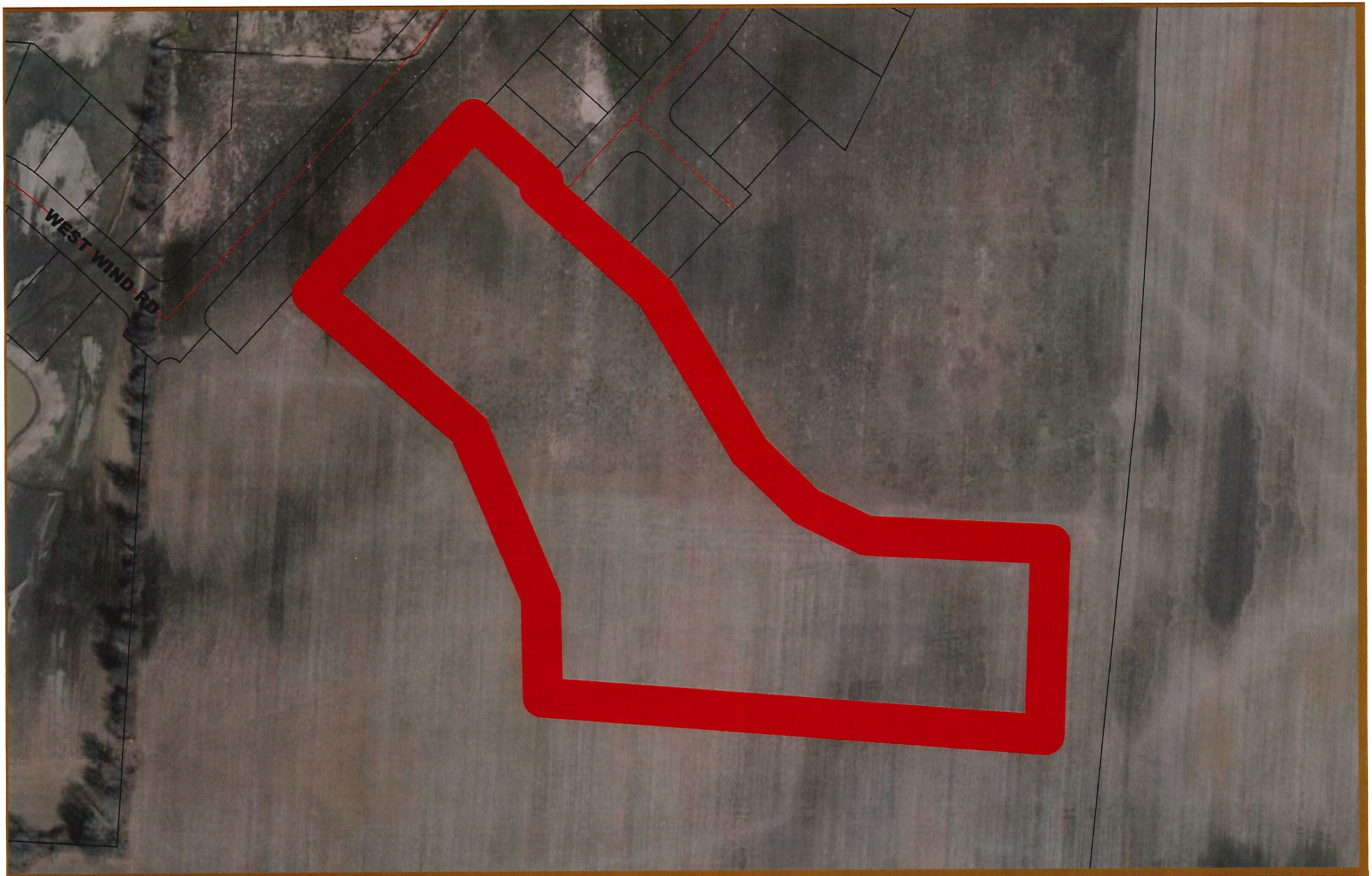
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EST 1808
CITY OF
DELAWARE
OHIO

2021-0275-0276
Final Development Plan and Final Subdivision Plat
Communities at Glenross - Section 17
Zoning Map

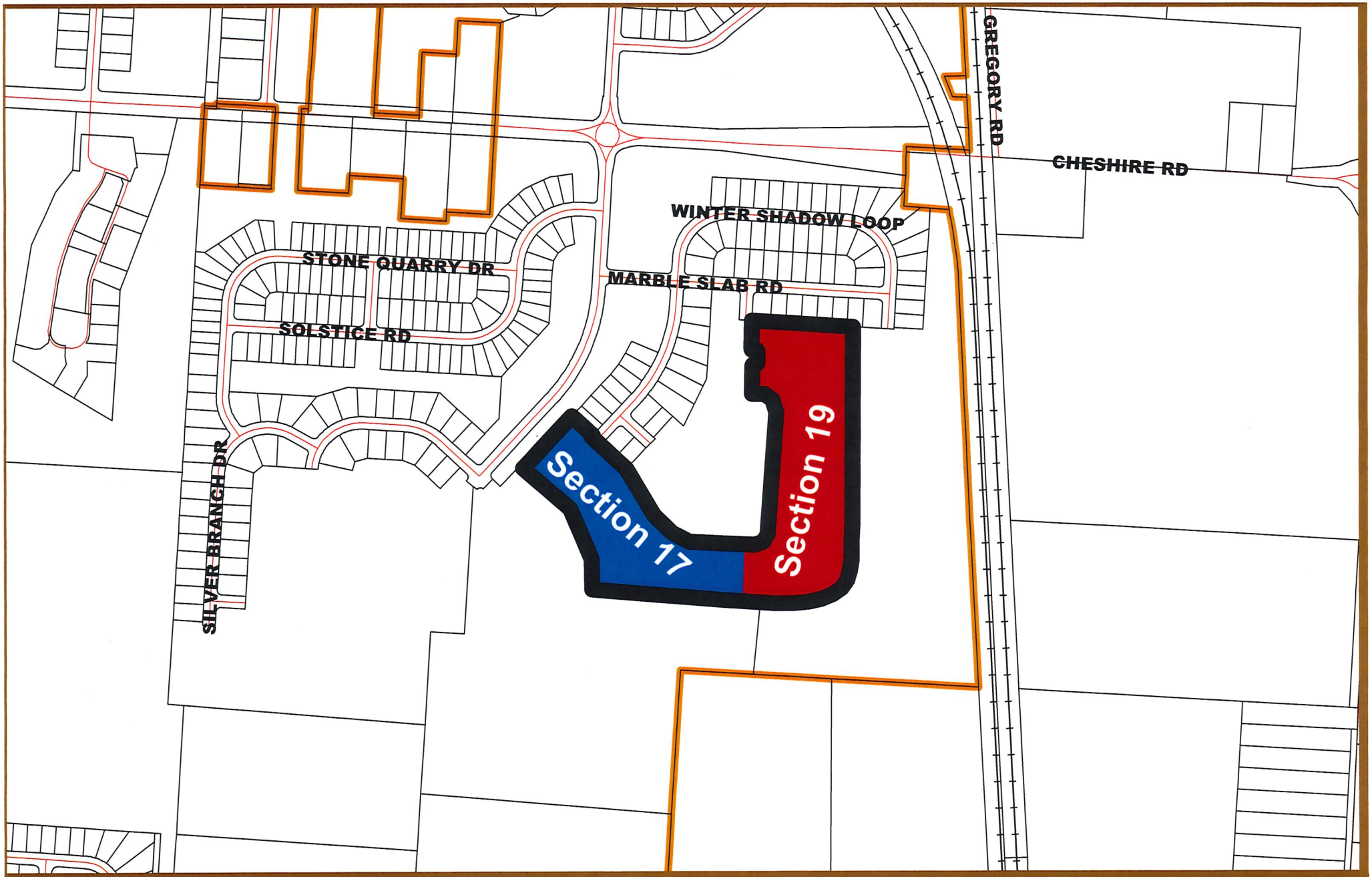
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EST 1808
CITY OF
DELAWARE
OHIO

2021-0275-0276
Final Development Plan and Final Subdivision Plat
Communities at Glenross - Section 17
Aerial (2019) Map

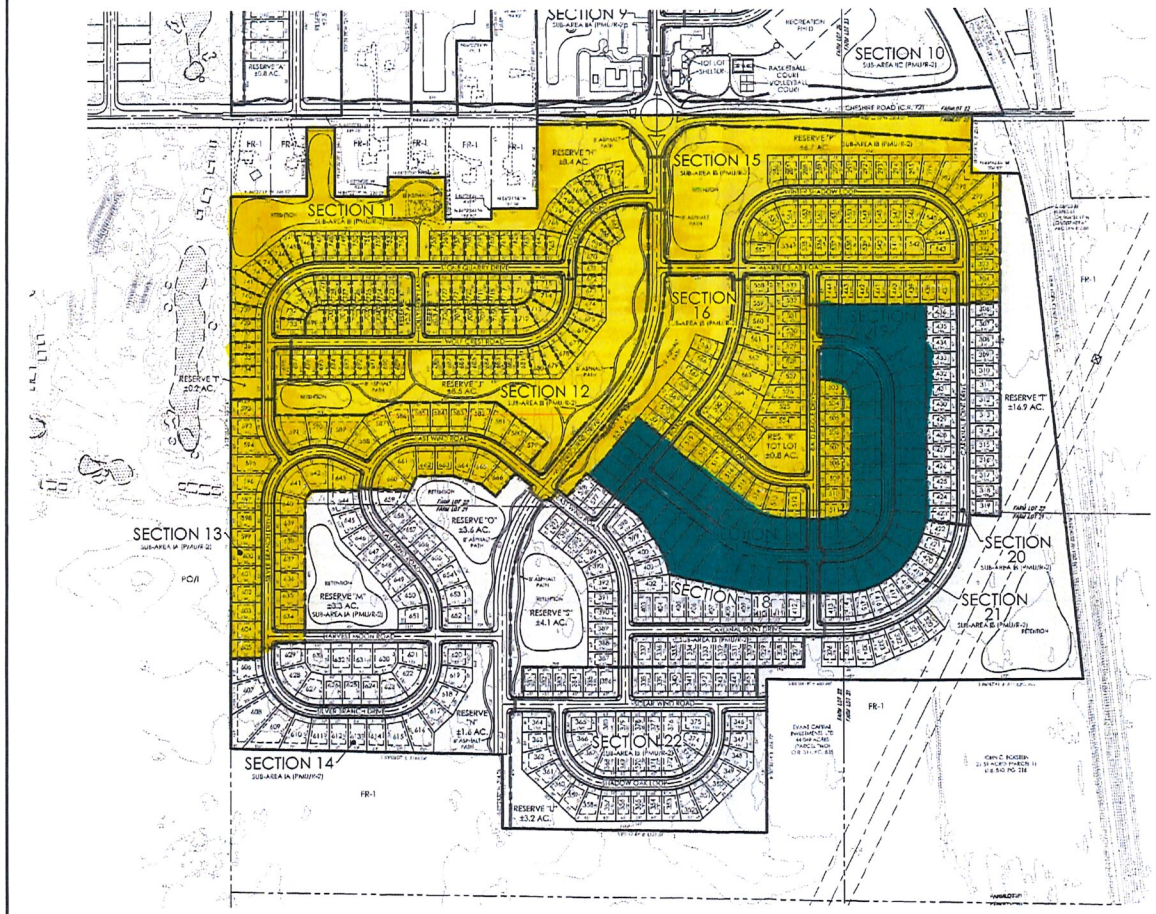
N



EST 1808
CITY OF
DELAWARE
OHIO

Final Development Plan and Final Subdivision Plat
Communities at Glenross - Section 17 & 19
Sub-Section Map

N



Legend:

- Existing Contours (1' interval)
- Existing Boundary
- Proposed Building Setback
- Amendment Area

Site Data:

Total Gross Acreage: ±387.36 AC

Total Open Space/Park and Common Open Space: ±100.01 AC

Proposed Zoning: Planned Mixed-Use District

Sub-Area IA: Single Family (PMUR-2)
Sub-Area IB: Single Family (PMUR-2)
Sub-Area IC: Single Family (PMUR-2)
Sub-Area III: Single Family (PMUR-2)

Notes:

The applicant will use innovative stormwater management techniques to be approved by the City of Delaware. Appropriate storm water management will be determined during final engineering. The applicant will coordinate with the city engineering department.

All streets shall be public streets. Streets " Barnard Drive, White Pawn Run, Night Bird Lane, Chick Stone Drive, Eagle Walk Road, Solar Wind Road, Sundial Lane, Winter Shadow Loop, Wolf Crest Road, Silver Branch Drive, East Wind Road, Shadow Oak Loop, Cardinal Point Drive, Harvest Moon Point, Sunstone Lane, Ivy Hill Road, Blue Stone Lane, Red Stag Road, Rocky Course Road, Caribou Run, Bald Eagle Drive, White Water Court, Silver Fox Way, Gray Owl Drive, East Wind Road, Hollyberry Lane, Solstice Road, Stone Quarry Drive, Marble Slab Drive & Cardinal Point Drive. Shall be 32' wide back of curb to back of curb and have curb and gutter. Winterbourne Drive Shall be 36' wide back of curb to back of curb and have curb and gutter. The applicant will provide 5' sidewalks on both sides of all public streets.

The applicant will dedicate right of way along the frontage of Cheshire Road as required.

GRAPHIC SCALE

1 inch = 200 feet

ISSUE	DATE	DESCRIPTION
1	6/6/16	REVISED PER COMMENTS

REVISIONS

Pulte Homes
1901 Lake Crossing Blvd., Dublin, OH 43016
Ph: (614) 356-5833

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
DEVELOPMENT PLAN
COMMUNITIES AT GLENROSS
SITE PLAN

EMHT
Environmental Management & Planning, Inc.
Civil Engineering & Land Development
8800 Orion Place, Columbus, OH 43240
Phone: (614) 775-4500 Fax: (614) 775-4800
www.emht.com

DATE: JUNE 1, 2016

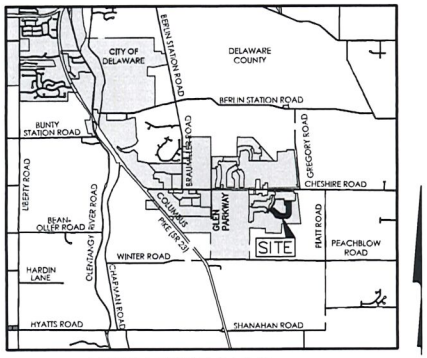
SCALE: 1" = 200'

JOB NO: 20080644

SHEET: 2/5

COMMUNITIES AT GLENROSS

SECTION 17 & 19



LOCATION MAP

NO SCALE

PREPARED FOR:

PulteGroup

475 METRO PLACE SOUTH

SUITE 200

DUBLIN, OHIO 43017

PH. 614-376-1000

SUBMITTAL: FEBRUARY 1, 2021

CIVIL ENGINEER

EMHT

Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

INDEX OF DRAWINGS

FINAL PLATS:	
SECTION 17 :	SHEET 1-2
SECTION 19:	SHEET 3-4
SITE PLAN:	SHEET 5
LIGHTING PLAN:	SHEET 6-7
STREET TREE PLAN:	SHEET 8-9
ILLUSTRATIVE SITE PLAN:	SHEET 10

THE COMMUNITIES AT GLENROSS SECTION 17

Situated in the State of Ohio, County of Delaware, City of Delaware, and in Farm Lots 27 (2.665 acres) and 28 (5.656 acres), Quarter Township 3, Township 4, Range 18, United States Military Lands, containing 8.321 acres of land, more or less, said 8.321 acres being comprised of a part of each of those tracts of land conveyed as Parcel 8 and Parcel 9 to **PULTE HOMES OF OHIO LLC** by deeds of record in Official Record 1327, Page 1465 and Official Record 1332, Page 1098, Recorder's Office, Delaware County, Ohio.

The undersigned, **PULTE HOMES OF OHIO LLC,** a Michigan limited liability company, by **MATTHEW J. CALLAHAN,** Division Vice President of Land Acquisition, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its **"THE COMMUNITIES AT GLENROSS SECTION 17",** a subdivision containing Lots numbered 13476 to 13502, both inclusive, does hereby accept this plat of same and dedicates to public use, as such, all of Cambrie Drive, Sunstone Lane, and Bald Eagle Drive (1.948 acres of land, more or less) shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Utility Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the Delaware City Engineer. Easement areas shown hereon outside of the platted areas are within lands owned by the undersigned and easements are hereby reserved therein for the uses and purposes expressed herein.

In Witness Whereof, **MATTHEW J. CALLAHAN,** Division Vice President of Land Acquisition of **PULTE HOMES OF OHIO LLC,** has hereunto set his hand this ____day of _____, 20___.

Signed and Acknowledged In the presence of

PULTE HOMES OF OHIO LLC

_____

By _____
MATTHEW J. CALLAHAN,
Division Vice President of Land Acquisition

_____

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared **MATTHEW J. CALLAHAN,** Division Vice President of Land Acquisition of **PULTE HOMES OF OHIO LLC,** who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **PULTE HOMES OF OHIO LLC,** for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this ____ day of _____, 20___.

My commission expires _____

_____
Notary Public, State of Ohio

PC Case No. ___-____ approved by the Planning Commission on this _____ day of _____, 20___.

Approved and accepted this _____ day of _____, 20___, by Ordinance No _____, wherein all of Cambrie Drive, Sunstone Lane, and Bald Eagle Drive (1.948 acres of land, more or less) shown dedicated hereon are accepted as such by the City Council of the City of Delaware, Ohio.

Approved this ____ Day of _____ 20___
_____
Elaine McCloskey, City Clerk, Delaware, Ohio

Approved this ____ Day of _____ 20___
_____
R. Thomas Homan, City Manager, Delaware, Ohio

Approved this ____ Day of _____ 20___
_____
David M. Efland, AICP, Planning and Community Development Director, Delaware, Ohio

Approved this ____ Day of _____ 20___
_____
William L. Ferrigno, P.E., Public Works Director/City Engineer, Delaware, Ohio

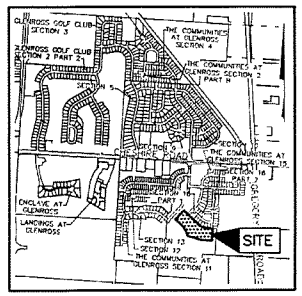
Approved this ____ Day of _____ 20___
_____
Blake Jordan, P.E., Public Utilities Director, Delaware, Ohio

Transferred this ____ day of _____, 20___
_____
Auditor, Delaware County, Ohio

Filed for record this ___ day of _____, 20___ at ____ M
Fee $_____
_____
Recorder, Delaware County, Ohio

File No. _____

Official Record ____, Pages ____



LOCATION MAP AND BACKGROUND DRAWING

NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the same meridian as the bearings shown on the subdivision plat entitled "GLENROSS GOLF CLUB SECTION 17", of record in Cabinet 3, Slide 456, Recorder's Office, Delaware County, Ohio, in which a portion of the centerline of Kitdare Drive has a bearing of South 61°09'41" West.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Delaware County, Ohio.

IRON PINS Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT.

PERMANENT MARKERS: Permanent markers, where indicated hereon in the public street centerline, are to be one-inch diameter, thirty-inch long, solid iron pins, encased in a standard survey monument box. Pins are to be set to monument the points indicated, are to be set after the construction/installation of the street pavement and are to be set with the top end one-fourth inch below the top of the pavement. Once installed, the top of the pin shall be marked (punched) to record the actual location of the point.
Permanent markers, where indicated hereon in positions other than in the public street centerline, are to be one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated, and set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED BY

EMHT

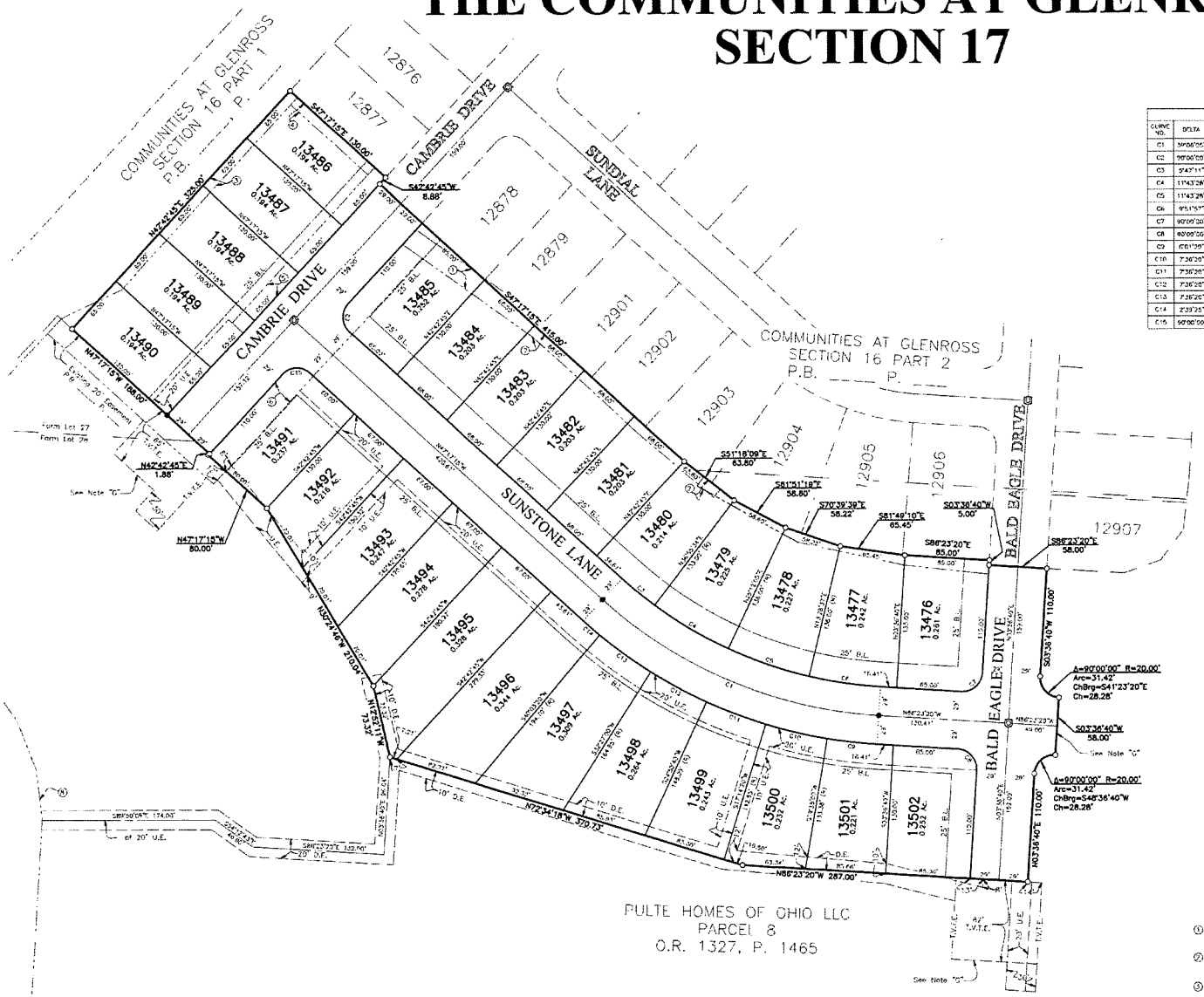
Dunlap, Heathcott, Hombostel & Dillon, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone 614.775.4500 Toll Free 888.775.3648
emht.com

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

○ = Iron Pin (See Survey Data)
● = MAG Nail to be set
⊗ = Permanent Marker (See Survey Data)
⊠ = Permanent Marker encased in monument box

By _____ _____
Professional Surveyor No. 7865 Date

THE COMMUNITIES AT GLENROSS SECTION 17



CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	39°06'05"	456.00'	322.16'	S 60°56'18" E	301.18'
C2	90°00'00"	20.00'	31.42'	S 02°17'15" E	28.28'
C3	5°47'11"	421.00'	42.53'	S 50°16'51" E	42.50'
C4	11°43'28"	421.00'	86.15'	S 58°58'11" E	86.00'
C5	11°43'28"	421.00'	86.15'	S 70°39'39" E	86.00'
C6	9°51'57"	421.00'	72.48'	S 81°07'22" E	72.40'
C7	90°00'00"	20.00'	31.42'	N 46°36'40" E	28.28'
C8	90°00'00"	20.00'	31.42'	N 61°22'20" W	28.28'
C9	6°11'09"	479.00'	50.35'	S 83°22'40" E	50.32'
C10	7°36'28"	479.00'	63.58'	S 76°35'56" E	63.54'
C11	7°36'28"	479.00'	63.58'	S 68°59'28" E	63.54'
C12	7°36'28"	479.00'	63.58'	S 61°23'10" E	63.54'
C13	7°36'28"	479.00'	63.58'	S 53°46'50" E	63.54'
C14	2°39'25"	479.00'	22.21'	S 48°36'56" E	22.21'
C15	90°00'00"	20.00'	31.42'	S 87°43'40" E	28.28'

① Existing 20' D.E. P.B. ____, P. ____
② Existing D.E. P.B. ____, P. ____
③ Existing 10' D.E. P.B. ____, P. ____
④ Existing 10' U.E. P.B. ____, P. ____
⑤ Existing 15' U.E. P.B. ____, P. ____
⑥ Existing 24' U.E. P.B. ____, P. ____
⑦ Existing 10' D.E. P.B. ____, P. ____
⑧ Existing D.E. P.B. ____, P. ____

Line Type Legend
- Existing Property Line
- Existing R/W Line
- Existing R/W Centerline
- Existing Easement Line
- Proposed Subdivision Boundary Line
- Proposed Lot Line
- Proposed R/W Line
- Proposed R/W Centerline
- Proposed Easement Line

NOTE "A": Notice is hereby given to any buyer of the lots delineated upon this plat, that on file with the Building Department of The City of Delaware, are site improvement plans for the development of said lots showing proposed lot drainage, proposed ground elevation at house and/or lot grading plans. These plans, as approved by the governmental agencies, are considered part of the approval of this subdivision and are to be incorporated into the final plot plan required with the building permit.

NOTE "B" - MINIMUM SETBACKS: City of Delaware Zoning regulations for The Communities at Glenross Section 17 in effect at the time of platting of The Communities at Glenross Section 16 Part 2 specifies the following setback requirements:

Front yard:	25 feet
Side yard:	20% of 6 feet
Rear yard:	30 feet
Zoning classification:	PMUR2

The purpose of this plat is to show certain property, rights-of-way and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall control over conflicting limitations and requirements that may be shown on this plat. This note should not be construed as creating, plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

NOTE "C": As per City of Delaware Zoning Code, all lots within The Communities at Glenross Section 17 are subject to the terms, conditions, restrictions (including fishing and lease waiver) and special assessment districts as outlined in the preliminary plat entitled "The Communities at Glenross", said preliminary plat being approved on August 10, 2015 by Ordinance Number 15-85 on file at the City of Delaware Department of Planning and Community Development as PC 2015-1329.

NOTE "D": All utilities within The Communities at Glenross Section 17 shall be installed underground. Electric, telephone and cable T.V. lines and their above ground pedestals shall be located in rear yard areas except where a service feed must cross a street right of way or enter the subdivision.

NOTE "E" - ACREAGE BREAKDOWN:

Total acreage	8.321 Ac.
Acreage in remaining lots	6.373 Ac.
Acreage in right-of-way	1.948 Ac.

NOTE "F" - ACREAGE BREAKDOWN: The Communities at Glenross Section 17 is out of the following Delaware County Parcel Number:

41832001046000	8.321 Ac.

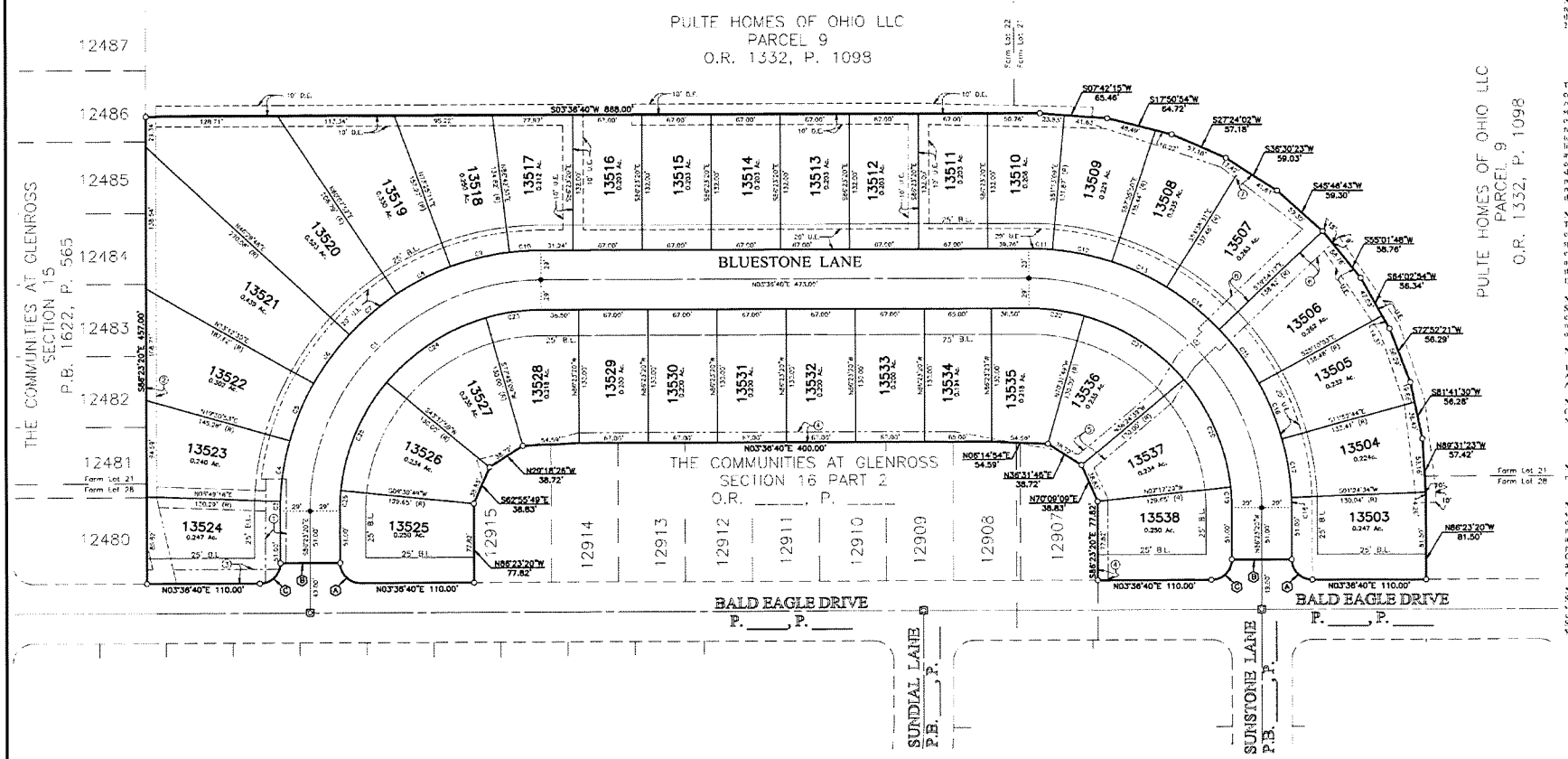
NOTE "G": No vehicular access until such time as the public street right-of-way is extended and dedicated by plat or deed.

NOTE "H": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about The Communities at Glenross Section 17 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Delaware County Recorder's Office.

NOTE "I": This section of The Communities at Glenross Subdivision is in the Delaware South New Community Authority, subject to an additional transportation fee of $3,000.00 per dwelling unit at the time of building permit issuance and is subject to the South Fork Highland Sanitary Sewer additional capacity charge of $3,200 per dwelling unit.

NOTE "J" - TEMPORARY VEHICLE TURNAROUND EASEMENT (TVTE) - BALD EAGLE DRIVE: The City of Delaware, Ohio is hereby granted a nonexclusive easement for vehicular turnaround use by the public in and over the areas of land designated "Temporary Vehicle Turnaround Easement" at the southerly terminus of Bald Eagle Drive on that parcel owned by Pulte Homes of Ohio LLC as shown hereon. Temporary easements shall be of no force at such time as the temporary turn around is removed and the street is extended by dedicated right-of-way or easement in a manner acceptable to the City of Delaware.

THE COMMUNITIES AT GLENROSS SECTION 19



NOTE "A": Notice is hereby given to any buyer of the lots delineated upon this plat, that on file with the Building Department of The City of Delaware, are site improvement plans for the development of said lots showing proposed lot drainage, proposed ground elevation at house and or lot grading plans. These plans, as approved by the governmental agencies, are considered part of the approval of this subdivision and are to be incorporated into the final plot plan required with the building permit.

NOTE "B" - MINIMUM SETBACKS: City of Delaware Zoning regulations for The Communities at Glenross Section 19 in effect at the time of platting of The Communities at Glenross Section 16 Part 2 specifies the following setback requirements:

Front yard:	25 feet
Side yard:	20%-6 feet
Rear yard:	30 feet
Zoning classification:	PMUR2

The purpose of this plat is to show certain property, rights-of way and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall control over conflicting limitations and requirements that may be shown on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

NOTE "C": As per City of Delaware Zoning Code, all lots within The Communities at Glenross Section 19 are subject to the terms, conditions, restrictions (including lighting and house street) and special assessment districts as outlined in the preliminary plat entitled "The Communities at Glenross", said preliminary plat being approved on August 10, 2015 by Ordinance Number 15-85 on file at the City of Delaware Department of Planning and Community Development as PC 2015-1329.

NOTE "D": All utilities within The Communities at Glenross Section 19 shall be installed underground. Electric, telephone and cable T.V. lines and their above ground pedestals shall be located in rear yard trap- except where a service feed must cross a street right of way or enter the subdivision.

NOTE "E" - ACREAGE BREAKDOWN:

Total acreage	10.437 Ac.
Acreage in remaining lots	8.730 Ac.
Acreage in right-of-way	1.707 Ac.

NOTE "F" - ACREAGE BREAKDOWN: The Communities at Glenross Section 19 is out of the following Delaware County Parcel Numbers:

41832001009000	0.737 Ac.
41832001042000	9.700 Ac.

NOTE "G" No vehicular access until such time as the public street right-of-way is extended and dedicated by plat or deed.

NOTE "H": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement needs, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their aerial line facilities, could conveniently be shown on this plat. Existing recorded easement information about The Communities at Glenross Section 19 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Delaware County Recorder's Office.

NOTE "I": This section of The Communities at Glenross Subdivision is in the Delaware South New Community Authority, subject to an additional transportation fee of $1,000.00 per dwelling unit 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 unit.

CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	90°00'00"	325.00'	353.43'	N 41°23'20" W	318.20'
C2	90°00'00"	325.00'	353.43'	N 48°36'40" E	318.20'
C3	7°12'34"	754.00'	9.80'	N 86°11'02" W	9.80'
C4	13°41'57"	254.00'	60.71'	N 77°19'36" W	60.56'
C5	13°41'57"	254.00'	60.71'	N 63°38'19" W	60.56'
C6	13°17'18"	254.00'	58.91'	N 50°06'57" W	58.78'
C7	13°38'04"	254.00'	60.44'	N 36°41'10" W	60.30'
C8	13°17'18"	254.00'	58.91'	N 23°13'28" W	58.78'
C9	13°17'18"	254.00'	58.91'	N 09°56'09" W	58.78'
C10	6°54'10"	254.00'	30.59'	N 05°09'26" E	30.58'
C11	5°10'11"	254.00'	22.92'	N 06°13'46" E	22.91'
C12	13°17'19"	254.00'	58.91'	N 15°25'30" E	58.78'
C13	13°17'19"	254.00'	58.91'	N 28°42'49" E	58.78'
C14	14°44'14"	254.00'	65.37'	N 43°43'36" E	65.19'
C15	14°46'46"	254.00'	65.52'	N 57°26'34" E	65.34'
C16	13°17'16"	254.00'	58.91'	N 71°28'30" E	58.78'
C17	13°17'19"	254.00'	58.91'	N 84°45'55" E	58.78'
C18	2°12'04"	254.00'	9.76'	S 89°09'23" E	9.76'
C19	5°54'09"	196.00'	20.19'	S 89°00'25" E	20.18'
C20	34°57'16"	196.00'	119.72'	N 70°38'56" E	117.88'
C21	34°57'16"	196.00'	119.72'	N 35°31'46" E	117.88'
C22	15°51'31"	196.00'	54.25'	N 11°52'26" E	54.08'
C23	15°51'31"	196.00'	54.25'	N 04°19'06" W	54.08'
C24	34°57'16"	196.00'	119.72'	N 29°14'26" W	117.88'
C25	34°57'16"	196.00'	119.72'	N 63°27'15" W	117.88'
C26	5°54'09"	196.00'	20.19'	N 63°27'15" W	20.18'

① Existing 20' U.E. P.B. ____, P. ____
② Existing 10' D.E. O.R. 1622, P. 565
③ Existing 14' U.E. O.R. 1622, P. 565
④ Existing 10' D.E. P.B. ____, P. ____
⑤ Existing 20' U.E. P.B. ____, P. ____
⑥ Existing 15' U.E. P.B. ____, P. ____
⑦ Existing U.E. P.B. ____, P. ____

Line Type Legend
- Existing Property Line
- Existing R/W Line
- Existing R/W Centerline
- Existing Easement Line
- Proposed Subdivision Boundary Line
- Proposed Lot Line
- Proposed R/W Line
- Proposed R/W Centerline
- Proposed Easement Line

Ⓐ Δ=90°00'00" R=20.00' Arc=31.42' ChBrg=N48°36'40"E Ch=28.28'

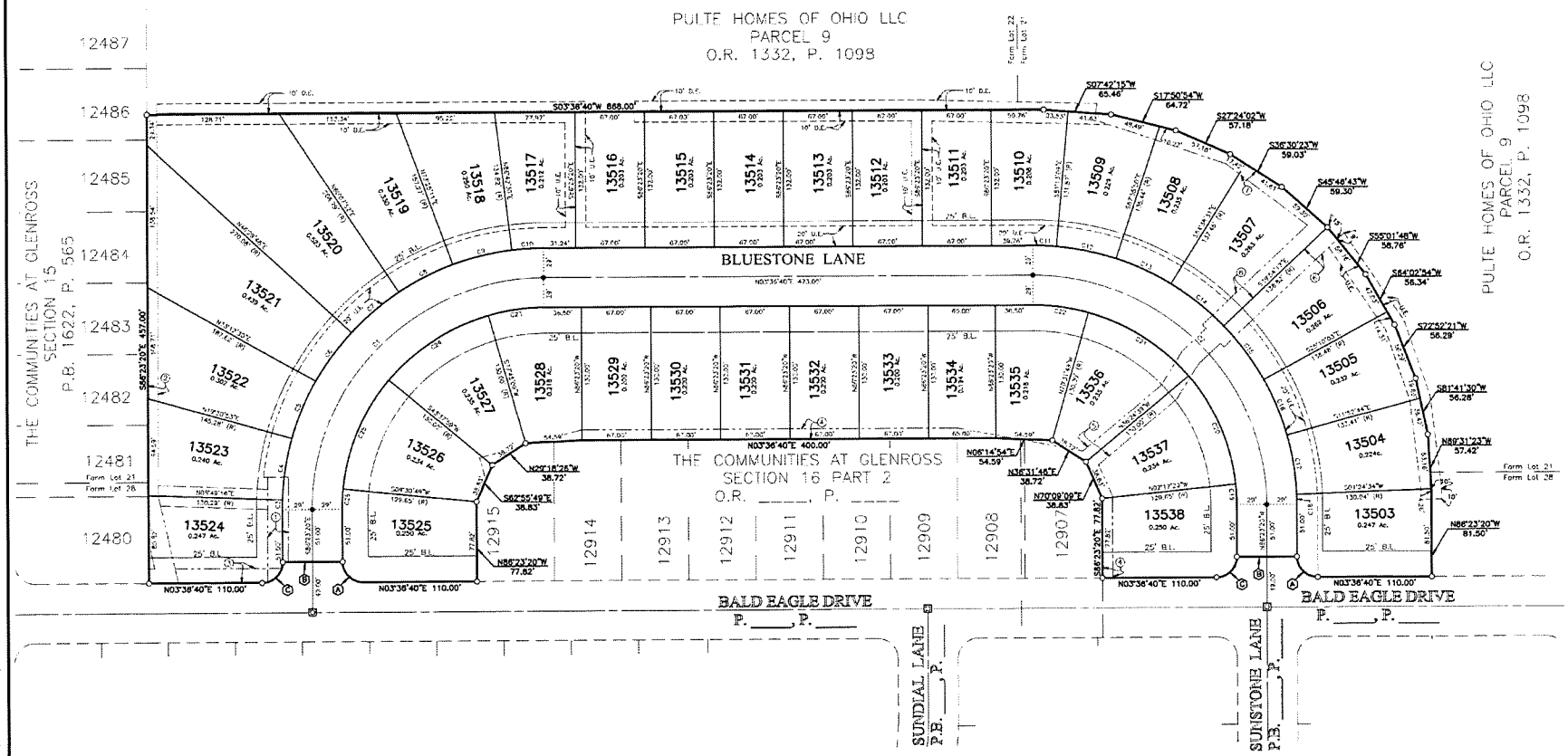
Ⓑ N03°36'40"E 58.00'

Ⓒ Δ=90°00'00" R=20.00' Arc=31.42' ChBrg=N41°23'20"W Ch=28.28'

SCALE: 1" = 50'

GRAPHIC SCALE (in feet)

THE COMMUNITIES AT GLENROSS
SECTION 19



SCALE: 1" = 50'

GRAPHIC SCALE (in feet)

① Existing 20' U.E. P.B. ____, P. ____
② Existing 10' D.E. O.R. 1622, P. 565
③ Existing 14' U.E. O.R. 1622, P. 565
④ Existing 10' D.E. P.B. ____, P. ____
⑤ Existing 20' U.E. P.B. ____, P. ____
⑥ Existing 15' U.E. P.B. ____, P. ____
⑦ Existing U.E. P.B. ____, P. ____

Line Type Legend

- Existing Property Line
- Existing R/W Line
- Existing R/W Centerline
- Existing Easement Line
- Proposed Subdivision Boundary Line
- Proposed Lot Line
- Proposed R/W Line
- Proposed R/W Centerline
- Proposed Easement Line

Ⓐ Δ=90°00'00" R=20.00' Arc=31.42' ChBrg=N48°36'40"E Ch=28.28'

Ⓑ N03°36'40"E 58.00'

Ⓒ Δ=90°00'00" R=20.00' Arc=31.42' ChBrg=N41°23'20"W Ch=28.28'

NOTE "A": Notice is hereby given to any buyer of the lots delineated upon this plat, that on file with the Building Department of The City of Delaware, are site improvement plans for the development of said lots showing proposed lot drainage, proposed ground elevation at house and/or lot grading plans. These plans, as approved by the governmental agencies, are considered part of the approval of this subdivision and are to be incorporated into the final plot plan required with the building permit.

NOTE "B" - MINIMUM SETBACKS: City of Delaware Zoning regulations for The Communities at Glenross Section 19 in effect at the time of platting of The Communities at Glenross Section 16 Part 2 specifies the following setback requirements:

Front yard:	25 feet
Side yard:	20'-0"/5 feet
Rear yard:	30 feet
Zoning classification:	PMUR2

The purpose of this plat is to show certain property, rights of way and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall control over conflicting limitations and requirements that may be shown on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

NOTE "C": As per City of Delaware Zoning Code, all lots within The Communities at Glenross Section 19 are subject to the terms, conditions, restrictions (including lighting and house sizes) and special assessment districts as outlined in the preliminary plat entitled "The Communities at Glenross", said preliminary plat being approved on August 10, 2015 by Ordinance Number 15-85 on file at the City of Delaware Department of Planning and Community Development as PC 2015-1329.

NOTE "D": All utilities within The Communities at Glenross Section 19 shall be installed underground. Electric, telephone and cable T.V. lines and their above ground pedestals shall be located in rear yard areas except where a service feed must cross a street right of way or enter the subdivision.

NOTE "E" - ACREAGE BREAKDOWN:

Total acreage	10.437 Ac.
Acreage in remaining lots	8.730 Ac.
Acreage in right-of-way	1.707 Ac

NOTE "F" - ACREAGE BREAKDOWN: The Communities at Glenross Section 19 is out of the following Delaware County Parcel Numbers:

41832001040000	0.737 Ac.
41832001042000	9.700 Ac.

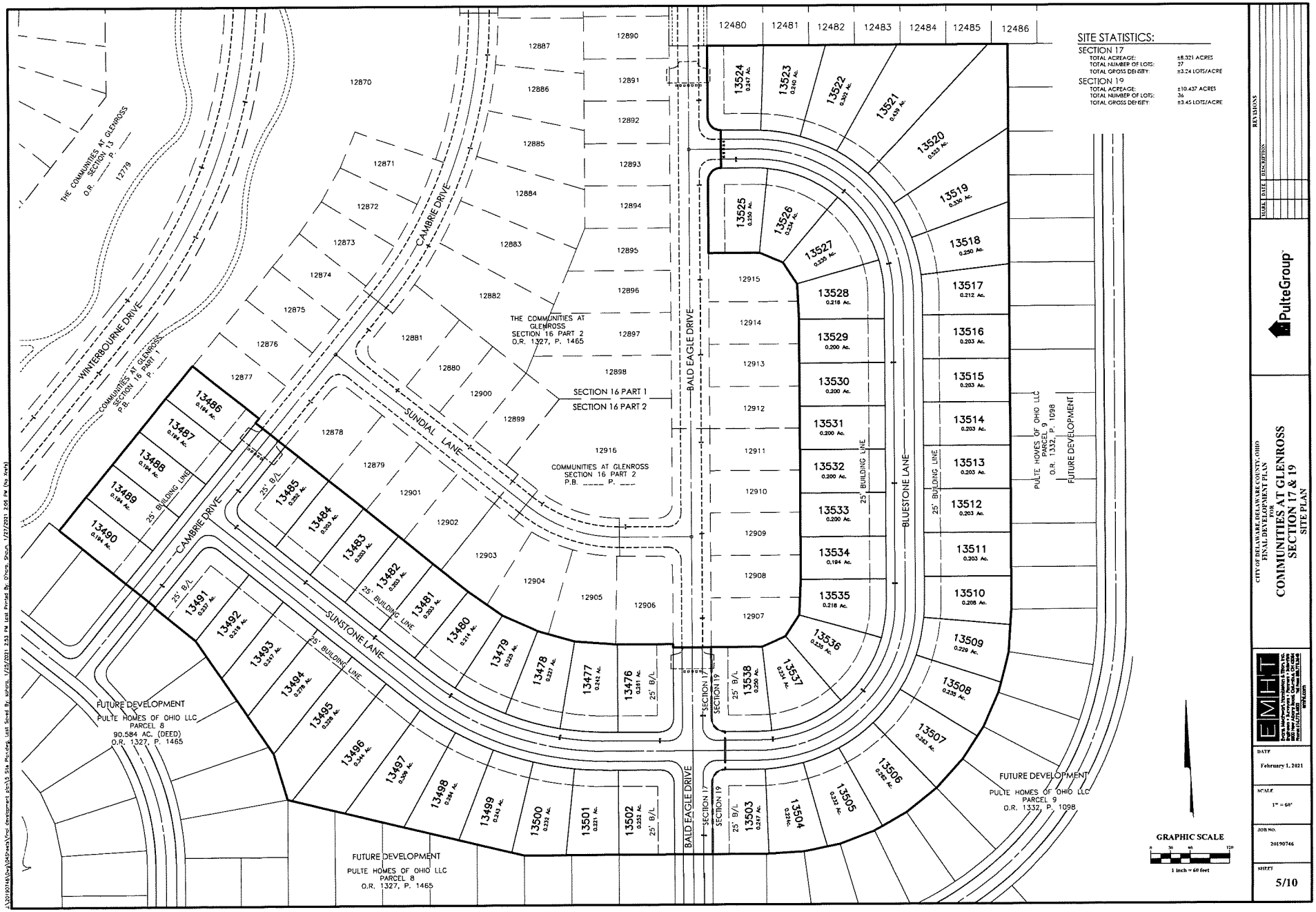
NOTE "G": No vehicular access until such time as the public street right-of-way is extended and dedicated by plat or deed.

NOTE "H": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by those providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about The Communities at Glenross Section 19 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Delaware County Recorder's Office.

NOTE "I": This section of The Communities at Glenross Subdivision is in the Delaware South New Community Authority, subject to an additional transportation fee of $1,000.00 per dwelling unit 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 unit.

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	90°00'00"	225.00'	353.43'	N 41°23'20" W	318.20'
C2	90°00'00"	225.00'	353.43'	N 48°36'40" E	318.20'
C3	2°17'36"	254.00'	9.80'	N 85°11'09" W	9.80'
C4	12°41'37"	254.00'	56.21'	N 77°19'56" W	56.36'
C5	12°41'37"	254.00'	56.21'	N 64°38'19" W	56.06'
C6	12°41'18"	254.00'	56.21'	N 52°06'51" W	56.76'
C7	12°38'04"	254.00'	55.44'	N 39°41'16" W	55.35'
C8	12°47'19"	254.00'	56.91'	N 27°11'24" W	56.76'
C9	12°47'19"	254.00'	56.91'	N 13°56'05" W	56.78'
C10	6°54'10"	254.00'	30.60'	N 09°09'20" E	30.58'
C11	5°30'11"	254.00'	22.92'	N 06°11'46" E	22.91'
C12	12°47'19"	254.00'	56.91'	N 15°25'30" E	56.78'
C13	12°47'19"	254.00'	56.91'	N 28°42'49" E	56.78'
C14	14°44'14"	254.00'	65.37'	N 42°43'36" E	65.19'
C15	14°46'46"	254.00'	65.52'	N 57°26'34" E	65.34'
C16	12°47'19"	254.00'	56.91'	N 71°28'36" E	56.78'
C17	12°47'19"	254.00'	56.91'	N 84°45'55" E	56.78'
C18	2°12'06"	254.00'	9.76'	S 89°29'23" E	9.76'
C19	5°54'09"	196.00'	20.19'	S 89°09'27" E	20.18'
C20	34°07'10"	196.00'	116.72'	N 70°38'56" E	115.00'
C21	34°07'10"	196.00'	116.72'	N 36°31'46" E	115.00'
C22	15°51'35"	196.00'	54.25'	N 11°32'28" E	54.08'
C23	15°51'35"	196.00'	54.25'	N 04°19'06" W	54.08'
C24	34°07'10"	196.00'	116.72'	N 23°14'24" W	115.00'
C25	34°07'10"	196.00'	116.72'	N 57°22'36" W	115.00'
C26	5°54'09"	196.00'	20.19'	N 87°20'37" W	20.18'



CITY OF DELAWARE, DELAWARE COUNTY, OHIO
FINAL DEVELOPMENT PLAN

COMMUNITIES AT GLENROSS
SECTION 17 & 19
SITE PLAN

PulteGroup

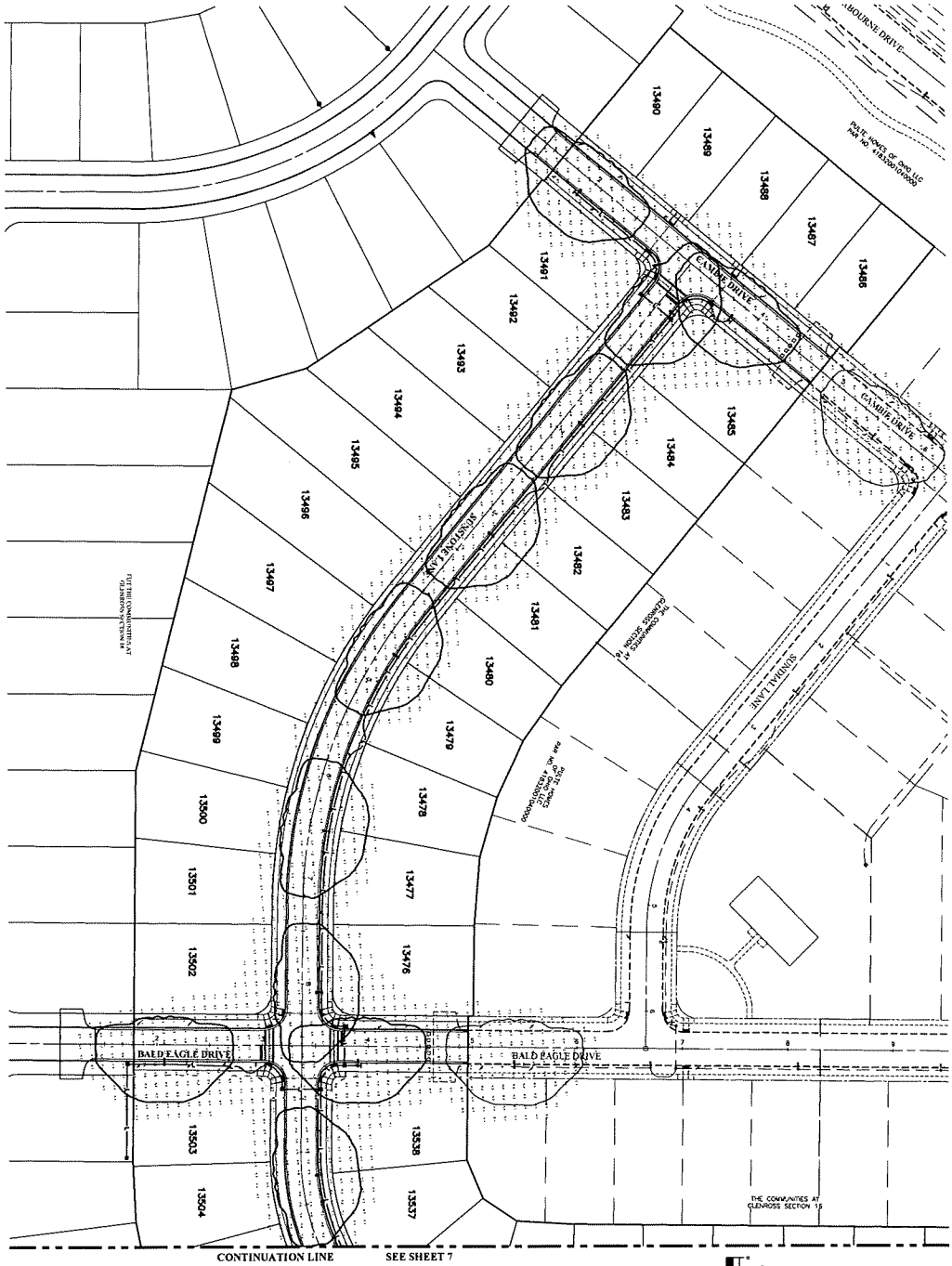
REVISIONS

NUMBER	DATE	DESCRIPTION

EMH&T
Engineers, Surveyors, Planners & Environmental Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: (614) 775-4500
www.emht.com

DATE: February 1, 2021
SCALE: 1" = 60'
JOB NO.: 20190746
SHEET: 5/10

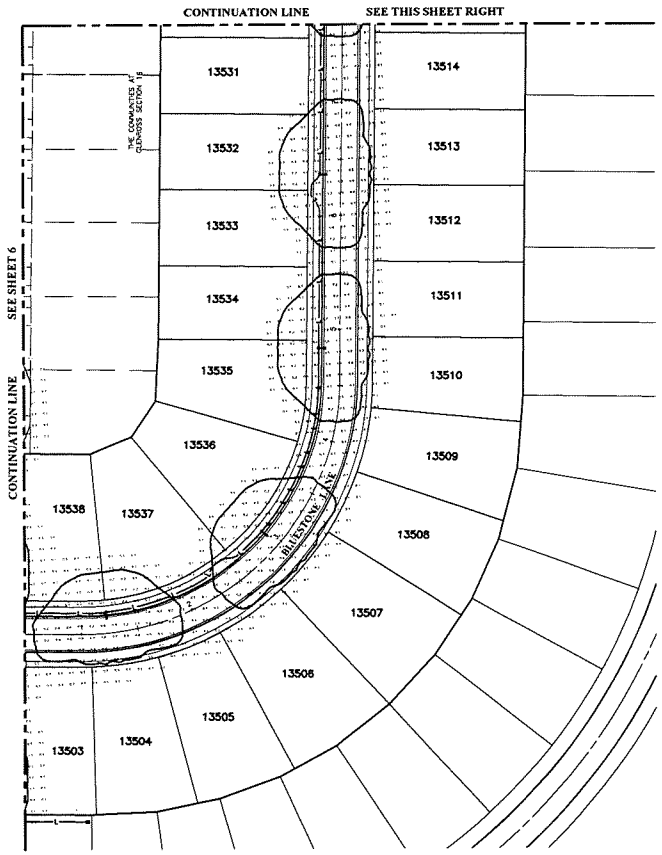
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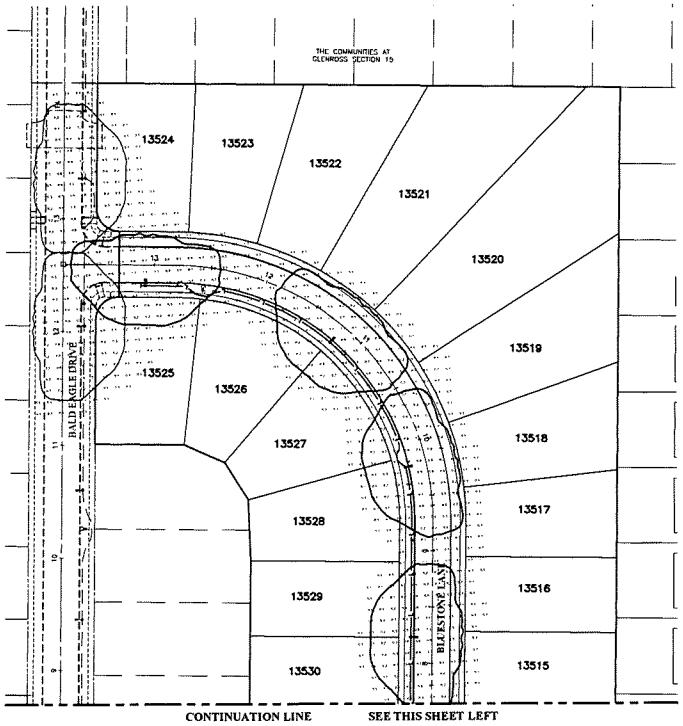


SHEET 01/19	JOB NO. 20190746	SCALE 1" = 50'	DATE February 1, 2021	EMH,T Evans, Mechwart, Hambleton & Tilton, Inc. Engineers • Surveyors • Planners • Scientists 5500 New Albany Road, Columbus, OH 43054 Phone: 614.775.4500 Toll Free: 866.775.5648 emht.com	CITY OF DELAWARE, DELAWARE COUNTY, OHIO FINAL DEVELOPMENT PLAN FOR **COMMUNITIES AT GLENROSS SECTION 17 & 19** LIGHTING PLAN

PulteGroup

REVISIONS		
MARK	DATE	DESCRIPTION





LEGEND

Proposed Luminaire Template
(0.1 Foot-Candle Influence)

Ex. Luminaire Template
(0.1 Foot-Candle Influence)

GRAPHIC SCALE

0 25 50 100

1 inch = 50 feet

LUMINAIRE SCHEDULE						
QTY	Catalog Number/Description	Lamp	Number Lamps	Lumens per Lamp	LLF	Wattage
18	GVD3 P30 30K MVOLT MS CMC GL3 RB ST TGL PR7E FPD75 SH Granville LED Classic: Granville LED Classic, LED Performance Package 30, 3000 series CCT, Auto-sensing voltage (120 thru 277), Modern style swing open design, Custom Match Color, Glass asymmetric, type III, Ribs and bands, Standard, Gold trim, 7 pin NEMA photocontrol external, Factor programmed to 75 percent of base, Shorting cap, Unique Solutions, A Division of Holophane Newark, Ohio 43055 www.holophane.com	LED COB	1	7937	0.75	41

STATISTICS					
Description	Avg	Max	Min	Max/Min	Avg/Min
Cambie Drive	0.5 fc	1.8 fc	0.1 fc	18.0:1	5.0:1
Sunstone Lane	0.5 fc	1.5 fc	0.1 fc	15.0:1	5.0:1
Bald Eagle Drive	0.5 fc	1.2 fc	0.1 fc	12.0:1	5.0:1
Bluestone Lane	0.5 fc	1.4 fc	0.1 fc	14.0:1	5.0:1
Site Sidewalks	0.2 fc	0.6 fc	0.1 fc	6.0:1	2.0:1

REVISIONS

NUMBER	DATE	DESCRIPTION

PulteGroup

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
FINAL DEVELOPMENT PLAN
FOR
COMMUNITIES AT GLENROSS
SECTION 17 & 19
LIGHTING PLAN

EMH&T
Engineers, Environmental Scientists, Planners, Surveyors
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 www.emht.com

DATE
February 1, 2021

SCALE
1" = 50'

JOB NO.
20190746

SHEET
7/10

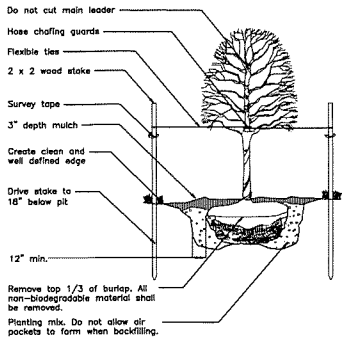
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GRAPHIC SCALE

0 25 50 100

1 inch = 50 feet



1 DECIDUOUS TREE UNDER 3" CALIPER
N.T.S.

Trees shall be centered in the tree lawn.

No trees shall be placed within 10' of a hydrant.

GENERAL NOTES

1. Street tree selections shall be approved by the City of Delaware Street Tree Commission prior to installation.
2. Prior to installation, the landscape contractor shall inspect the general site conditions and verify the subgrade, elevations, utility locations and topsoil provided by general contractor. The landscape contractor shall notify the general contractor of any unsatisfactory conditions and work shall not proceed until such conditions have been corrected and are acceptable to the landscape contractor.
3. All trees shall meet or exceed standards set in the American Standard for Nursery Stock, ANSI Z60.1, 2004. All trees shall equal or exceed the measurements and sizes specified in the schedule.
4. All planting operations shall adhere to American Nursery & Landscape Association standards unless noted otherwise.
5. Substitutions shall be permitted with notification and written approval from the Owner & City. Substituted material shall be equivalent or greater in size than the specified plant. Substituted trees shall have the same essential characteristics and growth habit of the specified plant.
6. Confirm location of all utilities and subsurface drain lines prior to plant installation.
7. A pre-installation conference shall be conducted prior to planting operations with Owner & Contractor present.
8. Contractor may slightly field adjust plant locations as necessary to avoid utilities.
9. Contractor shall repair all lawn areas disturbed during construction with seed and warrant a healthy, weed free lawn prior to project acceptance.
10. Mulch tree rings with shredded hardwood mulch of uniform dark brown color. It shall be free of twigs, leaves, disease, pest or other material unsightly or injurious to trees. Average applied thickness shall be 3" depth.
11. Install all trees in accordance with planting details.
12. Street trees shall have a clear canopy height of 8' min.
13. Tree shall be placed a minimum of 3' from sidewalks and curbs.
14. All trees to be backfilled with prepared planting mix. Prepared planting mix shall be mixed on site and consist of one part topsoil, one part soil amendment, one part soil from excavation. Topsoil: ASTM D5268, ph range of 5.5 to 7, min. 4 percent organic material, free of stones 1 inch and larger. Soil amendment: Source separated yard waste compost from an Ohio EPA rated class IV compost facility.
15. All trees to be fertilized with a commercial grade fertilizer tablets consisting of fast and slow release nitrogen.
16. Contractor to determine plant list quantities from the plan. Graphic representation on plan supersedes in case of discrepancy with quantities on schedule.
17. Any item or areas damaged during construction shall be repaired or replaced to its original condition at the contractor expense.
18. Contractor shall thoroughly water all trees at time of installation and as needed until project acceptance by Owner. Contractor shall guarantee all trees installed for one full year from date of acceptance by the Owner. All trees shall be alive and at a vigorous rate of growth at the end of the guarantee period.

PLANT SCHEDULE SECTION 17

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
	AF	33	Acer freemanii 'Sienna Glen'	Sienna Glen Maple	2" Cal.	B&B
	NW	10	Nyssa sylvatica 'Wildfire'	Black Gum	2" Cal.	B&B
	QS	10	Quercus rubra	Red Oak	2" Cal.	B&B

REVISIONS		
NUMBER	DATE	DESCRIPTION

PulteGroup

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
FINAL DEVELOPMENT PLAN
FOR
COMMUNITIES AT GLENROSS
SECTION 17 & 19
STREET TREE PLAN

EMH&T
Engineers, Surveyors, Planners & Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 www.emht.com

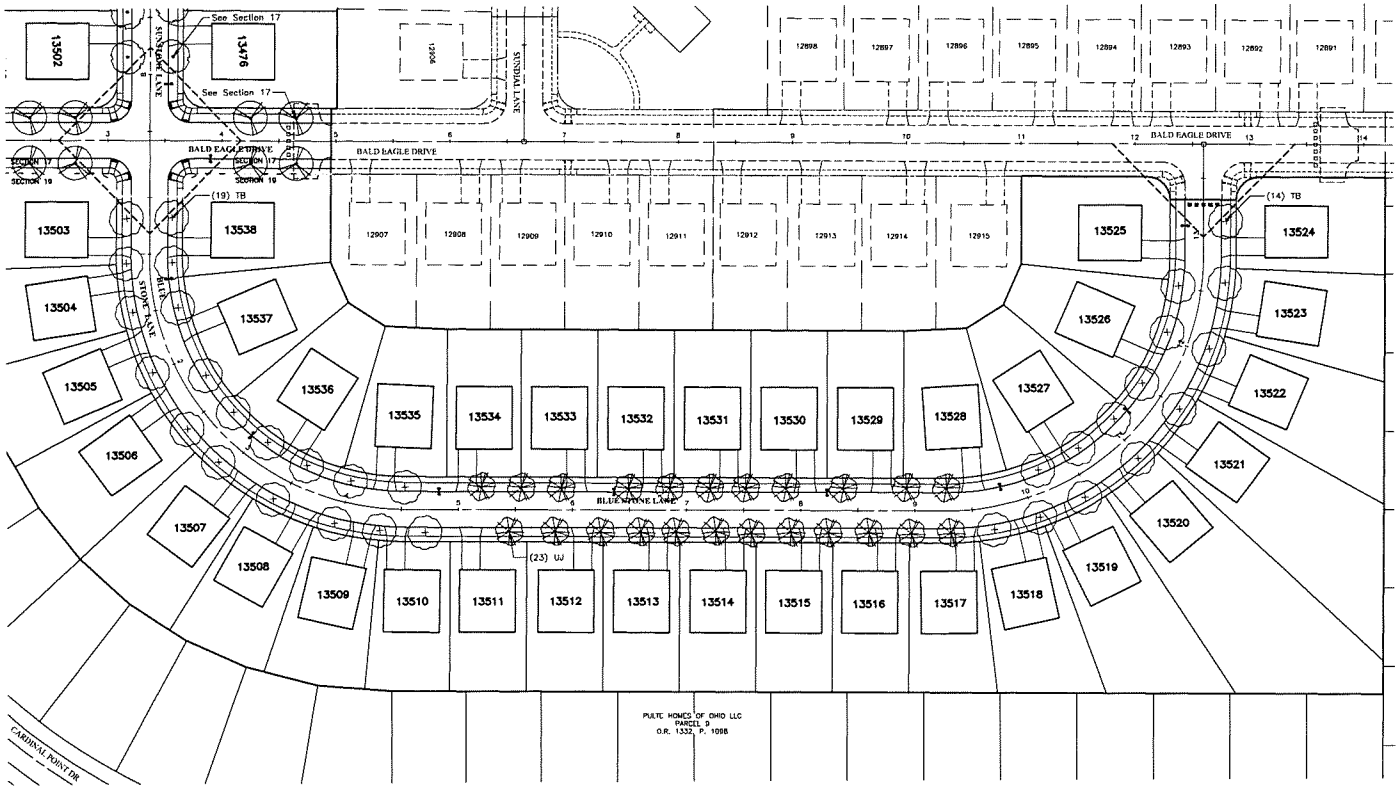
DATE: February 1, 2021

SCALE: 1" = 50'

JOB NO.: 20190746

SHEET: 8/10

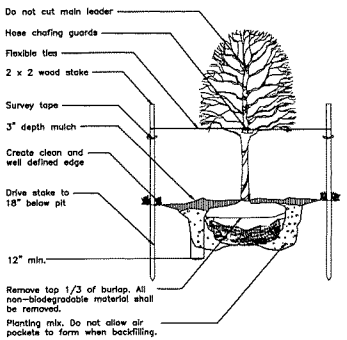
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GRAPHIC SCALE

0 25 50 100

1 inch = 50 feet



1 DECIDUOUS TREE UNDER 3" CALIPER
N.T.S.

Trees shall be centered in the tree lawn.

No trees shall be placed within 10' of a hydrant.

PLANT SCHEDULE SECTION 19

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
+	TB	53	Tilia americana 'Boulevard'	Boulevard Linden	2" Cal.	B&B
	UJ	23	Ulmus americana 'Jefferson'	American Elm	2" Cal.	B&B

GENERAL NOTES

1. Street tree selections shall be approved by the City of Delaware Street Tree Commission prior to installation.
2. Prior to installation, the landscape contractor shall inspect the general site conditions and verify the subgrade, elevations, utility locations and topsoil provided by general contractor. The landscape contractor shall notify the general contractor of any unsatisfactory conditions and work shall not proceed until such conditions have been corrected and are acceptable to the landscape contractor.
3. All trees shall meet or exceed standards set in the American Standard for Nursery Stock, ANSI Z60.1, 2004. All trees shall equal or exceed the measurements and sizes specified in the schedule.
4. All planting operations shall adhere to American Nursery & Landscape Association standards unless noted otherwise.
5. Substitutions shall be permitted with notification and written approval from the Owner & City. Substituted material shall be equivalent or greater in size than the specified plant. Substituted trees shall have the same essential characteristics and growth habit of the specified plant.
6. Confirm location of all utilities and subsurface drain lines prior to plant installation.
7. A pre-installation conference shall be conducted prior to planting operations with Owner & Contractor present.
8. Contractor may slightly field adjust plant locations as necessary to avoid utilities.
9. Contractor shall repair all lawn areas disturbed during construction with seed and warrant a healthy, weed free lawn prior to project acceptance.
10. Mulch tree rings with shredded hardwood mulch of uniform dark brown color. It shall be free of twigs, leaves, disease, pest or other material unsightly or injurious to trees. Average applied thickness shall be 3" depth.
11. Install all trees in accordance with planting details.
12. Street trees shall have a clear canopy height of 6' min.
13. Tree shall be placed a minimum of 3' from sidewalks and curbs.
14. All trees to be backfilled with prepared planting mix. Prepared planting mix shall be mixed on site and consist of one part topsoil, one part soil amendment, one part soil from excavation. Topsoil ASTM D5268, ph range of 5.5 to 7, min. 4 percent organic material, free of stones 1 inch and larger. Soil amendment: Source separated yard waste compost from an Ohio EPA rated class IV compost facility.
15. All trees to be fertilized with a commercial grade fertilizer tablets consisting of fast and slow release nitrogen.
16. Contractor to determine plant list quantities from the plan. Graphic representation on plan supersedes in case of discrepancy with quantities on schedule.
17. Any item or areas damaged during construction shall be repaired or replaced to its original condition at the contractor expense.
18. Contractor shall thoroughly water all trees at time of installation and as needed until project acceptance by Owner. Contractor shall guarantee all trees installed for one full year from date of acceptance by the Owner. All trees shall be alive and at a vigorous rate of growth at the end of the guarantee period.

REVISIONS

MARK	DATE	DESCRIPTION

PulteGroup

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
FINAL DEVELOPMENT PLAN
FOR
COMMUNITIES AT GLENROSS
SECTION 17 & 19
STREET TREE PLAN

EMH&T
Engineers, Surveyors, Planners & Scientists
5500 New Albany Road, Columbus, OH 43054
(614) 775-4500 FAX (614) 775-4800
www.emht.com

DATE
February 1, 2021

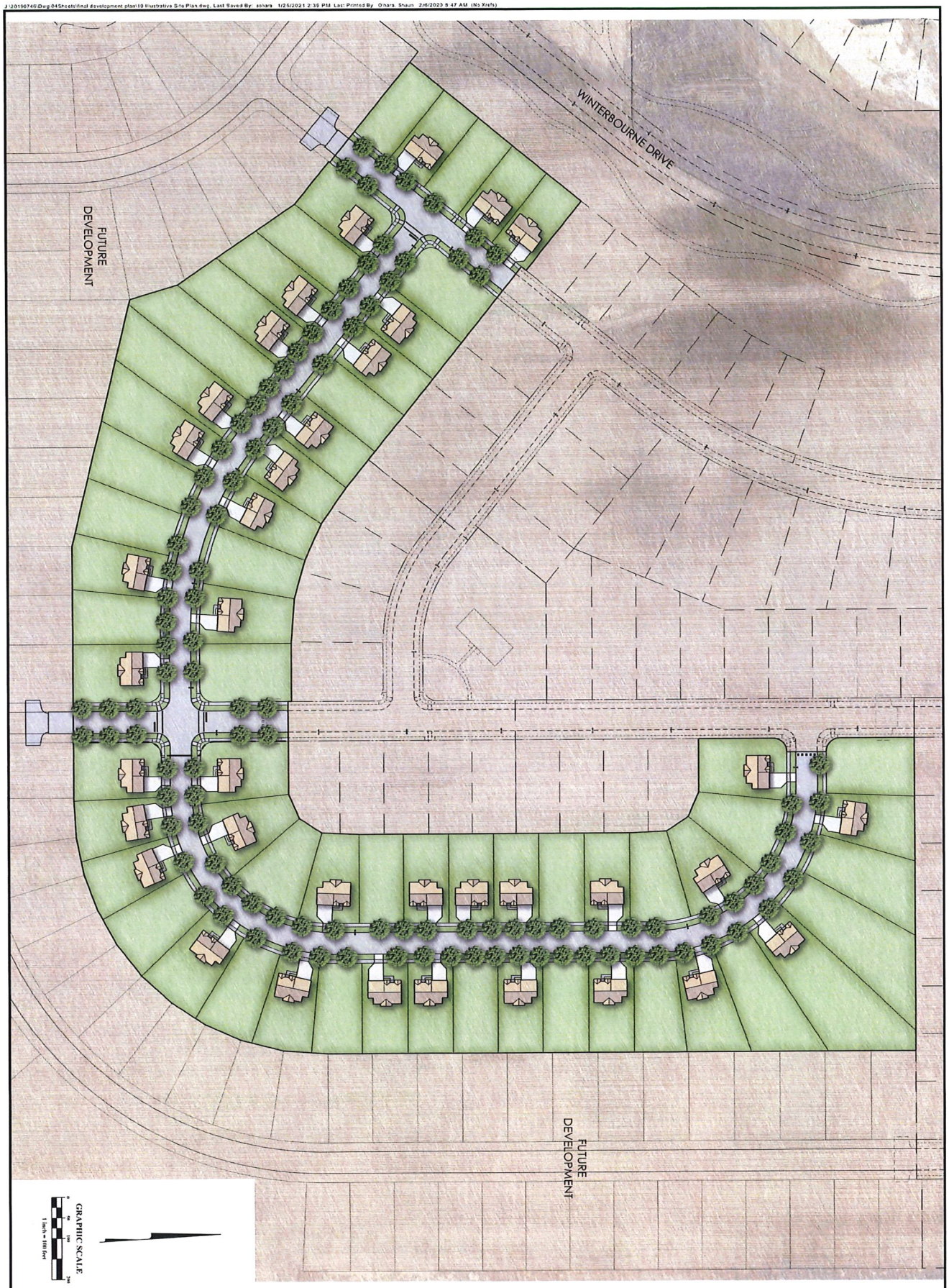
SCALE
1" = 50'

JOB NO.
20190746

SHEET
9/10

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SHEET 10/10	JOB NO. 2019074.6	SCALE 1" = 100'	DATE February 1, 2021	EMH&T Evans, Mechwart, Hambleton & Tilton, Inc. Engineers • Surveyors • Planners • Scientists 5500 New Albany Road, Columbus, OH 43054 Phone: 614.775.4500 Toll Free: 866.775.3648 emht.com

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
FINAL DEVELOPMENT PLAN
FOR
COMMUNITIES AT GLENROSS
SECTION 17 & 19
ILLUSTRATIVE SITE PLAN

PulteGroup

REVISIONS		
MARK	DATE	DESCRIPTION

THE COMMUNITIES AT GLENROSS SECTION 17

Situated in the State of Ohio, County of Delaware, City of Delaware, and in Farm Lots 27 (2.665 acres) and 28 (5.656 acres), Quarter Township 3, Township 4, Range 18, United States Military Lands, containing 8.321 acres of land, more or less, said 8.321 acres being comprised of a part of each of those tracts of land conveyed as Parcel 8 and Parcel 9 to **PULTE HOMES OF OHIO LLC** by deeds of record in Official Record 1327, Page 1465 and Official Record 1332, Page 1098, Recorder's Office, Delaware County, Ohio.

The undersigned, **PULTE HOMES OF OHIO LLC**, a Michigan limited liability company, by **MATTHEW J. CALLAHAN**, Division Vice President of Land Acquisition, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its **"THE COMMUNITIES AT GLENROSS SECTION 17"**, a subdivision containing Lots numbered 13476 to 13502, both inclusive, does hereby accept this plat of same and dedicates to public use, as such, all of Cambrie Drive, Sunstone Lane, and Bald Eagle Drive (1.948 acres of land, more or less) shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Utility Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the Delaware City Engineer. Easement areas shown hereon outside of the platted areas are within lands owned by the undersigned and easements are hereby reserved therein for the uses and purposes expressed herein.

In Witness Whereof, **MATTHEW J. CALLAHAN**, Division Vice President of Land Acquisition of **PULTE HOMES OF OHIO LLC**, has hereunto set his hand this _____ day of _____, 20___.

Signed and Acknowledged In the presence of

PULTE HOMES OF OHIO LLC

_____

By _____
MATTHEW J. CALLAHAN, Division Vice President of Land Acquisition

_____

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared **MATTHEW J. CALLAHAN**, Division Vice President of Land Acquisition of **PULTE HOMES OF OHIO LLC**, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **PULTE HOMES OF OHIO LLC**, for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this _____ day of _____, 20___.

My commission expires _____

_____
Notary Public, State of Ohio

PC Case No. ___-____ approved by the Planning Commission on this _____ day of _____, 20___.

Approved and accepted this _____ day of _____, 20___, by Ordinance No. _____, wherein all of Cambrie Drive, Sunstone Lane, and Bald Eagle Drive (1.948 acres of land, more or less) shown dedicated hereon are accepted as such by the City Council of the City of Delaware, Ohio.

Approved this ____ Day of _____ 20___
_____
Elaine McCloskey, City Clerk, Delaware, Ohio

Approved this ____ Day of _____ 20___
_____
R. Thomas Homan, City Manager, Delaware, Ohio

Approved this ____ Day of _____ 20___
_____
David M. Efland, AICP, Planning and Community Development Director, Delaware, Ohio

Approved this ____ Day of _____ 20___
_____
William L. Ferrigno, P.E., Public Works Director/City Engineer, Delaware, Ohio

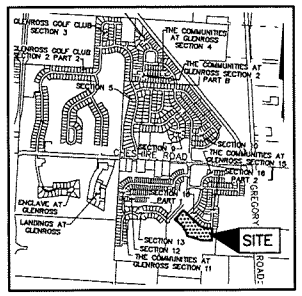
Approved this ____ Day of _____ 20___
_____
Blake Jordan, P.E., Public Utilities Director, Delaware, Ohio

Transferred this ____ day of _____, 20___.
_____
Auditor, Delaware County, Ohio

Filed for record this ___ day of _____, 20___ at _____M.
Fee $_____
_____
Recorder, Delaware County, Ohio

File No. _____

Official Record _____, Pages _____



LOCATION MAP AND BACKGROUND DRAWING

NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the same meridian as the bearings shown on the subdivision plat entitled "GLENROSS GOLF CLUB SECTION 1", of record in Cabinet 3, Slide 456, Recorder's Office, Delaware County, Ohio, in which a portion of the centerline of Kildare Drive has a bearing of South 61° 09' 41" West.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Delaware County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT.

PERMANENT MARKERS: Permanent markers, where indicated hereon in the public street centerline, are to be one-inch diameter, thirty-inch long, solid iron pins, encased in a standard survey monument box. Pins are to be set to monument the points indicated, are to be set after the construction/installation of the street pavement and are to be set with the top end one-fourth inch below the top of the pavement. Once installed, the top of the pin shall be marked (punched) to record the actual location of the point.
Permanent markers, where indicated hereon in positions other than in the public street centerline, are to be one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated, and set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED BY

EMHT

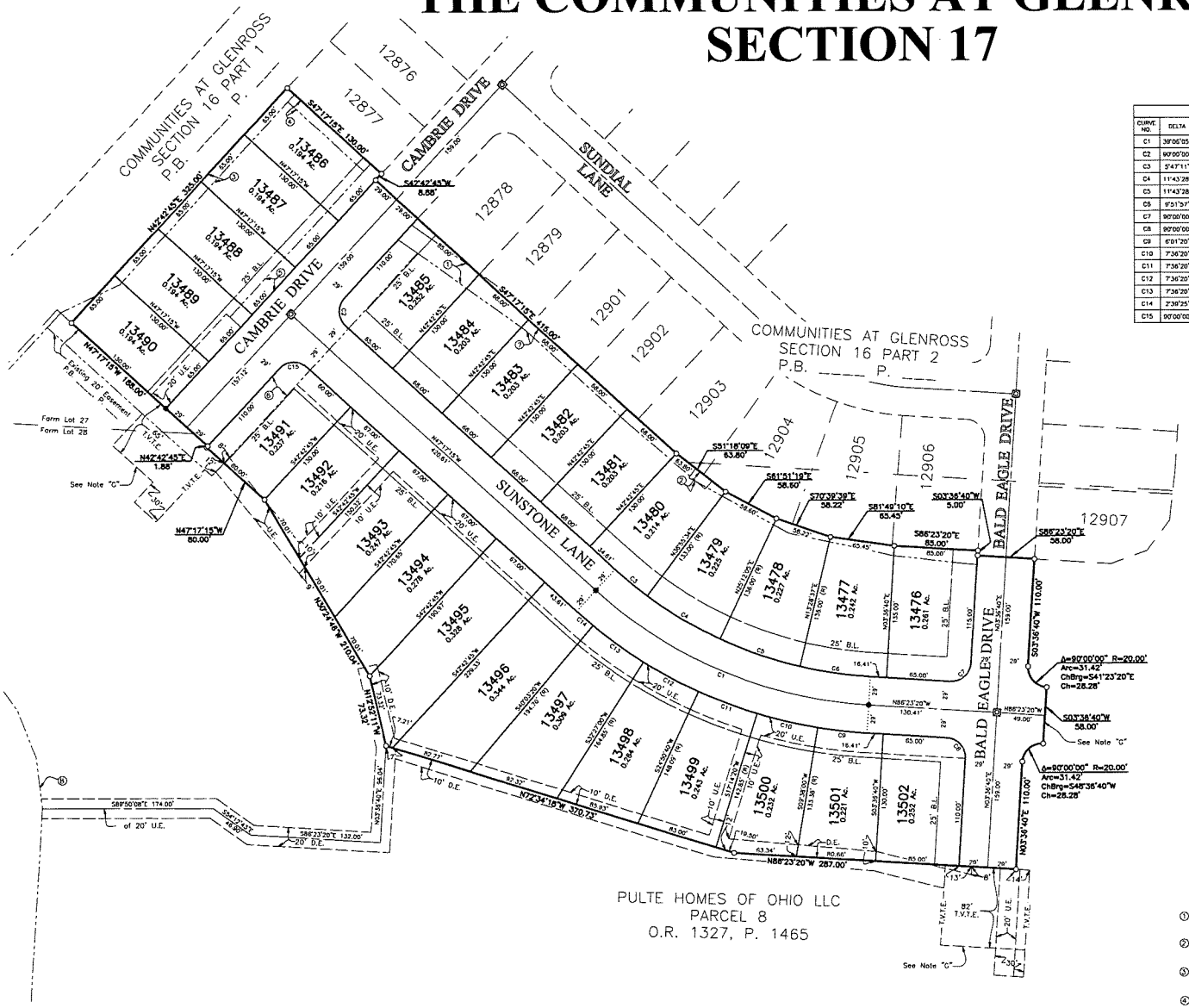
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

○ = Iron Pin (See Survey Data)
● = MAG Nail to be set
Ⓒ = Permanent Marker (See Survey Data)
▣ = Permanent Marker encased in monument box

By _____ _____
Professional Surveyor No. 7865 Date

THE COMMUNITIES AT GLENROSS SECTION 17



CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	39°06'05"	450.00'	307.10'	S 66°50'18" E	301.18'
C2	90°00'00"	20.00'	31.42'	S 02°17'15" E	28.28'
C3	5°47'11"	421.00'	42.52'	S 50°10'51" E	42.50'
C4	11°43'28"	421.00'	86.15'	S 58°36'11" E	86.00'
C5	11°43'28"	421.00'	86.15'	S 70°39'39" E	86.00'
C6	9°51'57"	421.00'	72.49'	S 81°27'22" E	72.40'
C7	90°00'00"	20.00'	31.42'	N 48°36'40" E	28.28'
C8	90°00'00"	20.00'	31.42'	N 41°23'20" W	28.28'
C9	6°01'20"	479.00'	50.35'	S 83°22'40" E	50.32'
C10	7°36'20"	479.00'	63.58'	S 76°33'50" E	63.54'
C11	7°36'20"	479.00'	63.58'	S 68°57'30" E	63.54'
C12	7°36'20"	479.00'	63.58'	S 61°21'10" E	63.54'
C13	7°36'20"	479.00'	63.58'	S 53°44'50" E	63.54'
C14	2°39'25"	479.00'	22.21'	S 48°36'58" E	22.21'
C15	90°00'00"	20.00'	31.42'	S 87°42'45" W	28.28'

NOTE "A": Notice is hereby given to any buyer of the lots delineated upon this plat, that on file with the Building Department of The City of Delaware, are site improvement plans for the development of said lots showing proposed lot drainage, proposed ground elevation at house and/or lot grading plans. These plans, as approved by the governmental agencies, are considered part of the approval of this subdivision and are to be incorporated into the final plot plan required with the building permit.

NOTE "B" - MINIMUM SETBACKS: City of Delaware Zoning regulations for The Communities at Glenross Section 17 in effect at the time of platting of The Communities at Glenross Section 16 Part 2 specifies the following setback requirements:

Front yard	25 feet
Side yard	20'+6 feet
Rear yard	30 feet
Zoning classification	PMUR2

The purpose of this plat is to show certain property, rights of way and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall control over conflicting limitations and requirements that may be shown on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

NOTE "C": As per City of Delaware Zoning Code, all lots within The Communities at Glenross Section 17 are subject to the terms, conditions, restrictions (including lighting and house sizes) and special assessment districts as outlined in the preliminary plat entitled "The Communities at Glenross", said preliminary plat being approved on August 10, 2015 by Ordinance Number 15-85 on file at the City of Delaware Department of Planning and Community Development as PC 2015-1329.

NOTE "D": All utilities within The Communities at Glenross Section 17 shall be installed underground. Electric, telephone and cable T.V. lines and their above ground pedestals shall be located in rear yard areas except where a service feed must cross a street right of way or enter the subdivision.

NOTE "E" - ACREAGE BREAKDOWN:

Total acreage	8.321 Ac
Acreage in remaining lots	6.373 Ac
Acreage in right-of-way	1.948 Ac

NOTE "F" - ACREAGE BREAKDOWN: The Communities at Glenross Section 17 is out of the following Delaware County Parcel Number:

41832901040000	8.321 Ac

NOTE "G": No vehicular access until such time as the public street right-of-way is extended and dedicated by plat or deed.

NOTE "H": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about The Communities at Glenross Section 17 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Delaware County Recorder's Office.

NOTE "I": This section of The Communities at Glenross Subdivision is in the Delaware South New Community Authority, subject to an additional transportation fee of $1,000.00 per dwelling unit at the time of building permit issuance and is subject to the South Fork Highland Sanitary Sewer additional capacity charge of $5,200 per dwelling unit.

NOTE "J" - TEMPORARY VEHICLE TURNAROUND EASEMENT (TVTE) - BALD EAGLE DRIVE: The City of Delaware, Ohio is hereby granted a nonexclusive easement for vehicular turnaround use by the public in and over the areas of land designated "Temporary Vehicle Turnaround Easement" at the southerly terminus of Bald Eagle Drive on that parcel owned by Pulte Homes of Ohio LLC as shown hereon. Temporary easements shall be of no force at such time as the temporary turn-around is removed and the street is extended by dedicated right-of-way or easement in a manner acceptable to the City of Delaware.

① Existing 20' D.E. P.B. ____, P. ____
② Existing D.E. P.B. ____, P. ____
③ Existing 10' D.E. P.B. ____, P. ____
④ Existing 10' U.E. P.B. ____, P. ____
⑤ Existing 15' U.E. P.B. ____, P. ____
⑥ Existing 24' U.E. P.B. ____, P. ____
⑦ Existing 10' D.E. P.B. ____, P. ____
⑧ Existing D.E. P.B. ____, P. ____

Line Type Legend

- Existing Property Line
- Existing R/W Line
- Existing R/W Centerline
- Existing Easement Line
- Proposed Subdivision Boundary Line
- Proposed Lot Line
- Proposed R/W Line
- Proposed R/W Centerline
- Proposed Easement Line

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

EST. 1808 CITY OF DELAWARE OHIO

Project # _____ Case # _____

Planning Commission

- ☐ Amended Final Development Plan
- ☐ Amended Final Subdivision Plat
- ☐ Amended Preliminary Development Plan
- ☐ Amended Preliminary Subdivision Plat
- ☐ Annexation Review
- ☐ Combined Preliminary & Final Development Plan
- ☐ Comprehensive Plan Amendment
- ☐ Concept Plan
- ☐ Conditional Use Permit
- ☐ Determination of Similar Use
- ☐ Development Plan Exemption
- ☐ Final Development Plan
- ☐ Final Development Plan Extension
- ☒ Final Subdivision Plat
- ☐ Final Subdivision Plat Extension
- ☐ Floodplain Permit
- ☐ Lot Split
- ☐ Pre-annexation Agreement
- ☐ Preliminary Development Plan
- ☐ Preliminary Dev Plan Extension
- ☐ Preliminary Sub Plat
- ☐ Preliminary Sub Plat Extension
- ☐ Rezoning
- ☐ Subdivision Variance
- ☐ Substitution of a Non- Conforming Use
- ☐ Vacation-Alley
- ☐ Vacation-Easement
- ☐ Vacation-Street

Board of Zoning Appeals

- ☐ Appeal Administrative Decision or Interpretation
- ☐ Conditional Use Permit
- ☐ Substitution of Equal or Less Non-Conforming Use
- ☐ Variance

Subdivision/Project Name THE COMMUNITIES AT GLENROSS SECTION 17 Address _____

Acreage 8.321 Square Footage _____ Number of Lots 27 Number of Units _____

Zoning District/Land Use PMU/R2 Proposed Zoning/Land Use PMU/R2 Parcel # 418320010420000

Applicant Name PULTE HOMES OF OHIO LLC Contact Person Joseph Lamparyk

Applicant Address 475 METRO PLACE SOUTH, SUITE 200

Phone 614-376-1000 Fax _____ E-mail Joseph.Lamparyk@Pulte.com

Owner Name SAME AS APPLICANT Contact Person _____

Owner Address _____

Phone _____ Fax _____ E-mail _____

Engineer/Architect/Attorney EMH&T Contact Person MATT KIRK

Address 5500 NEW ALBANY ROAD, COLUMBUS, OHIO, 43054

Phone 614-775-4131 Fax _____ E-mail MKIRK@EMHT.COM

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

Owner Signature — JOSEPH LAMPARYK Owner Printed Name

Agent Signature — Agent Printed Name

Sworn to before me and subscribed in my presence this 19 day of January, 2021

Notary Stamp — Notary Public

HEIDI MOORE
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Delaware County
My Comm. Exp. 11/25/2023

s/planning/forms

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 16 | DATE: 03/08/2021

ORDINANCE NO: 21-16 | RESOLUTION NO:

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN REQUEST BY PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 19 CONTAINING 36 SINGLE FAMILY LOTS ON 10.437 ACRES ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AND LOCATED ON BLUESTONE LANE.

BACKGROUND:
See attached report

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Chapter 1129 Procedures of the zoning code.

COMMITTEE RECOMMENDATION:
Planning Commission approved this case 7-0 on March 3, 2021.

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

ORDINANCE NO. 21-16

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN REQUEST BY PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 19 CONTAINING 36 SINGLE FAMILY LOTS ON 10.437 ACRES ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AND LOCATED ON BLUESTONE LANE.

WHEREAS, the Planning Commission at its meeting on March 3, 2021 recommended approval of a Final Development Plan request by Pulte Homes for the Communities at Glenross Section 19 containing 36 single family lots on 10.437 acres on property zoned R-2 PMU (One Family Residential District with a Planned Mixed Use Overlay District) and located on Bluestone Lane (PC 2021-0278).

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

SECTION 1. That the Final Development Plan request by Pulte Homes for the Communities at Glenross Section 19 containing 36 single family lots on 10.437 acres on property zoned R-2 PMU (One Family Residential District with a Planned Mixed Use Overlay District) and located on Bluestone Lane, is hereby confirmed, approved, and accepted with the following conditions that:

1. The Applicant needs to obtain final engineering approvals, including any storm water, utility, and cluster mailbox 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. Per the City Engineer, Section 16 Part 2 shall be constructed prior to Section 19 otherwise pre-construction for Section 19 shall not be approved.
3. The emergency access drive to Cheshire Road through Section 15 shall remain in place until a second access point to Winterbourne Drive is established on east side of Winterbourne Drive (proposed in Section 18).
4. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
5. The single-family houses shall comply with the minimum architectural standards and house size in the approved development text and per applicable sections of the current zoning code.

6. A street tree plan shall be approved by the Shade Tree Commission.
7. This section of the Communities at Glenross Subdivision is in the Delaware South New Community Authority, subject to a per dwelling unit additional transportation fee of $1,000 per unit due 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 unit.
8. All signage shall achieve compliance with the graphics and signage requirements in the development text and the previously approved wayfinding system and plan for the community.

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: _____, 2021 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 17 | DATE: 03/08/2021

ORDINANCE NO: 21-17 | RESOLUTION NO:

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE APPROVING A FINAL SUBDIVISON PLAT REQUEST BY PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 19 CONTAINING 36 SINGLE FAMILY LOTS ON 10.437 ACRES ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AND LOCATED ON BLUESTONE LANE.

BACKGROUND:
See attached report

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Chapter 1111 Subdivision Regulations.

COMMITTEE RECOMMENDATION:
Planning Commission approved this case 7-0 on March 3, 2021.

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

ORDINANCE NO. 21-17

AN ORDINANCE APPROVING A FINAL SUBDIVISON PLAT REQUEST BY PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 19 CONTAINING 36 SINGLE FAMILY LOTS ON 10.437 ACRES ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AND LOCATED ON BLUESTONE LANE.

WHEREAS, the Planning Commission at its meeting on March 3, 2021 recommended approval of a Final Subdivision Plat request by Pulte Homes for the Communities at Glenross Section 19 containing 36 single family lots on 10.437 acres on property zoned R-2 PMU (One Family Residential District with a Planned Mixed Use Overlay District) and located on Bluestone Lane (PC 2021-0280).

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

SECTION 1. That the Final Subdivision Plat request by Pulte Homes for the Communities at Glenross Section 19 containing 36 single family lots on 10.437 acres on property zoned R-2 PMU (One Family Residential District with a Planned Mixed Use Overlay District) and located on Bluestone Lane, is hereby confirmed, approved, and accepted with the following conditions that:

1. The Applicant needs to obtain final engineering approvals, including any storm water, utility, and cluster mailbox 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. Per the City Engineer, Section 16 Part 2 shall be constructed prior to Section 19 otherwise pre-construction for Section 19 shall not be approved.
3. The emergency access drive to Cheshire Road through Section 15 shall remain in place until a second access point to Winterbourne Drive is established on east side of Winterbourne Drive (proposed in Section 18).
4. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
5. The single-family houses shall comply with the minimum architectural standards and house size in the approved development text and per applicable sections of the current zoning code.
6. A street tree plan shall be approved by the Shade Tree Commission.

7. This section of the Communities at Glenross Subdivision is in the Delaware South New Community Authority, subject to a per dwelling unit additional transportation fee of $1,000 per unit due 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 unit.
8. All signage shall achieve compliance with the graphics and signage requirements in the development text and the previously approved wayfinding system and plan for the community.

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: _____, 2021 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

EST 1808
CITY OF
DELAWARE
OHIO

PLANNING COMMISSION / STAFF REPORT

CASE NUMBERS: 2021-0278 & 0280
REQUEST: Multiple Requests
PROJECT: Communities at Glenross – Section 19
MEETING DATE: March 3, 2021

APPLICANT/OWNER
Pulte Homes
475 Metro Place South Suite 200
Dublin, Ohio 43017

REQUEST
2021-0278: A request by Pulte Homes for approval of a Final Development Plan for the Communities at Glenross Section 19 for 36 single-family lots on approximately 10.437 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on Bluestone Lane.
2021-0280: A request by Pulte Homes for approval of a Final Subdivision Plat for the Communities at Glenross Section 19 for 36 single-family lots on approximately 10.437 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on Bluestone Lane.

PROPERTY LOCATION & DESCRIPTION
The subject property is located on the south side of Cheshire Road east of Winterbourne Drive and just west of the railroad tracks. The subject site is zoned R-2 PMU (One-Family Residential District with a Planned Mixed-Use Overlay District). The properties to the north, south, and west are zoned R-2 PMU while the property to the east across the railroad tracks is the township.

BACKGROUND
This project has an extensive zoning history that dates back to 2006, but the most recent significant action that pertains to the development south of Cheshire Road occurred in August 2016. At that time, City Council approved an amendment to the Zoning and Development Text, an amendment to the Preliminary Development Plan, and an amendment to the Preliminary Subdivision Plat for the Communities at Glenross for 487 single family lots on approximately 210.7 acres (sections 11-22). The Final Development Plan and Final Subdivision Plat for Sections 11 and 12 were approved in 2017. The Final Development Plan and Final Subdivision Plat for Section 15 was approved in 2018, Section 13 was approved in 2019, and Section 16 was approved in 2020.

Now the developer is requesting a Final Development Plan and Final Subdivision Plat for Section 19 which consists of 36 single-family lots on 10.437 acres. The Final Development Plan and Final Subdivision Plat for Section 19 has been submitted alongside the Final Development Plan and Final Subdivision Plat for Section 17 and together these two sections will complete a loop alongside Section 16.

STAFF ANALYSIS

- **ZONING:** As mentioned above, the zoning for the subject site is R-2 PMU which has a specific development plan and text for the subject development. From a procedural perspective, Final Development Plans and Final Subdivision Plats would need to be reviewed and approved by the Planning Commission and City Council for each section.
- **DEVELOPMENT TEXT:** The development text sets forth development standards for the residential development which has specific development text for the entire development pertaining to permitted uses, density, lot size, minimum dwelling size, building setbacks, landscaping, lighting, architectural elevations, etc. Section 19 is in Sub-Area IB of the approved Preliminary Development Plan and Preliminary Subdivision Plat. The development plan and text are sensitive to the existing residential surroundings while providing an appropriate transition to a very active pair of railroad tracks.
- **GENERAL ENGINEERING:** The Applicant needs to obtain engineering approvals, including any storm water, utility, and cluster mailbox issues that need to be worked out through the Engineering and Utilities Departments. Currently, stormwater and transportation improvements for Section 16 Part 2 have not yet been completed and shall be constructed prior to Section 19. 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.
- **UTILITIES:** The site would be serviced by City sanitary sewer (SE Highland trunk sewer) and water that would have to be extended by the developer from the existing development.

- **ROADS AND ACCESS:** Section 19 is located south of Cheshire Road and would be accessed from Winterbourne Drive which is the main north/south spine road for Sections 11-22 located south of Cheshire Road. There are two different access points to Section 19 which connect to Sections 16 and 17. Bluestone Lane will extend north and south through Section 19 and will complete a loop with Sections 16 and 17. All the streets are public and would have sidewalks on both sides of the street. In addition, there shall be no street parking near intersections or along the curved roads in this section.
- **PEDESTRIAN CONNECTIVITY:** The pedestrian connectivity plan identifies a bike path along Winterbourne Drive through the subject section that would connect into the City network per the approved Preliminary Development Plan. In addition, there would be sidewalks on both sides of the public streets.
- **LOT LAYOUT & SIZE:** Per the approved development text, the subject lots in Section 19 would be a minimum lot area of 8,450 square feet with minimum 65 feet lot widths and 130 feet lot depths. The front yard setback would be 25 feet, the rear yard setback would be 30 feet (decks and patios may encroach into the setback, but not closer than 15 feet from the lot line), and the side yard setback would be 20% of the lot width (not less than 6 feet) with a minimum house size of 1,600 square feet for a single story house and 1,800 square feet for a two-story house. Also, all the corner lots achieve compliance with the oversized corner lot requirements in the zoning code.
- **BUILDING DESIGN:** The design requirements for The Communities at Glenross south of Cheshire Road are based on the housing options in each Section and Sub-Area per the approved development text. The single-family lots in Sections 19 would require the following design requirements: 1.) At least 40% of the front façade elevation of each building (excluding garage doors, entrance doors, gutters, shutters, downspouts and windows) shall consist of natural materials, such as brick or stone. 2.) All vinyl siding shall have a minimum thickness of 0.044 mils; 3.) 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; 4.) No concrete or split face block shall be permitted, except for basement or foundation walls; 5.) The roofs of all homes shall have dimensional shingles. In addition, the homes shall achieve compliance with Residential Development Design Criteria and Performance Standards in Chapter 1171.08.
- **LANDSCAPING:** A street tree plan has been submitted and shall be required to be approved by Shade Tree Commission prior to installation.
- **OPEN SPACE/PARKLAND:** The Communities at Glenross Sections 11-22 has approximately 61.5 acres of open space (approximately 29.2%) in several reserve areas south of Cheshire Road. While this section will not contain any of this open space, the adjacent Section 16 contains approximately 3.77 acres of open space in the reserve area located along Winterbourne Drive as well as approximately 0.86 acres of active open space (tot lot).
- **TREE PRESERVATION:** There do not appear to be any qualifying trees (6 inches in caliper or larger) that would be removed in Section 19 but if any are removed during the construction, the developer would have to achieve compliance with Chapter 1168 Tree Preservation Regulations.
- **LIGHTING PLAN:** A lighting plan would have to be submitted, reviewed and approved by the City that achieves compliance with the zoning code.

STAFF RECOMMENDATION – (2021-0278 FINAL DEVELOPMENT PLAN)

Staff recommends approval of a request by Pulte Homes for a Final Development Plan for the Communities at Glenross Section 19 for 36 single-family lots on approximately 10.437 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed-Use Overlay District) and located on Bluestone Lane, with the following conditions that:

1. The Applicant needs to obtain final engineering approvals, including any storm water, utility, and cluster mailbox 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. Per the City Engineer, Section 16 Part 2 shall be constructed prior to Section 19 otherwise pre-construction for Section 19 shall not be approved.

3. The emergency access drive to Cheshire Road through Section 15 shall remain in place until a second access point to Winterbourne Drive is established on east side of Winterbourne Drive (proposed in Section 18).
4. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
5. The single-family houses shall comply with the minimum architectural standards and house size in the approved development text and per applicable sections of the current zoning code.
6. A street tree plan shall be approved by the Shade Tree Commission.
7. This section of the Communities at Glenross Subdivision is in the Delaware South New Community Authority, subject to a per dwelling unit additional transportation fee of $1,000 per unit due 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 unit.
8. All signage shall achieve compliance with the graphics and signage requirements in the development text and the previously approved wayfinding system and plan for the community.

STAFF RECOMMENDATION – (2021-0280 FINAL SUBDIVSION PLAT)

Staff recommends approval of a request by Pulte Homes for a Final Subdivision Plat for the Communities at Glenross Section 19 for 36 single-family lots on approximately 10.437 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed-Use Overlay District) and located on Bluestone Lane, with the following conditions that:

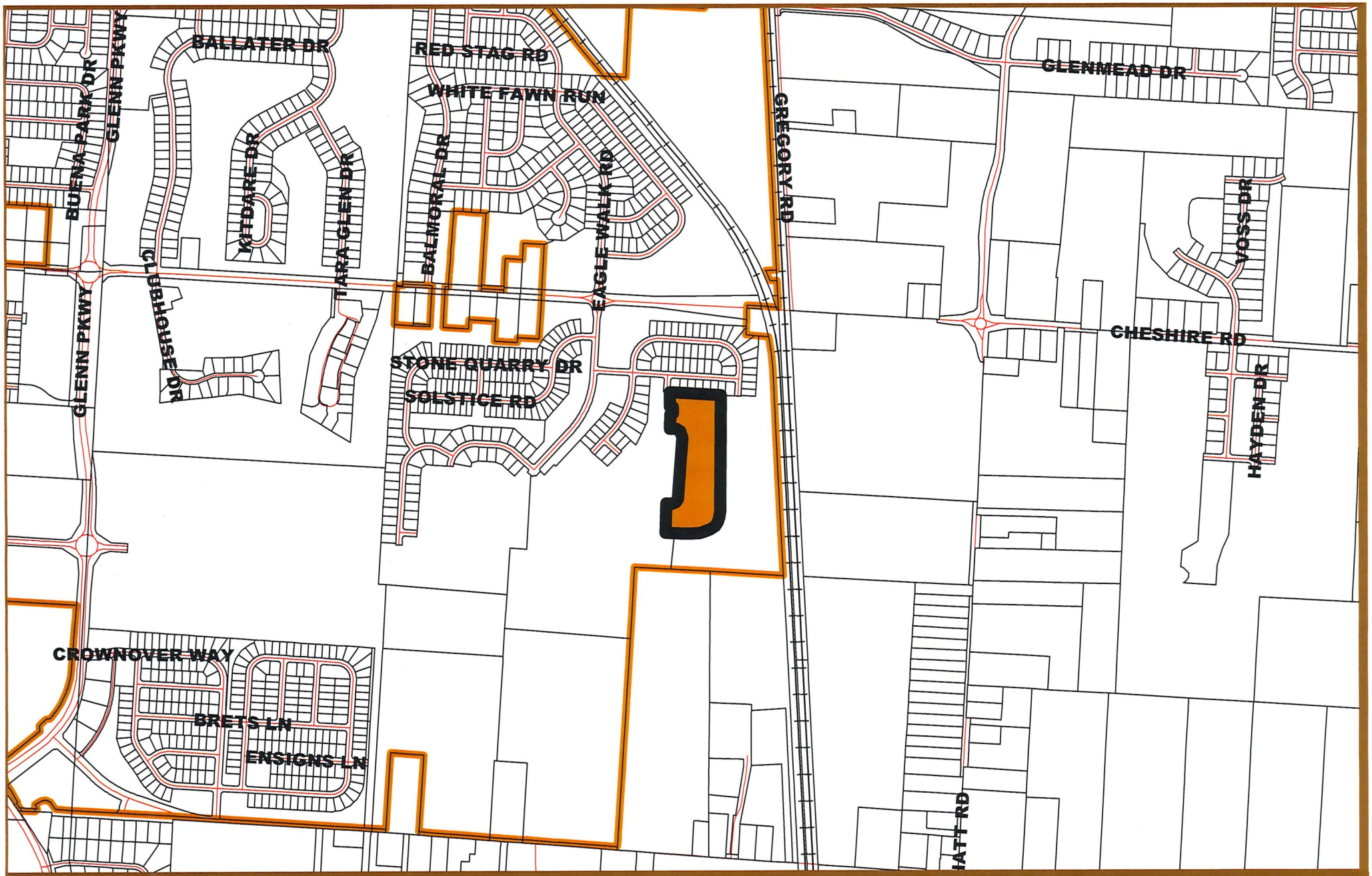
1. The Applicant needs to obtain final engineering approvals, including any storm water, utility, and cluster mailbox issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.
2. Per the City Engineer, Section 16 Part 2 shall be constructed prior to Section 19 otherwise pre-construction for Section 19 shall not be approved.
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5. The single-family houses shall comply with the minimum architectural standards and house size in the approved development text and per applicable sections of the current zoning code.
6. A street tree plan shall be approved by the Shade Tree Commission.
7. This section of the Communities at Glenross Subdivision is in the Delaware South New Community Authority, subject to a per dwelling unit additional transportation fee of $1,000 per unit due 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 unit.
8. All signage shall achieve compliance with the graphics and signage requirements in the development text and the previously approved wayfinding system and plan for the community.

COMMISSION NOTES:

MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled*_____

CONDITIONS/MISCELLANEOUS:

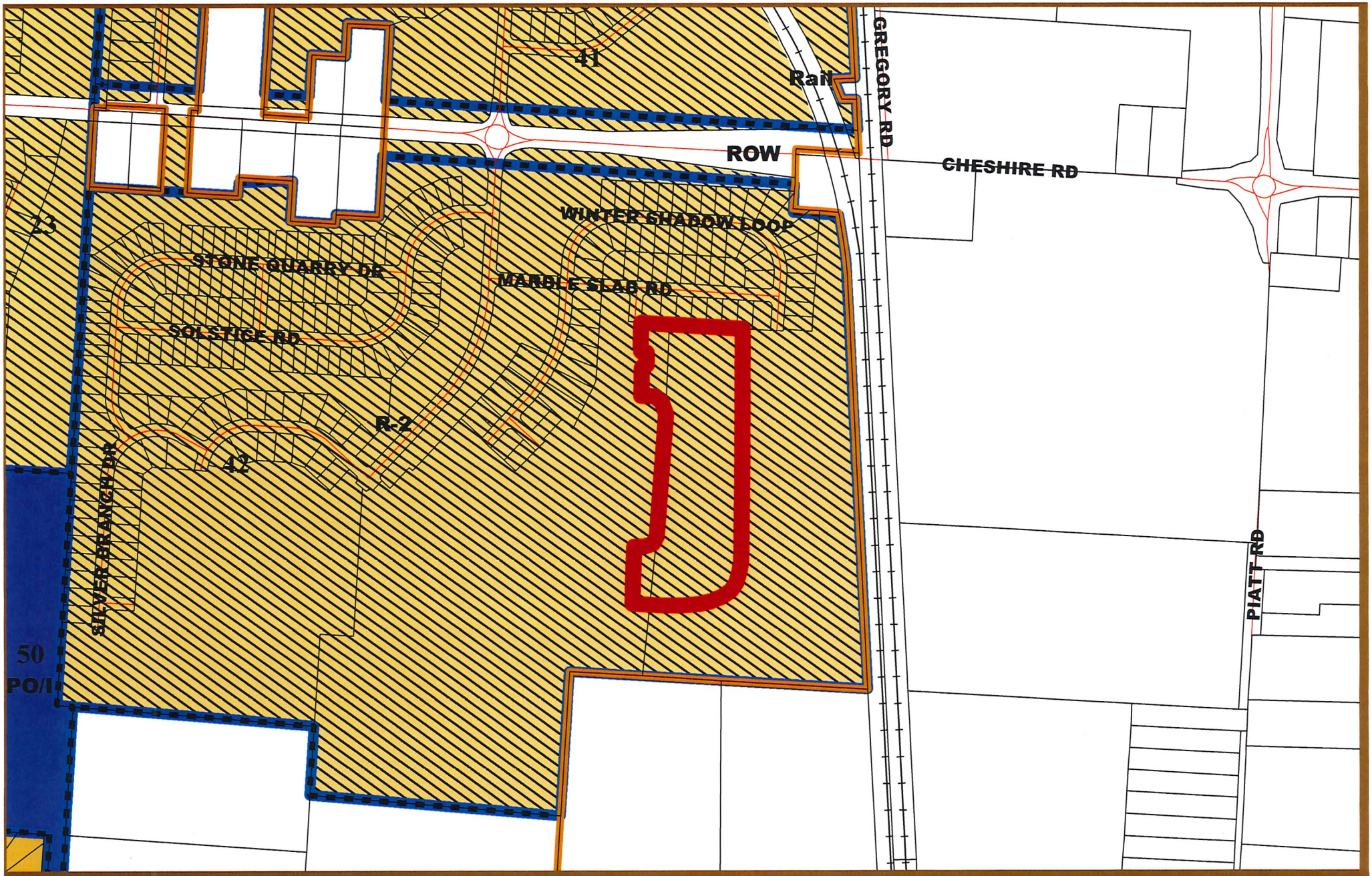
FILE:
ORIGINAL: **02/23/21**
REVISED:



EST 1808
CITY OF
DELAWARE
OHIO

2021-0278 & 0280
Final Development Plan and Final Subdivision Plat
Communities at Glenross - Section 19
Location Map

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EST 1808
CITY OF
DELAWARE
OHIO

2021-0278 & 0280
Final Development Plan and Final Subdivision Plat
Communities at Glenross - Section 19
Zoning Map

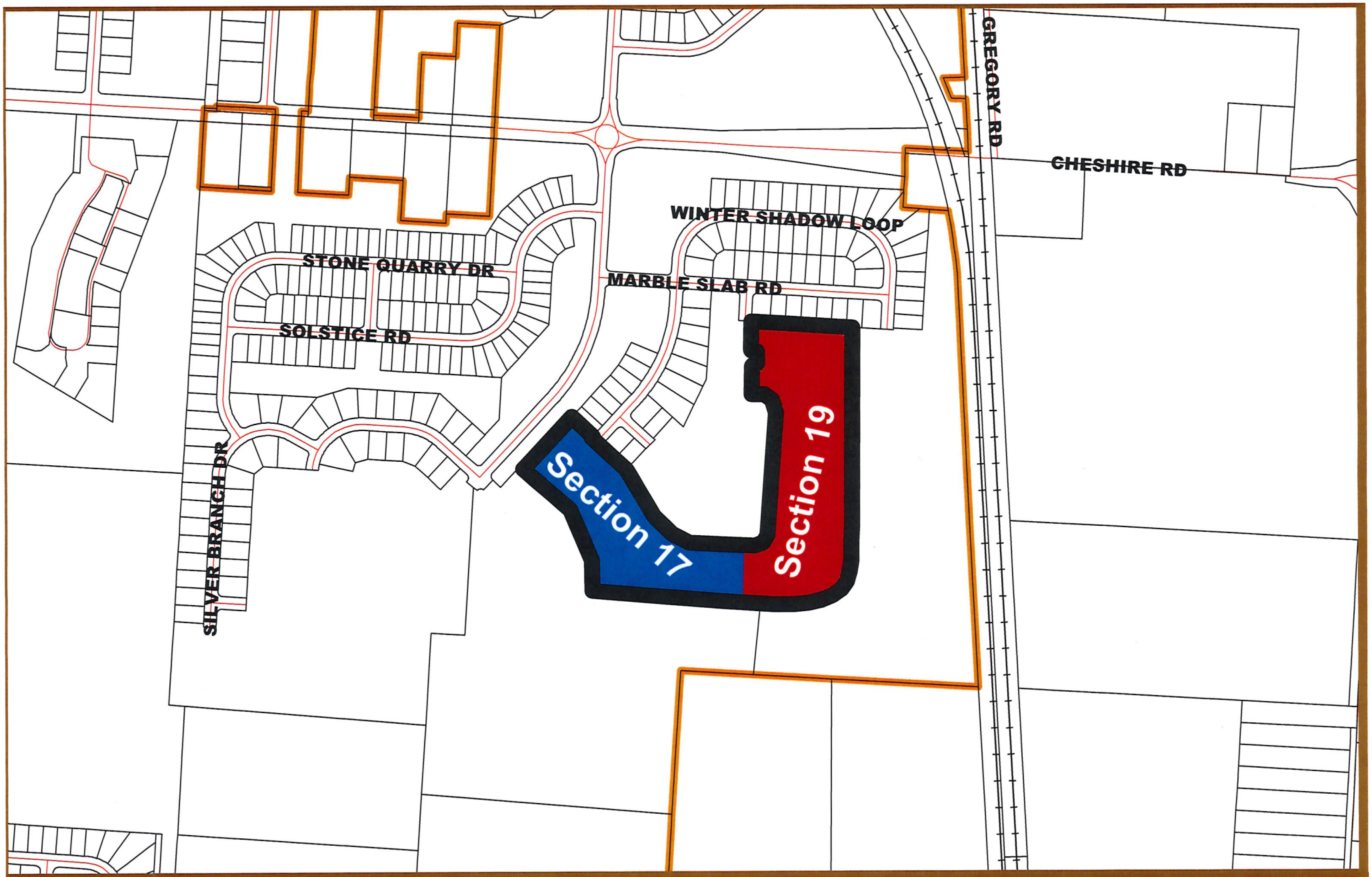
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EST 1808
CITY OF
DELAWARE
OHIO

2021-0278 & 0280
Final Development Plan and Final Subdivision Plat
Communities at Glenross - Section 19
Aerial (2019) Map

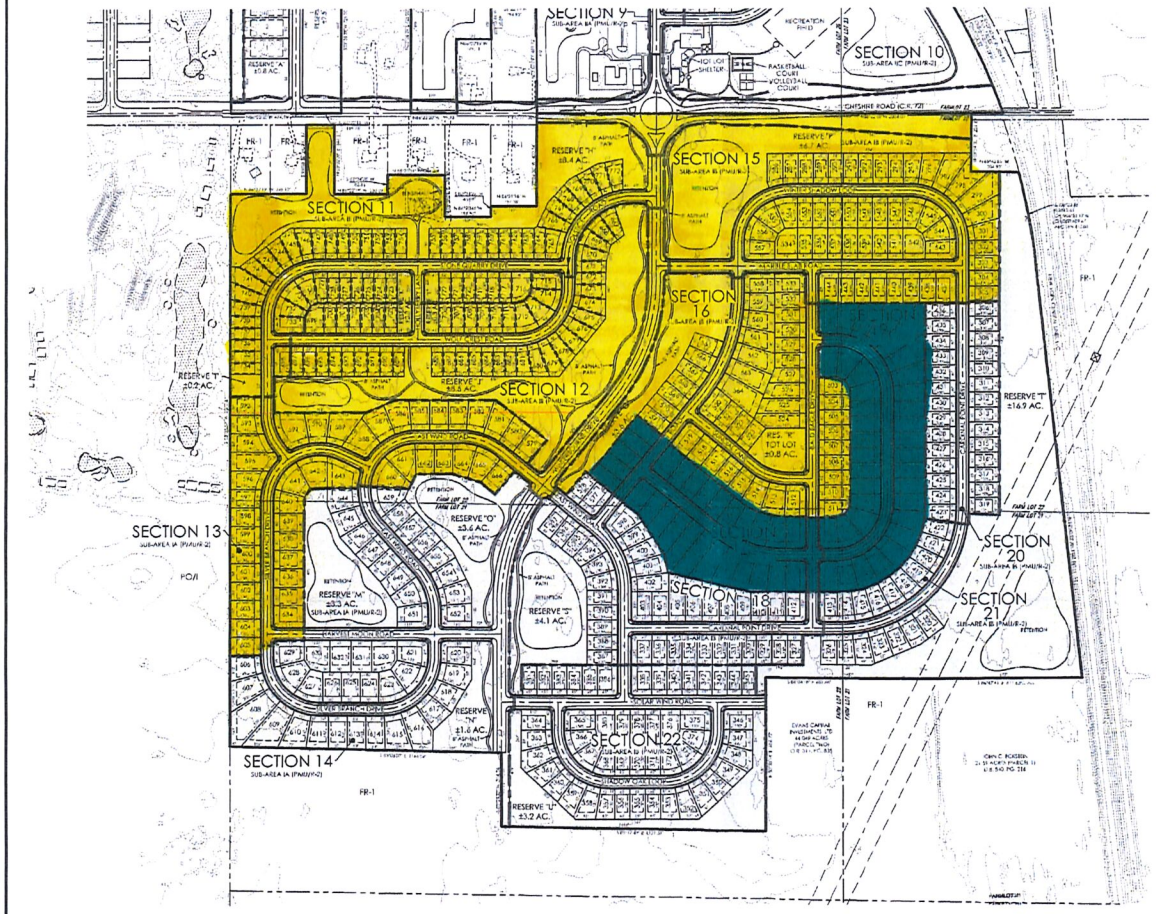
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EST 1808
CITY OF
DELAWARE
OHIO

Final Development Plan and Final Subdivision Plat
Communities at Glenross - Section 17 & 19
Sub-Section Map

N



REVISIONS	
MARCH 7, 2016	PLANNING COMMENTS
APRIL 4, 2016	PLANNING COMMENTS

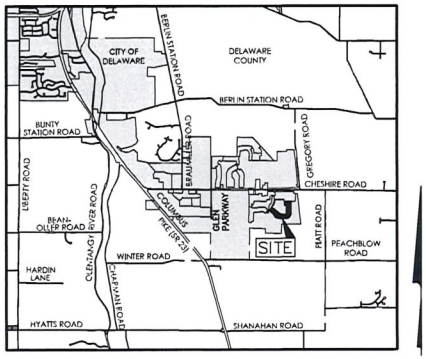
Pulte Homes
8800 Lyra Crossing Blvd., Dublin, OH 43016
Ph: (614) 356-5831

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
DEVELOPMENT PLAN
COMMUNITIES AT GLENROSS
SITE PLAN

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Fax: 614.775.4800
www.emht.com

DATE: JUNE 1, 2016
SCALE: 1" = 200'
JOB NO: 20080644
SHEET: 2/5

COMMUNITIES AT GLENROSS
SECTION 17 & 19



LOCATION MAP
NO SCALE

PREPARED FOR:

PulteGroup

475 METRO PLACE SOUTH
SUITE 200
DUBLIN, OHIO 43017
PH. 614-376-1000

SUBMITTAL: FEBRUARY 1, 2021

CIVIL ENGINEER

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

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SECTION 19:	SHEET 3-4
SITE PLAN:	SHEET 5
LIGHTING PLAN:	SHEET 6-7
STREET TREE PLAN:	SHEET 8-9
ILLUSTRATIVE SITE PLAN:	SHEET 10

THE COMMUNITIES AT GLENROSS SECTION 17

Situated in the State of Ohio, County of Delaware, City of Delaware, and in Farm Lots 27 (2.665 acres) and 28 (5.656 acres), Quarter Township 3, Township 4, Range 18, United States Military Lands, containing 8.321 acres of land, more or less, said 8.321 acres being comprised of a part of each of those tracts of land conveyed as Parcel 8 and Parcel 9 to **PULTE HOMES OF OHIO LLC** by deeds of record in Official Record 1327, Page 1465 and Official Record 1332, Page 1098, Recorder's Office, Delaware County, Ohio.

The undersigned, **PULTE HOMES OF OHIO LLC**, a Michigan limited liability company, by **MATTHEW J. CALLAHAN**, Division Vice President of Land Acquisition, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its **"THE COMMUNITIES AT GLENROSS SECTION 17"**, a subdivision containing Lots numbered 13476 to 13502, both inclusive, does hereby accept this plat of same and dedicates to public use, as such, all of Cambric Drive, Sunstone Lane, and Bald Eagle Drive (1.948 acres of land, more or less) shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Utility Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the Delaware City Engineer. Easement areas shown hereon outside of the platted areas are within lands owned by the undersigned and easements are hereby reserved therein for the uses and purposes expressed herein.

In Witness Whereof, **MATTHEW J. CALLAHAN**, Division Vice President of Land Acquisition of **PULTE HOMES OF OHIO LLC**, has hereunto set his hand this ____ day of _____, 20___.

Signed and Acknowledged In the presence of

PULTE HOMES OF OHIO LLC

_____

By _____
MATTHEW J. CALLAHAN, Division Vice President of Land Acquisition

_____

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared **MATTHEW J. CALLAHAN**, Division Vice President of Land Acquisition of **PULTE HOMES OF OHIO LLC**, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **PULTE HOMES OF OHIO LLC**, for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this _____ day of _____, 20___.

My commission expires _____

_____
Notary Public, State of Ohio

PC Case No. _____ approved by the Planning Commission on this _____ day of _____, 20___.

Approved and accepted this _____ day of _____, 20___, by Ordinance No. _____, wherein all of Cambric Drive, Sunstone Lane, and Bald Eagle Drive (1.948 acres of land, more or less) shown dedicated hereon are accepted as such by the City Council of the City of Delaware, Ohio

Approved this ____ Day of _____ 20___.
_____
Elaine McCloskey, City Clerk, Delaware, Ohio

Approved this ____ Day of _____ 20___.
_____
R. Thomas Homan, City Manager, Delaware, Ohio

Approved this ____ Day of _____ 20___.
_____
David M. Efland, AICP, Planning and Community Development Director, Delaware, Ohio

Approved this ____ Day of _____ 20___.
_____
William L. Fernano, P.E., Public Works Director/City Engineer, Delaware, Ohio

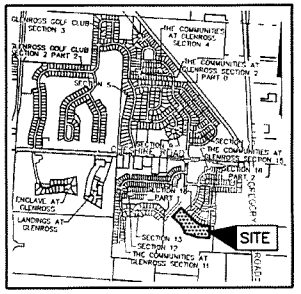
Approved this ____ Day of _____ 20___.
_____
Blake Jordan, P.E., Public Utilities Director, Delaware, Ohio

Transferred this ____ day of _____, 20___.
_____
Auditor, Delaware County, Ohio

Filed for record this ___ day of _____, 20___ at _____ M.
Fee $_____
_____
Recorder, Delaware County, Ohio

File No. _____

Official Record ____, Pages ____



LOCATION MAP AND BACKGROUND DRAWING

NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the same meridian as the bearings shown on the subdivision plat entitled "GLENROSS GOLF CLUB SECTION 1" of record in Cabinet 3, Slide 456, Recorder's Office, Delaware County, Ohio, in which a portion of the centerline of Kildare Drive has a bearing of South 61°09'41" West.

SOURCE OF DATA: The sources of recorded survey data referenced in the plat and text of this plat are the records of the Recorder's Office, Delaware County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT.

PERMANENT MARKERS: Permanent markers, where indicated hereon in the public street centerline, are to be one-inch diameter, thirty-inch long, solid iron pins, encased in a standard survey monument box. Pins are to be set to monument the points indicated, are to be set after the construction/installation of the street pavement and are to be set with the top end one-fourth inch below the top of the pavement. Once installed, the top of the pin shall be marked (punched) to record the actual location of the point.
Permanent markers, where indicated hereon in positions other than in the public street centerline, are to be one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated, and set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED BY

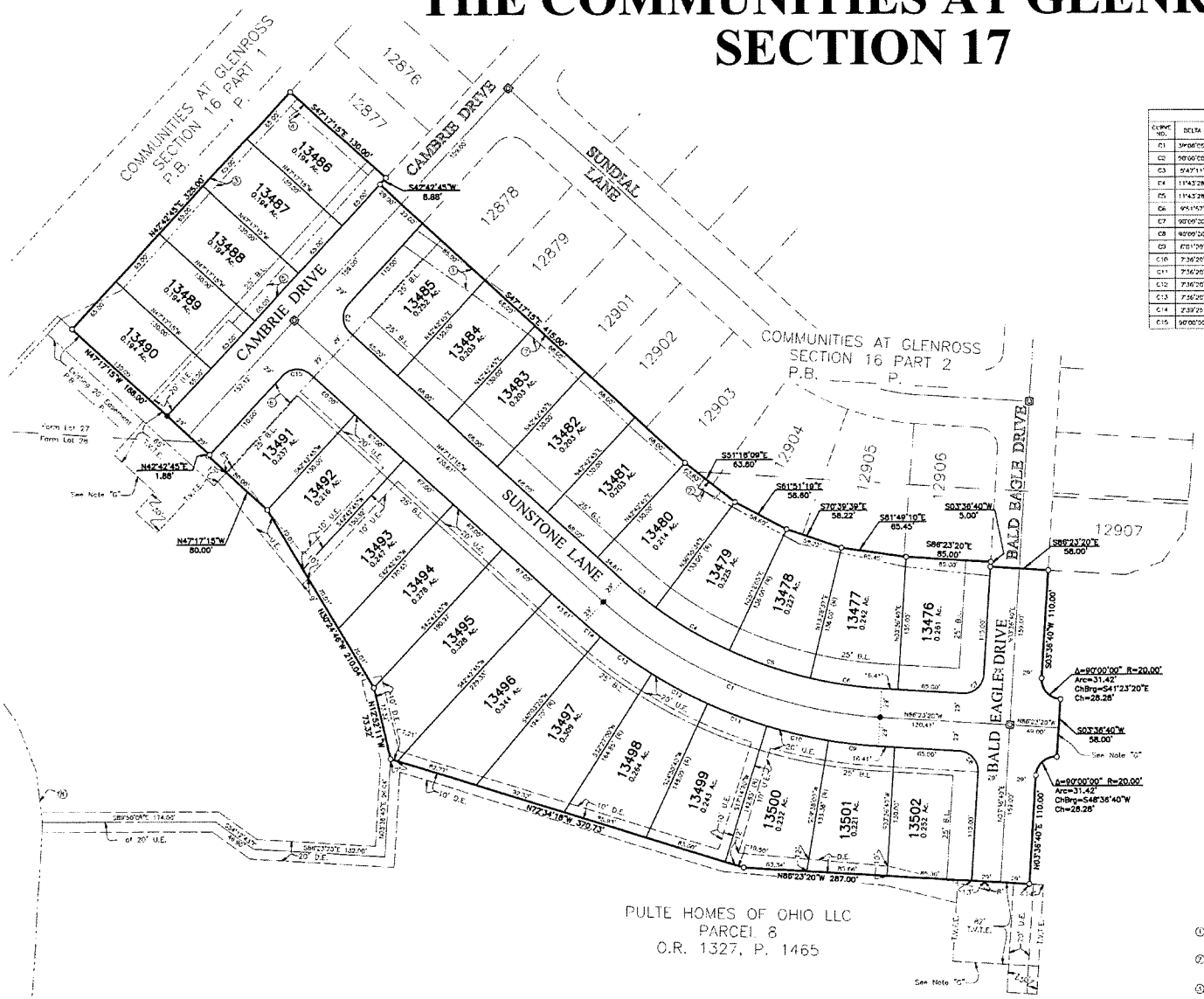
EMHT
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Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

○ = Iron Pin (See Survey Data)
● = MAG Nail to be set
Ⓟ = Permanent Marker (See Survey Data)
▣ = Permanent Marker encased in monument box

By _____ _____
Professional Surveyor No. 7865 Date

THE COMMUNITIES AT GLENROSS SECTION 17



CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	39°08'05"	456.00'	311.56'	S 66°56'18" E	305.58'
C2	90°00'00"	20.00'	31.42'	S 02°17'15" E	28.28'
C3	5°47'11"	421.00'	42.50'	S 50°16'51" E	42.50'
C4	11°43'28"	421.00'	86.15'	S 58°58'11" E	86.00'
C5	11°43'28"	421.00'	86.15'	S 70°39'39" E	86.00'
C6	9°51'57"	421.00'	72.46'	S 81°27'21" E	72.40'
C7	90°00'00"	20.00'	31.42'	N 46°36'40" E	28.28'
C8	90°00'00"	20.00'	31.42'	N 41°23'20" W	28.28'
C9	6°01'09"	479.00'	50.33'	S 83°22'46" E	50.32'
C10	7°36'26"	479.00'	63.58'	S 76°33'50" E	63.54'
C11	7°36'26"	479.00'	63.58'	S 68°57'25" E	63.54'
C12	7°36'26"	479.00'	63.58'	S 61°21'16" E	63.54'
C13	7°36'26"	479.00'	63.58'	S 53°44'50" E	63.54'
C14	2°39'25"	479.00'	22.21'	S 48°36'08" E	22.21'
C15	90°00'00"	20.00'	31.42'	S 87°43'45" W	28.28'

① Existing 20' D.E. P.B. ____ P. ____
② Existing D.E. P.B. ____ P. ____
③ Existing 10' D.E. P.B. ____ P. ____
④ Existing 10' U.E. P.B. ____ P. ____
⑤ Existing 15' U.E. P.B. ____ P. ____
⑥ Existing 24' U.E. P.B. ____ P. ____
⑦ Existing 10' D.E. P.B. ____ P. ____
⑧ Existing D.E. P.B. ____ P. ____

Line Type Legend
- Existing Property Line
- Existing R/W Line
- Existing R/W Centerline
- Existing Easement Line
- Proposed Subdivision Boundary Line
- Proposed Lot Line
- Proposed R/W Line
- Proposed R/W Centerline
- Proposed Easement Line

NOTE "A": Notice is hereby given to any buyer of the lots delineated upon this plat, that on file with the Building Department of The City of Delaware, are site improvement plans for the development of said lots showing proposed lot drainage, proposed ground elevation at house and/or lot grading plans. These plans, as approved by the governmental agencies, are considered part of the approval of this subdivision and are to be incorporated into the final plot plan required with the building permit.

NOTE "B" - MINIMUM SETBACKS: City of Delaware Zoning regulations for The Communities at Glenross Section 17 in effect at the time of platting of The Communities at Glenross Section 16 Part 2 specifies the following setback requirements:

Front yard:	25 feet
Side yard:	20% of lot width, but not less than 7 feet
Rear yard:	30 feet
Zoning classification:	PMH-TH2

The purpose of this plat is to show certain property, rights-of-way and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall control over conflicting limitations and requirements that may be shown on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

NOTE "C": As per City of Delaware Zoning Code, all lots within The Communities at Glenross Section 17 are subject to the terms, conditions, restrictions (including lighting and house color) and special assessment districts as outlined in the preliminary plat entitled "The Communities at Glenross", said preliminary plat being approved on August 10, 2015 by Ordinance Number 15-85 on file at the City of Delaware Department of Planning and Community Development as PC 2015-1329.

NOTE "D": All utilities within The Communities at Glenross Section 17 shall be installed underground. Electric, telephone and cable T.V. lines and their above ground pedestals shall be located in rear yard areas except where a service feed must cross a street right of way or enter the subdivision.

NOTE "E" - ACREAGE BREAKDOWN:

Total acreage	9.321 Ac.
Acreage in remaining lots	6.373 Ac.
Acreage in right-of-way	2.948 Ac.

NOTE "F" - ACREAGE BREAKDOWN: The Communities at Glenross Section 17 is out of the following Delaware County Parcel Number:

41832001040000	8.321 Ac.

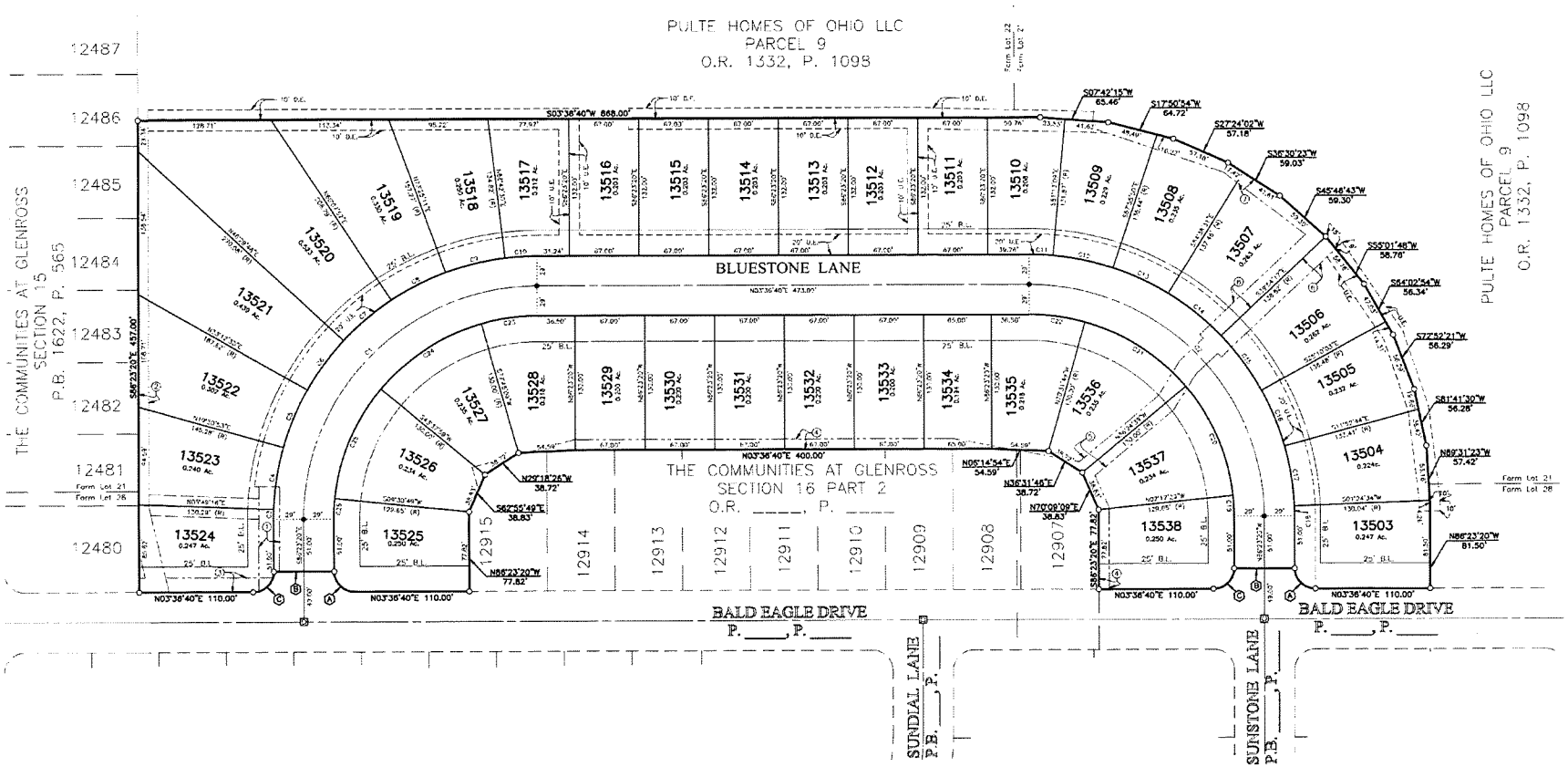
NOTE "G": No vehicular access until such time as the public street right-of-way is extended and dedicated by plat or deed.

NOTE "H": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about The Communities at Glenross Section 17 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Delaware County Recorder's Office.

NOTE "I": This section of The Communities at Glenross Subdivision is in the Delaware South New Community Authority, subject to an additional transportation fee of $1,000.00 per dwelling unit 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 unit.

NOTE "J" - TEMPORARY VEHICLE TURNAROUND EASEMENT (TVTE) - BALD EAGLE DRIVE: The City of Delaware, Ohio is hereby granted a non-exclusive easement for vehicular turnaround use by the public in and over the areas of land designated "Temporary Vehicle Turnaround Easement" at the southerly terminus of Bald Eagle Drive on that parcel owned by Pulte Homes of Ohio LLC as shown hereon. Temporary easements shall be of no force at such time as the temporary turn around is removed and the street is extended by dedicated right-of-way or easement in a manner acceptable to the City of Delaware.

THE COMMUNITIES AT GLENROSS SECTION 19



① Existing 20' U.E. P.B. ____, P. ____
② Existing 10' D.E. O.R. 1622, P. 565
③ Existing 14' U.E. O.R. 1622, P. 565
④ Existing 10' D.E. P.B. ____, P. ____
⑤ Existing 20' U.E. P.B. ____, P. ____
⑥ Existing 15' U.E. P.B. ____, P. ____
⑦ Existing U.E. P.B. ____, P. ____

Line Type Legend

- Existing Property Line
- Existing R/W Line
- Existing R/W Centerline
- Existing Easement Line
- Proposed Subdivision Boundary Line
- Proposed Lot Line
- Proposed R/W Line
- Proposed R/W Centerline
- Proposed Easement Line

Ⓐ Δ=90°00'00" R=20.00' Arc=31.42' ChBrg=N48°36'40"E Ch=28.28'

Ⓑ N03°36'40"E 58.00'

Ⓒ Δ=90°00'00" R=20.00' Arc=31.42' ChBrg=N41°23'20"W Ch=28.28'

NOTE "A": Notice is hereby given to any buyer of the lots delineated upon this plat, that on file with the Building Department of The City of Delaware, are site improvement plans for the development of said lots showing proposed lot drainage, proposed ground elevation at house and or lot grading plans. These plans, as approved by the governmental agencies, are considered part of the approval of this subdivision and are to be incorporated into the final plot plan required with the building permit.

NOTE "B" - MINIMUM SETBACKS: City of Delaware Zoning regulations for The Communities at Glenross Section 19 in effect at the time of platting of The Communities at Glenross Section 16 Part 2 specifies the following setback requirements:

Front yard	25 feet
Side yard:	20/5 feet
Rear yard:	30 feet
Zoning classification:	PMU/R2

The purpose of this plat is to show certain property, rights of way and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall control over conflicting limitations and requirements that may be shown on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

NOTE "C": As per City of Delaware Zoning Code, all lots within The Communities at Glenross Section 19 are subject to the terms, conditions, restrictions (including lighting and house sizes) and special assessment districts as outlined in the preliminary plat entitled "The Communities at Glenross", and preliminary plat being approved on August 10, 2015 by Ordinance Number 15-85 on file at the City of Delaware Department of Planning and Community Development as PC 2015-1329

NOTE "D": All utilities within The Communities at Glenross Section 19 shall be installed underground. Electric, telephone and cable T.V. lines and their above ground pedestals shall be located in rear yard areas except where a service feed must cross a street right of way or enter the subdivision.

NOTE "E" - ACREAGE BREAKDOWN:

Total acreage	19.437 Ac.
Acreage in remaining lots	8.730 Ac.
Acreage in right-of-way	1.707 Ac.

NOTE "F" - ACREAGE BREAKDOWN: The Communities at Glenross Section 19 is out of the following Delaware County Parcel Numbers:

41832001049000	0.737 Ac.
41832001042000	9.700 Ac.

NOTE "G": No vehicular access until such time as the public street right-of-way is extended and dedicated by plat or deed.

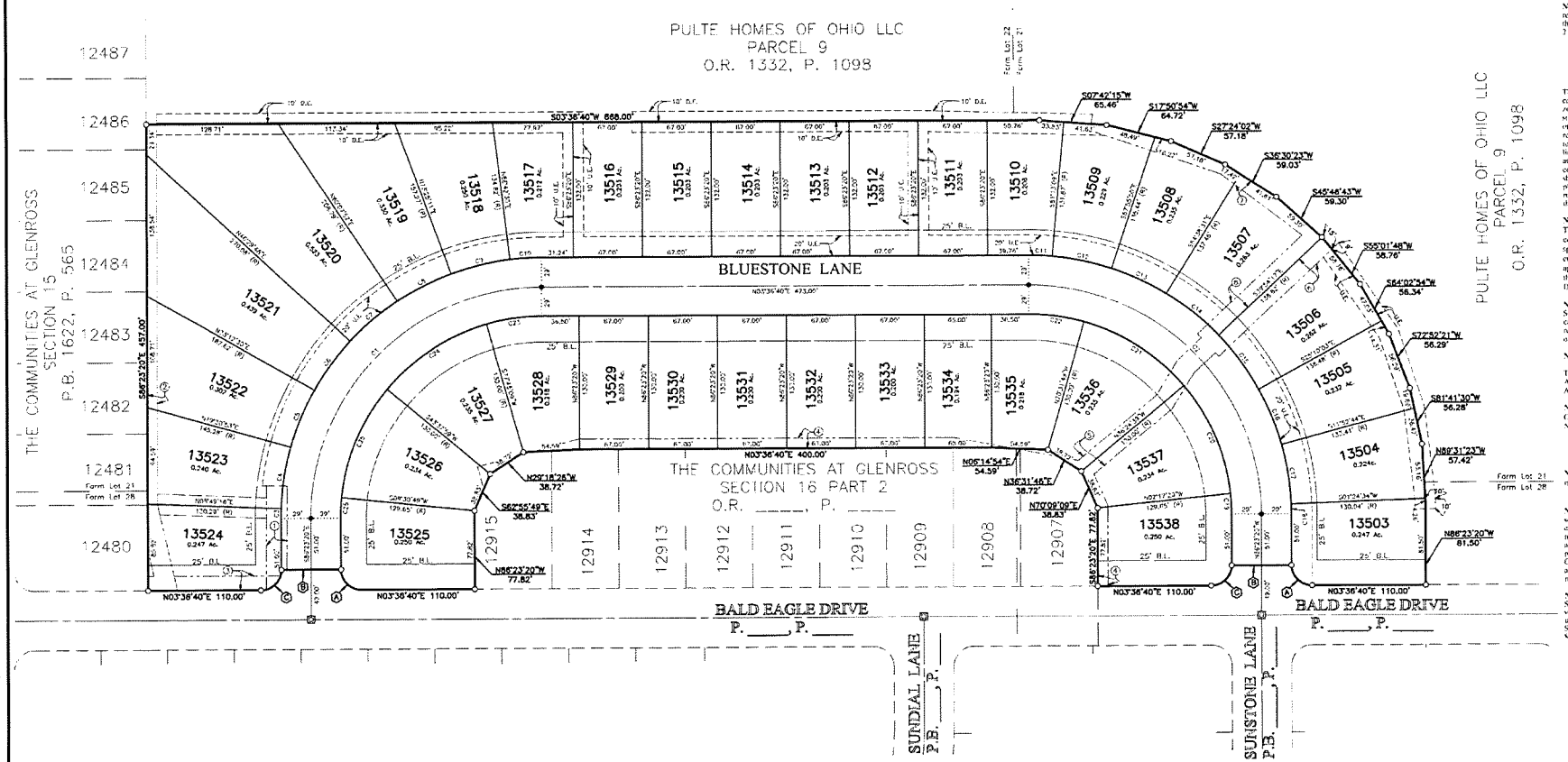
NOTE "H": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by those providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about The Communities at Glenross Section 19 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Delaware County Recorder's Office.

NOTE "I": This section of The Communities at Glenross Subdivision is in the Delaware South Now Community Authority, subject to an additional transportation fee of $1,000.00 per dwelling unit 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 unit.

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	90°00'00"	225.00'	353.43'	N 41°23'20" W	318.20'
C2	90°00'00"	225.00'	353.43'	N 48°36'40" E	318.20'
C3	2°17'36"	254.00'	9.80'	N 85°17'02" W	9.80'
C4	13°41'37"	254.00'	60.71'	N 77°19'56" W	60.56'
C5	13°41'37"	254.00'	60.71'	N 63°38'19" W	60.56'
C6	13°41'38"	254.00'	58.91'	N 50°06'51" W	58.76'
C7	13°38'04"	254.00'	60.44'	N 36°43'16" W	60.30'
C8	13°17'19"	254.00'	58.91'	N 23°13'24" W	58.78'
C9	13°17'19"	254.00'	58.91'	N 09°56'06" W	58.78'
C10	6°54'10"	254.00'	30.60'	N 00°09'25" E	30.58'
C11	5°30'11"	254.00'	29.02'	N 06°11'46" E	29.01'
C12	13°17'19"	254.00'	58.91'	N 15°25'30" E	58.78'
C13	13°17'19"	254.00'	58.91'	N 28°42'49" E	58.78'
C14	14°44'14"	254.00'	65.35'	N 42°43'36" E	65.15'
C15	14°46'46"	254.00'	65.52'	N 57°26'34" E	65.34'
C16	13°17'19"	254.00'	58.91'	N 71°28'36" E	58.78'
C17	13°17'19"	254.00'	58.91'	N 84°45'55" E	58.78'
C18	2°10'06"	254.00'	9.76'	S 87°09'23" E	9.76'
C19	5°54'09"	196.00'	20.19'	S 89°09'25" E	20.18'
C20	34°07'10"	196.00'	116.72'	N 76°38'36" E	115.00'
C21	34°07'10"	196.00'	116.72'	N 42°31'46" E	115.00'
C22	15°51'51"	196.00'	54.25'	N 11°22'26" E	54.08'
C23	15°51'51"	196.00'	54.25'	N 04°29'06" W	54.08'
C24	34°07'10"	196.00'	116.72'	N 29°16'26" W	115.00'
C25	34°07'10"	196.00'	116.72'	N 62°23'36" W	115.00'
C26	5°54'09"	196.00'	20.19'	N 87°27'15" W	20.18'

THE COMMUNITIES AT GLENROSS SECTION 19



Line Type Legend

- Existing Property Line
- Existing R/W Line
- Existing R/W Centerline
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Rear yard:	30 feet
Zoning classification:	PMUR2

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418320010420000	9.700 Ac.

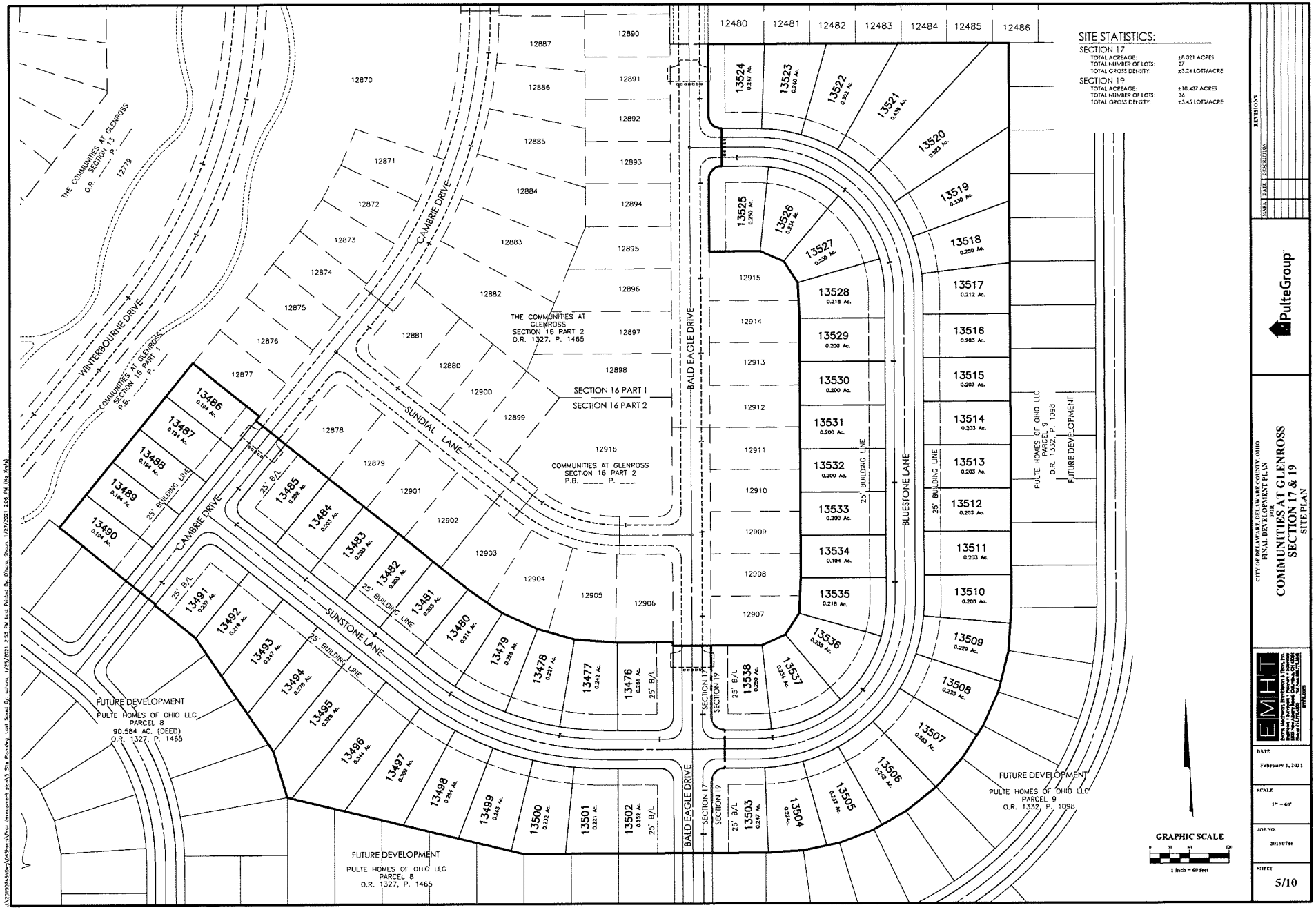
NOTE "G": No vehicular access until such time as the public street right-of-way is extended and dedicated by plat or deed.

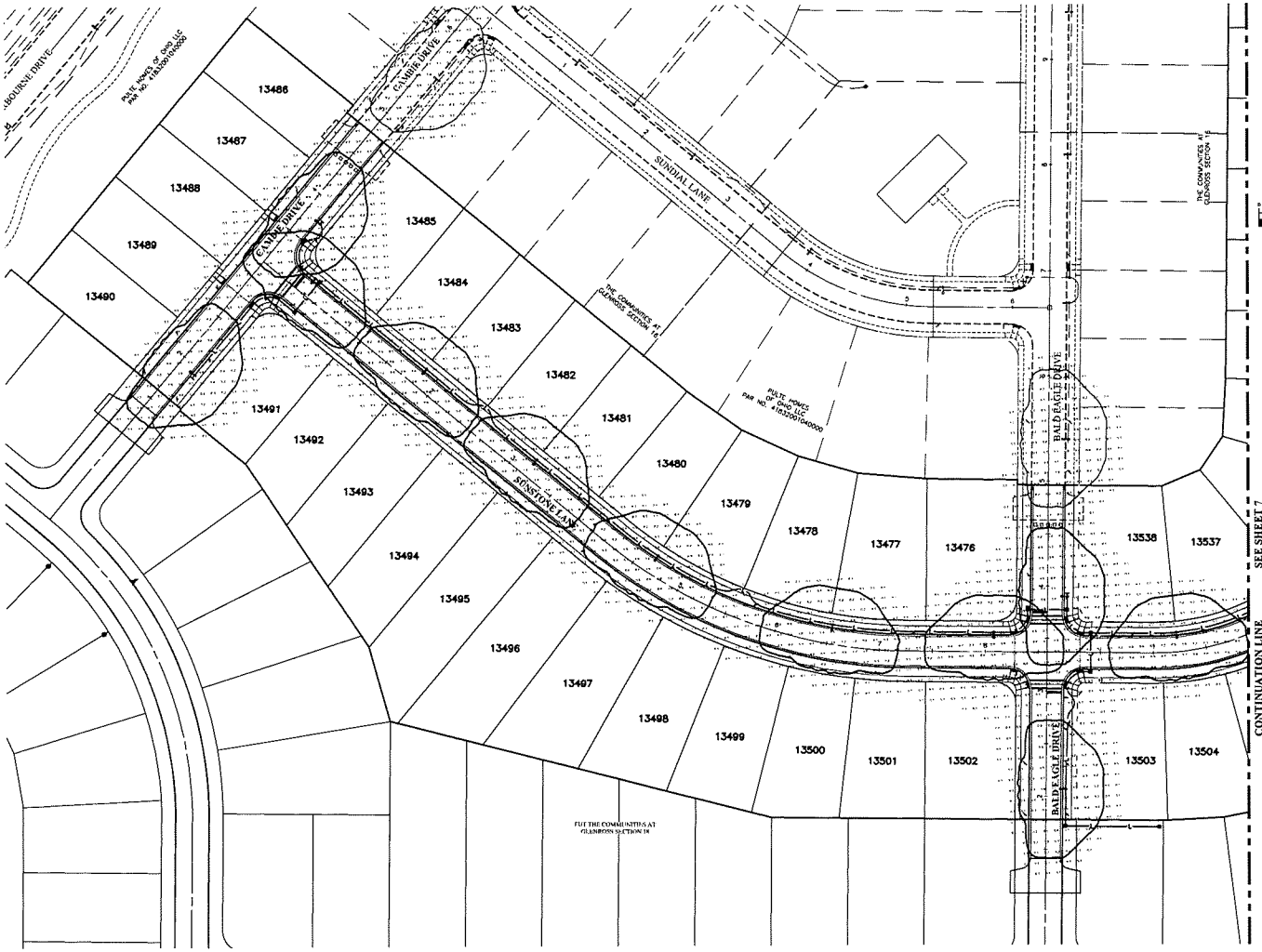
NOTE "H": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about The Communities at Glenross Section 19 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Delaware County Recorder's Office.

NOTE "I": This section of The Communities at Glenross Subdivision is in the Delaware South New Community Authority, subject to an additional transportation fee of $1,000.00 per dwelling unit 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 unit.

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	90°00'00"	225.00'	353.43'	N 41°23'20" W	318.20'
C2	90°00'00"	225.00'	353.43'	N 48°36'40" E	318.20'
C3	2°17'23"	254.00'	9.80'	N 85°17'02" W	9.80'
C4	13°41'33"	254.00'	60.71'	N 77°19'56" W	60.56'
C5	13°41'33"	254.00'	60.71'	N 63°38'19" W	60.56'
C6	13°41'16"	254.00'	58.91'	N 50°00'51" W	58.78'
C7	13°38'04"	254.00'	60.44'	N 36°41'15" W	60.30'
C8	13°17'19"	254.00'	58.91'	N 23°13'28" W	58.78'
C9	13°17'19"	254.00'	58.91'	N 09°56'09" W	58.78'
C10	6°54'10"	254.00'	30.59'	N 00°09'35" E	30.58'
C11	5°10'11"	254.00'	22.92'	N 06°11'46" E	22.91'
C12	13°17'19"	254.00'	58.91'	N 19°25'30" E	58.78'
C13	13°17'19"	254.00'	58.91'	N 32°42'49" E	58.78'
C14	14°44'14"	254.00'	65.35'	N 47°43'56" E	65.15'
C15	14°46'46"	254.00'	65.52'	N 62°26'34" E	65.34'
C16	13°17'19"	254.00'	58.91'	N 77°28'36" E	58.78'
C17	13°17'19"	254.00'	58.91'	N 90°45'55" E	58.78'
C18	2°12'06"	254.00'	9.76'	S 89°20'23" E	9.76'
C19	5°54'09"	196.00'	20.19'	S 89°00'25" E	20.18'
C20	34°07'16"	196.00'	116.72'	N 76°38'56" E	115.00'
C21	34°07'16"	196.00'	116.72'	N 39°31'40" E	115.00'
C22	15°51'31"	196.00'	54.25'	N 11°32'26" E	54.08'
C23	15°51'31"	196.00'	54.25'	N 04°19'05" W	54.08'
C24	34°07'16"	196.00'	116.72'	N 29°14'42" W	115.00'
C25	34°07'16"	196.00'	116.72'	N 63°22'36" W	115.00'
C26	5°54'09"	196.00'	20.19'	N 87°00'25" W	20.18'


SITE STATISTICS:
SECTION 17
TOTAL ACREAGE: ±8.321 ACRES
TOTAL NUMBER OF LOTS: 27
TOTAL GROSS DENSITY: ±3.24 LOTS/ACRE
SECTION 19
TOTAL ACREAGE: ±10.437 ACRES
TOTAL NUMBER OF LOTS: 34
TOTAL GROSS DENSITY: ±3.45 LOTS/ACRE
CAMBRIE DRIVE
SUNDIAL LANE
SUNSTONE LANE
WINTERBOURNE DRIVE
BALD EAGLE DRIVE
BLUESTONE LANE
SECTION 16 PART 1
SECTION 16 PART 2
SECTION 17
SECTION 19
THE COMMUNITIES AT GLENROSS SECTION 16 PART 2 O.R. 1327, P. 1465
COMMUNITIES AT GLENROSS SECTION 16 PART 1 P.B. ____ P. ____
COMMUNITIES AT GLENROSS SECTION 16 PART 2 P.B. ____ P. ____
THE COMMUNITIES AT GLENROSS SECTION 13 O.R. ____ P. ____
FUTURE DEVELOPMENT PULTE HOMES OF OHIO LLC PARCEL 8 90.584 AC. (DEED) O.R. 1327, P. 1465
FUTURE DEVELOPMENT PULTE HOMES OF OHIO LLC PARCEL 8 O.R. 1327, P. 1465
FUTURE DEVELOPMENT PULTE HOMES OF OHIO LLC PARCEL 9 O.R. 1332, P. 1098
PULTE HOMES OF OHIO LLC PARCEL 9 O.R. 1332, P. 1098
25' BUILDING LINE
25' B/L
GRAPHIC SCALE
1 inch = 60 feet
REVISIONS
PulteGroup
CITY OF DELAWARE, DELAWARE COUNTY, OHIO
FINAL DEVELOPMENT PLAN
FOR
COMMUNITIES AT GLENROSS
SECTION 17 & 19
SITE PLAN
EMHT
DATE
February 1, 2021
SCALE
1" = 60'
JOB NO.
20190746
SHEET
5/10



REVISIONS

MARK	DATE	DESCRIPTION

PulteGroup

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
FINAL DEVELOPMENT PLAN
FOR
COMMUNITIES AT GLENROSS
SECTION 17 & 19
LIGHTING PLAN

EMHT

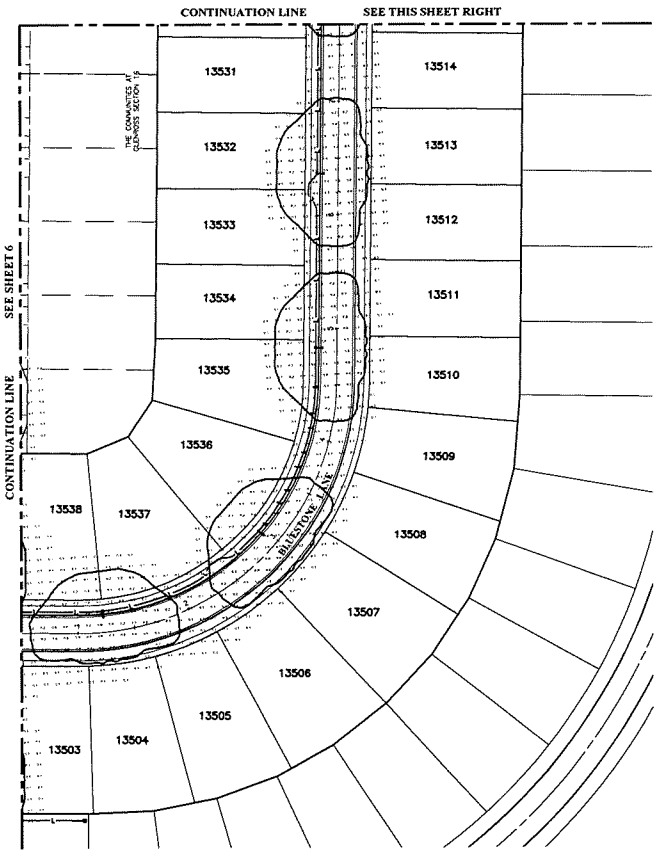
DATE
February 1, 2021

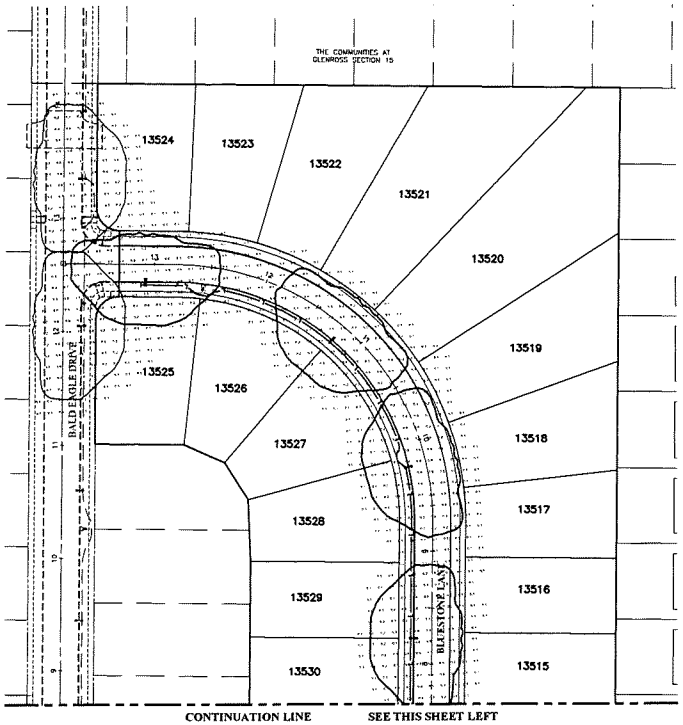
SCALE
1" = 50'

JOB NO.
20190746

SHEET
6/10

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LEGEND

Proposed Luminaire Template
(0.1 Foot-Candle Influence)

Ex. Luminaire Template
(0.1 Foot-Candle Influence)

GRAPHIC SCALE

0 25 50 100

1 Inch = 50 feet

LUMINAIRE SCHEDULE						
QTY	Catalog Number/Description	Lamp	Number Lamps	Lumens per Lamp	LLF	Wattage
18	GVD3 P30 30K MVOLT MS CMC GL3 RB ST TGL PR7E FPD75 SH Granville LED Classic: Granville LED Classic, LED Performance Package 30, 3000 series CCT, Auto-sensing voltage (120 thru 277), Modern style swing open design, Custom Match Color, Glass asymmetric, type III, Ribs and bands, Standard, Gold trim, 7 pin NEMA photocontrol external, Factor programmed to 75 percent of base, Shorting cap, Unique Solutions, A Division of Holophane Newark, Ohio 43055 www.holophane.com	LED COB	1	7937	0.75	41

STATISTICS					
Description	Avg	Max	Min	Max/Min	Avg/Min
Cambio Drive	0.5 fc	1.6 fc	0.1 fc	16.0:1	5.0:1
Sunstone Lane	0.5 fc	1.5 fc	0.1 fc	15.0:1	5.0:1
Bald Eagle Drive	0.5 fc	1.2 fc	0.1 fc	12.0:1	5.0:1
Bluestone Lane	0.5 fc	1.4 fc	0.1 fc	14.0:1	5.0:1
Site Sidewalks	0.2 fc	0.6 fc	0.1 fc	6.0:1	2.0:1

REVISIONS

MARK	DATE	DESCRIPTION

PulteGroup

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
FINAL DEVELOPMENT PLAN
FOR
COMMUNITIES AT GLENROSS
SECTION 17 & 19
LIGHTING PLAN

EMH&T
Data, Intelligent Solutions & Results
Engineers / Surveyors / Planners / Scientists
5500 New Albany Road, Columbus, Ohio 43054
Phone: 614.775.4500 Toll Free: 866.775.5464
emht.com

DATE
February 1, 2021

SCALE
1" = 50'

JOB NO.
20190746

SHEET
7/10

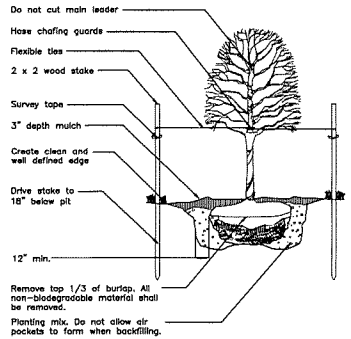
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GRAPHIC SCALE

0 25 50 100

1 inch = 50 feet



1 DECIDUOUS TREE UNDER 3" CALIPER
N.T.S.

Trees shall be centered in the tree lawn.

No trees shall be placed within 10' of a hydrant.

PLANT SCHEDULE SECTION 17

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
	AF	33	Acer freemanii 'Sienna Glen'	Sienna Glen Maple	2" Cal.	B&B
	NW	10	Nyssa sylvatica 'Wildfire'	Black Gum	2" Cal.	B&B
	QS	10	Quercus rubra	Red Oak	2" Cal.	B&B

GENERAL NOTES

1. Street tree selections shall be approved by the City of Delaware Street Tree Commission prior to installation.
2. Prior to installation, the landscape contractor shall inspect the general site conditions and verify the subgrade, elevations, utility locations and topsoil provided by general contractor. The landscape contractor shall notify the general contractor of any unsatisfactory conditions and work shall not proceed until such conditions have been corrected and are acceptable to the landscape contractor.
3. All trees shall meet or exceed standards set in the American Standard for Nursery Stock, ANSI Z60.1, 2004. All trees shall equal or exceed the measurements and sizes specified in the schedule.
4. All planting operations shall adhere to American Nursery & Landscape Association standards unless noted otherwise.
5. Substitutions shall be permitted with notification and written approval from the Owner & City. Substituted material shall be equivalent or greater in size than the specified plant. Substituted trees shall have the same essential characteristics and growth habit of the specified plant.
6. Confirm location of all utilities and subsurface drain lines prior to plant installation.
7. A pre-installation conference shall be conducted prior to planting operations with Owner & Contractor present.
8. Contractor may slightly field adjust plant locations as necessary to avoid utilities.
9. Contractor shall repair all lawn areas disturbed during construction with seed and warrant a healthy, weed free lawn prior to project acceptance.
10. Mulch tree rings with shredded hardwood mulch of uniform dark brown color. It shall be free of twigs, leaves, disease, pest or other material unsightly or injurious to trees. Average applied thickness shall be 3" depth.
11. Install all trees in accordance with planting details.
12. Street trees shall have a clear canopy height of 8' min.
13. Tree shall be placed a minimum of 3' from sidewalks and curbs.
14. All trees to be backfilled with prepared planting mix. Prepared planting mix shall be mixed on site and consist of one part topsoil, one part soil amendment, one part soil from excavation. Topsoil: ASTM D5268, ph range of 5.5 to 7, min. 4 percent organic material, free of stones 1 inch and larger. Soil amendment: Sourced separated yard waste compost from an Ohio EPA rated class IV compost facility.
15. All trees to be fertilized with a commercial grade fertilizer tablets consisting of fast and slow release nitrogen.
16. Contractor to determine plant list quantities from the plan. Graphic representation on plan supersedes in case of discrepancy with quantities on schedule.
17. Any item or areas damaged during construction shall be repaired or replaced to its original condition at the contractor expense.
18. Contractor shall thoroughly water all trees at time of installation and as needed until project acceptance by Owner. Contractor shall guarantee all trees installed for one full year from date of acceptance by the Owner. All trees shall be alive and at a vigorous rate of growth at the end of the guarantee period.

NUMBER	DATE	DESCRIPTION
		REVISIONS

PulteGroup

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
FINAL DEVELOPMENT PLAN
FOR
COMMUNITIES AT GLENROSS SECTION 17 & 19
STREET TREE PLAN

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, Ohio 43054
Phone: 614.775.4500 800.759.5068
emht.com

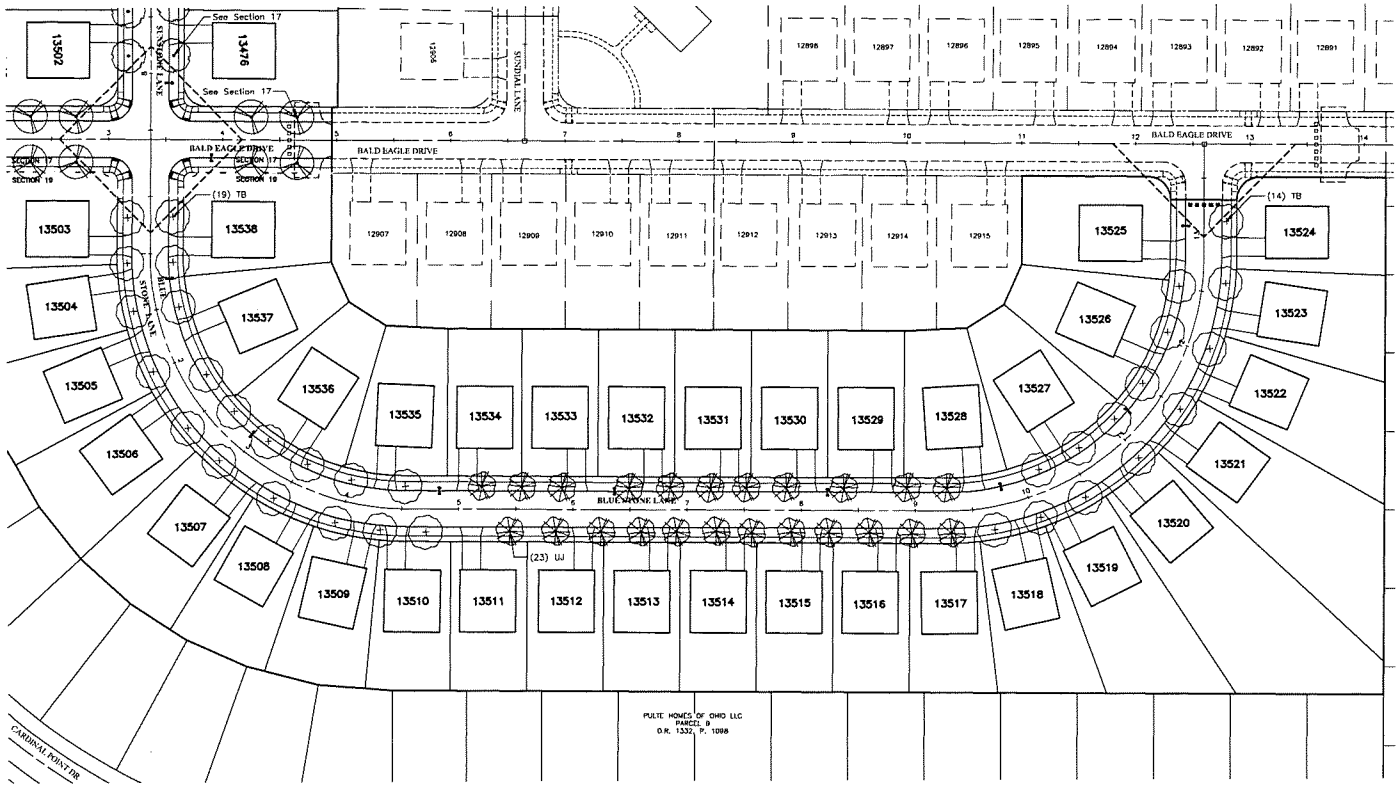
DATE
February 1, 2021

SCALE
1" = 50'

JOB NO.
20190746

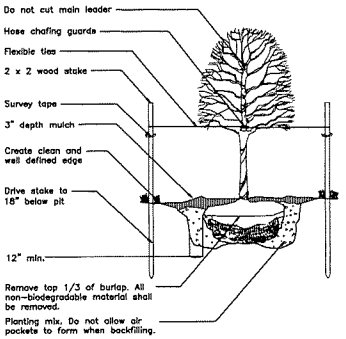
SHEET
8/10

A:\2019\19074\0\proj\3450\east\Prod development plots\8 Street Tree Plan.dwg, Last Saved By: adams, 1/25/2021 2:58 PM Last Printed By: Evans, Shan, 1/27/2021 2:10 PM (No Xrefs)



GRAPHIC SCALE

1 inch = 50 feet



1 DECIDUOUS TREE UNDER 3" CALIPER
N.T.S.

Trees shall be centered in the tree lawn.

No trees shall be placed within 10' of a hydrant.

PLANT SCHEDULE SECTION 19

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
+	TB	33	Tilia americana 'Boulevard'	Boulevard Linden	2" Cal.	B&B
	UJ	23	Ulmus americana 'Jefferson'	American Elm	2" Cal.	B&B

GENERAL NOTES

1. Street tree selections shall be approved by the City of Delaware Street Tree Commission prior to installation.
2. Prior to installation, the landscape contractor shall inspect the general site conditions and verify the subgrade, elevations, utility locations and topsoil provided by general contractor. The landscape contractor shall notify the general contractor of any unsatisfactory conditions and work shall not proceed until such conditions have been corrected and are acceptable to the landscape contractor.
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REVISIONS

MARK	DATE	DESCRIPTION

PulteGroup

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
FINAL DEVELOPMENT PLAN
FOR
COMMUNITIES AT GLENROSS
SECTION 17 & 19
STREET TREE PLAN

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
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5500 New Albany Road, Columbus, Ohio 43054
Phone: 614.775.4500 Toll Free: 866.775.5648
emht.com

DATE
February 1, 2021

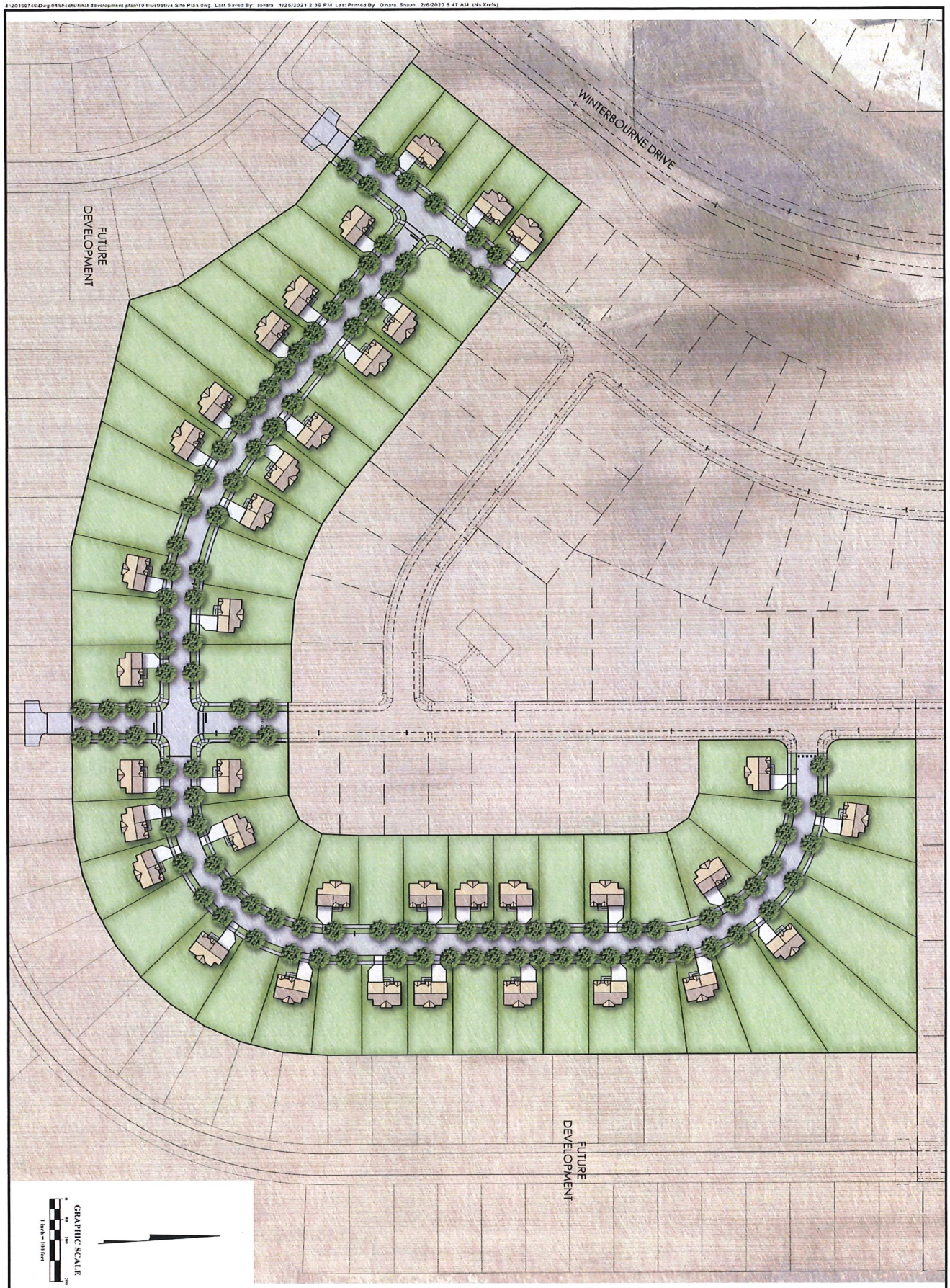
SCALE
1" = 50'

JOB NO.
20190746

SHEET
9/10

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SHEET 10/10	JOB NO. 20190740	SCALE 1" = 100'	DATE February 1, 2021	EMH&T Engineers • Surveyors • Planners • Scientists 5500 New Albany Road, Columbus, OH 43054 Phone: 614.775.4500 Toll Free: 866.775.3648 emht.com	CITY OF DELAWARE, DELAWARE COUNTY, OHIO FINAL DEVELOPMENT PLAN FOR **COMMUNITIES AT GLENROSS** **SECTION 17 & 19** **ILLUSTRATIVE SITE PLAN**	PulteGroup

REVISIONS		
MARK	DATE	DESCRIPTION

THE COMMUNITIES AT GLENROSS SECTION 19

Situated in the State of Ohio, County of Delaware, City of Delaware, and in Farm Lots 27 (0.696 acres) and 28 (0.711 acres), 21 (2.532 acres), and 22 (6.499 acres) Quarter Township 3, Township 4, Range 18, United States Military Lands, containing 10.437 acres of land, more or less, said 10.437 acres being comprised of a part of each of those tracts of land conveyed as Parcel 8 and Parcel 9 to **PULTE HOMES OF OHIO LLC** by deeds of record in Official Record 1327, Page 1465 and Official Record 1332, Page 1098, Recorder's Office, Delaware County, Ohio.

The undersigned, **PULTE HOMES OF OHIO LLC**, a Michigan limited liability company, by **MATTHEW J. CALLAHAN**, Division Vice President of Land Acquisition, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its **"THE COMMUNITIES AT GLENROSS SECTION 17"**, a subdivision containing Lots numbered 13503 to 13538, both inclusive, does hereby accept this plat of same and dedicates to public use, as such, all of Bluestone Lane (1.707 acres of land, more or less) shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Utility Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the Delaware City Engineer. Easement areas shown hereon outside of the platted areas are within lands owned by the undersigned and easements are hereby reserved therein for the uses and purposes expressed herein.

In Witness Whereof, **MATTHEW J. CALLAHAN**, Division Vice President of Land Acquisition of **PULTE HOMES OF OHIO LLC**, has hereunto set his hand this ____day of _____, 20___.

Signed and Acknowledged In the presence of

PULTE HOMES OF OHIO LLC

_____

By _____
MATTHEW J. CALLAHAN, Division Vice President of Land Acquisition

_____

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared **MATTHEW J. CALLAHAN**, Division Vice President of Land Acquisition of **PULTE HOMES OF OHIO LLC**, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **PULTE HOMES OF OHIO LLC**, for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this _____ day of _____, 20___.

My commission expires _____

_____
Notary Public, State of Ohio

PC Case No. ___-____ approved by the Planning Commission on this _____ day of _____ 20___.

Approved and accepted this _____ day of _____, 20___, by Ordinance No. _____, wherein all of Bluestone Lane (1.707 acres of land, more or less) shown dedicated hereon are accepted as such by the City Council of the City of Delaware, Ohio.

Approved this ____ Day of _____ 20___
_____
Elaine McCloskey, City Clerk, Delaware, Ohio

Approved this ____ Day of _____ 20___
_____
R. Thomas Homan, City Manager, Delaware, Ohio

Approved this ____ Day of _____ 20___
_____
David M. Efland, AICP, Planning and Community Development Director, Delaware, Ohio

Approved this ____ Day of _____ 20___
_____
William L. Ferrigno, P.E., Public Works Director/City Engineer, Delaware, Ohio

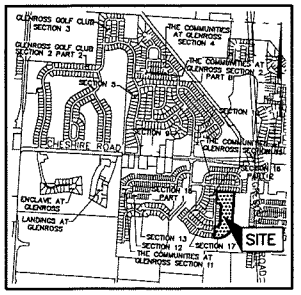
Approved this ____ Day of _____ 20___
_____
Blake Jordan, P.E., Public Utilities Director, Delaware, Ohio

Transferred this ____ day of _____, 20___.
_____
Auditor, Delaware County, Ohio

Filed for record this ___ day of _____, 20___ at _____ M.
Fee $_____
_____
Recorder, Delaware County, Ohio

File No. _____

Official Record _____, Pages _____



LOCATION MAP AND BACKGROUND DRAWING

NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the same meridian as the bearings shown on the subdivision plat entitled "GLENROSS GOLF CLUB SECTION 1", of record in Cabinet 3, Slide 456, Recorder's Office, Delaware County, Ohio, in which a portion of the centerline of Kildare Drive has a bearing of South 61°09'41" West.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Delaware County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT.

PERMANENT MARKERS: Permanent markers, where indicated hereon in the public street centerline, are to be one-inch diameter, thirty-inch long, solid iron pins, encased in a standard survey monument box. Pins are to be set to monument the points indicated, are to be set after the construction/installation of the street pavement and are to be set with the top end one-fourth inch below the top of the pavement. Once installed, the top of the pin shall be marked (punched) to record the actual location of the point.
Permanent markers, where indicated hereon in positions other than in the public street centerline, are to be one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated, and set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED BY

EMHT

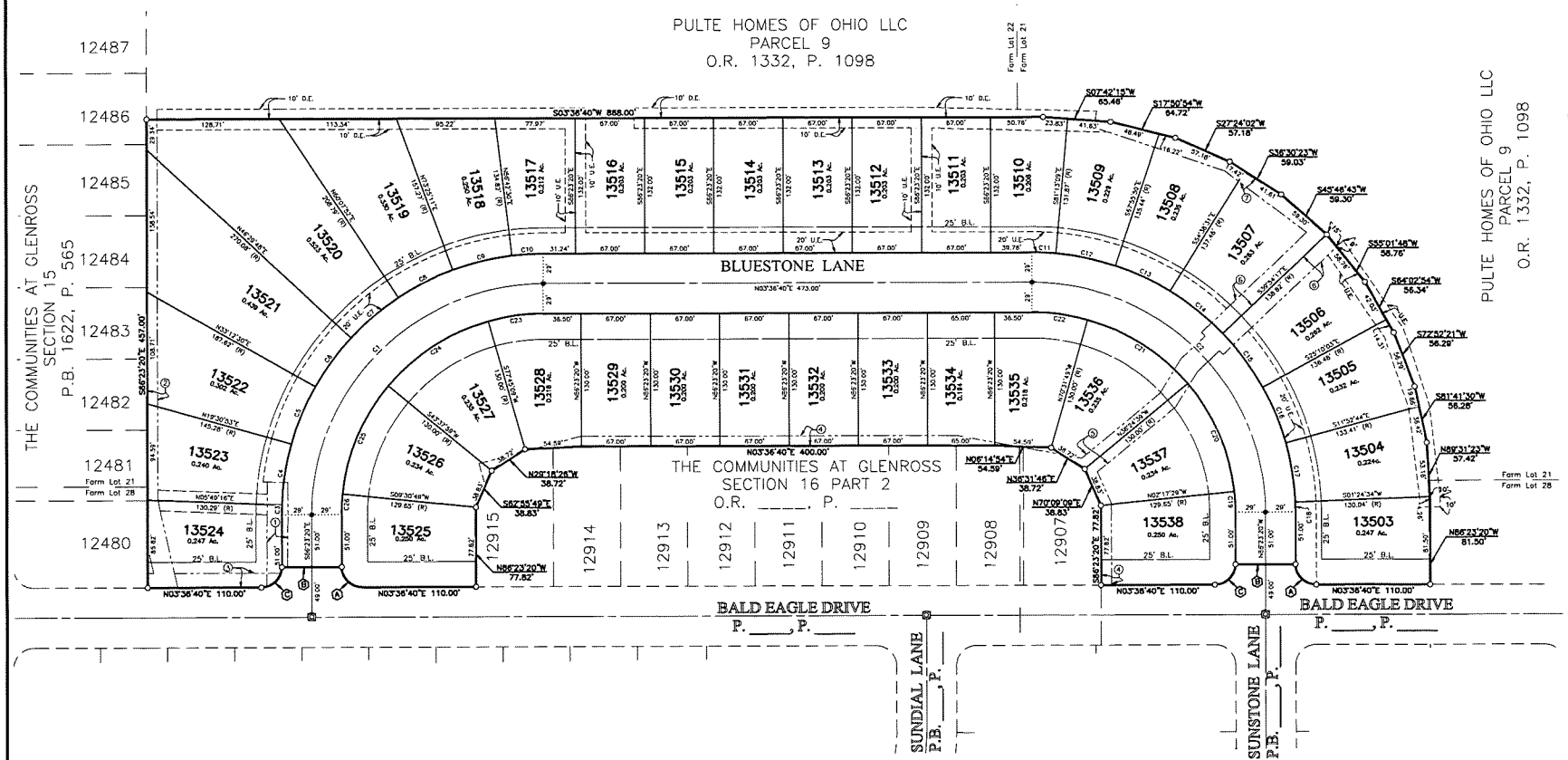
We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

○ = Iron Pin (See Survey Data)
● = MAG Nail to be set
◎ = Permanent Marker (See Survey Data)
▣ = Permanent Marker encased in monument box

By _____ _____
Professional Surveyor No. 7865 Date

A:\2019\2019-0746\SURVEY\PLAT\2019-0746-SS-PLAT-SEC19.DWG plotted by NOMAN, THOMAS on 1/15/2021 8:19:23 AM last saved by NOMAN, THOMAS on 1/15/2021 8:18:37 AM

THE COMMUNITIES AT GLENROSS SECTION 19



SCALE: 1" = 50'

GRAPHIC SCALE (in feet)

① Existing 20' U.E. P.B. ____, P. ____
② Existing 10' D.E. O.R. 1622, P. 565
③ Existing 14' U.E. O.R. 1622, P. 565
④ Existing 10' D.E. P.B. ____, P. ____
⑤ Existing 20' U.E. P.B. ____, P. ____
⑥ Existing 15' U.E. P.B. ____, P. ____
⑦ Existing U.E. P.B. ____, P. ____

Line Type Legend

- Existing Property Line
- Existing R/W Line
- Existing R/W Centerline
- Existing Easement Line
- Proposed Subdivision Boundary Line
- Proposed Lot Line
- Proposed R/W Line
- Proposed R/W Centerline
- Proposed Easement Line

Ⓐ Δ=90°00'00" R=20.00' Arc=31.42' ChBrg=N48°36'40"E Ch=28.28'

Ⓑ N03°36'40"E 38.00'

Ⓒ Δ=90°00'00" R=20.00' Arc=31.42' ChBrg=N41°23'20"W Ch=28.28'

NOTE "A": Notice is hereby given to any buyer of the lots delineated upon this plat, that on file with the Building Department of The City of Delaware, are site improvement plans for the development of said lots showing proposed lot drainage, proposed ground elevation at house and/or lot grading plans. These plans, as approved by the governmental agencies, are considered part of the approval of this subdivision and are to be incorporated into the final plot plan required with the building permit.

NOTE "B" - MINIMUM SETBACKS: City of Delaware Zoning regulations for The Communities at Glenross Section 19 in effect at the time of platting of The Communities at Glenross Section 16 Part 2 specifies the following setback requirements

Front yard:	25 feet
Side yard:	20'w/6 feet
Rear yard	30 feet
Zoning classification:	PMUR2

The purpose of this plat is to show certain property, rights of way and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall control over conflicting limitations and requirements that may be shown on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

NOTE "C": As per City of Delaware Zoning Code, all lots within The Communities at Glenross Section 19 are subject to the terms, conditions, restrictions (including lighting and house sizes) and special assessment districts as outlined in the preliminary plat entitled "The Communities at Glenross", and preliminary plat being approved on August 10, 2015 by Ordinance Number 15-85 on file at the City of Delaware Department of Planning and Community Development as PC 2015-1329.

NOTE "D": All utilities within The Communities at Glenross Section 19 shall be installed underground. Electric, telephone and cable T.V. lines and their above ground pedestals shall be located in rear yard areas except where a service feed must cross a street right of way or enter the subdivision.

NOTE "E" - ACREAGE BREAKDOWN:

Total acreage	10.437 Ac
Acreage in remaining lots	8.730 Ac
Acreage in right-of-way	1.707 Ac

NOTE "F" - ACREAGE BREAKDOWN: The Communities at Glenross Section 19 is out of the following Delaware County Parcel Numbers:

418320010400000	9.737 Ac
418320010420000	9.700 Ac

NOTE "G": No vehicular access until such time as the public street right-of-way is extended and dedicated by plat or deed.

NOTE "H": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about The Communities at Glenross Section 19 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Delaware County Recorder's Office.

NOTE "I": This section of The Communities at Glenross Subdivision is in the Delaware South New Community Authority, subject to an additional transportation fee of $1,000.00 per dwelling unit 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 unit.

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	90°00'00"	225.00'	353.43'	N 41°23'20" W	318.20'
C2	90°00'00"	225.00'	353.43'	N 48°36'40" E	318.20'
C3	2°12'36"	254.00'	9.80'	N 85°17'02" W	9.80'
C4	13°41'37"	254.00'	60.71'	N 77°19'56" W	60.56'
C5	13°41'37"	254.00'	60.71'	N 63°38'19" W	60.58'
C6	13°17'18"	254.00'	58.91'	N 50°08'51" W	58.78'
C7	13°38'04"	254.00'	60.44'	N 36°41'10" W	60.30'
C8	13°17'19"	254.00'	58.91'	N 23°13'28" W	58.78'
C9	13°17'19"	254.00'	58.91'	N 09°56'09" W	58.78'
C10	6°54'10"	254.00'	30.60'	N 00°09'33" E	30.58'
C11	5°10'11"	254.00'	22.92'	N 06°11'46" E	22.91'
C12	13°17'19"	254.00'	58.91'	N 15°25'30" E	58.78'
C13	13°17'19"	254.00'	58.91'	N 28°42'49" E	58.78'
C14	14°44'14"	254.00'	65.33'	N 42°43'36" E	65.15'
C15	14°46'46"	254.00'	65.52'	N 57°25'34" E	65.34'
C16	13°17'19"	254.00'	58.91'	N 71°28'36" E	58.78'
C17	13°17'19"	254.00'	58.91'	N 84°45'55" E	58.78'
C18	2°12'06"	254.00'	9.76'	S 87°29'23" E	9.76'
C19	5°34'09"	196.00'	20.18'	S 89°20'25" E	20.18'
C20	34°07'10"	196.00'	116.72'	N 70°38'56" E	115.00'
C21	34°07'10"	196.00'	116.72'	N 36°31'46" E	115.00'
C22	15°51'31"	196.00'	54.25'	N 11°32'26" E	54.08'
C23	15°51'31"	196.00'	54.25'	N 04°19'06" W	54.08'
C24	34°07'10"	196.00'	116.72'	N 20°18'26" W	115.00'
C25	34°07'10"	196.00'	116.72'	N 53°25'36" W	115.00'
C26	5°34'09"	196.00'	20.18'	N 83°26'15" W	20.18'

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

EST 1808 CITY OF DELAWARE OHIO

Project # _____ Case # _____

Planning Commission

- ☐ Amended Final Development Plan
- ☐ Amended Final Subdivision Plat
- ☐ Amended Preliminary Development Plan
- ☐ Amended Preliminary Subdivision Plat
- ☐ Annexation Review
- ☐ Combined Preliminary & Final Development Plan
- ☐ Comprehensive Plan Amendment
- ☐ Concept Plan
- ☐ Conditional Use Permit
- ☐ Determination of Similar Use
- ☐ Development Plan Exemption
- ☐ Final Development Plan
- ☐ Final Development Plan Extension
- ☒ Final Subdivision Plat
- ☐ Final Subdivision Plat Extension
- ☐ Floodplain Permit
- ☐ Lot Split
- ☐ Pre-annexation Agreement
- ☐ Preliminary Development Plan
- ☐ Preliminary Dev Plan Extension
- ☐ Preliminary Sub Plat
- ☐ Preliminary Sub Plat Extension
- ☐ Rezoning
- ☐ Subdivision Variance
- ☐ Substitution of a Non- Conforming Use
- ☐ Vacation-Alley
- ☐ Vacation-Easement
- ☐ Vacation-Street

Board of Zoning Appeals

- ☐ Appeal Administrative Decision or Interpretation
- ☐ Conditional Use Permit
- ☐ Substitution of Equal or Less Non-Conforming Use
- ☐ Variance

Subdivision/Project Name THE COMMUNITIES AT (OLD) ROSS SECTION 19 Address _____

Acreage 10.437 Square Footage _____ Number of Lots 36 Number of Units _____

Zoning District/Land Use PMU/R2 Proposed Zoning/Land Use PMU/R2 Parcel # 418320010420000

Applicant Name PULTE HOMES OF OHIO LLC Contact Person Joseph Lamparyk

Applicant Address 475 METRO PLACE SOUTH, SUITE 200

Phone 614-376-1000 Fax _____ E-mail Joseph.lamparyk@Pulte.com

Owner Name SAME AS APPLICANT Contact Person _____

Owner Address _____

Phone _____ Fax _____ E-mail _____

Engineer/Architect/Attorney EMH&T Contact Person MATT KIRK

Address 5500 NEW ALBANY ROAD, COLUMBUS, OHIO, 43054

Phone 614-775-4131 Fax _____ E-mail MKIRK@EMHT.COM

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

Owner Signature — JOSEPH LAMPARYK Owner Printed Name

Agent Signature — Agent Printed Name

Sworn to before me and subscribed in my presence this 19 day of January, 2021

Heidi Moore
Notary Public

NOTARIAL SEAL STATE OF OHIO

HEIDI MOORE
Notary Public
STATE OF OHIO
Recorded in
Delaware County
My Comm. Exp. 11/25/2023

s/planning/

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 18

DATE: 03/08/2021

ORDINANCE NO: 21-18

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: YES
March 22, 2021 @ 7:20 PM

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Blake Jordan, Director Public Utilities

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE AMENDING SECTION 917.21(B) OF THE CITY'S CODIFIED ORDINANCES RELATING TO CAPACITY FEES FOR SANITARY SEWER SERVICE PERMITS.

BACKGROUND:
Pursuant to Section 197.01 of the codified ordinances, the City's fees and services charges are reviewed each year with the annual budget. No action is taken if, during the review, fees are found to be within reasonable need of the Fund. During recent annual review staff found that the need for official fee review was warranted. The adjustments in this legislation address sanitary sewer supply service capacity fees. 917.21(b.1) – One equivalent dwelling unit's average daily water consumption will be changed from 400 gallons to 360 gallons.
917.21(b.1.C) – Average sewer consumption will be divided by 360 gallons.
917.21(b.2) – The sanitary sewer capacity fee is now $3,145 per EDU, a decrease from the previous amount of $5,385 per EDU.
The new effective date of the fee changes is June 1, 2021.

REASON WHY LEGISLATION IS NEEDED:
Section 197.01(b) of the codified ordinances provides that an ordinance is needed to adjust fees outside of the budget process.

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S):

POLICY CHANGES:
Previous capacity fee structure was based upon an "incremental cost approach," as additional facilities to serve new customers were being planned for. The new capacity fee structure is based upon a "combined approach" wherein current assets provide some capacity to accommodate new customers, but the capital improvement plan also identifies significant capital investment to add additional infrastructure.

PRESENTER(S):
R. Thomas Homan, City Manager
Blake Jordan, Public Utilities Director

RECOMMENDATION:
Approval at 3rd Reading

ATTACHMENT(S):
March 2, 2021 Raftelis Financial Consultants, Inc. Capacity Fee Evaluation

ORDINANCE NO. 21-18

AN ORDINANCE AMENDING SECTION 917.21(B) OF THE CITY'S CODIFIED ORDINANCES RELATING TO CAPACITY FEES FOR SANITARY SEWER SERVICE PERMITS.

WHEREAS, the City recognized an onset of significant growth in and around the City, anticipated continued significant growth in and around the City, and deemed it necessary to expand the City's sanitary sewer system ("Sewer Utility") to accommodate the increasing demand on Sewer Utility caused by the significant growth in and around the City in 2006 ; and

WHEREAS, the City retained Floyd Browne Group, Inc. ("FBG") who evaluated the cost of expanding the capacity of the Sewer Utility to accommodate future demands on the Sewer Utility and determined an equitable cost allocation method that fairly apportioned the cost of the Sewer Utility expansion to new customers of the Sewer Utility; and

WHEREAS, FBG completed its evaluation and delivered an Annual Utility Capacity Fee Update, dated February 17, 2006 ("the Report"), to the City wherein FBG revised capacity improvement calculations and advised that the current use of meter size as a ratio for determining capacity fees to non-residential development did not adequately reflect the full impact of high-end users on the Sewer Utility system and further recommended that the City implement the "equivalent dwelling unit method" ("EDU") to more accurately determine Sewer Utility capacity fees; and

WHEREAS, this Council reviewed the FBG Report, adopted FBG's findings and recommendations regarding capacity fees including the recommended change to the equivalent dwelling unit method of determining capacity fees for the Sewer Utility, and passed Ordinance No. 06-32, which repealed the then-existing versions of Delaware Codified Ordinance Sections 917.21(b) and 917.21(f) and amended the two sections, respectively; and

WHEREAS, the City's Codified Ordinances require the City to evaluate and update its capacity fees annually; and

WHEREAS, the necessity to keep current or take affirmative action to change or otherwise alter the City's capacity fees is determined during each annual review; and

WHEREAS, the City retained Raftelis Financial Consultants, Inc. ("Raftelis") to evaluate the City's capacity fees due to the changing economic climate; and

WHEREAS, Raftelis completed its evaluation and delivered a Capacity Fee Evaluation, dated March 2, 2021 ("Raftelis Report," attached), to the City wherein Raftelis recommended the City maintain the "equivalent dwelling unit" (EDU") method to determine Sewer Utility capacity fees and modify the baseline for an EDU.

WHEREAS, while the City's current capacity fees are supportable, exploring different methodologies for setting sanitary sewer and water supply services capacity fees provided the City an opportunity to reduce the capacity fees; and

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

SECTION 1. Section 917.21(b) of the City's Codified Ordinances is hereby amended to read as follows:

(b) The following capacity fee shall be charged for permits issued to connect into the City sanitary sewer system and shall be paid upon issuance of said permit.

(1) All properties connecting to the City of Delaware sanitary sewer system shall be assigned an Equivalent Dwelling Unit (EDU), or multiple thereof, with one (1) EDU being equal to average daily water consumption of ~~400~~ **360** gallons.

A. All single-family residential properties connecting to the sanitary sewer system are assigned one (1) EDU.

B. All master metered multi-family residential properties connecting to the sanitary sewer system shall be assigned, by the Public Utility Director (Director), an EDU multiple calculated by multiplying the number of multi-family residential units by the Single Family Equivalent (SFE) value that follows:

SINGLE FAMILY EQUIVALENT VALUES	
1 BEDROOM	.63
2 BEDROOMS	.75
3 BEDROOMS	.88
4 + BEDROOMS	1.0

This division will be calculated to the second decimal place and rounded according to mathematical convention.

C. All properties connecting to the sanitary sewer system which are not residential properties are to be assigned, by the Director, an EDU multiple based upon the properties' estimated daily water consumption (in gallons) divided by ~~400~~ **360** gallons (one EDU). This division will be calculated to the second decimal place and rounded according to mathematical convention. In no event shall a non-residential property be assigned an EDU of less than one (1).

(2) The Sanitary Sewer Capacity fee is ~~$5,385~~ **$3,145** per EDU which shall be effective from and after June 1, ~~2006~~ **2021.**

(3) The EDU multiple established for non-residential properties based on estimated water consumption shall be reviewed twelve (12) months after occupancy is obtained to determine if the estimated daily water consumption is accurate. The director may extend this 12-month time period if accurate consumption data is not available**.** Any increase or decrease in the EDU multiple based on actual water consumption which results in a capacity fee charge adjustment of more than $1,000 shall be communicated to the property owner in writing. Any additional capacity fee charge or any refund of a previously paid capacity fee charge shall be made within forty-five (45) days of the date of the amended EDU determination letter. An owner may contest the amended EDU assigned to the property by filing an appeal with the Director within forty-five (45) days of the date of the amended EDU determination letter. The appeal shall be in writing and shall state the grounds for the appeal. The Director shall cause an appropriate investigation to be made to determine whether an adjustment of the EDU multiple for the property is warranted. The appellant shall be notified in writing of the Director's determination with respect to the appeal and any resulting adjustment in the amount of the capacity fee charge. Any additional capacity fee charge or any refund of a previously paid capacity fee charge shall be made within forty-five (45) days or the date of the Director's written response to the appellant.

SECTION 2. Existing Section 917.21(b) of the Delaware Codified Ordinances is hereby repealed.

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.

SECTION 4. This Ordinance shall be in full force and effect on and after the earliest date allowed by law.

PASSED: _____, 2021 YEAS____ NAYS____

ABSTAIN ____

ATTEST: _____ _____
MAYOR CITY CLERK

RAFTELIS

FINAL REPORT

March 2, 2021

Mr. Blake Jordan, P.E.
Director of Public Utilities
City of Delaware, Ohio
225 Cherry Street
Delaware, Ohio 43015

Dear Mr. Jordan:

Raftelis is pleased to submit this letter report presenting the findings of our Capacity Fee Evaluation for the City of Delaware (City).

Section I: Background

Capacity fees (also known as "system development fees" or "impact fees") are defined as one-time charges assessed against new development as a way to recover a proportional share of the costs of capital facilities constructed to provide service capacity for new customers connecting to the water and sewer utility systems. Typically, the cost basis for setting capacity fees is based on the major system components, or core system assets, that are necessary to serve, and that provide benefit to, all customers. These components typically include reservoirs, water treatment plants, storage tanks, major water transmission lines, wastewater treatment plants, and major wastewater interceptors.

There are four approaches for calculating water and sewer development fees that are recognized in the industry as cost-justified, as described below.

Capacity Buy-In Approach

The Buy-In Approach is most appropriate in cases where the existing system assets provide adequate capacity to provide service to new customers. Under this approach, the fee based upon the proportional cost of each user's share of existing plant capacity. The cost of the facilities is based on fixed assets records and usually includes escalation of the depreciated value of those assets to current replacement cost dollars. All core assets that provide benefit to the general transmission/collection and treatment systems are included, such as water and wastewater treatment plants, storage, major water transmission mains and wastewater interceptors, and pump/lift stations.

Incremental or Marginal Cost Approach

The Incremental Cost Approach, also referred to as the Marginal Cost Approach, focuses on the cost of adding additional facilities to serve new customers. It is most appropriate in a situation where existing facilities do not have adequate capacity to provide service to new customers, and the cost for new capacity can be tied to an approved capital improvement plan (CIP).

Combined Approach

A combined approach, which is a combination of the Buy-In and Incremental approaches, can also be used when the existing assets provide some capacity to accommodate new customers, but where the

capital improvement plan also identifies significant capital investment to add additional infrastructure to address future growth and capacity needs.

Equity Buy-In Approach

The Equity Buy-In Approach is an industry-accepted methodology more commonly used by water/sewer providers in the Western US. The methodology rests on the premise that customers requesting water service connection are entitled to service at the same price as existing customers. Essentially, the new customer pays an amount equal to the net investment already made by existing users. The key difference between the Equity Buy-In and the other approaches is that the net cost of system capacity is divided by the number of equivalencies currently served by the system.

Section II: Evaluation of Current Capacity Fees

The capacity fees currently assessed by the City were determined in a Capacity Fee Update performed by Floyd Browne Group in 2006[1]. At that time, the existing capacity in the City's water and sewer system was no longer adequate to serve new customers and it was clear that significant investments in the City's water and wastewater treatment plants were required to meet long-term capacity needs. For that reason, the fee was developed using the Incremental Cost Approach.

Cost of Future Capacity

Floyd Browne Group relied on several key assumptions in determining the cost to serve future customers, which are summarized below.

- *Water Treatment Plant* – Future project costs for the water treatment plant were not well defined at the time of the 2006 Study. Using an assumed $3 per gallon per day (GPD), the projected 12 million gallons per day (MGD) plant facility was estimated to cost $36 million. It was assumed that 70% of this cost would serve new capacity and 30% of the cost would be for renewal of existing assets and capacity. The water treatment plant expansion was completed in 2015 and booked at a cost of $29.4 million; however, the total capacity of the upgraded facility is 7.2 MGD, not 12 MGD as projected, and was built to enable future expansion to meet future capacity.
- *Storage and Distribution System* – In order to estimate the cost of infrastructure necessary to deliver the new capacity, a storage and distribution multiplier of 1.65 was applied to the estimated plant cost. This multiplier yields estimated storage and distribution investments of $41.6 million.
- *Wastewater Treatment Plant* – Preliminary project cost estimates of $25.7 million were available for the wastewater treatment plant. This project increased system capacity by 5 MGD to 10 MGD. The wastewater treatment plant upgrade was completed in 2008 at a cost of $26.8 million.
- *Collection System* – Collection infrastructure would be required to accommodate and deliver the capacity expansion so a multiplier of 1.0 was used to estimate those costs to the City. This results in $26.8 million of additional costs.

[1] City of Delaware, Ohio - *Utility Capacity Fee Update Report*, Prepared by Floyd Browne Group, dated February 17, 2006.

Once the all-in capacity cost was determined, it was assumed that the capital costs to expand the distribution and collection systems would be phased in over more than 20 years thereby reducing the cost to recover from capacity fees. Exhibit 1 shows the cost buildup of future capacity.

Exhibit 1: 2006 Study – Cost of New Capacity

Description	Water	Sewer
New Capacity (MGD)	6.0	5.0
Treatment Costs	$ 25,200,000	$ 25,700,000
Distribution & Collection Multiplier	1.65	1.00
= All-In System Costs	**$ 66,780,000**	**$ 51,400,000**
Amount to be Financed	*$ 46,000,000*	*$ 38,000,000*

Equivalent Connections

Before the 2006 Study, the City assessed capacity fees by using meter size capacity ratios to assess fees that increased by meter size. Given the capacity constraints at the time, it was determined that the capacity ratios may understate the potential demand that large users may have on the system. As such, the City changed to assessing fees on a per Equivalent Dwelling Unit (EDU) basis. This means they defined the level of demand associated with a typical, or average, residential customer and scaled it proportionally to match demand characteristics of new facilities.

Floyd Browne Group recommended that the City rely on the Ohio Environmental Protection Agency's (EPA) 1993 guidance of 400 GPD for a single-family home[2] as the EDU demand. They corroborated this estimate using City master planning per capita design criteria (134 GPD) and census data for the number of City residents per household (2.65). Based on the assumed new incremental capacities of 6 MGD for water and 5 MGD for sewer, the new facilities would be available to serve 15,000 and 12,500 new EDU's for water and sewer, respectively. Over a 20-year period this translates into 750 and 625 EDU per year for water and sewer, respectively.

In order to determine a fee, Floyd Browne Group assumed that all costs would be debt-financed[3]. The resulting annual payment was divided by the number of EDU's to be added each year, resulting in a capacity fee per EDU. Exhibit 2 breaks down the fee determination.

[2] Ohio Environmental Protection Agency. 1993. *Sewage: Collection, Treatment, & Disposal*. Appendix: Suggested Sewage Flow Guide.
[3] Debt assumptions: 20-year term, 6% interest rate.

Exhibit 2: 2006 Study – Fee Calculation

Description	Water	Sewer
Total Capacity Investment Costs	$46.0M	$38.6M
Annual Payment	$ 4,010,490	$ 3,365,324
Annual EDU's	750	625
Capacity Fee per EDU	**$ 5,347**	**$ 5,385**

Section III: Calculation of a New Capacity Fee

The following data and information was requested and provided by City staff to perform the update of the capacity fee calculation:

- Water and sewer fixed asset data as of December 31, 2019;
- Construction in progress as of December 31, 2019;
- Outstanding utility debt and associated debt service;
- Five-year capital improvement plan (2021-2026);
- Capacity in existing and future systems; and
- Water production and sewer flow information.

The City has made substantial investments in the existing systems to provide capacity to new and existing customers, but also planned several capacity-related projects based on its master plan to address future growth in the next five to ten years. To recognize the existing and future capacity to be provided by the systems, Raftelis calculated capacity fees under three different approaches: the Buy-In Approach, the Combined Approach, and the Equity Buy-In Approach. Each of the fee calculations is described in the following three subsections.

Section III.1: Buy-In Approach

The cost, or investment in, the current capacity available to provide utility services to existing and new customers was estimated to assess the capacity fees under the buy-in approach. This analysis was based on a review of fixed asset records and other information as of December 31, 2019. The depreciated value of the assets was first adjusted to reflect an estimated replacement cost to determine the "replacement cost new less depreciation" (RCNLD) value for the assets. The asset values were escalated using the Handy Whitman Index of Public Utility Construction Costs (for the North Central Region). The RCNLD value of the assets excludes non-core equipment, vehicles, and other administrative assets.

Several adjustments were then made to the RCNLD value, which were as follows:

- *Subtraction of Contributed Assets* – Typically, assets contributed by or paid for by developers are deducted from the calculation since these costs were not "paid" by the existing customers. Roughly $13 million and $28 million for water and sewer, respectively, was removed from the RCNLD value since it was categorized as "donated" or "contributed" capital.
- *Exclude Southeast Highland Sewer RCNLD* – The City made a substantial investment in 2007 for a major sewer conveyance line to expand service in the Southeast Highland area. To recover

the costs of this asset, the City assesses a separate connection surcharge to customers in this tributary area. The cost of this asset is excluded from the capacity charge calculations because it is separately recovered through this surcharge. Carrying costs for this asset are not included in the surcharge and are included in the buy-in calculation.

- *Debt Service Principal Credit* - Utilities often borrow funds to construct assets, and revenues from retail rates and charges can be used to make the payments on these borrowed funds. Typically, to ensure that new customers are not being double charged for these assets, once through the capacity fee and again through retail rates and charges, the proportion of the outstanding debt principal that is anticipated to be paid for through retail rates and charges is deducted from the capacity fee calculation. In the City's case, a portion of debt is paid with capacity fees and the rest through user charges. As such, the following adjustments were made:
  - 70% of the water treatment plant Ohio Water Development Authority (OWDA) loan is paid through user retail charges. As such, 70% of the principal on that loan was excluded from the fee.
  - 10% of the wastewater treatment plant OWDA loan is paid through user retail charges. As such, 10% of the principal on that loan was excluded from the fee.
  - To recognize the time value of money, the future applicable principal payments were discounted to a present value using the weighted average cost of capital[4] as the discount rate.
- *Debt Service Interest Cost* – Similar to the principal credit, the consideration of which charges recover future costs must be considered with regards to interest. To ensure that new customers are paying their fair share of financing costs related to existing assets, the proportion of the outstanding interest that is anticipated to be paid for through capacity fees is added to the capacity fee calculation.
  - 70% of the water treatment plant OWDA loan is paid through user retail charges. As such, 30% of the future interest on the treatment plant loan was included in the fee. In addition, interest on two other OWDA loans was included in the costs since the debt is serviced through the City's water capacity fee fund.
  - 10% of the wastewater treatment plant OWDA loan is paid through user retail charges. As such, 90% of the future interest on the wastewater treatment plant loan was included in the fee. In addition, interest on three other loans (including the Highland Sewer-related debt) is included in the fee since the debt is serviced through the City's sewer capacity fee fund.

The adjusted RCNLD value was then converted to a unit cost of capacity by dividing the RCNLD value by a basic unit measure of cost per gallon per day (GPD) for water and sewer capacity, as shown in Exhibit 3. An additional adjustment is made based on the assumed amount of non-revenue water (i.e. system flushing and backwashing, testing, line loss, etc.). The non-revenue water reduces the amount of capacity available to existing and future customers. The analysis performed herein assumes an average line-loss factor of 15% to adjust for the non-revenue water flows.

As with the loss in the water system, the wastewater system is impacted by inflow and infiltration (I&I) into the wastewater collection facilities. In essence, the impact of I&I reduces the level of capacity that

[4] Weighted Average Cost of Capital: 3.8% for water and 4.1% for sewer. Cost of debt based on weighted outstanding interest rate. Cost of equity based on Bond Buyer Revenue Bond Indebtedness + 2%.

is available for use by existing and future system customers. Pursuant to discussions with staff and based on typical I&I losses, the wastewater treatment capacity is adjusted for an assumed I&I impact of 20%.

Exhibit 3: Buy-In Cost per GPD of Core Utility Existing Assets

Utility	Water	Sewer
Total Assets (RCNLD)	$ 96,012,257	$ 101,554,305
Adjustments:		
Contributed Capital	(13,097,395)	(27,516,819)
Admin/Non-Core Assets	(375,261)	(553,954)
Principal Credit	(12,500,514)	(963,086)
Outstanding Interest	3,786,636	5,966,492
SE Highland Sewer	-	(17,336,624)
Net System Assets	**$ 73,825,723**	**$ 61,150,313**
Adjusted System Capacity (MGD)	6.12	8.00
Cost per Unit of Capacity (per gal)	**$ 12.06**	**$ 7.64**

The resulting cost per GPD of capacity becomes the basic building block or starting point for determining the cost-justified level of the capacity fees. Fees for different types of customers are based on this cost of capacity multiplied by the amount of capacity needed to serve each type or class of customer.

The next step is to define the level of demand associated with a typical, or average, residential customer, often referred to as an EDU. The level of demand associated with a typical residential customer is unique for each water and sewer provider. Typically, actual customer peak usage characteristics, master planning information, state guidance, or a combination is relied upon to determine the appropriate EDU-level. Each of these three parameters were considered to determine the recommended EDU-level for the capacity fees. The results of the EDU analyses are shown in Exhibit 4. Additional supporting information can be found in Appendix A.

Exhibit 4: Results of EDU Analysis

Methodology	Calculated Usage per EDU	Description
Actual Residential Usage	343 GPD	Estimates for peak residential usage are determined using actual 2019 usage and applying a series of peaking factors as prescribed in the AWWA M1 manual. Refer to Appendix A for more information.
Master Planning	331 GPD	The City designs the water and sewer systems to accommodate 120 GPD per person. According to the most recent census data, there is an average of 2.76 persons per household in the City of Delaware[5].
Ohio EPA Design Guidance	360 GPD	According to the census data, 3-Bedroom housing units account for over 40% of housing units in the City of Delaware[6]. This is applied to the Ohio EPA 120 GPD per bedroom guidance.
Existing EDU and Ohio EPA Design Guidance	400 GPD	Guidance from the Ohio EPA suggests 400 GPD for free standing homes.

Based on a review of the parameters above with the City, Raftelis recommends that the City consider using a daily peak flow per EDU of 343 gpd to 400 gpd. The lower end of this range will require the City to be diligent in monitoring the actual flow with peaking factor to determine if actual flows are generally being maintained. The higher end of this range is consistent with regulatory guidance and largely consistent with peak usage characteristics and master planning efforts. Relying on actual residential usage with peaking factors is uncommon and presents a risk that the calculation may result in a fee that is less than required if the actual usage increases. Raftelis has presented the calculations in this report based on 360 GPD as the baseline for an EDU.

The calculation of the capacity fee is based on the cost per GPD multiplied times the number of gallons per day required to serve each EDU, as shown below in Exhibit 5. The analysis provides a cost-justified level of capacity fees under a "Capacity Buy-In Approach" before consideration of future capacity-related projects.

[5] 2018 American Community Survey 5-Year Estimates: Statistics for the City of Delaware, OH, Population: 39,219, Occupied Households: 14,203.
[6] 2018 American Community Survey 5-Year Estimates: Statistics for the City of Delaware, OH, Total Housing Units: 15,073, 3-Bedroom Units: 6,120.

Exhibit 5: Residential Capacity Fee (Capacity Buy-in Approach)

Utility	Water	Sewer
Cost per GPD	$ 12.06	$ 7.64
GPD per EDU	360	360
Capacity Buy-In **Capacity Fee per EDU**	**$ 4,343**	**$ 2,752**
Existing Capacity Fee	*$ 5,650*	*$ 5,385*

Section III.2: Combined Approach

To ensure new customers equitably contribute to system expansion, future project costs were included consistent with the Marginal-Incremental Approach. Raftelis used the project costs identified in the City's five-year CIP that were specified as capacity-related by the City. The total project costs identified by the city for capacity fee recovery is $9.7 million for water and $8.7 million for sewer. The net project costs are then divided by the additional capacity to be provided by the capital projects. However, in the City's case, the projects do not add additional capacity but allow the City to deliver more of their current capacity and to do so more effectively.

In order to determine the fees under the Combined Approach, the adjusted RCNLD values and the net project costs are added together, representing the cost of existing and future capacity. This combined cost is divided by the existing and future adjusted water and sewer capacity which results in a weighted cost per gallon per day, as shown in Exhibit 6.

Exhibit 6: Combined Approach Cost per GPD

Utility	Water	Sewer
Cost of Existing Capacity[1]	$ 73,825,723	$ 61,150,313
Net Project Costs	9,675,000	8,740,000
Total Cost of Capacity	**$ 83,500,723**	**$ 69,890,313**
Adjusted System Capacity (MGD)	6.12	8.00
Cost per Gallon per Day	**$ 13.64**	**$ 8.74**

(1) Buildup for cost of existing capacity is shown in Exhibit 7.

Similar to the previous approaches, the cost per GPD is then multiplied by the same GPD per adjusted EDU. This calculation is demonstrated in Exhibit 7, and results in a combined fee of $8,057 per EDU for water and sewer service.

Exhibit 7 : Residential Capacity Fee (Combined Approach)

Utility	Water	Sewer
Cost per GPD	$ 13.64	$ 11.64
GPD per EDU	360	360
Combined Approach **Capacity Fee per EDU**	**$ 4,912**	**$ 3,145**
Existing Capacity Fee	*$ 5,650*	*$ 5,385*

Section III.3: Equity Buy-In Approach

The Equity Buy-In Approach builds up the cost of capacity in a similar manner to the Buy-In Approach. The RCNLD of system assets are adjusted for the outstanding principal credit, contributed capital, and administrative or non-core assets. The main difference is that reserve balances, representing existing customers' "equity" investment in the water and sewer systems, is included. Water and sewer reserve balances as of December 31, 2019 were used for fee development.

The denominator of the Equity Buy-In Approach differs from the Buy-In and combined approaches. Instead of using system capacity, current levels of service are used. The number of equivalencies currently served by the system is determined by using daily flows (maximum day for water and average day for wastewater) and dividing by the established EDU (360 GPD). Ultimately the system capacity costs are divided by the current number of equivalencies served. The calculation of fees under the Equity Buy-In approach is shown in Exhibit 8.

Exhibit 8: Residential Capacity Fee (Equity Buy-In Approach)

Utility	Water	Sewer
RCNLD of System Assets	$ 96,012,257	$ 101,554,305
Adjustments:		
Principal Credit	(12,500,514)	(963,086)
Contributed Capital	(13,097,395)	(27,516,819)
Admin/Non-Core Assets	(375,261)	(553,954)
Reserve Balances	13,864,484	12,345,072
Net System Capacity Costs	**$ 83,903,571**	**$ 67,528,893**
Daily Flows (MGD)[1]	4.6	4.4
GPD per EDU	360	360
Equivalencies (EDUs)	12,833	12,189
Capacity Fee per EDU	**$ 6,538**	**$ 5,540**

(1) Three-year average maximum daily treated flows for water and daily flows for sewer.

Section IV: Fee Administration

The EDU approach is a well-established basis for developing capacity fees in the water and wastewater industry. Raftelis recommends the City maintain the use of the EDU approach for administering fees for new customers. Multipliers to reduce the expected peak flows for multi-family dwellings is also a well-established basis for developing capacity fees for multi-family dwellings to recognize that a reduction in the number of bedrooms results in a decrease in peak demand.

The City currently applies a multiplier to multi-family units as described above. The current ratios applied to multi-family units offer a reduction to peak flows for every 1-, 2-, and 3-bedroom unit. The multipliers of 63%, 75%, and 88% for 1-, 2-, and 3-bedroom units, respectively, are consistent with benchmarking comparisons to other water providers. Raftelis recommends the City maintain the same multi-family multipliers but adjusted to be consistent with the 360 GPD per EDU. Commercial and industrial customers will continue being assessed charges based on estimated demand.

Section V: Conclusions and Recommendations

This study has explored several common approaches to determining capacity fees using current cost and capacity information. Based on the City's state of infrastructure development and plans for capacity improvements, Raftelis recommends the City move from the existing fees which were developed using the incremental cost approach to new capacity fees based on the combined cost approach. Raftelis further recommends the City utilize 360 gpd per EDU and revisit the EDU analysis in future capacity fee analyses, and that the City maintain its practice of assessing charges to commercial and industrial customers based on estimated demand. Exhibit 9 shows the cost-justified capacity fees by customer class under the combined approach.

Exhibit 9: Cost-Justified Capacity Fees by Customer Type

Customer Type	EDU	Water Fee	Sewer Fee	Combined Fee
Single Family Residential	1 EDU 360 GPD	$ 4,912	$ 3,145	$ 8,057
Multi-Family Residential (per Unit)	1 Unit, 227 GPD (63%)	$ 3,094	$ 1,981	$ 5,076
	2 Unit, 270 GPD (75%)	$ 3,684	$ 2,359	$ 6,043
	3+ Units, 317 GPD (88%)	$ 4,322	$ 2,768	$ 7,090
Commercial / Industrial	Varies (Estimated Usage ÷ 360)	$ 4,912	$ 3,145	$ 8,057

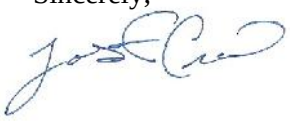
It is important to point out that the results shown above in Exhibit 9 are based on the cost justified amount for the City's Capacity Fees, as presented in this report. There is no requirement that this amount has to be charged, and the calculation only sets an amount that can be cost-justified and is within the range of capacity fee charges that are considered reasonable based on sound engineering and financial analysis.

The City must determine the amount to be charged based on considerations such as potential revenues to be generated, impacts on development, maintaining a competitive pricing structure with other regional utilities, and others.

The City should be aware that many variables exist that impact this financial analysis. Infrastructure costs and development units built annually change over time. Unanticipated projects may also be required to address capacity needs. Estimates for peak residential usage also change over time and can decrease or increase. Using historical industry standards provides a certain level of protection in the event estimated peak flows increase. Due to the number of variables, the City should be prepared to work with incoming development to provide for unanticipated projects and address changing variables to ensure the capacity funds are healthy. It is recommended that the City continue its practice of monitoring impacts that affect the capacity needs of the City.

It has been our pleasure working with and supporting the City in this engagement. Our primary focus is to ensure that all of your expectations are met or exceeded throughout this engagement. Do not hesitate to contact me, at 513-818-4145 or jcrea@raftelis.com with any questions.

Sincerely,



Joseph F. Crea
Vice President

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 19

DATE: 03/08/2021

ORDINANCE NO: 21-19

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: YES
March 22, 2021 at 7:25 PM

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Blake Jordan, Director Public Utilities

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE AMENDING SECTION 913.20(B) OF THE CITY'S CODIFIED ORDINANCES RELATING TO CAPACITY FEES FOR WATER SERVICE PERMITS

BACKGROUND:
Pursuant to Section 197.01 of the codified ordinances, the City's fees and services charges are reviewed each year with the annual budget. No action is taken if, during the review, fees are found to be within reasonable need of the Fund. During recent annual review staff found that the need for official fee review was warranted. The adjustments in this legislation address water supply service capacity fees. 913.20(b.1) – One equivalent dwelling unit's average daily water consumption will be changed from 400 gallons to 360 gallons.
913.20(b.1.C) – Average water consumption will be divided by 360 gallons.
913.20(b.2) – The water capacity fee is now $4,912 per EDU, a decrease from the previous amount of $5,650 per EDU.
The new effective date of the fee changes is June 1, 2021.

REASON WHY LEGISLATION IS NEEDED:
Section 197.01(b) of the codified ordinances provides that an ordinance is needed to adjust fees outside of the budget process.

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S):

POLICY CHANGES:
Previous capacity fee structure was based upon an "incremental cost approach," as additional facilities to serve new customers were being planned for. The new capacity fee structure is based upon a "combined approach" wherein current assets provide some capacity to accommodate new customers, but the capital improvement plan also identifies significant capital investment to add additional infrastructure.

PRESENTER(S):
R. Thomas Homan, City Manager
Blake Jordan, Public Utilities Director

RECOMMENDATION:
Approval at 3rd Reading

ATTACHMENT(S):
March 2, 2021 Raftelis Financial Consultants, Inc. Capacity Fee Evaluation

ORDINANCE NO. 21-19

AN ORDINANCE AMENDING SECTION 913.20(B) OF THE CITY'S CODIFIED ORDINANCES RELATING TO CAPACITY FEES FOR WATER SERVICE PERMITS.

WHEREAS, the City recognized an onset of significant growth in and around the City, anticipated continued significant growth in and around the City, and deemed it necessary to expand the City's public water supply system ("Water Utility") to accommodate the increasing demand on Water Utility caused by the significant growth in and around the City in 2006; and

WHEREAS, the City retained Floyd Browne Group, Inc. ("FBG") who evaluated the cost of expanding the capacity of the Water Utility to accommodate future demands on the Water Utility and determined an equitable cost allocation method that fairly apportioned the cost of the Water Utility expansion to new customers of the Water Utility; and

WHEREAS, FBG completed its evaluation and delivered an Annual Utility Capacity Fee Update, dated February 17, 2006 ("the Report"), to the City wherein FBG revised capacity improvement calculations and advised that the current use of meter size as a ratio for determining capacity fees to non-residential development did not adequately reflect the full impact of high-end users on the Water Utility system and further recommended that the City implement the "equivalent dwelling unit method" ("EDU") to more accurately determine Water Utility capacity fees; and

WHEREAS, this Council reviewed the FBG Report, adopted FBG's findings and recommendations regarding capacity fees including the recommended change to the equivalent dwelling unit method of determining capacity fees for the Water Utility, and passed Ordinance No. 06-33, which repealed the then-existing versions of Delaware Codified Ordinance Sections 913.20(b) and 913.20(f) and amended the two sections, respectively; and

WHEREAS, the City's Codified Ordinances require the City to evaluate and update its capacity fees annually; and

WHEREAS, the necessity to keep current or take affirmative action to change or otherwise alter the City's capacity fees is determined during each annual review; and

WHEREAS, the City subsequently retained Raftelis Financial Consultants, Inc. ("Raftelis") to evaluate the City's capacity fees due to the changing economic climate; and

WHEREAS, Raftelis completed its evaluation and delivered a Capacity Fee Evaluation, dated March 2, 2021 ("Raftelis Report"), to the City wherein Raftelis recommended the City maintain the "equivalent dwelling unit" (EDU") method to determine Water Utility capacity fees and modify the baseline for an EDU.

WHEREAS, while the City's current capacity fees are supportable, exploring different methodologies for setting sanitary sewer and water supply services capacity fees provided the City an opportunity to reduce the capacity fees; and

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

SECTION 1. Section 913.20(b) of the City's Codified Ordinances is hereby amended to read as follows:

(b) The following capacity fee shall be charged for permits issued to connect into the City water system and shall be paid upon issuance of said permit.

(1) All properties connecting to the City of Delaware water system shall be assigned an Equivalent Dwelling Unit (EDU), or multiple thereof, with one (1) EDU being equal to average daily water consumption of ~~400~~ **360** gallons.

A. All single-family residential properties connecting to the sanitary sewer system are assigned one (1) EDU.

B. All master metered multi-family residential properties connecting to the water system shall be assigned, by the Public Utility Director (Director), an EDU multiple calculated by multiplying the number of multi-family residential units by the Single Family Equivalent (SFE) value that follows:

SINGLE FAMILY EQUIVALENT VALUES	
1 BEDROOM	.63
2 BEDROOMS	.75
3 BEDROOMS	.88
4 + BEDROOMS	1.0

This division will be calculated to the second decimal place and rounded according to mathematical convention.

C. All properties connecting to the water system which are not residential properties are to be assigned, by the Director, an EDU multiple based upon the properties' estimated daily water consumption (in gallons) divided by ~~400~~ **360** gallons (one EDU). This division will be calculated to the second decimal place and rounded according to mathematical convention. In no event shall a non-residential property be assigned an EDU of less than one (1).

(2) The Water Capacity fee is ~~$4,600~~ **$4,912** per EDU which shall be effective from ~~and after June 1, 2006 through December 31, 2006, and shall be $5,650 per EDU effective from and after January 1, 2007~~ **June 1, 2021**.

(3) The EDU multiple established for non-residential properties based on estimated water consumption shall be reviewed twelve (12) months after occupancy is obtained to determine if the estimated daily water consumption is accurate. The director may extend this 12 month time period if accurate consumption data is not available**.** Any increase or decrease in the EDU multiple based on actual water consumption which results in a capacity fee charge adjustment of more than $1,000 shall be communicated to the property owner in writing. Any additional capacity fee charge or any refund of a previously paid capacity fee charge shall be made within forty-five (45) days of the date of the amended EDU determination letter. An owner may contest the amended EDU assigned to the property by filing an appeal with the Director within forty-five (45) days of the date of the amended EDU determination letter. The appeal shall be in writing and shall state the grounds for the appeal. The Director shall cause an appropriate investigation to be made to determine whether an adjustment of the EDU multiple for the property is warranted. The appellant shall be notified in writing of the Director's determination with respect to the appeal and any resulting adjustment in the amount of the capacity fee charge. Any additional capacity fee charge or any refund of a previously paid capacity fee charge shall be made within forty-five (45) days or the date of the Director's written response to the appellant.

(4) The water utility system capacity fee charge for all properties connecting to the water system which are not residential

properties and whose estimated daily water consumption is greater than 50,000 gallons per day shall be determined based on an evaluation made of the specific impact on the water utility system for said connection.

SECTION 2. Existing Section 913.20(b) of the Delaware Codified Ordinances is hereby repealed.

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.

SECTION 4. This Ordinance shall be in full force and effect on and after the earliest date allowed by law.

PASSED: _____, 2021 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
MAYOR CITY CLERK

RAFTELIS

FINAL REPORT

March 2, 2021

Mr. Blake Jordan, P.E.
Director of Public Utilities
City of Delaware, Ohio
225 Cherry Street
Delaware, Ohio 43015

Dear Mr. Jordan:

Raftelis is pleased to submit this letter report presenting the findings of our Capacity Fee Evaluation for the City of Delaware (City).

Section I: Background

Capacity fees (also known as "system development fees" or "impact fees") are defined as one-time charges assessed against new development as a way to recover a proportional share of the costs of capital facilities constructed to provide service capacity for new customers connecting to the water and sewer utility systems. Typically, the cost basis for setting capacity fees is based on the major system components, or core system assets, that are necessary to serve, and that provide benefit to, all customers. These components typically include reservoirs, water treatment plants, storage tanks, major water transmission lines, wastewater treatment plants, and major wastewater interceptors.

There are four approaches for calculating water and sewer development fees that are recognized in the industry as cost-justified, as described below.

Capacity Buy-In Approach

The Buy-In Approach is most appropriate in cases where the existing system assets provide adequate capacity to provide service to new customers. Under this approach, the fee based upon the proportional cost of each user's share of existing plant capacity. The cost of the facilities is based on fixed assets records and usually includes escalation of the depreciated value of those assets to current replacement cost dollars. All core assets that provide benefit to the general transmission/collection and treatment systems are included, such as water and wastewater treatment plants, storage, major water transmission mains and wastewater interceptors, and pump/lift stations.

Incremental or Marginal Cost Approach

The Incremental Cost Approach, also referred to as the Marginal Cost Approach, focuses on the cost of adding additional facilities to serve new customers. It is most appropriate in a situation where existing facilities do not have adequate capacity to provide service to new customers, and the cost for new capacity can be tied to an approved capital improvement plan (CIP).

Combined Approach

A combined approach, which is a combination of the Buy-In and Incremental approaches, can also be used when the existing assets provide some capacity to accommodate new customers, but where the

capital improvement plan also identifies significant capital investment to add additional infrastructure to address future growth and capacity needs.

Equity Buy-In Approach

The Equity Buy-In Approach is an industry-accepted methodology more commonly used by water/sewer providers in the Western US. The methodology rests on the premise that customers requesting water service connection are entitled to service at the same price as existing customers. Essentially, the new customer pays an amount equal to the net investment already made by existing users. The key difference between the Equity Buy-In and the other approaches is that the net cost of system capacity is divided by the number of equivalencies currently served by the system.

Section II: Evaluation of Current Capacity Fees

The capacity fees currently assessed by the City were determined in a Capacity Fee Update performed by Floyd Browne Group in 2006[1]. At that time, the existing capacity in the City's water and sewer system was no longer adequate to serve new customers and it was clear that significant investments in the City's water and wastewater treatment plants were required to meet long-term capacity needs. For that reason, the fee was developed using the Incremental Cost Approach.

Cost of Future Capacity

Floyd Browne Group relied on several key assumptions in determining the cost to serve future customers, which are summarized below.

- *Water Treatment Plant* – Future project costs for the water treatment plant were not well defined at the time of the 2006 Study. Using an assumed $3 per gallon per day (GPD), the projected 12 million gallons per day (MGD) plant facility was estimated to cost $36 million. It was assumed that 70% of this cost would serve new capacity and 30% of the cost would be for renewal of existing assets and capacity. The water treatment plant expansion was completed in 2015 and booked at a cost of $29.4 million; however, the total capacity of the upgraded facility is 7.2 MGD, not 12 MGD as projected, and was built to enable future expansion to meet future capacity.
- *Storage and Distribution System* – In order to estimate the cost of infrastructure necessary to deliver the new capacity, a storage and distribution multiplier of 1.65 was applied to the estimated plant cost. This multiplier yields estimated storage and distribution investments of $41.6 million.
- *Wastewater Treatment Plant* – Preliminary project cost estimates of $25.7 million were available for the wastewater treatment plant. This project increased system capacity by 5 MGD to 10 MGD. The wastewater treatment plant upgrade was completed in 2008 at a cost of $26.8 million.
- *Collection System* – Collection infrastructure would be required to accommodate and deliver the capacity expansion so a multiplier of 1.0 was used to estimate those costs to the City. This results in $26.8 million of additional costs.

[1] City of Delaware, Ohio - *Utility Capacity Fee Update Report*, Prepared by Floyd Browne Group, dated February 17, 2006.

Once the all-in capacity cost was determined, it was assumed that the capital costs to expand the distribution and collection systems would be phased in over more than 20 years thereby reducing the cost to recover from capacity fees. Exhibit 1 shows the cost buildup of future capacity.

Exhibit 1: 2006 Study – Cost of New Capacity

Description	Water	Sewer
New Capacity (MGD)	6.0	5.0
Treatment Costs	$ 25,200,000	$ 25,700,000
Distribution & Collection Multiplier	1.65	1.00
= All-In System Costs	**$ 66,780,000**	**$ 51,400,000**
Amount to be Financed	*$ 46,000,000*	*$ 38,000,000*

Equivalent Connections

Before the 2006 Study, the City assessed capacity fees by using meter size capacity ratios to assess fees that increased by meter size. Given the capacity constraints at the time, it was determined that the capacity ratios may understate the potential demand that large users may have on the system. As such, the City changed to assessing fees on a per Equivalent Dwelling Unit (EDU) basis. This means they defined the level of demand associated with a typical, or average, residential customer and scaled it proportionally to match demand characteristics of new facilities.

Floyd Browne Group recommended that the City rely on the Ohio Environmental Protection Agency's (EPA) 1993 guidance of 400 GPD for a single-family home[2] as the EDU demand. They corroborated this estimate using City master planning per capita design criteria (134 GPD) and census data for the number of City residents per household (2.65). Based on the assumed new incremental capacities of 6 MGD for water and 5 MGD for sewer, the new facilities would be available to serve 15,000 and 12,500 new EDU's for water and sewer, respectively. Over a 20-year period this translates into 750 and 625 EDU per year for water and sewer, respectively.

In order to determine a fee, Floyd Browne Group assumed that all costs would be debt-financed[3]. The resulting annual payment was divided by the number of EDU's to be added each year, resulting in a capacity fee per EDU. Exhibit 2 breaks down the fee determination.

[2] Ohio Environmental Protection Agency. 1993. *Sewage: Collection, Treatment, & Disposal*. Appendix: Suggested Sewage Flow Guide.
[3] Debt assumptions: 20-year term, 6% interest rate.

Exhibit 2: 2006 Study – Fee Calculation

Description	Water	Sewer
Total Capacity Investment Costs	$46.0M	$38.6M
Annual Payment	$ 4,010,490	$ 3,365,324
Annual EDU's	750	625
Capacity Fee per EDU	**$ 5,347**	**$ 5,385**

Section III: Calculation of a New Capacity Fee

The following data and information was requested and provided by City staff to perform the update of the capacity fee calculation:

- Water and sewer fixed asset data as of December 31, 2019;
- Construction in progress as of December 31, 2019;
- Outstanding utility debt and associated debt service;
- Five-year capital improvement plan (2021-2026);
- Capacity in existing and future systems; and
- Water production and sewer flow information.

The City has made substantial investments in the existing systems to provide capacity to new and existing customers, but also planned several capacity-related projects based on its master plan to address future growth in the next five to ten years. To recognize the existing and future capacity to be provided by the systems, Raftelis calculated capacity fees under three different approaches: the Buy-In Approach, the Combined Approach, and the Equity Buy-In Approach. Each of the fee calculations is described in the following three subsections.

Section III.1: Buy-In Approach

The cost, or investment in, the current capacity available to provide utility services to existing and new customers was estimated to assess the capacity fees under the buy-in approach. This analysis was based on a review of fixed asset records and other information as of December 31, 2019. The depreciated value of the assets was first adjusted to reflect an estimated replacement cost to determine the "replacement cost new less depreciation" (RCNLD) value for the assets. The asset values were escalated using the Handy Whitman Index of Public Utility Construction Costs (for the North Central Region). The RCNLD value of the assets excludes non-core equipment, vehicles, and other administrative assets.

Several adjustments were then made to the RCNLD value, which were as follows:

- *Subtraction of Contributed Assets* – Typically, assets contributed by or paid for by developers are deducted from the calculation since these costs were not "paid" by the existing customers. Roughly $13 million and $28 million for water and sewer, respectively, was removed from the RCNLD value since it was categorized as "donated" or "contributed" capital.
- *Exclude Southeast Highland Sewer RCNLD* – The City made a substantial investment in 2007 for a major sewer conveyance line to expand service in the Southeast Highland area. To recover

the costs of this asset, the City assesses a separate connection surcharge to customers in this tributary area. The cost of this asset is excluded from the capacity charge calculations because it is separately recovered through this surcharge. Carrying costs for this asset are not included in the surcharge and are included in the buy-in calculation.

- *Debt Service Principal Credit* - Utilities often borrow funds to construct assets, and revenues from retail rates and charges can be used to make the payments on these borrowed funds. Typically, to ensure that new customers are not being double charged for these assets, once through the capacity fee and again through retail rates and charges, the proportion of the outstanding debt principal that is anticipated to be paid for through retail rates and charges is deducted from the capacity fee calculation. In the City's case, a portion of debt is paid with capacity fees and the rest through user charges. As such, the following adjustments were made:
  - 70% of the water treatment plant Ohio Water Development Authority (OWDA) loan is paid through user retail charges. As such, 70% of the principal on that loan was excluded from the fee.
  - 10% of the wastewater treatment plant OWDA loan is paid through user retail charges. As such, 10% of the principal on that loan was excluded from the fee.
  - To recognize the time value of money, the future applicable principal payments were discounted to a present value using the weighted average cost of capital[4] as the discount rate.
- *Debt Service Interest Cost* – Similar to the principal credit, the consideration of which charges recover future costs must be considered with regards to interest. To ensure that new customers are paying their fair share of financing costs related to existing assets, the proportion of the outstanding interest that is anticipated to be paid for through capacity fees is added to the capacity fee calculation.
  - 70% of the water treatment plant OWDA loan is paid through user retail charges. As such, 30% of the future interest on the treatment plant loan was included in the fee. In addition, interest on two other OWDA loans was included in the costs since the debt is serviced through the City's water capacity fee fund.
  - 10% of the wastewater treatment plant OWDA loan is paid through user retail charges. As such, 90% of the future interest on the wastewater treatment plant loan was included in the fee. In addition, interest on three other loans (including the Highland Sewer-related debt) is included in the fee since the debt is serviced through the City's sewer capacity fee fund.

The adjusted RCNLD value was then converted to a unit cost of capacity by dividing the RCNLD value by a basic unit measure of cost per gallon per day (GPD) for water and sewer capacity, as shown in Exhibit 3. An additional adjustment is made based on the assumed amount of non-revenue water (i.e. system flushing and backwashing, testing, line loss, etc.). The non-revenue water reduces the amount of capacity available to existing and future customers. The analysis performed herein assumes an average line-loss factor of 15% to adjust for the non-revenue water flows.

As with the loss in the water system, the wastewater system is impacted by inflow and infiltration (I&I) into the wastewater collection facilities. In essence, the impact of I&I reduces the level of capacity that

[4] Weighted Average Cost of Capital: 3.8% for water and 4.1% for sewer. Cost of debt based on weighted outstanding interest rate. Cost of equity based on Bond Buyer Revenue Bond Indebtedness + 2%.

is available for use by existing and future system customers. Pursuant to discussions with staff and based on typical I&I losses, the wastewater treatment capacity is adjusted for an assumed I&I impact of 20%.

Exhibit 3: Buy-In Cost per GPD of Core Utility Existing Assets

Utility	Water	Sewer
Total Assets (RCNLD)	$ 96,012,257	$ 101,554,305
Adjustments:		
Contributed Capital	(13,097,395)	(27,516,819)
Admin/Non-Core Assets	(375,261)	(553,954)
Principal Credit	(12,500,514)	(963,086)
Outstanding Interest	3,786,636	5,966,492
SE Highland Sewer	-	(17,336,624)
Net System Assets	**$ 73,825,723**	**$ 61,150,313**
Adjusted System Capacity (MGD)	6.12	8.00
Cost per Unit of Capacity (per gal)	**$ 12.06**	**$ 7.64**

The resulting cost per GPD of capacity becomes the basic building block or starting point for determining the cost-justified level of the capacity fees. Fees for different types of customers are based on this cost of capacity multiplied by the amount of capacity needed to serve each type or class of customer.

The next step is to define the level of demand associated with a typical, or average, residential customer, often referred to as an EDU. The level of demand associated with a typical residential customer is unique for each water and sewer provider. Typically, actual customer peak usage characteristics, master planning information, state guidance, or a combination is relied upon to determine the appropriate EDU-level. Each of these three parameters were considered to determine the recommended EDU-level for the capacity fees. The results of the EDU analyses are shown in Exhibit 4. Additional supporting information can be found in Appendix A.

Exhibit 4: Results of EDU Analysis

Methodology	Calculated Usage per EDU	Description
Actual Residential Usage	343 GPD	Estimates for peak residential usage are determined using actual 2019 usage and applying a series of peaking factors as prescribed in the AWWA M1 manual. Refer to Appendix A for more information.
Master Planning	331 GPD	The City designs the water and sewer systems to accommodate 120 GPD per person. According to the most recent census data, there is an average of 2.76 persons per household in the City of Delaware[5].
Ohio EPA Design Guidance	360 GPD	According to the census data, 3-Bedroom housing units account for over 40% of housing units in the City of Delaware[6]. This is applied to the Ohio EPA 120 GPD per bedroom guidance.
Existing EDU and Ohio EPA Design Guidance	400 GPD	Guidance from the Ohio EPA suggests 400 GPD for free standing homes.

Based on a review of the parameters above with the City, Raftelis recommends that the City consider using a daily peak flow per EDU of 343 gpd to 400 gpd. The lower end of this range will require the City to be diligent in monitoring the actual flow with peaking factor to determine if actual flows are generally being maintained. The higher end of this range is consistent with regulatory guidance and largely consistent with peak usage characteristics and master planning efforts. Relying on actual residential usage with peaking factors is uncommon and presents a risk that the calculation may result in a fee that is less than required if the actual usage increases. Raftelis has presented the calculations in this report based on 360 GPD as the baseline for an EDU.

The calculation of the capacity fee is based on the cost per GPD multiplied times the number of gallons per day required to serve each EDU, as shown below in Exhibit 5. The analysis provides a cost-justified level of capacity fees under a "Capacity Buy-In Approach" before consideration of future capacity-related projects.

[5] 2018 American Community Survey 5-Year Estimates: Statistics for the City of Delaware, OH, Population: 39,219, Occupied Households: 14,203.
[6] 2018 American Community Survey 5-Year Estimates: Statistics for the City of Delaware, OH, Total Housing Units: 15,073, 3-Bedroom Units: 6,120.

Exhibit 5: Residential Capacity Fee (Capacity Buy-in Approach)

Utility	Water	Sewer
Cost per GPD	$ 12.06	$ 7.64
GPD per EDU	360	360
Capacity Buy-In **Capacity Fee per EDU**	**$ 4,343**	**$ 2,752**
Existing Capacity Fee	*$ 5,650*	*$ 5,385*

Section III.2: Combined Approach

To ensure new customers equitably contribute to system expansion, future project costs were included consistent with the Marginal-Incremental Approach. Raftelis used the project costs identified in the City's five-year CIP that were specified as capacity-related by the City. The total project costs identified by the city for capacity fee recovery is $9.7 million for water and $8.7 million for sewer. The net project costs are then divided by the additional capacity to be provided by the capital projects. However, in the City's case, the projects do not add additional capacity but allow the City to deliver more of their current capacity and to do so more effectively.

In order to determine the fees under the Combined Approach, the adjusted RCNLD values and the net project costs are added together, representing the cost of existing and future capacity. This combined cost is divided by the existing and future adjusted water and sewer capacity which results in a weighted cost per gallon per day, as shown in Exhibit 6.

Exhibit 6: Combined Approach Cost per GPD

Utility	Water	Sewer
Cost of Existing Capacity[1]	$ 73,825,723	$ 61,150,313
Net Project Costs	9,675,000	8,740,000
Total Cost of Capacity	**$ 83,500,723**	**$ 69,890,313**
Adjusted System Capacity (MGD)	6.12	8.00
Cost per Gallon per Day	**$ 13.64**	**$ 8.74**

(1) Buildup for cost of existing capacity is shown in Exhibit 7.

Similar to the previous approaches, the cost per GPD is then multiplied by the same GPD per adjusted EDU. This calculation is demonstrated in Exhibit 7, and results in a combined fee of $8,057 per EDU for water and sewer service.

Exhibit 7 : Residential Capacity Fee (Combined Approach)

Utility	Water	Sewer
Cost per GPD	$ 13.64	$ 11.64
GPD per EDU	360	360
Combined Approach **Capacity Fee per EDU**	**$ 4,912**	**$ 3,145**
Existing Capacity Fee	*$ 5,650*	*$ 5,385*

Section III.3: Equity Buy-In Approach

The Equity Buy-In Approach builds up the cost of capacity in a similar manner to the Buy-In Approach. The RCNLD of system assets are adjusted for the outstanding principal credit, contributed capital, and administrative or non-core assets. The main difference is that reserve balances, representing existing customers' "equity" investment in the water and sewer systems, is included. Water and sewer reserve balances as of December 31, 2019 were used for fee development.

The denominator of the Equity Buy-In Approach differs from the Buy-In and combined approaches. Instead of using system capacity, current levels of service are used. The number of equivalencies currently served by the system is determined by using daily flows (maximum day for water and average day for wastewater) and dividing by the established EDU (360 GPD). Ultimately the system capacity costs are divided by the current number of equivalencies served. The calculation of fees under the Equity Buy-In approach is shown in Exhibit 8.

Exhibit 8: Residential Capacity Fee (Equity Buy-In Approach)

Utility	Water	Sewer
RCNLD of System Assets	$ 96,012,257	$ 101,554,305
Adjustments:		
Principal Credit	(12,500,514)	(963,086)
Contributed Capital	(13,097,395)	(27,516,819)
Admin/Non-Core Assets	(375,261)	(553,954)
Reserve Balances	13,864,484	12,345,072
Net System Capacity Costs	**$ 83,903,571**	**$ 67,528,893**
Daily Flows (MGD)[1]	4.6	4.4
GPD per EDU	360	360
Equivalencies (EDUs)	12,833	12,189
Capacity Fee per EDU	**$ 6,538**	**$ 5,540**

(1) Three-year average maximum daily treated flows for water and daily flows for sewer.

Section IV: Fee Administration

The EDU approach is a well-established basis for developing capacity fees in the water and wastewater industry. Raftelis recommends the City maintain the use of the EDU approach for administering fees for new customers. Multipliers to reduce the expected peak flows for multi-family dwellings is also a well-established basis for developing capacity fees for multi-family dwellings to recognize that a reduction in the number of bedrooms results in a decrease in peak demand.

The City currently applies a multiplier to multi-family units as described above. The current ratios applied to multi-family units offer a reduction to peak flows for every 1-, 2-, and 3-bedroom unit. The multipliers of 63%, 75%, and 88% for 1-, 2-, and 3-bedroom units, respectively, are consistent with benchmarking comparisons to other water providers. Raftelis recommends the City maintain the same multi-family multipliers but adjusted to be consistent with the 360 GPD per EDU. Commercial and industrial customers will continue being assessed charges based on estimated demand.

Section V: Conclusions and Recommendations

This study has explored several common approaches to determining capacity fees using current cost and capacity information. Based on the City's state of infrastructure development and plans for capacity improvements, Raftelis recommends the City move from the existing fees which were developed using the incremental cost approach to new capacity fees based on the combined cost approach. Raftelis further recommends the City utilize 360 gpd per EDU and revisit the EDU analysis in future capacity fee analyses, and that the City maintain its practice of assessing charges to commercial and industrial customers based on estimated demand. Exhibit 9 shows the cost-justified capacity fees by customer class under the combined approach.

Exhibit 9: Cost-Justified Capacity Fees by Customer Type

Customer Type	EDU	Water Fee	Sewer Fee	Combined Fee
Single Family Residential	1 EDU 360 GPD	$ 4,912	$ 3,145	$ 8,057
Multi-Family Residential (per Unit)	1 Unit, 227 GPD (63%)	$ 3,094	$ 1,981	$ 5,076
	2 Unit, 270 GPD (75%)	$ 3,684	$ 2,359	$ 6,043
	3+ Units, 317 GPD (88%)	$ 4,322	$ 2,768	$ 7,090
Commercial / Industrial	Varies (Estimated Usage ÷ 360)	$ 4,912	$ 3,145	$ 8,057

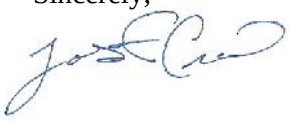
It is important to point out that the results shown above in Exhibit 9 are based on the cost justified amount for the City's Capacity Fees, as presented in this report. There is no requirement that this amount has to be charged, and the calculation only sets an amount that can be cost-justified and is within the range of capacity fee charges that are considered reasonable based on sound engineering and financial analysis.

The City must determine the amount to be charged based on considerations such as potential revenues to be generated, impacts on development, maintaining a competitive pricing structure with other regional utilities, and others.

The City should be aware that many variables exist that impact this financial analysis. Infrastructure costs and development units built annually change over time. Unanticipated projects may also be required to address capacity needs. Estimates for peak residential usage also change over time and can decrease or increase. Using historical industry standards provides a certain level of protection in the event estimated peak flows increase. Due to the number of variables, the City should be prepared to work with incoming development to provide for unanticipated projects and address changing variables to ensure the capacity funds are healthy. It is recommended that the City continue its practice of monitoring impacts that affect the capacity needs of the City.

It has been our pleasure working with and supporting the City in this engagement. Our primary focus is to ensure that all of your expectations are met or exceeded throughout this engagement. Do not hesitate to contact me, at 513-818-4145 or jcrea@raftelis.com with any questions.

Sincerely,



Joseph F. Crea
Vice President

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 20

DATE: 03/08/2021

ORDINANCE NO: 21-20

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Natalia S. Harris, City Attorney

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT, SUPPLEMENTING THE 2021 APPROPRIATIONS.

BACKGROUND:
In 2020 T & R Properties, Inc. claimed damages for capacity fees paid to connect to the City's sanitary sewer and water supply systems in 2019, at which time the City was in the process of reviewing its capacity fees. The City maintains that the fees paid by T & R Properties, Inc. to connect to the City's sanitary sewer and water supply systems are supportable and defensible. After discussion, the City and T & R Properties, Inc. reached a negotiated agreement to settle their dispute to their satisfaction without the City admitting any liability or wrongdoing concerning fees charged by the City to connect to its sanitary sewer and water supply systems.

REASON WHY LEGISLATION IS NEEDED:
Pursuant to the City Charter, the City Manager needs authority from Council to execute the Settlement Agreement and an ordinance is needed to make the appropriation for the City's monetary obligation under the agreement.

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S): A monetary payment of $279,540.00 will be made to T&R as part of the agreement.

POLICY CHANGES:

PRESENTER(S):
Natalia S. Harris, City Attorney

RECOMMENDATION:
Approval at 3rd Reading

ATTACHMENT(S):
Settlement Agreement

ORDINANCE 21-20

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT, SUPPLEMENTING THE 2021 APPROPRIATIONS.

WHEREAS, in 2020 T & R Properties, Inc. claimed damages for fees paid to connect to the City's sanitary sewer and water supply systems in 2019; and

WHEREAS, after review, assessment and consultation, the City maintains that the fees paid by T & R Properties, Inc. to connect to the City's sanitary sewer and water supply systems are supportable and defensible; and

WHEREAS, the City and T & R Properties, Inc. discussed their respective positions and reached a negotiated agreement to settle their dispute to the satisfaction of both the City and T & R Properties, Inc. without the City admitting any liability or wrongdoing concerning fees charged by the City to connect to its sanitary sewer and water supply systems.

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

SECTION 1: The City Manager is authorized to enter into a settlement agreement with T & R Properties, Inc.

SECTION 2: It is hereby appropriated from the unencumbered balance of the Water Capacity Fund (Fund 536) $143,127 to:

Capacity Fee Refund (53618400/560020) $143,127 for purpose of satisfying the City's obligation under the agreement referenced in Section 1 hereof.

SECTION 3: It is hereby appropriated from the unencumbered balance of the Wastewater Capacity Fund (Fund 546) $136,413 to:

Capacity Fee Refund (54619000/560020) $136,413 for purpose of satisfying the City's obligation under the agreement referenced in Section 1 hereof.

SECTION 4. 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: _____, 2021

YEAS____ NAYS____

ABSTAIN ____

ATTEST: _____

CITY CLERK

_____

MAYOR

SETTLEMENT AGREEMENT AND RELEASE

This Settlement Agreement and Release ("Agreement") is made and entered into by and between the City of Delaware, Ohio ("City of Delaware") and T & R Properties, Inc. ("T & R"), and is effective on the date last executed below ("Effective Date"). The City of Delaware and T & R collectively are referred to as "Parties."

RECITALS

WHEREAS, the City of Delaware, by and through its Codified Ordinances, requires all residential and non-residential property developments to pay sewer and water capacity fees (the combined fees considered the "Capacity Fees") in order to connect to the City of Delaware's public sewer and water systems; and

WHEREAS, T & R is a real estate development and property management company primarily engaged in developing multi-family housing developments, in addition to property management and developing mixed-use and commercial projects. T & R was established in 1983 and has overseen residential development projects within the City of Delaware since the company's establishment; and

WHEREAS, in 2019, after receiving all necessary approvals, T & R facilitated construction of a multi-family housing community in the City of Delaware, named the Flats on Houk Apartments (the "Flats on Houk"), and paid the required Capacity Fees to connect the Flats on Houk to the City's sewer and water systems; and

WHEREAS, on June 30, 2020, a lawsuit being Case No. 2:20 CV 3284 was filed in the United States District Court, Southern District of Ohio against the City of Delaware by a plaintiff real estate developer challenging the Capacity Fees, including the methodologies employed to calculate and assess the Capacity Fees, and alleging various causes of action arising from and exclusively related to the City of Delaware's Capacity Fees; and

WHEREAS, thereafter, beginning in July 2020, T & R, through legal counsel, made written demand to the City of Delaware and its officials for claimed monetary damages regarding the Capacity Fees paid for the Flats on Houk connection, in advance of potentially joining the lawsuit as either a co-plaintiff or class member, or filing an independent lawsuit; and

WHEREAS, specifically, T & R demanded, in advance of litigation, that the City of Delaware should lower the Capacity Fees moving forward and compensate T & R for the Capacity Fees it paid for the Flats on Houk; and

WHEREAS, after review, assessment, and consultation, the City of Delaware maintains that the Capacity Fees currently set forth in its Codified Ordinances are supportable and defensible, and that the claims raised in the pending lawsuit entirely lack merit; and

WHEREAS, without admitting any liability or wrongdoing, the City of Delaware, through legal counsel, engaged in extensive communications with T & R to discuss a proposed monetary settlement amount, in addition to discussions with City Council regarding a proposed legislative change and reduction to the current Capacity Fees; and

WHEREAS, the Parties have agreed to a final settlement amount of Two Hundred Seventy-Nine Thousand, Five Hundred Forty Dollars and No Cents ($279,540.00) to T & R, and to support legislation that will result in a reduction in Capacity Fees contingent on the following parameters; and

WHEREAS, assuming the necessary legislative approval by City Council, the City of Delaware will commit to a change in the Capacity Fees based on the advice and recommendations of industry experts that will result in, at minimum, a fifteen percent (15%) decrease in the Capacity Fees for all residential connections; and

WHEREAS, the Parties hereto, in good faith, and in the interests of full and final compromise, settlement, and satisfaction of all claims between them related to the City of Delaware's Capacity Fees, desire to resolve and settle their dispute outside of any formal litigation.

NOW, THEREFORE, in consideration of the exchange of valuable consideration and upon the mutual promises, covenants, and commitments, the sufficiency of which is agreed and acknowledged, the Parties hereby agree as follows:

1. **Authority.** The Parties represent and warrant that they have full and complete authority to make, sign, execute, and deliver this Agreement.

2. **Settlement Payment to T & R.** In consideration for all promises, covenants, representations, commitments, and releases contained in this Agreement, the City of Delaware shall directly pay to T & R Properties the total gross amount of Two Hundred Seventy-Nine Thousand, Five Hundred Forty Dollars and No Cents ($279,540.00) ("Settlement Payment").

3. **Prospective Legislative Change to Capacity Fees.** Subject to and contingent upon approval by City Council, the City of Delaware further agrees to commit to a legislative change in the Capacity Fees based upon the advice and recommendation of City administrative staff and separately-retained, City-selected industry experts. The upcoming legislation will result in a prospective decrease of, at minimum, fifteen percent (15%) in the Capacity Fees. Should this legislative change as stated herein not be enacted, this Agreement and all respective obligations herein shall be nullified.

4. **Legislative Discretion to Establish Capacity Fees.** By accepting the Settlement Payment and all terms set forth in this Agreement, T & R acknowledges and agrees that the City holds exclusive discretion to set the Capacity Fees, now and in the future, and this Agreement will not limit any future legislation to adjust the Capacity Fees.

5. **Affidavit.** In conjunction with issuing the Settlement Payment, the Parties shall agree on the form of an affidavit to be reviewed and signed under oath by T & R memorializing previous statements made by T & R regarding the fact that the Capacity Fees do not prevent T & R from creating affordable housing available for all racial populations.

6. **Execution of Agreement.** Upon mutual agreement on both the form of the affidavit referenced in Section 5 and all other terms set forth in this Agreement, the Parties shall simultaneously execute both on the Effective Date during a closing. Within twenty (20) days of the Effective Date, the City shall cause the Settlement Payment to be issued directly to T & R.

7. **Release and Waiver of Claims.** T & R, its agents, representatives, heirs, successors, assigns, attorneys, and other parties on whose behalf T & R could bring a legal action, hereby fully releases, acquits, and forever discharges the City of Delaware, its officials (elected and appointed), employees, agents, administrators, representatives, insurers, attorneys, successors and/or assigns, of and from any and all claims, demands, actions, causes of action, suits, debts, liens, contracts, liabilities, agreements, costs, expenses, or losses of any type, whether known or unknown, fixed or contingent, suspected or unsuspected, accrued or unaccrued, which T & R now has or may have related to, or arising out of, the City of Delaware's Capacity Fees and/or which is the subject of a lawsuit being Case No. 2:20 CV 3284, captioned *Seattle House, LLC (individually and on behalf of others similarly situated) vs. City of Delaware, Ohio,* filed in the United States District Court, Southern District of Ohio, including any and all claims which could have been asserted therein; provided, however, that this release shall not apply to any rights, duties, or obligations arising under, or actions to be taken pursuant to, this Agreement.

8. **Compromise Settlement.** This Agreement is the result of a compromise of disputed claims. Neither this Agreement nor any of the actions to be taken hereto shall ever at any time, for any reason or purpose, be construed as, or be deemed to be evidence of, an admission of liability, culpable conduct, or other wrongdoing on the part of the Parties.

9. **Application of Agreement.** All terms of this Agreement shall be applicable to and binding upon the Parties, their agents and related assigns. Nothing in this Agreement is intended to confer any benefit upon any third party unless expressly stated herein.

10. **Entire Agreement.** This Agreement constitutes and contains the entire agreement and understanding between the Parties as to the matters addressed herein and supersedes all prior and contemporaneous oral and written agreements, representations and discussions. The Parties intend for this Agreement to be complete and shall not be subject to any claim of mistake of fact or law. This Agreement is intended to avoid the uncertainty of litigation and to be final and complete.

11. **Applicable Law.** This Agreement shall be governed by the laws of the State of Ohio, without regard to any potential conflict of laws.

12. **Duty to Act in Good Faith.** The Parties shall act in good faith and in accordance with this Agreement, and not participate in, encourage, condone, or take any action to facilitate any challenge to the terms of this Agreement.

13. **No Assignment.** The Parties represent they have not assigned any rights or otherwise transferred or granted, or purported to assign, transfer or grant, to any person or entity any claim or right to assert any claim of any kind or character, or any portion thereof that they have against the opposing party.

14. **Amendment.** This Agreement shall not be amended or modified, except in writing, and signed by the Parties.

15. **Severability.** Should any provision or term of this Agreement be declared or determined by any court of competent jurisdiction to be illegal, invalid, unenforceable, or void, such declaration or determination shall not affect the remaining terms of this Agreement, which shall remain independent, fully legal, valid, and enforceable pursuant to the terms of this Agreement.

16. **Construction.** This Agreement shall be considered to have been jointly drafted by the Parties, and it is agreed that it shall be governed by and construed in accordance with the laws of the State of Ohio regardless of conflicts of laws rules.

17. **Disputes and Controversies among the Parties Concerning this Agreement.** The Parties agree that the Delaware County Court of Common Pleas shall have continuing jurisdiction to enforce this Agreement, if necessary. Any dispute or controversy among the Parties regarding the interpretation or enforcement of this Agreement or arising out of or concerning this Agreement shall be presented to the Court of Common Pleas, Delaware County, Ohio. It is further understood and agreed that if, at any time, a violation of any term of this Agreement is asserted by any Party hereto, that Party shall have the right to seek specific performance from that Court, which shall be in addition to any other relief to which the aggrieved Party is entitled.

18. **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Agreement.

19. **Acknowledgment**. The Parties acknowledge that they: have read carefully this Agreement; are satisfied with all of the Agreement's terms; had adequate time to review and consider this Agreement and to consult with their legal counsel with respect thereto; entered into this Agreement voluntarily and of their own free will; and agree to all provisions contained herein.

WHEREFORE, the Parties hereto have read all of the foregoing, understand the same, and agree to all of the provisions contained herein.

CITY OF DELAWARE, OHIO	**T & R PROPERTIES, INC.**
By: _____	By: _____
R. Thomas Homan	
Its: City Manager	Its:
Date: _____	Date: _____

APPROVED:

Approved as to form

_____
Natalia S. Harris
Delaware City Attorney

TO: Mayor Riggle and Members of Council

FROM: R. Thomas Homan, City Manager

SUBJECT: Miscellaneous Matters

DATE: March 4, 2021

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1. **Calendar**
   See Attached

2. **Per Section 73 Of The City Charter The City Manager Is To Report Contract Agreements**
   See Attached

3. Additional Reports
   - January 2021 Fire Report

March

2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 Council Work Session 6:30 pm	2	3 Civil Service 3:00 pm Planning 6:30 pm	4	5	6
7	8 Council Meeting 7 pm	9	10 BZA 6:30 pm	11	12	13
14	15	16 Parks and Recreation Advisory Board 6:30 pm	17 Planning Work Session – Comprehensive Plan Review 6:30 pm	18	19	20
21	22 Council 7 pm	23	24 HPC 6:30 pm	25	26	27
28	29	30	31			

CONTRACT APPROVAL - 03/08/21				
VENDOR	**EXPLANATION OF AGREEMENT**	**2021 AMOUNT**	**DEPARTMENT**	**DATE**
OnComm Communications, LLC	Cabling for City Hall Renovation	$2,450.78	IT	2/24/2021
49 Degrees, LLC	City Hall Graphics	$39,732.00	CMO	3/2/2021
Comdoc	Copier for Parks & Natural Resources Dept.	$5,289.00	IT	3/2/2021
AEP Ohio	CIAC for Electric Svc. Penick Ave. Ext.	$346.54	PW	2/18/2021
Gosula Holdings	MOU for Cottswold Extension	N/A	PW	3/2/2021

Delaware Fire Department

COVID-19 – Protection and Restrictions In Place



January 2021

- 498 Responses

  2020–507 for January

  -0.63% For Year

- 69% - Emergency Responses Arrived within 6 Minutes.

  Goal for Year is 90%

- EMS Transports

  245 Transports to Hospitals
  -0.96% For Year

- $40,015 - Fire Loss for Month

  93.45% of Property Saved from Fire - 2021

- 7 Narcan Administration for Month

  -.89% vs. projection for year

- Fire Inspections

  High/Ultra High Risks
  Status – 100%
  Goal – 100%

  Medium/Low Risks
  Status – 98%
  Goal – 95%

Summary

- January 21, Radnor Twp., Structure Fire
- January 24, Scioto Twp., ATV Accident
- January 26, Cottswold Dr., Structure Fire
- January 28, Scioto Twp., Structure Fire

Other Activities – Limited Due to COVID19

- Presidential Inauguration/Protests
- CPR Training – 1020 Pittsburgh Dr.
- CPR Training – Delaware Public Health Department
- Public Education - YMCA
- Public Relations – Car Seat Assistance

Did you know?

Top 3 dispatch calls for the month

1. Sick Person-70
2. Fall–55
3. Lift Assist - 36

81.1% of the calls were emergent responses for the month

Busiest Stations (Number of Calls to the Station's Area)

1. Station 301 – 266
2. Station 303 – 165
3. Station 302 – 40
4. Station 304 – 24

Total Apparatus Responses in the City for Month

831

Busiest Units

1. Medic 301 – 225
2. Engine 301 – 160
3. Medic 303 - 156
4. Battalion 301 - 63

Narcan Usage for Month

1. Narcotic Overdose - 6
2. Cardiac Arrest - 1

Additional metrics are availble on our website



January 2 – Firefighters responded to a vehicle that struck a building on Bruce Rd. One person was transported to the hospital with non-life threatening injuries.

January 26 – Firefighters responded on a residential fire on Cottswold Dr. Fire originated in the attic above the family room. One firefighter sustained a minor injury and was treated at the scene. The fire was extinguished 18 minutes afyer the 911 call was received. (Picture on front page is also this fire.





January 29 – A vehicle struck a pole at the corner of W. William St. and Curtis St. The telephone pole came down causing live powerlines to be draped over the car with people still inside the vehicle. The electric was disconnected, allowing the occupants to be removed safely. They chose not to be treated at the hospital.

Monthly Incident Locations

