CITY OF DELAWARE
CITY COUNCIL REGULAR MEETING
MEETING TO BE HELD VIRTUALLY VIA CISCO WEBEX **
7:00 P.M. MEETING

AGENDA

7:00 PM **MAY 24, 2021**

1. **ROLL CALL**

2. **INVOCATION by Chaplain Chad Johns, Ohio Wesleyan University**

3. **APPROVAL OF MOTION SUMMARY**

   A. APPROVAL of the Motion Summary of the regular meeting of Council held on May 10, 2021, as recorded and transcribed.

4. **CONSENT AGENDA**

   A. Acceptance of the Motion Summary of the Finance Committee meeting held on March 30, 2021, as recorded and transcribed.

   B. Resolution No. 21-19 , a resolution authorizing the City Manager to enter into a Cooperative Agreement with the Ohio Department of Transportation for the resurfacing of portions of US42 from US23 south to the municipal boundary.

   C. Resolution No. 21-20, a resolution authorizing the modification of certain traffic control signage to extend the No Parking Zone on Cobblestone Drive east of Rock Creek Drive.

5. **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.
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   - 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.

6. **PRESENTATION**

   A. Presentation on Strategic Plan for the Prehospital Care System - Fire Chief John Donahue

7. **COMMITTEE REPORTS**

8. **CONSIDERATION OF LIQUOR PERMIT TRANSFER**

A. To Migdadi Fuel Inc, DBA, Delaware Marathon, 473 South Sandusky Street, Delaware, Ohio 43015 from Philly Petroleum, LLC, DBA Delaware Marathon, 473 South Sandusky Street, Delaware, Ohio 43015. Permit Classes: C1, C2

9. **THIRD READING OF ORDINANCE NO. 21-29**

An ordinance amending the Management, Professional, Technical, Confidential, and Supervisory Employees Pay Plan.

10. **7:20 P.M. PUBLIC HEARING AND THIRD READING OF ORDINANCE NO. 21-30**

An ordinance approving and authorizing the execution of a Tax Increment Financing Agreement for the development of Winterbourne Drive and other infrastructure improvements and declaring an emergency.

PUBLIC HEARING COMMENT OPTIONS:

- 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 commen**t. Comments are limited to 3 minutes.

- EMAIL, LETTER, PETITION: written public comment, maximum of 500 words, is to be received by 3 p.m. the date of the meeting to be presented to Council for submission and read into the record. **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.

11. **7:30 P.M. PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 21-31**

AN ORDINANCE approving a rezoning amendment for Vincent Romanelli from A-1 (Agricultural district) to R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) for an addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.

PUBLIC HEARING COMMENT OPTIONS:

- 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 commen**t. Comments are

limited to 3 minutes.

- EMAIL, LETTER, PETITION: written public comment, maximum of 500 words, is to be received by 3 p.m. the date of the meeting to be presented to Council for submission and read into the record. **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.

12. **SECOND READING OF ORDINANCE NO. 21-32**

An ordinance for Vincent Romanelli for approval of a Conditional Use Permit allowing the placement of a PMU (Planned Mixed Use Overlay District) to be established for the addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.

13. **SECOND READING OF ORDINANCE NO. 21-33**

An ordinance for Vincent Romanelli for approval of a Preliminary Development Plan for the Glenross North Subdivision Sections 5 & 6 on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.

14. **SECOND READING OF ORDINANCE NO. 21-34**

An ordinance for Vincent Romanelli for approval of a Preliminary Subdivision Plat for the Glenross North Subdivision Sections 5 and 6 on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.

15. **7:40 P.M. PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 21-35**

An ordinance approving a Rezoning Amendment for Charles R. Davis from A-1 (Agricultural District) to R-3 (One-Family Residential District) for the Davis Tract Subdivision on approximately 30.708 acres located on the north side of West William Street and just west of Springer Woods Subdivision.

PUBLIC HEARING COMMENT OPTIONS:

- 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: written public comment, maximum of 500 words, is

to be received by 3 p.m. the date of the meeting to be presented to Council for submission and read into the record. **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.

16. **SECOND READING OF ORDINANCE NO. 21-36**

An ordinance approving a Preliminary Subdivision Plat for Charles R. Davis for the Davis Tract Subdivision on approximately 30.708 acres located on the north side of West William Street and just west of Springer Woods Subdivision.

17. **CONSIDERATION OF RESOLUTION NO. 21-21**

A resolution amending the investment policy for the City of Delaware.

18. **CONSIDERATION OF ORDINANCE NO. 21-37**

An ordinance to authorize and direct the City Manager to execute and sign an amendment to the petition for the Northstar New Community Authority on behalf of the City of Delaware, Ohio, to be presented to the Board of County Commissioners of Delaware County, Ohio, to add property to the boundaries of the New Community District of the Authority and recognize the change in developer for the authority, and declaring an emergency.

19. **CONSIDERATION OF ORDINANCE NO. 21-38**

An ordinance supplementing the 2021 Appropriations and declaring and emergency.

20. **CONSIDERATION OF ORDINANCE NO. 21-39**

An ordinance authorizing and approving a Pre-Annexation Agreement for 43.6± acres known as the Mary Jo Lane Trust Annexation (aka future Glenross North Sections 5 and 6) and located on the south side of Berlin Station Rd., east of Glenn Parkway, west of the existing Norfolk & Southern Railroad tracks, and north of the existing Glenross North Subdivision Sections 1-4.

21. **CONSIDERATION OF ORDINANCE NO. 21-40**

An ordinance approving the sale of a 1989 E-One Pumper Truck that has outgrown its useful serviceable life.

22. **FINANCE DIRECTOR'S REPORT**

A. Review of April Finance Report

B . Presentation on Delinquent Utility Account Project

23. **CITY MANAGER'S REPORT AND COVID-19 UPDATE**

A. UPDATE

24. **EXECUTIVE SESSION:**
pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action

25. **ADJOURN**

** 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.

AGENDA ITEM NO. A

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,City Clerk
ITEM TYPE:	Motion Summary
AGENDA SECTION:	**APPROVAL OF MOTION SUMMARY**
SUBJECT:	APPROVAL of the Motion Summary of the regular meeting of Council held on May 10, 2021, as recorded and transcribed.

SUGGESTED ACTION:

ATTACHMENTS:
20210510 council minutes.pdf

The regular meeting of Council held on May 10, 2021 and was called to order at 7:04 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 (arrived at 7:15 p.m.), Fourth Ward Drew Farrell, At-Large George Hellinger, Vice-Mayor Kent Shafer, and Mayor Carolyn Kay Riggle who presided. Absent from the meeting was First Ward Chris Jones.

Staff Present Remotely: Dave Efland, Planning Director, Dave Efland, Planning and Community Development Director, Blake Jordan, Public Utilities Director, Bill Ferrigno, Public Works Director and City Engineer, Jessica Feller, Human Resource Manager, John Donahue, Fire Chief, Justin Nahvi, Finance Director, Amelia Bean-DeFlumer, City Prosecutor, Kyle Kridler, Assistant City Manager, and Tom Homan, City Manager

Motion to Excuse: Vice-Mayor Shafer motioned to excuse Mr. Jones and Mr. Hoffman, seconded by Mrs. Keller. Motion approved by a 5-0 vote.

ITEM 2. INVOCATION
The invocation was delivered by Chaplain Dan Maurer, Delaware Police Department.

ITEM 3: APPROVAL OF MINUTES
APPROVAL of the Motion Summary of the regular meeting of Council held on April 26, 2021, as recorded and transcribed.

Motion: Mrs. Keller motioned to approve the Motion Summary of the regular meeting of Council held on April 26, 2021, as recorded and transcribed a seconded by Vice-Mayor Shafer. Motion approved by a 5-0 vote.

ITEM 4: CONSENT AGENDA

A. Acceptance of the Motion Summary of the Airport Commission meeting held on January 21, 2021, as recorded and transcribed.
B. Acceptance of the Motion Summary of the Historic Preservation Commission meeting held on March 24, 2021, as recorded and transcribed.
C. Acceptance of the Motion Summary of the Planning Commission meeting held on April 7, 2021, as recorded and transcribed.
D. Acceptance of the Motion Summaries of the Civil Service Commission meeting held on January 13, 2021 and November 11, 2020, as recorded and transcribed.
E. Resolution No. 21-17, a resolution authorizing the City Manager to apply for an Ohio Department of Natural Resources NatureWorks Grant.
F. Establish May 24, 2021 at 7:30 p.m. as a date and time for a public hearing and second reading of Ordinance No. 21-31, an ordinance approving a Rezoning Amendment for Vincent Romanelli from A-1 (Agricultural District) to R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) for an addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road and Ordinance No. 21-32, an ordinance for Vincent Romanelli for approval of a Conditional Use Permit allowing the placement of

a PMU (Planned Mixed Use Overlay District) to be established for the addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.

G. Establish May 24, 2021 at 7:40 p.m. as a date and time for a public hearing and second reading of Ordinance No. 21-35, an ordinance approving a Rezoning Amendment for Charles R. Davis from A-1 (Agricultural District) to R-3 (One-Family Residential District) for the Davis Tract Subdivision on approximately 30.708 acres located on the north side of West William Street and just west of Springer Woods Subdivision.

Motion: Vice-Mayor Shafer motioned to approve the Consent Agenda, seconded by Mrs. Keller. Motion approved by a 5-0 vote.

ITEM 5: LETTERS, PETITIONS, AND PUBLIC COMMENTS

The following participants joined the meeting virtually:

James Harrison
7160 Jacquelin Court
Westerville, Ohio

ITEM 6: COMMITTEE REPORTS
Mr. Hoffman arrived at the meeting at 7:15 p.m.

Mr. Hellinger provided an update from the Finance Committee meeting in which transportation funding options will be discussed at a future work session meeting.

ITEM 7: PRESENTATIONS

A. Proclamation recognizing National Police Week and Peace Officers Memorial Day - presented to Police Chief Bruce Pijanowski.

ITEM 8: RESOLUTION NO. 21-16 [Public Hearing and Second Reading]
A RESOLUTION AUTHORIZING THE PLACEMENT OF CERTAIN TRAFFIC CONTROL SIGNAGE TO CREATE APPROXIMATELY TWENTY (20) TEMPORARY PARKING SPACES WITHIN THE SURFACE LOT LOCATED ON PARCEL NO. 519433070004000.

The Clerk read the resolution for the second time.

PUBLIC PARTICIPATION:
The following email was read into the record by the Clerk.

Brett Latta
Via email
36 North Sandusky Street
Delaware, Ohio

Motion: Vice-Mayor Shafer motioned to approve Resolution No. 21-16, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 9: PUBLIC HEARING on the City's Application to Expand the Types of Alcoholic Beverages for Consumption within the District

and the Boundaries and Hours of Operation for the Designated Outdoor Refreshment Area (DORA).

Mr. Kridler provided background information on the original DORA and the proposed 2021 DORA application.

PUBLIC PARTICIPATION:
Abby Cottingim
Via Cisco Webex
1808 American Bistro
29 West Winter Street
Delaware, Ohio

ITEM 10: RESOLUTION NO. 21-18 [First Reading]
A RESOLUTION EXPANDING THE EXISTING DESIGNATED OUTDOOR REFRESHMENT AREA (DORA) IN DOWNTOWN DELAWARE AND ENACTING REGULATIONS.

The Clerk read the resolution for the first time.

Motion: Vice-Mayor Shafer motioned to accept Resolution No. 21-18, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

ITEM 11: ORDINANCE NO. 21-21 [Third Reading]
AN ORDINANCE ADOPTING THE DELAWARE TOGETHER COMPREHENSIVE PLAN AND AMENDMENTS TO CHAPTER 1101 – MASTER PLAN OF THE CITY OF DELAWARE PLANNING AND ZONING CODE AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the third time.

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

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 21-21, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 12: ORDINANCE NO. 21-22 [Third Reading]
AN ORDINANCE ADOPTING THE 2020-2040 THOROUGHFARE PLAN AND AMENDMENTS TO CHAPTER 1103 OF THE CITY OF DELAWARE PLANNING AND ZONING CODE AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the third time.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 21-22, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 21-22, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 13: ORDINANCE NO. 21-23 [Third Reading]
AN ORDINANCE FOR WEEE LLC., FOR APPROVAL OF A CONDITIONAL USE PERMIT REQUEST TO ALLOW A PRD (PLANNED RESIDENTIAL DEVELOPMENT DISTRICT) FOR HOUK ROAD CONDOMINIUMS

CONTAINING 42 SINGLE-FAMILY ATTACHED DWELLING UNITS ON APPROXIMATELY 18.28 ACRES ON PROPERTY ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON THE WEST SIDE OF HOUK ROAD AND JUST NORTH OF GREENLAWN DRIVE.

The Clerk read the ordinance for the third time.

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

Motion: Mrs. Keller motioned to adopt Ordinance No. 21-23, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 14: ORDINANCE NO. 21-24 [Third Reading]
AN ORDINANCE FOR WEEE LLC., FOR APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN REQUEST FOR HOUK ROAD CONDOMINIUMS CONTAINING 42 SINGLE-FAMILY ATTACHED DWELLING UNITS ON APPROXIMATELY 18.28 ACRES ON PROPERTY ZONED R-3 PRD (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED RESIDENTIAL DEVELOPMENT DISTRICT) AND LOCATED ON THE WEST SIDE OF HOUK ROAD AND JUST NORTH OF GREENLAWN DRIVE.

The Clerk read the ordinance for the third time.

Motion: Mrs. Keller motioned to adopt Ordinance No. 21-24, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 15: ORDINANCE NO. 21-29 [Second Reading]
AN ORDINANCE AMENDING THE MANAGEMENT, PROFESSIONAL, TECHNICAL, CONFIDENTIAL, AND SUPERVISORY EMPLOYEES PAY PLAN.

The Clerk read the ordinance for the second time. Council to take Ordinance No. 21-29 to a third reading.

ITEM 16: ORDINANCE NO. 21-30 [Second Reading]
AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT FOR THE DEVELOPMENT OF WINTERBOURNE DRIVE AND OTHER INFRASTRUCTURE IMPROVEMENTS.

The Clerk read the ordinance for the second time. Council to take Ordinance No. 21-30 to a third reading.

APPLICANT:
Bob Grden
10590 Wellington Blvd.
Powell, Ohio

Michael R. Shade
236 West Central Avenue
Delaware, Ohio

ITEM 17: ORDINANCE NO. 21-31 [First Reading]
AN ORDINANCE APPROVING A REZONING AMENDMENT FOR VINCENT ROMANELLI FROM A-1 (AGRICULTURAL DISTRICT) TO R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) FOR AN ADDITION TO THE GLENROSS NORTH SUBDIVISION (SECTIONS 5 & 6) ON APPROXIMATELY 43.6 ACRES LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

The Clerk read the ordinance for the first time. A public hearing and second reading are scheduled for May 24, 2021.

ITEM 18: ORDINANCE NO. 21-32 [First Reading]
AN ORDINANCE FOR VINCENT ROMANELLI FOR APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED FOR THE ADDITION TO THE GLENROSS NORTH SUBDIVISION (SECTIONS 5 & 6) ON APPROXIMATELY 43.6 ACRES LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

The Clerk read the ordinance for the first time. A public hearing and second reading are scheduled for May 24, 2021.

ITEM 19: ORDINANCE NO. 21-33 [First Reading]
AN ORDINANCE FOR VINCENT ROMANELLI FOR APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR THE GLENROSS NORTH SUBDIVISION SECTIONS 5 & 6 ON APPROXIMATELY 43.6 ACRES LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

The Clerk read the ordinance for the first time. Ordinance No. 21-33 will have a second reading.

ITEM 20: ORDINANCE NO. 21-34 [First Reading]
AN ORDINANCE FOR VINCENT ROMANELLI FOR APPROVAL OF A PRELIMINARY SUBDIVISION PLAT FOR THE GLENROSS NORTH SUBDIVISION SECTIONS 5 & 6 ON APPROXIMATELY 43.6 ACRES LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

The Clerk read the ordinance for the first time. Ordinance No. 21-34 will have a second reading.

ITEM 21: ORDINANCE NO. 21-35 [First Reading]
AN ORDINANCE APPROVING A REZONING AMENDMENT FOR CHARLES R. DAVIS FROM A-1 (AGRICULTURAL DISTRICT) TO R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) FOR THE DAVIS TRACT SUBDIVISION ON APPROXIMATELY 30.708 ACRES LOCATED ON THE NORTH SIDE OF WEST WILLIAM STREET AND JUST WEST OF SPRINGER WOODS SUBDIVISION.

The Clerk read the ordinance for the first time. A public hearing and second reading are scheduled for May 24, 2021.

ITEM 22: ORDINANCE NO. 21-36 [First Reading]
AN ORDINANCE APPROVING A PRELIMINARY SUBDIVISION PLAT FOR

CHARLES R. DAVIS FOR THE DAVIS TRACT SUBDIVISION ON APPROXIMATELY 30.708 ACRES LOCATED ON THE NORTH SIDE OF WEST WILLIAM STREET AND JUST WEST OF SPRINGER WOODS SUBDIVISION.

The Clerk read the ordinance for the first time. Ordinance No. 21-36 will have a second reading.

ITEM 23: CITY MANAGER'S REPORT & COVID-19 UPDATE

Mr. Homan discussed the technology changes to Council Chambers to allow for in person meetings. Mr. Kridler provided an update on the screens placed in chambers and plans for microphones to be installed.

Mr. Homan discussed that the treasury department issued interim guidelines on the American Rescue Plan and staff is in the process of reviewing these to determine what the appropriate uses could be and will provide an update to Council.

Mr. Homan discussed that there will be a work session on June 7 for discussion on transportation funding options.

ITEM 24: COUNCIL COMMENTS

Mr. Hoffman discussed the flooding in Stratford Woods and the fast response from City employees.

Mr. Farrell discussed the 3C train service and the City of Delaware was listed as a potential stop. He discussed that he would be agreeable to meet with Sustainable Delaware to discuss energy aggregation unless there is interest from other members of Council.

Mr. Hellinger reminded Council of the upcoming financial disclosure filing date.

ITEM 25: EXECUTIVE SESSION: pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action.

Vice-Mayor Shafer motioned to enter into executive session pursuant to Ohio Revised Code Section 121.22 (G) (2) acquisition of property for public purpose and Section 121.22 (G)(3) pending or imminent court action at 8:36 p.m. This motion was seconded by Mrs. Keller and approved by a 6-0 vote. The following members of Council were present for the discussion Second Ward Lisa Keller, Third Ward Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Carolyn Kay Riggle. At 9:37 p.m. Vice-Mayor Shafer motioned to enter back into open session, second by Mrs. Keller. This motion was approved by a 6-0 vote.

ITEM 26: ADJOURNMENT

Motion: Vice-Mayor Shafer motioned to adjourn the meeting, seconded by Mrs. Keller. The meeting adjourned at 9:38 p.m.

RECORD OF PROCEEDINGS

Minutes of Delaware City Council Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held May 10 20 21

Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk

AGENDA ITEM NO. A

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,City Clerk
ITEM TYPE:	Motion Summary
AGENDA SECTION:	**CONSENT AGENDA**
SUBJECT:	Acceptance of the Motion Summary of the Finance Committee meeting held on March 30, 2021, as recorded and transcribed.
SUGGESTED ACTION:	

ATTACHMENTS:
20210330 finance minutes.pdf

DocuSign Envelope ID: 9D6E7B3B-9E63-4277-8749-6B4A80BFD184

FINANCE COMMITTEE
MOTION SUMMARY
March 30, 2021

ITEM 1. Roll Call

Chairman Hellinger called the Virtual Cisco Webex Finance Committee meeting to order at 3:02 p.m.

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

Staff Present: Justin Nahvi, Finance Director, Alycia Ballone, Budget Analyst, Dave Efland, Planning and Community Development Director, Bill Ferrigno, Public Works Director and City Engineer, Tom Homan, City Manager

ITEM 2. Approval of the Motion Summary for the meeting held December 16, 2020, as recorded and transcribed.

Motion: Vice-Mayor Shafer moved to approve the Motion Summary from December 16, 2020, as recorded and transcribed, seconded by Vice-Chairman Jones. Motion approved by a 3-0 vote.

ITEM 3. Public Comments

There were no requests for public comment or participation.

ITEM 4. Review of February 2021 Financial Report and 2021 Budget Gauge

Mr. Navhvi provided an overview of the Financial Report and tax collections through February. Income tax collection look stable and discussed the tax deadline extension. The Budget Gauge will remain in elevated monitoring until the public health emergency is lifted by the State.

ITEM 5. Winterbrook Place (Grden), Rutherford Acres (Siekmann) and Troy Acres (Siekmann) Public Infrastructure Financing Options: Update

Mr. Homan provided an update on Winterbrook Place project and continuing to look at a 10-year, 70% TIF. He discussed he had conversations with the Olentangy City School Superintendent on the proposed terms. The TIF ordinance would start with a first reading in April and conduct a public hearing with action expected in June. Mr. Ferrigno discussed how the TIF will allow for the share of infrastructure cost of Winterbourne Road. Mr. Ferrigno discussed the high cost of infrastructure cost compared to the lot cost.

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Mr. Homan discussed the two pieces to the Siekmann property. The conversations have not progressed as far, but staff has had conversations with the Delaware City School Superintendent regarding the proposed TIF.

Mr. Homan discussed that the Siekmann property could help extend Merrick to Troy. Chairman Hellinger voiced concerns on participating in residential incentives unless it benefits the community as a whole. Mr. Ferrigno discussed that the project would push the need for Merrick to extend, but that a good portion of the extension would not be on the Siekmann property and the funding will also help to straighten out a tight curve. He discussed possible extension on the east side of the Siekmann property to US 23. Other options were discussed to connect Houk Road to Hills Miller.

ITEM 6. Review of Draft Transportation Funding Options

Mr. Homan discussed that staff is still finalizing a report to provide to Council. Mr. Nahvi discussed data regarding the impact of working from home on the tax credits. He compared income tax rates, commuter credit, and city property tax for surrounding communities.

ITEM 7. Discussion on Investment Advisory RFP

Mr. Nahvi discussed that the City is taking a similar approach from the past RFP for banking services for the City's portfolio.

ITEM 8. Discussion on Upcoming Budget Amendments and Scheduling a Finance Committee Meeting for April 2021

ITEM 9. Other Business

Mr. Nahvi demonstrated how to E-File income taxes on the City's website.

ITEM 10. Member Comments

ITEM 11. Adjournment

Motion: Chairman Hellinger moved to adjourn the Finance Committee meeting. The Finance Committee meeting adjourned at 3:50 p.m.

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George Hellinger
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Chairman

DocuSigned by:
Elaine McCloskey
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Elaine McCloskey, Clerk

AGENDA ITEM NO. t

Item Cover Page

CITY COUNCIL AGENDA ITEMA

DATES	May 24, 2021
B Y	Elaine McCloskey,Public Works
ITEM	Resolutions
AGENDA	**CONSENT AGENDA**
	Resolution No. 21-19 , a resolution authorizing the City Manager to enter into a Cooperative Agreement with the Ohio Department of Transportation for the resurfacing of portions of US42 from US23 south to the municipal boundary.

SUGGESTED ACTIONS

ATTACHMENTS

Fact Sheet Res 21-19 PID 109074 Urban ReSurf.pdf
Resolution No. 21-19, PID 109074 Urban ReSurf.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: CONSENT ITEM B DATE: 05/20/2021

ORDINANCE NO: RESOLUTION NO: 21-19

READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

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

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF PORTIONS OF US42 FROM US23 SOUTH TO THE MUNICIPAL BOUNDARY.

BACKGROUND:
The Ohio Department of Transportation (ODOT) intends to resurface portions of US 42 from US23 south to the municipal boundary except that the newer pavement near Sawmill Parkway will not be repaved at this time. Specifically, the resurfacing will start at the asphalt pavement that begins between US 23 and Fern Drive and will continue south to the southern city limit near Owen-Fraley Road. The overall ODOT project will continue south beyond the city boundary and include shoulder widening. The portion of the project within the City will only be resurfacing of the existing pavement with no shoulder widening. Work within the City will also include repairs to bridge approach slabs between Fern Drive and US23.

In advance of the project, the City will make required base repairs in 2021 at its cost using a City contractor in lieu of waiting for the base repairs to be included in the ODOT project (which would have been at 100% City cost).

This project falls under ODOT's Urban Paving Program, which requires that the local municipality contribute 20% of the total cost for the surface treatment for

the portion of the project within its corporation limits. Additionally, the City is required to contribute 100% of the cost of non-surface related items such as signal repairs, curbs, gutters, utility relocation expenses, and full-depth pavement repairs. Once final plans are developed and quantities are determined, the City of Delaware will be invoiced for its share of the project costs approximately six weeks before the project's scheduled sale. The sale is tentatively scheduled for early 2022. It is anticipated this work will begin in the spring of 2022.

REASON WHY LEGISLATION IS NEEDED:
ODOT District 6 is administering the project, and the State requires consent legislation be passed by the local government to allow for the project to occur within the corporate limits.

This legislation is considered "preliminary participatory legislation". When the project is more advanced, final legislation will be introduced along with an agreement between the City and ODOT.

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):
ODOT no longer provides project estimates to include in preliminary participatory legislation. However, based on initial cost estimates, the City's contribution for this project is estimated to be $115,000. The payment will occur in 2022 from the 2022 budget appropriation.

The City's cost to make base repairs in advance of the ODOT resurfacing project will be approximately $150,000 and will be incurred in 2021 from the existing budget appropriation.

POLICY CHANGES:
N/A

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

RECOMMENDATION:
Approval

ATTACHMENT(S)
None

RESOLUTION NO. 21-19

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF PORTIONS OF US42 FROM US23 SOUTH TO THE MUNICIPAL BOUNDARY.

WHEREAS, the STATE has identified the need for the described project:

Resurfacing of US 42 between the municipal boundary near Owen-Fraley Road and the end of existing asphalt between Fern Drive and US23. Resurfacing to include pavement repairs, shoulder widening, installation of center line and edge line rumble strips, and other necessary items;

WHEREAS, the City will be responsible for contributing twenty percent (20%) of the total cost of the surface treatment (resurfacing) plus one hundred percent (100%) of the cost of any non-surface treatment items;

WHEREAS, the City will make base repairs to this section of US42 in preparation for this project; and

WHEREAS, the Ohio Department of Transportation will bid and construct the project in 2022.

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

SECTION 1. The City of Delaware, referred to as the Local Public Agency (LPA) gives consent to the Director of Transportation of the State of Ohio (Director) to complete this project.

SECTION 2. The City hereby agrees to cooperate with the Director for the above described project.

SECTION 3. The City agrees to assume and bear one hundred percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the project.

SECTION 4. The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

SECTION 5. Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial resources, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions, and (4) hold said right-of-way inviolate for public highway purposes.

SECTION 6. The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

SECTION 7. The City Manager of the City of Delaware is hereby empowered on behalf of the City of Delaware to enter into contracts with the Director necessary to complete the above described project.

SECTION 8. That the Clerk of Council will transmit to the Director a fully executed copy of this Resolution.

SECTION 9. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 10. That this resolution shall be in force and effect immediately upon its passage.

PASSED: _____, 2019 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

AGENDA ITEM NO. t

ITEM COVER PAGE

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,Public Works
ITEM TYPE:	Resolutions
AGENDA SEt TION:	**CONSENT AGENDA**
SUBJECT:	Resolution No. 21-20, a resolution authorizing the modification of certain traffic control signage to extend the No Parking Zone on Cobblestone Drive east of Rock Creek Drive.

SUGGESTED ACTION:

ATTATCHMENTS:

fact sheet res 21-20, cobblestone parking.pdf
res 21-20, Cobblestone Parking.pdf
Exhibit A.pdf
penick drawing sheet

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: CONSENT ITEM C DATE: 05/24/2021

ORDINANCE NO: RESOLUTION NO: 21-20

READING: FIRST PUBLIC HEARING:

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 EXTEND THE NO PARKING ZONE ON COBBLESTONE DRIVE EAST OF ROCK CREEK DRIVE.

BACKGROUND:
The City is constructing an extension of Penick Avenue west of its current terminus across the Schultz Elementary School property and connecting to the existing terminus of Cobblestone Drive at Rock Creek Drive. The new roadway will include a concrete median island with two 12-foot travel lanes on each side of the island. Immediately east of Rock Creek Drive, a centerline taper will shift traffic to the sides of the median island. This centerline taper will require parking to be prohibited along both sides of the existing piece of Cobblestone Drive immediately east of Rock Creek Drive.

City park property abuts this portion of roadway to the south. One residential property abuts this portion of roadway to the north. This resident was contacted in person by City staff and indicated they have no issues with parking being prohibited along the portion of Cobblestone Drive abutting their property.

REASON WHY LEGISLATION IS NEEDED:
The placement of regulatory signage requires City Council authorization for permanent enforcement.

COMMITTEE RECOMMENDATION:
The Parking and Safety Committee did not act on this item. Based on the positive response of the only impacted abutting property owner, staff recommends bringing the resolution directly to Council.

FISCAL IMPACT(S):
The cost of no parking signage is included in the contract for the Penick Avenue Extension project, and there is no additional fiscal impact.

POLICY CHANGES:
None

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

RECOMMENDATION:
Approval

ATTACHMENT(S)
Exhibit A
Penick Avenue Extension drawings, Traffic Control Plan, sheets 29 and 30

RESOLUTION NO. 21-20

A RESOLUTION AUTHORIZING THE MODIFICATION OF CERTAIN TRAFFIC CONTROL SIGNAGE TO EXTEND THE NO PARKING ZONE ON COBBLESTONE DRIVE EAST OF ROCK CREEK DRIVE.

WHEREAS, the City is constructing a new public roadway that will extend Penick Avenue from its existing ending point to the intersection of Cobblestone Drive and Rock Creek Drive; and

WHEREAS, the new segment of roadway will include a concrete median island that will require parking to be prohibited east of Rock Creek Drive to the existing end of Cobblestone Drive and east across the full length of the new roadway to Penick Avenue.

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

SECTION 1. A No Parking Zone will be created on both sides of Cobblestone Drive from Rock Creek Drive east to the existing end of Cobblestone Drive.

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

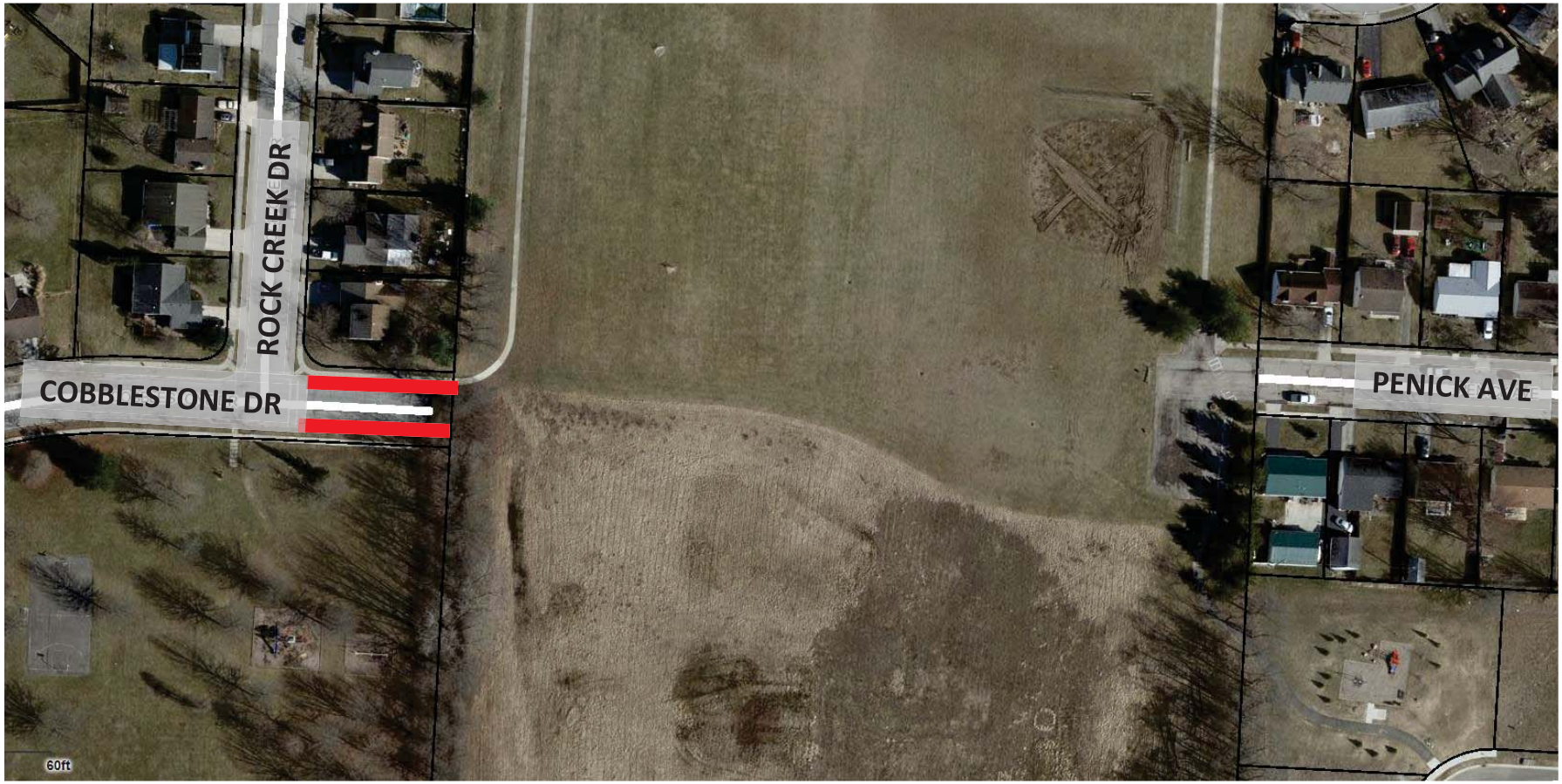
PASSED: _____, 2021 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

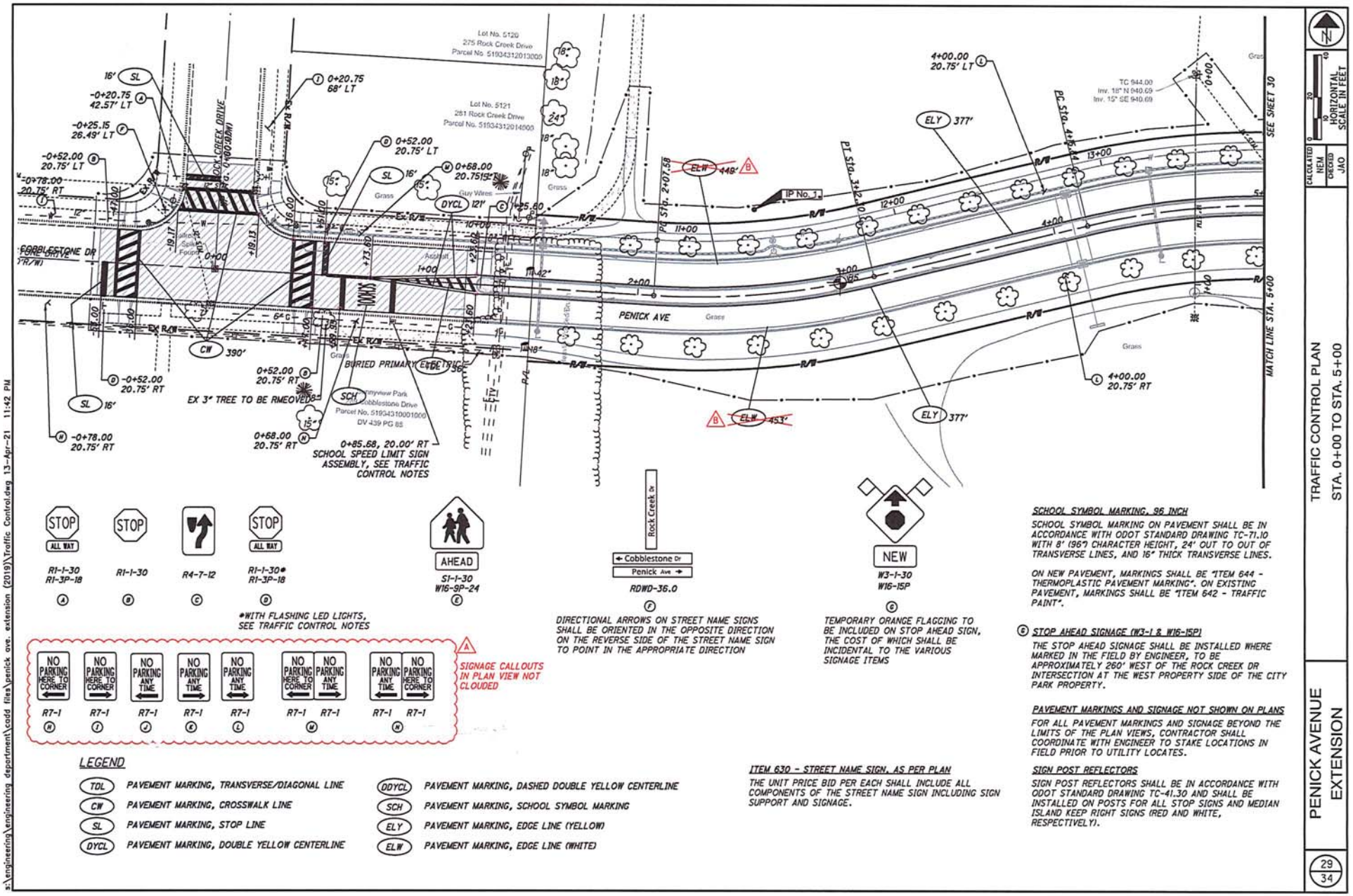
EXHIBIT A

PENICK AVENUE EXTENSION PROJECT

NO PARKING AREAS



New Parking Prohibitions Needed for Project



STOP
ALL WAY
R1-1-30
R1-3P-18
(A)

STOP
R1-1-30
(B)

R4-7-12
(C)

STOP
ALL WAY
R1-1-30*
R1-3P-18
(D)

*WITH FLASHING LED LIGHTS, SEE TRAFFIC CONTROL NOTES

AHEAD
S1-1-30
W16-9P-24
(E)

Rock Creek Dr
Cobblestone Dr
Penick Ave
RDWD-36.0
(F)

DIRECTIONAL ARROWS ON STREET NAME SIGNS SHALL BE ORIENTED IN THE OPPOSITE DIRECTION ON THE REVERSE SIDE OF THE STREET NAME SIGN TO POINT IN THE APPROPRIATE DIRECTION

NEW
W3-1-30
W16-15P
(G)

TEMPORARY ORANGE FLAGGING TO BE INCLUDED ON STOP AHEAD SIGN, THE COST OF WHICH SHALL BE INCIDENTAL TO THE VARIOUS SIGNAGE ITEMS

NO PARKING HERE TO CORNER — R7-1 (H)
NO PARKING HERE TO CORNER — R7-1 (I)
NO PARKING ANY TIME — R7-1 (J)
NO PARKING ANY TIME — R7-1 (K)
NO PARKING ANY TIME — R7-1 (L)
NO PARKING HERE TO CORNER / NO PARKING ANY TIME — R7-1 R7-1 (M)
NO PARKING ANY TIME / NO PARKING HERE TO CORNER — R7-1 R7-1 (N)

(A) SIGNAGE CALLOUTS IN PLAN VIEW NOT CLOUDED

LEGEND

- (TDL) PAVEMENT MARKING, TRANSVERSE/DIAGONAL LINE
- (CW) PAVEMENT MARKING, CROSSWALK LINE
- (SL) PAVEMENT MARKING, STOP LINE
- (DYCL) PAVEMENT MARKING, DOUBLE YELLOW CENTERLINE
- (DDYCL) PAVEMENT MARKING, DASHED DOUBLE YELLOW CENTERLINE
- (SCH) PAVEMENT MARKING, SCHOOL SYMBOL MARKING
- (ELY) PAVEMENT MARKING, EDGE LINE (YELLOW)
- (ELW) PAVEMENT MARKING, EDGE LINE (WHITE)

ITEM 630 - STREET NAME SIGN, AS PER PLAN

THE UNIT PRICE BID PER EACH SHALL INCLUDE ALL COMPONENTS OF THE STREET NAME SIGN INCLUDING SIGN SUPPORT AND SIGNAGE.

SCHOOL SYMBOL MARKING, 96 INCH

SCHOOL SYMBOL MARKING ON PAVEMENT SHALL BE IN ACCORDANCE WITH ODOT STANDARD DRAWING TC-71.10 WITH 8' (96") CHARACTER HEIGHT, 24' OUT TO OUT OF TRANSVERSE LINES, AND 16" THICK TRANSVERSE LINES.

ON NEW PAVEMENT, MARKINGS SHALL BE "ITEM 644 - THERMOPLASTIC PAVEMENT MARKING". ON EXISTING PAVEMENT, MARKINGS SHALL BE "ITEM 642 - TRAFFIC PAINT".

(G) STOP AHEAD SIGNAGE (W3-1 & W16-15P)

THE STOP AHEAD SIGNAGE SHALL BE INSTALLED WHERE MARKED IN THE FIELD BY ENGINEER, TO BE APPROXIMATELY 260' WEST OF THE ROCK CREEK DR INTERSECTION AT THE WEST PROPERTY SIDE OF THE CITY PARK PROPERTY.

PAVEMENT MARKINGS AND SIGNAGE NOT SHOWN ON PLANS

FOR ALL PAVEMENT MARKINGS AND SIGNAGE BEYOND THE LIMITS OF THE PLAN VIEWS, CONTRACTOR SHALL COORDINATE WITH ENGINEER TO STAKE LOCATIONS IN FIELD PRIOR TO UTILITY LOCATES.

SIGN POST REFLECTORS

SIGN POST REFLECTORS SHALL BE IN ACCORDANCE WITH ODOT STANDARD DRAWING TC-41.30 AND SHALL BE INSTALLED ON POSTS FOR ALL STOP SIGNS AND MEDIAN ISLAND KEEP RIGHT SIGNS (RED AND WHITE, RESPECTIVELY).

HORIZONTAL SCALE IN FEET
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CALCULATED NEM
CHECKED JAO

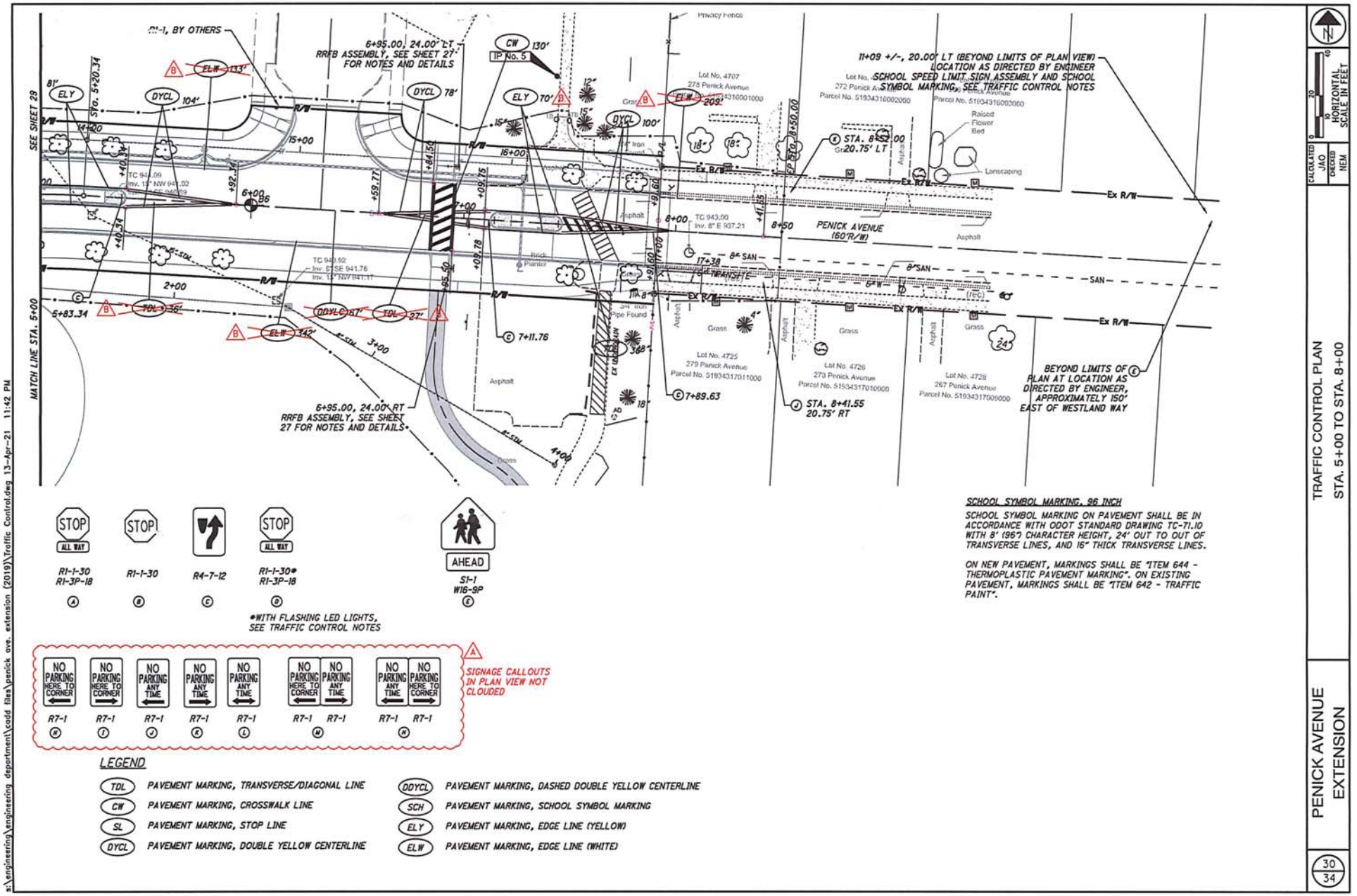
TRAFFIC CONTROL PLAN
STA. 0+00 TO STA. 5+00

PENICK AVENUE EXTENSION

29
34

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SCHOOL SYMBOL MARKING, 96 INCH

SCHOOL SYMBOL MARKING ON PAVEMENT SHALL BE IN ACCORDANCE WITH ODOT STANDARD DRAWING TC-71.10 WITH 8' 196"? CHARACTER HEIGHT, 24' OUT TO OUT OF TRANSVERSE LINES, AND 16" THICK TRANSVERSE LINES.

ON NEW PAVEMENT, MARKINGS SHALL BE "ITEM 644 - THERMOPLASTIC PAVEMENT MARKING". ON EXISTING PAVEMENT, MARKINGS SHALL BE "ITEM 642 - TRAFFIC PAINT".

LEGEND

TDL	PAVEMENT MARKING, TRANSVERSE/DIAGONAL LINE	DDYCL	PAVEMENT MARKING, DASHED DOUBLE YELLOW CENTERLINE
CW	PAVEMENT MARKING, CROSSWALK LINE	SCH	PAVEMENT MARKING, SCHOOL SYMBOL MARKING
SL	PAVEMENT MARKING, STOP LINE	ELY	PAVEMENT MARKING, EDGE LINE (YELLOW)
DYCL	PAVEMENT MARKING, DOUBLE YELLOW CENTERLINE	ELW	PAVEMENT MARKING, EDGE LINE (WHITE)

HORIZONTAL SCALE IN FEET
0 10 20 40
CALCULATED JAO
CHECKED NEM

TRAFFIC CONTROL PLAN
STA. 5+00 TO STA. 8+00

PENICK AVENUE EXTENSION

30
34

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AGENDA ITEM NO. A

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,Fire
ITEM TYPE:	Presentation
AGENDA SECTION:	**PRESENTATION**
SUBJECT:	Presentation on Strategic Plan for the Prehospital Care System - Fire Chief John Donahue
SUGGESTED ACTION:	
ATTACHMENTS:	

AGENDA ITEM NO. A

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 24, 2021

SUBMITTED BY: Elaine McCloskey

ITEM TYPE: Staff Reports

AGENDA SECTION: **CONSIDERATION OF LIQUOR PERMIT TRANSFER**

SUBJECT: To Migdadi Fuel Inc, DBA, Delaware Marathon, 473 South Sandusky Street, Delaware, Ohio 43015 from Philly Petroleum, LLC, DBA Delaware Marathon, 473 South Sandusky Street, Delaware, Ohio 43015. Permit Classes: C1, C2

SUGGESTED ACTION:

ATTACHMENTS:

Delaware Marathon - Migdadi Fuel.pdf

Migdadi Fuel Inc - Liquor Permit Report_05 13 2021.PDF

NOTICE TO LEGISLATIVE AUTHORITY

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

TO

5935150 PERMIT NUMBER	TRFO TYPE	MIGDADI FUEL INC DBA DELAWARE MARATHON 473 S SANDUSKY ST DELAWARE OH 43015
06 01 2020 ISSUE DATE		
04 23 2021 FILING DATE		
C1 C2 PERMIT CLASSES		
21 TAX DISTRICT / 022 / B / F25161 RECEIPT NO.		

FROM 04/27/2021

6904253 PERMIT NUMBER	TYPE	PHILLY PETROLEUM LLC DBA DELAWARE MARATHON 473 S SANDUSKY ST DELAWARE OH 43015
06 01 2020 ISSUE DATE		
04 23 2021 FILING DATE		
C1 C2 PERMIT CLASSES		
21 TAX DISTRICT / 022 / / RECEIPT NO.		

MAILED 04/27/2021 RESPONSES MUST BE POSTMARKED NO LATER THAN. 05/28/2021

IMPORTANT NOTICE

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

REFER TO THIS NUMBER IN ALL INQUIRIES B TRFO 5935150
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐
DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

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

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

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

Ohio | Department of Commerce

Division of Liquor Control

Mike DeWine, Governor
Jon Husted, Lt. Governor

Sheryl Maxfield, Director

Rev 2/10/2021

Dear Local Legislative Authority Official:

Please find enclosed the legislative notice that is being sent to you regarding the applied for liquor permit as captioned on the notice. You **must**, within 30 days from the "mailed" date listed on the notice under the bar code:

- Notify the Division whether you object and want a hearing or not; or
- Ask for your one-time only, 30-day extension.
  - Any requests for a one-time, 30-day extension will be reviewed by the Division upon timely receipt. If granted, your additional 30-days runs from the expiration of the original 30-day period.

To be considered **timely**, your above response **must** be:

FAXED to the Division no later than 30 days after the "mailed" date (this is the date listed after the "responses must be postmarked no later than." You can fax your response to: (614) 644 – 3166

EMAILED to the Division no later than 30 days after the "mailed" date (this is the date listed after the "responses must be postmarked no later than." You can email your response to: LiquorLicensingMailUnit@com.state.oh.us

POSTMARKED, if mailed, no later than the date listed on the notice after "responses must be postmarked no later than." You can mail your response to

Ohio Division of Liquor Control
Attn: Licensing Unit
6606 Tussing Road
PO Box 4005
Reynoldsburg, Ohio 43068-9005

In an effort to speed up processing times and reduce paper, the Division respectfully asks that you either fax or email the above notice. In a similar effort, please note that the Division is no longer sending ownership information with this legislative notice. If you want to know who owns the applied for permit you can find that information in two ways:

- Go to https://www.comapps.ohio.gov/liqr/liqr_apps/PermitLookup/PermitHolderOwnership.aspx and enter the permit number listed on the legislative notice; or

- Contact your police department or county sheriff, if you are a township fiscal officer or county clerk, as the Division sends the applicable law enforcement agency the pertinent ownership disclosure information when it notifies them of the permit application.

Delaware Police Department
Liquor Permit Report

DPD Report Number **L-21-004**		**Investigating Officer** Det. Chris Bates, #68	
Applicant (Primary Shareholder) Mohamad Ali Ayed Ibrahim		**Company Name:** **DBA: Migdadi Fuel Inc.**	
Common Name **Delaware Marathon**		**Address** 473 S. Sandusky St. Delaware, OH 43015	
Applicant Phone Number **614-619-4438**		**Applicant E-Mail Address:**	
☒ **Existing Business** ☐ **New Business** (Supplement Attached)	**Type of Business** **Gas Station/Convenience Store**	**Notification Type:** **Transfer**	**Date of Report** 4/30/2021

Permit Type

☒**C1/C2X** Beer only in original sealed container for carry out only. ☐**C2** Wine and mixed beverages in sealed containers for carry out.
☐**D1/D2X** Beer only for on premises consumption or in sealed containers for carry out. ☐**D2** Wine and mixed beverages for on premises consumption or in sealed containers for carryout. ☐**D4** Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am.
☐**D5** Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am. ☐**Other** D6

Location Information

Churches, Libraries and or schools within 500 feet ☐Yes ☒No		**School, church or library objection** ☐Yes (Supplement Attached) ☐No **Note:** Objections are only permitted for *new permits.*	
Police Calls for Service in past 12 months: 59		**Number of Police Reports in past 12 months: 3**	
Calls for Service *excluding calls not related to the business* in past 12 months: 16		**Location is excessive drain on Police Resources:** ☐Yes (Supplement Attached) ☒No	
Nuisance Abatement Pending	☐Yes ☒No	**Accessible by Law Enforcement**	☒Yes ☐No
Site compliance checked by Dept. of Commerce	☒Yes ☐	**Private Club (Restricted Access Door)**	☐Yes ☒No

Applicant Information

Records Checked ☐**Ohio Law Enforcement Gateway**		☒**Delaware Police Department Database**	
Applicant has an active warrant	☐Yes ☒No	**Record located for Liquor Law Violation**	☐Yes ☒No
Local Record on file	☐Yes ☒No	**Criminal History Checked by Dept. of Commerce**	☒Yes ☐No
Problem History with DPD ☐Yes (Supplement Attached) ☒ No		**Contact made with Applicant**	☒Yes ☐No

Determination on Objection

☒**The Delaware Police Department does not find a legislative basis for requesting a hearing to object to the issuance of a liquor permit for this business.**

☐**The Delaware Police Department recommends requesting a hearing into the issuance of a liquor permit for this business, due to one or more of the following criteria for objection as set forth by the Ohio Revised Code.**

- ☐Site does not conform to local building, safety and health codes (excluding zoning).
- ☐Law enforcement or state agents do not have ready access to the premises where alcoholic beverages are being served.
- ☐Physical location causes a public nuisance.
- ☐Site has been officially classified as a nuisance according to State Law.
- ☐Conviction of a crime by the applicant that relates to operating a liquor establishment.
- ☐Past improper operation of a location with a liquor permit.
- ☐Misrepresentation of material fact on the application.
- ☐Addiction of the applicant to alcohol or narcotics.
- ☐Formal objection by specific types of other locations to which the site is in certain proximity.
- ☐Conviction of the applicant of food stamp or WIC fraud.

(Supplement Attached)

Delaware Police Department
Liquor Permit Report

Supplement

Supplement Type
- ☐ New Business Description
- ☐ Police Department Objection
- ☐ Community Objection
- ☒ Other :

Mohamad Ibrahim is the current owner of the business at 473 S. Sandusky Street, dba Delaware Marathon. Ibrahim advised he purchased the gas station/convenience store in August 2020 from his business partner, Amarjit Takhar. Ibrahim purchased the convenience store under the business name, MIgdadi Fuel, Inc. He is now requesting the transfer of the liquor license. Ibrahim advised there would be no changes to the business. Takhar remains the owner of the land parcel at 473 S. Sandusky Street.

Ibrahim owns another gas station/convenience store located at 132 London Road (Shell gas station). While Ibrahim's London Road business has a significant amount of police activity and even complaints of narcotics activity, it is likely due to the business's location, rather than any business practices by the ownership. In the past, Ibrahim has been helpful with assisting in police matters involving the London Road Shell station and S. Sandusky Street Marathon. The Division of Liquor Control reports no issues with the Marathon station since its opening. DPD records, however, show a Shell (London Rd.) employee sold alcohol to an underage customer during a law enforcement operation on 10/30/18 (DPD Report #18-2049).

At this time, I see no reason the Delaware Police Department would object to the transfer.

Det. Bares #68 5/13/21
Investigating Officer Signature **Date**

Capt. Rowe 5/13/21
Supervisor Signature **Date**

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,Department of Administrative Services
ITEM TYPE:	Ordinances
AGENDA SECTION:	**THIRD READING OF ORDINANCE NO. 21-29**
SUBJECT:	An ordinance amending the Management, Professional, Technical, Confidential, and Supervisory Employees Pay Plan.

SUGGESTED ACTION:

ATTACHMENTS:

Fact Sheet 21-29, amend and add paramedics to mgt pay plan 20210426.pdf
ord 21-04 amend ppt and seasonal employees.pdf
REVISED 2021 Management Pay Plan 20210524.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 9 | DATE: 05/24/2021

ORDINANCE NO: 21-29 | RESOLUTION NO:

READING: THIRD | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Jessica Feller, Human Resource Manager

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE AMENDING THE MANAGEMENT, PROFESSIONAL, TECHNICAL, CONFIDENTIAL, AND SUPERVISORY EMPLOYEES PAY PLAN.

BACKGROUND:
This ordinance amends the Safety Forces Pay Plan (Sec. 1.03) of the Management Pay Plan to provide a pay schedule for Paramedic and Paramedic Lieutenant positions as part of the City's Paramedicine program. These positions are not recognized under the local IAFF bargaining unit and therefore, must be added to the Management, Professional, Technical, Confidential, and Supervisory Employees pay plan.

REASON WHY LEGISLATION IS NEEDED:
Legislation is necessary to compensate Paramedic and Paramedic Lieutenant employees.

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):
No impact as the positions are reflected in the 2021 budget. These positions were already budgeted in the current fiscal year.

POLICY CHANGES:

N/A

PRESENTER(S):
Jessica Feller, Human Resource Manager
John Donahue, Fire Chief

RECOMMENDATION:
Approval at third reading

ATTACHMENT(S)
Amended Pay Plan

ORDINANCE NO. 21-04

AN ORDINANCE AMENDING ORDINANCE NO. 20-73 ESTABLISHING THE PAY AND BENEFITS FOR VARIOUS PART-TIME AND INTERMITTENT, AND SEASONAL EMPLOYEES OF THE CITY OF DELAWARE AND DECLARING AN EMERGENCY.

WHEREAS, the City hires various part-time, intermittent/seasonal employees that can be divided into two classifications, to wit: permanent part-time and intermittent seasonal; and

WHEREAS, Section 155.09, Appointment Status, of the Codified Ordinances of the City of Delaware defines part-time employment, and Ordinance No. 18-111 established pay and benefits for various part-time employees of the City; and

WHEREAS, it is necessary to clarify the wages and benefits for each classification of part-time and intermittent/seasonal employees.

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

SECTION 1. Ordinance No. 20-73 is hereby amended to read as follows:

A. Effective **FEBRUARY 9, 2021** permanent part-time employees shall receive the following wages and benefits:

1. Wages. Permanent part-time employees shall be paid on an hourly basis in accordance with the following table:

Pay Grade	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
PT 1	10.00	10.40	10.82	11.25	11.70
PT2	12.00	12.48	12.98	13.50	14.04
PT3	14.79	15.36	16.00	16.64	17.28
PT4	15.55	16.17	16.77	17.49	18.19
PT5	17.91	18.63	19.38	20.16	20.96
PT6	20.75	21.40	22.05	22.74	23.41
PT7	23.70	24.40	25.05	25.81	26.57

PAY GRADE	POSITION
PT 1	Facility Maintenance Technician I
PT 2	Recreation Center Attendant
PT 3	Support Services Aide, Parking Control Officer
PT 4	Facility Maintenance Technician II Clerical Specialist, Records Clerk, Help-Desk Technician

PT 5.....Paralegal, Laborer
PT 6.....Vacant
PT 7.....Human Resource Coordinator

For permanent part-time positions not listed above, the wages shall be the entry-level pay rate reflected in the applicable pay plan for the equivalent permanent full-time position or a pay rate established by the city manager.

2. Benefits. Benefits for permanent part-time are as follows:
   (a) Employees will accrue Universal Leave on a prorated basis of 4.6 hours for every eighty hours worked in a pay period.
   (b) Upon termination of employment with the City, employees will not receive pay-out for any leave accumulated.
   (c) If an employee becomes full time with the City, any accumulated Universal Leave will be added to the employee's sick leave balance.
   (d) Employees are eligible for holiday pay if they work a major holiday which includes the following: Christmas, Labor Day, Memorial Day, July 4, New Year's Day and Thanksgiving. Holiday Pay is defined as one- and one-half times the employee's regular hourly rate.
   (e) Permanent part-time employees will work fewer than 30 hours in any work week.
   (f) The employee shall be responsible for payment of the employee contribution for the State of Ohio Retirement System.
   (g) Employees shall receive a Parks and Recreation Credit to be applied to a Jack Florance Pool membership, City Golf Course membership or punch-card, or City rentals (shelters or Hilborn Room). The amount of the credit shall be $60.00. Employees shall abide by the stipulations set forth by the managing organization both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. Employees will also receive a 20% discount on all individual registrations for City recreation programs. Credits may not be used to purchase memberships or to secure rentals beyond the calendar year for which it is issued. Credits will not be re-issued if lost or stolen and must be surrendered at the time of registration/purchase. Credits are non-transferrable.

B. Effective December 23, 2020 permanent part-time firefighters shall be paid on an hourly basis in accordance with the following table:

PAY GRADE	POSITION	WAGE PER HOUR
PTFF1	Firefighter/EMT	14.07
PTFF2	Firefighter/Paramedic	16.23

1. Benefits. Benefits for permanent part-time firefighters are as follows:

(a) Employees will accrue universal leave on a prorated basis of 3 hours for every forty-eight hours worked in a pay period.
(b) Upon termination of employment with the city, employees will not receive pay-out for any leave accumulated.
(c) If an employee becomes full time with the city, any accumulated universal leave will be added to the employee's sick leave balance.
(d) Employees are eligible for holiday pay if they work a major holiday which includes the following: Christmas, Labor Day, Memorial Day, July 4, New Year's Day and Thanksgiving. Holiday pay is defined as one- and one-half times the employee's regular hourly rate.
(e) The City will provide $10,000 of life insurance.
(f) Permanent part-time firefighters may not exceed 1500 hours worked in a calendar year.
(g) Overtime shall be compensated at straight time rates for all hours in paid status, except that all hours in paid status in excess of 212 hours in any 28 day pay cycle shall be compensated for a rate of time and one half.
(h) The employee will be responsible for payment of the employee contribution to their pension system.
(g) Employees shall receive a Parks and Recreation Credit to be applied to a Jack Florance Pool membership, City Golf Course membership or punch-card, or City rentals (shelters or Hilborn Room). The amount of the credit shall be $60.00. Employees shall abide by the stipulations set forth by the managing organization both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. Employees will also receive a 20% discount on all individual registrations for City recreation programs. Credits may not be used to purchase memberships or to secure rentals beyond the calendar year for which it is issued. Credits will not be re-issued if lost or stolen and must be surrendered at the time of registration/purchase. Credits are non-transferrable.

C. Effective **FEBRUARY 9, 2021** intermittent part-time/seasonal employees shall receive the following wages and benefits:

1. Wages. Intermittent part-time/seasonal employees shall be paid on an hourly basis in accordance with the following table:

1. Wages. Intermittent part-time/seasonal employees shall be paid on an hourly basis in accordance with the following table:

Pay Grade	Position	Step 1	Step 2	Step 3
SL1	Cashier	$ 10.00	$ 10.50	$ 11.00
SL2	Lifeguard	$ 10.50	$ 11.00	$ 11.50
SL3	Laborer, Recreation Coordinator	$ 12.21	$ 13.27	$ 14.33
SL4	Intern	$ 12.21	$ 14.33	$ 16.45
SL5	Pool or Clubhouse Manager	$ 14.85	$ 15.91	$ 16.97

For intermittent/seasonal positions not listed above, the wages shall be the entry-level pay rate reflected in the applicable pay plan for the equivalent permanent full-time position or a pay rate established by the City Manager.

2. Benefits. Intermittent /seasonal employees are not eligible for benefits, except the following:

(a) The employee shall be responsible for payment of the employee contribution for the State of Ohio Retirement System.

SECTION 2. Existing Ordinance No. 20-73 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. EMERGENCY CLAUSE. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City. The emergency clause is required to enact the changes effective on **FEBRUARY 9, 2021** and legislation is necessary in order to recruit for these positions and to process payroll changes. Therefore this Ordinance shall be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION: YEAS 7 NAYS 0
ABSTAIN 0

VOTE ON EMERGENCY CLAUSE: YEAS 7 NAYS 0
ABSTAIN 0

PASSED: February 8, 2021 YEAS 7 NAYS 0
ABSTAIN 0

ATTEST: Elaine McCloskey
CITY CLERK

MAYOR

EST 1808
CITY OF
DELAWARE
OHIO

THE CITY OF DELAWARE 2021 SUMMARY OF BENEFITS

Professional, Confidential, Supervisory and Non-Union Employees

Revised 5/24/2021

Contents

Article I. WAGES AND PAY PLAN 2
Section 1.01 Non- Union Employee Pay Plan 2
Section 1.02 Department Head Pay Plan 4
Section 1.03 Safety Forces Pay Plan 4
Section 1.04 Overtime Pay and Compensatory Time: Non-Exempt Employees 7
Section 1.05 Compensatory Time: Exempt Employees 8
Article II. ACCRUED TIME AND VARIOUS LEAVES 9
Section 2.01 Vacation 9
Section 2.02 Sick Leave 11
Section 2.03 Holiday and Personal Days 14
Section 2.04 Funeral Leave 15
Section 2.05 Special Leave 16
Section 2.06 Jury Duty Leave 16
Section 2.07 Court Leave 16
Section 2.08 Injury Leave 16
Article III. Insurance 18
Section 3.01 Hospitalization, Surgical and Major Medical 18
Section 3.02 Prescription Plan 20
Section 3.03 Dental Care Plan 20
Section 3.04 Life Insurance 20
Section 3.05 Vision Plan 20
Article IV. Other Compensation 21
Section 4.01 Longevity Compensation 21
Section 4.02 Automobile Expense Reimbursement 21
Section 4.03 Non-Uniformed Clothing Allowance 21
Section 4.04 Call In Pay 22
Section 4.05 Tuition Reimbursement 22
Article V. Miscellaneous 23
Section 5.01 Personnel Files 23
Section 5.02 Parks and Recreation Credit 24

Article I. WAGES AND PAY PLAN

Section 1.01 Non- Union Employee Pay Plan

(a) The following pay schedule is to be effective December 23, 2020 and the table below reflects a 3% increase for each step. Step increase shall take effect the first full pay period following the employee's anniversary date.

Pay Grade	Position
[1]**M1**	Administrative Assistant, Police Administrative Aide, Help Desk Support Technician
M2	Airport Technician, Police Assistant
M3	Economic Development Communications Specialist, Communications Specialist, Service Coordinator, Data and Video Technician
M4	Cemetery Manager, Financial Specialist I, Arborist
M5	GIS/CMMS Technician, Administrative Services Specialist, Right-of-Way Inspector, Zoning Technician, Golf Course Supervisor, Watershed Coordinator, Technical Support Specialist
M6	Police Technician
M7	Code Enforcement Officer I, Customer Service Liaison, Facility Maintenance Supervisor
M8	Engineering Technician, Airport Operations Supervisor, Division Supervisor, Financial Specialist II, Executive Assistant, Code Enforcement Officer II, Project Manager I, Collections Manager, Construction Inspector, Economic Development Coordinator, GIS/CMMS Analyst
M9	Assistant City Attorney/Prosecutor, Building Inspector I
M10	Development Planner, Recreation Program Superintendent
M11	No current position
M12	GIS Coordinator, Project Manager II, Airport Manager, Construction Inspection Manager, Budget and Management Analyst, Fleet Maintenance Supervisor
M13	Building Inspector II
M14	Information Systems & Network Administrator, Human Resource Manager, Assistant Prosecutor, Application System Specialist
M15	Project Engineer I, Assistant Water Manager, Parks Superintendent
M16	No current position
M17	Public Works Superintendent, Accountant, Zoning Administrator, Water Manager, Wastewater Manager, Community Affairs Coordinator, Project Engineer II, Income Tax Administrator, Utilities Field Superintendent
M18	Project Engineer III, Deputy Director
M19	Deputy City Engineer
M20	No current position

[1] Per Amendment to Ordinance No. 18-112 (December 20, 2018) Clerk of Council (M1) removed from Management Pay Plan effective January 15, 2019.

Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5
M1	20.01	20.79	21.52	22.51	23.38
M2	20.58	21.81	22.26	23.20	24.09
M3	21.61	22.48	23.38	24.33	25.30
M4	22.48	23.37	24.32	25.33	26.31
M5	23.64	24.67	26.13	27.11	27.92
M6	24.60	25.73	27.15	28.18	29.05
M7	25.54	26.77	28.23	29.28	30.21
M8	26.97	28.12	29.24	30.48	31.77
M9	28.07	29.22	30.42	31.70	33.03
M10	29.19	30.40	31.67	32.99	34.38
M11	30.35	31.56	32.97	34.28	35.70
M12	31.60	32.87	34.25	35.65	37.16
M13	32.85	34.18	35.63	37.10	38.66
M14	34.11	35.57	37.05	38.58	40.21
M15	35.47	37.00	38.54	40.13	41.77
M16	36.94	38.46	40.07	41.73	43.44
M17	38.42	39.97	41.73	43.38	45.22
M18	39.91	41.58	43.38	45.16	47.03
M19	41.54	43.26	45.12	46.94	48.87
M20	43.19	44.95	46.94	48.82	50.84

Section 1.02 Department Head Pay Plan

(a) The following pay schedule for the positions below is to be effective December 23, 2020 and reflects a 3% increase to each range.

Pay Grade					
DH III			**Range**		
	Justin Nahvi	Finance Director	$111,804.43	to	$156,526.20
	Natalia Harris	City Attorney			
	Bruce Pijanowski	Police Chief			
	John Donahue	Fire Chief			
DH II			$93,170.36	to	$130,437.74
	Bill Ferrigno	Public Works Director/City Engineer			
	David Efland	Planning & Development Director			
	Susie Dailey	Chief Information Officer			
	Vacant	Assistant Fire Chief			
	Vacant	Assistant Police Chief			
	Blake Jordan	Public Utilities Director			
	Kyle Kridler	Assistant City Manager			
DH I			$77,641.97	to	$108,698.75
	Jerry Warner	Chief Building Official			
	Sean Hughes	Economic Development Director			
	Ted Miller	Parks & Natural Resources Director			
	Vacant	Chief Prosecutor			
	Lee Yoakum	Community Affairs Coordinator			

Section 1.03 Safety Forces Pay Plan

(a) Police Captain Wages

The following pay schedule for the position(s) below is to be effective December 23, 2020 and reflects a 3% increase for each step.

Pay Grade	STEP 1		STEP 2		STEP 3	
	Hourly	Annual	Hourly	Annual	Hourly	Annual
SF1	51.75	$107,634.18	53.68	$111,661.89	55.63	$115,711.02
PAY GRADE		**POSITION**				
SF1		Police Captain				

1) *Maximum Vacation Accrual*

If an employee enters into the Management Pay Plan with more than the maximum accrual of vacation hours allowed, the following will occur: 1. the employee may request a pay out to take the current level below the maximum allowed of, 2. the current accrual will be "frozen" as a maximum cap for the calendar year.

2) *Initial Compensatory Time*

Prior to entering the Management Pay Plan all compensatory time will be paid out according to the provision in the respective bargaining contract and the employee compensation time will be zero (0).

3) *Clothing Maintenance Allowance*

The positions of Police Chief and Police Captain shall receive an annual clothing maintenance allowance of three hundred and forty dollars ($340) in January of each year.

4) *Uniforms Allowance*

The Management Pay Plan positions in the Police and Fire Departments will receive replacement uniform items when determined by the Chief that replacement is necessary.

(b) Fire Captain Wages

The following pay schedule is to be effective December 26, 2018. The table below reflects the contractual equivalent increase for each step. Step increase shall take effect the first full pay period following the employee's anniversary date.

Pay Grade	STEP 1		STEP 2		STEP 3	
	Hourly	Annual	Hourly	Annual	Hourly	Annual
SF2	per contract		per contract		per contract	
PAY GRADE		**POSITION**				
SF2		Fire Captain				

1) *Fire Captain Provision*

Wages and associated benefits for the 40-hour/week Management Fire Captain are identical to those provided to equivalent bargaining unit position. Position is considered overtime eligible. Additionally, incumbent will receive 5% out-of-class pay (based on wage rate and does not include shift premium) when serving as Acting Chief.

(c) Paramedic Wages

The following pay schedule is to be effective May 24, 2021. Wages for the Paramedic and Paramedic Lieutenant positions are defined below. The associated benefits and application of the wage table is consistent with the IAFF bargaining unit positions.

Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5
PARA	10% below IAFF Contract annual rate for Firefighter/ Paramedic	10% below IAFF Contract annual rate for Firefighter/ Paramedic	10% below IAFF Contract annual rate for Firefighter/ Paramedic	10% below IAFF Contract annual rate for Firefighter/ Paramedic	10% below IAFF Contract annual rate for Firefighter/ Paramedic
PARALT	10% below IAFF Contract annual rate for Firefighter Lieutenant	10% below IAFF Contract annual rate for Firefighter Lieutenant	10% below IAFF Contract annual rate for Firefighter Lieutenant	N/A	N/A

Pay Grade PARA refers to employees hired for paramedic positions (Mobile Integrated Health Care Technician and Advanced Practice Specialist) and PARALT refers to employees hired for Paramedic Lieutenant in the Fire Department.

Section 1.04 Overtime Pay & Compensatory Time: Non-Exempt Employees

(a) For employees who are entitled to overtime pay or compensatory time off under the provisions of the Fair Labor Standard Act they shall be entitled to overtime pay or compensatory time as described below:

1) Employees shall be compensated at straight-time rates for all hours in active pay status, except that all hours in paid status in excess of forty (40) hours in any workweek shall be compensated for at a rate of time and one-half. Payment in cash shall be made for any overtime due at the time of separation from City service.

2) In lieu of cash payment, the employee may request to be compensated for overtime by compensatory time off in accordance with the law. Such compensatory time off shall be equal to one and one-half (1.5) hours for each hour of overtime compensation to which the employee is entitled. All requests for use of compensatory time are subject to approval of the department head. Compensatory time shall be taken at a time mutually agreeable to the supervisor and the employee.

3) Employees can accumulate up to eighty (80) hours of compensatory time. When an employee has eighty (80) hours of accumulated compensatory time, all further overtime will be paid in cash.

4) At no time shall compensatory time be converted to any other form of leave or compensation; except when an employee separates from City service. Upon termination of employment, a non-exempt employee shall be paid for unused compensatory time provided that the time was earned after April 14, 1986 at a rate of compensation not less than:

    1. The average regular rate (hourly rate) received by such employee during the last 3 years of the employee's employment, or

    2. The final regular rate (hourly rate) received by such employee, whichever is higher.

5) Compensatory time shall be submitted on the regular payroll sheet detailing the time earned and taken.

Section 1.02 Compensatory Time: Exempt Employees

(a) Employees exempt under the Fair Labor Standard Act shall not be entitled to overtime pay but shall be entitled to compensatory time as described below:

1) No existing compensatory time balances will be carried over from an outside position or when the employee transfers in the Management Pay Plan
2) Compensatory time shall be earned for approved work that exceeds eight (8) hours per day and such employees may receive said compensatory time at the rate of one (1) hour for each hour worked in excess of eight (8) hours per day.
3) The maximum accrual of compensatory time shall be eighty (80) hours.
4) Compensatory time must be used in minimum increments of one (1) hour and maximum increments of twenty four (24) hours per pay period.
5) At no time shall compensatory time be converted to any other form of leave of compensation. Upon termination of employment, an exempt employee is not entitled to payment for unused compensatory time.
6) Compensatory time shall be submitted on the regular payroll sheet detailing the time earned and taken.

Article II. ACCRUED TIME AND VARIOUS LEAVES

Section 2.01 Vacation

(a) The vacation year for employees shall end at close of business on the last pay period that ends in the month of December.

(b) Each full-time employee shall accrue vacation leave by pay period at the annual rate of work hours based on years of full-time total service which is established in the schedules contained in Section 3 of this article. Years of total full-time service is defined to be the total of all periods of employment for the City of Delaware. Any period of interruption of service due to resignation, layoff, disciplinary suspension, or discharge for cause, will not be included in the computation of total service. Time not in paid status, excepting military leave, shall also be excluded in computing total service. In computing years of service, the higher rate of accrual will be on the first day of the first pay period in which a year of service is completed.

(c) The following vacation accrual schedules are established:

Years of Total Service	Vacation Hrs./Year	Vacation Hrs./Pay
Start through 5 years	80.6	3.1
6 through 10 years	119.6	4.6
11 through 15 years	161.20	6.2
16 plus years	200.2	7.7

(d) Any vacation balance in excess of the maximum accrual shall become void as of the close of business on the last day of the pay period that ends in the month of December.

Years of Total Service	Maximum Accrual of Vacation Hours
Start through 5 years	241.8
6 through 10 years	358.8
11 through 15 years	483.6
16 plus years	600.6

(e) Eligibility

1) To be eligible for biweekly (pay period) vacation accumulation, an employee must be in paid status for a minimum of 72 hours within that pay period; except that when an employee is required to report for work and does so report and is denied work because of circumstances beyond their control, absence from work for the balance of that day shall not be construed as unpaid work status.
2) An employee in full-time status who is to be separated from City service through discharge, resignation, retirement or layoff, and who has unused vacation leave to their credit, shall be paid in a lump sum for such unused vacation leave in lieu of granting a vacation leave after his last day of active service with the City. Such payment shall be paid at the employee's hourly rate of pay at time of separation.
3) When a member dies while in paid status in the City service, any unused vacation leave to their credit shall be paid in a lump sum to the surviving spouse, or such other person the employee may have designated in writing.
4) Requests for vacation are to be submitted and approved, in advance of the intended use, by employee's supervisor or department head.
5) To be eligible to transfer years of service for determination of vacation benefits to the City of Delaware from prior employment **inside the state of Ohio:**
    i. Employees will only be eligible to transfer years of service from a public agency as defined by State law.
    ii. The amount of years of service that can be transferred is unlimited.
    iii. Prior employment must be in full-time status
6) To be eligible to transfer years of service for determination of vacation benefits to the City of Delaware from prior employment **outside the State of Ohio:**
    i. Employees will only be eligible to transfer years of service from their immediate previous employer.
    ii. Said previous employer must be a public agency.
    iii. Employment with the City of Delaware must take place within twelve months of termination from their immediate previous employer.
    iv. The maximum amount of years of service that can be transferred is five (5) years.
    v. Present employees are not eligible.
    vi. Prior employment must be in full-time status.
7) An employee may elect to trade three (3) weeks of vacation time, or the equivalent of vacation time earned in one year, whichever is greater, for equivalent pay during the calendar year. Conversion of vacation time may occur for pay periods ending in the months of January, June, or December of each year. For 2021, these dates are as follows:

Pay period ending	Pay date
January 5, 2021	January 12, 2021
January 19, 2021	January 26, 2021
June 8, 2021	June 15, 2021
June 22, 2021	June 29, 2021
December 7, 2021	December 14, 2021
December 21, 2021	December 28, 2021

An employee must inform the Department Head prior to August 1 of the year preceding the calendar year in which he intends to make the trade and must maintain at least forty (40) hours of vacation time in the employee's account after said trade takes place. Exceptions may be granted by the authority of the city manager.

Section 2.02 Sick Leave

(a) Each city employee shall be entitled to sick leave with pay for four and six-tenths (4.6) hours of each completed (80) hours of service. An employee may use sick leave, upon approval of his or her Department Head, for absence due to personal illness, pregnancy, injury, or exposure to contagious disease which could be communicated to other employees, and for illness or injury of the employee's spouse, dependent children, step-children or parent. It is the option of a supervisor, with cause, to require return to work documentation from the employee.

(b) To be eligible for sick leave incentive, an employee must be on the first payroll of the calendar year and remain employed through the last payroll period of the calendar year. Sick leave incentive is awarded the first pay in February following the completed calendar year. If an employee used 0 hours of sick leave in any one calendar year, that employee shall be credited with an additional three (3) vacation days the following year. If an employee uses between one (1) and eight (8) hours of sick leave in any one calendar year that employee shall be credited with an additional two (2) vacation days the following year. If an employee uses between nine (9) and sixteen (16) hours of sick leave in any one calendar year that member shall be credited with one (1) additional vacation day the following year. To be eligible for this incentive, an employee must be active for the first pay period of the calendar year through the last pay period of the calendar year. At the employee's option, any additional vacation days earned can be converted to pay for pay periods ending in the months of January, June, or December of the year the additional vacation is earned. For 2021, these dates are as follows:

Pay period ending	**Pay date**
January 5, 2021	January 12, 2021
January 19, 2021	January 26, 2021
June 8, 2021	June 15, 2021
June 22, 2021	June 29, 2021
December 7, 2021	December 14, 2021
December 21, 2021	December 28, 2021

(c) To be eligible to transfer sick leave to the City of Delaware from prior employment <u>inside the state of Ohio</u>:

1) Employees will only be eligible to transfer sick leave from a public agency as defined by the State of Ohio.
2) Employment with the City of Delaware must take place within ten (10) years of termination from their previous employer.
3) The maximum amount of sick leave hours that be transferred is unlimited as long as it is accrued at a rate of no greater than 15 days per year.

(d) To be eligible to transfer sick leave of the City of Delaware from prior employment <u>outside the state of Ohio</u>:

1) Employees will only be eligible to transfer sick leave from their immediate previous employer.
2) Said previous employer must be a public agency.
3) Employment with the City of Delaware must take place within twelve (12) months of termination from their immediate previous employer.
4) The maximum amount of sick leave hours that can be transferred is six hundred (600).

5) Any sick leave time so transferred shall have been accumulated at the rate of one and one-fourth days per month of employment.

6) Present employees are not eligible.

(e) Any City employee who has accumulated at least 100 days of sick leave credit may convert any excess thereof up to fifteen (15) days per year of sick leave to vacation leave on the basis two (2) sick leave days for one (1) day vacation leave. Such annual conversion, if made, shall occur in December for the year of conversion.

(f) Any employee separated from City service for other than just cause shall be paid for all accumulated and unused sick leave on the basis of one (1) hour of pay for every two (2) hours of unused sick leave. Total sick leave pay out cannot exceed sixteen (16) weeks pay (640 hours).

(g) For Employees Hired After November 1, 2013

1) Each member hired by the City of Delaware after November 1, 2013 may transfer accrued sick leave hours from previous employment with any public agency once they have completed their probationary period. Such sick leave hours will not be eligible for conversion or payment upon separation pursuant to section 5. In addition, sick leave usage by members who transfer in sick leave hours will first be charged to sick leave hours accumulated while employed by the City of Delaware. Members will only be eligible to utilize hours transferred in from prior public employment when they have no balance of sick leave available from sick leave accrued while employed by the City of Delaware.

Section 2.03 Holiday and Personal Days

(a) The following are designated as paid holidays for covered employees:

New Year's Day, January 1	Little Brown Jug Day, ½ day
Martin Luther King Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving Day
Independence Day, July 4	Day before Christmas, ½ day
Labor Day	Christmas Day, December 25

(b) If one of the holidays set forth above occurs while an employee is on vacation leave, such day shall not be charged against his/her vacation leave.

(c) In the event that the Federal Government designates a specific day for any of the aforesaid holidays, then such holiday shall be observed by the City in accordance with such federal designation. When any such holidays falls on a Saturday it shall be observed on the Friday immediately preceding, and when any such holiday falls on a Sunday, it shall be observed on the Monday immediately following, provided that the employee works their last regularly scheduled work day preceding the following the holiday.

(d) Employees who work a non-traditional workweek and their work schedule includes both the observed holiday and actual holiday will only receive holiday pay on the observed date of the holiday.

(e) For each of the holidays specified in Section 1 of this article on which a FLSA non-exempt employee works, they shall be entitled to holiday compensation equal to double the employee's regular rate of pay, except that the employee shall be entitled to holiday compensation at two and one-half times the employee's regular rate of pay if they work on any of the following holidays: New Year's Day, Memorial Day, Independent Day, Labor Day, Thanksgiving Day, Christmas Day. Only eight (8) hours per day will be used when computing the holiday rate. Compensation for holidays may be in the form of cash or compensatory time off.

(f) Employees shall be credited 32 hours of personal leave a year, except for new hires who shall receive a prorated amount based on hire date. Use of holiday compensatory time or personal days shall be at the employee's discretion with the approval of the employee's supervisor or department head. When an employee separates city service, they will be paid for any remaining personal leave.

(g) All employees will be permitted to accumulate three (3) years' worth of holiday compensatory time and personal leave. Once an employee accumulates the maximum allowable number of personal leave/holiday compensatory time then future personal leave/holiday compensatory time will be compensated for in cash, at the time they are earned. An employee may elect to cash in up to one year's worth of personal leave each year (32 hours) for pay periods ending in the months of January, June, or December each year. An employee must inform his or her Department Head prior to August 1 of the year preceding the calendar year in which they intend to make the trade. For 2021, the dates are as follows:

Pay Period Ending	**Pay Date**
January 5, 2021	January 12, 2021
January 19, 2021	January 26, 2021
June 8, 2021	June 15, 2021
June 22, 2021	June 29, 2021
December 7, 2021	December 14, 2021
December 21, 2021	December 28, 2021

(h) In the event that an office remains open on a designated paid holiday, all affected staff may take the corresponding time off for that holiday on another date, upon prior approval of their supervisor and/or department director.

Section 2.04 Funeral Leave

(a) Each covered employee shall be entitled to funeral leave with pay according to the following schedule:

Leave for Death of:	**Days/Hours of Leave**	
	Local Funeral	**Other Funeral**
Immediate Family Member	1 – 3 Days	1 – 5 Days
Other Relative	May Use Up to One Scheduled Work Day of Accrued Leave	May Use Between 1 – 3 Scheduled Work Days of Accrued Leave

1) One work day/shift is automatic for the day of the funeral, but additional time up to the maximum shall be given only with approval of the Department Head.
2) All leave time with approval of the Department Head.

(b) For the purposes of this section, "Immediate Family Member" means spouse, child, brother, sister, parents, step-child, step-brother, step-sister and step-parents, grandparents, grandchildren, sister-in-law, brother-in-law, and parents-in-law.

(c) For the purposes of the article, "Local Funeral" means a funeral in the City of Delaware, or within fifty (50) miles thereof.

Section 2.05 Special Leave

(a) In additional to other leaves authorized herein, the City Manager may authorize a special leave of absence, with or without pay, for purposes beneficial to the employee and/or the City.

(b) For exempt employees who are absent, if the absence cannot be covered or paid through appropriate leave time, said employees shall be subject to a reduction in pay, unless the absence is less than one workday.

Section 2.06 Jury Duty Leave

(a) An employee, while serving on a jury in any court of record in Delaware County, or any adjoining county, will be paid his regular salary for each of his workdays during the period of time so served. Time so served shall be deemed active and continuous service for all purposes. All jury fees received from the court of record shall be assigned to the City of Delaware.

(b) When an employee has been released from Jury Duty they shall report back to work if more than two (2) hours are left in the workday.

Section 2.07 Court Leave

(a) Time off with pay shall be allowed employees who are subpoenaed to attend any court of record in Delaware County, Delaware, Ohio or any adjoining county, as a witness in civil matters, as they pertain to City matters. All witness fees shall be assigned to the City of Delaware.

Section 2.08 Injury Leave

(a) All regular full-time City employees shall be entitled to injury leave with pay, less any Worker's Compensation weekly salary benefits which he/she may be awarded by the Ohio Industrial Commission (OIC), for a period not to exceed 30 consecutive working days for employees working a 40-hour workweek for each injury incurred in the performance of employment duties with the City, provided that the following procedures are followed:

1) In all cases of personal injury to any regular full-time City employee as a result of the performance of employment duties, the employee shall complete an accident/injury investigation form and in conjunction with his/her Department Head shall report such injury to the Department of Administrative Services immediately and ensure that a claim is filed with the BWC.

2) In the event that time off from work is required by the injured employee, they will be granted injury leave from the first day of injury, if the proper documentation is submitted to the City of Delaware. This documentation will include, but not be limited to, a statement from the employee's physician, an Agreement covering Compensation Reimbursement, any necessary BWC forms and other documents as may be required by the City. In the event that the BWC determines that the injury is NOT employment related, any time the employee is, or has been, absent from work shall be deducted first from any accrued sick leave, then accrued vacation, or accrued compensatory time off, other than compensatory time for overtime worked.
3) During the period of time an injured employee is being paid under this policy, all normal benefits given to regular full-time City employees shall remain in force with no deductions to earned sick leave and/or vacation time.
4) In all cases where more than 30 consecutive working days are needed for injury leave for employees working a 40-hour workweek, the City Manager may extend such leave, if such necessity is determined to his/her satisfaction. Each employee requesting such an extension under this policy may be required to furnish a current affidavit from a licensed physician setting forth the need for the extension.

Article III. Insurance

Section 3.01 Hospitalization, Surgical and Major Medical

(a) The City will continue to provide comprehensive hospitalization, surgical and major medical coverage for all full-time members and their dependents. Beginning January 1, 1999, or at some date thereafter, the City may implement a Preferred Provider Organization (PPO). The Plan if implemented will provide for the following deductibles and co-payments as follows:

	Network Providers	**Non-Network Providers**
Annual Deductible Single **Family**	None None	$500.00 $1000.00
Office Visit Co-pay	$10.00	N/A
ER Visit Co-pay	$50.00 unless admitted into the hospital, otherwise co-insurance will apply in excess of the deductible	N/A
Co-insurance Single **Family**	90/10% of first $1,000 80/20% of next $3,000 90/10% of first $2,000 80/20% of next $5,000	50/50% of first $5,000 50/50% of first $5,000

1) Contributions will be deducted from the member's gross income prior to taxes, subject to compliance with all applicable tax regulations.

2) Effective January 1, 2013 employees will contribute to the cost of the health benefit plan in an amount equal to the 15% of the established monthly COBRA rate utilized by the City. Annual changes to the calculated COBRA rate will be applied to the monthly employee contributions on the first full pay-period in April of each year. Contributions will be deducted from all members in paid status based on twelve (12) months times the monthly rate, divided by the number of pay periods per year. An example would be $56.95/mo. X 12 = $683.40, $683.40 / 26 pay periods = $26.28 per pay period. In the event federal tax regulations are changed so that medical benefit plans are no longer tax exempt, the City will not be responsible to pick up the member's tax burden.

3) The City will permit employees who have alternate health plan options through a spouse to opt out of the City plan in return for a payment of at least $100.00 per month for full opt out of all health insurance. Families who have both spouses employed full time by the City of Delaware will not be eligible to opt out of the plan. One spouse will carry the full cost of the plan. The employee will provide proof that they do in fact have other coverage before the City will drop that employee's current coverage.

4) The City will continue to provide dental coverage if it is not provided under the employee's spouse's insurance. A member may elect to return to coverage under the City's insurance plan by notifying the City in writing of any substantial changes in their qualifying family circumstances. The member must give (30) days' notice of his or her election to return to the City's plan, except in the case of an emergency, such as sudden loss of spouse's coverage, divorce or other change in family status. The plan will comply with Internal Revenue Code Section 125 which governs this matter.

5) Employees who opt out of the health insurance program will be compensated as follows:

No coverage	$100 per month

Note: An employee may not elect to have medical coverage only

6) Payments will begin on the first pay period of the month following 30 days' notice of an employee's desire to drop coverage. A form will be provided which will contain all information necessary to discontinue coverage under the plan. The form must be signed and returned to the Department of Administrative Services. Until such time that an employee is effectively dropped from City coverage, they will be subject to any payroll contributions.

7) All payments made in lieu of insurance coverage will be included as other pay on employee's paycheck. This income will not be included in income subject to OPERS contributions but will be subject to all applicable taxes.

Section 3.02 Prescription Plan

(a) The City will provide a prescription card plan for members and their dependents.

(b) The retail benefits will be the following with the City paying the higher amount and the employee paying the lesser amount of prescription coinsurance:

1) 80/20% for generic drugs

2) 50/50% name brand drugs with a $25 co-pay for each disbursement

(c) The mail order benefits will be the following:

1) 90/10% for generic drugs and

2) 75/25% for name brand drugs with no $25 co-pay

(d) The maximum expense an employee will pay for coinsurance is $250 annually for single coverage and $500 for family annually for prescription benefits, however, the $25 co-pay for retail name brand drugs will not count towards the calculation of the $250 or the $500 coinsurance maximum and will always apply even after an employee reaches the coinsurance maximum expenditure.

Section 3.03 Dental Care Plan

(a) The City will maintain dental coverage for all members. Please refer to the Plan Document for specific covered services.

Section 3.04 Life Insurance

(a) The City will provide the following amount of life insurance:

1) Department Heads: $50,000

2) Assistant Fire and Police Chiefs: $50,000

3) Pay Grades M11 though M20: $40,000

4) Police Captain and Fire Captain: $40,000

5) Pay Grades M1 through M10: $30,000

Section 3.05 Vision Plan

(a) The City will provide a vision plan for members and their dependents covered by this Summary of Benefits. The City will contribute $6.00 per month on behalf of the employee. The employee will be responsible for the balance of the monthly cost of the coverage selected.

Article IV. Other Compensation

Section 4.01 Longevity Compensation

(a) Employees shall receive, in addition to other pay called for herein, Longevity Compensation based on completed years of service according to the following table:

After five (5) years of continuous service	$550.00/year
After ten (10) years of continuous service	$750.00/year
After fifteen (15) years of continuous service	$950.00/year
After twenty (20) years of continuous service	$1150.00/year

1) Longevity compensation shall be paid, in accordance with the above schedule, in two (2) separate lump sum payments during the first pay periods in June and December of each year.

2) Upon termination of service for any reason, employees who are eligible for longevity pay under this section (or in the event of death, the surviving spouse or estate) will be paid, as part of their terminal pay, the final partial year of longevity compensation, prorated to the name of months completed during said partial year since the employee's last payment date.

3) For the purpose of this section, continuous years of service shall include approved military leave.

Section 4.02 Automobile Expense Reimbursement

(a) Employees shall receive reimbursement for business use of their personal vehicle. Reimbursement will be in accordance with the Internal Revenue Service (IRS) regulations for not-taxable reimbursements and shall be at the IRS per mile reimbursement rate in effect when the business use miles were incurred. Department Heads as department heads employed by the City prior to January 1, 1999 who had received a monthly automobile allowance will only be reimbursed for business use of their personal vehicle for travel outside the City limits.

Section 4.03 Non-Uniformed Clothing Allowance

(a) All employees covered under this pay plan in Pay Grades M1 through M9 who are not provided with a uniform shall receive an annual clothing allowance of $150.00. Such allowance shall be utilized to purchase necessary work-related items of clothing such as, but not limited to: steel toed boots, coats, rain gear, rubber boots, gloves etc. All purchases of clothing shall be the responsibility of the employee. Upon hire the clothing allowance will be prorated based on the full months of service for that year.

Section 4.04 Call-In Pay

(a) Both exempt and nonexempt employees shall be eligible for "on call" compensation for weekly periods when assigned the responsibility of direct Parks, Public Works, or Utility personnel in response to service requests during non-scheduled work periods. Employees assigned to this "on call" status shall serve in this posture for weekly time periods are authorized by the respective Department Head. Said employees shall be responsible for responding to after hour service requests. Employees assigned to an "on call" status shall be compensated at a weekly rate of between $25.00 and $50.00 as determined by the City Manager. On call compensation shall be paid in addition to regular and overtime wages earned during the pay period. On call assignments will be posted in June and December of each year for the following six-month period. Changes to the schedule must be made in advance with approval of the Department Head.

Section 4.05 Tuition Reimbursement

(a) All full-time employees with one or more years of continuous active service shall be eligible for a reimbursement of instructional fees for undergraduate or graduate courses towards a degree or certification, pre-approved by the city and voluntarily undertaken by the employee. The tuition reimbursement program shall be subject to the following conditions:

1) All courses must be taken during other than scheduled working hours. Any situation which, in the discretion of the department head, would require an employee's presence on the job shall take complete and final precedence over any time scheduled for courses. All courses are subject to approval by the department head and/or city manager. There must be a direct correlation between the employee's duties and responsibilities and the courses taken or the degree program pursued. The city manager, or his designee, has the sole and final discretion to approve or disapprove tuition reimbursement requests.

2) Any financial assistance from any government or private agency available to the employee, whether applied for and regardless of when such assistance may have been received, shall be deducted in the entire amount from the tuition reimbursement the employee is eligible for under this section. If an employee's tuition is fully covered by another governmental or private agency, then the employee is not entitled to any payment from the city.

3) Employees seeking authorization of a tuition reimbursement must first submit to the department head for review, prior to September 30 of the year preceding when the classes are to be taken, all necessary information pertaining to the proposed course degree to be pursued, the educational institution and the employee's best estimate of course costs, dates and times. Employees will be eligible for tuition reimbursement for properly approved and completed coursework up to $3,500 for calendar year (January 1 to December 31). Pre-approval is subject to available appropriations. The employee will be responsible for any tuition in excess of the above mentioned amounts. An application for tuitions reimbursement must be completed by the employee prior to enrolling in the class work for which reimbursement is requested.

4) Courses must be taken at accredited colleges, universities, technical and business institutes or at their established extension centers and these must be first approved by the city. Seminars, conferences and workshops are not included.

5) Reimbursement for tuition will be made when the employee satisfactorily completes (attains at least a grade of "C" or its equivalent for undergraduate work and a grade of at least "B" or its equivalent and a receipt of payment or a copy of the unpaid bill from the institution confirming completion of the approved course.

6) No reimbursement will be granted for books, paper, supplies of whatever nature, transportation, meals, or any other expense connected with any course, except the cost of tuition fees outlined above.

7) Any employee participating in the tuition reimbursement program who resigns (except resignation due to disability), retires (except retirement due to disability), or is discharged for cause must repay the tuition reimbursement paid by the city for courses completed less than two years prior to the date of termination or discharge. If necessary, the amount will be deducted from the employee's terminal leave pay or final paycheck.

Article V. Miscellaneous

Section 5.01 Personnel Files

(a) The official personnel files of all employees shall be maintained in the Department of Administrative Services (DAS). All employee personnel records shall include but not limited to, applications, performance evaluations, promotions, disciplinary actions and any other pertinent information pertaining to the job performance of the individual employee. Copies therein shall be available to the employee.

(b) DAS shall be responsible for the care and maintenance for all personnel files and records. Department heads shall be responsible for promptly forwarding all pertinent personnel information and documentation to DAS. Employees may, during normal office hours, review their official personnel files.

Section 5.02 Parks and Recreation Credit

(a) The City shall provide each employee with a credit to be applied to a Jack Florance Pool membership, City Golf Course membership or punch-card, or City rentals (shelters or Hilborn Room). The amount of the credit shall be $60.00. Employees shall abide by the stipulations set forth by the managing organization both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. In addition, the City will provide to each member a 20% discount on all individual registrations for City recreation programs.

(b) Credits may not be used to purchase memberships or to secure rentals beyond the calendar year for which it is issued. Credits will not be re-issued if lost or stolen and must be surrendered at the time of registration/purchase. Credits for non-transferrable.

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,Finance
ITEM TYPE:	Ordinances
AGENDA SECTION:	**7:20 P.M. PUBLIC HEARING AND THIRD READING OFORDINANCE NO. 21-30**
SUBJECT:	An ordinance approving and authorizing the execution of a Tax Increment Financing Agreement for the development of Winterbourne Drive and other infrastructure improvements and declaring an emergency.

PUBLIC HEARING COMMENT OPTIONS:

- 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 commen**t. Comments are limited to 3 minutes.

- EMAIL, LETTER, PETITION: written public comment, maximum of 500 words, is to be received by 3 p.m. the date of the meeting to be presented to Council for submission and read into the record. **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.

SUGGESTED ACTION:

ATTACHMENTS:

UPDATED Fact Sheet - Ord. 21-30 WInterbourne TIF Agreement.pdf
ord 21-30 TIF Agreement Ordinance (Winterbourne Drive TIF).pdf
Winterbourne Drive Agreement Term Sheet.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 10 | DATE: 05/24/2021

ORDINANCE NO: 21-30 | RESOLUTION NO:

READING: THIRD | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Bill Ferrigno, Public Works Director/City Engineer
David Efland, Planning and Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT FOR THE DEVELOPMENT OF WINTERBOURNE DRIVE AND OTHER INFRASTRUCTURE IMPROVEMENTS AND DECLARING AN EMERGENCY.

BACKGROUND:

UPDATE 5/24/2021: THE RECOMMENDED BUSINESS TERMS OF THE AGREEMENT ARE ATTACHED AND WERE PROVIDED TO THE APPLICANT EARLIER THIS WEEK FOR REVIEW AND COMMENT. HOWEVER, THE APPLICANT HAS NOT AGREED TO THE TERMS AND MAY APPEAR BEFORE COUNCIL ON MAY 24TH TO COMMENT ON THE RECOMMENDED TERMS.

5/10/2021: Grden LLC/Arlington Builders intends to build a 263-single-family detached dwelling unit development in the southeast quadrant of the City.

The City accepted the annexation (Ordinance 19-32) of the subject property in June 2019 and approved a Rezoning Amendment, Conditional Use Permit and Preliminary Development Plan (Ordinances 19-29-31 respectively) for the development. In October 2019, City Council (Ordinance 19-59) approved a Preliminary Subdivision Plat for the 263 single family lot subdivision on approximately 102.1 acres for a density of 2.575 units per acre with just over 25% open space (25.5 acres).

Primary access to the site would be from Peachblow Road (the southern corporate boundary of the city at this time as well as the southern utility boundary of the City) at a proposed roundabout which would ultimately be constructed by the Delaware County Engineer who is requiring contributions from adjacent developments including this one. Other primary access would be from Belmont Place Subdivision to the west and which required the subject developer to obtain an easement across property owned by OhioHealth who declined to participate in development of this connection (despite the fact that they would ultimately benefit from it) other than to grant an easement in exchange for an exorbitant payment. Finally, primary access is from Communities at Glenross to north through Winterbourne Drive.

Overall, this is a relatively small development in area at about 100 acres, with an number of extraordinary infrastructure roadway costs several of which were not in the control of the developer or the city and is located along Winterbourne Dr. which has been identified as a primary road segment in this area (unloaded) and included upon the City Thoroughfare Plan. As such, the City and applicant have engaged in discussions concerning the use of Tax Increment Financing in a partnership approach to help off-set some of the aforementioned infrastructure costs associated with the development.

The Finance Sub-Committee of City Council has discussed this approach for this development on at least two occasions as well indicating to Staff the desire to advance the discussion relative to this proposal but also to use this to help establish a more policy based approached toward this and future requests involving roadway segments that appear on the City Thoroughfare Plan and which are therefore designated as primary and vital segments needed for the overall growth and development of the community. The City is advancing this legislation as the Ohio Revised Code requires certain steps to be taken which require time to complete. During this time, the applicant and City continue to work on the final business terms of a TIF that would be consistent with direction from the Finance Sub-Committee of City Council as well as discussions with the applicant to date (consequently, there is no agreement currently on file with the Clerk as indicated in Section 1 of the legislation). The final legislation with complete business terms would be presented to City Council during the upcoming hearing process required and prior to any authorization to establish a TIF or TIFs over the property.

The recommended business terms of the agreement are attached and were presented to the applicant today for review and comment. The applicant may appear before council on May 10th to comment on the recommended terms.

Additionally, there will be a future public hearing on the TIF and a separate ordinance presented to Council to authorize the TIF itself.

REASON WHY LEGISLATION IS NEEDED:

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):

POLICY CHANGES:
N/A

PRESENTER(S):
R. Thomas Homan, City Manager
Bill Ferrigno, Public Works Director/City Engineer
David Efland, Planning and Development Director

RECOMMENDATION:
Approval at third reading with Emergency Clause.

ATTACHMENT(S):
STAFF RECOMMENDED BUSINESS TERMS OF THE AGREEMENT.
A draft copy of the TIF agreement will be provided prior to the third reading of this legislation.
THE PARTIES CONTINUED TO DISCUSS THE BUSINESS TERMS OF THE AGREEMENT UP TO THIS WEEK. CONSEQUENTLY, NO FINALIZED AGREEMENT IS COMPLETED TO PRESENT TO THIS COUNCIL. THE LEGISLATION HAS BEEN AMENDED TO REFLECT THAT THE TERM SHEET AND NOT THE AGREEMENT IS BEING CONSIDERED AT THIS TIME.

ORDINANCE NO. 21-30

APPROVING AND AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT FOR THE DEVELOPMENT OF WINTERBOURNE DRIVE AND OTHER INFRASTRUCTURE IMPROVEMENTS AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 5709.40, 5709.42, and 5709.43 authorize this Council, by ordinance, to create one or more incentive districts within the corporate boundaries of the City, and declare the improvement to each parcel of real property located within the incentive district to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, establish a municipal public improvement tax increment equivalent fund for the deposit of those service payments, and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit or serve, or that once made will directly benefit or serve, parcels in the incentive districts; and

WHEREAS, the City expects to create the Winterbourne Drive Incentive District #1, the Winterbourne Drive Incentive District #2, the Winterbrooke Incentive District #3, the Winterbourne Drive Incentive District #4 and the Winterbourne Drive Incentive District #5 within the Winterbrooke Place subdivision of the City (each an "Incentive District" and collectively the "Incentive Districts"); and

WHEREAS, the City anticipates that 263 new single-family homes will be constructed within the Incentive Districts; and

WHEREAS, the City desires to use service payments in lieu of taxes generated from the Incentive Districts to provide for the design and construction of a portion of Winterbourne Drive, a portion of the Peachblow Rd. roundabout required by the Delaware County Engineer, and Ensign Road connector within and adjacent to the Winterbrooke Place subdivision (the "Public Infrastructure Improvements") by entering into a Tax Increment Financing Agreement with Grden LLC, Arlington Builders, or its designee (the "Developer").

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

SECTION 1. Tax Increment Financing Agreement. The Tax Increment Financing Agreement (the "TIF Agreement") containing the terms set forth in the attachment to this Ordinance, providing for, among other things, the design, construction and financing of the Public Infrastructure Improvements and reimbursement of a portion of those costs to the Developer is hereby approved. The City Manager, for and in the name of the City, is hereby authorized to execute

and deliver the TIF Agreement containing those terms and such other terms as the City Manager and the City Attorney may approve as being in the best interest of and not substantially adverse to the City. The approval of those terms, and the character of those terms as being in the best interest of and not being substantially adverse to the City, will be evidenced conclusively by the City Manager's execution of the TIF Agreement and the City Attorney's approval of the TIF Agreement as to form. This Council hereby expressly waives any requirement for competitive bidding pursuant to the City's Codified Ordinances that may be applicable to the TIF Agreement or the completion of the Public Improvements to be designed and constructed thereunder.

SECTION 2. Reimbursement Obligation. The reimbursement obligation to Developer for a portion of the costs of the design and construction of the Public Infrastructure Improvements under the TIF Agreement (the "Reimbursement Obligation") constitutes a special obligation of the City and is payable solely from service payments deposited into the TIF Fund to be established for the Incentive Districts. All such service payments hereafter deposited into the TIF Fund are pledged for payment of the Reimbursement Obligation. No other funds are pledged for the payment of the Reimbursement Obligation, and neither the Developer nor any other beneficiary of the Reimbursement Obligation has a right to have taxes levied for the payment of the Reimbursement Obligation. All money hereafter deposited in that TIF Fund is hereby appropriated to pay the Reimbursement Obligation as set forth in the TIF Agreement, and the Finance Director is hereby authorized to make payments in satisfaction of the Reimbursement Obligation to the Developer in accordance with the TIF Agreement.

SECTION 3. Further Authorizations. This Council hereby authorizes the City Manager and the Finance Director or other appropriate officers of the City to prepare and sign all documents and to take any other actions as may be appropriate to implement this ordinance.

SECTION 4. Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including ORC Section 121.22.

SECTION 5. 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 to move forward with the referenced public infrastructure improvements.

SECTION 6. Effective Date. This ordinance is effective on the earliest date permitted by law.

VOTE ON EMERGENCY CLAUSE: YEAS____ NAYS____
ABSTAIN ____

PASSED: _____, 2021. YEAS___NAYS___
ABSTAIN___

ATTEST: _____ _____
CITY CLERK MAYOR

TIF Reimbursement for Winterbourne Drive and Related Improvements

May 18, 2021

- Per current engineering and zoning requirements, developer is required to construct approximately 2,566 ft of Winterbourne Drive, from Peachblow Road north to the southern terminus of the portion of Winterbourne Drive that Pulte will complete pursuant its requirements.
    - Phase 1 (approximately 1,150 ft) is expected to be complete in 2022. Total estimated cost is $1,465,530.
    - Phase 2 (approximately 1,416 ft) is expected to be completed in connection with future build-out of the Winterbrooke subdivision. Total estimated cost is $2,229,419.
    - The developer will be responsible for dedicating all right of way for both Phase 1 and 2 currently owned by the developer with acceptance of Phase 1 construction.
    - All construction will be performed pursuant to City-approved plans and contracts by licensed and bonded contractors. The City will be the beneficiary of all contractor warranties.

- The City will reimburse the developer for 50% of the developer's third party costs to construct Winterbourne Drive from tax increment financing revenue received from the Winterbrooke tax increment financing incentive districts.
    - Developer may submit reimbursements for Phase 1 and Phase 2 separately, once the respective phase is complete and approved by the City Engineer.
    - The City Engineer will review all reimbursement requests to confirm amounts spent on those items specifically identified on Table 1.
    - For costs of the entirety (both sides) of the northernmost 320 ft of Phase 2, the reimbursement percentage will increase to 100% if Phase 2 is completed in 2022, or 75% if Phase 2 is completed in 2023 or 50% if Phase 2 is completed in 2024 or after.
    - The City will require the necessary right of way required for construction of Winterbourne Drive on property owned by Pulte to be dedicated to the City by the end of 2021.

- In addition to reimbursement of the costs of Winterbourne Drive, the developer will be reimbursed for the following costs from Winterbrooke TIF revenue:
    - 50% of the costs of the contribution made by the developer to the Peachblow Road round-a-bout (reimbursement of $179,000).
    - 50% of the construction cost of Ensign Road connection and easement fee to OhioHealth (reimbursement of $245,650).
    - 100% of the land dedicated by the developer as public right of way for Winterbourne Drive and the Peachblow round-a-bout at $55,000 per acre (reimbursement of $487,850).

- Interest will accrue on the outstanding amount of reimbursements at a rate equal to 5.5%, commencing upon the completion of each Phase for the reimbursements for that Phase. Repayments will be made solely from Winterbrooke TIF revenue as the City receives that revenue and will be applied first to accrued interest, then to the principal amount of reimbursements due.

- If the City reasonably determines that Phase 2 of Winterbourne Drive will not be complete by December 31, 2024, the City has the option to complete Phase 2 of Winterbourne Drive if the City desires accelerated construction timing. The City shall give 90 days prior written notice to the developer prior to undertake this option to accelerate construction.
    - If the City exercises the option, the City may reimburse itself for its costs for Phase 2 with 50% of the annual Winterbrooke TIF revenue, with the remaining 50% of annual TIF revenue used for developer reimbursements for Phase 1, the Peachblow Road round-a-about, the Ensign Road connection/OhioHealth easement fee, land dedications and accrued interest.
    - In addition to the above, the zoning text for Winterbrooke will be amended to provide that if the City exercises this option to accelerate construction of Phase 2 of Winterbourne, beginning with the 159th lot, an additional transportation fee of $10,616 per lot will be charged, payable upon issuance of the building permit. Currently zoning requires Phase 2 to be completed prior to issuance of the building permit for the 188th lot. This additional fee is calculated by multiplying the total estimated Phase 2 cost ($2,229,418.36) by 50%, then dividing the result by 105 lots (the total projected number of lots is 263 lots). Notwithstanding the foregoing, the City will not charge and collect additional fees in an amount greater than the actual costs incurred by the City to construct Phase 2.

Table 1			
(1)	(2)	(3)	(4)
Work Description/Component[1]	Cost Estimate	Cost Estimate	Cost Estimate
	Section 1 (1150 ft.) (2020)	Section 2 (1416 ft.) (2027)	Total (2566 ft.)
Roadway/Curb/Sidewalks/Ramps/Bike/Walking Paths	$212,750	$262,199	$474,949
Storm, Sanitary, Water, Earthwork, Silt Control	493,350	531,484	1,024,834
Tree Clearing	15,000	19,380	34,380
Inspection/review	57,500	70,865	128,365
Streetlights	57,500	70,865	128,365
Engineering Design/Staking	63,250	77,951	141,201
Permits/Fees, Other Misc.	17,250	21,259	38,509
Mitigation/Environmental Issues	20,700	25,511	46,211
Other Utilities (Gas, Electric)	20,125	21,240	41,365
Soil Compaction Testing	4,600	5,669	10,269
Striping/Street Signage	5,175	6,378	11,553
Entry Signage	17,825	21,969	39,794
Landscape/Seeding	21,275	26,221	47,496
Hardscape/Amenities	10,350	12,756	23,106
Field Tile	9,775	12,048	21,823
Subtotal	$1,026,425	$1,185,794	$2,210,199
10% Contingency	102,643	118,579	221,222
Estimated Construction Cost Increase over Original 2020 Construction Cost Estimate	203,232	722,371	925,603
Prevailing Wage Requirement (10% increase)	133,230	202,674	335,904
Subtotal for Winterbourne Dr. Construction	$1,465,530	$2,229,419	$3,694,949
TIF 50% of cost of Winterbourne Dr. Construction	$732,765	$1,114,709	$1,847,474
100% of Land for Winterbourne Drive and RAB with Peachblow (8.87 acres @ $55,000 per acre)	$243,925	$243,925	$487,850
50% of Fair Share Contribution to Round-A-Bout Construction	$179,000	-0-	$179,000
50% of Construction Cost of Ensign Road Connection and easement fee to OhioHealth	$245,650	-0-	$245,650
Total for 50% of construction costs of Winterbourne Dr. and Ensign Road Connector, 50% of developer fair share contribution to RAB and 100% of 8.87 acres of right of way under Winterbourne and RAB	$1,401,340	$1,106,722	$2,508,062
Plus cost of carry until TIF reimbursement of up to 5-1/2% per year (semi-annual TIF payments applied first to accrued and unpaid interest and then to Winterbourne Drive Costs)			

[1] The costs of construction for Winterborne Drive and the Ensign Road connection reflected above are estimates that also include estimates of inflationary cost increases for construction the construction of Phase 2 which is not projected to commence until 2027. TIF reimbursement will be based upon documented actual construction costs and the City will approve construction cost prior to construction contract execution.

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,Planning Department
ITEM TYPE:	Ordinances
AGENDA SECTION:	**7:30 P.M. PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 21-31**
SUBJECT:	AN ORDINANCE approving a rezoning amendment for Vincent Romanelli from A-1 (Agricultural district) to R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) for an addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.

PUBLIC HEARING COMMENT OPTIONS:

- 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 commen**t. Comments are limited to 3 minutes.

- EMAIL, LETTER, PETITION: written public comment, maximum of 500 words, is to be received by 3 p.m. the date of the meeting to be presented to Council for submission and read into the record. **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.

SUGGESTED ACTION:

ATTACHMENTS:

fact sheet ord 21-31, 2021-1052 Glenross North Sections 5 & 6 REZ.pdf
ord 21-31, 2021-1052 Glenross North Sections 5 & 6 REZ.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 11

DATE: 05/24/2021

ORDINANCE NO: 21-31

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: YES
May 26, 2021 @ 7:30 p.m.

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE APPROVING A REZONING AMENDMENT FOR VINCENT ROMANELLI FROM A-1 (AGRICUTURAL DISTRICT) TO R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) FOR AN ADDITION TO THE GLENROSS NORTH SUBDIVISION (SECTIONS 5 & 6) ON APPROXIMATELY 43.6 ACRES LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

BACKGROUND:
See attached staff report.

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Chapter 1130 Amendments of the Codified Ordinances.

COMMITTEE RECOMMENDATION:
Planning Commission recommended approval by a vote of 7-0 on May 5, 2020.

FISCAL IMPACT(S):
N/A

POLICY CHANGES:
N/A

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

RECOMMENDATION:
Staff recommends approval

ATTACHMENT(S)
See attached

ORDINANCE NO. 21-31

AN ORDINANCE APPROVING A REZONING AMENDMENT FOR VINCENT ROMANELLI FROM A-1 (AGRICULTURAL DISTRICT) TO R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) FOR AN ADDITION TO THE GLENROSS NORTH SUBDIVISION (SECTIONS 5 & 6) ON APPROXIMATELY 43.6 ACRES LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

WHEREAS, the Planning Commission at its meeting of May 5, 2021 recommended approval of a Rezoning Amendment for Vincent Romanelli from A-1 (Agricultural District) to R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road (PC Case 2021-1052).

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

SECTION 1. That the Rezoning Amendment for Vincent Romanelli from A-1 (Agricultural District) to R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road, is hereby confirmed, approved, and accepted with the following condition that:

1. Any change of use of or major modification of the plan shall require conformance to all provisions of the Development Text.

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

VOTE ON RULE SUSPENSION: YEAS____NAYS____
ABSTAIN ____

PASSED: _____, 2021 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,Planning Department
ITEM TYPE:	Ordinances
AGENDA SECTION:	**SECOND READING OF ORDINANCE NO. 21-32**
SUBJECT:	An ordinance for Vincent Romanelli for approval of a Conditional Use Permit allowing the placement of a PMU (Planned Mixed Use Overlay District) to be established for the addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.

SUGGESTED ACTION:

ATTACHMENTS:

fact sheet ord 21-32, 2021-1056 Glenross North Sections 5 & 6 CUP.pdf
2021-1052 Glenross North Sec 5 & 6 staff report.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 12

DATE: 05/24/2021

ORDINANCE NO: 21-32

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: YES
May 24, 2021 @ 7:30 p.m.

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE FOR VINCENT ROMANELLI FOR APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED FOR THE ADDITION TO THE GLENROSS NORTH SUBDIVISION (SECTIONS 5 & 6) ON APPROXIMATELY 43.6 ACRES LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

BACKGROUND:
See attached staff report.

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Chapters 1147 (Planned Mixed Use District) and 1148 (Conditional Use Regulations) of the zoning code.

COMMITTEE RECOMMENDATION:
Planning Commission approved this case 7-0 on May 5, 2021.

FISCAL IMPACT(S):
N/A

POLICY CHANGES:
N/A

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

RECOMMENDATION:
Staff recommends approval after public hearing

ATTACHMENT(S)
See attached

EST 1808
CITY OF
DELAWARE
OHIO

PLANNING COMMISSION / STAFF REPORT

CASE NUMBERS: 2021-1052, 1056, 1071-1072
REQUEST: Multiple Requests
PROJECT: Glenross North Subdivision
MEETING DATE: May 5, 2021

APPLICANT/OWNER
Vince Romanelli
148 West Schrock Road
Westerville, Ohio 43081

REQUESTS
2021-1052: A request by Vincent Romanelli for approval of a Rezoning Amendment from A-1 (Agricultural District) to R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) for an addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.
2021-1056: A request by Vincent Romanelli for approval of a Conditional Use Permit allowing the Placement of PMU (Planned Mixed Use Overlay District) to be established for the addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.
2021-1071: A request by Vincent Romanelli for approval of a Preliminary Development Plan for the Glenross North Subdivision Sections 5 and 6 on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.
2021-1072: A request by Vincent Romanelli for approval of a Preliminary Subdivision Plat for the Glenross North Subdivision Sections 5 and 6 on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.

PROPERTY LOCATION & DESCRIPTION
The subject parcel is located east of Glenn Parkway, west of the railroad tracks and north of the Glenross North Subdivision Sections 1-4. The parcel is in the process of being annexed into the City and would be zoned A-1 (Agricultural District) upon annexation per the zoning code unless the applicant requests a rezoning which they are in this application. The zoning to the south is R-2 PMU\(One Family Residential District with a Planned Mixed Overlay District) while the zoning to the north, east and west is FR-1in the Township.

BACKGROUND/PROPOSAL
In 2015, Planning Commission and City Council approved a Rezoning Amendment, Conditional Use Permit, Preliminary Development Plan and Preliminary Subdivision Plat (Ordinances 15-68-71) for Glenross North Subdivision Sections 1-4 for 196 single family-lots on approximately 100 acres. Since then the developer has received Final Development Plan and Final Subdivision Plats for all four sections with houses under construction in Sections 1-3.

Now the developer is proposing to annex the 43.6 acres north of Glenross North Sections 1-4 and requesting a Rezoning Amendment, Conditional Use Permit, Preliminary Development Plan and Preliminary Subdivision Plat to construct 91 single-family lots on 43.6 acres. The proposed development would be an addition to the Glenross North Subdivision containing Sections 5 and 6 with updated development text.

STAFF ANALYSIS

- **ZONING:** The developer is proposing to rezone the property to R-2 PMU (Planned Mixed Use Overlay District) with development text to be consistent with Glenross North Sections 1-4 while allowing an appropriate transition to Berlin Station Road which allows greater flexibility and creativity in the layout of the development, create active and passive open space. While there are certain benefits to the Developer, the PMU Overlay also allows greater control of the development by the City by ensuring the development will be executed to a very specific and high-quality standard. From a procedural perspective, the development requires a Rezoning Amendment, Conditional Use Permit, Preliminary Development Plan and Preliminary Subdivision Plat approval by the Planning Commission and City Council. Subsequently, each section would require Final Development Plan and Final Subdivision Plat approval by the Planning Commission and City Council.
- **LAND USE:** The proposed single-family development is consistent with the Comprehensive Plan recommendation for Low Density Single-Family land use in the "Cheshire Subarea" of the plan. The

proposed density of 2.09 units per acres is less than the 2.0-3.25 dwelling units per acre in the Comprehensive Plan.

Additionally, over the past three years the City of Delaware has been in the process of updating the Comprehensive Plan. While not yet adopted, it should be noted that this proposed development would also meet the guidance of the "Delaware Together" Comprehensive Plan, in general terms. Per the potential future plan, this property would be located in a character area called "Suburban Residential" which is an area found towards the perimeter of the current city limits characterized by homogenous housing types and architectural styles in a block, along a street, or clustered in pods around a common open space. Some of the development types targeted for Suburban Residential Areas would include, but not be limited to, "Traditional Small Lot Single-Family", "Traditional Medium Lot Single-Family", and "Natural Conservation/Preserves". This proposed development offers a housing product which blends into an adjacent neighborhood with a similar residential use. In addition, the proposed development contains the following critical factors for a Suburban Residential Area; connectivity of roads, improving connectivity through completion of sidewalk and trail connections, providing adequate common open space, and requiring tree lawns along all residential streets. Therefore, this development would be appropriate for this property's character area per the "Delaware Together" Comprehensive Plan.

- **ENGINEERING** The Applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on a technical review by the Engineering Department once a complete plan set is submitted for review. In addition, all retention ponds should be setback a minimum of 80 feet from the edge of pavement for roads of 35 mph or higher or per the City Engineer. Also, this area is subject to the South East Highland Sanitary Sewer additional capacity fee of $3,200 per dwelling unit.
- **ROADS AND TRAFFIC**: The proposed main access point would be from a proposed right-in/right-out on Glenn Parkway which has a center median and internally the development would connect into Section 4 to the south thru Irvine Way. All the streets would have to be constructed to public standards and achieve compliance with the minimum engineering requirements. Also, the development is subject to the single-family lot transportation fee of $1,000 per dwelling unit.
- **SITE LAYOUT:** In Sections 5 and 6, the main access road from Glenn Parkway extends east into a loop street design with an access point to Section 4 on the southern portion of the loop. The southern leg of the loop extends into a cul-de-sac that terminates at the railroad tracks. A retention pond is located north and south of the entrance along Glenn Parkway which are located in 4.8-acre and 2.3-acre reserve areas respectively. A landscape buffer with mounds and trees would span along Glenn Parkway and adjacent to the railroad tracks to the east.

  The developer is proposing 91 single family lots with the minimum lot size being 65 x140 (9,100 square feet). The minimum building setbacks would require 30 foot front yard, 35 foot rear yard and 15 foot side yard (minimum 6 feet) setbacks. In addition, the minimum house sizes would be 1,800 square feet for a one-story ranch and 2,000 square feet for a two-story. Also to comply with the base zoning code, all the corner lots would be oversized by 33% from the base lot size.
- **DESIGN:** Sections 5 & 6 of the proposed subdivision has the following architectural standards: 1.) At least 35% of the front elevation of all homes constructed on the Property (excluding foundations, garage doors, entry doors, roofs, gutters, downspouts and windows) shall consist of brick, stone or cultured stone;2.) All vinyl siding products used on homes constructed on the Property shall be architectural grade, vinyl siding – higher end, as defined in Chapter 1171.08 (c) on all elevations; 3.) EIFS or similar products are prohibited as an exterior material; 4.) 5). All houses shall have a minimum 2 car attached garage: 6). All houses shall have dimensional shingles; 7.) All houses shall have a roof pitch of not less than 6/12. In addition, all the houses shall comply with approved development text and Chapter 1171.08 Residential Development Design Criteria and Performance Standards.
- **PARKLAND AND OPEN SPACE**: Sections 5 & 6 has 13.1 acres of passive open space in four reserve areas A-D (the reserve areas shall be re-lettered to F, G, H & I respectively to be consistent and sequential with Sections 1-4). Reserve A (1.9 acres) which is located on northern portion of the development, shall be

dedicated to the City. Reserve B (4.8 acres) and Reserve C (2.3 acres) are located north and south of main entrance along Glenn Parkway and contains retention ponds, mounding and landscaping while Reserve D (4.1 acres) is located along the railroad tracks which contains mounding and landscaping for buffering against the railroad tracks.

The active parkland for this development is located in Section 2 which includes 7.0-acre radial park with amenities such as a pool with a pool house, a tot lot and open playing field. In addition, there is a 8.69 City neighborhood park located along Glenn Parkway just south of the roundabout. These two parks would provide active amenities for the entre subdivision.

- **LANDSCAPING PLAN:** The applicant has submitted a comprehensive landscaping plan that includes street trees, perimeter landscaping, reserve landscaping and entrance signage landscaping. The developer is proposing a minimum 3-6-foot-high mound with landscaping and a three rail wood fence stained white adjacent to Glenn Parkway. Staff recommends a composite fence material because of future maintenance issues. In addition, the applicant is proposing an approximate 4-6 foot high mound adjacent to the railroad tracks while the development text requires a 10-12 foot high mound to be consistent with mounding at Glenross North Subdivision Sections 1-4 and the Communities at Glenross Subdivision just south of the subject development. Entrance signage is located on each side of the main entrance that would be approximately 6 feet tall and 5 feet wide and be constructed of cut limestone with a stone cap. The evergreen trees shall be a minimum 4-foot-high at installation and the deciduous trees shall be a minimum 1.75-inch caliper. The maintenance of the mound and associated landscaping shall be the responsibility of the Homeowners Association. It is imperative that the Applicant coordinate the landscaping plan and street tree plan with the engineering site development plan so that the landscaping does not impeded visibility at intersections, or the visibility of any traffic control signs. The Shade Tree Commission would have to review and approve the aforementioned plans.
- **BIKE PATHS AND PEDESTRIAN ROUTES**: The developer constructed an 8-foot-wide asphalt bike path along Glenn Parkway to the then terminus of Glenn Parkway (Section 1). Since then, the City has extended Glenn Parkway north to Berlin Station Road and now the developer shall extend the bike path along the entire frontage of their development. Sidewalks would be provided on both sides of all public streets in the subdivision.
- **TREE PRESERVATION:** The development would have to achieve compliance with Chapter 1168 Tree Preservation Regulations. The applicant needs to identify all trees (if any) a minimum 6 inches in caliper and identify if they will be saved and removed trees for staff review and approval prior to Final Subdivision Plat approval of the subject section. There appears to be minimal trees on the site but the existing tree lines along the north and east property lines shall be preserved.
- **LIGHTING PLAN:** A lighting plan would have to be submitted, reviewed and approved by the City and achieve compliance with the zoning code prior to Final Subdivision Plat approval of each subject section.
- **FIRE DEPARTMENT:** The proposed development would need to be capable of supporting and allowing the full maneuverability of the fire department ladder truck along with complying with all other fire department requirements.
- **PHASING:** The developer has constructed the site work for Sections 1-3 with houses being built and the site construction for Section 4 is going to commerce soon. Section 5 site construction shall include the entrance from Glenn Parkway and the connection to Section 4 at Irvine Way for two access points into the development. Section 6 would complete the remainder of the subdivision.
- **CLUSTER MAILBOXES:** The developer shall consult with the City Engineer to determine the appropriate locations for the cluster mailboxes per the City guidelines.

STAFF RECOMMENDATION (2021-1052 – REZONING)
Staff recommends approval of a request by Vincent Romanelli for a Rezoning Amendment from A-1 (Agricultural District) to R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) for an addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road, with the following condition that:

1. Any change of use of or major modification of the plan shall require conformance to all provisions of the Development Text.

STAFF RECOMMENDATION (2021-1056 – CONDITIONAL USE PERMIT)
Staff recommends approval of a request by Vincent Romanelli for a Conditional Use Permit allowing the Placement of PMU (Planned Mixed Use Overlay District) to be established for the addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.

STAFF RECOMMENDATION – (2021-1071 PRELIMINARY DEVELOPMENT PLAN)
Staff recommends approval of request by Vincent Romanelli for a Preliminary Development Plan for the Glenross North Subdivision Sections 5 and 6 on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road, 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. All retention ponds shall be setback a minimum of 80 feet from the edge of pavement for roads of 35 mph or higher or per the City Engineer.
3. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
4. The single-family houses shall comply with the minimum architectural standards in the approved development text and per applicable sections of the current zoning code.
5. Reserve A (1.9 acres) shall be dedicated to City in the mylar Final Plat approval of Section 5.
6. A minimum 3-6-foot-high mound with landscaping shall be located along Glenn Parkway and a three-rail wood fence stained white adjacent to the retention ponds. The maintenance of the mound and associated landscaping shall be the responsibility of the Homeowner's Association. The subject plan shall be reviewed and approved by the Shade Tree Commission.
7. A 10-12-foot-high mound with landscaping shall be installed adjacent to the railroad tracks to be consistent with mounding at Glenn Ross North Sections 1-4 and the Communities at Glenross just south of the subject development. The subject plan shall be reviewed and approved by the Shade Tree Commission.
8. A street tree plan shall be submitted and approved by the Shade Tree Commission.
9. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations and shall be required prior to final plat approvals for each section.
10. The tree lines along the north and east property lines shall be preserved as much as feasible.
11. The bike path along Glenn Parkway shall be installed by the developer and located within an easement dedicated to the City and shall be maintained by the Homeowner's Association.
12. The street lighting plan shall be submitted, reviewed and approved by the City and achieve compliance with all zoning requirements prior to final subdivision plat approval of each section.
13. All elements of the Pre-Annexation Agreement shall achieve compliance with including but not limited to: voluntary developer entrance into the a New Community Authority, an additional sanitary sewer charge for the Southeast Highlands trunk sewer of $3,200 per edu, the single family lot transportation fee of $1,000 per dwelling unit.
14. The reserve areas in Section 5 & 6 shall be re-lettered to F, G, H & I respectively to be consistent and

sequential with Sections 1-4.

15. Section 5 site construction shall include the entrance from Glenn Parkway and the connection to Section 4 at Irvine Way.
16. The developer shall consult with the City Engineer to determine the appropriate locations for the cluster mailboxes per the City guidelines.

STAFF RECOMMENDATION – (2021-1072 PRELIMINARY SUBDIVSION PLAT)

Staff recommends approval of a request by Vincent Romanelli for a Preliminary Subdivision Plat for the Glenross North Subdivision Sections 5 and 6 on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road, with the following conditions:

1. The Applicant needs to obtain final engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.
2. All retention ponds shall be setback a minimum of 80 feet from the edge of pavement for roads of 35 mph or higher or per the City Engineer.
3. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
4. The single-family houses shall comply with the minimum architectural standards in the approved development text and per applicable sections of the current zoning code.
5. Reserve A (1.9 acres) shall be dedicated to City in the mylar Final Plat approval of Section 5.
6. A minimum 3-6-foot-high mound with landscaping shall be located along Glenn Parkway and a three-rail wood fence stained white adjacent to the retention ponds. The maintenance of the mound and associated landscaping shall be the responsibility of the Homeowner's Association. The subject plan shall be reviewed and approved by the Shade Tree Commission.
7. A 10-12-foot-high mound with landscaping shall be installed adjacent to the railroad tracks to be consistent with mounding at Glenn Ross North Sections 1-4 and the Communities at Glenross just south of the subject development. The subject plan shall be reviewed and approved by the Shade Tree Commission.
8. A street tree plan shall be submitted and approved by the Shade Tree Commission.
9. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations and shall be required prior to final plat approvals for each section.
10. The tree lines along the north and east property lines shall be preserved as much as feasible.
11. The bike path along Glenn Parkway shall be installed by the developer and located within an easement dedicated to the City and shall be maintained by the Homeowner's Association.
12. The street lighting plan shall be submitted, reviewed and approved by the City and achieve compliance with all zoning requirements prior to final subdivision plat approval of each section.
13. All elements of the Pre-Annexation Agreement shall achieve compliance with including but not limited to: voluntary developer entrance into the a New Community Authority, an additional sanitary sewer charge for the Southeast Highlands trunk sewer of $3,200 per edu, the single family lot transportation fee of $1,000 per dwelling unit.
14. The reserve areas in Section 5 & 6 shall be re-lettered to F, G, H & I respectively to be consistent and sequential with Sections 1-4.
15. Section 5 site construction shall include the entrance from Glenn Parkway and the connection to Section 4 at Irvine Way.
16. The developer shall consult with the City Engineer to determine the appropriate locations for the cluster mailboxes per the City guidelines.

CASE NUMBER: 2021-1052, 1056, 1071-1072
MEETING DATE: May 5, 2021
PAGE: Page 6 of 6

COMMISSION NOTES:

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

CONDITIONS/MISCELLANEOUS:

FILE:
ORIGINAL:
REVISED: 04/30/21

GLENROSS NORTH SUBDIVISION (SECTIONS 1-6)
PLANNED MIXED USE DEVELOPMENT TEXT
DELAWARE, OHIO

1. DESCRIPTION OF DEVELOPMENT & RELATIONSHIP TO THE CITY OF DELAWARE COMPREHENSIVE PLAN

The Applicant is proposing an addition to Glernross North Subdivision that was approved in August 2005 (Ordinance 15-98) which would require an annexation and a rezoning amendment that would expand the subdivision to north by approximately 43.6 acres for a total of 143.6 acres. The applicant is requesting of the rezoning of the 43.6 acres from A-1 (Agricultural District – default zone upon annexation) to R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) to be consistent with existing Glenross North Subdivision. With the rezoning amendment, the subdivision would be divided into two Sub-Areas (A & B). The existing 100 acres would be Sub-Area A which would contain Sections 1-4 (already constructed and houses are being sold) while Sub-Area B would encompass 43.6 acres within Sections 5 and 6.



The R-2 PMU (One-Family Residential with a Planned Mixed Use Overlay District) which would consist of single-family homes and public and private park facilities that would connect into the existing City park and bikeway system would have 287 single family lots with 196 single family lots (majority have been constructed) in Sub-Area A and 91 single-family lots in Sub-Area B . The Applicant believes that such amendment will provide for the highest and best use of the Property, thereby permitting quality housing stock to be constructed within the City of Delaware. Additionally, as further discussed below, the Applicant believes that such amendment is in accordance with the City of Delaware Comprehensive Plan.

The purpose of this Development Text is to set forth all supplemental information required by the Zoning Code and set forth in textual form certain development standards that will apply to the Property. Accompanying this Development Text is a Preliminary Development Plan and Preliminary Subdivision Plat for Sub-Area B. All terms and conditions of the Preliminary Development Plan are incorporated in this Development Text by this reference.

The Property consists of approximately 143.6 acres located east of Glenn Parkway and north of the Glenross Golf Club, being located in the Cheshire Subarea of the City's Land Use Element incorporated in the Comprehensive Plan. The Property has been designated for development as residential housing in the City's Future Land Use Map. The proposed amendment is in keeping with the goals and policies established by the Comprehensive Plan for the following reasons:

a. The Property will be developed as residential housing as contemplated by the Land Use Element incorporated in the Comprehensive Plan.

b. The use of the Planned Mixed Use (PMU) Overlay District is consistent with the City's Objectives and Strategies in maintaining a reasonable land use balance to reflect the vision of the Comprehensive Plan. As stated in LU6.7 of the Land Use Element, planned district zoning "should be used as a flexible tool to meet the City's gross density requirements while providing a creative development plan with a mix of units, densities, and housing values within individual developments."

c. The Comprehensive Plan anticipates supporting residential development in the Cheshire Subarea and encourages mixing densities and unit types, as well as small open spaces to create interest and a sense of place within neighborhoods. See, LU23 of the Land Use Element.

d. Residential development in the Cheshire Subarea will be served by the Southeast Highland Sanitary trunk line. See, LU23 of the Land Use Element.

e. The policies set forth in the Comprehensive Plan concerning expansion to the City's waste water treatment system and storm water management system will be implemented in connection with development of the Property.

f. The policies set forth in the Comprehensive Plan concerning parks and recreational facilities for Delaware residents will be implemented with development of the Property.

In summary, by the amendment to the Zoning Ordinance in connection with the development of the Property as a Planned Mixed Use (PMU) development, the goals and objectives of the Comprehensive Plan will be met. This development will provide the City of Delaware an opportunity to obtain quality housing stock and will preserve in a park like setting approximately 35.5 acres within the subdivision as open space (22.4 acres in Sub-Area A and 13.1 acres in Sub-Area B).

2. GENERAL DEVELOPMENT STANDARDS

a. **Purpose and Intent.** It is the intent of this development to provide a residential development with compatible and common architectural design, streetscape, signage, lighting, and pedestrian amenities throughout the entire development. Architectural and site design that is not consistent with this purpose and intent will not be accepted. This Development Text represents the zoning requirements for this area unless otherwise noted.

b. **Conformance with Codified Ordinances and City Policy.** Unless noted otherwise within this Development Text or the Preliminary Development Plan, all development will be constructed and provided in conformance with the then current Codified Ordinances and City Policy in effect at the time of application.

c. **Conformance with Pre-Annexation Agreement.** The entire subdivision shall achieve compliance with Pre-Annexation Agreement between the City and the developer

d. **Limitations.** Nothing in this Development Text shall prohibit additional restrictions or requirements from being placed on the approval of any Final Development Plan consistent with this Development Text or the Preliminary Development Plan.

e. **Major Modifications.** Once a Final Development Plan has been approved by City Council, any subsequent major modification to that plan shall only be permitted by resubmission and approval of a revised Final Development Plan through the procedures set forth in the Zoning Code. Major modification for the purposes of this Development Text shall mean any modification of the approved Final Development Plan, as determined by the Director of Planning & Community Development, that results in:

(1) Any major increase in the number of or change in the type and/or mix of dwelling units or any major increase in the non-residential building area.

(2) Major change in the approved location of land uses or land use sub-areas.

(3) Substantial alteration of the basic geometry, including right-of-way width, and/or operation characteristics of any element of the approved public and private street pattern, access points, parking facilities, service access, trash storage facilities, and system of pedestrian paths that results in a change in operating characteristics or character.

f. **Minor Modifications.** Once a Final Development Plan has been approved by City Council, any subsequent minor modification to that plan shall only be permitted by resubmission and approval by the Director of Planning and Community Development of a revised Final Development Plan. Minor modification for the purposes of this Development Text shall mean any modification of the approved Final Development Plan, as determined by the Director of Planning & Community Development, that results in:

(1) Any modification that is not considered a major modification by this Zoning Text or by determination of the Director of Planning & Community Development.

(2) Any minor increase in the number of or change in the type and/or mix of dwelling units less than 5% in the total number of dwelling units.

(3) Minor change in the approved location of land uses or land use sub-areas.

(4) Minor alteration of the basic geometry, including right-of-way width, and/or operation characteristics of any element of the approved public and private street pattern, access points, parking facilities, service access, trash storage facilities, and system of pedestrian paths that results in a change in operating characteristics or character.

(5) Minor structural alterations that do not alter the overall design intent of the buildings.

g. **Tree Removal and Replacement.** There do not appear to be many significant trees on the subject site. Qualifying Major Trees as defined under current City of Delaware code shall be replaced as prescribed within the then current code. Every effort shall be made to preserve existing tree rows along the east and south property lines.

h. **Master Association.** A master homeowners association will be created for the entire development. The master homeowners association shall be responsible for maintenance and upkeep of all Reserves (except Reserve A which shall be dedicated to the City as a public park and the sidewalk adjacent to the park shall be maintained by the HOA), entrance features and common open space located on the Property. Any declaration shall be reviewed and approved by the City prior to the recording of the declaration. By majority vote of the property owners, the association shall be transferred to the homeowners when 75% of the units have received a certificate of occupancy, unless the Developer establishes to the satisfaction of the City Director of Planning and Community Development that less than 75% of the units have been sold to third party buyers, in which event such transfer shall be deferred at the election of the Developer until such time as 75% of the units have been sold to third party buyers.

i. **Common Open Space.** The common open space (Reserves C, D, E, F, G, H & I) for the development of the Property shall contain approximately 27.1 acres. All open space will be owned and maintained by the Homeowners Association for the Development (except Reserve A which shall be dedicated to the City as a public park) subject to all necessary easements and agreements in connection with the overall development of the Property. The identified areas shall satisfy all common open space requirements. All common open space shall be improved, if improvements are necessary or required, concurrent with the public improvements with the respective phase in which the improvement is located.

j. **Parkland.** The Parkland (Reserves A & B) required by the Zoning Code shall be satisfied by the dedication of approximately 8.4 acres of land located primarily in the middle of the subdivision (7.0 acres) and just south of the main entrance (1.4 acres) on Glenn Parkway. The City may subsequently grant any covenants, easements, or restrictions to a third party for the purposes of holding the same. Applicant shall grant to the City an easement for a bike path along Glenn Parkway but maintained by the Homeowners Association, as depicted on the Preliminary Development Plan and as designed and constructed by the Applicant. The parkland and bike paths shall be open to the public with signage identifying such. Prior to or concurrent with the submittal of the Preliminary Subdivision Plat, the Applicant shall submit for review and approval a Preliminary Parkland and Open Space Improvement Plan. All public parkland shall be improved, if improvements are necessary or required, concurrent with the public improvements with the respective phase in which the improvement is located. Final plans for improvement shall be submitted concurrent with required phase of development.

k. **Utilities to be Located Underground.** All new utilities serving the Property shall be located underground. Additionally, and if determined to be economically feasible, any existing utilities that will serve the Property that are located above ground shall be relocated underground. The Applicant and the City shall work together to ensure that any technical and financial information provided by the respective utility company is fair and reasonable. Cell towers, DAS and small cell site(s) applications shall not be allowed with the subdivision and the covenant shall not reflect this.

l. **Composite Utility Plan Required.** Prior to the installation of any non-City owned utility, a composite utility plan shall be submitted for review and approval by the City. Such plan shall depict the location and type of all non-City owned utilities including the location and type of any above ground pedestal, transformer, meter, cabinet, and other such above ground structures that support the respective utility. Any above ground structure shall be inconspicuously located, dark green in color, and if located in any front yard shall not be higher than 5 feet.

m. **Removal of Existing Farm Fencing.** Unless demonstrated to the City that such fencing is not in the ownership of the Applicant, all existing farm fencing and barbed wire fencing shall be removed from the site at a minimum on a lot by lot basis.

n. **Construction Trailers.** Construction trailers shall meet all requirements of the current Zoning Code and shall be removed once construction activity has moved to another phase of the development. For example, once the public improvements have been accepted in Phase 2 any construction trailer located in Phase 1 shall be relocated to Phase 2 provided the respective builder is or will be constructing lots in the subsequent phase.

o. **Pedestrian Connectivity.** Multi-use paths will be constructed and accepted concurrently with the public improvements in which the multi-use path is located. Sidewalks will be constructed concurrently with the construction of a home on each lot.

    (1) A bike path was constructed along Glenn Parkway along Sections 1 per the adopted Bicycle and Pedestrian Plan 2027.

(2) The existing bike path on the east side of Glenn Parkway shall be extended north along the frontage of Sections 2-6 of the subdivision.

p. **Open Spaces.** Open spaces shall be landscaped and designed in a manner consistent with the overall development. Landscaping and design plans for all open spaces shall be submitted and approved with the Final Development Plan and include, at a minimum, the following:

1) Sidewalks or multi-use paths shall be provided throughout the open space to link the amenities of the open space to the adjacent public sidewalk or pathway network and provide active recreation throughout as approved on the Preliminary Development Plan.

2) Crosswalks leading to open spaces shall be provided and as acceptable by the City Engineer.

3) Amenities such as benches, gazebos, or other such features are encouraged in the open spaces as depicted on the Preliminary Development Plan.

4) All open spaces shall be constructed with the public infrastructure with the respective phase in which the open space is located. Landscaping shall be installed at the first time of year in which it is appropriate to install such plant material provided the acceptance of public improvements occurs during an inappropriate time for planting and the incomplete landscaping is bonded with the City.

q. **Entry Features and Signs.** With the Final Development Plan, a comprehensive entry feature and signage plan shall be submitted. All signs shall be designed and located in a manner that is appropriate and consistent with the overall design of the Sub-Area. Internally illuminated signs are prohibited, but externally illuminated and backlighting of lettering is permitted.

r. **Prohibited Uses**. The following uses shall be prohibited:

(1) **Adult Entertainment Businesses:** (also known as sexually oriented businesses) are expressly prohibited from locating anywhere on the proposed Development site.

(2) **Wireless telecommunication facilities:** New, non-small cell towers are expressly prohibited from the entire Development site.

(3) **Outdoor Storage:** No outdoor storage is permitted on the site which includes open dumps, mineral extraction, etc.

(4) **Medical Marijuana**: No medical marijuana principal or accessory uses are permitted on the subject site.

(5) **Games of Skill:** Accessory or principle for-profit, non-charitable, skill based gaming uses oriented towards adults and designed to substantially mimic gambling devices such as but not limited to spinning skill stop games but not including traditional video arcade type

games typically found in restaurant/party center arrangements, for example Dave & Buster's, Magic Mountain, and Chuck E. Cheese

3. SUB-AREA A – (SECTIONS 1-4) SINGLE-FAMILY STANDARDS

a. **Uses.** The following uses of the Property shall be considered permitted or conditionally permitted as represented in the chart below by P or C, respectively, and as defined by attached Chapter 1121 of the Zoning Code. Any use not listed in the chart shall be considered a prohibited use unless amended by action of the Planning Commission and City Council through a Zoning Amendment process.

(1) **Permitted Uses.** Permitted uses are permitted by-right and shall meet all development standards specified within this Development Text and the Zoning Code, as applicable.

(2) **Conditionally Permitted Uses.** In addition to all standards specified within this Development Text, uses listed as conditionally permitted uses shall meet all the then current Zoning Code standards for approval of a Conditional Use Permit current at the time of application for the specific conditional use as well as any other regulations contained within the Zoning Code and applicable to the conditional use.

(3) **Accessory Uses and Structures.** Although not specified in the chart below, accessory uses, which are considered allowed uses, include those items that are customarily incidental and secondary to the principal use of the land. Such items include but are not limited to signs, fences, trash receptacles and enclosures, and off-street parking areas.

Land Use Category	Glenross North Uses
(1) **Residential**	
(1) Detached single-family dwelling	P
(2) Minor home occupation	P
(2) **Recreational/Open Space**	
(1) Park, playground	P
(2) Non-commercial recreation facility (including homeowner association-controlled facilities)	P
(3) **Other**	
(1) Public Safety & Service facility (local service)	C

b. **Density of Dwelling Unit Type.** The overall density shall not exceed that approved on the Preliminary Development Plan.

c. **Lot Standards.** The minimum lot sizes and frontages shall be that depicted on the Preliminary Subdivision Plat.

d. **Building Setback Standards.** The following standards shall apply for minimum principal building setbacks (including accessory structures attached to the principal structure) based on the type of dwelling unit.

Minimum Building Setbacks*	**Glenross North**
(a) Front Yard Setback	30 ft.
(b) Rear Yard Setback	35 ft.
(2) Side Yard Setback (1) 70 Foot lots (2) 80 foot lots	 7.5 ft. (total 15 ft) 10 ft (total 20 ft)

*Side and rear yard setbacks shall not apply to minor architectural projections such as eaves, chimneys and bay windows. Such projections may extend 3 feet into the required side yard setback.

e. **Floor Area Requirements.** Each dwelling unit shall provide for the following minimum floor area, exclusive of basements (unless walk-out units), unfinished attic spaces, garages, and any attached or detached accessory buildings.

A. One story ranch – 1,800 sq. ft. – plus 200 square feet per bedroom in excess of 2 bedrooms per base code.

B. Two story – 2,000 sq. ft. – plus 200 square feet per bedroom in excess of 2 bedrooms per base code.

f. **Maximum Building Height.** The maximum height of any principal building or structure shall be 35 feet as measured from the average elevation of the finished grade at the front of the building to the highest point of the roof.

g. **Building Design.** Unless otherwise modified within this Development Text, all dwellings shall meet the building design requirements of Chapter 1171, R-2 District standards for detached single-family dwellings.

(1) To create a cohesive and unified design throughout the entire development yet provide a diversity of housing types each building shall be consistent in overall design, color, material, and architectural pattern and include a similar and/or repeating pattern of design elements such as architectural styles, roof and building massing, window proportion, or other elements as determined through the Final Development Plan review process.

(2) Representative home elevations (all sides) shall be reviewed and approved by the Planning Commission as part of the Final Development Plan. Minor variations

thereafter shall be potentially administratively approvable as written in this Development Text.

(3) Exterior Material and Trim Standards.

A. All elevations of the subject house shall be constructed of 100% natural materials excluding foundations, garage doors, entry doors, roofs, gutters, downspouts and windows. Natural materials include brick, stone, cultured stone, wood siding, stucco, SmartSide, fibrous cement siding, or other approved material,

B. Trim board around all corners, windows, and doors shall be a minimum of 4 inches all around.

C. Standing seam metal roofs are encouraged on select architectural elements of front elevations, such as porches or front entrance features but not as a predominant roof system.

D. EIFS or similar products (excluding stucco) are prohibited as an exterior material.

E. Frieze trim a minimum of 4 inches wide is required under all overhangs and gables.

F. All home elevations shall be reviewed and approved by the Director of Planning & Community Development to establish compliance with the Building Design requirements of this Development Text.

G. All homes will have, at a minimum, dimensional shingles.

(4) Design Standards

A. Materials on each home shall be varied to provide variety throughout the community.

B. All front elevations shall include a variety of styles, colors, and/or materials types of materials and shall meet the varied locations requirement of Chapter 1171.

C. All homes will have not less than a 2-car attached garage.

D. The principal roof structure on all homes will have a roof pitch of not less than 6/12.

E. Minimum 8-inch overhangs and rakes.

F. Lintels and sills in masonry walls shall be brick soldier course, limestone, or sandstone, along with other manufactured stone products.

G. Although porch railing and column details are encouraged to vary from home to home, porch columns shall have a minimum 6 x 6-inch cross section or diameter.

H. Treated lumber shall be painted or stained, except when used on outdoor decks.

I. Where wood burning fireplaces are utilized the exposed chimney shall be faced with brick or stone at a minimum. All direct vent fireplaces shall be located in a side or rear yard and screened from view when visible from a public street.

J. All homes shall provide an identifiable entry with entry coverings and stoops being a minimum of 3 feet deep or the minimum necessary for building code regulations, which ever is greater. Any porch shall be a minimum depth of 6 feet.

K. Front elevations shall be designed to de-emphasize the visual impact of the garage. All garage doors facing a public street shall be architecturally upgraded to include design elements consistent with the design of the home and development including de-emphasizing the door color, incorporate a glass course, add trim packages to give the appearance of stable doors, man doors, hinged swing doors, and other similar architectural elements.

L. Front elevations shall be designed to de-emphasize the visual impact of the garage. All garage doors facing a public street shall be architecturally upgraded to include design elements consistent with the design of the home and development including matching the door color to the predominant color of the main structure, incorporate a glass course, add trim packages to give the appearance of stable doors, man doors, hinged swing doors, and other similar architectural elements.

M. Side elevations shall include multiple windows and design elements that provide visual interest as well as allow light into the unit.

N. Rear elevations facing a public right-of-way shall have a minimum of two windows.

h. **Accessory Structures.** Fences (other than decorative fencing along front entrance paths and front porches) are prohibited in any front yard and must meet the standard fence specifications as provided with the Final Development Plan. Privacy fences are prohibited except around spas and hot tubs. Attached decks and patios may extend up to five (5) feet into a required rear setback provided the encroachment does not adversely impact any easement. All other accessory structures shall meet the requirements of the current Zoning Code.

4. SUB-AREA B – (SECTIONS 5-6) SINGLE-FAMILY STANDARDS

a. **Uses.** The following uses of the Property shall be considered permitted or conditionally permitted as represented in the chart below by P or C, respectively, and as defined by attached Chapter 1121 of the Zoning Code. Any use not listed in the chart shall be considered a prohibited use unless amended by action of the Planning Commission and City Council through a Zoning Amendment process.

(1) **Permitted Uses.** Permitted uses are permitted by-right and shall meet all development standards specified within this Development Text and the Zoning Code, as applicable.

(2) **Conditionally Permitted Uses.** In addition to all standards specified within this Development Text, uses listed as conditionally permitted uses shall meet all the then current Zoning Code standards for approval of a Conditional Use Permit current at the time of application for the specific conditional use as well as any other regulations contained within the Zoning Code and applicable to the conditional use.

(3) **Accessory Uses and Structures.** Although not specified in the chart below, accessory uses, which are considered allowed uses, include those items that are customarily incidental and secondary to the principal use of the land. Such items include but are not limited to signs, fences, trash receptacles and enclosures, and off-street parking areas.

Land Use Category	Glenross North Uses
(4) Residential	
(1) Detached single-family dwelling	P
(2) Minor home occupation	P
(5) Recreational/Open Space	
(1) Park, playground	P
(2) Non-commercial recreation facility (including homeowner association-controlled facilities)	P
(6) Other	
(3) Public Safety & Service facility (local service)	C

i. **Density of Dwelling Unit Type.** The overall density shall not exceed that approved on the Preliminary Development Plan.

j. **Lot Standards.** The minimum lot sizes and frontages shall be that depicted on the Preliminary Subdivision Plat.

k. **Building Setback Standards.** The following standards shall apply for minimum principal building setbacks (including accessory structures attached to the principal structure) based on the type of dwelling unit.

Minimum Building Setbacks*	Glenross North
(a) Front Yard Setback	30 ft.
(b) Rear Yard Setback	35 ft.
(c) Side Yard Setback	6 ft minimum, 15 ft between homes

*Side and rear yard setbacks shall not apply to minor architectural projections such as eaves, chimneys and bay windows. Such projections may extend 3 feet into the required side yard setback.

l. **Floor Area Requirements.** Each dwelling unit shall provide for the following minimum floor area, exclusive of basements (unless walk-out units), unfinished attic spaces, garages, and any attached or detached accessory buildings.

A. One story ranch – 1,800 sq. ft.

B. Two story – 2,000 sq. ft.

m. **Maximum Building Height.** The maximum height of any principal building or structure shall be 35 feet as measured from the average elevation of the finished grade at the front of the building to the highest point of the roof.

n. **Building Design.** Unless otherwise modified within this Development Text, all dwellings shall meet the building design requirements of Chapter 1171, R-2 District standards for detached single-family dwellings.

1) To create a cohesive and unified design throughout the entire development yet provide a diversity of housing types each building shall be consistent in overall design, color, material, and architectural pattern and include a similar and/or repeating pattern of design elements such as architectural styles, roof and building massing, window proportion, or other elements as determined through the Final Development Plan review process.

2) Representative home elevations (all sides) shall be reviewed and approved by the Planning Commission as part of the Final Development Plan. Minor variations thereafter shall be potentially administratively approvable as written in this Development Text.

3) Exterior Material and Trim Standards.

A. At least 35% of the front elevation of all homes constructed on the Property (excluding foundations, garage doors, entry doors, roofs, gutters, downspouts and windows) will consist of brick, stone or cultured stone.
B. All vinyl siding products used on homes constructed on the Property shall be architectural grade, Vinyl Siding – Higher End, as defined in Chapter 1171.08 (c) on all elevations.
C. Trim board around all corners, windows, and doors shall be a minimum of 4 inches all around.
D. Standing seam metal roofs are encouraged on select architectural elements of front elevations, such as porches or front entrance features.
E. EIFS or similar products are prohibited as an exterior material.
F. All exposed foundation walls shall be brick patterned concrete.
G. Frieze trim a minimum of 4 inches wide is required under all overhangs and gables.
H. All home elevations shall be reviewed and approved by the Director of Planning & Community Development to establish compliance with the Building Design requirements of this Development Text.
I. All homes will have, at a minimum, dimensional shingles.

4) Design Standards

A. Materials on each home within a Sub-Area shall be varied to provide variety throughout the Sub-Area.
B. All front elevations shall include a variety of styles, colors, and/or materials types of materials including as an example, but not limited to, vinyl shake siding.
C. All homes will have not less than a 2-car attached garage.
D. The principal roof structure on all homes will have a roof pitch of not less than 6/12.
E. The principal roof structure on all homes will have an overhang of not less than 12 inches and an end rake of not less than 8 inches.
F. Lintels and sills in masonry walls shall be brick soldier course, limestone, or sandstone, along with other manufactured stone products.
G. Although porch railing and column details are encouraged to vary from home to home, porch columns shall have a minimum 6 x 6-inch cross section or diameter.
H. Treated lumber shall be painted or stained, except when used on outdoor decks.
I. Where wood burning fireplaces are utilized the exposed chimney shall be faced with brick or stone at a minimum. All direct vent fireplaces shall be located in a side or rear yard and screened from view when visible from a public street.
J. All homes shall provide an identifiable entry with entry coverings and stoops being a minimum of 3 feet deep or the minimum necessary for building code regulations, whichever is greater. Any porch shall be a minimum depth of 5 feet.
K. Front elevations shall be designed to de-emphasize the visual impact of the garage. All garage doors facing a public street shall be architecturally upgraded to include design elements consistent with the design of the home and development including de-emphasizing the door color, incorporate a glass course, add trim packages to give the appearance of stable doors, man doors, hinged swing doors, and other similar architectural elements.

o. **Landscaping and Screening.** All landscaping shall meet the requirements of the then current Zoning Code and the Gateways & Corridors Plan unless modified herein.

(1) All street tree plantings shall meet the requirements and approval process of the Zoning Code unless modified in this Development Text.

(2) Street trees shall be a minimum of 1.75 caliper inches as measured at breast height at the time of installation or per City Arborist.

(3) Along Glenn Parkway, an earth mound, no less than 3 feet and not more than 6 feet in height as measured from the bike path shall be installed with a mix of deciduous and coniferous plantings providing, at the time of installation, a minimum 60% year round opacity at a combined mound and landscaping height of no less than 10 feet at planting shall be provided. Such mounding shall not interfere with any required sight distance.

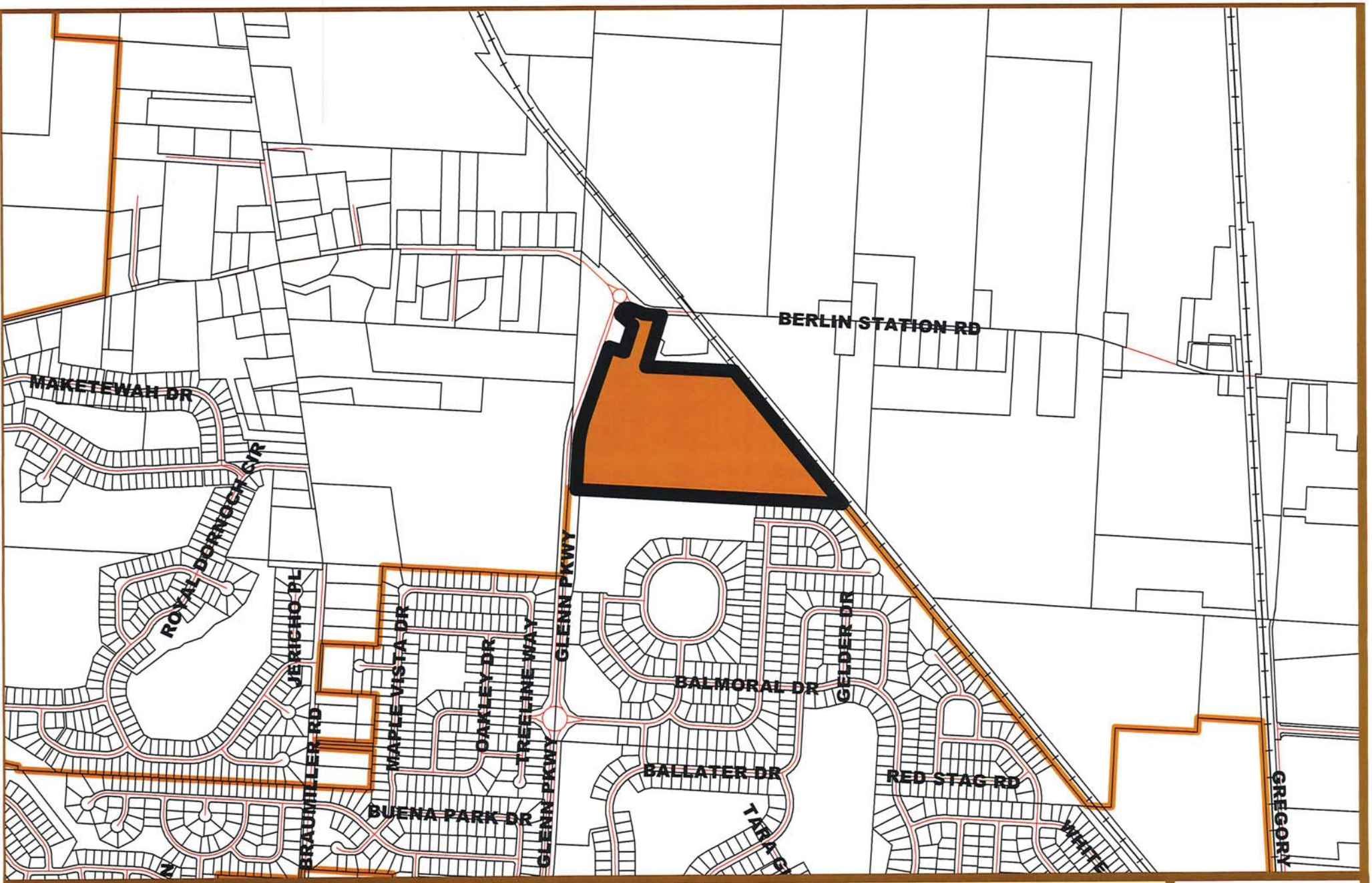
(4) A typical landscaping plan for each unit type shall be submitted and approved with the Final Development Plan. This typical landscaping shall set forth the minimum amount of required landscaping for each unit type at the time of building of each structure prior to the issuance of a Certificate of Occupancy. Landscaping species may be varied on a permit by permit basis.

(5) Ground mounted equipment shall be screened from view using plant materials providing 100%-year-round opacity. Air conditioning units shall be located in manner that minimizes the view from the public right-of-way.

(6) For the purposes of aesthetics and aquatic health, all ponds shall have a fountain/aerator.

(7) Along the existing railroad tracks, an earthen mound, no less than 10 to 12 feet high shall be installed with coniferous plantings providing complete screening at a combined mound and landscaping height of no less than 16 feet in a manner consistent with the mounding to the south in the Communities at Glenross Subdivision. This can be achieved by a soldier course of plantings across the top of the mound leaving sufficient room for trees to grow adequately as approved by the City's urban forester.

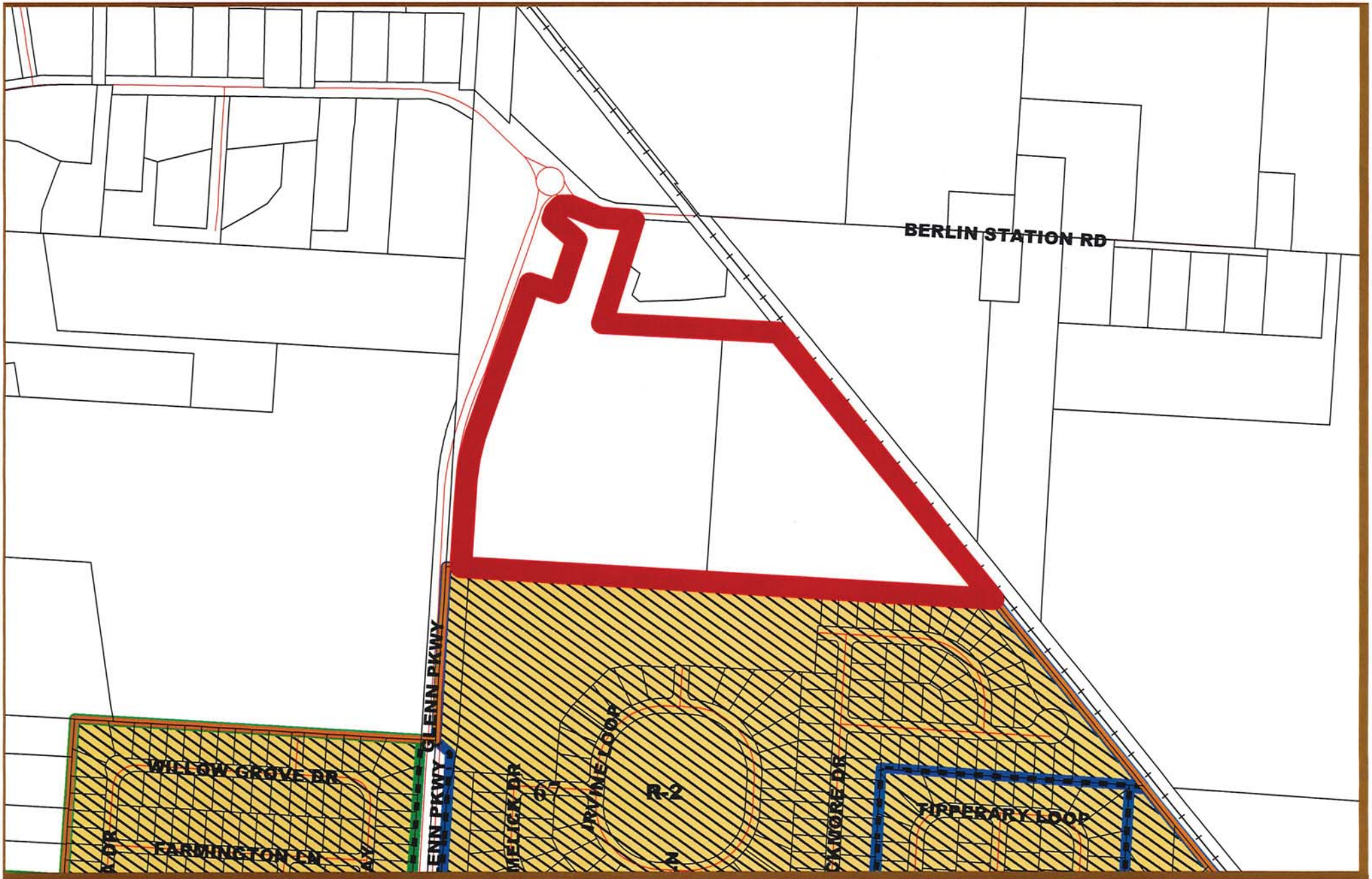
(8) Common HOA landscaping shall be well maintained including regular mowing, trimming, mulching and weeding.



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CITY OF
DELAWARE
OHIO

2021-1052 & 1056 & 1071-1072
Rezoning Amendment, Conditional Use Permit,
Preliminary Development Plan, and Preliminary Subdivision Plat
Glenross North Subdivision - Sections 5 & 6
Location Map

N



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CITY OF
DELAWARE
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2021-1052 & 1056 & 1071-1072
Rezoning Amendment, Conditional Use Permit,
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Glenross North Subdivision - Sections 5 & 6
Zoning Map

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DELAWARE
OHIO

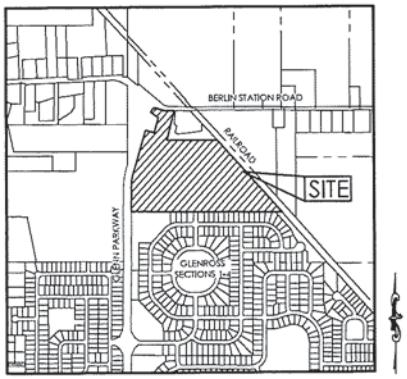
2021-1052 & 1056 & 1071-1072
Rezoning Amendment, Conditional Use Permit,
Preliminary Development Plan, and Preliminary Subdivision Plat
Glenross North Subdivision - Sections 5 & 6
Aerial (2019) Map

N

GLENROSS NORTH SECTION 5 & 6

DELAWARE, OHIO

PRELIMINARY DEVELOPMENT PLAN



LOCATION MAP

NO SCALE

NOTES

1. ALL OF THE GLENROSS NORTH SECTION 5 & 6 PROPERTY IS IN THE FLOOD HAZARD ZONE X AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NUMBER 39041C0118L, EFFECTIVE DATE FEBRUARY 17, 2016 AND 39041C0120K, EFFECTIVE DATE APRIL 16, 2009.

2. RESERVE "A" IS TO BE OWNED AND MAINTAINED BY THE CITY OF DELAWARE. RESERVES "B" THROUGH "D" ARE TO BE OWNED AND MAINTAINED BY THE GLENROSS NORTH SECTION 5 & 6 HOMEOWNERS ASSOCIATION FOR OPEN SPACE AND STORMWATER FACILITIES.

3. SIDEWALKS WILL BE PROVIDED ON BOTH SIDES OF ALL STREETS.

4. ALL PERMITS PERTAINING TO WETLANDS AND WATER OF THE UNITED STATES, AS REQUIRED BY THE ARMY CORPS OF ENGINEERS, SHALL BE OBTAINED AND PROVIDED TO THE CITY PRIOR TO THE PLANNING COMMISSIONS' APPROVAL OF ANY FINAL PLAT THAT CONTAINS SAID WETLANDS OR WATERS OF THE UNITED STATES.

5. THE OWNER AND DEVELOPER ACKNOWLEDGE AND AGREE THAT THE PROPERTY SHALL BE SUBJECT TO A $3,000 PER DWELLING UNIT ADDITIONAL FEE FOR SEWER CAPACITY IN ADDITION TO NORMAL AND CUSTOMARY FEE(S) IN PLACE A THE TIME OF BUILDING PERMITS.

6. THE OWNER AND DEVELOPER ACKNOWLEDGE AND AGREE THE PROPERTY SHALL BE SUBJECT TO A $1,000 PER DWELLING UNIT TRANSPORTATION FEE PAYABLE AT THE TIME OF BUILDING PERMIT AND WHICH SHALL BE USED BY THE CITY IN ITS SOLE DISCRETION FOR AREA TRANSPORTATION IMPROVEMENTS. THIS FEE IS IN ADDITION TO ANY NORMAL AND CUSTOMARY FEE(S) AND CHARGES REQUIRED BY THE CITY FOR THE DEVELOPMENT OF THE PROPERTY.

PREPARED FOR:

VINCE ROMANELLI
148 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081
P: (614) 891-2042

SUBMITTAL: APRIL 7, 2021

CIVIL ENGINEER &
LANDSCAPE ARCHITECT

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

EXISTING CONDITIONS:	1 of 6
SITE PLAN:	2 of 6
ILLUSTRATIVE SITE PLAN:	3 of 6
LANDSCAPE:	
LANDSCAPE PLAN:	4 of 6
LANDSCAPE ENLARGEMENTS:	5 of 6
DETAILS:	6 of 6

SITE STATISTICS:

TOTAL ACREAGE:	±43.6 ACRES
TOTAL NUMBER OF LOTS: 65' X ±145'	91
OPEN SPACE:	±13.1 ACRES (30.0%)
RESERVE "A":	±1.9 ACRES
RESERVE "B":	±4.8 ACRES
RESERVE "C":	±2.3 ACRES
RESERVE "D":	±4.1 ACRES
RIGHT-OF-WAY:	±6.6 ACRES (15.1%)
PROPOSED ZONING:	PMU / R-2
GROSS DENSITY: 91 LOTS DIVIDED BY ±43.6 GROSS ACRES	±2.09 LOTS/ACRE
NET DENSITY: ACREAGE REMOVED: ALL RESERVES AND RIGHTS-OF-WAY (91 LOTS DIVIDED BY ±23.9 ACRES)	±3.8 LOTS/ACRE

DESIGN STANDARDS

LOT SIZE:	
MINIMUM LOT WIDTH:	65 FEET
MINIMUM LOT AREA:	9,100 S.F.
SETBACKS:	
FRONT (BUILDING LINE):	30 FEET
SIDE YARD:	6 FEET MINIMUM 15 FEET BETWEEN HOMES
REAR YARD:	35 FEET
MAXIMUM BUILDING HEIGHT:	35 FEET



GLENROSS NORTH SECTION 5 & 6

City of Delaware
Delaware County . Ohio

PRELIMINARY DEVELOPMENT PLAN

EXISTING CONDITIONS

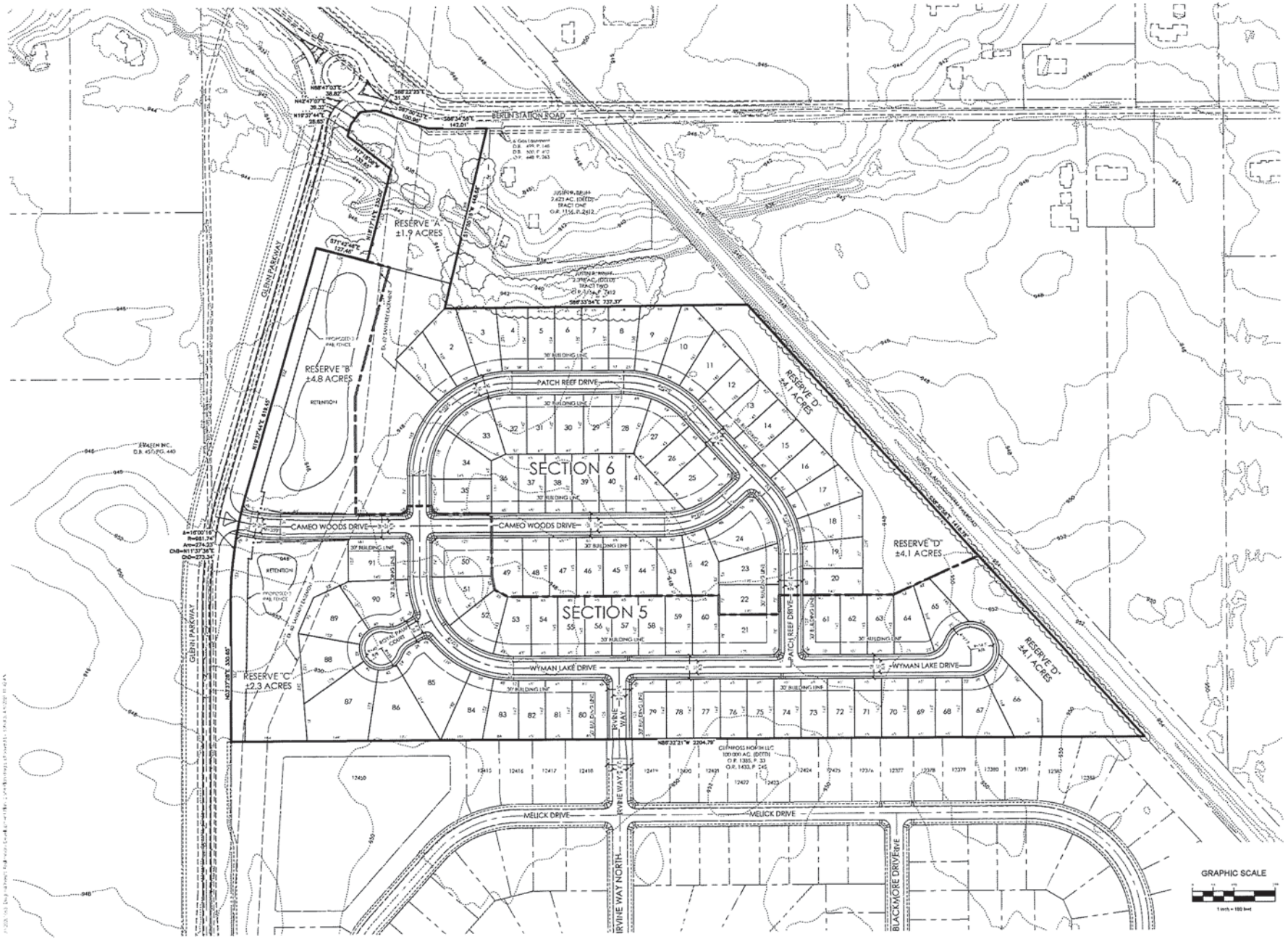
PREPARED FOR:
VINCE ROMANELLI
148 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081

PREPARED BY:
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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

DATE	APRIL 7, 2021
#1 ISSUED	
#2 ISSUED	
#3 ISSUED	
#4 ISSUED	
#5 ISSUED	
#6 ISSUED	

NORTH

SHEET 1 6



GLENROSS NORTH SECTION 5 & 6

City of Delaware
Delaware County . Ohio

PRELIMINARY DEVELOPMENT PLAN

SITE PLAN

VINCE ROMANELLI
148 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081

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emht.com

DATE: APRIL 7, 2021

REVISED:
REVISED:
REVISED:
REVISED:
REVISED:
REVISED:

NORTH

SHEET 2 OF 6



GLENROSS NORTH SECTION 5 & 6

City of Delaware
Delaware County . Ohio

PRELIMINARY DEVELOPMENT PLAN

ILLUSTRATIVE SITE PLAN

PREPARED FOR:

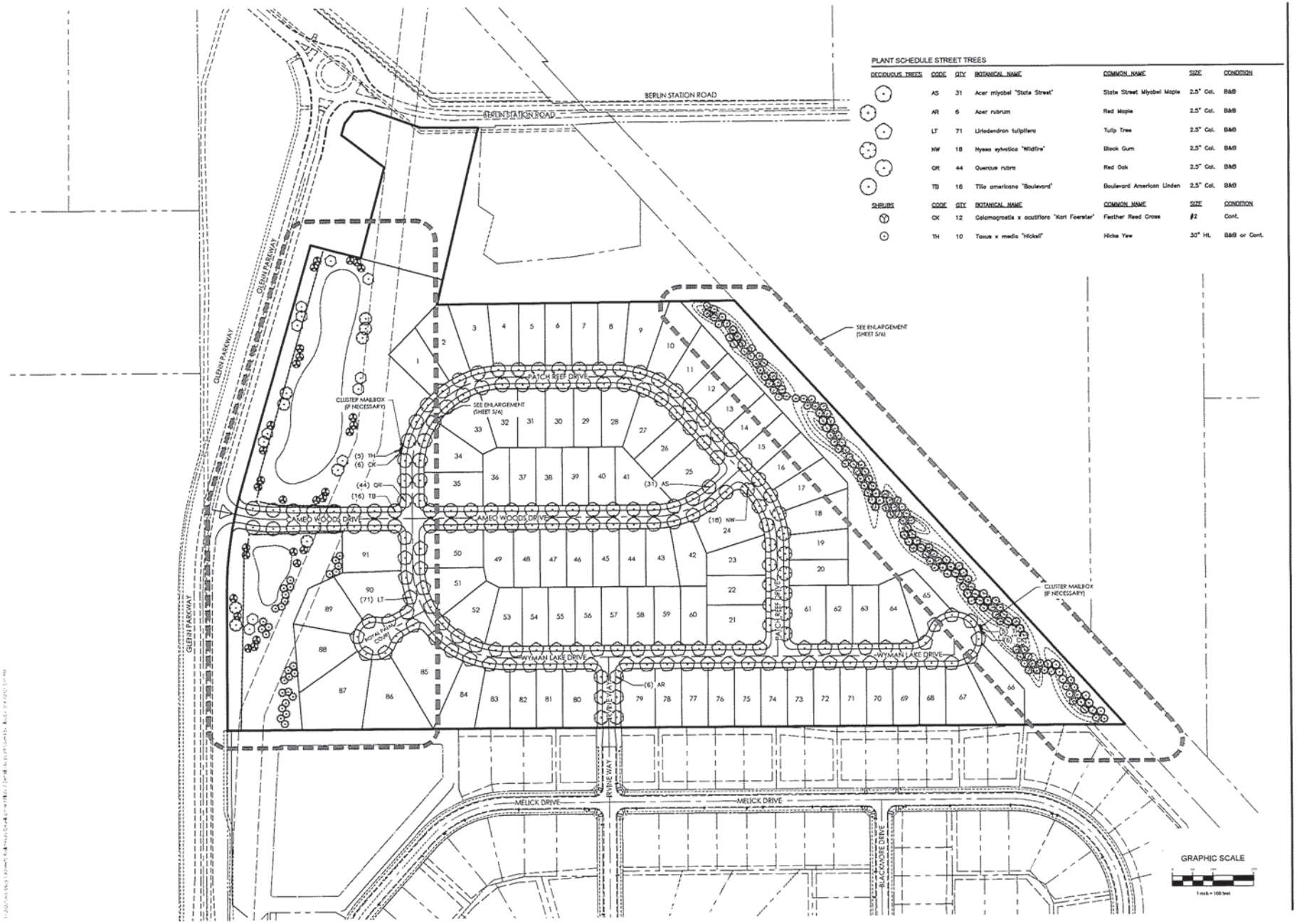
VINCE ROMANELLI
148 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081

PREPARED BY:

EMHT

DATE: APRIL 7, 2021
REVISED:
REVISED:
REVISED:
REVISED:
REVISED:
REVISED:

SHEET 3 OF 6



GLENROSS NORTH SECTION 5 & 6

City of Delaware
Delaware County , Ohio

PRELIMINARY DEVELOPMENT PLAN

LANDSCAPE PLAN

VINCE ROMANELLI
148 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081

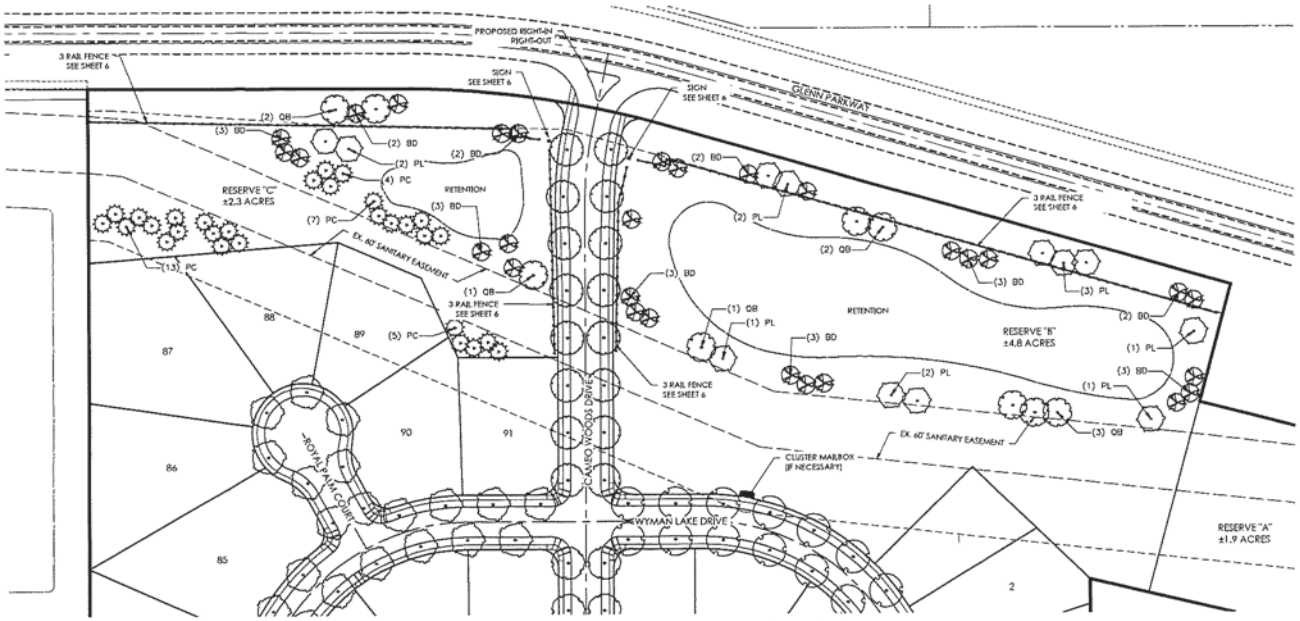
EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
8800 Lyra Drive, Suite 450, Columbus, OH 43240
Phone: 614.775.4500 Toll Free: 866.775.3648
emht.com

DATE	APPR. / ADJ.
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REVISED	
REVISED	

NORTH

GLENROSS NORTH SECTION 5 & 6

SHEET 4 OF 6

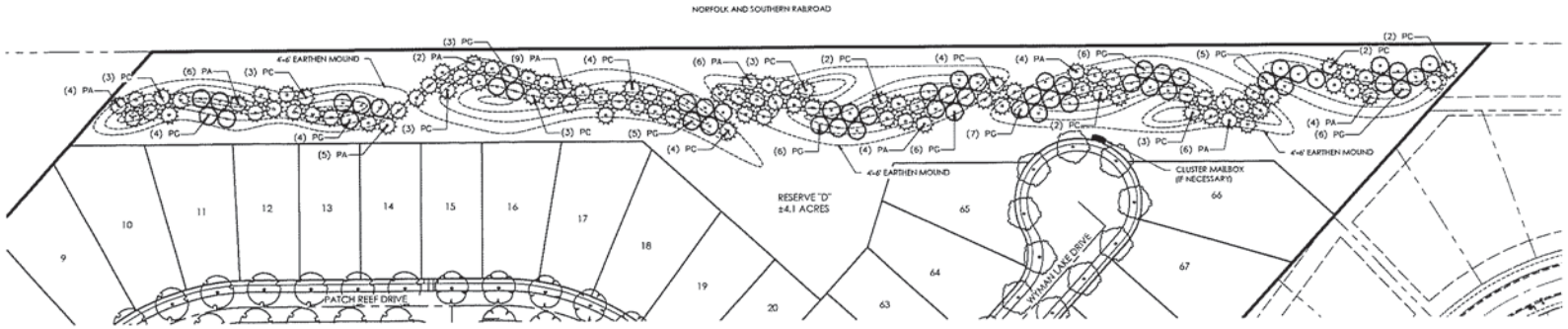


GLENN PARKWAY ENLARGEMENT

Scale: 1"=60'

RESIDENTIAL DEVELOPMENT SIGN

- TO BE INSTALLED PER SECTION 1165
- TWO SIGN, ONE ON EACH SIDE OF THE ENTRY DRIVE. SEE PLAN THIS SHEET
- SIGN SHALL BE LOCATED NO CLOSER THAN 10 FEET TO CAMEO WOODS DRIVE RIGHT-OF-WAY AND 2 FEET FROM THE CHANNEL EASEMENT ADJACENT GLENN PARKWAY
- A MIX OF PERENNIALS, EVERGREENS AND DECIDUOUS SHRUBS SHALL BE INSTALLED AT THE BASE OF THE SIGNS.
- SEE DETAILS AND SKETCH SHEET 6



EASTERN BUFFER

Scale: 1"=60'

PLANT SCHEDULE GLENN PARKWAY ENLARGEMENT

DECIDUOUS TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
	BD	29	Betula nigra "Heritage"	Heritage River Birch	2" Cal.	B&B
	PL	12	Platanus occidentalis	American Sycamore	2.5" Cal.	B&B
	QB	9	Quercus bicolor	Swamp White Oak	2.5" Cal.	B&B
EVERGREEN TREES	**CODE**	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**CONDITION**
	PC	29	Picea pungens	Colorado Spruce	6' Ht.	B&B

PLANT SCHEDULE EASTERN BUFFER

EVERGREEN TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
	PA	51	Picea abies	Norway Spruce	6' Ht.	B&B
	PG	53	Picea glauca	White Spruce	6' Ht.	B&B
	PC	40	Picea pungens	Colorado Spruce	6' Ht.	B&B

GRAPHIC SCALE

1 inch = 60 feet

GLENROSS NORTH SECTION 5 & 6

City of Delaware
Delaware County . Ohio

PRELIMINARY DEVELOPMENT PLAN

LANDSCAPE ENLARGEMENTS

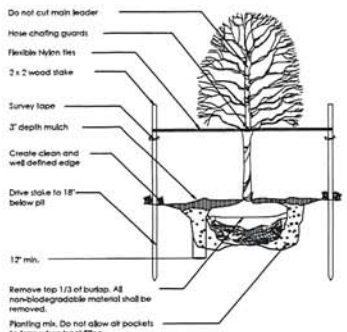
PREPARED FOR:
VINCE ROMANELLI
148 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081

PREPARED BY:
EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
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emht.com

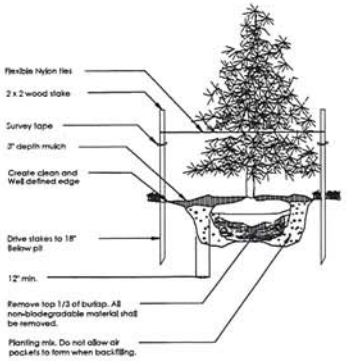
DATE	APRIL 7, 2021
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REVISED:	

NORTH

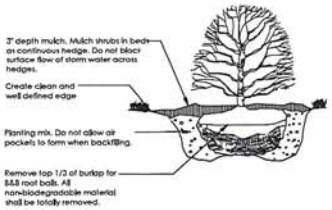
SHEET 5 & 6



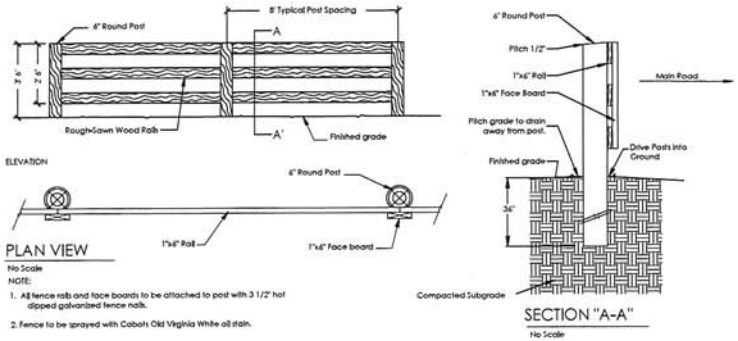
Deciduous Tree Planting
No Scale



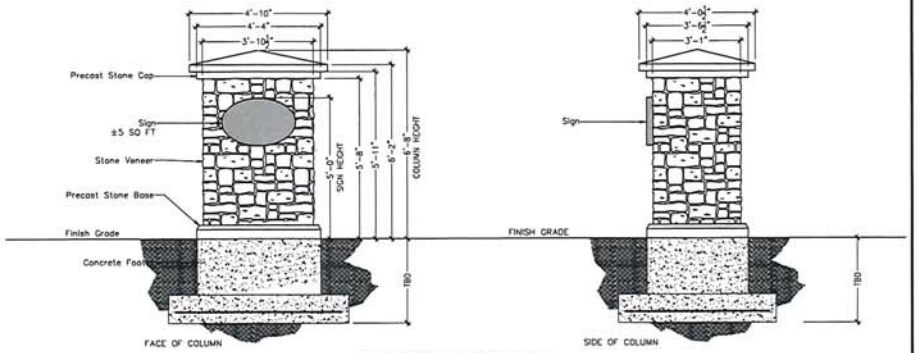
Evergreen Tree Planting
No Scale



Shrub Planting
No Scale



3 Rail Fence Detail
No Scale



Residential Development Sign - Details
No Scale



Residential Development Sign - Sketch
No Scale

GLENROSS NORTH SECTION 5 & 6

City of Delaware
Delaware County . Ohio

PRELIMINARY DEVELOPMENT PLAN

DETAILS

PREPARED FOR:
VINCE ROMANELLI
148 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081

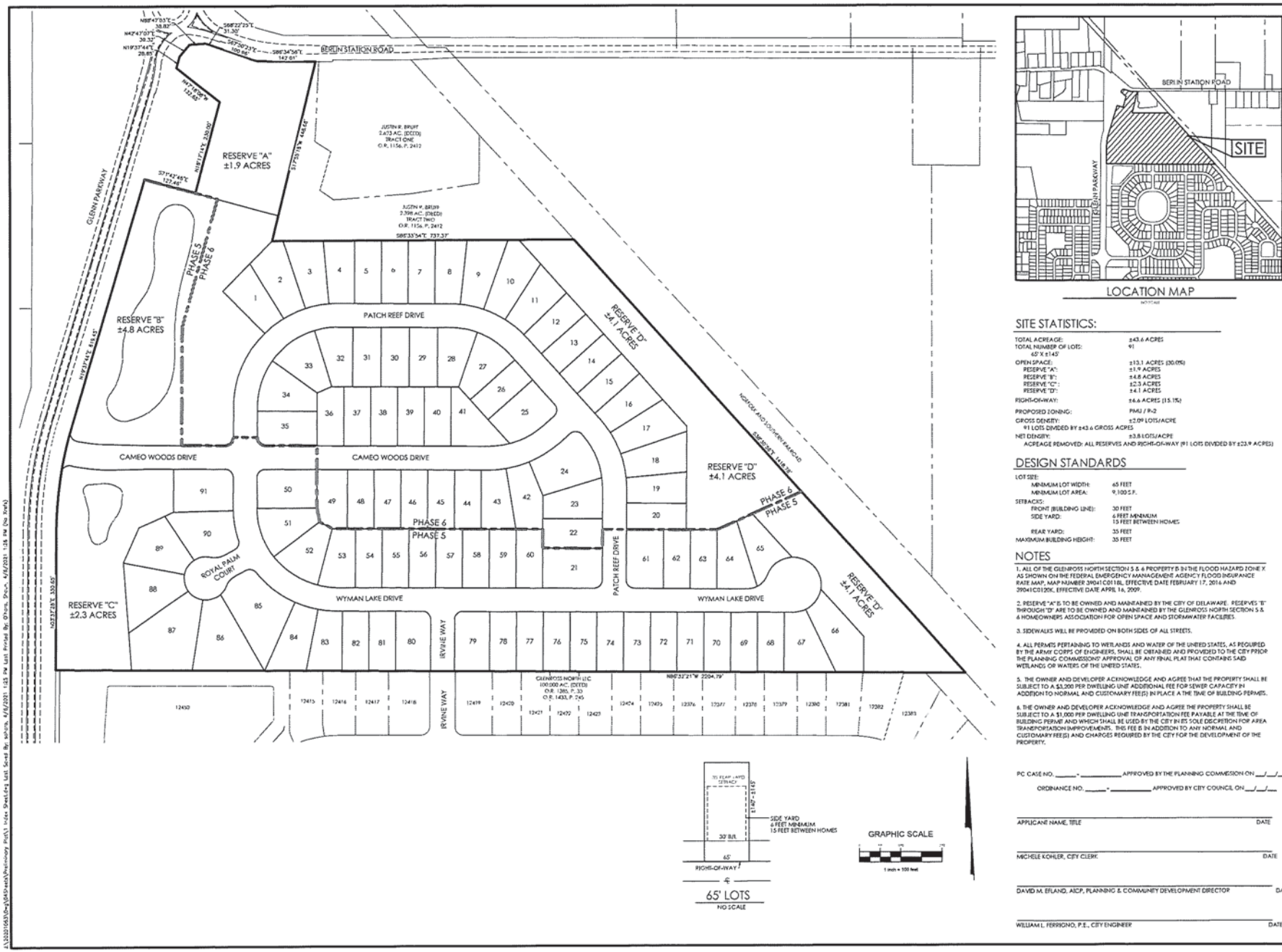
PREPARED BY:
EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 866.775.3648
emht.com

DATE	APRIL 7, 2023
REVISED:	
REVISED:	
REVISED:	
REVISED:	
REVISED:	
REVISED:	

NORTH

GLENROSS NORTH SECTION 5 & 6

SHEET 6 OF 6 SHEETS



LOCATION MAP
NO SCALE

SITE STATISTICS:

TOTAL ACREAGE:	±43.6 ACRES
TOTAL NUMBER OF LOTS:	91
65' X ±145'	
OPEN SPACE:	±13.1 ACRES (30.0%)
RESERVE "A":	±1.9 ACRES
RESERVE "B":	±4.8 ACRES
RESERVE "C":	±2.3 ACRES
RESERVE "D":	±4.1 ACRES
RIGHT-OF-WAY:	±6.6 ACRES (15.1%)
PROPOSED ZONING:	PMU / R-2
GROSS DENSITY:	±2.09 LOTS/ACRE
91 LOTS DIVIDED BY ±43.6 GROSS ACRES	
NET DENSITY:	±3.8 LOTS/ACRE
ACREAGE REMOVED: ALL RESERVES AND RIGHT-OF-WAY (91 LOTS DIVIDED BY ±23.9 ACRES)	

DESIGN STANDARDS

LOT SIZE:	
MINIMUM LOT WIDTH:	65 FEET
MINIMUM LOT AREA:	9,100 S.F.
SETBACKS:	
FRONT (BUILDING LINE):	30 FEET
SIDE YARD:	6 FEET MINIMUM 15 FEET BETWEEN HOMES
REAR YARD:	35 FEET
MAXIMUM BUILDING HEIGHT:	35 FEET

NOTES

1. ALL OF THE GLENROSS NORTH SECTION 5 & 6 PROPERTY IS IN THE FLOOD HAZARD ZONE X AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NUMBER 39041C0118L, EFFECTIVE DATE FEBRUARY 17, 2016 AND 39041C0120K, EFFECTIVE DATE APRIL 16, 2009.

2. RESERVE "A" IS TO BE OWNED AND MAINTAINED BY THE CITY OF DELAWARE. RESERVES 'B' THROUGH 'D' ARE TO BE OWNED AND MAINTAINED BY THE GLENROSS NORTH SECTION 5 & 6 HOMEOWNERS ASSOCIATION FOR OPEN SPACE AND STORMWATER FACILITIES.

3. SIDEWALKS WILL BE PROVIDED ON BOTH SIDES OF ALL STREETS.

4. ALL PERMITS PERTAINING TO WETLANDS AND WATER OF THE UNITED STATES, AS REQUIRED BY THE ARMY CORPS OF ENGINEERS, SHALL BE OBTAINED AND PROVIDED TO THE CITY PRIOR THE PLANNING COMMISSIONS' APPROVAL OF ANY FINAL PLAT THAT CONTAINS SAID WETLANDS OR WATERS OF THE UNITED STATES.

5. THE OWNER AND DEVELOPER ACKNOWLEDGE AND AGREE THAT THE PROPERTY SHALL BE SUBJECT TO A $3,200 PER DWELLING UNIT ADDITIONAL FEE FOR SEWER CAPACITY IN ADDITION TO NORMAL AND CUSTOMARY FEE(S) IN PLACE AT THE TIME OF BUILDING PERMITS.

6. THE OWNER AND DEVELOPER ACKNOWLEDGE AND AGREE THE PROPERTY SHALL BE SUBJECT TO A $1,000 PER DWELLING UNIT TRANSPORTATION FEE PAYABLE AT THE TIME OF BUILDING PERMIT AND WHICH SHALL BE USED BY THE CITY IN ITS SOLE DISCRETION FOR AREA TRANSPORTATION IMPROVEMENTS. THIS FEE IS IN ADDITION TO ANY NORMAL AND CUSTOMARY FEE(S) AND CHARGES REQUIRED BY THE CITY FOR THE DEVELOPMENT OF THE PROPERTY.

PC CASE NO. _____-_____ APPROVED BY THE PLANNING COMMISSION ON __/__/__

ORDINANCE NO. _____-_____ APPROVED BY CITY COUNCIL ON __/__/__

APPLICANT NAME, TITLE DATE

MICHELE KOHLER, CITY CLERK DATE

DAVID M. EFLAND, AICP, PLANNING & COMMUNITY DEVELOPMENT DIRECTOR DATE

WILLIAM L. FERRIGNO, P.E., CITY ENGINEER DATE

REVISIONS

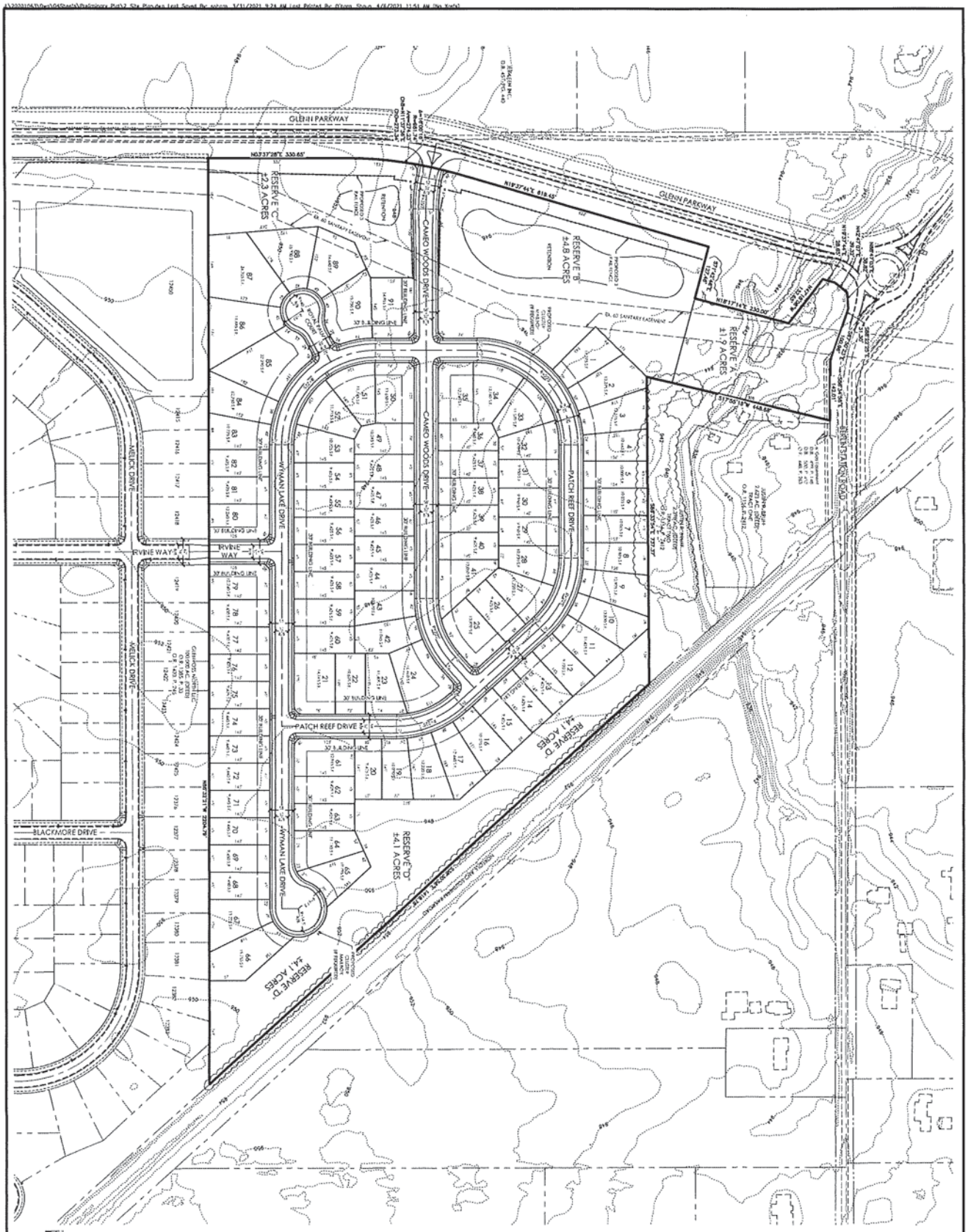
NO.	DATE	DESCRIPTION

VINCE ROMANELLI
149 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081
PH (614) 891-6444

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
PRELIMINARY PLAT
FOR
GLENROSS NORTH SECTION 5 & 6
INDEX PLAN

EMHT
Environmental Planning & Technology, Inc.
Surveying & Mapping • Planning & Zoning
Civil Engineering • Landscape Architecture
8800 Lyra Drive, Suite 450, Columbus, Ohio 43240
Phone: 614.775.4500 Fax: 614.775.4640
www.emht.com

DATE: April 7, 2021
SCALE: 1" = 100'
JOB NO.: 20201063
SHEET: 1/4



CITY OF DELAWARE, DELAWARE COUNTY, OHIO
PRELIMINARY PLAT
FOR

GLENROSS NORTH SECTION 5 & 6
SITE PLAN

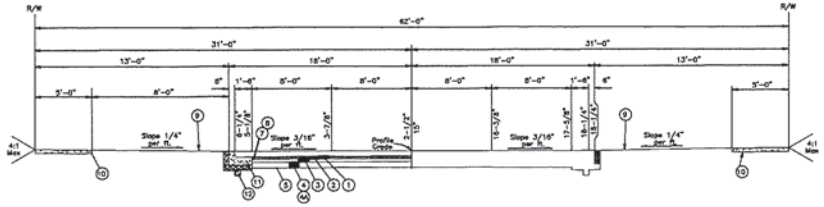
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Phone: (614) 775-4500 Toll Free: 888.775.3648
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VINCE ROMANELLI
144 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081
P: (614) 891-2042

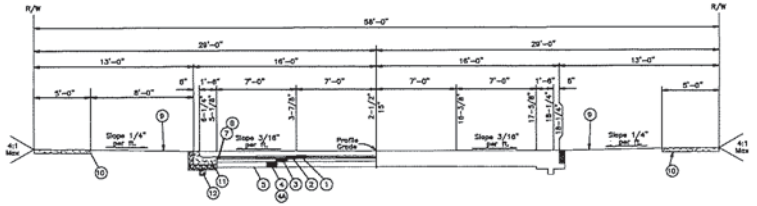
REVISIONS		
MARK	DATE	DESCRIPTION

SHEET	JOB NO.	SCALE	DATE
2/4	2020363	1" = 100'	April 7, 2021

GLENROSS NORTH SECTION 5 & 6
UTILITY PLAN
PRELIMINARY PLAT
CITY OF DELAWARE, DELAWARE COUNTY, OHIO
VINCE ROMANELLI
149 WEST SUNBURY ROAD
WESTERVILLE, OHIO 43081
Ph: (614) 891-2042
EMHT
DATE
April 7, 2021
SCALE
1" = 100'
JOB NO.
20201043
SHEET
3/4
REVISIONS
MARK
DATE
DESCRIPTION
GRAPHIC SCALE
LEGEND:
Storm Sewer
Sanitary Sewer
Water Line
RESERVE "A"
±1.9 ACRES
RESERVE "B"
±4.8 ACRES
RESERVE "C"
±3.3 ACRES
RESERVE "D"
±4.1 ACRES
RESERVE "D"
±4.1 ACRES
RESERVE "D"
±4.1 ACRES
PATCH REEF DRIVE
CAMEO WOODS DRIVE
WYMAN LAKE DRIVE
IRVINE WAY
IRVINE WAY NORTH
MELICK DRIVE
BLACKMORE DRIVE
GLENN PARKWAY
SUNBURY ROAD



TYPICAL PRIMARY SECTION WITH STANDARD CURB
(36' B/C TO B/C, 62' R/W)
NO SCALE



TYPICAL SECONDARY & CUL-DE-SAC SECTIONS WITH STANDARD CURB
(32' B/C TO B/C, 58' R/W)
NO SCALE

PAVEMENT LEGEND

1. 1 1/2" Asphalt Concrete, Item 448 Type 1 (Medium Traffic) PG 64-22
2. 2" Asphalt Concrete, Item 448 Type 2 – Intermediate Course (Medium Traffic) PG 64-22
3. 3" Asphalt Concrete Base, Item 301, PG 64-22
4. 6" Aggregate Base, Item 304
4A. 6" Portland Cement Concrete Base, Class 'C', Item 305 Or RCC Supplemental SPEC 1523
5. Subgrade compaction, Item 203
6. Asphalt Rejuvenate Per Supplemental SPEC 1540
7. ITEM 407, Tack Face Of Curb Prior To Paving
8. ITEM 423, Crack Seal Edge Joints
9. Item 659, Seeding & Mulching (See Erosion and Sedimentation Control Plan)
10. Item 608, 5' Concrete Sidewalk (By Home Builder Unless Otherwise Noted)
11. Concrete Curb & Gutter, Item 609
12. 4" Pipe Curb Underdrain, Item 605

REVISIONS

NO.	DATE	DESCRIPTION

VINCE ROMANELLI
149 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081
PHONE: (614) 890-4344

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
PRELIMINARY PLAT
FOR
GLENROSS NORTH SECTION 5 & 6
TYPICAL SECTIONS

EMH,T
Engineers, Architects & Surveyors, Inc.
Engineers | Surveyors | Planners | Scientists
8050 North High Street, Suite 100, Worthington, Ohio 43235
Phone: 614.775.4500 Fax: 866.775.5344
www.emht.com

DATE
April 7, 2021

SCALE
None

JOB NO.
20201063

SHEET
4/4

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,Planning Department
ITEM TYPE:	Ordinances
AGENDA SECTION:	**SECOND READING OF ORDINANCE NO. 21-33**
SUBJECT:	An ordinance for Vincent Romanelli for approval of a Preliminary Development Plan for the Glenross North Subdivision Sections 5 & 6 on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.

SUGGESTED ACTION:

ATTACHMENTS:

fact sheet ord 21-33, 2021-1071 Glenross North Sections 5 & 6 PDP.pdf
ord 21-33, 2021-1071 Glenross North Sections 5 & 6 PDP Ordinance.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 13 | DATE: 05/24/2021

ORDINANCE NO: 21-33 | RESOLUTION NO:

READING: SECOND | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE FOR VINCENT ROMANELLI FOR APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR THE GLENROSS NORTH SUBDIVISION SECTIONS 5 AND 6 ON APPROXIMATELY 43.6 ACRES LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

BACKGROUND:
See attached staff report.

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

COMMITTEE RECOMMENDATION:
Planning Commission approved this case 7-0 on May 5, 2021

FISCAL IMPACT(S):
N/A

POLICY CHANGES:
N/A

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

RECOMMENDATION:
Staff recommends approval

ATTACHMENT(S)
See attached

ORDINANCE NO. 21-33

AN ORDINANCE FOR VINCENT ROMANELLI FOR APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR THE GLENROSS NORTH SUBDIVISION SECTIONS 5 AND 6 ON APPROXIMATELY 43.6 ACRES LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

WHEREAS, the Planning Commission at its meeting of May 5, 2021 recommended approval of a Preliminary Development Plan for Glenross North Subdivision Sections 5 and 6 containing 91 single-family detached dwelling units on approximately 43.6 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located east of Glenn Parkway and just south of Berlin Station Road (PC Case 2021-1071).

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

SECTION 1. That the Preliminary Development Plan for Glenross North Subdivision Sections 5 and 6 containing 91 single-family detached dwelling units on approximately 43.6 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located east of Glenn Parkway and just south of Berlin Station Road, is hereby confirmed, approved, and accepted with the following condition 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. All retention ponds shall be setback a minimum of 80 feet from the edge of pavement for roads of 35 mph or higher or per the City Engineer.
3. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
4. The single-family houses shall comply with the minimum architectural standards in the approved development text and per applicable sections of the current zoning code.
5. Reserve A (1.9 acres) shall be dedicated to City in the mylar Final Plat approval of Section 5.
6. A minimum 3-6-foot-high mound with landscaping shall be located along Glenn Parkway and a three-rail wood fence stained black

adjacent to the retention ponds. The maintenance of the mound and associated landscaping shall be the responsibility of the Homeowner's Association. The subject plan shall be reviewed and approved by the Shade Tree Commission.

7. A 10-12-foot-high mound with landscaping shall be installed adjacent to the railroad tracks to be consistent with mounding at Glenn Ross North Sections 1-4 and the Communities at Glenross just south of the subject development. The subject plan shall be reviewed and approved by the Shade Tree Commission.
8. A street tree plan shall be submitted and approved by the Shade Tree Commission.
9. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations and shall be required prior to final plat approvals for each section.
10. The tree lines along the north and east property lines shall be preserved as much as feasible.
11. The bike path along Glenn Parkway shall be installed by the developer and located within an easement dedicated to the City and shall be maintained by the Homeowner's Association.
12. The street lighting plan shall be submitted, reviewed and approved by the City and achieve compliance with all zoning requirements prior to final subdivision plat approval of each section.
13. All elements of the Pre-Annexation Agreement shall achieve compliance with including but not limited to: voluntary developer entrance into the a New Community Authority, an additional sanitary sewer charge for the Southeast Highlands trunk sewer of $3,200 per EDU, the single family lot transportation fee of $1,000 per dwelling unit.
14. The reserve areas in Section 5 & 6 shall be re-lettered to F, G, H & I respectively to be consistent and sequential with Sections 1-4.
15. Section 5 site construction shall include the entrance from Glenn Parkway and the connection to Section 4 at Irvine Way.
16. The developer shall consult with the City Engineer to determine the appropriate locations for the cluster mailboxes per the City guidelines.

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

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,Planning Department
ITEM TYPE:	Ordinances
AGENDA SECTION:	**SECOND READING OF ORDINANCE NO. 21-34**
SUBJECT:	An ordinance for Vincent Romanelli for approval of a Preliminary Subdivision Plat for the Glenross North Subdivision Sections 5 and 6 on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.

SUGGESTED ACTION:

ATTACHMENTS:

fact sheet ord 21-34, 2021-1072 Glenross North Sections 5 & 6 PSP.pdf
ord 21-34, 2021-1072 Glenross North Sections 5 & 6 PSP.pdf
2021-1052 Glenross North Sec 5 & 6 staff report.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 14 | DATE: 05/24/2021

ORDINANCE NO: 21-34 | RESOLUTION NO:

READING: SECOND | PUBLIC HEARING:NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE FOR VINCENT ROMANELLI FOR APPROVAL OF A PRELIMINARY SUBDIVISION PLAT FOR THE GLENROSS NORTH SUBDIVISION SECTIONS 5 AND 6 ON APPROXIMATELY 43.6 ACRES LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

BACKGROUND:
See attached report

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Section 1111 Platting requirements of the zoning code.

COMMITTEE RECOMMENDATION:
Planning Commission approved this case 7-0 on May 5, 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. 21-34

AN ORDINANCE FOR VINCENT ROMANELLI FOR APPROVAL OF A PRELIMINARY SUBDIVISION PLAT FOR THE GLENROSS NORTH SUBDIVISION SECTIONS 5 AND 6 ON APPROXIMATELY 43.6 ACRES LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

WHEREAS, the Planning Commission at its meeting of May 5, 2021 recommended approval of a Preliminary Subdivision Plat for Glenross North Subdivision Sections 5 and 6 containing 91 single-family detached dwelling units on approximately 43.6 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located east of Glenn Parkway and just south of Berlin Station Road (PC 2021-1072).

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

SECTION 1. That the Preliminary Subdivision Plat for Glenross North Subdivision Sections 5 and 6 containing 91 single-family detached dwelling units on approximately 43.6 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located east of Glenn Parkway and just south of Berlin Station Road, 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. All retention ponds shall be setback a minimum of 80 feet from the edge of pavement for roads of 35 mph or higher or per the City Engineer.
3. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
4. The single-family houses shall comply with the minimum architectural standards in the approved development text and per applicable sections of the current zoning code.
5. Reserve A (1.9 acres) shall be dedicated to City in the mylar Final Plat approval of Section 5.
6. A minimum 3-6-foot-high mound with landscaping shall be located along Glenn Parkway and a three-rail wood fence stained black adjacent to the retention ponds. The maintenance of the mound and

associated landscaping shall be the responsibility of the Homeowner's Association. The subject plan shall be reviewed and approved by the Shade Tree Commission.

7. A 10-12-foot-high mound with landscaping shall be installed adjacent to the railroad tracks to be consistent with mounding at Glenn Ross North Sections 1-4 and the Communities at Glenross just south of the subject development. The subject plan shall be reviewed and approved by the Shade Tree Commission.
8. A street tree plan shall be submitted and approved by the Shade Tree Commission.
9. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations and shall be required prior to final plat approvals for each section.
10. The tree lines along the north and east property lines shall be preserved as much as feasible.
11. The bike path along Glenn Parkway shall be installed by the developer and located within an easement dedicated to the City and shall be maintained by the Homeowner's Association.
12. The street lighting plan shall be submitted, reviewed and approved by the City and achieve compliance with all zoning requirements prior to final subdivision plat approval of each section.
13. All elements of the Pre-Annexation Agreement shall achieve compliance with including but not limited to: voluntary developer entrance into the a New Community Authority, an additional sanitary sewer charge for the Southeast Highlands trunk sewer of $3,200 per EDU, the single family lot transportation fee of $1,000 per dwelling unit.
14. The reserve areas in Section 5 & 6 shall be re-lettered to F, G, H & I respectively to be consistent and sequential with Sections 1-4.
15. Section 5 site construction shall include the entrance from Glenn Parkway and the connection to Section 4 at Irvine Way.
16. The developer shall consult with the City Engineer to determine the appropriate locations for the cluster mailboxes per the City guidelines.

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: 2021-1052, 1056, 1071-1072
REQUEST: Multiple Requests
PROJECT: Glenross North Subdivision
MEETING DATE: May 5, 2021

APPLICANT/OWNER
Vince Romanelli
148 West Schrock Road
Westerville, Ohio 43081

REQUESTS
2021-1052: A request by Vincent Romanelli for approval of a Rezoning Amendment from A-1 (Agricultural District) to R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) for an addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.
2021-1056: A request by Vincent Romanelli for approval of a Conditional Use Permit allowing the Placement of PMU (Planned Mixed Use Overlay District) to be established for the addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.
2021-1071: A request by Vincent Romanelli for approval of a Preliminary Development Plan for the Glenross North Subdivision Sections 5 and 6 on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.
2021-1072: A request by Vincent Romanelli for approval of a Preliminary Subdivision Plat for the Glenross North Subdivision Sections 5 and 6 on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.

PROPERTY LOCATION & DESCRIPTION
The subject parcel is located east of Glenn Parkway, west of the railroad tracks and north of the Glenross North Subdivision Sections 1-4. The parcel is in the process of being annexed into the City and would be zoned A-1 (Agricultural District) upon annexation per the zoning code unless the applicant requests a rezoning which they are in this application. The zoning to the south is R-2 PMU\(One Family Residential District with a Planned Mixed Overlay District) while the zoning to the north, east and west is FR-1in the Township.

BACKGROUND/PROPOSAL
In 2015, Planning Commission and City Council approved a Rezoning Amendment, Conditional Use Permit, Preliminary Development Plan and Preliminary Subdivision Plat (Ordinances 15-68-71) for Glenross North Subdivision Sections 1-4 for 196 single family-lots on approximately 100 acres. Since then the developer has received Final Development Plan and Final Subdivision Plats for all four sections with houses under construction in Sections 1-3.

Now the developer is proposing to annex the 43.6 acres north of Glenross North Sections 1-4 and requesting a Rezoning Amendment, Conditional Use Permit, Preliminary Development Plan and Preliminary Subdivision Plat to construct 91 single-family lots on 43.6 acres. The proposed development would be an addition to the Glenross North Subdivision containing Sections 5 and 6 with updated development text.

STAFF ANALYSIS

- **ZONING:** The developer is proposing to rezone the property to R-2 PMU (Planned Mixed Use Overlay District) with development text to be consistent with Glenross North Sections 1-4 while allowing an appropriate transition to Berlin Station Road which allows greater flexibility and creativity in the layout of the development, create active and passive open space. While there are certain benefits to the Developer, the PMU Overlay also allows greater control of the development by the City by ensuring the development will be executed to a very specific and high-quality standard. From a procedural perspective, the development requires a Rezoning Amendment, Conditional Use Permit, Preliminary Development Plan and Preliminary Subdivision Plat approval by the Planning Commission and City Council. Subsequently, each section would require Final Development Plan and Final Subdivision Plat approval by the Planning Commission and City Council.
- **LAND USE:** The proposed single-family development is consistent with the Comprehensive Plan recommendation for Low Density Single-Family land use in the "Cheshire Subarea" of the plan. The

proposed density of 2.09 units per acres is less than the 2.0-3.25 dwelling units per acre in the Comprehensive Plan.

Additionally, over the past three years the City of Delaware has been in the process of updating the Comprehensive Plan. While not yet adopted, it should be noted that this proposed development would also meet the guidance of the "Delaware Together" Comprehensive Plan, in general terms. Per the potential future plan, this property would be located in a character area called "Suburban Residential" which is an area found towards the perimeter of the current city limits characterized by homogenous housing types and architectural styles in a block, along a street, or clustered in pods around a common open space. Some of the development types targeted for Suburban Residential Areas would include, but not be limited to, "Traditional Small Lot Single-Family", "Traditional Medium Lot Single-Family", and "Natural Conservation/Preserves". This proposed development offers a housing product which blends into an adjacent neighborhood with a similar residential use. In addition, the proposed development contains the following critical factors for a Suburban Residential Area; connectivity of roads, improving connectivity through completion of sidewalk and trail connections, providing adequate common open space, and requiring tree lawns along all residential streets. Therefore, this development would be appropriate for this property's character area per the "Delaware Together" Comprehensive Plan.

- **ENGINEERING** The Applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on a technical review by the Engineering Department once a complete plan set is submitted for review. In addition, all retention ponds should be setback a minimum of 80 feet from the edge of pavement for roads of 35 mph or higher or per the City Engineer. Also, this area is subject to the South East Highland Sanitary Sewer additional capacity fee of $3,200 per dwelling unit.
- **ROADS AND TRAFFIC**: The proposed main access point would be from a proposed right-in/right-out on Glenn Parkway which has a center median and internally the development would connect into Section 4 to the south thru Irvine Way. All the streets would have to be constructed to public standards and achieve compliance with the minimum engineering requirements. Also, the development is subject to the single-family lot transportation fee of $1,000 per dwelling unit.
- **SITE LAYOUT:** In Sections 5 and 6, the main access road from Glenn Parkway extends east into a loop street design with an access point to Section 4 on the southern portion of the loop. The southern leg of the loop extends into a cul-de-sac that terminates at the railroad tracks. A retention pond is located north and south of the entrance along Glenn Parkway which are located in 4.8-acre and 2.3-acre reserve areas respectively. A landscape buffer with mounds and trees would span along Glenn Parkway and adjacent to the railroad tracks to the east.

  The developer is proposing 91 single family lots with the minimum lot size being 65 x140 (9,100 square feet). The minimum building setbacks would require 30 foot front yard, 35 foot rear yard and 15 foot side yard (minimum 6 feet) setbacks. In addition, the minimum house sizes would be 1,800 square feet for a one-story ranch and 2,000 square feet for a two-story. Also to comply with the base zoning code, all the corner lots would be oversized by 33% from the base lot size.
- **DESIGN:** Sections 5 & 6 of the proposed subdivision has the following architectural standards: 1.) At least 35% of the front elevation of all homes constructed on the Property (excluding foundations, garage doors, entry doors, roofs, gutters, downspouts and windows) shall consist of brick, stone or cultured stone;2.) All vinyl siding products used on homes constructed on the Property shall be architectural grade, vinyl siding – higher end, as defined in Chapter 1171.08 (c) on all elevations; 3.) EIFS or similar products are prohibited as an exterior material; 4.) 5). All houses shall have a minimum 2 car attached garage: 6). All houses shall have dimensional shingles; 7.) All houses shall have a roof pitch of not less than 6/12. In addition, all the houses shall comply with approved development text and Chapter 1171.08 Residential Development Design Criteria and Performance Standards.
- **PARKLAND AND OPEN SPACE**: Sections 5 & 6 has 13.1 acres of passive open space in four reserve areas A-D (the reserve areas shall be re-lettered to F, G, H & I respectively to be consistent and sequential with Sections 1-4). Reserve A (1.9 acres) which is located on northern portion of the development, shall be

dedicated to the City. Reserve B (4.8 acres) and Reserve C (2.3 acres) are located north and south of main entrance along Glenn Parkway and contains retention ponds, mounding and landscaping while Reserve D (4.1 acres) is located along the railroad tracks which contains mounding and landscaping for buffering against the railroad tracks.

The active parkland for this development is located in Section 2 which includes 7.0-acre radial park with amenities such as a pool with a pool house, a tot lot and open playing field. In addition, there is a 8.69 City neighborhood park located along Glenn Parkway just south of the roundabout. These two parks would provide active amenities for the entre subdivision.

- **LANDSCAPING PLAN:** The applicant has submitted a comprehensive landscaping plan that includes street trees, perimeter landscaping, reserve landscaping and entrance signage landscaping. The developer is proposing a minimum 3-6-foot-high mound with landscaping and a three rail wood fence stained white adjacent to Glenn Parkway. Staff recommends a composite fence material because of future maintenance issues. In addition, the applicant is proposing an approximate 4-6 foot high mound adjacent to the railroad tracks while the development text requires a 10-12 foot high mound to be consistent with mounding at Glenross North Subdivision Sections 1-4 and the Communities at Glenross Subdivision just south of the subject development. Entrance signage is located on each side of the main entrance that would be approximately 6 feet tall and 5 feet wide and be constructed of cut limestone with a stone cap. The evergreen trees shall be a minimum 4-foot-high at installation and the deciduous trees shall be a minimum 1.75-inch caliper. The maintenance of the mound and associated landscaping shall be the responsibility of the Homeowners Association. It is imperative that the Applicant coordinate the landscaping plan and street tree plan with the engineering site development plan so that the landscaping does not impeded visibility at intersections, or the visibility of any traffic control signs. The Shade Tree Commission would have to review and approve the aforementioned plans.
- **BIKE PATHS AND PEDESTRIAN ROUTES**: The developer constructed an 8-foot-wide asphalt bike path along Glenn Parkway to the then terminus of Glenn Parkway (Section 1). Since then, the City has extended Glenn Parkway north to Berlin Station Road and now the developer shall extend the bike path along the entire frontage of their development. Sidewalks would be provided on both sides of all public streets in the subdivision.
- **TREE PRESERVATION:** The development would have to achieve compliance with Chapter 1168 Tree Preservation Regulations. The applicant needs to identify all trees (if any) a minimum 6 inches in caliper and identify if they will be saved and removed trees for staff review and approval prior to Final Subdivision Plat approval of the subject section. There appears to be minimal trees on the site but the existing tree lines along the north and east property lines shall be preserved.
- **LIGHTING PLAN:** A lighting plan would have to be submitted, reviewed and approved by the City and achieve compliance with the zoning code prior to Final Subdivision Plat approval of each subject section.
- **FIRE DEPARTMENT:** The proposed development would need to be capable of supporting and allowing the full maneuverability of the fire department ladder truck along with complying with all other fire department requirements.
- **PHASING:** The developer has constructed the site work for Sections 1-3 with houses being built and the site construction for Section 4 is going to commerce soon. Section 5 site construction shall include the entrance from Glenn Parkway and the connection to Section 4 at Irvine Way for two access points into the development. Section 6 would complete the remainder of the subdivision.
- **CLUSTER MAILBOXES:** The developer shall consult with the City Engineer to determine the appropriate locations for the cluster mailboxes per the City guidelines.

STAFF RECOMMENDATION (2021-1052 – REZONING)
Staff recommends approval of a request by Vincent Romanelli for a Rezoning Amendment from A-1 (Agricultural District) to R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) for an addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road, with the following condition that:

1. Any change of use of or major modification of the plan shall require conformance to all provisions of the Development Text.

STAFF RECOMMENDATION (2021-1056 – CONDITIONAL USE PERMIT)
Staff recommends approval of a request by Vincent Romanelli for a Conditional Use Permit allowing the Placement of PMU (Planned Mixed Use Overlay District) to be established for the addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road.

STAFF RECOMMENDATION – (2021-1071 PRELIMINARY DEVELOPMENT PLAN)
Staff recommends approval of request by Vincent Romanelli for a Preliminary Development Plan for the Glenross North Subdivision Sections 5 and 6 on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road, 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. All retention ponds shall be setback a minimum of 80 feet from the edge of pavement for roads of 35 mph or higher or per the City Engineer.
3. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
4. The single-family houses shall comply with the minimum architectural standards in the approved development text and per applicable sections of the current zoning code.
5. Reserve A (1.9 acres) shall be dedicated to City in the mylar Final Plat approval of Section 5.
6. A minimum 3-6-foot-high mound with landscaping shall be located along Glenn Parkway and a three-rail wood fence stained white adjacent to the retention ponds. The maintenance of the mound and associated landscaping shall be the responsibility of the Homeowner's Association. The subject plan shall be reviewed and approved by the Shade Tree Commission.
7. A 10-12-foot-high mound with landscaping shall be installed adjacent to the railroad tracks to be consistent with mounding at Glenn Ross North Sections 1-4 and the Communities at Glenross just south of the subject development. The subject plan shall be reviewed and approved by the Shade Tree Commission.
8. A street tree plan shall be submitted and approved by the Shade Tree Commission.
9. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations and shall be required prior to final plat approvals for each section.
10. The tree lines along the north and east property lines shall be preserved as much as feasible.
11. The bike path along Glenn Parkway shall be installed by the developer and located within an easement dedicated to the City and shall be maintained by the Homeowner's Association.
12. The street lighting plan shall be submitted, reviewed and approved by the City and achieve compliance with all zoning requirements prior to final subdivision plat approval of each section.
13. All elements of the Pre-Annexation Agreement shall achieve compliance with including but not limited to: voluntary developer entrance into the a New Community Authority, an additional sanitary sewer charge for the Southeast Highlands trunk sewer of $3,200 per edu, the single family lot transportation fee of $1,000 per dwelling unit.
14. The reserve areas in Section 5 & 6 shall be re-lettered to F, G, H & I respectively to be consistent and

sequential with Sections 1-4.

15. Section 5 site construction shall include the entrance from Glenn Parkway and the connection to Section 4 at Irvine Way.
16. The developer shall consult with the City Engineer to determine the appropriate locations for the cluster mailboxes per the City guidelines.

STAFF RECOMMENDATION – (2021-1072 PRELIMINARY SUBDIVSION PLAT)

Staff recommends approval of a request by Vincent Romanelli for a Preliminary Subdivision Plat for the Glenross North Subdivision Sections 5 and 6 on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road, with the following conditions:

1. The Applicant needs to obtain final engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.
2. All retention ponds shall be setback a minimum of 80 feet from the edge of pavement for roads of 35 mph or higher or per the City Engineer.
3. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
4. The single-family houses shall comply with the minimum architectural standards in the approved development text and per applicable sections of the current zoning code.
5. Reserve A (1.9 acres) shall be dedicated to City in the mylar Final Plat approval of Section 5.
6. A minimum 3-6-foot-high mound with landscaping shall be located along Glenn Parkway and a three-rail wood fence stained white adjacent to the retention ponds. The maintenance of the mound and associated landscaping shall be the responsibility of the Homeowner's Association. The subject plan shall be reviewed and approved by the Shade Tree Commission.
7. A 10-12-foot-high mound with landscaping shall be installed adjacent to the railroad tracks to be consistent with mounding at Glenn Ross North Sections 1-4 and the Communities at Glenross just south of the subject development. The subject plan shall be reviewed and approved by the Shade Tree Commission.
8. A street tree plan shall be submitted and approved by the Shade Tree Commission.
9. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations and shall be required prior to final plat approvals for each section.
10. The tree lines along the north and east property lines shall be preserved as much as feasible.
11. The bike path along Glenn Parkway shall be installed by the developer and located within an easement dedicated to the City and shall be maintained by the Homeowner's Association.
12. The street lighting plan shall be submitted, reviewed and approved by the City and achieve compliance with all zoning requirements prior to final subdivision plat approval of each section.
13. All elements of the Pre-Annexation Agreement shall achieve compliance with including but not limited to: voluntary developer entrance into the a New Community Authority, an additional sanitary sewer charge for the Southeast Highlands trunk sewer of $3,200 per edu, the single family lot transportation fee of $1,000 per dwelling unit.
14. The reserve areas in Section 5 & 6 shall be re-lettered to F, G, H & I respectively to be consistent and sequential with Sections 1-4.
15. Section 5 site construction shall include the entrance from Glenn Parkway and the connection to Section 4 at Irvine Way.
16. The developer shall consult with the City Engineer to determine the appropriate locations for the cluster mailboxes per the City guidelines.

CASE NUMBER: 2021-1052, 1056, 1071-1072
MEETING DATE: May 5, 2021
PAGE: Page 6 of 6

COMMISSION NOTES:

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

CONDITIONS/MISCELLANEOUS:

FILE:
ORIGINAL:
REVISED: 04/30/21

GLENROSS NORTH SUBDIVISION (SECTIONS 1-6)
PLANNED MIXED USE DEVELOPMENT TEXT
DELAWARE, OHIO

1. DESCRIPTION OF DEVELOPMENT & RELATIONSHIP TO THE CITY OF DELAWARE COMPREHENSIVE PLAN

The Applicant is proposing an addition to Glenross North Subdivision that was approved in August 2005 (Ordinance 15-98) which would require an annexation and a rezoning amendment that would expand the subdivision to north by approximately 43.6 acres for a total of 143.6 acres. The applicant is requesting of the rezoning of the 43.6 acres from A-1 (Agricultural District – default zone upon annexation) to R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) to be consistent with existing Glenross North Subdivision. With the rezoning amendment, the subdivision would be divided into two Sub-Areas (A & B). The existing 100 acres would be Sub-Area A which would contain Sections 1-4 (already constructed and houses are being sold) while Sub-Area B would encompass 43.6 acres within Sections 5 and 6.



The R-2 PMU (One-Family Residential with a Planned Mixed Use Overlay District) which would consist of single-family homes and public and private park facilities that would connect into the existing City park and bikeway system would have 287 single family lots with 196 single family lots (majority have been constructed) in Sub-Area A and 91 single-family lots in Sub-Area B . The Applicant believes that such amendment will provide for the highest and best use of the Property, thereby permitting quality housing stock to be constructed within the City of Delaware. Additionally, as further discussed below, the Applicant believes that such amendment is in accordance with the City of Delaware Comprehensive Plan.

The purpose of this Development Text is to set forth all supplemental information required by the Zoning Code and set forth in textual form certain development standards that will apply to the Property. Accompanying this Development Text is a Preliminary Development Plan and Preliminary Subdivision Plat for Sub-Area B. All terms and conditions of the Preliminary Development Plan are incorporated in this Development Text by this reference.

The Property consists of approximately 143.6 acres located east of Glenn Parkway and north of the Glenross Golf Club, being located in the Cheshire Subarea of the City's Land Use Element incorporated in the Comprehensive Plan. The Property has been designated for development as residential housing in the City's Future Land Use Map. The proposed amendment is in keeping with the goals and policies established by the Comprehensive Plan for the following reasons:

a. The Property will be developed as residential housing as contemplated by the Land Use Element incorporated in the Comprehensive Plan.

b. The use of the Planned Mixed Use (PMU) Overlay District is consistent with the City's Objectives and Strategies in maintaining a reasonable land use balance to reflect the vision of the Comprehensive Plan. As stated in LU6.7 of the Land Use Element, planned district zoning "should be used as a flexible tool to meet the City's gross density requirements while providing a creative development plan with a mix of units, densities, and housing values within individual developments."

c. The Comprehensive Plan anticipates supporting residential development in the Cheshire Subarea and encourages mixing densities and unit types, as well as small open spaces to create interest and a sense of place within neighborhoods. See, LU23 of the Land Use Element.

d. Residential development in the Cheshire Subarea will be served by the Southeast Highland Sanitary trunk line. See, LU23 of the Land Use Element.

e. The policies set forth in the Comprehensive Plan concerning expansion to the City's waste water treatment system and storm water management system will be implemented in connection with development of the Property.

f. The policies set forth in the Comprehensive Plan concerning parks and recreational facilities for Delaware residents will be implemented with development of the Property.

In summary, by the amendment to the Zoning Ordinance in connection with the development of the Property as a Planned Mixed Use (PMU) development, the goals and objectives of the Comprehensive Plan will be met. This development will provide the City of Delaware an opportunity to obtain quality housing stock and will preserve in a park like setting approximately 35.5 acres within the subdivision as open space (22.4 acres in Sub-Area A and 13.1 acres in Sub-Area B).

2. GENERAL DEVELOPMENT STANDARDS

a. **Purpose and Intent.** It is the intent of this development to provide a residential development with compatible and common architectural design, streetscape, signage, lighting, and pedestrian amenities throughout the entire development. Architectural and site design that is not consistent with this purpose and intent will not be accepted. This Development Text represents the zoning requirements for this area unless otherwise noted.

b. **Conformance with Codified Ordinances and City Policy.** Unless noted otherwise within this Development Text or the Preliminary Development Plan, all development will be constructed and provided in conformance with the then current Codified Ordinances and City Policy in effect at the time of application.

c. **Conformance with Pre-Annexation Agreement.** The entire subdivision shall achieve compliance with Pre-Annexation Agreement between the City and the developer

d. **Limitations.** Nothing in this Development Text shall prohibit additional restrictions or requirements from being placed on the approval of any Final Development Plan consistent with this Development Text or the Preliminary Development Plan.

e. **Major Modifications.** Once a Final Development Plan has been approved by City Council, any subsequent major modification to that plan shall only be permitted by resubmission and approval of a revised Final Development Plan through the procedures set forth in the Zoning Code. Major modification for the purposes of this Development Text shall mean any modification of the approved Final Development Plan, as determined by the Director of Planning & Community Development, that results in:

(1) Any major increase in the number of or change in the type and/or mix of dwelling units or any major increase in the non-residential building area.

(2) Major change in the approved location of land uses or land use sub-areas.

(3) Substantial alteration of the basic geometry, including right-of-way width, and/or operation characteristics of any element of the approved public and private street pattern, access points, parking facilities, service access, trash storage facilities, and system of pedestrian paths that results in a change in operating characteristics or character.

f. **Minor Modifications.** Once a Final Development Plan has been approved by City Council, any subsequent minor modification to that plan shall only be permitted by resubmission and approval by the Director of Planning and Community Development of a revised Final Development Plan. Minor modification for the purposes of this Development Text shall mean any modification of the approved Final Development Plan, as determined by the Director of Planning & Community Development, that results in:

(1) Any modification that is not considered a major modification by this Zoning Text or by determination of the Director of Planning & Community Development.

(2) Any minor increase in the number of or change in the type and/or mix of dwelling units less than 5% in the total number of dwelling units.

(3) Minor change in the approved location of land uses or land use sub-areas.

(4) Minor alteration of the basic geometry, including right-of-way width, and/or operation characteristics of any element of the approved public and private street pattern, access points, parking facilities, service access, trash storage facilities, and system of pedestrian paths that results in a change in operating characteristics or character.

(5) Minor structural alterations that do not alter the overall design intent of the buildings.

g. **Tree Removal and Replacement.** There do not appear to be many significant trees on the subject site. Qualifying Major Trees as defined under current City of Delaware code shall be replaced as prescribed within the then current code. Every effort shall be made to preserve existing tree rows along the east and south property lines.

h. **Master Association.** A master homeowners association will be created for the entire development. The master homeowners association shall be responsible for maintenance and upkeep of all Reserves (except Reserve A which shall be dedicated to the City as a public park and the sidewalk adjacent to the park shall be maintained by the HOA), entrance features and common open space located on the Property. Any declaration shall be reviewed and approved by the City prior to the recording of the declaration. By majority vote of the property owners, the association shall be transferred to the homeowners when 75% of the units have received a certificate of occupancy, unless the Developer establishes to the satisfaction of the City Director of Planning and Community Development that less than 75% of the units have been sold to third party buyers, in which event such transfer shall be deferred at the election of the Developer until such time as 75% of the units have been sold to third party buyers.

i. **Common Open Space.** The common open space (Reserves C, D, E, F, G, H & I) for the development of the Property shall contain approximately 27.1 acres. All open space will be owned and maintained by the Homeowners Association for the Development (except Reserve A which shall be dedicated to the City as a public park) subject to all necessary easements and agreements in connection with the overall development of the Property. The identified areas shall satisfy all common open space requirements. All common open space shall be improved, if improvements are necessary or required, concurrent with the public improvements with the respective phase in which the improvement is located.

j. **Parkland.** The Parkland (Reserves A & B) required by the Zoning Code shall be satisfied by the dedication of approximately 8.4 acres of land located primarily in the middle of the subdivision (7.0 acres) and just south of the main entrance (1.4 acres) on Glenn Parkway. The City may subsequently grant any covenants, easements, or restrictions to a third party for the purposes of holding the same. Applicant shall grant to the City an easement for a bike path along Glenn Parkway but maintained by the Homeowners Association, as depicted on the Preliminary Development Plan and as designed and constructed by the Applicant. The parkland and bike paths shall be open to the public with signage identifying such. Prior to or concurrent with the submittal of the Preliminary Subdivision Plat, the Applicant shall submit for review and approval a Preliminary Parkland and Open Space Improvement Plan. All public parkland shall be improved, if improvements are necessary or required, concurrent with the public improvements with the respective phase in which the improvement is located. Final plans for improvement shall be submitted concurrent with required phase of development.

k. **Utilities to be Located Underground.** All new utilities serving the Property shall be located underground. Additionally, and if determined to be economically feasible, any existing utilities that will serve the Property that are located above ground shall be relocated underground. The Applicant and the City shall work together to ensure that any technical and financial information provided by the respective utility company is fair and reasonable. Cell towers, DAS and small cell site(s) applications shall not be allowed with the subdivision and the covenant shall not reflect this.

l. **Composite Utility Plan Required.** Prior to the installation of any non-City owned utility, a composite utility plan shall be submitted for review and approval by the City. Such plan shall depict the location and type of all non-City owned utilities including the location and type of any above ground pedestal, transformer, meter, cabinet, and other such above ground structures that support the respective utility. Any above ground structure shall be inconspicuously located, dark green in color, and if located in any front yard shall not be higher than 5 feet.

m. **Removal of Existing Farm Fencing.** Unless demonstrated to the City that such fencing is not in the ownership of the Applicant, all existing farm fencing and barbed wire fencing shall be removed from the site at a minimum on a lot by lot basis.

n. **Construction Trailers.** Construction trailers shall meet all requirements of the current Zoning Code and shall be removed once construction activity has moved to another phase of the development. For example, once the public improvements have been accepted in Phase 2 any construction trailer located in Phase 1 shall be relocated to Phase 2 provided the respective builder is or will be constructing lots in the subsequent phase.

o. **Pedestrian Connectivity.** Multi-use paths will be constructed and accepted concurrently with the public improvements in which the multi-use path is located. Sidewalks will be constructed concurrently with the construction of a home on each lot.

    (1) A bike path was constructed along Glenn Parkway along Sections 1 per the adopted Bicycle and Pedestrian Plan 2027.

(2) The existing bike path on the east side of Glenn Parkway shall be extended north along the frontage of Sections 2-6 of the subdivision.

p. **Open Spaces.** Open spaces shall be landscaped and designed in a manner consistent with the overall development. Landscaping and design plans for all open spaces shall be submitted and approved with the Final Development Plan and include, at a minimum, the following:

1) Sidewalks or multi-use paths shall be provided throughout the open space to link the amenities of the open space to the adjacent public sidewalk or pathway network and provide active recreation throughout as approved on the Preliminary Development Plan.

2) Crosswalks leading to open spaces shall be provided and as acceptable by the City Engineer.

3) Amenities such as benches, gazebos, or other such features are encouraged in the open spaces as depicted on the Preliminary Development Plan.

4) All open spaces shall be constructed with the public infrastructure with the respective phase in which the open space is located. Landscaping shall be installed at the first time of year in which it is appropriate to install such plant material provided the acceptance of public improvements occurs during an inappropriate time for planting and the incomplete landscaping is bonded with the City.

q. **Entry Features and Signs.** With the Final Development Plan, a comprehensive entry feature and signage plan shall be submitted. All signs shall be designed and located in a manner that is appropriate and consistent with the overall design of the Sub-Area. Internally illuminated signs are prohibited, but externally illuminated and backlighting of lettering is permitted.

r. **Prohibited Uses**. The following uses shall be prohibited:

(1) **Adult Entertainment Businesses:** (also known as sexually oriented businesses) are expressly prohibited from locating anywhere on the proposed Development site.

(2) **Wireless telecommunication facilities:** New, non-small cell towers are expressly prohibited from the entire Development site.

(3) **Outdoor Storage:** No outdoor storage is permitted on the site which includes open dumps, mineral extraction, etc.

(4) **Medical Marijuana**: No medical marijuana principal or accessory uses are permitted on the subject site.

(5) **Games of Skill:** Accessory or principle for-profit, non-charitable, skill based gaming uses oriented towards adults and designed to substantially mimic gambling devices such as but not limited to spinning skill stop games but not including traditional video arcade type

games typically found in restaurant/party center arrangements, for example Dave & Buster's, Magic Mountain, and Chuck E. Cheese

3. SUB-AREA A – (SECTIONS 1-4) SINGLE-FAMILY STANDARDS

a. **Uses.** The following uses of the Property shall be considered permitted or conditionally permitted as represented in the chart below by P or C, respectively, and as defined by attached Chapter 1121 of the Zoning Code. Any use not listed in the chart shall be considered a prohibited use unless amended by action of the Planning Commission and City Council through a Zoning Amendment process.

(1) **Permitted Uses.** Permitted uses are permitted by-right and shall meet all development standards specified within this Development Text and the Zoning Code, as applicable.

(2) **Conditionally Permitted Uses.** In addition to all standards specified within this Development Text, uses listed as conditionally permitted uses shall meet all the then current Zoning Code standards for approval of a Conditional Use Permit current at the time of application for the specific conditional use as well as any other regulations contained within the Zoning Code and applicable to the conditional use.

(3) **Accessory Uses and Structures.** Although not specified in the chart below, accessory uses, which are considered allowed uses, include those items that are customarily incidental and secondary to the principal use of the land. Such items include but are not limited to signs, fences, trash receptacles and enclosures, and off-street parking areas.

Land Use Category	Glenross North Uses
(1) **Residential**	
(1) Detached single-family dwelling	P
(2) Minor home occupation	P
(2) **Recreational/Open Space**	
(1) Park, playground	P
(2) Non-commercial recreation facility (including homeowner association-controlled facilities)	P
(3) **Other**	
(1) Public Safety & Service facility (local service)	C

b. **Density of Dwelling Unit Type.** The overall density shall not exceed that approved on the Preliminary Development Plan.

c. **Lot Standards.** The minimum lot sizes and frontages shall be that depicted on the Preliminary Subdivision Plat.

d. **Building Setback Standards.** The following standards shall apply for minimum principal building setbacks (including accessory structures attached to the principal structure) based on the type of dwelling unit.

Minimum Building Setbacks*	**Glenross North**
(a) Front Yard Setback	30 ft.
(b) Rear Yard Setback	35 ft.
(2) Side Yard Setback (1) 70 Foot lots (2) 80 foot lots	 7.5 ft. (total 15 ft) 10 ft (total 20 ft)

*Side and rear yard setbacks shall not apply to minor architectural projections such as eaves, chimneys and bay windows. Such projections may extend 3 feet into the required side yard setback.

e. **Floor Area Requirements.** Each dwelling unit shall provide for the following minimum floor area, exclusive of basements (unless walk-out units), unfinished attic spaces, garages, and any attached or detached accessory buildings.

A. One story ranch – 1,800 sq. ft. – plus 200 square feet per bedroom in excess of 2 bedrooms per base code.

B. Two story – 2,000 sq. ft. – plus 200 square feet per bedroom in excess of 2 bedrooms per base code.

f. **Maximum Building Height.** The maximum height of any principal building or structure shall be 35 feet as measured from the average elevation of the finished grade at the front of the building to the highest point of the roof.

g. **Building Design.** Unless otherwise modified within this Development Text, all dwellings shall meet the building design requirements of Chapter 1171, R-2 District standards for detached single-family dwellings.

(1) To create a cohesive and unified design throughout the entire development yet provide a diversity of housing types each building shall be consistent in overall design, color, material, and architectural pattern and include a similar and/or repeating pattern of design elements such as architectural styles, roof and building massing, window proportion, or other elements as determined through the Final Development Plan review process.

(2) Representative home elevations (all sides) shall be reviewed and approved by the Planning Commission as part of the Final Development Plan. Minor variations

thereafter shall be potentially administratively approvable as written in this Development Text.

(3) Exterior Material and Trim Standards.

A. All elevations of the subject house shall be constructed of 100% natural materials excluding foundations, garage doors, entry doors, roofs, gutters, downspouts and windows. Natural materials include brick, stone, cultured stone, wood siding, stucco, SmartSide, fibrous cement siding, or other approved material,

B. Trim board around all corners, windows, and doors shall be a minimum of 4 inches all around.

C. Standing seam metal roofs are encouraged on select architectural elements of front elevations, such as porches or front entrance features but not as a predominant roof system.

D. EIFS or similar products (excluding stucco) are prohibited as an exterior material.

E. Frieze trim a minimum of 4 inches wide is required under all overhangs and gables.

F. All home elevations shall be reviewed and approved by the Director of Planning & Community Development to establish compliance with the Building Design requirements of this Development Text.

G. All homes will have, at a minimum, dimensional shingles.

(4) Design Standards

A. Materials on each home shall be varied to provide variety throughout the community.

B. All front elevations shall include a variety of styles, colors, and/or materials types of materials and shall meet the varied locations requirement of Chapter 1171.

C. All homes will have not less than a 2-car attached garage.

D. The principal roof structure on all homes will have a roof pitch of not less than 6/12.

E. Minimum 8-inch overhangs and rakes.

F. Lintels and sills in masonry walls shall be brick soldier course, limestone, or sandstone, along with other manufactured stone products.

G. Although porch railing and column details are encouraged to vary from home to home, porch columns shall have a minimum 6 x 6-inch cross section or diameter.

H. Treated lumber shall be painted or stained, except when used on outdoor decks.

I. Where wood burning fireplaces are utilized the exposed chimney shall be faced with brick or stone at a minimum. All direct vent fireplaces shall be located in a side or rear yard and screened from view when visible from a public street.

J. All homes shall provide an identifiable entry with entry coverings and stoops being a minimum of 3 feet deep or the minimum necessary for building code regulations, which ever is greater. Any porch shall be a minimum depth of 6 feet.

K. Front elevations shall be designed to de-emphasize the visual impact of the garage. All garage doors facing a public street shall be architecturally upgraded to include design elements consistent with the design of the home and development including de-emphasizing the door color, incorporate a glass course, add trim packages to give the appearance of stable doors, man doors, hinged swing doors, and other similar architectural elements.

L. Front elevations shall be designed to de-emphasize the visual impact of the garage. All garage doors facing a public street shall be architecturally upgraded to include design elements consistent with the design of the home and development including matching the door color to the predominant color of the main structure, incorporate a glass course, add trim packages to give the appearance of stable doors, man doors, hinged swing doors, and other similar architectural elements.

M. Side elevations shall include multiple windows and design elements that provide visual interest as well as allow light into the unit.

N. Rear elevations facing a public right-of-way shall have a minimum of two windows.

h. **Accessory Structures.** Fences (other than decorative fencing along front entrance paths and front porches) are prohibited in any front yard and must meet the standard fence specifications as provided with the Final Development Plan. Privacy fences are prohibited except around spas and hot tubs. Attached decks and patios may extend up to five (5) feet into a required rear setback provided the encroachment does not adversely impact any easement. All other accessory structures shall meet the requirements of the current Zoning Code.

4. SUB-AREA B – (SECTIONS 5-6) SINGLE-FAMILY STANDARDS

a. **Uses.** The following uses of the Property shall be considered permitted or conditionally permitted as represented in the chart below by P or C, respectively, and as defined by attached Chapter 1121 of the Zoning Code. Any use not listed in the chart shall be considered a prohibited use unless amended by action of the Planning Commission and City Council through a Zoning Amendment process.

(1) **Permitted Uses.** Permitted uses are permitted by-right and shall meet all development standards specified within this Development Text and the Zoning Code, as applicable.

(2) **Conditionally Permitted Uses.** In addition to all standards specified within this Development Text, uses listed as conditionally permitted uses shall meet all the then current Zoning Code standards for approval of a Conditional Use Permit current at the time of application for the specific conditional use as well as any other regulations contained within the Zoning Code and applicable to the conditional use.

(3) **Accessory Uses and Structures.** Although not specified in the chart below, accessory uses, which are considered allowed uses, include those items that are customarily incidental and secondary to the principal use of the land. Such items include but are not limited to signs, fences, trash receptacles and enclosures, and off-street parking areas.

Land Use Category	Glenross North Uses
(4) Residential	
(1) Detached single-family dwelling	P
(2) Minor home occupation	P
(5) Recreational/Open Space	
(1) Park, playground	P
(2) Non-commercial recreation facility (including homeowner association-controlled facilities)	P
(6) Other	
(3) Public Safety & Service facility (local service)	C

i. **Density of Dwelling Unit Type.** The overall density shall not exceed that approved on the Preliminary Development Plan.

j. **Lot Standards.** The minimum lot sizes and frontages shall be that depicted on the Preliminary Subdivision Plat.

k. **Building Setback Standards.** The following standards shall apply for minimum principal building setbacks (including accessory structures attached to the principal structure) based on the type of dwelling unit.

Minimum Building Setbacks*	Glenross North
(a) Front Yard Setback	30 ft.
(b) Rear Yard Setback	35 ft.
(c) Side Yard Setback	6 ft minimum, 15 ft between homes

*Side and rear yard setbacks shall not apply to minor architectural projections such as eaves, chimneys and bay windows. Such projections may extend 3 feet into the required side yard setback.

l. **Floor Area Requirements.** Each dwelling unit shall provide for the following minimum floor area, exclusive of basements (unless walk-out units), unfinished attic spaces, garages, and any attached or detached accessory buildings.

A. One story ranch – 1,800 sq. ft.

B. Two story – 2,000 sq. ft.

m. **Maximum Building Height.** The maximum height of any principal building or structure shall be 35 feet as measured from the average elevation of the finished grade at the front of the building to the highest point of the roof.

n. **Building Design.** Unless otherwise modified within this Development Text, all dwellings shall meet the building design requirements of Chapter 1171, R-2 District standards for detached single-family dwellings.

1) To create a cohesive and unified design throughout the entire development yet provide a diversity of housing types each building shall be consistent in overall design, color, material, and architectural pattern and include a similar and/or repeating pattern of design elements such as architectural styles, roof and building massing, window proportion, or other elements as determined through the Final Development Plan review process.

2) Representative home elevations (all sides) shall be reviewed and approved by the Planning Commission as part of the Final Development Plan. Minor variations thereafter shall be potentially administratively approvable as written in this Development Text.

3) Exterior Material and Trim Standards.

A. At least 35% of the front elevation of all homes constructed on the Property (excluding foundations, garage doors, entry doors, roofs, gutters, downspouts and windows) will consist of brick, stone or cultured stone.
B. All vinyl siding products used on homes constructed on the Property shall be architectural grade, Vinyl Siding – Higher End, as defined in Chapter 1171.08 (c) on all elevations.
C. Trim board around all corners, windows, and doors shall be a minimum of 4 inches all around.
D. Standing seam metal roofs are encouraged on select architectural elements of front elevations, such as porches or front entrance features.
E. EIFS or similar products are prohibited as an exterior material.
F. All exposed foundation walls shall be brick patterned concrete.
G. Frieze trim a minimum of 4 inches wide is required under all overhangs and gables.
H. All home elevations shall be reviewed and approved by the Director of Planning & Community Development to establish compliance with the Building Design requirements of this Development Text.
I. All homes will have, at a minimum, dimensional shingles.

4) Design Standards

A. Materials on each home within a Sub-Area shall be varied to provide variety throughout the Sub-Area.
B. All front elevations shall include a variety of styles, colors, and/or materials types of materials including as an example, but not limited to, vinyl shake siding.
C. All homes will have not less than a 2-car attached garage.
D. The principal roof structure on all homes will have a roof pitch of not less than 6/12.
E. The principal roof structure on all homes will have an overhang of not less than 12 inches and an end rake of not less than 8 inches.
F. Lintels and sills in masonry walls shall be brick soldier course, limestone, or sandstone, along with other manufactured stone products.
G. Although porch railing and column details are encouraged to vary from home to home, porch columns shall have a minimum 6 x 6-inch cross section or diameter.
H. Treated lumber shall be painted or stained, except when used on outdoor decks.
I. Where wood burning fireplaces are utilized the exposed chimney shall be faced with brick or stone at a minimum. All direct vent fireplaces shall be located in a side or rear yard and screened from view when visible from a public street.
J. All homes shall provide an identifiable entry with entry coverings and stoops being a minimum of 3 feet deep or the minimum necessary for building code regulations, whichever is greater. Any porch shall be a minimum depth of 5 feet.
K. Front elevations shall be designed to de-emphasize the visual impact of the garage. All garage doors facing a public street shall be architecturally upgraded to include design elements consistent with the design of the home and development including de-emphasizing the door color, incorporate a glass course, add trim packages to give the appearance of stable doors, man doors, hinged swing doors, and other similar architectural elements.

o. **Landscaping and Screening.** All landscaping shall meet the requirements of the then current Zoning Code and the Gateways & Corridors Plan unless modified herein.

(1) All street tree plantings shall meet the requirements and approval process of the Zoning Code unless modified in this Development Text.

(2) Street trees shall be a minimum of 1.75 caliper inches as measured at breast height at the time of installation or per City Arborist.

(3) Along Glenn Parkway, an earth mound, no less than 3 feet and not more than 6 feet in height as measured from the bike path shall be installed with a mix of deciduous and coniferous plantings providing, at the time of installation, a minimum 60% year round opacity at a combined mound and landscaping height of no less than 10 feet at planting shall be provided. Such mounding shall not interfere with any required sight distance.

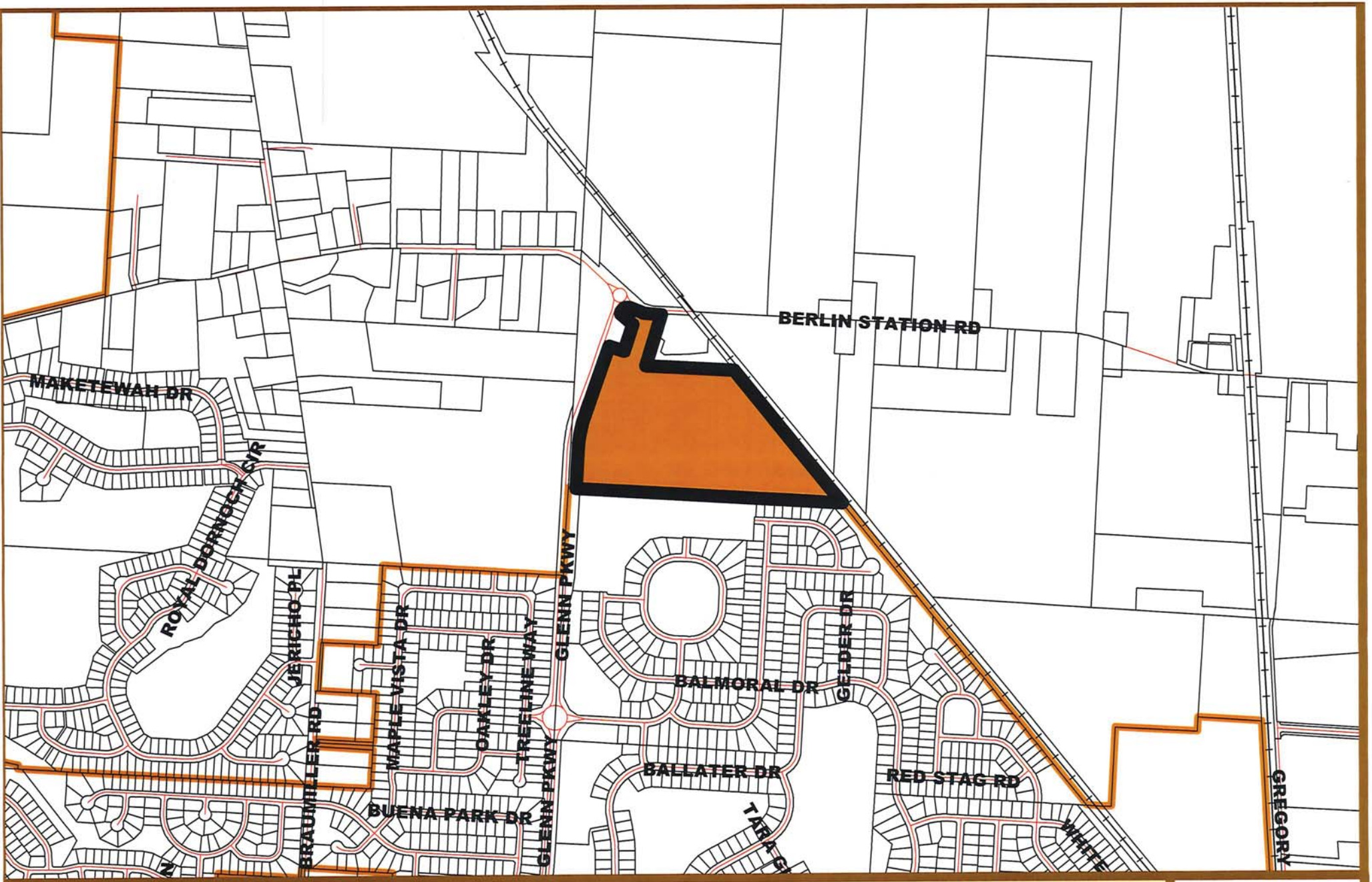
(4) A typical landscaping plan for each unit type shall be submitted and approved with the Final Development Plan. This typical landscaping shall set forth the minimum amount of required landscaping for each unit type at the time of building of each structure prior to the issuance of a Certificate of Occupancy. Landscaping species may be varied on a permit by permit basis.

(5) Ground mounted equipment shall be screened from view using plant materials providing 100%-year-round opacity. Air conditioning units shall be located in manner that minimizes the view from the public right-of-way.

(6) For the purposes of aesthetics and aquatic health, all ponds shall have a fountain/aerator.

(7) Along the existing railroad tracks, an earthen mound, no less than 10 to 12 feet high shall be installed with coniferous plantings providing complete screening at a combined mound and landscaping height of no less than 16 feet in a manner consistent with the mounding to the south in the Communities at Glenross Subdivision. This can be achieved by a soldier course of plantings across the top of the mound leaving sufficient room for trees to grow adequately as approved by the City's urban forester.

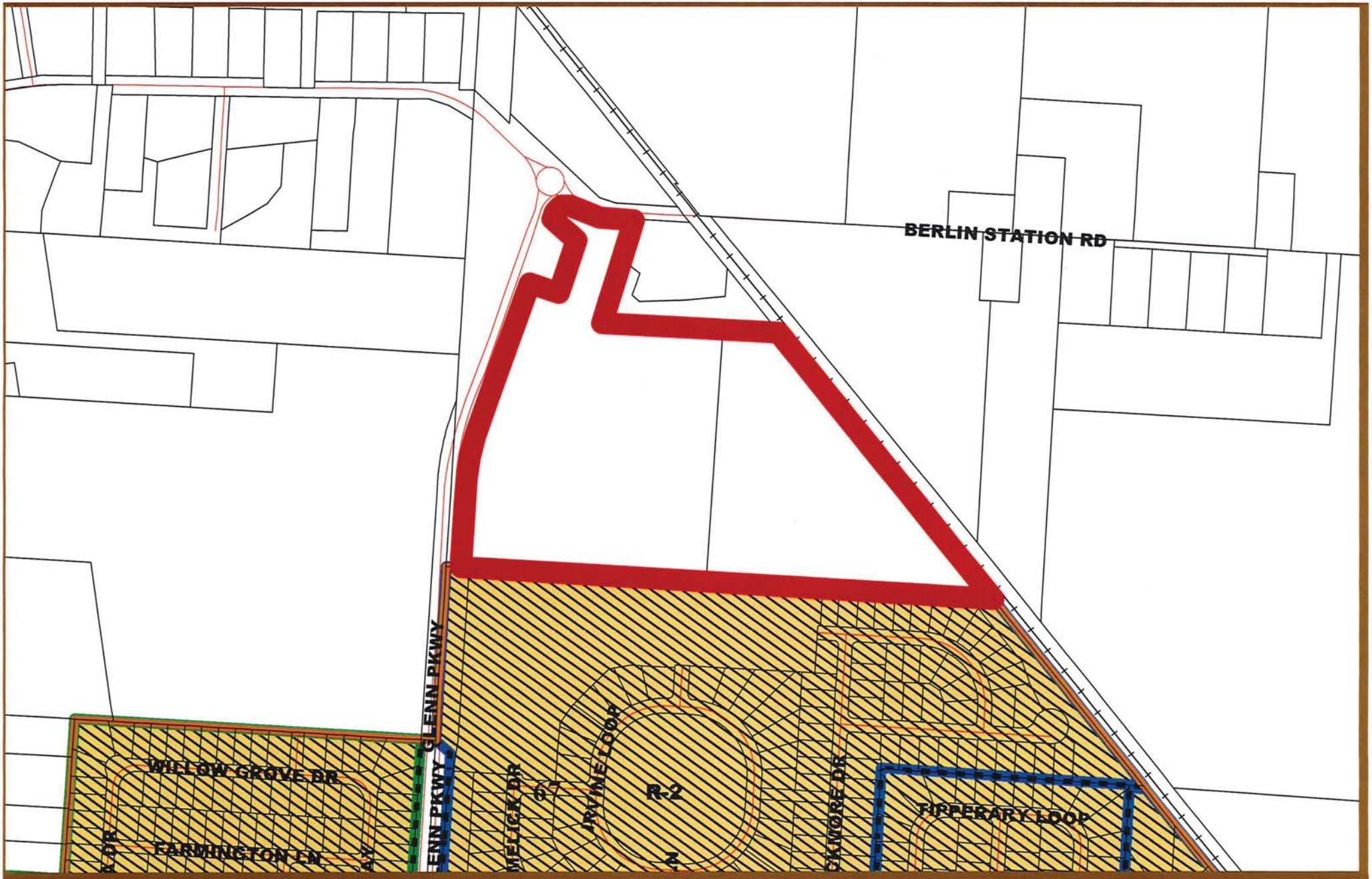
(8) Common HOA landscaping shall be well maintained including regular mowing, trimming, mulching and weeding.



EST 1808
CITY OF
DELAWARE
OHIO

2021-1052 & 1056 & 1071-1072
Rezoning Amendment, Conditional Use Permit,
Preliminary Development Plan, and Preliminary Subdivision Plat
Glenross North Subdivision - Sections 5 & 6
Location Map

N



EST 1808
CITY OF
DELAWARE
OHIO

2021-1052 & 1056 & 1071-1072
Rezoning Amendment, Conditional Use Permit,
Preliminary Development Plan, and Preliminary Subdivision Plat
Glenross North Subdivision - Sections 5 & 6
Zoning Map

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EST 1808
CITY OF
DELAWARE
OHIO

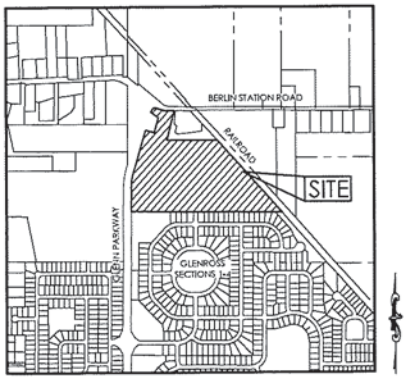
2021-1052 & 1056 & 1071-1072
Rezoning Amendment, Conditional Use Permit,
Preliminary Development Plan, and Preliminary Subdivision Plat
Glenross North Subdivision - Sections 5 & 6
Aerial (2019) Map

N

GLENROSS NORTH SECTION 5 & 6

DELAWARE, OHIO

PRELIMINARY DEVELOPMENT PLAN



LOCATION MAP

NO SCALE

NOTES

1. ALL OF THE GLENROSS NORTH SECTION 5 & 6 PROPERTY IS IN THE FLOOD HAZARD ZONE X AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NUMBER 39041C0118L, EFFECTIVE DATE FEBRUARY 17, 2016 AND 39041C0120K, EFFECTIVE DATE APRIL 16, 2009.

2. RESERVE "A" IS TO BE OWNED AND MAINTAINED BY THE CITY OF DELAWARE. RESERVES "B" THROUGH "D" ARE TO BE OWNED AND MAINTAINED BY THE GLENROSS NORTH SECTION 5 & 6 HOMEOWNERS ASSOCIATION FOR OPEN SPACE AND STORMWATER FACILITIES.

3. SIDEWALKS WILL BE PROVIDED ON BOTH SIDES OF ALL STREETS.

4. ALL PERMITS PERTAINING TO WETLANDS AND WATER OF THE UNITED STATES, AS REQUIRED BY THE ARMY CORPS OF ENGINEERS, SHALL BE OBTAINED AND PROVIDED TO THE CITY PRIOR TO THE PLANNING COMMISSIONS' APPROVAL OF ANY FINAL PLAT THAT CONTAINS SAID WETLANDS OR WATERS OF THE UNITED STATES.

5. THE OWNER AND DEVELOPER ACKNOWLEDGE AND AGREE THAT THE PROPERTY SHALL BE SUBJECT TO A $3,000 PER DWELLING UNIT ADDITIONAL FEE FOR SEWER CAPACITY IN ADDITION TO NORMAL AND CUSTOMARY FEE(S) IN PLACE A THE TIME OF BUILDING PERMITS.

6. THE OWNER AND DEVELOPER ACKNOWLEDGE AND AGREE THE PROPERTY SHALL BE SUBJECT TO A $1,000 PER DWELLING UNIT TRANSPORTATION FEE PAYABLE AT THE TIME OF BUILDING PERMIT AND WHICH SHALL BE USED BY THE CITY IN ITS SOLE DISCRETION FOR AREA TRANSPORTATION IMPROVEMENTS. THIS FEE IS IN ADDITION TO ANY NORMAL AND CUSTOMARY FEE(S) AND CHARGES REQUIRED BY THE CITY FOR THE DEVELOPMENT OF THE PROPERTY.

PREPARED FOR:

VINCE ROMANELLI
148 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081
P: (614) 891-2042

SUBMITTAL: APRIL 7, 2021

CIVIL ENGINEER &
LANDSCAPE ARCHITECT

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

EXISTING CONDITIONS:	1 of 6
SITE PLAN:	2 of 6
ILLUSTRATIVE SITE PLAN:	3 of 6
LANDSCAPE:	
LANDSCAPE PLAN:	4 of 6
LANDSCAPE ENLARGEMENTS:	5 of 6
DETAILS:	6 of 6

SITE STATISTICS:

TOTAL ACREAGE:	±43.6 ACRES
TOTAL NUMBER OF LOTS: 65' X ±145'	91
OPEN SPACE:	±13.1 ACRES (30.0%)
RESERVE "A":	±1.9 ACRES
RESERVE "B":	±4.8 ACRES
RESERVE "C":	±2.3 ACRES
RESERVE "D":	±4.1 ACRES
RIGHT-OF-WAY:	±6.6 ACRES (15.1%)
PROPOSED ZONING:	PMU / R-2
GROSS DENSITY: 91 LOTS DIVIDED BY ±43.6 GROSS ACRES	±2.09 LOTS/ACRE
NET DENSITY: ACREAGE REMOVED: ALL RESERVES AND RIGHTS-OF-WAY (91 LOTS DIVIDED BY ±22.9 ACRES)	±3.8 LOTS/ACRE

DESIGN STANDARDS

LOT SIZE:	
MINIMUM LOT WIDTH:	65 FEET
MINIMUM LOT AREA:	9,100 S.F.
SETBACKS:	
FRONT (BUILDING LINE):	30 FEET
SIDE YARD:	6 FEET MINIMUM 15 FEET BETWEEN HOMES
REAR YARD:	35 FEET
MAXIMUM BUILDING HEIGHT:	35 FEET



GLENROSS NORTH SECTION 5 & 6

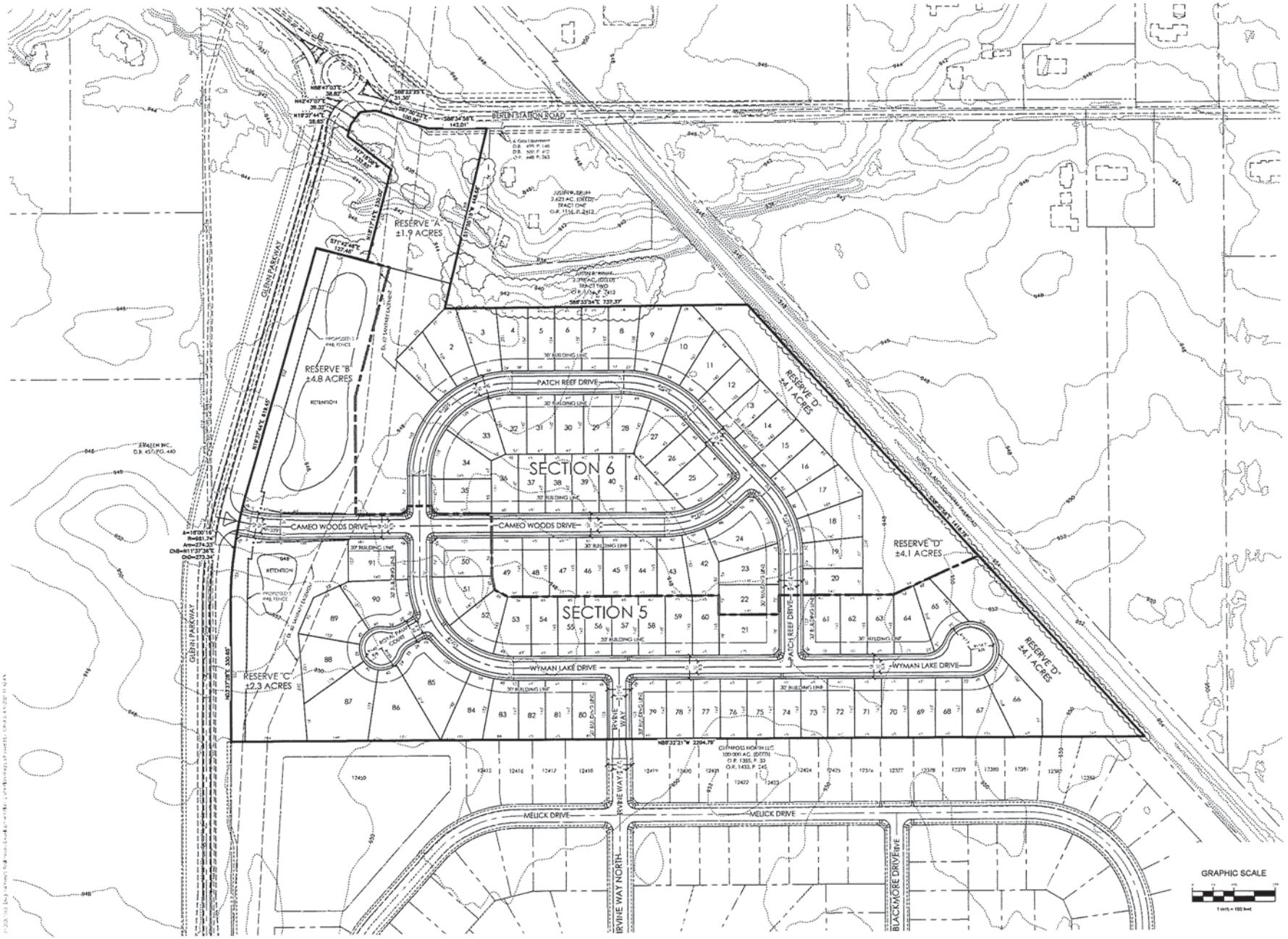
City of Delaware
Delaware County . Ohio

PRELIMINARY DEVELOPMENT PLAN

EXISTING CONDITIONS

VINCE ROMANELLI
148 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081

EMHT



GLENROSS NORTH SECTION 5 & 6

City of Delaware
Delaware County . Ohio

PRELIMINARY DEVELOPMENT PLAN

SITE PLAN

VINCE ROMANELLI
148 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081

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emht.com

DATE: APRIL 7, 2021

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REVISED:

NORTH

SHEET 2 of 6



GLENROSS NORTH SECTION 5 & 6

City of Delaware
Delaware County . Ohio

PRELIMINARY DEVELOPMENT PLAN

ILLUSTRATIVE SITE PLAN

PREPARED FOR:

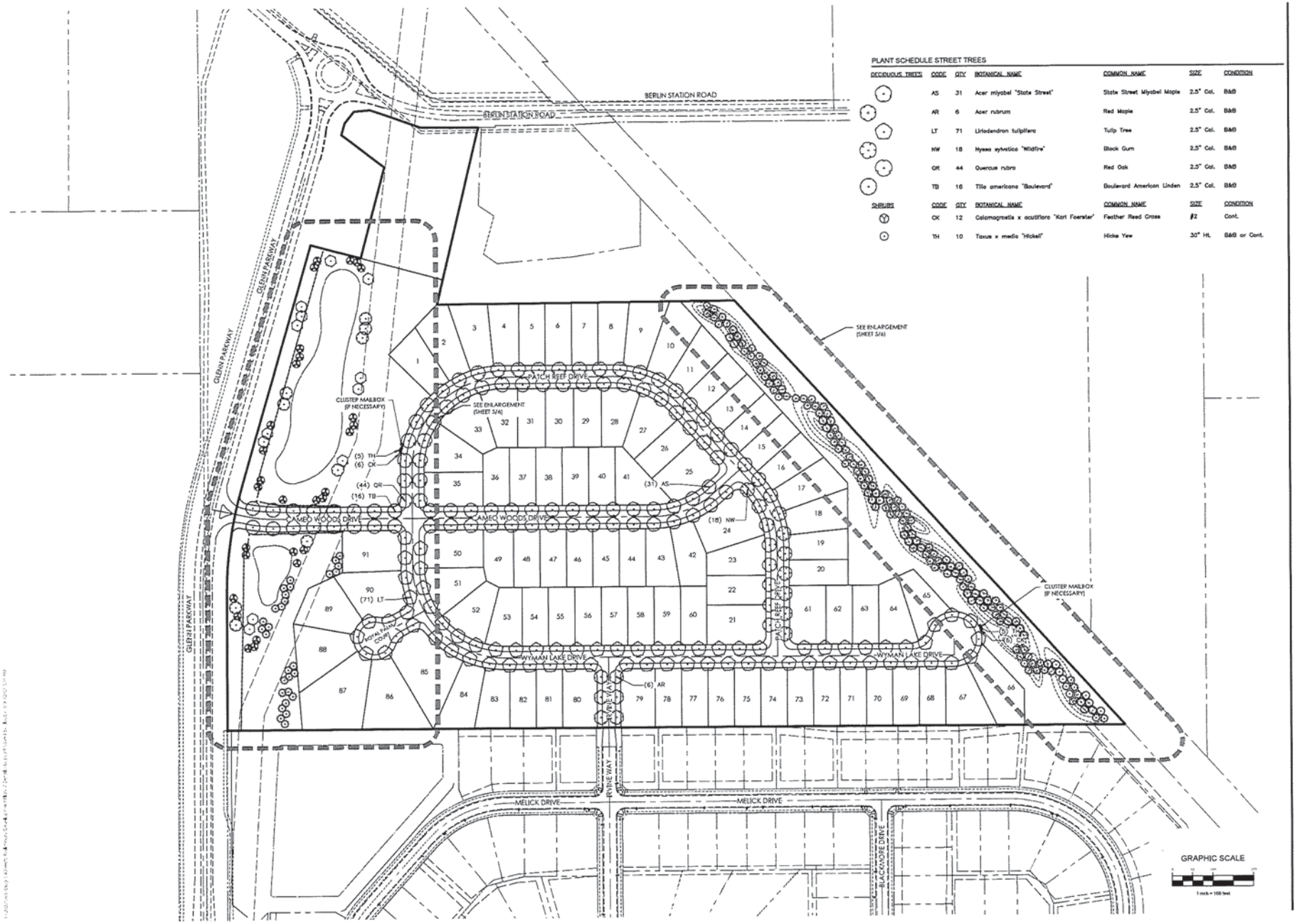
VINCE ROMANELLI
148 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081

PREPARED BY:

EMHT

DATE: APRIL 7, 2021
REVISED:
REVISED:
REVISED:
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SHEET 3 OF 6



PLANT SCHEDULE STREET TREES

DECIDUOUS TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
	AS	31	Acer miyabei 'State Street'	State Street Miyabei Maple	2.5" Cal.	B&B
	AR	6	Acer rubrum	Red Maple	2.5" Cal.	B&B
	LT	71	Liriodendron tulipifera	Tulip Tree	2.5" Cal.	B&B
	NW	18	Nyssa sylvatica 'Wildfire'	Black Gum	2.5" Cal.	B&B
	OR	44	Quercus rubra	Red Oak	2.5" Cal.	B&B
	TB	16	Tilia americana 'Boulevard'	Boulevard American Linden	2.5" Cal.	B&B

SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
	CK	12	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	#2	Cont.
	TH	10	Taxus x media 'Hicksii'	Hicks Yew	30" Ht.	B&B or Cont.

GLENROSS NORTH SECTION 5 & 6

City of Delaware
Delaware County , Ohio

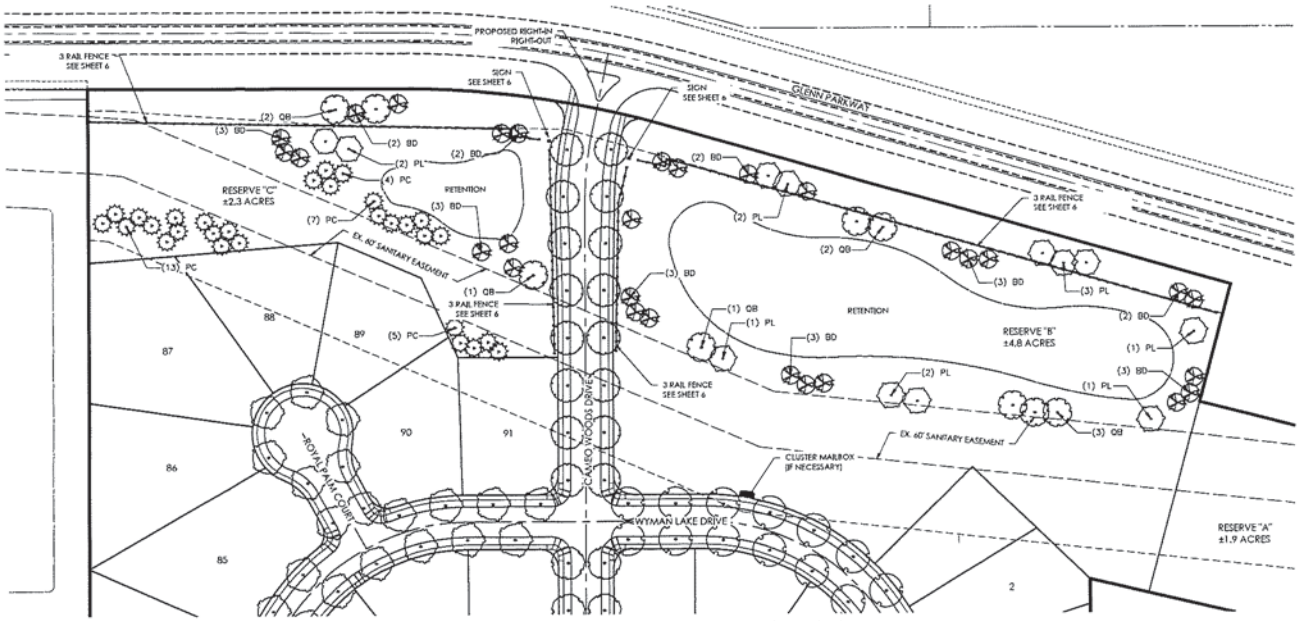
PRELIMINARY DEVELOPMENT PLAN

LANDSCAPE PLAN

VINCE ROMANELLI
148 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
8800 Lyra Drive, Suite 450, Columbus, OH 43240
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DATE	MARK / ISSUE

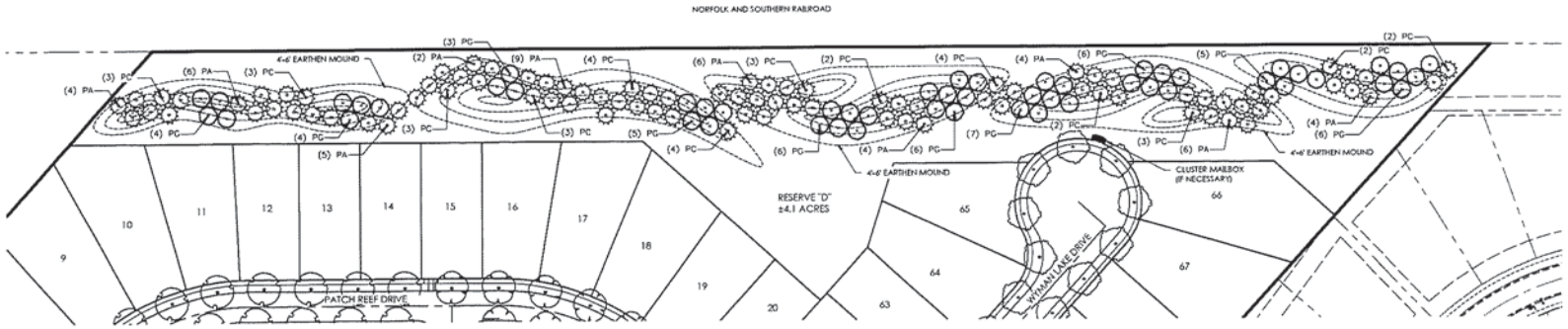


GLENN PARKWAY ENLARGEMENT

Scale: 1"=60'

RESIDENTIAL DEVELOPMENT SIGN

- TO BE INSTALLED PER SECTION 1165
- TWO SIGN, ONE ON EACH SIDE OF THE ENTRY DRIVE. SEE PLAN THIS SHEET
- SIGN SHALL BE LOCATED NO CLOSER THAN 10 FEET TO CAMEO WOODS DRIVE RIGHT-OF-WAY AND 2 FEET FROM THE CHANNEL EASEMENT ADJACENT GLENN PARKWAY
- A MIX OF PERENNIALS, EVERGREENS AND DECIDUOUS SHRUBS SHALL BE INSTALLED AT THE BASE OF THE SIGNS.
- SEE DETAILS AND SKETCH SHEET 6



EASTERN BUFFER

Scale: 1"=60'

PLANT SCHEDULE GLENN PARKWAY ENLARGEMENT

DECIDUOUS TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
	BD	29	Betula nigra "Heritage"	Heritage River Birch	2" Cal.	B&B
	PL	12	Platanus occidentalis	American Sycamore	2.5" Cal.	B&B
	QB	9	Quercus bicolor	Swamp White Oak	2.5" Cal.	B&B
EVERGREEN TREES	**CODE**	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**CONDITION**
	PC	29	Picea pungens	Colorado Spruce	6' Ht.	B&B

PLANT SCHEDULE EASTERN BUFFER

EVERGREEN TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
	PA	51	Picea abies	Norway Spruce	6' Ht.	B&B
	PG	53	Picea glauca	White Spruce	6' Ht.	B&B
	PC	40	Picea pungens	Colorado Spruce	6' Ht.	B&B

GRAPHIC SCALE

1 inch = 60 feet

GLENROSS NORTH SECTION 5 & 6

City of Delaware
Delaware County . Ohio

PRELIMINARY DEVELOPMENT PLAN

LANDSCAPE ENLARGEMENTS

PREPARED FOR:
VINCE ROMANELLI
148 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081

PREPARED 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

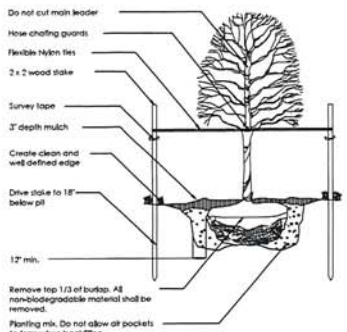
DATE	APRIL 7, 2021
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NORTH

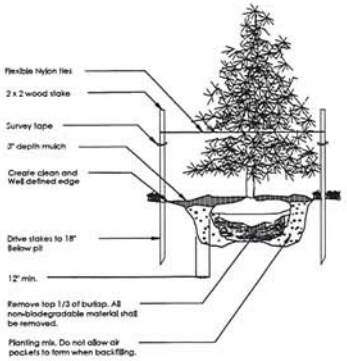
GLENROSS NORTH SECTION 5 & 6

SHEET NO.

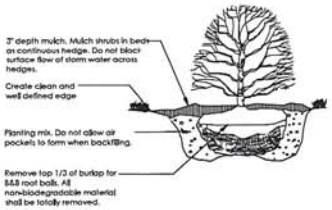
5 | 6



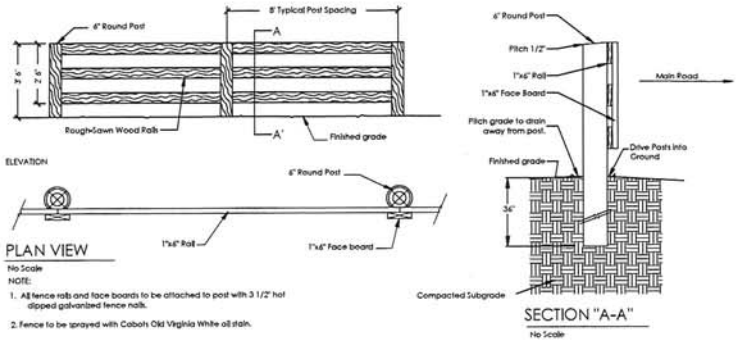
Deciduous Tree Planting
No Scale



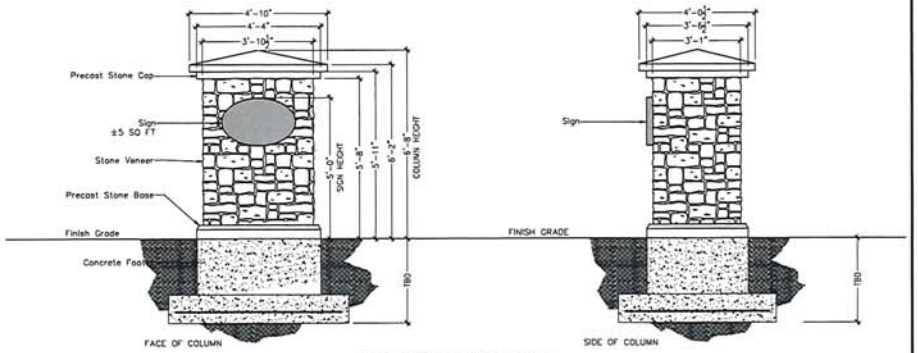
Evergreen Tree Planting
No Scale



Shrub Planting
No Scale



3 Rail Fence Detail
No Scale



Residential Development Sign - Details
No Scale



Residential Development Sign - Sketch
No Scale

GLENROSS NORTH SECTION 5 & 6

City of Delaware
Delaware County . Ohio

PRELIMINARY DEVELOPMENT PLAN

DETAILS

PREPARED FOR:
VINCE ROMANELLI
148 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081

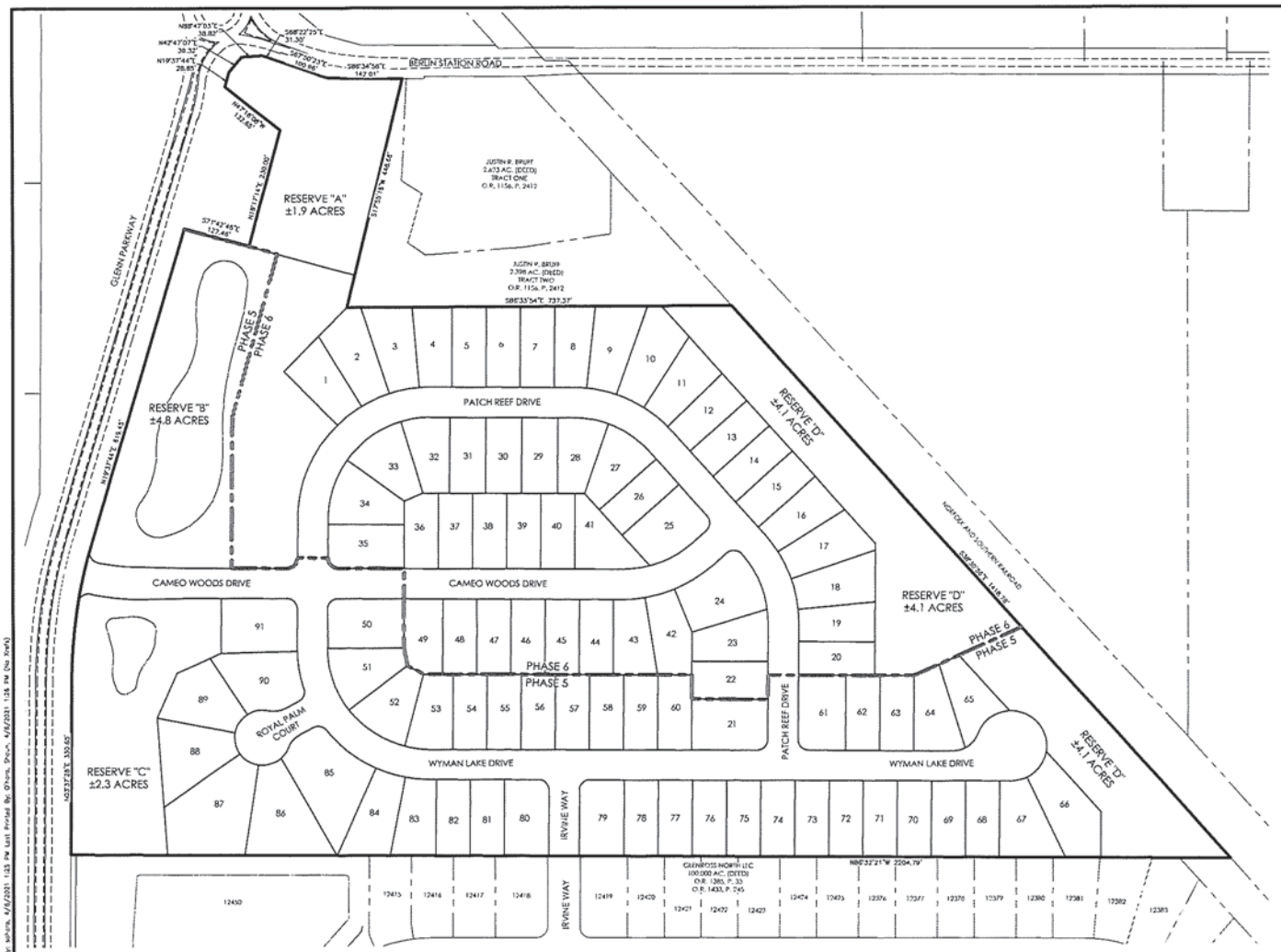
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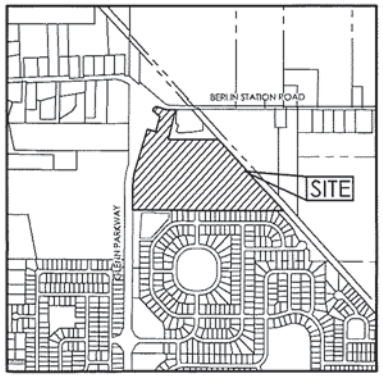
DATE	APRIL 7, 2023
REVISED:	
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REVISED:	
REVISED:	

NORTH

GLENROSS NORTH SECTION 5 & 6

SHEET 6 OF 6 SHEETS





LOCATION MAP
NO SCALE

SITE STATISTICS:

TOTAL ACREAGE:	±43.6 ACRES
TOTAL NUMBER OF LOTS:	91
65' X ±145'	
OPEN SPACE:	±13.1 ACRES (30.0%)
RESERVE "A":	±1.9 ACRES
RESERVE "B":	±4.8 ACRES
RESERVE "C":	±2.3 ACRES
RESERVE "D":	±4.1 ACRES
RIGHT-OF-WAY:	±6.6 ACRES (15.1%)
PROPOSED ZONING:	PMU / R-2
GROSS DENSITY:	±2.09 LOTS/ACRE
91 LOTS DIVIDED BY ±43.6 GROSS ACRES	
NET DENSITY:	±3.8 LOTS/ACRE
ACREAGE REMOVED: ALL RESERVES AND RIGHT-OF-WAY (91 LOTS DIVIDED BY ±23.9 ACRES)	

DESIGN STANDARDS

LOT SIZE:	
MINIMUM LOT WIDTH:	65 FEET
MINIMUM LOT AREA:	9,100 S.F.
SETBACKS:	
FRONT (BUILDING LINE):	30 FEET
SIDE YARD:	6 FEET MINIMUM 15 FEET BETWEEN HOMES
REAR YARD:	35 FEET
MAXIMUM BUILDING HEIGHT:	35 FEET

NOTES

1. ALL OF THE GLENROSS NORTH SECTION 5 & 6 PROPERTY IS IN THE FLOOD HAZARD ZONE X AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NUMBER 39041C0118L, EFFECTIVE DATE FEBRUARY 17, 2016 AND 39041C0120K, EFFECTIVE DATE APRIL 16, 2009.

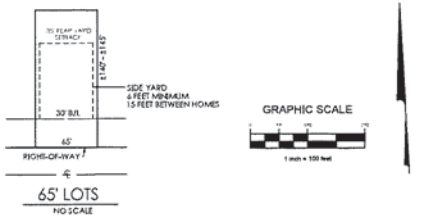
2. RESERVE "A" IS TO BE OWNED AND MAINTAINED BY THE CITY OF DELAWARE. RESERVES 'B' THROUGH 'D' ARE TO BE OWNED AND MAINTAINED BY THE GLENROSS NORTH SECTION 5 & 6 HOMEOWNERS ASSOCIATION FOR OPEN SPACE AND STORMWATER FACILITIES.

3. SIDEWALKS WILL BE PROVIDED ON BOTH SIDES OF ALL STREETS.

4. ALL PERMITS PERTAINING TO WETLANDS AND WATER OF THE UNITED STATES, AS REQUIRED BY THE ARMY CORPS OF ENGINEERS, SHALL BE OBTAINED AND PROVIDED TO THE CITY PRIOR THE PLANNING COMMISSIONS' APPROVAL OF ANY FINAL PLAT THAT CONTAINS SAID WETLANDS OR WATERS OF THE UNITED STATES.

5. THE OWNER AND DEVELOPER ACKNOWLEDGE AND AGREE THAT THE PROPERTY SHALL BE SUBJECT TO A $3,200 PER DWELLING UNIT ADDITIONAL FEE FOR SEWER CAPACITY IN ADDITION TO NORMAL AND CUSTOMARY FEE(S) IN PLACE AT THE TIME OF BUILDING PERMITS.

6. THE OWNER AND DEVELOPER ACKNOWLEDGE AND AGREE THE PROPERTY SHALL BE SUBJECT TO A $1,000 PER DWELLING UNIT TRANSPORTATION FEE PAYABLE AT THE TIME OF BUILDING PERMIT AND WHICH SHALL BE USED BY THE CITY IN ITS SOLE DISCRETION FOR AREA TRANSPORTATION IMPROVEMENTS. THIS FEE IS IN ADDITION TO ANY NORMAL AND CUSTOMARY FEE(S) AND CHARGES REQUIRED BY THE CITY FOR THE DEVELOPMENT OF THE PROPERTY.



65' LOTS
NO SCALE

PC CASE NO. _____-_____ APPROVED BY THE PLANNING COMMISSION ON __/__/__

ORDINANCE NO. _____-_____ APPROVED BY CITY COUNCIL ON __/__/__

APPLICANT NAME, TITLE DATE

MICHELE KOHLER, CITY CLERK DATE

DAVID M. EFLAND, AICP, PLANNING & COMMUNITY DEVELOPMENT DIRECTOR DATE

WILLIAM L. FERRIGNO, P.E., CITY ENGINEER DATE

REVISIONS		
ITEM	DATE	DESCRIPTION

VINCE ROMANELLI
149 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081
PH (614) 581-5442

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
PRELIMINARY PLAT
FOR
GLENROSS NORTH SECTION 5 & 6
INDEX PLAN

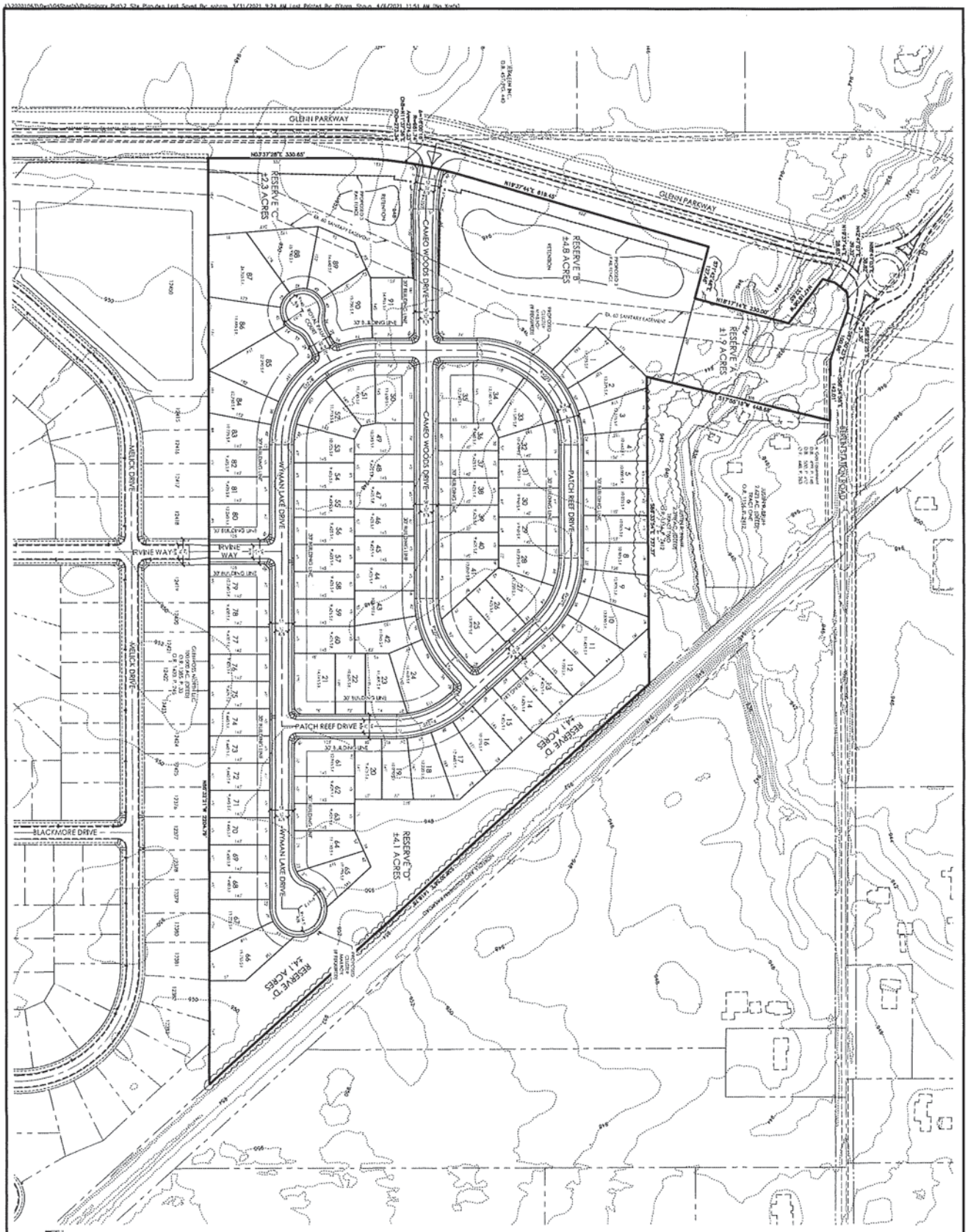
EMHT
Engineers | Surveyors | Planners, Inc.
Stantec
One Dublin Corporate Plaza
Suite 200
Dublin, Ohio 43016
Phone: (614) 775-4500
Fax: (614) 775-4800
www.stantec.com

DATE
April 7, 2021

SCALE
1" = 100'

JOB NO.
20201063

SHEET
1/4



SHEET	JOB NO.	SCALE	DATE
2/4	20201063	1" = 100'	April 7, 2021

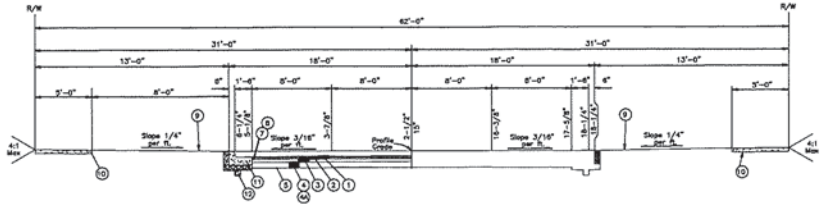
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CITY OF DELAWARE, DELAWARE COUNTY, OHIO
PRELIMINARY PLAT
FOR
GLENROSS NORTH SECTION 5 & 6
SITE PLAN

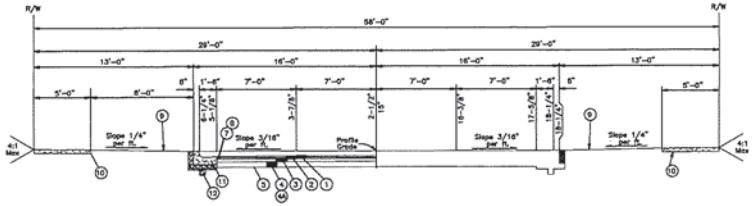
VINCE ROMANELLI
144 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081
P: (614) 891-2042

REVISIONS		
MARK	DATE	DESCRIPTION

GLENROSS NORTH SECTION 5 & 6
UTILITY PLAN
PRELIMINARY PLAT
CITY OF DELAWARE, DELAWARE COUNTY, OHIO
VINCE ROMANELLI
149 WEST CEDROCK ROAD
WESTERVILLE, OHIO 43081
Ph. (614) 891-2042
EMHT
DATE
April 7, 2021
SCALE
1" = 100'
JOB NO.
20201043
SHEET
3/4
REVISIONS
MARK
DATE
DESCRIPTION
GRAPHIC SCALE
LEGEND:
Storm Sewer
Sanitary Sewer
Water Line
RESERVE "A"
±1.9 ACRES
RESERVE "B"
±4.8 ACRES
RESERVE "C"
±3.3 ACRES
RESERVE "D"
±4.1 ACRES
RESERVE "D"
±4.1 ACRES
RESERVE "D"
±4.1 ACRES
PATCH REEF DRIVE
CAMEO WOODS DRIVE
WYMAN LAKE DRIVE
IRVINE WAY
IRVINE WAY NORTH
MELICK DRIVE
BLACKMORE DRIVE
GLENN PARKWAY
GLENN PARKWAY
SUNBURY ROAD
SUNBURY ROAD
NORTH LAKE DR
NORTH LAKE DR



TYPICAL PRIMARY SECTION WITH STANDARD CURB
(36' B/C TO B/C, 62' R/W)
NO SCALE



TYPICAL SECONDARY & CUL-DE-SAC SECTIONS WITH STANDARD CURB
(32' B/C TO B/C, 58' R/W)
NO SCALE

PAVEMENT LEGEND

1. 1 1/2" Asphalt Concrete, Item 448 Type 1 (Medium Traffic) PG 64-22
2. 2" Asphalt Concrete, Item 448 Type 2 – Intermediate Course (Medium Traffic) PG 64-22
3. 3" Asphalt Concrete Base, Item 301, PG 64-22
4. 6" Aggregate Base, Item 304
4A. 6" Portland Cement Concrete Base, Class 'C', Item 305 Or RCC Supplemental SPEC 1523
5. Subgrade compaction, Item 203
6. Asphalt Rejuvenate Per Supplemental SPEC 1540
7. ITEM 407, Tack Face Of Curb Prior To Paving
8. ITEM 423, Crack Seal Edge Joints
9. Item 659, Seeding & Mulching (See Erosion and Sedimentation Control Plan)
10. Item 608, 5' Concrete Sidewalk (By Home Builder Unless Otherwise Noted)
11. Concrete Curb & Gutter, Item 609
12. 4" Pipe Curb Underdrain, Item 605

NO.	DATE	DESCRIPTION
		REVISIONS

VINCE ROMANELLI
149 WEST SCHROCK ROAD
WESTERVILLE, OHIO 43081
PHONE (614) 890-4644

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
PRELIMINARY PLAT
FOR
GLENROSS NORTH SECTION 5 & 6
TYPICAL SECTIONS

EMH,T
Engineers, Architects & Surveyors, Inc.
8080 Beech & Acheson | Dublin | Columbus
Phone (614) 775-4500 Fax (614) 775-4640
www.emht.com

DATE
April 7, 2021

SCALE
None

JOB NO.
20201063

SHEET
4/4

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 24, 2021

SUBMITTED BY: Elaine McCloskey,Planning Department

ITEM TYPE: Ordinances

AGENDA SECTION: **7:40 P.M. PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 21-35**

SUBJECT: An ordinance approving a Rezoning Amendment for Charles R. Davis from A-1 (Agricultural District) to R-3 (One-Family Residential District) for the Davis Tract Subdivision on approximately 30.708 acres located on the north side of West William Street and just west of Springer Woods Subdivision.

PUBLIC HEARING COMMENT OPTIONS:

- 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: written public comment, maximum of 500 words, is to be received by 3 p.m. the date of the meeting to be presented to Council for submission and read into the record. **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.

SUGGESTED ACTION:

ATTACHMENTS:

fact sheet ord 21-35, 2021-1078 Davis Tract Subdivision REZ.pdf

ord 21-35, 2021-1078 Davis Tract Subdivision REZ.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 15

DATE: 05/24/2021

ORDINANCE NO: 21-35

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: YES
May 24, 2021 @ 7:40 p.m.

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE APPROVING A REZONING AMENDMENT FOR CHARLES R. DAVIS FROM A-1 (AGRICULTURAL DISTRICT) TO R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) FOR THE DAVIS TRACT SUBDIVISION ON APPROXIMATELY 30.708 ACRES LOCATED ON THE NORTH SIDE OF WEST WILLIAM STREET AND JUST WEST OF SPRINGER WOODS SUBDIVISION.

BACKGROUND:
See attached staff report.

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Chapter 1130 Amendments of the Codified Ordinances.

COMMITTEE RECOMMENDATION:
Planning Commission recommended approval by a vote of 7-0 on May 5, 2021.

FISCAL IMPACT(S):
N/A

POLICY CHANGES:
N/A

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

RECOMMENDATION:
Staff recommends approval

ATTACHMENT(S)
See attached

ORDINANCE NO. 21-35

AN ORDINANCE APPROVING A REZONING AMENDMENT FOR CHARLES R. DAVIS FROM A-1 (AGRICULTURAL DISTRICT) TO R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) FOR THE DAVIS TRACT SUBDIVISION ON APPROXIMATELY 30.708 ACRES LOCATED ON THE NORTH SIDE OF WEST WILLIAM STREET AND JUST WEST OF SPRINGER WOODS SUBDIVISION.

WHEREAS, the Planning Commission at its meeting of May 5, 2021 recommended approval of a Rezoning Amendment for Charles R. Davis from A-1 (Agriculture District) to R-3 (One-Family Residential District) for the Davis Tract Subdivision on approximately 30.708 acres located on the north side of West William Street and just west of Springer Woods Subdivision (PC Case 2021-1078).

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

SECTION 1. That the Rezoning Amendment for Charles R. Davis from A-1 (Agriculture District) to R-3 (One-Family Residential District) for the Davis Tract Subdivision on approximately 30.708 acres located on the north side of West William Street and just west of Springer Woods Subdivision, is hereby confirmed, approved, and accepted with the following condition that:

1. The applicant shall achieve compliance with all requirements of the R-3 (One-Family Residential) zoning district.

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

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,Planning Department
ITEM TYPE:	Ordinances
AGENDA SECTION:	**SECOND READING OF ORDINANCE NO. 21-36**
SUBJECT:	An ordinance approving a Preliminary Subdivision Plat for Charles R. Davis for the Davis Tract Subdivision on approximately 30.708 acres located on the north side of West William Street and just west of Springer Woods Subdivision.

SUGGESTED ACTION:

ATTACHMENTS:

fact sheet ord 21-36, 2021-1081 Davis Tract Subdivision PSP.pdf
ord 21- 36, 2021-1081 Davis Tract Subdivision PSP.pdf
2021-1078 Davis Tract staff report.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 16 | DATE: 05/24/2021

ORDINANCE NO: 21-36 | RESOLUTION NO:

READING: SECOND | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE APPROVING A PRELIMINARY SUBDIVISION PLAT FOR CHARLES R. DAVIS FOR THE DAVIS TRACT SUBDIVISION ON APPROXIMATELY 30.708 ACRES LOCATED ON THE NORTH SIDE OF WEST WILLIAM STREET AND JUST WEST OF SPRINGER WOODS SUBDIVISION.

BACKGROUND:
See attached staff report.

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Chapter 1111 Subdivision Plats of the Codified Ordinances.

COMMITTEE RECOMMENDATION:
Planning Commission recommended approval by a vote of 7-0 on May 5, 2021.

FISCAL IMPACT(S):
N/A

POLICY CHANGES:
N/A

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

RECOMMENDATION:
Staff recommends approval

ATTACHMENT(S)
See attached

ORDINANCE NO. 21-36

AN ORDINANCE APPROVING A PRELIMINARY SUBDIVISION PLAT FOR CHARLES R. DAVIS FOR THE DAVIS TRACT SUBDIVISION ON APPROXIMATELY 30.708 ACRES LOCATED ON THE NORTH SIDE OF WEST WILLIAM STREET AND JUST WEST OF SPRINGER WOODS SUBDIVISION.

WHEREAS, the Planning Commission at its meeting of May 5, 2021 recommended approval of a Preliminary Subdivision Plat for the Davis Tract Subdivision on approximately 30.708 acres located on the north side of West William Street and just west of Springer Woods Subdivision (PC Case 2021-1081).

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

SECTION 1. That the Preliminary Subdivision Plat for the Davis Tract Subdivision on approximately 30.708 acres located on the north side of West William Street and just west of Springer Woods Subdivision, is hereby confirmed, approved, and accepted with the following condition that:

1. The applicant needs to obtain final engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.
2. The applicant shall be responsible for any improvements and/or financial obligations of the traffic impact study per the City Engineer and County Engineer.
3. All detention ponds shall be setback from a public road per the City Engineer.
4. The lots and houses shall comply with the minimum bulk and setback requirements per the zoning code.
5. The single-family houses shall comply with the minimum architectural standards in the applicable sections of the current zoning code.
6. All the active open space areas shall have amenities approved by Staff. The active open space shall be programmed, and the final details of the tot lot, active open space, mounding, and the like shall be reviewed and approved with the Final Subdivision Plat. All open spaces shall be owned and maintained by the homeowner's association but allow public access.
7. A minimum 4-foot-high mound with landscaping shall be located along West William Street to be consistent with the roadway treatment in the Springer Woods Subdivision.
8. A minimum 3-foot-high mound with landscaping shall be located along the southern side of Reserve Area B.

9. A comprehensive landscape plan including street trees, reserve area landscaping, entrance signage landscaping, and streetscape landscaping shall be submitted, reviewed, and approved by the Shade Tree Commission.
10. The applicant shall make a payment of $103,500, which will be due in lieu of planting trees, or plant more trees on this site or another qualifying site, or pay a per lot tree fee with the building permit, or install more trees on each lot with the building permit, or a combination of the above to achieve compliance with the Tree Preservation Regulations in Chapter 1168.
11. The existing tree lines along the northern, eastern, and western perimeters of the development shall be preserved if feasible and placed in a tree preservation easement (along with the preserved trees located in the southwest corner of the site), if not in storm sewer easement.
12. The bike path along West William Street shall be installed by the applicant and located within an easement dedicated to the City and shall be maintained by the homeowner's association.
13. The street lighting plan shall be submitted, reviewed, and approved by the City and achieve compliance with all zoning requirements prior to final subdivision plat approval.
14. The applicant shall rename Aaron Drive West per requirements of the Engineering Department.
15. The 0.2-acre Reserve Area A to the northeast corner of the site shall be removed from the plan and instead this space shall be used to extend the lot lines of the adjacent residential lots (lots 35-37).
16. The applicant shall consult with City Engineer to determine the appropriate locations for cluster mailboxes per City guidelines.
17. The first section shall include the access from West William Street and access to the east through Aaron Drive

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: 2021-1078 & 1081
REQUEST: Multiple Requests
PROJECT: Davis Subdivision Tract
MEETING DATE: May 5, 2021

APPLICANT/OWNER
Charles R. Davis
102 Hidden Pastures Drive
Cramerton, NC 28032

REQUESTS
2021-1078: A request by Charles R. Davis for approval of a Rezoning Amendment from A-1 (Agricultural District) to R-3 (One-Family Residential District) for the Davis Tract Subdivision on approximately 30.708 acres located on the north side of West William Street and just west of the Springer Woods Subdivision.
2021-1081: A request by Charles R. Davis for approval of a Preliminary Subdivision Plat for the Davis Tract Subdivision on approximately 30.708 acres located on the north side of West William Street and just west of the Springer Woods Subdivision.

PROPERTY LOCATION & DESCRIPTION
The subject site is located on the north side of West William Street just west of the Springer Woods Subdivision. The property is located in the township and zoned FR-1 (Farm Residential District) and is in the process of being annexed into the City. The properties to the north and east are zoned R-3 (One-Family Residential District), the property to the south is zoned A-1 (Agricultural District), and the properties to the west are zoned FR-1 and PCD (Planned Commercial and Office District) in the township.

BACKGROUND/PROPOSAL
As mentioned above, the subject 30.708-acre site is currently located in the township, but the owner is in the process of annexing the property into the City for the proposed development. The site is located within the City utility service area and has long been planned to be part of the City if developed. If annexed into the City the site would be automatically zoned A-1 (Agricultural District) as required by the Codified Ordinances and the applicant is requesting a R-3 (One-Family Residential District) zoning district to be compatible to the Springer Woods Subdivision located north and east of the subject site.

The proposal would consist of 77 single-family lots on approximately 30.708 acres for a density of 2.51 units per acre with 19.21% of the site utilized for open space (5.9 acres). Primary access to the site would be from a new curb cut on West William Street while secondary access would be from Aaron Drive to the east and Penwell Drive to the north, both through the existing Springer Woods Subdivision.

STAFF ANALYSIS

- **ZONING:** As previously mentioned, if annexed into the City the site would be automatically zoned A-1 (Agricultural District) as required by the Codified Ordinances. The applicant is proposing a rezoning to R-3 (One-Family Residential District) to be consistent with the adjacent Springer Woods Subdivision. From a procedural perspective, a Rezoning Amendment and Preliminary Subdivision Plat would need to be approved by Planning Commission and City Council. Thereafter, each phase would require Final Subdivision Plat approval by Planning Commission and City Council.
- **LAND USE:** The Comprehensive Plan (2003-2008) Future Land Use Map recommends a future land use of Low Density Single-Family for the subject site in the "Delaware Run Subarea" of the plan. The proposed density of 2.51 units per acre for the subject site is in range of the 2.0-3.25 dwelling units per acre in the Comprehensive Plan. This is consistent with the surrounding area as the proposed development would meet the objective of continuing residential development within this subarea and begin a transition to a lower density housing. Specific to the overall subarea in which the property is located, the Delaware Run Subarea, the Comprehensive Plan contains the following land use recommendation that is applicable to these properties and consistent with this development proposal:
    - LU27.1 The completion of current residential developments is supported. The construction of new residential developments is supported if the densities are consistent with the recommendations of the Future Land Use Map.

Additionally, over the past three years the City of Delaware has been in the process of updating the Comprehensive Plan. While not yet adopted, it should be noted that this proposed development would also meet the guidance of the "Delaware Together" Comprehensive Plan, in general terms. Per the potential future plan, this property would be located in a character area called "Suburban Residential" which is an area found towards the perimeter of the current city limits characterized by homogenous housing types and architectural styles in a block, along a street, or clustered in pods around a common open space. Some of the development types targeted for Suburban Residential Areas would include, but not be limited to, "Traditional Small Lot Single-Family", "Traditional Medium Lot Single-Family", and "Natural Conservation/Preserves". This proposed development offers a housing product which blends into an adjacent neighborhood with a similar residential use. In addition, the proposed development contains the following critical factors for a Suburban Residential Area; connectivity of roads, improving connectivity through completion of sidewalk and trail connections, providing adequate common open space, and requiring tree lawns along all residential streets. Therefore, this development would be appropriate for this property's character area per the "Delaware Together" Comprehensive Plan.

- **ENGINEERING:** The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on a technical review by the Engineering Department once a complete plan set is submitted for review.
- **UTILITIES:** The site would be serviced by City sanitary sewer and water. Per the annexation agreement, the extension of any needed infrastructure for water, sewer, or roadways shall be at the cost to applicant and as required by the City through the normal and customary development review process. During the anticipated development review process, the City shall extend sanitary sewer to the western edge of the Lehner Woods Subdivision, but the subject development will be required to continue utilities at their cost across their site to the westernmost boundary line of their property in accordance with city policy and regulations.
- **ROADS AND TRAFFIC:** The applicant is in the process of completing a traffic impact study that will have to be reviewed and approved by the City Engineer. The applicant shall be responsible for any improvements and/or financial obligations of the traffic impact study per the City Engineer and County Engineer. The primary access to the site would be from a new curb cut on West William Street while secondary access would be from Aaron Drive to the east and Penwell Drive to the north, both through the existing Springer Woods Subdivision.

  Internally, the single access point from West William Street would be extended north through a majority of the subject site. A secondary connection would be made from the north to extend Penwell Drive from the Springer Woods Subdivision. Penwell Drive would be extended south through the proposed subdivision to create a half loop with the primary access road. The remainder of the streets would be east-to-west connections between the proposed subdivision and the existing Springer Woods Subdivision to the east and potential future subdivisions to the west. All the streets in the proposed subdivision would be residential in nature and would have to be constructed to public standards and achieve compliance with the minimum engineering requirements.
- **SITE LAYOUT:** The layout is designed around the north to south extension of Penwell Drive from Springer Woods into a half loop which connects to West William Street with single-family lots located on either side of the road. This site is currently flat farmland with existing tree lines along the northern, eastern, and western property line. The applicant is proposing 77 single-family lots on 30.708 acres and the proposed subdivision would include 5.9 acres utilized for open space.

  The proposed 77 single-family lots would achieve compliance with the minimum lot area with minimum 65-foot lot widths and corner lots oversized (33% oversized). The applicant shall review the corner lots to ensure they achieve compliance with lot requirements and building setback requirements for future homes. The front yard setback would be 30 feet, the rear yard setback would be 40 feet, and the side yard setbacks would be 8 feet.

  There is one proposed detention basin located within the development along West William Street. Also, there is one active open space area located in the center of the development. In addition, a landscape buffer with

mounds and trees is required along West William Street and shall be consistent with the existing landscape buffer screening the Springer Woods Subdivision.

- **DESIGN:** With the proposed subdivision being a straight R-3 zoning district, the houses would have to achieve compliance with the minimum standards of the Residential Design Criteria And Performance Standards in Chapter 1171.08. These standards would include: 1). At least 25% of the front elevation shall consist of natural materials; 2). Minimum 8-inch roof overhang; 3). Minimum 4-inch window trim or shutters; and 4). Minimum landscape package; are some of the requirements in Chapter 1171.08.
- **BIKE PATHS AND PEDESTRIAN ROUTES:** The applicant is proposing a bike path along the north side of West William Street per the City Engineer's requirements to be consistent with the Springer Woods Subdivision and achieve compliance with the adopted Bicycle and Pedestrian Master Plan 2027. Sidewalks will be provided on both sides of all public streets in the subdivision.
- **PARKLAND AND OPEN SPACE:** The proposed plan has 6.1 acres of open space (19.86%) which appears to be divided into four areas throughout the site. However, the 0.2-acre Reserve Area A to the northeast corner of the site has no public access and thus shall be eliminated from the plan and instead this space shall be used to extend the lot lines of the adjacent residential lots (lots 35-37). Therefore, this subdivision would then have 5.9 acres of open space (19.21%) divided across three areas throughout the site. One of these open areas, Reserve Area B – 1.2 acres, located at the center of the site would be utilized for active open space. The final details of the active open space shall be reviewed and approved with the Final Subdivision Plat, but at a minimum should include a tot lot, play field, and mounding adjacent to the lots to the south. In addition, Reserve B shall be graded so that any storm water drains are located along the perimeter so to not interfere with the play field. The remaining two open areas, Reserve Area C – 3.7 acres and Reserve Area D – 1.0 acres, located on the southern section of the site would be passive open space utilized for detention and tree preservation. A walking path with benches should be considered in Reserve C if feasible. Finally, all the reserve areas shall be owned and maintained by the homeowner's association.
- **TREE PRESERVATION:** Per the submitted tree survey with the Preliminary Subdivision Plat, the applicant is removing 1,035 caliper inches (88 trees) of qualified trees (trees six inches in diameter or more). Therefore, to achieve compliance with Chapter 1168 Tree Preservation Regulations in this straight R-3 zoned subdivision, the applicant shall make a payment in lieu of planting trees. A payment in lieu of planting is $100 per caliper inch (1,035 caliper inches total), for a total of $103,500, will be due in lieu of planting trees, or plant more trees on this site or another qualifying site, or pay a per lot tree fee with the building permit, or install more trees on each lot with the building permit, or a combination of the above. If trees are removed during construction, the trees would have to be documented and inventoried to ensure they achieve compliance with Chapter 1168 Tree Preservation Regulations. However, it should be noted that the applicant is preserving 3,633 caliper inches of trees (222 trees) which is preserving significantly more trees (2,488 caliper inches) than are being removed.
- **LANDSCAPE PLAN:** The applicant shall submit a comprehensive landscape plan that includes street trees, reserve area landscaping, entrance signage landscaping, and streetscape landscaping. The mounding and landscaping along West William Street shall include a minimum 4-foot-high mound with a continuous screen of landscaping with minimum 6-foot-high evergreen trees planted 20 feet on-center in staggered alignment to be consistent with the existing mounding and landscaping if front of the Springer Woods Subdivision. Any entrance signage shall achieve compliance with Gateways and Corridors Design Standards with appropriate landscaping. The Shade Tree Commission shall review and approve the comprehensive landscape plan.
- **LIGHTING PLAN:** A lighting plan has not been submitted but would be required for Final Subdivision Plat approval and would have to achieve compliance with the zoning code and approved by the City.
- **FIRE DEPARTMENT:** The proposed development would need to be capable of supporting and allowing the full maneuverability of the fire department ladder truck along with complying with all other fire department requirements.
- **CLUSTER MAILBOX:** The applicant shall consult with the City Engineer to determine the appropriate locations for the cluster mailboxes per the City guidelines.
- **PHASING:** The applicant has not yet determined the phasing of this subdivision. However, the first section shall include the access from West William Street and access to the east through Aaron Drive.

STAFF RECOMMENDATION – (2021-1078 REZONING)

Staff recommends approval of a request by Charles R. Davis for a Rezoning Amendment from A-1 (Agricultural District) to R-3 (One-Family Residential District) for the Davis Tract Subdivision on approximately 30.708 acres located on the north side of West William Street and just west of the Springer Woods Subdivision. with the following condition that:

1. The applicant shall achieve compliance with all requirements of the R-3 (One-Family Residential) zoning district.

STAFF RECOMMENDATION – (2021-1081 PRELIMINARY SUBDIVISION PLAT)

Staff recommends approval of a request by Charles R. Davis for a Preliminary Subdivision Plat for the Davis Tract Subdivision on approximately 30.708 acres located on the north side of West William Street and just west of the Springer Woods Subdivision, with the following conditions:

1. The applicant needs to obtain final engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.
2. The applicant shall be responsible for any improvements and/or financial obligations of the traffic impact study per the City Engineer and County Engineer.
3. All detention ponds shall be setback from a public road per the City Engineer.
4. The lots and houses shall comply with the minimum bulk and setback requirements per the zoning code.
5. The single-family houses shall comply with the minimum architectural standards in the applicable sections of the current zoning code.
6. All the active open space areas shall have amenities approved by Staff. The active open space shall be programmed, and the final details of the tot lot, active open space, mounding, and the like shall be reviewed and approved with the Final Subdivision Plat. All open spaces shall be owned and maintained by the homeowner's association but allow public access.
7. A minimum 4-foot-high mound with landscaping shall be located along West William Street to be consistent with the roadway treatment in the Springer Woods Subdivision.
8. A minimum 3-foot-high mound with landscaping shall be located along the southern side of Reserve Area B.
9. A comprehensive landscape plan including street trees, reserve area landscaping, entrance signage landscaping, and streetscape landscaping shall be submitted, reviewed, and approved by the Shade Tree Commission.
10. The applicant shall make a payment of $103,500, which will be due in lieu of planting trees, or plant more trees on this site or another qualifying site, or pay a per lot tree fee with the building permit, or install more trees on each lot with the building permit, or a combination of the above to achieve compliance with the Tree Preservation Regulations in Chapter 1168.
11. The existing tree lines along the northern, eastern, and western perimeters of the development shall be preserved if feasible and placed in a tree preservation easement (along with the preserved trees located in the southwest corner of the site), if not in storm sewer easement.
12. The bike path along West William Street shall be installed by the applicant and located within an easement dedicated to the City and shall be maintained by the homeowner's association.
13. The street lighting plan shall be submitted, reviewed, and approved by the City and achieve compliance with all zoning requirements prior to final subdivision plat approval.
14. The applicant shall rename Aaron Drive West per requirements of the Engineering Department.
15. The 0.2-acre Reserve Area A to the northeast corner of the site shall be removed from the plan and instead this space shall be used to extend the lot lines of the adjacent residential lots (lots 35-37).

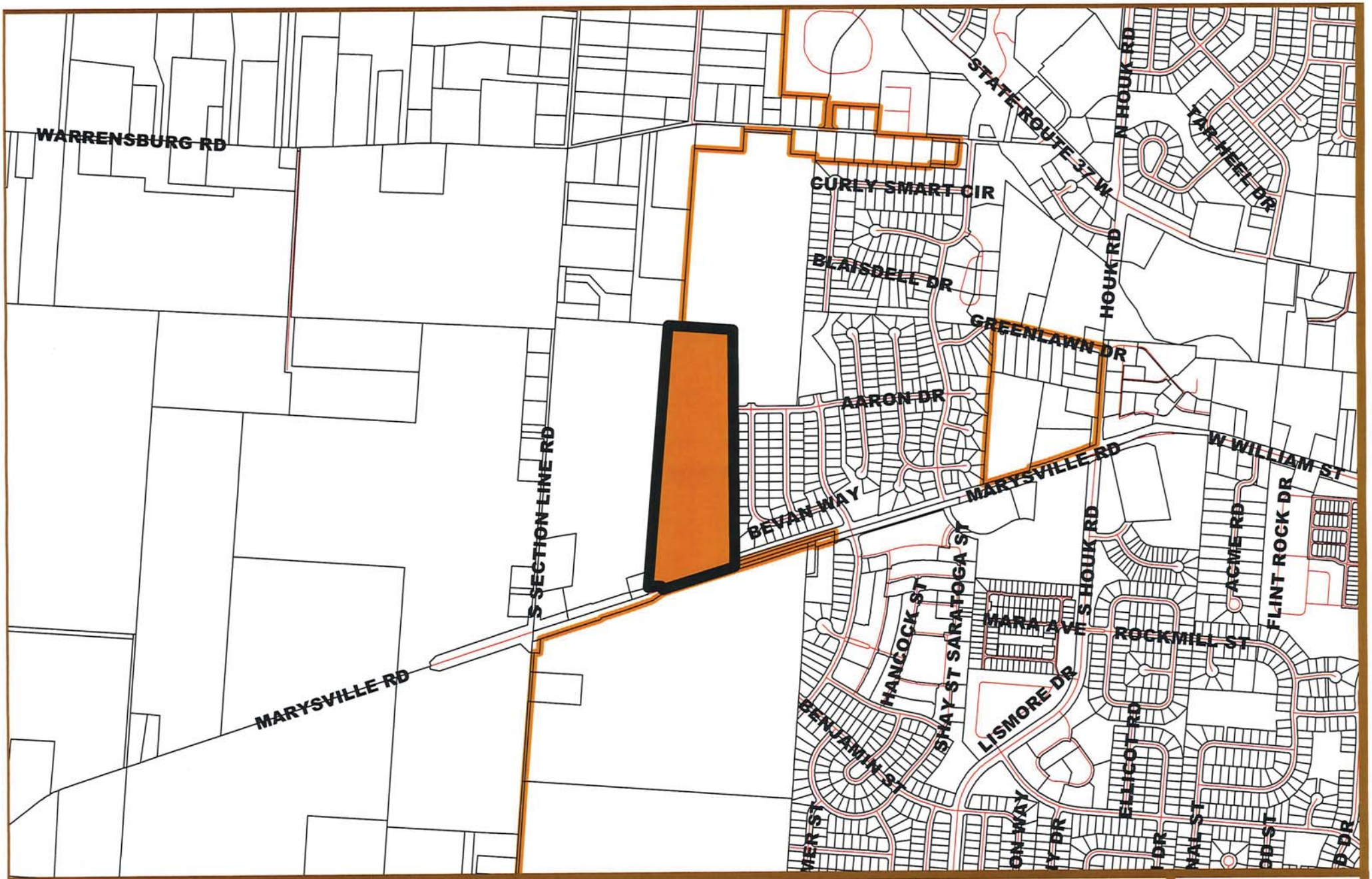
16. The applicant shall consult with City Engineer to determine the appropriate locations for cluster mailboxes per City guidelines.
17. The first section shall include the access from West William Street and access to the east through Aaron Drive

COMMISSION NOTES:

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

CONDITIONS/MISCELLANEOUS:

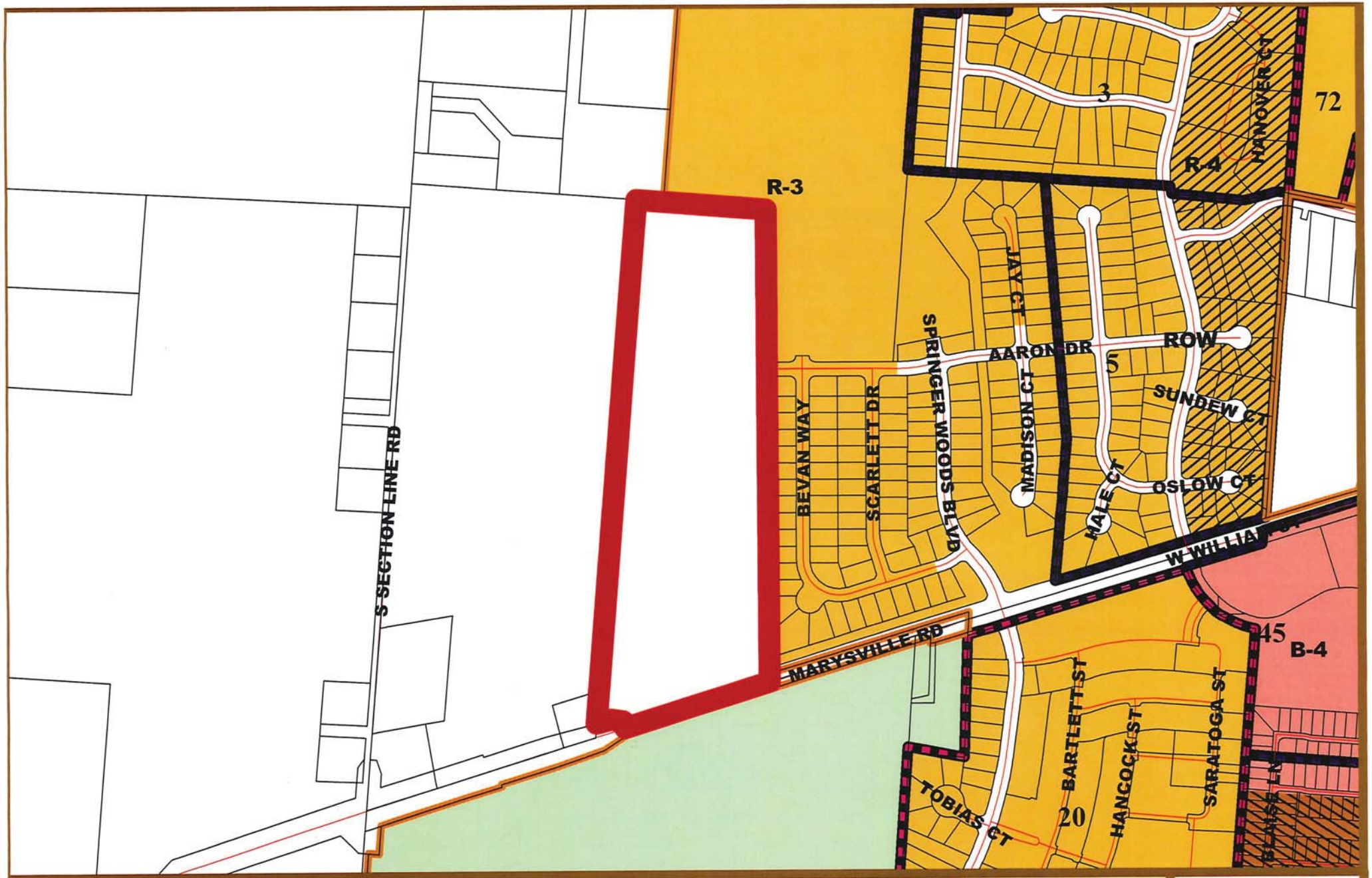
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REVISED: 4/29/21



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OHIO

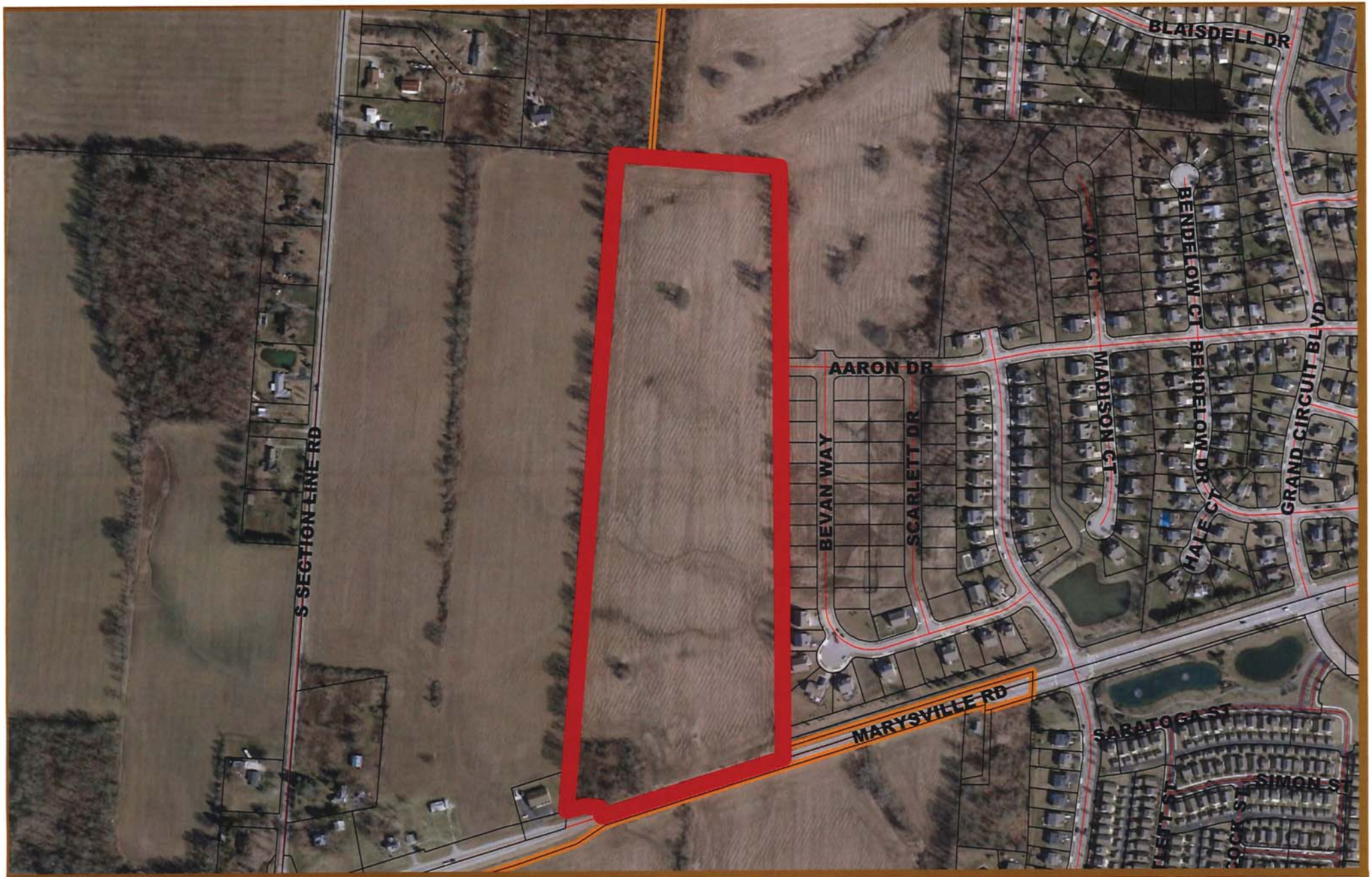
2021-1078 & 1081
Rezoning Amendment and Preliminary Subdivision Plat
Davis Tract Subdivision
Location Map

N



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OHIO

2021-1078 & 1081
Rezoning Amendment and Preliminary Subdivision Plat
Davis Tract Subdivision
Zoning Map



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CITY OF
DELAWARE
OHIO

2021-1078 & 1081
Rezoning Amendment and Preliminary Subdivision Plat
Davis Tract Subdivision
Aerial (2019) Map

N

DAVIS TRACT

MARYSVILLE ROAD

CITY OF DELAWARE, OHIO

R-3 ZONING AND PRELIMINARY PLAT



OWNER/APPLICANT:
CHUCK DAVIS
102 HIDDEN PASTURES DRIVE SUITE 203
CRAMERTON, NC 28032

LEGAL COUNSEL:
MIKE SHADE
SHADE AND SHADE, LLC.
41 N SANDUSKY STREET
SUITE 410
DELAWARE, OHIO 43015

ENGINEER, PLANNER AND LANDSCAPE ARCHITECT:
EMH&T
LINDA MENEREY
5500 NEW ALBANY ROAD W
NEW ALBANY, OHIO 43054

Submittal: April 7, 2021
Updated : April 21, 2021

DAVIS TRACT

MARYSVILLE ROAD
CITY OF DELAWARE, OHIO

R-3 ZONING and PRELIMINARY PLAT

SECTION I: Supplemental Information

- Application
- Project Narrative
- Community Impact Assessment (Draft)
- Utility Summary Memo

SECTION II: R-3 Zoning Exhibits

- Cover Sheet
- Vicinity Map
- Existing Conditions
- Illustrative Site Plan
- Site Plan
- Site Details
- Tree Survey
- Tree Removal Plan
- Tree Survey Chart

SECTION III: Preliminary Plat Exhibits

- Cover Sheet
- Legal Description
- Existing Conditions
- Preliminary Plat
- Typical Sections
- Typical Plot Plans

SECTION IV: Reports/Studies

- Phase I ESA
- Preliminary Storm water Report
- Traffic Impact Study

DAVIS TRACT

MARYSVILLE ROAD
CITY OF DELAWARE, OHIO

R-3 ZONING and PRELIMINARY PLAT

SECTION I -
Supplemental Materials

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 Davis Subdivision Address Vacant Ground Marysville Road

Acreage 30.708 Square Footage _____ Number of Lots 77 Number of Units _____

Zoning District/Land Use F-R1 Proposed Zoning/Land Use R-3 Parcel # 519-330-01-005-000

Applicant Name Michael R. Shade Contact Person Michael R. Shade

Applicant Address 236 West Central Avenue, Delaware, OH 43015-1739

Phone 740-363-9232 Fax 740-363-0146 E-mail mrs@ss-dta.com

Owner Name _____ Contact Person _____

Owner Address 102 Hidden Pastures Drive, Cramerton, NC 28032

Phone 704-651-3599 Fax _____ E-mail cdavis@cashort.com

Engineer/~~Architect/Attorney~~ EMH&T Contact Person Linda Menerey, PLA ASLA

Address 5500 New Albany Road, Columbus, OH 43054

Phone 614-775-4710 Fax _____ E-mail lmenerey@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 Owner Printed Name

_____ Michael R. Shade
Agent Signature Agent Printed Name

Sworn to before me and subscribed in my presence this 6th day of April, 2021.

NOTARIAL SEAL STATE OF OHIO

KELSEY J. CORDING
Notary Public, State of Ohio
My Commission Expires 08-20-2021

_____
Notary Public

s/planning/forms

DAVIS TRACT

MARYSVILLE ROAD
CITY OF DELAWARE, OHIO

R-3 ZONING and PRELIMINARY PLAT
Project Narrative

The Charles R. Davis Tract consists of 30.708 acres. The current City of Delaware Master Plan and pre-annexation negotiations have determined that the best use of this land is single family residential, consistent and complementary to existing single family development to the east, north and southeast of the tract. Mr. Davis is providing a conceptual site plan and Preliminary Plat showing 77 single family lots consistent in size and frontage with the R-3 zoning category.

An internal roadway network and pedestrian sidewalks are planned through this project to connect US 36 with adjacent neighborhood streets that are stubbed to the east property line (Aaron Drive) and north property line (Penwell Drive). A stub street is shown to the west to provide for future connection and ultimate roadway extension on adjacent property to South Section Line Road. The proposed internal road network is thoughtfully designed with connectivity and traffic calming in mind by providing intersections and stop conditions that limit cut through and speeding traffic from US 36 to Warrensburg Road and the adjacent neighborhoods.

The site topography generally falls from the northwest to the southeast corner of the site where a storm water management pond will be constructed and serve as an amenity with landscaping. The mounding, landscaping and path along Marysville Road will be extended along the frontage of the proposed development. A centrally located park/ open space reserve in the middle of the site is sized to accommodate a tot lot, open play field, centralized mail box units, mounding and landscaping.

Existing site vegetation is comprised of a strong tree row with understory vegetation along the western property line. The tree row along the north property line has gaps in the trees with understory vegetation. The east property line is characterized by understory vegetation and very few significant trees. A small wooded area of approximately one acre is located in the southwest corner of the property. All or portions of these treed areas are anticipated to be preserved where grading and utility extensions permit. Tree species are generally native trees with many dead ash trees.

Sanitary, water and storm water extensions will occur along Marysville Road and from adjacent development to serve and be extended through the proposed development.

COMMUNITY IMPACT ASSESSMENT

DRAFT- Final to be submitted with the Preliminary Plan

Project Name	Davis Tract- (Name To be Determined)
Applicant	Charles R. Davis
Owner	Charles R. Davis
Zoning Requested	R-3

A. General Provisions and Requirements:

1. Acreage	30.708 Acres Inclusive of Existing Right-Of-Way
2. Pin Nos.	Parcel is Presently in the Township of Delaware, Delaware County, OH until Annexed: 519-330-01-005-000 as is Currently Shown on the Delaware County Auditor's Tax Duplicate
3. Current Zoning	Lands Presently in the Township of Delaware: FR-1 (Farm Residential District)

B. Specific Information

1. Legal Description	Charles R. Davis currently owns a total of 30.708 acres of which .551 acres is the road right of way. See Preliminary Plat Sheet ¼ for the Legal Description of the 30.708 acres being annexed to the City of Delaware, Ohio. The last recorded survey indicated a total acreage of 30.708. This was recalculated at the time of the preparation of Map of Annexation and is reflected in the Petition for Annexation.
a. Reference	Official Record Vol. 807, Pages 2146, Recorders Office, Delaware County, Ohio
b. Current Land Assessment	No Assessments appear of record.
c. Adjacent Parcels/ Including Ownership	51933001005000 ROUTE 36 PARTNERS LLC 51933002037000 ROUTE 36 PARTNERS LLC 51933001004001 STATE OF OHIO DEPARTMENT OF TRANSPORTATION 51933001004000 KEYE L SIMPKINS CATHERINE SIMPKINS 51933001003000 MARTHA SIMPKINS 51933201014001 JEFFERY D GEARHART

	JENNIFER M GEARHART 51933201012000 HOMEWOOD CORPORATION AMY JOHNSON, STATUTORY AGENT 51933210025000 D R HORTON INDIANA LLC 51933210024000 CT CORPORATION SYSTEM, 51933210023000 STATUTORY AGENT 51933210022000 51933210021000 51933210020000 51933210019000 51933210018000 51933210017000 51933210016000 51933210015000 51933210014000 BRIAN L STAMM LINDSAY NICOLE STAMM 51933001013000 MITCHELL BLAKE VANHOOSE DOREEN JASMINE VANHOOSE 51933210012000 THOMAS JOHN KOVACH TAMMY LYNN KOVACH 51933210011000 KEYE L SIMPKINS CATHERINE L SIMPKINS 51933210001000 SPRINGER WOODS HOMEOWNERS ASSOCN. INC TERRIE RICE STATUTORY AGENT
d. Recitation of Covenants Existing or Proposed and Running with the Land	None at Present
2. Location and Access	The entire property is located north of US 36 West/ Marysville Road/ West William Street. Existing access is presently to the south on US 36 West/ Marysville Road/ West William Street. Development of the parcel will facilitate the extension of Aaron Drive, an existing City street, stubbed to the east property line and Penwell Drive, an existing City street, stubbed to the north property line. The proposed development anticipates a stub street extension to the west.

3. Adjacent Lands	**North** - City of Delaware is R-3 Residential District;) **East** – City of Delaware is R-3 Residential District.; **South** – City of Delaware is currently zoned A-1 Agricultural. **West/ Northwest** – Township of Delaware is presently zoned FR-1 Farm Residential District. (See R-3 Rezoning: Vicinity Map- Sheet 1 of 7)
4. Existing Site Land Use	Current use of lands in the Township of Delaware is Farm Residential. (FR-1 District). All lands coming into the City will be seeking R-3 Zoning.
5. Maps, Charts	See R-3 Rezoning Exhibits.
6. Environmental Impacts	A Phase One Environmental has been conducted. A preliminary investigation will be prepared in conjunction with a Development Plan Submittal and is anticipated in summer 2021 to rule out any potential waters of the US.
	a. Topography and Drainage: The site topography generally falls from the northwest to the southeast corner of the site. The entire property is part of the Olentangy River Watershed District. (See R-3 Rezoning: Existing Conditions - Sheet 2 of 7)
	b. Vegetation: This parcel of land has been farmed for at least 50 years and is currently being farmed. Site vegetation is comprised of a strong tree row with understory vegetation along the western property line. The tree row along the north property line has gaps in the trees with understory vegetation. The east property line is characterized by understory vegetation and very few significant trees. A small wooded area of approximately one acre is located in the southwest corner of the property. There are several small grouping of trees internal to the site. Tree species are generally native trees with many dead ash trees. (See R-3 Rezoning: Existing Conditions - Sheet 2 of 7)
	c. Soils: Map of soils is provided with the rezoning application materials. (See R-3 Rezoning: Existing Conditions - Sheet 2 of 7)
	d. Ecology: Land over the years was use for agricultural purposes. No unusual vegetation.

7. Air and Noise Pollution	No site activity or uses will be included that will generate any unusual noise or air pollution, except normal dust from farming operations, not normally present in residential developments. There will be a higher level of noise and dust during construction period and will be limited to parcels under construction including this property and residential development in the area. Noise from traffic and pollution from existing traffic on U.S. 36 will override any proposed uses that will take place on this property and from existing quarry operations southwest of the property. However, most of the traffic will be residential vehicle traffic.
8. Sanitary Sewers & Storm Drainage	At present, drainage is provided by farm tiles and county tiling systems of the 1920's. With the proposed development, storm drainage and retention systems will be installed and constructed on the subject premises to City Standards. Sanitary Sewer and Water are available to be extended to the east at or near Springer Woods Blvd. City will extend lines to owner's eastern property line or share in the oversizing. The proposed development will extend water and sanitary lines through the development. (See Preliminary Plat - Sheet 3 of 4)
9. Traffic and Parking	A traffic study has been prepared by Todd Stanhope, Director of Traffic Engineering, Smart Services, Inc. and it is included with the submittal materials.
10. View Interference	Because of the size of the land and its proposed use and the distance from existing structures planned both to the North, East and South and Southeast. No significant view interference is expected.
11. Historic Sites	None that applicant is aware of at the present time.
12. Compatibility	The proposed residential development will complement and enhance the DR Horton development to the east and to the north as well as to Pulte Developments to the southeast and Route 36 Partners LLC and Section Line Partners LLC to the south of this project.

C. Impact on Public Services.

1. Tax Effect	It is difficult to ascertain the overall tax effect of this project. This will be a phased project with single family residential use. Income tax shall be generated from both the Construction Phase and the End Use Phase over three (3) or possibly four (4) phases. A Municipal Impact Fee will be charged as each building permit for each lot is pulled on the project.
2. Police & Fire	City of Delaware has annexed lands to the north and east. No more impact on police and fire is expected than usual police and fire service to the north, east and south of the property and the residential property to the east. Fire stations are currently located on Central Avenue, northeast of the property and Pittsburg Drive, southeast of the property. Police and Fire Impact Fees will be paid as each building permit is pulled for each residential unit prior to construction. Fire Service is also provided by the Delaware Township Fire Department. Police and Fire Impact Fees will be charged as each building permit for each lot is pulled on the project.
3. Schools	The entire project is located within the Delaware City School District. The residential nature of the project should have no more impact on schools under the residential uses currently being developed on the north and east of the project as well as future residential projects planned for the west and south of the project.
4. Parks and Recreation	The primary development plan will set forth location acreage both for recreation and open space throughout the project. Parks & Recreation Impact Fees will be charged as each building permit for each lot is pulled on the project.

5. Traffic Control	A roadway network will be constructed through this project to connect US 36 with adjacent neighborhood streets that are stubbed to the east and north property lines. The proposed road network is thoughtfully designed with connectivity and traffic calming in mind by providing intersections and stop conditions that limit cut through and speeding traffic from US 36 to Warrensburg Road and the adjacent neighborhoods.

D. General Requirements	
1. Financial Interest	See Addendum ___attached hereto. The expected value of the project at build out at current average sale price is _____for housing improvements and lot land value.
2. Coordination	All coordination of services has been with the City of Delaware, Ohio. Intersection and access improvements on US Route 36 on the south will require input and coordination with City of Delaware and Ohio Department of Transportation Office.
3. Economic Impact	Demands for police and fire services should be like all existing residential developments in the City of Delaware and in the immediate area of this development. Economic benefits to the community will be significant to the general retail stores and centers presently in the City and County.
4. Construction Scheduling	It seems likely that this project will be phased in its development once if the rezoning and preliminary and final development plans are approved. Internal construction within the project should be capable of completion in a timely manner depending on market conditions.
5. Adjacent Development	See Item B.1. c. above

6. Alternatives	It appears given the surrounding land uses and the current City Masterplan and pre-annexation negotiations have determined that the best use of this land is single family residential use.

Respectfully submitted,

Michael R. Shade
Attorney at Law

Engineers, Surveyors, Planners, Scientists

MEMO

Date: April 6, 2021

To: Mr. Charles Davis

From: Kyle Shreves, PE

Subject: Utility Memo
30-Acre Property (PID-51933001005000)
Delaware County, OH

Copies: File

Summary of Existing Utilities

Water

There is an existing City of Delaware16-inch water main located on the north side of U.S. 36/Marysville Road within the public right-of-way (and/or within easements) that can be extended to service the property listed above. Typically, the City of Delaware will require this main to be extended to the west property line of the this parcel within either the right-of-way, or within provided easements. Coordination (and a possible study) with the City will be necessary to understand the size of the waterline to be extended to the western limits. It is assumed that this main would support the domestic water and fire-protection needs for these properties.

There are also existing/future water mains within both the existing/future Springer Woods subdivision east of the property. Any waterline extended through the future development on this property would require connection to these lines, further supporting domestic water and fire protection.

Please note there is an existing 4-inch water main owned by the Del-Co Water Company running along the north side of U.S. 36/Marysville Road across the frontage of the site. This line would not be of a size that is useful for substantial development of this parcel.

Sanitary

There is an existing 12-inch diameter gravity sewer located along the south side of U.S. 36/Marysville Road that can be extended to service the property listed above. Currently this line terminates just east of the Lehner Woods Boulevard intersection. The following is known about the depth and capacity of the sewer:

- The depth of the sewer at the terminus is adequate to service the 30-acre property, PID-51933001005000. There have been past discussions regarding this sewer extension and the ability to service the area south of US 36/Marysville Road, which includes an 82-acre property, PID-51933002037000, and a 53-acre property, PID-51933002037007. The 53-acre property cannot currently be serviced if connected at Lehner Woods Blvd. Unfortunately, downstream of the terminus, the sewer was raised causing this issue. A possible solution would be to begin from the manhole in which the sewer was raised (at the intersection of Grand Circuit Boulevard and U.S. 36/Marysville Road) and lower the sewer to accommodate the above-referenced area. An alternative to this would be to divert this area to a future trunk sewer and pump station located south of the development. The current status of this southern sewer system is unknown.

- The three properties are within the tributary area of the existing 12-inch sewer mentioned above. However, the capacity of the existing sewer appears to have only taken into account the 53- and 82-acre properties as residential (density unknown), and does not apply a development type to the 30-acre property. It is assumed that the current development type (single-family) would require the City to confirm that the sewer has capacity to accept the proposed site (30 acres).

Storm Water Management/Drainage Outlet

The property drains from the north to the south with an ultimate outlet at the southeast corner of the property. This existing drainage is through an agricultural-type drainage system (tile and overland routing). Furthermore, improvements in this area have been considered by the City and past developers to the east. See explanation below:

- The outlet for the 30-acre site drains to a culvert under U.S. 36/Marysville Road (15-inch culvert) that appears to be undersized. There is a history of flooding at this location. In addition, a portion of the Springer Woods Development was constructed with storm sewer that appears to be sized properly; however, with the undersized culvert, there is an existing tail water condition. This condition will require upsizing of the culvert under U.S. 36/Marysville Road (and possible further improvements downstream). Please note the City is aware of the regional issues with this culvert and downstream restrictions and conditions. Further coordination with the City would be required to understand the status of potential improvements at the culvert by the City.

Note: These properties lie within Zone "X" (Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level) on the FIRM map number 39041C0111K and 39041C0095K. A portion of these properties is located within the Olentangy River Watershed and therefore is subject to the Olentangy River Watershed EPA permit requirements.

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SECTION II –
R-3 Zoning Exhibits

DAVIS TRACT

R3 ZONING

CITY OF DELAWARE, DELAWARE COUNTY, STATE OF OHIO

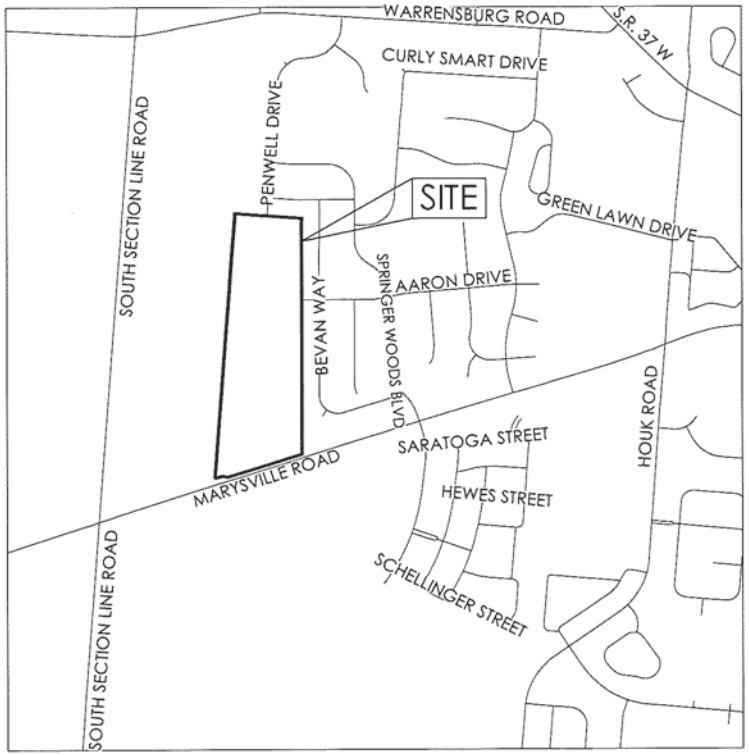
OWNER/APPLICANT:
CHUCK DAVIS
102 HIDDEN PASTURES DRIVE
SUITE 203
CRAMERTON, NC 28032

SUBMITTAL:
APRIL 21, 2021

CIVIL ENGINEER, LAND PLANNER
& LANDSCAPE ARCHITECT:

EMHT
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

LEGAL COUNSEL:
MIKE SHADE
SHADE AND SHADE, LLC.
41 N SANDUSKY STREET
SUITE 410
DELEWARE, OHIO 43015

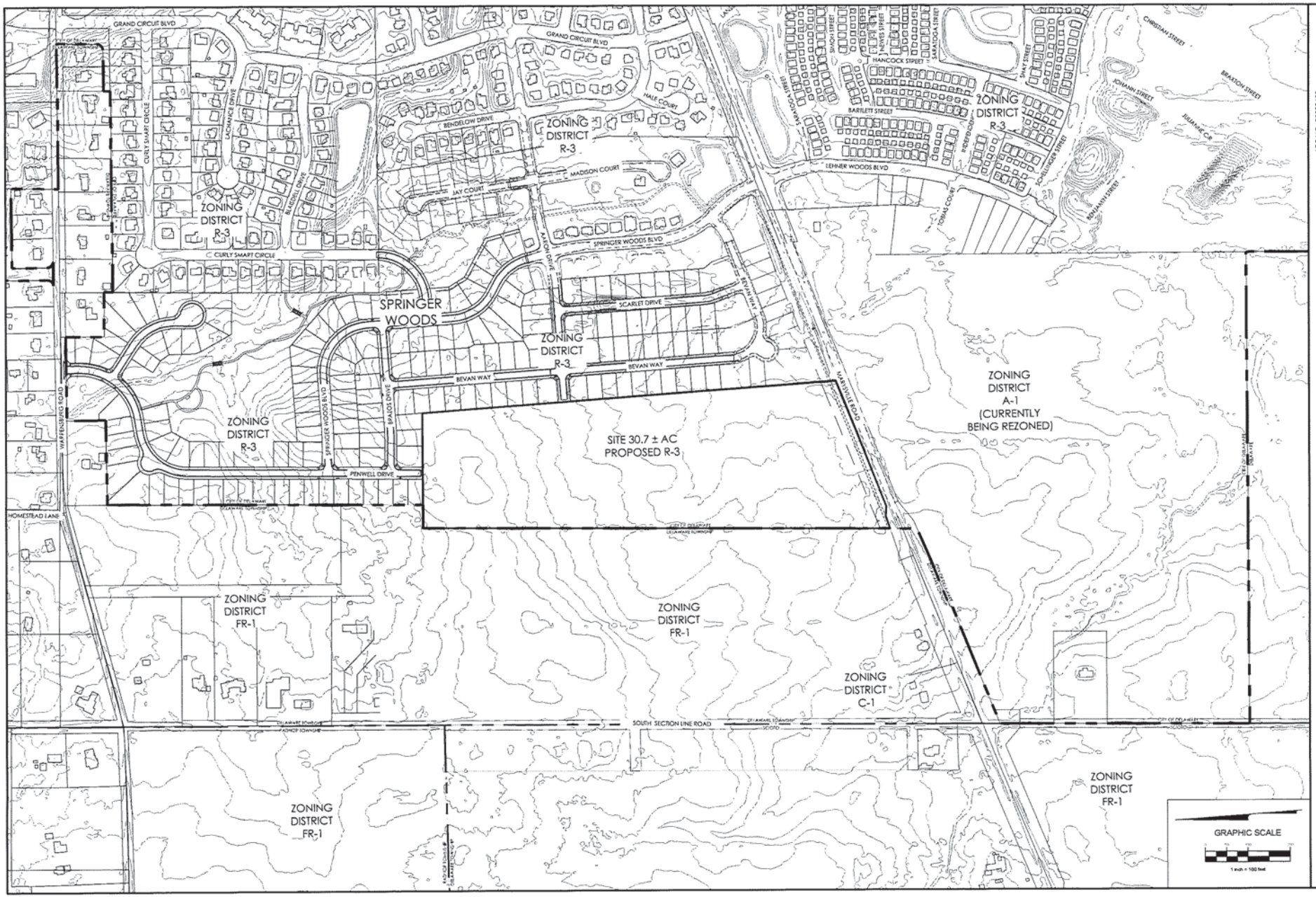


SITE LOCATION MAP
Not to Scale

INDEX OF DRAWINGS

SHEET 1: VICINITY MAP
SHEET 2: EXISTING CONDITIONS
SHEET 3: ILLUSTRATIVE SITE PLAN
SHEET 4: SITE PLAN
SHEET 5: SITE DETAILS
SHEET 6: TREE SURVEY
SHEET 7: TREE REMOVAL PLAN
SHEET 8: TREE SURVEY CHART

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JOB NO: 20200655

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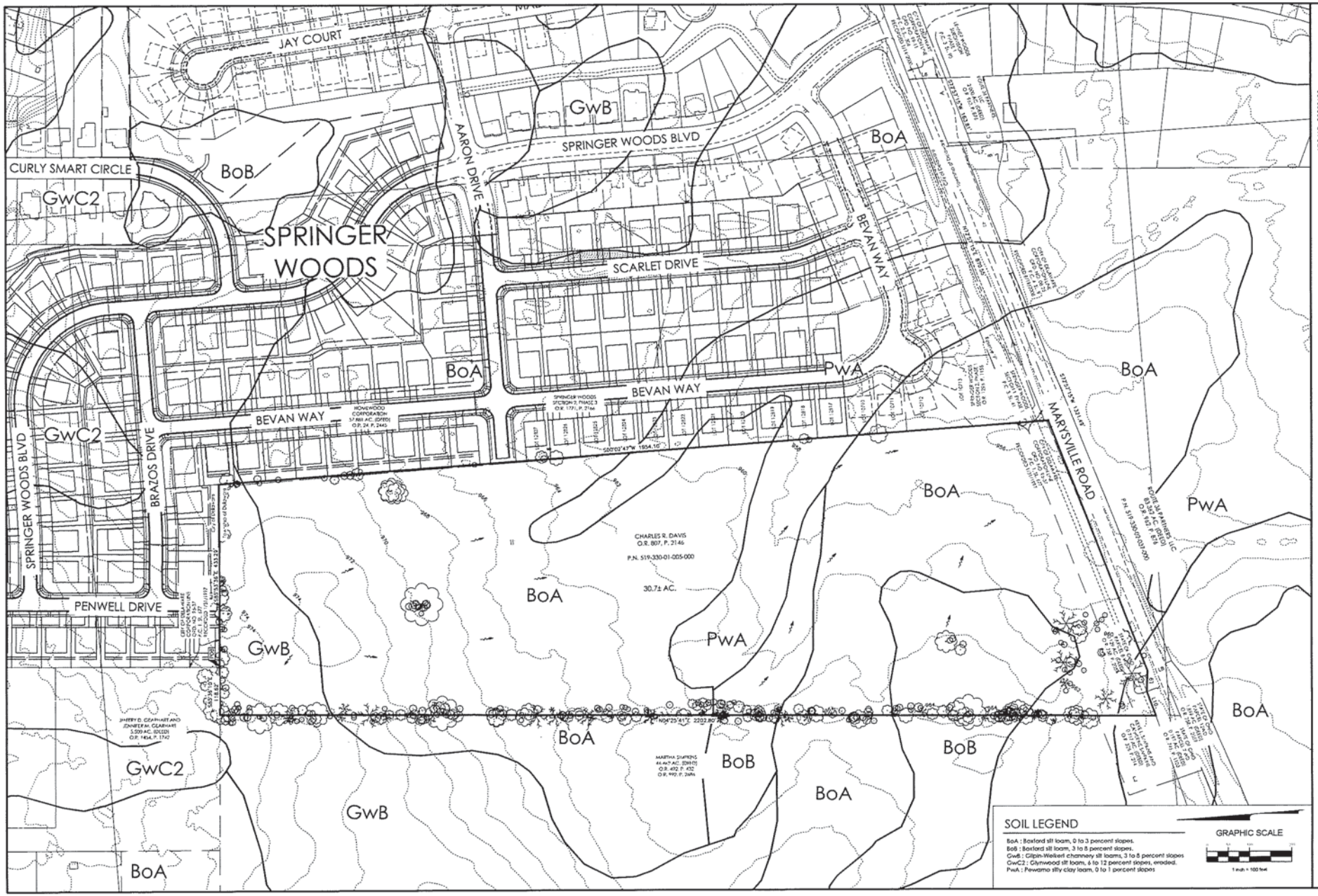
CHUCK DAVIS
102 HIDDEN PASTURES DRIVE
SUITE 203
CRAMERTON, NC 28032

VICINITY MAP

DAVIS TRACT

CITY OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO

1/8



JOB NO: 20200655

EMH'T

CHUCK DAVIS
102 HIDDEN PASTURES DRIVE
SUITE 203
CRAMERTON, NC 28032

EXISTING CONDITIONS

DAVIS TRACT

CITY OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO

2/8



Site Data

Site Area	± 30.7 ac
Lots	77
Gross Density	± 2.5 du/ac
Open Space/Parkland Required:	± 5.23 ac
• 30.7 x .10 = 3.7 ac (Parkland 10%)	
• 30.7 x .05 = 1.53 ac (Community Open Space 5%)	
Open Space/Parkland Provided:	± 6.1 ac

Minimum R-3 Standards:

- Minimum Frontage, 65' at front setback
- Minimum Lot Area Internal Lot - 8000 sf
- Minimum Lot Area Corner Lot - 10,400 sf
- Minimum Setbacks:
  - Front 30' min.
  - Side 8' min.
  - Rear 40' min.

Reserve Table - Open Space and Parkland

Reserve	Acreage	Use
Reserve A	± 0.2 ac	Open Space - Passive
Reserve B	± 1.2 ac	Parkland - Active and Passive Recreation
Reserve C	± 3.7 ac	Parkland - Passive Recreation
Reserve D	± 1.0 ac	Open Space-Passive Tree Preservation

GRAPHIC SCALE

JOB NO: 20006655

DATE
4/5/21
4/5/21
4/5/21
4/5/21
4/5/21
4/5/21
4/5/21

PREPARED BY
EMH&T

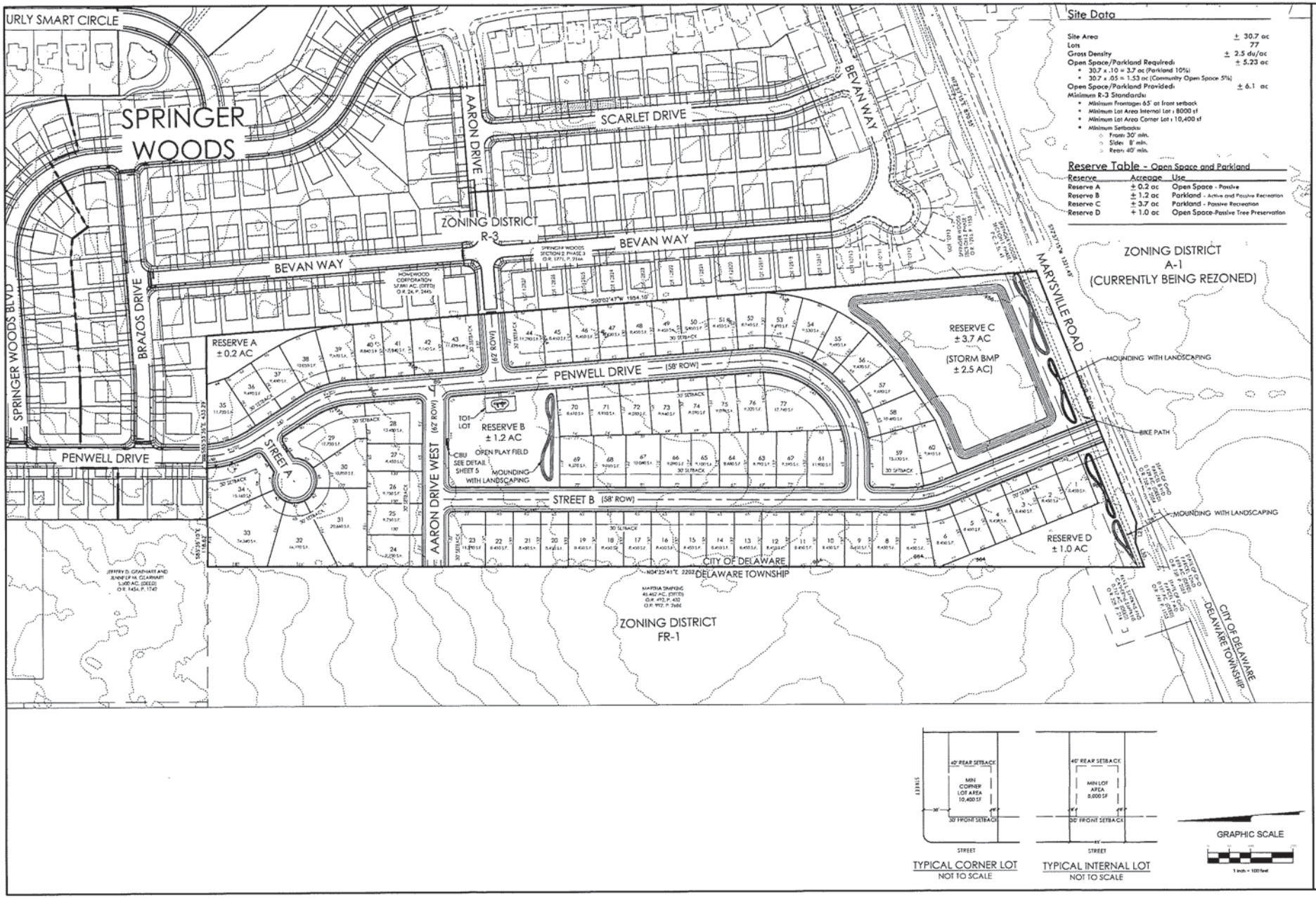
PREPARED FOR
CHUCK DAVIS
102 HIDDEN PASTURES DRIVE
SUITE 203
CRAMERTON, NC 28032

ILLUSTRATIVE
SITE PLAN

DAVIS TRACT

CITY OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO

3/8



Site Data

Site Area	± 30.7 ac
Lots	77
Gross Density	± 2.5 du/ac
Open Space/Parkland Required:	± 5.23 ac
• 30.7 x .10 = 3.7 ac (Parkland 10%)	
• 30.7 x .05 = 1.53 ac (Community Open Space 5%)	
Open Space/Parkland Provided:	± 6.1 ac
Minimum R-3 Standards:	
• Minimum Frontage: 65' at front setback	
• Minimum Lot Area Internal Lot: 8000 sf	
• Minimum Lot Area Corner Lot: 10,400 sf	
• Minimum Setbacks:	
○ Front: 30' min.	
○ Sides: 8' min.	
○ Rears: 40' min.	

Reserve Table - Open Space and Parkland

Reserve	Acreage	Use
Reserve A	± 0.2 ac	Open Space - Passive
Reserve B	± 1.2 ac	Parkland - Active and Passive Recreation
Reserve C	± 3.7 ac	Parkland - Passive Recreation
Reserve D	± 1.0 ac	Open Space-Passive Tree Preservation

JOB NO: 20200455

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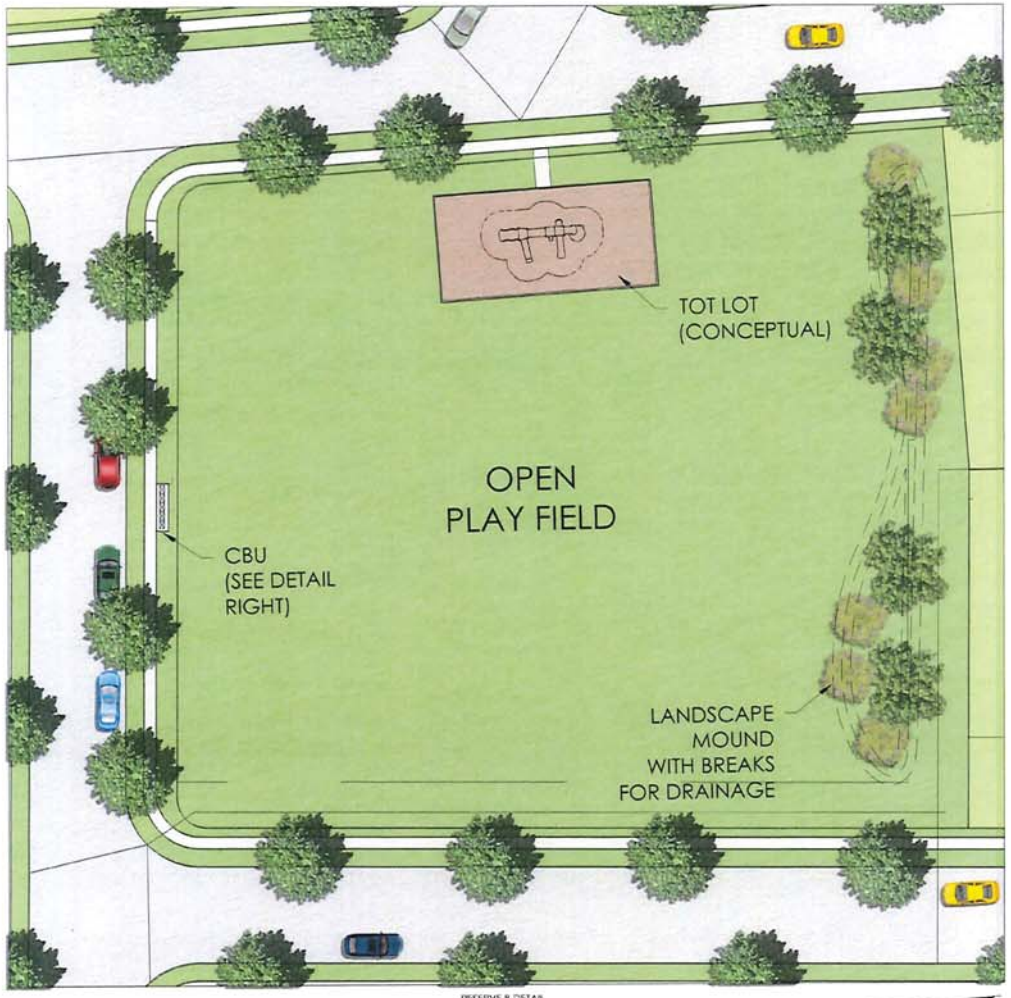
CHUCK DAVIS
102 HIDDEN PASTURES DRIVE
SUITE 203
CRAMERTON, NC 28032

SITE PLAN

DAVIS TRACT

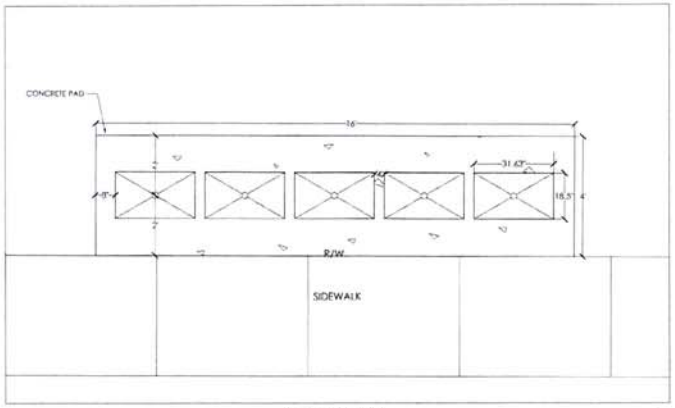
CITY OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO

4/8



RESERVE B DETAIL
1" = 20'

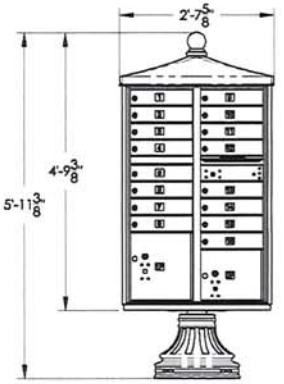
GRAPHIC SCALE



TYPICAL 5 CBU PLAN
1" = 2'
* ALL DIMENSIONS ARE APPROXIMATE



DECORATIVE CBU



DECORATIVE CBU DETAIL

16 Tenant Door Cluster Box Unit
Color: Black
(US Mail Supply Product #1570-16V2
or comparable substitute
www.usmailsupply.com)

JOB NO: 20200655

EMHT

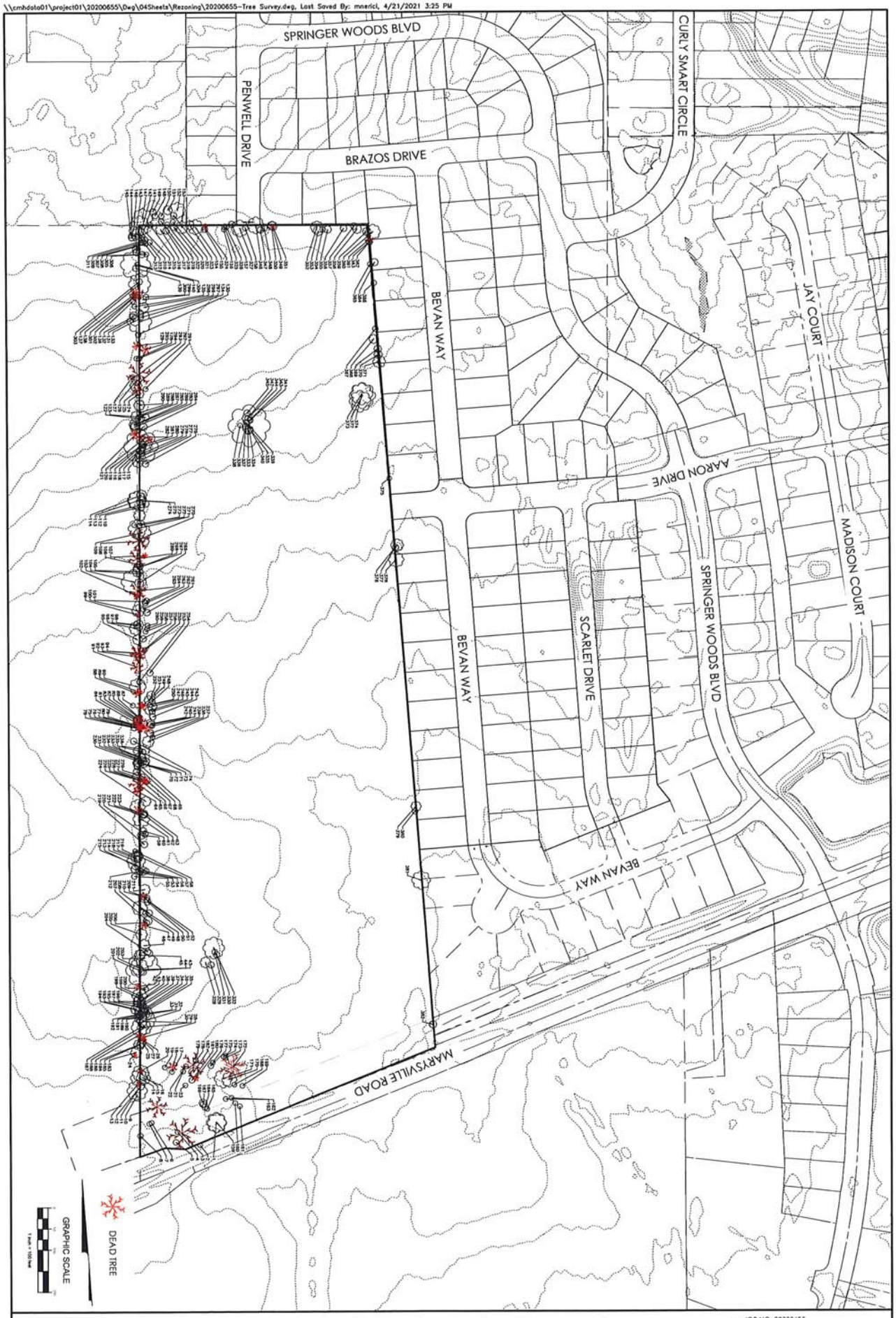
CHUCK DAVIS
102 HIDDEN PASTURES DRIVE
SUITE 203
CRAMERTON, NC 28032

SITE DETAILS

DAVIS TRACT

CITY OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO

5/8



6/8

DAVIS TRACT

CITY OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO

TREE SURVEY

CHUCK DAVIS
102 HIDDEN PASTURES DRIVE
SUITE 203
CRAMERTON, NC 28032

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

JOB NO: 20200655

DATE	APRIL 21, 2021
REVISED	
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REVISED	
REVISED	
REVISED	
REVISED	

7 / 8

DAVIS TRACT

CITY OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO

TREE REMOVAL PLAN

CHUCK DAVIS
102 HIDDEN PASTURES DRIVE
SUITE 203
CRAMERTON, NC 28032

EMH&T

JOB NO: 20200655

Tree Inventory

Total Number of Trees: 382/ 4778 Cal. Inches
Number of Trees Removed: 140 / 1,145 Cal. Inches
- Dead or Poor Trees: 72 Trees/ 110 Cal. Inches
- Additional Trees: 88 Trees/ 1,035 Cal. Inches

Number of Trees Preserved: 222/3,633 Cal. Inches

X Trees Removed

GRAPHIC SCALE

MARYSVILLE ROAD
BEVAN WAY
SPRINGER WOODS BLVD
SCARLET DRIVE
BEVAN WAY
MADISON COURT
AARON DRIVE
JAY COURT
BEVAN WAY
BRAZOS DRIVE
PENWELL DRIVE
SPRINGER WOODS BLVD
CURLY SMART CIRCLE

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ID	Common Name	Scientific Name	Size	Trunk Coun	Condition
1	Sugar Maple	Acer saccharum	24	1	Good
2	Callery Pear	Pyrus calleryana	6	1	Good
3	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~28,12~~	~~2~~	~~Dead~~
4	Callery Pear	Pyrus calleryana	6	1	Good
5	Callery Pear	Pyrus calleryana	7	1	Good
6	Callery Pear	Pyrus calleryana	6	1	Good
7	Callery Pear	Pyrus calleryana	6	1	Good
8	Red Mulberry	Morus rubra	7,7	2	Fair
9	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~26,16~~	~~2~~	~~Dead~~
10	Hackberry	Celtis occidentalis	6	1	Good
11	American Elm	Ulmus americana	24	1	Good
12	American Elm	Ulmus americana	9	1	Fair
13	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~6~~	~~1~~	~~Dead~~
14	American Elm	Ulmus americana	20	1	Fair
15	American Elm	Ulmus americana	20	1	Fair
16	American Elm	Ulmus americana	17	1	Fair
17	Black Walnut	Juglans nigra	6	1	Fair
18	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~12,8~~	~~2~~	~~Dead~~
19	Black Walnut	Juglans nigra	6	1	Good
20	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~8~~	~~1~~	~~Dead~~
21	Black Walnut	Juglans nigra	6	1	Good
22	Black Walnut	Juglans nigra	6	1	Fair
23	Black Walnut	Juglans nigra	6	1	Good
24	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~6,6~~	~~2~~	~~Dead~~
25	American Elm	Ulmus americana	10	1	Good
26	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~8~~	~~1~~	~~Dead~~
27	Honey Locust	Gleditsia triacanthos	9	1	Good
28	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~7~~	~~1~~	~~Dead~~
29	Hackberry	Celtis occidentalis	20,11,8	3	Fair
30	Honey Locust	Gleditsia triacanthos	13	1	Good
31	~~American Elm~~	~~Ulmus americana~~	~~9~~	~~1~~	~~Poor~~
32	Honey Locust	Gleditsia triacanthos	20	1	Good
33	Honey Locust	Gleditsia triacanthos	13	1	Good
34	Hackberry	Celtis occidentalis	11	1	Good
35	Honey Locust	Gleditsia triacanthos	11	1	Good
36	Honey Locust	Gleditsia triacanthos	10,9	2	Good
37	Hackberry	Celtis occidentalis	6	1	Good
38	Honey Locust	Gleditsia triacanthos	14,11	2	Fair
39	Honey Locust	Gleditsia triacanthos	16,11	2	Fair
40	Honey Locust	Gleditsia triacanthos	14	1	Good
41	Pin Oak	Quercus palustris	18	1	Good
42	~~Black Cherry~~	~~Prunus serotina~~	~~8~~	~~1~~	~~Dead~~
43	Pin Oak	Quercus palustris	42	1	Good
44	~~Black Cherry~~	~~Prunus serotina~~	~~12~~	~~1~~	~~Poor~~
45	~~Black Cherry~~	~~Prunus serotina~~	~~13~~	~~1~~	~~Poor~~
46	Hackberry	Celtis occidentalis	15	1	Fair
47	~~American Elm~~	~~Ulmus americana~~	~~12~~	~~1~~	~~Dead~~
48	Pin Oak	Quercus palustris	18	1	Good
49	American Elm	Ulmus americana	6	1	Fair
50	Pin Oak	Quercus palustris	9	1	Good
51	Pin Oak	Quercus palustris	6	1	Good
52	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~10,10~~	~~2~~	~~Dead~~
53	American Elm	Ulmus americana	7	1	Fair
54	American Elm	Ulmus americana	9	1	Good
55	Honey Locust	Gleditsia triacanthos	7	1	Good
56	Honey Locust	Gleditsia triacanthos	10	1	Good
57	Honey Locust	Gleditsia triacanthos	12	1	Good
58	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~6~~	~~1~~	~~Poor~~
59	Honey Locust	Gleditsia triacanthos	10	1	Good
60	American Elm	Ulmus americana	8	1	Fair
61	Hackberry	Celtis occidentalis	20	1	Good
62	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~12~~	~~1~~	~~Dead~~
63	Hackberry	Celtis occidentalis	18	1	Good
64	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~12~~	~~1~~	~~Dead~~
65	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~20~~	~~1~~	~~Dead~~
66	American Elm	Ulmus americana	12	1	Fair
67	Black Cherry	Prunus serotina	9,8	2	Fair
68	American Elm	Ulmus americana	8	1	Good
69	Hackberry	Celtis occidentalis	14	1	Good
70	American Elm	Ulmus americana	6	1	Fair
71	Hackberry	Celtis occidentalis	11	1	Fair
72	American Elm	Ulmus americana	10	1	Fair
73	Hackberry	Celtis occidentalis	11	1	Good
74	Red Mulberry	Morus rubra	8	1	Fair
75	Honey Locust	Gleditsia triacanthos	8,6	2	Fair
76	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~9,7~~	~~2~~	~~Dead~~
77	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~6~~	~~1~~	~~Dead~~
78	~~American Elm~~	~~Ulmus americana~~	~~10,7~~	~~2~~	~~Dead~~
79	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~13~~	~~1~~	~~Dead~~
80	~~American Elm~~	~~Ulmus americana~~	~~10~~	~~1~~	~~Dead~~
81	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~18,0~~	~~2~~	~~Dead~~
82	American Elm	Ulmus americana	6	1	Fair
83	Honey Locust	Gleditsia triacanthos	12	1	Good
84	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~10,10~~	~~2~~	~~Dead~~
85	~~American Elm~~	~~Ulmus americana~~	~~9~~	~~1~~	~~Dead~~
86	American Elm	Ulmus americana	6	1	Fair
87	Honey Locust	Gleditsia triacanthos	6	1	Good
88	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~11~~	~~1~~	~~Dead~~
89	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~8,8~~	~~2~~	~~Dead~~
90	Hackberry	Celtis occidentalis	20	1	Good
91	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~16~~	~~1~~	~~Dead~~
92	Hackberry	Celtis occidentalis	7	1	Fair
93	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~10~~	~~1~~	~~Dead~~
94	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~20~~	~~1~~	~~Dead~~
95	Black Walnut	Juglans nigra	12	1	Good
96	American Elm	Ulmus americana	16	1	Good
97	Hawthorn	Crataegus sp.	6	1	Good
98	Shagbark Hickory	Carya ovata	13	1	Good
99	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~6~~	~~1~~	~~Dead~~
100	Hackberry	Celtis occidentalis	15	1	Fair
101	Wild Crabapple	Malus coronaria	6,6	2	Good
102	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~8~~	~~1~~	~~Dead~~
103	American Elm	Ulmus americana	30	1	Good
104	Hackberry	Celtis occidentalis	6	1	Good
105	Hackberry	Celtis occidentalis	13	1	Good
106	Hackberry	Celtis occidentalis	7	1	Good
107	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~7~~	~~1~~	~~Dead~~
108	Black Walnut	Juglans nigra	10	1	Fair
109	American Elm	Ulmus americana	20,10	2	Good
110	~~Black Cherry~~	~~Prunus serotina~~	~~9~~	~~1~~	~~Poor~~
111	American Elm	Ulmus americana	14,8	2	Fair
112	American Elm	Ulmus americana	8	1	Fair
113	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~7~~	~~1~~	~~Poor~~
114	Black Walnut	Juglans nigra	12,11	2	Good
115	American Elm	Ulmus americana	12,10	2	Fair
116	Honey Locust	Gleditsia triacanthos	41,15,12	3	Good
117	Freeman's Maple	Acer x freemanii	10	1	Good
118	American Elm	Ulmus americana	14	1	Good
119	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~9~~	~~1~~	~~Dead~~
120	American Elm	Ulmus americana	9	1	Fair
121	~~American Elm~~	~~Ulmus americana~~	~~9~~	~~1~~	~~Poor~~
122	Hackberry	Celtis occidentalis	11	1	Good
123	American Elm	Ulmus americana	9	1	Good
124	Pin Oak	Quercus palustris	11	1	Good
125	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~12~~	~~1~~	~~Dead~~
126	Red Maple	Acer rubrum	12,10	2	Good
127	Black Walnut	Juglans nigra	6	1	Good
128	Hackberry	Celtis occidentalis	6	1	Fair
129	~~American Elm~~	~~Ulmus americana~~	~~11,9~~	~~2~~	~~Dead~~
130	Hackberry	Celtis occidentalis	7	1	Fair
131	Hackberry	Celtis occidentalis	8	1	Fair
132	American Elm	Ulmus americana	8	1	Fair
133	Hackberry	Celtis occidentalis	12	1	Fair
134	Pin Oak	Quercus palustris	29	1	Good
135	~~Black Cherry~~	~~Prunus serotina~~	~~6~~	~~1~~	~~Poor~~
136	American Elm	Ulmus americana	6	1	Good
137	Pin Oak	Quercus palustris	26	1	Good
138	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~18~~	~~1~~	~~Dead~~
139	Black Walnut	Juglans nigra	8	1	Good
140	Pin Oak	Quercus palustris	36	1	Good
141	Black Walnut	Juglans nigra	9	1	Good
142	Black Walnut	Juglans nigra	10	1	Good
143	American Elm	Ulmus americana	6	1	Good
144	American Elm	Ulmus americana	8	1	Fair
145	Pin Oak	Quercus palustris	6	1	Good
146	Hackberry	Celtis occidentalis	11	1	Good
147	Pin Oak	Quercus palustris	24	1	Good
148	Black Walnut	Juglans nigra	7	1	Good
149	Black Walnut	Juglans nigra	8	1	Fair
150	Black Walnut	Juglans nigra	7	1	Good
151	Hackberry	Celtis occidentalis	11	1	Good
152	Black Walnut	Juglans nigra	19	1	Good
153	Honey Locust	Gleditsia triacanthos	15,14	2	Good
154	Honey Locust	Gleditsia triacanthos	18	1	Good
155	Black Walnut	Juglans nigra	7	1	Good
156	American Elm	Ulmus americana	6	1	Fair
157	Black Walnut	Juglans nigra	8	1	Good
158	Hackberry	Celtis occidentalis	7	1	Good
159	Hackberry	Celtis occidentalis	23	1	Fair
160	Callery Pear	Pyrus calleryana	6,5,2	3	Fair
161	Callery Pear	Pyrus calleryana	6,3,3	3	Fair
162	Callery Pear	Pyrus calleryana	6	1	Fair
163	Callery Pear	Pyrus calleryana	6	1	Fair
164	American Elm	Ulmus americana	8,6,2	3	Good
165	American Elm	Ulmus americana	6	1	Good
166	Hackberry	Celtis occidentalis	10	1	Good
167	Black Walnut	Juglans nigra	8	1	Good
168	Black Walnut	Juglans nigra	6	1	Fair
169	Black Walnut	Juglans nigra	6	1	Fair
170	~~Black Walnut~~	~~Juglans nigra~~	~~18,7~~	~~2~~	~~Poor~~
171	~~Black Walnut~~	~~Juglans nigra~~	~~22,3~~	~~2~~	~~Poor~~
172	~~Black Walnut~~	~~Juglans nigra~~	~~33~~	~~1~~	~~Dead~~
173	Black Walnut	Juglans nigra	6,4	2	Fair
174	Black Walnut	Juglans nigra	6	1	Good
175	Black Walnut	Juglans nigra	6	1	Fair
176	Black Walnut	Juglans nigra	6	1	Fair
177	Black Walnut	Juglans nigra	7	1	Fair
178	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~20,8~~	~~2~~	~~Dead~~
179	Callery Pear	Pyrus calleryana	6	1	Good
180	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~8~~	~~1~~	~~Dead~~
181	American Elm	Ulmus americana	7	1	Good
182	American Elm	Ulmus americana	12	1	Good
183	American Elm	Ulmus americana	13	1	Good
184	Honey Locust	Gleditsia triacanthos	13	1	Good
185	Black Cherry	Prunus serotina	10	1	Fair
186	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~6,6~~	~~2~~	~~Dead~~
187	Black Cherry	Prunus serotina	6	1	Fair
188	American Elm	Ulmus americana	17	1	Good
189	Honey Locust	Gleditsia triacanthos	16, 13	2	Good
190	Honey Locust	Gleditsia triacanthos	14	1	Good
191	Honey Locust	Gleditsia triacanthos	8	1	Good
192	Honey Locust	Gleditsia triacanthos	18	1	Good
193	Honey Locust	Gleditsia triacanthos	12	1	Good
194	Honey Locust	Gleditsia triacanthos	16	1	Good
195	Honey Locust	Gleditsia triacanthos	6	1	Good
196	Honey Locust	Gleditsia triacanthos	6	1	Good
197	Honey Locust	Gleditsia triacanthos	10,13,12	3	Good
198	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~6~~	~~1~~	~~Poor~~
199	~~Black Cherry~~	~~Prunus serotina~~	~~8~~	~~1~~	~~Poor~~
200	Hackberry	Celtis occidentalis	6	1	Good
201	Hackberry	Celtis occidentalis	8	1	Good
202	Pin Oak	Quercus palustris	22	1	Good
203	American Elm	Ulmus americana	24	1	Good
204	Pin Oak	Quercus palustris	8	1	Good
205	Pin Oak	Quercus palustris	14	1	Good
206	Pin Oak	Quercus palustris	6	1	Good
207	Pin Oak	Quercus palustris	11	1	Good
208	Pin Oak	Quercus palustris	8	1	Good
209	American Elm	Ulmus americana	6,3	2	Good
210	Pin Oak	Quercus palustris	8	1	Good
211	Pin Oak	Quercus palustris	13	1	Good
212	Pin Oak	Quercus palustris	11	1	Good
213	Pin Oak	Quercus palustris	7	1	Good
214	Honey Locust	Gleditsia triacanthos	22	1	Good
215	American Elm	Ulmus americana	8	1	Good
216	Green Ash	Fraxinus pennsylvanica	12	1	Fair
217	American Elm	Ulmus americana	14	1	Good
218	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~7~~	~~1~~	~~Poor~~
219	Honey Locust	Gleditsia triacanthos	8	1	Good
220	Honey Locust	Gleditsia triacanthos	8	1	Good
221	Hackberry	Celtis occidentalis	8	1	Good
222	Hackberry	Celtis occidentalis	8	1	Good
223	Hackberry	Celtis occidentalis	10	1	Good
224	Hackberry	Celtis occidentalis	12,12	2	Good
225	~~American Elm~~	~~Ulmus americana~~	~~8~~	~~1~~	~~Dead~~
226	Pin Oak	Quercus palustris	6	1	Good
227	Pin Oak	Quercus palustris	9	1	Good
228	~~American Elm~~	~~Ulmus americana~~	~~11~~	~~1~~	~~Dead~~
229	American Elm	Ulmus americana	6	1	Good
230	Hackberry	Celtis occidentalis	12	1	Good
231	Hackberry	Celtis occidentalis	11	1	Good
232	American Elm	Ulmus americana	9	1	Fair
233	American Elm	Ulmus americana	10	1	Fair
234	Hackberry	Celtis occidentalis	14	1	Good
235	Hackberry	Celtis occidentalis	6	1	Good
236	American Elm	Ulmus americana	12	1	Good
237	Honey Locust	Gleditsia triacanthos	14	1	Good
238	Honey Locust	Gleditsia triacanthos	6	1	Good
239	Honey Locust	Gleditsia triacanthos	9	1	Good
240	Honey Locust	Gleditsia triacanthos	9	1	Good
241	Honey Locust	Gleditsia triacanthos	6	1	Good
242	Red Mulberry	Morus rubra	11	1	Good
243	Honey Locust	Gleditsia triacanthos	8	1	Good
244	Honey Locust	Gleditsia triacanthos	7	1	Good
245	Honey Locust	Gleditsia triacanthos	10	1	Good
246	Honey Locust	Gleditsia triacanthos	12	1	Good
247	Honey Locust	Gleditsia triacanthos	6	1	Good
248	Honey Locust	Gleditsia triacanthos	7	1	Good
249	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~6~~	~~1~~	~~Dead~~
250	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~42~~	~~1~~	~~Dead~~
251	Sycamore	Platanus occidentalis	11	1	Good
252	Honey Locust	Gleditsia triacanthos	11	1	Good
253	Hackberry	Celtis occidentalis	7	1	Good
254	Honey Locust	Gleditsia triacanthos	8	1	Good
255	Green Ash	Fraxinus pennsylvanica	6	1	Good
256	American Elm	Ulmus americana	9	1	Good
257	Hackberry	Celtis occidentalis	8	1	Good
258	~~Black Cherry~~	~~Prunus serotina~~	~~6~~	~~1~~	~~Poor~~
259	Green Ash	Fraxinus pennsylvanica	6	1	Good
260	Green Ash	Fraxinus pennsylvanica	6,4	2	Fair
261	Green Ash	Fraxinus pennsylvanica	8	1	Fair
262	~~Black Cherry~~	~~Prunus serotina~~	~~6~~	~~1~~	~~Poor~~
263	Red Mulberry	Morus rubra	7	1	Fair
264	Green Ash	Fraxinus pennsylvanica	7	1	Poor
265	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~22~~	~~1~~	~~Dead~~
266	American Elm	Ulmus americana	11	1	Good
267	Hackberry	Celtis occidentalis	10	1	Good
268	Hackberry	Celtis occidentalis	8	1	Good
269	~~American Elm~~	~~Ulmus americana~~	~~22~~	~~1~~	~~Dead~~
270	~~American Elm~~	~~Ulmus americana~~	~~28~~	~~1~~	~~Dead~~
271	Honey Locust	Gleditsia triacanthos	22	1	Fair
272	Hackberry	Celtis occidentalis	6	1	Good
273	Red Mulberry	Morus rubra	6,4,2,2,1	5	Good
274	Honey Locust	Gleditsia triacanthos	22,18,16,16,14	5	Good
275	Honey Locust	Gleditsia triacanthos	22	1	Good
276	Green Ash	Fraxinus pennsylvanica	8	1	Fair
277	Honey Locust	Gleditsia triacanthos	13	1	Good
278	Shagbark Hickory	Carya ovata	13,13	2	Good
279	Hackberry	Celtis occidentalis	11	1	Good
280	American Elm	Ulmus americana	9	1	Good
281	American Elm	Ulmus americana	9	1	Fair
282	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~16,20~~	~~2~~	~~Dead~~
283	Silver Maple	Acer saccharinum	10	1	Good
284	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~11~~	~~1~~	~~Dead~~
285	American Elm	Ulmus americana	13	1	Good
286	American Elm	Ulmus americana	9	1	Good
287	Hackberry	Celtis occidentalis	6	1	Good
288	American Elm	Ulmus americana	13	1	Good
289	American Elm	Ulmus americana	6	1	Good
290	Hackberry	Celtis occidentalis	13	1	Good
291	Pin Oak	Quercus palustris	6	1	Good
292	Pin Oak	Quercus palustris	14	1	Good
293	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~30~~	~~1~~	~~Dead~~
294	American Elm	Ulmus americana	7	1	Good
295	~~American Elm~~	~~Ulmus americana~~	~~14~~	~~1~~	~~Dead~~
296	Pin Oak	Quercus palustris	8	1	Good
297	Pin Oak	Quercus palustris	6	1	Good
298	Pin Oak	Quercus palustris	12	1	Good
299	~~American Elm~~	~~Ulmus americana~~	~~30~~	~~1~~	~~Poor~~
300	Pin Oak	Quercus palustris	7	1	Good
301	American Elm	Ulmus americana	7	1	Good
302	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~12~~	~~1~~	~~Dead~~
303	Green Ash	Fraxinus pennsylvanica	8	1	Good
304	Shagbark Hickory	Carya ovata	6	1	Good
305	Black Walnut	Juglans nigra	8	1	Good
306	Black Walnut	Juglans nigra	6	1	Good
307	Honey Locust	Gleditsia triacanthos	6	1	Good
308	Honey Locust	Gleditsia triacanthos	6	1	Good
309	Honey Locust	Gleditsia triacanthos	7	1	Good
310	Honey Locust	Gleditsia triacanthos	7	1	Good
311	Black Walnut	Juglans nigra	9	1	Good
312	Black Walnut	Juglans nigra	6	1	Good
313	Honey Locust	Gleditsia triacanthos	14	1	Good
314	Pin Oak	Quercus palustris	24	1	Good
315	Black Walnut	Juglans nigra	7	1	Good
316	Black Walnut	Juglans nigra	12	1	Good
317	Honey Locust	Gleditsia triacanthos	8	1	Good
318	Black Walnut	Juglans nigra	7	1	Good
319	American Elm	Ulmus americana	7	1	Fair
320	American Elm	Ulmus americana	6	1	Good
321	American Elm	Ulmus americana	8	1	Good
322	Black Cherry	Prunus serotina	8	1	Good
323	American Elm	Ulmus americana	11	1	Good
324	~~Black Cherry~~	~~Prunus serotina~~	~~8~~	~~1~~	~~Dead~~
325	Hackberry	Celtis occidentalis	7	1	Good
326	Hackberry	Celtis occidentalis	7	1	Poor
327	Black Walnut	Juglans nigra	20	1	Good
328	Hackberry	Celtis occidentalis	13,8	2	Fair
329	Hackberry	Celtis occidentalis	8	1	Fair
330	American Elm	Ulmus americana	8	1	Good
331	Hackberry	Celtis occidentalis	7	1	Fair
332	American Elm	Ulmus americana	26	1	Fair
333	Green Ash	Fraxinus pennsylvanica	8	1	Fair
334	Hackberry	Celtis occidentalis	10	1	Fair
335	Hackberry	Celtis occidentalis	6	1	Fair
336	Hackberry	Celtis occidentalis	7	1	Good
337	Hackberry	Celtis occidentalis	7,4	2	Fair
338	Hackberry	Celtis occidentalis	6	1	Fair
339	Red Oak	Quercus rubra	50	1	Poor
340	American Elm	Ulmus americana	7	1	Fair
341	Hackberry	Celtis occidentalis	7	1	Poor
342	American Elm	Ulmus americana	7	1	Fair
343	Green Ash	Fraxinus pennsylvanica	7	1	Fair
344	American Elm	Ulmus americana	13	1	Fair
345	Black Cherry	Prunus serotina	8	1	Fair
346	Honey Locust	Gleditsia triacanthos	20	1	Fair
347	American Elm	Ulmus americana	8	1	Good
348	American Elm	Ulmus americana	8	1	Good
349	Red Mulberry	Morus rubra	10	1	Fair
350	~~American Elm~~	~~Ulmus americana~~	~~6~~	~~1~~	~~Dead~~
351	Pin Oak	Quercus palustris	11	1	Good
352	Black Walnut	Juglans nigra	15	1	Good
353	Hackberry	Celtis occidentalis	12	1	Good
354	Hackberry	Celtis occidentalis	7	1	Good
355	Hackberry	Celtis occidentalis	9	1	Good
356	Pin Oak	Quercus palustris	8	1	Good
357	Pin Oak	Quercus palustris	8	1	Good
358	Pin Oak	Quercus palustris	11	1	Good
359	American Elm	Ulmus americana	10	1	Good
360	Pin Oak	Quercus palustris	18	1	Good
361	~~American Elm~~	~~Ulmus americana~~	~~11~~	~~1~~	~~Dead~~
362	Honey Locust	Gleditsia triacanthos	8	1	Good
363	Black Walnut	Juglans nigra	6	1	Good
364	Pin Oak	Quercus palustris	9	1	Good
365	American Elm	Ulmus americana	6	1	Fair
366	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~7~~	~~1~~	~~Poor~~
367	Black Walnut	Juglans nigra	7	1	Good
368	Hackberry	Celtis occidentalis	11,8	2	Good
369	American Elm	Ulmus americana	9	1	Fair
370	Red Mulberry	Morus rubra	10,6	2	Fair
371	Honey Locust	Gleditsia triacanthos	15	1	Good
372	Pin Oak	Quercus palustris	31	1	Good
373	Pin Oak	Quercus palustris	26	1	Good
374	Pin Oak	Quercus palustris	26	1	Good
375	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~6,4~~	~~2~~	~~Poor~~
376	American Elm	Ulmus americana	15,4	2	Good
377	American Elm	Ulmus americana	8	1	Fair
378	American Elm	Ulmus americana	18	1	Good
379	Honey Locust	Gleditsia triacanthos	12	1	Good
380	~~Green Ash~~	~~Fraxinus pennsylvanica~~	~~7,4~~	~~2~~	~~Poor~~
381	Pin Oak	Quercus palustris	22	1	Good
382	Green Ash	Fraxinus pennsylvanica	9	1	Fair

Dead, Poor or Ash Trees to be Removed

Additional Trees to be Removed

JOB NO: 20200455

DATE: JULY 21, 2021

8/8	
48 HOUR	
48 HOUR	
48 HOUR	
48 HOUR	
48 HOUR	
48 HOUR	

EMHT
Davis, Bowen & Friedel, Inc. dba EMH&T
5500 New Albany Road
New Albany, Ohio 43054
614.775.4500
www.emht.com

CHUCK DAVIS
102 HIDDEN PASTURES DRIVE
SUITE 203
CRAMERTON, NC 28032

TREE SURVEY CHART

DAVIS TRACT

CITY OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO

8/8

SECTION III –
Preliminary Plat Exhibits

DAVIS TRACT

PRELIMINARY PLAT

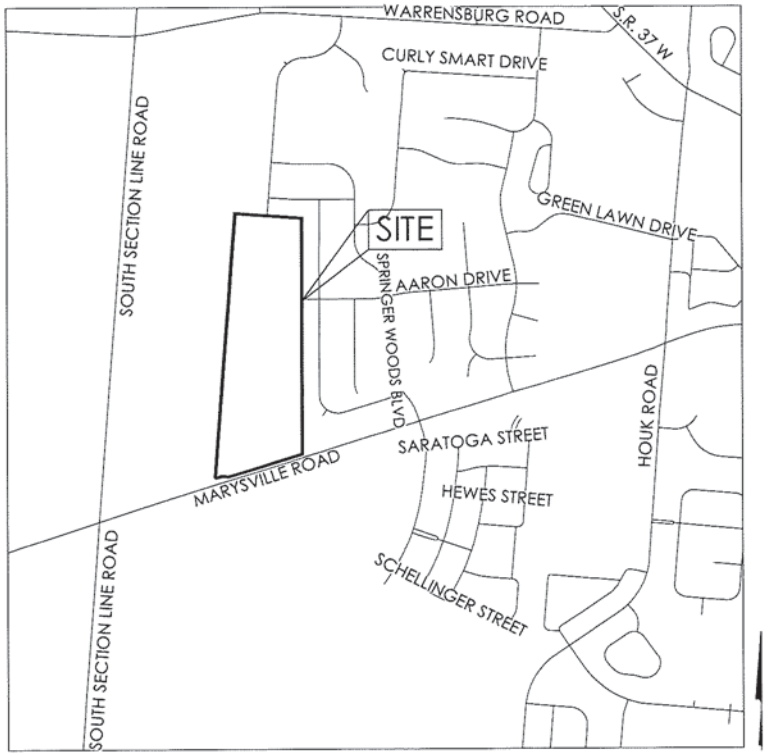
CITY OF DELAWARE, DELAWARE COUNTY, STATE OF OHIO

OWNER/APPLICANT:
CHUCK DAVIS
102 HIDDEN PASTURES DRIVE
SUITE 203
CRAMERTON, NC 28032

SUBMITTAL:
APRIL 21, 2021

CIVIL ENGINEER, LAND PLANNER
& LANDSCAPE ARCHITECT:

EMHT



SITE LOCATION MAP
Not to Scale

INDEX OF DRAWINGS

SHEET 1: LEGAL DESCRIPTION
SHEET 2: EXISTING CONDITIONS
SHEET 3: PRELIMINARY PLAT
SHEET 4: TYPICAL SECTIONS

PC CASE NO. _____ - _____ APPROVED BY THE PLANNING COMMISSION ON __/__/__

ORDINANCE NO. _____ - _____ APPROVED BY CITY COUNCIL ON __/__/__

APPLICANT NAME, TITLE DATE

ELAINE McCLOSKEY, CITY CLERK DATE

DAVID M. EFLAND, AICP, PLANNING & COMMUNITY DEVELOPMENT DIRECTOR DATE

WILLIAM L. FERRIGNO, P.E., CITY ENGINEER DATE

\\emhstpdfs\projects\2020\2020055\04-Data\Landscape\Preliminary plat\20200555-Plat Cover.dgn Last Saved By: mreed 4/5/2021 3:53 PM Last Printed By: Reed, Megan 4/21/2021 11:19 AM
(no xrefs)

VOL 0807 PAGE 2147 EXHIBIT A

SCIOTO LAND SURVEYING SERVICE

Surveyors

173 North Sandusky Street
Delaware, Ohio 43015

Phone: 740-369-7577
FAX: 740-362-7577

Karen S. Coffman, P.S. 7845
Istvan Gajary, P.S. 8183
Retired, Frank Cello, P.S. 6612

September 6, 2007

Description of a 30.708 acre tract for
Nancy Bevan, Trustee

Situated in the Township of Delaware, County of Delaware, State of Ohio, being part of Farm Lot 34 in Quarter-Township 3, Township 5, Range 19 of The United States Military Lands and being more particularly described as follows:

COMMENCING at a 1" iron pin in a monument box at the intersection of the centerlines of County Road 5 (South Section Line Road) and U.S. Route 36 (Marysville Road);

thence along the said centerline of U.S. Route 36 **North 72° 01' 28" East 435.02 feet** to a MAG nail found;

thence continuing along the said centerline of U.S. Route 36 **North 72° 30' 28" East 695.87 feet** to a P.K. Nail found, being the southeast corner of a 0.129 acre parcel owned by the State of Ohio, as described in Official Records Volume 758, Page 2054, also being the TRUE POINT OF BEGINNING of the following described tract;

thence along the east line of the said 0.129 acre tract **North 17° 29' 32" West 30.00 feet** to an iron pipe found, being the northeast corner of the said 0.129 acre tract, also being on the north right-of-way line of U.S. Route 36;

thence along the north line of the said 0.129 acre tract, also being the said north right-of-way line of U.S. Route 36 **North 82° 58' 34" West 49.11 feet** to an iron pipe found;

thence continuing along the north line of the said 0.129 acre tract, also being the said north right-of-way line of U.S Route 36 **South 75° 28' 48" West 62.37 feet** to an iron pipe found, being the southeast corner of the remainder of a 0.717 acre tract now or formerly owned by Keye and Catharine Simpkins, as described in Official Records Volume 328, Page 214;

thence along the east line of the said remainder of a 0.717 acre tract **North 04° 25' 41" East 2202.80 feet** to an iron bar set, being on the south line of a 5.500 acre tract now or formerly owned by Phillip and Dodie Blas, as described in Official Records Volume 541, Page 1356;

thence along the said south line of the 5.500 acre tract **South 85° 36' 10" East 118.62 feet** to an iron pipe found, being the southeast corner of the said 5.500 acre tract, also being a southwest corner of a 57.881 acre tract now or formerly owned by Homewood Corporation, as described in Official Records Volume 24, Page 2445;

thence along a south line of the said 57.881 acre tract **South 85° 53' 36" East 433.29 feet** to an iron bar set, being a corner of the said 57.881 acre tract;

thence along a west line of the said 57.881 acre tract, and along the west line of Lot 8312 of Springer Woods, as delineated in Plat Cabinet 3, Slide 41 **South 00° 02' 47" West 1990.89 feet** to a P.K. Nail found, being in the said centerline of U.S. Route 36 (passing an iron pipe found at 1957.66 feet);

thence along the said centerline of U.S. Route 36 **South 72° 57' 15" West 628.37 feet** to the TRUE POINT OF BEGINNING;

containing 30.708 acres, being all of the remainder of an original 189.53 acre tract, and being all of an original 0.889 acre tract, as described in Deed Book 586, Page 786 and Deed Book 643, Page 774;

subject to all easements, restrictions, and rights-of-way, if any, of record;

Surveyed by Karen S. Coffman, Surveyor, Registration Number 7845 on September 4, 2007. Basis of bearings is ODOT Plans DEL-36-6.87. All iron bars set are set with a plastic cap marked "SLSS PS 7845".

DESCRIPTION FOR CLOSING ONLY
☐ RPC Approval Required
☐ Municipal Approval Required
☑ Delaware County Engineer

Karen S. Coffman, Surveyor
Registration No. 7845

NEW DESCRIPTION
Approved for transfer
Chris Bauserman, Del. Co. Eng.
☒ Survey Plat Must Be Attached

STATE OF OHIO
KAREN S. COFFMAN
7845
REGISTERED
PROFESSIONAL SURVEYOR

Seeing is Believing, Measuring is Knowing

VOL 0807 PAGE 2148

SCIOTO LAND SURVEYING SERVICE

Surveyors

173 North Sandusky Street
Delaware, Ohio 43015

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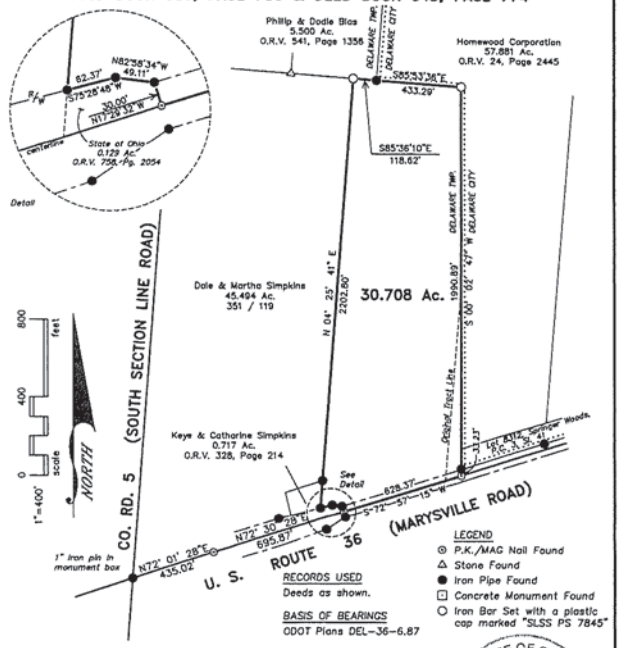
Karen S. Coffman, P.S. 7845
Istvan Gajary, P.S. 8183
Retired, Frank Cello, P.S. 6612

PLAT OF SURVEY FOR

NANCY BEVAN, TRUSTEE

PART OF FARM LOT 34, QUARTER-TOWNSHIP 3,
TOWNSHIP 5, RANGE 19, U.S.M.L.
DELAWARE TOWNSHIP, DELAWARE COUNTY, OHIO

ALL OF THE REMAINDER OF AN ORIGINAL 189.53 ACRE TRACT, AND ALL OF AN ORIGINAL 0.889 ACRE TRACT, DEED BOOK 586, PAGE 786 & DEED BOOK 643, PAGE 774



LEGEND
- ⊙ P.K./MAG Nail Found
- △ Stone Found
- ● Iron Pipe Found
- ⊡ Concrete Monument Found
- ○ Iron Bar Set with a plastic cap marked "SLSS PS 7845"

RECORDS USED
Deeds as shown.

BASIS OF BEARINGS
ODOT Plans DEL-36-6.87

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED IN THE FOREGOING TITLE CAPTION AND THAT SAID SURVEY AND SKETCH ARE ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. ROAD RIGHT-OF-WAY IS ASSUMED AND SHOWN FOR ILLUSTRATIVE PURPOSES ONLY UNLESS OTHERWISE NOTED. EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY, IF ANY, NOT LOCATED UNLESS NOTED.

STATE OF OHIO
KAREN S. COFFMAN
7845
REGISTERED
PROFESSIONAL SURVEYOR

9/6/2007
KAREN S. COFFMAN, SURVEYOR
Registration No. 7845

SEPTEMBER 4, 2007
DATE OF SURVEY

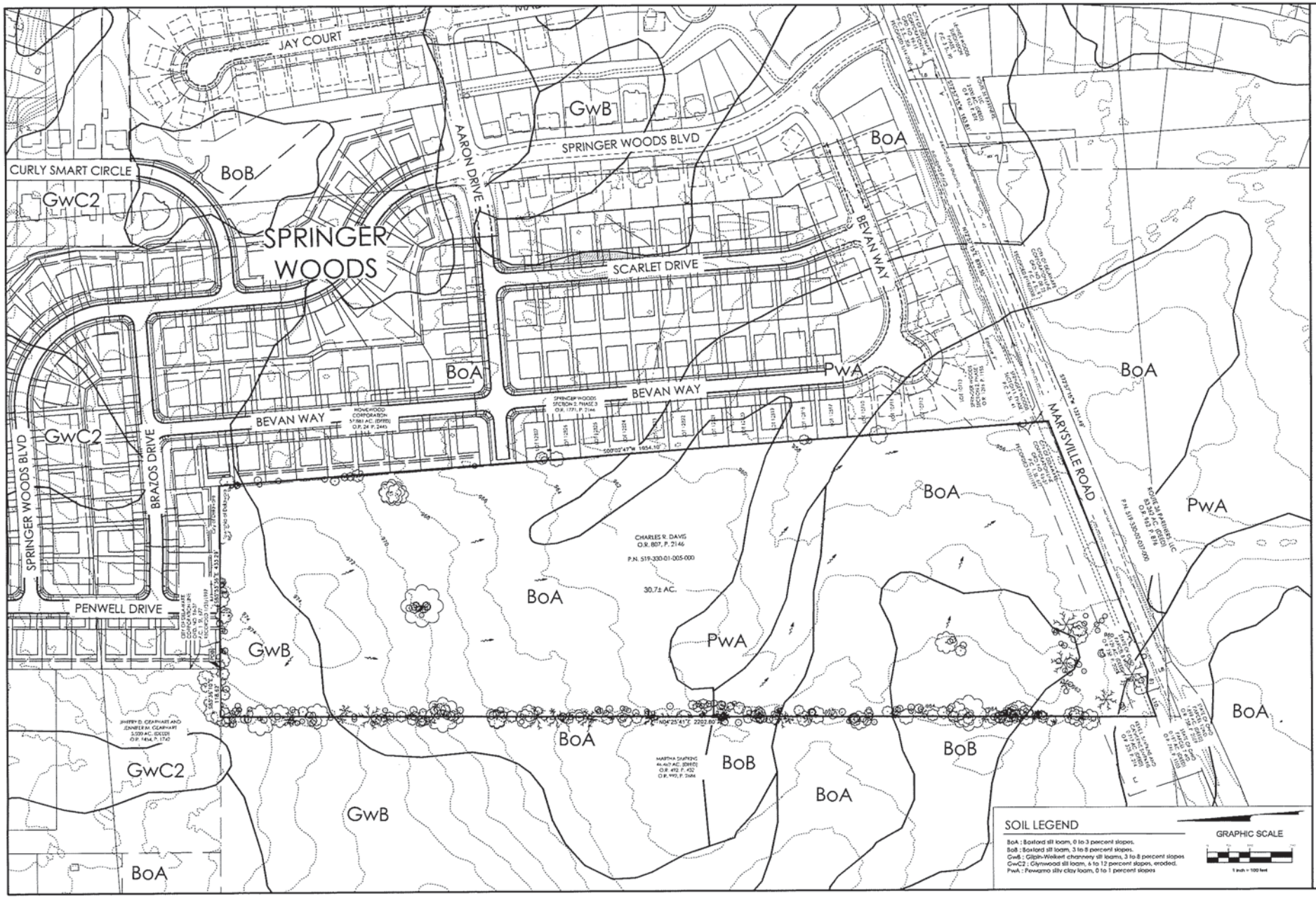
JOB NO: 20200455

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
CHUCK DAVIS
102 HIDDEN PASTURES DRIVE
SUITE 203
CRANBERTON, NC 28032

LEGAL DESCRIPTION

DAVIS TRACT
PRELIMINARY PLAT
CITY OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO

1/4



JOB NO: 20200655

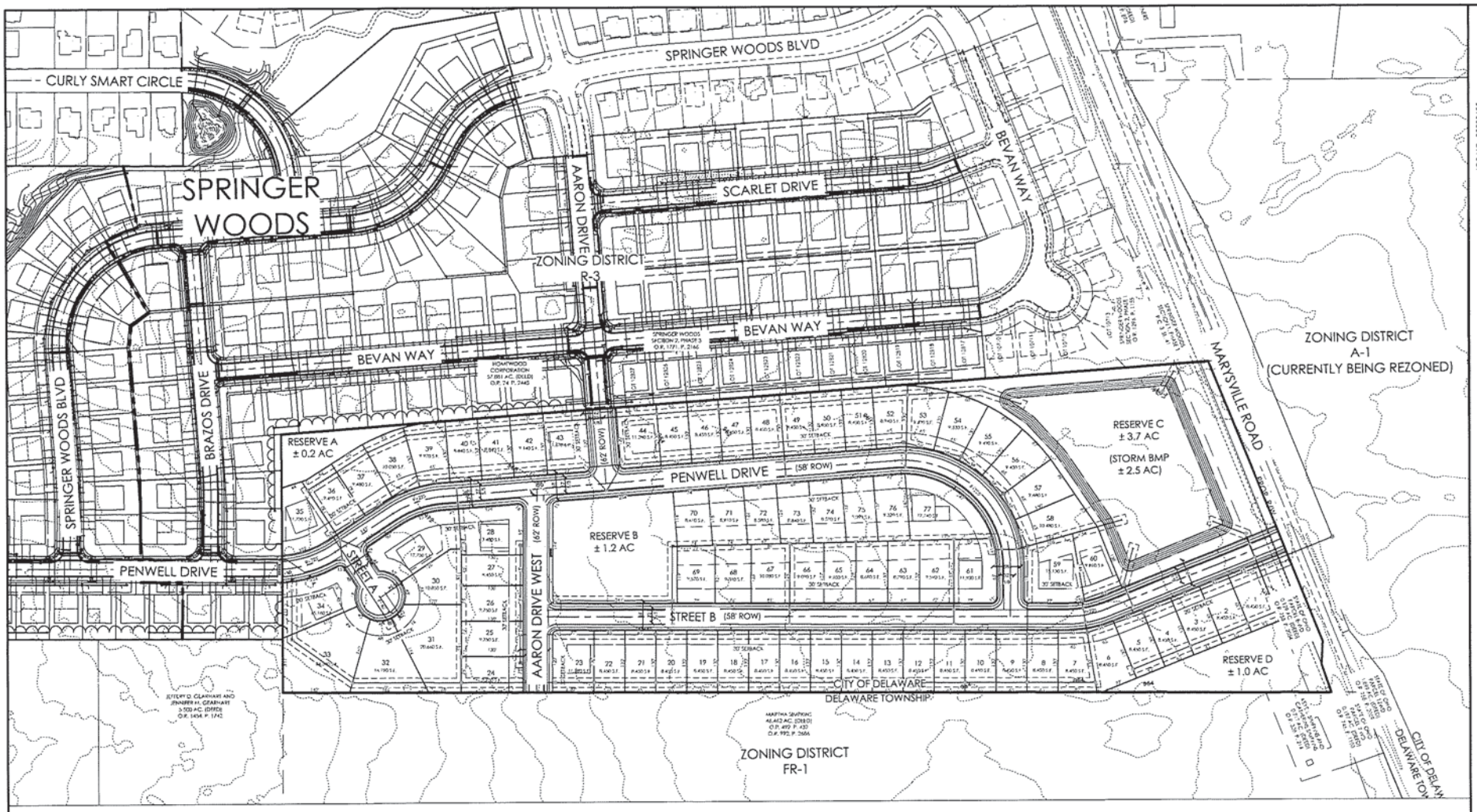
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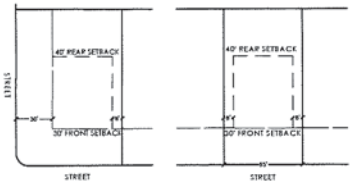
CHUCK DAVIS
102 HIDDEN PASTURES DRIVE
SUITE 203
CRAMERTON, NC 28032

EXISTING CONDITIONS

DAVIS TRACT
PRELIMINARY PLAT
CITY OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO

2/4





TYPICAL CORNER LOT
NOT TO SCALE

TYPICAL INTERNAL LOT
NOT TO SCALE

KEY

- PROPOSED WATER
- PROPOSED SANITARY
- PROPOSED STORM

Reserve Table - Open Space and Parkland

Reserve	Acreage	Use
Reserve A	± 0.2 ac	Open Space - Passive
Reserve B	± 1.2 ac	Parkland - Active and Passive Recreation
Reserve C	± 3.7 ac	Parkland - Passive Recreation
Reserve D	± 1.0 ac	Open Space-Passive Tree Preservation

GRAPHIC SCALE

1 inch = 100 feet

JOB NO: 20200655

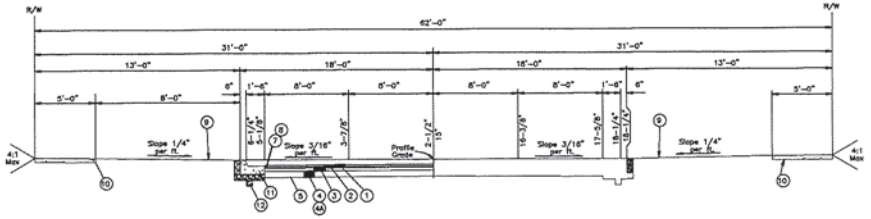
EMH&T

CHUCK DAVIS
102 HIDDEN PASTURES DRIVE
SUITE 203
CRAMERTON, NC 28032

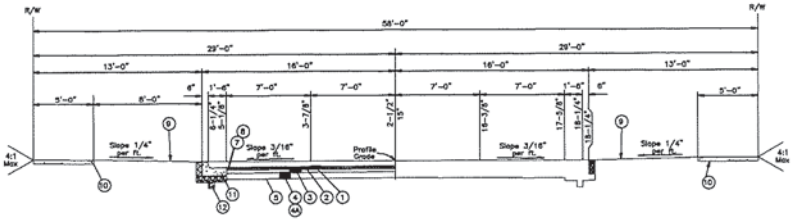
PRELIMINARY PLAT

DAVIS TRACT
PRELIMINARY PLAT
CITY OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO

3/4



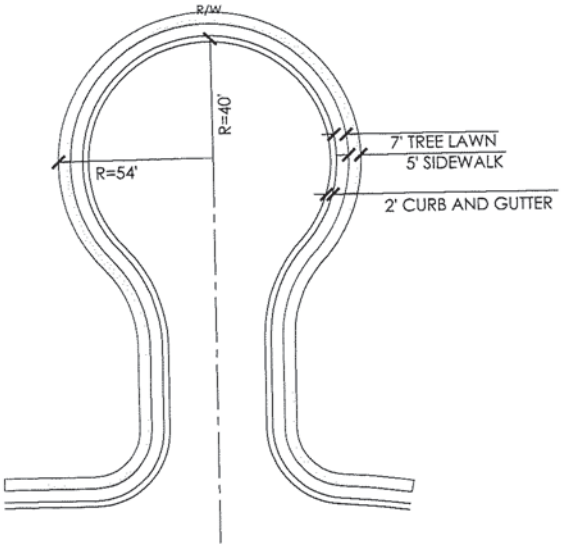
TYPICAL PRIMARY SECTION WITH STANDARD CURB
(36' B/C TO B/C, 62' R/W)
NO SCALE



TYPICAL SECONDARY & CUL-DE-SAC SECTIONS WITH STANDARD CURB
(32' B/C TO B/C, 58' R/W)
NO SCALE

PAVEMENT LEGEND

1. 1 1/2" Asphalt Concrete, Item 448 Type 1 (Medium Traffic) PG 64-22
2. 2" Asphalt Concrete, Item 448 Type 2 – Intermediate Course (Medium Traffic) PG 64-22
3. 3" Asphalt Concrete Base, Item 301, PG 64-22
4. 6" Aggregate Base, Item 304
4A. 6" Portland Cement Concrete Base, Class 'C', Item 305 Or RCC Supplemental SPEC 1523
5. Subgrade compaction, Item 203
6. Asphalt Rejuvenate Per Supplemental SPEC 1540
7. ITEM 407, Tack Face Of Curb Prior To Paving
8. ITEM 423, Crack Seal Edge Joints
9. Item 659, Seeding & Mulching (See Erosion and Sedimentation Control Plan)
10. Item 608, 5' Concrete Sidewalk (By Home Builder Unless Otherwise Noted)
11. Concrete Curb & Gutter, Item 609
12. 4" Pipe Curb Underdrain, Item 605



TYPICAL CUL-DE-SAC DETAIL
NO SCALE

JOB NO: 20200455

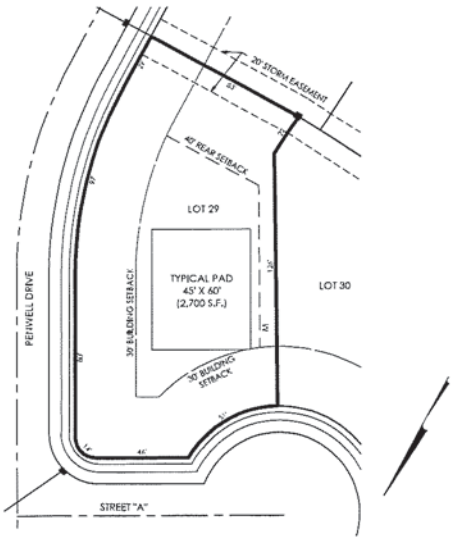
EMH&T
Engineers, Surveyors, Planners & Scientists
5500 New Albany Road, Columbus, OH 43054
(614) 775-4500 • (800) 366-0778
Fax: (614) 775-4650
www.emht.com

CHUCK DAVIS
102 HIDDEN PASTURES DRIVE
SUITE 203
CRAMERTON, NC 28032

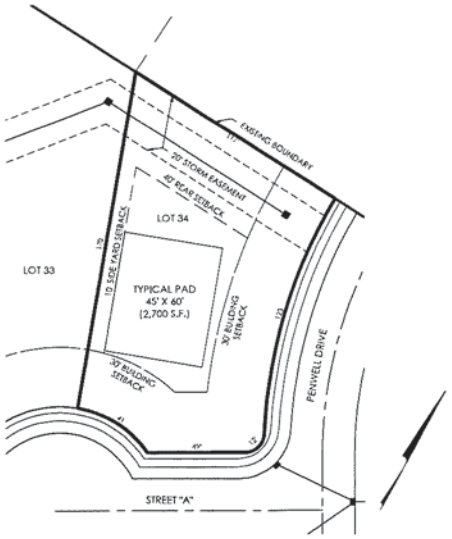
TYPICAL SECTIONS

DAVIS TRACT
PRELIMINARY PLAT
CITY OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO

4/4



LOT 29
LOT AREA ±17,730 S.F.
BUILDING ENVELOPE ±6,281 S.F.

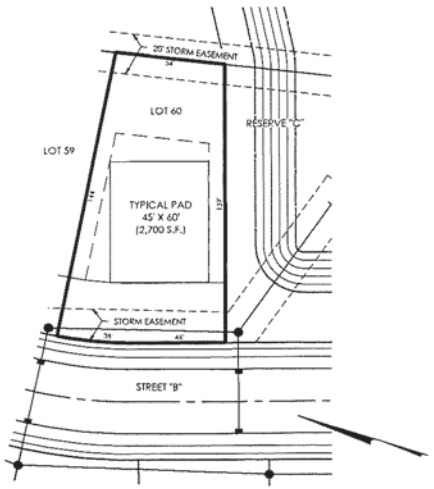


LOT 34
LOT AREA ±17,730 S.F.
BUILDING ENVELOPE ±4,960 S.F.

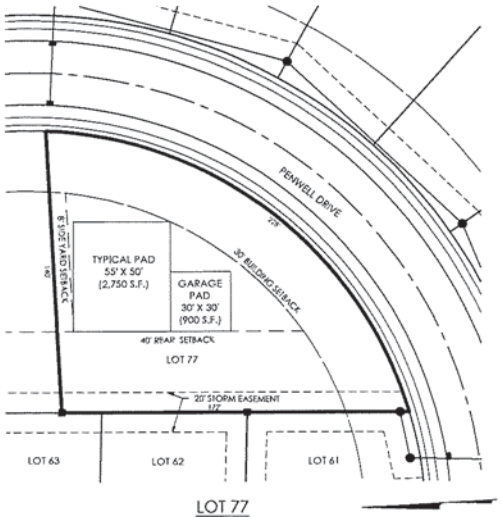


KEY PLAN
NO SCALE

* LOT ENLARGEMENTS



LOT 60
LOT AREA ±9,810 S.F.
BUILDING ENVELOPE ±3,905 S.F.



LOT 77
LOT AREA ±17,740 S.F.
BUILDING ENVELOPE ±5,313 S.F.

GRAPHIC SCALE
1 inch = 30 feet

JOB NO: 20200655

EMH'T

CHUCK DAVIS
102 HIDDEN PASTURES DRIVE
SUITE 203
CRANBERTON, NC 28032

TYPICAL
PLOT PLANS

DAVIS TRACT

CITY OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO

1/1

J:\20200655\Dwg\04Sheets\Exhibits\20200655--Plot Plan.dwg, Last Saved By: sshore, 4/19/2021 2:53 PM

SECTION IV - Reports/Studies

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,Finance
ITEM TYPE:	Resolutions
AGENDA SECTION:	**CONSIDERATION OF RESOLUTION NO. 21-21**
SUBJECT:	A resolution amending the investment policy for the City of Delaware.

SUGGESTED ACTION:

ATTACHMENTS:

FACT SHEET RES 21-21, Amending the City's Investment Policy Fact Sheet.pdf
Res 21-21, Amending the City's Investment Policy.pdf
Exhibit A Draft IPS May 2021 City of Delaware.pdf
ORC 135.14.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 17 | DATE: 05/24/2021

ORDINANCE NO: | RESOLUTION NO: 21-21

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Justin Nahvi, Finance Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION AMENDING THE INVESTMENT POLICY FOR THE CITY OF DELAWARE.

BACKGROUND:

The Finance Department issued an RFP in March 2021 for investment advisory services with the purpose of establishing a long-term investment portfolio to be administered by the firm selected through the RFP process. Redtree Investment Group was the company selected to be the City's investment advisor and will administer the long-term investments for the City on a fee only basis equal 0.06% of the value of the portfolio.

REASON WHY LEGISLATION IS NEEDED:

The existing investment policy for the City of Delaware was last amended in 2004 and a revised draft of the policy has been proposed to simplify and modernize the policy which aligns with Section 135.14 of the Ohio Revised Code. For consideration, this section of the Revised Code outlines permissible investments that supports a conservative investment policy that is risk averse and maintains the objective of preserving principal.

In addition, adopting a revised investment policy will reduce any potential complications or limitations for Redtree Investment Group when onboarding the City of Delaware as a new client.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

Presently, the City has an estimated $69.2 mm deposited with STAR Ohio which is a short-term money market fund administered by the Ohio Treasurer of State. By establishing a long-term investment portfolio, interest income for the 2021 fiscal year could increase to $300,000 as compared to $40,000 to be generated in interest if these funds continue to be held in STAR Ohio as the yield in this money mark fund tracks with the federal funds rate.

POLICY CHANGES:

N/A

PRESENTER(S):

Justin Nahvi, Finance Director

RECOMMENDATION:

Approval

ATTACHMENT(S)

Revised Investment Policy

Section 135.14 of the Ohio Revised Code

RESOLUTION 21-21

A RESOLUTION AMENDING THE INVESTMENT POLICY FOR THE CITY OF DELAWARE.

WHEREAS, through an RFP process, the Finance Department for the City of Delaware has selected an investment advisory firm to administer the long-term investment portfolio for the City; and

WHEREAS, the existing Investment Policy for the City of Delaware has not been amended since 2004; and

WHEREAS, with the selection of an investment advisor the Finance Department recommends updating the Investment Policy to simplify and modernize the plan while being compliant with the Ohio Revised Code; and

WHEREAS, Exhibit A as enclosed with this ordinance outlines the amended Investment Policy for the City of Delaware.

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

SECTION 1: That Investment Policy for the City of Delaware be amended as outlined in Exhibit A.

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

PASSED: _____, 2021 YEAS____ NAYS____

ABSTAIN ____

ATTEST: _____ _____

CITY CLERK MAYOR

CITY OF DELAWARE, OHIO

INVESTMENT POLICY

Adopted as of 5/24/2021

SCOPE: In accordance with the Charter of the City of DELAWARE, the Director of Finance is the custodian of all public money of the municipality and shall perform all other duties now or hereafter imposed on City Auditors and Treasurers under the laws of the State of Ohio and shall perform such other duties, consistent with the office, as may be required by Charter, by ordinance or resolution of Council, or as directed by the City Manager. This policy is designed to cover all interim monies as defined under Ohio Revised Code Chapter 135 ("ORC 135") under the control of the Director of Finance.

I.) Objective and Guidelines: In absence of the policies as detailed below, ORC 135 will be always adhered to. The following investment objectives will be applied in the management of the City of DELAWARE's ("the City's") public funds:

A. The primary objective shall be the preservation of capital. Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.

B. When investing public funds, the Director of Finance will strive to achieve a reasonable rate of return on the investment portfolio over the course of budgetary and economic cycles considering existing State laws, City Policies, and budgetary forecasts.

C. The investment portfolio shall remain sufficiently liquid to enable the Director of Finance to meet reasonably anticipated operating requirements.

D. Within the universe of eligible investments as defined in ORC 135, the City shall seek to prudently diversify the City's portfolio by maturity, issuer, and structure of security. Diversification strategies shall be determined and reviewed periodically.

E. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

F. The Director of Finance and any officials or employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. These individuals shall disclose any material interests in financial institutions and any personal financial/investment positions that could be related to the performance of the investment portfolio.

II.) Authorized Financial Institutions and Dealers: The Director of Finance may engage the

services of an independent investment adviser registered with the U.S. Securities and Exchange Commission ("RIA"). The RIA shall be permitted to affect the purchase or sale of eligible investments withing ORC 135 shall be executed on a delivery-versus-payment basis with unrelated broker/dealers registered with the Financial Industry Regulatory Authority ("FINRA"). Certificates of Deposit shall be transacted through eligible financial institutions directly or via a FINRA broker/dealer. All Certificates of Deposit shall comply with FDIC coverage requirements under the provisions of ORC 135. The total amount of CD's at any one financial institution will not exceed the FDIC insurance limit for that financial institution. A list of authorized institutions and dealers shall be maintained with the Director of Finance. Additions and deletions to this list shall be made when deemed in the best interest by the Director of Finance.

III.) Maturity. When possible, the Director of Finance will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow requirement, the Director of Finance will not directly invest in securities maturing more than five (5) years from the date of purchase. The maturity may be more than five years for an investment if permissible by state law.

IV.) Derivatives. Investments in derivatives are strictly prohibited.

V.) Allowable Investment. The City may invest in any instrument or security authorized in ORC 135 as amended and such other securities as approved by the Council of the City of DELAWARE. Eligible investments, as defined in ORC 135 are attached to this Policy as Exhibit A.

VI.) Collateral. All deposits shall be collateralized pursuant to ORC 135.

VII.) Safekeeping and Custody. All trades of marketable securities will be executed (cleared and settled) on a delivery vs. payment (DVP) basis to ensure that securities are deposited in the City's safekeeping institution prior to the release of funds. Securities will be held by an independent third-party safekeeping institution selected by the Director of Finance. All securities will be evidenced by safekeeping receipts in the City of DELAWARE's name. The safekeeping institution shall annually provide a copy of its most recent report on internal controls - Service Organization Control Reports prepared in accordance with the Statement on Standards for Attestation Engagements (SSAE) No. 16 (formerly SAS 70).

VIII.) Reporting. The Director of Finance shall establish and maintain an inventory of all cash and securities in the City's portfolio. The inventory shall include the description of the security, type, cost, par value, market value (as prescribed by the codified ordinances), maturity date, settlement date, and coupon rate. A monthly portfolio report shall be produced detailing the current inventory of all obligations and securities, and all transactions made during the month, income received and investment expenses paid, and the names of any firms effecting transactions on behalf of the Director of Finance.

IX.) Review and Updates. The City and its independent RIA will endeavor to meet once per calendar quarter to review the portfolio in terms of security type, risk, economic conditions and developments and investment return. Not less than annually, the City and its independent RIA

will endeavor to meet to review the City's budgetary needs as well as this Investment Policy.

X.) Execution. The Director of Finance shall require that any independent RIA engaged by the City agrees to adhere to the terms of this investment policy. The institution below by signing submits that it has read and acknowledges this investment policy and agrees to abide by its content.

Director of Finance: _____

Date:_____

Name of Institution:_____

Authorized Officer:_____

Date:_____

EXHIBIT A

Ohio Revised Code Section 135 - see attached

AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #226068

Ohio Revised Code

Section 135.14 Investing interim moneys of public subdivisions.

Effective: April 12, 2021
Legislation: Senate Bill 276 - 133rd General Assembly

(A) As used in this section:

(1) "Treasurer" does not include the treasurer of state, and "governing board" does not include the state board of deposit.

(2) "Other obligations" includes notes whether or not issued in anticipation of the issuance of bonds.

(B) The treasurer or governing board may invest or deposit any part or all of the interim moneys. The following classifications of obligations shall be eligible for such investment or deposit:

(1) United States treasury bills, notes, bonds, or any other obligation or security issued by the United States treasury or any other obligation guaranteed as to principal and interest by the United States.

Nothing in the classification of eligible obligations set forth in division (B)(1) of this section or in the classifications of eligible obligations set forth in divisions (B)(2) to (7) of this section shall be construed to authorize any investment in stripped principal or interest obligations of such eligible obligations.

(2) Bonds, notes, debentures, or any other obligations or securities issued by any federal government agency or instrumentality, including but not limited to, the federal national mortgage association, federal home loan bank, federal farm credit bank, federal home loan mortgage corporation, and government national mortgage association. All federal agency securities shall be direct issuances of federal government agencies or instrumentalities.

(3) Interim deposits in the eligible institutions applying for interim moneys as provided in section 135.08 of the Revised Code. The award of interim deposits shall be made in accordance with section 135.09 of the Revised Code and the treasurer or the governing board shall determine the periods for which such interim deposits are to be made and shall award such interim deposits for such periods,

provided that any eligible institution receiving an interim deposit award may, upon notification that the award has been made, decline to accept the interim deposit in which event the award shall be made as though the institution had not applied for such interim deposit.

(4) Bonds and other obligations of this state, or the political subdivisions of this state, provided that, with respect to bonds or other obligations of political subdivisions, all of the following apply:

(a) The bonds or other obligations are payable from general revenues of the political subdivision and backed by the full faith and credit of the political subdivision.

(b) The bonds or other obligations are rated at the time of purchase in the three highest classifications established by at least one nationally recognized standard rating service and purchased through a registered securities broker or dealer.

(c) The aggregate value of the bonds or other obligations does not exceed twenty per cent of interim moneys available for investment at the time of purchase.

(d) The treasurer or governing board is not the sole purchaser of the bonds or other obligations at original issuance.

(e) The bonds or other obligations mature within ten years from the date of settlement.

No investment shall be made under division (B)(4) of this section unless the treasurer or governing board has completed additional training for making the investments authorized by division (B)(4) of this section. The type and amount of additional training shall be approved by the treasurer of state and may be conducted by or provided under the supervision of the treasurer of state.

(5) No-load money market mutual funds consisting exclusively of obligations described in division (B)(1) or (2) of this section and repurchase agreements secured by such obligations, provided that investments in securities described in this division are made only through eligible institutions mentioned in section 135.03 of the Revised Code;

(6) The Ohio subdivision's fund as provided in section 135.45 of the Revised Code;

(7) Up to forty per cent of interim moneys available for investment in either of the following:

(a) Commercial paper notes issued by an entity that is defined in division (D) of section 1705.01 or division (E) of section 1706.01 of the Revised Code and that has assets exceeding five hundred million dollars, to which notes all of the following apply:

(i) The notes are rated at the time of purchase in the highest classification established by at least two nationally recognized standard rating services.

(ii) The aggregate value of the notes does not exceed ten per cent of the aggregate value of the outstanding commercial paper of the issuing corporation.

(iii) The notes mature not later than two hundred seventy days after purchase.

(iv) The investment in commercial paper notes of a single issuer shall not exceed in the aggregate five per cent of interim moneys available for investment at the time of purchase.

(b) Bankers acceptances of banks that are insured by the federal deposit insurance corporation and that mature not later than one hundred eighty days after purchase.

No investment shall be made pursuant to division (B)(7) of this section unless the treasurer or governing board has completed additional training for making the investments authorized by division (B)(7) of this section. The type and amount of additional training shall be approved by the treasurer of state and may be conducted by or provided under the supervision of the treasurer of state.

(C) Nothing in the classifications of eligible obligations set forth in divisions (B)(1) to (7) of this section shall be construed to authorize any investment in a derivative, and no treasurer or governing board shall invest in a derivative. For purposes of this division, "derivative" means a financial instrument or contract or obligation whose value or return is based upon or linked to another asset or index, or both, separate from the financial instrument, contract, or obligation itself. Any security, obligation, trust account, or other instrument that is created from an issue of the United States treasury or is created from an obligation of a federal agency or instrumentality or is created from

both is considered a derivative instrument. An eligible investment described in this section with a variable interest rate payment, based upon a single interest payment or single index comprised of other eligible investments provided for in division (B)(1) or (2) of this section, is not a derivative, provided that such variable rate investment has a maximum maturity of two years.

(D) Except as provided in division (B)(4) or (E) of this section, any investment made pursuant to this section must mature within five years from the date of settlement, unless the investment is matched to a specific obligation or debt of the subdivision.

(E) The treasurer or governing board may also enter into a written repurchase agreement with any eligible institution mentioned in section 135.03 of the Revised Code or any eligible dealer pursuant to division (M) of this section, under the terms of which agreement the treasurer or governing board purchases, and such institution or dealer agrees unconditionally to repurchase any of the securities listed in divisions (D)(1) to (5), except letters of credit described in division (D)(2), of section 135.18 of the Revised Code. The market value of securities subject to an overnight written repurchase agreement must exceed the principal value of the overnight written repurchase agreement by at least two per cent. A written repurchase agreement shall not exceed thirty days and the market value of securities subject to a written repurchase agreement must exceed the principal value of the written repurchase agreement by at least two per cent and be marked to market daily. All securities purchased pursuant to this division shall be delivered into the custody of the treasurer or governing board or an agent designated by the treasurer or governing board. A written repurchase agreement with an eligible securities dealer shall be transacted on a delivery versus payment basis. The agreement shall contain the requirement that for each transaction pursuant to the agreement the participating institution or dealer shall provide all of the following information:

(1) The par value of the securities;

(2) The type, rate, and maturity date of the securities;

(3) A numerical identifier generally accepted in the securities industry that designates the securities.

No treasurer or governing board shall enter into a written repurchase agreement under the terms of which the treasurer or governing board agrees to sell securities owned by the subdivision to a

purchaser and agrees with that purchaser to unconditionally repurchase those securities.

(F) No treasurer or governing board shall make an investment under this section, unless the treasurer or governing board, at the time of making the investment, reasonably expects that the investment can be held until its maturity.

(G) No treasurer or governing board shall pay interim moneys into a fund established by another subdivision, treasurer, governing board, or investing authority, if that fund was established for the purpose of investing the public moneys of other subdivisions. This division does not apply to the payment of public moneys into either of the following:

(1) The Ohio subdivision's fund pursuant to division (B)(6) of this section;

(2) A fund created solely for the purpose of acquiring, constructing, owning, leasing, or operating municipal utilities pursuant to the authority provided under section 715.02 of the Revised Code or Section 4 of Article XVIII, Ohio Constitution.

For purposes of division (G) of this section, "subdivision" includes a county.

(H) The use of leverage, in which the treasurer or governing board uses its current investment assets as collateral for the purpose of purchasing other assets, is prohibited. The issuance of taxable notes for the purpose of arbitrage is prohibited. Contracting to sell securities that have not yet been acquired by the treasurer or governing board, for the purpose of purchasing such securities on the speculation that bond prices will decline, is prohibited.

(I) Whenever, during a period of designation, the treasurer classifies public moneys as interim moneys, the treasurer shall notify the governing board of such action. The notification shall be given within thirty days after such classification and in the event the governing board does not concur in such classification or in the investments or deposits made under this section, the governing board may order the treasurer to sell or liquidate any of such investments or deposits, and any such order shall specifically describe the investments or deposits and fix the date upon which they are to be sold or liquidated. Investments or deposits so ordered to be sold or liquidated shall be sold or liquidated for cash by the treasurer on the date fixed in such order at the then current market price. Neither the

treasurer nor the members of the board shall be held accountable for any loss occasioned by sales or liquidations of investments or deposits at prices lower than their cost. Any loss or expense incurred in making such sales or liquidations is payable as other expenses of the treasurer's office.

(J) If any investments or deposits purchased under the authority of this section are issuable to a designated payee or to the order of a designated payee, the name of the treasurer and the title of the treasurer's office shall be so designated. If any such securities are registrable either as to principal or interest, or both, then such securities shall be registered in the name of the treasurer as such.

(K) The treasurer is responsible for the safekeeping of all documents evidencing a deposit or investment acquired by the treasurer under this section. Any securities may be deposited for safekeeping with a qualified trustee as provided in section 135.18 of the Revised Code, except the delivery of securities acquired under any repurchase agreement under this section shall be made to a qualified trustee, provided, however, that the qualified trustee shall be required to report to the treasurer, governing board, auditor of state, or an authorized outside auditor at any time upon request as to the identity, market value, and location of the document evidencing each security, and that if the participating institution is a designated depository of the subdivision for the current period of designation, the securities that are the subject of the repurchase agreement may be delivered to the treasurer or held in trust by the participating institution on behalf of the subdivision. Interest earned on any investments or deposits authorized by this section shall be collected by the treasurer and credited by the treasurer to the proper fund of the subdivision.

Upon the expiration of the term of office of a treasurer or in the event of a vacancy in the office of treasurer by reason of death, resignation, removal from office, or otherwise, the treasurer or the treasurer's legal representative shall transfer and deliver to the treasurer's successor all documents evidencing a deposit or investment held by the treasurer. For the investments and deposits so transferred and delivered, such treasurer shall be credited with and the treasurer's successor shall be charged with the amount of money held in such investments and deposits.

(L) Whenever investments or deposits acquired under this section mature and become due and payable, the treasurer shall present them for payment according to their tenor, and shall collect the moneys payable thereon. The moneys so collected shall be treated as public moneys subject to sections 135.01 to 135.21 of the Revised Code.

(M)(1) All investments, except for investments in securities described in divisions (B)(5) and (6) of this section and for investments by a municipal corporation in the issues of such municipal corporation, shall be made only through a member of the financial industry regulatory authority (FINRA), through a bank, savings bank, or savings and loan association regulated by the superintendent of financial institutions, or through an institution regulated by the comptroller of the currency, federal deposit insurance corporation, or board of governors of the federal reserve system.

(2) Payment for investments shall be made only upon the delivery of securities representing such investments to the treasurer, governing board, or qualified trustee. If the securities transferred are not represented by a certificate, payment shall be made only upon receipt of confirmation of transfer from the custodian by the treasurer, governing board, or qualified trustee.

(N) In making investments authorized by this section, a treasurer or governing board may retain the services of an investment advisor, provided the advisor is licensed by the division of securities under section 1707.141 of the Revised Code or is registered with the securities and exchange commission, and possesses experience in public funds investment management, specifically in the area of state and local government investment portfolios, or the advisor is an eligible institution mentioned in section 135.03 of the Revised Code.

(O)(1) Except as otherwise provided in divisions (O)(2) and (3) of this section, no treasurer or governing board shall make an investment or deposit under this section, unless there is on file with the auditor of state a written investment policy approved by the treasurer or governing board. The policy shall require that all entities conducting investment business with the treasurer or governing board shall sign the investment policy of that subdivision. All brokers, dealers, and financial institutions, described in division (M)(1) of this section, initiating transactions with the treasurer or governing board by giving advice or making investment recommendations shall sign the treasurer's or governing board's investment policy thereby acknowledging their agreement to abide by the policy's contents. All brokers, dealers, and financial institutions, described in division (M)(1) of this section, executing transactions initiated by the treasurer or governing board, having read the policy's contents, shall sign the investment policy thereby acknowledging their comprehension and receipt.

(2) If a written investment policy described in division (O)(1) of this section is not filed on behalf of

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OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #226068

the subdivision with the auditor of state, the treasurer or governing board of that subdivision shall invest the subdivision's interim moneys only in interim deposits pursuant to division (B)(3) of this section or interim deposits pursuant to section 135.145 of the Revised Code and approved by the treasurer of state, no-load money market mutual funds pursuant to division (B)(5) of this section, or the Ohio subdivision's fund pursuant to division (B)(6) of this section.

(3) Divisions (O)(1) and (2) of this section do not apply to a treasurer or governing board of a subdivision whose average annual portfolio of investments held pursuant to this section is one hundred thousand dollars or less, provided that the treasurer or governing board certifies, on a form prescribed by the auditor of state, that the treasurer or governing board will comply and is in compliance with the provisions of sections 135.01 to 135.21 of the Revised Code.

(P) A treasurer or governing board may enter into a written investment or deposit agreement that includes a provision under which the parties agree to submit to nonbinding arbitration to settle any controversy that may arise out of the agreement, including any controversy pertaining to losses of public moneys resulting from investment or deposit. The arbitration provision shall be set forth entirely in the agreement, and the agreement shall include a conspicuous notice to the parties that any party to the arbitration may apply to the court of common pleas of the county in which the arbitration was held for an order to vacate, modify, or correct the award. Any such party may also apply to the court for an order to change venue to a court of common pleas located more than one hundred miles from the county in which the treasurer or governing board is located.

For purposes of this division, "investment or deposit agreement" means any agreement between a treasurer or governing board and a person, under which agreement the person agrees to invest, deposit, or otherwise manage a subdivision's interim moneys on behalf of the treasurer or governing board, or agrees to provide investment advice to the treasurer or governing board.

(Q) An investment made by the treasurer or governing board pursuant to this section prior to September 27, 1996, that was a legal investment under the law as it existed before September 27, 1996, may be held until maturity.

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,City Attorney
ITEM TYPE:	Ordinances
AGENDA SECTION:	**CONSIDERATION OF ORDINANCE NO. 21-37**
SUBJECT:	An ordinance to authorize and direct the City Manager to execute and sign an amendment to the petition for the Northstar New Community Authority on behalf of the City of Delaware, Ohio, to be presented to the Board of County Commissioners of Delaware County, Ohio, to add property to the boundaries of the New Community District of the Authority and recognize the change in developer for the authority, and declaring an emergency.

SUGGESTED ACTION:

ATTACHMENTS:

fact sheet ord 21-37, Northstar NCA Petition Amendment.pdf
ord 21-37, Northstar NCA Petition.pdf
Northstar NCA Map.pdf
Amendment.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 18 | DATE: 5/24/2021

ORDINANCE NO: 21-37 | 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 TO AUTHORIZE AND DIRECT THE CITY MANAGER TO EXECUTE AND SIGN AN AMENDMENT TO THE PETITION FOR THE NORTHSTAR NEW COMMUNITY AUTHORITY ON BEHALF OF THE CITY OF DELAWARE, OHIO, TO BE PRESENTED TO THE BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO, TO ADD PROPERTY TO THE BOUNDARIES OF THE NEW COMMUNITY DISTRICT OF THE AUTHORITY AND RECOGNIZE THE CHANGE IN DEVELOPER FOR THE AUTHORITY, AND DECLARING AN EMERGENCY.

BACKGROUND:

Northstar Residential Development, LLC (Developer) has prepared a petition (Petition Amendment) to submit to the Delaware County Board of Commissioners to amend its original Petition for Organization of a New Community Authority (Petition) for the Northstar New Community Authority (Authority). The Authority was established in 2007. The goal of the Petition Amendment is to add land to the Authority and expand its boundaries and to recognize the change in developers, which occurred in 2014.

Upon application, Ohio Revised Code Section 349.03 allows for the Petition to be amended for the purpose of adding land to the Authority's new community district at any time after the Authority is created under certain conditions. One such condition is that the application to amend the Petition must follow the same procedure for approval as the original Petition. Included in the approval

procedure set forth in Ohio Revised Code Chapter 349 is the legislative authority of a proximate city must sign off on the application to amend the Petition and approve the expansion of the Authority.

The Developer is requesting proximate city approval of the Petition Amendment.

This Council provided proximate city approval to the Petition on May 14, 2007 through Ordinance No. 07-49.

REASON WHY LEGISLATION IS NEEDED:
Under ORC Section 349.03, Delaware must consent to the Petition Amendment as a proximate city, which requires City Council approval.

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):
N/A

POLICY CHANGES:
N/A

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

RECOMMENDATION:
Approval

ATTACHMENT(S)
Petition Amendment
Northstar NCA Petition Amendment Map

ORDINANCE NO. 21-37

TO AUTHORIZE AND DIRECT THE CITY MANAGER TO EXECUTE AND SIGN AN AMENDMENT TO THE PETITION FOR THE NORTHSTAR NEW COMMUNITY AUTHORITY ON BEHALF OF THE CITY OF DELAWARE, OHIO, TO BE PRESENTED TO THE BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO, TO ADD PROPERTY TO THE BOUNDARIES OF THE NEW COMMUNITY DISTRICT OF THE AUTHORITY AND RECOGNIZE THE CHANGE IN DEVELOPER FOR THE AUTHORITY, AND DECLARING AN EMERGENCY.

WHEREAS, this Council has previously authorized and directed the City Manager to sign the petition for the creation (the of the Northstar New Community Authority (the "Authority") in the City of Delaware's capacity as the "proximate city" for the Authority for purposes of Ohio Revised Code Chapter 349; and

WHEREAS, this Council enacted Ordinance No. 07-49 on May 14, 2007, directing the Clerk of Council to execute the Petition for Organization of a New Community Authority (the "Original Petition") for the Northstar New Community Authority (the "Authority") on behalf of the City, and the Original Petition was signed by the Clerk of Council to indicate the approval of the Original Petition by the City as the sole "proximate city" as that term is defined in Section 349.01(M) of the Ohio Revised Code; and

WHEREAS, the Original Petition was filed in the office of the Board of County Commissioners of Delaware County, Ohio (the "Board") by North Star Land, LLC ("North Star Land") as the original developer as required by Section 349.03(A) of the Ohio Revised Code; and

WHEREAS, the Board, as the organizational board of commissioners for the Authority, enacted Resolution No. 07-985, determining that the "new community district" for the Authority would be conducive to the public health, safety, convenience and welfare and was intended to result in the development of a "new community," as those terms are defined in Section 349.01 of the Ohio Revised Code, and declaring the Authority organized and a body politic and corporate; and

WHEREAS, North Star Land assigned its rights as the "developer" of the Authority within the meaning of Section 349.01(E) of the Ohio Revised Code to Northstar Residential Development, LLC ("Northstar Residential") by an Assignment and Assumption Agreement dated January 8, 2014, between North Star Land and Northstar Residential; and

WHEREAS, North Star Land, Northstar Residential and the Authority have requested that the City, as "proximate city", sign an amendment to the Original Petition (the "Petition Amendment") to be presented to the Board to add land to the Authority's new community district (the "District") under the provisions of Chapter 349 of the Ohio Revised Code and

recognize the assignment of rights as developer of the Authority from North Star Land to Northstar Residential; and

WHEREAS, a complete copy of the Petition Amendment has been delivered to the City and is on file with the Clerk of Council, and an explanation of the proposed Petition Amendment has been made to City officers;

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

Section 1. The City Manager be and hereby is authorized to execute and sign on behalf of the City of Delaware, as a "proximate city" under Chapter 349 of the Ohio Revised Code, acting through this Council, the Petition Amendment, a copy of which is on file with the Clerk of Council, and which is then to be presented to the Board of County Commissioners of Delaware County, Ohio, to add land to the District under the provisions of Chapter 349 of the Ohio Revised Code and certain other amendments as described therein. That signature of the City Manager is for the sole purpose of evidencing the "proximate city" approval of the City and its legislative authority for the Petition Amendment. The Clerk of Council is also authorized to sign the Petition Amendment in a form that is substantially identical to the form currently on file with the Clerk with any changes that are minor or technical, and which the City Attorney approves as non-substantive.

Section 2. This Ordinance has been passed, and all formal actions and deliberations taken, in a meeting or meetings open to the public.

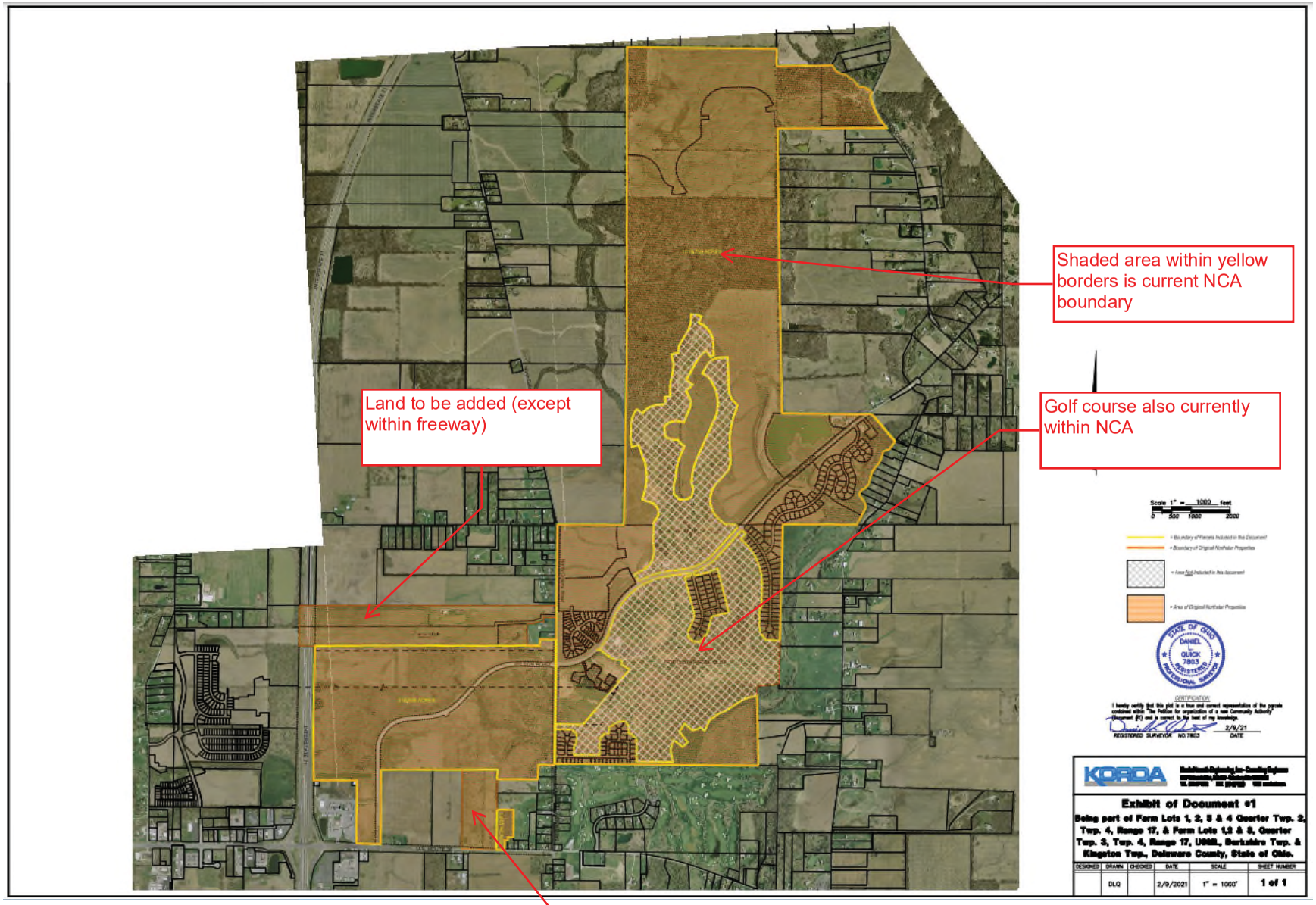
Section 3. Emergency Clause: this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of this City and for the further reason that this Ordinance is required to be immediately effective to provide for the timely financing of the improvements contemplated by the Petition Amendment; wherefore, this Ordinance shall be full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION: YEAS _____ NAYS _____
ABSTAIN _____

EMERGENCY CLAUSE: YEAS _____ NAYS _____
ABSTAIN _____

PASSED: _____, 2021 YEAS _____ NAYS _____
ABSTAIN _____

ATTEST: _____ _____
CITY CLERK MAYOR


Shaded area within yellow borders is current NCA boundary
Land to be added (except within freeway)
Golf course also currently within NCA
Land to be added
Exhibit of Document #1
Being part of Farm Lots 1, 2, 3 & 4 Quarter Twp. 2, Twp. 4, Range 17, & Farm Lots 1,2 & 3, Quarter Twp. 3, Twp. 4, Range 17, USMR, Berkshire Twp. & Kingston Twp., Delaware County, State of Ohio.
DESIGNED
DRAWN
DLQ
CHECKED
DATE
2/9/2021
SCALE
1" = 1000'
SHEET NUMBER
1 of 1

AMENDMENT TO PETITION FOR ORGANIZATION
OF A NEW COMMUNITY AUTHORITY

TO THE COMMISSIONERS
OF DELAWARE COUNTY, OHIO:

Pursuant to Chapter 349 of the Revised Code, Northstar Residential Development, LLC (the "Developer") hereby applies to amend the Petition for Organization of a New Community Authority (the "Petition") for the Northstar New Community Authority (the "Authority"). The Developer states as follows:

1. The City Council of the City of Delaware, Ohio enacted Ordinance No. 07-49 on May 14, 2007, directing the Clerk of Council to execute the Petition on behalf of the City of Delaware, Ohio pursuant to Chapter 349 of the Revised Code, and that Petition was signed by the Clerk of Council to indicate the approval of the Petition by the City as the sole "proximate city" as that term is defined in Section 349.01(M) of the Revised Code.

2. The Petition was filed in the office of the Board of County Commissioners of Delaware County, Ohio (the "Board") by North Star Land, LLC (the "North Star Land") as the original developer as required by Section 349.03(A) of the Revised Code.

3. The Board, as the "organizational board of commissioners" as that term is defined in Section 349.01(F) of the Revised Code, enacted Resolution No. 07-847 on July 16, 2007 determining that the Petition complied as to form and substance with the requirements of Section 349.03(A) of the Revised Code and fixing the time and place for a hearing on the establishment of the Authority.

4. The Board, as the organizational board of commissioners, held a hearing on the Petition on July 30, 2007, after public notice was duly published in accordance with Section 349.03(A) of the Revised Code.

5. The Board, as the organizational board of commissioners, enacted Resolution No. 07-985, determining that the "new community district" would be conducive to the public health, safety, convenience and welfare and was intended to result in the development of a "new community," as those terms are defined in Section 349.01 of the Revised Code, and declaring the Authority organized and a body politic and corporate.

6. North Star Land assigned its rights as the "developer" of the Authority within the meaning of Section 349.01(E) of the Revised Code to the Developer by an Assignment and Assumption Agreement dated January 8, 2014, between North Star Land and the Developer.

7. North Star Land and the Developer desire to amend the Petition in order to reflect the assignment of rights by North Star Land as the "developer" of the Authority within the meaning of Section 349.01(E) of the Revised Code to the Developer.

8. Section 349.03 of the Revised Code authorizes the amendment of the Petition by filing an application to, among other things, add land to the Authority's new community district

(the "District") at any time after the creation of the Authority, and upon the filing of such an application, the Board, as the organizational board of commissioners, is required to follow the same procedure to approve the amendment as required by Section 349.03 of the Revised Code with respect to the original approval of the Petition.

8. The Developer, as the "developer" of the Authority within the meaning of Section 349.01(E) of the Revised Code, desires to amend the Petition in order to add certain parcels of real property (collectively, the "Additional Area") to the District as such area is described on Exhibit A attached hereto, which the Developer owns or controls within the meaning of Section 349.01(E) of the Revised Code.

9. The Developer declares that the addition of the Additional Area to the District will be conducive to the public health, safety, convenience and welfare, and will be consistent with the development of the new community, and will not jeopardize the plan of the new community.

10. The Developer requests that the Board, as the organizational board of commissioners, determine that this amendment complies as to form and substance with the requirements of Section 349.03 of the Revised Code, and the Developer further requests that the Board fix the time and place of a hearing on this amendment, which hearing, pursuant to Section 349.03(A) of the Revised Code, must be held not less than thirty nor more than forty-five days after the filing of this amendment.

[Signature Pages Follow]

IN WITNESS WHEREOF, the Developer has caused this amendment to be duly executed as of this 16 day of March, 2021.

NORTHSTAR RESIDENTIAL DEVELOPMENT, LLC

By: Nationwide Realty Investors, Ltd., its member and manager

By: Paula G Sloan
Name: Paula G. Sloan
Title: Vice President

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

The foregoing instrument was acknowledged before me this 16 day of March, 2021, by Paula G. Sloan, Vice President of Nationwide Realty Investors, Ltd., as member and manager of Northstar Residential Development, LLC, on behalf of the limited liability companies. No oath or affirmation was administered to the signer with regard to the notarial act.

Notary Public

Commission Expiration: _____

NOTARIAL SEAL STATE OF OHIO

JANICE L. GRESKO
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.

The undersigned confirms and agrees to paragraphs 6 and 7 of the foregoing Amendment:

NORTH STAR LAND, LLC,

By: _____

Name: Robert Weiler

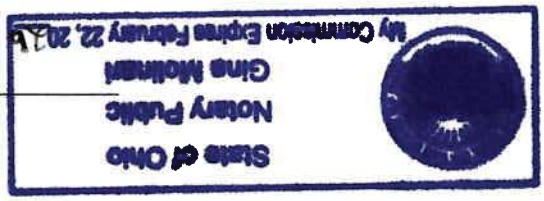
Title: Manager

STATE OF OHIO
COUNTY OF Franklin, SS:

The foregoing instrument was acknowledged before me this 1 day of March, 2021, by Robert Weiler, the Managing Member of North Star Land, LLC, on behalf of the limited liability company. No oath or affirmation was administered to the signer with regard to the notarial act.

_____
Notary Public

Commission Expiration: _____



Approval

The City of Delaware, as the proximate city under Chapter 349 of the Revised Code and pursuant to Ordinance No. _____ passed by the Council of the City on _____, _____ (a copy of which is attached hereto) approves the foregoing Amendment and has authorized _____, the _____, to sign this Amendment, and the Amendment is herewith signed, as evidence of that approval.

City of Delaware

By: _____
Title: _____

EXHIBIT A

LEGAL DESCRIPTION OF ADDITIONAL AREA

VOL 0879 PAGE 1501

TRACT II

32.938 ACRES

Situate in the State of Ohio, County of Delaware, Township of Berkshire, lying in Farm Lot 4 Middle Tier, Quarter Township 2, Township 4, Range 17, United States Military Lands, being all of the 17 acre tract, the 10.13 acre tract and 5.605 acre tract conveyed to Northstar Land Development, Inc. by deed of record in Official Record 697, Page 151, (all references refer to the records of the Recorder's Office, Delaware County, Ohio) being more particularly described as follows:

Beginning, for reference, at a railroad spike found at the centerline intersection of Galena Road (County Road 34) with State Route 37/US Highway 36;

Thence North 83° 42' 12" West, with the centerline of said State Route 37/US Highway 36, a distance of 1006.16 feet, to a magnetic nail set at the common corner of said 5.605 acre tract and the 0.25 acre tract conveyed to William E. and Ruth A. Fling by deed of record in Official Record 576, Page 262, the TRUE POINT OF BEGINNING;

Thence North 85° 42' 12" West, continuing with said centerline and the southerly line of said 5.605, 10.13 and 17 acre tracts, a distance of 885.66 feet to a magnetic nail set at the common corner of said 17 acre tract and the 23.000 acre tract conveyed to Goldhill Keystone LLC by deed of record in Official Record 822, Page 2500;

Thence North 03° 53' 24" East, with the line common to said 17 and 23.000 acre tracts, a distance of 1645.17 feet to a .864 inch iron pipe found in the southerly line of Lot 645 of "Northstar Section 2 Phase A", a subdivision of record in Official Record 817, Page 2767, being in the line common to said Farm Lot 4 and Farm Lot 3;

Thence South 85° 42' 29" East, with the northerly line of said 17 and 10.13 acre tracts, the southerly line of said Lot 645 and the line common to said Farm Lots 3 and 4, a distance of 724.52 feet, to a 5/8 inch iron pipe capped "Hochadel" set per plat found at the northeasterly corner of said 10.13 acre tract;

Thence South 04° 05' 34" West, with the easterly line of said 10.13 acre tract, a westerly line of said Lot 645, the westerly line of the 6.176 acre tract conveyed to Mark D. Pfeutz by deed of record in Deed Book 652, Page 400 and a westerly line of the 11.368 acre tract conveyed to Arnold R. Bryant Sr. and Kathleen Bryant by deeds of record in Deed Book 697, Pages 86 and 88, (passing at 201.78 feet an iron pin set at a southwesterly corner of said Lot 645) a total distance of 830.12 feet to an iron pin set at the northwesterly corner of said 5.605 acre tract;

Thence with the lines common to said 5.605 and 11.35 acre tracts, the following courses and distances:

Thence South 86° 09' 48" East, with a line common to said 5.605 and 11.35 acre tracts, a distance of 346.40 feet to an iron pin set;

Thence South 04° 09' 53" West, with a line common to said 5.605 and 11.35 acre tracts, a distance of 502.28 feet to a 5/8 inch iron pipe found;

Thence North 85° 42' 16" West, with a southerly line of said 5.605 acre tract and a northerly line of said 11.35 acre tract and the 0.17 acre tract conveyed to William E. and Ruth Anna Fling by deed of record in Official Record 562, Page 707, a distance of 111.79 feet to a 5/8 inch iron pipe found;

South 04° 07' 55" West, with the line common to said 5.605 and 0.17 acre tracts, a distance of 66.00 feet to a 5/8 inch iron pipe found at the northeast corner of said 0.25 acre tract;

North 85° 42' 16" West, with a line common to said 5.605 and 0.25 acre tracts, a distance of 67.08 feet to a 5/8 inch iron pipe found;

South 04° 07' 28" West, with a line common to said 5.605 and 0.25 acre tracts, a distance of 198.00 feet to the TRUE POINT OF BEGINNING, containing 32.938 acres, more or less, of which 5.585 acres are all of said 5.605 acre tract (APN: 417203017000), 10.117 acres are all

DESCRIPTION APPROVED FOR TRANSFER
Chris Bauserman
Delaware County Engineer

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of said 10.13 acre tract (APN: 417210030130000), and 17.206 acres are all of said 17 acre tract (APN: 417220010159000).

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

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

Bearings are based on North 04° 08' 13" East for a portion of the centerline of North Galena Road as determined from theories of GPS observation performed in July, 2003 utilizing Delaware County GIS monuments.

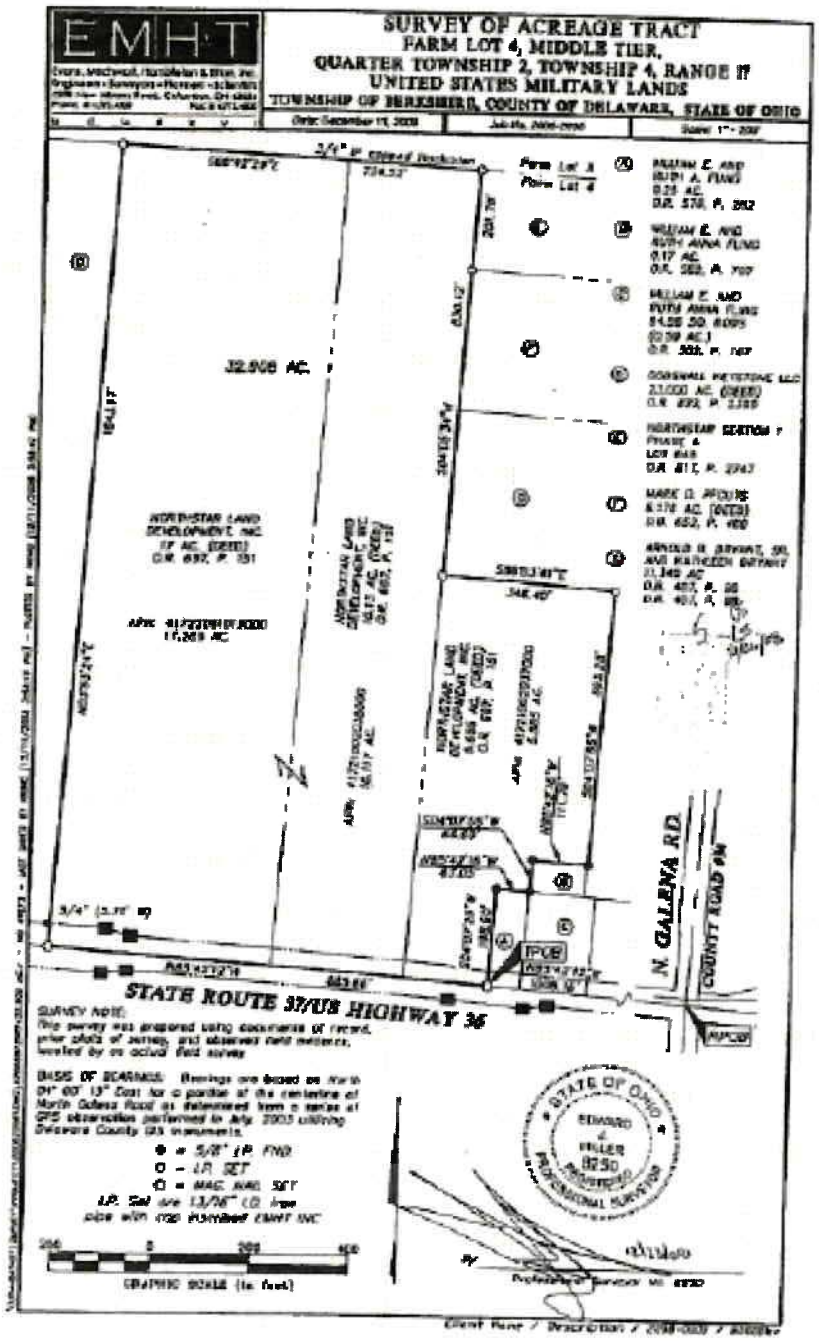
EVANS, MECHWART, HAMBLETON & TILTON, INC.

12/23/08

Edward J. Miller
Registered Surveyor No. 8250

STATE OF OHIO
EDWARD J. MILLER
8250
REGISTERED
PROFESSIONAL SURVEYOR

[illegible]



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VOL 0736 PAGE 2551

Parcel 2

THE HEREIN DESCRIBED 6.000 ACRES SHALL NOT CONSTITUTE AN INDEPENDENT BUILDING SITE SEPARATE FROM THE GRANTEES' ADJACENT PARCEL UNLESS APPROVED AS SUCH IN ACCORDANCE WITH APPLICABLE SUBDIVISION REGULATIONS.

Situated in the Township of Berkshire, County of Delaware, State of Ohio, being part of Farm Lot 1 in Quarter-Township 3, Township 4, Range 17 of The United States Military Lands and being more particularly described as follows:

COMMENCING at a railroad spike found at the northeast corner of said Farm Lot 1, being in the centerline of County Road 24 (Worth Galena Road);

thence along the said centerline of County Road 24, also being the east line of said Farm Lot 2 South 00 degrees 10' 24" West 545.31 feet to a railroad spike found, being the northeast corner of a 1.139 acre tract now or formerly owned by Lawrence J. and Bonita R. Hastings, as described in Deed Book 390, Page 401;

thence along the north line of the said 1.139 acre tract North 89 degrees 40' 28" West 303.71 feet to an iron pipe found, being the northwest corner of the said 1.139 acre tract;

thence along the west line of the said 1.139 acre tract, and along a west line of a 218.638 acre tract now or formerly owned by Northstar Land LLC, as described in Official Records Volume 697, Page 151 South 00 degrees 23' 28" West 203.15 feet to an iron pipe found, being on a corner of the said 218.638 acre tract;

thence along a north line of the said 218.638 acre tract South 89 degrees 19' 28" West 329.78 feet to an iron bar set, being the TRUE POINT OF BEGINNING of the following described tract;

thence continuing along the said north line of the 218.638 acre tract South 89 degrees 19' 28" West 896.19 feet to an iron pipe found, being a southeast corner of a 39.581 acre tract now or formerly owned by Roger N. and Sarah Lee Brown, as described in Deed Book 841, Page 169;

thence along an east line of the said 39.581 acre tract North 00 degrees 19' 02" West 438.77 feet to an iron pipe found, being a corner of the said 39.581 acre tract;

thence along a south line of the said 39.581 acre tract North 87 degrees 19' 28" East 896.50 feet to an iron bar set;

thence South 00 degrees 19' 02" East 447.08 feet to the TRUE POINT OF BEGINNING;

containing 8.009 acres, being part of an original 11.067 acre tract, as described in Deed Book 473, Page 203;

subject to all easements, restrictions, and rights-of-way, if any, of record;

Surveyed by Karen S. Coffman, Surveyor, Registration Number 7869 on August 19, 2005. Basis of bearings is assumed. All iron bars set are set with a plastic cap marked "S.K.S.P.S. 7869".

DESCRIPTION APPROVED FOR TRANSFER
Chris Bauserman
Delaware County Engineer

Volume: 735 Page: 2550 Instrument Number: 2004-00035191 Seq: 3

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Parcel 3

OD

EXHIBIT A

VOL 0604 PAGE 054

Situated in the Township of Berkshire, County of Delaware, State of Ohio, being part of Farm Lot 3, (Middle Tier), in Section 2, Township 4, Range 19 of the United States Military Lands, being more particularly described as follows:

Commencing at a concrete highway monument found at the northwest corner of said Farm Lot 3;

thence South 01° 29' 57" West, along the west line of said Farm Lot 3, and along the west line of the said Middle Tier, and along the east line of a 32.126 acre tract now or formerly owned by Douglas L. and Angeline Ramsey, as described in Deed Book 328, Page 204, a distance of 425.39 feet to a point, being the TRUE POINT OF BEGINNING of the following described tract;

thence South 88° 30' 03" East, (passing an iron bar set at 353.00 feet and 3,385.38 feet) a total distance of 4,091.08 feet to an iron bar set, all iron bars set are set with a plastic cap marked "EL.ES PS 6813";

thence North 00° 29' 00" East, a distance of 2583 feet to an iron bar set;

thence North 88° 34' 28" East, a distance of 788.48 feet to an iron bar set;

thence North 71° 28' 45" East, a distance of 168.50 feet to an iron bar set;

thence North 01° 38' 03" East, a distance of 76.77 feet to an iron bar set;

thence South 88° 47' 09" East, (passing an iron bar set at 280.00 feet) a total distance of 310.00 feet to a railroad spike set, being in the center line of County Road 39 (North Galena Road);

thence South 01° 38' 09" West, along the said centerline of County Road 39, a distance of 30.00 feet to a railroad spike found, being a northeast corner of an 11.087 acre tract now or formerly owned by Robert L. and Elizabeth Dowling, as described in Deed Book 470, Page 502;

thence North 88° 45' 09" West, along a north line of the said 11.087 acre tract, (passing an iron bar set at 30.00 feet) a total distance of 310.00 feet to an iron bar set, being a northwest corner of the said 11.087 acre tract;

thence South 01° 38' 07" West, along a west line of the said 11.087 acre tract, a distance of 86.87 feet to an iron bar set, being on a north line of the said 32.087 acre tract;

thence North 88° 29' 54" West, along a north line of the said 32.817 acre tract, a distance of 72.46 feet to an iron bar set;

thence South 71° 58' 45" West, along a north line of the said 32.817 acre tract, a distance of 138.06 feet to an iron pipe found;

[redacted] [redacted] [redacted]

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[redacted]

thence South 88° 38' 28" West, along a north line of the said 13.087 acre tract, a distance of 737.18 feet to an iron pipe found, being a northwest corner of the said 13.087 acre tract;

thence South 00° 39' 02" West, along a west line of the said 13.087 acre tract, a distance of 455.89 feet to an iron pipe set, being the southwest corner of the said 13.087 acre tract, also being on the north line of a 91.25 acre tract now or formerly owned by J. Weller and C. Meeks Ign, as described in Deed Book 211, Page 249;

thence North 88° 32' 47" West, along the north line of the said 91.25 acre tract, and along the north line of a 33.01 acre tract now or formerly owned by J. Weller and C. Meeks Ign, as described in Deed Book 230, Page 023, a distance of 4,104.32 feet to a monument found, being on the west line of said Farm Lot 2, and being on the west line of the said Middle Tier, and being on the east line of a 342.6 acre tract now or formerly owned by Walter J. Dunner, as described as Tract 1 in Deed Book 404, Page 787;

thence North 00° 36' 57" East, along the said west line of Farm Lot 2 and along the said west line of the Middle Tier, and along the said east line of the 342.6 acre tract, a distance of 402.65 feet to the TRUE POINT OF BEGINNING;

containing 10.591 acres, more or less, being part of an original 97.881 acre tract, as described in Deed Book 406, Page 863;

subject to all easements, restrictions and rights-of-way, if any, of record.

vol. 0804 pau 055

Parcel 4 EXHIBIT A

no. 0604 page 52

Situated in the Township of Berkshire, County of Delaware, State of Ohio, being part of Farm Lot 2, Official Tier), in Section 2, Township 4, Range 19 of the United States Military Lands, being more particularly described as follows:

Beginning at a concrete highway monument found at the northeast corner of said Farm Lot 2;

thence South 89° 28' 27" East, along the north line of said Farm Lot 2, and along the north line of a 113.61 acre tract now or formerly owned by Marcus W. and Edna C. Fisher, as described in Deed Book 270, Page 253, (passing wood posts found at 328.19 feet and 5,272.31 feet) a total distance of 5,289.57 feet to a railroad spike set, being the northeast corner of the said 113.61 acre tract, also being in the centerline of County Road 34 (North Galena Road);

thence South 01° 37' 07" West, along the said centerline of County Road 34, a distance of 187.91 feet to a railroad spike set;

thence North 88° 41' 09" West, (passing an iron bar set at 30.00 feet) a total distance of 319.50 feet to an iron bar set, all iron bars set are set with a plastic cap marked "HULL RE 8617";

thence South 86° 10' 07" West, a distance of 76.77 feet to an iron bar set;

thence South 71° 38' 42" West, a distance of 188.75 feet to an iron bar set;

thence South 88° 10' 20" West, a distance of 758.98 feet to an iron bar set;

thence South 08° 18' 07" West, a distance of 88.89 feet to an iron bar set;

thence North 89° 32' 42" West, (passing iron bars set at 1,817.64 feet and 1,926.82 feet) a total distance of 4,029.30 feet to a point, being on the west line of said Farm Lot 2, also being on the west line of the said Middle Tier, also being on the east line of a 38.136 acre tract now or formerly owned by Douglas R. and Angelina Ramsey, as described in Deed Book 208, Page 204;

thence North 01° 39' 37" East, along the said west line of Farm Lot 2 and, along the said west line of the said Middle Tier, and along the east line of the said 38.136 acre tract, a distance of 489.27 feet to the POINT OF BEGINNING;

containing 67.814 acres, more or less, being part of an original 77.341 acre tract, as described in Deed Book 406, Page 582;

subject to all easements, restrictions and rights-of-way, if any, of record.

Page 5 of 5

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Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,Finance
ITEM TYPE:	Ordinances
AGENDA SECTION:	**CONSIDERATION OF ORDINANCE NO. 21-38**
SUBJECT:	An ordinance supplementing the 2021 Appropriations and declaring and emergency.

SUGGESTED ACTION:

ATTACHMENTS:

Fact Sheet Ord 21-38, Supplementing the 2021 Appropriations.pdf
Ord 21-38, Supplementing the 2021 Appropriations.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 19 | DATE: 05/24/2021

ORDINANCE NO: 21-38 | RESOLUTION NO:

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Justin Nahvi, Finance Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE SUPPLEMENTING THE 2021 APPROPRIATION ORDINANCE AND DECLARING AN EMERGENCY.

BACKGROUND:
While administering the 2021 Budget, various modifications to existing appropriations have been identified that will require supplemental appropriations prior to the end of the current fiscal year. These modifications are attributed items including the refunding of debt in the 2nd quarter of 2021 that was not included with the current year budget, three new positions for the Refuse, Airport and Planning/Community Development Departments, as well as capital funding estimates whereby the budgeted amounts did not include sufficient appropriations based on the final project bids.

REASON WHY LEGISLATION IS NEEDED:
This ordinance is needed to provide supplemental appropriations to sustain know expenditures that were not originally budgeted for in 2021 as well as maintaining budget compliance pursuant to the Ohio Revised Code.

COMMITTEE RECOMMENDATION:
Presented at the Finance Committee on April 29, 2021

FISCAL IMPACT(S):

The following table outlines the fund, expenditure account, the amount of the requested appropriations along with a justification to support the modification to the 2021 budget:

Fund	Desc	Org	Obj	Prj	Amount	Comment/Justification
General Fund/Planning Dept	Land	10111400	550100		$ 175,000.00	Demolish Spring St Buildings Purchased Last Year
General Fund/Planning Dept	Personal Services	10111800	510000		$ 45,872.00	6 Mths Wages/Benefits for New Position
General Fund/Econ Dev Dept	Personal Services	10100600	510000		$ 65,083.00	6 Mths Wages/Benefits for New Position
Performance Bond	Bond Reimbursement	20420400	560030		$ 294,151.00	Bond Refund
Parks & Recreation	Capital	21012400	550300		$ 19,800.00	Repair of Slides at Mingo Pool
Parks & Recreation	Capital	21012400	550300		$ 20,100.00	Replacement Diving Boards & Chairs at Pool
Airport	Personal Services	22217000	510000		$ 40,240.00	Addition of Full Time Airport Technician
FEMA Grant	Materials & Supplies	28211400	533000		$ 65,000.00	FEMA COVID Grant Award
Revolving Loan	Capital	29511800	550300	RL002	$ 15,000.00	Increased Demand for Façade Loan Program
Capital Improvement	Capital	41016200	550300	EWILL	$ 29,000.00	E William Verizon Pmt
Capital Improvement	Capital	41016200	550300	DZ003	$ 54,422.00	Local Share of FAA Taxilane Reconstruction
Point Project	Professional Services	41541500	523100	POINT	$ 150,000.00	Point Project Design
Parks Impact Fee	Capital	49112000	550300		$ 115,000.00	ODNR Grant
Stormwater	Transfers	52319200	570000		$ 2,050,000.00	Transfer to SW Capital
Water Capacity Fee	Capital	53618400	550300	WT011	$ 1,462,000.00	Pollock Rd Waterline
Wastewater Construction	Capital	54118800	550300	WW016	$ 357,000.00	Wesleyan Woods Sewer line
Wastewater Construction	Capital	54119000	550300		$ 200,000.00	Georgetown Lift Station
Refuse	Professional Services	55017600	510000		$ 35,000.00	Addition of Full Time Refuse Technician
Parks Donation	Capital	70212000	550300		$ 5,000.00	Hayes Statue Busts
Glenn Parkway TIF	Debt - Principal	23623600	580100		$ 1,290,000.00	Series 2013 Debt Refunding
General Bond Retirement	Debt - Principal	30030000	580100	DS001	$ 1,725,000.00	Series 2013 Debt Refunding
General Bond Retirement	Debt - Principal	30030000	580100	DS004	$ 1,725,000.00	Series 2013 Debt Refunding
General Bond Retirement	Debt - Interest	30030000	580200	DS001	$ 11,900.00	Series 2013 Debt Refunding
General Bond Retirement	Debt - Interest	30030000	580200	DS004	$ 12,100.00	Series 2013 Debt Refunding
Glenn Parkway TIF	Debt - Interest	23623600	580200		$ 7,600.00	Series 2013 Debt Refunding
Police Impact Fee	Transfers - Debt Contribution	49213500	570000		$ 7,511.00	Series 2013 Debt Refunding
Municipal Impact Fee	Transfers - Debt Contribution	49416800	570000		$ 4,389.00	Series 2013 Debt Refunding

POLICY CHANGES:

N/A

PRESENTER(S):

Justin Nahvi, Finance Director

RECOMMENDATION:

Approval

ATTACHMENT(S)

None

ORDINANCE 21-38

AN ORDINANCE SUPPLEMENTING THE 2021 APPROPRIATIONS AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to amend the 2021 Annual Appropriations Ordinance to provide for various expenditures through the end of fiscal year 2021.

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

SECTION 1: That there is hereby appropriated from the unencumbered balance of the General Fund (Fund 101) $289,955 to:

Land (10111400/550100)	$175,000
Wages (10111800/510000)	$45,872
Wages (10110600/510000)	$65,083

SECTION 2: That there is hereby appropriated from the unencumbered balance of the Performance Bond Fund (Fund 204) $294,151 to:

Bond Reimbursement (20420400/560030)	$294,151

SECTION 3: That there is hereby appropriated from the unencumbered balance of Parks & Recreation Fund (Fund 210) $39,900 to:

Capital (21012400/550300)	$39,900

SECTION 4: That there is hereby appropriated from the unencumbered balance of the Airport Fund (Fund 222) $40,240 to:

Wages (22217000/510000)	$40,240

SECTION 5: That there is hereby appropriated from the unencumbered balance of the FEMA Grant Fund (Fund 282) $65,000 to:

Materials & Supplies (28211400/533000)	$65,000

SECTION 6: That there is hereby appropriated from the unencumbered balance of the Revolving Loan Fund (Fund 295) $15,000 to:

Capital (29511800/550300)	$15,000

SECTION 7: That there is hereby appropriated from the unencumbered balance of the Capital Improvement Fund (Fund 410) $83,422 to:

Capital (41016200/550300)	$83,422

SECTION 8: That there is hereby appropriated from the unencumbered balance of the Point Project Fund (Fund 415) $150,000 to:

Professional Services (41541500/523100) $150,000

SECTION 9: That there is hereby appropriated from the unencumbered balance of the Parks Impact Fee Fund (Fund 491) $115,000 to:

Capital (49112000/550300) $115,000

SECTION 10: That there is hereby appropriated from the unencumbered balance of the Stormwater Fund (Fund 523) $2,050,000 to:

Transfers (52319200/570000) $2,050,000

SECTION 11: That there is hereby appropriated from the unencumbered balance of the Water Capacity Fee Fund (Fund 536) $1,462,000 to:

Capital (53618400/550300) $1,462,000

SECTION 12: That there is hereby appropriated from the unencumbered balance of the Wastewater Construction Fund (Fund 541) $557,000 to:

Capital (54118800/550300) $357,000

Capital (54119000/550300) $200,000

SECTION 13: That there is hereby appropriated from the unencumbered balance of the Refuse Fund (Fund 550) $35,000 to:

Wages (55017600/510000) $35,000

SECTION 14: That there is hereby appropriated from the unencumbered balance of the Parks Donation Fund (Fund 702) $5,000 to:

Capital (70212000/550300) $5,000

SECTION 15: That there is hereby appropriated from the unencumbered balance of the Glenn Parkway TIF Fund (Fund 236) $1,297,600 to:

Debt Principal (23623600/580100) $1,290,000

Debt Interest (23623600/580200) $7,600

SECTION 16: That there is hereby appropriated from the unencumbered balance of the Bond Retirement Fund (Fund 300) $3,474,000 to:

Debt Principal (30030000/580100) $3,450,000

Debt Interest (30030000/580200) $24,000

SECTION 17: That there is hereby appropriated from the unencumbered balance of the Police Impact Fee Fund (Fund 492) $7,511 to:

Transfers – Debt (49213500/570000) $7,511

SECTION 18: That there is hereby appropriated from the unencumbered balance of the Municipal Impact Fee Fund (Fund 494) $4,389 to:

Transfers – Debt (49416800/570000) $4,389

SECTION 19. 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 20. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health and welfare of the City, and for the further reason that such action is necessary to provide for expenditures through the end of the fiscal year being December 31, 2021, and as such will be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION:	YEAS____ NAYS____
	ABSTAIN ____
VOTE ON EMERGENCY CLAUSE	YEAS____ NAYS____
	ABSTAIN ____
PASSED: _____, 2020	YEAS____ NAYS____
	ABSTAIN ____

ATTEST: _____ _____

CITY CLERK MAYOR

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,Planning Department
ITEM TYPE:	Ordinances
AGENDA SECTION:	**CONSIDERATION OF ORDINANCE NO. 21-39**
SUBJECT:	An ordinance authorizing and approving a Pre-Annexation Agreement for 43.6± acres known as the Mary Jo Lane Trust Annexation (aka future Glenross North Sections 5 and 6) and located on the south side of Berlin Station Rd., east of Glenn Parkway, west of the existing Norfolk & Southern Railroad tracks, and north of the existing Glenross North Subdivision Sections 1-4.

SUGGESTED ACTION:

ATTACHMENTS:

ord 21-39, 43.6 acre Lane property_Glenross North Sections 5 and 6 Pre Annexation Agreement.pdf
fact sheet ord 21-39 ,Pre-Anenxation Agreement remainder Lane Property, Glenross North Section 5 and 6-43.6 acres.pdf
annexation map-lane and city.pdf
Pre Annexation Agreement Lane Property.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 20 | DATE: 05/24/2021

ORDINANCE NO: 21-39 | RESOLUTION NO:

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Dave Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE AUTHORIZING AND APPROVING A PRE-ANNEXATION AGREEMENT FOR 43.6± ACRES KNOWN AS THE MARY JO LANE TRUST ANNEXATION (AKA FUTURE GLENROSS NORTH SECTIONS 5 AND 6) AND LOCATED ON THE SOUTH SIDE OF BERLIN STATION RD., EAST OF GLENN PARKWAY, WEST OF THE EXISTING NORFOLK & SOUTHERN RAILROAD TRACKS, AND NORTH OF THE EXISTING GLENROSS NORTH SUBDIVISION SECTIONS 1-4.

BACKGROUND:

This Ordinance would authorize the City Manager to enter into a Pre-Annexation Agreement (PAA) for the 43.6 acre Mary Jo Lane Annexation – aka Glenross North Sections 5 and 6 (this is before City Council via a separate ordinance).This Pre-Annexation Agreement (PAA) is consistent with the previous PAA entered into in 2015 for the first 4 sections of the Glenross North Subdivision. The Pre-Annexation Agreement is necessary to be entered into prior to accepting the Final Annexation for the property. The Agreement has several provisions but essentially outlines the additional requirements of this development with respect to certain financing elements such as the requirement to enter into a New Community Authority and potentially Tax Increment Financing. These are issues that are best dealt with in an agreement and then carried through into annexation, zoning, and development approvals as needed. The Owner, Developer and Staff have diligently prepared and worked through the various issues contained within the Agreement and Staff is recommending this

legislation. The Ohio Revised Code provides certain timing requirements for annexations and it is important to have the PAA approved by all parties prior to the final acceptance of the annexation.

As a result of the above, Staff recommends that this Agreement be executed by all parties prior to the final acceptance of the annexation. This will ensure the financing obligations required by the City and entrance into the New Community Authority are formalized prior to acceptance of the final annexation. The Final Annexation will be set for consideration by City Council for first reading upon its return from the County Commissioners to meet the timing requirements of the Ohio Revised Code.

REASON WHY LEGISLATION IS NEEDED:
Entering into a Pre-Annexation Agreement will ensure the land owner, developer, and City formally agree to the items noted within the agreement prior to City Council acting on the final annexation as well as the platting, planning, or zoning authorizations needed to ultimately construct the final two sections of the Glenross North Development.

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):
N/A

POLICY CHANGES:
N/A

PRESENTER(S):
Dave Efland, Planning and Community Development Director

RECOMMENDATION:
Approval

ATTACHMENT(S)
Pre-Annexation Agreement
Annexation Map

ORDINANCE NO. 21-39

AN ORDINANCE AUTHORIZING AND APPROVING A PRE-ANNEXATION AGREEMENT FOR 43.6± ACRES KNOWN AS THE MARY JO LANE TRUST ANNEXATION (AKA FUTURE GLENROSS NORTH SECTIONS 5 AND 6) AND LOCATED ON THE SOUTH SIDE OF BERLIN STATION RD., EAST OF GLENN PARKWAY, WEST OF THE EXISTING NORFOLK & SOUTHERN RAILROAD TRACKS, AND NORTH OF THE EXISTING GLENROSS NORTH SUBDIVISION SECTIONS 1-4.

WHEREAS, the City and County have been presented with a proposed annexation (known as the Mary Jo Lane Trust (aka future Glenross North Sections 5 and 6) and City of Delaware annexation, Sara J. Radcliffe Agent for the Petitioners) for approximately 55.7 acres with 43.6 acres to be privately developed and 12.1 acres encompassing existing Glenn Parkway right-of-way owned by the City, and

WHEREAS, prior to the acceptance of the final annexation for this acreage, the land owner, developer, and City desire to enter into a Pre-Annexation Agreement in order to establish certain requirements for this area, and

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

SECTION 1. That the Pre-Annexation Agreement for 43.6± acres located SOUTH OF Berlin Station Rd., east of Glenn Parkway, west of the Norfolk & Southern railroad tracks, and north the existing Glenross North Subdivision Sections 1-4, be the same and is hereby confirmed, approved, and accepted.

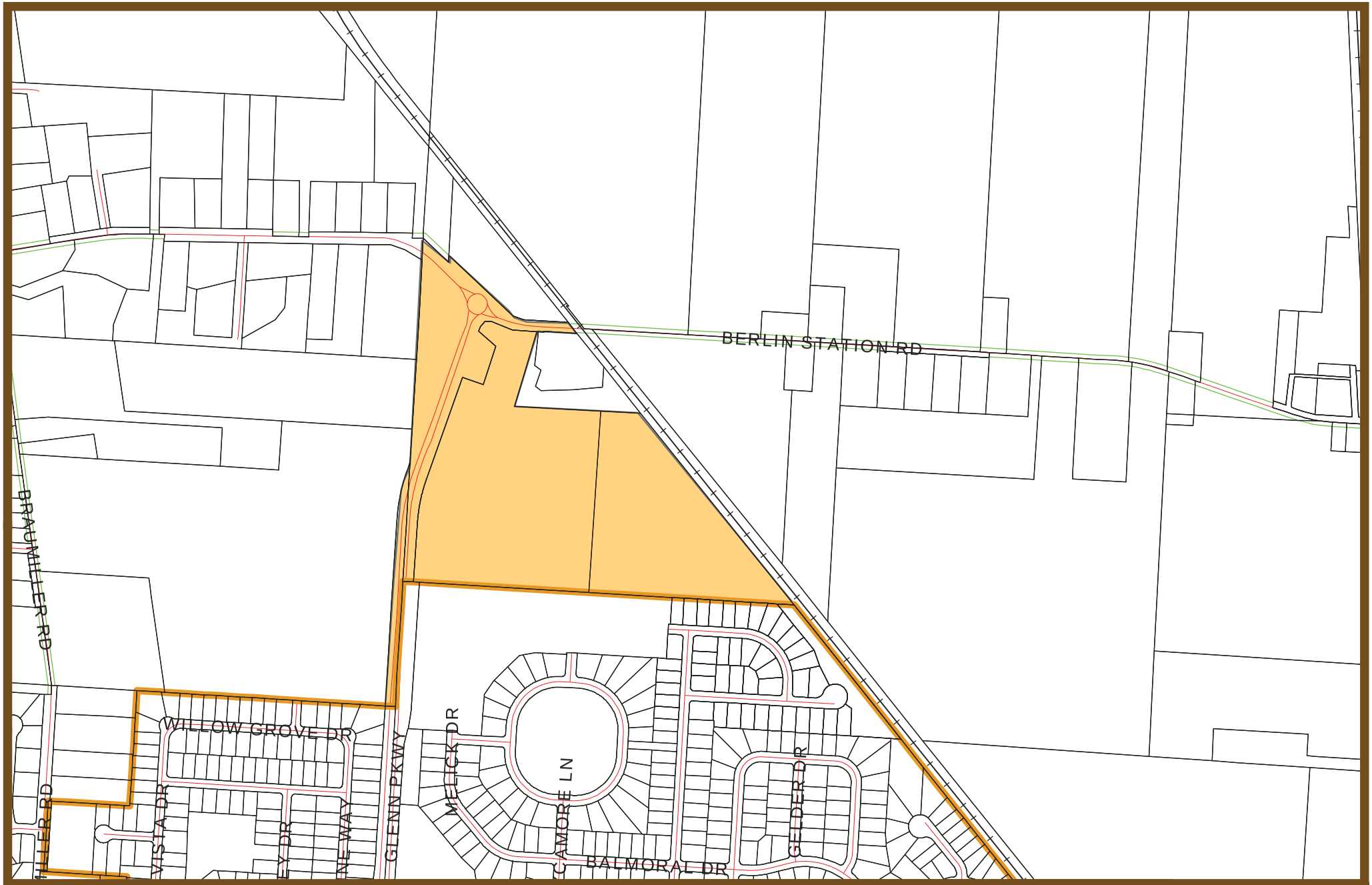
SECTION 2. The Pre-Annexation Agreement, in the form presently on file with the City Clerk, providing for, among other things, the annexation of certain real property into the City and the provision of certain services by the City to that real property, is hereby approved and authorized with changes therein not inconsistent with this Ordinance and not substantially adverse to this City and which shall be approved by the City Manager. The City Manager, for and in the name of this City, is hereby authorized to execute the Pre-Annexation Agreement, as may be required, provided further that the City's approval shall be evidenced conclusively by the execution thereof.

SECTION 3. This Council finds and determines that all formal actions of this Council 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 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

Annexation
~55.7A
Mary Jo Lane (aka Future Glenross North Phase 5 and 6)
&
City of Delaware

N

Pre-Annexation Agreement for the 43.6 Acre Lane Remainder Annexation

Between the City of Delaware, Mary Jo Lane, Trustee of the Mary Jo Lane Trust dated March 30, 2007 (Owner), and Vincent Romanelli (Developer).

Background: Mary Jo Lane, Trustee of the Mary Jo Lane Trust dated March 30, 2007 ("**Owner**") is the record owner of approximately 43.6 acres of land located south of Berlin Station Road, west of Norfolk & Southern Railroad and east of Glenn Parkway in Berlin Township, Delaware County, Ohio ("**Property**"). The Property consists of two parcels commonly known as Delaware County Auditor's Parcel Nos. 418-230-01-029-000 and 418-230-01-031-000, and being more particularly described and/or depicted in Exhibit A attached hereto and incorporated herein. A portion of the Property is contiguous with the boundaries of the City of Delaware, Ohio ("**City**"). Vincent Romanelli, or its affiliate ("**Developer**") is in a contractual relationship with Owner with plans to purchase, zone, and develop the entire Property within the City. It is the intent of Developer to develop the Property for single family residential dwellings as an extension of the Glenross North development to the south. Owner intends to file an Expedited Type II Petition for Annexation to annex the Property to the City (the "**Petition**"). Owner, Developer and City are sometimes referred to herein singly as a "Party" and collectively as the "Parties".

The City is a co-applicant in the annexation because there exists a small amount of right-of-way for Glenn Parkway (approximately 12.259 acres) that is currently outside the municipal corporation and this annexation would bring such area into the City as it is contiguous with the development area.

The Parties agree that it is in their mutual interest to enter into this Pre-Annexation Agreement ("**Agreement**") under the following terms and conditions regarding the annexation and development of the Property. This Pre-Annexation Agreement shall remain binding on the future owners of the Property.

A. **Petition for Annexation:** The Parties acknowledge that the Petition shall be filed with the Board of County Commissioners of Delaware County, Ohio (the "**Commissioners**") and in accordance with Ohio Revised Code Section 709.021 and 709.023. Owner and Developer agree that all costs and expenses in petitioning for the annexation of the Property will be borne by Developer. Should the City desire for its own attorney and/or outside contractors to represent its interests with regard to the Petition, those costs shall be borne by the City. The Owner further agrees that it will continue to support the annexation to the City throughout the process, including any appeal or court action which shall not involve any expense to the City unless the City desires to retain its own attorney(s) regarding such appeal or court action.

B. **Municipal Services**: The Property would benefit from certain City services, including in particular water and sanitary sewer services and planning and zoning. City may pass a Resolution of Services within 20 days of the Petition being filed with the Delaware County Board of County Commissioners officially confirming City is capable of providing its municipal services to the Property once annexed.

C. **New Community Authority**: The record land owner shall join the existing Declaration of Covenants, Restrictions, and Agreements for placement into a New Community Authority upon request of the City and as soon as possible concurrent with or immediately after annexation as a condition of annexation and consistent with this Agreement. As property in the annexation area is developed, the Property will be placed in a New Community Authority (such as the existing Delaware South New Community Authority) as designated by the City with a maximum initial millage charge of 7.5. The City will use its bests efforts to ensure that similarly situated property is included in a New Community Authority consistent with this agreement and including a charge not less than 7.5 mills.

D. **Glenn Parkway Annexation**: The Parties agree that a portion of Glenn Parkway is its own parcel and dedicated right of way owned by the City and outside the municipal corporation. This annexation would bring this portion of Glenn Parkway into the City as it is contiguous with the development of the Property.

E. **Roadway Access**: Access to the Property from Glenn Parkway will be one right-in and right-out. Full access to the site will be from Section 4 of Glenross North. A Traffic Impact Study will not be required by Owner or Developer. A portion of the open space at the northwest corner of the Property along Glenn Parkway may be dedicated to the City so long as Developer is able to use such acreage towards its open space requirements.

F. **Future Utility/Roadway Extensions**: With the exception of items contained within this Agreement, any other needed utility or roadway extensions will be the responsibility of the Developer as the Property develops pursuant to the City's development review process, regulations, and policies in effect at the time of application.

G. **Zoning:** Upon completion or concurrent with the annexation, the Owner and Developer intend to complete and submit a rezoning amendment application with the City. Requests will be reviewed on a case-by-case basis and must be consistent with the City Comprehensive Plan and City policies in effect at the time the zoning amendment application is submitted. Formal Development Planning and Conditional Use Permits may also be required depending upon the exact nature, scope, scale, and proposed development to be determined by City Staff at the time of application per the normal and customary development process and regulations in effect at the time of application. A conceptual plan is attached as Exhibit B, and is used for illustrative purposes only to show one of several possible plans, uses, layouts for the acreage, and required roadway network connections to the south and east. No development rights are conveyed, nor implied, by this concept plan. The area is expected to go through the normal and customary development review and zoning amendment process as contained within the City of Delaware Zoning Code and consistent with past practices. Currently, the Comprehensive Plan dictates Low Density Single-Family Development for the entire proposed annexation area with a density range of 2-3.25 dwelling units per acre.

H. **Detachment and De-Annexation:** The rezoning application shall be for the entire Property and annexation area. If the Owner does not receive zoning approvals they deem acceptable for the rezoning application for the Property, the Owner may pursue detachment from the City per the processes outlined in the Ohio Revised Code and the City will cooperate in any such proceeding brought by the Owner to detach and de-annex the Property from the City.

I. **Tax Increment Financing.** Owner and Developer shall support the placement of the Property in a Tax Increment Financing project or district as determined by the City, of which, such proceeds

shall be used by the City in its sole discretion for area transportation improvements such as a railroad crossing at Berlin Station Road.

J. **Additional Sewer Charge.** Owners and Developer agree to accept an additional charge for the South East Highland Sanitary Sewer of $3,200 per dwelling unit. This fee will be paid at the time of building permit issuance. This is in addition to the then current sanitary sewer capacity charge that is paid concurrently with a building permit. This charge is required of all property tapping into the capacity of the South East Highland Sanitary Sewer Main.

K. **Transportation Fee.** Owner and Developer agree that the Property shall be subject to an additional $1,000 per dwelling unit transportation fee payable at the time of building permit issuance and which shall be used by the City in its sole discretion to account for southeast area needed transportation improvements as a result of development in the area. This fee is consistent with other approved area developments and the City will use its best efforts to ensure that future similar residential developments in the area are subject to not less than the same charge.

The undersigned representatives of the Owner, City, and Developer agree to this Pre-Annexation Agreement this 14th day of April, 2021.

OWNER:

By: Mary Jo Lane

Name: Mary Jo Lane, Trustee of the Mary Jo Lane Trust dated March 30, 2007

State of Ohio)
) ss:
County of Franklin)

Before me, a notary public, in and for said county and state, personally appeared Mary Jo Lane, Trustee of the Mary Jo Lane Trust dated March 30, 2007, the Owner, who acknowledged to me that she did execute the foregoing instrument on behalf of the Owner.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this 14th day of April, 2021.

Notary Public

Denise J Gray
NOTARY PUBLIC
STATE OF OHIO
My Commission Expires February 6, 2022

The undersigned representative of Developer agrees to this Pre-Annexation Agreement this 26th day of April, 2021.

DEVELOPER:

By: Vincent Romanelli

Name: Vincent Romanelli, individual

State of Ohio)
) ss:
County of Franklin)

Before me, a notary public, in and for said county and state, personally appeared Vincent Romanelli, duly authorized representative of the Developer, who acknowledged to me that he did execute the foregoing instrument on behalf of the Developer.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this 26th day of April, 2021.

Notary Public

Denise J Gray
NOTARY PUBLIC
STATE OF OHIO
My Commission Expires February 6, 2022

The undersigned representatives of the City agree to this Pre-Annexation Agreement:

CITY:

City of Delaware, Ohio

By: _____

Print Name: R. Thomas Homan

Title: City Manager

State of Ohio)
) ss:
County of Delaware)

Before me, a notary public, in and for said county and state, personally appeared R. Thomas Homan, the City Manager and duly authorized representative of the City of Delaware, who acknowledged to me that he did execute the foregoing instrument on behalf of the City of Delaware.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this _____ day of _____, 2021.

_____
Notary Public

EXHIBIT A

Legal Description and Annexation Map of Property

DESCRIPTION OF A 43.473 ACRE TRACT
As shown on the plat recorded in Volume 15, Page 112
Of the SURVEY RECORDS of the DELAWARE COUNTY ENGINEER
As found in the DELAWARE COUNTY MAP DEPARTMENT
DELAWARE COUNTY, OHIO

Situated in the State of Ohio, County of Delaware, Township of Berlin, in Farm Lots A, B and F, Quarter Township 2, Township 4, Range 18, United States Military District, being all of the remainder of that 51.704 acre tract conveyed to Mary Jo Lane, Trustee by deed of record in Official Record 1268, Page 1997 (all references are to the records of the Recorder's Office, Delaware County, Ohio) and more particularly bounded and described as follows:

Beginning, for reference, at a magnetic nail set at the intersection of centerline of Berlin Station Road (County Road No. 91) and the westerly right-of-way line of the Norfolk & Western Railroad, the northeasterly corner of that 0.149 acre tract conveyed as Parcel 23-WD to the City of Delaware, Ohio by deed of record in Official Record 1655, Page 119;

DESCRIPTION FOR CLOSING ONLY
RPC Approval Required
Municipal Approval Required
Delaware County Engineer
12-15-2022

Thence South 38° 30' 56" East, with said westerly right-of-way line, the easterly lines of that 2.623 acre tract conveyed as Tract One and that 2.398 acre tract conveyed as Tract Two to Justin R. Bruff by deed of record in Official Record 1156, Page 2412, (passing a 5/8 inch iron pipe found 289.11 feet) a total distance of 631.90 feet to a 5/8 inch rebar capped "GUIDER 7752" found at a common corner of said 51.707 and 2.398 acre tracts, being the TRUE POINT OF BEGINNING for this description;

Thence South 38° 30' 56" East, continuing with said westerly right-of-way line, with the easterly line of said 51.704 acre tract, a distance of 1418.78 feet to a 5/8 inch rebar capped "GUIDER 7752" found at a common corner of said 51.707 acre tract and that 100.000 acre tract conveyed to Glenross North LLC by deeds of record in Official Record 1385, Page 33 and Official Record 1433, Page 245;

Thence North 86° 32' 21" West, with the southerly line of said 51.707 acre tract and the northerly lines of said 100.000 acre tract and that 1.697 acre tract conveyed to the City of Delaware, Ohio by deed of record in Official Record 1719, Page 2869, a distance of 2204.79 feet to an iron pin set at an angle point in the easterly right-of-way line of Glenn Parkway, and at the common corner said 51.707 acre tract and that 6.494 acre tract conveyed as Parcel 11-WD1 to the City of Delaware, Ohio by deed of record in Official Record 1631, Page 1375;

Thence with said easterly right-of-way, the line common to the remainder of said 51.707 acre tract and said 6.494 acre tracts, the following courses and distances:

North 03° 37' 28" East, a distance of 330.65 feet to an iron pin set at a point of curvature;

With the arc of a curve to the right, having a central angle of 16° 00' 16", a radius of 981.74 feet, an arc length of 274.23 feet, a chord bearing of North 11° 37' 36" East and chord distance of 273.34 feet to an iron pin set at a point of tangency; and

North 19° 37' 44" East, a distance of 619.45 feet to an iron pin set in the southerly line of that 2.764 acre tract conveyed as Parcel 12-WD to the City of Delaware, Ohio by deed of record in Official Record 1631, Page 1404, at a common corner of said 51.707 and 6.494 acre tracts;

Thence continuing with said easterly right-of-way line, the line common to said 51.707 and 2.764 acre tracts, the following courses and distances:

South 71° 42' 46" East, a distance of 127.46 feet to an iron pin set;

North 18° 17' 14" East, a distance of 230.00 feet to a point, witness a 5/8 inch rebar found North 0.13 feet and East 3.18 feet; and

North 47° 18' 08" West, a distance of 132.65 feet to an iron pin set in the northerly line of said 2.764 acre tract, at the westerly common corner of the remainder of said 51.707 acre tract and that 0.520 acre tract conveyed as Parcel 11-WD2 to the City of Delaware, Ohio by deed of record in Official Record 1631, Page 1375;

Thence continuing with the easterly right-of-way line of Glenn Parkway, the southerly right-of-way line of Berlin Station Road, and the line common to the remainder of said 51.707 and that 0.520 acre tracts, the following courses and distances:

North 19° 37' 44" East, a distance of 28.65 feet to an iron pin set;

North 42° 47' 07" East, a distance of 39.32 feet to an iron pin set;

North 88° 47' 03" East, a distance of 38.82 feet to an iron pin set;

South 68° 22' 25" East, a distance of 31.30 feet to an iron pin set;

South 67° 50' 23" East, a distance of 100.96 feet to an iron pin set; and

South 86° 34' 56" East, a distance of 142.01 feet to an iron pin set in the southerly right-of-way line of said Berlin Station Road, at the common corner of the remainder of said 51.707 acre tract and said 0.149 and 2.398 acre tracts;

Thence South 17° 55' 18" West, with the line common to said 51.707 and 2.398 acre tracts, a distance of 448.68 feet to 3/4 inch iron pipe found at the southwesterly corner of said 2.398 acre tract;

Thence South 86° 33' 54" East, continuing with said common line, a distance of 737.37 feet to the TRUE POINT OF BEGINNING, containing 43.473 acres, more or less. Of which 17.329 acres lies within Parcel Number 418-230-01-031-000, and 26.145 acres lies within Parcel Number 418-230-01-029-000.

The bearings shown hereon are based on the same meridian as the bearings shown on the subdivision plat entitled "GLENROSS GOLF CLUB SECTION 2 PART 2", of record in Official Record 756, Page 1537, in which the northerly line of said subdivision has a bearing of South 86°14'09" East.

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

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk
Professional Surveyor No. 7865

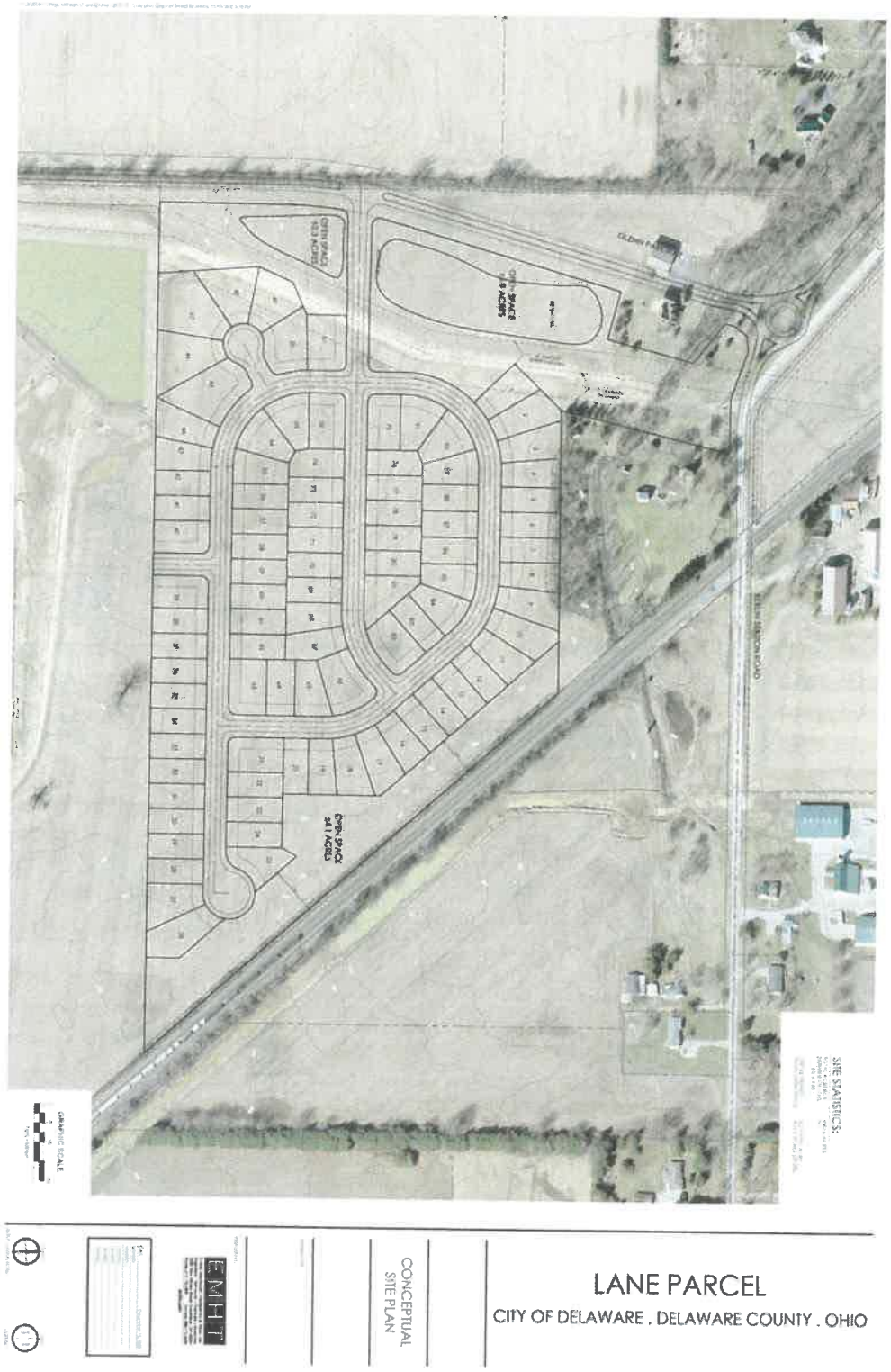
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STATE OF OHIO
MATTHEW A.
KIRK
S-7865
REGISTERED
PROFESSIONAL SURVEYOR

EXHIBIT B

Conceptual Development Plan



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 24, 2021
SUBMITTED BY:	Elaine McCloskey,Public Works
ITEM TYPE:	Ordinances
AGENDA SECTION:	**CONSIDERATION OF ORDINANCE NO. 21-40**
SUBJECT:	An ordinance approving the sale of a 1989 E-One Pumper Truck that has outgrown its useful serviceable life.

SUGGESTED ACTION:

ATTACHMENTS:

Fact Sheet ORD 21-40, for Sale of E-One Pumper Sale 5.20.21.pdf
Ord 21-40, for Sale of E-One Pumper Sale 5.20.21.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 21 | DATE: 05/24/2021

ORDINANCE NO: 21-40 | RESOLUTION NO:

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Bill Ferrigno, Public Works Director/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE APPROVING THE SALE OF A 1989 E-ONE PUMPER TRUCK THAT HAS OUTGROWN ITS USEFUL SERVICEABLE LIFE.

BACKGROUND:
This vehicle has been deemed beyond their serviceable life to the City of Delaware Fire Department.

REASON WHY LEGISLATION IS NEEDED:
Council approval for the sales is necessary based on Delaware City Code Section 108.

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):
1989 E-One Pumper may possibly exceed - $15,000

POLICY CHANGES: N/A

PRESENTER(S):
Bill Ferrigno, Public Works Director/City Engineer

RECOMMENDATION:
Approval on First reading

ATTACHMENT(S)
N/A

ORDINANCE NO. 21-40

AN ORDINANCE APPROVING THE SALE OF A 1989 E-ONE PUMPER TRUCK THAT HAS OUTGROWN ITS USEFUL SERVICE LIFE.

WHEREAS, the City of Delaware is the owner of a 1989 E-One Fire Pumper Truck that has reached the end of its useful service life, and has determined that the vehicle is no longer needed for municipal purposes; and

WHEREAS, it is anticipated the value of the vehicle to exceed $15,000 when offered for online sale; and

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

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

SECTION 1. The 1989 E-One Pumper is to be sold pursuant to Delaware City Code Section 108.

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

SECTION 3. This Council finds and determines that all formal actions of this council and any of its committees concerning and relating to the passage of this 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

AGENDA ITEM NO. A

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 24, 2021

SUBMITTED BY: Elaine McCloskey,Finance

ITEM TYPE: Staff Reports

AGENDA SECTION: **FINANCE DIRECTOR'S REPORT**

SUBJECT: Review of April Finance Report

SUGGESTED ACTION:

ATTACHMENTS:
APRIL 2021 FINANCIAL REPORT.pdf
APRIL 2021 TAX REVENUE.pdf

EST 1808
CITY OF
DELAWARE
OHIO

TO: TOM HOMAN, CITY MANAGER

FROM: JUSTIN NAHVI, FINANCE DIRECTOR

SUBJECT: APRIL 2021 FINANCIAL REPORT

DATE: 5/6/2021

BACKGROUND

The purpose of this report is to provide a brief review of the revenues and expenditures for the following funds: General Fund, Fire/EMS Income Tax Fund, Recreation Center Income Tax Fund, Stormwater Fund, Water Fund, Wastewater Fund, and Refuse Fund.

Actual revenues and expenditures are compared to the budget to assess potential overages/shortages in budgeted categories. Comparisons with figures from last fiscal year are also included to indicate the differences by year, since budgeting techniques remain relatively uniform from one year to the next.

Appendix A details the year-to-date activity for all of the city's active funds. It is important to note the ending balance, encumbrances, and unencumbered balance. The unencumbered balance is the amount remaining in the fund if the city were to expend all the monies listed as encumbrances. The ending balance is the amount of funds available to the city as of April 30, 2021, and ties to the amount listed in Appendix B.

Appendix B is the Financial Statement for the city as of April 30, 2021. This statement provides a listing of the city's funds held at various financial institutions. Also presented are the interest earned to date, weighted average interest rate, and the weighted average maturity (days).

Appendix C is the Debt Schedule for the city through April 30, 2021. All principal and interest payments that have been paid to date are included in the schedule.

Appendix D is a graphical representation of the water and sewer utility consumption billed on a monthly basis in terms of units billed as well as dollars.

GENERAL FUND

The General Fund is the main operating fund for the city and is used to account for all financial transactions which are not reported in other funds. Major sources of revenue include income tax and property tax. Please refer to page three for a breakdown of the revenues and expenditures through April 30, 2021.

Revenues

The General Fund revenues are performing as expected. However, the following revenue sources require additional explanations:

- Property Taxes – Settlement revenue is received after the 1st and 2nd half real estate collection periods in March and August respectively. 1st half collections were $914,716 reflecting an increase of $130,014 or 16.6% from the same period in the prior year. This increase is attributed to the triennial property valuation update as completed by Delaware County in the fall of 2020 that was reflected for real estate collections in calendar year 2021.
- Intergovernmental – Total intergovernmental receipts were $775,847 or 312.6% greater than the amount received during the same period in the prior year. This increase is attributed to the receipt of $405,203 in a grant reimbursement received for the East William Street project.
- Income Tax – Year-to-date receipts total $6,408,156 which is $1,145,854 or 21.8%, greater than amount the City received during the same period in the prior year. The increase is attributed to the shifting of the tax filing deadline last year to July 15, 2020. For the current year, the deadline has been moved to May 17th, however a majority of taxpayer continued to file and make quarterly payments through the end of April 2021 even though the deadline has been postponed for one month.
- Charges for Services – Chargebacks for the General Fund related services attributed to special revenue and enterprise funds through the end of April were $487,306.

Expenditures

The General Fund expenditures performed as expected through the end of April. However, the following expenditures require additional explanations:

- Transfers – Transfers to the following funds have been made to the Recreation Fund ($474,667) as well as the Streets Maintenance Fund ($371,385) and the Capital Improvement Fund ($983).

GENERAL FUND
STATEMENT OF REVENUE AND EXPENDITURES
APRIL 2021

	2020 ACTUAL YTD APR 30	2021 ACTUAL YTD APR 30	2021 TOTAL BUDGET	2021 % of BUDGET
REVENUES				
Property Taxes	786,031	**914,716**	1,539,292	59.42%
Intergovernmental Receipts	248,220	**1,024,067**	1,487,000	68.87%
Income Taxes	5,262,302	**6,408,156**	15,576,300	41.14%
Fines & Forfeitures	20,416	**73,848**	100,000	73.85%
Fees, Licenses, & Permits	827,998	**826,113**	2,410,000	34.28%
Miscellaneous	70,059	**75,306**	403,000	18.69%
Other Financing	5,013	**-**	5,000	0.00%
Earnings on Investments	185,272	**36,443**	40,000	91.11%
Charges for Services	710,727	**487,306**	4,318,839	11.28%
Total Revenues	8,116,038	**9,845,955**	25,879,431	38.05%
EXPENDITURES				
Council	52,298	**52,241**	182,796	28.58%
City Manager	256,853	**283,509**	915,052	30.98%
Admin Services	105,856	**96,363**	422,199	22.82%
Economic Development	72,306	**269,048**	480,102	56.04%
Legal Affairs	236,769	**232,376**	870,128	26.71%
Finance	781,434	**767,721**	2,253,943	34.06%
General Admin	2,185,483	**1,142,233**	5,894,309	19.38%
Risk Management	7,005	**1,850**	339,600	0.54%
Police	2,750,240	**3,039,317**	10,128,465	30.01%
Planning	364,118	**469,987**	1,555,748	30.21%
Engineering	469,377	**611,783**	2,155,656	28.38%
Building Maintenance	156,062	**176,268**	677,876	26.00%
Total Expenditures	7,437,801	**7,142,697**	25,875,874	27.60%

FIRE/EMS INCOME TAX FUND

The Fire/EMS Income Tax Fund is a Special Revenue Fund which means that the resources are restricted to only funding expenditures that support the Fire Department. Please refer to page five for a breakdown of the revenues and expenditures through April 30, 2021.

Revenues

Several sources of revenue support this fund, including intergovernmental as well as income tax collections.

- EMS Service Agreement - The city contracts with Delaware County to provide EMS services to certain unincorporated portions of the County. To date, the City has received $351,760 in reimbursements.
    - For the 2021 fiscal year, the City will receive quarterly distributions of $225,000 from Delaware County for EMS services.
- Income Tax – Year-to-date receipts total $4,479,965 which is $798,243, or 21.8%, greater than amount the City received during the same period in the prior year. The increase is attributed to the shifting of the tax filing deadline last year to July 15, 2020. For the current year, the deadline has been moved to May 17th, however a majority of taxpayer continued to file and make quarterly payments through the end of April 2021 even though the deadline has been postponed for one month.
-

Expenditures

Fire/EMIS Income Tax Fund expenditures performed as expected through April 30, 2021.

FIRE/EMS INCOME TAX FUND
STATEMENT OF REVENUE AND EXPENDITURES
APRIL 2021

	2020 ACTUAL YTD APR 30	2021 ACTUAL YTD APR 30	2021 TOTAL BUDGET	2021 % of BUDGET
REVENUES				
Intergovernmental Receipts	174,696	**354,705**	753,000	47.11%
Income Taxes	3,681,722	**4,479,965**	10,995,889	40.74%
Miscellaneous	883	**10,447**	3,500	298.50%
Other Financing	1,175	**-**	3,000	0.00%
Transfer In	122,310	**-**	268,257	0.00%
Total Revenues	3,980,786	**4,845,118**	12,023,646	40.30%
EXPENDITURES				
Personal Services	2,776,466	**2,696,234**	9,820,895	27.45%
Charges & Services	304,790	**351,990**	1,169,814	30.09%
Materials & Supplies	136,267	**127,996**	464,806	27.54%
Capital Outlay	30,738	**854,598**	1,943,007	43.98%
Refunds	132,384	**129,573**	500,000	25.91%
Transfer	-	**99,056**	396,224	25.00%
Debt	-	**-**	515	0.00%
Total Fire Expenditures	3,380,645	**4,259,446**	14,295,261	29.80%

REC CENTER INCOME TAX FUND
RECREATION LEVY SUMMARY
APRIL 2021

Account #	Description	2014 Expended	2015 Expended	2016 Expended	2017 Expended	2018 Expended	2019 Expended	2020 Expended	2021 Expended	2021 Encumbered	2021 Remaining Budget	Total 2014 - 2021
	Phase 1 - $20,000,000											
233-0233-5230	Design	7,090	0	0	0	0	0	0	0	0	0	7,090
5513	Other Park Improvements	14,981	0	0	0	0	0	0	0	0	0	14,981
5521	National Guard City Alternatives	117,500	0	0	0	0	0	0	0	0	0	117,500
5533	Veterans Park Restroom/Shelter	0	100,000	150,000	0	0	0	0	0	0	0	250,000
	Total	**139,571**	**100,000**	**150,000**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**389,571**
	Phase 2 - $3,800,000											
233-0233-5501	Houk Rd. Site Improvements	0	0	0	0	0	235,000	0	0	0	0	235,000
5522	Park Asphalt Projects	306,291	59,111	27,841	0	0	0	0	0	0	0	393,243
5523	Park Seal Coating Projects	36,025	100,894	0	0	0	0	0	0	0	0	136,919
5524	Smith Park Trail	27,461	3,699	205,818	0	0	0	0	0	0	0	236,978
5525	Park Irrigation	0	0	0	0	0	0	0	0	0	0	0
5526	Park Aeration	20,109	0	0	0	0	0	0	0	0	0	20,109
5527	Parks General Construction Projects	113,737	6,250	12,645	57,797	148,270	48,464	0	0	0	0	387,163
5528	Dog Park	32,354	34,003	0	0	0	0	0	0	0	0	66,357
5529	Drainage & Excavation Projects	2,608	0	0	0	0	0	0	0	0	0	2,608
5530	Miscellaneous Park Improvements	42,715	0	0	18,532	0	0	0	0	0	0	61,247
5531	Veterans Park Parking Lot Addition	337,203	0	0	0	0	0	0	0	0	0	337,203
5532	Wayfinding and Signage	0	0	0	21,160	2,590	61,357	30,758	4,425	7,600	22,760	150,650
5534	Veterans Park Playtoy	0	152,551	94,449	0	0	0	0	0	0	0	247,000
5535	Splashpad Construction	5,300	479,956	51,627	12,791	34,302	0	0	0	0	0	583,976
5536	Parkland Acquisition/Improvement	0	722,272	428,577	0	0	0	0	0	0	0	1,150,849
5537	Park Improvements Contingency	3,040	0	0	0	0	0	0	0	0	0	3,040
5538	Pickleball Courts	0	17,035	0	0	0	0	0	0	0	0	17,035
5710	In House Design	0	4,237	0	0	0	0	0	0	0	0	4,237
	Total	**926,843**	**1,580,008**	**820,957**	**110,280**	**185,162**	**344,821**	**30,758**	**4,425**	**7,600**	**22,760**	**4,033,614**
	Phase 1 Totals	**139,571**	**100,000**	**150,000**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**389,571**
	Phase 1 Reimbursements	**72,000**										**72,000**
	Phase 1 Net Cost	**67,571**	**100,000**	**150,000**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**317,571**
	Phase 1 Net Cost 2009-2013											**19,609,505**
	TOTAL PHASE 1 COSTS											**19,927,076**
	Phase 2 Totals	**926,843**	**1,580,008**	**820,957**	**110,280**	**185,162**	**344,821**					**3,968,071**
	Phase 2 Reimbursements		**212,722**									**212,722**
	TOTAL PHASE 2 COSTS	**926,843**	**1,367,286**	**820,957**	**110,280**	**185,162**	**344,821**					**3,755,349**
	TOTAL ALL PHASES											**23,682,425**

STORMWATER FUND

The Stormwater Fund is an Enterprise Fund that was established to account for the costs of repairing, replacing, and improving the city's storm drainage system. User fees sustain the expenditures of this fund. Please refer to page eight for a breakdown of the revenues and expenditures through April 30, 2021.

Revenues

The Stormwater Fund revenues are performing as expected. However, the following revenue sources require additional explanations:

- Charges for Services – Year-to-date service charges totaled $310,479 which is $11,460 (3.8%) greater than the amount collected during the same period in the prior year.
-

Expenditures

The Stormwater Fund expenditures performed as expected through the end of April. However, the following expenditures require additional explanations:

- Transfers – A transfer in the amount of $900,000 was processed to the Stormwater Capital Fund in the month of February. Capital expenditures were previously realized within the Stormwater Fund. For the 2021 Adopted Budget, the Stormwater Capital Fund was established to account for capital expenditures going forward.

STORMWATER FUND
STATEMENT OF REVENUE AND EXPENDITURES
APRIL 2021

	2020 ACTUAL YTD APR 30	2021 ACTUAL YTD APR 30	2021 TOTAL BUDGET	2021 % of BUDGET
REVENUES				
Miscellaneous	968	**734**	2,350	31.25%
Charges for Services	299,019	**310,479**	829,500	37.43%
Total Revenues	299,987	**311,213**	831,850	37.41%
EXPENDITURES				
Stormwater Operations				
Personal Services	80,495	**87,929**	261,315	33.65%
Charges & Services	16,031	**23,458**	203,828	11.51%
Materials & Supplies	10,869	**12,822**	95,676	13.40%
Capital Outlay	-	**-**	20,000	0.00%
Refunds	22	**-**	-	0.00%
Transfer	-	**900,000**	900,000	100.00%
Total Ops Expenditures	107,417	**1,024,209**	1,480,819	69.17%

WATER FUND

The Water Fund was established to account for the treatment and distribution of water to resident and commercial users. This fund is also an Enterprise Fund, with user fees financing the expenditures. Please refer to page ten for a breakdown of the revenues and expenditures through April 30, 2021.

Revenues

The Water Fund revenues are performing as expected. However, the following revenue sources require additional explanations:

- Charges for Services – Included in this category are Services Charges & Collections.
    - Meter Charges – Year-to-date meter charges for water consumption totaled $1,772,119 which is $7,864 or 0.4% greater than the amount collected same period from the prior year.
    - Capacity Fees – Year-to-date receipts total $936,967 and these fees are deposited into the Water Capacity Fee Fund (Fund 536).

Expenditures

The Water Fund expenditures performed as expected through April 30, 2021.

WATER FUND
STATEMENT OF REVENUE AND EXPENDITURES
APRIL 2021

	2020 ACTUAL YTD APR 30	2021 ACTUAL YTD APR 30	2021 TOTAL BUDGET	2021 % of BUDGET
REVENUES				
Miscellaneous	9,164	**4,855**	25,000	19.42%
Other Financing	6,549	**-**	10,000	0.00%
Earnings on Investments	73,623	**3,616**	7,500	48.22%
Charges for Services	1,802,355	**1,806,211**	5,680,427	31.80%
Total Revenues	1,891,691	**1,814,682**	5,722,927	31.71%
EXPENDITURES				
Water Administration				
Personal Services	89,961	**122,046**	324,395	0.00%
Charges & Services	59,525	**289,847**	1,063,862	27.24%
Materials & Supplies	269	**74**	750	0.00%
Capital Outlay	-	**-**	25,000	0.00%
Refunds	3,081	**4,649**	10,000	46.49%
Transfers	243,333	**-**	1,952,379	0.00%
Total Admin Expenditures	396,168	**416,615**	3,376,386	12.34%
Water Treatment				
Personal Services	256,040	**270,952**	947,336	28.60%
Charges & Services	254,520	**295,506**	791,975	37.31%
Materials & Supplies	97,338	**99,471**	414,874	23.98%
Capital Outlay	10,420	**-**	94,500	0.00%
Refunds	-	**-**	-	0.00%
Total Treat Expenditures	618,319	**665,929**	2,248,685	29.61%
Water Distribution				
Personal Services	166,130	**174,101**	627,619	27.74%
Charges & Services	22,911	**36,431**	138,496	26.30%
Materials & Supplies	76,173	**100,599**	288,650	34.85%
Capital Outlay	-	**-**	15,000	0.00%
Refunds	-	**-**	-	0.00%
Total Dist Expenditures	265,213	**311,131**	1,069,765	29.08%
Total Expenditures	1,279,701	**1,393,675**	6,694,836	20.82%

WASTEWATER FUND

The purpose of the Wastewater Fund is to provide wastewater collection and treatment service to resident and commercial users. This fund is also an Enterprise Fund, with user fees financing the expenditures. Please refer to page twelve for a breakdown of the revenues and expenditures through April 30, 2021.

Revenues

The Sewer Fund revenues are performing as expected. However, the following revenue sources require additional explanations:

- Charges for Services – Included in this category are Services Charges & Collections.
    - Meter Charges – Year-to-date meter charges for wastewater treatment totaled $2,174,112 which is $53,283 or 2.5% greater than the amount collected during same period from the prior year.
    - Capacity Fees – Year-to-date receipts total $840,165 and these fees are deposited into the Wastewater Capacity Fee Fund (Fund 546).

Expenditures

The Wastewater Fund expenditures performed as expected through April 30, 2021.

WASTEWATER FUND
STATEMENT OF REVENUE AND EXPENDITURES
APRIL 2021

	2020 ACTUAL YTD APR 30	2021 ACTUAL YTD APR 30	2021 TOTAL BUDGET	2021 % of BUDGET
REVENUES				
Miscellaneous	18,203	**235**	25,000	0.94%
Other Financing	7,423	**-**	15,000	0.00%
Earnings on Investments	70,957	**3,914**	23,000	17.02%
Charges for Services	2,202,021	**2,278,274**	7,009,424	32.50%
Total Revenues	2,298,605	**2,282,423**	7,072,424	32.27%
EXPENDITURES				
Sewer Administration				
Personal Services	81,633	**86,695**	324,440	0.00%
Charges & Services	19,325	**268,760**	1,117,987	24.04%
Materials & Supplies	297	**47**	900	0.00%
Capital Outlay	-	**-**	25,000	0.00%
Refunds	24,010	**-**	8,500	0.00%
Transfers	274,333	**-**	3,237,090	0.00%
Total Admin Expenditures	399,599	**355,502**	4,713,917	7.54%
Sewer Treatment				
Personal Services	264,789	**286,956**	984,939	29.13%
Charges & Services	356,370	**379,792**	1,240,058	30.63%
Materials & Supplies	62,207	**55,639**	272,483	20.42%
Capital Outlay	-	**-**	-	0.00%
Refunds	-	**-**	-	0.00%
Total Treat Expenditures	683,365	**722,387**	2,497,480	28.92%
Sewer Collection				
Personal Services	77,312	**119,616**	299,174	39.98%
Charges & Services	60,223	**45,042**	245,976	18.31%
Materials & Supplies	33,969	**51,385**	179,038	28.70%
Capital Outlay	-	**-**	16,500	0.00%
Refunds	-	**-**	-	0.00%
Total Col Expenditures	171,503	**216,043**	740,688	29.17%
Total Expenditures	1,254,468	**1,293,932**	7,952,085	16.27%

REFUSE FUND

The Refuse Fund accounts for the costs of providing refuse services. This fund is an Enterprise Fund which means that the main source of revenue is the monthly fees charged to residents for this service. Please refer to page fourteen for a breakdown of the revenues and expenditures through April 30, 2021.

Revenues

The Refuse Fund revenues are performing as expected. However, the following revenue sources require additional explanations:

- Charges for Services – Year-to-date receipts total $1,261,188 which is $67,691 or 5.7% greater than the amount received from the same period in the prior year.

Expenditures

The Refuse Fund expenditures performed as expected through April 30, 2021.

REFUSE FUND
STATEMENT OF REVENUE AND EXPENDITURES
APRIL 2021

	2020 ACTUAL YTD APR 30	2021 ACTUAL YTD APR 30	2021 TOTAL BUDGET	2021 % of BUDGET
REVENUES				
Miscellaneous	3,365	**45,451**	-	0.00%
Other Financing	-	**12,950**	10,000	0.00%
Earnings on Investments	5,418	**276**	13,500	2.04%
Charges for Services	1,193,497	**1,261,188**	3,749,000	33.64%
Transfer In	-	**-**	50,000	0.00%
Total Revenues	1,202,280	**1,319,864**	3,822,500	34.53%
EXPENDITURES				
Refuse Administration				
Personal Services	-	**-**	-	0.00%
Charges & Services	9,375	**26,564**	497,002	5.34%
Materials & Supplies	-	**-**	-	0.00%
Capital Outlay	5,985	**-**	-	0.00%
Refunds	115	**25**	300	8.33%
Transfers	123,727	**-**	-	0.00%
Total Admin Expenditures	139,202	**26,589**	497,302	5.35%
Refuse Collection				
Personal Services	218,441	**212,665**	806,002	26.39%
Charges & Services	356,020	**372,148**	1,393,444	26.71%
Materials & Supplies	31,680	**55,013**	215,009	25.59%
Capital Outlay	-	**578,876**	1,111,176	52.10%
Refunds	-	**-**	-	0.00%
Total Collect Expenditures	606,141	**1,218,703**	3,525,631	34.57%
Refuse Recycling				
Personal Services	133,882	**157,791**	486,408	32.44%
Charges & Services	95,668	**85,891**	290,643	29.55%
Materials & Supplies	-	**49,297**	128,608	38.33%
Capital Outlay	-	**1,742**	307,742	0.57%
Refunds	-	**-**	-	0.00%
Total Recycle Expenditures	229,551	**294,722**	1,213,401	24.29%
Total Expenditures	974,894	**1,540,014**	5,236,334	29.41%

YEAR TO DATE FUND REPORT
April 30, 2021

Fund #	FUND	BEGINNING BALANCE	YTD REVENUES	YTD EXPEND	ENDING BALANCE	ENCUMB	UNENCUMB BALANCE
101	General Fund	6,983,031.34	9,845,954.69	7,142,697.19	9,686,288.84	974,118.78	8,712,170.06
200	Street Maintenance & Repair	104,616.68	1,012,140.75	986,564.65	130,192.78	403,824.22	(273,631.44)
201	State Highway Improvement	39,903.60	51,874.77	0.00	91,778.37	0.00	91,778.37
202	License Fee	364,450.04	198,966.93	78,846.17	484,570.80	187,213.50	297,357.30
204	Performance Bond	552,151.00	884,147.00	0.00	1,436,298.00	0.00	1,436,298.00
210	Recreation	16,995.52	488,044.36	504,694.57	345.31	81,547.20	(81,201.89)
212	Oak Grove Cemetery	201,988.79	71,834.48	90,244.97	183,578.30	77,414.43	106,163.87
215	Tree Replacement	212,453.78	43,610.00	0.00	256,063.78	0.00	256,063.78
222	Airport	276,740.87	227,003.97	290,273.23	213,471.61	106,701.46	106,770.15
223	Hangars	184,909.89	37,798.00	10,590.08	212,117.81	0.00	212,117.81
231	Fire/EMS Income Tax	10,063,975.44	4,845,118.09	4,259,446.37	10,649,647.16	642,869.32	10,006,777.84
233	Rec Center Income Tax	4,815,002.65	961,139.51	32,190.54	5,743,951.62	7,600.00	5,736,351.62
235	Airport TIF	163,387.07	12,318.84	0.00	175,705.91	0.00	175,705.91
236	Glenn Road TIF	2,338,996.22	2,364,636.56	2,233,215.69	2,470,417.09	24,721.42	2,445,695.67
237	Sky Climber TIF	0.00	21,834.03	20,218.28	1,615.75	0.00	1,615.75
238	Mill Run TIF	0.00	78,970.08	78,970.08	0.00	0.00	0.00
240	Municipal Court	2,408,686.30	785,713.60	833,275.20	2,361,124.70	19,129.50	2,341,995.20
241	Court IDIAM	24,001.06	16,940.08	206.66	40,734.48	473.36	40,261.12
250	Drug Enforcement	51,289.68	867.00	0.00	52,156.68	0.00	52,156.68
251	Court Alcohol Treatment	624,074.63	9,839.95	1,623.33	632,291.25	0.00	632,291.25
252	OMVI Enforcement/Education	5,707.65	651.00	0.00	6,358.65	0.00	6,358.65
253	Police Judgement	23,324.02	3,533.58	877.03	25,980.57	6,735.87	19,244.70
254	Police Fed Judgement	13,885.77	2.55	7,500.00	6,388.32	0.00	6,388.32
255	Park Exaction Fee	79,629.07	0.00	0.00	79,629.07	0.00	79,629.07
256	Court Computer Legal Research	742,067.00	63,357.60	9,195.81	796,228.79	82,731.17	713,497.62
257	Court Special Projects	622,876.17	64,711.00	49,541.32	638,045.85	45,756.20	592,289.65
259	Court Probation Services	707,004.01	105,821.55	6,681.80	806,143.76	216.00	805,927.76
261	Police Disability Pension	0.00	154,002.75	0.00	154,002.75	0.00	154,002.75
262	Fire Disability Pension	0.00	154,002.73	0.00	154,002.73	0.00	154,002.73
272	Community Promotion	2,651.63	13,583.73	0.00	16,235.36	50,000.00	(33,764.64)
280	Local Coronavirus Relief	0.00	0.00	0.00	0.00	0.00	0.00
291	CDBG	0.00	0.00	1,603.20	(1,603.20)	1,746.80	(3,350.00)
292	Police Fed Treasury Seizures	3,541.85	1,934.74	850.00	4,626.59	0.00	4,626.59
295	ED Revolving Loan	300,624.04	30,257.17	852.95	330,028.26	176,009.20	154,019.06
296	Housing Program Income	0.00	0.00	0.00	0.00	0.00	0.00

APPENDIX A

YEAR TO DATE FUND REPORT
April 30, 2021

Fund #	FUND	BEGINNING BALANCE	YTD REVENUES	YTD EXPEND	ENDING BALANCE	ENCUMB	UNENCUMB BALANCE
300	General Bond Retirement	492,654.88	105.34	0.00	492,760.22	0.00	492,760.22
301	Park Improvement Bond	48,165.20	10.30	0.00	48,175.50	4,000.00	44,175.50
302	SE Highland Bond	34.44	0.00	0.00	34.44	0.00	34.44
410	Capital Improvement	2,449,344.45	308,478.15	1,280,431.83	1,477,390.77	1,656,219.01	(178,828.24)
412	OPWC	0.00	0.00	0.00	0.00	0.00	0.00
415	Point Project	1,126,493.80	388,769.35	676,070.94	839,192.21	875,922.44	(36,730.23)
430	FAA Airport Grant	0.00	9,209.06	0.00	9,209.06	0.00	9,209.06
431	FAA Alloc/Improvement Grant	89,765.41	0.00	13,782.85	75,982.56	0.00	75,982.56
440	Equipment Replacement	213,611.45	16,665.56	230,277.01	0.00	536,690.00	(536,690.00)
491	Parks Impact Fee	2,518,138.33	180,176.92	95,016.96	2,603,298.29	444,293.89	2,159,004.40
492	Police Impact Fee	486,957.21	30,447.04	0.00	517,404.25	0.00	517,404.25
493	Fire Impact Fee	622,208.16	59,387.89	0.00	681,596.05	0.00	681,596.05
494	Municipal Impact Fee	507,884.92	65,676.79	0.00	573,561.71	0.00	573,561.71
496	Glenn Rd S Construction	1,385,273.45	615,939.14	0.00	2,001,212.59	0.00	2,001,212.59
498	Glenn Rd N	290,330.29	73,160.66	0.00	363,490.95	0.00	363,490.95
501	Golf Course	221,143.30	60,669.45	31,349.33	250,463.42	8,621.48	241,841.94
520	Parking Lots	44,994.76	13,504.80	10,523.94	47,975.62	3,684.00	44,291.62
523	Stormwater	3,761,276.68	311,213.45	1,024,208.69	3,048,281.44	105,361.41	2,942,920.03
524	Stormwater Capital	(1,927,151.51)	900,000.00	383,183.14	(1,410,334.65)	98,400.78	(1,508,735.43)
530	Water	2,058,415.83	1,814,681.91	1,393,675.17	2,479,422.57	259,733.65	2,219,688.92
531	Water Construction	1,398,500.42	0.00	759,468.42	639,032.00	259,247.33	379,784.67
533	Water Reserve	2,000,000.00	0.00	0.00	2,000,000.00	0.00	2,000,000.00
535	Water Customer Deposit	190,359.63	(17,958.90)	494.12	171,906.61	0.00	171,906.61
536	Water Capacity Fee	11,662,148.66	936,966.81	565,437.86	12,033,677.61	210,313.36	11,823,364.25
540	Wastewater	4,092,154.36	2,282,423.19	1,293,932.21	5,080,645.34	404,306.43	4,676,338.91
541	Wastewater Construction	3,960,063.37	0.00	322,207.37	3,637,856.00	756,026.97	2,881,829.03
543	Wastewater Reserve	2,000,000.00	0.00	0.00	2,000,000.00	0.00	2,000,000.00
546	Wastewater Capacity Fee	8,376,102.10	840,164.71	1,297,870.90	7,918,395.91	213,604.96	7,704,790.95
548	SE Highland Wastewater	244,100.11	249,600.00	0.00	493,700.11	0.00	493,700.11
550	Refuse	1,199,261.65	1,319,863.97	1,540,014.43	979,111.19	679,238.30	299,872.89
601	Garage Rotary	46,938.31	210,475.00	237,140.46	20,272.85	110,369.21	(90,096.36)
602	IT Rotary	18,532.22	785,603.00	723,879.58	80,255.64	145,816.03	(65,560.39)
610	Health Insurance	2,010,396.95	2,015,601.72	2,384,781.12	1,641,217.55	7,841.79	1,633,375.76
620	Workers Compensation	3,651,058.38	0.00	154,092.92	3,496,965.46	0.00	3,496,965.46
701	Fire Donation	1,283.36	0.00	0.00	1,283.36	0.00	1,283.36
702	Parks/Rec Donation	7,749.03	5,000.00	0.00	12,749.03	0.00	12,749.03
703	Police Donation	9,336.60	0.00	648.27	8,688.33	0.00	8,688.33
704	Mayors Donation	1,448.15	150.00	0.00	1,598.15	0.00	1,598.15
705	Project Trust	1,124,540.63	275,935.37	0.00	1,400,476.00	175,000.00	1,225,476.00

YEAR TO DATE FUND REPORT
April 30, 2021

707	Unclaimed Funds	57,589.32	0.00	0.00	57,589.32	0.00	57,589.32
708	Municipal Court Unclaimed Funds	106,921.77	1,601.86	23.12	108,500.51	0.00	108,500.51
709	Development Reserve	678,717.04	0.00	0.00	678,717.04	0.00	678,717.04
710	Reserve Account	1,213,864.04	0.00	0.00	1,213,864.04	0.00	1,213,864.04
750	Cemetery Perpetual Care	37,204.40	7.96	0.00	37,212.36	260.00	36,952.36
801	State Highway Patrol	7,085.84	17,153.22	24,239.07	(0.01)	0.00	(0.01)
803	State Building Permit	632.01	4,718.32	2,755.46	2,594.87	0.00	2,594.87
811	Berkshire JEDD	153,198.73	150,186.14	268,068.11	35,316.76	2,751.70	32,565.06
		90,566,693.90	**36,476,199.27**	**31,353,732.40**	**95,689,160.77**	**9,846,511.17**	**85,842,649.60**

CITY OF DELAWARE, OHIO
FINANCIAL STATEMENT
APRIL 30, 2021

	Weighted Average Interest Rate	YTD Interest Earned	Weighted Average Maturity (Days)	Ending Balance
Checking/Depository				
Checking (Operating & Payroll)*		-		26,506,273
Total Bank Deposits		$ -		$ 26,506,273
Investments				
Star Ohio	0.08%	19,940		69,182,888
Total Investments		$ 19,940		$ 69,182,888
TOTAL BANK DEPOSITS & INVESTMENTS		$ 19,940		$ 95,689,161

* The city participates in an Earning Credit Allow ance program. The City maintains a minimum balance in the checking account so that a credit is earned that then offsets the monthly service charge.

I certify that the balances stated above are true to the best of my know ledge.

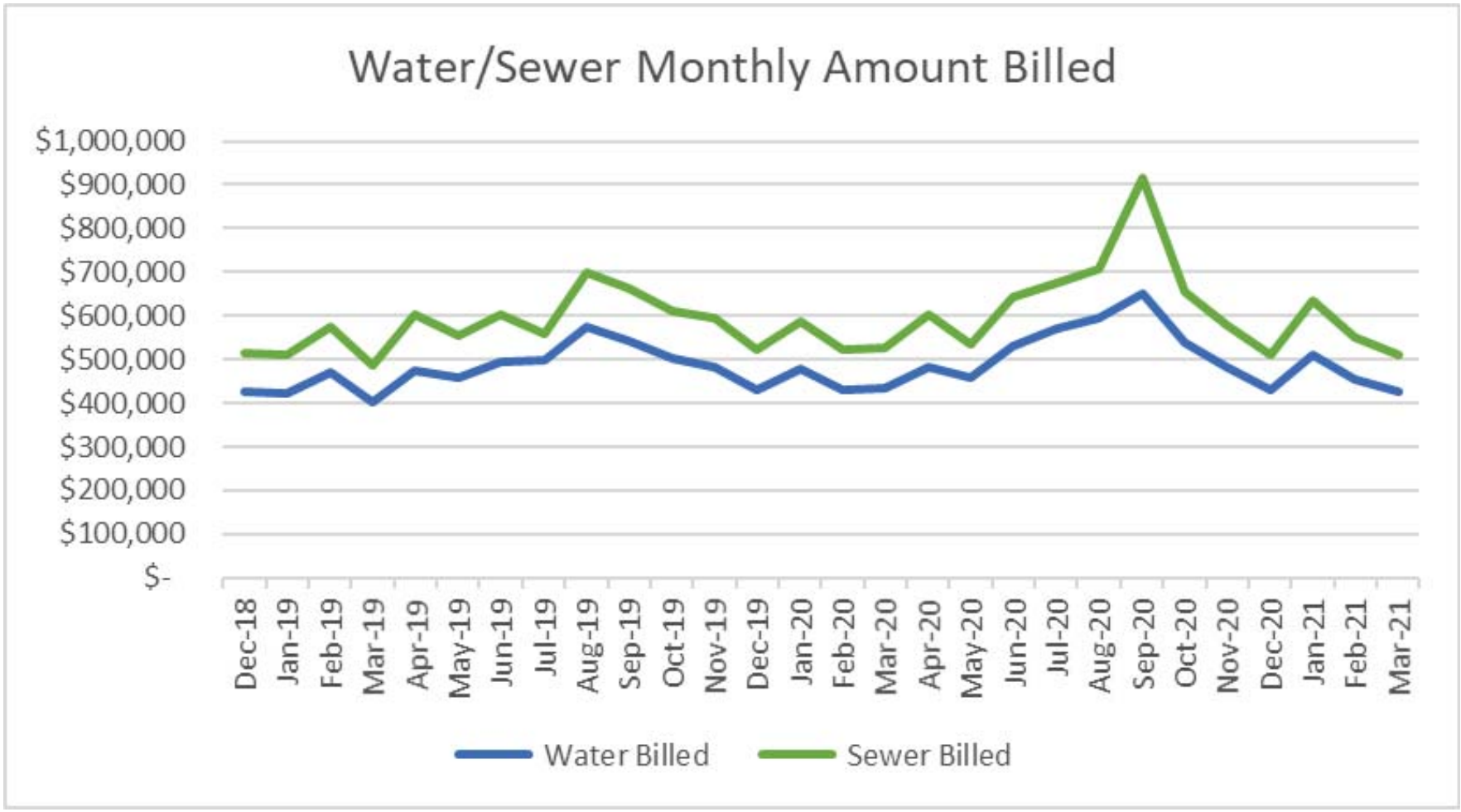
Justin Nahvi — APRIL 30, 2021
Finance Director — Date

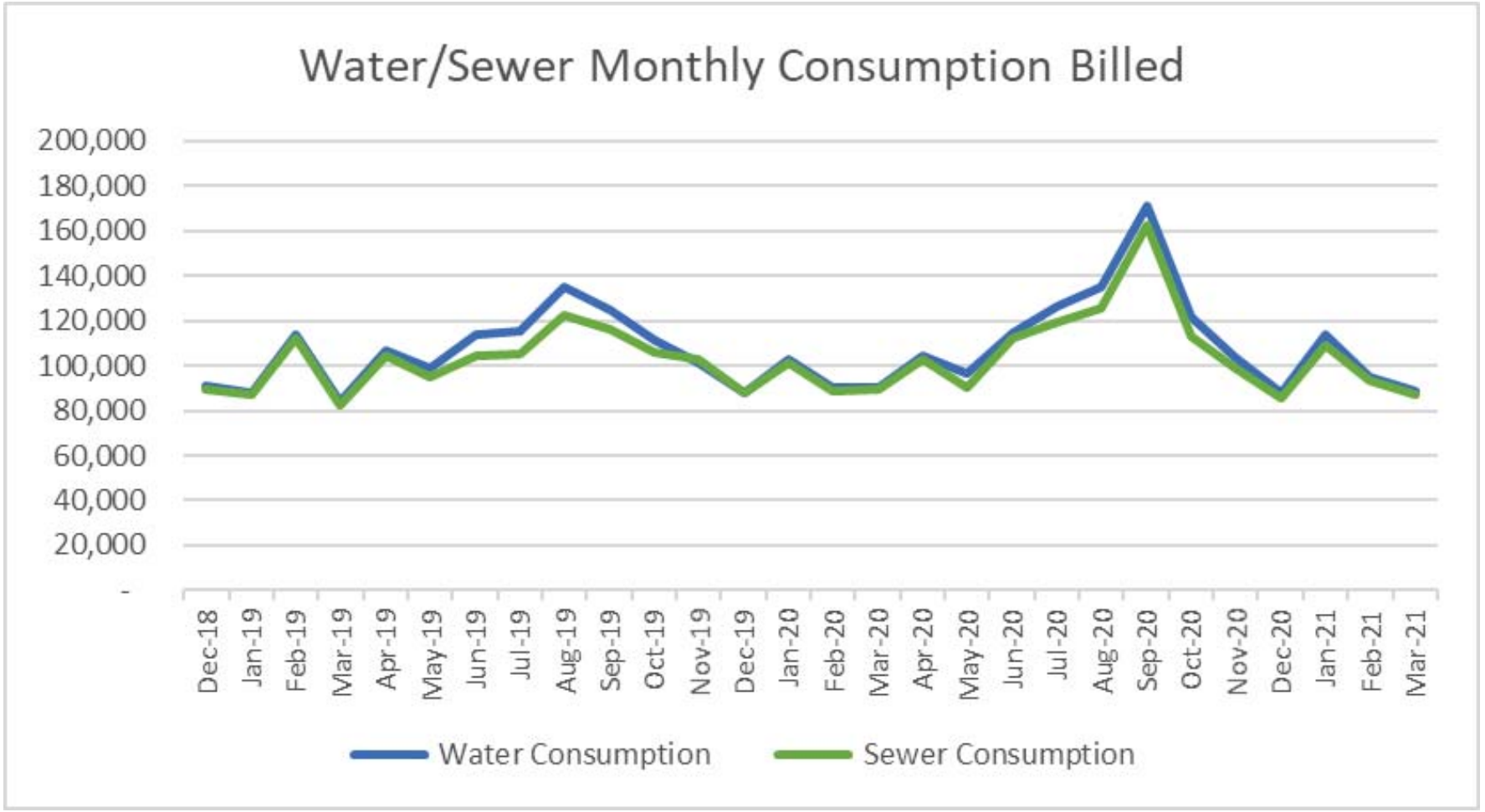
Tom Homan — APRIL 30, 2021
City Manager — Date

CITY OF DELAWARE
DEBT SCHEDULE
APRIL 2021

	Outstanding Balance 4/30/2021	General	Fire/EMS	Rec Levy	Police Impact Fee	Municipal Impact Fee	Glenn Rd. TIF/NCA	Water User Fee	Water Capacity Fee	Sewer User Fee	Sewer Capacity Fee
2019 GO Bonds	**$19,780,000**	$ 3,615,000					$ 6,280,000				$ 9,885,000
2017 General Obligation Bonds	**$ 5,405,000**	$ 587,605	$ 2,485,000						$ 1,820,494		$ 511,901
2015 General Obligation Bonds	**$ 4,930,000**		$ 350,000	$ 2,215,000			$ 2,365,000				
2013 General Obligation Bonds	**$ 4,740,000**		$ 1,725,000		$ 534,750	$ 1,190,250	$ 1,290,000				
2012 General Obligation Bonds	**$ 1,265,000**	$ 565,148	$ 114,852								$ 585,000
OWDA Water Projects	**$27,804,208**							$17,819,341	$ 9,984,867		
OWDA Sewer Projects	**$ 9,253,262**									$ 797,631	$ 8,455,631
2020 Recreation Levy Bonds	**$12,085,000**			$12,085,000							
Total Long Term Debt	**$85,262,470**	$ 4,767,753	$ 4,674,852	$14,300,000	$ 534,750	$ 1,190,250	$ 9,935,000	$17,819,341	$11,805,360	$ 797,631	$19,437,532
Fund Balance Reserves 4/30/21		$ 9,686,289	$10,649,647	$ 5,743,952	$ 517,404	$ 573,562	$ 4,471,630	$ 5,118,455	$12,033,678	$10,718,501	$ 7,918,396
Annual Debt Service		$ 767,721	$ 702,262	$ 2,431,580	$ 136,700	$ 353,500	$ 999,126	$ 1,285,727	$ 964,722	$ 152,695	$ 3,003,987
2021 Revenue		$25,879,431	$12,023,646	$ 2,326,517	$ 102,500	$ 170,500	$ 3,419,300	$ 7,722,927	$ 2,000,000	$ 8,572,424	$ 4,080,000

Billing Month	Consumption Period	Water Customers	Water Consumption	Water Billed	Sewer Customers	Sewer Consumption	Sewer Billed	Refuse Customers	Refuse Billed	Stormwater ERU	Stormwater Billed
Jan-19	Dec-18	12,928	91,066	$ 425,547	12,691	89,468	$ 515,265	14,235	$ 293,242	36,466	$ 91,166
Feb-19	Jan-19	12,951	88,253	$ 423,755	12,711	86,832	$ 511,264	14,247	$ 293,493	27,873	$ 69,681
Mar-19	Feb-19	12,957	113,997	$ 469,192	12,716	111,840	$ 576,244	14,316	$ 294,918	27,908	$ 69,771
Apr-19	Mar-19	12,983	84,044	$ 403,182	12,742	82,418	$ 485,058	14,294	$ 294,455	27,947	$ 69,868
May-19	Apr-19	13,050	106,911	$ 474,402	12,810	104,035	$ 601,199	14,349	$ 295,593	27,949	$ 69,873
Jun-19	May-19	13,096	99,139	$ 456,613	12,854	95,180	$ 553,500	14,395	$ 296,542	28,008	$ 70,020
Jul-19	Jun-19	13,134	113,613	$ 494,816	12,890	104,409	$ 604,106	14,464	$ 297,966	27,991	$ 69,978
Aug-19	Jul-19	13,151	115,139	$ 499,167	12,914	105,412	$ 559,491	14,495	$ 298,591	28,039	$ 70,097
Sep-19	Aug-19	13,172	134,924	$ 575,052	12,930	122,650	$ 697,696	14,519	$ 299,099	28,052	$ 70,129
Oct-19	Sep-19	13,207	125,047	$ 544,381	12,965	116,228	$ 661,645	14,573	$ 300,203	28,083	$ 70,208
Nov-19	Oct-19	13,243	111,664	$ 504,206	13,000	106,141	$ 608,906	14,599	$ 300,738	28,011	$ 70,028
Dec-19	Nov-19	13,211	100,944	$ 483,479	12,966	103,133	$ 596,428	14,595	$ 300,649	27,976	$ 69,941
Jan-20	Dec-19	13,270	87,728	$ 431,208	13,024	87,642	$ 522,014	14,631	$ 301,390	36,363	$ 90,907
Feb-20	Jan-20	13,219	102,900	$ 480,375	12,975	101,172	$ 587,089	14,382	$ 296,269	28,119	$ 70,297
Mar-20	Feb-20	13,240	90,393	$ 431,582	12,994	88,700	$ 522,680	14,651	$ 301,820	28,156	$ 70,390
Apr-20	Mar-20	13,278	90,392	$ 433,859	13,031	89,541	$ 527,488	14,707	$ 302,973	28,156	$ 70,390
May-20	Apr-20	13,333	104,347	$ 483,078	13,086	102,909	$ 601,266	14,681	$ 302,426	28,247	$ 70,616
Jun-20	May-20	13,386	96,858	$ 460,005	13,138	90,592	$ 534,923	14,687	$ 302,549	28,221	$ 70,552
Jul-20	Jun-20	13,415	114,917	$ 528,781	13,166	111,910	$ 642,513	14,727	$ 303,372	28,240	$ 70,600
Aug-20	Jul-20	13,402	126,267	$ 569,456	13,156	119,040	$ 675,202	14,755	$ 303,959	28,348	$ 70,870
Sep-20	Aug-20	13,473	134,662	$ 592,850	13,227	125,526	$ 706,345	14,837	$ 305,640	28,245	$ 70,612
Oct-20	Sep-20	13,475	171,441	$ 649,461	13,227	162,429	$ 916,105	14,857	$ 306,057	28,318	$ 70,796
Nov-20	Oct-20	13,506	121,983	$ 537,031	13,257	113,341	$ 656,170	14,867	$ 306,269	28,368	$ 70,921
Dec-20	Nov-20	13,513	103,585	$ 481,446	13,260	99,078	$ 576,854	14,897	$ 306,879	28,387	$ 70,967
Jan-21	Dec-20	13,596	88,116	$ 429,022	13,344	85,685	$ 509,956	14,926	$ 307,486	36,651	$ 91,627
Feb-21	Jan-21	13,589	113,480	$ 510,649	13,337	108,889	$ 634,005	14,984	$ 308,666	28,450	$ 71,124
Mar-21	Feb-21	13,611	95,261	$ 455,609	13,361	93,516	$ 549,420	15,008	$ 309,159	28,461	$ 71,152
Apr-21	Mar-21	13,644	88,539	$ 425,993	13,394	86,934	$ 512,288	15,028	$ 309,578	28,484	$ 71,211


Water/Sewer Monthly Amount Billed
$1,000,000
$900,000
$800,000
$700,000
$600,000
$500,000
$400,000
$300,000
$200,000
$100,000
$-
Dec-18
Jan-19
Feb-19
Mar-19
Apr-19
May-19
Jun-19
Jul-19
Aug-19
Sep-19
Oct-19
Nov-19
Dec-19
Jan-20
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Mar-20
Apr-20
May-20
Jun-20
Jul-20
Aug-20
Sep-20
Oct-20
Nov-20
Dec-20
Jan-21
Feb-21
Mar-21
Water Billed
Sewer Billed


Water/Sewer Monthly Consumption Billed
200,000
180,000
160,000
140,000
120,000
100,000
80,000
60,000
40,000
20,000
-
Dec-18
Jan-19
Feb-19
Mar-19
Apr-19
May-19
Jun-19
Jul-19
Aug-19
Sep-19
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Nov-19
Dec-19
Jan-20
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Mar-20
Apr-20
May-20
Jun-20
Jul-20
Aug-20
Sep-20
Oct-20
Nov-20
Dec-20
Jan-21
Feb-21
Mar-21
Water Consumption
Sewer Consumption

MONTHLY INCOME TAX REVENUES

2019-2021

	2019					2020					2021				
	W/H	PERSONAL	BUSINESS	TOTAL	% OF ACTUAL	W/H	PERSONAL	BUSINESS	TOTAL	% OF ACTUAL	W/H	PERSONAL	BUSINESS	TOTAL	% OF BUDGET
JANUARY	1,570,681	603,605	80,207	2,254,493		1,706,358	637,606	44,177	2,388,141		2,124,476	695,732	32,121	2,852,329	
FEBRUARY	1,616,403	398,566	112,062	2,127,031		1,757,517	309,713	92,790	2,160,019		1,576,434	230,011	132,193	1,938,638	
MARCH	1,308,699	737,799	133,499	2,179,997		1,597,825	513,367	158,820	2,270,012		1,738,826	693,608	251,879	2,684,312	
APRIL	1,941,656	2,595,734	781,735	5,319,125		1,942,011	774,039	198,985	2,915,035		1,840,194	1,455,187	1,069,746	4,365,127	
SUBTOTAL	6,437,440	4,335,704	1,107,502	11,880,646	41.25%	7,003,710	2,234,725	494,772	9,733,207	33.79%	7,279,930	3,074,538	1,485,938	11,840,406	41.03%
MAY	1,440,447	242,575	54,049	1,737,070		1,436,969	284,090	63,824	1,784,883		-	-	-	-	
JUNE	1,696,517	732,504	153,590	2,582,612		1,486,251	546,475	182,455	2,215,181		-	-	-	-	
JULY	1,630,973	329,142	27,910	1,988,025		1,564,181	1,991,877	459,118	4,015,176		-	-	-	-	
AUGUST	1,393,601	220,627	97,863	1,712,090		1,813,509	215,388	47,643	2,076,540		-	-	-	-	
SEPTEMBER	1,742,714	764,332	253,449	2,760,494		1,470,918	797,195	287,393	2,555,506		-	-	-	-	
OCTOBER	1,688,264	281,632	96,126	2,066,022		1,803,650	308,140	128,510	2,240,300		-	-	-	-	
NOVEMBER	1,563,442	258,284	79,136	1,900,863		1,848,195	180,009	82,625	2,110,829		-	-	-	-	
DECEMBER	1,683,645	368,333	124,744	2,176,722		1,457,238	428,683	190,989	2,076,910		-	-	-	-	
TOTALS	19,277,043	7,533,133	1,994,369	28,804,544		19,884,622	6,986,582	1,937,329	28,808,533		7,279,930	3,074,538	1,485,938	11,840,406	

	Total Receipts	APRIL Receipts	% of Annual Collections
2011	17,765,717	7,380,147	41.54%
2012	19,658,101	8,359,844	42.53%
2013	20,557,766	8,598,846	41.83%
2014	21,537,420	9,064,820	42.09%
2015	22,852,743	9,519,564	41.66%
2016	24,975,316	10,657,996	42.67%
2017	25,898,396	11,160,160	43.09%
2018	27,829,347	11,326,785	40.70%
2019	28,804,544	11,880,646	41.25%
2020	28,808,533	9,733,207	33.79%
		10 Year Avg.	41.11%

Projection based on ten year trend!

APRIL 2021 RECEIPTS =		$11,840,406
HIGH =	33.79%	$35,045,463
LOW =	43.09%	$27,476,984
LAST 3 YR AVG =	38.58%	$30,692,532
*2021 BUDGETED RECEIPTS		$28,857,906

AGENDA ITEM NO. t

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DATES	May 24, 2021
UBt MITTED t YS	Elaine McCloskey,Finance
ITEM TYaES	r Resentation
AGENDA UEoTIONS	**FINANCE DIRECTOR'S REPORT**
UBt JEoTS	Presentation on Delinquent Utility Account Project
UBGGEUTED AoTIONS	

ATTAoHMENTUS

Delinquent Utility Account Presentation.pdf

EST 1808

CITY OF DELAWARE OHIO

Delinquent Utility Account Project

2021 Budget Review

Justin Nahvi | May 24, 2021

Summary

- Utility disconnections and penalties for late payments were frozen in the Spring of 2020 due to the pandemic
- Currently there are 1,207 delinquent utility accounts that are eligible for disconnection due to non-payment
  - The Finance Department proposes establishing a deadline for delinquent customers to pay off the delinquent balance by August 31.
  - Remaining delinquent customers will have the unpaid balance assessed to the real estate tax duplicate in September to appear on tax bills in 2022. This process is authorized pursuant to Section 93 of the City Code.
  - Penalties and shutoff processes will then commence in October.

Timeline

- May 2021: Mail letters to renters and property owners on the delinquency and the deadline of August 31
- May – August 2021: Process payments on delinquent accounts
- September 2021: Assess remaining delinquent balances to the Delaware County Auditor's Office
- October 2021: Resume penalties and shutoff process for delinquent accounts

AGENDA ITEM NO. A

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 24, 2021

SUBMITTED BY: Elaine McCloskey,City Manager Office

ITEM TYPE: Staff Reports

AGENDA SECTION: **CITY MANAGER'S REPORT AND COVID-19 UPDATE**

SUBJECT: UPDATE

SUGGESTED ACTION:

ATTACHMENTS:
city managers report 20210524.pdf
may.pdf
June.pdf

TO: Mayor Riggle and Members of Council

FROM: R. Thomas Homan, City Manager

SUBJECT: Miscellaneous Matters

DATE: May 20, 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

May 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4 Public Works/Utilities 6 pm	5 Civil Service 3 p.m. Planning 6:3 p.m.	6	7	8
9	10 Council 7 pm	11	12 BZA 6:30 p.m. - Canceled	13	14	15
16	17	18 Parks and Recreation Advisory Board 6:30 p.m. RESCHEDULED – June 8, 2021	19	20	21	22
23	24 Council 7 p.m.	25	26 HPC 6:30 p.m.	27	28	29
30	31 Memorial Day Closed					

June

2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2 Civil Service 3pm Planning 6:30 pm	3	4	5
6	7 Council Work Session 6:30 pm	8 Parks and Rec Advisory Board Meeting 6:30 pm	9 BZA 6:30 pm	10	11	12
13	14 Council 7 pm	15	16	17	18	19
20	21 Parking and Safety 6 pm	22 Shade Tree 6:30 pm	23 HPC 6:30	24	25	26
27	28 City Council 7pm	29	30			