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

AGENDA

7:00 P.M. **September 28, 2020**

1. ROLL CALL

2. INVOCATION by Fire Chaplain Jonathan Smith

3. APPROVAL of the Motion Summary of the regular meeting of Council held on September 14, 2020, as recorded and transcribed.

4. CONSENT AGENDA
   A. Acceptance of the Motion Summary of the Finance Committee meeting held on September 1, 2020, as recorded and transcribed.
   B. Acceptance of the Motion Summary of the Parks and Recreation Advisory Board meeting held on July 21, 2020, as recorded and transcribed.

5. LETTERS, PETITIONS, AND PUBLIC COMMENTS
   Due to the meeting being held virtually, written public comment, maximum 500 words, is requested to be received before 3p.m. the date of the meeting through email at emccloskey@delawareohio.net. To provide live public comment please email emccloskey@delawareohio.net to sign up by 3 p.m. the date of the meeting. Name and address are required for public comment. Comments received on Facebook may have to be addressed by staff subsequent to the meeting.

6. PRESENTATION
   A. Proclamation to recognize Fire Safety Week, October 4-10, 2020, presented to Chief John Donahue

7. COMMITTEE REPORTS

8. THIRD READING of Ordinance No. 20-54, an ordinance amending Section 351.14 of the Codified Ordinances relating to Heavy Vehicles and Trailers.

9. 7:20 P.M. PUBLIC HEARING AND SECOND READING of Ordinance No.

20-58, an ordinance approving a Conditional Use Permit for United Dairy Farmers Inc., to construct a new United Dairy Farmers Gas Station within the Floodway and the 100-Year Flood Plain and for a Gas Station on approximately 0.765 acres on property zoned B-3 (Community Business District) and located at 123 West William Street.

10. SECOND READING of Ordinance No. 20-59, an ordinance approving a Preliminary Development Plan for United Dairy Farmers Inc., to construct a new United Dairy Farmers Gas Station on approximately 0.765 acres on property zoned B-3 (Community Business District) and located at 123 West William Street.

11. CONSIDERATION of Resolution No. 20-56, a resolution adopting a Complete Street Policy for the City of Delaware.

12. CONSIDERATION of Resolution No. 20-57, a resolution determining that a petition to establish the Liberty Grand New Community Authority and District is sufficient and complies with the requirements of Section 349.03 of the Ohio Revised Code in form and substance.

13. CONSIDERATION of Resolution No. 20-58, a resolution determining that a petition to establish the Berlin Meadows New Community Authority and District is sufficient and complies with the requirements of Section 349.03 of the Ohio Revised Code in form and substance.

14. CONSIDERATION of Ordinance No. 20-60, an ordinance authorizing the City Manager to enter into a lease agreement with the Second Ward Community Initiative (SWCI).

15. CONSIDERATION of Ordinance No. 20-61, an ordinance amending a 2020 Community Reinvestment Area Agreement and School Compensation Agreement with the City of Delaware, Innovation Center LLC, Delaware City Schools and Delaware Area Career Center and declaring an emergency.

16. CONSIDERATION of Ordinance No. 20-62, an ordinance approving a Performance Based Economic Incentive Grant Agreement with American Freight, LLC for moving, installing, and purchasing furniture and fixtures for its headquarters at 109 Innovation Court, Delaware, Ohio 43015 and declaring an emergency.

17. CONSIDERATION of Ordinance No. 20-63, an ordinance authorizing Supplemental Appropriations for the local Coronavirus Relief Fund and declaring an emergency.

18. CONSIDERATION of Ordinance No. 20-64, an ordinance directing the

City Manager to establish a second business assistance grant program, authorize appropriations, and declaring an emergency.

19. CONSIDERATION of Ordinance No. 20-65, an ordinance amending the Management, Professional, Technical, Confidential, and Supervisor Employees Pay Plan and declaring an emergency.

20. THIRD READING of Resolution No. 20-49, a resolution adopting the 2021-2025 Five-Year Capital Improvement Plan (CIP).

21. FINANCE DIRECTOR'S REPORT

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

23. COUNCIL COMMENTS

24. ADJOURNMENT

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

The regular meeting of Council held on September 14, 2020 and was called to order at 7:00 p.m. and was held remotely through Cisco Webex and streamed Live through Facebook due to the State of Emergency – Executive Order 2020-01D. The following members of Council were remotely present: Second Ward Lisa Keller, Third Ward Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Riggle who presided. Absent from the meeting was First Ward Chris Jones. The invocation was delivered by Fr. Brett Garland, St. Mary Catholic Church.

Staff Present Remotely: Dave Efland, Planning and Community Development Director, Justin Nahvi, Finance Director, Bill Ferrigno, Public Works Director and City Engineer, Bruce Pijanowski, Police Chief, John Donahue, Fire Chief, Natalia Harris, Interim City Attorney, Kyle Kridler, Assistant City Manager, and Tom Homan, City Manager

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

ITEM 3: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held on August 24, 2020, as recorded and transcribed.

Motion: Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held on August 24, 2020, as recorded and transcribed, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 4: CONSENT AGENDA

A. Acceptance of the Motion Summary of the Planning Commission meeting held on August 5, 2020, as recorded and transcribed.
B. Acceptance of the Motion Summary of the Finance Committee meeting held on July 29, 2020, as recorded and transcribed.
C. Acceptance of the Motion Summary of the Board of Zoning Appeals meeting held on June 10, 2020, as recorded and transcribed.
D. Resolution No. 20-50, a resolution authorizing the City Manager to enter into a cooperative agreement with the Ohio Department of Transportation to perform work to replace/upgrade various guardrail and assemblies on State Route 37 and US Route 42.
E. Resolution No. 20-51, a resolution authorizing the City Manager to submit a grant application to the Delaware, Knox, Marion, & Morrow (DKMM) Solid Waste District and to enter into funding agreements for the provision of recycling containers and public information materials.
F. Resolution No. 20-52, a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor for Tax Year 2020/Budget Year 2021.
G. Establish September 28, 2020 at 7:20 p.m. as a date and time for a public hearing and second reading of Ordinance No. 20-58, an ordinance approving a Conditional Use Permit for United Dairy Farmers Inc., to construct a new United Dairy Farmers Gas Station within the Floodway and the 100-Year Flood Plain and for a Gas Station on approximately 0.765 acres on property zoned B-

3 (Community Business District) and located at 123 West William Street.

Motion: Vice-Mayor Shafer motioned to approve the Consent Agenda, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 5: LETTERS, PETITIONS, AND PUBLIC COMMENTS
Barb Hering
Via Cisco Webex

Ms. Hering voiced concerns over the installation of the LED street lights on Glenn Parkway.

Bob Grden
Via Cisco Webex
10590 Wellington Blvd.
Powell, Ohio

Mr. Grden provided a statement requesting a discussion at the upcoming Finance Committee meeting for a NCA at Winterbrooke Place.

Motion: Mr. Hoffman motioned to refer to request for a NCA discussion to the Finance Committee, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 6: COMMITTEE REPORTS
Mrs. Keller discussed that she referred a resident to attend the November 10, 2020 Public Works/Public Utilities meeting.

Mr. Hoffman provided an update on the variances granted at the recent Board of Zoning Appeals meeting.

Mr. Hellinger informed Council that there will be a Finance Committee meeting on Monday.

Mayor Riggle discussed the recent Planning Commission meeting that was held.

ITEM 8: RESOLUTION NO. 20-48 [First Reading]
A RESOLUTION AUTHORIZING THE MODIFICATION OF CERTAIN TRAFFIC CONTROL SIGNAGE AT THE KING AVENUE/BLUE LIMESTONE ACCESS AND JOHN STREET INTERSECTION TO MAKE KING AVENUE/BLUE LIMESTONE ACCESS THE THROUGH MOVEMENT AND JOHN STREET THE STOP-CONTROLLED MOVEMENT.

The Clerk read the resolution for the first time.

Motion: Mr. Farrell motioned to approve Resolution No. 20-48, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 9: ORDINANCE NO. 20-48 [Public Hearing and Second Reading]
AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR GOSULA HOLDINGS LTD., FOR A DRIVE-THRU FOR A NEW COMMERCIAL BUILDING ON APPROXIMATELY 0.605 ACRES ON

PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT) AND LOCATED AT 1163 COLUMBUS PIKE (AN OUT PARCEL OF THE DELAWARE SQUARE SHOPPING CENTER).

The Clerk read the ordinance for the second time.

There was no public comment.

APPLICANT:
Mohan Gosula
6628 Trent Court
Lewis Center, Ohio

Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 20-48, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 10: ORDINANCE NO. 20-54 [Public Hearing and Second Reading]
AN ORDINANCE AMENDING SECTION 351.14 OF THE CODIFIED ORDINANCES RELATING TO HEAVY VEHICLES AND TRAILERS.

The Clerk read the ordinance for the second time.

There was no public comment.

Chief Pijanowski provided background information on the ordinance and the need for it. He discussed optional language to disallows any commercial vehicles. Council to take Ordinance No. 20-54 to a third reading.

ITEM 11: RESOLUTION NO. 20-53 [First Reading]
A RESOLUTION REQUESTING THE OHIO DEPARTMENT OF HEALTH PROVIDE PERTINENT DATA RELATING TO THE TOTAL NUMBER OF COVID-19 TEST PERFORMED FOR RESIDENTS OF THE CITY OF DELAWARE AND DELAWARE COUNTY, OHIO TO THE DELAWARE GENERAL HEALTH DISTRICT.

The Clerk read the resolution for the first time.

PUBLIC COMMENT:
Shelia Hiddleson
Delaware General Health District, Health Commissioner

Brian Blackburn
Via Cisco Webex

Ms. Keller provided a presentation regarding the request for data from the Ohio Department of Health. Mr. Farrell read into the record his recommendations to amend the resolution. Mrs. Keller voiced no opposition to the requested amendments.

Motion: Mr. Farrell motioned to amend Resolution No. 20-53, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mrs Keller motioned to approve Resolution No. 20-53, as amended, seconded by Vice-Mayor Shafer. Motion approved by a 5-1 (Hellinger) vote.

ITEM 12: RESOLUTION NO. 20-54 [First Reading]
A RESOLUTION ACCEPTING THE NEGOTIATED CHANGES TO EXPIRING CONTRACTS BETWEEN THE CITY OF DELAWARE AND TWO BARGAINING GROUPS.

The Clerk read the resolution for the first time.

Motion: Vice-Mayor Shafer motioned to approve Resolution No. 20- 54, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

ITEM 13: RESOLUTION NO. 20-55 [First Reading]
A RESOLUTION AUTHORIZING THE CITY OF DELAWARE TO REQUEST A SHARE OF FUNDS FROM THE COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND.

The Clerk read the resolution for the first time.

Motion: Mr. Hoffman motioned to approve Resolution No. 20-55, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 14: ORDINANCE NO. 20-56 [First Reading]
AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT REQUEST BY D.R. HORTON INDIANA LLC., (WESTPORT HOMES) FOR SPRINGER WOODS SECTION 3 PHASE 1 CONTAINING 59 SINGLE FAMILY LOTS ON APPROXIMATELY 18.351 ACRES ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON SPRINGER BOULEVARD, BEVAN WAY, PENWELL DRIVE, BRAZOS DRIVE AND CURLY SMART CIRCLE.

The Clerk read the ordinance for the first time.

APPLICANT:
Terry Andrews
507 Executive Campus Drive
Westerville, Ohio

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 20-56, seconded by Mr. Hoffman. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 20-56, seconded by Mr. Hoffman. Motion approved by a 6-0 vote.

ITEM 15: ORDINANCE NO. 20-57 [First Reading]
AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT REQUEST BY D.R. HORTON INDIANA LLC., (WESTPORT HOMES) FOR SPRINGER WOODS SECTION 3 PHASE 2 CONTAINING 62 SINGLE FAMILY LOTS ON APPROXIMATELY 29.218 ACRES ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON SPRINGER WOODS BOULEVARD, PENWELL DRIVE AND COLQUITT COURT.

The Clerk read the ordinance for the first time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 20-57, seconded by Mr. Hoffman. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 20-57, seconded by Mr. Hoffman. Motion approved by a 6-0 vote.

ITEM 16: ORDINANCE NO. 20-58 [First Reading]
AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR UNITED DAIRY FARMERS INC., TO CONSTRUCT A NEW UNITED DAIRY FARMERS GAS STATION WITHIN THE FLOODWAY AND THE 100-YEAR FLOOD PLAIN AND FOR A GAS STATION ON APPROXIMATELY 0.765 ACRES ON PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT) AND LOCATED AT 123 WEST WILLIAM STREET.

The Clerk read the ordinance for the first time. A public hearing and second reading is scheduled for September 28, 2020 at 7:20 p.m.

ITEM 17: ORDINANCE NO. 20-59 [First Reading]
AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR UNITED DAIRY FARMERS INC., TO CONSTRUCT A NEW UNITED DAIRY FARMERS GAS STATION ON APPROXIMATELY 0.765 ACRES ON PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT) AND LOCATED AT 123 WEST WILLIAM STREET.

The Clerk read the ordinance for the first time. Council to take Ordinance No. 20-59 to a second reading.

ITEM 18: RESOLUTION NO. 20-49 [Second Reading]
A RESOLUTION ADOPTING THE 2021-2025 FIVE-YEAR CAPITAL IMPROVEMENT PLAN (CIP).

The Clerk read the resolution for the second time.

Chief Pijanowski provided a presentation to Council the CIP request for the police department. He discussed equipment replacement needs for cruisers and also for upgrades to cruiser video system and body worn camera systems. He provided information on the body worn camera and that this would be a new implementation. He discussed that no unmarked vehicles need replaced in 2021. He discussed that privacy rights for body cameras were addressed in legislation by the Governor. He discussed the request for more accountability of police officers and the body cameras will assist with this.

Chief Donahue provided a presentation to Council on the CIP request for the fire department. He reviewed the requested 2021 projects including the replacement of two staff cars from 2011 and 2012, replacement of mowers, and Fire Training Tower Planning. He discussed that the fire departments provide their own mowing. There are three major future projects including Fire Station 305, Fire Station 301, and Fire Training Tower. Fire Station 305 would be for the east side due to the expected growth of the east side. Station 301 was built in 1972 and has aging infrastructure and need for additional office space. This station is a key

central location. The training tower will allow for live fire training and special operations.

Mr. Ferrigno provide the CIP presentation to Council for both the Solid Waste Management and Airport. He discussed the residential collection and that the auto-loader pilot program was successful. The auto-loader showed an improvement in productivity and decline in injuries. Plans to replace eight trucks in the next five years. These trucks service both refuse and recycling. He discussed that recycling will go to a signle stream collection and this pilot initiative will start in 2021. The bins will be replaced with a green recycling container. This will help to reduces debris from blowing in wind and wet materials. A grant will help to provide 800 containers for the pilot program. Yard waste recycling continues to be strong with the community. He proposes replaces three trucks in the next five years. This helps to save on disposal costs and reduces landfill volumes. He discussed the cost for refuse vehicles and the goal to try to get seven years life out of the vehicles. Mr. Ferrigno discussed three paving projects for the Airport. He discussed utilizing FAA grants to offset the cost of the projects. He discussed plans to build a corporate drive.

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

Mr. Kridler reviewed the report regarding the current meeting format and plans to return to open meetings. He recommended the different locations that were reviewed. Due to City Hall renovations, meetings would not be able to occur until after construction. The Delaware County Board of Elections meeting room would not be available until after the election and the Delaware YMCA meeting room would have limited space for the public due to social distancing requirements. He discussed that due to the challenges relating to COVID-119 staff recommends that meetings would remain virtual at this time.

Mr. Kridler provided an update on the Diversity, Equity, and Inclusion Committee. The internal working group will meet on Wednesday, September 16.

Mr. Homan provided information on having a meeting with the Delaware County Finance Authority on working on incentives for economic development.

ITEM 20: COUNCIL COMMENTS

Mrs. Keller informed Council that a letter will and copy of Resolution No. 20-53 will be sent to Ohio Department of Health along with a request to have a meeting. She will be discussing this resolution with the County Commissioners at their September 17 meeting.

Mr. Hoffman discussed the previous Public Works meeting and discussion of the Kelvin scale of the LED lights and request that this be discussed by Mr. Ferrigno when he presents at future Council meeting.

Mr. Farrell discussed the recent focus in news to minimize the seriousness of the COVID-19. He discussed his concerns over the

effects in the community and the responsibility of leader in the community that council has.

Vice-Mayor Shafer provided more information regarding the meeting with the Delaware County Finance Authority.

Mayor Riggle informed Council that she received complaints regarding Smith Park over the difficulty getting to the playground and complaints due to the development at Coughlin's Crossing development.

ITEM 25: ADJOURNMENT

Motion: Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 9:28 p.m.

_____
Mayor Carolyn Kay Riggle

_____
Elaine McCloskey, Council Clerk

FINANCE COMMITTEE
MOTION SUMMARY
September 1, 2020

ITEM 1. Roll Call

Chairman Hellinger called the Virtual Cisco Webex Finance Committee meeting to order at 1:00 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, Kyle Kridler, Assistant City Manager, Tom Homan, City Manager

ITEM 2. Approval of the Motion Summary for the meeting held July 29, 2020, as recorded and transcribed.

Motion: Vice-Mayor Shafer moved to approve the Motion Summary from July 29, 2020, as recorded and transcribed, seconded by Vice-Chairman Jones. Motion approved by a 3-0 vote.

ITEM 3. Public Comments

No public comments were received via email or request to join the virtual meeting.

ITEM 4. Review of July Financial Report

Mr. Nahvi reviewed the July Financial Report on the revenues and expenditures for the following funds: General Fund, Fire/EMS Income Tax Fund, Stormwater Fund, Water Fund, Wastewater Fund and Refuse Fund.

The General Fund revenues are performing as expected. Income Tax year to date receipts shows a 2.4% less than amount the City received during the same period in the prior year. This decline is attributed to the shifting of the income tax filing due date and the rise in unemployment rate which began in March 2020.

The Fire/EMS Income Tax Fund expenditures are performing as expented. The Stormwater Fund revenues and expenditures are performing as expected. The Water Fund revenues and expenditures are performing as expected, meter charges reflect a 0.3% increase in the amount collected the same period from the prior year. The Wastewater Fund shows that the meter charges for wastewater treatment is 0.1% less than the same period from prior years. The Wastewater Fund expenditures are performing as expected. The Refuse

Fund revenues and expenditures are performing as expected. The Charges for Services reflects a 0.4% decrease compared to what the City received from the same period in the prior year. Mr. Nahvi reviewed the current Debt Schedule. Chairman Hellinger discussed the expected impact to providing credits to the increasing amount of citizens that are no longer working outside of the city but in their homes.

ITEM 5. Review of 2020 Budget Gauge

Mr. Nahvi reviewed that 2020 Budget Gauge was changed from Budget Restraint to Elevated Monitoring.

ITEM 6. Discussion of 2020 Income Tax Collections and Updated Revenue Forecast

Mr. Nahvi reviewed the Monthly Income Tax Revenues from 2018 to 2020.

ITEM 7. Discussion on 2021-2025 Proposed Capital Improvement Plan

Mr. Nahvi discussed the CIP process which began in May. The guidance of the CIP was restrained due to the effects relating to COVID-19. Several projects scheduled for 2020 were delayed, reduced or cancelled. Mr. Nahvi discussed the General Fund Summary. In 2022 there is a deficit in roadway maintenance, and there is not revenue to fund all the maintenance projects. Mr. Homan discussed presenting CIP out of balance and past discussions on additional finance sources and the challenges to large transportation projects. He provided updates regarding the Point Project, East William Street Project, and Central Avenue.

Mr. Hellinger discussed pursuing funds for the funding gap for transportation projects. Mr. Homan discussed using JEDD dollars to assist with the Point Project and contributions from Krogers. Mr. Nahvi reviewed the funding summary for East Central Avenue Project. Mr. Shafer questioned about the signalization projects and if still on target for 2021. Mr. Nahvi discussed the second phase for these projects will be completed in 2021. Ms. Ballone reviewed funds allocated to street programs, with some funds going to the Pennick Ave. connection. Mr. Homan discussed applying for a grant for the John Street Bridge replacement that was needed due to the recent flood.

Mr. Homan discussed that there are more capital improvement programs for stormwater fund which is related to both the recent flood and also facility replacement and maintenance. He discussed the need to look at the future of the stormwater fees and discussed working with a consultant on what an increase would look like and what the funds would be used for. Ms. Ballone discussed the U.S. 23 culvert repairs and that the final cost will be determined on the inspection results which will not be available until 2021. A discussion was held regarding stormwater repairs including curb maintenance and repairs.

Mr. Homan discussed the request by Chief of Police to have body cameras and that more discussion will occur at future meetings. He discussed this would be an extension of technology that it already available in the police cruisers.

ITEM 8. Member Comments

ITEM 9. Next Meeting Date: To Be Determined

The Committee discussed meeting in September to further review the CIP.

ITEM 10. Adjournment

Motion: Chairman Hellinger moved to adjourn the Finance Committee meeting. The Finance Committee meeting adjourned at 2:17 p.m.

Chairman

Elaine McCloskey, Clerk

PARKS AND RECREATION ADVISORY BOARD
MOTION SUMMARY
July 21, 2020

ITEM 1. Roll Call

Chairman Bricker called the virtual meeting to order at 6:30 p.m.

Members Virtually Present: Cassie Cunningham, Bob Dalton, Gary Hayward, Jill Staugler, Maria Schul, Michael Rush, Angela MacWhinney, Vice-Chairwoman Dianna Hibinger, and Chairman Joshua Bricker

Members Absent: Corie Thompson and Councilman Chris Jones

City Staff Virtually Present: Ted Miller, Parks and Natural Resource Director

YMCA Staff Virtually Present: Roger Hanafin, Associate Executive Director

Motion to Excuse: Mr. Rush motioned to excuse Councilman Jones and Ms. Thompson, seconded by Mr. Dalton. Motion approved by a 9-0 vote.

ITEM 2. APPROVAL of the Motion Summary for the meeting held January 23, 2020 as recorded and transcribed.

Motion: Vice-Chairwoman Hibinger motioned to approve the Motion Summary for the meeting held January 23, 2020 as recorded and transcribed, seconded by Mr. Dalton. Motion approved by a 9-0 vote.

ITEM 3. PUBLIC COMMENTS

There was no public comment.

ITEM 4. UPDATE of YMCA Recreation Services, Programs and Events
Mr. Hanafin discussed the impact COVID-19 had in regards to programs and recreation services. All events with a fee were refunded to participants and currently all upcoming events are cancelled. The Jack Florance Pool remains closed for the season. He discussed getting position feedback from YMCA members on making reservations for a pool lane for the YMCA indoor pool. He reviewed the criteria needed to allow for programming to start back up.

ITEM 5. UPDATE on Recreation Survey

Mr. Miller informed the Committee that the first draft is expected to be finished in late August.

ITEM 6. STAFF COMMENTS

Mr. Miller provided an update on the attendance at the Hidden Valley Golf Course and the plans to provide legislation on the new park across from the YMCA on Houk Road and Boulder Drive. He provided an update on the new playground equipment installation at Mingo Park and the concept for the path along the Delaware Run and Valleyview Drive.

ITEM 7. MEMBERS COMMENTS

Ms. MacWhinney complimented staff on the new park signage.

Vice-Chairwoman Hibinger discussed issues with the lights at the Mingo tennis courts. She voiced a question if metal detectors are allowed in the City Parks. Mr. Miller informed that he reached out to the resident with the question and that it is allowed.

ITEM 8. ADJOURNMENT

Motion: Vice-Chairwoman Hibinger moved to adjourn the Parks and Recreation meeting. The meeting adjourned at 7:09 p.m.

Chairperson

Elaine McCloskey, Clerk

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 8

DATE: 09/28/2020

ORDINANCE NO: 20-54

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: YES
SEPTEMBER 14, 2020 @ 7:30 P.M.

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Natalia Harris, Interim City Attorney

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE AMENDING SECTION 351.14 OF THE CODIFIED ORDINANCES RELATING TO HEAVY VEHICLES AND TRAILERS.

BACKGROUND:
09/28/2020 UPDATE: The following information is responsive to Councilman Hoffman's request for clarification at the September 14 meeting. Different organizations categorize trucks into different classes based on the vehicle's gross vehicle weight rating ("GVWR"), which is the total amount of weight a vehicle can carry. It includes the vehicle itself, all fluids needed for operation (gas, oil, etc.) and any cargo and passengers. The GVWR is calculated by the manufacturer and can be found in the owner's manual or on the vehicle's door frame.

Incorporating the "commercial vehicle" definition from Section 341.01 of the Delaware City Code (which mirrors the Ohio Revised Code) creates consistency and makes the manufacturer's specifications determinative as opposed to any particular classification system.

There is also a uniform calculation to determine the one-ton capacity from the GVWR.

The manufacturer specifications will also show how the vehicle was originally equipped.

09/14/2020 UPDATE: Based on further research, Council will be provided with another option to consider which would eliminate the oversight from the 2016 amendment and removes the reference to vehicle class due to confusion that it could create. The new option will restrict the parking of commercial vehicles in a residential district, based on the definition already found within the Delaware Codified Ordinance (341.01 DCO). It also delineates certain higher payload rated or passenger vehicles as still being permissible based on their respective designation if they are configured for passenger transportation. This will allow for the generally acceptable practice of take-home pick-up trucks and higher capacity vans, while maintaining the restriction on a pick-up truck configured as a commercial vehicle (such as a truck with a bucket on the back).

08/24/2020: This is a cleanup change. In 2016, Council amended this section to clarify that Class 4 vehicles cannot be parked in residential areas. In doing so, we did not account for the fact that there are vehicles that are larger than Class 4 vehicles and did not effectively define Class 4. This ordinance fixes that omission, points to the Federal Highway Administration for the classifications, and provides an exception for privately owned, non-commercial trucks.

REASON WHY LEGISLATION IS NEEDED:
This legislation will update language and make it easier to explain the prohibitions.

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):
None

POLICY CHANGES:

PRESENTER(S):
Bruce Pijanowski, Chief of Police

RECOMMENDATION:
Approval after public hearing; or Third Reading in consideration of new option.

ATTACHMENT(S)

351.14 Heavy Vehicle and Trailers, optional language with images.
Delaware Codified Ordinance Definition of Commercial Motor Vehicle

ORDINANCE NO. 20-54

AN ORDINANCE AMENDING 351.14 OF THE CODIFIED ORDINANCES RELATING TO HEAVY VEHICLES AND TRAILERS.

WHEREAS, the Delaware Codified ordinances regulate heavy vehicles and trailers; and

WHEREAS, the code was amended in 2016 to prohibit Class 4 vehicles in residential areas; and

WHEREAS, due to the system of classifying vehicles, this created a potential loophole under which Class 4 vehicles are prohibited, but larger vehicles are not; and

WHEREAS, Council desires to make an exception for private, non-commercial vehicles which can fall under the prohibition.

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

SECTION 1. Section 351.14 of the codified ordinances shall be amended as follows:

351.14. - Heavy vehicles and trailers.

(a) No operator or driver of any motor truck used for the delivery of merchandise to any retail dealer in the City, if prevented by lack of space from parking such truck in accordance with the parking regulations of the City, shall permit such truck to stand in or upon any street or alley for more than thirty minutes without the permission of the Police Department.

(b) No person shall permit a motor vehicle or truck-trailer combination with an overall length of more than thirty feet, farm or construction equipment or combination thereof with an overall length of more than twenty-two feet, or unattached trailer, to be parked on any street or alley for more than one hour without the permission of the Police Department.

(c) No person shall park any vehicle having a diesel engine and/or refrigeration unit in a residential area, or within 200 feet of a residential area, as indicated by the Zoning Map, for longer than ten minutes with either or both of such engines running.

(d) No person shall permit a ~~CLASS 4~~ vehicle **WITH A CLASSIFICATION OF CLASS 4 OR GREATER, AS ESTABLISHED BY THE FEDERAL HIGHWAY ADMINISTRATION** to be parked on any street or on any residential premises in any R District for more than one hour without the permission of the Police Department, provided that nothing herein shall prevent the parking of such vehicle in a fully enclosed garage or similar permanent structure.

(e) **PRIVATELY OWNED, NON-COMMERCIAL TRUCKS WITH NOT GREATER THAN A 1 TON RATING ARE EXEMPTED FROM THE PROHIBITION PROVIDED IN (D) OF THIS SECTION**.

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

PASSED: _____, 2020 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

Delaware Codified Ordinance Definition of Commercial Motor Vehicle

341.01 Definitions:

(c) "Commercial motor vehicle" means any motor vehicle designed or used to transport persons or property that meets any of the following qualifications:

(1) Any combination of vehicles with a combined gross vehicle weight rating of 26,001 pounds or more, provided the gross vehicle weight rating of the vehicle or vehicles being towed is in excess of 10,000 pounds;

(2) Any single vehicle with a gross vehicle weight rating of 26,001 pounds or more, or any such vehicle towing a vehicle having a gross vehicle weight rating that is not in excess of 10,000 pounds;

(3) Any single vehicle or combination of vehicles that is not a class A or class B vehicle, but is designed to transport sixteen or more passengers including the driver;

(4) Any school bus with a gross vehicle weight rating of less than 26,001 pounds that is designed to transport fewer than sixteen passengers including the driver;

(5) Is transporting hazardous materials for which placarding is required under subpart F of 49 C.F.R. part 172, as amended;

(6) Any single vehicle or combination of vehicles that is designed to be operated and to travel on a public street or highway and is considered by the Federal Motor Carrier Safety Administration to be a commercial motor vehicle, including, but not limited to, a motorized crane, a vehicle whose function is to pump cement, a rig for drilling wells, and a portable crane.

351.14 - Heavy vehicles and trailers.

For purposes of this section, “commercial vehicle” has the same meaning as in Section 341.01

(a)
No operator or driver of any motor truck used for the delivery of merchandise to any retail dealer in the City, if prevented by lack of space from parking such truck in accordance with the parking regulations of the City, shall permit such truck to stand in or upon any street or alley for more than thirty minutes without the permission of the Police Department.

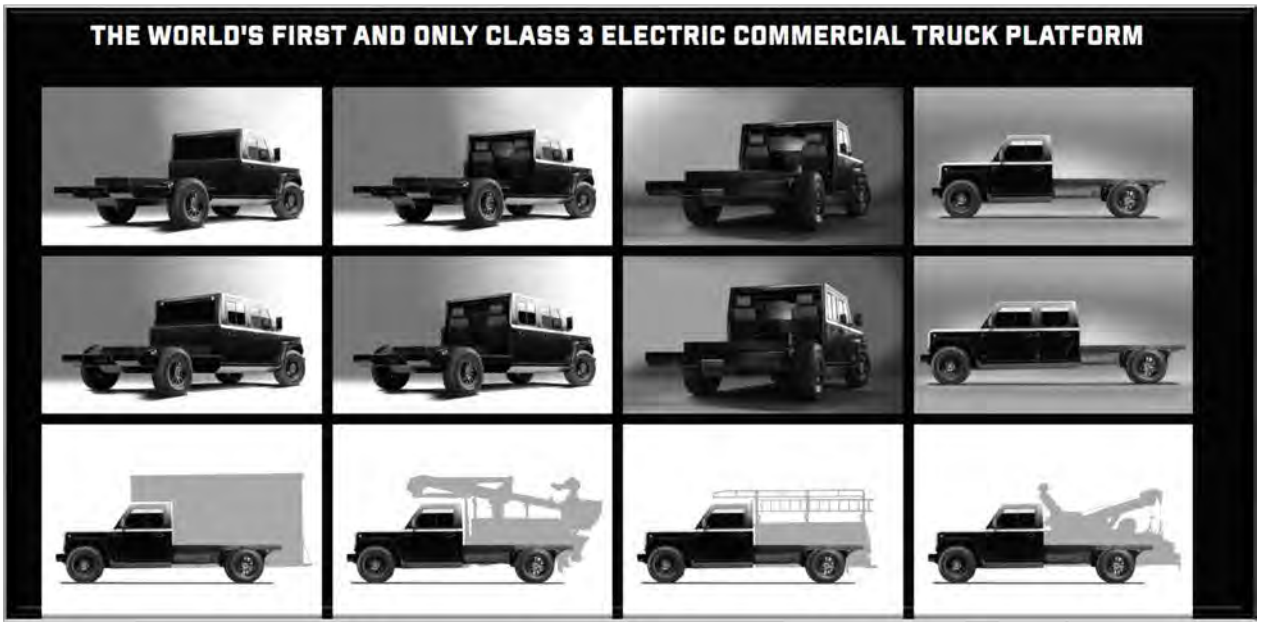
(b)
No person shall permit a motor vehicle or truck-trailer combination with an overall length of more than thirty feet, farm or construction equipment or combination thereof with an overall length of more than twenty-two feet, or unattached trailer, to be parked on any street or alley for more than one hour without the permission of the Police Department.

(c)
No person shall park any vehicle having a diesel engine and/or refrigeration unit in a residential area, or within 200 feet of a residential area, as indicated by the Zoning Map, for longer than ten minutes with either or both of such engines running.

(d)
No person shall permit ~~a CLASS~~ 4 ~~vehicle~~ **any commercial vehicle, any vehicle designed to carry a load greater than one ton, or any vehicle designed to carry a load of less than one ton and is manufactured or equipped for anything other than the transportation of passengers** to be parked on any street or on any residential premises in any R District for more than one hour without the permission of the Police Department, provided that nothing herein shall prevent the parking of such vehicle in a fully enclosed garage or similar permanent structure.

(E) This ordinance shall not apply to commercial vehicles that are parked for purposes of conveying the necessary tools and materials to premises where work is to be performed or property or merchandise is being delivered, for the times required for work or delivery to occur only.

Example of one ton or less Commercial vehicle – will not be permitted



One Ton pickup trucks / permitted:





Max occupancy Vans/permitted:





EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 09

ORDINANCE NO: 20-58

READING: SECOND

DATE: 09/28/2020

RESOLUTION NO:

PUBLIC HEARING: YES

September 28, 2020 @ 7:20 p.m.

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR UNITED DAIRY FARMERS INC., TO CONSTRUCT A NEW UNITED DAIRY FARMERS GAS STATION WITHIN THE FLOODWAY AND THE 100-YEAR FLOOD PLAIN AND FOR A GAS STATION ON APPROXIMATELY 0.765 ACRES ON PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT) AND LOCATED AT 123 WEST WILLIAM STREET.

BACKGROUND:
See attached staff report.

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Section 1148 Conditional Use Regulations of the zoning code.

COMMITTEE RECOMMENDATION:
Planning Commission recommended approval by a vote of 5-1 on September 2, 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. 20-58

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR UNITED DAIRY FARMERS INC., TO CONSTRUCT A NEW UNITED DAIRY FARMERS GAS STATION WITHIN THE FLOODWAY AND THE 100-YEAR FLOOD PLAIN AND FOR A GAS STATION ON APPROXIMATELY 0.765 ACRES ON PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT) AND LOCATED AT 123 WEST WILLIAM STREET.

WHEREAS, the Planning Commission at its meeting of September 2, 2020 recommended approval of a Conditional Use Permit for United Dairy Farmers Inc., to construct a new United Dairy Farmers Gas Station within the Floodway and the 100-Year Flood Plain and for a Gas Station on approximately 0.765 acres on property zoned B-3 (Community Business District) and located at 123 West William Street (PC Case 2020-1597).

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

SECTION 1. That the Conditional Use Permit request by United Dairy Farmers Inc., to construct a new United Dairy Farmers Gas Station within the Floodway and the 100-Year Flood Plain and for a Gas Station on approximately 0.765 acres on property zoned B-3 (Community Business District) and located at 123 West William Street, is hereby confirmed, approved, and accepted with the following condition that:

1. The required floodway and flood plain reports and exhibits achieve compliance with Chapter 1150 Flood Plain Standard and shall be approved by the City Flood Plain Administrator.
2. All environmental permits for the subject site shall be reviewed and approved by the appropriate agencies prior to approval of any construction drawings for the subject site.
3. The Board of Zoning Appeals shall approve a buffer setback variance along the Delaware Run per Chapter 1150.07 Establishment of a Buffer Area.

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: _____, 2020 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 10 | DATE: 09/28/2020

ORDINANCE NO: 20-59 | 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 DEVELOPMENT PLAN FOR UNITED DAIRY FARMERS INC., TO CONSTRUCT A NEW UNITED DAIRY FARMERS GAS STATION ON APPROXIMATELY 0.765 ACRES ON PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT) AND LOCATED AT 123 WEST WILLIAM STREET.

BACKGROUND:
See attached staff report.

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Section 1129 Final Development Plan requirements of the zoning code.

COMMITTEE RECOMMENDATION:
Planning Commission recommended approval by a vote of 5-1 on September 2, 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. 20-59

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR UNITED DAIRY FARMERS INC., TO CONSTRUCT A NEW UNITED DAIRY FARMERS GAS STATION ON APPROXIMATELY 0.765 ACRES ON PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT) AND LOCATED AT 123 WEST WILLIAM STREET.

WHEREAS, the Planning Commission at its meeting of September 2, 2020 recommended approval of a Preliminary Development Plan for United Dairy Farmers Inc., to construct a new United Dairy Farmers Gas Station on approximately 0.765 acres on property zoned B-3 (Community Business District) and located at 123 West William Street (PC Case 2020-1598).

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

SECTION 1. That the Preliminary Development Plan request by United Dairy Farmers Inc., to construct a new United Dairy Farmers Gas Station on approximately 0.765 acres on property zoned B-3 (Community Business District) and located at 123 West William Street, is hereby confirmed, approved, and accepted with the following conditions that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. The westernmost curb cut shall be a right-in/right-out movement curb cut and shall be designed per the City Engineer.
3. Per the City Engineer, the eastern most curb cut shall be full movement shared with Tim Horton's if UDF can secure an access easement agreement from Tim Horton's. This curb cut is adjacent to Tim Horton's and without such access easement agreement UDF could not legally access their property at this location, but the parking lot shall be designed to allow for a shared curb cut in the future.
4. The owner shall be required to make a payment in lieu planting trees of $16,500 (165 caliper inches x $100 per caliper inch) or provide a tree bank option or a combination of both per Chapter 1168 Tree Preservation Regulations.
5. Two additional trees along West William Street and 3 additional trees along South Liberty Street shall be required. If there is not enough room to plant the required street and front yard trees on the site, then the

applicant shall make a payment in lieu of $1,000 (5 new trees at 2 caliper inches each equals 10 caliper inches x $100 per caliper inch).

6. The dumpster shall be screened from public view by a wall constructed of brick or stone that matches the new building with wood doors painted or stained to match or compliment the overall building.
7. The Shade Tree Commission shall review and approve all landscape plans.
8. The limestone on the building and the ground sign base shall be Delaware blue vein limestone (or cultured stone) or equivalent as approved by Staff.
9. All building and fuel canopy appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building material color.
10. All roof top mechanical equipment shall be completely screened from public view.
11. The Applicant shall submit all building, fuel canopy, and sign elevations with material and color samples for staff review and approval after approval of the Final Development Plan and prior to any building permit issuance.
12. All signage shall achieve compliance with the minimum zoning code requirements.
13. The wall signage shall be individual channel cut letters that would need to be internally illuminated.
14. The canopy signage shall be mounted flush to the canopy or inset to give the appearance of it being flush mounted
15. Any directional on-site signage shall not be illuminated
16. A lighting plan that achieves compliance with the zoning code shall be submitted, reviewed and approved by the City. All lights shall be fully recessed and cut off and the light poles shall be black.
17. No Video dispensers, ATM machines, or any other merchandise shall be permitted to be outside the building unless located within a defined designated area and buffered from the public right-of-way.
18. The development shall achieve compliance with Fire Department requirements.
19. The existing four lots shall be consolidated into a single lot.
20. The existing sidewalk on West William Street and South Liberty Street adjacent to the subject site shall be maintained and/or reconstructed per the City Engineer.

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: _____, 2020 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

EST 1808
CITY OF
DELAWARE
OHIO

PLANNING COMMISSION/STAFF REPORT

CASE NUMBER: 2020-1597-1598
REQUEST: Multiple Requests
PROJECT: UDF
MEETING DATE: September 2, 2020

APPLICANT/OWNER
United Dairy Farmers Inc.
3955 Montgomery Road
Cincinnati, Ohio 45212

REQUEST
2020-1597: A request by United Dairy Farmers Inc., for approval of a Conditional Use Permit to construct a new United Dairy Farmers Gas Station within the Floodway and the 100 Year Flood Plain and for a Gas Station on approximately 0.765 acres on property zoned B-3 (Community Business District) and located at 123 West William Street.
2020-1598: A request by United Dairy Farmers Inc., for approval of a Preliminary Development Plan to construct a new United Dairy Farmers Gas Station on approximately 0.765 acres on property zoned B-3 (Community Business District) and located at 123 West William Street.

PROPERTY LOCATION & DESCRIPTION
The subject property is located on the south side of West William Street just east of Liberty Street. The subject site is zoned B-3 (Community Business District) as are the properties to the north and east. The properties to the south are zoned B-3 and R-6 (Multi-Family Residential District) while the properties to the west are zoned PO/I (Planned Office District).

BACKGROUND
The owner has purchased the three adjacent properties (these buildings have already been demolished) to the east and intends to demolish the existing UDF (approximately 3,530 square feet) and construct a new approximate 4,061 square foot building on approximately 0.765 acres on the four parcels of land. The site would have two access points from West William Street and one access point from South Liberty Street which would extend into a 29-space parking lot that would have two fueling islands (four gas pumps) under a canopy. A dumpster would be located east of the building.

STAFF ANALYSIS

- **ZONING:** As previously mentioned, the subject property is zoned B-3 which allows a gas station and building within the floodway and the 100-year flood plain with Conditional Use Permit (CUP) approval. Additionally, staff was unable to locate a pre-existing CUP for the gas station use (which is obviously allowed as pre-existing) but, as a technical matter, approving a CUP for the gas station use would clear this up and is included within the overall CUP case presented here. Therefore, the proposed development would be required to have a Preliminary Development Plan and Conditional Use Permit approved by the Planning Commission and City Council. Subsequently, a Final Development Plan would need to be approved by the Planning Commission and City Council. In addition, the Board of Zoning Appeals would have to review and approve a buffer setback variance request along the Delaware Run as documented below at their meeting in September.
- **GENERAL ENGINEERING:** The Applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
- **FLOOD PLAIN STANDARDS:** Any construction within the floodway and/or 100 flood plain requires compliance with Chapter 1150 Flood Plain Standards. More specifically the subject development would have to achieve compliance with the following sections of Chapter 1150:
    - **Chapter 1150.07 Establishment of a Buffer Area**
        - For the Delaware Run in the Downtown (measured starting at the Olentangy River and continuing west along the length of the Run to King Avenue), the setback shall be established

at 15 feet or to the nearest existing public street or road right of way, whichever is less, in a horizontal plane outward from the normal high water mark.

- Because the proposed building and a portion of the parking lot would be located within the 15-foot buffer area along Delaware Run, a variance to the 15 feet buffer requirement would need to be approved by Board of Zoning Appeals. The applicant is on the September 9, 2020 Board of Zoning Appeals agenda seeking the required variance.
- Currently, the current building and a portion of the parking lot are located within the 15-foot buffer setback.

- **Chapter 1150.09 Condition Uses.**
  - The following uses are conditionally permitted in the 100-year flood fringe area, provided they fulfill the requirements of this section:
    - Residential or non-residential structures and accessory uses including driveways and parking areas as specifically detailed in Section 1347.19(a), (b), (c), (d) and (e) inclusive.
      - The current building and the entire parking lot is located within the 100-year flood plain.
      - For reference, several buildings and parking lots are located within the 100-year flood plain in the downtown area.
- **Chapter 1150.10 Prohibited Uses.**
  - Within the floodway portion of the 100-year flood plain, encroachments, including new construction, substantial improvements, and other development are prohibited, including government owned public facilities, unless a hydrologic and hydraulic analysis performed in accordance with standard engineering practices demonstrates that the proposed encroachment will not result in any increase in the 100-year flood elevation, provided that hazardous velocities are not produced during the occurrence of the base flood discharge.
      - The current building and a portion of the parking lot is located within the floodway already.
      - For reference, there are a few building and parking lots located in the floodway in the downtown area.
- In conclusion, the City Flood Plain Administrator has reviewed the required flood plain studies and plans submitted by the applicant (Hydraulic Analysis Report, Engineering "No-Rise" Certification, Flood Permit and Plans) and has concluded the proposed plans achieve compliance with Chapter 1150.09 and Chapter 1150.10.

Furthermore, staff would require that all environmental permits for the subject site be reviewed and approved by the appropriate agencies prior to approval of any construction drawings for the subject site.

- **ROADS AND ACCESS:** As mentioned above, the site would have two access points from West Williams Street and one access point from South Liberty Street. On West William Street, the westernmost curb cut would be a right-in/right-out movement curb cut while the eastern most curb cut would be a full movement shared with Tim Horton's if UDF can secure an access easement from Tim Horton's. This curb cut is adjacent to Tim Horton's and without such easement UDF could not legally access their property at this location. From a traffic access perspective, staff encourages the sharing of the curb cut and will work with both property owners to achieve this goal but could be at a later timeline than UDF's buildout schedule. Tim Horton's has also approached the City about a possible re-build of its facility. Thus, while on different timelines, both of these projects represent a significant opportunity to improve existing conditions on both sites from a traffic perspective to the benefit of the public and patrons overall. On South Liberty Street, a full movement curb cut would be located on the southern portion of the site (near the same location as the existing curb cut). The existing sidewalks on West William Street and South Liberty Street adjacent to the subject site shall be maintained or reconstructed per the City Engineer.
- **SITE CONFIGURATION:** The proposed 4,061 square building (the existing building is approximately 3,530 square feet) and fuel canopy would be oriented towards South Liberty Street with the building and fuel

canopy setback further than the current building and canopy to provide safer and more efficient access within and outside of the site. Actually, all the building, fuel canopy and parking setbacks for the new building would be the same or more extended than the current building, fuel canopy and parking setbacks. The parking lot would have 29 parking spaces (21 parking spaces are required) located north and west of the building including the parking for the two fueling islands under a new canopy (4 fueling pumps) that would accommodate patrons in a more efficient and safer manner than currently. A dumpster is located east of the building and the dumpster enclosure shall be constructed of brick or stone with wood doors painted or stained to match. At this time, the applicant is not identifying any ice boxes and/or propane gas boxes. If any are proposed in the Final Development Plan submission, staff would require the ice and propane boxes be painted to match the building if they are in public view. Also, no Video dispensers, ATM machines, or any other merchandise shall be permitted to be outside the building unless located within a defined designated area and buffered from public view.

- **TREE REMOVAL & REPLACEMENT:** The applicant submitted a tree survey and identified 15 qualifying trees (6 inches in caliper or larger) that total 165 caliper inches that would be removed on the subject property due to the new development (13 trees totaling 215 caliper inches would be preserved). Because the site is very tight, very few if any additional trees than typically required could be planted on the subject site. Therefore, the applicant shall be required to make a payment in lieu planting of $16,500 (165 caliper inches x $100 per caliper inch) or provide a tree bank option or a combination of both per Chapter 1168 Tree Preservation Regulations.
- **LANDSCAPING & SCREENING:** The developments requires street tree, front yard trees, parking lot buffering, interior parking lot and foundation landscaping, The zoning code requires 5 street trees and 4 front yard trees along West William Street while 3 street trees and 2 front yard trees are required along South Liberty Street. The existing development currently has 7 street trees along West William Street and 2 street trees along South Liberty Street. Therefore, 2 additional trees along West William Street and 3 additional trees along South Liberty Street would be required. If there is not enough room to plant the required street and front yard trees on the site, then the applicant shall make a payment in lieu of planting of $1,000 (5 new trees at 2 caliper inches each equals 10 caliper inches x $100 per caliper inch). The proposed landscape plan achieves compliance with the parking lot buffering, interior parking lot and foundation landscaping requirements. The Shade Tree Commission shall review and approve all landscape plans.
- **SIGNAGE:** The owner is proposing building, fuel canopy, and ground signage. The exact location and size of the building and fuel canopy signage would need to be identified during the Final Development Plan submittal. The wall signage would need to be individual channel cut letters that would need to be internally illuminated. Also, the canopy signage shall be mounted flush to the canopy or inset to give the appearance of it being flush mounted. The proposed ground sign would be located on the northwestern portion of the site at the intersection of West William Street and South Liberty Street. The height, width and sign area of the proposed sign would need to be identified in the Final Development Plan submittal. The ground sign would require a Delaware blue vein limestone base. Any directional on-site signage shall not be illuminated.
- **LIGHTING:** The applicant would be required to provide a comprehensive lighting plan with light poles, building lighting and under the canopy lighting for the Final Development Plan submittal. The lighting plans would have to achieve compliance with the minimum zoning requirements and would have to be approved by the City.
- **BUILDING DESIGN:** The one story 4,061 square foot building would have four-sided architecture and would be a design upgrade to the current building. The main entrance into the building and gas canopy would face South Liberty Street. The front elevation would have a blue vein limestone wainscoting with Sioux city brick veneer comprising the rest of elevation and topped off with a pitched roof comprised of charcoal asphalt shingles. Eight white columns, two dormers and pvc louver would provide additional aesthetic design features to the main elevation. Two aluminum storefront doors and four bays of windows would complete the elevation. The remainder of the elevations are comprised of a blue vein limestone wainscoting with Sioux city brick veneer. The north elevation facing West William Street would also have two bays of aluminum storefront windows and pvc white columns. The canopy over the gas pumps would have a pitched roof with charcoal asphalt shingles with Sioux city brick veneer columns supporting the canopy and signage on the west (front) and north elevations. Staff requires submittal of all building materials with color samples to ensure compliance is achieved at the Final Development Plan submittal. Any mechanical equipment on the roof of

the building shall be screened from public view. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color.

CONDITIONAL USE PERMIT: As mentioned above, a portion of the building and the parking lot is proposed to be constructed within the floodway, and the entire building and parking lot (except for a portion of the parking lot in northeastern corner of the site) is proposed to be constructed within the 100-year flood plain with the proposed development achieving compliance with Chapter 1150 Flood Plain Standards if the buffer variance along Delaware Run is approved by the Board of Zoning Appeals. The new building and parking lot site plan should not have any more impact on the floodway and the 100-year flood plain than the current building and parking lot which is partially located within the floodway and entirely located within 100-year flood plain per Chapter 1150 Flood Plain Standards..

Because the subject site has been a gas station since 1992, when the current UDF was constructed, the Conditional Use Permit for the proposed gas station is perfunctory. In addition, the current and proposed gas station would achieve compliance with the Conditional Use Requirements in Chapter 1143.09 Supplemental Regulations for Gasoline Stations and Chapter 1148 Conditional Use Regulations. Furthermore, the revised layout on the larger parcel of land would allow for more efficient and safer vehicular access within and outside of the site.

Staff takes all floodplain cases very seriously and reviews these with a highly critical level of scrutiny. Obviously in an undeveloped portion of the Run area, staff would recommend holding setbacks to that of the Floodplain at a minimum, but this is located within the built urban portion of the already channelized Run. Finding reasonable ways to allow for continued investment in already developed properties while at least not negatively impacting the Run, and potentially improving it over time, is the recommended approach where site specific conditions warrant. The proposal here, while slightly increasing the amount of the Run which is piped, would actually set the proposed building back slightly further from the Run and Floodway than it currently is while significantly enhancing circulation and safety both on the site and to the adjacent street network. All four properties in this case are within the floodplain and would therefore, without some alternative consideration, not be able to be constructed for anything if an alternative cannot be approved or technically demonstrated. This is likely true for the urban pre-existing portions of the Run in general in the city. It is worth pointing out that this is also consistent with the Ohio Environmental Protection Agency's approach to stream setbacks as well with the City providing testimony regarding urban in-fill sites (among other elements) during development of the requisite permits specifically thinking about situations such as this. Staff finds that the proposal and the site-specific conditions are demonstrated in this case.

STAFF RECOMMENDATION (2020-1597 – CONDITIONAL USE PERMIT)

Staff recommends approval of a request by United Dairy Farmers Inc., for a Conditional Use Permit to construct a new United Dairy Farmers Gas Station within the Floodway and the 100 Year Flood Plain and for a Gas Station on approximately 0.765 acres on property zoned B-3 (Community Business District) and located at 123 West William Street, with the following conditions that:

1. The required floodway and flood plain reports and exhibits achieve compliance with Chapter 1150 Flood Plain Standard and shall be approved by the City Flood Plain Administrator.
2. All environmental permits for the subject site shall be reviewed and approved by the appropriate agencies prior to approval of any construction drawings for the subject site.
3. The Board of Zoning Appeals shall approve a buffer setback variance along the Delaware Run per Chapter 1150.07 Establishment of a Buffer Area.

STAFF RECOMMENDATION (2020-1598 – PRELIMINARY DEVELOPMENT PLAN)
Staff recommends approval of a request by United Dairy Farmers Inc., for a Preliminary Development Plan to construct a new United Dairy Farmers Retail Gas Station on approximately 0.765 acres on property zoned B-3 (Community Business District) and located at 123 West William Street, with the following conditions that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. The westernmost curb cut shall be a right-in/right-out movement curb cut and shall be designed per the City Engineer.
3. Per the City Engineer, the eastern most curb cut shall be full movement shared with Tim Horton's if UDF can secure an access easement agreement from Tim Horton's. This curb cut is adjacent to Tim Horton's and without such access easement agreement UDF could not legally access their property at this location, but the parking lot shall be designed to allow for a shared curb cut in the future.
4. The owner shall be required to make a payment in lieu planting trees of $16,500 (165 caliper inches x $100 per caliper inch) or provide a tree bank option or a combination of both per Chapter 1168 Tree Preservation Regulations.
5. Two additional trees along West William Street and 3 additional trees along South Liberty Street shall be required. If there is not enough room to plant the required street and front yard trees on the site, then the applicant shall make a payment in lieu of $1,000 (5 new trees at 2 caliper inches each equals 10 caliper inches x $100 per caliper inch).
6. The dumpster shall be screened from public view by a wall constructed of brick or stone that matches the new building with wood doors painted or stained to match or compliment the overall building.
7. The Shade Tree Commission shall review and approve all landscape plans.
8. The limestone on the building and the ground sign base shall be Delaware blue vein limestone (or cultured stone) or equivalent as approved by Staff.
9. All building and fuel canopy appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building material color.
10. All roof top mechanical equipment shall be completely screened from public view.
11. The Applicant shall submit all building, fuel canopy, and sign elevations with material and color samples for staff review and approval after approval of the Final Development Plan and prior to any building permit issuance.
12. All signage shall achieve compliance with the minimum zoning code requirements.
13. The wall signage shall be individual channel cut letters that would need to be internally illuminated.
14. The canopy signage shall be mounted flush to the canopy or inset to give the appearance of it being flush mounted
15. Any directional on-site signage shall not be illuminated
16. A lighting plan that achieves compliance with the zoning code shall be submitted, reviewed and approved by the City. All lights shall be fully recessed and cut off and the light poles shall be black.
17. No Video dispensers, ATM machines, or any other merchandise shall be permitted to be outside the building unless located within a defined designated area and buffered from the public right-of-way.
18. The development shall achieve compliance with Fire Department requirements.
19. The existing four lots shall be consolidated into a single lot.
20. The existing sidewalk on West William Street and South Liberty Street adjacent to the subject site shall be maintained and/or reconstructed per the City Engineer.

COMMISSION NOTES:

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

CONDITIONS/MISCELLANEOUS:

FILE:
ORIGINAL: 08/20/20
REVISED:

Project Narrative for Final Development Plan and Conditional Use
for a Convenience Store with Gasoline Sales in a B-3 Community Business Zoning District, and
Conditional Use for Encroachment in the Flood Plain/Flood Fringe Area and Floodway

Applicant, United Dairy Farmers, Inc., has purchased adjacent properties and intends to demolish its existing United Dairy Farmers retail store located on a tract of land located at 123 West William Street and develop a new 4,061 square foot United Dairy Farmers retail store and other improvements on four (4) tracts of land or parcels commonly known as Delaware County Auditor Tax Parcel Id. No.'s: 519-433-03-004-000, 519-433-03-005-000, 519-433-03-006-000, and 519-433-03-007-000, located at 105, 107, 109, and 123 West William Street, Delaware, Ohio 43015, and containing approximately 0.75 acres, the legal description of which accompanies this application (the "Property"). The Property is currently owned by United Dairy Farmers, Inc., and is located south of William Street, north and south of Delaware Run, east of the CSX railroad tracks and South Liberty Street, and west of U.S. 42.

Surrounding properties to the north are zoned in the B-3 Community Business Zoning District (B-3 District), surrounding properties to the east are zoned in the B-3 District, surrounding properties to the south are zoned in the B-3 District and R-6 Zoning District, and surrounding properties to the west are zoned in the PO/I Zoning District. Therefore, Applicant's final development plan and conditional use for a convenience store with gasoline sales not only conforms to the City of Delaware Comprehensive Plan, which identifies a mixed-use development for the Property and surrounding properties, but also supports the general character of neighborhood, and is compatible with, the existing land uses and development patterns in the vicinity.

The Applicant proposes to develop a new full service curb cut and access to and from the public right-of-way of South Liberty Street, a right-in curb cut and access from West William Street nearest the intersection with South Liberty Street, and a full service curb cut and access to and from West William Street, as shown on the Site Plan dated June 3, 2020, accompanying this Application. The Applicant will install twenty-one (21) parking spaces to serve the Property and shall work with, and attempt to secure, a cross-access easement between United Dairy Farmers, Inc. and the owner of the adjacent Tim Horton's store relative to shared curb cuts and access and drive aisle. The cross-access easement will not contain provisions for shared parking spaces.

The Property will be improved with four (4) gasoline dispensaries and a canopy - utilizing the same high quality materials and compatible architectural features as the principal building - near the frontage and a 4,061 square foot retail store building near the rear of the Property.

This proposal comports with the City of Delaware Comprehensive Plan relative to the Downtown Subarea by providing for one of the uses identified as appropriate mixed-uses in the downtown core, such as retail, office, residential, civic, and government uses. In addition, the foremost goal of the Downtown Subarea is for downtown revitalization and redevelopment. This proposal is a revitalization and redevelopment of an existing United Dairy Farmers retail store on one parcel, at a major and high-visibility intersection, with the expansion of land and the

construction of a new, aesthetically pleasing, modern architectural design prototype for United Dairy Farmers operation with a more functional and efficient layout and utilizing high quality materials and ample landscaping, as shown on the final development plan, landscape plans, and architectural elevations submitted with this application for the Property.

Natural features that exist on the Property include Delaware Run, running through the Property, with associated 100-year flood plain, 100-year flood fringe, and floodway areas. Applicant's engineers have been working with the City of Delaware engineers to come up with a flood plain/floodway plan of construction that shall comply with Section 1347.20(b) of the Delaware, Ohio Code of Ordinances. However, due to the fact that Applicant expects encroach into the 100-year flood plain, 100-year flood fringe, and floodway areas, Applicant is requesting a conditional use from the Planning Commission and a variance from the Board of Zoning Appeals from certain sections of the Delaware, Ohio Code of Ordinances. The conditional use and variance from these floodplain/floodway provisions shall be heard by two different bodies within the jurisdiction of the City of Delaware and the criteria for such requests shall be presented and argued in this project narrative (conditional use before the Planning Commission) and a separate project narrative (variance before the Board of Zoning Appeals).

Final Development Plan Criteria:

This proposal and the application as filed complies with Section 1129.04 of the Delaware, Ohio Code of Ordinances.

Section 1129.09 of the Delaware, Ohio Code of Ordinances sets forth the following review criteria:

(1) **The proposed plan is consistent with any plan or policy statement for the orderly development of the City.** As discussed above in this Project Narrative, this proposal comports with the City of Delaware Comprehensive Plan relative to the Downtown Subarea, in which this Property is located, by providing for one of the uses identified as appropriate mixed-uses – a new retail store on an expanded footprint. In addition, the foremost goal of the Downtown Subarea is for downtown revitalization and redevelopment. This proposal outlines a cohesive plan for the redevelopment of the United Dairy Farmers convenience store and gasoline sales at a major intersection in the City of Delaware, which supports the City's goals for revitalization in the downtown core.

(2) **The appropriate use and value of property within and adjacent to the area will be safeguarded.** The surrounding properties are primarily zoned in the B-3 District, with an additional mix of R-6 and PO/I zoned properties. The continued use of the Property for retail is consistent with the existing land uses and future growth and development patterns in the neighborhood. The intersection at Liberty Street and William Street has been a prime retail and commercial corridor, and the continued use of the Property as a retail store only enhances the values of surrounding properties in the area and provides for necessary services to support the mix of uses in the Downtown Subarea. In addition, the proposal meets the objectives of the Comprehensive Plan – the set of the planning guidelines and principles for the City of Delaware.

(3) **The development plan indicates that the proposed development will result in a harmonious grouping of buildings within the proposed development and in relationship to existing and proposed uses on adjacent properties.** The Property is being re-developed at the same time as a possible redevelopment by the neighboring Tim Horton's retail store. United Dairy Farmers has contacted Tim Horton's in order that the adjacent properties may align their respective needs and work on joint solutions for maximum efficiency in planning and construction. Furthermore, United Dairy Farmers and Tim Horton's should share access and drive aisles for enhanced customer and guest vehicular traffic flow and help alleviate any traffic congestion on the public right-of-ways including traffic back-ups at the Tim Horton's drive-thru window.

(4) **The development, when completed, will have adequate public service, parking and open spaces.** The development will not cause any interference with the public services available to the Property. The Property will have adequate utilities, fire truck maneuvering, and will provide for twenty-one (21) parking spaces for customers, employees, and guests. In addition, the development will create a full service curb cut and access to and from South Liberty Street, a right-in curb cut and access to and from West William Street (nearest the intersection), and a full service curb cut and access to and from West William Street.

(5) **The plan, to the extent practical, will preserve and be sensitive to the natural characteristics of the site.** The Applicant and City officials have been working for a lengthy period of time discussing and planning for the need to redevelop this Property and impact the natural features, such as the flood fringe, flood plain, and floodway areas of Delaware Run, which intersects the Property. The building to be constructed and other improvements shall be engineered, with support of the City of Delaware's Engineer's Office, to mitigate and offset the impacts to these areas and provide for a solid foundation and measured overall construction plan. The building will either (i) have the lowest floor, elevated to the level of the base flood elevation; or (ii) be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water; have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practices for meeting the standards of the Delaware, Ohio Code of Ordinances. Through this planning process and cooperation between public and private principals and officials, this proposal and the determined solutions brought to bear most certainly show the intent to preserve and be sensitive to the natural features of the Property.

(6) **Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site and to adjacent property.** As noted above in Section 4, adequate provision has been made relative to vehicular circulation within the Property to and from the public right-of-ways and also, if possible, in conjunction with Tim Horton's circulation patterns and traffic flow. In addition, the existing pedestrian walkways along the public right-of-ways will allow for pedestrian and bicycle traffic to and from the Property.

(7) **Adequate provision is made for emergency vehicle access and circulation.** Please refer to the fire truck/emergency access, circulation, and maneuverability plan that was submitted as part of this Application. Adequate provisions have been made.

(8) **Adequate provision is made for storm drainage within and through the site so as to maintain, as far as practicable, usual and normal swales, water courses and drainage areas, and shall comply with any applicable regulation or design criteria established by the City.** Stormwater volume release rate will be controlled by a stormwater structure with an orifice plate. The developed site detention will be provided through the use of oversized storm pipe and surface ponding.

(9) **Site lighting is designed to minimize direct light, glare, and excessive glow, which unreasonably interferes with the use and enjoyment of adjacent property. If it is determined that, once the project is completed, the lighting does have unreasonable adverse impact on adjacent property, the Planning Commission may order reasonable alterations to the site lighting (such as reduced illumination, shielding, landscaping, etc.) to mitigate such unreasonable impacts.** Agreed.

Conditional Use Criteria for Both Convenience Store with Gasoline Sales and for Impacting the 100-Year Flood Fringe/100-Year Flood Plain and Floodway:

First Conditional Use Request: Under the Schedule located under Section 1143.02 of the Delaware, Ohio Code of Ordinances, those uses marked with a "C" are conditional uses within the zoning district specified. Under the B-3 District, "retail and service establishments in completely enclosed buildings" are permitted. However, a "gasoline station" is a conditional use in the B-3 District. Therefore, Applicant is requesting a conditional use permit to operate a gasoline station on the Property.

Second Conditional Use Request: Under Section 1150.09(b), the following use is *conditionally permitted* in the **100-year flood fringe area**: "Residential or non-residential structures and accessory uses including driveways and parking areas as specifically detailed in Section 1347.19(a), (b), (c), (d), and (e), inclusive." Section 1347.19(b) provides certain conditions or restrictions on construction in the **floodway**, as summarized below:

> The building will either (i) have the lowest floor, including basement, elevated to the level of the base flood elevation; or (ii) be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water; have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practices for meeting the standards of the Delaware, Ohio Code of Ordinances.

In addition, Section 1150.10 provides that "within the **100-year flood plain**, no building or structure shall be erected, *except as noted in Section 1150.08(b) and Section 1150.09(a) or (b).*"

Thus, as long as Applicant can meet the standards of Section 1347.19(b), the 100-year flood fringe area, 100-year flood plain, and the floodway may be impacted with a conditional use permit. Applicant is requesting a conditional use permit for the impacts to the fringe area, flood

plain area, and floodway areas and will construct the building and other improvements in accordance with the final development plan, landscape plan, architectural elevations, and flood plans, submitted as part of this Application.

Now, we turn to Section 1148.02 for the criteria for a conditional use permit:

(a) **Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not essentially change the character of the same area.** The surrounding properties are primarily zoned in the B-3 District with an additional mix of R-6 and PO/I zoned properties. The continued use of the Property for retail is consistent with the existing land uses and future growth and development patterns in the neighborhood. In addition, the proposal meets the objectives of the Comprehensive Plan – the set of the planning guidelines and principles for the City of Delaware, which identifies the Property as any mix of uses, such as retail, office, residential, civic, or government.

(b) **Will not be detrimental to property values in the immediate vicinity.** The intersection at South Liberty Street and West William Street has been a prime retail and commercial corridor, and the continued use of the Property as a retail store only enhances the values of surrounding properties in the area and provides for necessary services to support the mix of uses in the Downtown Subarea.

(c) **Will not restrict or adversely affect the existing use of the adjacent property owners.** As previously stated, the proposed use will serve the existing uses in the neighborhood and comports with the existing land uses and future growth and development patterns in the City of Delaware, Downtown Subarea.

(d) **Will be designed and constructed so that all access drives, access points to public streets, driveways, parking and service areas shall be in compliance with the regulations set forth in Chapter 1161.** The Property will have adequate fire truck maneuvering and appropriate and safe vehicular traffic flow. The proposal provides that twenty-one (21) parking spaces for customers, employees, and guests shall be installed on the Property. In addition, the development will create a full service curb cut and access to and from South Liberty Street, a right-in curb cut and access to and from West William Street (nearest the intersection), and a full service curb cut and access to and from West William Street. As noted above, adequate provision has been made relative to vehicular circulation within the Property to and from the public right-of-ways and also in conjunction with Tim Horton's circulation patterns and traffic flow.

(e) **Will be properly landscaped in accordance with Chapter 1166.** The Applicant has provided a landscape plan with this Application that meets the standards of Chapter 1166.

(f) **That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety or general welfare.** As discussed above in this project narrative, this proposal comports with the City of Delaware Comprehensive Plan relative to the Downtown Subarea, in which this Property is located, by providing for one of the

uses identified as appropriate mixed-uses – a new retail store on an expanded footprint. In addition, the foremost goal of the Downtown Subarea is for downtown revitalization and redevelopment. This proposal outlines a cohesive plan for the redevelopment of the United Dairy Farmers convenience store and gasoline sales at a major intersection in the City of Delaware, which supports the City's goals for revitalization in the downtown core.

The surrounding properties are primarily zoned in the B-3 District, with an additional mix of R-6 and PO/I zoned properties. The continued use of the Property for retail is consistent with the existing land uses and future growth and development patterns in the neighborhood. The intersection at South Liberty Street and West William Street has been a prime retail and commercial corridor, and the continued use of the Property as a retail store only enhances the values of surrounding properties in the area and provides for necessary services to support the mix of uses in the Downtown Subarea. In addition, the proposal meets the objectives of the Comprehensive Plan – the set of the planning guidelines and principles for the City of Delaware.

The development will not cause any interference with the public services available to the Property.

Further, the Applicant and City officials have been working cooperatively for a lengthy period of time discussing and planning for the need to redevelop this Property and impact the natural features, such as the flood fringe, flood plain, and floodway areas of Delaware Run, which intersects the Property. The building to be constructed and other improvements shall be sophisticatedly engineered, with support of the City of Delaware's Engineer's Office, to mitigate and offset the impacts to these areas and provide for a solid foundation and measured overall construction plan.

(g) **That the establishment of the conditional use in the proposed location will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.** This proposal comports with the City of Delaware Comprehensive Plan relative to the Downtown Subarea, in which this Property is located, by providing for one of the uses identified as appropriate mixed-uses – a new retail store on an expanded footprint. In addition, the foremost goal of the Downtown Subarea is for downtown revitalization and redevelopment. This proposal outlines a cohesive plan for the redevelopment of the United Dairy Farmers convenience store and gasoline sales at a major intersection in the City of Delaware, which supports the City's goals for revitalization in the downtown core.

(h) **That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.** As already discussed at length, there will be adequate utilities, curb cuts and access, appropriate and safe traffic circulation throughout the Property, appropriate stormwater drainage and infrastructure, and/or all necessary facilities provided.

(i) **That adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the surrounding public streets and to maximize public safety.** The Property is being re-developed in cooperation with the neighboring Tim Horton's retail store, and the Property and Tim Horton's site will align their respective needs and work on joint solutions for maximum efficiency in planning and construction. Furthermore, the

Tim Horton's site and Property will have shared access and drive aisles for enhanced customer and guest vehicular traffic flow and help alleviate any traffic congestion on the public right-of-ways in the area. The Property will have adequate utilities, fire truck maneuvering, and will provide for twenty-one (21) parking spaces for customers, employees, and guests. In addition, the development will create a full service curb cut and access to and from South Liberty Street, a right-in curb cut and access to and from West William Street (nearest the intersection), and a full service curb cut and access to and from West William Street.

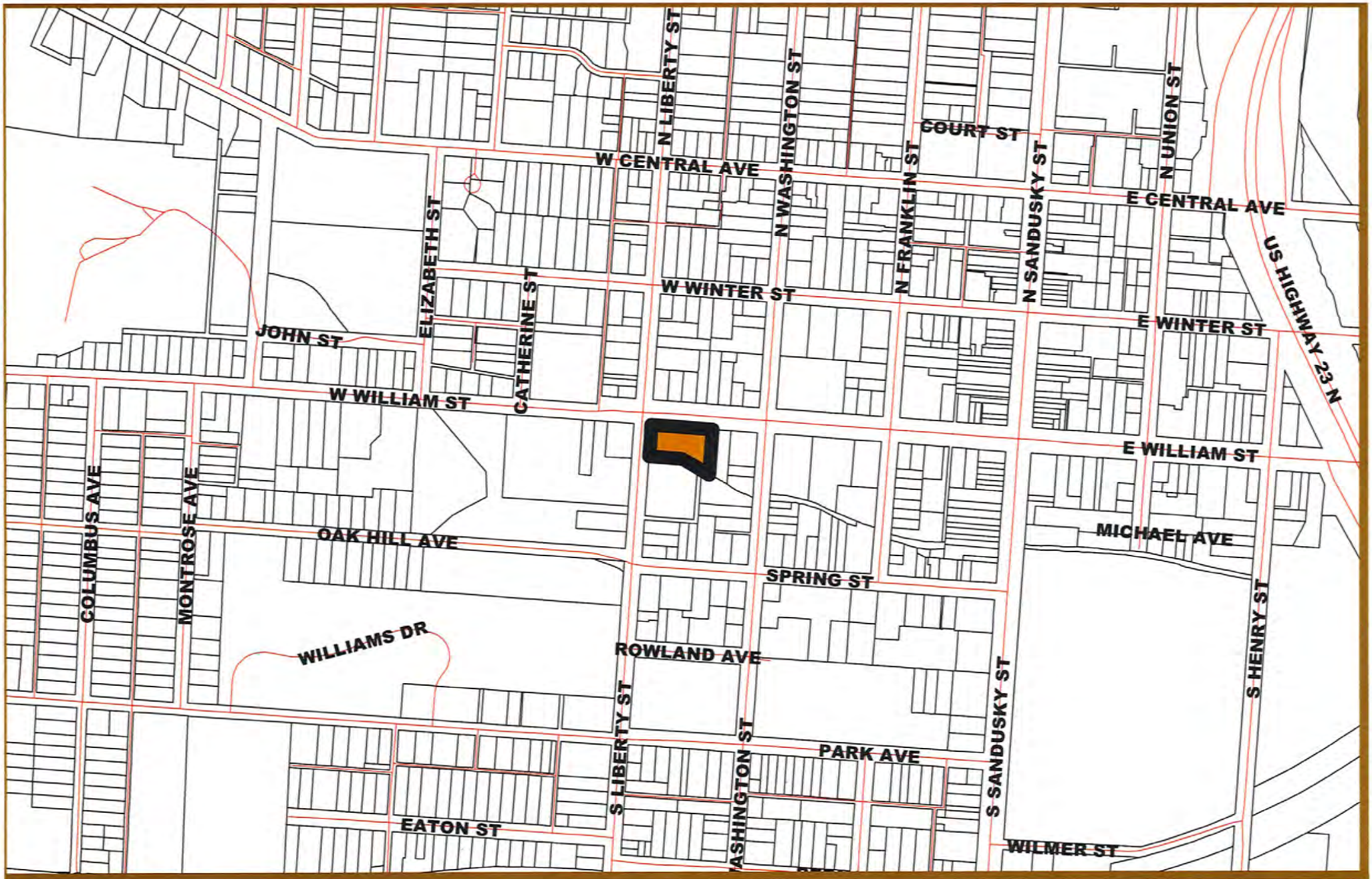
(j) **That the establishment of the conditional use will not be detrimental to the economic welfare of the community by creating excessive additional requirements or public cost for public facilities such as police, fire, and schools.** There shall be no detrimental impact on the economic welfare of the community as it relates to police, fire, and schools. The use is non-residential, so there will be no impact on schools whatsoever. The same service level expected relative to the existing use as it relates to police and fire responders remains the same with the expanded and redeveloped Property and establishment of the use.

(k) **That there is minimal potential for future hardship on the conditional use that could result from the proposed use being surrounded by uses permitted by right that may be incomplete.** The convenience store (retail store) is permitted in the B-3 District as of legal right. It is only the gasoline sales component of the use that requires the conditional use permit as well as the impact to the flood fringe, flood plain, and floodway areas. The use as a UDF convenience store with gasoline sales has been in place on the parcel located at the intersection of West William Street and South Liberty Street, known as 123 West William Street, Delaware, Ohio for years.

In addition, UDF has obtained certain area variances from the Delaware, Ohio Code of Ordinances that are vested rights and will continue to apply, if necessary, on the expanded Property for the redevelopment. In addition, UDF had obtained approval in 1991 for the development plan and construction of the convenience store and gasoline sales on a portion of the Property; thus, a legitimate legal argument can be made that a new conditional use for the gasoline station on the Property is not necessary. The use is the same use that has been put to this major intersection for years. The Applicant, however, is redeveloping the Property – with the same use and operation – and supporting the revitalization efforts of the City of Delaware throughout its downtown core.

Lastly, the Applicant and City officials have been working for a lengthy period of time discussing and planning for the need to redevelop this Property and impact the natural features, such as the flood fringe, flood plain, and floodway areas of Delaware Run, which intersects the Property. The building to be constructed and other improvements shall be sophisticatedly engineered, with support of the City of Delaware's Engineer's Office, to mitigate and offset the impacts to these areas and provide for a solid foundation and measured overall construction plan. The building will either (i) have the lowest floor, including basement, elevated to the level of the base flood elevation; or (ii) be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water; have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and be certified by a registered professional engineer or architect that the design and methods of

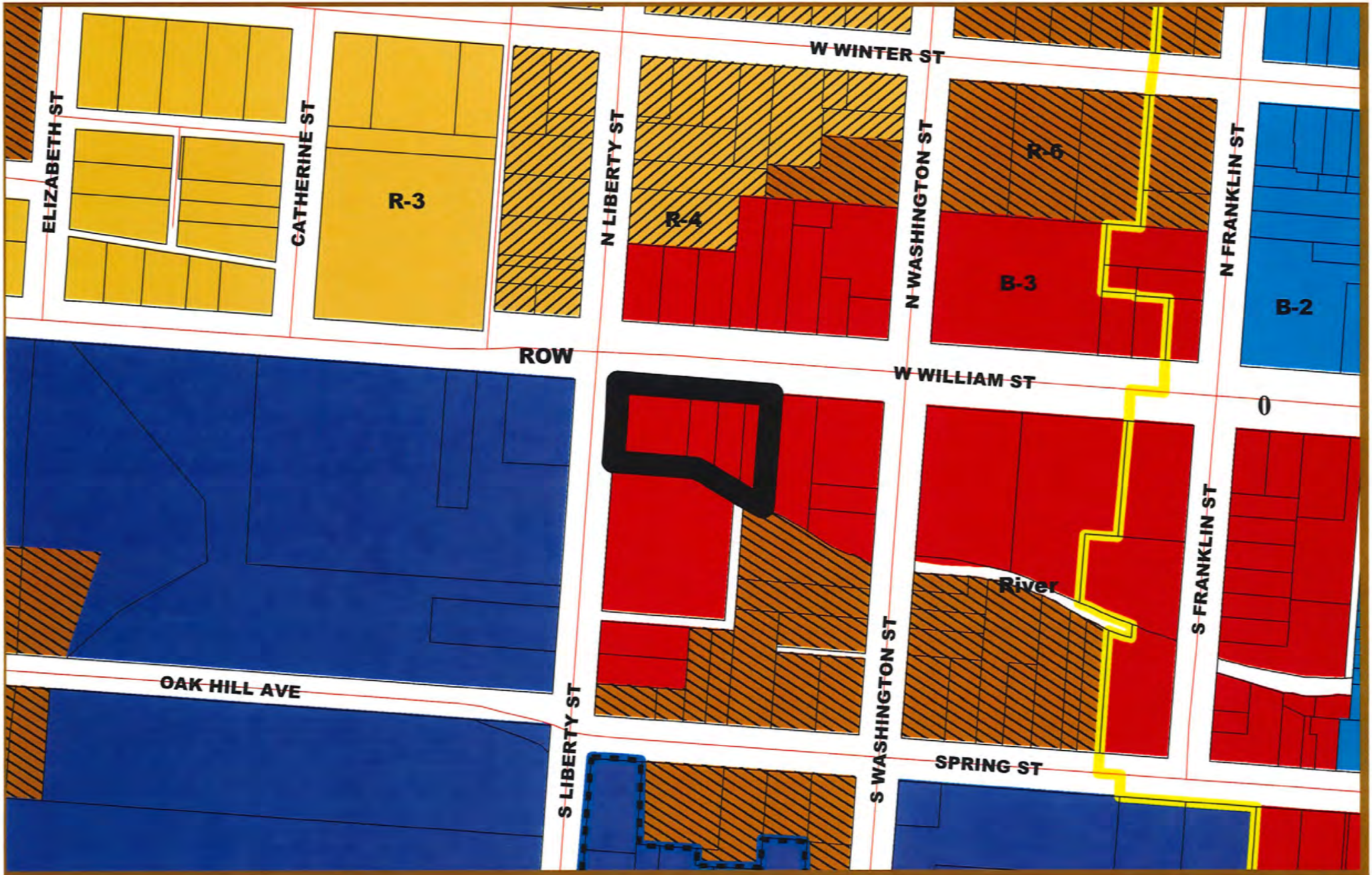
construction are in accordance with accepted standards of practices for meeting the standards of the Delaware, Ohio Code of Ordinances. Through this planning process and cooperation between public and private principals and officials, this proposal and the determined solutions brought to bear most certainly show the intent to preserve and be sensitive to the natural features of the Property.



EST 1808
CITY OF
DELAWARE
OHIO

2020-1597-1598
Conditional Use Permit and Preliminary Development Plan
United Dairy Farmers - 123 West William Street
Location Map

N



EST 1808
CITY OF
DELAWARE
OHIO

2020-1597-1598
Conditional Use Permit and Preliminary Development Plan
United Dairy Farmers - 123 West William Street
Zoning Map

N



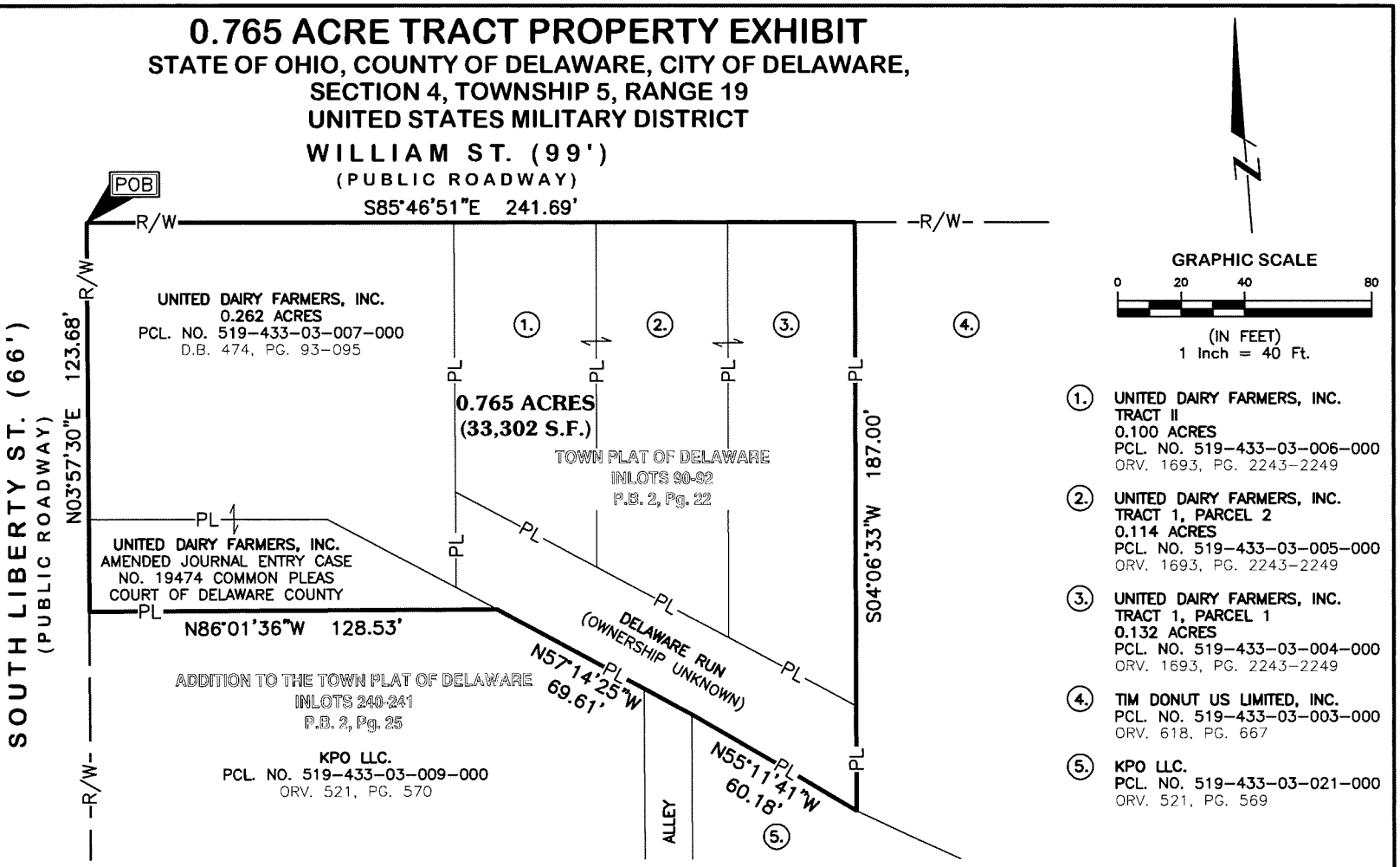
EST 1808
CITY OF
DELAWARE
OHIO

2020-1597-1598
Conditional Use Permit and Preliminary Development Plan
United Dairy Farmers - 123 West William Street
Aerial (2016) Map

N

0.765 ACRE TRACT PROPERTY EXHIBIT

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



Legend

R/W	Right-of-Way
PL	Property Line
POB	Point of Beginning

GRAPHIC SCALE

0 20 40 80

(IN FEET)
1 Inch = 40 Ft.

1. UNITED DAIRY FARMERS, INC.
TRACT II
0.100 ACRES
PCL. NO. 519-433-03-006-000
ORV. 1693, PG. 2243-2249

2. UNITED DAIRY FARMERS, INC.
TRACT 1, PARCEL 2
0.114 ACRES
PCL. NO. 519-433-03-005-000
ORV. 1693, PG. 2243-2249

3. UNITED DAIRY FARMERS, INC.
TRACT 1, PARCEL 1
0.132 ACRES
PCL. NO. 519-433-03-004-000
ORV. 1693, PG. 2243-2249

4. TIM DONUT US LIMITED, INC.
PCL. NO. 519-433-03-003-000
ORV. 618, PG. 667

5. KPO LLC.
PCL. NO. 519-433-03-021-000
ORV. 521, PG. 569

BASIS OF BEARINGS:
Bearings referenced herein are based on a portion of the centerline of William Street as being South 85°46'51" East as determined by GPS observation utilizing Ohio Department of Transportation's Virtual Reference Station, based on Ohio State Plane North Zone (NAD 83, 2011 adjustment).

E. P. FERRIS AND ASSOCIATES INC
Consulting Civil Engineers and Surveyors
880 KING AVENUE
COLUMBUS, OHIO 43212
(614) 299-2999
(614) 299-2992 (FAX)
www.EPFERRIS.com

UNITED DAIRY FARMERS, INC.
0.765 ACRE
CITY OF DELAWARE

DATE:	06/26/20
JOB NO:	1138.004
DRAWN BY:	JEC
CHECKED BY:	MJA
APPROVED BY:	MLS

1 OF 1

M:\1138004_UDFDelaware\DWG\Exhibits\Zoning Exhibit\1138004-EXH-BZ01-0.765Ac.dwg ~ Layout1 LAST EDITED BY JCOFFIN ON 6/26/20

ZONING DESCRIPTION
0.765 +/- ACRES

Situated in the State of Ohio, County of Delaware, City of Delaware, being in Section 4, Township 5, Range 19, United States Military District, being part of Inlots 90, 91, and 92 of the Town Plat of Delaware, as recorded in Plat Book 2, Page 22, and being part of Lots 240 and 241 of the Addition to Town Plat of Delaware, as recorded in Plat Book 2, Page 28, being all of a 0.262 acre tract as conveyed to United Dairy Farmers, Inc. in Deed Book 474, Page 93, being all of a 0.132 acre tract, a 0.114 acre tract, and a 0.10 acre tract as conveyed to United Dairy Farmers, Inc. in Official Record Volume 1693, Page 2243, being all of a tract of land conveyed to United Dairy Farmers, Inc. in the Amended Journal Entry Case No. 19474 Common Pleas Court of Delaware County, and being part of Delaware Run, all records being of the Recorder's Office, Delaware County, Ohio and being more particularly bounded and described as follows:

COMMENCING at the intersection of the easterly right-of-way line of South Liberty Street (66') and the southerly right-of-way line of West William Street (100'), being the northwesterly corner of said 0.262 acre tract, said point being the **TRUE POINT OF BEGINNING** for the parcel herein described:

Thence along the southerly line of said West Williams Street, along the northerly lines of said 0.232 acre tract, said 0.10 acre tract, said 0.114 acre tract, and said 0.132 acre tract, South 85°46'51" East, 241.69 feet to the northeasterly corner of said 0.132 acre tract and the northwesterly corner of a tract conveyed to Tim Donut US Limited, Inc. in Official Record Volume 618, Page 667;

Thence along the easterly line of said 0.132 acre tract and the westerly line of said Tim Donut US Limited, Inc. tract, and across Delaware Run, South 04°06'33" West, 187.00 feet to a point, being on the southerly line of said Delaware Run and on the northerly line of a tract as conveyed to KPO LLC in Official Record Volume 521, Page 569;

Thence along the south bank of said Delaware Run, the following two (2) courses:

North 55°11'41" West, 60.18 feet to a point;

North 57°14'25" West, 69.61 feet to a point;

Thence, North 86°01'36" West, 128.53 feet to a point, being on the easterly right-of-way line of said South Liberty Street;

Thence along the easterly right-of-way line of said South Liberty Street, North 03°57'30" East, 123.68 feet to a point, said point being the **POINT OF BEGINNING,** containing 0.765 acre, more or less.

This description is based on records obtained by E.P. Ferris and Associates in 2020 and is intended to be used for zoning purposes only.

FINAL DEVELOPMENT PLAN

UNITED DAIRY FARMERS

CITY OF DELAWARE, OHIO

2020

ZONING INFORMATION
EXISTING ZONING: B-3
PROPOSED ZONING: B-3
PARCEL ID NUMBER: 519433030040000-519433030070000
ADDRESS: 123 W. WILLIAM STREET

OWNER INFORMATION
UNITED DAIRY FARMERS
3955 MONTGOMERY ROAD
CINCINNATI, OH 45212
CONTACT: BOB POLLITT
PHONE: (513) 383-6854
EMAIL: udfconstruction@aol.com

ARCHITECT INFORMATION
MA ARCHITECTURE
555 GEST STREET
CINCINNATI, OH 45203
CONTACT: JOHN LUCAS
PHONE: (513) 455-3000
EMAIL: jlucas@maarchitecture.com

CIVIL ENGINEER INFORMATION
E.P. FERRIS & ASSOCIATES, INC.
880 KING AVENUE
COLUMBUS, OHIO 43212
CONTACT: CHRIS POST, PE
PHONE: (614) 299-2999
FAX: (614) 299-2992
EMAIL: cpost@epferris.com

PARCEL INDEX

(A) UNITED DAIRY FARMERS INC
PID: 519433030070000
0.327 AC. (AUDITOR)
ZONING: B-3

(B) UNITED DAIRY FARMERS INC
PID: 519433030080000
0.133 AC. (AUDITOR)
ZONING: B-3

(C) UNITED DAIRY FARMERS INC
PID: 519433030050000
0.141 AC. (AUDITOR)
ZONING: B-3

(D) UNITED DAIRY FARMERS INC
PID: 519433030040000
0.155 AC. (AUDITOR)
ZONING: B-3

(E) TIM DONUT US LIMITED INC
PID: 519433030030000
0.328 AC. (AUDITOR)
ZONING: B-3

(F) TIM DONUT US LIMITED INC
PID: 519433030010000
0.322 AC. (AUDITOR)
ZONING: B-3

(G) TIM DONUT US LIMITED INC
PID: 519433030010000
0.322 AC. (AUDITOR)
ZONING: B-3

(H) KPO LLC
PID: 519433030090000
1.009 AC. (AUDITOR)
ZONING: B-3

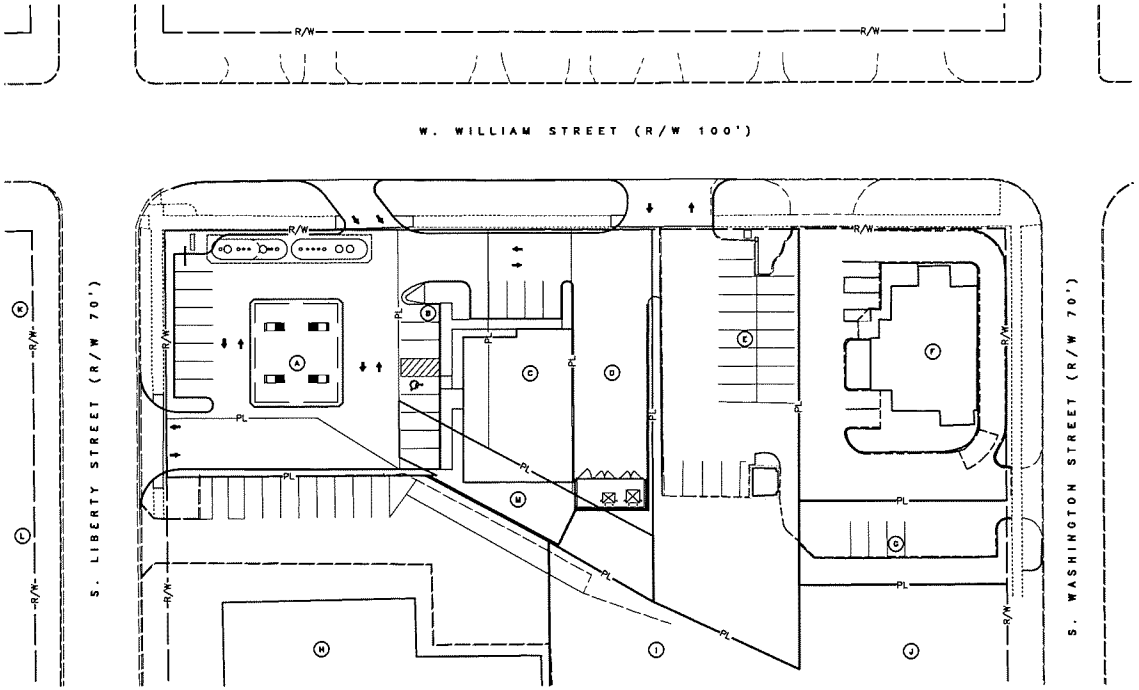
(I) KPO LLC
PID: 519433030210000
0.152 AC. (AUDITOR)
ZONING: R-6

(J) PEOPLES ROBERT P & ESTHER P TRUSTEES
PID: 519433030210000
0.144 AC. (AUDITOR)
ZONING: R-6

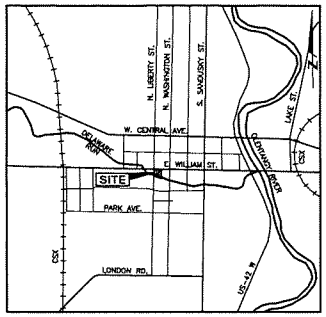
(K) OHIO WESLEYAN UNIVERSITY
PID: 519433040010000
0.323 AC. (AUDITOR)
ZONING: PO/I

(L) TRUSTEES O W U
PID: 519433040030000
3.176 AC. (AUDITOR)
ZONING: PO/I

(M) OWNERSHIP UNKNOWN
ZONING: B-3



INDEX MAP
SCALE: 1" = 30'



VICINITY MAP
NOT TO SCALE

SHEET INDEX

TITLE 1
EXISTING CONDITIONS PLAN 2
SITE LAYOUT & UTILITY PLAN 3
GRADING PLAN 4

SITE DATA TABLE

DESCRIPTION	QUANTITY	UNIT
TOTAL SITE AREA (PRIVATE)	0.75	AC.
BUILDING AREA	4081	S.F.
PARKING REQUIRED (1 SPACE PER 200 SQUARE FEET)	21	SPACES
PARKING PROVIDED	20	SPACES
ADA PROVIDED	1	SPACES
TOTAL PROVIDED	21	SPACES

OHIO Utilities Protection SERVICE
Call Before You Dig
800-362-2764 or 8-1-1
www.oupa.org

BENCHMARKS

ID.	ELEVATION	DESCRIPTION
BM #1	883.39	"X" CUT ON HEX BOLT NE OF NORTH, STREET FACE; 1ST FIRE HYDRANT WEST OF N. WASHINGTON STREET; SOUTH SIDE OF W. WILLIAM STREET.
BM #2	880.83	SQUARE CUT ON SE CORNER OF CONCRETE BASE OF SIGNAL POLE; NE CORNER OF W. WILLIAM STREET & LIBERTY STREET.
BM #3	844.17	"X" CUT ON HEX BOLT ON STREET FACE OF FIRE HYDRANT; 1ST FIRE HYDRANT SOUTH OF W. WILLIAM STREET; WEST SIDE OF LIBERTY STREET

NOTE: ALL BENCHMARKS AND ELEVATIONS SHOWN ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM (NAVD88) UNLESS OTHERWISE NOTED.

APPROVED BY:
CITY OF DELAWARE, OHIO

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

APPROVED THIS _____ DAY OF _____ 2019.

DAVID M. ETLAND, AICP
PLANNING & COMMUNITY DEVELOPMENT DIRECTOR

N

0 30 60
SCALE IN FEET

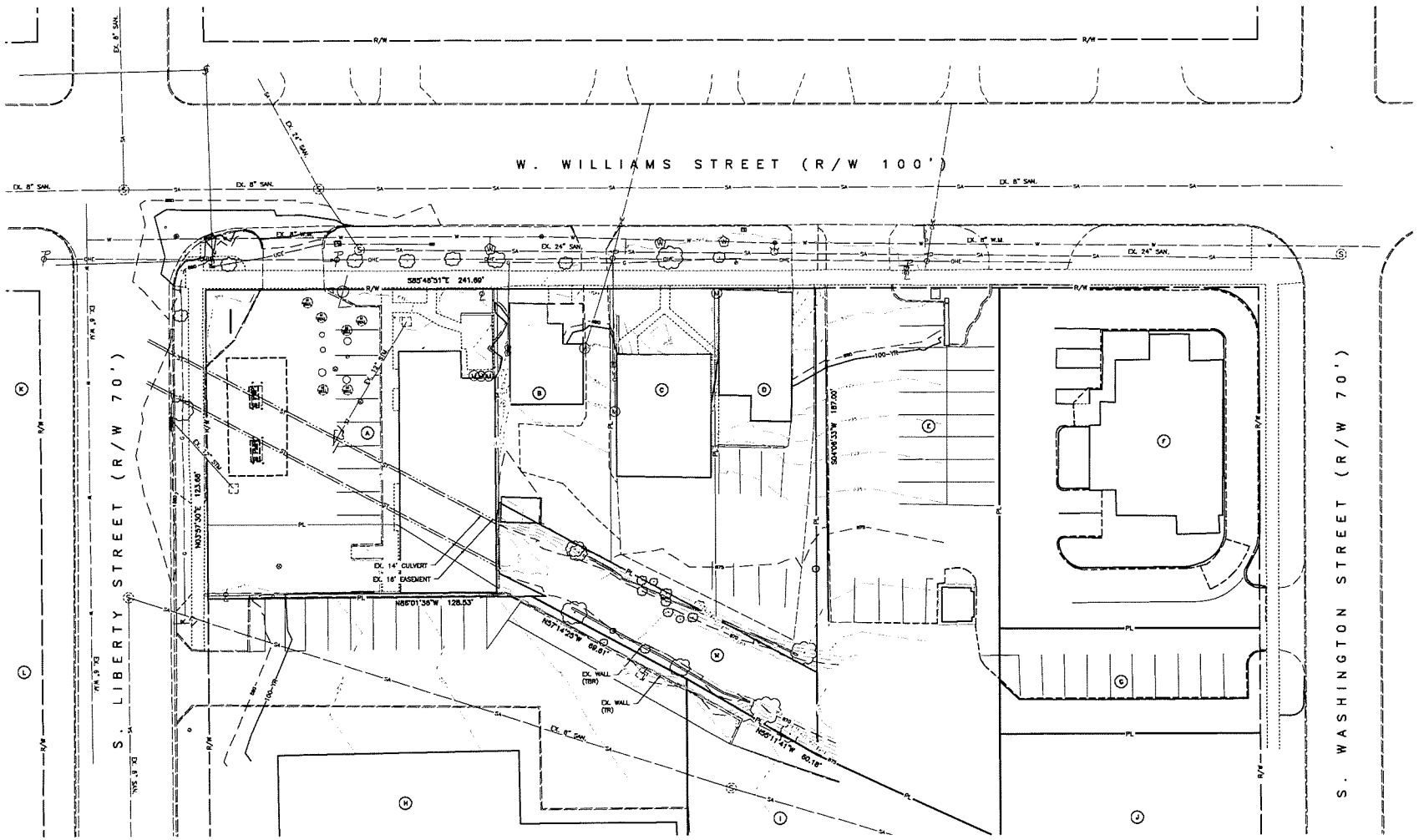
SHEET NO.	OF
1	4

DATE: 7/31/20

E. P. FERRIS AND ASSOCIATES INC
Consulting Civil Engineers and Surveyors
880 KING AVENUE
COLUMBUS, OHIO 43212
(614) 299-2999
(614) 299-2992 (FAX)
www.EPFERRIS.com

PROJECT 1138.004

m:\1138\04_submissions\04Submission drawings\Final development plan\Title.dwg -TITLE LAST EDITED BY:ALLER ON 7/31/20



PARCEL INDEX

- (A) UNITED DAIRY FARMERS INC
  PID: 519433030070000
  0.327 AC. (AUDITOR)
  ZONING: B-3
- (B) UNITED DAIRY FARMERS INC
  PID: 519433030060000
  0.133 AC. (AUDITOR)
  ZONING: B-3
- (C) UNITED DAIRY FARMERS INC
  PID: 519433030050000
  0.141 AC. (AUDITOR)
  ZONING: B-3
- (D) UNITED DAIRY FARMERS INC
  PID: 519433030040000
  0.155 AC. (AUDITOR)
  ZONING: B-3
- (E) TIM DONUT US LIMITED INC
  PID: 519433030030000
  0.328 AC. (AUDITOR)
  ZONING: B-3
- (F) TIM DONUT US LIMITED INC
  PID: 519433030010000
  0.322 AC. (AUDITOR)
  ZONING: B-3
- (G) TIM DONUT US LIMITED INC
  PID: 519433030010000
  0.322 AC. (AUDITOR)
  ZONING: B-3
- (H) KPO LLC
  PID: 519433030090000
  1.009 AC. (AUDITOR)
  ZONING: B-3
- (I) KPO LLC
  PID: 519433030210000
  0.152 AC. (AUDITOR)
  ZONING: R-6
- (J) PEOPLES ROBERT P & ESTHER P TRUSTEES
  PID: 519433030210000
  0.144 AC. (AUDITOR)
  ZONING: R-6
- (K) OHIO WESLEYAN UNIVERSITY
  PID: 519433040010000
  0.323 AC. (AUDITOR)
  ZONING: PO/I
- (L) TRUSTEES O W U
  PID: 519433040030000
  3.176 AC. (AUDITOR)
  ZONING: PO/I
- (M) OWNERSHIP UNKNOWN
  ZONING: B-3

LEGEND

PL — PROPERTY LINE	EX. FIRE HYDRANT	EX. CATCH BASIN	X—X EX. FENCE
R/W — EX. RIGHT-OF-WAY	EX. WATER SERVICE VALVE	EX. STORM MANHOLE	W EX. WATER LINE
PR. R/W — PR. RIGHT-OF-WAY	EX. PULL BOX	EX. STORM CURB INLET	WS EX. WATER SERVICE
LL — LOT LINE		EX. UTILITY POLE	WS-(PLAN) EX. WATER SERVICE (LOCATION PER RECORD PLAN)
ROADWAY CENTERLINE	EX. TREE	EX. LIGHT POLE	UGT EX. UNDERGROUND TELEPHONE
EDGE OF PAVEMENT/BACK OF CURB		EX. UNDERGROUND TELEPHONE PEDESTAL	G EX. GAS
EDGE OF DRIVEWAYS	EX. SANITARY MANHOLE	EX. SIGNAL POLE	ST EX. STORM
MISC. EASEMENTS		EX. SIGN	

SA EX SANITARY	W EX. WATER METER		
CMS EX COMBINED SEWER	G EX. GAS METER		
UGE EX. UNDERGROUND ELECTRIC	M EX. ELECTRIC METER		
OHE EX. OVERHEAD ELECTRIC	MW EX. MONITORING WELL		
OHL EX. OVERHEAD STREET LIGHTING	TBR TO BE REMOVED		
L EX. UNDERGROUND STREET LIGHTING	TBRL TO BE RELOCATED		
FO EX. FIBER OPTIC	TR TO REMAIN		

N

0 20 40

REVISIONS	DATE	BY	CHK

E. P. FERRIS AND ASSOCIATES INC
Consulting Civil Engineers and Surveyors
880 KING AVENUE
COLUMBUS, OHIO 43212
(614) 299-2999
(614) 299-2992 (Fax)
www.EPFERRIS.com

CITY OF DELAWARE, OHIO

UNITED DAIRY FARMERS

UNITED DAIRY FARMERS INC

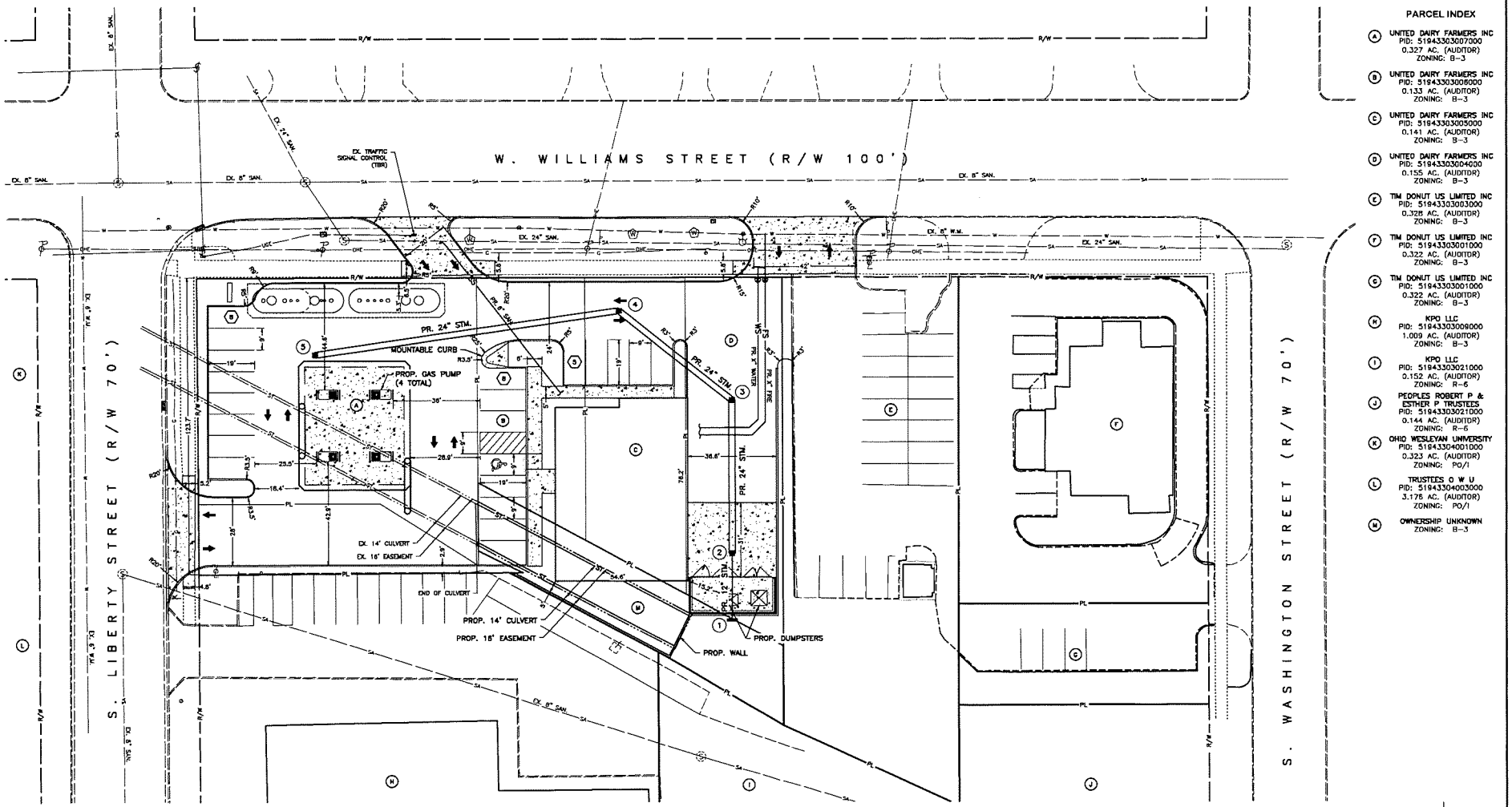
JOB NO.	1138.004
DESIGNED BY:	ERM
DRAWN BY:	ERM
CHECKED BY:	CLP
APPROVED BY:	CLP
DATE:	7/31/20

EXISTING CONDITIONS PLAN

SCALE: 1" = 20'

SHEET NO. 2 OF 4

m:\1138004_ufd\design\civil\construction drawings\final development plan\Existing Conditions.dgn ~EXISTING CONDITIONS LAST EDITED BY:MILLER ON 7/31/20



PARCEL INDEX

- (A) UNITED DAIRY FARMERS INC
  PID: 519433303007000
  0.327 AC. (AUDITOR)
  ZONING: B-3
- (B) UNITED DAIRY FARMERS INC
  PID: 519433303006000
  0.133 AC. (AUDITOR)
  ZONING: B-3
- (C) UNITED DAIRY FARMERS INC
  PID: 519433303005000
  0.141 AC. (AUDITOR)
  ZONING: B-3
- (D) UNITED DAIRY FARMERS INC
  PID: 519433303004000
  0.155 AC. (AUDITOR)
  ZONING: B-3
- (E) TIM DONUT US LIMITED INC
  PID: 519433303003000
  0.328 AC. (AUDITOR)
  ZONING: B-3
- (F) TIM DONUT US LIMITED INC
  PID: 519433303001000
  0.322 AC. (AUDITOR)
  ZONING: B-3
- (G) TIM DONUT US LIMITED INC
  PID: 519433303001000
  0.322 AC. (AUDITOR)
  ZONING: B-3
- (H) KPO LLC
  PID: 519433303009000
  1.009 AC. (AUDITOR)
  ZONING: B-3
- (I) KPO LLC
  PID: 519433303021000
  0.152 AC. (AUDITOR)
  ZONING: R-6
- (J) PEOPLES ROBERT P & ESTHER P TRUSTEES
  PID: 519433303021000
  0.144 AC. (AUDITOR)
  ZONING: R-6
- (K) OHIO WESLEYAN UNIVERSITY
  PID: 519433041001000
  0.323 AC. (AUDITOR)
  ZONING: PO/I
- (L) TRUSTEES O W U
  PID: 519433304003000
  3.176 AC. (AUDITOR)
  ZONING: PO/I
- (M) OWNERSHIP UNKNOWN
  ZONING: B-3

LEGEND

- PL — PROPERTY LINE
- R/W — EX. RIGHT-OF-WAY
- PR. R/W — PR. RIGHT-OF-WAY
- LL — LOT LINE
- ROADWAY CENTERLINE
- EDGE OF PAVEMENT/BACK OF CURB
- EDGE OF DRIVEWAYS
- MISC. EASEMENTS
- EX. FIRE HYDRANT
- EX. WATER SERVICE VALVE
- EX. PULL BOX
- EX. TREE
- EX. SANITARY MANHOLE
- EX. CATCH BASIN
- EX. STORM MANHOLE
- EX. STORM CURB INLET
- EX. UTILITY POLE
- EX. LIGHT POLE
- EX. UNDERGROUND TELEPHONE PEDESTAL
- EX. SIGNAL POLE
- EX. SIGN
- X — X — EX. FENCE
- W — EX. WATER LINE
- WS — EX. WATER SERVICE
- WS (PLAN) — EX. WATER SERVICE (LOCATION PER RECORD PLAN)
- UGT — EX. UNDERGROUND TELEPHONE
- G — EX. GAS
- ST — EX. STORM
- SA — EX SANITARY
- CWS — EX COMBINED SEWER
- UGE — EX. UNDERGROUND ELECTRIC
- OHE — EX. OVERHEAD ELECTRIC
- OHL — EX. OVERHEAD STREET LIGHTING
- L — EX. UNDERGROUND STREET LIGHTING
- FO — EX. FIBER OPTIC
- PR. CATCH BASIN
- PR. STORM CURB INLET
- PR. STORM SEWER
- PR. DOWNSPOUT LINE
- PR. SANITARY SERVICE
- PR. WATER SERVICE
- PR. FIRE SERVICE
- PR. WATER VALVE
- CO_R — PR. CLEAN-OUT
- TBR — TO BE REMOVED
- TBRL — TO BE RELOCATED
- TR — TO REMAIN
- PROP. SIDEWALK
- (3) — NUMBER OF PARKING SPACES

N

0 20 40

REVISIONS	DATE	BY	CHK.

E. P. FERRIS AND ASSOCIATES INC
Consulting Civil Engineers and Surveyors

880 KING AVENUE
COLUMBUS, OHIO 43212
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(614) 299-2992 (Fax)
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CITY OF DELAWARE, OHIO

UNITED DAIRY FARMERS

UNITED DAIRY FARMERS INC

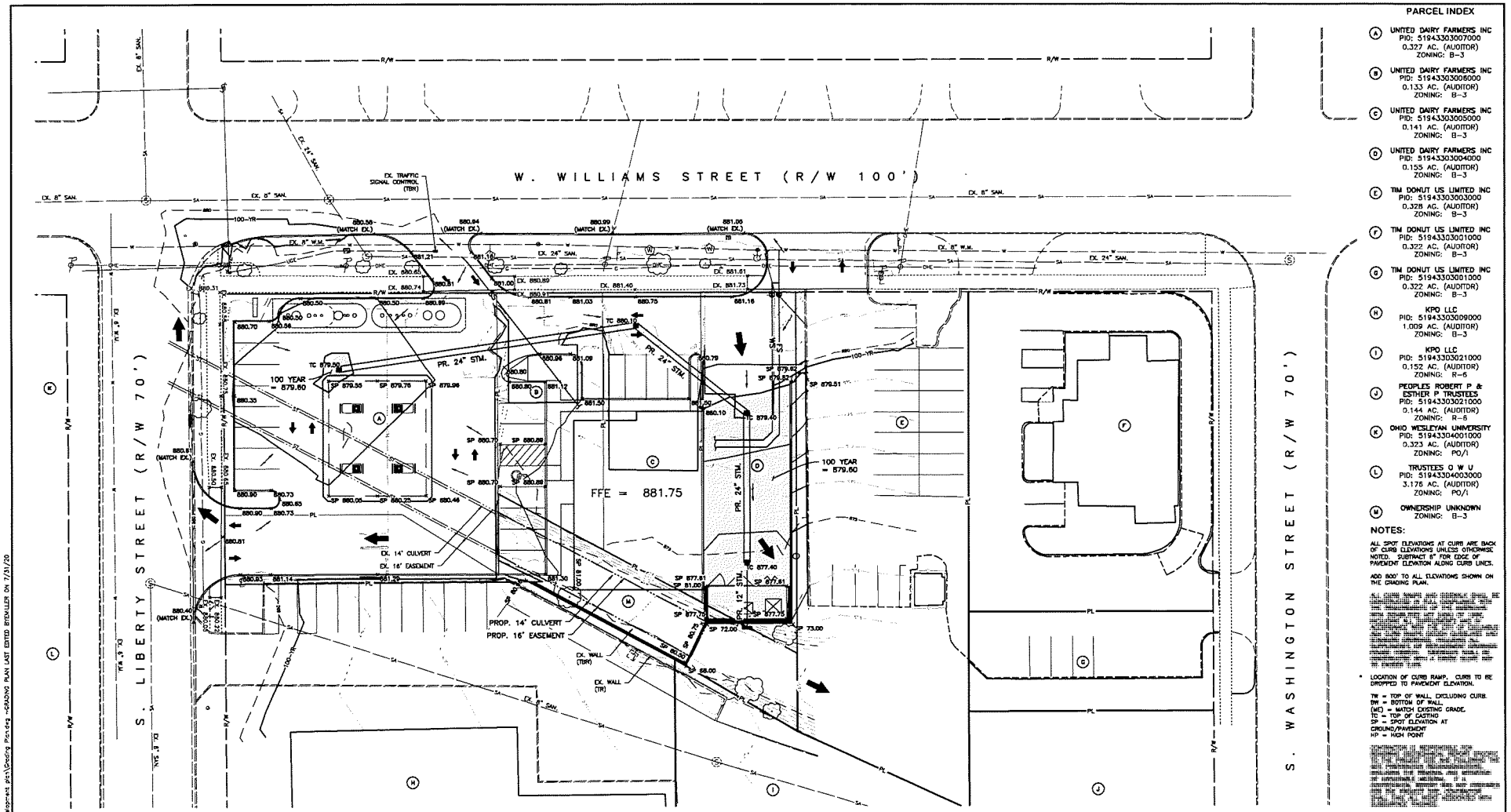
JOB NO.	1138.004
DESIGNED BY:	ERM
DRAWN BY:	ERM
CHECKED BY:	CLP
APPROVED BY:	CLP
DATE:	7/31/20

SITE LAYOUT & UTILITY PLAN

SCALE: 1" = 20'

SHEET NO. 3 OF 4

m:\1138004...\drawings\Civil development plan\Site Layout & Utility Plan.dwg -SITE LAYOUT & UTILITY PLAN LAST EDITED BY:KELLER ON 7/31/20



PARCEL INDEX

- (A) UNITED DAIRY FARMERS INC
  PID: 519433030070000
  0.327 AC. (AUDITOR)
  ZONING: B-3
- (B) UNITED DAIRY FARMERS INC
  PID: 519433030060000
  0.133 AC. (AUDITOR)
  ZONING: B-3
- (C) UNITED DAIRY FARMERS INC
  PID: 519433030050000
  0.141 AC. (AUDITOR)
  ZONING: B-3
- (D) UNITED DAIRY FARMERS INC
  PID: 519433030040000
  0.155 AC. (AUDITOR)
  ZONING: B-3
- (E) TIM DONUT US LIMITED INC
  PID: 519433030030000
  0.328 AC. (AUDITOR)
  ZONING: B-3
- (F) TIM DONUT US LIMITED INC
  PID: 519433030010000
  0.322 AC. (AUDITOR)
  ZONING: B-3
- (G) TIM DONUT US LIMITED INC
  PID: 519433030010000
  0.322 AC. (AUDITOR)
  ZONING: B-3
- (H) KPO LLC
  PID: 519433030090000
  1.009 AC. (AUDITOR)
  ZONING: B-3
- (I) KPO LLC
  PID: 519433030210000
  0.152 AC. (AUDITOR)
  ZONING: R-6
- (J) PEOPLES ROBERT P & ESTHER P TRUSTEES
  PID: 519433030210000
  0.144 AC. (AUDITOR)
  ZONING: R-6
- (K) OHIO WESLEYAN UNIVERSITY
  PID: 519433040010000
  0.323 AC. (AUDITOR)
  ZONING: PO/I
- (L) TRUSTEES O W U
  PID: 519433040030000
  3.176 AC. (AUDITOR)
  ZONING: PO/I
- (M) OWNERSHIP UNKNOWN
  ZONING: B-3

NOTES:

ALL SPOT ELEVATIONS AT CURB ARE BACK OF CURB ELEVATIONS UNLESS OTHERWISE NOTED. SUBTRACT 6" FOR EDGE OF PAVEMENT ELEVATION ALONG CURB LINES.

ADD 800' TO ALL ELEVATIONS SHOWN ON THE GRADING PLAN.

* LOCATION OF CURB RAMP. CURB TO BE DROPPED TO PAVEMENT ELEVATION.

TW = TOP OF WALL, EXCLUDING CURB.
BW = BOTTOM OF WALL.
(ME) = MATCH EXISTING GRADE.
TC = TOP OF CASTING
SP = SPOT ELEVATION AT GROUND/PAVEMENT
HP = HIGH POINT

LEGEND

- PL — PROPERTY LINE
- R/W — EX. RIGHT-OF-WAY
- PR. R/W — PR. RIGHT-OF-WAY
- LL — LOT LINE
- ROADWAY CENTERLINE
- EDGE OF PAVEMENT/BACK OF CURB
- EDGE OF DRIVEWAYS
- MISC. EASEMENTS
- EX. FIRE HYDRANT
- EX. WATER SERVICE VALVE
- EX. PULL BOX
- EX. TREE
- EX. SANITARY MANHOLE
- EX. CATCH BASIN
- EX. STORM MANHOLE
- EX. STORM CURB INLET
- EX. UTILITY POLE
- EX. LIGHT POLE
- EX. UNDERGROUND TELEPHONE PEDESTAL
- EX. SIGNAL POLE
- EX. SIGN
- X — X — EX. FENCE
- W — EX. WATER LINE
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- OHE — EX. OVERHEAD ELECTRIC
- OHL — EX. OVERHEAD STREET LIGHTING
- L — EX. UNDERGROUND STREET LIGHTING
- FO — EX. FIBER OPTIC
- PR. CATCH BASIN
- PR. STORM CURB INLET
- PR. DOWNSPOUT LINE
- ST — PR. STORM SEWER
- SS — PR. SANITARY SERVICE
- WS — PR. WATER SERVICE
- FS — PR. FIRE SERVICE
- PR. WATER VALVE
- SP 880.00 — SPOT GRADE ELEVATION
- TC 880.00 — TOP OF CURB ELEVATION
- TOP OF CASTING
- TBR — TO BE REMOVED
- TBRL — TO BE RELOCATE
- TR — TO REMAIN
- PR. CONCRETE WALK/DRIVE
- PR. FLOOD ROUTE
- PR. DRAINAGE FLOW DIRECTIONAL ARROW
- PR. GRADE BREAK

0 20 40

REVISIONS	DATE	BY	CHK

E. P. FERRIS AND ASSOCIATES INC
Consulting Civil Engineers and Surveyors
880 KING AVENUE
COLUMBUS, OHIO 43212
(614) 299-2999
(614) 299-2992 (Fax)
www.EPFERRIS.com

CITY OF DELAWARE, OHIO

UNITED DAIRY FARMERS

UNITED DAIRY FARMERS INC

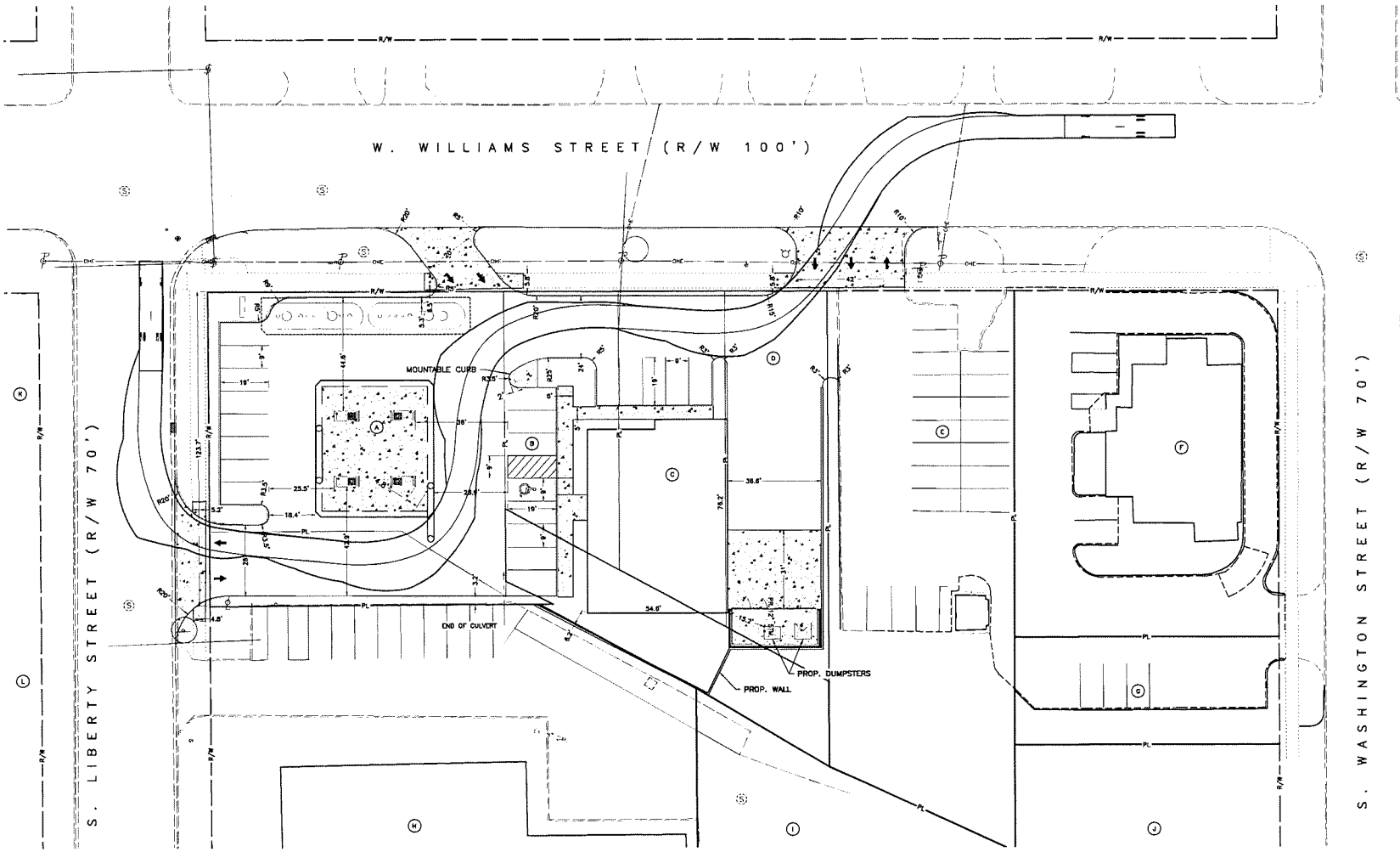
JOB NO.	1136.004
DESIGNED BY:	ERM
DRAWN BY:	ERM
CHECKED BY:	CLP
APPROVED BY:	CLP
DATE:	7/31/20

GRADING PLAN

SCALE: 1" = 20'

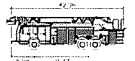
SHEET NO. 4 OF 4

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PARCEL INDEX

- (A) UNITED DAIRY FARMERS INC
  PID: 519433030070000
  0.327 AC. (AUDITOR)
  ZONING: B-3
- (B) UNITED DAIRY FARMERS INC
  PID: 519433030060000
  0.153 AC. (AUDITOR)
  ZONING: B-3
- (C) UNITED DAIRY FARMERS INC
  PID: 519433030050000
  0.14 AC. (AUDITOR)
  ZONING: B-3
- (D) UNITED DAIRY FARMERS INC
  PID: 519433030040000
  0.155 AC. (AUDITOR)
  ZONING: B-3
- (E) TIM DONUT US LIMITED INC
  PID: 519433030030000
  0.578 AC. (AUDITOR)
  ZONING: B-2
- (F) TIM DONUT US LIMITED INC
  PID: 519433030010000
  0.322 AC. (AUDITOR)
  ZONING: B-3
- (G) TIM DONUT US LIMITED INC
  PID: 519433030010000
  0.322 AC. (AUDITOR)
  ZONING: B-3
- (H) KPO LLC
  PID: 519433030090000
  1.066 AC. (AUDITOR)
  ZONING: B-3
- (I) KPO LLC
  PID: 519433030210000
  0.152 AC. (AUDITOR)
  ZONING: B-3
- (J) PEOPLES ROBERT P & ESTHER P TRUSTEES
  PID: 519433030210000
  0.144 AC. (AUDITOR)
  ZONING: B-3
- (K) OHIO WESLEYAN UNIVERSITY
  PID: 519433040010000
  0.323 AC. (AUDITOR)
  ZONING: PO-1
- (L) TRUSTEES O W U
  PID: 519433040030000
  3.176 AC. (AUDITOR)
  ZONING: PO-1



DELAWARE FIRE TRUCK

LEGEND

PL — PROPERTY LINE	EX. FIRE HYDRANT	EX. CATCH BASIN	EX. FENCE	EX SANITARY	PR. CATCH BASIN	PR. WATER VALVE
R/W — EX. RIGHT-OF-WAY	EX. WATER SERVICE VALVE	EX. STORM MANHOLE	EX. WATER LINE	EX COMBINED SEWER	PR. STORM CURB INLET	PR. CLEAN-OUT
PR R/W — PR. RIGHT-OF-WAY	EX. PULL BOX	EX. STORM CURB INLET	EX. WATER SERVICE	EX. UNDERGROUND ELECTRIC	PR. STORM SEWER	TBR TO BE REMOVED
LL — LOT LINE		EX. UTILITY POLE	EX. WATER SERVICE (LOCATION PER RECORD PLAN)	EX. OVERHEAD ELECTRIC	PR. DOWNSPOUT LINE	TBRL TO BE RELOCATED
ROADWAY CENTERLINE	EX. TREE	EX. LIGHT POLE	EX. UNDERGROUND TELEPHONE	EX. OVERHEAD STREET LIGHTING	PR. SANITARY SERVICE	TR TO REMAIN
EDGE OF PAVEMENT/BACK OF CURB		EX. UNDERGROUND TELEPHONE PEDESTAL	EX. GAS	EX. UNDERGROUND STREET LIGHTING	PR. WATER SERVICE	PROP. SIDEWALK/CONCRETE
EDGE OF DRIVEWAYS	EX. SANITARY MANHOLE	EX. SIGNAL POLE	EX. STORM	EX. FIBER OPTIC	PR. FIRE SERVICE	(5) NUMBER OF PARKING SPACES
MISC. EASEMENTS		EX. SIGN				

0 20 40

REVISIONS	DATE	BY	CHK

E. P. FERRIS AND ASSOCIATES INC
Consulting Civil Engineers and Surveyors
880 KING AVENUE
COLUMBUS, OHIO 43212
(614) 299-2999
(614) 299-2992 (Fax)
www.EPFERRIS.com

CITY OF DELAWARE, OHIO

UNITED DAIRY FARMERS

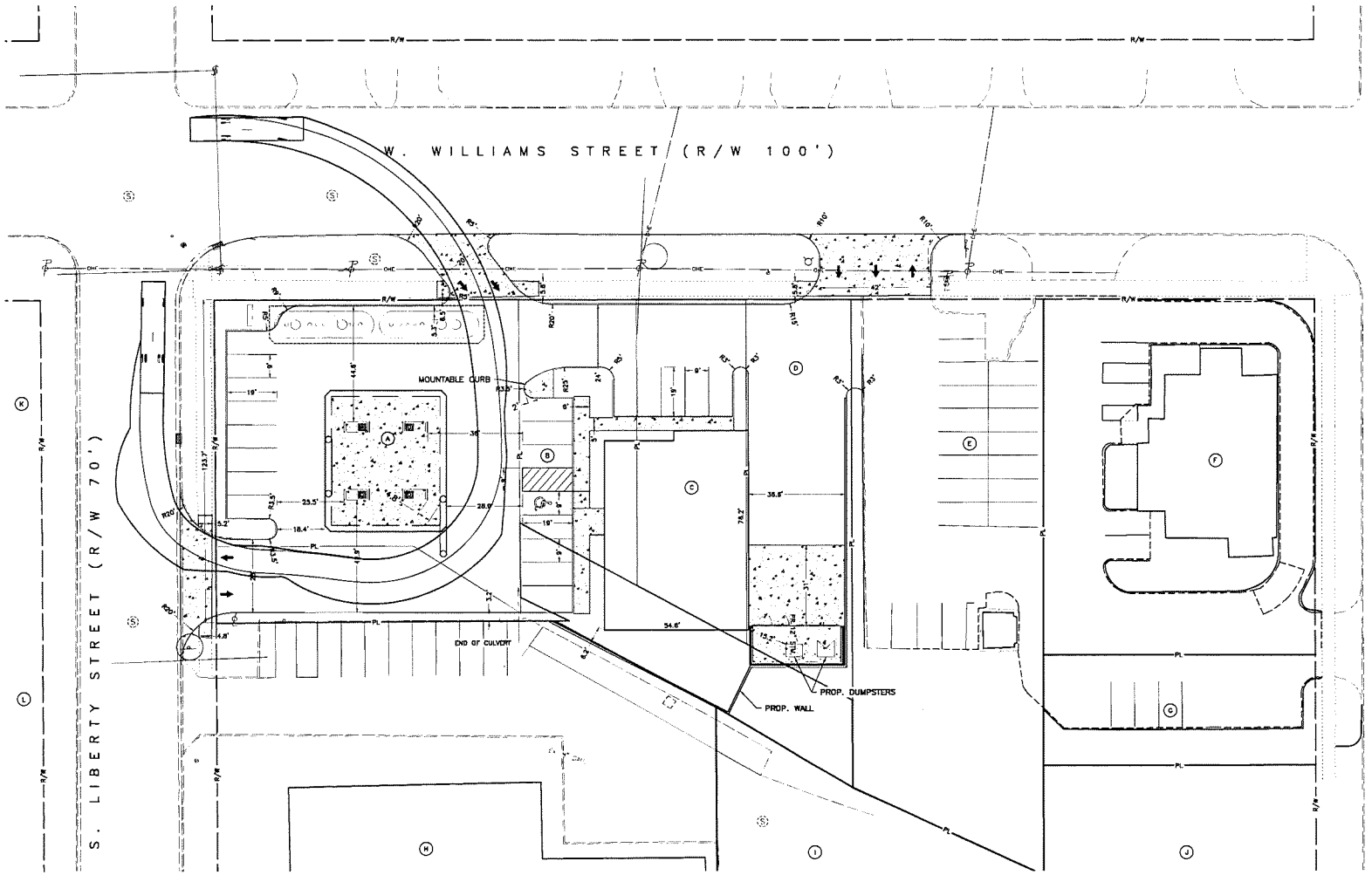
UNITED DAIRY FARMERS INC

JOB NO.	1138.004
DESIGNED BY:	CRM
DRAWN BY:	CRM
CHECKED BY:	CLP
APPROVED BY:	---
DATE:	6/12/20

FIRE TRUCK TURNING EXHIBIT

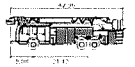
SCALE: 1" = 20'

SHEET NO. 1 OF 3



PARCEL INDEX

- (A) UNITED DAIRY FARMERS INC
  PID: 519433030070000
  0.327 AC. (AUDITOR)
  ZONING: B-3
- (B) UNITED DAIRY FARMERS INC
  PID: 519433030060000
  0.755 AC. (AUDITOR)
  ZONING: B-3
- (C) UNITED DAIRY FARMERS INC
  PID: 519433030050000
  0.74 AC. (AUDITOR)
  ZONING: B-3
- (D) UNITED DAIRY FARMERS INC
  PID: 519433030040000
  0.755 AC. (AUDITOR)
  ZONING: B-3
- (E) TIM DONUT US LIMITED INC
  PID: 519433030030000
  0.528 AC. (AUDITOR)
  ZONING: B-3
- (F) TIM DONUT US LIMITED INC
  PID: 519433030010000
  0.322 AC. (AUDITOR)
  ZONING: B-3
- (G) TIM DONUT US LIMITED INC
  PID: 519433030010000
  0.322 AC. (AUDITOR)
  ZONING: B-3
- (H) KPO LLC
  PID: 519433030090000
  1.000 AC. (AUDITOR)
  ZONING: B-3
- (I) KPO LLC
  PID: 519433030210000
  0.752 AC. (AUDITOR)
  ZONING: B-3
- (J) PEOPLES ROBERT P & ESTHER P TRUSTEES
  PID: 519433030210000
  0.744 AC. (AUDITOR)
  ZONING: B-3
- (K) OHIO WESLEYAN UNIVERSITY
  PID: 519433040010000
  0.323 AC. (AUDITOR)
  ZONING: PD-1
- (L) TRUSTEES O W U
  PID: 519433040030000
  3.176 AC. (AUDITOR)
  ZONING: PD-1



DELAWARE FIRE TRUCK

LEGEND

PL — PROPERTY LINE	EX. FIRE HYDRANT	EX. CATCH BASIN	EX. FENCE
R/W — EX. RIGHT-OF-WAY	EX. WATER SERVICE VALVE	EX. STORM MANHOLE	EX. WATER LINE
PR. R/W — PR. RIGHT-OF-WAY	EX. PULL BOX	EX. STORM CURB INLET	EX. WATER SERVICE
LL — LOT LINE		EX. UTILITY POLE	EX. WATER SERVICE (LOCATION PER RECORD PLAN)
ROADWAY CENTERLINE	EX. TREE	EX. LIGHT POLE	EX. UNDERGROUND TELEPHONE
EDGE OF PAVEMENT/BACK OF CURB		EX. UNDERGROUND TELEPHONE PEDESTAL	EX. GAS
EDGE OF DRIVEWAYS	EX. SANITARY MANHOLE	EX. SIGNAL POLE	EX. STORM
MISC. EASEMENTS		EX. SIGN	

EX. SANITARY	PR. CATCH BASIN	PR. WATER VALVE	
EX. COMBINED SEWER	PR. STORM CURB INLET	PR. CLEAN-OUT	
EX. UNDERGROUND ELECTRIC	PR. STORM SEWER	TBR — TO BE REMOVED	
EX. OVERHEAD ELECTRIC	PR. DOWNSPOUT LINE	TBRL — TO BE RELOCATED	
EX. OVERHEAD STREET LIGHTING	PR. SANITARY SERVICE	TR — TO REMAIN	
EX. UNDERGROUND STREET LIGHTING	PR. WATER SERVICE	PROP. SIDEWALK/CONCRETE	
EX. FIBER OPTIC	PR. FIRE SERVICE	(5) — NUMBER OF PARKING SPACES	

0 20 40

REVISIONS	DATE	BY	CHK

E. P. FERRIS AND ASSOCIATES INC
Consulting Civil Engineers and Surveyors
880 KING AVENUE
COLUMBUS, OHIO 43212
(614) 299-2999
(614) 299-2992 (Fax)
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CITY OF DELAWARE, OHIO

UNITED DAIRY FARMERS

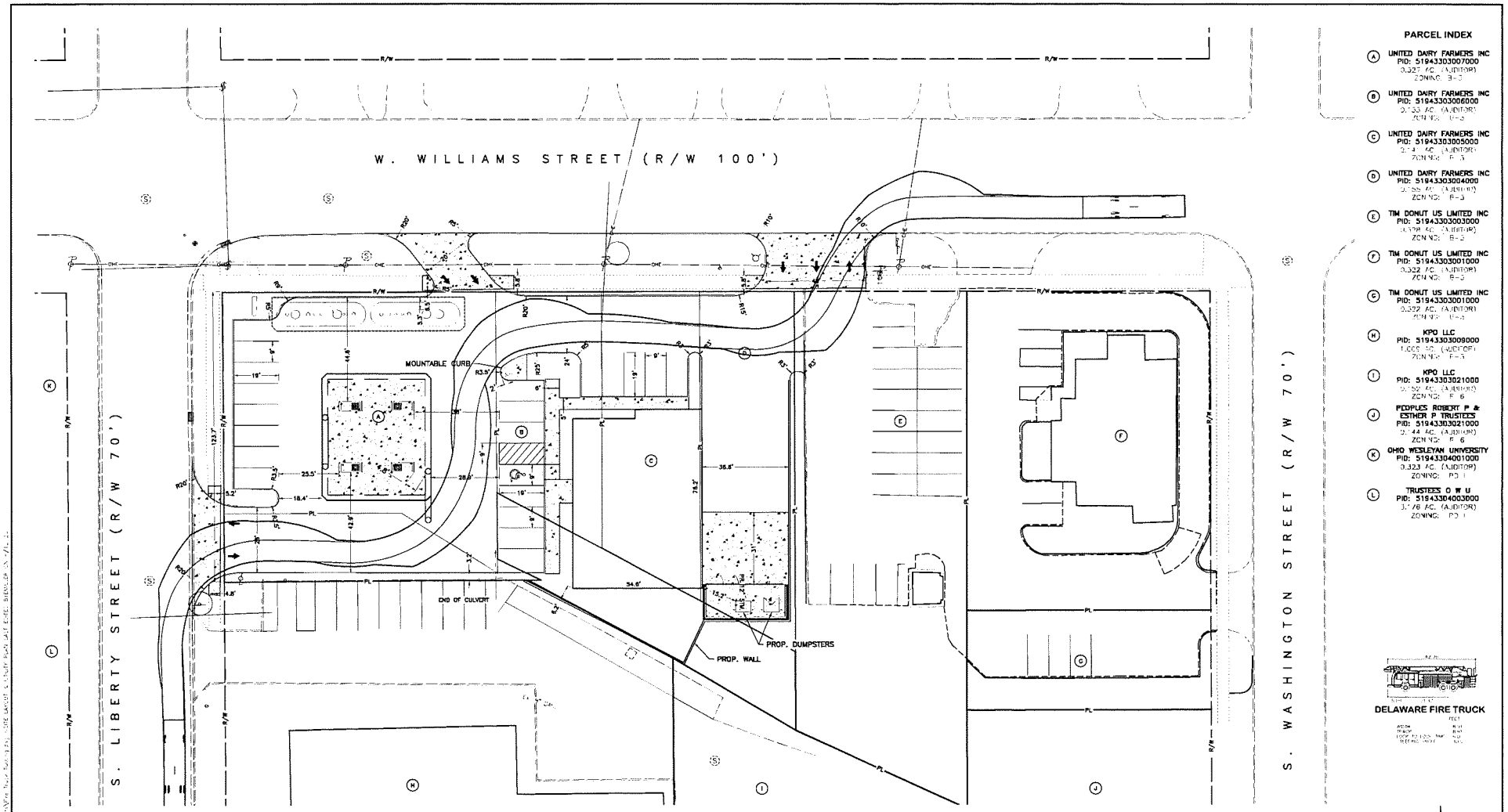
UNITED DAIRY FARMERS INC

JOB NO.	1138.004
DESIGNED BY:	ERM
DRAWN BY:	ERM
CHECKED BY:	CLP
APPROVED BY:	-----
DATE:	6/12/20

FIRE TRUCK TURNING EXHIBIT

SCALE: 1" = 20'

SHEET NO. 2 OF 3



PARCEL INDEX

- (A) UNITED DAIRY FARMERS INC
  PID: 519433030070000
  0.327 AC. (AUDITOR)
  ZONING: B-3
- (B) UNITED DAIRY FARMERS INC
  PID: 519433030060000
  0.733 AC. (AUDITOR)
  ZONING: B-3
- (C) UNITED DAIRY FARMERS INC
  PID: 519433030050000
  0.74 AC. (AUDITOR)
  ZONING: B-3
- (D) UNITED DAIRY FARMERS INC
  PID: 519433030040000
  0.255 AC. (AUDITOR)
  ZONING: B-3
- (E) TIM DONUT US LIMITED INC
  PID: 519433030030000
  0.328 AC. (AUDITOR)
  ZONING: B-2
- (F) TIM DONUT US LIMITED INC
  PID: 519433030010000
  0.322 AC. (AUDITOR)
  ZONING: B-2
- (G) TIM DONUT US LIMITED INC
  PID: 519433030010000
  0.322 AC. (AUDITOR)
  ZONING: B-2
- (H) KPO LLC
  PID: 519433030090000
  1.006 AC. (AUDITOR)
  ZONING: B-3
- (I) KPO LLC
  PID: 519433030210000
  0.552 AC. (AUDITOR)
  ZONING: B-6
- (J) PEOPLES ROBERT P & ESTHER P TRUSTEES
  PID: 519433030210000
  0.44 AC. (AUDITOR)
  ZONING: B-6
- (K) OHIO WESLEYAN UNIVERSITY
  PID: 519433040010000
  0.323 AC. (AUDITOR)
  ZONING: PD-1
- (L) TRUSTEES O W U
  PID: 519433040030000
  3.178 AC. (AUDITOR)
  ZONING: PD-1

DELAWARE FIRE TRUCK

LEGEND

PL — PROPERTY LINE	EX. FIRE HYDRANT	EX. CATCH BASIN	EX. FENCE	EX. SANITARY	PR. CATCH BASIN	PR. WATER VALVE
R/W — EX. RIGHT-OF-WAY	EX. WATER SERVICE VALVE	EX. STORM MANHOLE	EX. WATER LINE	EX. COMBINED SEWER	PR. STORM CURB INLET	PR. CLEAN-OUT
PR. R/W — PR. RIGHT-OF-WAY	EX. PULL BOX	EX. STORM CURB INLET	EX. WATER SERVICE (LOCATION PER RECORD PLAN)	EX. UNDERGROUND ELECTRIC	PR. STORM SEWER	TBR — TO BE REMOVED
LOT LINE		EX. UTILITY POLE	EX. UNDERGROUND TELEPHONE	EX. OVERHEAD ELECTRIC	PR. DOWNSPOUT LINE	TBRL — TO BE RELOCATED
ROADWAY CENTERLINE	EX. TREE	EX. LIGHT POLE	EX. GAS	EX. OVERHEAD STREET LIGHTING	PR. SANITARY SERVICE	TR — TO REMAIN
EDGE OF PAVEMENT/BACK OF CURB		EX. UNDERGROUND TELEPHONE PEDESTAL	EX. STORM	EX. UNDERGROUND STREET LIGHTING	PR. WATER SERVICE	PROP. SIDEWALK/CONCRETE
EDGE OF DRIVEWAYS	EX. SANITARY MANHOLE	EX. SIGNAL POLE		EX. FIBER OPTIC	PR. FIRE SERVICE	(5) — NUMBER OF PARKING SPACES
MISC. EASEMENTS		EX. SIGN				

0 20 40

REVISIONS	DATE	BY	CHK

E. P. FERRIS AND ASSOCIATES INC
Consulting Civil Engineers and Surveyors
880 KING AVENUE
COLUMBUS, OHIO 43212
(614) 299-2999
(614) 299-2992 (Fax)
www.EPFERRIS.com

CITY OF DELAWARE, OHIO

UNITED DAIRY FARMERS

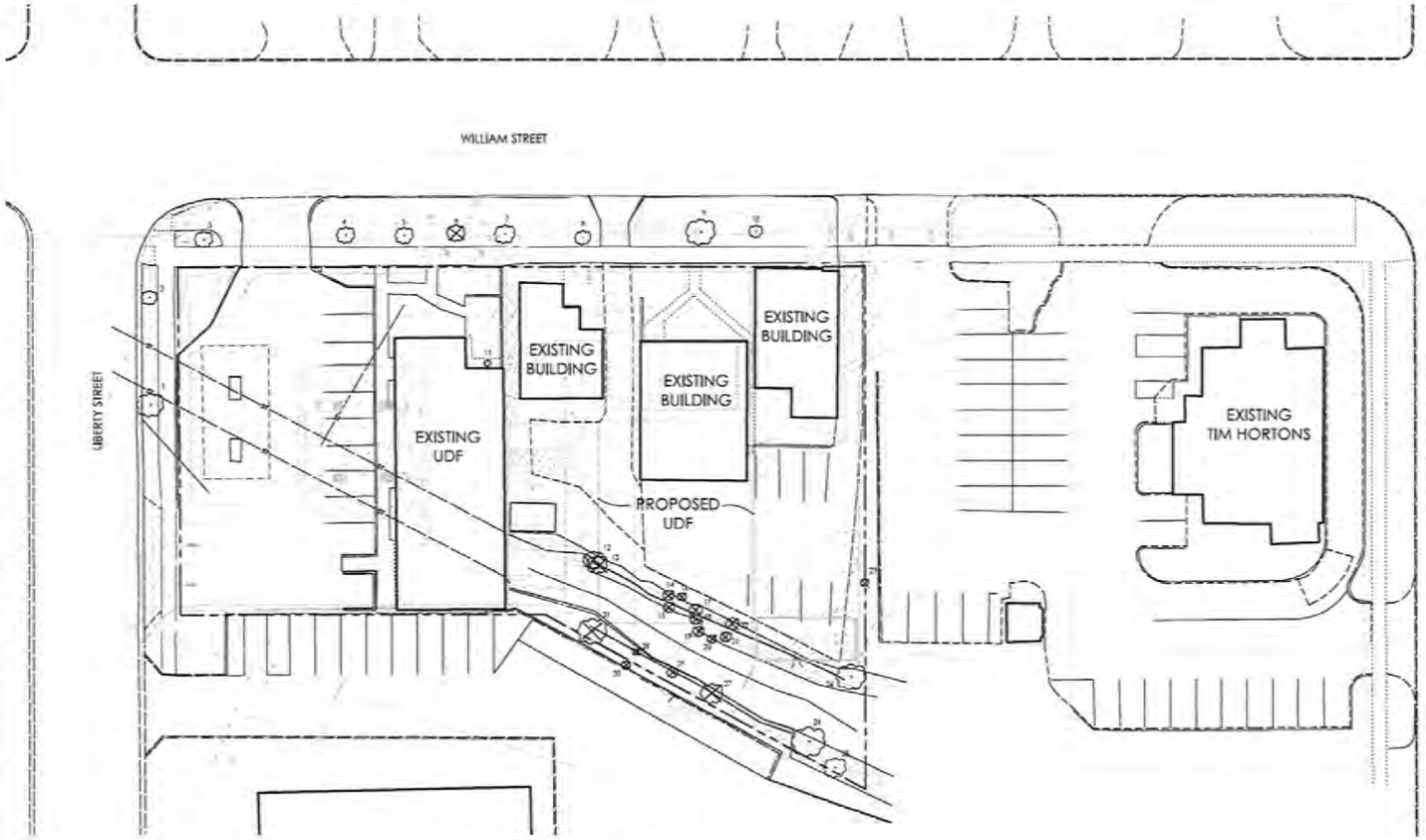
UNITED DAIRY FARMERS INC

JOB NO.	1138.004
DESIGNED BY:	CRM
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APPROVED BY:	----
DATE:	6/12/20

FIRE TRUCK TURNING EXHIBIT

SCALE: 1" = 20'

SHEET NO. 3 OF 3



GENERAL NOTES:

1. ALL TREES IN THE CONSTRUCTION AREA NOT SPECIFICALLY DESIGNATED FOR REMOVAL SHALL BE PRESERVED. TREES TO BE PRESERVED SHALL BE PROTECTED WITH HIGH VISIBILITY TREE PROTECTION FENCE, AS SHOWN.
2. ONLY TREES 6" CAL. (DBH) AND LARGER WITHIN DEVELOPMENT LIMITS INDICATED ON THESE PLANS.
3. PROTECTION FENCING OR BARRIER SHALL REMAIN THROUGHOUT CONSTRUCTION AND ANY SUBSEQUENT GRADING OF EXCAVATION UNLESS OTHERWISE APPROVED ON A CLEARING AND GRADING PLAN. IN NO CASE SHALL MATERIALS, DEBRIS, FILL, VEHICLES OR EQUIPMENT BE STORED WITHIN THE ENCLOSURE.

LEGEND

EXISTING TREES TO BE PRESERVED

EXISTING TREES TO BE REMOVED

TREES INVENTORY WITHIN PROJECT LIMITS

TREES LISTED IN INVENTORY BELOW ARE "MAJOR TREES" AS DEFINED BY DELAWARE CODE 1149.02 AND ARE A MINIMUM 12-INCH DIAMETER AT BREAST HEIGHT (DBH).

TREE INVENTORY SCHEDULE

KEY	TREE SPECIE (COMMON NAME)	DBH	CONDITION	COMMENTS	EXEMPT FROM REPLACEMENT
1	HONEYLOCUST	14"	FAIR	PRESERVE	
2	HONEYLOCUST	14"	FAIR	PRESERVE	
3	HONEYLOCUST	14"	GOOD	PRESERVE	
4	HONEYLOCUST	18"	GOOD	PRESERVE	
5	HONEYLOCUST	12"	GOOD	PRESERVE	
6	HONEYLOCUST	12"	GOOD	REMOVE	
7	HONEYLOCUST	20"	GOOD	PRESERVE	
8	CHERRY	8"	GOOD	PRESERVE	
9	FLOWERING PEAR	20"	FAIR	PRESERVE	
10	CHERRY	12"	GOOD	PRESERVE	
11	JAPANESE MAPLE	5"	FAIR	PRESERVE	
12	HACKBERRY	18"	FAIR	REMOVE	
13	HACKBERRY	18"	FAIR	REMOVE	
14	BLACK LOCUST	10"	POOR	REMOVE	
15	BLACK LOCUST	10"	POOR	REMOVE	
TOTAL TREE CALIPER (DBH) REMOVED = 68"					

TREE INVENTORY SCHEDULE

KEY	TREE SPECIE (COMMON NAME)	DBH	CONDITION	COMMENTS	EXEMPT FROM REPLACEMENT
16	BLACK LOCUST	8"	POOR	REMOVE	
17	ELM	12"	POOR	REMOVE	
18	ELM	10"	POOR	REMOVE	
19	BLACK LOCUST	10"	POOR	REMOVE	
20	ELM	8"	FAIR	REMOVE	
21	UNKNOWN	10"	DEAD	REMOVE	1"
22	ELM	12"	FAIR	REMOVE	
23	BLACK LOCUST	7"	POOR	REMOVE	
24	BLACK LOCUST	18"	FAIR	PRESERVE	
25	WALNUT	20"	FAIR	PRESERVE	
26	HORNBEAM	10"	FAIR	PRESERVE	
27	ELM	20"	POOR	REMOVE	
28	CATALPA	10"	FAIR	REMOVE	
TOTAL TREE CALIPER (DBH) REMOVED = 57"					

TOTAL TREE CALIPER (DBH) REMOVED = 162"

EDGE
230 W. SPRING STREET, SUITE 350
COLUMBUS, OH 43215
614.486.3343

0' 10' 20' 40' NORTH

K4 ARCHITECTURE + DESIGN

NEW CONVENIENCE STORE FOR:
UNITED DAIRY FARMERS
123 EAST WILLIAM STREET
DELAWARE, OH 43015

United Dairy Farmers

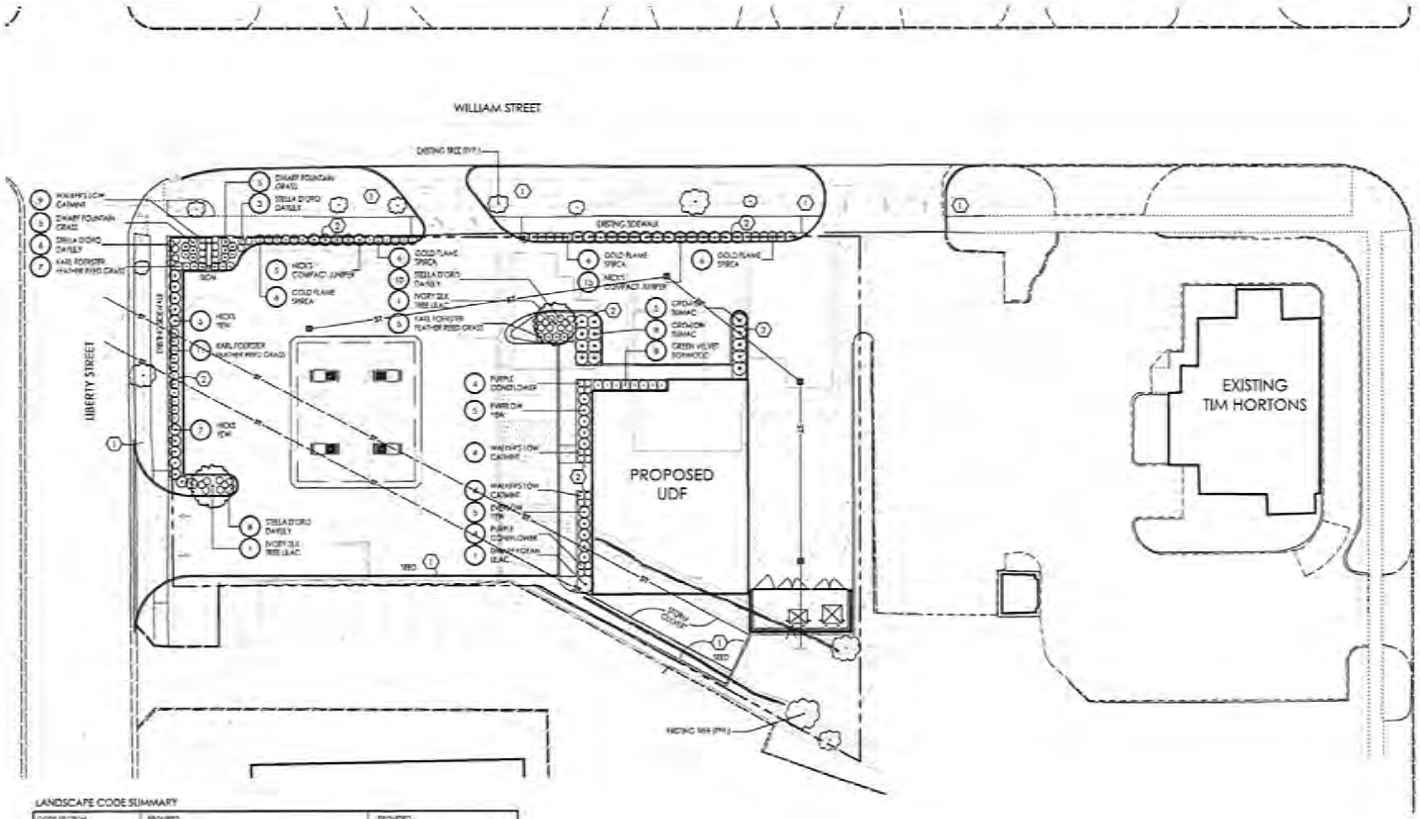
REVISIONS / SUBMISSIONS:

NO.	DESCRIPTION	DATE

TREE SURVEY

Drawn By: ROF
Scale: AS NOTED
Job No.: 194311

L1.01



GENERAL LANDSCAPE NOTES:

1. EACH CONTRACTOR IS TO VERIFY WITH OHAYO AND UTILITY COMPANIES THE LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION. TO DETERMINE BY FIELD THE ACTUAL LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES, WHETHER SHOWN ON THE PLANS OR NOT. THE CONTRACTOR SHALL CALL UTILITY PROTECTION SERVICE 72 HOURS PRIOR TO CONSTRUCTION.
2. EXAMINE FINISH SURFACE, GRADES, TOPSOIL QUALITY AND DEPTH. DO NOT START ANY WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED. VERIFY LIMITS OF WORK BEFORE STARTING.
3. CONTRACTOR RESPONSIBLE FOR COST OF REPAIRS TO EXISTING SITE CONDITIONS WHEN DAMAGED BY CONTRACTOR. REPAIR TO THE SATISFACTION OF THE OWNER.
4. ALL PLANT BEDS TO BE CONTAINED WITHIN 3" DEEP HARDWOOD BARK MULCH BED.
5. CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE IN LAWN AREAS.
6. FINE GRADE LAWN AREAS TO PROVIDE A SMOOTH AND CONTINUAL GRADE FREE OF IRREGULARITIES OR DEPRESSIONS.
7. CONTRACTOR SHALL SEED OR SOD ALL AREAS DISTURBED DURING CONSTRUCTION. SEE PLAN.
8. ALL PLANTS SHALL MEET OR EXCEED STANDARDS SET IN THE U.S.A. STANDARD FOR NURSERY STOCK.
9. ALL PLANTING OPERATIONS SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS.

CONSTRUCTION NOTES:

1. REPAIR ALL LAWN AREAS DISTURBED BY CONSTRUCTION OR PROVIDE NEW LAWN AREA PER PLAN. FILL AREA WITH TOPSOIL AS REQUIRED TO MEET ADJACENT SURFACES FLUSH. PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES. SEED AS INDICATED WITH TURF-TYPE TALL FESCUE MIX.
2. LANDSCAPE AREA. REMOVE ALL CONSTRUCTION DEBRIS AND ADD 18" DEPTH (MIN.) TOPSOIL AND PLANT PER PLAN. MULCH ENTIRE AREA WITH HARDWOOD BARK MULCH AT 3" MIN. DEPTH

LEGEND

EXISTING TREES

PROPOSED SHADE TREE

PROPOSED ORNAMENTAL TREE

PROPOSED SHRUBS & PERENNIALS

TOTAL MAJOR TREES REMOVED REQUIRING REPLACEMENT PER 1166.04	16"
TOTAL REPLACEMENT TREES PROVIDED	0"

DUE TO SITE CONSTRAINTS REPLACEMENT TREES CAN NOT BE PROVIDED. DEVELOPER TO COMPLY WITH 1166.05 (3) TREE BANK (ONE) OPTION.

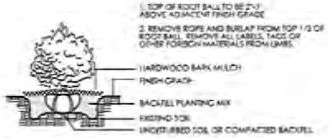
LANDSCAPE CODE SUMMARY

CODE SECTION	REQUIRED	PROVIDED
1166.09 • Screening and landscaping of parking lots	(b)... Whenever parking areas consisting of five (5) spaces or more are located such that the parked cars will be visible from a public street, screening, in addition to the interior landscaping required in subsection (a) above, shall be provided and maintained between the parking area and the street right-of-way.	Continuous row of evergreen & deciduous shrubs and perennial planting. Proposed landscape plants have a mature hgt. of 3' (min.) as required.
1166.10 • Screening of accessory uses	(a) (2) Trash receptacles on non-residential developments shall be enclosed on all four (4) sides by a brick or masonry wall and gate constructed of materials that match or complement the principal building. The wall and gate shall have a minimum height of six (6) feet. A chain link fence shall not be permitted.	Masonry wall with gate at min. hgt. of 6' provided.

PLANT MATERIALS LIST

NOTE: CONTRACTOR RESPONSIBLE FOR PLANT QUANTITIES SHOWN ON PLAN.

COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
TREES:				
IVORY SILK TREE LILAC	Syringa reticulata 'Ivory Silk'	2" Cal.	B&B	MATCHED FORM
SHRUBS:				
GREEN VELVET BOXWOOD	Buxus 'Green Velvet'	18" Hgt.	Cont.	
HICK'S COMPACT JUNIPER	Juniperus chinensis 'Hicks Compact'	24"-30" Hgt.	Cont.	
GRO-LOW SUMAC	Rhus aromatica 'Gro-Low'	24" Spr.	Cont.	
GOLD FLAME SPIREA	Spiraea japonica 'Goldflame'	24" Hgt.	Cont.	
DWARF KOREAN LILAC	Syringa meyeri 'Palibin'	24"-30" Hgt.	Cont.	
EVERLOW YEW	Taxus x media 'Everlow'	15" Hgt.	Cont.	
HICKS YEW	Taxus x media 'Hicksii'	24"-30" Hgt.	B&B	
PERENNIALS & GRASSES:				
KARL FOERSTER FEATHER REED GRASS	Calamagrostis x acutiflora 'Karl Foerster'	2 Gal.	Cont.	
STELLA D'ORO DAYLILY	Hemerocallis 'Stella d'Oro'	1 Gal.	Cont.	
WALKER'S LOW CATMINT	Nepeta racemosa 'Walker's Low'	1 Gal.	Cont.	
DWARF FOUNTAIN GRASS	Pennisetum alopecuroides 'Hameln'	1 Gal.	Cont.	



1 SHRUB PLANTING DETAIL
NTS



2 DECID. TREE PLANTING DETAIL
NTS

EDGE
330 W. SPRING STREET, SUITE 350
COLUMBUS, OH 43215
614.486.3343

0' 10' 20' 40' NORTH

K4 ARCHITECTURE + DESIGN

NEW CONVENIENCE STORE FOR:
UNITED DAIRY FARMERS
123 EAST WILLIAM STREET
DELAWARE, OH 43015

United Dairy Farmers

REVISIONS / SUBMISSIONS	

PLANTING PLAN/ TREE REPLACEMENT PLAN

Drawn By: BDF
Scale: AS NOTED
Job No.: 19xxxx

L2.01



4 SIDE ELEVATION
SCALE: NOT TO SCALE



3 SIDE ELEVATION
SCALE: NOT TO SCALE



2 REAR ELEVATION
SCALE: NOT TO SCALE



1 FRONT ELEVATION
SCALE: NOT TO SCALE

UDF DELAWARE - BUILDING ELEVATIONS

123 WEST WILLIAM STREET, DELAWARE, OH 45013

ISSUE DATE: 07/31/20

K4 ARCHITECTURE, LLC
555 Grant Street
Cincinnati, Ohio 45203
Tel (513) 455-5005
Fax (513) 455-5006
ARCHITECTURE + DESIGN



DUMPSTER ENCLOSURE BACK ELEVATION
SCALE: NOT TO SCALE



DUMPSTER ENCLOSURE FRONT ELEVATION
SCALE: NOT TO SCALE



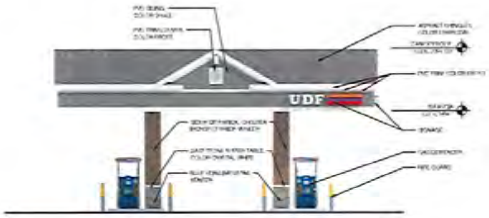
DUMPSTER ENCLOSURE SIDE ELEVATION
SCALE: NOT TO SCALE



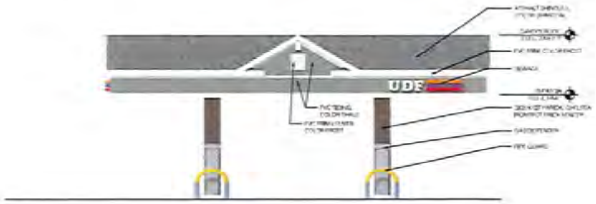
GAS CANOPY RIGHT ELEVATION
SCALE: NOT TO SCALE



GAS CANOPY BACK ELEVATION
SCALE: NOT TO SCALE



GAS CANOPY LEFT ELEVATION
SCALE: NOT TO SCALE



GAS CANOPY FRONT ELEVATION
SCALE: NOT TO SCALE

UDF DELAWARE - GAS CANOPY & DUMPSTER ELEVATIONS

123 WEST WILLIAM STREET, DELAWARE, OH 45013

ISSUE DATE: 07/31/20

K4 ARCHITECTURE, LLC
555 Grant Street
Cincinnati, Ohio 45203
Tel: (513) 455-5005
Fax: (513) 455-5008

K4 ARCHITECTURE + DESIGN

United Dairy Farmers
Hydraulic Analysis Report

City of Delaware

Delaware County, Ohio

Prepared for:

E.P. Ferris and Associates, Inc.
880 King Avenue
Columbus, Ohio

June 2020

BURGESS & NIPLE

HYDRAULIC ANALYSIS REPORT

UNITED DAIRY FARMERS

PREPARED FOR:

E.P. FERRIS AND ASSOCIATES, INC.
880 KING AVENUE
COLUMBUS, OHIO

JUNE 2020

PREPARED BY:

BURGESS & NIPLE, INC.
ENGINEERS • ENVIRONMENTAL SCIENTISTS • GEOLOGISTS
5085 REED ROAD
COLUMBUS, OHIO 43220

1.0 Project Description

The Project improves the site of the United Dairy Farmers. In the process to improve the site, the 16X8 box culvert at the site requires an extension of 96.8 feet. The existing box culvert is 725.6 ft. long and extends from Catherine Street west of the site. The hydraulic modeling presented determines the impact of the culvert extension to the floodway elevations shown in the Flood Insurance Study for City of Delaware for Delaware Run. See Appendix A for the Flood Insurance Study used in the hydraulic model comparison.

2.0 Hydraulic Modeling

Duplicate Effective Model

A request was made to the FEMA library for the effective hydraulic model for Delaware Run. FEMA informed Burgess & Niple that they did not have the hydraulic model for Delaware Run in their library. Therefore, a hydraulic model was developed in HEC RAS version 5.0.7. The cross-section data for the model was developed with Lidar data and survey data. The floodway widths were developed from the flood insurance rate map data. The hydraulic model was developed from Section J to L. The HEC RAS model was then executed and the water surface elevations were compared to the FIS Floodway Data Table. The HEC RAS modeled water surface elevation was within -1.20 ft. for the floodway of the Floodway Data Table. See Table 1 below. The Manning's N values were adjusted to the maximum range described in the Flood Insurance Study for Delaware Run. The water surface elevations shown in the Floodway data could not be reproduced to within 0.5 ft. by the HEC RAS model.

Table 1- HEC RAS Duplicate Effective Model Comparison to the FEMA Floodway Data Table

		Floodway	Floodway	Duplicate	Duplicate	Difference	Difference
		Data	Data	Effective	Effective		
Cross		Table	Table	Model	Model		
Section	Sta.	Floodplain	Floodway	Floodplain	Floodway	Floodplain	Floodway
J	102	879.8	880.3	879.80	880.30	0.00	0.00
K	106	885.9	886.9	885.18	885.94	-0.72	-0.96
L	107	888.1	888.1	886.50	886.90	-1.60	-1.20

NAVD- North American Vertical Datum

Corrected Effective/Existing Conditions

The Duplicate Effective Model is the Corrected Effective and Existing Conditions Model.

Proposed Conditions

The proposed Project extends the existing 16 ft. x 8 ft. box culvert at the site. The extension is a 14 ft. x 10 ft. and 96.8 ft. in length. The extension outfall elevation is at El. 868.6, while the existing box culvert outlet is at El. 867.2. The box culvert extension is at an adverse slope due to the invert elevation s in the existing channel. See Appendix B for culvert elevations. HEC RAS does not have the capability to enter a broken back culvert into the hydraulic model. Therefore, the proposed culvert extension was modeled using the proposed outlet elevation and additional length. The proposed model was executed and compared to the existing conditions model to determine if the box culvert extension creates a rise in the floodway elevations. The proposed conditions model showed a 0.01 ft. decrease in the floodway water surface elevation. See Table 2 below.

Table 2- HEC RAS Existing Conditions Model Comparison to the Proposed Conditions Model

Cross Section	Sta.	Existing Floodplain	Existing Floodway	Proposed Floodplain	Proposed Floodway	Difference Floodplain	Difference Floodway
J	102	879.80	880.30	879.80	880.30	0.00	0.00
K	106	885.18	885.94	885.20	885.93	0.02	-0.01
L	107	886.50	886.90	886.51	886.89	0.01	-0.01

Summary

The FEMA library did not have the hydraulic model for Delaware Run that could be used to develop the existing conditions model. A hydraulic model was developed using Lidar data and survey data to create the Duplicate Effective Model. The Duplicate Effective model was not within the 0.5 ft. limit of error acceptable by FEMA. The Duplicate Effective model is the Existing Conditions model as there were no corrections to be made to a model we did not receive from FEMA. The analysis of the Proposed box culvert extension showed a minimal decrease of 0.01 ft. in the water surface elevations upstream of the existing culvert. The analysis supports a No-Rise Certification in the Floodway.

Appendix A

FLOOD INSURANCE STUDY

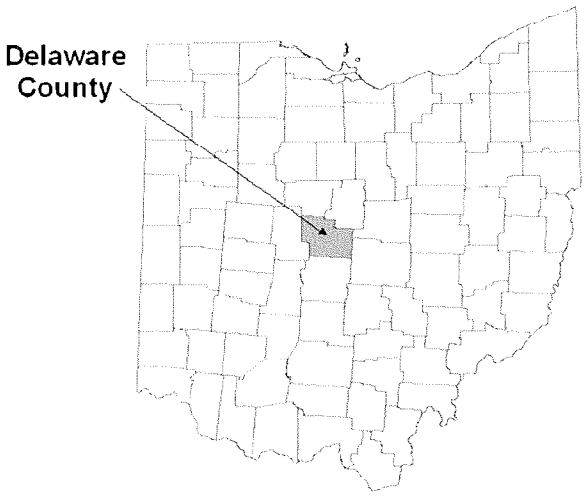


DELAWARE COUNTY, OHIO
AND INCORPORATED AREAS

VOLUME 1 OF 2

COMMUNITY NAME	COMMUNITY NUMBER
ASHLEY, VILLAGE OF	390147
DELAWARE, CITY OF	390148
DELAWARE COUNTY (UNINCORPORATED AREAS)	390146
GALENA, VILLAGE OF	390149
OSTRANDER, VILLAGE OF	390892
POWELL, VILLAGE OF	390626
SHAWNEE HILLS, VILLAGE OF*	390151
SUNBURY, VILLAGE OF	390152

*NO SPECIAL FLOOD HAZARD AREAS IDENTIFIED



Revised: February 17, 2016

Federal Emergency Management Agency

FLOOD INSURANCE STUDY NUMBER
39041CV001B

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NOTICE TO
FLOOD INSURANCE STUDY USERS

Communities participating in the National Flood Insurance Program have established repositories of flood hazard data for floodplain management and flood insurance purposes. This Flood Insurance Study (FIS) report may not contain all data available within the Community Map Repository. Please contact the Community Map Repository for any additional data.

The Federal Emergency Management Agency (FEMA) may revise and republish part or all of this FIS report at any time. In addition, FEMA may revise part of this FIS report by the Letter of Map Revision (LOMR) process, which does not involve republication or redistribution of the FIS report. Therefore, users should consult with community officials and check the Community Map Repository to obtain the most current FIS report components.

Initial Countywide FIS Effective Date:	**April 21, 1999**
Revised Countywide Date(s):	**April 16, 2009** **February 17, 2016**

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Blues Creek	Panels 15P-17P
Deep Run	Panels 18P-20P
Delaware Run	Panels 21P-23P
Duncan Run	Panels 24P-26P
Fulton Creek	Panel 27P
Lewis Center Run	Panels 28P-29P
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(Continued)

Volume 2 – February 17, 2016

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Mill Creek	Panels 44P-46P
Olentangy River	Panels 47P-50P
Reed Run	Panels 51P-57P
Retreat Run	Panels 58P-63P
Scioto River	Panels 64P-68P
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Tylers Run	Panels 70P-71P
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Wildcat Run	Panels 75P-80P

Exhibit 2 - Flood Insurance Rate Map Index
Flood Insurance Rate Map

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Table 7. Summary of Discharges (Continued)					
Flooding Source and Location	Drainage Area (square miles)	Peak Discharges (cfs)			
		10-Percent-Annual-Chance	2-Percent-Annual Chance	1-Percent-Annual-Chance	0.2-Percent-Annual-Chance
Big Run					
Just US of confluence of Dripping Rock Ditch	3.03	*	*	1,175	1,550
At Hyatts Road	1.63	*	*	675	875
Big Walnut Creek					
Just US of confluence of Little Walnut Creek	110.0	*	*	10,700	13,800
Just DS of confluence of Rattlesnake Creek	101.2	*	*	9,600	12,300
Just US of confluence of Rattlesnake Creek	78.5	*	*	7,900	10,200
Blues Creek					
At confluence with Mill Creek	38.1	2,490	3,750	4,320	5,790
At US Route 36	33.1	2,210	3,330	3,850	5,180
Approximately 2,100 feet US of Burnet Pond Road	31.7	2,110	3,180	3,680	4,940
Deep Run					
At mouth	1.13	*	*	800	1,050
Just DS of confluence of an unnamed tributary	1.06	*	*	750	975
Just US of confluence of an unnamed tributary	0.83	*	*	625	825
At U.S. Route 23	0.68	*	*	525	700
Delaware Run					
At confluence with the Olentangy River (within City of Delaware)	10.1	1,150	1,760	2,050	2,780
At gage at Houk Road (within City of Delaware)	5.84	714	1,080	1,250	1,670
Approximately 1,750 feet DS of Hills-Miller Road	3.97	535	830	965	1,320
Duncan Run					
At Red Bank Road	15.20	1,580	2,470	2,880	3,950
Approximately 2,000 feet DS of Miller-Paul Road	10.80	1,150	1,810	2,110	2,900
Fulton Creek					
At confluence with Scioto River	*	2,430	3,940	4,360	6,470
Just DS of State Route 4	*	2,350	3,820	4,200	6,180
Lewis Center Run					
At mouth	1.73	*	*	975	1,300
Just US of Africa Road	1.46	*	*	850	1,125
Just DS of Big Walnut Road	1.29	*	*	775	1,025
At Big Walnut Road	1.04	*	*	650	875

* Data Not Available

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Table 9. Manning's "n" Values

Flooding Source	Channel "n" Values	Overbank "n" Values
Alum Creek	0.037-0.093	0.058-0.132
Bartholomew Run	0.030-0.055	0.015-0.100
Big Run	0.04	0.100
Big Walnut Creek	0.035-0.050	0.035-0.120
Blues Creek	0.042-0.060	0.030-0.120
Deep Run	0.040-0.060	0.070-0.110
Delaware Run	0.030-0.052	0.028-0.120
Duncan Run	0.040-0.055	0.032-0.120
Fulton Creek	*	*
Lewis Center Run	0.040-0.060	0.060-0.110
Lick Run	0.040-0.050	0.070
Little Walnut Creek	0.030-0.060	0.035-0.120
Mill Creek	0.040-0.045	0.032-0.110
Olentangy River	0.032-0.062	0.025-0.138
Reed Run	0.045	0.060-0.070
Retreat Run	0.025-0.085	0.028-0.140
Scioto River	0.045-0.048	0.050-0.078
Spring Run	0.030-0.065	0.028-0.100
Tylers Run	0.035-0.050	0.065-0.100
Weeping Rock Run	0.040-0.050	0.060-0.100
Wildcat Run	0.040-0.050	0.040-0.070
Beaver Run	0.03	0.05-0.08
Heath Lateral A	0.075	0.09
Heath Lateral B	0.03	0.04-0.10
Heath Lateral C	0.03	0.04-0.10
Heath Lateral D	0.035	0.04-0.10
Heath Lateral E	0.035	0.04-0.10
Heath Lateral EA	0.035	0.07-0.10
Sycamore Creek	0.04-0.066	0.086-0.09

* Data not available

In the initial scope of the Delaware County restudy (prior countywide study), the validity of the Olentangy River flood profiles was to be investigated in the reach between I-270 in northern Franklin County to Hyatts Road in Delaware County. This investigation was undertaken in response to concerns from residents and County officials in the study area that the effective flood profiles may be too low, based on recent flooding events in the basin. As a result of the investigation, a Special Problem Report was presented to FEMA in February 1995, and a restudy

FLOODING SOURCE		FLOODWAY			1-PERCENT-ANNUAL-CHANCE-FLOOD WATER SURFACE ELEVATION			
CROSS SECTION	DISTANCE[1]	WIDTH (FEET)	SECTION AREA (SQUARE FEET)	MEAN VELOCITY (FEET PER SECOND)	REGULATORY (FEET NAVD)	WITHOUT FLOODWAY (FEET NAVD)	WITH FLOODWAY (FEET NAVD)	INCREASE (FEET)
DELAWARE RUN								
A	438	67	384	5.3	860.8	860.2[2]	860.2[2]	0.0
B	600	50	341	6.0	860.8	860.5[2]	860.6[2]	0.1
C	916	40	314	6.5	863.8	863.8	863.8	0.0
D	1,355	60	411	5.0	863.9	863.9	864.7	0.8
E	1,730	22	253	8.1	867.3	867.3	867.8	0.5
F	2,115	32	313	6.6	870.4	870.4	870.7	0.3
G	2,414	24	230	8.9	870.9	870.9	871.6	0.7
H	2,600	61	458	4.5	872.3	872.3	873.3	1.0
I	2,913	18	157	13.0	875.3	875.3	875.7	0.4
J	3,060	49	524	3.9	879.8	879.8	880.3	0.5
K	3,986	26	251	8.2	885.9	885.9	886.9	1.0
L	4,106	29	269	7.6	888.1	888.1	888.1	0.0
M	4,422	52	628	3.3	891.3	891.3	892.0	0.7
N	4,650	60	663	3.1	891.5	891.5	892.2	0.7
O	5,497	180	1,451	1.4	891.6	891.6	892.5	0.9
P	6,613	35	401	5.1	898.1	898.1	898.1	0.0
Q	7,255	190	1,688	1.2	898.1	898.1	898.2	0.1
R	8,320	170	1,116	1.8	898.1	898.1	898.3	0.2
S	8,604	145	748	2.7	898.2	898.2	898.5	0.3
T	9,685	115	498	4.1	899.4	899.4	900.0	0.6
U	11,485	113	471	4.4	906.5	906.5	907.4	0.9

[1]Feet above confluence with Olentangy River

[2]Elevation computed without consideration of backwater effects from Olentangy River

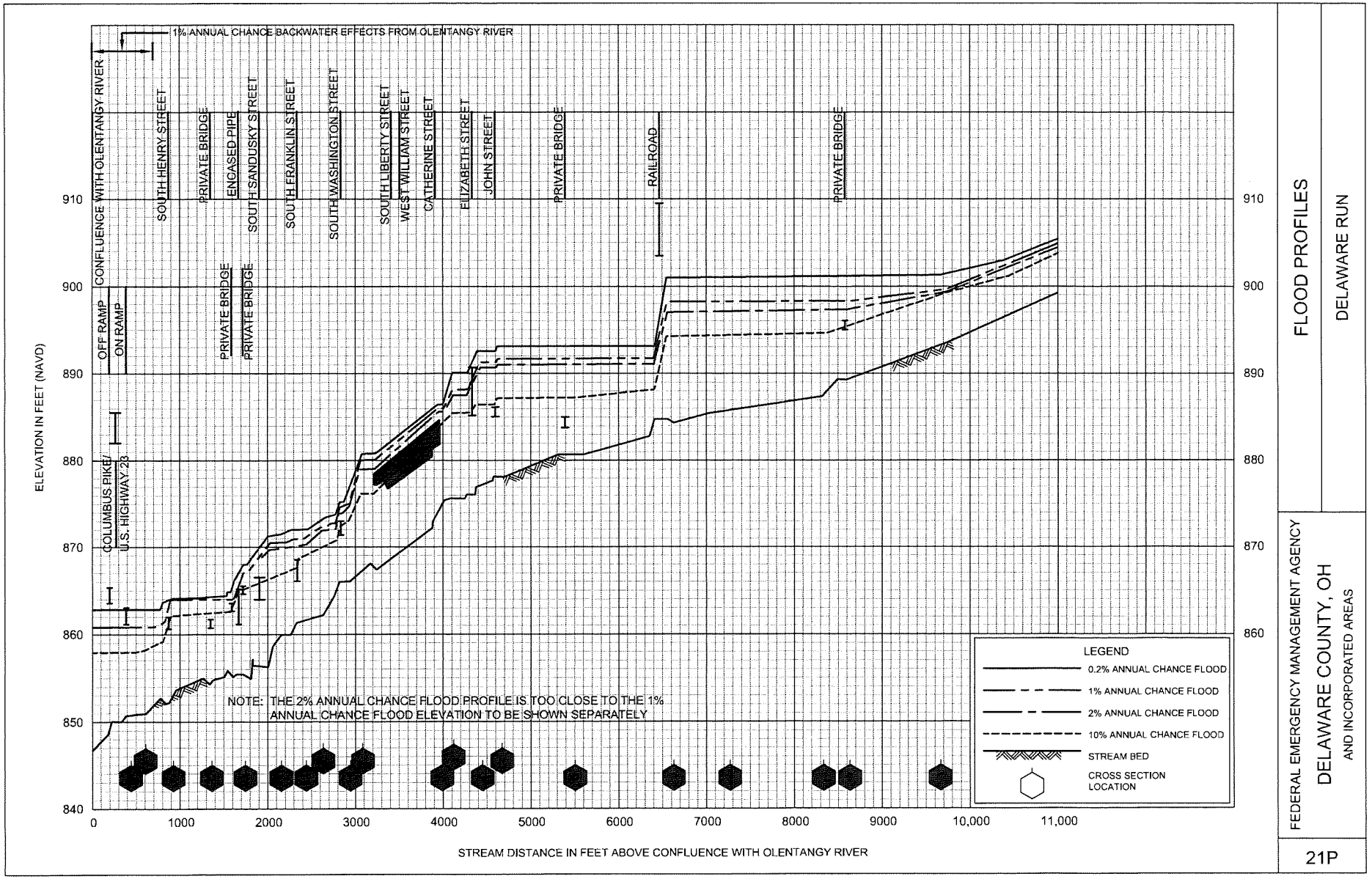
TABLE 11

FEDERAL EMERGENCY MANAGEMENT AGENCY

DELAWARE COUNTY, OH
AND INCORPORATED AREAS

FLOODWAY DATA

DELAWARE RUN



FLOOD PROFILES

DELAWARE RUN

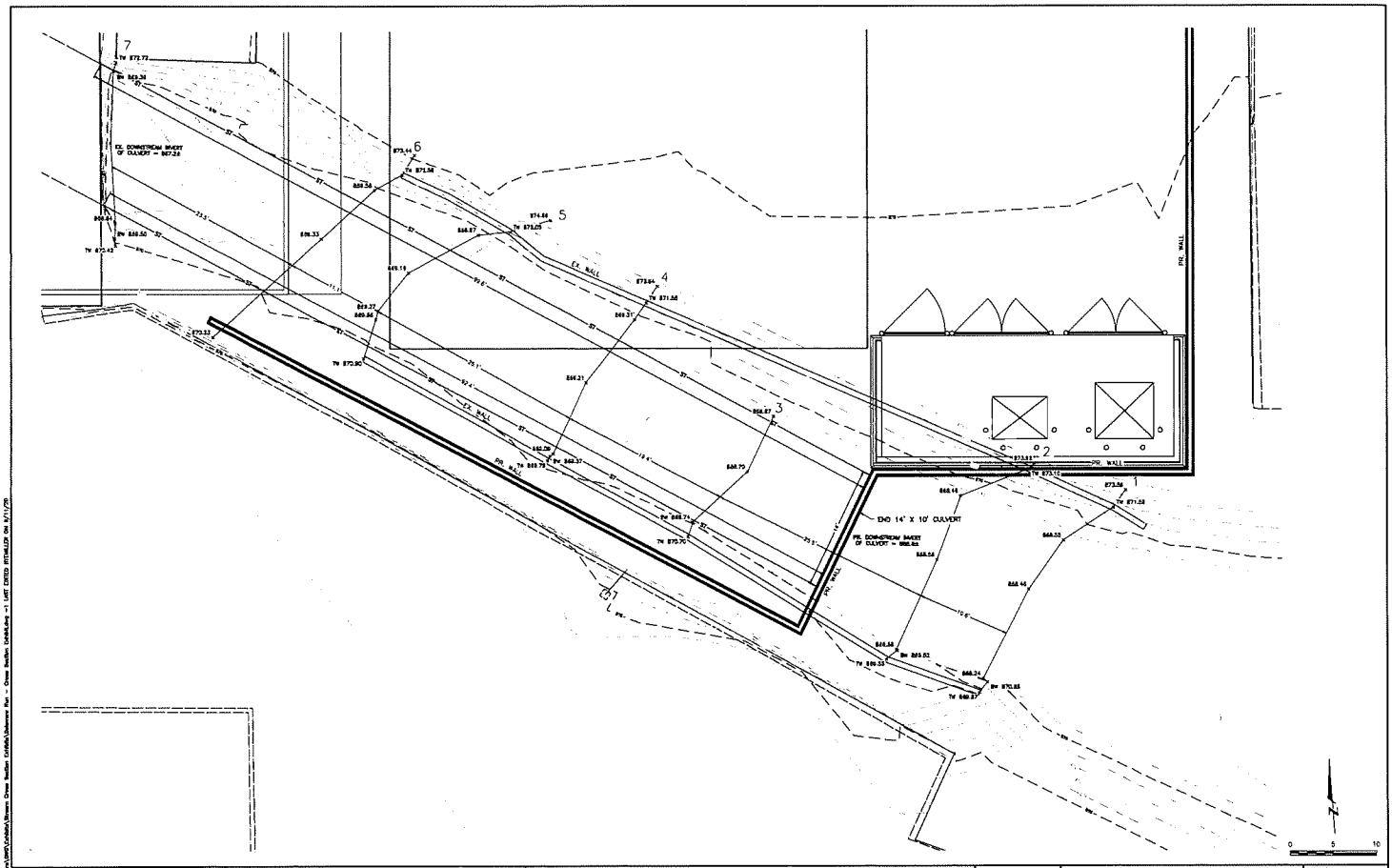
FEDERAL EMERGENCY MANAGEMENT AGENCY

DELAWARE COUNTY, OH

AND INCORPORATED AREAS

21P

Appendix B



REVISIONS	DATE	BY	CHK

E. P. FERRIS AND ASSOCIATES INC
Consulting Civil Engineers and Surveyors
880 KING AVENUE
COLUMBUS, OHIO 43212
(614) 299-2999
(614) 299-2992 (Fax)
www.EPFERRIS.com

CITY OF DELAWARE, OHIO

UNITED DAIRY FARMERS

UNITED DAIRY FARMERS INC

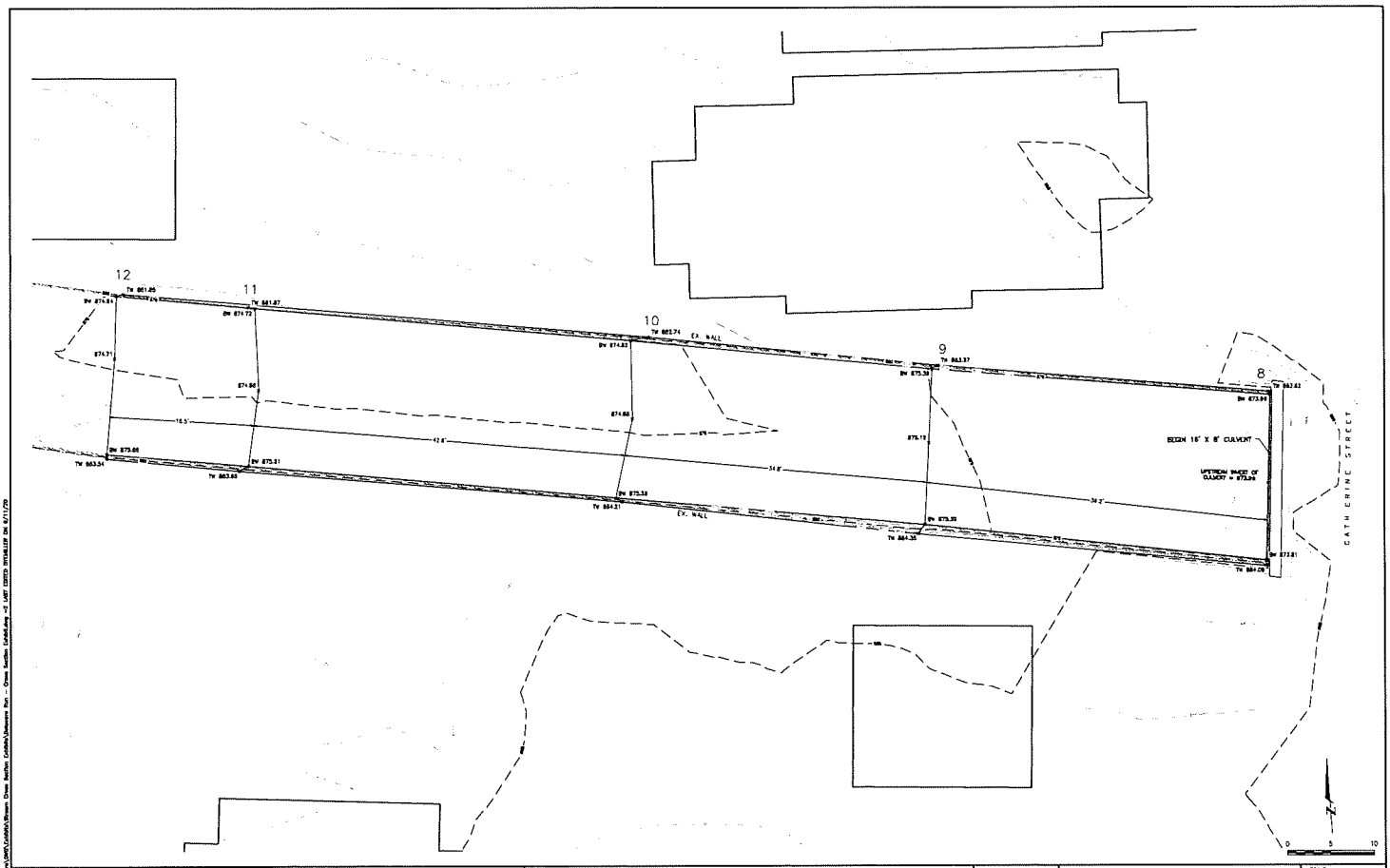
JOB NO.	1136.004
DESIGNED BY	EPA
DRAWN BY	EPA
CHECKED BY	CLP
APPROVED BY	---
DATE	6/10/2020

DELAWARE RUN
CROSS SECTION EXHIBIT

SCALE: 1" = 5'

SHEET NO. 1 OF 2

E.P. FERRIS & ASSOCIATES INC



REVISIONS	DATE	BY	CHK

E. P. FERRIS AND ASSOCIATES
Consulting Civil Engineers and Surveyors
880 KING AVENUE
COLUMBUS, OHIO 43212
(614) 299-2999
(614) 299-2992 (Fax)
www.EPFERRIS.com

CITY OF DELAWARE, OHIO

UNITED DAIRY FARMERS

UNITED DAIRY FARMERS INC

JOB NO.	113820.4
DESIGNED BY:	EPW
DRAWN BY:	EPW
CHECKED BY:	ELP
APPROVED BY:	---
DATE:	8/11/2020

DELAWARE RUN
CROSS SECTION EXHIBIT

SCALE: 1" = 5'

SHEET NO. 1 OF 2

E.P. FERRIS & ASSOCIATES INC

CITY OF DELAWARE OHIO

FLOOD PERMIT

SINGLE FAMILY $100.00 Fee **ALL OTHER PURPOSES $300.00 Fee**

Application is hereby made for a DEVELOPMENT PERMIT as required by the Flood Plain Standards, Chapter 1150 of the City of Delaware Codified Ordinances for the development in an identified flood hazard area. All activities shall be completed in accordance with the requirements of said Standards. The development to be performed is described below and in attachments hereto. The applicant understands and agrees that:

- this permit is issued on the conditions and facts described;
- any permit may be repealed if conditions or facts change;
- permit void if the activity has not begun within 180 days of the issuance date;
- the permit will remain valid for one year from date of issuance.

Owner's Name United Dairy Farmers Address 3955 Montgomery Road, Cincinnati, OH

Parcel Number 519-433-03-007-000 Address 123 William St., Delaware, OH

Builder Reliable Construction Services Address 12968 Kilger Ct, Pickerington, OH

Contact email TWilliams@reliacon.com

Contact phone (937) 461-2250

1. Location of proposed development site-address 123 William St., Delaware, OH

   Legal description 0.327 Acres LOTS PTS 91,92,240,241

2. Kind of development proposed

new building	X	existing structure		filling/grading	X
residential		alteration		mining/dredging	
non-residential		addition		watercourse	
manufactured home		accessory		alteration	
installation		materials storage		other*	

   *Describe activity Extension of existing culvert and erection of new buildings as part of development

3. If the proposed construction is an alteration, addition or improvement to an existing structure, indicate the cost of proposed construction $ 6M. What is the estimated market value of the existing structure $ N/A ?

NOTE: An existing structure must comply with the floor protection standards if it is substantially improved (an improvement equal to or greater than 50% of the market value of the structure). FEMA maintains that the "substantial improvement" definition applies to existing structures only and that once a structure meets the definition of "new construction" any further improvements to that structure must meet "new construction" requirements. For floodplain management purposes "new construction" means structures for which "start of construction" began on or after the effective date of the initial Flood Insurance Rate Map issued by FEMA for the community.

4. Does proposed development involve a subdivision or other development containing at least 50 lots or 5 acres (whichever is less)
   ☐ Yes ☒ No ?

NOTE If yes, base flood elevation data is required from applicant if it has not been provided by FEMA.

ADMINISTRATIVE: The following is to be completed by the local floodplain administrator. All references to elevations are in feet mean sea level (m.s.l.). The term base flood elevation means the same as the 100-year elevation.

5. Is the proposed development located in:
   _____ an identified floodway?
   _____ a flood hazard area where base flood elevations exist with no identified floodway?
   _____ an area within the floodplain fringes?
   _____ an approximate flood hazard area?

NOTE: Floodway development must demonstrate through hydrologic and hydraulic analysis, performed in accordance with standard engineering practice, that no increase in base flood elevation will result during occurrence of the flood discharge. If base flood elevations exist with no floodway delineation, hydrologic and hydraulic analysis is required to demonstrate not more than one foot increase at any point to the water surface elevation of the base flood.

6. Does proposed development meet NFIP and local General Standards?
   _____ Construction materials and methods resistant to flood damage.
   _____ Anchored properly.
   _____ Utilities safe from flooding.
   _____ Subdivision designed to minimize flood damage.
   _____ Specific Standards?
   _____ Encroachments-proposed action will not obstruct flood waters.
   _____ Proposed site grada elevation if fill or topographic alterations planned.
   _____ Lowest floor elevated to or above BFE.
   _____ Lowest floor floodproofed above BFE.

7. Base flood elevation (100-year) at proposed site_____feet m.s.l.

   Data source_____

   Community-Panel No._____

   Map effective date_____

8. Does the structure contain a _____basement;_____enclosed are used only for parking access or storage, other than basement, below the lowest floor?

9. For structures located in unnumbered A zones (no BFE available) the structure's lowest floor is_____feet above the highest grade adjacent to the structure.

10. The certified as-built elevation of the structure lowest floor is _____feet above m.s.l.*

11. The certified as-built floodproofed elevation of the structure's is _____feet above m..s.l.*

NOTE: *Certificates of a registered engineer or land surveyor documenting these elevations are necessary if elevations are provided by applicant.

12. The proposed development is in compliance with applicable floodplain standards.
    PERMIT ISSUED ON _____.

13. The proposed development is not in compliance with applicable floodplain standards.
    PERMIT DENIED ON _____.

Reason:_____.

NOTE:All structures must be built with the lowest floor, including the basement, elevated or floodproofed to or above the base flood elevation (100-year) unless a variance has been granted. Only nonresidential structures may be floodproofed.

14. The proposed development is exempt from the floodplain standards per Section_____ of the Flood Damage Prevention Ordinance (Resolution) No._____.

The undersigned is either the property owner or a duly authorized agent of the property owner and do hereby verify the truth and correctness of all facts and information presented with this application and authorize on-site inspections by City Staff.

Owner or Authorized Agent_____ Date 7/16/2020

Approved By_____ Date_____

Planning/Zoning_____ Date_____

CBO_____ Date_____

CITY OF DELAWARE - PLANNING AND COMMUNITY DEVELOPMENT

ENGINEERING "NO-RISE" CERTIFICATION

This is to certify that I am a duly qualified engineer licensed to practice in the State of Ohio. It is to further certify that the attached technical data supports the fact that proposed development: __United Dairy Farmers 123 William St.___ in the floodplain will
(Name of Development)

not increase the Base Flood Elevations (100-year flood), floodway elevations and the floodway widths on _____Delaware Run___ at published sections in
(Name of Stream)

the Flood Insurance Study for _____Delaware County, Ohio___, dated ___2/17/2016_____
(Name of Community)

and will not increase the Base Flood Elevations (100-year flood), floodway elevations, and floodway widths at published cross-sections in the vicinity of the proposed development.

Date _____*7/16/2020*_____

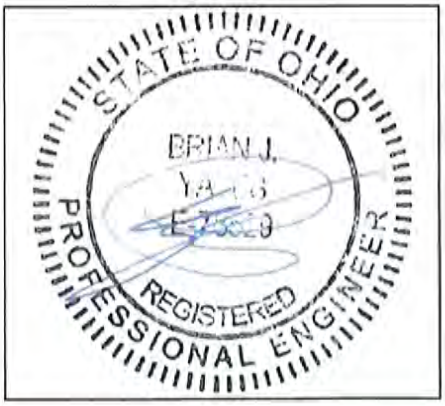
Signature _____

Phone Number ___*614-459-2050*_____ ***EMAIL*** ___*brian.yates@burgessniple.com*____

Representing __*United Dairy Farmers*_____

Address _____*3955 Montgomery Road*_____

City_____*Cincinnati*_____ ***State*** ____*OH*_____ ***Zip Code*** _____*45013*_____



CERTIFYING SEAL OR STAMP

UNITED DAIRY FARMERS
NEW RETAIL LOCATION

123 W. WILLIAM ST.
FLOODPLAIN APPLICATION



VICINITY MAP
SCALE: 1" = 2000'

SITE LOCATION
23 W. WILLIAM ST.
DELAWARE, OH. 43015

BURGESS & NIPLE
6095 REED ROAD
COLUMBUS, OHIO 43220

UNITED DAIRY FARMERS
NEW RETAIL LOCATION
123 W. WILLIAM ST.
FLOODPLAIN APPLICATION

NO.	DESCRIPTION REVISIONS	DATE

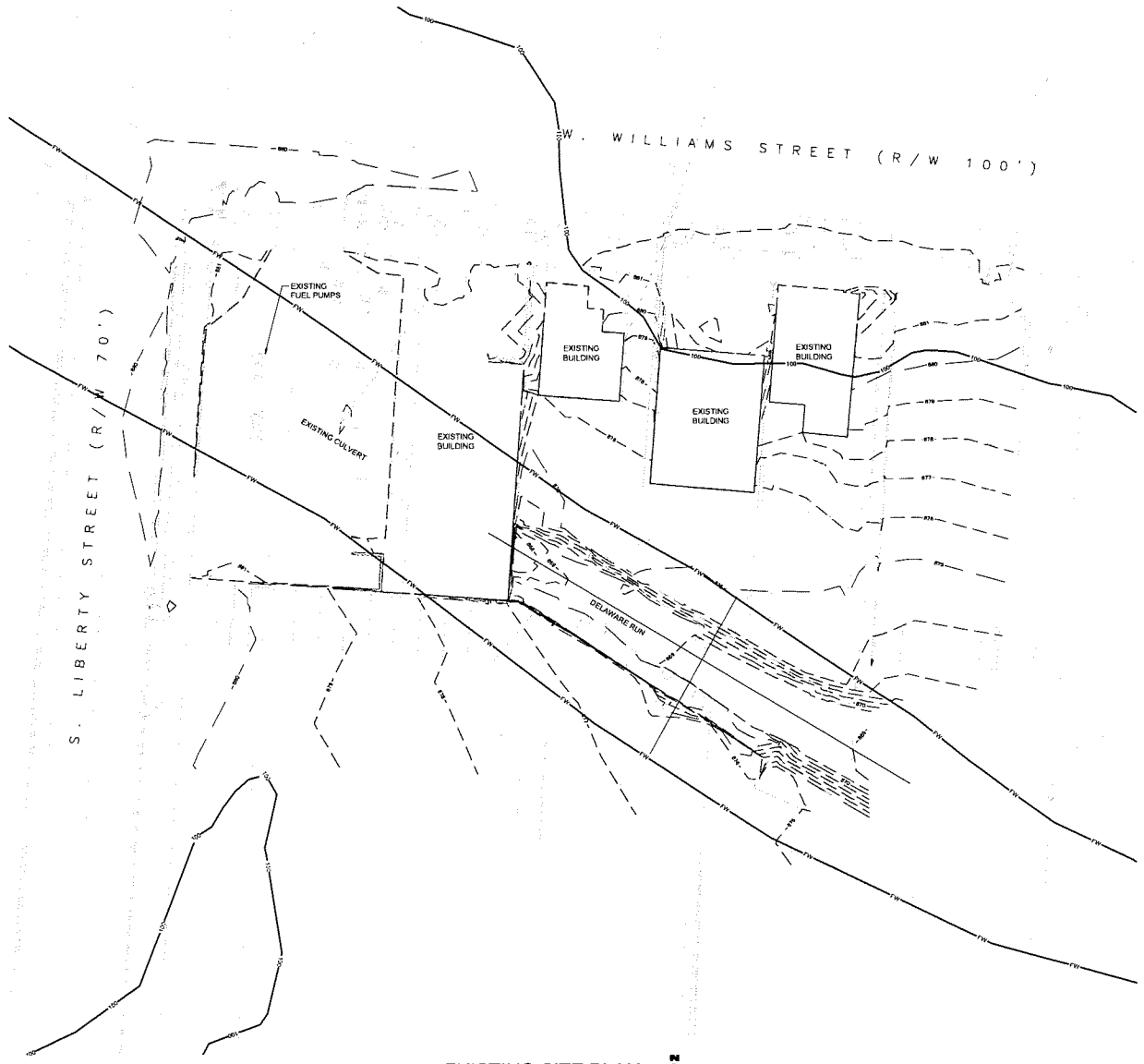
JOB NO:	PR58610
DATE:	JUNE 2020
DESIGNED BY:	XXX
DRAWN BY:	RVZ
CHECKED BY:	BJY
APPROVED BY:	BJY
SCALE:	NOTED

TITLE SHEET

01

SHEET: 01 OF 03

PLOTTED: 6/25/2020 11:47:54 AM
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EXISTING SITE PLAN

SCALE: 0 10' 20' 40'

GENERAL NOTES:

VERTICAL CONTROL. ELEVATIONS SHOWN ARE BASED ON A SITE SURVEY CONDUCTED BY XXXX ON XXXX

HORIZONTAL CONTROL. HORIZONTAL CONTROL IS BASED ON OHIO STATE PLANE COORDINATE SYSTEM (NORTH ZONE) AND THE LOCATION OF EXISTING BUILDING AND STRUCTURES

EXISTING UTILITIES AND STRUCTURES. THE LOCATION OF UTILITIES AND STRUCTURES SHOWN ON THE PLANS IS FROM INFORMATION OBTAINED FROM A SITE SURVEY INCLUDING UTILITY DETECTION THROUGH USE OF GROUND PENETRATING RADAR, ELECTROMAGNETIC, AND SONDE LOCATING EQUIPMENT. THE LOCATION OF UTILITIES AND STRUCTURES INDICATED IS NOT NECESSARILY COMPLETE OR CORRECT. THE LOCATION, SUPPORT, PROTECTION, AND RESTORATION OF ALL UTILITIES, SERVICES, STRUCTURES, & APPURTENANCES ARE THE RESPONSIBILITY OF THE CONTRACTOR.

UTILITY COMPANY NOTIFICATION. CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES AT LEAST 2 WORKING DAYS PRIOR TO WORK IN THE VICINITY OF THEIR UNDERGROUND AND/OR OVERHEAD LINES. CONTACT OHIO UTILITIES PROTECTION SERVICE, 1-800-362-2764. NONMEMBER UTILITIES MUST BE CONTACTED.

SEEDING. ALL AREAS DISTURBED OR DAMAGED BY THESE CONSTRUCTION ACTIVITIES, WHICH ARE NOT OTHER WISE NOTED TO BE COVERED WITH GRAVEL OR PAVEMENT, SHALL BE FINISH GRADED AND SEEDED. GRADING SHALL BE PROVIDED TO ENSURE POSITIVE SITE DRAINAGE AWAY FROM STRUCTURES, BUILDINGS, AND DRIVEWAYS AND BE SUCH THAT THERE WILL BE NO PONDING OR STANDING WATER FOLLOWING PRECIPITATION EVENTS. SEEDING AND MULCHING SHALL BE IN ACCORDANCE WITH ODOT ITEM 659, CLASS 1 SEED MIX FOR LAWNS

LEGEND

FLOODWAY

100-YEAR FLOODPLAIN

BURGESS & NIPLE
6085 REED ROAD
COLUMBUS, OHIO 43220

UNITED DAIRY FARMERS
NEW RETAIL LOCATION
123 W. WILLIAM ST.
FLOODPLAIN APPLICATION

NO.	DESCRIPTION/ REVISIONS	DATE

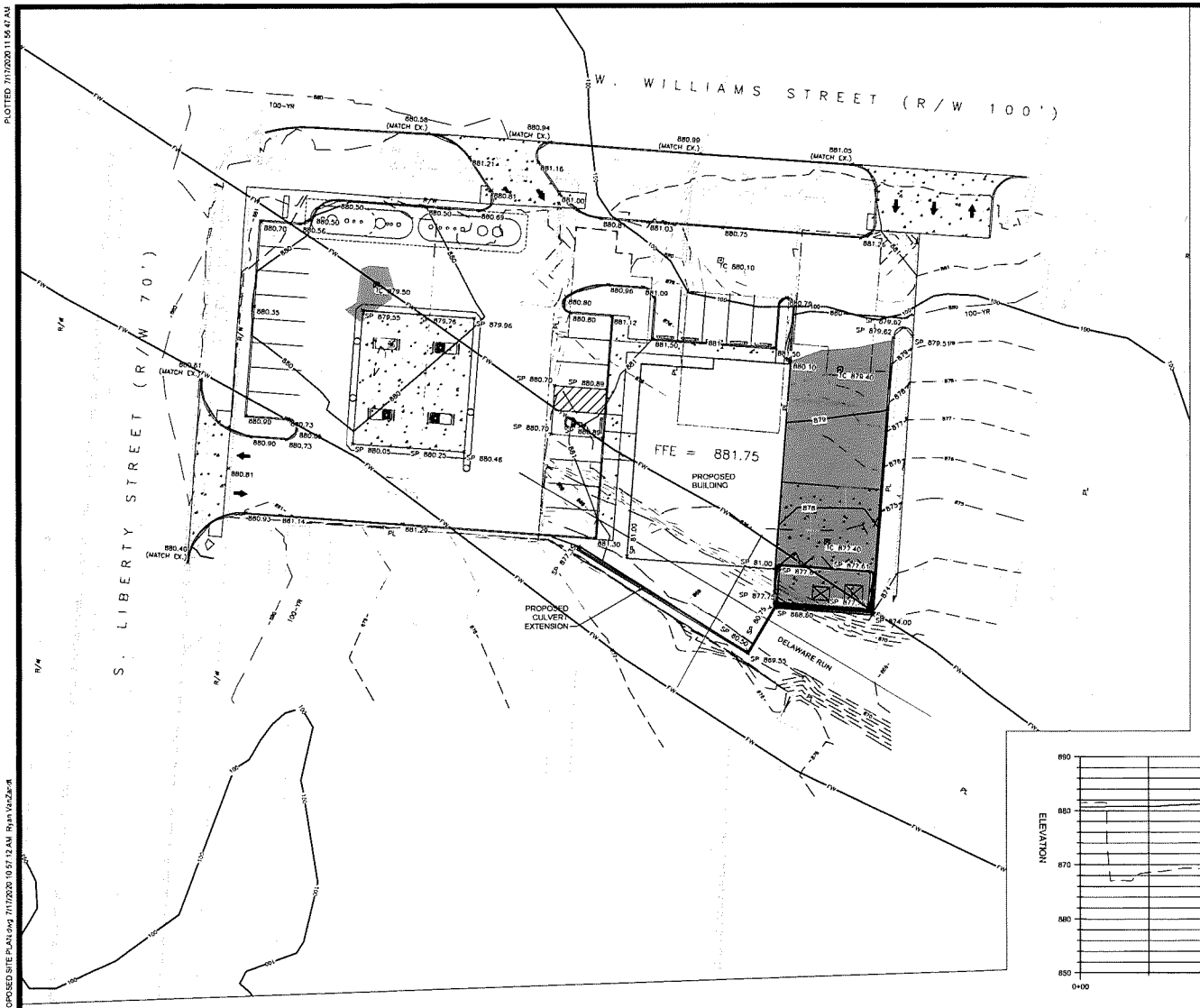
JOB NO:	PR58610
DATE:	JUNE 2020
DESIGNED BY:	BJY
DRAWN BY:	RVZ
CHECKED BY:	BJY
APPROVED BY:	BJY
SCALE:	NOTED

EXISTING SITE PLAN

02

SHEET: 02 OF 03

PLOTTED: 7/17/2020 11:53:57 AM
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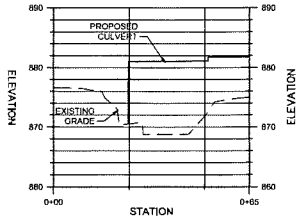
PROPOSED SITE PLAN

SCALE

LEGEND

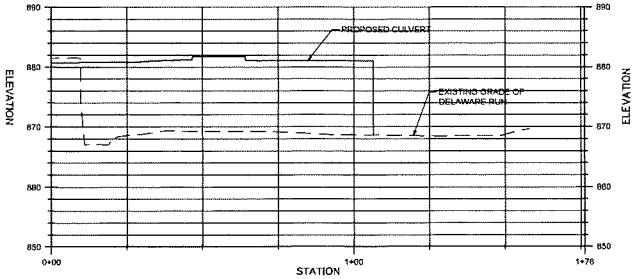
FLOODWAY

100-YEAR FLOODPLAIN



TYPICAL CROSS SECTION

SCALE



DELAWARE RUN PROFILE

SCALE

BURGESS & NIPLE

5085 REED ROAD
COLUMBUS, OHIO 43220

UNITED DAIRY FARMERS
NEW RETAIL LOCATION
123 W. WILLIAM ST.
FLOODPLAIN APPLICATION

NO.	DESCRIPTION	DATE
	REVISIONS	

JOB NO:	PR58610
DATE:	JUNE 2020
DESIGNED BY:	BJY
DRAWN BY:	RVZ
CHECKED BY:	BJY
APPROVED BY:	BJY
SCALE:	NOTED

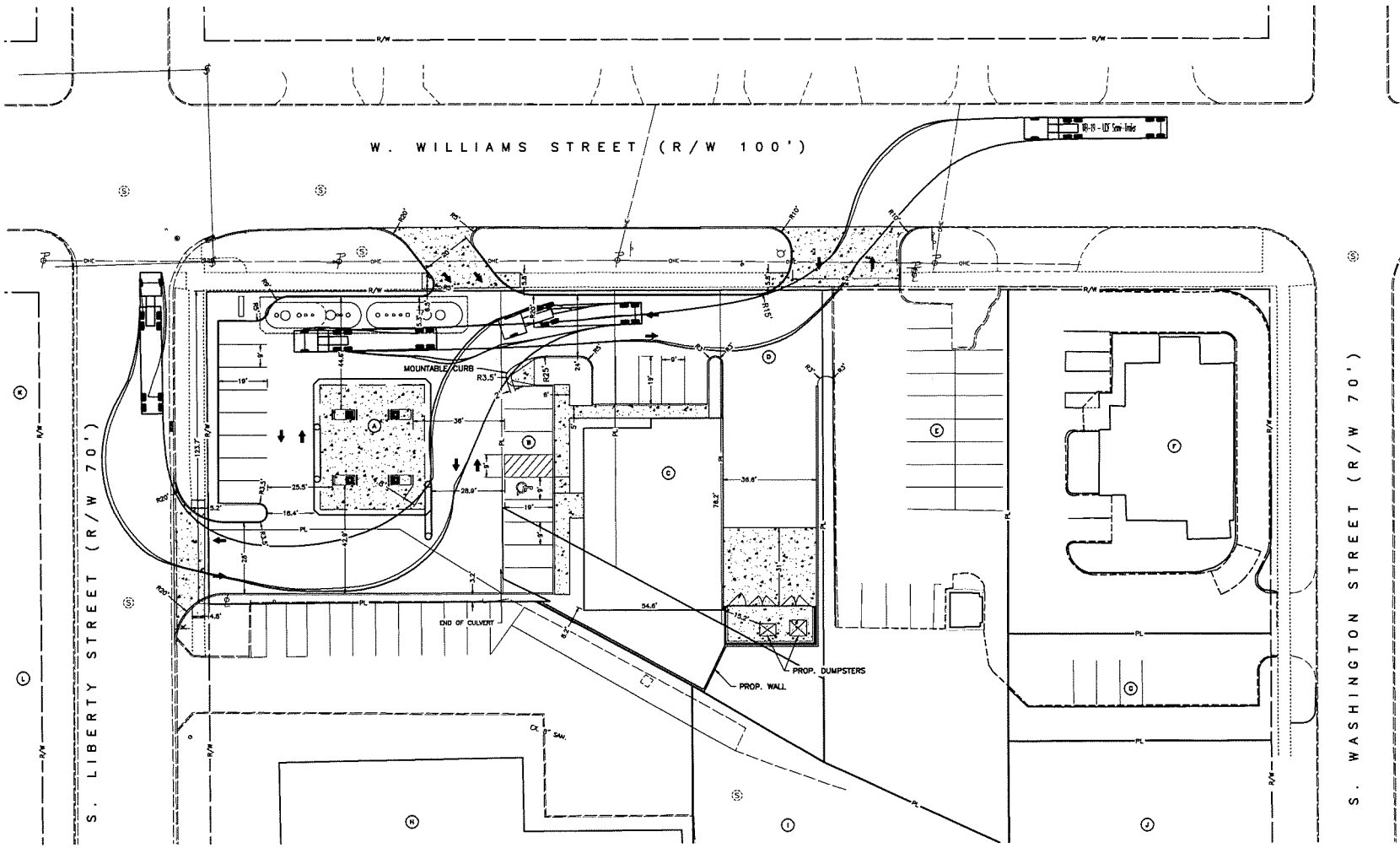
PROPOSED SITE PLAN

03

SHEET: 03 OF 03

PLOTTED: 7/17/2020 11:56:47 AM

P:\PR58610\cadd\Sheets\03 PROPOSED SITE PLAN.dwg 7/17/2020 10:57:12 AM Ryan VanZant



REVISIONS	DATE	BY	CHK

E. P. FERRIS AND ASSOCIATES INC
Consulting Civil Engineers and Surveyors
880 KING AVENUE
COLUMBUS, OHIO 43212
(614) 299-2999
(614) 299-2992 (Fax)
www.EPFERRIS.com

CITY OF DELAWARE, OHIO

UNITED DAIRY FARMERS

UNITED DAIRY FARMERS INC

JOB NO.	1138.004
DESIGNED BY:	ERM
DRAWN BY:	ERM
CHECKED BY:	CLP
APPROVED BY:	----
DATE:	6/3/20

UDF FUEL TRUCK TURNING EXHIBIT

SCALE: 1" = 20'

SHEET NO. 1 OF 1

M:\1138004_UDF\Design\Dwg\Exhibit\Truck Turning Exhibit\Gas Tester Turning.dwg -SITE LAYOUT & UTILITY PLAN LAST EDITED BYDALLER ON 7/29/20

Project Narrative for Variance for Encroachment in the Fifteen (15) Foot Buffer Area to and from the Stream Corridor

Applicant, United Dairy Farmers, Inc., has purchased adjacent properties and intends to demolish its existing United Dairy Farmers retail store located on a tract of land located at 123 West William Street and develop a new 4,061 square foot United Dairy Farmers retail store and other improvements on four (4) tracts of land or parcels commonly known as Delaware County Auditor Tax Parcel Id. No.'s: 519-433-03-004-000, 519-433-03-005-000, 519-433-03-006-000, and 519-433-03-007-000.

Natural features that exist on the Property include Delaware Run, running through the Property, with associated 100-year flood plain, 100-year flood fringe, and floodway areas and for the need to impact those areas with the principal building. Applicant's engineers have been working with the City of Delaware engineers to come up with a flood plain/floodway plan of construction that shall comply with Section 1347.20(b) of the Delaware, Ohio Code of Ordinances. However, due to the fact that Applicant expects to impact the 100-year flood plain, 100-year flood fringe, and floodway areas, Applicant is requesting a conditional use from the Planning Commission and a variance from the Board of Zoning Appeals from certain sections of the Delaware, Ohio Code of Ordinances. The conditional use and variance from these floodplain/floodway provisions shall be heard by two different bodies within the jurisdiction of the City of Delaware and the criteria for such requests shall be presented and argued in this project narrative (conditional use before the Planning Commission) and a separate project narrative (variance before the Board of Zoning Appeals).

Applicant's redevelopment project necessitates a variance from Section 1150.07(c) of the Delaware, Ohio Code of Ordinances to encroach in the fifteen (15) foot buffer area from the stream corridor as measured from normal high water mark.

Variance Factors:

This proposal and Application as filed meets the review criteria of Section 1128.09 of the Delaware, Ohio Code of Ordinances.

Section 1128.09 of the Delaware, Ohio Code of Ordinances sets forth the following factors to be considered and weighed by the Board of Zoning Appeals to determine practical difficulty:

(1) **Whether the granting of the variance would be in accord with the general purpose and intent of the regulations imposed by this Ordinance and the district in which it is located, and shall not be injurious to the area or otherwise detrimental to the public welfare.** Section 1150.07(a) of the Delaware, Ohio Code of Ordinances states that: "The purpose of the buffer area is to limit the impact of land uses on rivers, streams, creeks, ditches, and headwater streams in order to preserve the quality, purity, clarity, and free-flowing conditions of such water bodies." The Applicant and City officials have been working for a lengthy period of time discussing and planning for the need to redevelop this Property and encroach in the fifteen (15) foot buffer area from Delaware Run, as measured from the normal

high water mark, which intersects the Property. The building to be constructed and other improvements shall be engineered, with support of the City of Delaware's Engineer's Office, to mitigate and offset the encroachment to these areas and provide for a solid foundation and measured overall construction plan. The building will either (i) have the lowest floor, elevated to the level of the base flood elevation; or (ii) be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water; have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practices for meeting the standards of the Delaware, Ohio Code of Ordinances.

(2) **Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district. Examples of such special conditions or circumstances are exceptional irregularity, narrowness, shallowness or steepness of the lot, or adjacency to non-conforming and inharmonious uses, structures or conditions.** The irregular shape and narrowness of the Property, along with the material fact that Delaware Run intersects the Property, makes it difficult to develop in strict conformance with this particular section of the Delaware, Ohio Code of Ordinances. Further, unlike most properties within the flood plain, flood fringe, and floodway areas, the Property is located at the corner of a major intersection in the Downtown Subarea. Applicant's use of the Property is similar to the commercial properties near the flood plain, flood fringe, and floodway areas to the east of the Property.

(3) **Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance. Mere loss in value or financial disadvantage to the property owner does not constitute conclusive proof of practical difficulty, there shall be deprivation of beneficial use of land.** The foremost goal of the Downtown Subarea is for downtown revitalization and redevelopment. This proposal is a revitalization and redevelopment of an existing United Dairy Farmers retail store on one parcel, at a major and high-visibility intersection, with the expansion of land and the construction of a new, aesthetically pleasing, modern architectural design prototype for United Dairy Farmers' operation with a more functional and efficient layout and utilizing high quality materials and ample landscaping.

(4) **Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance.** This proposal comports with the City of Delaware Comprehensive Plan relative to the Downtown Subarea, in which this Property is located, by providing for one of the uses identified as appropriate mixed-uses – a new retail store on an expanded footprint. This proposal outlines a cohesive plan for the redevelopment of the United Dairy Farmers convenience store and gasoline sales at a major intersection in the City of Delaware, which supports the City's goals for

revitalization in the downtown core. With the existence of the United Dairy Farmers and Tim Horton's at this intersection, the retail character of the area is well established.

(5) **Whether the variance would adversely affect the delivery of governmental services such as water, sewer, trash pickup.** The development will not cause any interference with the public services available to the Property. The Property will have adequate utilities, appropriate and safe fire truck maneuvering, and will provide for twenty-one (21) parking spaces for customers, employees, and guests.

(6) **Whether the property owner purchased the property with knowledge of the zoning restrictions. Purchase without knowledge of restrictions in itself is no sufficient proof of practical difficulty.** Applicant purchased the existing United Dairy Farmers parcel (Delaware County Auditor Tax Parcel Id. No. 519-433-03-007-000) in 1985. Applicant recently purchased the remainder of the Property knowing that the proposal comports with the City of Delaware Comprehensive Plan relative to the Downtown Subarea.

(7) **Whether special conditions or circumstances exist as a result of actions of the owner.** No special conditions or circumstances exist as a result of actions of the owner. The Property is being re-developed at the same time as a possible redevelopment by Tim Horton's in order that the adjacent properties may align their respective needs and work on joint solutions for maximum efficiency in planning and construction. Furthermore, United Dairy Farmers and Tim Horton's should share access and drive aisles for enhanced customer and guest vehicular traffic flow and help alleviate any traffic congestion on the public right-of-ways including back-ups at the Tim Horton's drive-thru window. The development will not cause any interference with the public services available to the Property.

(8) **Whether the property owner's predicament feasibly can be obviated through some method other than a variance.** The Applicant's predicament cannot be obviated through some method other than a variance. The building to be constructed and other improvements shall be engineered, with support of the City of Delaware's Engineer's Office, to mitigate and offset the encroachment in the fifteen (15) foot buffer area and any impacts and provide for a solid foundation and measured overall construction plan.

(9) **Whether there is evidence of variances granted under similar circumstances.** Applicant obtained a conditional use permit and certain area variances on the original United Dairy Farmers site under the Delaware, Ohio Code of Ordinances that are vested rights and will continue to apply, if necessary, on the expanded Property for the redevelopment.

(10) **Whether the granting of the variance is necessary for the reasonable use of the land or building, and the variance as granted is the minimum variance that will accomplish that purpose.** The proposal not only conforms to the City of Delaware Comprehensive Plan, which identifies a mix of uses for the Property and surrounding properties, but also supports the general character of the neighborhood, and is compatible with, the existing land uses and development

patterns in the vicinity. The building will either (i) have the lowest floor, elevated to the level of the base flood elevation; or (ii) be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water; have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practices for meeting the standards of the Delaware, Ohio Code of Ordinances. Through the planning process and cooperation between public and private principals and officials, this proposal and the determined solutions brought to bear most certainly show the intent to preserve and be sensitive to the natural features of the Property.

(11) **Whether the proposed variance would impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety or substantially diminish or impair property values of the adjacent area.** The intersection of South Liberty Street and West William Street has been a prime retail and commercial corridor, and the continued use of the Property as a retail store only enhances the values of surrounding properties in the area and provides for necessary services to support the mix of uses in the Downtown Subarea. The Property is being re-developed in cooperation with the neighboring Tim Horton's retail store.

(12) **Whether the granting of the variance requested would confer on the applicant any special privilege that is denied by this regulation to other lands, structures or buildings in the same district.** Granting the variance would not confer any special privilege that is denied by this regulation to other land, structures, or buildings in the same district. The proposal supports the general character of the neighborhood and is compatible with the existing land uses and development patterns in the vicinity. Applicant has diligently worked with the City to minimize the variance and protect the natural features, such as the buffer area, flood fringe, flood plain, and floodway areas of Delaware Run.

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

Subdivison/Project Name United Dairy Farmers Address 105, 107, 109 and 123 West William Street, Delaware, Ohio 43015

Acreage 0.75 Square Footage 32,670 Number of Lots _____ Number of Units _____

Zoning District/Land Use B-3 Proposed Zoning/Land Use B-3 Parcel # 51943303004000, 51943303005000, 51943303006000, and 51943303007000.

Applicant Name United Dairy Farmers, Inc. Contact Person Robert S. Pollitt

Applicant Address 3955 Montgomery Road, Cincinnati, Ohio 45212

Phone (513) 396-8775 Fax _____ E-mail BPollitt@udfinc.com

Owner Name United Dairy Farmers, Inc. Contact Person Robert S. Pollitt

Owner Address 3955 Montgomery Road, Cincinnati, Ohio 45212

Phone (513) 396-8775 Fax _____ E-mail BPollitt@udfinc.com

Engineer/Architect/Attorney Plank Law Firm, LPA Contact Person Rebecca J. Mott

Address Plank Law Firm, LPA, 411 East Town Street, Floor 2, Columbus, Ohio 43215

Phone (614) 947-8600 Fax (614) 228-1790 E-mail rjm@planklaw.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

Robert S. Pollitt Owner Printed Name

_____ Agent Signature

_____ Agent Printed Name

Sworn to before me and subscribed in my presence this 3rd day of August, 2020.

REBECCA MOTT, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

Notary Stamp

Rebecca J. Mott Notary Public

s/planning/forms

EST 1808
CITY OF
DELAWARE
OHIO

Public Comment Received:

Planning Commission Meeting
Board of Zoning Appeals Meeting

From:	Tom Wolber
To:	Elaine McCloskey
Cc:	David M. Efland; R Thomas Homan; Carolyn Riggle; Lance Schultz; Tom Wolber
Subject:	United Dairy Farmers -- Preliminary Plan
Date:	Tuesday, September 1, 2020 6:58:36 PM

Caution! This message was sent from outside your organization.

Hi Elaine:

Would you mind forwarding my email to the members of the Planning Commission and the Board of Zoning Appeals? This is in response to the planned redevelopment of UDF and its impact on the Delaware Run.

Forgot to mention one thing. A UDF employee told me that the idea is to build sixteen (16) fuel pumps, but the preliminary plan as presented only mentions four (4). So, which one is it? I am afraid the developer may say one thing in public, but do something different in private.

Tom Wolber
9/1/20

Statement Submitted to
the Planning Commission (9/2/20)
and the Board of Zoning Appeals (9/9/20)

by Tom Wolber

Section 1150.07 of Delaware's City's Codified Ordinances was created "to preserve the quality, purity, clarity, and free-flowing conditions of [...] water bodies, maintain water temperatures, preserve aquatic and terrestrial plant and animal habitats, prevent erosion of stream banks, lessen the level of siltation of stream waters and preserve valuable water resources in the interest of present and future generations (1150.07 [a]). However, instead of daylighting and highlighting the Delaware Run, a greatly undervalued asset in our community, it appears that the Delaware Run is at risk of being buried and hidden even more if the new United Dairy Farmer's gas station and convenience store at 123 W. William Street is built. The June 2020 hydraulic analysis report submitted by Burgess and Niple of Columbus includes the suggestion to extend the 725.6-foot-long underground box culvert from Catherine Street to UDF by another 96.8 feet to a total of 822.4 feet. This shows zero sensitivity to the Delaware Run's natural characteristics. It is clear that for the developers and for City staff "the foremost goal [...] is for downtown revitalization and redevelopment." The sacred mantra is repeated multiple times in the agenda packet of the Planning Commission. While economic development is important, it must be balanced against other imperatives.

Section 1150.07 (c) lists several "major streams" with the city, including the Delaware Run, and goes on to say that "the minimum boundary of the buffer area shall be set at 60 feet or to the nearest existing public street or road right-of-way, whichever is less, in a horizontal plane outward from the normal high water mark. […] For the Delaware Run in the Downtown (measured starting at the Olentangy River and continuing west along the length of the Run to King Avenue), the setback shall be established at 15 feet or to the nearest existing public street or road right-of-way, whichever is less, in a horizontal plane outward.

"The buffer area shall be preserved in its natural state and shall be adjusted outwards to include sensitive areas such as steep slopes, wetlands and woodlands adjacent to the stream. Buffers are intended to be left in a natural state, with minimal clearance of vegetation. Landowners are encouraged to reforest buffer areas that have been cleared of trees. Said requirement for outward adjustments for sensitive areas shall be determined by the Planning Commission. Permitted uses or activities in the buffer area shall not significantly affect the quality of the natural area (1150.07 [e]).

In the view of this writer, the preliminary plan is not in compliance with the letter and spirit of the City's Codified Ordinances as quoted. Extending the existing culvert by another 98.6 feet is the wrong way to go because it will have a deleterious effect on the Run, its rich wildlife, and its value as a community asset. The stream should remain open and in full view. In addition, no variance to the buffer zone should be granted.

A related problem is that the developer and the City are basing their flood estimates on past data instead of looking

forward to the future. Delaware experienced a costly downtown flood in March of this year after the Delaware Run went over its banks because it had reached and exceeded capacity. The stream's channel and 16 x 8 foot box culvert are too narrow to accommodate the deluge that comes down the pipe several times a year. Flooding will happen time and again in the coming decades as climate change and severe weather events are coming into sharper relief. The City has done little to address the problem. A tiny wetland area in the future park at Houk Rd. is not enough to mitigate the growing flood risk in the watershed. I note with some amusement that the City explicitly denies any culpability and liability in conjunction with flood damage that results from reliance upon this chapter (1150.03 [c]).

Lastly, the risk of oil spills on UDF property within the Delaware Run watershed is addressed nowhere in the Planning Commission's documents. What specific steps are taken to mitigate such a hazard?

Tom Wolber

9/1/20

Thomas K. Wolber

272 Hearthstone Dr.

Delaware, OH 43015

Phone: 740-368-3681

Email: tkwolber@owu.edu

From:	Brett Latta
To:	Elaine McCloskey
Cc:	David M. Efland
Subject:	Case 2020-1597 and 2020-1598 - Brett Latta - 376 N Sandusky Public Comment for Planning Commission meeting 2 Sept 2020
Date:	Wednesday, September 2, 2020 6:14:16 PM

Caution! This message was sent from outside your organization.

Regarding these cases, I do not support any new development (or redevelopment) within the 15-foot setback of Delaware Run. I understand the current building and a portion of the parking lot are within the setback now, but after the May 2020 Delaware Run flood event, which created all sorts of problems in the downtown core, I think it would be unwise for the city to approve a plan that would allow for putting any daylighted part of the run in new pipe and remove fifteen (15) 6-inch caliper trees in the riparian area. I know the site is tight, but I urge the city to reconsider this design plan for one that eliminates or minimizes any new piping of stream and loss of riparian vegetation. Any plan moving forward should incorporate a vegetated biofilter for treatment of stormwater runoff from the site, to improve the water quality of Delaware Run and, ultimately its downstream receiving water, the State Scenic Olentangy River. Any new underground storage tanks (USTs), supply lines, and supply restocking ports should be located as far as reasonably possible from Delaware Run. The USTs and associated supply lines should be equipped with leak detection monitoring as required by federal law.

Regarding the Burgess and Niple Hydraulic Analysis Report, did the modeling take the May 2020 flood event into account? I'm not a subject matter expert, but if the report says "the duplicate effective model was not within the 0.5 ft. limit of error acceptable by FEMA" how can one conclude that there would be no rise in the floodway?

I trust the city is completing its due diligence, as it always does, but I thank you in advance for considering these comments.

From:	Brett Latta
To:	Elaine McCloskey
Cc:	David M. Efland
Subject:	Public comment for 2020-1599 Board of Zoning Appeals 9 Sep 2020 - Brett Latta 376 N Sandusky St
Date:	Wednesday, September 9, 2020 6:13:50 PM

Caution! This message was sent from outside your organization.

I appreciate the presence of UDF in our community, but I do not support the variance from city code for development within the 15-foot setback and new enclosure of nearly 100 linear feet of Delaware Run. It's understood that Delaware Run is historically channelized and the current UDF structure rests on top of the stream, but I think it sets a bad precedent for our community. When Tim Horton's next door decides to expand or redevelop, will they seek to enclose even more of the stream if this action were approved?

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 11 | DATE: 09/28/2020

ORDINANCE NO: | RESOLUTION NO: 20-56

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

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

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
A RESOLUTION ADOPTING A COMPLETE STREET POLICY FOR THE CITY OF DELAWARE

BACKGROUND:
The City has been working through the MORPC Insight2050 program as a resource in development of a complete streets policy. Such policy would address issues concerning multimodal forms of transportation, and how these alternate forms of transportation are best accommodated through policy, land development regulations, and capital planning. Examples of such projects include designated bikeways, bike lanes, accessible streets and intersection improvements, bike parking etc.

The process involved a cooperative effort between the City of Delaware, Delaware County Health District, and MORPC staff in developing the included material. Public outreach was also part of the process in gaining comment, content and support. The policy does not mandate the inclusion of any specific measure with any project. Instead, it provides guidance as to the tools available to address the mobility needs of all sectors of transportation when considering new project initiatives. The inclusions of such measures is ultimately the decision of the community.

REASON WHY LEGISLATION IS NEEDED:
Provides necessary policy guidance in the inclusion and implementation of appropriate transportation improvements that accommodate all modes of transportation in existing and new infrastructure initiatives.

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):
Cost of potential improvements to be included in overall project budgeting.

POLICY CHANGES:
As adopted

PRESENTER(S):
William L. Ferrigno, P.E., Director of Public Works/City Engineer
Ted Miller, Director of Parks and Natural resources

RECOMMENDATION:
Approval after second reading

ATTACHMENT(S)
Complete Streets Policy

RESOLUTION NO. 20-56

A RESOLUTION ADOPTING COMPLETE STREET POLICY FOR THE CITY OF DELAWARE.

WHEREAS, Complete Streets are designed and operated to assure safety and accessibility for all users of our roads, trails, and transit systems, including pedestrians, bicyclists, transit riders, motorists, commercial and emergency vehicles and for people of all ages and of all abilities; and

WHEREAS, Complete Streets reduce congestion by providing safe travel choices that encourage non-motorized transportation options, increasing the overall capacity of the transportation network as well as decreasing consumer transportation costs; and

WHEREAS, Complete Streets support economic growth and community stability by providing accessible and efficient connections between home, work, school, recreation and retail destinations by improving the pedestrian, cyclist, and vehicular environments throughout communities; and

WHEREAS, the City of Delaware has shown strong commitment to the concepts of sustainability and to improving quality of life for its residents; and

WHEREAS, developing a context-sensitive Complete Streets Policy is an opportunity to expand on these efforts and reaffirm the city's commitment to incorporating sustainable practices where appropriate and navigating the evolving transportation technology landscape in a way that prioritizes residents' needs; and

WHEREAS, staff received Council approval to apply for and accept a Mid-Ohio Planning Commission (MORPC) Technical Assistance Program (TAP) grant to complete a Complete Streets Policy document; and

WHEREAS, MORPC, Delaware General Health District, and City staff have completed an evaluation and determination of context sensitive applications for implementation of Complete Streets concepts, and developed a Complete Streets Policy document; and

WHEREAS, the Complete Streets Policy will provide guidance to staff to plan, build, maintain, operate, and redevelop streets that safely and comfortably accommodate users of all modes, ages, and abilities.

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

SECTION 1. That the Delaware City Council adopts the attached Complete Streets Policy for the City of Delaware as an expression of aspirations and not as a commitment to proceed with any specific project.

SECTION 2. That the City Manager and designees will utilize the Complete Streets Policy to include feasibility consideration for Complete Streets principles into future infrastructure or transportation projects.

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

PASSED: _____, 2020 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

EST 1808
CITY OF
DELAWARE
OHIO

Complete Streets Policy

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MID-OHIO REGIONAL
MORPC
PLANNING COMMISSION

Delaware General Health District
Dedicated to your health

Delaware County
Creating Healthy Communities
Preventing Chronic Diseases in Ohio

insight 2050
technical assistance program

INTRODUCTION



Source: City of Delaware

Central Ohio is quickly growing; over the next 30 years, the population is expected to increase by up to 1 million people, bringing the region to a total population of 3 million. In order to manage the projected growth, communities like Delaware will have to develop and retrofit a sustainable transportation system that can meet current needs as well as future demand. Complete Streets are a valuable tool that the City of Delaware can use to prepare for growth while improving safety and quality of life for current Delaware residents. Complete Streets are roadways designed to safely and comfortably accommodate all roadway users, including pedestrians, cyclists, motorists, and transit riders of all ages and abilities. There is no single design prescription for Complete Streets—each one is unique and responsive to community context. Land use, population size, demographics, and density are all part of Complete Streets considerations.

Complete Streets began as a grassroots movement in 2005, but it is now a national initiative led by the National Complete Streets Coalition (NCSC). NCSC advocates for local jurisdictions to pass Complete Streets policies as a way to formalize their intent to plan, design, and maintain streets that are safe and comfortable for roadway users of all ages and abilities. As part of the 2017 insight2050 Technical Assistance Program pilot, the City of Delaware began working towards its own Complete Streets policy. The information compiled in this report is intended to be a resource for City of Delaware staff, community stakeholders, elected officials, and residents as they work towards a Complete Streets policy that supports a sustainable transportation system that works for all people regardless of mode, age, or ability.

ELEMENTS OF A COMPLETE STREETS POLICY

In order to develop a comprehensive Complete Streets policy, the City of Delaware should aim to include the following 10 elements identified by the NCSC:

1. Vision and Intent: Includes an equitable vision for how and why the community wants to complete its streets. Specifies need to create complete and connected networks and specifies at least four modes, two of which must be biking or walking.
2. Diverse Users: Benefits all users equitably, particularly vulnerable users and the most underinvested and underserved communities.
3. Commitment in all projects and phases: Applies to new, retrofit/reconstruction, maintenance, and ongoing projects.
4. Clear, accountable expectations: Makes any exceptions specific and sets a clear procedure that requires high-level approval and public notice prior to exceptions being granted.
5. Jurisdiction: Requires interagency coordination between government departments and partner agencies on Complete Streets.
6. Design: Directs the use of the latest and best design criteria and guidelines and sets a time frame for their implementation.
7. Land use and context sensitivity: Considers the surrounding community's current and expected land use and transportation needs.
8. Performance measures: Establishes performance standards that are specific, equitable, and available to the public.
9. Project selection criteria: Provides specific criteria to encourage funding prioritization for Complete Streets implementation.
10. Implementation steps: Includes specific next steps for implementation of the policy.

POLICY GOALS & OBJECTIVES

Complete Streets are roadways designed to safely and comfortably accommodate all roadway users, including but not limited to pedestrians, cyclists, motorists, transit and school bus riders, delivery and service personnel, freight haulers, and emergency responders. "All roadway users" includes people of all ages and abilities. Incorporating Complete Streets principles into project design, construction and maintenance such as resurfacing and reconstruction can improve transportation system safety, accessibility, efficiency, and capacity.

Embracing Complete Streets principles will create a balanced transportation system by providing accessible, safe, and efficient connections between destinations. It will bolster economic growth and stability while increasing property values. It will ensure job growth, reduce crashes through safety improvements, improve public health and fitness, reduce harmful emissions, and reduce the overall demand on our roadways by providing safe, convenient, reliable, and affordable active transportation options.

Additionally, integrating sidewalks, bike facilities, transit amenities, or safe crossings into the initial design of a project spares the expense and complications of retrofits later. The safe use of public space by a greater variety of users can make roadways more efficient, with more people able to comfortably use different parts of the right-of-way. As a result, building Complete Streets can provide many benefits to residents, business owners, developers, and communities as a whole.

Policy Goals:

The purpose of this policy is not to be prescriptive but rather to promote development and redevelopment of public right-of-way within the City of Delaware that welcomes pedestrians, cyclists, and transit users of all ages and abilities, while accommodating motorized vehicle access. The goals include:

- To create a safe, multimodal transportation network for all City of Delaware residents and visitors regardless of age, gender, ability, or status. The City recognizes that a safe and equitable transportation network is one that accommodates pedestrians, cyclists, transit users, automobile drivers, commercial vehicles, emergency responders, and others with appropriate infrastructure, with access to work, school, worship, and play.

- To create a transportation network that contributes to neighborhoods' sustainability and all residents' quality of life. The City recognizes that Complete Streets roadways are context-sensitive and well-integrated with adjacent land uses. The City recognizes that Complete Streets roadways can improve roadway safety, enhance the livability of the built environment, reduce municipal and household costs, maximize roadway capacity, support economic development, and promote good health.

Policy Objectives:

In accordance with nationally adopted Complete Streets principles and the City's goals to accommodate population growth anticipated by insight2050 and create an interconnected network of pedestrian and bike facilities, the City will:

- Identify opportunities and funding sources to improve non-motorized facility connections from residential neighborhoods to local parks, schools, civic spaces, commercial centers, regional trails, and other residential neighborhoods.

- Solicit funding sources for street improvements which will enhance the safety of the City's multimodal network.

- Integrate sustainable design treatments including incorporation of Green Stormwater Infrastructure and Low Impact Development wherever financially and logistically feasible in order to improve water and air quality, reduce flooding risks, and enhance community livability.

- Partner with private, public, and nonprofit entities to leverage new and emerging transportation technologies in a way that maximizes safety, health, equity, sustainability, and affordability for the City and its residents.

- Collaborate with state, regional, and neighboring jurisdictions to promote the City's multimodal network connectivity to the surrounding region.

- Enhance coordination between relevant City departments and agencies in order to maximize fiscal resources.

Policy Requirements:

Feasibility consideration for Complete Streets elements and facilities should be made at each phase of all infrastructure or transportation projects including planning, design, construction, and reconstruction. Consideration for Complete Streets principles—including equity, sustainability, and accessibility—will be incorporated into the maintenance phase of every infrastructure or transportation project. The City will assess projects' impacts on pedestrians, cyclists, and transit users of all ages and abilities, as well as motorists, emergency services, and commercial vehicles. Exceptions from feasibility consideration will be made for infrastructure and transportation projects only in the following cases:

- Specific users are legally prohibited on the roadway (such as expressways or pedestrian malls)

- The costs of identified Complete Streets facilities will be excessive when compared to the determined existing and future need or expected use of the facilities

- Justification for complete street improvements is not met based on projections involving population, employment, and/or traffic volumes

If the City makes exceptions from feasibility consideration, it will make an explanation of the reason(s) for the exception available to the public for review and comment.

The City will establish and monitor performance standards that assess the transportation network's impact on accessibility, safety, multimodal mobility, sense of place, health equity, economic development, and the natural environment.

The City will consider national and regional best practices in design when developing or redeveloping roadways. Design standards will be based on roadways' safety performance, land use characteristics, functional classification, and requirements set forth by the City Codified Ordinances and the Manual of Uniform Traffic Safety Devices.

The City will incorporate Complete Streets principles into all future plans, manuals, policies, and programs that are relevant to transportation or infrastructure.

RESOLUTION NO. _____

Adopting a Complete Streets Policy for the City of Delaware

WHEREAS, Complete Streets are designed and operated to assure safety and accessibility for all users of our roads, trails, and transit systems, including pedestrians, bicyclists, transit riders, motorists, commercial and emergency vehicles and for people of all ages and of all abilities; and

WHEREAS, Complete Streets reduce congestion by providing safe travel choices that encourage non-motorized transportation options, increasing the overall capacity of the transportation network as well as decreasing consumer transportation costs; and

WHEREAS, Complete Streets support economic growth and community stability by providing accessible and efficient connections between home, work, school, recreation and retail destinations by improving the pedestrian, cyclist, and vehicular environments throughout communities; and

WHEREAS, the City of Delaware has shown strong commitment to the concepts of sustainability and to improving quality of life for its residents; and,

WHEREAS, developing a context-sensitive Complete Streets Policy is an opportunity to expand on these efforts and reaffirm the city's commitment to incorporating sustainable practices where appropriate and navigating the evolving transportation technology landscape in a way that prioritizes residents' needs; and,

WHEREAS, staff received Council approval to apply for and accept a Mid-Ohio Planning Commission (MORPC) Technical Assistance Program (TAP) grant to complete a Complete Streets Policy document; and,

WHEREAS, MORPC, Delaware General Health District, and City staff have completed an evaluation and determination of context sensitive applications for implementation of Complete Streets concepts, and developed a Complete Streets Policy document; and,

WHEREAS, the Complete Streets Policy will provide guidance to staff to plan, build, maintain, operate, and redevelop streets that safely and comfortably accommodate users of all modes, ages, and abilities.

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

SECTION 1. That the Delaware City Council adopts the attached Complete Streets Policy for the City of Delaware as an expression of aspirations and not as a commitment to proceed with any specific project.

SECTION 2. That the City Manager and designees will utilize the Complete Streets Policy to include feasibility consideration for Complete Streets principles into future infrastructure or transportation projects.

SECTION 3. That the Clerk be and hereby is instructed to record this Resolution in the appropriate record book upon its adoption.

Implementation Guidelines, Performance Standards and Best Practices

The document contains implementation guidelines, specifically engineering and enforcement strategies as they relate to pedestrians, cyclists, transit users, and motorists. The content for these sections was composed from MORPC's Complete Streets Toolkit and brought up to date with new standards developed since publication of the Toolkit.

There are performance standards that support pedestrian activity and active transportation as well as vehicular access. Also included are best practices for Complete Streets policy implementation. These components of transportation—arts & culture, user- based mobility strategies, and shared-use mobility— should be kept in mind by staff and decision-makers throughout the process of implementing the city's Complete Streets policy and transportation projects. This resource also contains an extensive list of external Complete Streets resources, categorized by the specific topic.

ENGINEERING STRATEGIES

Engineering is among the most important aspects of Complete Streets. The design and implementation of the transportation system affects whether an individual feels safe using non-motorized modes, and whether such choices are a convenient and comfortable alternative to automobile use. There are various plans and policies that address transportation issues at federal, statewide, regional, and local levels. While these documents are important for planning purposes, adopted standards and guidelines for engineering proper facilities take a higher precedence during project implementation as they provide the technical details necessary for good design.

Using design elements in an innovative way can create a cost-efficient complete streets project that enhances safety for all users and results in a greener infrastructure. Allowing flexibility when writing and applying standards or guidelines can ensure that the context is carefully considered. As always, good engineering judgment is necessary when designing facilities. This section describes many important engineering elements related to pedestrians, bicyclists, motorists, transit facilities, and green infrastructure. For more engineering standards for pedestrian, bicycle, and traffic calming, see Implementation Toolkit Part II: Roadway Classifications, Design Guidelines, & Land Use Considerations.

Pedestrian Facilities:

Pedestrian facilities support the most basic form of human transportation: walking. Depending on the context (such as width, allowable uses, etc.) they also allow for a wide range of other activities, including jogging, roller skating, or other emerging mobility technologies such as Segways and motorized scooters. All pedestrian facilities should accommodate people with disabilities. Settings like town squares or sidewalks with outdoor seating areas function as community gathering places in addition to accommodating pedestrians. In residential areas, pedestrian facilities often function as play areas for children. In order to develop and maintain an equitable transportation system, and to promote healthy and happy places, communities need to pay particular attention to safety and ease of use for the very old, the very young, and the disabled. New developments should always include pedestrian facilities and associated ADA elements.

The pavement area in the road, from curb-to-curb in urban areas, is often the focus of building or retrofitting a complete street — but the area between the road and the property line also can be important. Everyone is a pedestrian at some point in their journey, and street furniture can play an important role in making pedestrians safer and more comfortable. In an urban area there may be a lawn or tree buffer, a sidewalk, and even outdoor seating for a restaurant. “Street furniture” includes bike parking, benches, light poles, transit shelters, parking meters, planters, and garbage containers, among others. As with all components of Complete Streets, context-sensitivity is paramount. Bike racks, water fountains, benches, and garbage containers may not be appropriate alongside a rural or suburban street that only has a few people walking on it. The frequency of street furniture should be adjusted, with denser areas having a higher frequency of street

Bicycle Facilities:

Bicycle facilities range from separated bike paths to marked on-street bike routes. Each type can influence the extent to which bicycling is used in a given community. The benefits of bicycling include reduced traffic congestion and pollution, and improved health of riders. Some bicyclists are comfortable only with certain conditions. Roads with shared lane markings, or sharrows, for example, may appeal only to more experienced bicyclists, while shared-use trails and barrier-separated cycle tracks may attract novice bicyclists, but not those who are more-advanced. In general, places with good bicycle facilities have more bicycle traffic than places without proper facilities. The city can seek a range of well- marked bicycling options that will make all riders feel comfortable. The Central Ohio Greenways design guidelines are a helpful resource.

Transit Facilities:

Buses and other transit are important components of Complete Streets. The Delaware Area Transit Agency (DATA) operates throughout Delaware County and connects with the Central Ohio Transit Authority. Fixed-route bus service is the mainstay of transit systems in Central Ohio and most other U.S. cities. It operates on a repetitive, fixed schedule basis along specific routes. Each fixed-route trip serves the same origins and destinations, with designated stops along the way. Demand-responsive transit is a federally mandated extension of fixed-route service for individuals with disabilities. The Americans with Disabilities Act (ADA) of 1990 requires comparable transportation services to be offered for individuals with disabilities who are unable to use fixed-route systems.

The type of bus stop, its location, and the surrounding infrastructure should be carefully considered. There are near-side bus stops, far-side bus stops, and mid-block stops. Other bus stops may include passenger shelters; access ramps for people with disabilities and those using strollers; lighting, signage, and landscaping. Because transit always involves a multi-modal trip, sidewalks and street furniture must be part of the plan. Many riders walk to transit stops, while others ride a bike or drive a car to a Park & Ride facility.

Not only do these decisions affect whether people use transit, but they can also have an effect on the safety of transit users before and after they ride the bus. For instance, poorly sited bus stops encourage unsafe mid-block crossings or walking along roads without sidewalks. Safe and convenient access to a transit facility is a critical element in ensuring high transit ridership.

Traffic Calming:

Well-designed traffic calming projects reduce the speed and/or volume of cars on a roadway and can lead to a variety of benefits, including: increased road safety; increased comfort and mobility for non-motorized travel; reduced automobile impacts such as congestion, expenses, and pollution; increased neighborhood interaction through more hospitable streets; increased property values; and improved public health due to more opportunities for walking and other physical activity. The costs of traffic calming can vary considerably depending upon the treatment chosen and the characteristics of the site.

The Institute of Transportation Engineers organizes traffic calming into four categories: vertical deflections, horizontal shifts, roadway narrowings, and closures. Vertical deflection, such as speed humps, refers to up-and-down features to calm traffic. Horizontal shift refers to features such as chicanes or curb extensions, which require zig-zagging.
Roadway narrowing seeks to slow speeds by reducing or eliminating excess roadway width. Motorists tend to drive more slowly on narrower roads that have less margin of error.

Green Infrastructure:

Construction of complete streets offers a creative opportunity to incorporate “green infrastructure” and achieve other goals and benefits in a cost-effective way. Several technologies and strategies are available to improve the environmental performance of newly constructed and rehabilitated roadways. In general, more-sustainable pavement practices improve over their conventional counterparts in terms of stormwater runoff, materials, and construction practices. These approaches may require decision makers to be flexible and make non-traditional decisions.

Greenroads is a rating system that gives credits to projects where sustainable pavement practices are applied to new, reconstructed, or rehabilitated roads. The certification is based on a total point value similar to the LEED certification. A Greenroad is defined as “a roadway project that has been designed and constructed to a level of sustainability that is substantially higher than current common practice”. The Greenroads process may result in lower construction costs, as existing asphalt can be recycled and reused on-site — thus reducing the cost of transporting materials. The on-site process may also allow projects to be completed more quickly.

Permeable pavement refers to a range of materials and techniques for paving roads, bike paths, parking lots, and pavements that allow the movement of water and air around the paving materials. Types of permeable pavement include: pervious concrete, porous asphalt, single-sized aggregate, porous turf, open-jointed blocks, resin bound, and bound recycled glass porous pavement. Permeable pavement reduces the need for retention ponds, swales, and other stormwater management devices and is thus more sustainable and cost effective. The use of permeable pervious pavement is among the Best Management Practices recommended by the Environmental Protection Agency.

In many cases, innovative approaches to stormwater management are complementary to complete streets concepts. A rain garden, for example, can be used as a corner extension to reduce the pedestrian crossing distance at an intersection and to slow vehicular traffic. Similarly, vegetated swales offer a buffer between pedestrians and vehicles — allowing pedestrians to feel more comfortable. In general, innovative stormwater management practices seek to reduce the volume and speed of runoff through a variety of on-site treatments. As with other elements of Complete Streets, context is very important. In particular, constrained rights-of-way may present an obstacle to the implementation of innovative practices in some areas.

ENFORCEMENT STRATEGIES

This section describes Ohio laws and common sense rules for pedestrians, bicyclists, transit users, and motorists. Following these rules ensures that transportation-related fatalities and injuries are minimized. Additionally, a safer and more orderly transportation system encourages walking and bicycling.

Pedestrian-Related Enforcement:

In general, laws related to walking and the walking environment are intended to protect pedestrians from harm that would result from crashes with motor vehicles. As a result, many pedestrian-related laws actually regulate the actions of motorists. Enforcement should emphasize that motorists must yield to pedestrians in any crosswalks, even those that are unmarked. Nonetheless, pedestrians themselves also have certain responsibilities to maintain their own safety. As in other areas of the law, common sense should also be applied.

According to the Ohio Revised Code §4511.46, the right-of-way for pedestrians in crosswalks is upheld in the following ways:

- Motorists are required to yield to pedestrians in marked mid-block crosswalks.
- Pedestrians may legally cross at any Intersection — marked or unmarked.
- Drivers turning right across a crosswalk must yield, even if they have a green light, per Ohio Revised Code §4511.13. However, drivers have the right of-way if the green light is a green turning arrow.
- Drivers must yield at “Walk“ signals per Ohio Revised Code §4511.14.

Pedestrians have to follow these rules:

- If the “Don’t Walk” signal is flashing, pedestrians should not start crossing, but may continue across if they’ve already started.
- Pedestrians should not walk in prohibited areas, such as limited-access highways and railroad tracks.
- If there is no sidewalk, pedestrians may walk on the side of the road, facing traffic.
- If a sidewalk is available, pedestrians must use the sidewalk and not the roadway.
- Pedestrians are allowed to travel in both directions on sidewalks.

Bicycle-Related Enforcement:

According to the Ohio Bicycle Federation’s Digest of Ohio Bicycle Traffic Laws, people who follow the rules of the road and recommended techniques can reduce their crash risk by 80 percent. Ohio law states that a bicycle is considered a “vehicle” and therefore must follow the same laws that apply to cars and trucks, which especially means not to ride against traffic and to ride predictably (Ohio Revised Code §4501.01). In addition, many Ohio localities require children and other bicyclists to wear helmets.

Bicyclists are generally prohibited from riding in crosswalks and sidewalks. However, exceptions are often made for child bicyclists. While municipalities may allow (or prohibit) bicycles to use the sidewalk, they cannot require bicyclists to use the sidewalk (Ohio Revised Code §4511.711). Riding a bicycle on the sidewalk reduces the cyclist’s visibility to motor vehicles and increases their risk of getting in a crash in some situations. When bicyclists ride on the sidewalk or multi-use paths, extra caution at driveways and intersections should be exercised.

Transit-Related Enforcement :

It is important that transit operators respect the rights of all users of the road, especially pedestrians and bicyclists, as they are particularly vulnerable if they are in a crash with a motorized vehicle. Similarly, other roadway users should understand and respect the limitations and requirements of transit vehicles. For example, they have slower acceleration, longer braking distances, and wider turning radii compared to ordinary vehicles. Education of transit drivers and the public is needed to improve the interaction of transit and other modes.

Motorist-Related Enforcement:

Enforcement efforts to promote complete streets should include substantial efforts directed toward motorists. In almost all areas, motorists comprise the majority of road users, and the vast majority of trips in Central Ohio are currently taken by motor vehicle. Motorists are less vulnerable to injury and death in crashes than non-motorized users, such as pedestrians and bicyclists. Therefore, safe driving behavior on the part of motorists is essential in order to reduce the number of vehicle-related injuries and deaths.

Pedestrians have the legal right-of-way at marked mid-block crosswalks, and motorists must yield to pedestrians in unmarked crosswalks at intersections, “Walk” signals, and at right turn intersections unless there is a green turning arrow. Enforcement is a useful strategy to ensure that people follow these regulations and that both motorists and pedestrians are safe.

Bicycles are particularly prone to crashes at intersections, just as motor vehicles are more likely to crash into other motor vehicles at intersections. Bicyclists are allowed to use the full lane on most roadways. An Ohio law requiring at least 3 feet of space when passing bicyclists on the road went into effect in early 2017. It is important to ensure that motorists respect bicyclists and interact safely on the road with them. Law enforcement officers should also be familiar with bicyclists' rights and educate other roadway users.

PERFORMANCE STANDARDS

As the FHWA writes in its Guidebook for Developing Pedestrian and Bicycle Performance Measures, "performance management techniques promote informed decision-making by relating community goals to the measurable effects of transportation investments. Key steps in performance management are to decide what to measure in order to capture the current state of the system, to set targets to improve those measures, and to use the measures to evaluate and compare the effects of proposed projects and policies." Since each transportation project is different, the performance measures on the following pages do not specify precise numbers to target. However, they demonstrate the types of performance measures that the City of Delaware can use to monitor the progress towards the multimodal, safety, environmental, equity, and economic goals of the city as they relate to transportation.

Local community groups, community leaders, and relevant government agencies can bring creative ideas to the table as the City of Delaware continues to develop and refine its performance standards. Additionally, the city should work with the appropriate agencies to ensure that any data associated with the chosen performance measures is shared appropriately and available to use for benchmarking throughout the process of implementing the city's Complete Streets Policy.

Performance Measures

Multimodal Mobility	Access	Safety
Linear feet of new sidewalk or MUP created	Auto trips along project	Number of fatal crashes
Square footage of pedestrian-only public spaces created (e.g. plaza)	Bicycle trips along project	Number of crashes involving serious injury
Number of enhanced crosswalks	Freight trips along project	Number of impaired driving arrests
Miles of on-street bicycle routes created	Walk trips along project	Number of crashes involving pedestrians or cyclists
Number of bicycle facilities installed (e.g. bike racks, air pumps)	On-street parking spots established	Percent of vehicles exceeding speed limit
Number of transit trips generated		Emergency vehicle response time
Frequency of transit vehicles		Number of ADA/AASHTO compliant fixtures
Average speed of transit vehicles		
Mode shift from single-occupancy vehicle to walking, bicycling, or transit		
Average distance between signalized and/or protected crosswalks		

Performance Measures

Place	Environmental	Equity	Economic
Number of placemaking projects that embrace local and historical arts and culture	Number of new street trees	Mode shift by age group, gender, income, disability status, race, and/or ethnicity	Number of temporary/ permanent jobs created
Number of temporary/ permanent public art installations	Number of Green Stormwater Infrastructure (GSI) projects	Number of crashes involving pedestrians or cyclists by age, gender, income, disability status, race, and/or ethnicity	Changes in property value
Percent of shaded public spaces and travel areas	Stormwater quality impacts of GSI	Number of ADA compliant ramps	Changes in vacancy rates
Presence of bicycle and pedestrian wayfinding signs and/or maps	Percentage of recycled materials used in construction	Number of ADA compliant Accessible Pedestrian Signals for visually impaired pedestrians	Amount of private investment generated
Number of temporary activities or installations	Number of energy efficient lighting fixtures	Linear feed of “first and lase mile” transportation connections added	Retail/restaurant sales at businesses adjacent to project
Number of resident-led placemaking initiatives		Diversity of labor force used for construction projects	Customer experience surveys
		Non-single-occupancy vehicle access to amenities by age, gender, income, disability status, race, and/or ethnicity	

BEST PRACTICES: ARTS & CULTURE

Delaware is a historic city with strong values and heritage. Transportation for America defines creative placemaking as, "an approach that deeply engages the arts, culture, and creativity in planning and designing transportation projects to better reflect and celebrate local culture, heritage and values." [3] By nature, public roads are a community space. They not only present the opportunity to provide mobility options for people, but also to engage the community through social interaction and economic activity. Bringing arts and culture to appropriate streets through creative placemaking is just another way to make a street more complete.



As the Land Policy Institute acknowledges, "quality places rarely occur accidently." They have to be planned for. Coordinating transportation and land use planning is a valuable focused growth strategy to promote cohesive, efficient, and quality development. Mobility and place are inextricably linked, which gives us the opportunity to think creatively about how the streets function and how people interact with them. A complete street is one that can accommodate the different functions a community may need in a manner that is still safe and equitable. For example, City of Delaware's downtown street network provides vehicle access to jobs during the week, but in the evening and on weekends it functions as the location of pedestrian- oriented farmers' markets and street festivals. Another example: a bus stop can be just a bus stop, or it can serve as a canvas to display local community art or history.



Bringing arts and culture to the roads through creative placemaking can help build the community's support for transportation and development projects. It can also be a useful economic development tool that fosters economic vitality. The City of Delaware should seek out opportunities for collaboration between transportation, development, parks and recreation, and public service officials and local arts and culture groups to brainstorm how the city can ensure safe, accessible, and attractive roads and public spaces that feature local art and reflect neighborhood values.

BEST PRACTICES: USER-BASED MOBILITY



People have varying mobility patterns and transportation needs. It is important to remember that we cannot design roads as if they affect all people in the same way. Through efforts such as Celebrating Seniors, the City of Delaware has already shown an interagency commitment to thinking about the transportation needs of traditionally underserved residents. The idea behind user-based mobility strategies is that by acknowledging how different groups of people use the transportation system in different ways, we can begin to retrofit and design a network that maximizes efficiency for everyone.



User-based mobility strategies aim to help road designers consider the mobility of all users equally. For a road to be safe and efficient for all people – men, women, disabled, elderly, parents, children, low-income, and so on – the mobility patterns of everyone must be considered throughout the entire design process from conception to construction. This is particularly important for traditionally underserved groups, who may not have proper representation in the decision-making, design, or review processes. As planners, engineers, and decision-makers, we must familiarize ourselves with the people and resources that will help us create a network that is safe, equitable, and offers accessible transportation options for residents of all travel habits and mobility needs.

For example, people with caregiving responsibilities often travel with dependents, which can often entail equipment like strollers or wheelchairs. And compared to men, women are more likely to "trip-chain" – combining domestic, personal, and work responsibilities into one trip with a series of tasks and locations. Couple this knowledge with an understanding of local demographics, and we can now make more informed decisions about sidewalk width, utilities placement, pedestrian signal timing, municipal service prioritization, transit stop placement, and more.

Ultimately, user-based mobility strategies are not for one particular group, or meant to prioritize one group over another – they're for everybody. Considering the mobility of all people throughout the design process can maximize efficiency and increase quality of service for everyone, often with minimal costs. For public agencies and municipalities that serve all types of people, the resources below offer insight and guidance on how to incorporate mobility for users of all ages, abilities, and travel habits into the decision- making process.

BEST PRACTICES: SHARED-USE MOBILITY





Shared-use mobility can be defined as "transportation services that are shared among users." This can include a wide range of familiar and new modes of transportation from public transit to ride hailing. These types of services – carpooling, vanpooling, bike-sharing, car-sharing, and even scooter-sharing – are a continually growing part of the "shared economy" which has increased mobility for many people in urban, suburban, and rural communities across the country. As the City of Delaware works towards a transportation network that embraces Complete Streets ideals, these newer forms of mobility will need to be part of the conversation.

Like most things, there are positive, negative, and yet to be determined impacts associated with shared-use mobility. While the city may not be able to predict how shared-use mobility will evolve as transportation technology advances, there are steps that can be taken to help the city leverage the technology and maximize benefits for the shared-use mobility users and workers who call City of Delaware home.

When it comes to ride hailing services in particular (i.e. Uber and Lyft), there is the possibility that in some cities, widespread adoption can lead to decreases in transit ridership and increases in vehicle miles traveled (VMT), traffic congestion, and emissions. [6] It is not easy to predict which cities will face these issues because it can be difficult to get the detailed data needed to fully understand the effects of ridesharing in smaller cities and suburban areas. At the same time, increased use of ride-hailing can provide first-mile/last- mile service to transit stops, potentially reducing personal-vehicle use.

That said, cities like Delaware can simultaneously embrace shared-use mobility companies that want to enter the market *and* highlight the existing transit services that the city has to offer through DATA. And while ride hailing services can enhance mobility and access to amenities for many people, they can also be prohibitive due to cost or inaccessibility. City of Delaware residents – particularly those who are disabled, elderly, and/or low-income – have access to a range of fixed and on-demand transportation services, which are detailed

in the Delaware and Franklin County Coordinated Public Transit Human Services Plan. The city should continue efforts to widely promote these services, especially those that are free or subsidized for disabled, elderly, and/or low-income residents.

Since 2016, ride hailing in the state of Ohio has been regulated by the Public Utilities Commission of Ohio (PUCO) as required in House Bill 237. PUCO has set statewide stipulations regarding drivers' insurance, background checks, age, and criminal history. The bill also details protections for customers against discrimination, data collection obligations for rideshare companies, and permit requirements for legal operation within the state.

The National Complete Streets Coalition encourages local governments to avoid a "wait and see" approach when it comes to emerging technologies. Although the City of Delaware may not be able to predict exactly what or how transportation technology will evolve in the coming years, the city can still take an active leadership role in public-private partnerships.
When it comes to local regulations for shared-use mobility modes, cities must navigate carefully. "For their part, many urban experts and economists agree that any regulation beyond basic safety is too much regulation." Aggressive regulations can lead to missed opportunities or costly battles with national companies, while too few regulations can lead to unsafe conditions for local riders and drivers. Additionally, responsible regulation of these industries requires data collection, analysis, and management that may be unsustainable at the local level.

City of Delaware can work to avoid these issues by pursuing partnerships with companies that align with the community's goals and embrace transparency. The city can vigilantly enforce the existing state laws that protect local riders and drivers, and frequently assess local policies that are relevant to shared-use mobility modes. The city should listen to the public's concerns around these types of transportation services, and work with the appropriate agencies and community stakeholders to identify gaps in safety regulations that the city can address (e.g. seatbelt or helmet policies).

COMPLETE STREETS RESOURCES

Planning for pedestrians

- Institute for Transportation and Development Policy – Pedestrians First: Tools for a Walkable City
- Institute for Transportation Engineers & CNU – Designing Walkable Urban Thoroughfares: A Context Sensitive Approach
- Jeff Speck (TED talk) – 4 Ways to Make a City More Walkable
- MORPC – Active Transportation Plan Cost Estimator Tool
- PEDSAFE – Street Furniture/Walking Improvements

Planning for bicyclists

- NACTO – Designing for All Ages & Abilities: Contextual Guidance for High-Comfort Bicycle Facilities
- BIKESAFE – Selecting Improvements for Bicyclists
- Portland Office of Transportation – Four Types of Cyclists

Planning for transit

- COTA – Bus Stop Design Guide
- Federal Transit Administration – Planning for Transit-Supportive Development: A Practitioner's Guide
- MORPC – Delaware and Franklin Counties Coordinated Plan

Mobility for users of all ages & abilities

- National Center for Mobility Management – Expanding Access to Our Communities: A Guide to Successful Mobility Management Practices in Small Urban and Rural Areas
- FHWA – Accessible Shared Streets: Notable Practices and Considerations for Accommodating Pedestrians with Vision Disabilities
- FHWA – How to Develop an ADA Self-Evaluation & Transition Plan
- Transportation for America – Aging in Place: Stuck without Options
- American Public Transportation Association – The Business Case for Mobility Management
- Age-Friendly Columbus – A Day in the Life of Karen video
- Swedish Association of Local Authorities and Regions – Sustainable Gender Equality Video
- ODOT– Safe Routes to School Infrastructure Toolkit
- ODOT– Safe Routes to School Non-Infrastructure Toolkit

Facility maintenance

- FWHA – A Guide for Maintaining Pedestrian Facilities for Enhanced Safety
- Pedestrian and Bicycle Information Center – Pedestrian Facility Maintenance webinar
- NACTO – Performance Measures

Evaluation & performance standards

- FHWA – Guidebook for Developing Pedestrian & Bicycle Performance Measures
- National Complete Streets Coalition – Evaluating Complete Streets Projects
- Frederick C. Dock and Ellen Greenberg (ITE Journal) – Multimodal and Complete Streets Performance Measures in Pasadena, California

- Victoria Transport Policy Institute – Evaluating Complete Streets: The Value of Designing Roads for Diverse Modes, Users and Activities

Networks & connectivity

- National Complete Streets Coalition – Networks of Complete Streets
- CNU – Sustainable Street Network Principles
- FHWA – Small Town and Rural Multimodal Networks

Green stormwater infrastructure

- National Complete Streets Coalition – Greening the Streetscape: Complete Streets & Stormwater Management Webinar
- MORPC – Green Infrastructure Best Management Practices
- MORPC – Regional Sustainability Agenda

Arts & culture

- National Complete Streets Coalition – Promoting Equitable Change through Creative Placemaking and Complete Streets webinar
- Transportation for America – Eight Approaches to Creative Placemaking
- Transportation for America – Arts, Culture and Transportation: A Creative Placemaking Field Scan

Technology

- National Complete Streets Coalition – Impact of Emerging Technologies on Complete Streets Webinar
- American Public Transportation Association – Shared Mobility and the Transformation of Public Transit
- NACTO – Bike Share in the U.S. 2017

Parking

- NJ Economic Development Authority – Parking Matters: Designing, Operating, and Financing Structured Parking in Smart Growth Communities
- Pedestrian and Bicycle Information Center – What are Park Once and Walk Policies or Programs?
- EPA – Parking Cash Out: Implementing Commuter Benefits as One of the Nation's Best Workplaces for Commuters

Miscellaneous resources

- National Complete Streets Coalition – Safe Streets, Stronger Economies: Complete Streets project outcomes from across the country
- National Complete Streets Coalition – Complete Streets: Guide to Answering the Cost Question
- Mick Cornett (TED talk) – How an Obese Town Lost a Million Pounds
- ODOT — Retrofitting for Complete Streets

Roadway Classifications, Land Use Considerations, & Design Guidelines

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Roadway Classifications

As the City of Delaware strives for a focused growth approach to development and a transportation network that follows the ideals of Complete Streets, it is important to highlight the inherent connection between movement and place. The Federal Highway Administration (FHWA) Functional Classification system assigns typologies based on a roadway's role in providing access and mobility in the region. A roadway's FHWA Federal Classification is closely connected to eligibility for federal funds. The typologies within the FHWA Functional Classification system reflect a hierarchy of vehicle capacity, which means they may not fully capture the relationship between movement and place.

When designing roads, we can take into account their capacity to move pedestrians, cyclists, transit riders, emergency vehicles, and various other non- vehicle roadway users that rely on a safe and connected transportation network. We can also consider how contextual changes in land use, multimodal capacity, and/or other community initiatives (such as sustainability) impact roadway design and function. All of these considerations should be included in the way roads are classified as well. This document aims to be a holistic resource by integrating FHWA Functional Classifications, land use considerations, and street design guidelines.

Expressway

Expressways offer a high level of vehicle mobility, typically on roadways with a physical barrier between directional travel lanes. Expressways do not allow access to adjoining land uses. [1]

Principal Arterial

Principal Arterial roads also provide a high level of vehicle mobility in both rural and urban areas. Unlike expressways, Principal Arterials provide access to adjacent land uses. [1]

Minor Arterial

Minor arterial roads provide connectivity between the Principal Arterial system and provide vehicle mobility for moderate length trips. Minor arterials in rural contexts tend to have higher travel speeds and minimum interference. [1]

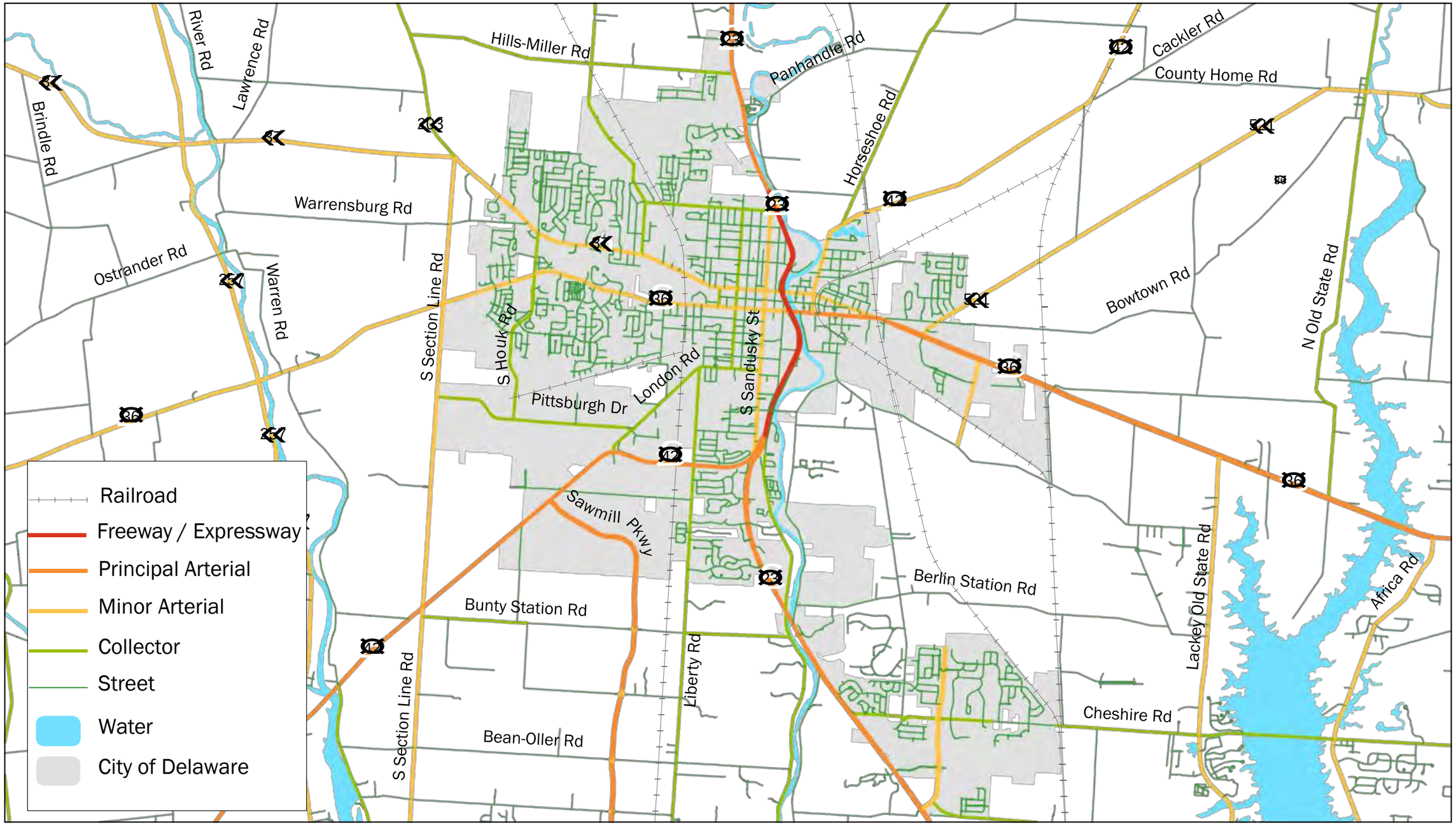
Collector

Collector roads provide connections between the arterial network and local roads. Subtle differences between Major and Minor collector roads generally involve speed limit, traffic volumes, travel lanes, and curb cuts. [1]

Local

Local roads provide direct access to abutting land uses, typically local residences and businesses. The majority of roadways in the United States are classified as local.

City of Delaware
Functional Roadway Classifications



Land Use Considerations

Based on the 2014 insight2050 report, we expect the City of Delaware to see population growth and demographic shifts over the next 30 years. That growth will be accompanied by shifting demands in housing and transportation—people will want more walkable communities with affordable transportation options, compact housing choices, and mixed-use environments where they can live, work, and play. Transportation and land use are inherently linked; mode choice is influenced not only by transportation infrastructure, but land use characteristics as well. Both transportation and land use have implications for density, public health, the environment, and economic development. A comprehensive, focused growth approach is one that integrates land use and transportation planning. From a Complete Streets perspective, supporting safe and equitable transportation options within any land use requires a balance between “Pedestrian Priority” and “Vehicle Priority”.

In a collaborative report meant to guide cities working towards a more active transportation-friendly network, ITE and CNU defined the range of Pedestrian Priority as:

Pedestrian Places—mixed-use areas with a significant pedestrian presence, not dominated by, and sometimes prohibiting, vehicles

Pedestrian Supportive—mixed-use areas with moderate to significant pedestrian presence

Pedestrian Tolerant—areas that minimally accommodate pedestrians but do not support a high level of pedestrian activity and are usually vehicle dominant

Pedestrian Intolerant—areas with little support for walking or that prohibit pedestrians are vehicle dominant

Opposite to the Pedestrian Priority range is Vehicle Priority, defined as:

Vehicle Place—roadways that prioritize vehicle movement with little to no consideration for multimodal mobility

Vehicle Supportive—roadways that still primarily prioritize vehicle movement, but with appropriate infrastructure to support multimodal transportation options

Vehicle Tolerant—areas that accommodate vehicle traffic, but have a well-connected multimodal network that encourages active transportation through street design and compatible land use

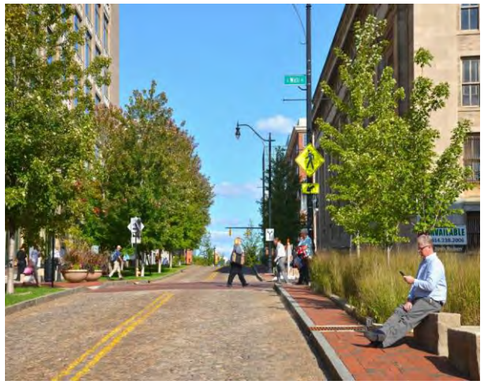
Vehicle Intolerant—areas that are primarily for pedestrians and may prohibit vehicle traffic altogether for special events or permanently

Pedestrian Places

Pedestrian Places prioritize pedestrians and cyclists and should support a wide range of land uses. In these spaces, mixed-use, commercial retail, and commercial office land uses should be prioritized. Compact residential and civic land uses are also encouraged. Street design and land use for Pedestrian Places should provide opportunity for social and economic activity through flexible and design-oriented zoning codes, placemaking, and street furniture.

Pedestrian Places can range from vehicle supportive to vehicle intolerant. It is important that regardless of the level of vehicle capacity, pedestrian places provide infrastructure for safe and affordable multimodal transportation options that are accessible and inviting for all people.








Pedestrian Supportive Places

The infrastructure needed for a road to be Pedestrian Supportive will be different based on the road classification and adjacent land use. Regardless of vehicle capacity, Pedestrian Supportive roads require a well-connected active transportation network that gives users safe access to destinations and recreational amenities. Higher vehicle-capacity roads can support mixed-use, commercial retail, and commercial office land uses. Lower vehicle -capacity roads can support mixed-use, neighborhood commercial, compact residential, civic, and institutional land uses.

Flexible zoning practices, “Park Once and Walk” parking policies, placemaking, and design guidelines are useful tools for creating roads that support active transportation options while still accommodating vehicle traffic.










Pedestrian Tolerant Places

Pedestrian Tolerant roads prioritize vehicle movement over multimodal transportation. They are often characterized by wide travel lanes, wide intersections, frequent curb cuts, dispersed land uses, large setbacks, and large amounts of surface parking. Low population density and development intensity are indications that Pedestrian Tolerant infrastructure may be sufficient to meet residents' multimodal needs. When striving for a focused growth approach to new development, Pedestrian Tolerant roads are suitable along industrial, low density residential, and agricultural land uses.

Pedestrian Tolerant roads may not encourage mode shift from single-occupancy vehicles to walking or cycling, but they do provide essential connections to jobs and other key services, particularly for low-income people. Pedestrian Tolerant roads must still be safe and accessible to all users. Where appropriate, principal arterials and minor collectors should prioritize additional intersection infrastructure and signage in order to increase pedestrian and cyclist safety, visibility, and comfort.








Pedestrian Intolerant Places

Pedestrian Intolerant roads are not just those without any multimodal infrastructure – inadequate facilities can also render a street functionally Pedestrian Intolerant. Sidewalks that are not wide enough, lacking ADA ramps, or that are obstructed can create mobility challenges. Bike lanes on high speed, high vehicle capacity roads may intimidate all cyclists but the most experienced and confident (less than 1% of riders). Pedestrian Intolerant roads can encourage unsafe behavior that leads to collisions and injuries.

When coupled with dispersed commercial retail or commercial office uses, roads without sufficient multimodal infrastructure can encourage single-occupancy vehicle trips due to concerns about safety, inconvenience, and access to desired destinations. For those whose mobility options may be limited, Pedestrian Intolerant roads deny them the opportunity to safely get to the amenities they need and/or want. Aside from expressways or other roads where pedestrians are legally prohibited, it is almost never appropriate to completely exclude pedestrian infrastructure as doing so can disproportionately impact low-income families, the elderly, new Americans, people with disabilities, women, and/or people of color.













Street Design Guidelines & Cross-Sections

The street design guideline matrices on the following pages aim to be holistic by integrating context-sensitive roadway classifications and land use characteristics. They are not meant to be prescriptive, but rather to offer a “menu of options” for developing or redeveloping a roadway into a Complete Street. The accompanying cross-sections are also not meant to be prescriptive, but to visualize the different ways Complete Streets design can be implemented on a roadway with a particular land use, roadway classification, and right-of-way width.

MORPC and the City of Delaware have developed the matrices and cross-sections to be context-sensitive for the City’s needs and community vision. The content in the matrices has been refined to reflect how the City of Delaware designs, develops, maintains, and redevelops its roadways. There are a total of three matrices, one for each type of land use within the city: Mixed-Use, Residential, and Industrial. The matrices contain Complete Streets design elements that have been compiled from MORPC’s Complete Streets Toolkit, ITE and CNU’s Designing Walkable Urban Thoroughfare report, and the NACTO website. For more information about a particular Complete Streets element within a matrix, see the glossary on page 24.

Mixed-Use & Commercial Street Design Guidelines

		Principal Arterial	Minor Arterial	Collector	Street
Vehicle Zone Design					
Number of Lanes		2 - 5	2 - 5	2 - 4	2 - 3
Width of Lanes		10' - 12'	10' - 12'	10' - 12'	9 - 12'
Design Speed (mph)		30–50	30 - 50	30 - 40	30
Traffic calming		Textured pavement (low impact) Striped bump out Roundabouts Raised / landscaped / striped medians Bus bulbs	Textured pavement (low impact) Striped bump out Roundabouts Raised / landscaped / striped medians	Textured pavement (low impact) Striped bump out Roundabouts Raised / landscaped / striped medians	Striped bump out Traffic circles
Transit Considerations		Express	Local	Local	Local and none
Freight Movement		Regional truck route	Regional and local truck route	Local deliveries only	Local deliveries only
Pedestrian Zone Design					
Curb Zone		0.5' - 2.5'	1.5' - 2.5'	1.5' - 2.5'	1.5' - 2.5'
Buffer / Furnishings Zone		8' - 12' Grass / trees / landscaping / GSI Street lights / signage Bike racks Bus shelters / bus stops	4' - 12' Grass / trees / landscaping / GSI Street lights / signage Bike racks Bus shelters / bus stops	4' - 8' Grass / trees / landscaping / GSI Street lights / signage Bike racks Bus stops	4' - 8' Grass / trees / landscaping / GSI Street lights / signage Bike racks Bus stops
Pedestrian Through Zone		5' - 12'	5' - 12'	5' - 12'	5' - 8'
Frontage Zone		0' - 6' Planters / landscaping Outdoor seating Moveable signage	0' - 12' Planters / landscaping Outdoor seating Café seating Moveable signage	2' - 12' Planters / landscaping Outdoor seating Café seating Moveable signage	2' - 6' Planters / landscaping Outdoor seating Moveable signage
Pedestrian Crossing		Signalized crosswalks Pedestrian refuge areas Bump out	Striped curb extensions Signalized crosswalks Mid-block signalized crosswalks (RRFB) Pedestrian refuge areas Bump out	Striped curb extensions Mid-block unsignalized crosswalks Signalized crosswalks Mid-block signalized crosswalks (RRFB) Pedestrian refuge areas Bump out	Striped curb extensions Signalized crosswalks Mid-block unsignalized crosswalks Bump out
Bicycle Zone Design					
Bicycle Zone		MUP ≥ 8' Buffered bike lane 5' - 8' Barrier-separated bike lane 5' - 10'	Bike lane 5' - 6' MUP ≥ 8' Buffered bike lane 5' - 8' Barrier-separated bike lane 5' - 10'	Bike boulevard Sharrows Bike lane 5' - 6' MUP ≥ 8' Buffered bike lane 5' - 8'	Bike boulevard Sharrows Bike lane 5' - 6' MUP ≥ 8' Buffered bike lane 5' - 8'
Bicycle Crossing		Bike boxes Bicycle refuge areas	Bike boxes Bicycle refuge areas	Intersection crossing marking Bike boxes Bicycle refuge areas	Intersection crossing markings Bike boxes
Parking Design					
Parking facilities		On-street parking Structured parking Screening Real / alley-access surface lots Shared surface lots	On-street parking Structured parking Screening Rear / alley-access surface lots Shared surface lots Minimal curb cuts	On-street parking Screening Rear / alley-access surface lots Shared surface lots Minimal curb cuts	On-street parking Screening Rear / alley-access surface lots Shared surface lots

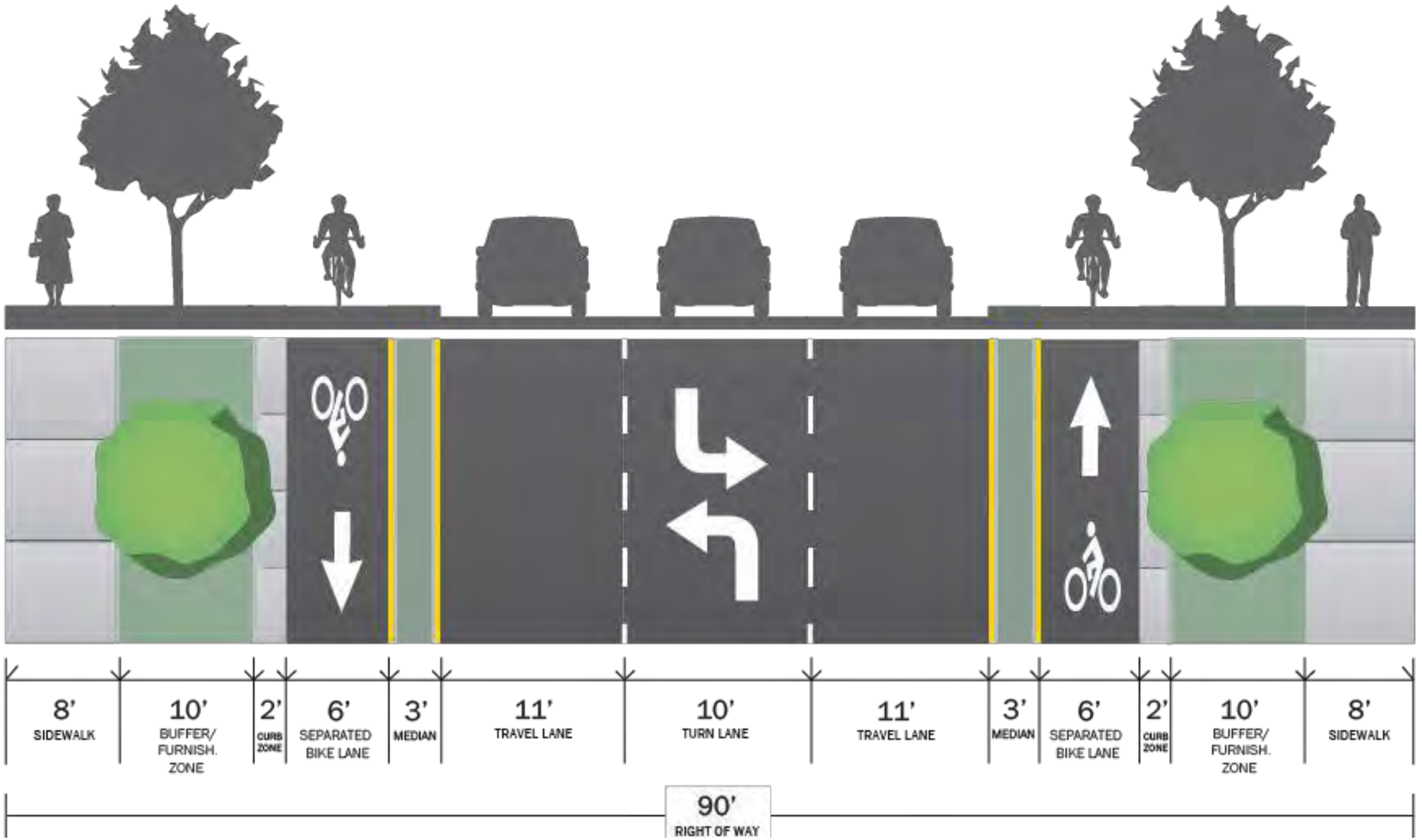
Note: The Minor Arterial and Collector functional roadway typologies can consist of roadways with a wide range of speeds. Within the matrix categories of Traffic Calming, Pedestrian Crossing, Bicycle Zone Design, and Bicycle Crossing, the boxes shaded grey indicate Complete Streets elements within those categories that are appropriate for roadways with posted speeds above 30 mph. Unshaded boxes indicate the Complete Streets elements within those categories that are appropriate for roadways with speeds 30 mph or below.

Mixed-Use & Commercial Flex Zone Design Guidelines

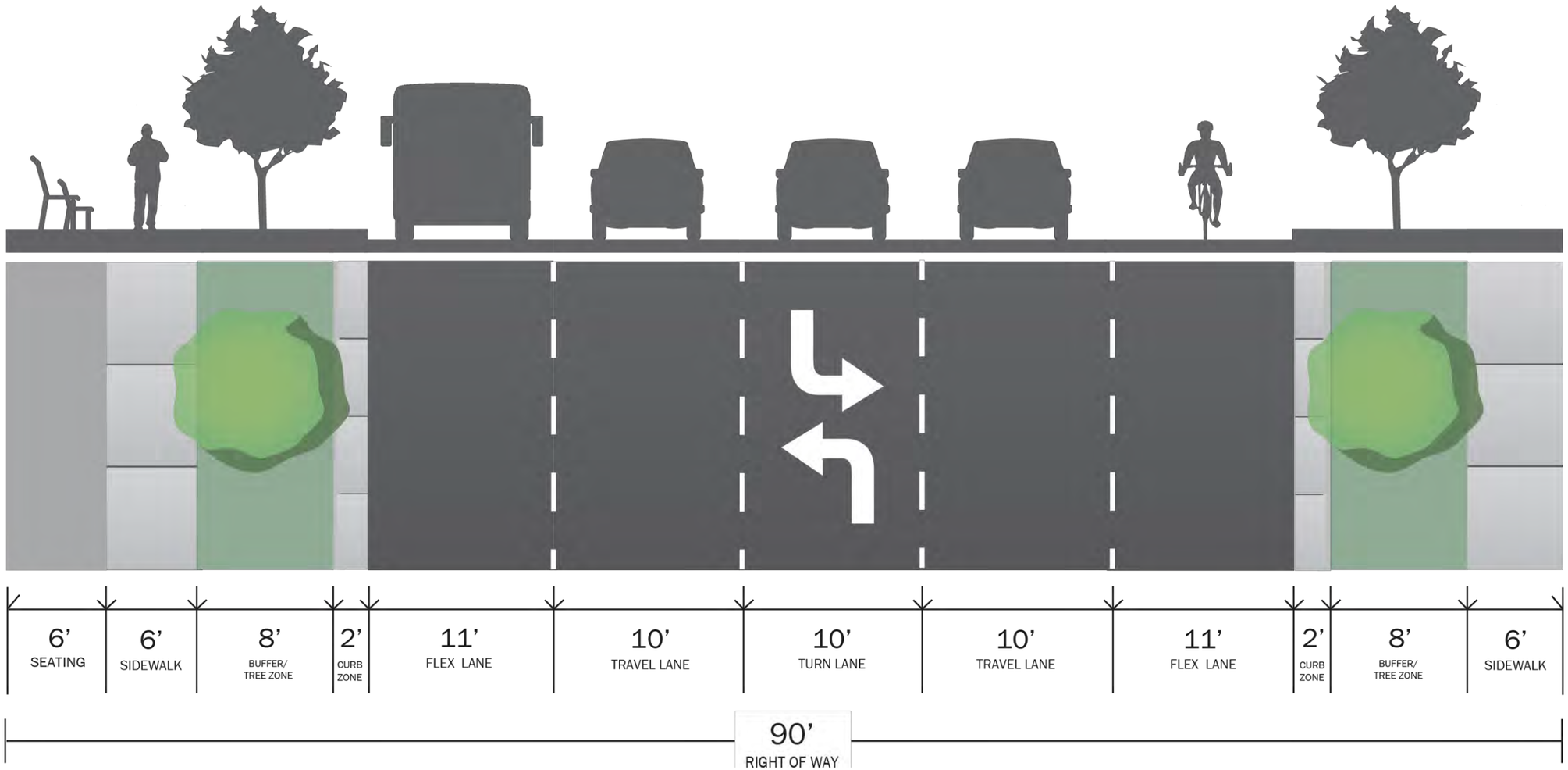
Flex Zone Design	Principal Arterial & Minor Arterial	Collector & Street
Early Morning (12 a.m. - 6 a.m.)	Commercial vehicle loading / drop-off Passenger loading / unloading	Commercial vehicle loading / drop-off Passenger loading / unloading
Morning (6 a.m. - 12 p.m.)	Low-speed motorized/non-motorized lane General purpose travel lane Passenger loading / unloading	Low-speed motorized/non-motorized lane Food trucks / parklet Short-term parking
Mid-Day (12 p.m. - 6 p.m.)	Food trucks Low-speed motorized/non-motorized lane Short-term parking	Food trucks / parklet Low-speed motorized/non-motorized lane Short-term parking
Evening (6 p.m. - 12 a.m.)	Low-speed motorized/non-motorized lane General purpose travel lane Short-term parking	Low-speed motorized/non-motorized lane General purpose travel lane Short-term parking

Note: The Minor Arterial and Collector functional roadway typologies can consist of roadways with a wide range of speeds. Within the matrix categories of Traffic Calming , Pedestrian Crossing , Bicycle Zone Design, and Bicycle Crossing , the boxes shaded grey indicate Complete Streets elements within those categories that are appropriate for roadways with posted speeds above 30 mph. Unshaded boxes indicate the Complete Streets elements within those categories that are appropriate for roadways with speeds 30 mph or below.

Mixed-Use/Commercial Minor Collector Example 1



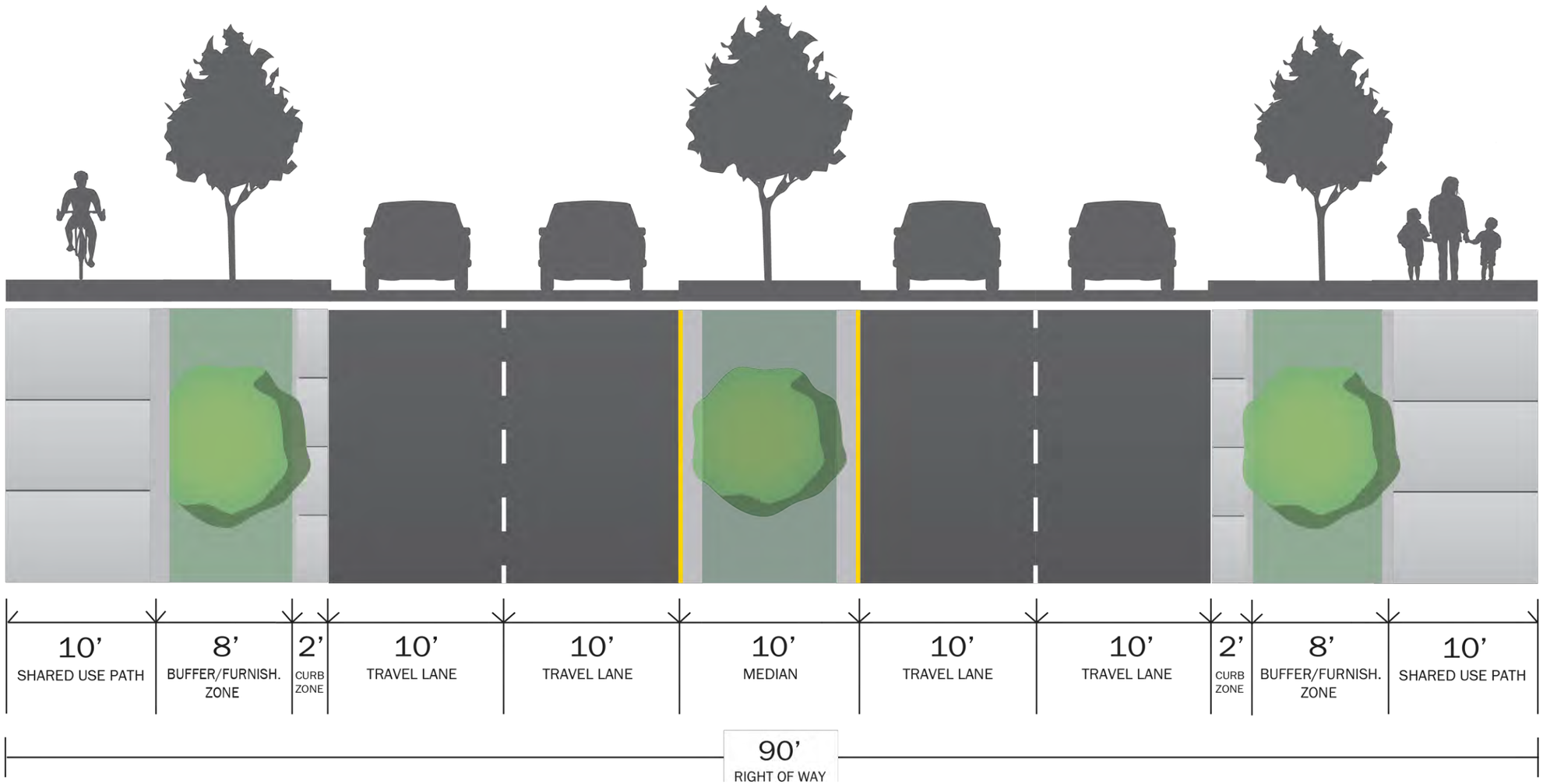
Mixed-Use/Commercial Minor Collector Example 2



Flex lanes manage sought-after curbside space by accommodating multiple functions throughout the day. For a roadway like the one shown above, this could include:

- On-street parking lane
- Bus-only lane
- Through bicycle traffic lane
- Through vehicle traffic lane

Mixed-Use/Commercial Minor Collector Example 3

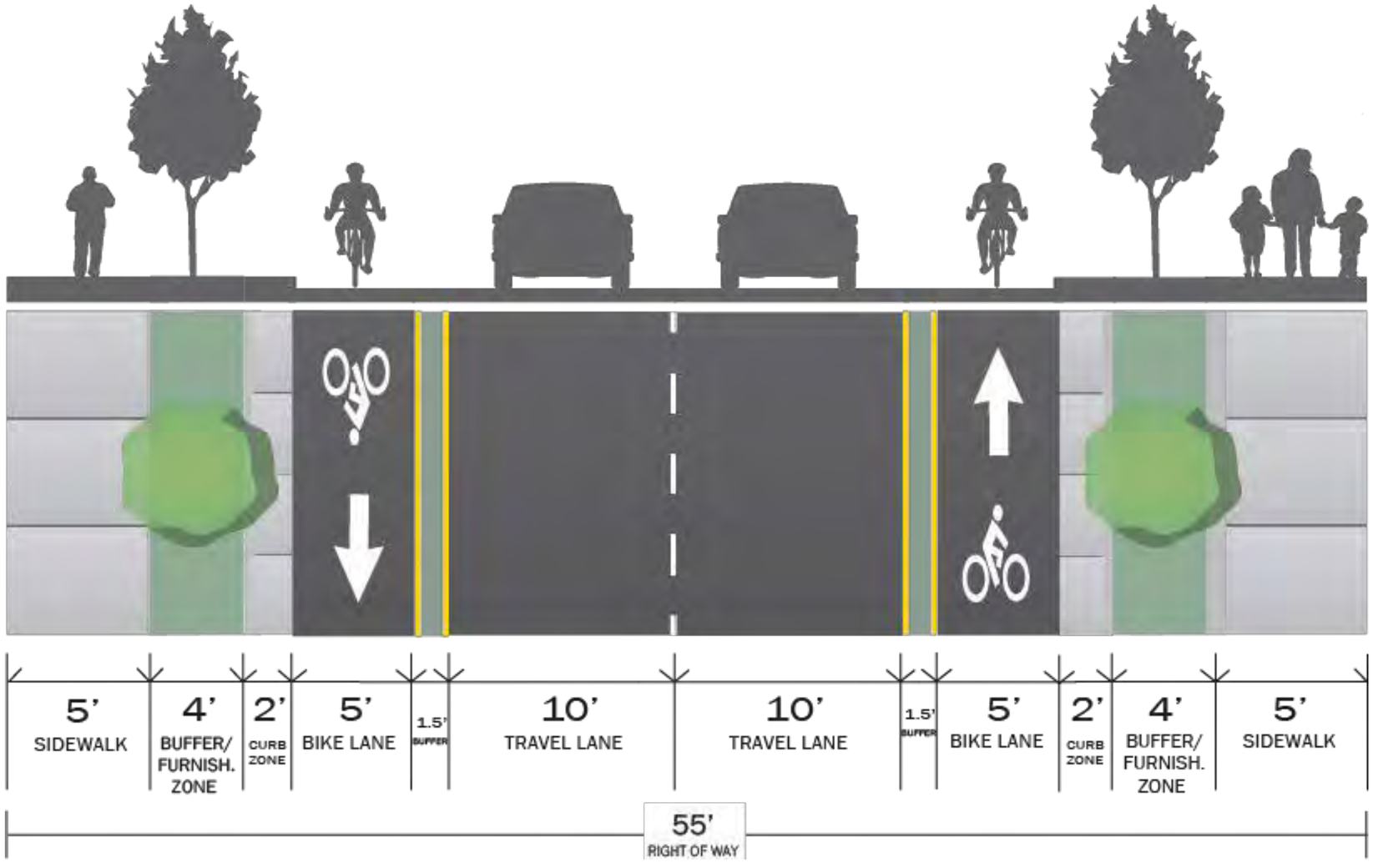


Residential Street Design Guidelines

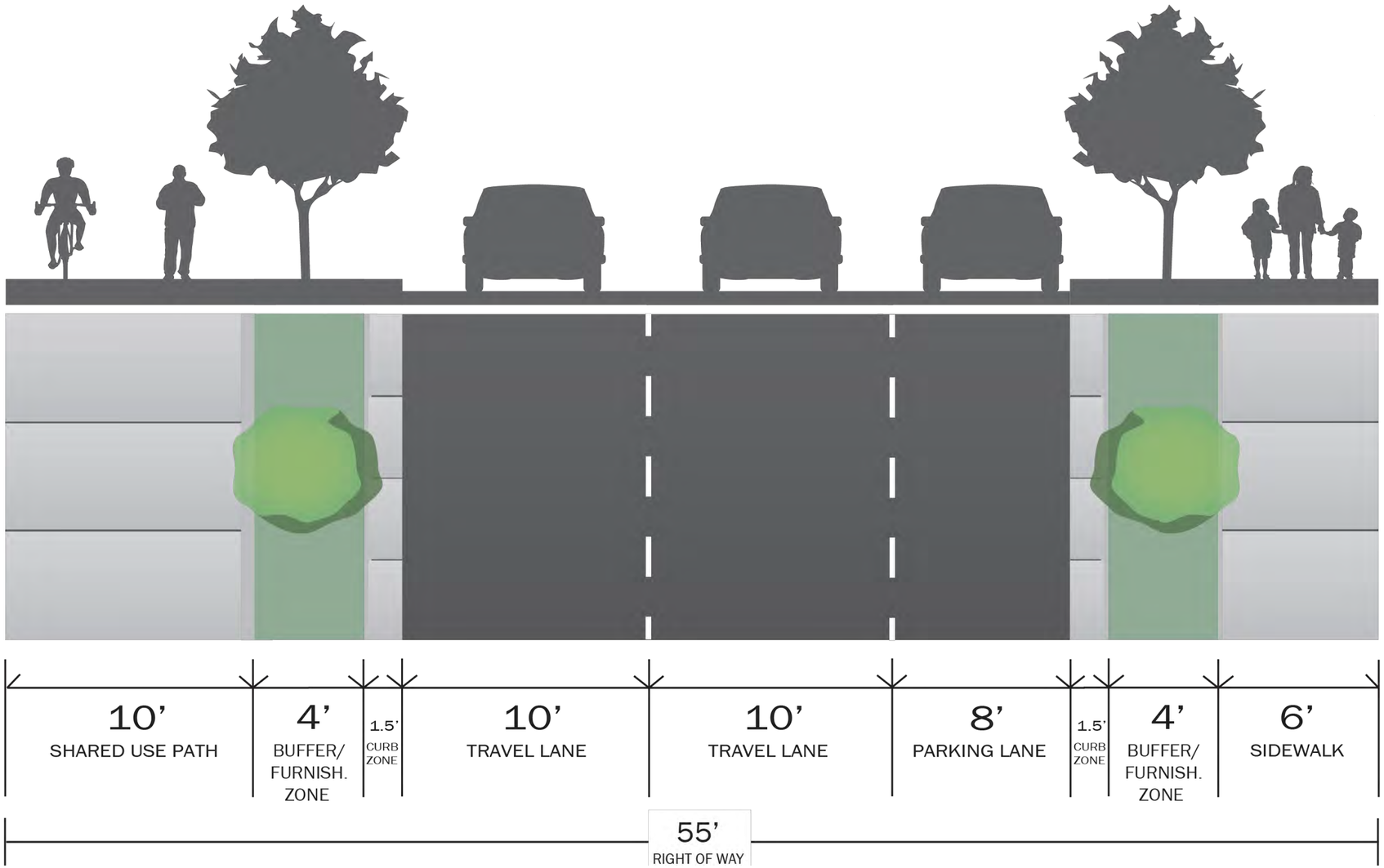
	Principal Arterial	Minor Arterial	Collector	Street
Vehicle Zone Design				
Number of Lanes	2 - 5	2 - 5	2 - 4	2 - 3
Width of Lanes	10' - 12'	10' - 12'	10' - 12'	9 - 12'
Design Speed (mph)	30—50	30 - 50	30 - 40	30
Traffic calming	Roundabouts Raised / landscaped / striped medians	Pavement narrowing (striping) Striped bump out Roundabouts Raised / landscaped / striped medians	Pavement narrowing (striping) Traffic circles Striped bump out Roundabouts Raised / landscaped / striped medians	Striped bump out Traffic circles
Transit Considerations	Local and express	Local	Local	Local
Freight Movement	Regional and local truck route	Local deliveries only	Local deliveries only	Local deliveries only
Pedestrian Zone Design				
Curb Zone	0.5' - 2.5'	1.5' - 2.5'	1.5' - 2.5'	1.5' - 2.5'
Buffer / Furnishings Zone	4' - 12' Grass / trees / landscaping / GSI Street lights / signage Bus stops	7' - 12' Grass / trees / landscaping / GSI Street lights / signage Bus stops	7' - 10' Grass / trees / landscaping / GSI Street lights / signage Bus stops	7' - 8' Grass / trees / landscaping / GSI Street lights / signage
Pedestrian Through Zone	5' - 8'	5' - 8'	5' - 8'	5' - 6'
Frontage Zone				
Pedestrian Crossing	Signalized crosswalks Pedestrian refuge areas Bump out	Striped curb extensions Signalized crosswalks Mid-block signalized crosswalks (RRFB) Pedestrian refuge areas Bump out	Striped curb extensions Mid-block unsignalized crosswalks Signalized crosswalks Mid-block signalized crosswalks (RRFB) Pedestrian refuge areas Bump out	Striped curb extensions Signalized crosswalks Mid-block unsignalized crosswalks Bump out
Bicycle Zone Design				
Bicycle Zone	MUP ≥ 8' Buffered bike lane 5' - 8' Barrier-separated bike lane 5' - 12'	Bike lane 5' - 6' MUP ≥ 8' Buffered bike lane 5' - 8' Barrier-separated bike lane 5' - 12'	Bike boulevard Sharrows Bike lane 5' - 6' MUP ≥ 8' Buffered bike lane 5' - 8'	Bike boulevard Sharrows Bike lane 5' - 6' MUP ≥ 8' Buffered bike lane 5' - 8'
Bicycle Crossing	Bike boxes Bicycle refuge areas	Intersection crossing markings Bike boxes	Intersection crossing markings Bike boxes	Intersection crossing markings
Parking Design				
Parking facilities	On-street parking (speed < MPH) Screening (multifamily housing)	On-street parking (speed < 40 MPH) Screening (multifamily housing)	On-street parking Screening (multifamily housing)	On-street parking Screening (multifamily housing)

Note: The Minor Arterial and Collector functional roadway typologies can consist of roadways with a wide range of speeds. Within the matrix categories of Traffic Calming, Pedestrian Crossing, Bicycle Zone Design, and Bicycle Crossing, the boxes shaded grey indicate Complete Streets elements within those categories that are appropriate for roadways with posted speeds above 30 mph. Unshaded boxes indicate the Complete Streets elements within those categories that are appropriate for roadways with speeds 30 mph or below

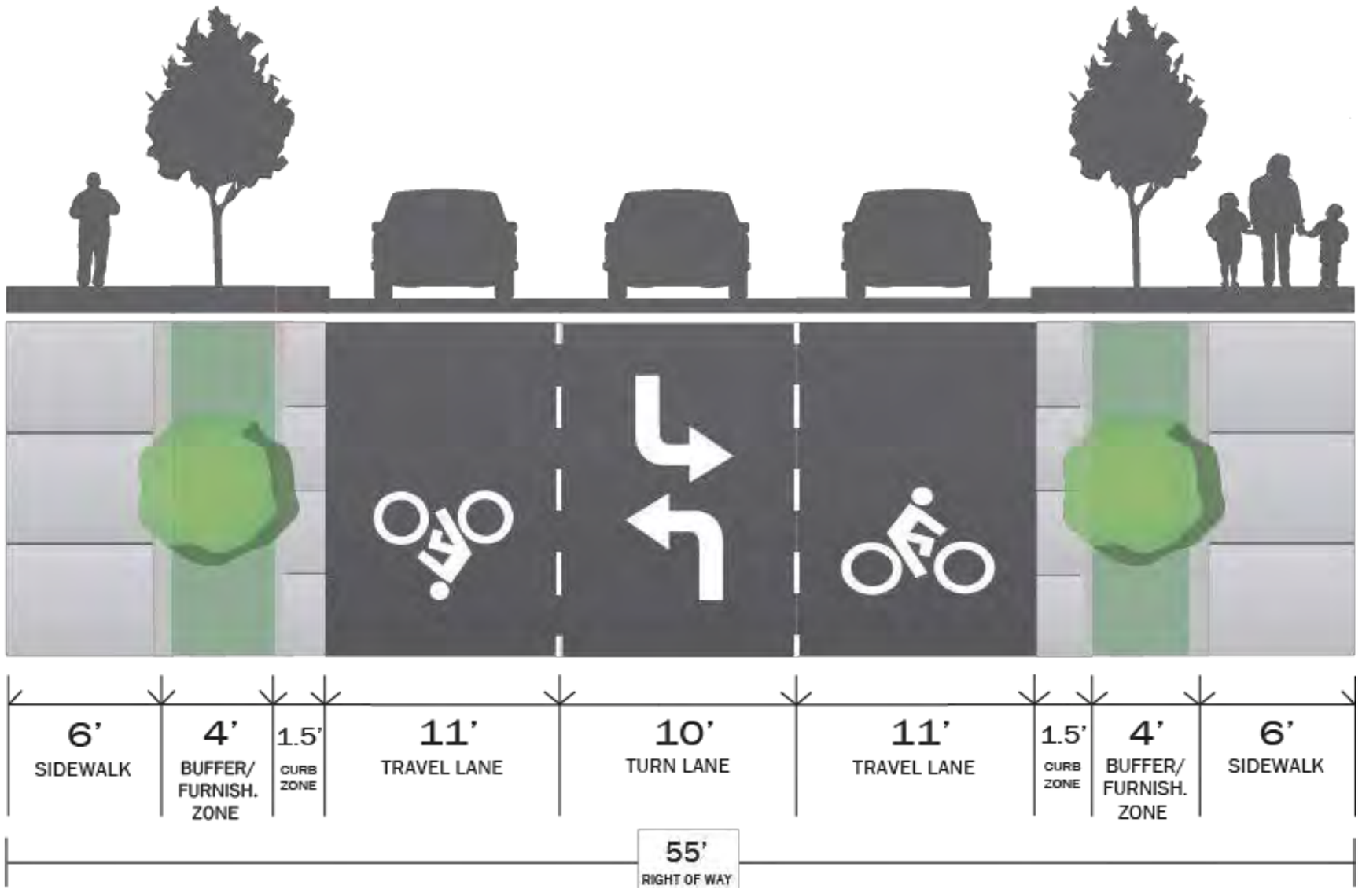
Residential Collector Example 1



Residential Collector Example 2



Residential Collector Example 3

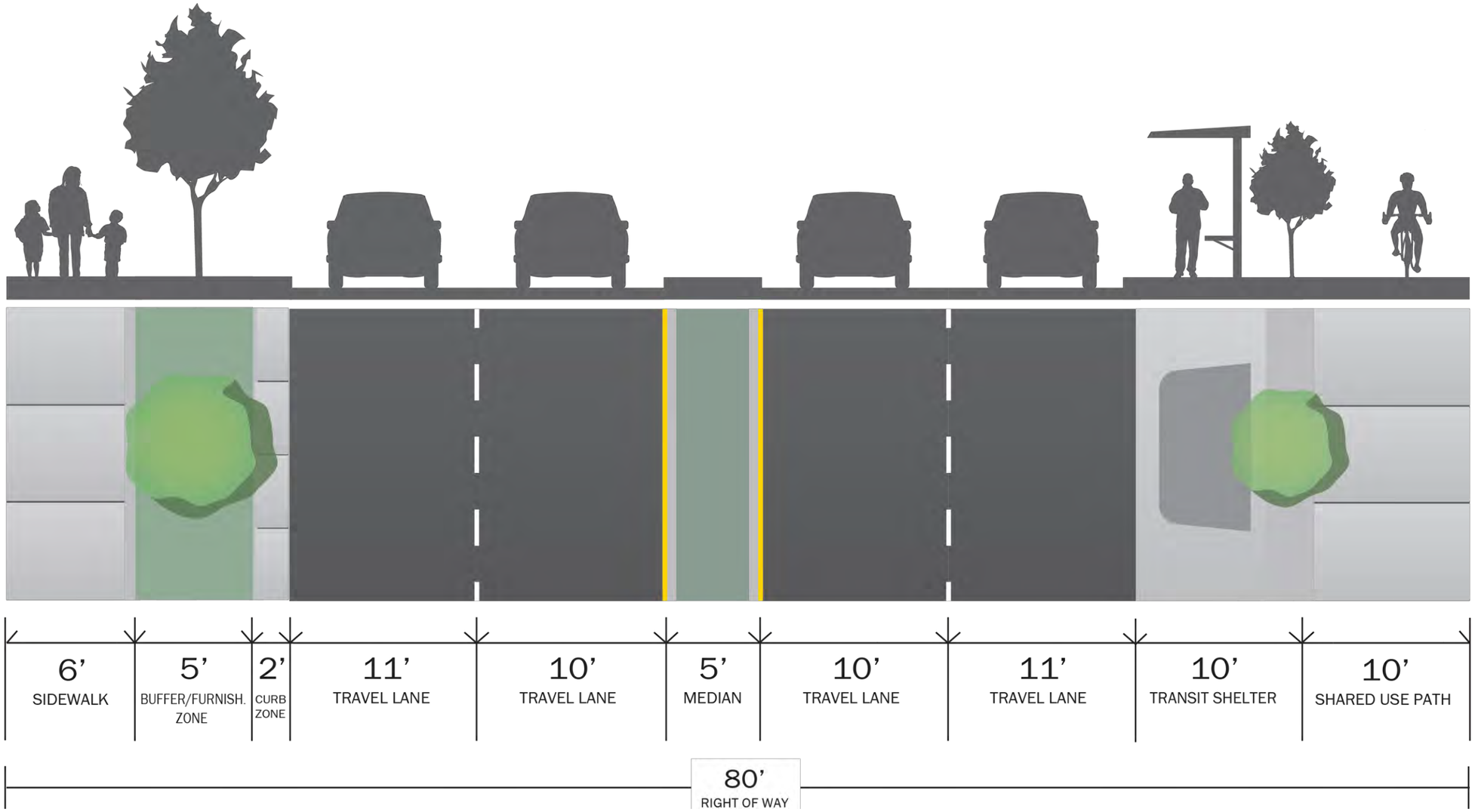


Industrial & Rural Street Design Guidelines

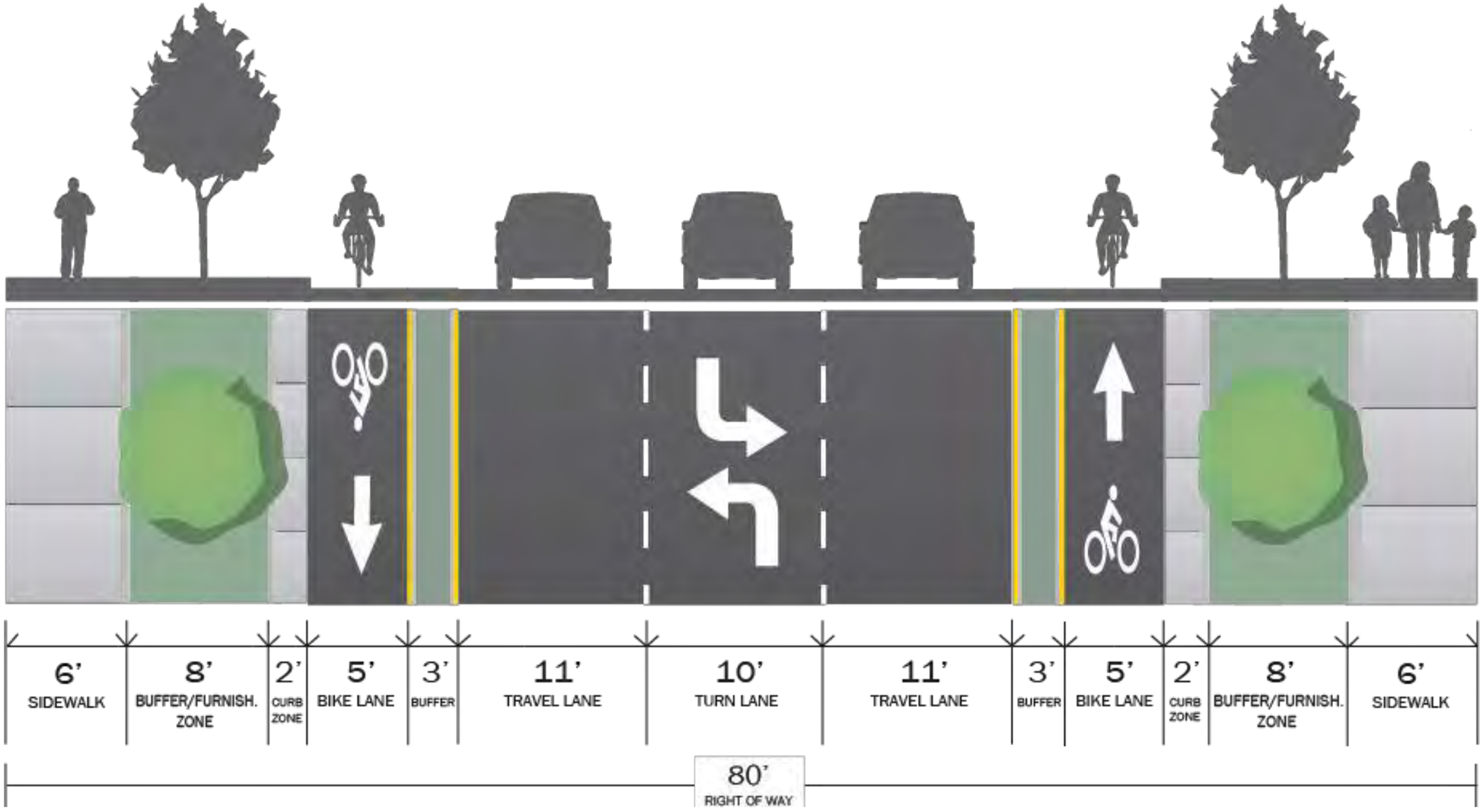
	Principal Arterial	Minor Arterial	Collector
Vehicle Zone Design			
Number of Lanes	2 - 5	2 - 5	2 - 3
Width of Lanes	10' - 12'	10' - 12'	10' - 12'
Design Speed (mph)	30 - 50	30 - 50	30 - 50
Traffic calming	Raised / landscaped / striped medians	Striped bumpout Raised / landscaped / striped medians	Striped bumpout Raised / landscaped / striped medians
Transit Considerations	Express and local	Local	None
Freight Movement	Regional truck route	Regional and local truck route	Regional and local truck route
Pedestrian Zone Design			
Curb Zone	0.5' - 2.5'	1.5' - 2.5'	1.5' - 2.5'
Buffer / Furnishings Zone	15' - 20' Grass / trees / landscaping / GSI Street lights / signage Bus stops Bike racks	10' - 15' Grass / trees / landscaping / GSI Street lights / signage Bus stops	7' - 10' Grass / trees / landscaping / GSI Street lights / signage Bus stops
Pedestrian Through Zone	5' - 8'	5' - 8'	5' - 8'
Frontage Zone			
Pedestrian Crossing	Signalized crosswalks Mid-block signalized crosswalks Pedestrian refuge areas bump out	Signalized crosswalks Mid-block signalized crosswalks (RRFB) Pedestrian refuge areas bump out	Mid-block unsignalized crosswalks Mid-block signalized crosswalks (RRFB) Signalized crosswalks Pedestrian refuge areas bump out
Bicycle Zone Design			
Bicycle Zone	MUP ≥ 8' Buffered bike lane 5' - 8' Barrier-separated bike lane 5' - 10'	MUP ≥ 8' Buffered bike lane 5' - 8' Barrier-separated bike lane 5' - 10'	MUP ≥ 8' Buffered bike lane 5' - 8' Barrier-separated bike lane 5' - 10'
Bicycle Crossing	Bike boxes Bicycle refuge areas	Bike boxes Bicycle refuge areas	Bike boxes Bicycle refuge areas
Parking Design			
Parking facilities	Screening Shared surface lots	Screening Shared surface lots	Screening Shared surface lots

Note: The Minor Arterial and Collector functional roadway typologies can consist of roadways with a wide range of speeds. Within the matrix categories of Traffic Calming , Pedestrian Crossing , Bicycle Zone Design, and Bicycle Crossing , the boxes shaded grey indicate Complete Streets elements within those categories that are appropriate for roadways with posted speeds above 30 mph. Unshaded boxes indicate the Complete Streets elements within those categories that are appropriate for roadways with speeds 30 mph or below.

Industrial/Rural Principal Arterial Example 1



Industrial/Rural Principal Arterial Example 2



Complete Streets Elements Glossary



Barrier-Separated Bike Lanes: Barrier-separated bike lanes are separated from the lanes of motorized traffic by a physical barrier, such as flexible delineator posts, bollards, raised curbs, or planters. These bike lanes can encourage bicycling by providing additional protection.



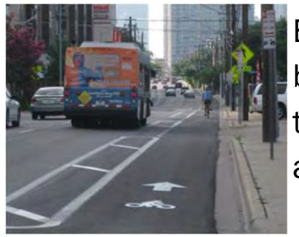
Bicycle Refuge Area: Median refuge islands are protected spaces placed in the center of the street to facilitate bicycle and pedestrian crossings. When implemented on two-way streets, cyclists in the bicycle refuge area only have to navigate one direction of traffic at a time, creating a safer and more comfortable experience, especially for cyclists of different ages and abilities.



Bike Boulevard: Bicycle boulevards are streets with low motorized traffic volumes and speeds, designated and designed to give bicycle travel priority. Bicycle Boulevards use signs, pavement markings, and speed and volume management measures to discourage through trips by motor vehicles and create safe, convenient bicycle crossings of busy arterial streets.



Bike Lane: A Bike lane is defined as a portion of the roadway that has been designated by striping, signage, and pavement markings for the preferential or exclusive use of bicyclists. A bike lane is distinguished from a cycle track in that it has no physical barrier (bollards, medians, raised curbs, etc.) that restricts the encroachment of motorized traffic.



Buffered Bike Lane: Buffered bike lanes are conventional bicycle lanes paired with a striped buffer space separating the bicycle lane from the adjacent motor vehicle travel lane and/or parking lane.



Bus Bulb: Bus bulbs are curb extensions that align the bus stop with the parking lane, allowing buses to stop and board passengers without ever leaving the travel lane. Bus bulbs help buses move faster and more reliably by decreasing the amount of time lost when merging in and out of traffic.



Bus Shelter: The provision of comfortable shelter and seating can significantly improve perception of wait time and rider satisfaction. In addition to stops with a moderate number of boardings, shelters should be provided at transfer points, at stops in weather-exposed locations, and at stops with a relatively high use by senior and/or child passengers. At low-volume stops basic shelters can provide passengers with comfortable seating and vital information.



Bus Stop: At major bus stops, cities may enhance the experience of passengers and passers-by through the addition of shelters, benches, area maps, plantings, vendors, or artworks.

Complete Streets Elements Glossary



Choker/Curb Extension: Curb extensions visually and physically narrow the roadway, creating safer and shorter crossings for pedestrians while increasing the available space for street furniture, benches, plantings, and street trees.



Curb Cuts: Curb cuts are points at which the curb and sidewalk are interrupted for a vehicular entrance or exit point, such as a driveway. To ensure a safe and pleasant walking experience, the number of curb cuts should be kept to a minimum.



Curb Zone: The curb zone (or simply, the curb) of the sidewalk creates a border between the paved roadway and the sidewalk corridor. Curbs make routine maintenance of roads easier as they provide the operators with a solid edge. They also discourage motor vehicles from driving into the pedestrian area and can be helpful for pedestrians navigating with a cane.



Flex Lane: Curbside flex zones transform a lane of traffic or parking into a multifunctional piece of infrastructure. They can play many roles, from public space to loading zones. They could change use over the course of the year, week, or even the day.



Frontage Zone: The frontage zone of the sidewalk is the space between the property line (typically a building in dense urban areas) and the pedestrian zone. By giving appropriate space for the frontage zone, pedestrians can avoid getting hit by doors opening into the sidewalk. In residential areas the frontage zone may be eliminated, because buildings are set back from the property line.



Furniture Zone: The furniture zone is located between the curb zone and the pedestrian zone. This zone provides space for obstacles, which keeps them out of the way of pedestrians traveling in the pedestrian zone. The proper width can range from two feet to eight feet depending on the presence of transit shelters or large snow accumulations during winter.



Green Stormwater Infrastructure (GSI): Green stormwater infrastructure, like flow-through planters, pervious pavements, and bioswales, captures water runoff closer to the source, reducing combined sewer overflows (CSOs), ponding, and roadway flooding.



Intersection Crossing Markings (Bike): Intersection crossing markings indicate the intended path of bicyclists. They guide bicyclists on a safe and direct path through intersections, including driveways and ramps. They provide a clear boundary between the paths of bicyclists and motor vehicles in the adjacent lane.

Lane Width: Wider travel lanes are correlated with higher vehicle speeds. Restrictive policies that favor the use of wider travel lanes have no place in constrained urban settings, where every foot counts. Research has shown that narrower lane widths can effectively manage speeds without decreasing safety,

Complete Streets Elements Glossary

and that wider lanes do not correlate to safer streets. In fact, wider travel lanes are correlated with higher vehicle speeds. Lane widths of 10 feet are appropriate in urban areas.

Metered On-Street Parking: Metering on-street spaces encourages turnover in the most convenient and visible locations. An effective way to reduce demand for parking is to charge users based on time parked.



Mid-Block Signalized Crosswalk: Adding signals to mid-block crosswalks – such as a Pedestrian Hybrid Beacon (also known as a HAWK signal)– is a popular way to improve pedestrian safety, comfort, and visibility.



Mini-Traffic Circle: Mini roundabouts and neighborhood traffic circles lower speeds at minor intersection crossings and are an ideal treatment for uncontrolled intersections. Mini roundabouts may be installed using simple markings or raised islands but are best applied in conjunction with plantings that beautify the street and the surrounding neighborhood.

On-Street Parking: On-street parking refers to the space for parked vehicles that is permitted as a part of the public right-of-way at curb. In addition to tradition parallel parking, angled curb parking, back-in angles parking, and striped parallel parking are other options that provide their own sets of benefits and drawbacks.



Outdoor Seating: Outdoor seating increases the comfort of public spaces and fosters sociability. Special attention should be paid to keeping the pedestrian zone of the sidewalk five feet wide to accommodate all users. For areas with limited sidewalk space, parklets offer a unique solution. These involve taking at least one parking space and converting it to an area with outdoor seating and protection from the adjacent traffic.



Pedestrian Refuge Area: A pedestrian safety island reduces the exposure time experienced by a pedestrian in the intersection. While safety islands may be used on both wide and narrow streets, they are generally applied at locations where speeds and volumes make crossings prohibitive, or where three or more lanes of traffic make pedestrians feel exposed or unsafe in the intersection.



Pedestrian Through Zone: The pedestrian zone of the sidewalk is the clear space for pedestrians located between the furniture zone and the frontage zone. It is important to keep this area free of protruding objects and vertical obstructions. Individuals with visual, physical, or cognitive impairments can be particularly at risk from such objects. The minimum width of the pedestrian zone is five feet. This allows a wheelchair user to travel comfortably and allows two pedestrians to walk side by side.

Planters: Sidewalk planters are an easy way to add green space to a wide sidewalk or other area where pavement can be replaced with landscaping. Sidewalk planters can be found on the side of a road, next to a wide sidewalk, or

Complete Streets Elements Glossary

in the median of a street. Their main purpose is to improve the aesthetics of a neighborhood, but they can also buffer pedestrians from vehicles while filtering and detaining stormwater.



Raised Median: Raised medians are curbed sections that generally appear in the center of roadways. Raised medians can increase safety by separating opposing streams of traffic and restricting vehicle turning movements. Raised medians can give the appearance of a narrowed lane which can have a traffic calming effect. Raised medians can also have landscaping or GSI, so long as it does not impact visibility. Raised medians with cut-throughs for pedestrians or cyclists are referred to as Pedestrian Refuge Islands in this document.

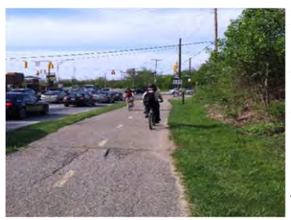


Roundabout: A roundabout is a circular intersection in which vehicles travel in one direction around a central island. When a traditional signalized intersection is replaced by a roundabout, there is typically a large improvement in traffic safety. However, roundabouts create unique concerns for pedestrians. Most roundabouts serve as unsignalized crossings and simply have crosswalks where motorists are required to yield to pedestrians. Creating high-visibility crosswalks, clear signage, and yield lines will increase pedestrian safety.



Screening: The landscape treatment between the parking lot edge and the sidewalk/street right-of-way can be an environmental asset and visual amenity. This area should screen parked vehicles but not completely obstruct views into and out of the parking lot for the purpose of pedestrian safety. (Montgomery County Planning Commission)

Shared Parking: Parking demand for different land uses peaks during different periods of the day. This can allow neighboring uses to pool their parking supply, requiring less than the sum of the others in isolation. Where parking is not immediately adjacent to the destination, clear signage is important to ease wayfinding. Maps and online information can also prepare area visitors fortheir parking options.



Shared Use Path or Multi Use Path (SUP or MUP): Physically separated from roads, trails or greenways are accessible two -way paths designated for use by both bicyclists and pedestrians. Shared use paths can be on-street and parallel to the roadway, or they can be off-street facilities that provide active transportation access through natural landscapes or recreation facilities.



Sharrows: Shared Lane Markings (SLMs), or “sharrows,” are road markings used to indicate a shared lane environment for bicycles and automobiles. Shared lane markings are only appropriate for roadways with low vehicle volumes and speeds. They reinforce the legitimacy of bicycle traffic on the street, recommend proper bicyclist positioning, and may be configured to offer directional and wayfinding guidance.

Signage: Signage should be visible and clear to all users of the street, bike lane, and sidewalk. Pedestrian, bicyclist, and vehicular safety can be increased by a well-placed network of signage.

Signalized Crosswalks: Signalized crosswalks afford pedestrians with an opportunity to stop the traffic to safely cross the street at intersections (marked or unmarked). They typically have electronic push buttons that pedestrians can

use to activate the signal.



Speed Hump: Speed humps are vertical traffic calming devices intended to slow traffic speeds on low volume, low speed roads. Speed humps can reduce speeds to 15–20 mph and are often referred to as “bumps” on signage and by the general public.

Street Furniture: Street furniture can include bike parking, benches, water fountains, signage, utility poles or boxes, news kiosks, light poles, transit shelters, fire hydrants, grates and hatch covers, parking meters, public telephones, mailboxes, and garbage containers.



Structured Parking: Structured parking refers to multi-level above or below ground structures that allow more vehicle parking on-site than would be possible at the surface. While such structures are often cost-prohibitive, they allow for the integration of parking into a more compact land use pattern that supports a mix of residential and business units.



Textured Pavement: Textured pavement is a method of traffic calming. For example, brick can be used to reduce the speed of traffic or to make crosswalks more decorative and visible. It can also refer to pervious pavements that allow stormwater infiltration.



Trees: Street trees and landscaping provide many benefits to people in terms of air quality, water quality, and energy savings. They should always be considered as part of the planning and design process for any roadway project and where appropriate, preference should be given to native species.

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 12 | DATE: 09/28/2020

ORDINANCE NO: | RESOLUTION NO: 20-57

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Natalia S. Harris, Interim City Attorney

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION DETERMINING THAT A PETITION TO ESTABLISH THE LIBERTY GRAND NEW COMMUNITY AUTHORITY AND DISTRICT IS SUFFICIENT AND COMPLIES WITH THE REQUIREMENTS OF SECTION 349.03 OF THE OHIO REVISED CODE IN FORM AND SUBSTANCE.

BACKGROUND:

Liberty Grand, LLC and M/I Homes of Central Ohio, LLC, (Developers) are preparing to petition the Delaware County Board of Commissioners to approve the establishment of the Liberty Grand New Community Authority (Liberty Grand NCA) as a new community authority under Ohio Revised Code Chapter 349.

Ohio Revised Code Chapter 349 requires a number of formal and prescribed steps before a new community authority may be established pursuant to the Chapter, one of which is that the legislative authority of a proximate city must sign the petition and approve the establishment of the proposed new community authority.

The Developers are requesting proximate city approval prior to submitting the Petition to the Delaware County Board of Commissioners.

Without passage of this resolution, Developers will ultimately be unable to get the Liberty Grand NCA established.

When the City analyzes a proposed New Community Authority, it typically looks at whether the NCA will have an impact on the City or if it is a service area that would potentially be annexed in the future, neither is currently foreseeable should the Liberty Grand NCA be established.

REASON WHY LEGISLATION IS NEEDED:
Under ORC Section 349.03(A), Delaware must consent to the NCA 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
Natalia S. Harris, Interim City Attorney

RECOMMENDATION:
Approval

ATTACHMENT(S)
Memo
Petition

RESOLUTION NO. 20-57

A RESOLUTION DETERMINING THAT A PETITION TO ESTABLISH THE LIBERTY GRAND NEW COMMUNITY AUTHORITY AND DISTRICT IS SUFFICIENT AND COMPLIES WITH THE REQUIREMENTS OF SECTION 349.03 OF THE OHIO REVISED CODE IN FORM AND SUBSTANCE.

WHEREAS, Liberty Grand Development LLC (the "Developer") plans to develop an approximately 288+/-acre site located entirely within the boundaries of the County of Delaware, Ohio (the "County") and Liberty Township, (Delaware County), Ohio (the "Township"); and

WHEREAS, For the purposes of the proposed new community authority as set forth herein, each of the City of Delaware, Ohio and the City of Columbus, Ohio shall be considered to be a "proximate city" of the proposed new community authority, as set forth in Ohio Revised Code Section 349.01(M)(1), as set forth in additional detail herein; and.

WHEREAS, The Developer plans to develop the site as a comprehensive residential development, consisting of approximately 489 single-family residential units, including public infrastructure and utility improvements and other various community facilities with associated outdoor spaces, and surface and structured parking necessary to support those uses; and

WHEREAS, on September 3, 2020, 2020, the Developer submitted to the Council of the City of Delaware, Ohio ("Council"), pursuant to Revised Code Section 349.03, a Petition for Establishment of the Liberty Grand New Community Authority under Chapter 349 of the Ohio Revised Code (the "Petition"); and

WHEREAS, the Liberty Grand New Community District, as described in the Petition, is located entirely within the boundaries of Delaware County, Ohio and the Township of Liberty Township, Ohio; and

WHEREAS, Under Ohio Revised Code Section 349.01(M)(1), each of (i) the City of Delaware, Ohio, as the city with the greatest population located in the county in which the proposed new community district is located, and (ii) the City of Columbus, Ohio, as the city with the greatest population located in an adjoining county where the city is within five miles of any part of the boundaries of the district, are considered to be a "proximate city" for the purposes of the Liberty Grand New Community District; and

WHEREAS, This Council, as the legislative authority of the City of Delaware, Ohio, is one of the proximate cities for the Liberty Grand New Community District for the purposes of this Petition; and

WHEREAS, this Council has reviewed the Petition, and by this resolution desires to legislatively determine, pursuant to Revised Code Section 349.03, that the Petition complies with the requirements of that section as to form and substance; and

WHEREAS, this Council agrees to authorize execution of the Petition prior to its submittal to the Delaware County Board of Commissioners as the organizational board of commissioners pursuant to Revised Code Section 349.03.

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

SECTION 1. Proximate City. This Council hereby acknowledges and determines that, pursuant to Revised Code Section 349.01(M)(1) and 349.03(A), it is a "proximate city" of the Liberty Grand New Community Authority for all purposes of Revised Code Chapter 349.

SECTION 2**.** Petition's Sufficiency and Compliance with Revised Code Section 349.03. This Council has examined the Petition and finds and determines that the Petition is sufficient and complies with the requirements of Revised Code Section 349.03 in form and substance. This Council authorizes the City Manager to sign the Petition on behalf of the City of Delaware, Ohio.

SECTION 3. 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 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 Revised Code Section 121.22.

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

PASSED: _____, 2020 YEAS _____ NAYS _____
ABSTAIN _____

ATTEST: _____ _____
CITY CLERK MAYOR

Bricker & Eckler
ATTORNEYS AT LAW

COLUMBUS I CLEVELAND
CINCINNATI I DAYTON
MARIETTA

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John Caleb Bell
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MEMORANDUM

VIA E-MAIL

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

FROM: John Caleb Bell, Esq.
Bricker & Eckler LLP

DATE: August 24, 2020

RE: Petition For The Establishment Of The Liberty Grand New Community Authority

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We've prepared this executive summary to accompany the petition (the "Petition") for the establishment of the Liberty Grand New Community Authority (the "Authority") as a New Community Authority under Ohio Revised Code Chapter 349. The new community district (the "District") is defined as:

Approximately 288 +/- acres wholly situated within the boundaries of Delaware County, Ohio. The development of which shall consist of seven (7) subareas and various community facilities including a primary road, as detailed in Exhibit A of the attached Petition. More specifically, the property is bounded by Hyatts Road to the north, Steitz Road to the West, Home Road to the South and Sawmill Parkway to the east.

The property is currently used as farm land and vacant land, and is adjacent to Olentangy Liberty High School.

The Liberty Grand New Community Authority is a new community authority to be established pursuant to Chapter 349 of the Ohio Revised Code, and its boundaries are to be located within the City of Delaware, Ohio (the "City") and Liberty Township, Ohio and wholly within Delaware County, Ohio. *See* the map in Exhibit A of the Petition.

Liberty Grand, LLC, and M/I Homes of Central Ohio, LLC, the statutory developers for the Authority (the "Developers"), are preparing to petition the Delaware County Board of Commissioners to approve the establishment of the Liberty Grand New Community Authority. Prior to its

submission of the Petition to the Board of Commissioners, the Developer is requesting proximate city approval from the City.

The subject property is approximately 288+/ acres, and shall be privately developed as one functionally interrelated community comprised of seven (7) different subareas (the "Subareas A - F"). *See* Exhibit A of the Petition for additional property detail. The initial development plan of the property includes the construction of approximately 489 single family homes, and various community facilities consisting of, but not limited to, a primary road, public utility improvements, artwork, signage, and lighting. Subareas A, B, C, D, E, and G of the property are zoned for residential purposes while Subarea F is zoned for park purposes. *See* Exhibit B of the Petition for additional zoning detail.

The Authority will finance community facilities by levying a community development charge on the homes within the property, which will be allocated and applied in accordance with the terms of the 'Declaration of Covenants and Restrictions for the Authority.' *See* Exhibit C of the Petition for additional charge detail. Additionally, the Developer(s) of the Authority conducted an extensive, multi-year, financial analysis of the private development, confirming both the need and pricing structure of the additional housing within the community. *See* Exhibit D of the Petition for additional economic analysis details.

On behalf of the Developers, we respectfully request that City Council consider the resolution of "no-objection" and authorize the execution of the proximate city approval page on behalf of the City of Delaware.

Please let us know if you have any questions or if you would like to discuss the Petition further.

Respectfully Submitted,
J. Caleb Bell, Esq.
Bricker & Eckler, LLP

BEFORE THE BOARD OF THE COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO

PETITION FOR THE ESTABLISHMENT OF THE LIBERTY GRAND NEW COMMUNITY AUTHORITY AS A NEW COMMUNITY AUTHORITY UNDER OHIO REVISED CODE CHAPTER 349

Submitted by:

Liberty Grand, LLC; and
M/I Homes of Central Ohio, LLC

As the Developers

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PETITION FOR ESTABLISHMENT OF
THE LIBERTY GRAND NEW COMMUNITY AUTHORITY
AS A NEW COMMUNITY AUTHORITY
UNDER OHIO REVISED CODE CHAPTER 349

Pursuant to Ohio Revised Code ("R.C.") Chapter 349 (the "Act"), M/I Homes of Central Ohio, LLC ("M/I") and Liberty Grand, LLC ("Liberty Grand," with M/I and Liberty Grand collectively referred to herein as the "Developer," as that term is defined in R.C. Section 349.01(E)) hereby submit this petition (the "Petition") to the Clerk of Board of County Commissioners of Delaware County, Ohio (the "County") as the "organizational board of commissioners" under R.C. Section 349.01(F), in order to initiate proceedings for the establishment of a new community authority (the "Authority") and for the new community district described in Section 3 below (the "District"). The following information is provided pursuant to R.C. Section 349.03:

Section 1. Name. The proposed Authority shall be named the Liberty Grand New Community Authority.

Section 2. Address. The Authority's address is c/o Schottenstein Real Estate Group, LLC, 2 Easton Oval, Suite 510, Columbus, Ohio 43219 until such time as the Board of Trustees of the Authority (the "Board") determines another location for the principal office of the Authority.

Section 3. Map and Description of Boundaries. See Exhibit A attached hereto and incorporated herein by this reference. The total acreage of the District is approximately 288 +/- acres, and is wholly contained within the boundaries of the County and Liberty Township (Delaware County), Ohio (the "Township"). The District is comprised of Subareas A through G and the Primary Road (defined below). As indicated on the attached map, all of the real property comprising the District is developable as one functionally interrelated community and is owned or controlled, through leases of at least seventy-five years' duration, options, or contracts to purchase, by the Developer.

Section 4. Zoning Regulations. The zoning regulations are attached hereto as Exhibit B attached hereto and incorporated herein by this reference. The POD 18(B) area described in Exhibit B contains the zoning regulations for all of Subareas A-G which, as noted in Section 3 above, is coextensive with the boundaries of the District.

Section 5. Development Plan.

(a) Private Development Plan. The current plans for the development of the proposed District, indicating the proposed "new community development program," as defined in the Act, are provided below and in certain Exhibits attached to this Petition. The Developer plans to construct or cause the construction of the following private development (collectively, the "Private Development") as depicted on Exhibit A.

Subarea A – consisting of approximately 120 single-family homes.

Subarea B – consisting of approximately 126 single-family homes.

Subarea C – consisting of approximately 39 single-family homes.

Subarea D – consisting of approximately 204 single-family homes.

Subarea E – Subarea E is not included in the Chargeable Property (as defined in Exhibit C) as of the date of this Petition.

Subarea F – Subarea F is not included in the Chargeable Property as of the date of this Petition.

Subarea G – Subarea G is not included in the Chargeable Property as of the date of this Petition.

(b) Projected Total Population and Employment. Once Subareas A through G are constructed, the Developer estimates that the total population of the District will be approximately 3,000 and there will be approximately 20 employees working within the District.

(c) Plan for Community Facilities, Land Acquisition and Land Development. In connection with the Private Development, Liberty Grand, on behalf of the Developer, plans to construct or cause the construction of various public infrastructure improvements and related improvements within the District, all of which are "Community facilities" as defined in R.C. Section 349.01(I), related to "land acquisition" as defined in R.C. Section 349.01(G), or "Land development" as defined in R.C. Section 349.01(H) (collectively, the "Community Facilities"). The Community Facilities shall include all real property, buildings, structures, or other facilities, including related fixtures, equipment, and furnishings, to be owned, operated, financed, constructed, or maintained under the Act. As provided in the Act, the Community Facilities consist generally of (i) any real property, buildings, structures, or other facilities, including related fixtures, equipment, and furnishings, to be owned, operated, financed, constructed, and maintained, including public, community, village, neighborhood, or town buildings, centers and plazas, auditoriums, recreation halls, educational facilities, recreational facilities, natural resource facilities, including parks and other open space land, lakes and streams, cultural facilities, entrance signage and features, community streets, pathway and bikeway systems, pedestrian underpasses and overpasses, lighting facilities, design amenities, or other community facilities, and buildings needed in connection with water supply or sewage disposal installations or steam, gas, or electric lines or installation; and (ii) any community facilities that are owned, operated, financed, constructed, or maintained for, relating to, or in furtherance of community activities, including, but not limited to, town buildings or other facilities, and off-street parking facilities.

Specifically, it is presently anticipated that the Community Facilities will include, but not be limited to, the following:

(i) Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing signage (including traffic

signage and informational/promotional signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto.

(ii) The "Primary Road" consisting of public roadway system for circulation and connectivity purposes which will connect the Private Development to Sawmill Parkway, Hyatts Road, and Steitz Road; as depicted on the Primary Road Map, such Primary Road to include Segments 1, 2 and 3. The Primary Road Map is incorporated herein to Exhibit A. As depicted on the Primary Roadway Map, Segment 1 is expected to include the construction of approximately 5800 linear foot boulevard roadway, roundabout(s), 20-foot lanes, a 12-foot median and an 80 foot public right of way (subject to modification). In addition, the construction of the Primary Road is expected to include, but not be limited to, curbs and gutters, sidewalks/multi-use paths, storm sewers, sanitary sewers, watermains and appurtenances, gas facilities, electric facilities, communication facilities, lighting, stormwater management facilities, landscaping, street trees, signage, artwork, sculptures and/or other streetscape improvements, and traffic signalization. The specifications, design and final configuration of the Primary Road are subject to change and modification in whole, or in part.

(iii) Signage, artwork, sculpture and other related items that enhance, complement and beautify the District and the Community Facilities located in the public right-of-way or within public easements.

(iv) Construction, reconstruction, extension, opening, improving, widening, grading, draining or curbing of walking and/or multipurpose paths that connect the District to any public-school facility, including improvements to the District and any public-school property.

(v) Construction, reconstruction or installation of public utility improvements (including any underground municipally owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto.

(vi) Construction, reconstruction or installation of gas, electric and communication service facilities (including any underground lines or other facilities), and all appurtenances thereto.

(vii) Construction, reconstruction and installation of stormwater and flood remediation projects and facilities, including such projects and facilities on private property when determined to be necessary for public health, safety and welfare.

(viii) Continued and ongoing maintenance, paving, repaving, striping, grading and related work on roads, highways, streets, water and sewer lines constructed as part of the Community Facilities.

(ix) Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, scenic fencing, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including, but not limited

to streetscape improvements in conjunction with and along the roadway improvements described above.

(x) Parks and gathering spaces including, but not limited to, sidewalks and multipurpose paths.

(xi) Acquisition of real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing Community Facilities or (b) in aid of industry, commerce, distribution or research.

(xii)Any other community facilities, pursuant only to a written request by Liberty Grand, constructed or maintained by or on behalf of the Board that are determined by the Board to directly benefit the District.

(xiii)Various related hard and soft costs.

(d) Method of Financing. The financing for the Community Facilities constructed by Liberty Grand will be provided, in part, by the receipt of a "community development charge" as defined in Section 349.01(L) of the Act and levied by the Board pursuant to Section 349.06(Q) of the Act. Liberty Grand will advance funding for construction of the Community Facilities, to be reimbursed by this community development charge, through one or more financing methods to be determined by Liberty Grand at is sole and absolute discretion, including, but not limited to, (i) bonds issued by the Delaware County Finance Authority (the "DCFA") and/or by another Ohio port authority or other Ohio issuer (collectively, the "Bonds"); (ii) reimbursement agreements between Liberty Grand, its affiliates, successors and/or assigns and the Authority or other governmental entities; (iii) conventional bank financing; and/or (iv) Liberty Grand equity. Upon establishment of the Authority and the Board, the Board will pass a resolution committing the Authority to reimburse Liberty Grand for the projected costs of constructing the Community Facilities. Upon completion of construction of the Community Facilities, Liberty Grand will certify the costs of constructing those facilities to the Authority, which costs shall then be eligible for reimbursement from revenue produced by the community facilities charge, all as further described herein.

(i) The Charge. The community facilities charge (the "Charge") shall initially be equal to three-and-one half (3.5) mills multiplied by the assessed value of each chargeable parcel in the District, which shall initially include Subareas A through D. With regard to Subareas A through D, and as described further in the Declaration, the Charge shall not at any time exceed three-and-one half (3.5) mills. Under the Declaration, in the event that the assessed valuation is not available, the Authority may alternatively calculate the value of a chargeable parcel for purposes of calculating the Charge based on the purchase price. At the sole discretion and request of Liberty Grand, as further described in the Declaration, the Charge may also be levied on Subareas E, F and G in an amount between zero (0) mills and ten (10) mills multiplied by the assessed value of parcels in those Subareas. See the financial plan on Exhibit C attached hereto and incorporated herein by this reference.

(ii) Charge Covenant Filing. The Charge will be a lien against the property pursuant to the Declaration of Covenants and Restrictions for the Liberty Grand New Community

Authority (the "Declaration") to be filed with the Delaware County Recorder by the Developer or a successor entity to the Developer and by one or more owners of real property within the District, and the Charge will be submitted to the Delaware County Auditor to be placed on the tax list and duplicate as permitted under R.C. Section 349.07 or, at the option of the Authority, directly collected. The Authority will join the Declaration by means of resolution and will be bound by the restrictions and covenants contained within the Declaration.

(iii) The Reimbursement Obligation. Not later than 12 months after completion of any and all capital improvements constituting Community Facilities hereunder constructed by or on behalf of Liberty Grand, its affiliates, successors and/or assigns (the "Liberty Grand Community Facilities"), Liberty Grand shall certify to the Board the amount of the total costs incurred by Liberty Grand in connection with such Liberty Grand Community Facilities (collectively, "Liberty Grand's Community Facilities Costs") that Liberty Grand shall be reimbursed for from Charge revenues or that shall be made available to pay costs of debt issued to reimburse Liberty Grand for such purpose. The certification shall be substantially in the form attached hereto as Exhibit F, or such other form as determined by Liberty Grand and reasonably acceptable to the Authority. Upon receipt of a completed certification, the Board shall reimburse Liberty Grand from Charge revenues, as further described in the Declaration. This obligation to reimburse Liberty Grand for Liberty Grand's Community Facilities Costs shall be an Obligation of the Authority, as defined in the Declaration and as authorized in Section 349.06(I) of the Act (the "Reimbursement Obligation").

Liberty Grand's Community Facilities Costs will include, but will not be limited to, the items of "costs of permanent improvements" contained in Revised Code Section 133.15, including, but not limited to, financing costs (e.g., principal and all types of interest). For purposes of this Petition, and as required by the Declaration and subject to any applicable limitations on the interest rate chargeable for public obligations, the interest rate to be charged by Liberty Grand and reimbursed as Liberty Grand's Community Facilities Costs shall be equal to the prime rate plus 625 basis points or as otherwise agreed upon by Liberty Grand, the Developer, and the Board. If the prime rate is no longer published or available, as determined by the Developer and Liberty Grand, then upon such occurrence the interest rate shall be based upon a successor or alternative index agreed upon by the Developer and Liberty Grand. Interest on Liberty Grand's Community Facilities Costs will begin to accrue on the date that Liberty Grand certifies Liberty Grand's Community Facilities Costs to the Board, and shall be compounded monthly on the basis of a 360-day year consisting of twelve 30-day months based on the average interest rate for each month, which calculation shall be performed by Liberty Grand on behalf of the Board, subject to confirmation by the Board. Notwithstanding anything to the contrary in this Petition or in the Declaration, M/I will have no claim for reimbursement now or in the future of any costs from Charge revenues, and waives any and all claims now and in the future to reimbursement from Charge revenues.

(e) Provision of District Services. The Authority shall not have any maintenance responsibilities and shall not be responsible for any of the cost of maintenance activities for either the Community Facilities or any other facilities within the District. All maintenance activities

within the District shall be performed and paid for pursuant to either (a) the Master Declarations of Covenants, Easements, Restrictions, Conditions, Assessments and Easements Liens as recorded in Book 1705 pages 1381 through 1451 of the Delaware County Recorder, the "Master Declarations," as applicable under terms of the Master Declarations, as the Master Declarations may be amended from time to time, and/or (b) any other declarations, covenants or other agreements that may be applicable to subareas on an individual or collective basis.

Section 6. Board Members.

Pursuant to the provisions of Section 349.04 of the Act, the Board will consist of seven members. The County Commissioners will appoint three citizen members of the Board and one Board member as a representative of local government, and (ii) Liberty Grand, on behalf of the Developer, will appoint three members of the Board as representatives of the Developer. No later than ten (10) days after this petition is filed with the Organizational Board of Commissioners, Liberty Grand, on behalf of the Developer, shall provide the Organizational Board of Commissioners with a list of proposed appointees for the initial citizen member positions on the Board.

While any Bonds or other Liberty Grand-secured financing for Community Facilities are outstanding, including without limitation the Reimbursement Obligation, the County Commissioners, as the organizational board of commissioners under R.C. Section 349.01(F), will continue to appoint replacement citizen members of the Board and the representative of local government upon the expiration of that member's term or resignation by that member, and Liberty Grand, on behalf of the Developer, will continue to appoint replacement representatives of Liberty Grand to the Board upon the expiration of that member's term or resignation by that member. After the Bonds or other Liberty Grand-secured financing for Community Facilities are no longer outstanding, the procedure for selection of Board members shall be determined by the County pursuant to Section 349.04 of the Ohio Revised Code.

Section 7. Preliminary Economic Feasibility Analysis.

The preliminary economic feasibility analysis is provided below and in Exhibits C, D and E attached to this Petition. The preliminary economic feasibility analysis examines (a) development patterns and demand factors of the area including the District, (b) the location and size of the proposed District, (c) the present and future socio-economic conditions of the area including the District, (d) a description of the public services to be provided with respect to the area including the District, (e) a financial plan with respect to the area including the District, and (f) a description of the Developer's management capability.

(a) Development Patterns and Demand Factors of District. The current land use of the area within and without the District is vacant land and farm land. The proposed future land use of the District will be a multi-use development consisting of new residential facilities. Demographic and development information related to certain areas within and without the District are attached hereto as Exhibit D and incorporated herein by this reference.

(b) Location and Size of Proposed District. The District is located in the Township as more fully shown on Exhibit A. The size of the proposed District is approximately 288 +/- acres.

(c) Public Services. All law enforcement services within the District shall be provided by the County. All fire and emergency medical services shall be provided by the Township. Roadways and utilities will be provided by the applicable public or utility entities. All primary and secondary public education services shall be provided by the Olentangy Local School District and the Delaware Area Career Center.

(d) Preliminary Economic Feasibility Analysis. A preliminary economic feasibility analysis for development of the District, including the area development pattern and demand, and present and future socio-economic conditions of the area including the District is included in Exhibit D.

(e) Financial Plan. A preliminary financial plan for the development of the District is attached hereto as Exhibit C.

(f) Developer's Management Capacity. A description of the management capacity of the Developer is attached hereto as Exhibit E and incorporated herein by this reference.

Section 8. Environmental Laws. The Developer will comply with all applicable environmental laws and regulations.

Section 9. Provisions Regarding This Petition.

The Developer, Liberty Grand, and M/I each hereby acknowledges and agrees, and the undersigned do hereby consent, that at any time following the creation of the Authority, M/I may assign in full its rights and obligations hereunder and under R.C. Chapter 349 as a "developer," as such term is defined in R.C. Section 349.01(E), to Liberty Grand. The Board of County Commissioners, upon approving this Petition, agrees to such assignment. The Board of County Commissioners, upon approving this Petition and presentation of an instrument or agreement evidencing such assignment executed by M/I, as assignor, and Liberty Grand, as assignee, agrees to cause the execution of an instrument or agreement acknowledging such assignment and confirming its consent to such assignment. Further, the Developer, Liberty Grand, and M/I each hereby acknowledges and agrees, and the undersigned do hereby consent, that at any time following the creation of the Authority, Liberty Grand may assign in full its rights and obligations hereunder and under R.C. Chapter 349 as a "developer," as such term is defined in R.C. Section 349.01(E), to another entity owned or managed by Schottenstein Real Estate Group, LLC. The Board of County Commissioners, upon approving this Petition, agrees to such assignment. The Board of County Commissioners, upon approving this Petition and presentation of an instrument or agreement evidencing such assignment executed by Liberty Grand, as assignor, and another entity owned or managed by Schottenstein Real Estate Group, LLC, as assignee, agrees to cause the execution of an instrument or agreement acknowledging such assignment and confirming its consent to such assignment.

For the purposes of the establishment of the Authority, the City of Delaware and City of Columbus are each a "proximate city" as that term is defined in R.C. Section 349.01(M). The duly authorized signature of each such proximate city appears attached hereto.

The Developer hereby requests the Board of County Commissioners, as the organizational board of commissioners under R.C. Section 349.01(F), determine that this Petition complies as to

form and substance with the requirements of R.C. Section 349.03 and further requests that the members of the County Commissioners fix the time and place of a hearing on this Petition for the establishment of the Authority. Pursuant to R.C. Section 349.03(A), such hearing must be held not less than thirty (30) nor more than forty-five (45) days after the filing of this Petition with the Clerk of the County Commissioners.

[remainder of page intentionally left blank]

This Petition is filed with the Clerk of the Board of County Commissioners of Delaware County, Ohio on this ___ day of _____, 20__.

Respectfully submitted,

M/I HOMES OF CENTRAL OHIO, LLC

By:_____

Name:_____

Its:_____

LIBERTY GRAND, LLC

By:_____

Name:_____

Its:_____

PROXIMATE CITY APPROVAL

The City of Delaware, Ohio, by Ordinance No. _____, passed by City Council of the City of Delaware , Ohio on _____, 2020, has authorized _____, as the _____ for the City of Delaware, to sign this Petition on behalf of the City of Delaware, and the Petition is herewith signed, as evidence of that approval.

City of Delaware, Ohio

By:_____

PROXIMATE CITY APPROVAL

The City of Columbus, Ohio, by Ordinance No. _____, passed by City Council of the City of Columbus, Ohio on _____, 2020, has authorized _____, as the _____ for the City of Columbus, to sign this Petition on behalf of the City of Columbus, and the Petition is herewith signed, as evidence of that approval.

City of Columbus, Ohio

By:_____

EXHIBIT A

Map and Description of District Boundaries

The District is comprised of the property identified and described on the attached map.

HYATTS RD

SUBAREA A

SUBAREA G

PRIMARY ROAD

SUBAREA G COMMON AREA

SUBAREA B

STEITZ RD

SUBAREA E

SUBAREA C

PRIMARY ROAD

SUBAREA D

SAWMILL PARKWAY

SUBAREA F

HOME RD

PARCEL ID NUMBERS

Subareas A and B	PID 31921001036006
Subareas C, D and Adjacent Primary Road Right of Way	PID 31921001037002
Subareas E, G and Adjacent Primary Road Right of Way	PID 31921001011001
Subarea F	PID 31924001036003

SHEET	JOB NO.	SCALE	DATE
1/1	2019-0971	As Noted	JUNE 2020

EMH&T
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

LIBERTY TOWNSHIP, DELAWARE COUNTY, OHIO

LIBERTY GRAND COMMUNITIES

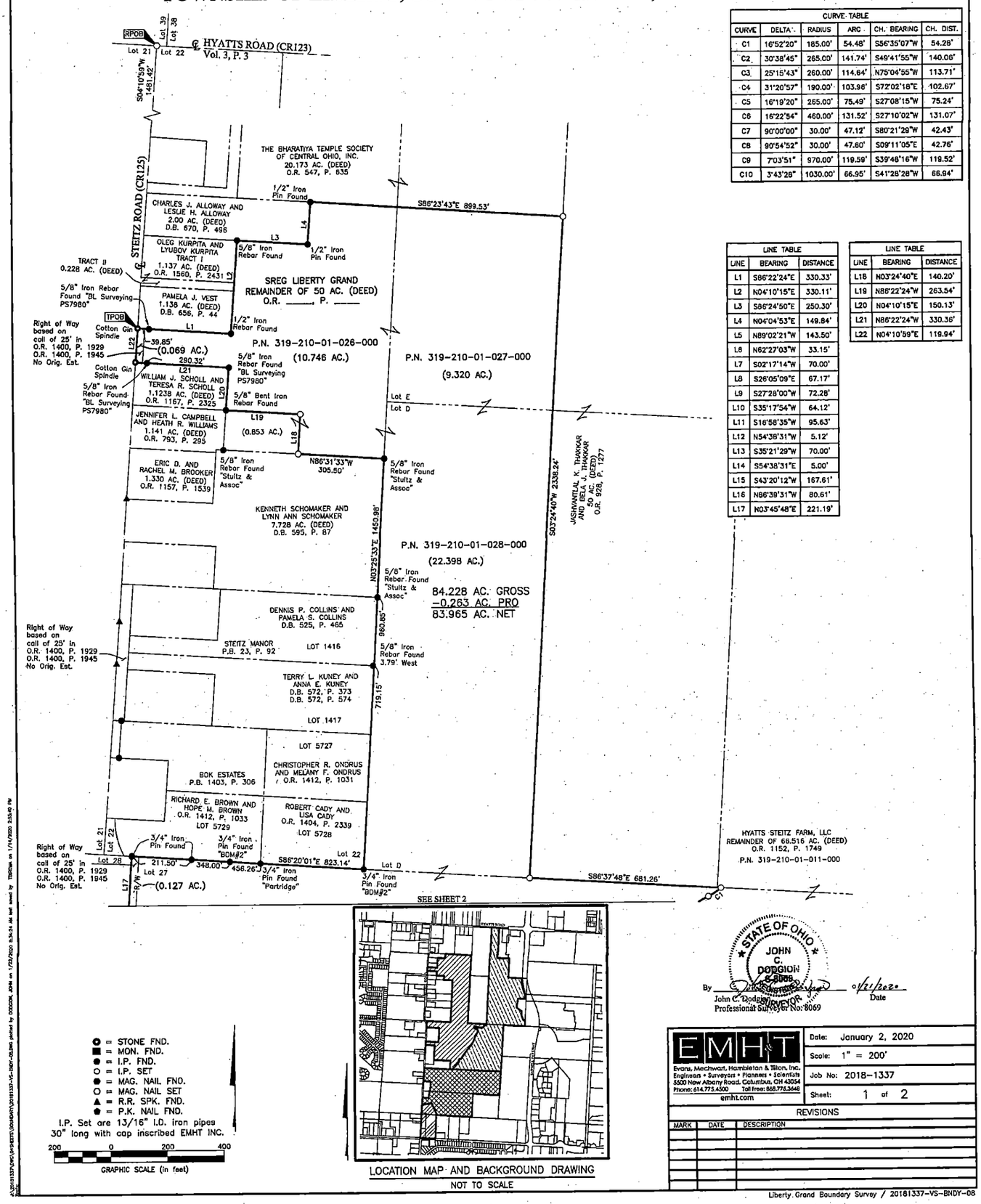
SCHOTTENSTEIN REAL ESTATE GROUP
Live Your Dream

REVISIONS		
MARK	DATE	DESCRIPTION

J:\20190971\Dwg\04Sheets\Exhibits\Phasing Exhibit\2020-06-11 NCA Exhibit.dwg, Last Saved By: bholland, 6/12/2020 12:06 PM Last Printed By: Holland, Brad, 6/12/2020 12:09 PM
9 Xrefs: 20190971-CS-REFR-N, 20190971-CS-REFR-E, 20190973-CS-REFR-SF-BLDG-N, 20190971-CS-REFR-GRAD-N, ACAD-2019-0605 - Hyatts Crossing - Base File, 20190971-CS-REFR-ROAD-N, 20190973-CS-REFR-MF-N, 20190973-CS-REFR-SF-N, 20190971-CS-REFR-N

SURVEY OF ACREAGE PARCEL

LOTS 22, 27, D AND E, QUARTER TOWNSHIP 2, TOWNSHIP 3, RANGE 19
UNITED STATES MILITARY DISTRICT
TOWNSHIP OF LIBERTY, COUNTY OF DELAWARE, STATE OF OHIO



CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CH. BEARING	CH. DIST.
C1	16°52'20"	185.00'	54.48'	S56°35'07"W	54.28'
C2	30°38'45"	265.00'	141.74'	S49°41'55"W	140.06'
C3	25°15'43"	260.00'	114.64'	N75°04'55"W	113.71'
C4	31°20'57"	190.00'	103.96'	S72°02'18"E	102.67'
C5	16°19'20"	265.00'	75.49'	S27°08'15"W	75.24'
C6	16°22'54"	460.00'	131.52'	S27°10'02"W	131.07'
C7	90°00'00"	30.00'	47.12'	S80°21'29"W	42.43'
C8	90°54'52"	30.00'	47.60'	S09°11'05"E	42.76'
C9	7°03'51"	970.00'	119.59'	S39°46'16"W	119.52'
C10	3°43'28"	1030.00'	66.95'	S41°28'28"W	66.94'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S86°22'24"E	330.33'
L2	N04°10'15"E	330.11'
L3	S86°24'50"E	250.30'
L4	N04°04'53"E	149.84'
L5	N89°02'21"W	143.50'
L6	N62°27'03"W	33.15'
L7	S02°17'14"W	70.00'
L8	S26°05'09"E	67.17'
L9	S27°28'00"W	72.28'
L10	S35°17'54"W	64.12'
L11	S16°58'35"W	95.63'
L12	N54°38'31"W	5.12'
L13	S35°21'29"W	70.00'
L14	S54°38'31"E	5.00'
L15	S43°20'12"W	167.61'
L16	N86°39'31"W	80.61'
L17	N03°45'48"E	221.19'

LINE TABLE		
LINE	BEARING	DISTANCE
L18	N03°24'40"E	140.20'
L19	N86°22'24"W	263.54'
L20	N04°10'15"E	150.13'
L21	N86°22'24"W	330.36'
L22	N04°10'59"E	119.94'

● = STONE FND.
■ = MON. FND.
● = I.P. FND.
○ = I.P. SET
● = MAG. NAIL FND.
○ = MAG. NAIL SET
▲ = R.R. SPK. FND.
⬟ = P.K. NAIL FND.
I.P. Set are 13/16" I.D. iron pipes 30" long with cap inscribed EMHT INC.

200 0 200 400
GRAPHIC SCALE (in feet)

LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

STATE OF OHIO
JOHN C. DODGION
8069
REGISTERED
SURVEYOR

By _____ 1/21/2020
John C. Dodgion
Professional Surveyor No. 8069
Date

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

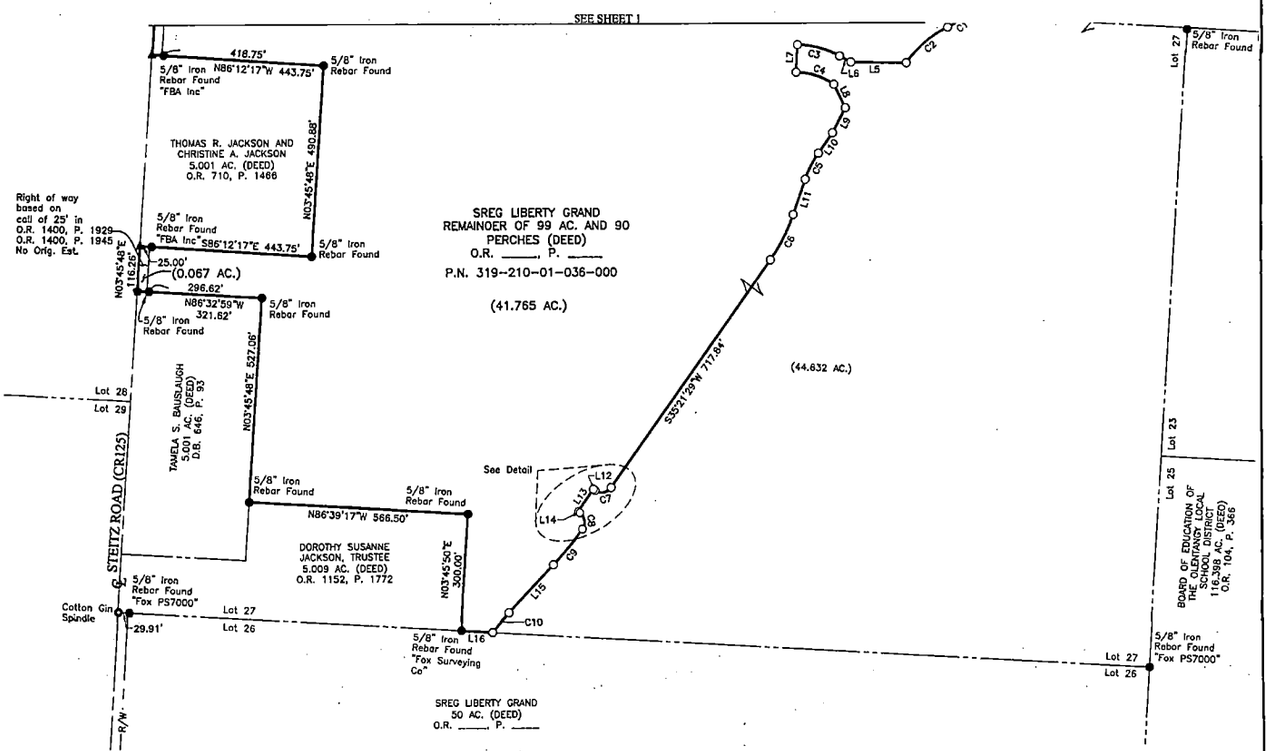
Date: January 2, 2020
Scale: 1" = 200'
Job No: 2018-1337
Sheet: 1 of 2

REVISIONS		
MARK	DATE	DESCRIPTION

Liberty Grand Boundary Survey / 20181337-VS-BNDY-08

SURVEY OF ACREAGE PARCEL

LOTS 22, 27, D AND E, QUARTER TOWNSHIP 2, TOWNSHIP 3, RANGE 19
UNITED STATES MILITARY DISTRICT
TOWNSHIP OF LIBERTY, COUNTY OF DELAWARE, STATE OF OHIO



CURVE TABLE					
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C7	90°00'00"	30.00'	47.12'	S80°21'29"W	42.43'
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L22	N04°10'59"E	119.94'

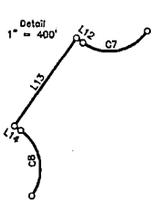
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○ = I.P. SET
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⬟ = P.K. NAIL FND.

I.P. Set are 13/16" I.D. iron pipes 30" long with cap inscribed EMHT INC.

200 0 200 400
GRAPHIC SCALE (in feet)

BASIS OF BEARING:
The bearings shown hereon are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System.

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



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: January 2, 2020
Scale: 1" = 200'
Job No: 2018-1337
Sheet: 2 of 2

REVISIONS

MARK	DATE	DESCRIPTION

Liberty Grand Boundary Survey / 20181337-VS-BNDY-08

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DESCRIPTION OF A 84.228 ACRE TRACT
As shown on the plat recorded in Volume 15, Page 99
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 Liberty, located in Lots 22, 26, 27, D and E, Quarter Township 2, Township 3, Range 19, United States Military District, being out of the remainder of that 50 acre tract and part of the remainder of that 99 acre and 90 perches tract as conveyed to SREG Liberty Grand by deed of record in Official Record ____, Page ____ and all of that 50 acre tract as conveyed to SREG Liberty Grand by deed of record in Official Record ____, Page ____ and out of that 30.924 acre tract conveyed as Tract No. 1 to SREG Liberty Grand by deed of record in Official Record ____, Page ___ (all references refer to the records of the Recorder's Office, Delaware County, Ohio) and being described as follows:

Beginning, for reference, at a magnail set at the centerline intersection of Steitz Road (County Road 125) and Hyatts Road (County Road 125), at the northwesterly corner of Lot 22, and the northeasterly corner of Lot 21, in the southerly line of Lot 39;

DESCRIPTION FOR CLOSING ONLY
☐ RPC Approval Required
☐ Municipal Approval Required
Delaware County Engineer
2.3.2020

Thence South 04° 10' 59" East, with the centerline of said Steitz Road, with the westerly line of said Lot 22, a distance of 1481.42 feet to a cotton gin spindle found at a northwesterly corner of said 50 acre tract and at the southwesterly corner of that 1.138 acre tract as conveyed to Panela J. Vest by deed of record in Deed Book 656, Page 44, being the TRUE POINT OF BEGINNING;

Thence South 86° 22' 24" East, with the northerly line of the remainder of said 50 acre tract and with the southerly line of said 1.138 acre tract, (passing a 5/8" iron rebar found capped "BL Surveying PS7980"), for a distance of 330.33 feet to a 1/2" iron rebar found at the southeasterly corner of said 1.138 acre tract;

Thence North 04° 10' 15" East, with a westerly line of the remainder of said 50 acre tract, with the easterly line of said 1.138 acre tract, with the easterly line of that 1.137 acre tract conveyed as tract I and that 0.228 acre tract conveyed as Tract II to Oleg Kurpita and Lyubov Kurpita by deed of record in Official Record 1560, Page 2431, a distance of 330.11 feet to a 5/8" iron rebar found at a northwesterly corner of the remainder of said 50 acre tract, at the northeasterly corner of said 1.137 acre tract and in the southerly line of that 2.00 acre tract as conveyed to Charles J. Alloway and Leslie H. Alloway by deed of record in Deed Book 670, Page 496;

DESCRIPTION APPROVED
FOR TRANSFER
Chris Bauserman
Delaware County Engineer
2/3/20

Thence South 86° 24' 50" East, with a northerly line of said 50 acre tract and with the southerly line of said 2.00 acre tract, a distance of 250.30 feet to a 1/2" iron pin found at the southeasterly corner of said 2.00 acre tract;

Thence North 04° 04' 53" East, with a westerly line of said 50 acre tract and with the easterly line of said 2.00 acre tract, a distance of 149.84 feet to a 1/2" iron pin found at a northwesterly corner of said 50 acre tract, and the northeasterly corner of said 2.00 acre tract and in the southerly line of that 20.173 acre tract as conveyed to The Bharatiya Temple Society of Central Ohio, Inc. by deed of record in Official Record 547, Page 635;

Thence South 86° 23' 43" East, with a northerly line of said 50 acre tract and with the southerly line of said 20.173 acre tract, a distance of 899.53 feet to an iron pin set at a northeasterly corner of said 50 acre tract, at a southeasterly corner of said 20.173 acre tract and in the westerly line of that 50 acre tract as conveyed to Jasvantlal K. Thakkar and Bela J. Thakkar by deed of record in Official Record 928, Page 1277;

Thence South 03° 24' 40" West, with the easterly line of the remainder of said 50 acre tract and with the westerly line of said 50 acre tract, a distance of 2338.24 feet to an iron pin set in a northerly line of said 99 acre and 90 perch tract and at the southwesterly corner of said 50 acre tract;

Thence South 86° 37' 48" East, with the northerly line of said 99 acre and 90 perch tract and the southerly line of said Lot D and in the northerly line of said Lot 27 and in a southerly line of said 50 acre tract, a distance of 681.26 feet to a an iron pin set in the southerly line of the remainder of that 66.516 acre tract as conveyed to Hyatts Steitz Farm, LLC, by deed of record in Official Record 1152, Page 1749;

Thence across said 99 acre and 90 perch tract, the following courses and distances:

With the arc of a curve to the right, having a central angle of 16° 52' 20", a radius of 185.00 feet, an arc length of 54.48 feet, a chord bearing of South 56° 35' 07" West and chord distance of 54.28 feet to an iron pin set;

84.228 ACRES
-2-

With the arc of a curve to the left, having a central angle of 30° 38' 45", a radius of 265.00 feet, an arc length of 141.74 feet, a chord bearing of South 49° 41' 55" West and chord distance of 140.06 feet to an iron pin set;

North 89° 02' 21" West, a distance of 143.50 feet to an iron pin set;

North 62° 27' 03" West, a distance of 33.15 feet to an iron pin set;

With the arc of a curve to the left, having a central angle of 25° 15' 43", a radius of 260.00 feet, an arc length of 114.64 feet, a chord bearing of North 75° 04' 55" West and chord distance of 113.71 feet to an iron pin set;

South 02° 17' 14" West, a distance of 70.00 feet to an iron pin set;

With the arc of a curve to the right, having a central angle of 31° 20' 57", a radius of 190.00 feet, an arc length of 103.96 feet, a chord bearing of South 72° 02' 18" East and chord distance of 102.67 feet to an iron pin set;

South 26° 05' 09" East, a distance of 67.17 feet to an iron pin set;

South 27° 28' 00" West, a distance of 72.28 feet to an iron pin set;

South 35° 17' 54" West, a distance of 64.12 feet to an iron pin set;

With the arc of a curve to the left, having a central angle of 16° 19' 20", a radius of 265.00 feet, an arc length of 75.49 feet, a chord bearing of South 27° 08' 15" West and chord distance of 75.24 feet to an iron pin set;

South 18° 58' 35" West, a distance of 95.63 feet to an iron pin set;

With the arc of a curve to the right, having a central angle of 16° 22' 54", a radius of 460.00 feet, an arc length of 131.52 feet, a chord bearing of South 27° 10' 02" West and chord distance of 131.07 feet to an iron pin set;

South 35° 21' 29" West, a distance of 717.84 feet to a an iron pin set;

With the arc of a curve to the right, having a central angle of 90° 00' 00", a radius of 30.00 feet, an arc length of 47.12 feet, a chord bearing of South 80° 21' 29" West and chord distance of 42.43 feet to an iron pin set;

North 54° 38' 31" West, a distance of 5.12 feet to an iron pin set;

South 35° 21' 29" West, a distance of 70.00 feet to an iron pin set;

South 54° 38' 31" East, a distance of 5.00 feet to an iron pin set;

With the arc of a curve to the right, having a central angle of 90° 54' 52", a radius of 30.00 feet, an arc length of 47.60 feet, a chord bearing of South 09° 11' 05" East and chord distance of 42.76 feet to an iron pin set;

With the arc of a curve to the right, having a central angle of 07° 03' 51", a radius of 970.00 feet, an arc length of 119.59 feet, a chord bearing of South 39° 48' 16" West and chord distance of 119.52 feet to an iron pin set;

South 43° 20' 12" West, a distance of 167.61 feet to an iron pin set; and

With the arc of a curve to the left, having a central angle of 03° 43' 28", a radius of 1030.00 feet, an arc length of 66.95 feet, a chord bearing of South 41° 28' 28" West and chord distance of 66.94 feet to an iron pin set in the southerly line of said 99 acre and 90 perch tract and in the northerly line of said 50 acre tract;

Thence North 86° 39' 31" West, with the southerly line of said 99 acre and 90 perch tract, with the northerly line of said 50 acre tract, in the southerly line of said Lot 27 and in the northerly line of said Lot 26, a distance of 80.61 feet to a 5/8" iron rebar found capped "Fox PS7000" at the northeasterly corner of said 50 acre tract, at the southeasterly corner of that 5.009 acre tract as conveyed to Dorothy Susanne Jackson, Trustee by deed of record in Official Record 1152, Page 1772;

84.228 ACRES
-3-

Thence North 03° 45' 50" East, with the easterly line of said 5.009 acre tract and with the westerly line of said 99 acre and 90 perch tract, a distance of 300.00 feet to a 5/8" iron rebar found at the northeasterly corner of said 5.009 acre tract;

Thence North 86° 39' 17" West, with the southerly line of said 99 acre and 90 perch tract and with the northerly line of said 5.009 acre tract, a distance of 566.50 feet to a 5/8" iron rebar found at a southwesterly corner of said 99 acre and 90 perch tract, at a northwesterly corner of said 5.009 acre tract and in the easterly line of that 5.001 acre tract as conveyed to Tamela S. Bauslaugh by deed of record in Deed Book 646, Page 93;

Thence North 03° 45' 48" East, with the westerly line of said 99 acre and 90 perch tract and with the easterly line of said 5.001 acre tract, a distance of 527.06 feet to a 5/8" iron rebar found at the northeasterly corner of said 5.001 acre tract;

Thence North 86° 32' 59" West, with the southerly line of said 99 acre and 90 perch tract and with the northerly line of said 5.001 acre tract, (passing a 5/8" iron rebar found at 296.62 feet), for a distance of 321.62 feet to a magnail found at the southwesterly corner of said 99 acre and 90 perch tract, at the northwesterly corner of said 5.001 acre tract and in the centerline of said Steitz Road;

Thence North 03° 45' 48" East, with the westerly line of said 99 acre and 90 perch tract and with the centerline of said Steitz Road, a distance of 116.26 feet to a railroad spike found at a northwesterly corner of said 99 acre and 90 perch tract at the southwesterly corner of that 5.001 acre tract as conveyed to Thomas R. Jackson and Christine A. Jackson by deed of record in Official Record 710, Page 1466;

Thence South 86° 12' 17" East, with the northerly line of said 99 acre and 90 perch tract and with the southerly line of said 5.001 acre tract, (passing a 5/8" iron rebar found capped "FBA Inc" at 25.00 feet), for a distance of 443.75 feet to a 5/8" iron rebar found at the southeasterly corner of said 5.001 acre tract;

Thence North 03° 45' 48" East, with the westerly line of said 99 acre and 90 perch tract and with the easterly line of said 5.001 acre tract, a distance of 490.88 feet to a 5/8" iron rebar found at the northeasterly corner of said 5.001 acre tract;

Thence North 86° 12' 17" West, with the southerly line of said 99 acre and 90 perch tract and with the northerly line of said 5.001 acre tract, (passing a 5/8" iron rebar found capped "FBA Inc." at 418.75 feet), for a distance of 443.75 feet to a railroad spike found in the centerline of said Steitz Road, at a southwesterly corner of said 99 acre and 90 perch and at the northwesterly corner of said 5.001 acre tract;

Thence North 03° 45' 48" East, with the westerly line of said 99 acre and 90 perch tract and with the centerline of said Steitz Road, a distance of 221.19 feet to a 3/4" iron pin found at a northwesterly corner of said 99 acre and 90 perch tract and in the southerly line of said Lot 5729 of that subdivision entitled "Bok Estates" of record in Plat Book 1403, Page 306 as conveyed to Richard E. Brown and Hope M. Brown by deed of record in Official Record 1412, Page 1033;

Thence South 86° 20' 01" East, with the northerly line of said 99 acre and 90 perch tract, with the southerly line of said Lot 5729, with the southerly line of Lot 5728 of said "Bok Estates" as conveyed to Robert Cady and Lisa Cady by deed of record in Official Record 1404, Page 2339, with the northerly line of said Lot 27 and with the southerly line of Lot 22, (passing a 3/4" iron pin found at 211.50 feet, a 3/4" iron pin found capped "BDM#2" at 248.00 feet and a 3/4" iron pin found capped "Partridge" at 456.26 feet), for a distance of 823.14 feet to a 3/4" iron pin found "BDM#2" at a southwesterly corner of the remainder of said 50 acre tract, at a southeasterly corner of said Lot 5728 and at the southwesterly corner of said Lot D;

Thence North 03° 25' 33" East, with the westerly line of said remainder of that 50 acre tract, with the easterly line of said Lot 5728, with the easterly line of Lot 5727 of said "Bok Estates" as conveyed to Christopher R. Ondrus and Melany F. Ondrus by deed of record in Official Record 1412, Page 1031, with the easterly line of Lot 1417 of that subdivision entitled "Steitz Manor" by deed of record in Plat Book 23, Page 92 as conveyed to Terry L. Kuney and Anna E. Kuney by deeds of record in Deed Book 572, Page 373 and Deed Book 572, Page 574, with the easterly line of Lot 1416 of said "Steitz Manor" as conveyed to Dennis P. Collins and Pamela S. Collins by deed of record in Deed Book 525, Page 465 and with the easterly line of that 7.728 acre tract as conveyed to Kenneth Schomaker and Lynn Ann Schomaker by deed of record in Deed Book 595, Page 87, (passing a 5/8" iron rebar found at 719.15 feet and 3.79' West, a 5/8" iron rebar capped "Stultz & Assoc" at 960.85 feet), for a distance of 1450.98 feet to a 5/8" iron rebar found capped "Shutlz & Assoc" at the northeasterly corner of said 7.728 acre tract;

Thence North 86° 31' 33" West, with the southerly line of said 50 acre tract and with the northerly line of said 7.728 acre tract, a distance of 305.50 feet to an iron pin set;

84.228 ACRES
-4-

Thence North 03° 24' 40" East, across said 50 acre tract, a distance of 140.20 feet to an iron pin set;

Thence North 86° 22' 24" West, continuing across said 50 acre tract, a distance of 263.54 feet to 5/8" bent iron rebar found in the westerly line of said 50 acre tract, at the northeasterly corner of that 1.141 acre tract as conveyed to Jennifer L. Campbell and Heath R. Williams by deed of record in Official Record 793, Page 295 and at the southeasterly corner of that 1.1238 acre tract as conveyed to William J. Scholl and Teresa R. Scholl by deed of record in Official Record 1167, Page 2325;

Thence North 04° 10' 15" East, with the westerly line of said 50 acre tract and with the easterly line of said 1.1238 acre tract, a distance of 150.13 feet to a 5/8" iron rebar found capped "BL Surveying PS7980" at the northeasterly corner of said 1.1238 acre tract;

Thence North 86° 22' 24" West, with the southerly line of said 50 acre tract and with the northerly line of said 1.1238 acre tract, (passing a 5/8" iron rebar found capped "BL Surveying PS7980" at 290.32 feet), for a distance of 330.36 feet to cotton gin spindle found at a southwesterly corner of said 50 acre tract, at the northwesterly corner of said 1.1238 acre tract and in the centerline of said Steitz Road;

Thence North 04° 10' 59" East, with the westerly line of said 50 acre tract and with the centerline of said Steitz Road, in the westerly line of Lot 22 and in the easterly line of Lot 21, a distance of 119.94 feet to the TRUE POINT OF BEGINNING, containing 84.228 acres, more or less, of which 0.263 acre is in the present right of way.

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.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, North zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System.

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EVANS, MECHWART, HAMBLETON & TILTON, INC.

STATE OF OHIO
JOHN C. DODGION
S-8069
REGISTERED SURVEYOR

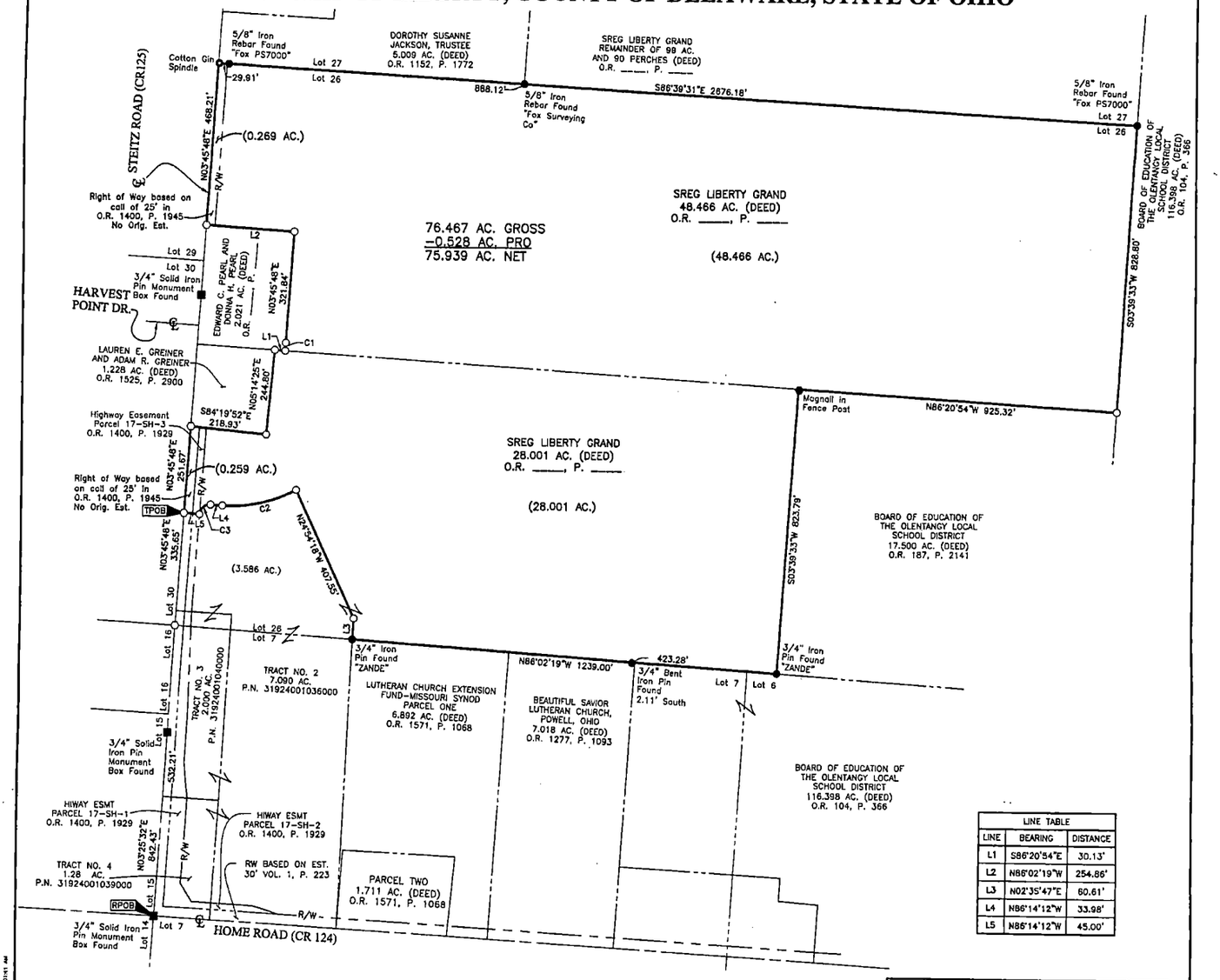
01/21/2020

John C. Dodgion
Professional Surveyor No. 8069

JCD:td
84_228 ac 20181337-VS-BNDY-08

SURVEY OF ACREAGE PARCEL

LOT 26, QUARTER TOWNSHIP 2, TOWNSHIP 3, RANGE 19
UNITED STATES MILITARY DISTRICT
TOWNSHIP OF LIBERTY, COUNTY OF DELAWARE, STATE OF OHIO



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S86°20'54"E	30.13'
L2	N86°02'19"W	254.86'
L3	N02°35'47"E	60.61'
L4	N86°14'12"W	33.98'
L5	N86°14'12"W	45.00'

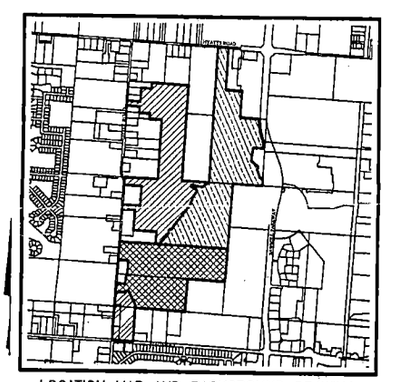
CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CH. BEARING	CH. DIST.
C1	4°41'06"	280.00'	22.89'	N02°46'54"E	22.89'
C2	32°24'53"	390.00'	220.64'	S77°33'22"W	217.71'
C3	90°00'00"	30.00'	47.12'	S48°45'48"W	42.43'

BASIS OF BEARING:
The bearings shown hereon are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System.

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

● = STONE FND.
■ = MON. FND.
● = I.P. FND.
○ = I.P. SET
● = MAG. NAIL FND.
○ = MAG. NAIL SET
▲ = R.R. SPK. FND.
◆ = P.K. NAIL FND.
I.P. Set are 13/16" I.D. iron pipes 30" long with cap inscribed EMHT INC.

200 0 200 400
GRAPHIC SCALE (in feet)



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

STATE OF OHIO
JOHN C. DODGION
S-8069
REGISTERED

By _____ 02/14/2020
John C. Dodgion
Professional Surveyor No. 8069
Date

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: January 2, 2020
Scale: 1" = 200'
Job No: 2018-1337
Sheet: 1 of 1

REVISIONS

MARK	DATE	DESCRIPTION

Liberty Grand Boundary Survey / 20181337-VS-BNDY-09

EXHIBIT A

DESCRIPTION OF A 76.467 ACRE TRACT
As shown on the plat recorded in Volume 15, Page 102
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 Liberty, located in Lot 26, Quarter Township 2, Township 3, Range 19, United States Military District, being all of the 28.001 acre tract and 48.466 acre tract conveyed to SREG Liberty Grand by deed of record in Official Record 1704, Page 2524 and 2532 (all references refer to the records of the Recorder's Office, Delaware County, Ohio) and described as follows:

Beginning, for reference, at a 3/4" solid iron pin found in a monument box at the centerline intersection of Steitz Road (County Road 125) and Home Road (County Road 124), in the westerly line of Lot 7 and at the southeasterly corner of Lot 15, the northeasterly corner of Lot 14;

Thence North 03° 25' 32" East, with the centerline of said Steitz Road, the westerly line of said Lot 7 and the easterly line of said Lot 15 and Lot 16, (passing a 3/4" solid iron pin found in a monument box at 532.21 feet) for a distance of 842.43 feet to a magnail set at the northwesterly corner of said Lot 7, the southwesterly corner of said Lot 26, the southeasterly corner of Lot 30 and the northeasterly corner of Lot 16;

DESCRIPTION FOR CLOSING ONLY
☐ RPC Approval Required
☐ Municipal Approval Required
Delaware County Engineer
2.27.2020

Thence North 03° 45' 48" East, with the centerline of said Steitz Road, the westerly line of said Lot 26 and the easterly line of said Lot 30, a distance of 335.65 feet to a magnetic nail set at a southwesterly corner of said 28.001 acre tract, being the TRUE POINT OF BEGINNING;

Thence North 03° 45' 48" East, with said centerline, the westerly line of said Lot 26 and the easterly line of said Lot 30, a distance of 251.67 feet to a magnail set at a northwesterly corner of said 28.001 acre tract, the southwesterly corner of that 1.228 acre tract conveyed to Lauren E. Greiner and Adam R. Greiner by deed of record in Official Record 1525, Page 2900;

Thence South 84° 19' 52" East, with a northerly line of said 28.001 acre tract, the southerly line of said 1.228 acre tract, a distance of 218.93 feet to an iron pin set at the southeasterly corner of said 1.228 acre tract;

DESCRIPTION APPROVED
FOR TRANSFER
Chris Bauserman
Delaware County Engineer
3/4/20

Thence North 05° 14' 25" East, with a westerly line of said 28.001 acre tract, the easterly line of said 1.228 acre tract, a distance of 244.80 feet to an iron pin set at the northeasterly corner of said 1.228 acre tract and in the southerly line of that 2.021 acre tract conveyed to Edward C. Pearl and Donna H. Pearl by deed of record in Official Record ____, Page ____;

Thence South 86° 20' 54" East, with the southerly line of said 2.021 acre tract and with the northerly line of said 28.001 acre tract, a distance of 30.13 feet to an iron pin set at the southeasterly corner of said 2.021 acre tract;

Thence with an easterly line of said 2.021 acre tract, with the arc of a curve to the right, having a central angle of 04° 41' 06", a radius of 280.00 feet, an arc length of 22.89 feet, a chord bearing of North 02° 46' 54" East and chord distance of 22.89 feet to an iron pin set;

Thence North 03° 45' 48" East, with an easterly line of said 2.021 acre tract, a distance of 321.84 feet to an iron pin set at the northeasterly corner thereof;

Thence North 86° 02' 19" West, with the northerly line of said 2.021 acre tract, a distance of 254.86 feet to a magnail set at the northwesterly corner thereof, in the centerline of said Steitz Road;

Thence North 03° 45' 48" East, with the centerline of said Steitz Road, the easterly line of Lot 29 and the westerly line of said Lot 26, a distance of 468.21 feet to cotton gin spindle found at the northwesterly corner of said 48.466 acre tract, the southwesterly corner of that 5.009 acre tract conveyed to Dorothy Susanne Jackson, Trustee by deed of record in Official Record 1152, Page 1772;

Thence South 86° 39' 31" East, with the southerly line of said 5.009 acre tract, the southerly line of that 99 acre and 90 perch tract conveyed to SREG Liberty Grand by deed of record in O.R. 1704, Pg. 2691, the northerly line of said 48.466 acre tract, the southerly line of said Lot 27 and the northerly line of said Lot 26, (passing a 5/8" iron rebar found capped "Fox PS7000" at 29.91 feet, a 5/8" iron rebar found capped "Fox Surveying Co." at 888.12 feet), for a distance of 2676.18 feet to a 5/8" iron rebar found capped "Fox PS7000" at the northeasterly corner of said 48.466 acre tract, the southeasterly corner of said 99 acre and 90 perch tract and in the westerly line of that 116.398 acre tract conveyed to Board of Education of The Olentangy Local School District by deed of record in Official Record 104, Page 366;

76.467 ACRES
-2-

Thence South 03° 39' 33" West, with the easterly line of said 48.466 acre tract, the westerly line of said 116.398 acre tract, the easterly line of said Lot 26 and the westerly line of Lot 25, a distance of 828.80 feet to an iron pin set at the southeasterly corner of said 48.466 acre tract, the northeasterly corner of that 17.500 acre tract conveyed to Board of Education of the Olentangy Local School District by deed of record in Official Record 187, Page 2141;

Thence North 86° 20' 54" West, with the southerly line of said 48.466 acre tract, the northerly line of said 17.500 acre tract, a distance of 925.32 feet to a magnail found in fence post at the northeasterly corner of said 28.001 acre tract, the northwesterly corner of said 17.500 acre tract;

Thence South 03° 39' 33" West, with the easterly line of said 28.001 acre tract, the westerly line of said 17.500 acre tract, a distance of 823.79 feet to a 3/4" inch iron pin found capped "Zande" in the southerly line of said Lot 26, the northerly line of Lot 6 and at the southeasterly corner of said 28.001 acre tract, the southwesterly corner of said 17.500 acre tract;

Thence North 86° 02' 19" West, with the southerly line of said 28.001 acre tract, a northerly line of said 116.398 acre tract, the northerly line of that 7.018 acre tract conveyed to Beautiful Savior Lutheran Church, Powell, Ohio by deed of record in Official Record 1277, Page 1093, the northerly line of that 6.892 acre tract conveyed as Parcel One to Lutheran Church Extension Fund-Missouri Synod by deed of record in Official Record 1571, Page 1068, the southerly line of said Lot 26 and the northerly line of said Lot 6 and Lot 7, (passing a 3/4" bent iron pin found at 423.28 feet and 2.11 feet south), for a distance of 1239.00 feet to a 3/4" iron pin found capped "Zande" at the northwesterly corner of said 6.892 acre tract and the northeasterly corner of that 7.090 acre tract conveyed to SREG Liberty Grand by deed of record in O.R. 1704 Pg. 2532

Thence with the westerly perimeter of said 28.001 acre tract, the following courses and distances:

North 02° 35' 47" East, a distance of 60.61 feet to an iron pin set;

North 24° 54' 18" West, a distance of 407.55 feet to an iron pin set;

With the arc of a curve to the right, having a central angle of 32° 24' 53", a radius of 390.00 feet, an arc length of 220.64 feet, a chord bearing of South 77° 33' 22" West and chord distance of 217.71 feet to an iron pin set;

North 86° 14' 12" West, a distance of 33.98 feet to an iron pin set;

With the arc of a curve to the left, having a central angle of 90° 00' 00", a radius of 30.00 feet, an arc length of 47.12 feet, a chord bearing of South 48° 45' 48" West and chord distance of 42.43 feet to an iron pin set; and

North 86° 14' 12" West, a distance of 45.00 feet to the TRUE POINT OF BEGINNING, and containing 76.467 acres, more or less, of which 0.528 acre is located in the present right of way.

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

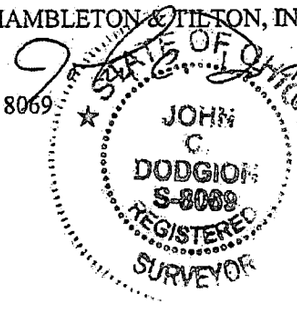
Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, North zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System.

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

EVANS, MECHWART, HAMBLETON & TILTON, INC.

John C. Dodgion
Professional Surveyor No. 8069

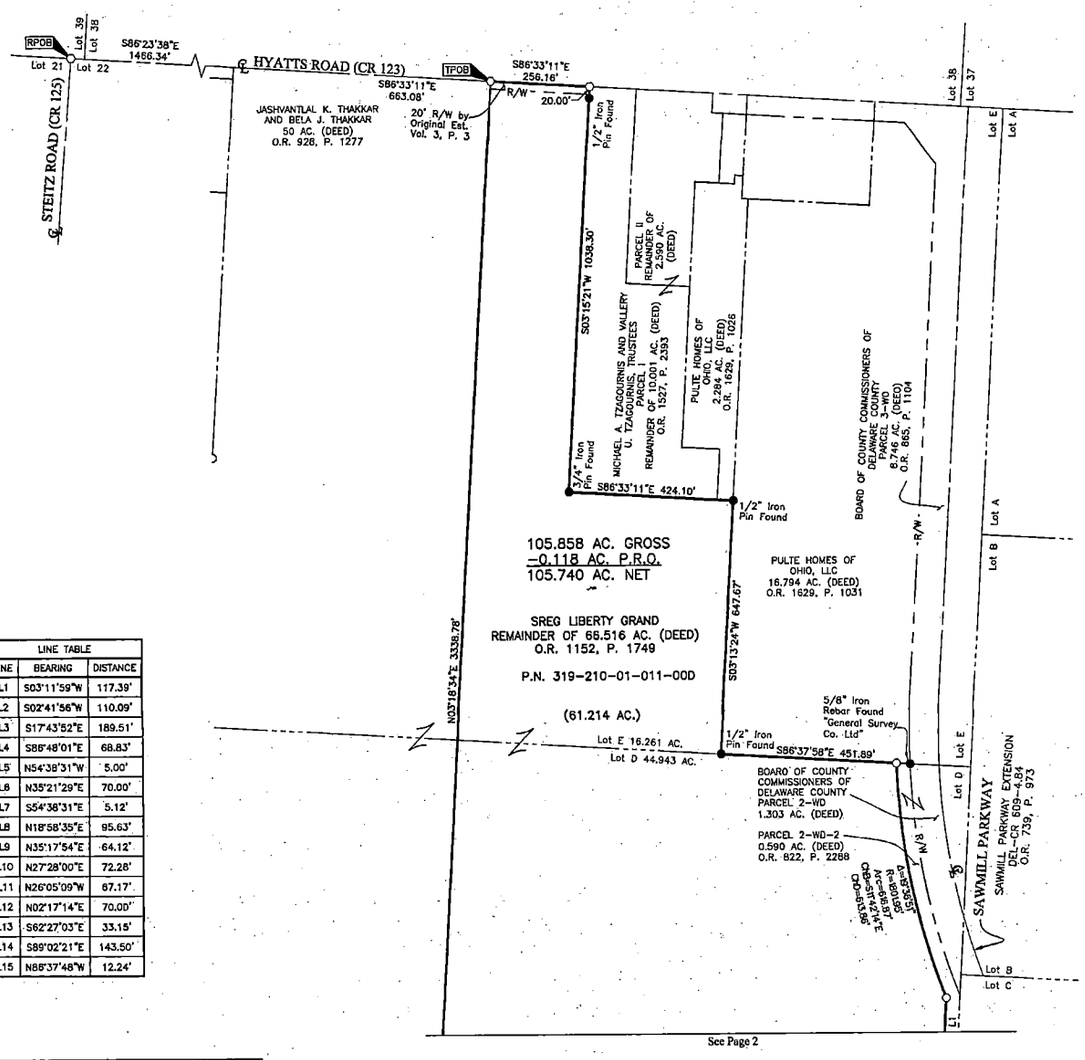


02/19/2020

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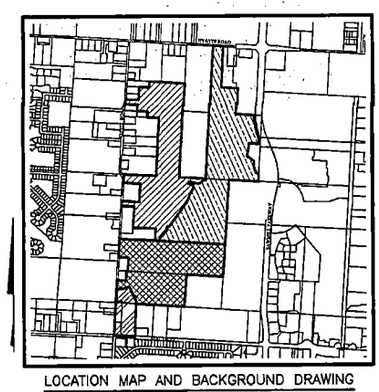
SURVEY OF ACREAGE PARCEL

LOTS 26, 27, D AND E, QUARTER TOWNSHIP 2, TOWNSHIP 3, RANGE 19
UNITED STATES MILITARY DISTRICT
TOWNSHIP OF LIBERTY, COUNTY OF DELAWARE, STATE OF OHIO



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S03°11'59"W	117.39'
L2	S02°41'56"W	110.09'
L3	S17°43'52"E	189.51'
L4	S86°48'01"E	68.83'
L5	N54°38'31"W	5.00'
L6	N35°21'29"E	70.00'
L7	S54°38'31"E	5.12'
L8	N18°58'35"E	95.63'
L9	N35°17'54"E	64.12'
L10	N27°28'00"E	72.28'
L11	N26°05'09"W	67.17'
L12	N02°17'14"E	70.00'
L13	S62°27'03"E	33.15'
L14	S89°02'21"E	143.50'
L15	N88°37'48"W	12.24'

CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CH. BEARING	CH. DIST.
C1	3°43'28"	1030.00'	66.95'	N41°28'28"E	66.94'
C2	7°03'51"	970.00'	119.59'	N39°48'16"E	119.52'
C3	90°54'52"	30.00'	47.60'	N09°11'05"W	42.76'
C4	90°00'00"	30.00'	47.12'	N80°21'29"E	42.43'
C5	16°22'54"	460.00'	131.52'	N27°10'02"E	131.07'
C6	16°19'20"	265.00'	75.49'	N27°08'15"E	75.24'
C7	31°20'57"	190.00'	103.96'	N72°02'18"W	102.67'
C8	25°15'43"	260.00'	114.64'	S75°04'55"E	113.71'
C9	30°38'45"	265.00'	141.74'	N48°41'55"E	140.06'
C10	16°52'20"	185.00'	54.48'	N56°36'07"E	54.28'



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

○ = STONE FND.
■ = MON. FND.
● = I.P. FND.
○ = I.P. SET
⬟ = MAG. NAIL FND.
○ = MAG. NAIL SET
▲ = R.R. SPK. FND.
⬟ = P.K. NAIL FND.
I.P. Set are 13/16" I.D. iron pipes
30" long with cap inscribed EMHT INC.

200 0 200 400
GRAPHIC SCALE (in feet)

STATE OF OHIO
JOHN C. DODGION
S-8069
REGISTERED
SURVEYOR

By _____ 01/21/2020
John C. Dodgion Date
Professional Surveyor No. 8069

EMH&T
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: January 9, 2019
Scale: 1" = 200'
Job No: 2018-1337
Sheet: 1 of 2

REVISIONS

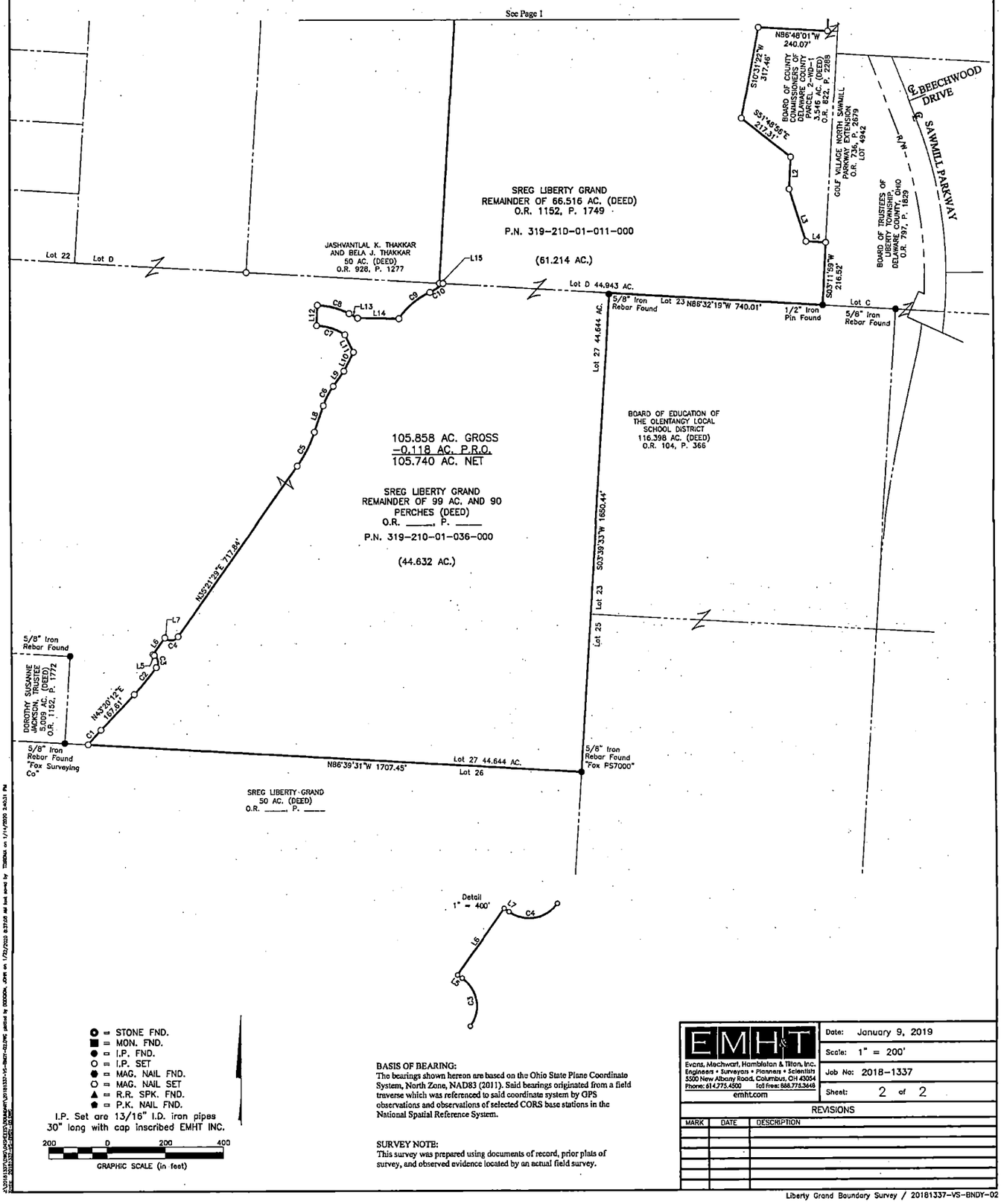
MARK	DATE	DESCRIPTION

Liberty Grand Boundary Survey / 20181337-VS-BNDY-02

A:\2018\1337\Dwg\Survey\20181337-VS-BNDY-02.DWG plotted by DODGION, JOHN on 1/22/2020 8:30:37 AM last saved by TSTROM on 1/14/2020 8:43:31 PM

SURVEY OF ACREAGE PARCEL

LOTS 26, 27, D AND E, QUARTER TOWNSHIP 2, TOWNSHIP 3, RANGE 19
UNITED STATES MILITARY DISTRICT
TOWNSHIP OF LIBERTY, COUNTY OF DELAWARE, STATE OF OHIO



DESCRIPTION OF A 105.858 ACRE TRACT
As shown on the plat recorded in Volume 15, Page 100
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 Liberty, located in Lots 26, 27, D and E, Quarter Township 2, Township 3, Range 19, United States Military District, being all of the remainder of that 66.516 acre tract as conveyed to Hyatts Steitz Farm, LLC by deed of record in Official Record 1152, Page 1749 and part of the remainder of that 99 acre tract as conveyed to Hyatts Steitz Farm, LLC by deed of record in Official Record 1152, Page 1749 (all references refer to the records of the Recorder's Office, Delaware County, Ohio) and being described as follows:

DESCRIPTION FOR CLOSING ONLY
RPC Approval Required
Municipal Approval Required
Delaware County Engineer
2-3-2020

Beginning, for reference, at a magnetic nail set in the centerline intersection of Steitz Road (County Road 125) and Hyatts Road (County Road 123), at the northwesterly corner of Lot 22, with the northeasterly corner of Lot 21 and in the southerly line of Lot 39;

Thence South 86° 23' 38" East, with the centerline of said Hyatts Road, with the northerly line of said Lot 22, Lot 39 and with the southerly line of Lot 38, a distance of 1466.34 feet to a point;

Thence South 86° 33' 11" East, continuing with the centerline of said Hyatts Road, a distance of 663.08 feet to a magnail set at a northwesterly corner of said 66.516 acre tract and at the northeasterly corner of that 50 acre tract as conveyed to Jashvantlal K. Thakkar and Bela J. Thakkar by deed of record in Official Record 928, Page 1277 the TRUE POINT OF BEGINNING;

Thence South 86° 33' 11" East, with the northerly line of said 66.516 acre tract and continuing with the centerline of said Hyatts Road, a distance of 256.16 feet to a magnail set at a northeasterly corner of said 66.516 acre tract and at the northwesterly corner of the remainder of that 10.001 acre tract conveyed as Parcel 1 to Michael A. Tzagournis and Vallery U. Tzagournis by deed of record in Official Record 1527, Page 2393;

DESCRIPTION APPROVED FOR TRANSFER
Chris Bauserman 3/3/20
Delaware County Engineer

Thence South 03° 15' 21" West, with the easterly line of said 66.516 acre tract and with the westerly line of said 10.001 acre tract, (passing a 1/2" iron pin found at 20.00 feet), for a distance of 1038.30 feet to a 3/4" iron pin found at a southwesterly corner of said 10.001 acre tract;

Thence South 86° 33' 11" East, with a northerly line of said 66.516 acre tract and with the southerly line of said 10.001 acre tract, a distance of 424.10 feet to a 1/2" iron pin found at a northeasterly corner of said 66.516 acre tract, at the southeasterly corner of said 10.001 acre tract and in the westerly line of that 16.794 acre tract as conveyed to Columbus & Southern Electric Company by deed of record in Deed Book 375, Page 211;

Thence South 03° 13' 24" West, with the easterly line of said 66.516 acre tract and the westerly line of said 16.794 acre tract, a distance of 647.67 feet to a 1/2" iron pin found at the southwesterly corner of said 16.794 acre tract;

Thence South 86° 37' 58" East, with the southerly line of said 16.794 acre tract and with the northerly line of said 66.516 acre tract, a distance of 451.89 feet to an iron pin set at the northwesterly corner of that 0.590 acre tract as conveyed as Parcel 2-WD-2 by deed of record in Official Record 822, Page 2288;

Thence with the easterly line of said 66.516 acre tract and with the westerly line of said 0.590 acre tract, with the arc of a curve to the left, having a central angle of 19° 36' 51", a radius of 1801.95 feet, an arc length of 616.87 feet, a chord bearing of South 11° 42' 14" East and chord distance of 613.86 feet to an iron pin set;

Thence South 03° 11' 59" West, continuing with the easterly line of said 66.516 acre tract and with the westerly line of said 0.590 acre tract, a distance of 117.39 feet to an iron pin set at the southeasterly corner of said 66.516 acre tract and in the northerly line of that 3.546 acre tract conveyed as Parcel 2-WD-1 to Board of County Commissioners of Delaware County by deed of record in Official Record 822, Page 2288;

105.858 ACRES
-2-

Thence North 86° 48' 01" West, with the southerly line of said 66.516 acre tract and with the northerly line of said 3.546 acre tract, a distance of 240.07 feet to an iron pin set;

Thence South 10° 31' 22" West, with the easterly line of said 66.516 acre tract, and with the westerly line of said 3.546 acre tract, a distance of 317.46 feet to an iron pin set;

Thence South 51° 48' 56" East, with the northeasterly line of said 66.516 acre tract and with the southwesterly line of said 3.546 acre tract, a distance of 217.31 feet to an iron pin set;

Thence South 02° 41' 56" West, with the easterly line of said 66.516 acre tract and with the westerly line of said 3.546 acre tract, a distance of 110.09 feet to an iron pin set;

Thence South 17° 43' 52" East, continuing with the westerly line of said 66.516 acre tract and with the westerly line of said 3.546 acre tract, a distance of 189.51 feet to an iron pin set at the southwesterly corner of said 3.546 acre tract;

Thence South 86° 48' 01" East, with the northerly line of said 66.516 acre tract and with the southerly line of said 3.546 acre tract, a distance of 68.83 feet to an iron pin set at the northeasterly corner of said 66.516 acre tract, at the southeasterly corner of said 3.546 acre tract and in the westerly line of said Lot 4942 of that subdivision entitled "Golf Village North Sawmill Parkway Extension by deed of record in Official Record 736, Page 2679;

Thence South 03° 11' 59" West, with the easterly line of said 66.516 acre tract and with the westerly line of said Lot 4942, a distance of 216.52 feet to a 1/2" iron pin found at the southeasterly corner of said 66.516 acre tract, at the southwesterly corner of said Lot 4942, at the southeasterly corner of Lot D and with the southwesterly corner of Lot C, and in the northerly line of that 116.398 acre tract as conveyed to Board of Olentangy Local School District by deed of record in Official Record 104, Page 366;

Thence North 86° 32' 19" West, with the southerly line of said 66.516 acre tract and with the northerly line of said 116.398 acre tract, a distance of 740.01 feet to a 5/8" iron rebar found at a northwesterly corner of said 116.398 acre tract, at a northeasterly corner of said 99 acre tract, at an northeasterly corner of Lot 27 and the northwesterly corner of Lot 23;

Thence South 03° 39' 33" West, with the easterly line of said 99 acre tract and with the easterly line of said 116.398 acre tract, a distance of 1650.44 feet to a 5/8" iron rebar found capped "Fox PS7000" at a southeasterly corner of said 99 acre tract and at the northeasterly corner of that 50 acre tract as conveyed to Edward C. Pearl and Donna H. Pearl by deed of record in Official Record 232, Page 2284;

Thence North 86° 39' 31" West, with the southerly line of said 99 acre tract and with the northerly line of said 50 acre tract, a distance of 1707.46 feet to an iron pin set;

Thence across said 99 acre tract, the following courses and distances:

with the arc of a curve to the right, having a central angle of 03° 43' 28", a radius of 1030.00 feet, an arc length of 66.95 feet, a chord bearing of North 41° 28' 28" East and chord distance of 66.94 feet to an iron pin set;

North 43° 20' 12" East, a distance of 167.61 feet to an iron pin set;

with the arc of a curve to the left, having a central angle of 07° 03' 51", a radius of 970.00 feet, an arc length of 119.59 feet, a chord bearing of North 39° 48' 16" East and chord distance of 119.52 feet to an iron pin set;

with the arc of a curve to the left, having a central angle of 90° 54' 52", a radius of 30.00 feet, an arc length of 47.60 feet, a chord bearing of North 09° 11' 05" West and chord distance of 42.76 feet to an iron pin set;

North 54° 38' 31" West, a distance of 5.00 feet to an iron pin set;

North 35° 21' 29" East, a distance of 70.00 feet to an iron pin set;

South 54° 38' 31" East, a distance of 5.12 feet to an iron pin set;

with the arc of a curve to the left, having a central angle of 90° 00' 00", a radius of 30.00 feet, an arc length of 47.12 feet, a chord bearing of North 80° 21' 29" East and chord distance of 42.43 feet to an iron pin set;

North 35° 21' 29" East, a distance of 717.84 feet to an iron pin set;

with the arc of a curve to the left, having a central angle of 16° 22' 54", a radius of 460.00 feet, an arc length of 131.52 feet, a chord bearing of North 27° 10' 02" East and chord distance of 131.07 feet to an iron pin set;

North 18° 58' 35" East, a distance of 95.63 feet to an iron pin set;

with the arc of a curve to the right, having a central angle of 16° 19' 20", a radius of 265.00 feet, an arc length of 75.49 feet, a chord bearing of North 27° 08' 15" East and chord distance of 75.24 feet to an iron pin set;

North 35° 17' 54" East, a distance of 64.12 feet to an iron pin set;

North 27° 28' 00" East, a distance of 72.28 feet to an iron pin set;

North 26° 05' 09" West, a distance of 67.17 feet to an iron pin set;

with the arc of a curve to the left, having a central angle of 31° 20' 57", a radius of 190.00 feet, an arc length of 103.96 feet, a chord bearing of North 72° 02' 18" West and chord distance of 102.67 feet to an iron pin set;

North 02° 17' 14" East, a distance of 70.00 feet to an iron pin set;

with the arc of a curve to the right, having a central angle of 25° 15' 43", a radius of 260.00 feet, an arc length of 114.64 feet, a chord bearing of South 75° 04' 55" East and chord distance of 113.71 feet to an iron pin set;

South 62° 27' 03" East, a distance of 33.15 feet to an iron pin set;

South 89° 02' 21" East, a distance of 143.50 feet to an iron pin set;

with the arc of a curve to the right, having a central angle of 30° 38' 45", a radius of 265.00 feet, an arc length of 141.74 feet, a chord bearing of North 49° 41' 55" East and chord distance of 140.06 feet to an iron pin set; and

with the arc of a curve to the left, having a central angle of 16° 52' 20", a radius of 185.00 feet, an arc length of 54.48 feet, a chord bearing of North 56° 35' 07" East and chord distance of 54.28 feet to the southerly line of said 66.516 acre tract;

thence North 86° 37' 48" West, with the northerly line of said 99 acre tract and with the southerly line of said 66.516 acre tract, a distance of 12.24 feet to a southwesterly corner of said 66.516 acre tract, in the northerly line of said 99 acre tract and at a southeasterly corner of said 50 acre tract;

thence North 03° 18' 34" East, with the westerly line of said 66.516 acre tract and with the easterly line of said 50 acre tract, a distance of 3338.78 feet to the TRUE POINT OF BEGINNING, containing 105.846 acres, more or less, of which 0.118 acre is in the current right of way.

105.858 ACRES
-4-

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.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, North zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System.

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.

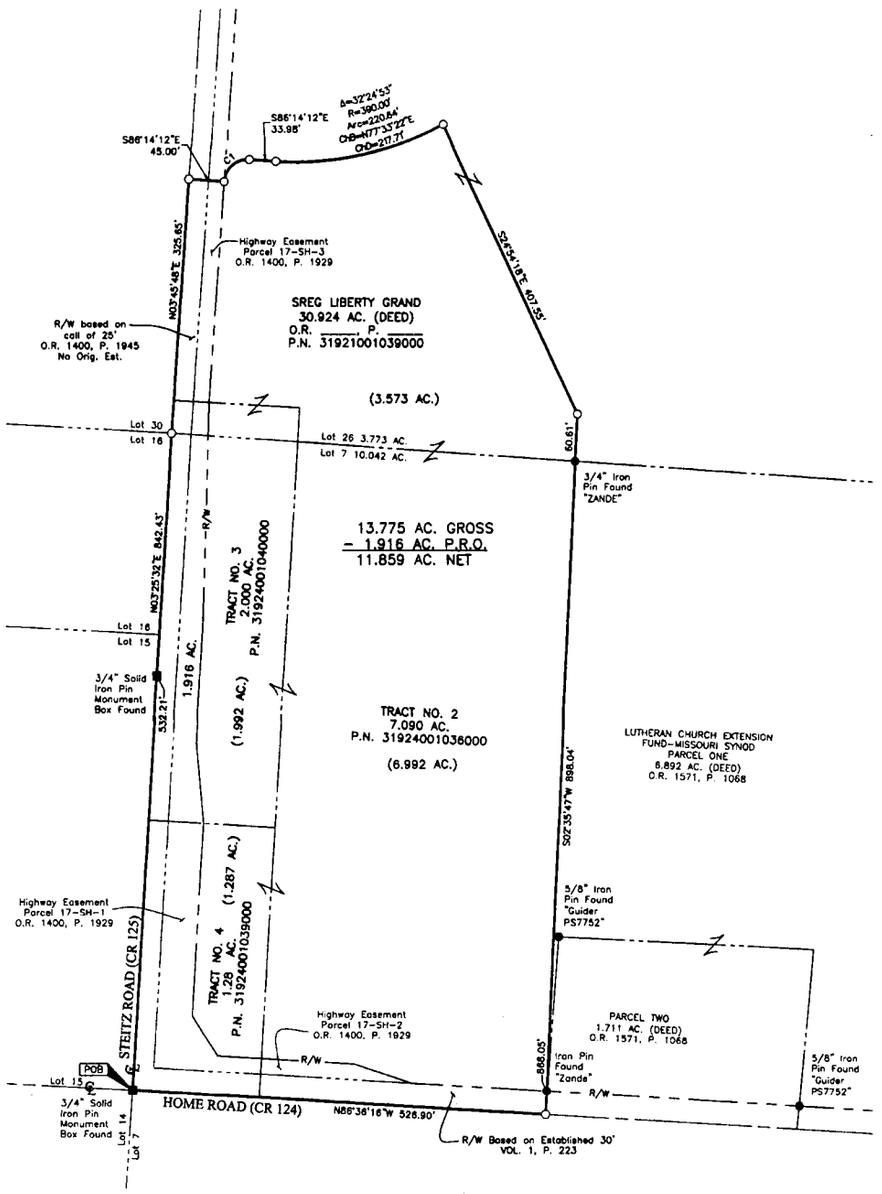
01/21/2020

John C. Dodgion
Professional Surveyor No. 8069

JCD:td
105_846 ac 20181337-VS-BNDY-02

SURVEY OF ACREAGE PARCEL

LOTS 7 AND 26, QUARTER TOWNSHIP 2, TOWNSHIP 3, RANGE 19
UNITED STATES MILITARY DISTRICT
TOWNSHIP OF LIBERTY, COUNTY OF DELAWARE, STATE OF OHIO



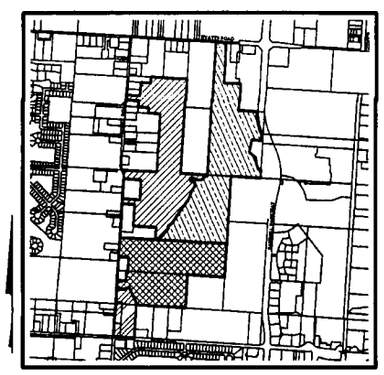
CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CH. BEARING	CH. DIST.
C1	90°00'00"	30.00'	47.12'	N48°45'48"E	42.43'

BASIS OF BEARING:
The bearings shown hereon are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System.

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

● = STONE FND.
■ = MON. FND.
● = I.P. FND.
○ = I.P. SET
● = MAG. NAIL FND.
○ = MAG. NAIL SET
▲ = R.R. SPK. FND.
⬟ = P.K. NAIL FND.
I.P. Set are 13/16" I.D. iron pipes 30" long with cap inscribed EMHT INC.

100 0 100 200
GRAPHIC SCALE (in feet)



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

STATE OF OHIO
JOHN C DODGION
8-8069
REGISTERED SURVEYOR

By _____ 11/11/2020
John C. Dodgion, Surveyor
Professional Surveyor No. 8069
Date

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: January 17, 2020
Scale: 1" = 100'
Job No: 2018-1337
Sheet: 1 of 1

REVISIONS		
MARK	DATE	DESCRIPTION

Liberty Grand Boundary Survey / 20181337-VS-BNDY-03

EXHIBIT A

DESCRIPTION OF A 13.775 ACRE TRACT
As shown on the plat recorded in Volume 15, Page 97
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 Liberty, located in Lots 7 and 26, Quarter Township 2, Township 3, Range 19, United States Military District, out of that 30.924 acre tract (Tract No. 1), all of that 7.090 acre tract (Tract No. 2), 2.000 acre tract (Tract No. 3) and that 1.28 acre tract (Tract No. 4) as conveyed to Edward C. Pearl, R. David Pearl and Annette P. Lockwood by deed of record in Official Record 1589, Page 542 (all references refer to the records of the Recorder's Office, Delaware County, Ohio) and being described as follows:

BEGINNING at a 3/4" solid iron pin monument box found at the centerline intersection of Steitz Road (County Road 125) and Home Road (County Road 124), at the southwesterly corner of said 1.28 acre tract, in the westerly line of said Lot 7, at a northeasterly corner of Lot 14 and at a southeasterly corner of Lot 15;

Thence North 03° 25' 32" East, with the westerly line of said 1.28 acre, and 2.000 acre tracts, with the westerly line of said Lot 7, with the easterly line of said Lot 15 and with the centerline of said Steitz Road, (passing a 3/4" solid iron pin monument box found at 532.21 feet), for a distance of 842.43 feet to a magnail set in the northwesterly corner of said Lot 7, in the southwesterly corner of said Lot 26, in the southeasterly corner of Lot 30 and in the northeasterly corner of Lot 16;

Thence North 03° 45' 48" East, with the westerly line of said 30.924 acre tract, with the westerly line of said Lot 7 and with the easterly line of said Lot 15 and continuing with the centerline of said Steitz Road, a distance of 335.65 feet to a magnetic nail set;

DESCRIPTION FOR CLOSING ONLY
RPC Approval Required
Municipal Approval Required
Delaware County Engineer
2-3-2020

Thence South 86° 14' 12" East, across said Steitz Road, a distance of 45.00 feet to an iron pin set;

Thence across said 30.924 acre tract, the following courses and distances:

with the arc of a curve to the right, having a central angle of 89° 59' 57", a radius of 20.00 feet, an arc length of 31.42 feet, a chord bearing of North 48° 45' 50" East and chord distance of 28.28 feet to an iron pin set;

Thence South 86° 14' 12" East, a distance of 43.98 feet to an iron pin set;

with the arc of a curve to the left, having a central angle of 32° 24' 53", a radius of 390.00 feet, an arc length of 220.64 feet, a chord bearing of North 77° 33' 22" East and chord distance of 217.71 feet to an iron pin set;

Thence South 24° 54' 18" East, a distance of 407.55 feet to an iron pin set;

DESCRIPTION APPROVED
FOR TRANSFER
Chris Bauserman
Delaware County Engineer
3/3/20

Thence South 02° 35' 47" West, partly across said 30.924 acre tract, and partly with the easterly line of said 7.090 acre tract and with the westerly line of that 6.892 acre tract conveyed as Parcel One to Lutheran Church Extension Fund-Missouri Synod by deed of record in Official Record 1571, Page 1068, (passing a 3/4" iron pin found capped "Zande" at 60.60 feet, and an iron pin found capped "Zande" at 868.05 feet) for a distance of 898.04 feet to a magnetic nail set at a southeasterly corner of said 7.090 acre tract and the southwesterly corner of said 6.892 acre tract and in the centerline of Home Road;

Thence North 86° 36' 16" West, with the southerly line of said 7.090 acre and 1.28 acre tracts and with the centerline of said Home Road, a distance of 526.90 feet to the POINT OF BEGINNING, containing 13.788 acres, more or less of which 1.916 acre is located within the current rights of way.

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.

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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.

01/21/2020

John C. Dodgion
Professional Surveyor No. 8069

JOHN C DODGION S-8069 REGISTERED SURVEYOR

JCD:td
13.775 ac 20181337-VS-BNDY-03

EXHIBIT B

Zoning Regulations

(attached hereto)

ARTICLE 18B – PLANNED OVERLAY DISTRICT

Section 18B.01- NATURE OF THE DISTRICT

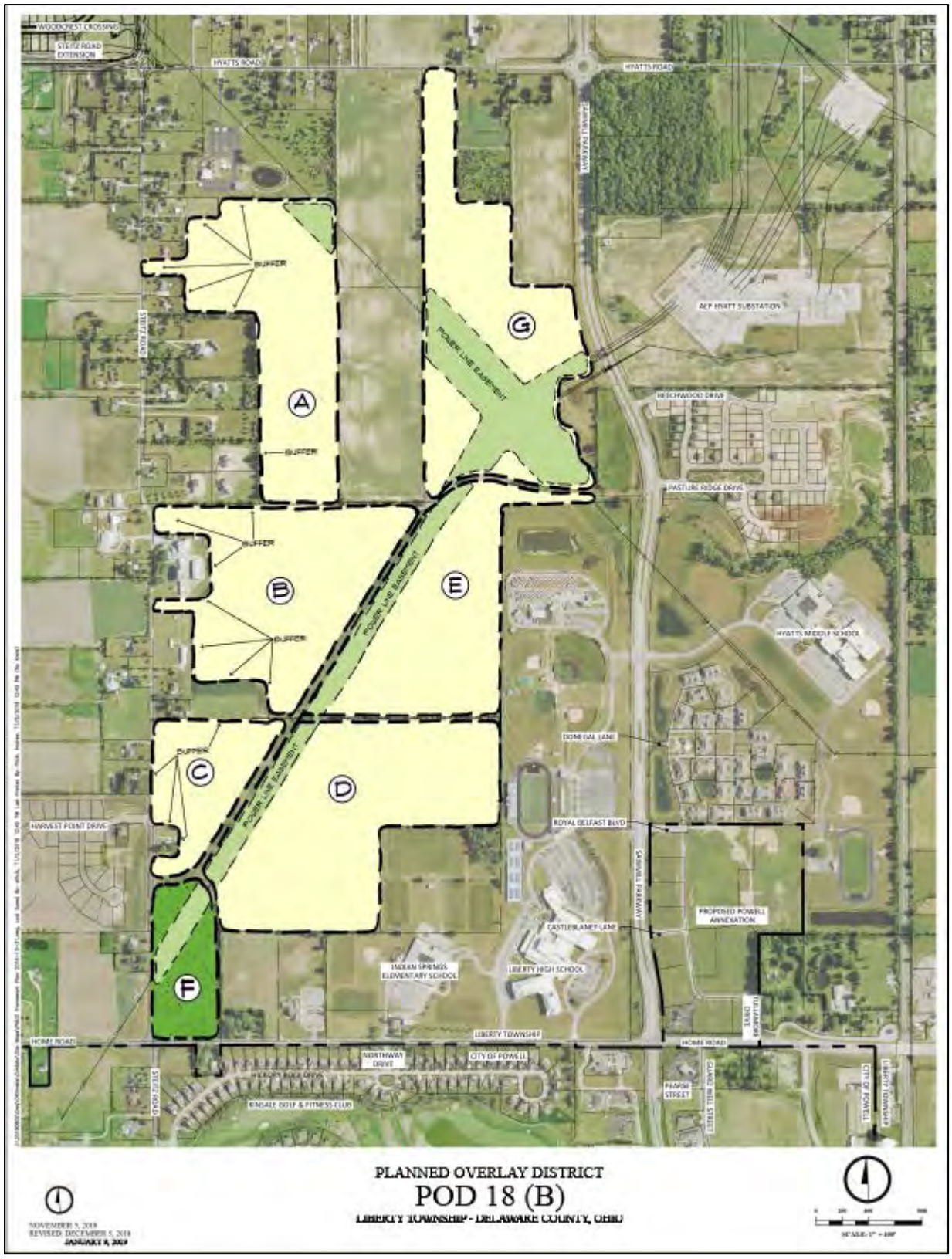
This Planned Overlay District (POD) is created pursuant to Section 519.021(C) of the Ohio Revised Code to further the purpose of promoting the general public welfare, encouraging the efficient use of land and resources, promoting public and utility services, and encouraging innovation in the planning and building of appropriate types of retail, office and residential development. The POD achieves this purpose by permitting flexibility of design in order to promote and accommodate environmentally sensitive and efficient use of the land, thereby allowing for a unified development that:

- Permanently preserves unique or sensitive natural resources and integrates Open Space within developments.
- Reduces the amount of infrastructure, including paved surfaces and utility easements, necessary for development.
- Reduces erosion and sedimentation by minimizing land disturbance and removal of vegetation.
- Provides an opportunity for an appropriate mix of residential uses.
- Enables more extensive review of design characteristics to ensure that the development project is properly integrated into its surroundings and is compatible with adjacent development.
- Assures compatibility between proposed land uses within and around the POD through appropriate development controls.
- Encourages unified development projects that exhibit creative planning and design in ways that cannot be achieved through a standard zoning district, yet are imaginative in architectural design and are consistent with applicable public plans for the area and are compatible with surrounding land uses.

Section 18B.02 - OVERLAY DISTRICT AREA ESTABLISHED

The POD is created pursuant to Section 519.021(C) of the Ohio Revised Code and encompasses, includes, overlays and rezones the POD area shown on the POD Overlay Development Plan (Map), which map is attached hereto and incorporated herein as Attachment 1 and is hereby adopted as the official zoning district map for the POD as part of this amendment. A roadway network will be developed as part of future Final Development Plan(s) and shall be subject to final approval by the Delaware County Engineer, and final site/sub-area engineering. Properties within the POD shall make Application in accordance with the provisions of this POD and Section 10.06 of the Liberty Township Zoning Resolution for Final Development Plan approval, in compliance with the provisions of this POD. The approval of an Application for Final Development Plan following the Liberty Township Trustees' approval of this POD is a ministerial act and shall not be considered an amendment to the Liberty Township Zoning Resolution.

Attachment 1



Section 18B.03 - PERMITTED USES

18B.03.1 Residential Uses as provided for by subareas identified herein. Specifically: (1) Single Family Homes, single family detached residential or Patio Homes (Single Family including homeowner or condominium associations); (2) Attached Homes, residential of 2, 3 and 4 unit buildings includes Townhomes and/or Condominiums), and (3) Multi-family, attached residential of 5+ units (Multi-family).

18B.03.2 Additional uses related to Healthcare Services including: 446 Health and Personal Care Stores; 561 Administrative and Support Services; 621 Ambulatory Health Care Services; 622 Hospitals; 623 Nursing and Residential Care Facilities; 62412 Service for elderly and persons with disabilities; 6244 Child day care. The development standards of Liberty Township Zoning Resolution Article 15, Planned Commercial District shall supplement this POD for those uses only, where this POD 18B is silent. Conflicts shall be resolved in favour of the development standards of this POD 18B.

18B.03.3 All uses of Article 12, Planned Elderly or Retirement Community uses. The development standards of Liberty Township Zoning Resolution Article 12 Planned Elderly or Retirement District shall supplement this POD for those uses only, and only where this POD 18B is silent. Conflicts shall be resolved in favour of the development standards of this POD 18B.

18B.03.4 Temporary Structures. Temporary structures such as manufactured/mobile home offices and temporary buildings of a non-residential character may be used incidental to construction work on the premises or on adjacent public projects or during a period while the permanent structure is being constructed. A Zoning Permit shall be obtained for such temporary use, which permit shall be valid for twelve (12) months and renewable for up to 3 years total. Renewal of the permit shall be at the discretion of the Zoning Inspector on finding of reasonable progress toward completion of the permanent structure or project. Renewal shall not be unreasonably denied. The Zoning Inspector may require provisions for sanitary waste disposal, solid waste disposal and water supply, as the Zoning Inspector deems necessary. The fees for such permit and renewals thereof shall be established by the Board of Township Trustees. No such structure shall be occupied as a dwelling.

18B.03.5 Existing Uses/Zoning To Remain. Until such time as a Final Development Plan is approved for area(s) within the POD, within the requirements of the POD, the existing legal uses and zoning for all areas within the POD shall be permitted. Legal uses established prior to this POD shall be permitted to exist as legal non-conforming.

Section 18B.04 - ACCESSORY USES, BUILDINGS, AND STRUCTURES

18B.04.1 Accessory Uses. Any sub area located within the POD shall be permitted to include the following accessory uses, so long as those uses are either contained within the buildings of a permitted use, or within separate buildings or structures that are architecturally and/or operationally integrated into the sub area development:

18B.04.1.a Clubhouses, recreational and entertainment facilities, indoor or outdoor, and may include but not limited to tennis courts, basketball courts, pools, bocce court, etc.

18B.04.1.b Sheds, play structures, pools and pool fencing.

18B.04.1.c Private Garages.

18B.04.1.d Exercise and Fitness Facilities.

18B.04.1.e Personal and Laundry Services (except 812332 Industrial Launderers).

18B.04.1.f Mail collection facilities.

18B.04.1.f Storage facilities for bicycles, as well as individual storage facilities for the keeping of personal property owned by the residents, and only accessory to such ownership. Bicycle and individual storage facilities may be located wholly in a separate accessory structure, so long as that structure(s) is architecturally integrated into the Development Plan. Commercial storage facilities are not permitted.

18B.04.1.g Home Occupations: professional or business activities shall be considered permitted as " Home Occupations," provided that such activities are carried on solely within the confines of the dwelling, do not occupy more than twenty percent (20%) of the dwelling, retain no non-residential employees (whether paid or voluntary), generate no greater traffic, parking or deliveries than would normally be expected in a residential neighborhood, do not create a nuisance to the neighborhood or general public, and are imperceptible from the exterior of the dwelling and display no sign.

18B.04.1.h General park and recreational uses, activities or small scale agricultural activities such as a non-permanent farmers' market or seasonal egg hunts.

The above uses are not intended as separate, independent or principal commercial uses, but rather only accessory in nature, so as to complement the permitted principal use(s).

Section 18B.05 - PROHIBITED USES

Uses not specifically authorized by the express terms of this Article of the Zoning Resolution shall be prohibited. The following uses shall be prohibited:

18B.05.A Uses not specifically approved by the Zoning Commission as part of the Development Plan.

18B.05.B Outdoor storage of inoperable, unlicensed or unused motor vehicles for a period exceeding seven (7) days. Said vehicles, if stored on the premises, shall be enclosed within a building so as not to be visible from any adjoining property or public road. This prohibition shall not apply to a legal sales or repair activity if such activities are carried out in compliance with an approved Final Development Plan.

18B.05.C Except as provided in a Final Development Plan, no trailers, no boats, no motor homes, no campers and no equipment of any type shall be parked in front of the principal structure line on any non-residential parcel within this district, and may only be parked for not more than eight (8) hours in a twenty-four period if located on a residential parcel. If a structure is located on the property, the principal structure line shall be considered to be the front wall of the structure, even if said structure is located behind the minimum building line established by the Development Plan.

18B.05.D No manufactured home, temporary mobile home, motor home or camper shall be occupied in this district for residential purposes. Mobile office structures may be permitted in the approved Final Development Plan in accordance with Section 18B.02.

18B.05.E No trash, debris, discarded materials, junk vehicles, vehicle parts, rags, lumber, building materials, equipment and/or parts thereof, or any garbage, refuse, or junk shall be permitted to accumulate on any lot or portion thereof. All trash, debris, discarded materials, vehicle parts, rags, lumber, building materials, and other garbage, refuse or junk shall be contained in solid sided containers during construction phases and thereafter. No wire or cage-type containers shall be permitted, and no such materials shall be above the sides of the container.

Section 18B.06 - PROCESS FOR PLAN APPROVAL

All Applications for Final Development Plan approval of area within the POD shall follow the procedures hereinafter set forth:

18B.06.A Pre-Application Meeting. The Applicant is encouraged to engage in informal consultations with staff from the Township and the Delaware County Regional Planning Commission prior to formal submission of an Application for approval of a Final Development Plan for any tract or property within the POD. No statement or action by Township or County officials in the course of informal consultations shall be construed to be a waiver of any legal obligation of the Applicant or of any procedure or formal approval required by Township or County statutes or rules. Ohio's Open Meetings Law (Section 121.22 of the Ohio Revised Code) is required to be observed at pre-Application meetings involving a quorum of members of the Liberty Township Zoning Commission.

18B.06.B Application and Final Development Plan. The Applicant shall prepare and submit ten (10) copies of an Application and Final Development Plan, along with an electronic copy and all applicable fees to the Liberty Township Zoning Commission. The Application shall be signed by the Applicant and all owners of property, or their designee, included in the Application and Final Development Plan. The Application shall include a list of property owners, by mailing address appearing on the Delaware County Auditor’s current tax list, within, contiguous to, directly across the street from, and within two hundred feet (200') of the perimeter boundaries of such area subject of the Application for Final Development Plan. The Liberty Township Zoning Commission may request that any County agency and/or any committee of the Delaware County Regional Planning Commission submit comments for consideration at the meeting.

The Application shall be accompanied by a Final Development Plan and the following supporting information and documentation in text and map form:

18B.06.B.1 A survey plat and legal description signed by a registered Ohio surveyor showing the size and location of the proposed development.

18B.06.B.2 A grading plan drawn to scale, showing all information pertaining to surface drainage.

18B.06.B.3 A detailed Landscape Plan shall be submitted with the Final Development Plan and shall be subject to approval as part of the Final Development Plan. It shall depict and identify all proposed landscaping features.

18B.06.B.4 A detailed Signage and Exterior Lighting Plan shall be submitted with the Final Development Plan and shall be subject to approval as part of the Final Development Plan.

18B.06.B.5 A detailed Parking Plan shall be submitted with the Final Development Plan and shall be subject to approval as part of the Final Development Plan.

18B.06.B.6 An explanation of the method/structure and proposed documentation and instruments to be used in order to perpetually own, maintain and preserve the Open Space, as required, that is unified and permanently protected. The location, size and proposed use(s) of all Open Space areas shall be detailed.

18B.06.C Final Development Plan Contents. The Final Development Plan shall include in text and map form the following:

18B.06.C.1 Proposed name of the development and its location.

18B.06.C.2 Names and addresses of applicant, owners and developers. Also, the names and mailing addresses of all owners of property within and contiguous to and directly across the street from the area proposed for POD approval shall be provided.

18B.06.C.3 Date, north arrow and plan scale. Scale shall be one inch equals one hundred feet 1" = 100 feet or larger scale.

18B.06.C.4 A description and location of the precise uses proposed for the development and phases for construction, if any. If the proposed development includes developing the property in phases, all phases to be developed after the first shall be fully described in textual form in a manner calculated to give Township officials definitive guidelines for approval of future phases.

18B.06.C.5 Locations, widths and names of all existing public streets or other public or private roads/ways, railroad and utility rights of way or easements, parks and other public open spaces, permanent structures, and corporation lines within or adjacent to the tract.

18B.06.C.6 Existing sewers, water mains, culverts and other underground facilities within the tract, adjacent to the tract or that will be used or are proposed to be used in developing the tract, indicating pipe sizes, grades and locations.

18B.06.C.7 The adjoining lines of adjacent tracts, parcels or lots.

18B.06.C.8 Additional restrictions and deed restrictions, if any.

18B.06.C.9 Existing topography, drainage channels, wooded areas, watercourses, wetlands and other significant physical features.

18B.06.C.10 Layout of proposed streets, private or public, including their names and rights of way, easements, sewers, water lines, culverts and other major improvements.

18B.06.C.11 Layout, numbering and dimensions of lots if more than one.

18B.06.C.12 The total amount of Lot Coverage and density to confirm with the POD, as that term is defined in this POD as gross acreage.

18B.06.C.13 Parcels of land intended to be dedicated or temporarily reserved for public use or reserved by deed covenant with the condition proposed for such covenant or dedication.

18B.06.C.14 Building setback lines with dimensions.

18B.06.C.15 Building locations depicting the bulk, height and spatial relationships of building masses with adjacent development.

18B.06.C.16 Layout, location, dimensions and architectural features of proposed structures including preliminary floor plans and exterior elevations.

18B.06.C.17 Location and dimensions of all paths, sidewalks, multi-use trails and connections thereof to facilitate connectivity among areas within the POD.

18B.06.C.18 Color rendering of buildings(s), complete with a listing of all colors, including current Pantone Reference Numbers or, if Pantone is not available, the manufacturer's reference/serial number with samples and materials to be used.

18B.06.C.19 A Detailed Parking and Loading Plan showing layout, location and design of parking and loading areas for all proposed uses, including proposed number of parking and loading spaces, traffic circulation, curb cuts, pedestrian walks and lane improvements on existing public roads.

18B.06.C.20 Engineering feasibility studies of any anticipated problems which may arise due to the proposed development as required by the Zoning Commission.

18B.06.C.21 Intended measures to screen the development from adjacent residentially zoned property as well as measures to screen rooftop mechanical equipment, production areas, service areas, storage areas, trash containers and loading zones from view.

18B.06.C.22 Accommodations and access for emergency and fire-fighting apparatus.

18B.06.C.23 Location, type, dimensions and features of all signage and exterior lighting through a detailed Signage and Exterior Lighting Plan.

18B.06.C.24 The plan or mechanism to provide for the perpetual maintenance of all landscaping, buffers and shared parking areas by the ultimate owner and/or user.

18B.06.C.25 Projected schedule of site development.

18B.06.C.26 The ability of the applicant to carry forth the Final Development Plan by control of the land and the engineering feasibility of the Final Development Plan.

18B.06.C.27 Other supplemental information, as may be reasonably required by the Liberty Township Zoning Commission, to determine compliance with this POD.

18B.06.C.28 The Final Development Plan (and the various accompanying plans) shall bear the seal of a registered engineer or surveyor and an architect or landscape architect, each of whom shall be licensed to practice in the State of Ohio.

18B.06.C.29 The applicant may request a divergence from the development standards set forth in this Article 18B or otherwise to the Liberty Township Zoning Resolution. An applicant making such a request shall specifically and separately list each requested divergence and the justification therefore on the Final Development Plan submittals, with a request that the proposed divergence be approved as part of and as shown on the Final Development Plan. Unless specifically supplemented by the standards contained in the Final Development Plan, the development shall comply with the requirements contained in Article 18B and the General Development Standards most closely comparable to the use/zoning district(s), as contained in the Liberty Township Zoning Resolution.

18B.06.D Zoning Commission Action. After receipt of the completed Application materials and required fees, the Zoning Commission shall schedule a public hearing within forty-five (45) days after the filing of the complete Application. Notice shall be sent by regular, first class mail to the applicant and to all owners of property within, contiguous to, directly across the street from, and within two hundred feet (200') of the perimeter boundaries of such area subject of the Application for Final Development Plan. Mailing by the Zoning Commission shall be to the addresses of such owners appearing on the Delaware County Auditor's current tax list. The failure of delivery of that notice shall not invalidate any action the Zoning Commission may take on the Application. The Zoning Commission shall render a decision on the Application and Final Development Plan within thirty (30) days after the conclusion of the hearing.

18B.06.E Basis of Approval. The Zoning Commission, shall consider and approve a Final Development Plan upon a finding of substantial compliance based upon the following:

18B.06.E.1 Whether the proposed Application and Final Development Plan are consistent with the uses, and standards of this POD Zoning Resolution as set forth and defined in Section(s) 18.07 and 18.08 of this POD; and, If applicable, determine if divergence(s) are reasonably related to or that facilitate the use(s), criteria and/or standards of this POD.

18B.06.E.2 Whether the proposed Application and Final Development Plan meet the design features as set forth and defined in Section(s) 18.07 and 18.08 of this POD.

18B.06.E.3 Whether the proposed development will be adequately served in a manner consistent with other residential communities located within Liberty Township, by essential public facilities and services including, without limitation, roads, walkways, police and fire protection, drainage structures, potable water and centralized sanitary sewers or other approved sewage disposal systems.

18B.06.E.4 Whether the proposed development has adequately addressed traffic considerations in the immediate vicinity of the proposed development or elsewhere in the Township, as evidenced by a traffic study approved by the Delaware County Engineer.

18B.06.F Effect of Approval.

18B.06.F.1 The Zoning Commission's determination shall not be considered an amendment to the Township Zoning Resolution for purposes of Section 519.12 of the Revised Code. A negative decision of the Zoning Commission may be appealed by the Applicant first to the Township Trustees within thirty (30) days of the date of the Zoning Commission Decision, and thereafter from the decision of the Township Trustees pursuant to Chapter 2506 of the Revised Code. The approval of an applicant's Application for Final Development Plan approval pursuant to this POD is a ministerial act and shall not be considered a rezoning amendment to the Township Zoning Resolution for the purposes of Section 519.12 of the Revised Code and may not be appealed pursuant to Chapter 2506 of the Revised Code.

18B.06.F.2 The approval of a Final Development Plan shall be effective for a period of five (5) years (or for such other time period as may be approved as part of the Final Development Plan) in order to allow for the preparation and recording of a subdivision plat (if required under applicable law) and the commencement of construction following the issuance of a zoning permit(s). If no plat has been recorded within this approval period or, if platting is not required, if construction or other affirmative actions, efforts or planning has not commenced, and unless the Zoning Commission approves an extension of this time limit, a Development Plan shall expire. Extensions of an approved Final Development Plan shall not be unreasonably denied. Upon the expiration of the Final Development Plan, the subject parcel(s) shall remain zoned POD, but no use shall be established or changed and no building, structure or improvement shall be constructed until an Application for a new Final Development Plan, accompanied by a new Final Development Plan, has been filed with and approved by the Township using the procedures and process then established for the approval of an initial Development Plan.

18B.06.F.3 An extension of the time limit for either recording the approved subdivision plat or the commencement of construction may be granted by the Zoning Commission upon Application of the owner(s), provided the Zoning Commission determines that such an extension is not in conflict with the public interest, that there is a legitimate purpose and necessity for such extension, and that the applicant shows evidence of a reasonable effort toward the accomplishment of the recordation of the plat or the completion of the development of the project. The length of time permitted for an extension shall be determined based upon the Application submitted. A request for extension shall be filed prior to the expiration of the established approval period.

18B.06.F.4 Following the approval of a Final Development Plan, proposed variations from the approved Final Development Plan that involve only one (1) lot may be considered by the Board of Zoning Appeals under its hearing process pursuant to Article 25 of the Zoning Resolution. All other modifications to the Final Development Plan shall be

presented to the Zoning Commission for its consideration pursuant to Section 18.06(F)(5), hereof.

18B.06.F.5 Upon application, the Zoning Commission may, at a duly held hearing, modify an approved Final Development Plan pursuant to the same procedures as the original Application in Section 18.06B. The request for modification may be approved upon a showing of a compelling reason and practical necessity for the same. Such modification is administrative in nature and not in conflict with the intent and purpose of the POD Planned Overlay District.

18B.06.G Fees. A fee as established by the Board of Trustees shall accompany an Application requesting approval of the Final Development Plan, as well as any request for extension or modification. In addition, the applicant shall also be responsible for all reasonable and necessary expenses incurred by Liberty Township in using professional consulting services to review the Final Development Plan. These expenses may include, without limitation, the actual costs for professional consultants such as attorneys, architects, landscape architects, planners and/or. As soon as reasonably practicable following the submission of an Application for approval of a Final Development Plan, the Zoning Commission shall decide if it needs a professional consultant(s) to assist with reviewing the application.

Section 18B.07 - GENERAL DESIGN STANDARDS

All proposed developments within the POD shall be designed in accordance with generally accepted planning principles, including the design standards included in this Section, to ensure that the use of land, buildings and other structures; the building location, bulk, layout, arrangement, design, and height; the percentages of lot areas that may be occupied; the setback of buildings; and the sizes of yards and other spaces are in compliance with the purposes and standards of this Section. The Final Development Plan shall comply with the following design standards. Conflicts between this POD and the Liberty Township Zoning Resolution shall be resolved first in favour of this POD and all variances considered to accommodate or implement these POD standards, definitions and the general land uses as set forth herein. Items unaddressed or otherwise not listed within this Article 18B shall default to the Liberty Township Zoning Resolution.

18B.07.A Access. Any POD development sub area shall have direct access to one or more improved roads (public or private in nature) of sufficient capacity to accommodate traffic generated by the proposed development. Provision for future connections to other public roads as required by the Township, or other applicable governmental authorities, shall be provided. Unless otherwise provided by an approved Final Development Plan, emergency vehicular connectivity shall be provided. Private roads and drives shall be maintained by the sub area owner or property owners' association.

18B.07.B Setbacks and Yard Areas. The location and arrangements of buildings and structures within the POD shall be set per sub area as set forth on the POD Standards chart incorporated herein.

18B.07.C Lighting. Lighting shall be coordinated for style and practicality given the particular use or design of each sub area.

18B.07.D Signage. All signs and graphics within the POD shall be coordinated to be generally compatible in size, location, material, height, shape, color, and illumination. The Signage Plan for each sub area of the POD shall set forth the design parameters for the entire project to ensure a consistent and comprehensive character throughout the project. The Signage Plan shall include the design, layout,

and dimensions of all ground, monument, window and wall signs as well as distances from right-of-ways and the type and intensity of illumination. Signs should contribute to an overall cohesive design, reflect simplicity, and avoid visual clutter. The overall design and placement of buildings should take into account the general placement of signs so that all permanent signs and associated lighting fixtures complement the appearance and architecture of the buildings and the POD and do not contribute to environmental degradation. Ground signs shall be designed to relate to and share common design elements with the building. The materials and colors of the sign, sign background and sign frame shall be compatible with the sub area buildings' materials and colors.

18B.07.E Landscaping.

18B.07.E.i All yards (front, side and rear) and all Open Space not covered by structure, asphalt or concrete and the like, shall be landscaped with grass and shrubbery/plantings and the like. All landscaping shall be maintained and kept in accordance with the Landscape Plan as submitted and approved. All vacant areas shall be kept seeded and maintained in such a manner as to prevent erosion of the property and excess drainage on adjoining land. A Landscape Plan shall show the caliper, height, numbers, name and placement of all materials. The pattern of landscaping shall be coordinated in design and type of materials, mounding and fencing used. Landscaping may vary in density, spacing and other treatments to reflect variations of topography, existing landscape or land uses. The landscape treatment proposed to be provided shall emphasize a pedestrian environment, separate pedestrian ways from parking areas, enhance architectural features, provide shade and strengthen vistas and serve as an important axis between the development and other locations.

18B.07.E.ii The Landscape Plan shall preserve and be sensitive to the natural characteristics of the site and shall provide screening from adjacent Residential Uses and districts. Where natural or existing topographic patterns positively contribute to the appearance and utility of a development, they shall be preserved. Any proposed landscape mounds shall be designed with such slope, plant and other landscape materials to minimize maintenance requirements and maximize the health and durability of the chosen plants and landscape materials. Overall unity of design shall be encouraged through landscape treatment. Plants that are indigenous to the area and others that are hearty, harmonious to the design, consistent with adjacent land uses, and, where applicable, of good appearance, shall be used.

18B.07.E.iii An enhanced landscape buffer shall be provided within the fifty (50) foot setback in sub areas A, B and C where adjacent to the existing (westerly) residential homes along Steitz Road. An undulating earth mound, with an average height of 3 feet, shall be provided 5 feet off the adjacent property boundary line, and shall be planted with grass, 4 evergreen trees (6' height at install) and 3 deciduous trees (2 1/2" caliper at install) per 100 linear feet of buffer. If the 50 foot setback area is included within a residential building lot, the development shall provide for maintenance of the fifty (50) foot setback area by a property owners' association, as evidenced by deed restrictions or covenants that memorialize the obligation for such common maintenance.

18B.07.F Environmentally Sensitive Areas. All proposed development within the POD shall consider and to the greatest extent practicable, sensitive areas, wetlands, streams, etc. Encroachments for infrastructure shall be permitted. All development within the POD shall comply with the rules of the Ohio EPA and US Army Corps of Engineers, as may apply.

18B.07.G Commercial and Healthcare Uses. If the uses set forth in Section 18B.03.2 above are proposed in Sub-Areas permitted for such uses as proscribed by Section 18B.08 below, the development standards of Liberty Township Zoning Resolution Article 15 shall apply this POD for those uses only.

18B.07.H Elderly/Retirement Uses. If the uses set forth in Section 18B.03.3 above are proposed in Sub-Areas permitted for such uses as proscribed by Section 18B.08 below, the development standards of Liberty Township Zoning Resolution Article 12 shall apply this POD for those uses only.

Section 18B.08 - DEVELOPMENT STANDARDS

The Final Development Plan shall comply with the following development standards:

18B.08.A Tract Size. The gross area of a tract of land (i.e., sub area) proposed to be developed in the POD shall consist of a minimum of three (3) acres, exclusive of right-of-way. No minimum lot size is required. However, all lots shall be of sufficient area to comply with the required yard areas, setbacks and other design and development standards as set forth in this POD.

18B.08.B Intensity of Use. All buildings shall be erected on permanent foundations and shall be constructed of conventional building materials of a quality equal to or better than those used in existing buildings in nearby areas or as specified herein.

18B.08.C Development by Sub Area. Development of the POD is planned on a sub area basis:

Sub Area A:
Acreage: 43.4 +/- ac
Use: Single Family Residential
Units/Density: 120 du; 2.76 u/ac

Sub Area B:
Acreage: 44.8 +/- ac
Use: Single Family Residential and/or Attached Homes
Units/Density: 180 du/ 4.02 u/ac

Sub Area C:
Acreage: 17.5 +/- ac
Use: Single Family Residential and/or Attached Homes
Units/Density: 52 du; 2.99 u/ac

Sub Area D:
Acreage: 60 +/-ac
Use: Single Family Residential and/or Attached Homes
Units/Density: 210 du; 3.5 u/ac

Sub Area E:

Acreage: 46.1 +/-
Use(s): Single Family Residential, Attached Homes and/or Multi Family Residential
Units/Density: 308 du; 6.68 u/ac

Use(s): Commercial uses related to 446 Health and Personal Care Stores; 561 Administrative and Support Services; 621 Ambulatory Health Care Services; 622 Hospitals; 623 Nursing and Residential Care Facilities 62412; Service for elderly and persons with disabilities; 6244 Child day care.
Density: maximum 17,000 square feet per acre.

Use(s): All planned elderly or retirement community uses of Article 12
Units/Density: 25 beds/ac.

Sub Area F:
Acreage: 14.1 +/- u/a
Use: Parks
Units/Density: n/a

Sub Area G:
Acreage: 57.1 +/- ac
Use(s): Single Family, Attached homes and/or Multi-family residential
Units/Density: 190 du; 3.33 u/ac

Use(s): Commercial uses related to 446 Health and Personal Care Stores; 561 Administrative and Support Services; 621 Ambulatory Health Care Services; 622 Hospitals; 623 Nursing and Residential Care Facilities 62412; Service for elderly and persons with disabilities; 6244 Child day care.
Density: maximum 17,000 square feet per acre.

Use(s): All planned elderly or retirement community uses of Article 12
Units/Density; 25 beds/ac.

The above total number of units shall be the maximum number of units within this POD. Sub Areas E and G may be developed with either Single Family Residential, Attached Homes, Multi-family residential uses, the identified commercial or senior uses, or a combination thereof, with the densities aggregated by acre, or portion thereof, for each use. Example: If Sub-Area G is developed with 2 or 3 of the permitted uses, the density for each use shall be determined on a per acre basis of that use density applied to acres. In no event shall the total number of units as set forth for either sub areas be increased.

18B.08.D Frontage, Setbacks and Yard Areas. Setbacks, frontage and yard areas shown on POD Standards Chart incorporated by reference herein. Roadways and access drives/curb cuts may extend into setback areas. No accessory structures shall be closer than 10’ from rear property line or 5’ from the side property line.

18B.08.E Lot Coverage and Building Height.

18B.08.E.1 Lot Coverage. The ground area occupied by all the buildings, structures, driveways. traffic circulation areas, parking areas, sidewalks and all other impervious Surfaces shall not exceed in the aggregate eighty-five percent (85%) of the total area of the tract.

18B.08.E.2 Building Height.

a.) Multi-Family Dwellings: No building or structure for any permitted use shall exceed three (3) stories in height. Chimneys, flagpoles, parapets, cupolas and other similar architectural elements may exceed this height limitation by no more than eight (8) feet.

b.) All Other Principal Structures: No building or structure for any single, two, three or four family residential use shall exceed forty (40) feet in height. Chimneys, flagpoles, parapets, cupolas and other similar architectural elements may exceed this height limitation by no more than ten (10) feet.

18B.08.F Architectural Standards.

18B.08.F.1 Design Elements. The architectural style and design of structures shall create harmony, creativity and complimentary visuals throughout the site. All materials used to construct buildings within the POD shall be utilized in such a manner as to be architecturally and aesthetically compatible, so long as the proposal utilizes the permitted materials as specified by Section 18B.08(F)(2) below. Creativity in design is encouraged; however, that creativity shall be consistent with the goals and requirements established for the POD by this Article 18B.

18B.08.F.2 Materials. The exterior elevations of all proposed buildings and screening structures shall only consist of any or any combination of the following:

a.) Wood;
b.) Red or earth tone brick or brick veneer;
c.) Native or cultured stone or stone veneer;
d.) Upscale Vinyl with thickness 0.044” (nominal)
e.) Stucco/ElFS;
f.) Pre-cast concrete where used as an accent;
g.) Cementitious siding (such as HardiPlank' or similar) and/or composite siding (such as SmartSide or similar);
h.) Metal and glass (except for multi-family uses);
i.) Any materials deemed by the Zoning Commission to be acceptable substitutions for the above natural materials.

The above material requirements shall not be applicable to soffits, facia windows, downspouts, gutters, window glazing, trims and reveals, as well as hardware and similar accents.

18B.08.F.3 Roofing. All residential pitched roofs shall be of dimensional shingles, standing seam metal, slate or simulated slate, unless otherwise approved in the Final Development Plan.

Roof pitches for primary residential buildings that are visible shall be minimum 6:12.

18B.08.G Exterior Lighting. The Exterior Lighting Plan is subject to the following requirements:

18B.08.G.1 Traffic signals shall be in accordance with any applicable county or state regulations.

18B.08.G.2 Site lighting shall be required for each sub area, designed to sufficiently illuminate the site and minimize spillover from the property.

18B.08.G.3 Light poles shall not exceed twenty (20) feet in height and should be in harmony with the parcel, building, and parking lot size as well as the surrounding area. Parking lot lighting shall be of a standard light source and type. The style shall reflect a traditional design, ideally consistent throughout the corridor.

18B.08.G.4 Building, pedestrian and landscape lighting may be incandescent, metal halide or other sustainable lighting as determined by the Zoning Commission.

18B.08.G.5 All parking lot areas exclusive of driveways to garages shall have a maximum light intensity of twenty (20) foot candles and an average light intensity between one half (0.5) foot candle and three (3) foot candles.

18B.08.G.6 All external lighting shall be decorative, cut-off type fixtures and downcast to reduce spillover. Outdoor lighting shall be directed, reflected, or shielded so as not to be of excessive brightness or cause glare hazardous to pedestrians or drivers, create a nuisance or unreasonably interfere with a neighboring property owner's right to enjoy his property. Light spillover shall not exceed one tenth (0.1) foot candles when adjacent to a residential zoning district or an existing Residential use.

18B.08.G.7 Luminaries should have a minimum cut-off of forty-five (45) degrees, so as to provide glare control to pedestrian and vehicular traffic, as well as distinct beam cut-off on the outer perimeter of the setback areas.

18B.08.G.8 All Landscape Up-light Fixtures shall be screened by landscaping and cut-off in design. This type of lighting shall be equipped with automatic timing devices and shielded and focused to minimize light pollution.

18B.08.G.9 No permanent colored lights or neon lights shall be used on the exterior of the buildings. Flashing lights shall be prohibited.

18B.08.G.10 External building lighting shall be limited to wall-mounted sconces and wall pack fixtures.

18B.08.H Signage. Graphics and Signage in the POD shall conform to Section 18B.07(D) and Article 20 of the Zoning Resolution or as approved by the Zoning Commission.

18B.08.I Landscaping. All yard areas and Open Spaces shall be landscaped in accordance with an approved landscape plan. Natural foliage shall be retained as buffers where practicable. The Landscape Plan shall comply with the following requirements:

18B.08.I.1 Right-of-Way. The primary road through the POD area shall be boulevard style, with trees in the center median; shade trees having a minimum caliper of two and a half (2 1/2) inches, or ornamental and evergreen trees 6 feet in height; one tree for every sixty (60) lineal feet. Trees may be evenly spaced or grouped.

18B.08.I.2 Exterior Areas. Grass (seed or sod), shrubs, trees, garden planting areas or other appropriate landscape materials shall be planted in all exterior areas. Other groundcover, such as ivy, may be planted in exterior areas which are not occupied by required landscaping material or required for drainage. All vacant areas shall be kept seeded and maintained in such a manner as to prevent erosion of the property and excess drainage.

18B.08.I.3 Plants. All plants shall meet or exceed the American Standard for Nursery Stock as set forth by the American Association of Nurserymen.

18B.08.I.4 Maintenance. All trees and landscaping shall be well maintained. All maintenance and upkeep of landscaping shall be the responsibility of the owner of such yard, space or area where the landscaping is located. Dead trees, shrubs and other landscaping material shall be promptly removed and shall be replaced within six (6) months or the next planting season, whichever is sooner.

18B.08.I.5 Street Trees. Trees along all internal public streets, shall be planted at a minimum distance of forty (40) feet or 1 per 50 feet for a per lot development. Trees shall be of deciduous species normally attaining full-grown height in excess of fifty (50) feet and shall be of two (2) to two and a half (2 1/2) caliper or greater at the time of planting. Street trees (not located within the boulevard) shall be located outside the right of way, on both sides of the street. This requirement does not apply in the areas of ingress and egress, or to existing trees which are undisturbed by the project.

18B.08.I.6 Tree Preservation. Reasonable and good faith efforts will be made to preserve existing trees. Consideration shall be given to laying out service roads, lots, structures and parking areas to avoid the unnecessary destruction of wooded areas and individual trees. Additionally, standard tree preservation practices shall be used to preserve and protect trees during all phases of construction, including the installation of snow as necessary to protect existing trees.

18B.08.I.7 Since 6355 Steitz Road, the “6355 Property”, has livestock operations, the Developer of Subarea A, at Developer’s sole cost and expense, will install on the Subarea A property, a fence along the 6355 Property east boundary and along that portion of the 6355 Property southern boundary shared with Subarea A. During the final development plan application process for Subarea A, the Developer and owner of the 6355 Property will work cooperatively on the design and placement of the fence. The fence will be installed prior to the commencement of construction on the first single family home located in Subarea A.

18B.08.J Parking and Loading. Parking shall be paved prior to receipt of a final Certificate of Compliance, with adequate provisions for ingress and egress according to the approved Development Plan,

unless a phasing schedule is approved as part of a Development Plan. All parking shall conform with the following provisions:

18B.08.J.1 Minimum Number of Parking Spaces Required. For Multi-family residential, a minimum of two and one-fourth (2 1/4) parking spaces for each Dwelling Unit is required. The minimum number of parking spaces required for Single Family and Attached Homes shall be 2 spaces per dwelling unit. Parking for any on site amenities or recreational facilities/activities, accessory uses/facilities may be reduced ninety percent (90%) by right and reduced to zero by the Zoning Commission upon Development Plan approval. Parking spaces shall be 10' x 20', except that parking spaces may be reduced to 8'x18' for garage spaces, parking spaces in front of garages, and/or additional parking areas that exceed the aggregate minimum number. Surface parking spaces, driveway spaces and garages spaces may count toward required parking. Driveways shall be permitted to be 8 feet wide (minimum). Driveways shall not be required to have maximum slopes. Driveways may be located 5 feet from intersections.

18B.08.J.2 On-Street Parking in Multifamily Proposals. On street parking shall be permitted on both sides of the street, upon final approval of the fire department. In Multi-Family Dwelling proposals in the POD, an applicant may be allowed to count parallel or angled On-Street Parking spaces located along private streets towards the minimum parking requirements of this POD, so long as those parking spaces are within a three hundred foot radius of any entryway to the proposed Multi-Family Dwelling structure(s).

18B.08.J.3 No driveway shall be located so that it enters a public road within twenty (20) feet of the intersection of any two (2) public road rights of way. This requirement shall not apply to and there shall be no restriction for a driveway entering into the opposing right of way of a "T" intersection.

18B.08.K Open Space. A minimum of twenty percent (20%) of the total POD acreage shall remain and be utilized as Open Space, the "POD Total Open Space Requirement." A minimum of ten percent (10%) of the total POD acreage shall be organized within each Sub-Area, except Sub-Area C, as Open Space, the "Sub-Area Open Space Requirement." Open Spaces may include features such as, but not limited to, bike paths, walking paths, existing bodies of water, water impoundments, public and private utility easement areas, forested and landscaped areas not included in a single-family yard requirement, and similar features. Open Space may include the enhanced landscape buffer area provided within the fifty (50) foot setback in sub areas A, B and C where adjacent to the existing (westerly) residential homes along Steitz Road. Open Space may be used for the disposal of storm water drainage. No features shall be designed which are likely to cause erosion or flooding. The applicant for each Final Development Plan shall have the responsibility for updating the documentation showing compliance with the POD Total Open Space Requirement. The responsibility for maintenance of Open Space within each sub area shall be specified by the applicant in writing within a Final Development Plan. Open Space may be proposed to be owned by an Association, the Township or other governmental entity, a land trust or other conservation organization recognized by the Township, or by a similar entity, or may remain in private ownership if appropriately restricted.

18B.08.L Multi-Use Paths and Pedestrian Access. Interconnectivity shall be provided for pedestrians and non-motorized uses. Sidewalks shall be located along internal streets and roads with additional facilities through open spaces and connections at logical locations. Wider bike paths shall be provided on at least one side of larger arterial roads and where connections to regional systems are warranted. Larger proposals should include a master bikeway/pedestrian plan.

18B.08.M Trash and Garbage Control (Attached Homes or Multi Family Residential). All trash and garbage shall be stored in container systems (dumpsters or compactors) which are located at the rear of the building or at the side of the building if the side is not oriented towards an existing or planned right of-way(s) and must be enclosed on all four (4) sides with either a masonry enclosure or wood fencing at a minimum of six (6) feet in height.

18B.08.N Utilities. All utility lines constructed to service the proposed development shall be located underground. Mechanicals, whether roof mounted or on the ground, shall be screened with architectural features and/or landscaping. Notwithstanding anything to the contrary, this provision shall not apply to the existing high tension electric transmission lines that are located on the property.

Developer, subject to engineering approvals, will install the sanitary sewer service line, within Sub-Area A along the western boundary line of Sub-Area A. In addition, for those homes along the east side of Steitz Road that are adjacent to Sub-Area A, the Developer will provide, at no cost, easements for those homes to connect individual sanitary sewer service lines to the Sub-Area sanitary sewer line. Each homeowner shall be responsible for all cost, including tap fees, to connect into the Sub-Area A sanitary sewer service line.

18B.08.O Storm water Basins. Bio-retention basins, or rain gardens, may be used when approved by the Zoning Commission as part of a Development Plan and upon approval from Delaware County. Storm water basins, drains, impoundments and appurtenances of any kind may be located in the front, side or rear yard(s) of any lot. All storm water basins shall be constructed per the requirements adopted by Delaware County Soil and Water, and shall have no minimum or maximum size.

18B.08.P Other Requirements. Conflicts between this POD and the Liberty Township Zoning Resolution shall be resolved first in favour of this POD and all variances considered to accommodate or implement these POD standards, definitions and the general land uses as set forth herein. Unless specifically set forth by the standards contained in this Article 18B or those standards approved by divergence, the general development standards found in Article 7 of the Liberty Township Zoning Resolution shall apply.

18B.08.Q Miscellaneous. No roadway access will be permitted from Sub-Area A to Steitz Road; however, emergency access will be permitted.

Section 18B.09 — STANDARDS

POD 18B STANDARDS							
SUBAREA	**A**	**B**	**C**	**D**	**E**	**F**	**G**
USE	Single Family Residential	Single Family Residential or Attached Homes	Single Family Residential or Attached Homes	Single Family Residential or Attached Homes	Single Family, Attached Homes and/or Multi Family Residential	Park	Single Family, Attached Homes and/or Multi Family Residential
SETBACK STANDARDS - Note: Streets are permitted within setbacks.							
Steitz Rd Building + Parking	50' from ROW	50' from ROW	50' from ROW	N/A	N/A	50' from ROW	N/A
Home Rd Building + Parking	N/A	N/A	N/A	N/A	N/A	50' from ROW	N/A
Sawmill Pkwy Building + Parking	N/A	N/A	N/A	N/A	N/A	50' from ROW	50' from ROW
Hyatts Rd Building + Parking	N/A	N/A	N/A	N/A	N/A	N/A	50' from ROW
Primary Roadway (Blvd) Building	N/A	30' from ROW	30' from ROW	30' from ROW	30' from ROW	30' from ROW	30' from ROW
Perimeter Adjacent to Existing Residential Use along Steitz	50'	50'	50'	N/A	N/A	25'	N/A
Perimeter Adjacent to Existing Residential Uses along Sawmill/Hyatts	N/A	N/A	N/A	N/A	N/A	25'	25'
Perimeter Adjacent to Existing Non-Residential or Undeveloped Property	25'	N/A	N/A	25'	25'	25'	25'
Internal Subarea	10'	10'	10'	10'	10'	10'	10'
Minimum Building Separation	10'	10'	10'	10'	10'	10'	15'
SINGLE FAMILY LOT STANDARDS							
Minimum Lot Width (at Front Setback)	50'	50'	50'	50'	50'	N/A	50'
Minimum Front Yard Setback	20'	20'	20'	20'	20'	N/A	20'
Minimum Side Yard Setback (per side)* may allow 2 feet of encroach-ments for eaves, mansard roofs, bay windows	5'	5'	5'	5'	5'	N/A	5'

Minimum Rear Yard Setback (or Perimeter setback if greater)	20'	20'	20'	20'	20'	N/A	20'
ATTACHED HOME STANDARDS**							
Minimum Lot Width (at Front Setback)	N/A	20'	20'	20'	20'	N/A	20'
Minimum Front Yard Setback (From ROW or Edge of Pavement)	N/A	20'	20'	20'	20'	N/A	20'
Minimum Side Yard Setback (per side)**	N/A	5' or zero	5' or zero	5'or zero	5' or zero	N/A	5' or zero
Minimum Rear Yard Setback (or Perimeter Setback if greater)	N/A	10'	10'	10'	10'	N/A	N/A
* may allow 2 feet of encroachments for eaves, mansard roofs, bay windows							
** attached units shall have zero setback/zero lot line. Single family dwellings where exterior lots conform to the lot lines, zero setback shall apply.							

Section 18B.09 — DEFINITIONS

The following definitions shall apply to terms that are used specifically in this POD. Otherwise, the definitions in Article 4 shall apply.

Attached Home: multiple-unit dwelling of 2, 3 or 4 units per building.

Density: the ratio of units per acre, calculated on a total gross acre basis.

Impervious Surfaces: areas that have been, or are proposed to be, paved and/or covered with buildings and materials that do not readily and freely absorb and/or allow water to penetrate, including, but not limited to, concrete, asphalt, rooftop, blacktop, brick, blocks, and pavers.

Landscape Uplight Fixture: a light fixture sitting on the ground that is incorporated into landscaping that shines upward and is typically utilized to illuminate certain architectural or landscaped features.

Multi-Family Dwelling: for the purposes of this POD only, Multi-family Dwelling is defined as a residential building arranged or designed for more than four (4) dwelling units as separate and complete housekeeping units.

Non-Residential use: any use of land that is permitted by the Liberty Township Zoning Resolution and does not include the human inhabitation of a structure or any use incidental or accessory to such inhabitation.

On-Street Parking: striped, angled, or parallel parking spaces that are permitted within the right-of-way or along a private street.

Parking Aisle: the traveled path through an off-street parking lot or facility between one or two rows of parked vehicles.

Parking Bay: a row of parking spaces typically separated by a parking island or some other feature used to break up large expanses of asphalt used for surface parking.

Patio Home: a stand alone, single dwelling unit.

Private Road: a road or driveway on privately-owned property, limited to the use of the owner or a group of owners who share the use and maintain the road without help from a government agency.

Public Road: any road or street under the jurisdiction of and maintained by a public authority and open to public travel.

Residential Use: any permitted use of land where a dwelling has been constructed with the intent of human inhabitation of that structure. Structures may be detached single family dwelling, two, three or four family dwelling(s), or Multi-Family Dwelling. Residential Uses also include all uses that are incidental to or accessory to the human inhabitation of a structure.

Road or Roadway: each road is defined by its classification as those classifications are delineated in the Liberty Township Zoning Resolution.

Side Yard: An open space extending from the front yard to the rear yard between a building or structure and the nearest side lot line unoccupied and unobstructed from the ground upward.

EXHIBIT C

Preliminary Financial Analysis

The Developer seeks to create the Authority to promote and coordinate the financing, construction, operation and maintenance of Community Facilities. These Community Facilities include the construction of the Primary Road and related improvements, grading and site work, sanitary and storm sewer improvements, signage, artwork and lighting and various other related hard and soft costs, as more specifically defined in the body of this Petition.

The Bonds, if issued, may be secured by the Charge as the primary source of repayment and TIF service payments as a secondary source of repayment. If the Bonds are issued, the Charge and TIF revenues will be used to finance all "costs of permanent improvements" associated with the Community Facilities pursuant to R.C. Section 133.15. It is anticipated that the costs of Community Facilities will be between $3,000,000 and $10,000,000.

Determination and Calculation of Charge

As further described in the Declaration, the Charge shall initially be equal to three-and-one half (3.5) mills multiplied by the assessed value of each chargeable parcel in the District, which shall initially include Subareas A through D (the "Chargeable Property"). With regard to Subareas A through D, and as described further in the Declaration, the Charge shall not at any time exceed three-and-one half (3.5) mills. At the sole discretion and request of Liberty Grand, as further described in the Declaration, or any supplemental declaration as may be necessary, the Charge may also be levied on Subareas E, F and G in an amount between zero (0) mills and ten (10) mills multiplied by the assessed value of parcels in those Subareas.

Other Charges may be levied and collected pursuant only to a written agreement by and between the Authority and any affected property owner(s). If agreed to, the Other Charges may be levied and collected, during the Development Period (as defined in the Declaration), Liberty Grand, provided, however, that in all instances the Charge will remain in place while the Reimbursement Obligation is outstanding.

Allocation of Charges

The Charges shall be allocated and applied in accordance with the terms of the Declaration, which shall be a covenant binding on the Authority, the Developer, and any other owners of Property.

Timing and Collection of the Charges

The Charge will be imposed on Chargeable Property, which will be further defined in the Declaration, but generally means all or any portion of a parcel in Subareas A through D of the District for which the Commencement Date has occurred. The "Commencement Date" means, with respect to a single-family structure located on a parcel, the earlier of (a) the date that a certificate of occupancy is issued for such structure, (b) the date that the owner of such parcel requests, in writing, that the Authority impose the Charge at a level consistent with the development of such parcel, or (c) such other date specified in the Declaration. Notwithstanding

anything to the contrary in this Petition or in the Declaration, Subareas E, F and G are not Chargeable Property as of the date of this Petition, but may later become Chargeable Property at the sole and absolute discretion of Liberty Grand upon written notice from Liberty Grand to the Board, as described in and required by the Declaration.

As permitted by Section 349.07 of the Ohio Revised Code, the Authority is expected to certify the Charges to the Delaware County Auditor, who will enter the Charges on the tax list and duplicate of real property and certify the Charge to the Delaware County Treasurer for collection with the tax bills. The Authority at its option and to the extent permitted by Chapter 349 of the Ohio Revised Code and the Declaration to directly collect, on its own or through a collection agent, the Charge.

EXHIBIT D

Preliminary Economic Feasibility Analysis

Overview

The Developer seeks to utilize the Act to facilitate the creation of the Authority, in order to finance, construct, operate and maintain the Community Facilities, which will support the Private Development subject to market adjustments and other normal development feasibility considerations. Over the past three years, the Developer has conducted extensive financial analysis of the Private Development, utilizing multiple sources, including the Developer's history with similar projects in other Central Ohio communities. As a result of this analysis, the Developer has completed a development plan for the Private Development that is generating strong interest from both private equity and the construction lending community.

Area Development Pattern and Demand

The subject property is located in Liberty Township (Delaware County), Ohio, which is part of the Columbus Metropolitan Statistical Area ("MSA"). The Township is located entirely within Delaware County.

More specifically, the property is bounded by Hyatts Road to the north, Steitz Road to the West, Home Road to the South and Sawmill Parkway to the east. The property is currently used as farm land and vacant land, and is adjacent to Olentangy Liberty High School. Delaware County is the fastest growing county in Ohio (source: U.S. Census Bureau), and as a result, the demand for housing in the County is high. This particular area is in even greater demand given its proximity to Olentangy Liberty High School, which is the 10th ranked high school in Ohio and the 337th ranked high school in the country (source: U.S. News Best High School Rankings).

The proposed development would attempt to capitalize on the current need for additional housing in the Township. It is anticipated that the price points and location of the housing will be extremely attractive and competitive with other local developments.

Present and Future Socio-Economic Conditions

a. Employment Centers

Employment in Liberty Township is focused on retail, office and light industrial uses. Liberty Township, like Delaware County in general, is a "bedroom community," with the majority of its residents commuting into Columbus and/or other surrounding areas to work. With the commercial development of the 23 corridors in neighboring Orange Township, however, it is likely that Liberty Township will see additional commercial/industrial development, most likely along the Sawmill Parkway corridor as it approaches U.S. 42 in the City of Delaware.

(b) Area Amenities

As noted above, the proposed District is located directly adjacent to highly-ranked Olentangy Liberty High School. The site is also located close to desirable retail sites and restaurants, as well as Kinsale Golf and Fitness club to the north along Sawmill Parkway.

(c) Economic Patterns

Insight 2050, a study led by Calthorpe and Associates, and sponsored by Columbus 2020, MORPC, and the Urban Land Institute, projects that total population growth in Central Ohio will total over 500,000 people and will create nearly 300,000 new jobs by 2040. This study further projects that a significant portion of the individuals creating the demand for new housing associated with this Private Development will be seeking the type and price point of the housing planned for the District. The unemployment rate for the Columbus MSA was 3.9% as of July 2017, compared to the rate of Ohio (4.0%) and the national average (3.7%). These trends are expected to continue in the near future.

(d) Census Data

Recent census data for the County is attached.

United States Census Bureau

QuickFacts

Delaware County, Ohio

QuickFacts provides statistics for all states and counties, and for cities and towns with a ***population of 5,000 or more***.

Table

All Topics	Delaware County, Ohio
Population estimates, July 1, 2019, (V2019)	**NA**
PEOPLE	
Population	
Population estimates, July 1, 2019, (V2019)	**NA**
Population estimates, July 1, 2018, (V2018)	204,826
Population estimates base, April 1, 2010, (V2019)	NA
Population estimates base, April 1, 2010, (V2018)	174,172
Population, percent change - April 1, 2010 (estimates base) to July 1, 2019, (V2019)	NA
Population, percent change - April 1, 2010 (estimates base) to July 1, 2018, (V2018)	17.6%
Population, Census, April 1, 2010	174,214
Age and Sex	
Persons under 5 years, percent	▲ 6.1%
Persons under 18 years, percent	▲ 26.3%
Persons 65 years and over, percent	▲ 13.7%
Female persons, percent	▲ 50.4%
Race and Hispanic Origin	
White alone, percent	▲ 86.8%
Black or African American alone, percent (a)	▲ 3.8%
American Indian and Alaska Native alone, percent (a)	▲ 0.2%
Asian alone, percent (a)	▲ 7.1%
Native Hawaiian and Other Pacific Islander alone, percent (a)	▲ 0.1%
Two or More Races, percent	▲ 2.0%
Hispanic or Latino, percent (b)	▲ 2.7%
White alone, not Hispanic or Latino, percent	▲ 84.5%
Population Characteristics	
Veterans, 2014-2018	9,619
Foreign born persons, percent, 2014-2018	7.3%
Housing	
Housing units, July 1, 2018, (V2018)	74,520
Owner-occupied housing unit rate, 2014-2018	81.3%
Median value of owner-occupied housing units, 2014-2018	$293,900
Median selected monthly owner costs -with a mortgage, 2014-2018	$2,066
Median selected monthly owner costs -without a mortgage, 2014-2018	$754
Median gross rent, 2014-2018	$1,040
Building permits, 2018	1,629
Families & Living Arrangements	
Households, 2014-2018	68,649
Persons per household, 2014-2018	2.83
Living in same house 1 year ago, percent of persons age 1 year+, 2014-2018	87.7%
Language other than English spoken at home, percent of persons age 5 years+, 2014-2018	8.2%
Computer and Internet Use	
Households with a computer, percent, 2014-2018	95.8%
Households with a broadband Internet subscription, percent, 2014-2018	92.1%
Education	
High school graduate or higher, percent of persons age 25 years+, 2014-2018	96.7%
Bachelor's degree or higher, percent of persons age 25 years+, 2014-2018	54.4%
Health	
With a disability, under age 65 years, percent, 2014-2018	5.2%
Persons without health insurance, under age 65 years, percent	▲ 4.4%
Economy	
In civilian labor force, total, percent of population age 16 years+, 2014-2018	69.7%
	63.1%

In civilian labor force, female, percent of population age 16 years+, 2014-2018	
Total accommodation and food services sales, 2012 ($1,000) (c)	460,183
Total health care and social assistance receipts/revenue, 2012 ($1,000) (c)	541,558
Total manufacturers shipments, 2012 ($1,000) (c)	3,012,008
Total merchant wholesaler sales, 2012 ($1,000) (c)	D
Total retail sales, 2012 ($1,000) (c)	3,178,620
Total retail sales per capita, 2012 (c)	$17,556
Transportation	
Mean travel time to work (minutes), workers age 16 years+, 2014-2018	26.0
Income & Poverty	
Median household income (in 2018 dollars), 2014-2018	$104,322
Per capita income in past 12 months (in 2018 dollars), 2014-2018	$47,183
Persons in poverty, percent	▲ 4.1%

BUSINESSES

Businesses	
Total employer establishments, 2017	4,602
Total employment, 2017	80,543
Total annual payroll, 2017 ($1,000)	4,221,930
Total employment, percent change, 2016-2017	1.9%
Total nonemployer establishments, 2017	17,615
All firms, 2012	16,809
Men-owned firms, 2012	9,704
Women-owned firms, 2012	5,113
Minority-owned firms, 2012	1,659
Nonminority-owned firms, 2012	14,596
Veteran-owned firms, 2012	1,692
Nonveteran-owned firms, 2012	14,361

GEOGRAPHY

Geography	
Population per square mile, 2010	393.2
Land area in square miles, 2010	443.10
FIPS Code	39041

About datasets used in this table

Value Notes

▲ Estimates are not comparable to other geographic levels due to methodology differences that may exist between different data sources.

Some estimates presented here come from sample data, and thus have sampling errors that may render some apparent differences between geographies statistically indistinguishable. Click the Quick Info ⓘ icon to th row in TABLE view to learn about sampling error.

The vintage year (e.g., V2019) refers to the final year of the series (2010 thru 2019). *Different vintage years of estimates are not comparable.*

Fact Notes

- **(a)** Includes persons reporting only one race
- **(b)** Hispanics may be of any race, so also are included in applicable race categories
- **(c)** Economic Census - Puerto Rico data are not comparable to U.S. Economic Census data

Value Flags

- **-** Either no or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest or upper in open ended distribution.
- **D** Suppressed to avoid disclosure of confidential information
- **F** Fewer than 25 firms
- **FN** Footnote on this item in place of data
- **N** Data for this geographic area cannot be displayed because the number of sample cases is too small.
- **NA** Not available
- **S** Suppressed; does not meet publication standards
- **X** Not applicable
- **Z** Value greater than zero but less than half unit of measure shown

QuickFacts data are derived from: Population Estimates, American Community Survey, Census of Population and Housing, Current Population Survey, Small Area Health Insurance Estimates, Small Area Income and F Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits.

EXHIBIT E

Developer Management Capacity

Brian Schottenstein: Brian Schottenstein graduated from the University of Miami, FL in 2009 with a BBA in Entrepreneurship and was one of the founding members of the University's Entrepreneurs Club. Brian was recently named one of the Smartest 50 executives by Smart Business Magazine and is currently a columnist for that magazine. Brian now oversees Schottenstein Real Estate Group as president of the company. He is on the board of several organizations including the President Elect of the Columbus Apartment Association, Columbus Jewish Federation Treasurer, Urban Land Institute young leaders' advisor, and the Ohio State University Hillel Treasurer. He is also active with OSU Fisher School of Business, Lifetown, and the Memorial Golf Tournament, which proceeds benefit the Nationwide Children's Hospital. Brian was an Ohio Electoral College Member, Judge of Miss Ohio USA '12 and '17 as well as Miss Michigan USA in 2014 and a scorer for the 2013 Presidents Cup.

George M. Harmanis: George has over 30 years of experience with both public and private organizations including Premier Properties USA, Inc., Glimcher Realty Trust (NYSE: GRT) and Ernst & Young, LLP. He is an Ohio State University graduate with a B.S. in Business Administration, a licensed CPA and a member of the OSCPA and AICPA. George serves on several civic boards in the community.

Don Hunter: Don has over 25 years of experience in the commercial real estate industry including senior management positions with Duke Realty Corporation and OhioHealth. Don has extensive development and asset management experience having led teams in the development and management of $2.5 billion in office, industrial and medical properties. Don graduated from Miami University, Oxford, Ohio. He is active in the community having served as a volunteer for a number of community organizations.

Robert H. Schottenstein: Chairman of M/I Homes of Central Ohio since March 2004, Chief Executive Officer of the company since January 2004 and President of the company since May 1996. Mr. Schottenstein currently serves as a director of L Brands, Inc. and served as a director of Installed Building Products, Inc. from April 2014 until March 2020. Mr. Schottenstein also serves on the Board of Trustees of The Ohio State University Wexner Medical Center and on the Board of Directors of The Ohio State University Foundation. In addition, Mr. Schottenstein serves on the Executive Committee of The Harvard University Joint Center for Housing. Mr. Schottenstein served as a Trustee of The Ohio State University from 2005 to 2014 and as the Chair of the Board of Trustees of OSU from 2012 to 2014.

Josh Barkan: Vice President of M/I Homes of Central Ohio, LLC since November 2018. Mr. Barkan served as Land Acquisition Manager from June 2017 until October 2018. Prior to joining M/I Homes of Central Ohio in 2017, Mr. Barkan spent 5 years as an associate with the Kayne Law Group practicing real estate related law.

EXHIBIT F

Form of Certification of Community Facilities Costs

No.___

(For Community Facilities Costs)

To: Board of Directors of the Liberty Grand New Community Authority

Attention: _____, _____

Subject: Written Requisition for Community Facilities Costs pursuant to the terms of the New Community Authority Petition filed on _____, 2020 and the New Community Authority Declaration of Covenants recorded on _____, 2020 (collectively, the "NCA Documents").

Pursuant to the terms of the NCA Documents, approval of this requisition (the "Written Requisition) certifies the total of Community Facilities Costs for reimbursement to Liberty Grand in the amount of $_____for the purposes set forth in Item I attached hereto. Unless otherwise defined herein, all capitalized terms set forth but not defined in this Written Requisition have the respective meanings assigned to them in the NCA Documents.

The undersigned authorized representative of Liberty Grand, LLC (the "Liberty Grand") does hereby certify on behalf of Liberty Grand that:

(i) I have read the NCA Documents and definitions relating thereto and have reviewed appropriate records and documents relating to the matters covered by this Written Requisition;

(ii) The disbursement herein requested is for an obligation properly incurred, is a proper charge as Liberty Grand's Community Facilities Costs (as defined in the NCA Documents), and has not been the basis of any previous reimbursement request;

(iii) Liberty Grand is in material compliance with all provisions and requirements of the NCA Documents;

(iv) The reimbursement requested hereby does not include any amount which is being retained under any holdbacks or retainages provided for in any applicable agreement;

(v) Liberty Grand has, or the appropriate parties on Liberty Grand's behalf have, asserted or their its entitlement to all available manufacturer's warranties to date upon acquisition of possession of or title to the Community Facilities or any part thereof which warranties have vested in Liberty Grand;

(vi) Liberty Grand is either (i) not aware of any attested account claim from any subcontractor, material supplier or laborer who has performed labor or work or has furnished materials for the Community Facilities for which reimbursement is requested pursuant to this Written Requisition; or (ii) has provided security discharging any known attested account claims.

EXECUTED this____day of_____, 2020.

By:_____

Printed:_____

Title:

ITEM I

Requisition No._____for the Community Facilities

Pay to_____

Amount $_____

For Account of:
Account Number:
Wiring Instructions:

For the purpose of reimbursing the following payments previously paid by Liberty Grand for the Community Facilities:

Name of Vendor	Service Rendered	Time Period	Cost of Service Rendered
1.			
2.			

PROXIMATE CITY APPROVAL

The City of Delaware, Delaware County, Ohio, by Resolution No. _____, passed by the City Council on _____, 2020, has authorized _____, its _____, to sign this Petition on behalf of the City of Delaware, and the Petition is herewith signed, as evidence of that approval.

CITY OF DELAWARE, DELAWARE COUNTY, OHIO

By:_____
Name: _____
Title: _____

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 13 | DATE: 09/28/2020

ORDINANCE NO: | RESOLUTION NO: 20-58

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Darren Shulman, City Attorney

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION DETERMINING THAT A PETITION TO ESTABLISH THE BERLIN MEADOWS NEW COMMUNITY AUTHORITY AND DISTRICT IS SUFFICIENT AND COMPLIES WITH THE REQUIREMENTS OF SECTION 349.03 OF THE OHIO REVISED CODE IN FORM AND SUBSTANCE.

BACKGROUND:

Berlin Meadows Development, LLC (Developer) has prepared a petition to submit to the Delaware County Board of Commissioners to approve the establishment of the Berlin Meadows New Community Authority (Berlin Meadows NCA) as a new community authority under Ohio Revised Code Chapter 349.

Ohio Revised Code Chapter 349 requires a number of formal and prescribed steps before a new community authority may be established pursuant to the Chapter, one of which is that the legislative authority of a proximate city must sign the petition and approve the establishment of the proposed new community authority.

The Developer is requesting proximate city approval.

Without passage of this resolution, the Developer will ultimately be unable to get the Berlin Meadows NCA established.

When the City analyzes a proposed New Community Authority, it typically looks at whether the NCA will have an impact on the City or if it is a service area that would potentially be annexed in the future, neither is currently foreseeable should the Berlin Meadows NCA be established.

REASON WHY LEGISLATION IS NEEDED:
Under ORC Chapter 349.03(B), the Delaware must consent to the NCA 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
Natalia S. Harris, Interim City Attorney

RECOMMENDATION:
Approval

ATTACHMENT(S)
Petition

RESOLUTION NO. 20-58

A RESOLUTION DETERMINING THAT A PETITION TO ESTABLISH THE BERLIN MEADOWS NEW COMMUNITY AUTHORITY AND DISTRICT IS SUFFICIENT AND COMPLIES WITH THE REQUIREMENTS OF SECTION 349.03 OF THE OHIO REVISED CODE IN FORM AND SUBSTANCE.

WHEREAS, Berlin Meadows Development LLC (the "Developer") plans to develop an approximately 280-acre site located entirely within the boundaries of the County of Delaware, Ohio; and

WHEREAS, The Developer has prepared a petition to submit to the Delaware County Board of Commissioners to approve the establishment of the Berlin Meadows New Community Authority (Berlin Meadows NCA) as a new community authority under Ohio Revised Code Chapter 349; and

WHEREAS, For the purposes of the proposed new community authority as set forth herein, each of the City of Delaware, Ohio and the City of Columbus, Ohio shall be considered to be a "proximate city" of the proposed new community authority, as set forth in Ohio Revised Code Section 349.01(M)(1), as set forth in additional detail herein; and

WHEREAS, The Developer plans to develop the site as a mixed-use commercial and residential development, including open space and school development, single-family residential units, a community facility with associated outdoor spaces, and surface and structured parking necessary to support those uses; and

WHEREAS, on August 6, 2020, the Developer submitted to the Council of the City of Delaware, Ohio ("Council"), pursuant to Revised Code Section 349.03, a Petition for Establishment of the Berlin Meadows New Community Authority under Chapter 349 of the Ohio Revised Code ("Petition"); and

WHEREAS, the Berlin Meadows New Community District, as described in the Petition, is located entirely within the boundaries of Delaware County, Ohio. Under Ohio Revised Code Section 349.01(M)(1), each of (i) the City of Delaware, Ohio, as the city with the greatest population located in the county in which the proposed new community district is located, and (ii) the City of Columbus, Ohio, as the city with the greatest population located in an adjoining county where the city is within five miles of any part of the boundaries of the district, are considered to be a "proximate city" for the purposes of the Berlin Meadows New Community District.

WHEREAS, This Council, as the legislative authority of the City of Delaware, Ohio, is one of the proximate cities for the Berlin Meadows New Community District for the purposes of this Petition; and

WHEREAS, this Council has reviewed the Petition, and by this resolution desires to legislatively determine, pursuant to Revised Code Section 349.03, that the Petition complies with the requirements of that section as to form and substance; and

WHEREAS, this Council agrees to authorize execution of the Petition prior to its submittal to the Delaware County Board of Commissioners as the organizational board of commissioners pursuant to Revised Code Section 349.03.

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

SECTION 1. Proximate City. This Council hereby acknowledges and determines that, pursuant to Revised Code Section 349.01(M)(1) and 349.03(A), it is a "proximate city" of the Berlin Meadows New Community Authority for all purposes of Revised Code Chapter 349.

SECTION 2. Petition's Sufficiency and Compliance with Revised Code Section 349.03. This Council has examined the Petition and finds and determines that the Petition is sufficient and complies with the requirements of Revised Code Section 349.03 in form and substance. This Council authorizes the City Manager to sign the Petition on behalf of the City of Delaware, Ohio.

SECTION 3. 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 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 Revised Code Section 121.22.

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

PASSED: _____, 2020 YEAS _____ NAYS _____
ABSTAIN _____

ATTEST: _____ _____
CITY CLERK MAYOR

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DELAWARE COUNTY, OHIO

PETITION FOR ESTABLISHMENT OF THE BERLIN MEADOWS NEW COMMUNITY AUTHORITY AS A NEW COMMUNITY AUTHORITY UNDER OHIO REVISED CODE CHAPTER 349

Submitted by:

Berlin Meadows Development LLC

As the Developer

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BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DELAWARE COUNTY, OHIO

PETITION FOR ESTABLISHMENT OF
THE BERLIN MEADOWS
COMMUNITY AUTHORITY
AS A NEW COMMUNITY AUTHORITY UNDER
OHIO REVISED CODE CHAPTER 349

Pursuant to Ohio Revised Code Chapter 349 (the "Act"), Berlin Meadows Development LLC (the "Developer"), in its capacity as a "developer" as defined in Section 349.01(E) of the Ohio Revised Code, hereby makes and files this petition (the "Petition") with the Board of County Commissioner of Delaware County, Ohio, as the organizational board of commissioners under Section 349.01(F) of the Ohio Revised Code (the "Commissioners"), in order to initiate proceedings for the establishment of a new community authority (the "Authority") described in Section 1 below and for the new community district described in Section 3 below (the "District").

The Developer further states as follows:

Section 1. Name of the Proposed Authority

The Authority shall be named the "Berlin Meadows New Community Authority."

Section 2. Principal Office of the Proposed Authority

The principal office of the Authority shall be located at 470 Olde Worthington Road, Suite 101, Westerville, Ohio 43082, until such time as the board of trustees of the Authority determines another location for the principal office of the Authority.

Section 3. Map; Full and Accurate Description of the Proposed District

A full and accurate description of the boundaries of the District is attached to this Petition in the form of a map as Exhibit A, and the legal descriptions for the parcels comprising the District are attached to this Petition as Exhibit B. The total acreage to be included in the District will be approximately 280.22 acres. As indicated in the map, all of the real property comprising the District is developable as one functionally interrelated community and is owned or controlled, through leases of at least seventy-five years' duration, options, or contracts to purchase, by the Developer. The territory of the District is wholly located within the boundaries of the County of Delaware, Ohio (the "County"). In the event the Authority submits any petition in the future to add additional property to the District, such petition will include an updated map showing the proposed District. Additional property may be added to the District upon the consent of the Developer.

Section 4. Zoning for the Proposed District

The current plans for the development of the proposed District comply with the applicable zoning regulations of the County, a certified copy of which is attached to this Petition as Exhibit C. The zoning of the District is partially Planned Commercial District (PCD), where the commercial improvements are anticipated, and partially Planned Residential District (PRD) where the residential and open space improvements are anticipated.

Section 5. Current Plans for the Development of the Proposed District

The current plans for the development of the proposed District, indicating the proposed "new community development program," as defined in the Act, are provided below and in certain Exhibits attached to this Petition (collectively, the "Development Program").

The Development Program outlines the general program for the development of the District, and includes (a) the land acquisition and land development activities to be undertaken within the area including the District, (b) the acquisition, construction, operation, and maintenance of community facilities and other public infrastructure improvements for the District (the "Community Facilities"), (c) the provision of District services to be undertaken by the Authority, (d) the proposed method of financing such Community Facilities and District services, (e) the projected total employment within the District, and (f) the projected total population of the District.

The development of the area included in the proposed District, as well as the surrounding area, is being described as the "Berlin Meadows Development." The Berlin Meadows Development will include a mixture of uses, including open space and school development, commercial, retail, and single-family residential, with a maximum of 336 single-family residential units. In addition to the Berlin Meadows Development, the property includes a proposed residential development to be known as "Eaststone Crossing," with a maximum of 57 single-family residential units, and a proposed residential development to be known as "Southwoods," with a maximum of 30 single-family residential units.

a. Development Program, Including Land Acquisition and Land Development. The Development Program does not contemplate that the Authority would undertake any plans for the acquisition of real property and interests in real property other than the acquisition of fee interests, easements, rights-of-way, licenses, leases and similar property interests necessary to complete the Community Facilities.

b. Plan for Community Facilities. The Community Facilities shall include all real property, buildings, structures, or other facilities, including related fixtures, equipment, and furnishings, to be owned, operated, financed, constructed, and maintained under the Act. As provided in the Act, the Community Facilities consist generally of (i) any real property, buildings, structures, or other facilities, including related fixtures, equipment, and furnishings, to be owned, operated, financed, constructed, and maintained, including public, community, village, neighborhood, or town buildings, centers and plazas, auditoriums, day care

centers, recreation halls, educational facilities, health care facilities including hospital facilities as defined in the Act, telecommunications facilities, including all facilities necessary to provide telecommunications service as defined in the Act, recreational facilities, natural resource facilities, including parks and other open space land, lakes and streams, cultural facilities, community streets and off-street parking facilities, pathway and bikeway systems, pedestrian underpasses and overpasses, lighting facilities, design amenities, or other community facilities, and buildings needed in connection with water supply or sewage disposal installations, or energy facilities including those for renewable or sustainable energy sources, and steam, gas, or electric lines or installation; and (ii) any community facilities that are owned, operated, financed, constructed, or maintained for, relating to, or in furtherance of community activities.

Specifically, it is presently anticipated that the Community Facilities will include the facilities described in Exhibit D attached to and incorporated into this Petition.

c. Provision of District Services. Pursuant the Act, the Authority is authorized to provide services within the District, including, but not limited to, landscaping, street and sidewalk cleaning and maintenance, maintenance of parking facilities, and any other community improvement services.

d. Method of Financing. The Developer proposes to finance the construction of certain of the Community Facilities through the issuance of one or more series of bonds, notes issued in anticipation of the issuance of bonds, or bonds issued to refund such bonds or notes (the Bonds), either by the Authority or another entity or team of entities. The Bonds will be secured through the levy and collection by the Authority of a "community development charge," as defined in the Act (the Community Development Charge), that the Authority expects to levy on certain parcels within the District. The Community Development Charge will serve as one source of security for the payment of the annual debt service charges on the Bonds (Bond Debt Service). Bond Debt Service may also be secured with other revenues from public or private sources that are available to the Authority.

e. Projected Total Employment within the District. All of the above-described Community Facilities will benefit the businesses in the District and will result in a projected total employment of approximately 200 individuals within the District.

f. Projected Total Population of the District. All of the above-described Community Facilities will benefit a projected total population of approximately 920 residents within the District.

Section 6. Board of Trustees of the Proposed Authority

The Developer recommends that the number of members of the board of trustees of the Authority (the Board) be comprised of seven members selected as provided in Section 349.04 of the Ohio Revised Code.

a. Appointment of Members of the Board. The Commissioners, as the organizational board of commissioners under Section 349.01(F) of the Ohio Revised Code, shall appoint three citizen members of the Board to represent the interests of present and future employers, within the District and any present and future residents of the District and one member to serve as a representative of local government. The Developer shall appoint three members to serve on the Board as representatives of the Developer.

b. Replacement of Members of the Board. The Developer recommends that, pursuant to Section 349.04(C), members of the Board be selected as follows:

    1. While any Bonds are outstanding, the methodology for replacement of members of the Board will be as follows:

        A. The Commissioners, as the organizational board of commissioners under Section 349.01(F) of the Ohio Revised Code, shall continue to appoint replacement citizen members of the Board and the representative of local government upon the expiration of that member's term or resignation by that member unless the County determines, by resolution of Commissioners, that such citizen members of the Board and/or the representative of local government shall be elected or selected in an alternative fashion;

        B. Developer shall appoint replacement representatives of the Developer to the Board upon the expiration of that member's term or resignation by that member; and

    2. After the Bonds are no longer outstanding, the procedure for selection of Board members shall be determined by the County pursuant to Section 349.04 of the Ohio Revised Code.

Section 7. Preliminary Economic Feasibility Analysis for the Proposed Authority

The preliminary economic feasibility analysis is provided below and in certain Exhibits attached to this Petition. The preliminary economic feasibility analysis examines (a) development patterns and demand factors of the area including the District, (b) the location and size for the proposed District, (c) the present and future socio-economic conditions of the area including the District, (d) a description of the public services to be provided with respect to the area including the District, (e) a financial plan with respect to the area including the District, and (f) a description of the Developer's management capability.

a. Development Patterns and Demand Factors of District. The current land use of the area within and without the District is vacant land. The proposed future land use of the District will be 3,706,520 square feet of open space, 144,300 – 173,160 square feet of commercial and retail facilities, and approximately 336 single-family residential homes (the "Project"). The Project will be state-of-the-art facilities with advanced technology and security systems. Landscaping and hardscaping will be extensive and aesthetically pleasing to residents and members of the surrounding community. Demographic and development information related to certain areas within and without the District are attached to this Petition as Exhibit E.

b. Location and Size of Proposed District. The District is located in the County as more fully shown in Exhibit A and described in Exhibit B. The size of the proposed District is approximately 280.22 acres.

c. Public Services Provision. All law enforcement services within the District shall be provided by the Delaware County Sheriff's Department. All fire services within the District shall be provided by Berlin Township, Delaware County, Ohio (the "Township"). All emergency medical services within the District shall be provided by the Township. Roadways and utilities will be provided by the applicable public or utility entities. All public education services shall be provided by the Olentangy Local School District and the Delaware Area Career Center.

d. Preliminary Economic Feasibility Analysis. A preliminary economic feasibility analysis for development of the District, including the area development pattern and demand, and present and future socio-economic conditions of the area including the District is attached to this Petition as Exhibit E.

e. Financial Plan. A preliminary financial plan for the development and the District is attached to this Petition as Exhibit F.

f. Developer's Management Capability. A description of the management capability of the Developer is attached to this Petition as Exhibit G.

g. Demographic Information for Berlin Township. A summary of the demographics of Berlin Township is attached to this Petition as Exhibit H.

Section 8. Environmental Statement

The Authority and the Developer shall comply with all applicable environmental laws and regulations with respect to the District. The Developer has previously undertaken a Phase I Environmental Property Assessment related to the District. The Phase I concluded that the District includes no conditions qualifying as a recognized environmental condition and no evidence of actual or potential releases of hazardous substances or petroleum products in conjunction with the District.

Section 9. Provisions Regarding This Petition

For the purposes of the establishment of the Authority, the City of Delaware, Delaware County, Ohio and the City of Columbus, Franklin County, Ohio are each a "proximate city" as that term is defined in Section 349.01(M) of the Ohio Revised Code.

Exhibits A, B, C, D, E, F, G, and H, attached to this Petition, are hereby incorporated as part of this Petition.

Words and terms not defined herein shall have the meanings given in Section 349.01 unless the context requires a different meaning.

The Developer hereby requests the Commissioners, as the organizational board of commissioners under Section 349.01(F) of the Ohio Revised Code, to determine that this Petition complies as to form and substance with the requirements of Section 349.03 of the Ohio Revised Code and further requests that the Commissioners fix the time and place of a hearing on this Petition for the establishment of the Authority. Under Section 349.03(A) of the Ohio Revised Code, such hearing must be held not less than 30 and not more than 45 days after the filing of this Petition with the Commissioners.

[Signature Page Follows on Next Page]

IN WITNESS HEREOF, Developer has caused this Petition for Organization of the Berlin Meadows Community Authority to be executed by its duly authorized representative as of the day and year first above written.

BERLIN MEADOWS DEVELOPMENT LLC

By: _____

Name: Rowland S. Giller, III

Title President of Triangle Properties, Inc.
which is a Member of Berlin Development, LLC

PROXIMATE CITY APPROVAL

City of Delaware, Delaware County, Ohio (the "*City*"), by Resolution No. _____, passed by the City Council on _____, 2020, has authorized _____, its _____, to sign this Petition, and the Petition is herewith signed as evidence of that approval.

CITY OF DELAWARE, DELAWARE COUNTY, OHIO

By: _____
Name: _____
Title: _____

PROXIMATE CITY APPROVAL

City of Columbus, Franklin County, Ohio (the "*City*"), by Resolution No. _____, passed by the City Council on _____, 2020, has authorized _____, its _____, to sign this Petition, and the Petition is herewith signed as evidence of that approval.

CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO

By: _____
Name: _____
Title: _____

EXHIBIT A

MAP OF DISTRICT

The District shall include the real property shown below:

Berlin Meadows - Residential and Commercial Development:

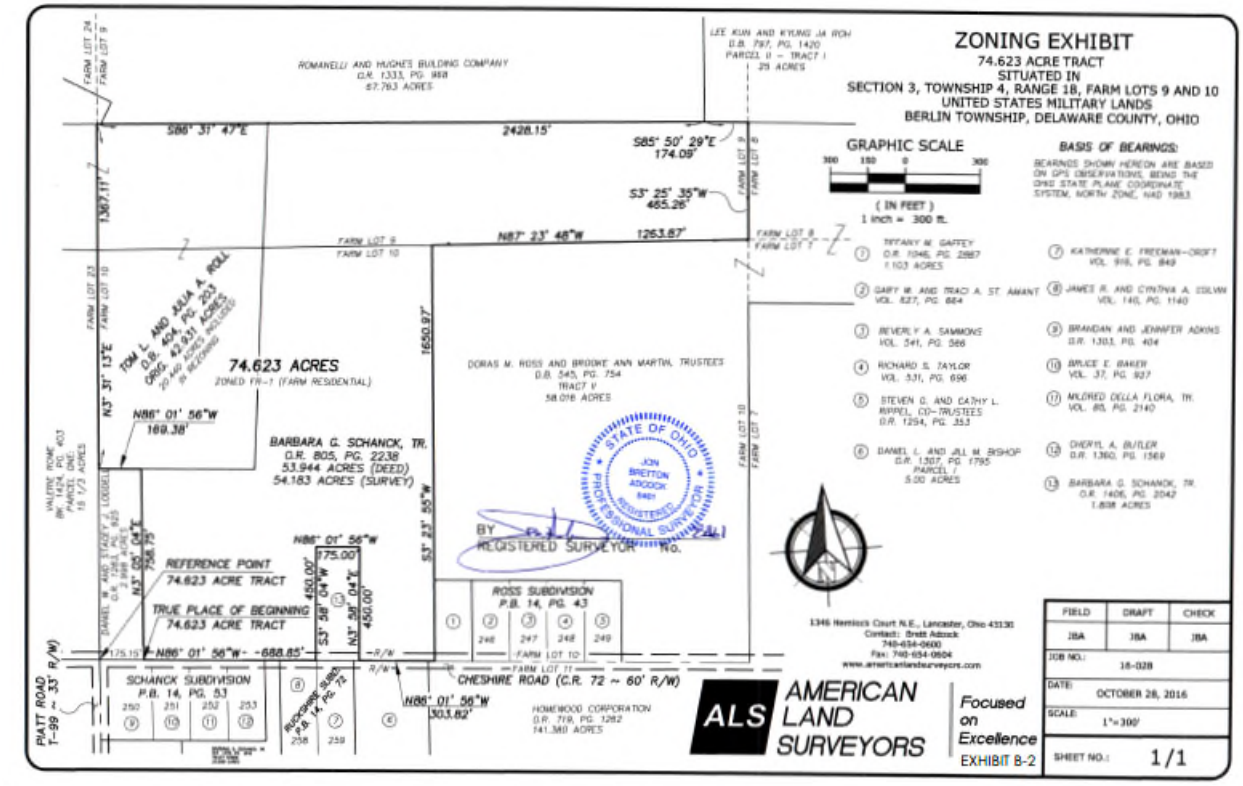


Berlin Meadows - Commercial Development:



Eaststone Crossing – ±54.183 acres

Parcel No(s): 41831001037000, 41831001043000, 41831001038000



Southwoods - ±23.838 acres

Parcel No(s): 41831001068000

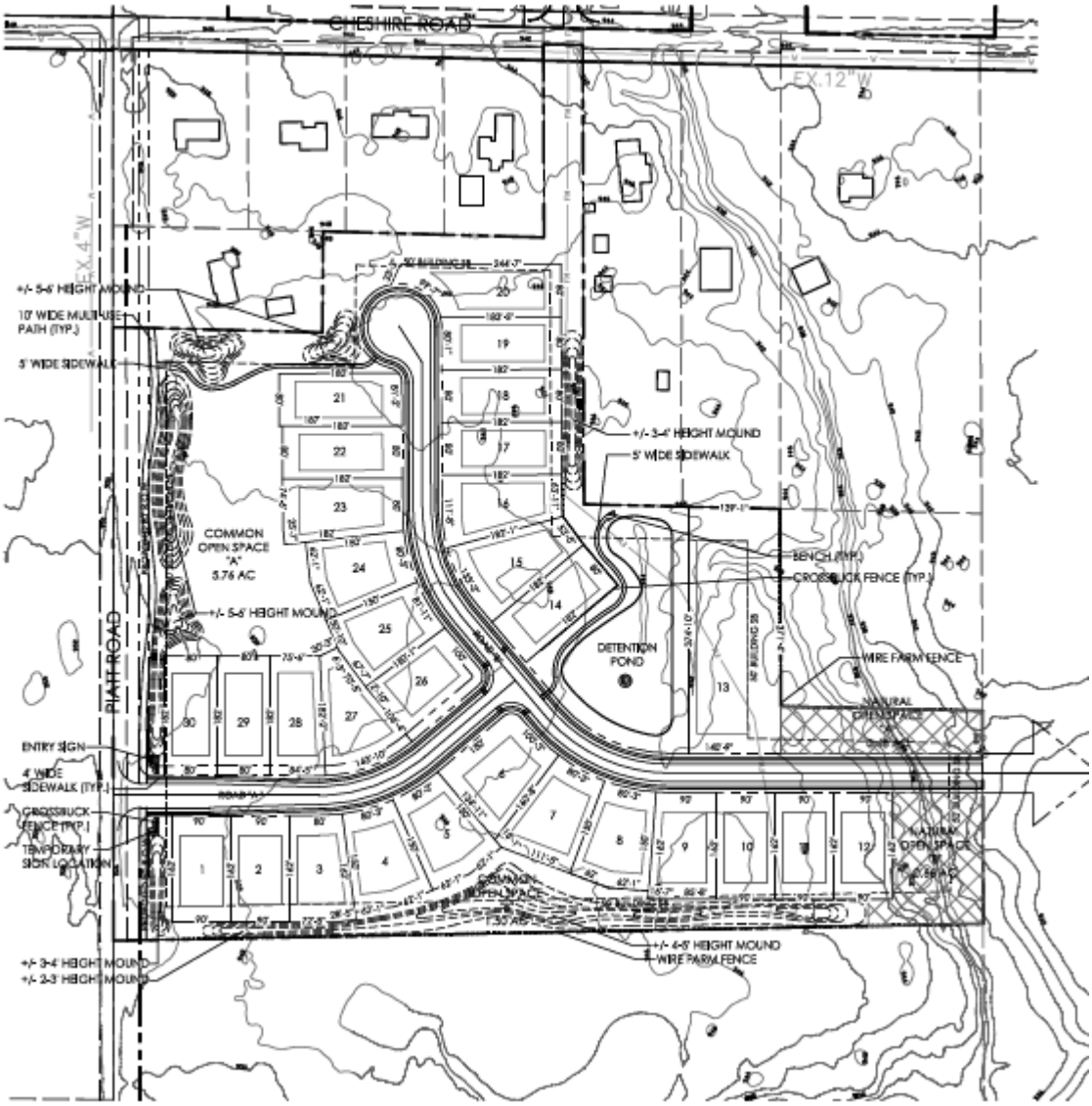


EXHIBIT B

LEGAL DESCRIPTION OF REAL PROPERTY COMPRISING DISTRICT

Berlin Meadows - Residential Development:

Zoning Description
181.6± Acres
South of Peachblow Road
West of Piatt Road
-1-

Situated in the State of Ohio, Berlin Township, Delaware County, Farm Lots 30-32, Section 3, Township 4, Range 18, United States Military District, being a 181.6± acre tract of land, said 181.6± acre tract being part of a 17.508 acre tract of land conveyed to Peachblow Land II, LLC of record in Official Record 421, Page 2239, being part of a 145.432 acre tract of land conveyed to Kenney Asset Management, LLC of record in Official Record 1064, Page 2344 and being all of a 39.281 acre tract of land conveyed to Triangle Properties, Inc. of record in Deed Book 649, Page 207, and being more particularly described as follows;

Beginning, for Reference, at a northeasterly corner of said 145.432 acre tract, being the northwesterly corner of a tract of land conveyed to Rebecca Jane Krupar and James Matthew Koch and being in the centerline of Peachblow Road (C.R. 98);

Thence **S 03° 34' 01" W,** along the easterly line of said 145.432 acre tract, **674.88± feet** to a northeasterly corner thereof;

Thence **S 85° 26' 18" E,** along the northerly line of said 145.432 acre tract, **482.77± feet** to a northeasterly corner thereof;

Thence **S 03° 17' 00" W,** along the easterly line of said 145.432 acre tract, **877.04± feet** to the **True Point of Beginning**;

Thence **S 03° 17' 00" W,** continuing along the easterly line of said 145.432 acre tract and along said 181.6± acre tract, **1768.16± feet** to a southeasterly corner thereof;

Thence **N 86° 13' 42" W,** along the southerly line of said 145.432 acre tract and said 181.6± acre tract, **1318.24± feet** to a northeasterly corner of said 39.281 acre tract;

Thence **S 03° 07' 52" W,** along the easterly line of said 39.281 acre tract and said 181.6± acre tract, **1238.09± feet** to a southeasterly corner thereof;

Thence **N 86° 26' 43" W,** along the southerly line of said 39.281 acre tract and said 181.6± acre tract, **306.72± feet** to a southeasterly corner thereof;

Thence **S 03° 28' 39" W,** along the easterly line of said 39.281 acre tract and said 181.6± acre tract, **159.29± feet** to a southeasterly corner thereof;

Thence **N 86° 31' 21" W,** along the southerly line of said 39.281 acre tract and said 181.6± acre tract, **189.27± feet** to a southeasterly corner thereof;

Thence **S 03° 21' 21" W,** along the easterly line of said 39.281 acre tract and said 181.6± acre tract, **267.64± feet** to a southeasterly corner thereof and being in the centerline of Shanahan Road (C.R. 100);

Thence **N 86° 17' 50" W,** along the southerly line of said 39.281 acre tract, along the southerly line of said 181.6± acre tract and along said centerline, **199.82± feet** to a southwesterly corner thereof;

Thence **N 03° 09' 12" E,** along the westerly line of said 39.281 acre tract and said 181.6± acre tract, **161.87± feet** to a southwesterly corner thereof;

Zoning Description
181.6± Acres
South of Peachblow Road
West of Piatt Road
-2-

Thence **N 86° 31' 32" W,** along the southerly line of said 39.281 acre tract and said 181.6± acre tract, **271.50± feet** to a southwesterly corner thereof;

Thence **N 03° 09' 10" E,** along the westerly line of said 39.281 acre tract and said 181.6± acre tract, **597.76± feet** to a southwesterly corner thereof;

Thence **N 86° 34' 19" W,** along the southerly line of said 39.281 acre tract and said 181.6± acre tract, **348.62± feet** to a southwesterly corner thereof;

Thence **N 03° 04' 47" E,** along the westerly line of said 39.281 acre tract and said 181.6± acre tract, **913.21±** to the northwesterly corner of said 39.281 acre tract and the southwesterly corner of said 145.432 acre tract and an angle point in the westerly line of said 181.6± acre tract;

Thence **N 02° 47' 34" E,** along the westerly line of said 145.432 acre tract and said 181.6± acre tract, **831.75±** to an angle point in the westerly line of said 145.432 acre tract and said 181.6± acre tract;

Thence **N 03° 25' 22" E,** along the westerly line of said 145.432 acre tract and the westerly line of said 181.6± acre tract, **854.83± feet** to a northwesterly corner of said 145.432 acre tract and said 181.6± acre tract;

Thence **S 86° 32' 20" E,** along the northerly line of said 145.432 acre tract and said 181.6± acre tract, **780.67± feet** to a southwesterly corner of said 17.508 acre tract and a northwesterly corner of said 181.6± acre tract;

Thence **N 03° 06' 48" E,** along the westerly line of said 17.508 acre tract and said 181.6± acre tract, **1118.81± feet** to an angle point;

Thence **S 85° 42' 04" E,** across said 17.508 acre tract, across said 145.432 acre tract and along a northerly line of said 181.6± acre tract, **952.05±** to a point of curvature;

Thence across said 145.432 acre tract and along the northerly line of said 181.6± acre tract with a curve to the left having a central angle of **27° 20' 36"** and a radius of **705.00± feet**, an arc length of **336.45±** and a chord bearing and distance of **S 44° 35' 48" E, 333.26± feet** to a point of tangency;

Thence **S 58° 16' 06" E,** across said 145.432 acre tract and along the northerly line of said 181.6± acre tract, **286.25± feet** to a point of curvature;

Thence across said 145.432 acre tract and along the northerly line of said 181.6± acre tract with a curve to the right having a central angle of **60° 40' 00"** and a radius of **790.00± feet**, an arc length of **836.48±** and a chord bearing and distance of **S 27° 56' 06" E, 797.95± feet** to the **True Point of Beginning**, containing **181.6± acres**, more or less.

This description is based on information obtained from the Delaware County Auditor's and Recorder's Office and was created on August 19, 2019.

This description is not to be used in the transfer of land.

ADVANCED CIVIL DESIGN, INC.

Z:\17-0149-128\survey\181.6 ac zoning desc.doc

Berlin Meadows - Commercial Development:

Zoning Description
16.3± Acres
South of Peachblow Road
West of Piatt Road
-1-

Situated in the State of Ohio, Berlin Township, Delaware County, Farm Lot 30, Section 3, Township 4, Range 18, United States Military District, being a 16.3± acre tract of land, said 16.3± acre tract being part of a 145.432 acre tract of land conveyed to Kenney Asset Management, LLC of record in Official Record 1064, Page 2344 and being more particularly described as follows;

Beginning, at a northeasterly corner of said 145.432 acre tract, being the northwesterly corner of a tract of land conveyed to Rebecca Jane Krupar and James Matthew Koch and being in the centerline of Peachblow Road (C.R. 98);

Thence **S 03° 34' 01" W,** along the easterly line of said 145.432 acre tract and said 16.3± acre tract, **674.88± feet** to a northeasterly corner thereof;

Thence **S 85° 26' 18" E,** along the northerly line of said 145.432 acre tract and said 16.3± acre tract, **482.77± feet** to a northeasterly corner thereof;

Thence **S 03° 17' 00" W,** along the easterly line of said 145.432 acre tract and said 16.3± acre tract, **877.04± feet** to a point;

Thence across said 145.432 acre tract and along the southerly line of said 16.3± acre tract with a curve to the left having a central angle of **60° 40' 00"** and a radius of **790.00± feet**, an arc length of **836.48±** and a chord bearing and distance of **N 27° 56' 06" W, 797.95± feet** to a point of tangency;

Thence **N 58° 16' 06" W,** across said 145.432 acre tract and along the southerly line of said 16.3± acre tract, **286.25± feet** to a point of curvature;

Thence across said 145.432 acre tract and along the southerly line of said 16.3± acre tract with a curve to the right having a central angle of **27° 20' 36"** and a radius of **705.00± feet**, an arc length of **336.45±** and a chord bearing and distance of **N 44° 35' 48" W, 333.26± feet** to a point of tangency;

Thence **N 85° 42' 04" W,** across said 145.432 acre tract and along a southerly line of said 16.3± acre tract, **421.56±** to a point in the westerly line of 145.432 acre tract and in the easterly line of that 17.508 acre tract of land as conveyed to Peachblow Land II, LLC of record in Official Record 421, Page 2239;

Thence **N 03° 27' 05" E,** with a westerly line of said 145.432 acre tract, the easterly line of said 17.508 acre tract and along the westerly line of said 16.3± acre tract, **529.77±** to a common corner thereof and the centerline of said Peachblow Road (C.R. 98);

Thence **S 85° 35' 10" E,** along the northerly line of said 145.432 acre tract and along the centerline of said Peachblow Road (C.R. 98), **853.25± feet** to the **True Point of Beginning**, containing **16.3± acres**, more or less.

This description is based on information obtained from the Delaware County Auditor's and Recorder's Office and was created on August 19, 2019

This description is not to be used in the transfer of land.

ADVANCED CIVIL DESIGN, INC.

Z:\17-0149-128\survey\16.3 ac zoning desc.doc

Eaststone Crossing

DESCRIPTION OF 74.623 ACRES
NORTH OF CHESHIRE ROAD (60' R/W)
EAST OF PIATT ROAD (33' R/W)
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO

Situated in the State of Ohio, County of Delaware, Berlin Township, Section 3, Township 4, Range 18, Farm Lots 9 and 10, United States Military Lands, being all of that 53.944 acre tract of land (54.183 acres ~ survey) as described in a deed to Barbara G. Schanck, Trustee, of record in Official Record 805, Page 2238 and part of that original 42.931 acre tract of land as described in a deed to Tom L. and Julia A. Roll, of record in Deed Book 404, Page 203, all references herein being to the records located in the Recorder's Office, Delaware County, Ohio and being more particularly described as follows;

Beginning **FOR REFERENCE** at the intersection of the centerlines of Cheshire and Piatt Roads, being the southwesterly corner of Farm Lot 10, the southwesterly corner of a 2.998 acre tract of land as described in a deed to Daniel W. and Stacy J. Loddell, of record in Official Record 1283, Page 925 and the northwesterly corner of "Schanck Subdivision", a subdivision of record in Plat Book 14, Page 53;

Thence South 86° 01' 56" East, along the centerline of said Cheshire Road, the southerly line of said Lot 10 and said 2.998 acre tract and the northerly line of said "Schanck Subdivision", a distance of 175.15 feet to the **TRUE PLACE OF BEGINNING**;

Thence **North 3° 05' 04" East**, along the easterly line of said 2.998 acre tract, a distance of **758.75 feet** to a point;

Thence **North 86° 01' 56" West**, along the northerly line of said 2.998 acre tract, a distance of **169.38 feet** to a point in the easterly line of a 15-1/3 acre tract of land described as Parcel One in a deed to Valerie Rowe, of record in Deed Book 1424, Page 403, also being a point in the westerly line of Farm Lot 10;

Thence **North 3° 31' 13" East**, along the easterly line of said 15-1/3 acre tract and the westerly line of said Farm Lot 10, through said 42.931 acre Roll tract, a distance of **1367.11 feet** to a point in the southerly line of a 67.763 acre tract of land as described in a deed to Romanelli and Hughes Building Company, of record in Official Record 1333, Page 968;

Thence **South 86° 31' 47" East**, along the southerly line of said 67.763 acre tract, a distance of **2428.15 feet** to a point at the southwesterly corner of a 25 acre tract of land described as Parcel II, Tract I in a deed to Lee Kun and Kyung Ja Roh, of record in Deed Book 797, Page 1420;

Thence **South 85° 50' 29" East**, along the southerly line of said 25 acre tract, a distance of **174.09 feet** to a point at a northerly corner of a 58.016 acre tract of land described as Tract II in a deed to Doras M. Ross and Brook Ann Martin, Trustees, of record in Deed Book 545, Page 754;

Thence along the lines of said 58.016 acre tract and the westerly line of a 1.103 acre tract of land as described in a deed to Tiffany M. Gaffey, of record in Official Record 1046, Page 2887, the following courses;

1. **South 3° 25' 35" West**, a distance of **465.26 feet** to a point;

2. **North 87° 23' 48" West**, a distance of **1263.87 feet** to a point;

3. **South 3° 23' 55" West**, a distance of **1650.97 feet** to a point in the centerline of said Cheshire Road, being the southwesterly corner of said 1.103 acre tract, a point in the northerly line of a 141.380 acre tract of land as described in a deed to Homewood Corporation, of record in Official Record 719, Page 1262 and a point in the southerly line of said Farm Lot 10;

Thence **North 86° 01' 56" West**, along the centerline of said Cheshire Road, the southerly line of said Farm Lot 10, the northerly line of said 141.380 acre tract and the northerly line of a 5.00 acre tract of land described as Parcel I in a deed to Daniel L. and Jill M. Bishop, of record in Official Record 1307, Page 1795, a distance of **303.82 feet** to a point at the southeasterly corner of a 1.808 acre tract of land as described in a deed to Barbara G. Schanck, Trustee, of record in Official Record 1406, Page 2042;

Thence along the easterly, northerly and westerly lines of said 1.808 acre tract of land, the following courses;

1. **North 3° 58' 04" East**, a distance of **450.00 feet** to a point;

2. **North 86° 01' 56" West**, a distance of **175.00** feet to a point;

3. **South 3° 58' 04" West**, a distance of **450.00 feet** to a point in the centerline of said Cheshire Road, being a point in the northerly line of Lot 258 of "Ruckshire Subdivision", a subdivision of record in Plat Book 14, Page 72 and a point in the southerly line of Farm Lot 10;

Thence **North 86° 01' 56" West**, along the centerline of said Cheshire Road, the southerly line of said Farm Lot 10, the northerly line of said Lot 258, the northerly line of a 23.838 acre tract of land as described in a deed to Barbara G. Schanck, Trustee, of record in Official Record 1378, Page 1645 and the northerly line of the previously mentioned "Schanck Subdivision", a distance of **688.85 feet** to the **TRUE PLACE OF BEGINNING** and containing **74.623 acres** of land.

Bearings herein are based on GPS observations, being the Ohio State Plane Coordinate System, North Zone, NAD 1983.

This description was prepared by American Land Surveyors, LLC, by Jon B. Adcock, Ohio Licensed Professional Surveyor No. 8461.

The above described 74.623 acres is all of Delaware County Auditor's Parcel No. 418-310-01-037-000, all of Delaware County Auditor's Parcel No. 418-310-01-038-000, all of Delaware County Auditor's Parcel No. 418-310-01-041-000, all of Delaware County Auditor's Parcel No. 418-310-01-040-000 and all of Delaware County Auditor's Parcel No. 418-310-01-043-000.

10/29/16

Jon B. Adcock, Ohio P.S. No. 8461 Date



Southwoods

AMERICAN LAND SURVEYORS | Focused on Excellence

September 11, 2016

DESCRIPTION OF 23.838 ACRES
SOUTH OF CHESHIRE ROAD (60' R/W)
EAST OF PIATT ROAD (33' R/W)
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO

Situated in the State of Ohio, County of Delaware, Berlin Township, Section 3, Township 4, Range 18, Farm Lot 11, United States Military Lands, being all of that 23.838 acre tract of land described as Tract Three in a deed to Barbara G. Schanck, Trustee, of record in Official Record 1376, Page 1645, all references herein being to the records located in the Recorder's Office, Delaware County, Ohio and being more particularly described as follows;

Beginning **FOR REFERENCE** at the intersection of the centerlines of Cheshire and Piatt Roads, being the northwesterly corner of Farm Lot 11, the southwesterly corner of a 2.998 acre tract of land as described in a deed to Daniel W. and Stacy J. Loddell, of record in Official Record 1283, Page 925, the northwesterly corner of "Schanck Subdivision", a subdivision of record in Plat Book 14, Page 53 and the northeasterly corner of a 50 acre tract of land described as the "Second Tract" in a deed to David F. Gardner, of record in Deed Book 577, Page 2605;

Thence South 2° 54' 03" West, along the centerline of said Piatt Road, the westerly line of said "Schanck Subdivision", the easterly line of said 50 acre tract and the westerly line of a 1.103 acre tract of land as described in a deed to Gregory S. and Dana J. Randall, of record in Official Record 1420, Page 1269, a distance of 470.45 feet to the **TRUE PLACE OF BEGINNING;**

Thence along the southerly and easterly lines of said 1.103 acre tract the following courses;

1. **South 86° 02' 02" East**, a distance of **320.46 feet** to a point;
2. **North 2° 52' 50" East**, a distance of **150.00 feet** to a point in the southerly line of Lot 251 of said "Schanck Subdivision";

Thence along the southerly line of said Lot 251, the southerly lines of Lots 252 and 253 and the easterly line of said Lot 253 of said subdivision, the following courses;

1. **South 86° 04' 10" East**, a distance of **337.16 feet** to a point;

2. **North 2° 50' 33" East**, a distance of **320.24 feet** to a point in the centerline of said Cheshire Road, being a point in the northerly line of said Farm Lot 11 and the southerly line of a 53.944 acre tract of land as described in a deed to Barbara G. Schanck, Trustee, of record in Official Record 805, Page 2238;

Thence **South 86° 01' 56" East**, along the centerline of said Cheshire Road, the northerly line of said Farm Lot 9 and the southerly line of said 53.944 acre tract, a distance of **60.00 feet** to a point at the northwesterly corner of Lot 258 as shown and delineated on the plat entitled "Ruckshire Subdivision", a subdivision of record in Plat Book 14, Page 72;

Thence along the westerly and southerly lines of said "Ruckshire Subdivision" the following courses;

1. **South 2° 49' 54" West**, a distance of **726.22 feet** to a point;

2. **South 86° 03' 36" East**, a distance of **299.88 feet** to a point at the southwesterly corner of a 5.00 acre tract of land described as Parcel I in a deed to Daniel L. and Jill M. Bishop, of record in Official Record 1307, Page 1795, also being the northwesterly corner of a 2.00 acre tract of land described as Parcel II in said deed;

Thence with the westerly and southerly lines of said 2.00 acre tract the following courses;

1. **South 2° 49' 38" West**, a distance of **290.50 feet** to a point;

2. **South 86° 02' 52" East**, a distance of **300.00 feet** to a point in the westerly line of a 141.380 acre tract of land as described in a deed to Homewood Corporation, of record in Official Record 719, Page 1262;

Thence **South 2° 51' 59" West**, along the westerly line of said 141.380 acre tract, a distance of **340.50 feet** to a point at the northeasterly corner of a 9.082 acre tract of land as described in a deed to Michael P. and Judy A. Grubb, of record in Deed Book 471, Page 625;

Thence **North 88° 06' 51" West**, along the northerly line of said 9.082 acre tract, a distance of **1318.56 feet** to a point in the centerline of said Platt Road, also being the a point in the westerly line of said Farm Lot 11 and the easterly line of the previously mentioned 50 acre Gradner tract;

Thence **North 2° 54' 03" East**, along said centerline, the westerly line of said Lot 11 and the easterly line of said 50 acre tract, a distance of **934.42 feet** to the **TRUE PLACE OF BEGINNING** and containing **23.838 acres** of land.

Bearings herein are based on GPS observations, being the Ohio State Plane Coordinate System, North Zone, NAD 1983.

AMERICAN LAND SURVEYORS

Focused on Excellence

This description was prepared by American Land Surveyors, LLC, by Jon B. Adcock, Ohio Licensed Professional Surveyor No. 8461.

The above described 23.838 acres is all of Delaware County Auditor's Parcel No. 418-310-01-068-000.

Jon B. Adcock, Ohio P.S. No. 8461 Date 9/11/18

STATE OF OHIO
JON BRETTON ADCOCK
8461
REGISTERED
PROFESSIONAL SURVEYOR

EXHIBIT C

ZONING FOR DISTRICT

A copy of the zoning resolution and text of the zoning regulations applicable to the District is attached on the following page.

[See attached.]

Decision on Rezoning Application
Delaware County, Ohio

The Regional Planning Commission recently reviewed the rezoning application identified below. It is vital that the township complete the following information after the Trustee Hearing(s) so that the zoning maps maintained by the RPC are as accurate as possible.

RPC Meeting Date:	09/28/17	RPC# 30-17 ZON
Township:	Berlin	
Request by:	Peachblow Land II, LLC.	
To rezone:	193.3 acres	
Located:	Northside of Shanahan Rd., south of Peachblow Rd. (Parcel #: 41833001016000, 41833001014000, 41833001094000)	
From:	FR-1	
To:	R-3 with PRD overlay	
To allow:	Berlin Meadows	

Zoning Commission Decision Date: October 10, 2019

Board of Trustees Decision Date: February 10, 20

Effective Date: March 11 20

After the period of referendum has passed

Decision: *(circle one)* (APPROVED) DISAPPROVED with attached amendment

Please Note: If changes were made during the rezoning process to the Development Plan for a Planned District Zoning or if the rezoning application was changed during the township process, please submit an updated copy of the Development Plan to the RPC office for our files.

Township Trustee Signatures: _____

_____ Same as

_____ RPC# 08-19 Zon
09-19 Zon

FOR OFFICE USE ONLY

Delaware County Regional Planning Commission, 109 N. Sandusk
Phone (740) 833-2260 or Fax (740) 833-

Exhibit 30

Faris Planning & Design, LLC
Landscape Architecture & Land Planning
243 North 5th Street Suite 401
Columbus, OH 43215
p(614)487-1964 www.farisplanninganddesign.com

February 10, 2020

Berlin Township Trustees
Berlin Township Zoning Inspector
3271 Cheshire Rd.
Delaware, OH 43015

RE: Clarification items requested from Trustees
Berlin Meadows Rezoning Application with additional items per hearing 1.13.21

1. Pond Fountains shall be installed after pond is constructed and operational.

2. Each amenity will be constructed with Phase it is associated with.

3. Cathy Rippel confirmed that the August 21, 2019 submittal was distributed to the Trustees.

4. Attached letter from Fire Department. Developer agrees to the conditions listed and will work throughout platting and construction documents to address all concerns of fire department.

5. School grounds have been included as part of density calculation. The school site is approximately 13.98 acres, and of that acreage, the building occupies approximately 2.05 acres. Based on comments received, the school building should not be included in the net developable density. The corrected NDA would be as follows

   181.59 gross acres
   154.35 net acres (gross x .85%)
   Easements 11.66
   School building 2.05
   Actual net developable 140.64 acres
   Density 2.39 du/ac net developable

6. 66 side loaded lots- (19.6%) 270 front load lots- (80.4%)

7. The North Road alignment should not affect density of Evans Farm, but will shift some roadways to be consistent with County Engineering Standards, which the current approved Development Plan for Evans Farm does not comply with.

Additional Clarifications:

Exterior Appearance and Materials:

The following shall be added to the zoning statement. Exterior finishes may be comprised of vinyl, stone, wood, synthetic stone, cementitious siding, stucco, or a combination of the materials.

(additional clarification items, 1.13.20 hearing)

PRD items

1. *Snout house limitation. No homes will have a garage that extends more than 10' from main body of house foundation, or if the home has a porch, no more than 14' forward of the porch.* that is attached to the garage
2. *CBU parking areas. Inquiries with home builders with CBU's already in place in existing subdivisions have not encountered any issues with parking concerns or overcrowding at CBU locations. Given the various locations scattered throughout the subdivision, this is not a concern.*
3. *Trees not placed in ROW. Final Development plans will indicate that street trees are outside of the ROW and in the homeowner's front yard*
4. *Small animals, as it pertains to keeping chickens, goats, et, shall be addressed in the Deed Restrictions that are established for this development.*
5. *HOA turnover will occur when ~~85%~~ 300 of the lots are sold.* (defined as delivered to owners)

PCD items

1. *Buffer area adjacent existing and proposed residential to the east. The buffer shall contain a minimum 5' height earth mound instead of the 2'-3' height mound as indicated on plans. The evergreen screening commitment shall remain the same. The plans shall be revised for final development plan submission and approval.*

Additional items per applicant 2.10.20

The clubhouse location has been modified do to existing 16" watermain running through site. New Exhibits D-7 and Illustrative Master Plan are submitted to indicate this revision to the plan

2. Minimum 3 CBU locations w/ off-street parking - 1 at clubhouse, 1 at park & 1 at North East quadrant.

2/10/2020

Todd M. Faris
Faris Planning & Design, LLC

attachments

BERLIN TOWNSHIP ZONING OFFICE

3271 Cheshire Rd.
Delaware, OH 43015

Phone: (740) 548-5217
Fax: (740) 548-7458

Hearing Date: **Sept. 10, 2019, July 23, 2019, June 25, 2019, April 9, 2019, February 26, 2019**

Case: **BZC 19-001 (formerly BZC 17-007) and BZC 19-002**

Applicant: **Peachblow Land II LCC, Kenney Asset Management LLC, 470 Olde Worthington Road, Suite 101, Westerville, OH 43082**

Subject **Approval of a preliminary development plan to rezone,** Parcel's #41833001016000; 41833001014000; & 4183300109400O; from Farm Residential District (FR-1) to R-3 with a Planned Residential District Overlay (R-3/PRD) **Approval of a preliminary development plan to rezone** BZC 19-002, Parcel's #41833001016000; 41833001014000; from Farm Residential District (FR-1) to Planned Commercial and Office District (PCD) & 41833001017000; from Planned Industrial District (PID) to Planned Commercial and Office District (PCD)

_____ DENIED

_____ APPROVED – Application and exhibits as submitted with NO ALTERATIONS or AMENDMENTS

__X__ APPROVED - Application and exhibits as submitted with ALTERATIONS or AMENDMENTS. (see attached sheets)

Zoning Office Exhibits:

Exhibit 1a. — excerpt of Delaware County Regional Planning Commission minutes, dated, 01/31/19,

Exhibit 2- Arial view of 418330010160000 with surrounding property owners on back, 41833001014000, with surrounding property owners on back, 41833001017000, with surrounding property owners on back, & 41833001009400, with surrounding property owners on back.

Exhibit 3 - Request of publication via email in the *Delaware Gazette*, dated, Feb. 11, 2019, 1- 2-sided page.

Exhibit 4 - Notice of Hearing to applicant, dated 02/14/2019.

Exhibit 5 - Certificate of mailing receipts dated 02/14/2019 along with landowner letter, dated 02/14/2019.

Exhibit 6 - Proof of publication in the Delaware Gazette, dated 02/14/2019.

Exhibit 7 - BZC meeting, agenda, sign-in sheet and minutes, dated 02/26/2019.

Exhibit 8 - BZC meeting, agenda, sign-in sheet and excerpt minutes, dated 04/09/2019.

Exhibit 9 - BZC meeting, agenda, sign-in sheet and excerpt minutes, dated 06/25/2019.

Exhibit 10 - BZC meeting, agenda, sign-in sheet and minutes, dated 07/23/2019.

RESOLUTION 2019.09.10 #A: MOTION TO RECOMMEND APPROVAL OF BZC 19-001 & 19-002

Ms. Korleski made a motion to recommend approval of BZC 19-001 and BZC 19-002 to the trustees with the conditions indicated on Exhibit 1:

1. 20% of the 336 units will have side load garages.
2. All garage doors will have an architectural design.
3. The PCD preliminary plan approval is extended to 3 years, and annual updates regarding the project's status will be provided by the applicant.
4. The NAICS codes for the Planned Commercial District will be provided in the final development plan.
5. The headwalls and endwalls of ponds will be stone faced.
6. All ponds will have fountains.

Motion: Ms. Korleski Second: Mr. Valentine

Vote	Kaplan	Yes	Armstrong	No
	Korleski	Yes	Valentine	Yes
	Johnson	Yes		

Motion carried.

Signed Toni Korleski 10/10/19
BZC Chairwoman

BZC 19-001 & 19002 – Berlin Meadows
Hearing Date: Sept. 10, 2019
Exhibit 1

BZC 19-001 AND BZC 19-002

BERLIN MEADOWS - EXHIBIT 1

CONDITIONS

1. 20% OF LOTS TO BE SIDE LOAD GARAGES (OF 336 TOTAL LOTS)

2. GARAGE DOORS TO BE OF ARCHITECTURAL DESIGN OPTIONS.

3. PCD PRELIMINARY PLAN APPROVAL EXTENDED TO 3 YEARS WITH YEARLY UPDATE REPORTS

4. IN WALLS AND HEADWALLS TO BE STONED

5. FOUNTAINS IN PONDS

9/10/19

Faris Planning & Design, LLC
Landscape Architecture | Land Planning
243 North 5th Street | Suite 401
Columbus, OH | 43215
p(614)487-1964 | www.farisplanninganddesign.com

January 21, 2020

Berlin Township Trustees
Berlin Township Zoning Inspector
3271 Cheshire Rd.
Delaware, OH 43015

RE: Clarification items requested from Trustees
Berlin Meadows Rezoning Application with additional items per hearing 1.13.21

1. Pond Fountains shall be installed after pond is constructed and operational.

2. Each amenity will be constructed with Phase it is associated with.

3. Cathy Rippel confirmed that the August 21, 2019 submittal was distributed to the Trustees.

4. Attached letter from Fire Department. Developer agrees to the conditions listed and will work throughout platting and construction documents to address all concerns of fire department.

5. School grounds have been included as part of density calculation. The school site is approximately 13.98 acres, and of that acreage, the building occupies approximately 2.05 acres. Based on comments received, the school building should not be included in the net developable density. The corrected NDA would be as follows
   181.59 gross acres
   154.35 net acres (gross x .85%)
   Easements 11.66
   School building 2.05
   Actual net developable 140.64 acres
   Density 2.39 du/ac net developable

6. 66 side loaded lots- (19.6%) 270 front load lots- (80.4%)

7. The North Road alignment should not affect density of Evans Farm, but will shift some roadways to be consistent with County Engineering Standards, which the current approved Development Plan for Evans Farm does not comply with.

Additional Clarifications:

Exterior Appearance and Materials:

The following shall be added to the zoning statement. Exterior finishes may be comprised of vinyl, stone, wood, synthetic stone, cementitious siding, stucco, or a combination of the materials.

(additional clarification items, 1.13.20 hearing)

PRD items

1. *Snout house limitation. No homes will have a garage that extends more than 10' from main body of house foundation, or if the home has a porch, no more than 14' forward of the porch.*
2. *CBU parking areas. Inquires with home builders with CBU's already in place in existing subdivisions have not encountered any issues with parking concerns or overcrowding at CBU locations. Given the various locations scattered throughout the subdivision, this is not a concern.*
3. *Trees not placed in ROW. Final Development plans will indicate that street trees are outside of the ROW and in the homeowner's front yard*
4. *Small animals, as it pertains to keeping chickens, goats, et, shall be addressed in the Deed Restrictions that are established for this development.*
5. *HOA turnover will occur when 95% of the lots are sold.*

PCD items

1. *Buffer area adjacent existing and proposed residential to the east. The buffer shall contain a minimum 5' height earth mound instead of the 2'-3' height mound as indicated on plans. The evergreen screening commitment shall remain the same. The plans shall be revised for final development plan submission and approval.*



Todd M. Faris
Faris Planning & Design, LLC

attachments

Berlin Township
Fire Department
2708 Lackey Old State Road
Delaware, Ohio 43015
(740) 548-6031

Fire Chief Craig A. Hall
Lt. Steve Arnold, Fire Prevention

1) Entry into a subdivision/project development shall have 1 lane in and 2 lanes out. When required by Berlin Township FD there shall be at least 2 entry points into the subdivision/project development.

2) No Parking signage shall be on the Fire Hydrant side of the street. This signage shall meet the Delaware County Sheriff's office enforcement requirements.

3) There shall be a Fire Hydrant installed within the first 50' going into the project development.

4) After the first Fire Hydrant going into the project fire hydrants shall be installed every 300'- throughout the project development.

5) Any street stubs or ending point shall have a fire hydrant installed at the end point. If determined by Berlin Township FD a flash hydrant is acceptable to be installed in the project development however once the street extension takes place a fire hydrant shall be installed in place of the flush hydrant at the developer's cost.

6) The minimum water main size within any project development shall be at least 8" that shall flow a minimum 1000gpm. Actual water main size for the project development shall be determined at plan review by Berlin Township Fire Department.

7) Cul-de-sac shall meet the turning radius per the Orange Twp. FD attachment of 48'

8) Berlin Twp. FD shall have access to all green space. The width of the hard surface shall be a minimum 10'. Berlin Township FD will determine hard service requirements.

9) Model homes shall have an EXIT sign non-illuminated in the Office area and a 5# ABC Fire Extinguisher.

This is not an all-inclusive list

Rev. 09/19

Berlin Township
Fire Department
2708 Lackey Old State Road
Delaware, Ohio 43015
(740) 548-6031

Fire Chief Craig Hall
Lt. Steve Arnold, Fire Prevention

Date: 01/06/2020

To: Berlin Meadows PRD – Todd Farris?

From: Lt. Steve Arnold

Subject: Berlin Twp. Fire Department Plan Review

I am writing in response to your request regarding the proposed land use development known as Berlin Meadows PRD. This Section of land is located in Berlin Township and Berlin Township Fire Department does provide fire protection for this area. Berlin Twp. FD has reviewed the project drawings. The following items shall be corrected or modified as required. Per your Drawings dated 08/21/2019. Not Approved – Make needed correction and resubmit.

1) Shanahan Rd. entry – A Fire Hydrant shall be installed 50' of the intersection. From this point forward maintain a FH every 300'- throughout the project. Please review project sheets 1-3 for FH spacing. There are numerous FH spacing issues.
2) Shanahan Rd. entry – Shall be 1 in and 2 out lanes.
3) Shanahan Rd. entry – EX. 8/4" water main shall be tied into the project water system.
4) EX.16" water main on Project Sheet 2/3 shall be tied into this project.
5) Project sheet 3/3 entry points shall be 1 in and 2 out lanes with a FH 50' from the 2 intersections.
6) There shall be 2 Fire Department access roads provided at the start of this project.
7) The water main of 8" in the area of Peachblow Rd. shall connect to the Ex. 5" WM that runs along Peachblow Rd.
8) In the area of Lot 322-FH – install a FH not a Flush at this dead-end street.
9) Add 12" WM along the main street in the area were this project and Evens Farms run alongside one another. FH's located at each intersection within 100'.
10) See Berlin Twp FD requirement sheet provided by Berlin Twp. Zoning for other possible requirements for this project.

We appreciate the opportunity to work with you in the future and thank you for your interest in Berlin Township. If we can be of any further assistance, please do not hesitate to call or visit our 2708 Lackey Old State location.

Respectfully,
Lt. Steve Arnold, CFSI

Decision on Rezoning Application
Delaware County, Ohio

The Regional Planning Commission recently reviewed the rezoning application identified below. It is vital that the township complete the following information after the Trustee Hearing(s) so that the zoning maps maintained by the RPC are as accurate as possible.

RPC Meeting Date: 11/17/16 **RPC#** 19-16 ZON

Township: Berlin

Request by: Metro Development
To rezone: 74.624
Located: north side of Cheshire Rd., east of Piatt Rd.
From: FR-1
To: R-2 with PRD overlay
To allow: 79 SF housing development (Eaststone Crossing)

Zoning Commission Decision Date: December 13, 17

Board of Trustees Decision Date: January 23, 17

Effective Date: February 22, 17
After the period of referendum has passed

Decision: *(circle one)* **APPROVED** **DISAPPROVED**

Please Note: If changes were made during the rezoning process to the Development Plan for a Planned District Zoning or if the rezoning application was changed during the township process, please submit an updated copy of the Development Plan to the RPC office for our files.

Township Trustee Signatures: Ronald Bullard

Alan Fleischer

D. Stantz

FOR OFFICE USE ONLY

Emailed 2/14/17

Delaware County Regional Planning Commission, 109 N. Sandusky Street, Delaware, OH 43015
Phone (740) 833-2260 or Fax (740) 833-2259

BERLIN TOWNSHIP ZONING O

Case # was incorrect

3271 Cheshire Rd.
Delaware, OH 43015

Phone:
Fax:

January 3, 2017,
Hearing Date: **December 13, 2016** Case: **BZC Case #16-00**

Applicant: G Schank & Mary Elizabeth Amrine
2841 Cheshire Road
Delaware, OH 43015

Tom & Julia Roll
2747 Gregory Road
Delaware, OH 43015

Re: Parcels #41831001037000; 41831001043000; 41831001038000; 41831001041000; and 41831001040000.

Subject **Berlin Township Zoning Commission recommendation to Trustees for rezone from FR-1 to R-2 with a PRD overlay, Parcels #41831001037000; 41831001043000; 41831001038000; 41831001041000; and 41831001040000.**

_____DENIED

_____APPROVED – Application and exhibits as submitted with NO ALTERATIONS or AMENDMENTS

__X__APPROVED - Application and exhibits as submitted with ALTERATIONS or AMENDMENTS.

Date 1/23/17
Case # 16-00
Exhibit # 11 Trustees

Original File Exhibits

Exhibit 1. - Application for Preliminary Development Plan for a R-2- Planned Residential District (PRD) Parcels #41831001037000, 41831001043000, 41831001038000, 41831001041000, & 41831001040000 dated 10/27/16 ***submitted with application 11/04/2016.***

Exhibit 2. - Eaststone Crossing Master Development Summary, no date, 1-page, ***submitted with application 11/04/2016.***

Exhibit 3. – Table of contents for the application, no date, 1-page, ***s***, no date, 1-page, ***submitted with application 11/04/2016.***

Exhibit 4. - Planned Residential District Text proposed zoning R-2 with PRD overlay, dated, 11/03/2016, 17-pages, ***submitted with application 11/04/2016.***

Tab 1. - Ariel view of Parcels #41831001037000, 41831001043000, 41831001038000, 41831001041000, & 41831001040000 and surrounding **Exhibit A-1** addresses of surrounding property owners within 200', 6-pages, ***submitted with application 11/04/2016.***

Tab 2. - Legal Description of 74.623 acres from American Land Surveyors **Exhibit B-1**, dated 10/29/2016, 3-pages, 11 x 17 of the 74.623 area tract, from American Land Surveyors, dated 10/28/2016, 1-page, ***submitted with application 11/04/2016.***

Tab 3. - 11 x 17, **C-1**, Preliminary Development Plan, dated 11/03/16, 1-pg., 11 x 17. **C-2**, Phasing Plan, dated 11/03/16, 1-page, Color, 11 x 17, **C-3,** existing features, dated 11/03/16, 1-page, Large Plats of C-1, C-2 & C-3, ***submitted with application 11/04/2016.***

Tab 4. - 11 x 17, **D-1**, Overall Landscape Plan, dated 11/03/16, 1-page, 11 x 17, **D-2**, Landscape Enlargement Plans, dated 11/03/16, 1-page, 11 x 17 **D-3**, Open Space Plan, dated 11/03/16, 1-page, Color 11x17, Illustrative plan, dated, 11/03/16, 1-page, Large Plats of D-1,D-2,D-3, ***submitted with application 11/04/2016.***

Tab 5 – 11 x 17, **E-1,** Conceptual Utility Plan, dated, November 2016, 2-pages, letter **E-2**, from Kelly Thiel, Delaware County Sewer, to Justin Wollenberg, Terrain Evolution, dated 10/20/16,1-page, letter **E-3**, from Shane Clark, Del-Co Water, to Justin Wollenberg, Terrain Evolution, dated 10/19/16, 2-pages, letter **E-4,** from Gary Hays, AEP Ohio, Roll Property, dated 11/02/16, 1-page, & Gary Hays, AEP Ohio, to Chad Keaton, Terrain Evolution, Schanck

Property, dated 08/08/16, 1-page, letter **E-5**, from Joe Codispoti, Columbia Gas of OH to Justin Wollenberg, Terrain Evolution, dated 10/19/16, 1-page, letter **E-7**, from Robert Chandler, Frontier Communications, to Chad Keaton, Terrain Evolution, 09/14/16, 1-page, letter **E-8,** from Captain Mark Carey, Berlin Township Fire Department, to Thom Reis, dated 10/31/16, 1-page, letter **E-9,** from John Piccin, Delaware County Engineer, to Berlin Township Zoning Board, dated 11/03/16, & 11 x 17 Black & White, Base Plan Layout, dated July 2016 2-pages, **E-10,** Schanck-Roll Properties Traffic Access Study, dated REV.1, September 2016, 23-2-sided pages, large plat plans **E-1**, dated November, 2016, 2-pages ***submitted with application 11/04/2016.***

Tab 6 - letter **F-1** from Barb Schanck giving permission for Joe Thomas, Metro Development permission to act as their agent on the re-zoning, dated 09/07/2016, 1-page, and from Tom and Julia Roll giving permission for Joe Thomas, Metro Development permission to act as their agent on the re-zoning, dated 11/02/2016, 1-page, letter **F-2** of credit for re-zoning, from WesBanco, David Duncan, dated 11/02/16, 1-page, ***submitted with application 11/04/2016.***

Tab 7 – **Exhibit G,** Declaration of Covenants, Easements, Conditions and Restrictions, no date, 13 2-sided pages, ***submitted with application 11/04/2016.***

Exhibit 5 - Excerpt of RPC meeting minutes, dated 11/17/16, 3-2-sided pages.

Exhibit 6 - Request of publication via email in the *Delaware Gazette*, dated November 28, 2016 1- 2-sided page.

Exhibit 7 - Notice of Hearing to applicant, dated December 1, 2016.

Exhibit 8 - Certificate of mailing receipts dated December 1, 2016 along with landowner letter, dated December 1, 2016, 5-pages.

Exhibit 9 - Proof of publication in the Delaware Gazette, dated December 1, 2016.

RESOLUTION 2016.12.13.#C: APPROVE: BZC CASE #16-009
Metro Development, Eaststone Crossing

Ms. Korleski made a motion to approve BZC 16-009 filed by Metro Development, requesting the approval of a preliminary development plan known as Eaststone Crossing to rezone approximately 74.624 acres from FR-1 to R-2 with a PRD overlay, with the following divergences as signed off:

1) A divergence is requested to allow the lot areas to be reduced to a minimum of 15,000 SF encompassing all the lots which will vary but be above 15,000 SF.
2) A divergence is requested to allow the lot frontage to be reduced to 82' 3" 517 minimum for lot 54.
3) Side yard setback divergence is requested to allow the side yard setback to be reduced to 12' 6" on all lots.
4) The rear lot setback: a divergence is requested to allow the rear yard to be reduced 521 to 35' minimum on all lots.

And with the following conditions:
1) Provide a cross buck fence along Mary Brown's side property
2) The low-mow areas are to be mowed a minimum of three times per year.

Mr. Valentine seconded the motion

Motion: Ms. Korleski Second: Mr. Valentine

Vote:				
Kaplen	Yes	Spangler	Yes
Korleski	Yes	Valentine	Yes
O'Brien	Yes		

Motion carried, recommendation of approval will be sent to the trustees for further consideration.

Signed Toni Korleski 1/3/17
BZC Chairwoman Date

REVISED - BZC 16-009, Amendment #1
Eaststone Crossing
Submitted: 08/08/17
Exhibit 1

BERLIN TOWNSIP ZONING OFFICE
3271 CHESHIRE ROAD
DELAWARE, OHIO 43015
740.548.5217 – PHONE
740.548.7458 – FAX
www.berlintwp.us

DATE FILED: _____
HEARING DATE: _____
FEE $ 600.00
RECEIPT # _____

APPLICATION FOR MODIFICATION OF APPROVED ZONING PLAN

DATE: 8/8/17 BZC # _____, AMENDMENT #_____

SUBDIVISION NAME: Eaststone Crossing

SUBDIVISION PHASE: All Phases

LOCATION: 2785 Cheshire Road, Delaware, OH 43015

RANGE: 18 TWP: 4 SECTION: 3

ACREAGE: 74.624 ZONING DISTRICT R-2 with PRD Overlay

OWNER/DEVELOPER: Metro Development LLC

ADDRESS: 470 Olde Worthington Road, Suite 101, Westerville, OH 43082

EMAIL: JThomasJr@VillageCommunities.com

PHONE: 614-540-2400 FAX: 614-540-2407

DESCRIPTION OF MODIFICATION:
Modify Development Plan to allow properties to developed independently between Roll property and Schanck property.
Update Landscape Plans.
Include Tom Roll Agreement Letter to approve independent development.
Revise text to reflect new Development Plan.

_____
Zoning Inspector

Applicant's Name: Joseph D. Thomas Jr.

Applicant's Signature: Joseph D Thomas

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

BERLIN TOWNSHIP ZONING OFFICE

3271 Cheshire Rd.
Delaware, OH 43015

Phone: (740) 548-5217
Fax: (740) 548-7458

September 12, 2017

Hearing Date: **August 22, 2014** Case: **BZC Case #16-009 amendment #1**

Applicant: **Schanck Barbara G Trustees/Metro Development LLC,**

Subject **Amendments of approved development plan (removing Roll properties) Parcels #41831001037000, 41831001043000 41831001038000, 2785 Cheshire Road, Delaware, OH**

_____DENIED

__X__APPROVED – Application and exhibits as submitted with NO ALTERATIONS or AMENDMENTS

_____APPROVED - Application and exhibits as submitted with ALTERATIONS or AMENDMENTS.

Exhibit 1. - **REVISED, *application for modification of Approved Zoning Plan, dated 8/8/17, 1-pg. submitted 08/08/17. 1b – ADDED letter to Chet Heid from Joe Thomas, requesting Toni Korleski to Chair future meetings for Eaststone Crossing, dated 08/07/17, submitted 08/08/17.*** Application for development plan amendment for Parcels #41831001037000, 41831001043000, 41831001038000, dated 06/14/17, to reduce acreage from 74.624 to 54.183, reduce development lot count from 70 lots to 57 lots, revise development layout, and revise test to reflect changes ***submitted 06/14/17.***

Exhibit 2. – REVISED *Eaststone Crossing Master Development Summary, no date, 1-pg., submitted 08/08/17,* Eaststone Crossing Master Development Summary, no date, 1-page, ***submitted with application 06/14/17.***

Exhibit 3. – Table of contents for the application, no date, 1-page, ***submitted with application 06/14/17.***

Exhibit 4. – REVISED *Planned Residential District Text proposed zoning R-2 with PRD overlay, dated 08/08/17, 17-pgs., submitted 08/08/17,* Planned Residential District Text proposed zoning R-2 with PRD overlay, proposed zoning: R-2/PRD overlay, dated 6/7/17, 16-pages, ***submitted with application 06/14/17.***

Tab 1. - Exhibit A-1 addresses of surrounding property owners, no date, 1-page, ***submitted with application 06/14/17.***

Tab 2. – REVISED, *Exhibit B-1 Legal Description of 74.623 acres from American Land Surveyors, dated 10/29/2016, 3-pages, Exhibit B-2 11 x 17 of the 74.623 area tract, from American Land Surveyors, dated 10/28/2016, 1-page, submitted 08/08/17,* **Exhibit B-1** Legal Description of 54.183 acres from American Land Surveyors, dated 09/11/2016, 3-pages, **Exhibit B-2** 11 x 17 of the 54.183 area tract, from American Land Surveyors, dated 09/11/2016, 1-page, ***submitted with application 06/14/17.***

Tab 3. – REVISED, *Exhibit C-1, 11 x 17, Preliminary Development Plan, dated 08/08/17/, REVISED, Exhibit C-2, 11 x 17, Phasing Plan, dated 08/08/17, 1-page,* **REVISED, *Exhibit C-3, Color, 11 x 17, existing features, dated 08/08/07/, all submitted 08/08/17,*** **Exhibit C-1,** 11 x 17, Preliminary Development Plan, dated 06/07/2017, 1-pg., **Exhibit C-2,** 11 x 17, Phasing Plan, dated 06/07/17, 1-page, **Exhibit C-3,** Color, 11 x 17, existing features, dated 06/07/2017, 1-page, **REVISED *Large Plats of C-1,C-2 & C-3,*** Large Plats of C-1, C-2 & C-3, ***submitted with application 06/14/17.***

Tab 4. – REVISED, *Exhibit D-1, 11 x 17, Overall Landscape Plan, dated 08/08/2017, 1-page,* REVISED, *Exhibit D-2, 11 x 17, Landscape Enlargement Plans, dated 06/07/2017,* REVISED, *Exhibit D-3, 11 x 17, Color, Open Space Plan & Illustrative Enlargement Plans, dated 08/08/2017,* REVISED, *11 x 17 Color Illustrative Plan, dated 08/08/17, all submitted 08/08/17,* **Exhibit D-1**, 11 x 17, Overall Landscape Plan, dated 06/07/2017, 1-page, **Exhibit D-2**, 11 x 17, Landscape Enlargement Plans, dated 06/07/2017, 1-page, **Exhibit D-3**, 11 x 17, Color, Open Space Plan & Illustrative Enlargement Plans, dated 06/07/2017, 2-pages, REVISED *Large Plats of D-1,D-2 & D-3*, Large Plats of D-1, D-2, ***submitted with application 06/14/17.***

Tab 5 – Exhibit E-1, 11 x 17, Conceptual Utility Plan, dated, November 2016, 1-pages, **Exhibit E-2**, letter from Kelly Thiel, Delaware County Sewer, to Thomas Ries, Terrain Evolution, dated 07/13/16,1-page, **Exhibit E-3**, letter from Shane Clark, Del-Co Water, to Chad Keaton, Terrain Evolution, dated 06/24/16, 2-pages, **Exhibit E-4**, letter from Gary Hays, AEP Ohio, Schanck Property, dated 08/08/16, 1-page, **Exhibit E-5**, letter from Joe Codispoti, Columbia Gas of OH to Chad Keaton, Terrain Evolution, dated 06/27/16, 1-page, **Exhibit E-6**, Letter from Aaron Roll, Suburban Natural Gas Co., to Chad Keaton, Terrain Evolution, dated 0711/16. 1-pg., **Exhibit E-7**, letter from Robert Chandler, Frontier Communications, to Chad Keaton, Terrain Evolution, 09/14/16, 1-page, **Exhibit E-8**, letter from Captain Mark Carey, Berlin Township Fire Department, to Thom Reis, dated 09/13/16, 1-page, **Exhibit E-9**, letter from John Piccin, Delaware County Engineer, to Berlin Township Zoning Board, dated 05/31/17, & 8 ½ x 11 Black & White, Conceptual Utility Plan, dated November 2016 2-pages, **Exhibit E-10**, Schanck Properties Traffic Access Study, dated September 2016, 23-2-sided pages, large plat plans, **Exhibit E-1**, dated November, 2016, 1-pages ***submitted with application 06/14/17.***

Tab 6 – Exhibit F-1 , letter from Barbara G. Schanck giving permission for Joe Thomas, Metro Development permission to act as their agent on the re-zoning, dated 09/07/2016, 1-page, **Exhibit F-2** letter of credit for re-zoning, from WesBanco, David Duncan, dated 11/02/16, 1-page, ***submitted with application 06/14/17.***

Tab 7 – Exhibit G, Declaration of Covenants, Easements, Conditions and Restrictions, no date, 23 2-sided pages, Exhibit A, Legal Description of the property not attached, Exhibit B Special Easements Site Plan (attached) not an attachment included, ***submitted with application 06/14/17.***

Zoning Office Exhibits:

Exhibit 5 - Ariel view of Parcels #41831001037000, with surrounding property owner's within 200', 41831001043000, with surrounding property owner's within 200', 41831001038000, with surrounding property owner's within 200', printed on 7/10/17, 3- 2-sided-pages,

Exhibit 6 - Request of publication via email in the *Delaware Gazette*,
Dated, July 10, 2017 1- 2-sided page.

Exhibit 7 - Notice of Hearing to applicant, dated July 12, 2017.

Exhibit 8 - Certificate of mailing receipts dated July 12, 2017 along
with landowner letter, dated July 12, 2017, 4-pages.

Exhibit 9 - Proof of publication in the Delaware Gazette, dated July 12, 2017.

At the July 25, 2017 it was determined that this hearing had to be tabled to date and time certain because developer didn't have on the plat plan the Roll property included, and with a letter from the Roll's that they are not included in the Eaststone Crossing development no longer, then because of this it was discovered that it had to be (Article 17.09 (c) address to Trustees, August 14, 2017 to determine if this is a minor or major modification and then back to BZC on August 22, 2017, then will be sent back to Trustees for their vote.

Added Exhibit 10 – August 22, 2017 at the hearing, email from Joseph Thomas from Michael Love, regarding the widening on Cheshire Road, dated, August 15, 2017, 1 2-sided page.

RESOLUTION 2017.08.22.#A: RECOMMEND APPROVAL OF BZC #16-009 AMENDMENT #1, SCHANCK BARBARA G TRUSTEES/ METRO DEVELOPMENT LLC. (EASTSTONE CROSSING) TO TRUSTEES

Mr. O'Brien made a motion to recommend approval of BZC #16-009 amendment #1 as stated in the agenda with modifications to the trustees, and to direct the recommendation to be sent to the trustees.

Mr. Spangler seconded the motion.

Motion: Mr. OBrien Second: Mr. Splangler

Vote:	Kaplan	Yes	Spangler	Yes
	Korleski	Yes	Valentine	Yes
	O'Brien	Yes		

Motion carried.

Signed Toni Korleski
BZC Chairwoman

Decision on Rezoning Application
Delaware County, Ohio

The Regional Planning Commission recently reviewed the rezoning application identified below. It is vital that the township complete the following information after the Trustee Hearing(s) so that the zoning maps maintained by the RPC are as accurate as possible.

RPC Meeting Date: 09/29/16 **RPC#** 18-16 ZON

Township: Berlin

Request by: Metro Development
To rezone: 23.838 acres
Located: south side of Cheshire Rd, east of Piatt Rd.
From: FR-1
To: R-3 w/ PRD overlay
To allow: single family subdivision

Zoning Commission Decision Date: December 8, 2016

Board of Trustees Decision Date: December 28, 2016

Effective Date: January 27, 2016
After the period of referendum has passed

Decision: *(circle one)* (**APPROVED**) **DISAPPROVED**

Please Note: If changes were made during the rezoning process to the Development Plan for a Planned District Zoning or if the rezoning application was changed during the township process, please submit an updated copy of the Development Plan to the RPC office for our files.

Township Trustee Signatures:

FOR OFFICE USE ONLY

Delaware County Regional Planning Commission, 109 N. Sandusky Street, Delaware, OH 43015
Phone (740) 833-2260 or Fax (740) 833-2259

BERLIN TOWNSHIP ZONING OFFICE

3271 Cheshire Rd.
Delaware, OH 43015

Phone: (740) 548-5217
Fax: (740) 548-7458

December 7, 2016,

Hearing Date: **November 8, 2016** Case: **BZC Case #16-004**
October 11, 2016

Applicant: **Schanck Barbara G Trustee & Mary Elizabeth Amrine, 2841 Cheshire Road, Delaware, OH 43015 Parcel #41831001068000**

Subject **Berlin Township Zoning Commission recommendation to Trustees for rezone from FR-1 to R-3 with a PRD overlay, Parcels #41832001008000 & 41832001010000**

Date 12/28/16
Case # BZC 16-004
Exhibit 14
Trustee

_____DENIED

_____APPROVED – Application and exhibits as submitted with NO ALTERATIONS or AMENDMENTS

__X__APPROVED - Application and exhibits as submitted with ALTERATIONS or AMENDMENTS. **(See attachments behind this sheet, Site Divergences)**

Original File Exhibits

Exhibit 1. - Application for Preliminary Development Plan for a R-3- Planned Residential District (PRD) Parcel #41831001068000 dated 09/16/2016, ***submitted with application 09/16/2016.***
Exhibit 2. - Table of contents for the application, no date, 1-page, ***submitted with application 09/16/2016.***
Exhibit 3. – *Revised Southwoods Master Development Summary Southwoods, no date, 1-page, submitted 10/25/2016,* Master Development Summary, no date, 1-page, ***submitted with application 09/16/2016.***
Exhibit 4. – *Revised Planned Residential District Text proposed zoning R-4 with PRD overlay, dated 10/25/2016, 14 pages, submitted 10/25/2016,* Planned Residential District Text proposed zoning R-3 with PRD overlay, dated, 9/15/2016, 13-pages, ***submitted with application 09/16/2016.***
Tab 1. - Ariel view of Parcel #41831001068000, and surrounding addresses of surrounding property owners within 200', 3-pages, ***submitted with application 09/16/2016.***
Tab 2. - Legal Description of 23.838 acres from American Land Surveyors dated 9/11/2016, 3-pages, 11 x 17 of the 23.838 area tract, from American Land Surveyors, dated 09/11/2016, 1-page, ***submitted with application 09/16/2016.***
Tab 3. – *Revised 11-x17, C-1, Preliminary Development Plan, dated 10/25/2016, 1-pg., submitted 10/25/16*, 11 x 17, C-1, Preliminary Development Plan, dated 9/15/16, 1-pg., 11 x 17. Color, 11 x 17, C-2, existing features, dated 09/15/16, 1-page, ***Added 11x17 colored example of 90' lot concept plan, dated 10/25/2016, 1-pg., submitted 10/25/2016, Revised Large Plat of C-1, dated 10/25/2016,1-page, submitted 10/25/2016*** Large Plats of C-1, & C-2, dated 09/15/2016, 1-pg. each, ***submitted with application 09/16/2016.***
Tab 4. - *Revised 11 x 17, D-1, Overall Landscape Plan, dated 10/25/2016, 1-pg., submitted 10/25/2016,* *11 x 17,* D-1, Overall Landscape Plan, dated 09/15/16, 1-page, ***Revised 11 x 17, D-2, Landscape Enlargement Plans, dated 10/25/2016, 1-pg., submitted 10/25/2016,*** 11 x 17, D-2, Landscape Enlargement Plans, dated 09/15/16, 1-page, ***Revised 11 x 17 D-3, Open Space Plan, dated 10/25/2016, 1-pg., submitted 10/25/2016,*** Open Space Plan, dated 09/15/16, 1-page, ***Revised Color 11x17, Illustrative plan Color, dated 10/22/16, 1pg., submitted 10/25/2016,*** 11x17, Illustrative plan, dated, 09/15/16, 1-page, ***Revised Large Plats of D-1,D-2,D-3, dated 10/25/2016,1-pg., submitted 10/25/2016,*** Large Plats of D-1,D-2,D-3, dated, 09/15/2016, 1-pg. each, ***submitted with application 09/16/2016.***
Tab 5 – *Revised 11 x 17, E-1, Conceptual Utility Plan, dated October 2016, 3-pages, submitted 10/25/2016,* 11 x 17, E-1, Conceptual Utility Plan, dated, September 2016, 3-pages, letter E-2, from Kelly Thiel, Delaware County Sewer, to Thomas Ries, Terrain Evolution, dated 7/13/16, 1-page, letter E-3, from Shane Clark, Del-Co Water, to Chad Keaton, Terrain Evolution, dated 06/24/16, 3-pages, letter E-4, from Gary Hays, AEP Ohio, dated 08/08/16, 1-page, letter E-5, from Joe Codispoti, Columbia Gas of OH to Chad Keaton, Terrain Evolution, dated 06/27/16, 1-page, letter E-6 from Aaron Roll, Suburban Natural Gas Company to Chad Keaton, Terrain Evolution, date 7/11/16, 1-page, letter E-7, from Robert Chandler, Frontier Communications, to Chad Keaton, Terrain Evolution, 09/14/16m, 1-page, letter E-8, from Lt. Steve Arnold, Berlin Township Fire Department, to Thom Reis, dated 09/13/16, 1-page, letter E-9, from John Piccin, Delaware County Engineer, to Berlin Township Zoning Board, dated 09/14/16, 2-pages, Schanck Properties Traffic Access Study, E-10, dated September 2016, 21-2-sided pages, , ***Revised Large Plats of E-1, dated 10/25/2016,1-pg. each, submitted 10/25/2016,*** large plat E-1-3, dated September 2016, ***submitted with application 09/16/2016.***
Tab 6 - letter F-1 from Barb Schanck and May Elizabeth Amrine giving permission for Joe Thomas, Metro Development giving permission to act as their agent on the re-zoning, dated 09/07/2016, 1-page, letter F-2 of credit for re-zoning, from WesBanco, David Duncan, dated 09/12/16, 1-page, ***submitted with application 09/16/2016.***

Tab 7 – G-1, Declaration of Covenants, Easements, Conditions and Restrictions, no date, 13 2-sided pages, ***submitted with application 09/16/2016.***
Exhibit 5 - Request of publication via email in the *Delaware Gazette*, dated September 28, 2016 1- 2-sided page.
Exhibit 6 - Excerpt of RPC meeting minutes, dated 9/29/16 2-2-sided pages.
Exhibit 7 - Notice of Hearing to applicant, dated September 29, 2016.
Exhibit 8 - Certificate of mailing receipts dated September 29, 2016 along with landowner letter, dated September 29, 2016, 3-pages.
Exhibit 9 - Proof of publication in the Delaware Gazette, dated September 29, 2016.

RESOLUTION 2016.11.08.#B: APPROVE BZC CASE #16-004

Mr. Valentine made a motion to recommend approval of BZC #16-004 to the Berlin Township Trustees with the following conditions:

- All 90' or wider lots shall have side load garages.
- Wire farm fence will be installed on and along the common boundary of Dan Bishop's property.
- Divergence #3 regarding rear yard setback will be changed to a minimum of 30'.

Mr. O'Brien seconded the motion.

Motion: Mr. Valentine Second: Mr. O'Brien

Vote:	Bardash 1st Alternate	Yes	Spangler	Yes
	Korleski	Yes	Valentine	Yes
	O'Brien	Yes		

Motion carried, recommendation of approval will be sent to the trustees for further consideration.

Signed Toni Korleski 12/8/16
BZC Chairwoman Date

EXHIBIT D

PROPOSED COMMUNITY FACILITIES

The proposed community facilities in support of the Project, as defined in Section 349.01(I), Ohio Revised Code, will include the following:

- Public roads
- Pedestrian trails
- Water, sanitary sewer, and storm sewer improvements
- Land acquisition
- Excavation and grading
- Common area gathering park benches
- Establishment of retention ponds
- Landscaping of the common area land
- Street lighting
- Temporary seeding, signage, and stamped concrete
- Tree removal
- Other costs of the new community development program within the meaning of Section 349.01(J), Ohio Revised Code, including inspection costs, testing, water connection fees, contractor fees, general contractor fees, legal fees, property taxes, appraisals and market studies, civil engineering and staking fees, development fee, environmental engineering, geotechnical engineering, permitting, costs of issuance of, debt service reserve funding of, and capitalized interest relating to any debt issued pursuant to Section 349.05, Ohio Revised Code, and necessary contingency amounts.

EXHIBIT E

PRELIMINARY ECONOMIC FEASIBILITY ANALYSIS

Area Development Pattern and Demand

The current use of the area in and around the property and surrounding area is mainly residential and agricultural. The proposed future use of the property will be owner-occupied residential and commercial/retail. Based on the Developer's substantial experience in developing neighboring properties and other properties throughout southern Delaware County, the Developer projects significant demand for the anticipated development of the property.

Socio-Economic Conditions

Demographic information about Berlin Township appears in the attached **Exhibit H**.

Public Services

Public services for the property are provided by the Delaware County Sheriff's Department, the Berlin Township Fire Department, and Berlin Township Emergency Medical Services.

Developer's Management Capability

Additional information about the Developer's management capacity appears in the attached **Exhibit G**.

Anticipated Charge Revenue – Berlin Meadows Residential

The following chart describes charge revenue that is anticipated to be collected by the Authority from owners of residential real property within the Berlin Meadows development:

Residential Charge Revenue					
Period	Collection Year	Houses Built	Improvement Value	Assessed Value	Charge Revenue
1	2024	67	$ 26,880,000.00	$ 9,408,000.00	$ 96,432.00
2	2025	134	$ 53,760,000.00	$ 18,816,000.00	$ 192,864.00
3	2026	202	$ 80,640,000.00	$ 28,224,000.00	$ 289,296.00
4	2027	269	$ 107,520,000.00	$ 37,632,000.00	$ 385,728.00
5	2028	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
6	2029	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
7	2030	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
8	2031	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
9	2032	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00

10	2033	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
11	2034	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
12	2035	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
13	2036	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
14	2037	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
15	2038	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
16	2039	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
17	2040	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
18	2041	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
19	2042	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
20	2043	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
21	2044	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
22	2045	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
23	2046	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
24	2047	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
25	2048	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
26	2049	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
27	2050	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
28	2051	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
29	2052	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00
30	2053	336	$ 134,400,000.00	$ 47,040,000.00	$ 482,160.00

Anticipated Charge Revenue – Berlin Meadows Commercial

The following chart describes charge revenue that is anticipated to be collected by the Authority from owners of commercial real property within the Berlin Meadows development:

		Commercial Charge Revenue		
	Year	**Improvement Value**	**Assessed Value**	**Charge Revenue**
	2020	$ -	$ -	$ -
	2021	$ -	$ -	$ -
	2022	$ -	$ -	$ -
	2023	$ -	$ -	$ -
Charge Period	2024	$ -	$ -	$ -
1	2025	$ 3,333,333	$ 1,166,666.66	$ 11,958.33
2	2026	$ 6,666,667	$ 2,333,333.31	$ 23,916.67
3	2027	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
4	2028	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
5	2029	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
6	2030	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
7	2031	$ 10,000,000	$ 3,499,999.97	$ 35,875.00

8	2032	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
9	2033	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
10	2034	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
11	2035	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
12	2036	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
13	2037	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
14	2038	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
15	2039	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
16	2040	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
17	2041	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
18	2042	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
19	2043	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
20	2044	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
21	2045	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
22	2046	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
23	2047	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
24	2048	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
25	2049	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
26	2050	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
27	2051	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
28	2052	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
29	2053	$ 10,000,000	$ 3,499,999.97	$ 35,875.00
30	2054	$ 10,000,000	$ 3,499,999.97	$ 35,875.00

Anticipated Charge Revenue – Eaststone Crossing

The following chart describes charge revenue that is anticipated to be collected by the Authority from owners of residential real property within the Eaststone Crossing development:

Residential Charge Revenue					
Period	Collection Year	Houses Built	Improvement Value	Assessed Value	Charge Revenue
1	2026	11	$ 4,560,000	$ 1,596,000	$ 16,359
2	2027	23	$ 9,120,000	$ 3,192,000	$ 32,718
3	2028	34	$ 13,680,000	$ 4,788,000	$ 49,077
4	2029	46	$ 18,240,000	$ 6,384,000	$ 65,436
5	2030	57	$ 22,800,000	$ 7,980,000	$ 81,795
6	2031	57	$ 22,800,000	$ 7,980,000	$ 81,795
7	2032	57	$ 22,800,000	$ 7,980,000	$ 81,795
8	2033	57	$ 22,800,000	$ 7,980,000	$ 81,795

9	2034	57	$ 22,800,000	$ 7,980,000	$ 81,795
10	2035	57	$ 22,800,000	$ 7,980,000	$ 81,795
11	2036	57	$ 22,800,000	$ 7,980,000	$ 81,795
12	2037	57	$ 22,800,000	$ 7,980,000	$ 81,795
13	2038	57	$ 22,800,000	$ 7,980,000	$ 81,795
14	2039	57	$ 22,800,000	$ 7,980,000	$ 81,795
15	2040	57	$ 22,800,000	$ 7,980,000	$ 81,795
16	2041	57	$ 22,800,000	$ 7,980,000	$ 81,795
17	2042	57	$ 22,800,000	$ 7,980,000	$ 81,795
18	2043	57	$ 22,800,000	$ 7,980,000	$ 81,795
19	2044	57	$ 22,800,000	$ 7,980,000	$ 81,795
20	2045	57	$ 22,800,000	$ 7,980,000	$ 81,795
21	2046	57	$ 22,800,000	$ 7,980,000	$ 81,795
22	2047	57	$ 22,800,000	$ 7,980,000	$ 81,795
23	2048	57	$ 22,800,000	$ 7,980,000	$ 81,795
24	2049	57	$ 22,800,000	$ 7,980,000	$ 81,795
25	2050	57	$ 22,800,000	$ 7,980,000	$ 81,795
26	2051	57	$ 22,800,000	$ 7,980,000	$ 81,795
27	2052	57	$ 22,800,000	$ 7,980,000	$ 81,795
28	2053	57	$ 22,800,000	$ 7,980,000	$ 81,795
29	2054	57	$ 22,800,000	$ 7,980,000	$ 81,795
30	2055	57	$ 22,800,000	$ 7,980,000	$ 81,795

Anticipated Charge Revenue – Southwoods

The following chart describes charge revenue that is anticipated to be collected by the Authority from owners of residential real property within the Southwoods development:

Residential Charge Revenue					
Period	**Collection Year**	**Houses Built**	**Improvement Value**	**Assessed Value**	**Charge Revenue**
1	2026	6	$ 2,400,000	$ 840,000	$ 8,610
2	2027	12	$ 4,800,000	$ 1,680,000	$ 17,220
3	2028	18	$ 7,200,000	$ 2,520,000	$ 25,830
4	2029	24	$ 9,600,000	$ 3,360,000	$ 34,440
5	2030	30	$ 12,000,000	$ 4,200,000	$ 43,050
6	2031	30	$ 12,000,000	$ 4,200,000	$ 43,050
7	2032	30	$ 12,000,000	$ 4,200,000	$ 43,050
8	2033	30	$ 12,000,000	$ 4,200,000	$ 43,050
9	2034	30	$ 12,000,000	$ 4,200,000	$ 43,050

10	2035	30	$ 12,000,000	$ 4,200,000	$ 43,050
11	2036	30	$ 12,000,000	$ 4,200,000	$ 43,050
12	2037	30	$ 12,000,000	$ 4,200,000	$ 43,050
13	2038	30	$ 12,000,000	$ 4,200,000	$ 43,050
14	2039	30	$ 12,000,000	$ 4,200,000	$ 43,050
15	2040	30	$ 12,000,000	$ 4,200,000	$ 43,050
16	2041	30	$ 12,000,000	$ 4,200,000	$ 43,050
17	2042	30	$ 12,000,000	$ 4,200,000	$ 43,050
18	2043	30	$ 12,000,000	$ 4,200,000	$ 43,050
19	2044	30	$ 12,000,000	$ 4,200,000	$ 43,050
20	2045	30	$ 12,000,000	$ 4,200,000	$ 43,050
21	2046	30	$ 12,000,000	$ 4,200,000	$ 43,050
22	2047	30	$ 12,000,000	$ 4,200,000	$ 43,050
23	2048	30	$ 12,000,000	$ 4,200,000	$ 43,050
24	2049	30	$ 12,000,000	$ 4,200,000	$ 43,050
25	2050	30	$ 12,000,000	$ 4,200,000	$ 43,050
26	2051	30	$ 12,000,000	$ 4,200,000	$ 43,050
27	2052	30	$ 12,000,000	$ 4,200,000	$ 43,050
28	2053	30	$ 12,000,000	$ 4,200,000	$ 43,050
29	2054	30	$ 12,000,000	$ 4,200,000	$ 43,050
30	2055	30	$ 12,000,000	$ 4,200,000	$ 43,050

EXHIBIT F

FINANCIAL PLAN

The Developer seeks to create the Authority to promote and coordinate the financing and construction of Community Facilities that are estimated to cost $4,437,633 to construct. These Community Facilities are detailed in Exhibit D. It is anticipated that the Finance Authorities will issue approximately $4,437,633 in Bonds to finance the Community Facilities. The Bonds will be secured by the Community Development Charge.

Determination of Community Development Charges

The Authority will impose a Community Development Charge on Chargeable Property (as defined below), determined as generally described in this Exhibit F, which will be a dollar amount determined on the basis of the assessed valuation of real property or interests in real property in the District sold, leased, or otherwise conveyed by the Developer. The Community Development Charge will be levied by the Authority annually in an amount sufficient to pay debt service then due on the Bonds.

Allocation of Community Development Charges

The Community Development Charges shall be allocated and applied in the following order:

(1) Payment of Authority administrative costs;

(2) Bond Debt Service; and

(3) Optional redemption of Bonds.

Timing and Collection of the Community Development Charges

The Community Development Charge is estimated to be imposed on the District beginning January 1, 2024 and will continue to be imposed by the Board for so long as is necessary to pay Bond Debt Service on the Bonds. Construction plans to be commenced following approval of the Authority, and the timing of the imposition of the Community Development Charge may change depending upon completion of construction.

As permitted by Section 349.07 of the Ohio Revised Code, the Authority may certify the Community Development Charges to the Delaware County Auditor, who will enter the Community Development Charges on the tax list and duplicate of real property and certify the Community Development Charge to the Delaware County Treasurer for collection with the tax bills.

EXHIBIT G

THE DEVELOPER'S MANAGEMENT CAPABILITY

BERLIN MEADOWS DEVELOPMENT, LLC AND OTHER AFFILIATED COMPANIES

PROFILE OF PRINCIPAL: TRIANGLE PROPERTIES

Triangle Properties, Inc. was formed in 1997 to develop and build multi-family communities and to acquire large tracts of land to develop lots and to sell to homebuilders. Scioto Reserve was the first large land tract that was secured by Triangle Properties, which included 700 +/- acres. Triangle developed and constructed a large sewer plant to be able to bring development to the area. From there, Scioto Reserve Country Club was developed featuring a 6,900-yard, 18-hole golf course designed by Barry Serafin. It also includes state-of-the-art pools and The Turn Tavern for dining. Over 1,200 single-family homes surround the golf course.

Triangle Properties also acquired over 900 acres to develop its second golf course and community, Golf Village. Triangle was able to bring sewer trunk lines to the community and extend Sawmill Parkway from Powell Road to Home Road in order to bring this once rural land to a thriving community. Kinsale Golf and Fitness opened its doors in 2003. It featured a 7,300-yard, 18-hole golf course designed by Arthur Hills. The clubhouse includes a state-of-the-art workout facility, four outdoor pools, one indoor pool, tennis courts and The Grille for dining. This community consists of over 1,000 single-family home lots, 32 acres of planned commercial /office ground and 45 acres of light industrial/office ground.

In 2004, Triangle Properties began the development of Golf Village North, the second phase of the highly successful Golf Village. Golf Village North consisted of 220 +/- acres allocated as follows:

- 73 acres – multi-family residential ground
- 36 acres – commercial development
- 18 acres – Sawmill Parkway extension
- 77 acres – donated to the Olentangy School District
- 15 acres – open space

Triangle Properties also built a second phase of the Scioto Reserve community by adding additional infrastructure to the acquired land and developing an additional 172 lots to the site.

Rowland S. (Tre') Giller, III

Rowland S. (Tre') Giller, III, is president and chief executive officer of Triangle Properties. Under his leadership, the company has astutely stayed ahead of major shifts in the real estate market, finding success developing and selling multi-unit and single-family communities. Mr. Giller's emphasis on strategic planning, reducing labor costs, and implementing process improvements have led to record-setting growth and profitability.

At his direction, the company was among the first central Ohio builders to pivot its focus from single-family homes to the rental market. Since 2008, the company has constructed and sold more than 16,500 multi-family units, representing more than $1 billion in construction. The company, which typically sells 85 percent of its multi-family projects, also manages more than 3 million square feet of commercial space. Mr. Giller's ability to identify potential building sites, navigate the zoning process, and manage construction costs led to the successful transition.

Mr. Giller, who has held numerous positions at Triangle Properties and its affiliated companies, has gained a deep understanding of the central Ohio real estate market. He has served as a real estate agent, sales manager and later acquired his realtor broker license. He currently is the broker for DRK's brokerage operations. He foresaw the need for high-end apartments to appeal to young professionals and empty nesters who want amenities without mortgages. His ability to grasp complex issues and offer creative solutions has made him a sought-after partner for anyone looking to buy or build multi-family units or seeking advice about property management. He's also an entrepreneur who has helped the company expand its services and develop new businesses, including the American Power and Light Company, a utility billing service that generates $40 million in revenue annually and serves 13,000 customers in central Ohio.

While Mr. Giller has been CEO, the company has reduced labor costs by 47 percent and increased its cash flow by 350 percent. Mr. Giller oversees a budget of $250 million and manages assets in excess of $400 million. During his tenure as investment sales manager, his team sold more than $1.5 billion in commercial and multi-family real estate. In addition to his role with Triangle Properties, Mr. Giller also oversees the management and operations of Metro Development, Village Communities, American Power and Light and Columbus & Central Ohio Systems.

Governor John R. Kasich appointed Mr. Giller to serve on the Ohio Real Estate Commission Board in 2012, and he currently serves as president. He is active with the Columbus Board of Realtors, the Ohio Association of Realtors, the Buildings Industry Association, and as a board member on the Commercial Real Estate Development Association (NAIOP). He also teaches real estate education courses and leads seminars for real estate professionals and potential investors.

Mr. Giller graduated from Southern Methodist University in 1991 with a bachelor's degree in history and a minor in photography. While at Southern Methodist University, Mr. Giller was an all-conference football player. After graduation, he joined the Chicago Bears as a free agent. After a brief time with the Bears, he took a position with the Gordon Company. He held several positions with the Gordon Company, including food brokerage representative and sales manager, before joining the DRK team in 1997.

AFFILIATED COMPANIES

DONALD R. KENNEY & COMPANY, REALTY

Donald R. Kenney & Company, Realty currently has in excess of $100 million worth of commercial real estate available for sale or lease. This commercial real estate consists of multi-family apartment units, professional and medical office buildings, warehouse distribution facilities, retail centers and vacant land. As one of the area's largest, full-service commercial brokerage firms, Donald R. Kenney & Company Realty offers the experience and the market knowledge that owners and sellers have come to respect.

COLUMBUS AND CENTRAL OHIO SYSTEMS, INC.

This company was founded in 1996 as a utility billing service for water and sewer. Today, the company bills over 8,000 tenants a month and manages 7,000 accounts.

AMERICAN POWER & LIGHT, LLC

This company was founded in 2003 as a utility billing service for electric. Today, the company bills over 14, 000 accounts.

VILLAGE COMMUNITIES, LLC

This company was formed in 2004 as a builder and seller of single-family and condominium residences. From 2004 to current, we have built approximately 10,000 units under this entity.

ARDENT PROPERTY MANAGEMENT, INC.

This company was formed in 2005 as a management service company overseeing the management of all of the apartment communities in Central Ohio and surrounding areas.

CONCORD/SCIOTO DEVELOPMENT, LLC

This company was formed in 2007 and its primary function is overseeing the construction of a 1.4 million gallon per day (with an expansion to 2.8 MGD) water reclamation facility known as the Lower Scioto Water Reclamation Facility. This was built and turned over to Delaware County in 2013. This project also consists of the construction of major infrastructure such as a 16" water line, a water tower, and a 12" force main and sanitary lift station. The utilities will be constructed across the O'Shaughnessy Reservoir with a purpose of serving a large portion of the northwest quadrant of Delaware County.

METRO DEVELOPMENT LLC

This company was formed in 2008 to develop new multifamily and extended stay communities. It also developed and constructed a 4.5 million dollar sewer line for Delaware County. This opened up over 1,200 lots to the Tributary area in southern Delaware County, which includes the following:

- Woodcrest – 300 lots
- Riverbluff – 125 lots
- Clarkshaw Moor – 222 lots
- Scioto Ridge – 162 lots
- Heathers – 75 lots
- Clarkshaw Reserve – 257 lots
- Price Farms – 65 lots

The multi-family communities developed by Metro Development include the following:

• Winchester Park	344 units	
• Residence at Edgewater	148 units	Sold
• Ashbrook Run	292 units	Sold
• Prescott Place	244 units	Sold
• Northpark Place	208 units	Sold
• Albany Landings	272 units	Sold
• Brookfield Apartments	160 units	
• Liberty Crossing	226 units	Sold
• Northpark Place II	264 units	Sold
• Worthington Woods	66 units	Sold
• Woods at Perry Lane	168 units	Sold
• Remington Woods	200 units	Sold
• Ravines at Rocky Ridge	136 units	Sold
• Reserve at Walnut Creek	148 units	Sold
• Easton Pointe Apartments	208 units	Sold
• Winchester Crossing	158 units	Sold
• Hartford Village	72 units	Sold
• Four Pointe	204 units	Sold
• Remington Woods II	136 units	Sold
• Braxton at Bethel	114 units	
• The Attleigh	184 units	Sold
• Highcross	48 units	
• The Griff	288 units	Sold
• Gantz Meadows	56 units	

DEVELOPMENT AND MANAGEMENT EXPERIENCE

Multi-family:

• Addison Woods	56 units	Sold
• Arden Park	180 units	Sold
• Austin Place	256 units	
• Brooklane	138 units	
• Central Park	220 units	Sold
• Emerson	240 units	Sold
• Gage Crossing	196 units	
• Hayden Reserve	96 units	
• Greyson at Hickory Chase	492 units	Sold
• Liberty House	152 units	
• Lincoln Pointe	72 units	
• Tussing	96 units	Sold
• Walnut Creek	186 units	Sold
• Cooks Pointe	144 units	
• Richmond Reserve	216 units	
• Seattle House	240 units	
• Reserve at Sawmill Ravine	24 units	
• Gables West	184 units	Sold
• Woodfield Park	240 units	
• Grays	168 units	
• Dixon House	138 units	
• Kenmore Place	264 units	
• Four Winds	144 units	
• Winchester Park	344 units	
• Residence at Edgewater	148 units	Sold
• Ashbrook Run	292 units	Sold
• Prescott Place	244 units	Sold
• Northpark Place	208 units	Sold
• Albany Landings	272 units	Sold
• Brookfield Apartments	160 units	
• Liberty Crossing	226 units	Sold
• Northpark Place II	264 units	Sold
• Worthington Woods	66 units	Sold
• Woods at Perry Lane	168 units	Sold
• Remington Woods	200 units	Sold
• Ravines at Rocky Ridge	136 units	Sold

DEVELOPMENT AND MANAGEMENT EXPERIENCE - CONTINUED

• Reserve at Walnut Creek	148 units	Sold
• Easton Pointe Apartments	208 units	Sold
• Winchester Crossing	158 units	Sold
• Hartford Village	72 units	Sold
• Four Pointe	204 units	Sold
• Remington Woods II	136 units	Sold
• Braxton at Bethel	114 units	
• The Attleigh	184 units	Sold
• Highcross	48 units	
• The Griff	288 units	Sold
• Gantz Meadows	56 units	

CONDOMINIUM AND SINGLE FAMILY DEVELOPMENTS

• The Village at Worthington Crossing	80 units	Delaware County
• Walker Woods	108 units	Lewis Center
• Ravines at Rocky Fork	88 units	Columbus
• Quail Creek	40 units	Columbus
• Residences at Scioto	36 units	Columbus
• Sterling Pines	76 units	Columbus
• Village at Murphy Park	96 units	Powell
• Village at Gantz Park	104 units	Grove City
• Villas at Rocky Fork	88 units	Westerville
• Village at Scioto Reserve	72 units	Powell
• Glen at Schirm Farms	46 units	Columbus
• Preserve at Albany Woods	44 units	Columbus
• Willows at Preserve Crossing	247 units	Columbus
• Village at Willowbrook Farms	64 units	Delaware
• Meadows at Carson Farms	66 units	Delaware
• Alkire Woods	108 units	Columbus
• Preserve at Winchester Crossing	210 units	Columbus
• Hartford Village	112 units	Hilliard
• Village at Bale Kenyon	138 units	Columbus
• Traditions at Powell	40 units	Powell
• Traditions at Rocky Fork	258 units	Westerville
• Traditions at Creekview	62 units	Columbus

• Traditions at Highbluffs	114 units	Worthington
• Ravines at Scioto Reserve	80 units	Powell
• Traditions at Polaris	100 units	Columbus
• Kinsale Village at Golf Village	124 units	Powell
• Heathers at Golf Village	148 units	Powell
• Reserve at Preston Woods	136 units	Columbus
• Ravines at Flint Park	104 units	Columbus
• Ravines at Meadow Ridge	176 units	Delaware County
• Traditions at Worthington Woods	120 units	Columbus
• Lakes at Polaris	90 units	Columbus
• Village at Olentangy Crossing	156 units	Lewis Center

COMMERCIAL/INDUSTRIAL (square footage per item):

- Millennium Office Park – 93,494
- One Lakeview Plaza – 102,114
- Sinclair Road Office Center – 34,560
- Clubview Offices – 9,859
- Worthington Commerce Center – 231,660
- Taylor Station Commerce Center – 64,265
- Crossroad Commerce Center – 120,540
- 470 Olde Worthington Road – 88,218
- Green Meadows Commerce Center – 38,109
- Green Meadows North Commerce Center – 14,259
- Corporate Hill I and II -203,237
- Upper Metro – 97,467
- Orange Pointe Commerce Center – 140,160
- 1900 Polaris Parkway – 160,000
- Countyline Office Condominiums – 42,885
- Shoppes at Orion Retail Center - 9,642
- Tuffy Auto Center Galbraith Road, Cincinnati
- Tuffy Auto Center Cemetery Road, Hilliard
- Tuffy Auto Center Colerain Road, Cincinnati

Athletic Clubs (square footage per item):

- Kinsale Golf & Fitness – 30,000
- Premier at Sawmill Athletic Club – 60,000
- Scioto Reserve Country Club – 40,000

EXHIBIT H

BERLIN TOWNSHIP DEMOGRAPHIC INFORMATION

Berlin Township (as of 2018):

- Population: 7,444
- Housing Units: 2,251
- Persons per Housing Unit: 3.31

PROXIMATE CITY APPROVAL

City of Delaware, Delaware County, Ohio (the "*City*"), by Resolution No. _____, passed by the City Council on _____, 2020, has authorized _____, its _____, to sign this Petition, and the Petition is herewith signed as evidence of that approval.

CITY OF DELAWARE, DELAWARE COUNTY, OHIO

By: _____
Name: _____
Title: _____

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 14 DATE: 9/28/2020

ORDINANCE NO: 20-60 RESOLUTION NO:

READING: FIRST PUBLIC HEARING:NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Kyle Kridler, Assistant City Manager

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH THE SECOND WARD COMMUNITY INITIATIVE (SWCI).

BACKGROUND:
SWCI has been leasing the property at 50 A Ross Street since 2012 as home to their nonprofit. This new lease is a longer-term agreement which enables SWCI to further raise capital needed for building improvements and support a longer lasting commitment with the Delaware community.

REASON WHY LEGISLATION IS NEEDED:
Pursuant to Delaware Codified Ordinance Section 107.06, an ordinance is necessary for Council to authorize the City Manager to enter into a lease. The ordinance serves as Council's determination that it is desirable to lease land owned by the City.

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):
The City of Delaware provides in-kind rent-free space at the property which is approximately $45,000 annually. Over the span of the initial 10-year term of the lease, this equates to $450,000 in in-kind rent as a part of this partnership.

Separate, but related, the City will be providing improvements to the property with regards to the roof project and ADA accessibility as referenced in the attached memo. Neither items below have a direct impact on the City's operating budget.

$143,325 can be made available from the City's CDBG RLF Program Income for the projects directly attributed to the SWCI Community Center building needs (roof related and ADA needs).

$50,000 of Capital Improvement funding will be reallocated for the City's portion/needs for the cold storage area.

POLICY CHANGES:
N/A

PRESENTER(S):
Kyle Kridler

RECOMMENDATION:
Staff recommends approval after second reading

ATTACHMENT(S)
See attached

ORDINANCE NO. 20-60

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH THE SECOND WARD COMMUNITY INITIATIVE (SWCI).

WHEREAS, the City of Delaware and the Second Ward Community Initiative (SWCI) would like to enter into a new lease agreement under which a portion of the City property located at 50 A Ross Street ("Property") in the City of Delaware would be leased by SWCI for the purpose of a community center; and

WHEREAS, SWCI has continuously leased the property from the City of Delaware since 2012; and

WHEREAS, the City of Delaware provides SWCI approximately $45,000 of in-kind annual rentable space; and

WHEREAS, Council has determined that it is desirable to continue this partnership with SWCI at the property; and

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

SECTION 1. That the City Manager is hereby authorized to enter into a lease agreement (attached) with the Second Ward Community Initiative (SWCI) for the property located at 50 A Ross Street, Delaware, Ohio 43015.

SECTION 2. At the time of the signing of the lease, SWCI must provide a certificate of an insurance policy with a $1,000,000 limit, which names the City of Delaware as an additional insured party.

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 Ohio Revised Code

VOTE ON RULE SUSPENSION: YEAS____NAYS____
ABSTAIN ____

PASSED: _____, 2020 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

EST 1808

CITY OF DELAWARE OHIO

MEMORANDUM

TO:	Mayor and Members of City Council
FROM:	R. Thomas Homan, City Manager
VIA:	Kyle Kridler, Assistant City Manager
DATE:	September 22, 2020
RE:	Second Community Ward Initiative Lease

Background

The Second Ward Community Initiative (SWCI) provides resources and serves the residents of Delaware City, particularly low income, and high-risk individuals in the Second Ward. As a part of their mission and community center, the Second Ward Community Initiative (SWCI) provides space and programming for STEM, Boy Scouts, Health & Wellness, Senior Services, After School Programs, their annual Unity Festival among many programs that serve the community. Per their current lease, the following activities are permitted in the community center:

a. Computer lab
b. Tutorial Center
c. Exercise/Instruction/Classes
d. Library
e. Arts & Crafts
f. Entertainment such as movies, computer games and card games
g. Meetings

The current 3-year term of the City's lease with SWCI is through October 31, 2020; the original lease was entered into in October 2012. Negotiations between SWCI and the City for the next lease term began in the late fall/early winter, and then were sidelined due to the Pandemic. One of the persistent issues that has been discussed during the negotiations is the condition of the roof, particularly that section of the roof over the space the city leases to SWCI and whose responsibility it is to replace it.

The SWCI Board has expressed interest in entering into a longer-term lease agreement with the City that will allow them to raise additional funding and further solidify their partnership and

commitment to the community. Staff is recommending the following changes to the lease along with a couple additional items that we believe to be beneficial to SWCI's operation and the Delaware community.

Lease Terms Update (Changes from Prior Lease)

Term – In alignment with the recent lease agreement between the City and Main Street Delaware for the Delaware Welcome Center, we are proposing an initial lease term of 10 years with the option for two-five year renewals. This will allow for a longer-term commitment by both parties and for SWCI to properly raise funds for upgrades to their facility and programs.

Premises – As is shown below, SWCI currently operates in the space denoted as "SWCI" and "Connector" and is requesting additional access for "Building 2" as extra space to program for STEM activities along with the ability to make the space available through subleasing to organizations approved by the City such as a community food bank. Building #1 will remain utilized by the City for cold storage needs. SWCI has also expressed interest in growing into "Building #1" for future expansion.



Assignment and Sub-letting – This section has been a part of previous lease agreements allowing SWCI the ability to sublet their space with written approval by the City. The language is being updated to include the following: "Tenant may sublease part of the premises to other non-profit organizations as a way to raise funds. Tenant shall provide a request in writing 60 days prior to the date of the sublease. Such notice shall provide a description of the non-profit sublessee and the area of the building being subleased. Any sublease will include terms that the sublease will be bound by the same requirements as this agreement."

Utilities – SWCI will be responsible for utility services provided to both the building denoted as "SWCI" and "Connector" in the map on page 2 along with "Building 2".

Attached to this memo, please find the following:

- Proposed Lease between City of Delaware & SWCI
- Improvement Acknowledge Letter to SWCI

Recommendation & Next Steps

Staff supports the continued partnership with SWCI as a valuable resource to the community, especially with their focus and expertise with low income, and high-risk individuals in the Second Ward.

Staff recommends approval by Council of the Lease with SWCI after the second reading. If approved by Council, staff will coordinate with SWCI to execute the lease and obtain the required documents per the lease. Should Council have any questions, please contact Kyle Kridler who is the internal Project Manager.

Separate from the lease but related:

Roof & Improvement Update

Staff met with SWCI leadership on September 3, 2020 for a site visit to further examine the condition of the roof along with ADA accessibility both within and outside of their facility. Planning & Community Development is in the process of finalizing the specifications for the roof project which will then go out for public bid and be funded through the City's Community Development Block Grant (CDBG) Revolving Loan Fund (RLF) Program Fund. Improvements include the complete metal roof replacement on the SWCI building portion of the "SWCI" and roof repair on cold storage building "Building 1". Moisture-damaged ceiling insulation replacement in the SWCI portion will also be a part of this project. Staff believes that internal

ADA accessibility can also be accomplished as a part of the CDBG grant funding and external accessibility can be accomplished as a part of the Ross Street Park project.

$143,325 can be made available from the City's CDBG RLF Program Income for the projects directly attributed to the SWCI Community Center building needs (roof related and ADA needs). $50,000 of Capital Improvement funding will be reallocated for the City's portion/needs for the cold storage area. These figures take into account (1) the required use of federal Davis-Bacon prevailing wage rates and (2) contingencies for unforeseen repairs during construction on this nearly 100-year-old building. Thus, legislation is not needed for additional appropriations for the project.

Staff will update Council on this project as further progress is made.

EST 1808
CITY OF
DELAWARE
OHIO

September 22, 2020

SWCI Second Ward Community Initiative
Attention: Karriejoi Coit, Executive Director
50 A Ross Street
Delaware, OH 43015

Dear Ms. Coit and SWCI Board:

It is with great pleasure that the City of Delaware looks to renew our partnership with the Second Ward Community Initiative (SWCI) in providing a longer-term lease on City owned property at 50 A Ross Street (see lease document). Staff agrees that the initial lease term of 10 years with the option for two-five year renewals will allow for a longer-term commitment by both parties and for SWCI to properly raise funds for upgrades to your facility and continued support for the programs.

As both parties are aware, one of the persistent issues that has been discussed during the negotiations is the condition of the roof, particularly the section of the roof over the space the city leases to SWCI and whose responsibility it is to replace it. While SWCI has done an adequate job of "patching" the roof, the real need is for its replacement, including removal of the insulation on the roof's underside.

Given these circumstances, the city has agreed to fund the project this fall using its Community Development Block Grant (CDBG) program. The project meets one of the primary objectives of the program which is to benefit low-to-moderate income neighborhood.

Building improvement items include:

- Complete metal roof replacement on SWCI building portion and roof repair on cold storage (City portion) of the building

- Moisture-damaged ceiling insulation replacement in the SWCI portion

Funding would be from the City's CDBG RLF Program Income for the projects directly attributed to the SWCI Community Center building needs.

These financial contributions to the property by the City of Delaware are to bring the building up to a better condition and to free up SWCI of the obligation of current roof repair to fundraise toward other needs, whether additional building improvements and/or programming needs.

Per Section 9 "Maintenance and Repair; Rules" in the lease, "Tenant is leasing premises as is. The City is not required to make any additional improvements or repairs to the building under this lease. Tenant

will, at its sole expense, keep and maintain the Premises and appurtenances in good and sanitary condition and repair during the term of this Agreement and any renewal thereof and shall be responsible for any ongoing repairs."

It is the City's intent to be clear that after the above improvements are made, and the lease is signed, that SWCI will be responsible for any future improvements and repairs as outlined in Section 9 above.

This letter serves as an acknowledgement of the partnership between the City of Delaware and SWCI, the investment being made for the above building improvements and the understanding that future improvements to the property being leased will be the sole responsibility of SWCI.

_____	_____
R. Thomas Homan	Karriejoi Coit
City Manager	Executive Director
City of Delaware	SWCI Second Ward Community Initiative

LEASE AGREEMENT

THIS LEASE AGREEMENT (hereinafter referred to as the "Agreement") made and entered into this ___ day of _____, between The City of Delaware, Ohio (hereinafter referred to as "Landlord") and the Second Ward Community Initiative (hereinafter referred to as "Tenant").

WITNESSETH:

WHEREAS, Landlord is the fee owner of certain real property being, lying and situated in Delaware County, Ohio, such real property having a street address of 50 A Ross Street, Delaware, OH 43015 (hereinafter referred to as the "Premises").

WHEREAS, Landlord seeks to lease the Premises to Tenant under the terms and conditions contained in this lease; and

WHEREAS, Tenant seeks to lease the Premises from Landlord under the terms and conditions contained in this lease;

NOW, THEREFORE, for and in consideration of the sum of One Dollar ($1.00), the covenants and obligations contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby agree as follows:

1. **TERM**. Landlord leases to Tenant and Tenant leases from Landlord the above described Premises together with any and all appurtenances thereto, for a term of ten (10) years, with the option of two-five (5) year renewals provided the Tenant is not in default of any provisions hereof and shall begin on (a)_____ day of _____ month, 2020. For purposes of this lease, the term, “Lease Year” shall mean a period of 12 consecutive calendar months following the Commencement Date. Each succeeding Lease Year shall commence upon the anniversary date of the Commencement Date.

2. **RENT**. The total rent for the term hereof is the sum of one dollar ($1). Annual rent rate will be reevaluated upon the expiration of the initial 10 year lease commitment.

3. **PREMISES**: This lease permits Tenant to use the portions of the Premises marked in Exhibit A notated as “SWCI”, “Connector” and “Building 2”.

DRAFT

4. **USE OF PREMISES**. The Premises shall be used and occupied by Tenant as a Community Center. The following activities are permitted in the community center:

a. Computer lab
b. Tutorial Center
c. Exercise/Dance sessions
d. Teaching/Instruction/Classes
e. Library
f. Arts and Crafts
g. Entertainment such as movies, computer games, and card games.
h. Meetings

Additional uses agreed upon by both parties will be included in an addendum to this lease. Tenant shall comply with any and all laws, ordinances, rules and orders of any and all governmental or quasi-governmental authorities affecting the cleanliness, use, occupancy and preservation of the Premises.

5. **ASSIGNMENT AND SUB-LETTING**. Tenant shall not assign this Agreement, or sub-let or grant any license to use the Premises or any part thereof without the prior written consent of Landlord. Subject to the notice and approval requirements in this section, Tenant may sublease part of the premises to other non-profit organizations as a way to raise funds. Tenant shall provide a request in writing 60 days prior to the date of the sublease. Such notice shall provide a description of the non-profit sublessee and the area of the building being subleased. Any sublease will include terms that the sublease will be bound by the same requirements as this agreement. Consent by Landlord to one such assignment, sub-letting or license shall not be deemed to be a consent to any subsequent assignment, sub-letting or license. An assignment, sub-letting or license without the prior written consent of Landlord or an assignment or sub-letting by operation of law shall be absolutely null and void and shall, at Landlord's option, terminate this Agreement.

6. **ALTERATIONS AND IMPROVEMENTS**. Tenant shall make no alterations to the buildings or improvements on the Premises or construct any building or make any other improvements on the Premises without the prior written consent of Landlord, necessary construction documents and building permit. Any and all alterations, changes, and/or improvements built, constructed or placed on the Premises by Tenant shall, unless otherwise provided by written agreement between Landlord and Tenant, be and become the property of Landlord and remain on the Premises at the expiration or earlier termination of this Agreement.

7. **HAZARDOUS MATERIALS**. Tenant shall not keep on the Premises any item of a dangerous, flammable or explosive character that might

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unreasonably increase the danger of fire or explosion on the Premises or that might be considered hazardous or extra hazardous by any responsible insurance company.

8. **UTILITIES**. Tenant shall be responsible for arranging for and paying for all utility services required on the buildings which includes the Premises. In the event Tenant fails to pay utility bills by the time they are due, this lease shall terminate automatically.

9. **MAINTENANCE AND REPAIR; RULES**. Tenant is leasing premises as is. The City is not required to make any additional improvements or repairs to the building under this lease. Tenant will, at its sole expense, keep and maintain the Premises and appurtenances in good and sanitary condition and repair during the term of this Agreement and any renewal thereof and shall be responsible for any ongoing repairs. Without limiting the generality of the foregoing, Tenant shall:

a. Not obstruct the driveways, sidewalks, courts, entry ways, stairs and/or halls, which shall be used for the purposes of ingress and egress only;
b. Keep all windows, glass, window coverings, doors, locks and hardware in good, clean order and repair;
c. Not obstruct or cover the windows or doors;
d Not leave windows or doors in an open position during any inclement weather;
e Not hang any laundry, clothing, sheets, etc. from any window, rail, porch or balcony nor air or dry any of same within any yard area or space;
f Not cause or permit any locks or hooks to be placed upon any door or window without the prior written consent of Landlord;
g Keep all air conditioning filters clean and free from dirt;
h Keep all lavatories, sinks, toilets, and all other water and plumbing apparatus in good order and repair and shall use same only for the purposes for which they were constructed. Tenant shall not allow any sweepings, rubbish, sand, rags, ashes or other substances to be thrown or deposited therein. Any damage to any such apparatus and the cost of clearing stopped plumbing resulting from misuse shall be borne by Tenant;
i. Ensure that Tenant's guests shall at all times maintain order in the Premises and at all places on the Premises, and shall not make or permit any loud or improper noises, or otherwise disturb other residents;

DRAFT

j Keep all radios, television sets, stereos, etc., turned down to a level of sound that does not annoy or interfere with other residents;

k Deposit all trash, garbage, rubbish or refuse in the locations provided therefore and shall not allow any trash, garbage, rubbish or refuse to be deposited or permitted to stand on the exterior of any building or within the common elements;

10. **DAMAGE TO PREMISES**. In the event the Premises are destroyed or rendered wholly untenantable by fire, storm, earthquake, or other casualty not caused by the negligence of Tenant, this Agreement shall terminate from such time except for the purpose of enforcing rights that may have then accrued hereunder.

11. **INSPECTION OF PREMISES**. Landlord and Landlord's agents shall have the right at all reasonable times during the term of this Agreement and any renewal thereof to enter the Premises to inspect the Premises and all buildings and improvements thereon and to make any repairs, additions or alterations as may be deemed appropriate by Landlord for the preservation of the Premises or the building. The right of entry shall likewise exist for the purpose of removing placards, signs, fixtures, alterations or additions, that do not conform to this Agreement or to any restrictions, rules or regulations affecting the Premises. The landlord shall be provided a grand master key to access the building and all interior rooms.

12. **RENEWAL**. In keeping with conditions of Section 1 of this agreement, the Tenant will have option of two five-year renewals. Future renewals must be negotiated by the Landlord and Tenant.

13. **SURRENDER OF PREMISES**. Upon the expiration of the term hereof, Tenant shall surrender the Premises in as good a state and condition as they were at the commencement of this Agreement, reasonable use and wear and tear thereof and damages by the elements excepted.

14. **MOWING**. Tenant shall be responsible for mowing the yard and maintaining surrounding landscaping. In the event Tenant's failure to mow the yard results in a violation of Chapter 905 of the Delaware Codified Ordinances, Landlord may contract to mow the lawn and add the cost of the service to the Tenant's rent. If the City has to mow the premises more than once a season, the lease will be immediately terminated.

15. **PEST CONTROL.** Tenant shall be responsible for all pest and vermin control within the Premises.

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16. **SIGNAGE.** All signs posted by Tenant on the Premises must be in conformance with current city code and is subject to the planning review and approval process.

17. **NONDISCRIMINATION**. Tenant shall not discriminate against any member of the public on the basis of age, race, color, sex, religion, ancestry, political affiliation, military status, or disability.

18. **TAXES & ASSESSMENTS**. The property is currently not subject to property taxes. However, Tenant shall pay or cause to be paid any and all real estate taxes and installments or assessments on the Premises which result from any activity in the space that causes property taxes to be assessed.

19. **INSURANCE**. Tenant will maintain an insurance policy with a $1,000,000 limit and name the City of Delaware as an additional insured party. Contractors and vendors who use the Premises are required to name both Tenant and the City of Delaware as additional insured parties on their policies. In the event Tenant fails to maintain the required insurance policy, this lease shall terminate automatically.

20. **INDEMNIFICATION**. Landlord shall not be liable for any damage or injury of or to the Tenant, Tenant's, guests, invitees, agents or employees or to any person entering the Premises or the building of which the Premises are a part or to goods or equipment, or in the structure or equipment of the structure of which the Premises are a part. Tenant hereby agrees to indemnify, defend and hold Landlord harmless from any and all claims or assertions of arising out of Tenant's actions or failure to act.

21. **DEFAULT**. If Tenant fails to comply with any of the material provisions of this Agreement, other than the covenant to pay rent, or of any present rules and regulations or any that may be hereafter prescribed by Landlord, or materially fails to comply with any duties imposed on Tenant by statute, within seven (7) days after delivery of written notice by Landlord specifying the non-compliance and indicating the intention of Landlord to terminate the Lease by reason thereof, Landlord may terminate this Agreement.

22. **RIGHTS AND REMEDIES**. The rights and remedies under this lease are cumulative, and either party's using any one right or remedy will not preclude or waive that party's right to use any other. These rights and remedies are in addition to any other rights the parties may have by law, statute, ordinance, or otherwise.

23. **GOVERNING LAW**. This Agreement shall be governed, construed and interpreted by, through and under the Laws of the State of Ohio.

DRAFT

24. **SEVERABILITY**. If any provision of this Agreement or the application thereof shall, for any reason and to any extent, be invalid or unenforceable, neither the remainder of this Agreement nor the application of the provision to other persons, entities or circumstances shall be affected thereby, but instead shall be enforced to the maximum extent permitted by law.

25. **BINDING EFFECT**. The covenants, obligations and conditions herein contained shall be binding on and inure to the benefit of the heirs, legal representatives, and assigns of the parties hereto.

26. **DESCRIPTIVE HEADINGS**. The descriptive headings used herein are for convenience of reference only and they are not intended to have any effect whatsoever in determining the rights or obligations of the Landlord or Tenant.

27. **CONSTRUCTION**. The pronouns used herein shall include, where appropriate, either gender or both, singular and plural.

28. **NON-WAIVER**. No indulgence, waiver, election or non-election by Landlord under this Agreement shall affect Tenant's duties and liabilities hereunder.

29. **MODIFICATION**. The parties hereby agree that this document contains the entire agreement between the parties and this Agreement shall not be modified, changed, altered or amended in any way except through a written amendment signed by all of the parties hereto.

30. **NOTICE**. Any notice required or permitted under this Lease or under state law shall be deemed sufficiently given or served if sent by United States certified mail, return receipt requested, addressed as follows:

To Landlord: City of Delaware, Ohio
Attention: R. Thomas Homan, City Manager
1 South Sandusky Street
Delaware, Ohio 43015
Phone: 740.203.1010
Email: cmo@delawareohio.net

To Tenant: SWCI Second Ward Community Initiative
Attention: Karriejoi Coit, Executive Director
50 A Ross Street
Delaware, OH 43015
Phone: 740.362.7611
Email: kcoit@swcidelaware.org

DRAFT

Landlord and Tenant shall each have the right from time to time to change the place notice is to be given under this paragraph by written notice thereof to the other party.

32. **ADDITIONAL PROVISIONS; DISCLOSURES**.

_____
_____
_____
_____
_____
_____

[Landlord should note above any disclosures about the premises that may be required under Federal or Ohio law, such as known lead-based paint hazards in the Premises. The Landlord should also disclose any flood hazards.]

As to Landlord, this (date)

LANDLORD:

Sign:

R. Thomas Homan, City Manager Date:

As to Tenant, this (date)

TENANT ("Tenant"):

Sign:

Print: Date:

DRAFT

TENANT:

Sign:

Print: Date:

Approved as to form:

Sign:

Print:

Delaware City Attorney Date:

DRAFT

Exhibit A

As mentioned in Article 3, “The Premise”, the lease provides access for the Second Community Ward Initiative to the properties notated in the below graphic as “SWCI”, “Connector” and “Building 2” to occupy, program and have the option to sublet with permission of the City as stated in Article 7 “Assignment & Sub-letting”.

Building #1 will remain utilized by the City for cold storage needs, but can be renegotiated with SWCI at a later date for their use, once the City has determined a new location for storage.

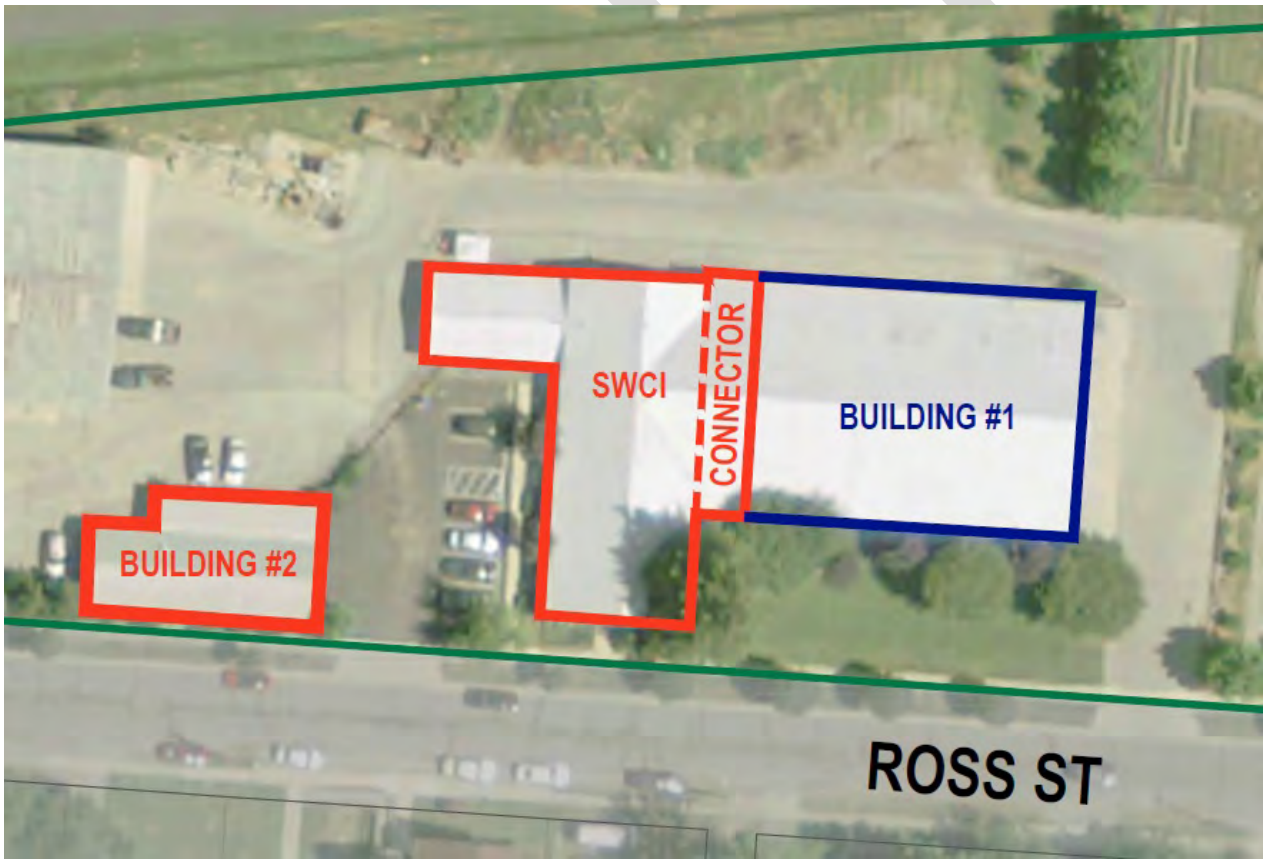


Exhibit B

Hold for SWCI Acknowledgement Letter

DRAFT

Exhibit C

Hold for Certificate of Liability Insurance

DRAFT

Exhibit D

Hold for Commercial General Liability Insurance

DRAFT

Exhibit D

Hold for SWCI Bank Statement Proof of $5,000 Balance Minimum

DRAFT

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 15 | DATE: 09/28/2020

ORDINANCE NO: 20-61 | RESOLUTION NO:

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Sean Hughes, Economic Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE AMENDING A 2020 COMMUNITY REINVESTMENT AREA AGREEMENT AND SCHOOL COMPENSATION AGREEMENT WITH THE CITY OF DELAWARE, INNOVATION CENTER LLC, DELAWARE CITY SCHOOLS AND DELAWARE AREA CAREER CENTER AND DECLARING AN EMERGENCY.

BACKGROUND:

American Freight, whose corporate headquarters are currently located at 680 Sunbury Rd., began a site search for a new headquarters location earlier this year due to acquisitions and changes to the structure of their company. They are intending to combine the Delaware offices with offices from Chicago.

American Freight has chosen to lease about 1/3 of Innovation Center, LLC at 109 Innovation Court. This is a new speculative building for which the City of Delaware passed a 50% CRA for 15 years with the ability to increase to 75% for the remainder of the term of the abatement once the building achieved and maintained $2.35 million in payroll, if the City can assist with the following incentives.

As part of their incentives application, American Freight, LLC is willing to commit to the retention of 71 FTEs with $7.6 million in payroll and create an additional 40 FTEs with a new payroll of $4,000,000. For these commitments, the company is requesting the CRA for 109 Innovation Court to be increased to 100% for the remaining 15-years of the abatement. They also are requesting a Performance Based Economic Incentives Grant valued at 20% of what their annual payroll taxes would be paid to them annually for 5 years from the year following the first full year of occupancy of the building. The

Performance Based Economic Incentive Grant will be presented as another item of legislation with a separate agreement.

This ordinance amends the original ordinance and agreement for the CRA for 109 Innovation Court with Innovation Center, LLC to 100% for the 15 remaining years of the CRA with the new commitments of 40 new FTEs and $4,000,000 in payroll.

The company will be committed to the retention of 71 FTEs and $7.6 million in current payroll through the separate Performance Based Economic Incentive Grant agreement.

PREVIOUS ABATEMENT

50%/15 year CRA Tax Analysis Comparison				
Project Innovation Center			**8/16/2019**	**Address/Parcel Numbers**
				110 Innovation Court
Projections				
Employees (New)		**25**	Per CRA application	
Employees (Retained)		**0**	Per CRA application	
Payroll (New)		**$1,300,000**	Per CRA application	
Payroll (Retained)		**$0**	Per CRA application	
1.85% Muni Taxes (new)		**$24,050**	per year	
1.85% Muni Taxes (retained)		**$0**	per year	
50% of Muni Taxes (over $1 million new taxes)		**$2,775**	per year	
Real Property Investment		**$4,300,000**	Per CRA application	
	Property Acquisition	**$360,000**		
	Building Construction	**$3,940,000**		
	Site Prep	**$0**		
Personal Property Investment		**$0**	Per CRA application	
	F&F	$0	Personal Property	
	M&E	$0	Personal Property	
	Inventory	$0	Personal Property	

Proposed Incentives:	
	• 50%/15 year CRA; Can increase to 75% IF payroll meets or exceeds $2.35 million in payroll • 50% Income Tax Sharing Between City and Schools IF abatement reaches 75% AND payroll exceeds $1 million
Project Annual Gross Value of 50% Abatement	$33,721.07
Project 15-Year Gross Value of Abatement	$505,816.05
50% School Compensation Per Year IF at 75% abatement	$12,487.50
50% School Compensation Per Year IF at 75% abatement After 15 years	$187,312.50
Net Abatement Value	$505,816.05
Incentives as a % of Total Project Investment	11.8%

Economic Development Incentive Policy Analysis:

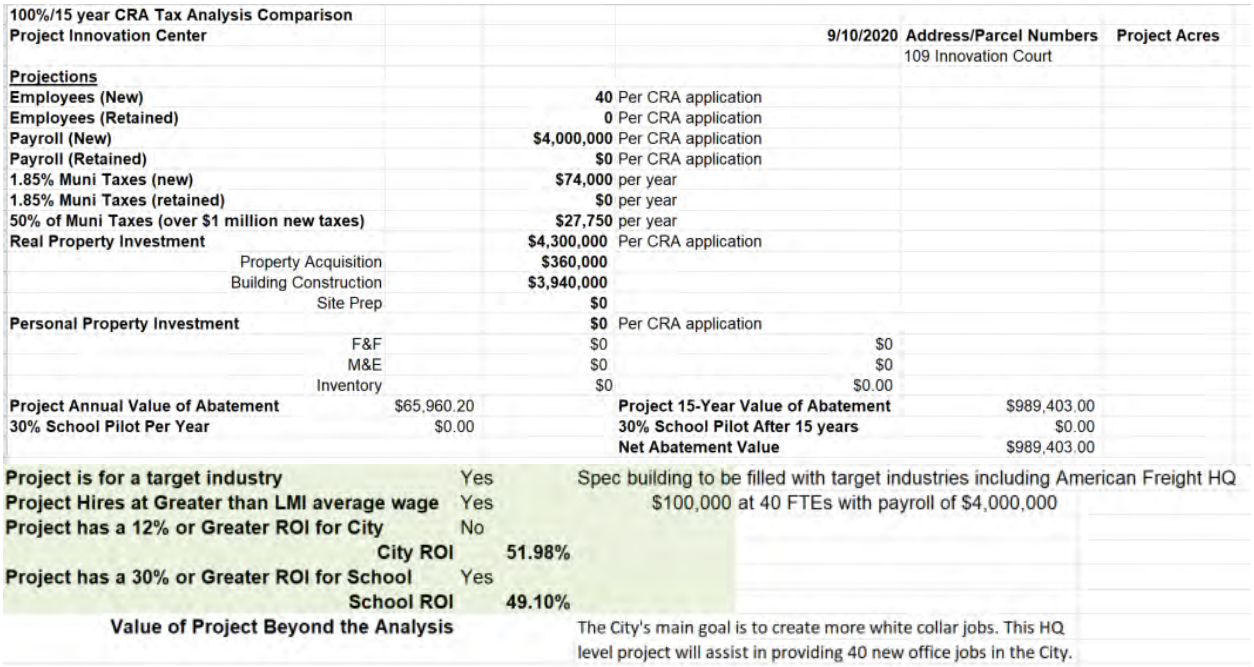
These cells will be colored GREEN if the criteria is met or RED if the criteria is not met:

Project is for a target industry	Yes	Spec building to be filled with target industries

Project Hires at Greater than LMI* average wage	Yes	$52,000/year at 25 FTEs with payroll of $1,300,000
Project has a 12% or Greater ROI for City	No	
City ROI	3.84%	Once project achieves $2.35 million payroll, this would increase to 25.14% ROI
Project has a 30% or Greater ROI for School	Yes	
School ROI	100%	
Value of Project Beyond the Analysis		The City currently has very little flexible target industry building inventory. Incentivizing this project is partnering with the developer to allow us to create more target industry jobs.

*****LMI (Low to Moderate Income) = $41,000/year per single person household

WITH REQUESTED ABATEMENT AMENDMENT



100%/15 year CRA Tax Analysis Comparison						
Project Innovation Center				**9/10/2020**	**Address/Parcel Numbers**	**Project Acres**
					109 Innovation Court	
Projections						
Employees (New)		**40**	Per CRA application			
Employees (Retained)		**0**	Per CRA application			
Payroll (New)		**$4,000,000**	Per CRA application			
Payroll (Retained)		**$0**	Per CRA application			
1.85% Muni Taxes (new)		**$74,000**	per year			
1.85% Muni Taxes (retained)		**$0**	per year			
50% of Muni Taxes (over $1 million new taxes)		**$27,750**	per year			
Real Property Investment		**$4,300,000**	Per CRA application			
Property Acquisition		**$360,000**				
Building Construction		**$3,940,000**				
Site Prep		**$0**				
Personal Property Investment		**$0**	Per CRA application			
F&F		$0		$0		
M&E		$0		$0		
Inventory		$0		$0.00		
Project Annual Value of Abatement	$65,960.20			**Project 15-Year Value of Abatement**	$989,403.00	
30% School Pilot Per Year	$0.00			**30% School Pilot After 15 years**	$0.00	
				Net Abatement Value	$989,403.00	
Project is for a target industry	Yes		Spec building to be filled with target industries including American Freight HQ			
Project Hires at Greater than LMI average wage	Yes		$100,000 at 40 FTEs with payroll of $4,000,000			
Project has a 12% or Greater ROI for City	No					
City ROI		**51.98%**				
Project has a 30% or Greater ROI for School	Yes					
School ROI		**49.10%**				
Value of Project Beyond the Analysis			The City's main goal is to create more white collar jobs. This HQ level project will assist in providing 40 new office jobs in the City.			

*LMI (Low to Moderate Income) = $41,000/year per single person household.

COMMITTEE RECOMMENDATION:

Tax Incentive Review Council, 8/27/20 via email
VOTE: Approval

FISCAL IMPACT(S):

COST: N/A
FUND SOURCES: N/A
BUDGETED: NO

DEPARTMENTS IMPACTED: Economic Development

POLICY CHANGES:
N/A

PRESENTER(S):
Sean Hughes, Economic Development Director

RECOMMENDATION:
Approval

ATTACHMENT(S)
CRA School Notification Letters
Incentives Application
Original CRA Agreement
Original School Compensation Agreement
Map Exhibit of Building Location

ORDINANCE NO. 20-61

AN ORDINANCE AMENDING A 2020 COMMUNITY REINVESTMENT AREA AGREEMENT AND SCHOOL COMPENSATION AGREEMENT WITH THE CITY OF DELAWARE, INNOVATION CENTER LLC, DELAWARE CITY SCHOOLS AND DELAWARE AREA CAREER CENTER AND DECLARING AN EMERGENCY.

WHEREAS, the City of Delaware has encouraged development of and investment in real property in the area designated as Community Reinvestment Area 141-1135-01 pursuant to ORC 3735; and

WHEREAS, the City of Delaware by Resolution Number 01-52, as amended by Resolution No. 07-08, resolved to review and approve all Community Reinvestment Area Agreements which meet the statutory guidelines; and

WHEREAS, Innovative Center, LLC the owner of the facility at 109 Innovation Center ("OWNER") has worked with the City to negotiate a lease for a headquarters tenant that will cause the facility to greatly exceed the original Community Reinvestment Area agreement commitments for job creation and payroll creation; and

WHEREAS, the CITY and OWNER entered into a Community Reinvestment Area Agreement (hereinafter the "CRA AGREEMENT") effective January 16, 2020 that was approved pursuant to Ordinance No. 19-60, passed by City Council on October 28, 2019; and

WHEREAS, the CRA AGREEMENT provided OWNER with a fifty percent (50%), fifteen (15) year tax abatement on the assessed value of a new 60,000 square foot building constructed at 109 Innovation Court (the "PROPERTY"); and

WHEREAS, the CRA AGREEMENT allowed the abatement to increase to seventy-five percent (75%) for the remainder of the term of the agreement should the building be occupied with companies generating payroll meeting or exceeding $2,350,000 per year; and

WHEREAS, the CITY entered into a SCHOOL COMPENSATION AGREEMENT sharing 50% of income taxes generated from new full-time equivalent jobs ("FTEs") on payroll of $2,350,000 or greater minus the first $1,000,000 in new payroll for the remainder of the term of the CRA Agreement; and

WHEREAS, the proposed tenant of Innovation Center, LLC is expected to generate $4,000,000 in new payroll by the beginning of year three (3) of the CRA abatement; and

WHEREAS, The Incentive Negotiation Committee is requesting an amendment to the Community Reinvestment Area Agreement per the attached "FIRST AMENDMENT TO THE INNOVATION CENTER, LLC COMMUNITY REINVESTMENT AREA AND SCHOOL COMPENSATION AGREEMENTS ADOPTED BY ORDINANCE NO. 19-60 AND EXECUTED JANUARY 16, 2020" ("FIRST AMENDMENT"); and

WHEREAS, INNOVATION CENTER, LLC is now committed in the Community Reinvestment Area Agreement to the creation of 40 new full-time equivalent jobs with a new payroll of $4,000,000 after three years from the first full year of occupancy of Innovation Center at 109 Innovation Court.

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

SECTION 1. The Community Reinvestment Area Agreement by and between the City of Delaware and INNOVATION CENTER, LLC meets all guidelines established by the State of Ohio and the City of Delaware, and the same is hereby amended per the attached "FIRST AMENDMENT TO THE INNOVATION CENTER, LLC COMMUNITY REINVESTMENT AREA AND SCHOOL COMPENSATION AGREEMENTS ADOPTED BY ORDINANCE NO. 19-60 AND EXCUTED JANUARY 16, 2020".

SECTION 2. That the City Council of the City of Delaware hereby authorizes the execution of said First Amendment by the City Manager to amend the Community Reinvestment Area Agreement.

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

VOTE ON RULE SUSPENSION: YEAS____NAYS____
ABSTAIN ____

VOTE ON EMERGENCY CLAUSE: YEAS____ NAYS____
ABSTAIN ____

PASSED: _____, 2020 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

FIRST AMENDMENT TO THE INNOVATION CENTER, LLC
COMMUNITY REINVESTMENT AREA AND SCHOOL COMPENSATION
AGREEMENTS ADOPTED BY ORDINANCE NO. 19-60 AND EXECUTED
JANUARY 16, 2020

This First Amendment to The Innovation Center, LLC Community Reinvestment Area and School Compensation Agreements ("FIRST AMENDMENT") is made and entered into to be effective this ___ day of _____ 2020 by and between the City of Delaware, a municipal corporation of the State of Ohio (hereinafter "CITY") and Innovation Center, LLC (hereinafter "OWNER")

WHEREAS, the CITY and OWNER entered into a Community Reinvestment Area Agreement (hereinafter the "CRA AGREEMENT") effective January 16, 2020, which CRA Agreement was approved pursuant to Ordinance Number 19-60, passed by City Council on October 28, 2019; and

WHEREAS, the CRA AGREEMENT provided OWNER with a fifty percent (50%), fifteen (15) year tax exemption on the assessed value of a new 60,000 square foot facility constructed at 109 Innovation Court (the "PROPERTY"); and

WHEREAS, OWNER committed in the CRA AGREEMENT to develop the PROPERTY and to create 25 new full-time equivalent jobs with a payroll of $1,300,000; and

WHEREAS, OWNER has secured American Freight, LLC as a tenant with a commitment of 40 new full-time equivalent jobs with $ 4,000,000 in new payroll and the retention of 71 full-time equivalent jobs with $7,600,000 in retained payroll; and

WHEREAS, OWNER has secured a tenant that greatly exceeds the job creation and payroll commitments made in the original CRA agreement; and

WHEREAS, the building located at parcel 41922002003005 (hereinafter the PROPERTY) is located within CRA 141-1135-1;

WHEREAS, Delaware City Council, by Ordinance Number _____ passed on _____, authorized the Director of Development to amend the CRA AGREEMENT to reflect an increase in the real property incentive to:

Existing Agreement:
Year 1 - 15 50% until a payroll of $2,350,000 is achieved at which time the percentage goes to 75%

Amendment:
Year 1 – 15: 100% with a commitment of $4,000,000 in new payroll within 3 years of American Freight, LLC, a corporate office providing primary target industry jobs, or other equivalent anchor tenant taking occupancy of Innovation Center, LLC.

NOW THEREFORE, in consideration of the mutual covenants contained in the CRA Agreement and hereinafter contained in this FIRST AMENDMENT and the benefit to be derived by the parties from the execution thereof, the parties agree as follows:

DELETE Section 2. b. of the CRA Agreement:

2.
   b. During any year of the 15-year abatement term, if the occupants of Innovation Center, LLC reach total annual NEW (not from an existing company currently located in the City of Delaware) payroll of **$2,350,000 from primary target industry jobs** per the City of Delaware's 2014 Economic Development Plan, the Innovation Center, LLC's abatement on the building at parcel 41922002003005 **will be increased from 50% to 75% for the remaining term of this 15-year abatement.**

REPLACE WITH:

2. b. During **the first year of American Freight's or equivalent tenant's occupancy of Innovation Center, LLC, the CRA abatement will increase from 50% to 100% for the remaining term of this 15-year abatement if American Freight or equivalent tenant is an occupant of the property commit to $4,000,000 in new (i.e., not from an existing company currently located in the City of Delaware) payroll. American Freight or equivalent tenant will have their first 3 years of occupancy to reach $4,000,000 in new payroll per the Ohio Revised Code. Innovation Center also can reach $4,000,000 in new payroll with any or all primary target industry tenants to maintain the 100% abatement for the remaining term of the agreement.**

DELETE Section 2. c. of the CRA Agreement:

2.

c. If during any year during the period of the abatement if the abatement level is increased to 75% payroll decreases to be lower than $2,350,000 from primary target industry jobs the abatement percentage will decreased by one percent (1 %) for every percentage that the project misses its target payroll of $2,350,000 until such time that it, again, achieves or exceeds $2,350,000 for an entire year.

REPLACE WITH:

2.

c. If during any year after the first 3 years that American Freight occupies the property, American Freight discontinues occupancy of the property or Innovation Center, LLC cannot maintain new payroll of $4,000,000 from new primary target industry jobs, the abatement percentage will decrease by one percent (1%) for every percentage of the target payroll of $4,000,000 that is not reached until such time that new payroll of $4,000,000 is reached or exceeded for an entire year.

DELETE Section 5. of the CRA Agreement:

5. City of Delaware hereby grants INNOVATION CENTER, LLC a tax exemption for real property improvements made to the PROJECT site pursuant to Section 3735.67 of the Ohio Revised Code and shall be for ten (15) years in the following amounts:

Year of Tax Exemption	Tax Exemption Amount
Year 1	50% (75% if it meets 2b)
Year 2	50% (75% if it meets 2b)
Year 3	50% (75% if it meets 2b)
Year 4	50% (75% if it meets 2b)
Year 5	50% (75% if it meets 2b)
Year 6	50% (75% if it meets 2b)
Year 7	50% (75% if it meets 2b)
Year 8	50% (75% if it meets 2b)

Year 9	50% (75% if it meets 2b)
Year 10	50% (75% if it meets 2b)
Year 11	50% (75% if it meets 2b)
Year 12	50% (75% if it meets 2b)
Year 13	50% (75% if it meets 2b)
Year 14	50% (75% if it meets 2b)
Year 15	50% (75% if it meets 2b)

The exemption commences the first full taxable year the facility is 100% complete. No exemption shall commence before January 1, 2021, nor extend beyond Dec. 31, 2035. Said exemption shall be based on the increase on the assessed value of real property attributed to the real property improvements at the PROJECT site. Innovation Center, LLC must file the appropriate tax forms (DTE 23) with the County Auditor to effect and maintain the exemptions covered in the agreement.

a. If Innovation Center, LLC achieves a 75% abatement level with a payroll of $2,350,000 or greater, the City of Delaware will share 50% of the payroll taxes with Delaware City Schools and Delaware Area Career Center for payroll exceeding $1 million through a separate School Compensation Agreement for any year of the 15-year period of this agreement.

b. If during any year during the period of the abatement if the abatement level is increased to 75% payroll decreases to be lower than $2,350,000 from primary target industry the abatement percentage will decreased by one percent (1%) for every percentage that the project misses its target payroll of $2,350,000 until such time that it, again, achieves or exceeds $2,350,000 for an entire year.|

c. If Ohio tax law changes result in no net tax incentive benefits (tax incentives offered through this agreement minus the school compensation payment is negative), Innovation Center, LLC may request that the City of Delaware Tax Incentive Review Council modify or terminate this agreement.

REPLACE WITH:

5. City of Delaware hereby grants INNOVATION CENTER, LLC a tax exemption for real property improvements made to the PROJECT site pursuant to Section 3735.67 of the Ohio Revised Code and shall be for fifteen (15) years in the following amounts:

Year of Tax Exemption	Tax Exemption Amount

Year 1	50% (**100%** if it meets 2b)
Year 2	50% (**100%** if it meets 2b)
Year 3	50% (**100%** if it meets 2b)
Year 4	50% (**100%** if it meets 2b)
Year 5	50% (**100%** if it meets 2b)
Year 6	50% (**100%** if it meets 2b)
Year 7	50% (**100%** if it meets 2b)
Year 8	50% (**100%** if it meets 2b)
Year 9	50% (**100%** if it meets 2b)
Year 10	50% (**100%** if it meets 2b)
Year 11	50% (**100%** if it meets 2b)
Year 12	50% (**100%** if it meets 2b)
Year 13	50% (**100%** if it meets 2b)
Year 14	50% (**100%** if it meets 2b)
Year 15	50% (**100%** if it meets 2b)

The exemption commences the first full taxable year the facility is 100% complete. No exemption shall commence before January 1, 2021, nor extend beyond Dec. 31, 2035. Said exemption shall be based on the increase on the assessed value of real property attributed to the real property improvements at the PROJECT site. Innovation Center, LLC must file the appropriate tax forms (DTE 23) with the County Auditor to effect and maintain the exemptions covered in the agreement.

a. **If Innovation Center, LLC achieves a 100% abatement level with a payroll of $4,000,000 or greater, the City of Delaware will share 50% of the payroll taxes with Delaware City Schools and Delaware Area Career Center for payroll exceeding $1 million through a separate School Compensation Agreement for any year of the 15-year period of this agreement.**

b. If Ohio tax law changes result in no net tax incentive benefits (tax incentives offered through this agreement minus the school compensation payment is negative), Innovation Center, LLC may request that the City of Delaware Tax Incentive Review Council modify or terminate this agreement.

DELETE Section 1. of the School Compensation Agreement:

Section 1. If Innovation Center, LLC achieves a 75% abatement level with a payroll of $2,350,000 or greater, the City of Delaware will share 50% of the payroll taxes for payroll exceeding $1 million with Delaware City Schools and the Delaware Area Career Center in amounts

proportional to their property tax millage through this School Compensation Agreement for any year of the 15-year period of the CRA agreement. Payments will be made annually during the term of the CRA abatement and only when payroll exceeds $1 million and the abatement level reaches 75% and upon receipt of invoices from each school district in this agreement.

REPLACE WITH:

Section 1. If Innovation Center, LLC achieves a **100% abatement level with a payroll of $4,000,000 or greater**, the City of Delaware will share 50% of the payroll taxes for payroll exceeding $1 million with Delaware City Schools and the Delaware Area Career Center in amounts proportional to their property tax millage through this School Compensation Agreement for any year of the 15-year period of the CRA agreement. Payments will be made annually during the term of the CRA abatement and only when payroll exceeds $1 million and the abatement level reaches 100% and upon receipt of invoices from each school district in this agreement.

Except as modified and amended by this FIRST AMENDMENT, the AGREEMENT shall remain in full force and effect as amended.

IN WITNESS WHEREOF, the parties have caused this FIRST AMENDEMENT to be executed by their duly-authorized representative to be effective as of the date and year first above written.

CITY OF DELAWARE

_____

R. Thomas Homan, City Manager

Innovation Center, LLC

_____

John Lewis, Managing Partner

Approved as to form:

By: _____

Natalia S. Harris, Interim Delaware City Attorney

EST 1808
CITY OF
DELAWARE
OHIO

September 4, 2020

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

Heidi Kegley
Superintendent
Delaware City Schools
74 W. William St.
Delaware, OH 43015

RE: Innovation Center Amendment to Community Reinvestment Area Agreement

Dear Superintendents Kegley and Freeman:

In an effort to grow high paying jobs in the City of Delaware, the City of Delaware's Incentive Negotiation Committee, that includes the superintendents and treasurers from the impacted school districts, negotiated a 50% for 15 year CRA tax abatement for the construction of a 60,000 sq. ft. office/warehouse building on Innovation Court on Parcel # 41922002003005. As part of the CRA abatement, once the project reached a $2.35 million payroll, the CRA would increase to a 75% CRA level. At a 75% abatement, due to the proposed payroll being $1,350,000 over the $1 million state threshold for CRAs, the City would pay 50% of taxes generated on the $1,350,000 directly to the school districts each year or $12,488 per year or $187,312 after 15 years.

The original incentives were based on the Innovation Center's commitment to the creation of 25 new full-time equivalent jobs to the City of Delaware with an annual payroll minimum of $1,300,000 within 3 years of the completion of their project.

With that being said, American Freight is proposing moving their corporate headquarters into 20,000 sf of Innovation Center at 109 Innovation Court. If we are successful in incentivizing this move, American Freight will retain their existing 71 FTEs with $7,600,000 in existing payroll. They also would commit to the creation of a minimum of 40 new FTEs with a new payroll minimum of $4,000,000.

Due to these commitments greatly exceeding the original metric commitments for Innovation Center's CRA, the Incentive Negotiation Team is proposing an amendment to the original CRA to increase the abatement percentage to 100% for the remaining term of the incentive that should still be 15 years if

they take occupancy in early 2021. The City's School Compensation Agreement with both school districts would be on the 50% sharing of new income taxes on anything above $1,000,000 in new payroll.

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

The City of Delaware is requesting a waiver of the required 45 business day notice period so that Delaware City Council will be able to consider these requests at our regularly scheduled Council meeting on Monday, September 28, 2020 held virtually on WebEx and Facebook Live, at 7:00 P.M. A second reading and public hearing may be scheduled for October 12, but may not be needed if Council chooses to take action on the first reading for economic development purposes. School Board Members, staff and the public are welcome to attend these meetings. Please let me know if you require any further assistance. I can be reached at 740.203.1016 or shughes@delawareohio.net. Please email me with confirmation of receipt of this notification so that I can send it with our petition to the Ohio Development Services Agency.

Yours Sincerely,
Sean Hughes
Economic Development Director

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

Attached:
1. ORC 3735.671
2. American Freight's application for tax incentives
3. American Freight's Incentives Letter of Intent

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

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

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

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

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

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

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

The estimates of quantities used for purposes of division (A)(2) of this section shall be estimated by the legislative authority. The legislative authority shall certify to the board of education that the estimates have been made in good faith. Departures of the actual quantities from the estimates subsequent to approval of the agreement by the board of education do not invalidate the agreement.

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

(B) Each agreement shall include the following information:

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

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

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

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

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

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

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

(1) A description of real property to be exempted from taxation under the agreement, the percentage of the assessed valuation of the real property exempted from taxation, and the period for which the exemption is granted,

accompanied by the statement: "The exemption commences the first year for which the real property would first be taxable were that property not exempted from taxation. No exemption shall commence after ..... (insert date) nor extend beyond ..... (insert date)."

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

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

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

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

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

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

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

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

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

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

(D) Except as otherwise provided in this division, an agreement entered into under this section shall require that the owner pay an annual fee equal to the greater of one per cent of the amount of taxes exempted under the agreement or five hundred dollars; provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars, the fee shall not exceed two thousand five hundred dollars. The fee shall be payable to the legislative authority once per year for each year the agreement is effective on the days and in the form specified in the agreement. Fees paid shall be deposited in a special fund created for such purpose by the legislative authority and shall be used by the legislative authority exclusively for the purpose of complying with section 3735.672 of the Revised Code and by the tax incentive review council created under section 5709.85 of the Revised Code exclusively for the purposes of performing the duties prescribed under that section. The legislative authority may waive or reduce the amount of the fee, but such waiver or reduction does not affect the obligations of the legislative authority or the tax incentive review council to comply with section3735.672 or 5709.85 of the Revised Code.

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

The director of development shall review all agreements submitted to the director under division (F) of this section for the purpose of enforcing this division. If the director determines there has been a violation of this division, the

director shall notify the legislative authority of such violation, and the legislative authority immediately shall revoke the exemption granted under the agreement.

(F) When an agreement is entered into under this section, the legislative authority authorizing the agreement shall forward a copy of the agreement to the director of development within fifteen days after the agreement is entered into.

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

EST 1808
CITY OF
DELAWARE
OHIO

INCENTIVES APPLICATION

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

Enterprise Name: American Freight, LLC Contact Person: Donna Taucher

Address: Telephone Number:
680 Sunbury Road, Delaware, OH 43015 (740) 363-2222

b. Project site: TBD, potentially 109 Innovation Court, Delaware, OH 43015
Contact Person: Donna Taucher

Address: Telephone Number:
(740) 363-2222

Date:

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

Office; headquarters for retail business

b. List primary 6 digit North American Industry Classification System (NAICS) # Business may list other relevant SIC numbers. 442110

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

Consolidation of employees and *de minimis* assets from Hoffman Estates, Illinois

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

Limited liability company.

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

The principal owner of American Freight, LLC is American Freight Holdings, LLC.

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

b. Will the project involve the relocation of employment positions or assets from one Ohio

location to another? Yes

c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located: Positions will be relocated from 680 Sunbury Road, Delaware, Ohio.

d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees): 359 full time in Ohio.

e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets: 71 employees at 680 Sunbury Road.

f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated? 71 employees from 680 Sunbury Road would be relocated to the new project site.

5. Does the Property Owner owe:

a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?
Yes___ No _X__

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

c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not?
Yes___ No _X__

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

6. Project Description: American Freight, LLC is considering relocating is headquarters and adding 40 new employees over the next three years. As part of the potential project, American Freight, LLC may lease the new headquarters space under at least a ten year lease and, in addition to investments by the landlord, will expend at least $300,000 in new furniture, fixtures and equipment.

7. Project will begin approximately December 1, 2020 and be completed December 31, 2023 provided a tax exemption is provided.

8. a. Estimate the number of new employees the property owner will cause to be created at the facility that is the project site (job creation projection must be itemized by the name of the employer, full and part-time and permanent and temporary): American Freight will create 40 new full-time employees, with an estimated new payroll of $4,000,000.

b. State the time frame of this projected hiring: Approximately 3 yrs.

c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary employees):

Fifteen (15) new employees by YE 2021, another fifteen (15) new employees by YE 2022, and an additional ten (10) new employees by YE 2023. All new employees are expected to be full-time.

9. a. Estimate the amount of annual payroll such new employees will add $ 4,000,000 in (new annual payroll must be itemized by full- and part-time and permanent and temporary new employees). All new employees are expected to be full-time.

b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: Approximately $7,600,000 of current payroll is being retained.

10. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:

A. Acquisition of Buildings/Land:	$ NA
B. Additions/New Construction:	$ NA
C. Improvements to existing buildings:	$ NA
D. Machinery & Equipment:	$ NA
E. Furniture & Fixtures:	$ 300,000
F. Inventory:	$ NA
Total New Project Investment:	$ 300,000

11. a. Business requests the following incentives: Performance Based Economic Incentive Grant. The business will also be seeking economic development, training and other support from JobsOhio, support from the State of Ohio and enhanced community reinvestment area support for its landlord.

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

As American Freight, LLC contemplates its potential growth in Delaware, Ohio and balances the ability to continue to operate from multiple locations or residences, particularly in light of COVID-19, the company is considering ways to mitigate the costs of relocating offices to ensure sufficient space, as well as where to relocate. Incentives will be a critical decision factor in how American Freight, LLC grows, or does not grow, its headquarters and the use of other facilities for employees who have been outside of Ohio.

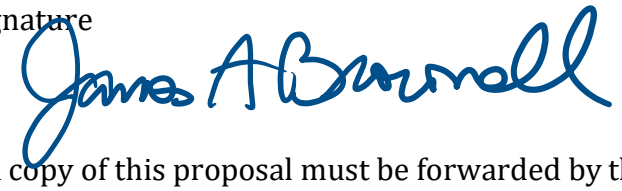
Submission of this application expressly authorizes the City of Delaware to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item# 5 and to review applicable confidential records. As part of this application, the property owner may also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

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

Name of Property Owner or Business Owner
American Freight, LLC

Date
August 25, 2020

Signature



Typed Name and Title
James A Brownell
Chief Operating Officer

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

** Attach to Final Incentives Agreements as Exhibit A

COMMUNITY REINVESTMENT AREA AGREEMENT
CITY OF DELAWARE and **INNOVATION CENTER, LLC**

This agreement made and entered into by and between the City of Delaware, Ohio, a municipal government, with its main offices located at 1 South Sandusky Street, Delaware, Ohio 43015, and **Innovation Center, LLC, 1036 Hills Miller Road, Delaware, Ohio 43015**, WITNESSETH;

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

WHEREAS, **Innovation Center, LLC** desires to construct an approximately 60,000 sq. ft. facility on an approximately 6.02 acre parcel on Innovation Court at parcel 41922002003005. This PROJECT will take place within the boundaries of the aforementioned Community Reinvestment Area provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

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

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

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

WHEREAS, **Innovation Center, LLC** has submitted a proposed agreement application (herein attached as Exhibit A and incorporated herein by reference) to the City of Delaware (hereinafter referred to as "APPLICATION"); and

WHEREAS, **Innovation Center, LLC** has remitted the required state application fee of $750.00 made payable to the Ohio Department of Development with the APPLICATION to be forwarded to said department with a copy of the final agreement; and

WHEREAS, **Innovation Center, LLC** has remitted the required City of Delaware application fee of $750.00 made payable to the City of Delaware; and

WHEREAS, the Tax Incentive Negotiating Committee of the City of Delaware has investigated the APPLICATION of **Innovation Center, LLC**, and has recommended the same to the Council of the City of Delaware on the basis that **Innovation Center, LLC** is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Community Reinvestment Area and improve the economic climate of the City of Delaware; and

WHEREAS, the project site as proposed by **Innovation Center, LLC** is located in the Delaware City School District and the Delaware Area Career Center District and both school districts have been notified in accordance with Section 5709.83 and been given a copy of the APPLICATION; and

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

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

1. **Innovation Center, LLC** shall construct a new estimated 60,000 sq. ft. speculative single or multi-tenant facility to be located on a parcel on Innovation Court.

   The PROJECT will begin at the earliest on November 1, 2019 and all construction will be completed by July 1, 2020 Any changes to the beginning and completion dates must be agreed to by formal resolution and an amended agreement.

2. **Innovation Center, LLC and/or its tenants** shall **create** the minimum equivalent of **25 new** (not from an existing company currently located in the City of Delaware) **full-time equivalent (FTE)**

jobs at the Delaware facility that are related to the **primary target industries** section of the **City of Delaware's 2014 Economic Development Plan [attached as Exhibit A]** with a minimum NEW (not from an existing company currently located in the City of Delaware) annual payroll of $1,300,000 for a 50% abatement on property taxes for property improvements. The job creation period begins **January 1, 2021** (FTEs hired before this date, but after the certificate of occupancy is granted may be included in this requirement if the building is occupied before the first of the year.) and all jobs will be in place by **December 31, 2023** (3 years or 36 months after the completion of the PROJECT per ORC 3735).

a. The first year of the abatement begins on January 1, 2021 which is the first full-year after the certificate of occupancy is granted.

b. During any year of the 15-year abatement term, if the occupants of Innovation Center, LLC reach total annual NEW (not from an existing company currently located in the City of Delaware) payroll of **$2,350,000 from primary target industry jobs** per the City of Delaware's 2014 Economic Development Plan, the Innovation Center, LLC's abatement on the building at parcel 41922002003005 **will be increased from 50% to 75% for the remaining term of this 15-year abatement**.

c. If during any year during the period of the abatement if the abatement level is increased to 75% payroll decreases to be lower than $2,350,000 from primary target industry jobs the abatement percentage will decreased by one percent (1%) for every percentage that the project misses its target payroll of $2,350,000 until such time that it, again, achieves or exceeds $2,350,000 for an entire year.

3. Based on NEW job and payroll creation levels, the City of Delaware estimates an annual new employee income tax revenue amount of $24,055 ($1,300,000 payroll times the current income tax rate of 1.85%) for the PROJECT. If in any year after the first three year grace period of this Agreement the level of new payroll does not reach or falls below levels established by this Agreement, **Innovation Center, LLC** agrees to reimburse the City of Delaware for lost employee income taxes if requested. Should the City's income tax rates change, the reimbursement will be adjusted accordingly. Alternatively, the City of Delaware may modify this CRA agreement to lower **Innovation Center, LLC's** CRA percentage and/or term while adjusting the company's FTE and payroll commitments to match the

company's actual hiring performance at the time of reporting at the City's discretion.

To the extent that **Innovation Center, LLC** substantially complies with the terms of this section 3 of this agreement, the company shall incur no income tax reimbursement penalty.

4. **Innovation Center, LLC** shall provide to the proper Tax Incentive Review Council any information reasonably required by the council to evaluate the enterprise's compliance with the agreement, including but not limited to the annual report form, and returns filed pursuant to section 5711.02 and 5727.08 of the Ohio Revised Code if requested by the council (ORC3735.671C7) and a letter on official company letterhead from each tenant company indicating their current FTE headcount, position titles for each FTE position, and the total current payroll for the total FTE headcount at that specific company.

5. City of Delaware hereby grants **INNOVATION CENTER, LLC** a tax exemption for real property improvements made to the PROJECT site pursuant to Section 3735.67 of the Ohio Revised Code and shall be for ten (15) years in the following amounts:

Year of Tax Exemption	Tax Exemption Amount
Year 1	50% (75% if it meets 2b)
Year 2	50% (75% if it meets 2b)
Year 3	50% (75% if it meets 2b)
Year 4	50% (75% if it meets 2b)
Year 5	50% (75% if it meets 2b)
Year 6	50% (75% if it meets 2b)
Year 7	50% (75% if it meets 2b)
Year 8	50% (75% if it meets 2b)
Year 9	50% (75% if it meets 2b)
Year 10	50% (75% if it meets 2b)
Year 11	50% (75% if it meets 2b)
Year 12	50% (75% if it meets 2b)
Year 13	50% (75% if it meets 2b)
Year 14	50% (75% if it meets 2b)
Year 15	50% (75% if it meets 2b)

The exemption commences the first full taxable year the facility is 100% complete. No exemption shall commence before January 1, 2021, nor extend beyond Dec. 31, 2035. Said exemption shall be based on the increase on the assessed value of real property

attributed to the real property improvements at the PROJECT site. **Innovation Center, LLC** must file the appropriate tax forms (DTE 23) with the County Auditor to effect and maintain the exemptions covered in the agreement.

a. If **Innovation Center, LLC** achieves a 75% abatement level with a payroll of $2,350,000 or greater, the City of Delaware will share 50% of the payroll taxes with Delaware City Schools and Delaware Area Career Center for payroll exceeding $1 million through a separate School Compensation Agreement for any year of the 15-year period of this agreement.

b. If during any year during the period of the abatement if the abatement level is increased to 75% payroll decreases to be lower than $2,350,000 from primary target industry the abatement percentage will decreased by one percent (1%) for every percentage that the project misses its target payroll of $2,350,000 until such time that it, again, achieves or exceeds $2,350,000 for an entire year. |

c. **If Ohio tax law changes result in no net tax incentive benefits (tax incentives offered through this agreement minus the school compensation payment is negative), Innovation Center, LLC may request that the City of Delaware Tax Incentive Review Council modify or terminate this agreement.**

6. **Innovation Center, LLC** shall pay an annual fee equal to the greater of one percent of the dollar value of incentives offered under the agreement or five hundred dollars; provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars, the fee shall not exceed two thousand five hundred dollars.

   The fee shall be made payable to the City of Delaware once per year for each year the agreement is effective by December 31. This fee shall be deposited in a special fund created for such purpose and shall be used exclusively for the purpose of complying with Section 5709.68 of the Ohio Revised Code and by the Tax Incentive Review Council created under Section 5709.85 of the Ohio Revised Code exclusively for the purposes of performing the duties prescribed under that section.

7. Waiver Requirement (for jobs relocated within Ohio)

If the Director of Development has issued a waiver under Section 5709.633 of the Ohio Revised Code as a condition for the agreement to be executed, the following applies:
Continuation of this agreement is subject to the validity of the circumstances upon which **Innovation Center, LLC** applied for, and the Director of the Ohio Department of Development issued, the waiver pursuant to Section 5709.633 of the Ohio Revised Code. If, after formal approval of this agreement by the City of Delaware, the Director or the City of Delaware discovers that such a circumstance did not exist, **Innovation Center, LLC** shall be deemed to have materially failed to comply with this agreement. The formal waiver document shall be incorporated as an exhibit to this agreement and specifies conditions enumerated in Section 5709.633 of the Ohio Revised Code upon which the waiver was issued.

8. **Innovation Center, LLC** shall pay such real and tangible personal property taxes as are not exempted under this agreement and are charged against such property and shall file all tax reports and returns as required by law. If **Innovation Center, LLC** fails to pay such taxes or file such returns and reports, all incentives granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter (ORC3735.671C2).

9. City of Delaware shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions (ORC3735.671C4).

10. If for any reason the Community Reinvestment Area designation expires, the Director of the Ohio Development Services Agency revokes certification of the area, or the City of Delaware revokes the designation of the area, entitlements granted under this agreement shall continue for the number of years specified under this agreement, unless **Innovation Center, LLC** materially fails to fulfill its obligations under this agreement and the City of Delaware terminates or modifies the exemptions from taxation granted under this agreement (ORC3735.671C5).

11. If **Innovation Center, LLC** materially fails to fulfill its obligations under this agreement, or if the City of Delaware determines that the certification as to delinquent taxes required by this agreement is fraudulent, the City of Delaware may terminate or modify the

exemptions from taxation granted under this agreement and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this agreement.

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

13. **Innovation Center, LLC** affirmatively covenants that it does not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

14. **Innovation Center, LLC** and the City of Delaware acknowledge that this agreement must be approved by formal action of the legislative authority of the City of Delaware and approval and execution of this agreement by **Innovation Center, LLC** as a condition for the agreement to take effect (ORC3735.671C10).

15. The City of Delaware has developed a policy to ensure recipients of a Community Reinvestment Area tax benefits practice non-discriminating hiring in its operations. By executing this agreement, **Innovation Center, LLC and its tenants** are committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.

16. Exemptions from taxation granted under this agreement shall be revoked if it is determined that **Innovation Center, LLC** any successor property owner, or any related member (as those terms are

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

17. In any three-year period after the first three years of the agreement during which this agreement is in effect, if the actual number of employee positions created or retained by **Innovation Center, LLC** is not equal to or greater than ninety percent of the number of employee positions estimated to be created or retained under this agreement, **Innovation Center, LLC** shall repay the amount of taxes on property that would have been payable had the property not been exempted from taxation under this agreement during that three-year period. In addition, the City of Delaware may terminate or modify the exemptions from taxation granted under this agreement.

18. **Innovation Center, LLC** affirmatively covenants that it has made no false statements to the State or local political subdivision in the process of obtaining approval for the Community Reinvestment Area incentives. If any representative of **Innovation Center, LLC** has knowingly made a false statement to the State or local political subdivision to obtain the Community Reinvestment Area incentives, **Innovation Center, LLC** shall be required to immediately return all benefits received under the Community Reinvestment Area Agreement pursuant to Ohio Revised Code Section 9.66 (C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to Ohio Revised Code Section 9.66(C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to Ohio Revised Code 2921.13(D)(1), which is punishable by a fine of not more than $1,000 and/or a term of imprisonment of not more than six months.

19. This agreement is not transferable or assignable without the express, written approval of the City of Delaware.

20. **Innovation Center, LLC**, acknowledges that if any person that is party to an agreement granting an exemption from taxation discontinues operations at the structure to which that exemption applies prior to the expiration of the term of the agreement, that person, any successor to that person, and any related member shall not enter into an agreement under this section or sections 5709.62, 5709.63, or 5709.632 of the Ohio Revised Code, and no legislative authority shall enter into such an agreement with such a person,

successor, or related member, prior to the expiration of five years after the discontinuation of operations. As used in this division, 'successor' means a person to which the assets or equity of another person has been transferred, which transfer resulted in the full or partial non-recognition of gain or loss, or resulted in a carryover basis, both as determined by rule adopted by the tax commissioner. 'Related member' has the same meaning as defined in section 5733.042 of the Ohio Revised Code without regard to Division (B) of that section (ORC3735.671E).

21. **Innovation Center, LLC** hereby represents that it has full authority to act, negotiate, and execute this agreement.

IN WITNESS WHEREOF, the City of Delaware, Ohio, by R. Thomas Homan, its City Manager, and pursuant to **Ordinance 19-60** adopted on **October 28, 2019**, has caused this instrument to be executed this 16th day of Jan 2019, and **Innovation Center, LLC** has caused this instrument to be executed on this 16th day of Jan 2019.

CITY OF DELAWARE

By: _____
R. Thomas Homan, City Manager

INNOVATION CENTER, LLC

By: John T. Lewis
John Lewis, Member
Innovation Center, LLC

Approved as to form:

By: _____
Darren Shulman, Delaware City Attorney

ORDINANCE NO. 19-60

AN ORDINANCE APPROVING A COMMUNITY REINVESTMENT AREA AGREEMENT AND SCHOOL COMPENSATION AGREEMENT WITH INNOVATION CENTER LLC, DELAWARE CITY SCHOOLS AND DELAWARE AREA CAREER CENTER FOR INVESTMENT IN REAL PROPERTY IMPROVEMENTS ON PARCEL 419-220-02-003-005 AND DECLARING AN EMERGENCY.

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

WHEREAS, the City of Delaware by Resolution Number 01-52, as amended by Resolution 14-57, resolved to review and approve all Community Reinvestment Area Agreements which meet the statutory guidelines; and

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

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

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

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

SECTION 2. The School Compensation Agreement by and between the City of Delaware, Delaware City School District, Delaware Area Career Center and INNOVATION CENTER LLC meets all of the school compensation guidelines established by the State of Ohio and the City of Delaware, and the same is hereby approved.

SECTION 3. That the City Council of the City of Delaware hereby authorizes the execution of said agreements by the City Manager to implement the Community Reinvestment Area Program and School Compensation for this project.

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

SECTION 5. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health and welfare of the City, and is necessary to finalize negotiations, and as such will be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION: YEAS 6 NAYS 1
ABSTAIN 0

VOTE ON EMERGENCY CLAUSE: YEAS 6 NAYS 1
ABSTAIN 0

PASSED: October 28, 2019 YEAS 7 NAYS 0
ABSTAIN 0

ATTEST: Elana McCluskey
CITY CLERK

Cindy Kay Boyd
MAYOR

EST 1808
CITY OF
DELAWARE
OHIO

September 20, 2019

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

Heidi Kegley
Superintendent
Delaware City Schools
74 W. William St.
Delaware, OH 43015

RE: Innovation Center Community Reinvestment Area Request for Tax Incentives

Dear Superintendents Kegley and Freeman:

In an effort to grow high paying jobs in the City of Delaware, the City of Delaware's Incentive Negotiation Committee, that includes the superintendents and treasurers from the impacted school districts, negotiated a 50% for 15 year CRA tax abatement for the construction of a 60,000 sq. ft. office/warehouse building on Innovation Court on Parcel # 41922002003005. As part of the CRA abatement, once the project reached a $2.35 million payroll, the CRA would increase to a 75% CRA level. At a 75% abatement, due to the proposed payroll being $1,350,000 over the $1 million state threshold for CRAs, the City would pay 50% of taxes generated on the $1,350,000 directly to the school districts each year or $12,488 per year or $187,312 after 15 years.

All incentives are based on the Innovation Center's commitment to the creation of 25 new full-time equivalent jobs to the City of Delaware with an annual payroll minimum of $1,300,000 within 3 years of the completion of their project. A copy of their application for tax incentives is attached.

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

The City of Delaware is requesting a waiver of the required 45 business day notice period so that Delaware City Council will be able to consider these requests at our regularly scheduled Council meeting

on Monday, October 14, 2019 held at Delaware City Hall, 1 South Sandusky Street, Delaware, at 7:00 P.M. A second reading and public hearing may be scheduled for October 28, but may not be needed if Council chooses to take action on the first reading for economic development purposes. School Board Members, staff and the public are welcome to attend these meetings. Please let me know if you require any further assistance. I can be reached at 740.203.1016 or shughes@delawareohio.net. Please email me with confirmation of receipt of this notification so that I can send it with our petition to the Ohio Development Services Agency.

Yours Sincerely,
Sean Hughes
Economic Development Director

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

Attached:
1. ORC 3735.671
2. Innovation Center's application for tax incentives

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

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

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

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

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

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

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

The estimates of quantities used for purposes of division (A)(2) of this section shall be estimated by the legislative authority. The legislative authority shall certify to the board of education that the estimates have been made in good faith. Departures of the actual quantities from the estimates subsequent to approval of the agreement by the board of education do not invalidate the agreement.

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

(B) Each agreement shall include the following information:

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

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

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

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

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

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

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

(1) A description of real property to be exempted from taxation under the agreement, the percentage of the assessed valuation of the real property exempted from taxation, and the period for which the exemption is granted,

accompanied by the statement: "The exemption commences the first year for which the real property would first be taxable were that property not exempted from taxation. No exemption shall commence after ..... (insert date) nor extend beyond ..... (insert date)."

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

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

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

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

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

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

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

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

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

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

(D) Except as otherwise provided in this division, an agreement entered into under this section shall require that the owner pay an annual fee equal to the greater of one per cent of the amount of taxes exempted under the agreement or five hundred dollars; provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars, the fee shall not exceed two thousand five hundred dollars. The fee shall be payable to the legislative authority once per year for each year the agreement is effective on the days and in the form specified in the agreement. Fees paid shall be deposited in a special fund created for such purpose by the legislative authority and shall be used by the legislative authority exclusively for the purpose of complying with section 3735.672 of the Revised Code and by the tax incentive review council created under section 5709.85 of the Revised Code exclusively for the purposes of performing the duties prescribed under that section. The legislative authority may waive or reduce the amount of the fee, but such waiver or reduction does not affect the obligations of the legislative authority or the tax incentive review council to comply with section3735.672 or 5709.85 of the Revised Code.

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

The director of development shall review all agreements submitted to the director under division (F) of this section for the purpose of enforcing this division. If the director determines there has been a violation of this division, the

director shall notify the legislative authority of such violation, and the legislative authority immediately shall revoke the exemption granted under the agreement.

(F) When an agreement is entered into under this section, the legislative authority authorizing the agreement shall forward a copy of the agreement to the director of development within fifteen days after the agreement is entered into.

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

EST 1808

CITY OF DELAWARE OHIO

INCENTIVES APPLICATION

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

Enterprise Name: Innovation Center, LLC Contact Person: John Lewis

Address: 1036 Hills Miller Road
Delaware, OH 43015 Telephone Number: 740-815-0454

b. Project site: 115 Innovation Court, Delaware, OH 43015
Contact Person: John Lewis

Address: 1036 Hills Miller Road
Delaware, OH 43015 Telephone Number: 740-815-0454

Date: 8/14/19

2. a. Nature of commercial/industrial activity (manufacturing, warehousing, wholesale or retail stores, or other) to be conducted at the site. Spec Building-Manufacturing, Office/Warehousing, Wholesale, limited retail activity and sports related.

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

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

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

3. Name of principal owner(s) or officers of the business. John Lewis, Bob Biondi and Chris Bradley.

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

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

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

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

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

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

5. Does the Property Owner owe:

a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?
Yes__ No XX

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

c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not?
Yes__ No XX

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

6. Project Description: Speculative office/warehouse building

7. Project will begin **November 2019** and be completed **June ,2019** provided a tax exemption is provided.

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

b. State the time frame of this projected hiring: **Three** yrs.

c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary employees): Year One-10, Year two-10, Year three-5.

9. a. Estimate the amount of annual payroll such new employees will add $1.3 Million new

annual payroll must be itemized by full- and part-time and permanent and temporary new employees).

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

10. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:

A. Acquisition of Buildings/Land:	$	
B. Additions/New Construction:	$	$3,940,000 for bldg and $360,000 land
C. Improvements to existing buildings:	$	
D. Machinery & Equipment:	$	
E. Furniture & Fixtures:	$	
F. Inventory:	$	
Total New Project Investment:	$	$4,300,000.

11. a. Business requests the following incentives:

- 100% abatement for 15 years
- Innovation Center will compensate schools $10K/Year for Five years and $15K/Year for years 6-15.
- Request that Superintendent of Schools will waive the income tax payments. (even when payroll exceeds $1 Mill annually)
- Request deferment of all City fees (Impact fees, Tap fees, Inspections fees, etc.) until building occupancy has reached 80%. At that time, all fees will be paid in full.

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

Innovation Center will be a multi-tenant Office Warehouse building totaling 60,000 Sq. Ft. and having as many as 10 individual businesses/units. The project is purely speculative and will have to compete with similar buildings in the Lewis Center, Westerville, Worthington and other nearby cities. Our competition has the advantage of being nearer to Columbus with its larger population from which to draw. Past experience with the Symmetry One project (2005) and Symmetry II (2016) has shown that aggressive tax incentives which allow low CAM (common area maintenance) expenses have helped to enable us to overcome the obstacle of distance from Columbus, with lower costs. Even with abatements, it recently took more than two years to fill Symmetry II. Construction costs have increased substantially in the past several years because of tight material and labor markets. Incentives and abatements are necessary to make the projects financially viable in this environment.
That said, we have been able to draw some new high quality tenants and also retain others who initially planned to go to or remain in Franklin County. (Guild Associates, Columbus Advanced Machining Systems, American Apex, Get Outland, etc.) Our success in drawing

and retaining this caliber of tenants is the reason that we can boast MILLIONS in additional payroll for the City of Delaware with no negative impact to schools by way of additional enrollment. We believe that with the requested abatements, we can exceed even our past success.

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

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

Name of Property Owner or Business Owner **Innovation Center, LLC** Date 8/14/19

Signature Typed Name and Title John T. Lewis Manager

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

** Attach to Final Incentives Agreements as Exhibit A

School Compensation Agreement
INNOVATION CENTER, LLC
Community Reinvestment Area #141-1135-01

This agreement between the **City of Delaware**, a municipal corporation, with its offices at 1 South Sandusky Street, Delaware, Ohio 43015; **Delaware City School District Board of Education**, a public school district, with its principal offices at 74 West William Street, Delaware, Ohio 43015; **Delaware Area Career Center Board of Education**, a public school district with its principal offices at 4565 Columbus Pike, Delaware, OH 43015, **Innovation Center, LLC**, 1036 Hills Miller Road, Delaware, Ohio 43015 specifies the manner in which and procedures to be used pursuant to Ohio Revised Code 3735 authorizing general compensation relating to the Community Reinvestment Area tax abatement for the construction of a speculative single or multi-tenant facility on parcel 41922002003005 on Innovation Court in Delaware, Ohio 43015 in Delaware's Community Reinvestment Area #141-1135-01.

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

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

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

Whereas, effective November 26, 2001, a Delaware City School District Board of Education resolution authorized the Superintendent to act on its behalf to negotiate, approve, and define terms and conditions on any Tax Incentive Agreement; written approval by the Superintendent and Board of Education is attached as Exhibit A; and

Whereas, effective April 15, 2004, a Delaware Area Career Center Board of Education resolution authorized the Superintendent to act on its behalf to negotiate, approve, and define terms and conditions on any Tax Incentive Agreement; written approval by the Superintendent and Board of Education is attached as Exhibit A; and

Whereas, the City of Delaware within **Ordinance Number 19-**60 adopted on Oct. 28, 2019, has acted pursuant to ORC 3735 to grant a tax exemption

to **Innovation Center, LLC** and entered into a formal Community Reinvestment Area abatement agreement on January 16, ~~**2019**~~ 2020; and

Whereas, Item 5 of the Community Reinvestment Area Agreement relating to the aforementioned project requires compensation to the Delaware City School District and Delaware Area Career Center for the sole benefit of educational initiatives.

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

Section 1. If Innovation Center, LLC achieves a 75% abatement level with a payroll of $2,350,000 or greater, the City of Delaware will share 50% of the payroll taxes for payroll exceeding $1 million with Delaware City Schools and the Delaware Area Career Center in amounts proportional to their property tax millage through this School Compensation Agreement for any year of the 15-year period of the CRA agreement. Payments will be made annually during the term of the CRA abatement and only when payroll exceeds $1 million and the abatement level reaches 75% and upon receipt of invoices from each school district in this agreement.

Section 2. The cash payment made by **The City of Delaware** to the Delaware City School District **satisfies ORC Section 5709.82C(2) (School Compensation Agreement is mutually acceptable)** and shall be dispersed to each school district in a proportionate manner to their current percentage of school property taxes received and used for educational initiatives for the sole benefit of the Delaware City Schools and the Delaware Area Career Center

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

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

Section 4. This agreement sets forth the entire agreement and understanding between the parties as to the subject matter contained herein and merges and supersedes all prior discussions, agreements, and undertakings of every kind between the parties with respect to the subject matter of this agreement.

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

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

Heidi Kegley, Superintendent
Delaware City School District
74 West William Street
Delaware, Ohio 43015

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

John Lewis, Member
Innovation Center, LLC
1036 Hills Miller Road
Delaware, Ohio 43015

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

Section 6. The invalidity of any provision of this agreement shall not affect the other provisions of this agreement, and this agreement shall be construed in all respects as if any invalid portions were omitted.

In witness whereof, the parties have caused this Agreement to be executed as of this 16th **day of** Jan **2019**.

CITY OF DELAWARE

R. Thomas Homan

DELAWARE CITY SCHOOL DISTRICT

Heidi Kegley, Superintendent

DELAWARE AREA CAREER CENTER

_____

Mary Beth Freeman, Superintendent

INNOVATION CENTER, LLC

John Lewis, Member

Approved as to form:

By: _____

Darren Shulman, Delaware City Attorney

DELAWARE AREA CAREER CENTER

Mary Beth Freeman, Superintendent

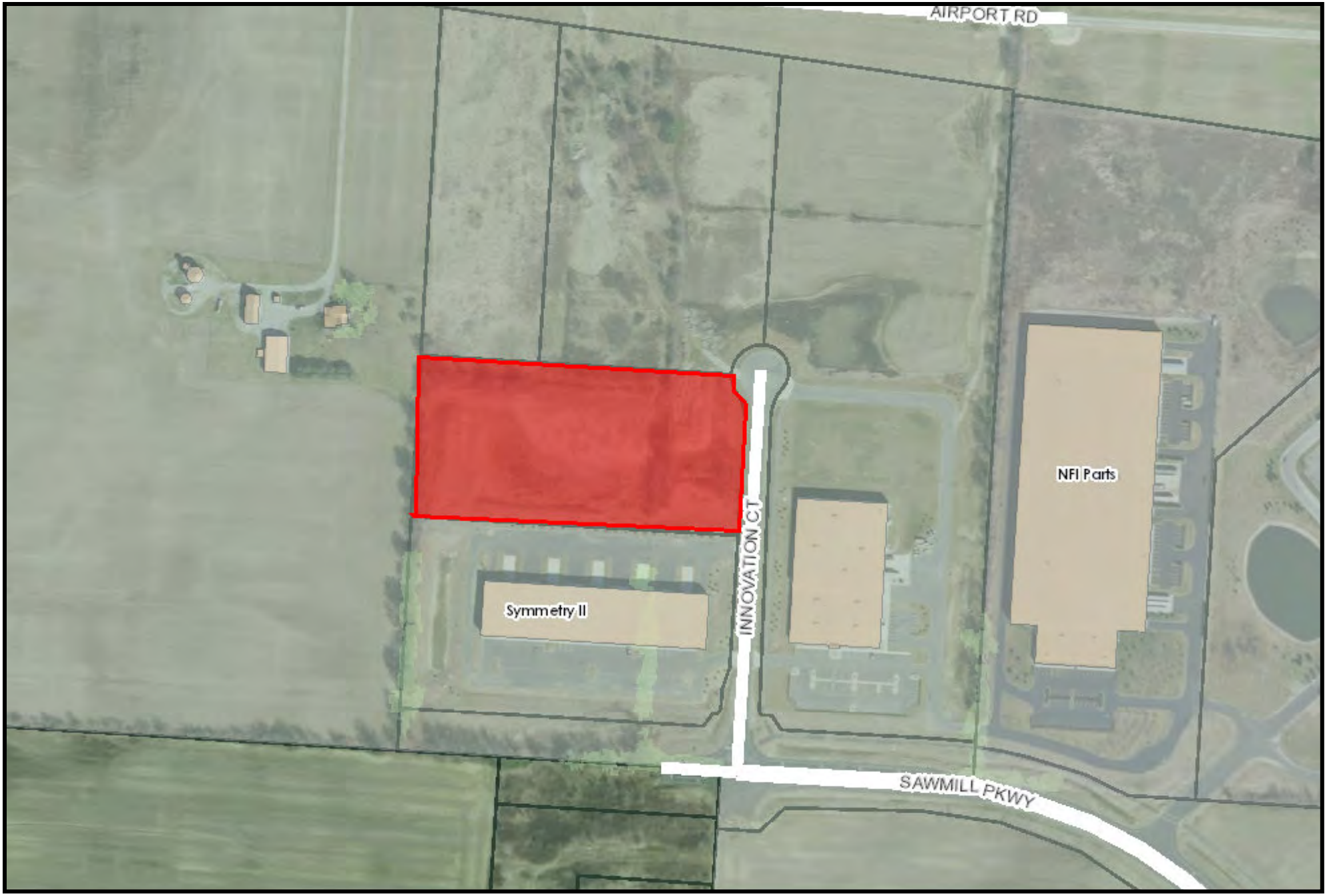
INNOVATION CENTER, LLC

John Lewis, Member

Approved as to form:

By: _____

Darren Shulman, Delaware City Attorney



Innovation Center - 6.024 acresssss

Delaware County Auditor
George Kaitsa

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

Printed on 10/15/2019

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EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 16 | DATE: 9/28/2020

ORDINANCE NO: 20-62 | RESOLUTION NO:

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Sean Hughes, Economic Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE APPROVING A PERFORMANCE BASED ECONOMIC INCENTIVE GRANT AGREEMENT WITH AMERICAN FREIGHT, LLC FOR MOVING, INSTALLING AND PURCHASING FURNITURE AND FIXTURES FOR ITS HEADQUARTERS AT 109 INNOVATION COURT, DELAWARE, OHIO 43015 AND DECLARING AN EMERGENCY.

BACKGROUND:

American Freight began a site search for a new headquarters location earlier this year due to acquisitions and changes to the structure of their company. They are intending to combine the Delaware offices with offices from Chicago.

American Freight has chosen to lease about 1/3 of Innovation Center, LLC at 109 Innovation Court.

As part of their incentives application, American Freight, LLC is willing to commit to the retention of 71 FTEs with $7.6 million in payroll and create an additional 40 FTEs with a new payroll of $4,000,000. For these commitments, the company is requesting a Performance Based Economic Incentives Grant valued at 20% of what their annual new payroll taxes would be. This grant would be paid to them annually for 5 years from the year following the first full year of occupancy of the building. This grant will assist with the purchase and installation of furniture and fixtures for the move of the company's headquarters from Sunbury Rd.

The value of the grant may be $61,000 or greater depending on the company's actual hiring and schedule of hiring. These payments are made on an annual basis upon

receipt of income tax returns starting with the year after the first full year of occupancy for the company at 109 Innovation Court.

WITH REQUESTED CRA ABATEMENT AMENDMENT

The abatement is actually with Innovation Center, LLC and will be partially directed to American Freight through their lease with Innovation Center, LLC. The only reason we are including information on the CRA abatement here is due to the company requesting the abated maximum be increased from 75% to 100% as discussed with the previous CRA amendment ordinance and agreement as part of their incentives to occupy 109 Innovation Court.

100%/15 year CRA Tax Analysis Comparison						
Project Innovation Center				**9/10/2020**	**Address/Parcel Numbers**	**Project Acres**
					109 Innovation Court	
Projections						
Employees (New)		**40**	Per CRA application			
Employees (Retained)		**0**	Per CRA application			
Payroll (New)		**$4,000,000**	Per CRA application			
Payroll (Retained)		**$0**	Per CRA application			
1.85% Muni Taxes (new)		**$74,000**	per year			
1.85% Muni Taxes (retained)		**$0**	per year			
50% of Muni Taxes (over $1 million new taxes)		**$27,750**	per year			
Real Property Investment		**$4,300,000**	Per CRA application			
Property Acquisition		**$360,000**				
Building Construction		**$3,940,000**				
Site Prep		**$0**				
Personal Property Investment		**$0**	Per CRA application			
F&F		$0		$0		
M&E		$0		$0		
Inventory		$0		$0.00		
Project Annual Value of Abatement	$65,960.20			**Project 15-Year Value of Abatement**	$989,403.00	
30% School Pilot Per Year	$0.00			**30% School Pilot After 15 years**	$0.00	
				Net Abatement Value	$989,403.00	

Economic Development Incentive Policy Analysis:

These cells will be colored GREEN if the criteria is met or RED if the criteria is not met. With this project, due to the project having such a high ROI, the 51.98% ROI is actually calculated WITH the grant in place.

Project is for a target industry	Yes		Spec building to be filled with target industries including American Freight HQ
Project Hires at Greater than LMI average wage	Yes		$100,000 at 40 FTEs with payroll of $4,000,000
Project has a 12% or Greater ROI for City	No		
City ROI		**51.98%**	
Project has a 30% or Greater ROI for School	Yes		
School ROI		**49.10%**	
Value of Project Beyond the Analysis			The City's main goal is to create more white collar jobs. This HQ level project will assist in providing 40 new office jobs in the City.

*LMI (Low to Moderate Income) = $41,000/year per single person household.

COMMITTEE RECOMMENDATION:
Tax Incentive Review Council, 8/27/20 via email
VOTE: Approval

FISCAL IMPACT(S):
COST: N/A
FUND SOURCES: N/A

BUDGETED: NO

DEPARTMENTS IMPACTED: Economic Development

POLICY CHANGES:
N/A

PRESENTER(S):
Sean Hughes, Economic Development Director

RECOMMENDATION:
Approval

ATTACHMENT(S)
PBEI Grant Agreement
Incentives Application
Map Exhibit of Building Location

ORDINANCE NO. 20-62

AN ORDINANCE APPROVING A PERFORMANCE BASED ECONOMIC INCENTIVE GRANT AGREEMENT WITH AMERICAN FREIGHT, LLC FOR MOVING, INSTALLING AND PURCHASING FURNITURE AND FIXTURES FOR ITS HEADQUARTERS AT 109 INNOVATION COURT, DELAWARE, OHIO 43015 AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Delaware ("City") established an economic development fund to attract, incentivize and assist high return on investment projects in the City of Delaware; and

WHEREAS, American Freight, LLC seeks to relocate its headquarters from Chicago, IL to the City of Delaware, which will bring new jobs and payroll to the City; and

WHEREAS, the addition of the new jobs and payroll American Freight's relocation will benefit the City.

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

SECTION 1. The Performance Based Economic Incentive Grant Agreement by and between the City of Delaware and AMERICAN FREIGHT, LLC ("herein attached as Attachment Exhibit A") meets all state laws in regards to grants and economic development incentives, and the same is hereby approved.

SECTION 2. The City Council of the City of Delaware hereby authorizes the execution of said Performance Based Economic Incentive Grant Agreement for this project by the City Manager.

SECTION 5. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 5. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health and welfare of the City, and is necessary to finalize negotiations so that construction may begin without the applicant risking the

loss of the incentive, 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

EXHIBIT A

PERFORMANCE BASED ECONOMIC INCENTIVE GRANT AGREEMENT BETWEEN THE CITY OF DELAWARE AND AMERICAN FREIGHT, LLC

This PERFORMANCE BASED ECONOMIC INCENTIVE GRANT AGREEMENT BETWEEN THE CITY OF DELAWARE AND AMERICAN FREIGHT, LLC ("Agreement") made and entered into by and between the City of Delaware, Ohio ("City"), a Ohio municipal government, with its main offices located at 1 South Sandusky Street, Delaware, Ohio 43015, and AMERICAN FREIGHT, LLC, 680 Sunbury Rd., Delaware, Ohio 43015, (hereinafter collectively "Parties") WITNESSETH;

WHEREAS, AMERICAN FREIGHT, LLC desires to lease and occupy Innovation Center, LLC at 109 Innovation Court, Delaware, OH where it will locate its headquarters; and

WHEREAS, the City of Delaware seeks to attract AMERICAN FREIGHT, LLC to the City; and

WHEREAS, AMERICAN FREIGHT, LLC requires assistance in the moving, installation and purchase of furniture and fixtures for their new headquarters; and

WHEREAS, AMERICAN FREIGHT, LLC commits to the retention of 71 full-time equivalent ("FTEs") jobs and $7,600,000 in existing payroll (which the parties agree excludes one-time distributions made during February 2020 related to the acquisition of the company) (the "Baseline Payroll") from their 680 Sunbury Rd., Delaware facility; and

WHEREAS, AMERICAN FREIGHT, LLC commits to the creation of 40 new FTEs and $4,000,000 in new payroll at the Innovation Center, LLC facility; and

WHEREAS, the parties recognize that the income tax generated by the new AMERICAN FREIGHT, LLC full-time equivalent employees required to be hired per this Agreement or any additional future employees hired beyond the commitments of this Agreement will pay for the City's contribution to the movement, installation and purchase of furniture and fixtures for their new headquarters at 109 Innovation Court to facilitate AMERICAN FREIGHT, LLC's establishment at 109 Innovation Court;

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

1. The City of Delaware agrees to assist AMERICAN FREIGHT, LLC with the moving, installation and purchase of furniture and fixtures for its new headquarters at Innovation Center LLC, 109 Innovation Court (the "Project Site") with a contribution of an Performance Based Economic Incentive Grant of up to and not to exceed the equivalent of 20% of any NEW payroll taxes (i.e., not payroll taxes from retained FTEs comprising the Baseline Payroll) for the company's first five (5) years of occupancy of Innovation Center LLC at 109 Innovation Court with an estimated total value of $61,000 after five (5) years.

2. AMERICAN FREIGHT, LLC shall lease a portion of the building at the Project Site to locate its U.S. headquarters.

3. AMERICAN FREIGHT, LLC shall create the equivalent of FORTY (40) new full-time equivalent (FTE) jobs at the facility located at 109 Innovation Court. The job creation period begins January 1, 2021 and all jobs will be in place by December 31, 2023**.**

   This increase in the number of new full-time equivalent employees shall result in at least FOUR MILLION DOLLARS ($4,000,000) in new total annual payroll generated at the Project Site by December 31, 2023.

4. Based on new job and payroll creation levels and a hiring schedule proposed by AMERICAN FREIGHT, LLC, the City of Delaware estimates AMERICAN FREIGHT, LLC to generate an annual new employee income tax revenue amount of by the end of this agreement or Dec. 31, 2025:

   a. Year 1 - $27,750 ($1,500,000 payroll for 15 new FTEs multiplied by the current income tax rate of 1.85%)
   b. Year 2 - $55,500 ($3,000,000 payroll for 30 total new FTEs multiplied by the current income tax rate of 1.85%)
   c. Year 3 - $74,000 ($4,000,000 payroll for 40 total new FTEs multiplied by the current income tax rate of 1.85%)
   d. Year 4 - $74,000 ($4,000,000 payroll for 40 total new FTEs multiplied by the current income tax rate of 1.85%)
   e. Year 5 - $74,000 ($4,000,000 payroll for 40 total new FTEs multiplied by the current income tax rate of 1.85%)

5. Payment to American Freight, LLC shall equal the equivalent of 20% of the actual income tax withholdings each year and will be paid the first year of receipt of new income tax withholdings from their headquarters at 109 Innovation Court. The City shall, within sixty (60) days of receipt of the actual income withholding information (from the prior year), make the incentive payment attributable to taxable

earnings for new payroll (excluding the Baseline Payroll) from the City's non-tax revenues as provided in R.C. Section 718.15, as determined by the City.

Based on the American Freight's proposed new hire schedule from its incentives application payment estimates are:

a. Year 1 - $5,550 (Income tax estimates from Section 4(a) multiplied by 20%)
b. Year 2 - $11,100 (Income tax estimates from Section 4(b) multiplied by 20%)
c. Year 3 - $14,800 (Income tax estimates from Section 4(c) multiplied by 20%)
d. Year 4 - $14,800 (Income tax estimates from Section 4(d) multiplied by 20%)
e. Year 5 - $14,800 (Income tax estimates from Section 4(e) multiplied by 20%)

Should the City's income tax rates change or income tax collections from AMERCIAN FREIGHT, LLC deviate from the estimates in Section 4, the payments to AMERICAN FREIGHT, LLC will be adjusted accordingly.

6. AMERICAN FREIGHT, LLC shall provide to the proper Tax Incentive Review Council any information reasonably required by the Council to evaluate the enterprise's compliance with this Agreement.

7. If AMERICAN FREIGHT, LLC relocates outside of the City and stops generating income tax revenue before December 31, 2025 grant payments will stop and this agreement will be null and void. AMERICAN FREIGHT, LLC must notify the City upon a situation where it may not be able to fulfill the requirements of this incentive as early as possible, so that the City Manager and Economic Development Director can meet with the company to discuss and perhaps modify terms of the Agreement, if necessary.

8. AMERICAN FREIGHT, LLC hereby certifies that at the time this Agreement is executed, AMERICAN FREIGHT, LLC does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which AMERICAN FREIGHT, LLC is liable under Chapters 5733., 5735., 5739., 5741., 5743., 5747., or 5753. of the Ohio Revised Code, or, if such delinquent taxes are owed, AMERICAN FREIGHT, LLC currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or

such a petition has been filed against AMERICAN FREIGHT, LLC. For the purposes of the certification, "delinquent taxes" are taxes that remain unpaid on the latest day prescribed for payment without penalty under the Chapter of the Ohio Revised Code governing payment of those taxes.

9. AMERICAN FREIGHT, LLC affirmatively covenants that it does not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not. For the purposes of the covenants, "delinquent taxes" are taxes that remain unpaid on the latest day prescribed for payment without penalty under the Chapter of the Ohio Revised Code governing payment of those taxes.

10. AMERICAN FREIGHT, LLC and the City of Delaware acknowledge that this Agreement must be approved by formal action of the legislative authority of the City of Delaware and approval and execution of this Agreement by AMERICAN FREIGHT, LLC as a condition for the agreement to take effect. This Agreement takes effect upon such approval and execution.

11. The City of Delaware has developed a policy to ensure recipients of incentives in its Community Reinvestment Area to practice non-discriminating hiring in its operations. By executing this Agreement, AMERICAN FREIGHT, LLC is committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.

12. This Agreement is not transferable or assignable without the express, written approval of the City of Delaware.

All terms of the Contract are severable, and in the event any of them shall be held invalid by any court of competent jurisdiction, such invalidity shall not affect the remainder of the Contract and the Contract shall be construed as if such invalid terms were not contained herein. The laws of the State of Ohio and the City of Delaware shall govern the interpretation and enforcement of this Agreement.

13. AMERICAN FREIGHT, LLC hereby represents that it has full authority to act, negotiate, and execute this Agreement.

IN WITNESS WHEREOF, the City of Delaware, Ohio, by R. Thomas Homan, its City Manager, and pursuant to Ordinance __-__ adopted on _____, 2020, has caused this instrument to be executed this ____day of _____ 2020, and American Freight, LLC has caused this instrument to be executed on this _____ day of _____ 2020.

CITY OF DELAWARE

By: _____
R. Thomas Homan, City Manager

AMERICAN FREIGHT, LLC

By: _____
NAME AND TITLE

Approved as to form:

By: _____
Natalia S. Harris
Interim Delaware City Attorney

EST 1808
CITY OF
DELAWARE
OHIO

INCENTIVES APPLICATION

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

Enterprise Name: American Freight, LLC Contact Person: Donna Taucher

Address: Telephone Number:
680 Sunbury Road, Delaware, OH 43015 (740) 363-2222

b. Project site: TBD, potentially 109 Innovation Court, Delaware, OH 43015
Contact Person: Donna Taucher

Address: Telephone Number:
(740) 363-2222

Date:

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

Office; headquarters for retail business

b. List primary 6 digit North American Industry Classification System (NAICS) # Business may list other relevant SIC numbers. 442110

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

Consolidation of employees and *de minimis* assets from Hoffman Estates, Illinois

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

Limited liability company.

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

The principal owner of American Freight, LLC is American Freight Holdings, LLC.

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

b. Will the project involve the relocation of employment positions or assets from one Ohio

location to another? Yes

c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located: Positions will be relocated from 680 Sunbury Road, Delaware, Ohio.

d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees): 359 full time in Ohio.

e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets: 71 employees at 680 Sunbury Road.

f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated? 71 employees from 680 Sunbury Road would be relocated to the new project site.

5. Does the Property Owner owe:

a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?
Yes___ No _X__

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

c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not?
Yes___ No _X__

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

6. Project Description: American Freight, LLC is considering relocating is headquarters and adding 40 new employees over the next three years. As part of the potential project, American Freight, LLC may lease the new headquarters space under at least a ten year lease and, in addition to investments by the landlord, will expend at least $300,000 in new furniture, fixtures and equipment.

7. Project will begin approximately December 1, 2020 and be completed December 31, 2023 provided a tax exemption is provided.

8. a. Estimate the number of new employees the property owner will cause to be created at the facility that is the project site (job creation projection must be itemized by the name of the employer, full and part-time and permanent and temporary): American Freight will create 40 new full-time employees, with an estimated new payroll of $4,000,000.

b. State the time frame of this projected hiring: Approximately 3 yrs.

c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary employees):

Fifteen (15) new employees by YE 2021, another fifteen (15) new employees by YE 2022, and an additional ten (10) new employees by YE 2023. All new employees are expected to be full-time.

9. a. Estimate the amount of annual payroll such new employees will add $ 4,000,000 in (new annual payroll must be itemized by full- and part-time and permanent and temporary new employees). All new employees are expected to be full-time.

b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: Approximately $7,600,000 of current payroll is being retained.

10. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:

A. Acquisition of Buildings/Land:	$ NA
B. Additions/New Construction:	$ NA
C. Improvements to existing buildings:	$ NA
D. Machinery & Equipment:	$ NA
E. Furniture & Fixtures:	$ 300,000
F. Inventory:	$ NA
Total New Project Investment:	$ 300,000

11. a. Business requests the following incentives: Performance Based Economic Incentive Grant. The business will also be seeking economic development, training and other support from JobsOhio, support from the State of Ohio and enhanced community reinvestment area support for its landlord.

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

As American Freight, LLC contemplates its potential growth in Delaware, Ohio and balances the ability to continue to operate from multiple locations or residences, particularly in light of COVID-19, the company is considering ways to mitigate the costs of relocating offices to ensure sufficient space, as well as where to relocate. Incentives will be a critical decision factor in how American Freight, LLC grows, or does not grow, its headquarters and the use of other facilities for employees who have been outside of Ohio.

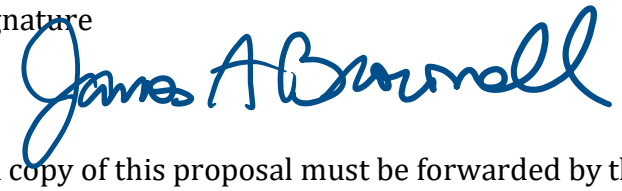
Submission of this application expressly authorizes the City of Delaware to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item# 5 and to review applicable confidential records. As part of this application, the property owner may also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

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

Name of Property Owner or Business Owner
American Freight, LLC

Date
August 25, 2020

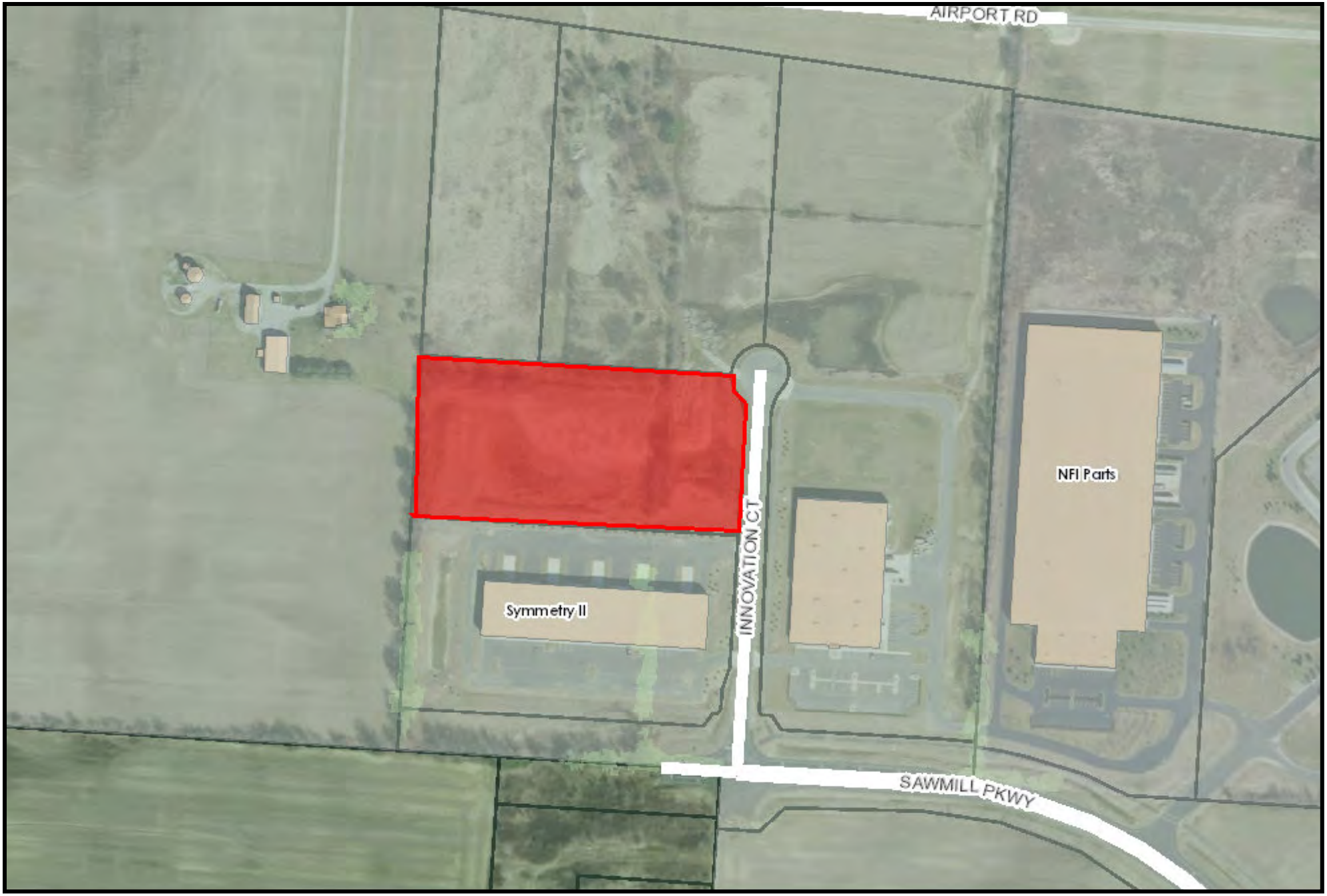
Signature



Typed Name and Title
James A Brownell
Chief Operating Officer

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

** Attach to Final Incentives Agreements as Exhibit A



Innovation Center - 6.024 acresssss

Delaware County Auditor
George Kaitsa

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

Printed on 10/15/2019

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EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 17 | DATE: 09/28/2020

ORDINANCE NO: 20-63 | 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 AUTHORIZING SUPPLEMENTAL APPROPRIATIONS FOR THE LOCAL CORONAVIRIUS RELIEF FUND AND DECLARING AN EMERGENCY.

BACKGROUND:

The City received a second distribution of grant funding from the CARES Act to assist the City in offsetting costs incurred to mitigate the spread of the Coronavirus.

REASON WHY LEGISLATION IS NEEDED:

The City's allocation of this second round in grant funding equals $414,552 and a potential third allocation of grant funding is estimated to be $1,487,664. To properly account for these monies, the cash, revenues and expenditures linked to this CARES Act funding are to be maintained in a Local Coronavirus Relief Fund. In addition, the appropriations to expend these second and third grant distributions are not currently allocated in the 2020 budget.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):
The first round of CARES Act funding equaled $741,516 that will be used to reimburse the City for payroll costs attributed to administrative leave that was used by City personnel during the stay at home order to reduce the spread of the Coronavirus throughout the community with the balance of $8,600 being returned to Delaware County as this portion of the overall distribution reflects an overpayment that the City received from the CARES Act. The secondary distribution of $414,552 will be utilized for the reimbursement of goods and services purchased to mitigate community spread of the virus. As of this writing the $650 million in CARES Act funding held by the State as been approved for distribution by the House and the Senate and is awaiting the Governor's signature. Authorization from Council to distribute this third round of funding will be discussed at either the October 5 Work Session or the October 12 City Council meeting. The estimated allocation of the funding to the City of Delaware is $1,487,664 using a distribution formula that is population based. Click HERE to see a statewide distribution.

POLICY CHANGES:
N/A

PRESENTER(S):
Justin Nahvi, Finance Director

RECOMMENDATION:
Approval

ATTACHMENT(S)
See link above for statewide distribution

ORDINANCE 20-63

AN ORDINANCE AUTHORIZING SUPPLEMENTAL APPROPRIATIONS FOR THE LOCAL CORONAVIRIUS RELIEF FUND AND DECLARING AN EMERGENCY.

WHEREAS, the City received a secondary distribution of CARES Act grant funds from the State of Ohio equaling $414,552 and anticipates the receipt of $1,487,664 in a third round of CARES Act funding in relation to SB 357; and

WHEREAS, in order to have the budgetary authority to expend these funds through the Local Coronavirus Relief Fund, supplemental appropriations will be needed as this funding source is not currently reflected in the 2020 Budget.

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 Local Coronavirus Fund (Fund 284) $1,902,216

Transfer (284.2840.5701) $1,902,216

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.

SECTION 3. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health and welfare of the City in an effort to have sufficient appropriations to expend this additional round of CARES Act grant funding 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

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 18 | DATE: 09/28/2020

ORDINANCE NO: 20-64 | 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 DIRECTING THE CITY MANAGER TO ESTABLISH A SECOND BUSINESS ASSISTANCE GRANT PROGRAM, AUTHORIZE APPROPRIATIONS, AND DECLARING AN EMERGENCY.

BACKGROUND:
Ordinance 20-30 authorized a business assistance grant program backed by $100,000 in funding to support the business community within the City. The City has available CARES Act funding to support a second business assistance grant program in the amount of $100,000 in relation to the success of the first grant offering.

A third round of grant funding may be available, and Council will be briefed on this at its October 5 Work Session or October 12 Council meeting.

REASON WHY LEGISLATION IS NEEDED:
Small businesses within the community continue to struggle as a result of the pandemic and this second round of grant distributions can partially offset the financial impact of COVID-19. The cap on each grant distribution would be $5,000 that can be used to reimburse businesses for an expanded set of criteria including:

A) A grant cap of $5,000

B) Eligibility criteria to include at least the following: The business must have been impacted by COVID-19; located within the City of Delaware; and the business must have 25 FTEs or less.
C) Eligible reimbursable costs may include expenses attributable to COVID-19 including:
    - Payroll costs for employees (June 1 –September 30, 2020)
    - Rent or lease payments (June 1 –September 30, 2020)
    - Mortgage or loan payments (June 1 –September 30, 2020)
    - Utility payments (June 1 –September 30, 2020)
    - Supplier payments (June 1 –September 30, 2020)
    - Purchase personal protective equipment (PPE) and sanitation supplies (March 15 –September 30, 2020)
    - Physical building adaptation / barriers (July 31– September 30, 2020)
    - Contract labor to implement public health measures (July 31–September 30, 2020)
    - Rent, lease, or purchase payments for business equipment implement public health measures (March 15 –September 30, 2020)
    - Purchase Technology/Applications to minimize employee and customer contact (March 15 –September 30, 2020)
    - Other measures to implement social distancing (July 31– September 30, 2020)
    - Proactive purchasing in anticipation of winter, outdoor heaters, etc. (July 31 –September 30, 2020)
    - Replace perishable inventory that was lost due to COVID -19 pandemic (March 15 –September 30, 2020)

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):
The $100,000 for this second grant program would initially be drawn from the Development Reserve Fund which would be reimbursed from CARE Act monies as previously received by the City of Delaware.

POLICY CHANGES:
N/A

PRESENTER(S):
Justin Nahvi, Finance Director

RECOMMENDATION:
Approval

ATTACHMENT(S)
None

ORDINANCE NO. 20-64

AN ORDINANCE DIRECTING THE CITY MANAGER TO ESTABLISH A SECOND BUSINESS ASSISTANCE GRANT PROGRAM, AUTHORIZE APPROPRIATIONS, AND DECLARING AN EMERGENCY.

WHEREAS, since March 2020 the COVID-19 pandemic has caused many small businesses to temporarily close or reduce services in an effort to mitigate the spread of the virus, thereby having a severe financial impact on these companies; and

WHEREAS, Ordinance 20-30 authorized a business assistance grant program backed by $100,000 in funding to support the business community within the City; and

WHEREAS, the City has available CARES Act grant monies that can be utilized for a second business assistance grant program due to the success of the first grant offering; and

WHEREAS, City Council intends to set aside an additional $100,000 to provide grants to Delaware small businesses financially impacted from COVID-19.

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

SECTION 1: The City Manager is directed to establish a second business assistance program to provide the grant to Delaware Businesses.

SECTION 2: In establishing the grant program, the City Manager is directed to include the following elements:

A) A grant cap of $5,000
B) Eligibility criteria to include at least the following: The business must have been impacted by COVID-19; located within the City of Delaware; and the business must have 25 FTEs or less.
C) Eligible reimbursable costs may include expenses attributable to COVID-19 including:
    - Payroll costs for employees (June 1 –September 30, 2020)
    - Rent or lease payments (June 1 –September 30, 2020)
    - Mortgage or loan payments (June 1 –September 30, 2020)
    - Utility payments (June 1 –September 30, 2020)
    - Supplier payments (June 1 –September 30, 2020)
    - Purchase personal protective equipment (PPE) and sanitation

supplies (March 15 –September 30, 2020)
- Physical building adaptation / barriers (July 31–September 30, 2020)
- Contract labor to implement public health measures (July 31–September 30, 2020)
- Rent, lease, or purchase payments for business equipment implement public health measures (March 15 –September 30, 2020)
- Purchase Technology/Applications to minimize employee and customer contact (March 15 –September 30, 2020)
- Other measures to implement social distancing (July 31–September 30, 2020)
- Proactive purchasing in anticipation of winter, outdoor heaters, etc. (July 31 –September 30, 2020)
- Replace perishable inventory that was lost due to COVID -19 pandemic (March 15 –September 30, 2020)

D) The selection process must ensure transparency
E) Safeguards to ensure funds are distributed fairly
F) Ability of funds to be reinvested in the Delaware community
G) Ability to leverage funds to gain access to further resources

SECTION 3: As time is of the essence, the City Manager is directed to take action to make these funds available as soon as possible.

SECTION 4: That there is hereby appropriated from the unencumbered balance of the Development Reserve Fund increasing the following account:

Small Business Grant (709.0709.5602) $100,000

SECTION 5. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 6. EMERGENCY CLAUSE: This ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health, and welfare of the City and to provide immediate assistance needed by businesses impacted by the COVID-19.

VOTE ON RULE SUSPENSION: YEAS____NAYS_____
ABSTAIN _____

VOTE ON EMERGENCY CLAUSE: YEAS____NAYS_____
ABSTAIN_____

PASSED: _____, 2020 YEAS_____NAYS_____
ABSTAIN _____

ATTEST: _____ _____
CITY CLERK MAYOR

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 19 | DATE: 09/28/2020

ORDINANCE NO: 20-65 | RESOLUTION NO:

READING: FIRST | 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 SUPERVISOR EMPLOYEES PAY PLAN AND DECLARING AN EMERGENCY.

BACKGROUND:
Staff recommends that the Recreation Program Coordinator position, which was a new position for 2020, be retitled to that of Recreation Program Superintendent. The slight change in title more accurately reflects the function of the position and will assist with recruitment efforts. Specifically, upon further analysis with other recreation programs within comparable local communities and in concurrence with the recommendations from the recreation needs assessment performed by PROS Consulting, the new title more accurately reflects the responsibilities of the position. The title of Superintendent is congruent with the level of leadership, supervisory and program oversight that this position will perform. This is a title change only as it has been determined that the current pay grade (M10) is adequate.

Staff recommends that the Crime Analysis Technician position, which was a new (full-time) position for 2020, be retitled to that of Data and Video Technician. The slight change in title more accurately reflects the function of the position and will assist with recruitment efforts. Specifically, the Police Department is going to need an employee to take on the file storage, cataloging, maintenance, redaction and requests for patrol officer body camera footage, which is built into

the 2021 budget. This position will cover most of those responsibilities, in addition to gathering and compiling data for crime patterns, which is what the position was initially established to do. This is a title change only as it has been determined that the current pay grade (M3) is adequate.

Staff recommends the position of Fleet Maintenance Supervisor be added to pay grade M12 to distinguish the position from a Division Supervisor (M8). This change was anticipated and allocated for the 2020 budget. This change comes as a result of a wage study that was completed for the City's Mechanic positions which recommended a wage increase for those positions as part of recent labor negotiations. The Public Works, Public Utilities and Parks Association agreement was voted and approved at Council's 9/14/2020 meeting. As a result, this change is recommended to differentiate between the Mechanic position series and the Fleet Maintenance Supervisor position. This change is intended to be retroactive to the passage of the 2020 Management Pay Plan on December 19, 2019.

REASON WHY LEGISLATION IS NEEDED:
In order to recruit for the Recreation Program Superintendent and Data and Video Technician positions using the new titles, City Council approval is needed to amend the associated pay plan. The addition of the Fleet Maintenance Supervisor position at pay grade M12 also requires council approval to amend the pay plan.

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):
There will be no fiscal impact as the Fleet Maintenance Supervisor position was anticipated and allocated for the 2020 budget.

POLICY CHANGES:
Ordinance Revision

PRESENTER(S):
Jessica Feller, Human Resource Manager
Bruce Pijanowski, Chief of Police
Ted Miller, Parks and Natural Resources Director
Bill Ferrigno, Director of Public Works/City Engineer

RECOMMENDATION:
Approval

ATTACHMENT(S)

ORDINANCE NO. 20-65

AN ORDINANCE AMENDING THE MANAGEMENT, PROFESSIONAL, TECHNICAL, CONFIDENTIAL, AND SUPERVISORY EMPLOYEES PAY PLAN AND DECLARING AN EMERGENCY.

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

SECTION 1. That the attached Management, Professional, Technical, Confidential and Supervisory Pay Plan shall be amended to reflect the noted changes.

SECTION 2. That the position of Recreation Program Coordinator (M10) be retitled to that of Recreation Program Superintendent which more accurately reflects the functions of the position.

SECTION 3. That the position of Crime Analysis Technician (M3) be retitled to that of Data and Video Technician which more accurately reflects the functions of the position.

SECTION 4: That the position of Fleet Maintenance Supervisor be added to pay grade M12 to distinguish from a Division Supervisor (M8).

SECTION 5. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 6. Emergency Clause: 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 December 19, 2019 which coincides with the new calendar year and the effective date of the management pay plan for 2020. Therefore this Ordinance shall 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

THE CITY OF DELAWARE 2020 SUMMARY OF BENEFITS

Professional, Confidential, Supervisory and Non-Union Employees

Revised 9/28/2020

Article I. WAGES AND PAY PLAN

Section 1.01 Non- Union Employee Pay Plan

(a) The following pay schedule is to be effective December 25, 2019 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, ~~Crime Analysis Technician~~ **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 Coordinator~~ **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.

EST 1808
CITY OF
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FACT SHEET

AGENDA ITEM NO: 20 | DATE: 09/28/2020

ORDINANCE NO: | RESOLUTION NO: 20-49

READING: THIRD | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA:

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
A RESOLUTION ADOPTING THE 2021-2025 FIVE-YEAR CAPITAL IMPROVEMENT PLAN (CIP).

BACKGROUND:
UPDATE 9/28/2020: For the September 28 Council meeting, Council will hear from Ted Miller, Parks and Natural Resource Director, and Bill Ferrigno, Public Works Director (transportation).

The remaining review will take place:

Monday, October 5th Work Session
- Public Utilities Director, Blake Jordan

UPDATE 9/14/2020: As was discussed at the last Council Meeting, Council's review of the proposed 2021-2025 Capital Improvement Plan will be somewhat streamlined from previous years, given the fact that we are still meeting virtually due to Covid-19.

Therefore, over the course of the next two Council meetings and the October 5, 2020 work session, the CIP review will be devoted to hearing summary presentations from department directors. At the same time, the Finance Committee will continue its review as part of the its September 21 meeting.

For the September 14, 2020 Council Meeting, Council will hear from Police Chief Bruce Pijanowski, Fire Chief John Donahue, and Public Works Director, Bill Ferrigno (Airport and Refuse only). The remaining reviews would be as follows:

Monday, September 28th

- Parks & Natural Resources Director, Ted Miller
- Public Utilities Director, Blake Jordan

Monday, October 5th Work Session

- Public Works Director, Bill Ferrigno (Streets)

REASON WHY LEGISLATION IS NEEDED:

Pursuant to Section 79 of the Charter, the CIP is to be submitted to City Council by August 15 and adopted no later than October 15. Adoption is scheduled for Council's October 14 meeting.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

POLICY CHANGES:

N/A

PRESENTER(S):

R. Thomas Homan, City Manager
Justin Nahvi, Finance Director

RECOMMENDATION:

ATTACHMENT(S)

CIP

RESOLUTION 20-49

A RESOLUTION ADOPTING THE 2021-2025 FIVE-YEAR CAPITAL IMPROVEMENT PLAN (CIP).

WHEREAS, a revised Five-Year Capital Improvements Plan was prepared and submitted to City Council in accordance with Article XVII, Section 79 of the City Charter; and

WHEREAS, City Council has considered the proposed plan and has determined that it shall be the future public improvement plan for the City of Delaware; and

WHEREAS, Article XVII, Section 80 of the City Charter requires that City Council adopt, by resolution, the Five-Year Capital Improvements Program on or before October 15; and

WHEREAS, City Council will review the 2021-2025 CIP at Work Sessions before October 14.

WHEREAS, Council discussed possible amendments to the plan which may be considered as part of the adopted 2021 budget.

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

SECTION 1. That the 2021-2025 Five-Year Capital Improvements Program for the General Fund, Airport, Fire, Police, Public Works, Parks, Equipment Replacement, Technology, Building Maintenance, Water, Sewer, Storm Sewer, Refuse, Parks Impact, Police Impact, and Fire Impact attached hereto as Exhibit A, is hereby adopted as the official plan for future public improvements.

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

PASSED: _____, 2020 YEAS ____ NAYS ____
ABSTAIN ____

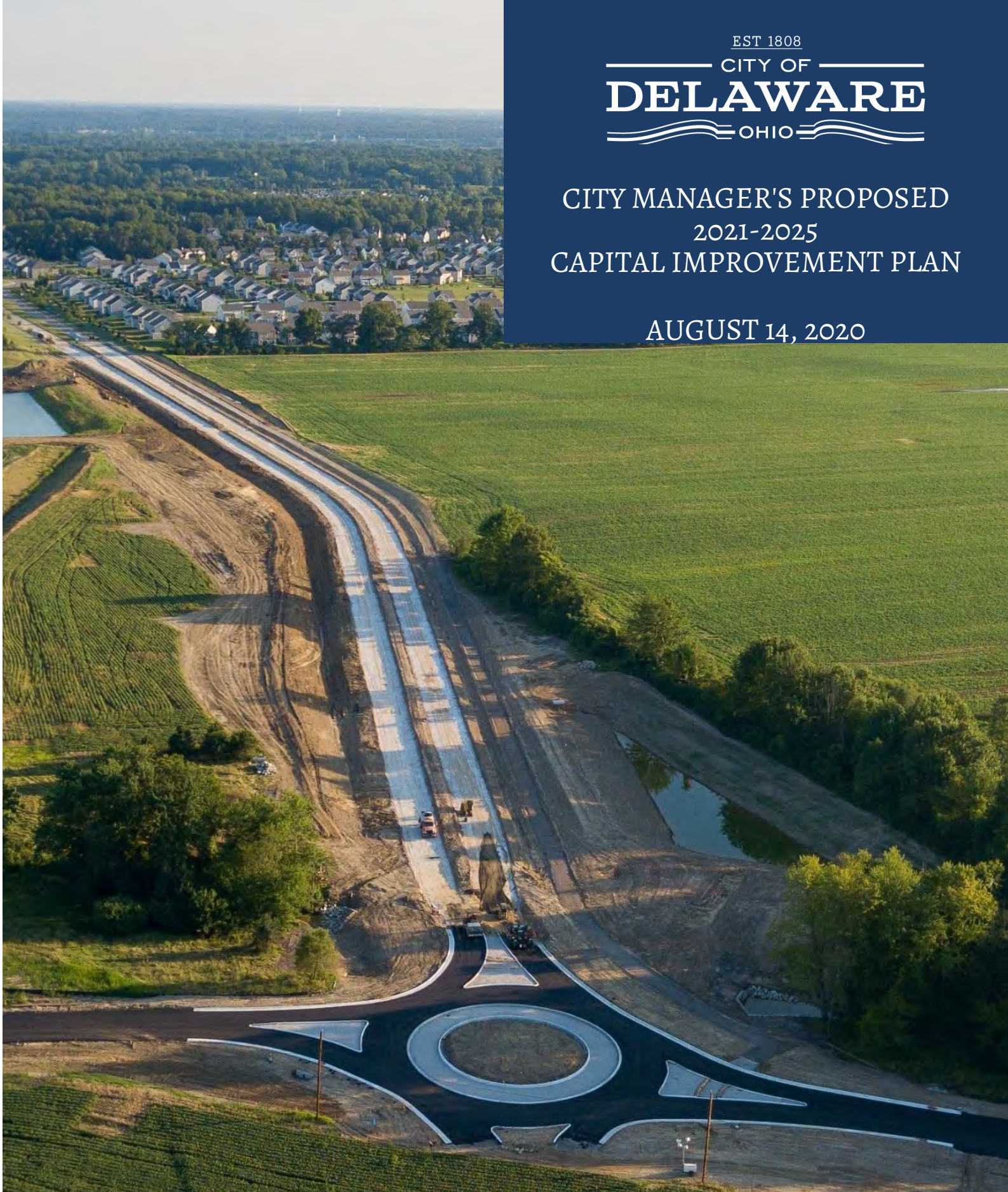
ATTEST: _____ _____
CITY CLERK MAYOR

EST 1808

CITY OF DELAWARE OHIO

CITY MANAGER'S PROPOSED 2021-2025 CAPITAL IMPROVEMENT PLAN

AUGUST 14, 2020



Glenn Parkway-Berlin Station Rd. Roundabout

The new roundabout intersection connects Glenn Parkway with Berlin Station Road, and completes a 2.1 mile connection linking Delaware's southeast neighborhoods directly to US23. A final 1.4 mile section will extend Glenn Parkway from Berlin Station Road to Curve Road, completing the important southeast areterial connection around the city.

Photo Credit: Dale Oates, Communictions Specialist

EST 1808
CITY OF
DELAWARE
OHIO

MEMORANDUM

TO: Mayor Riggle and Members of City Council
FROM: R. Thomas Homan, City Manager
DATE: 08/14/20
RE: 2021-2025 Capital Improvement Plan

Pursuant to section 79 of the City Charter, submitted herewith is my proposed 2021-2025 Capital Improvement Plan, adoption of which must occur by October 15. Please see table below for the proposed review and adoption schedule. A second Work Session can be added the week of 9/22 if necessary.

Event	Time	Place
First Reading	Monday, August 24, 2020	City Council Meeting
Second Reading	Monday, September 14, 2020	City Council Meeting
Third Reading	Monday, September 28, 2020	City Council Meeting
Work Session (if needed)	Monday, October 5, 2020	Work Session
Fourth Reading & Adoption	Monday, October 12, 2020	City Council Meeting

Much has changed in the world since the adoption of the 2020-2024 Capital Improvement Plan (CIP) in the fall of 2019. Many of the projects and equipment purchases slated for 2020 were delayed or suspended to allow for assessment of the pandemic's impact on City finances. These projects will be outlined in a later section of this message.

Several funding sources experienced reduced, or at the least, delayed revenues. Income taxes, the largest source of general fund income, had declined 2.4 percent as of July 2020 compared to the same period last year. The decline is attributed to the rise in unemployment and the shifted filing due date. Based on current collections, a decline of 3.0 percent or $488,750 of estimated revenue from this source is predicted in 2020. The proposed plan anticipates flat income tax collections in 2021 with moderate increases in the years 2022-2025.

Earnings on investments are projected to be more than 60 percent below 2020 budgeted revenues resulting in an estimated decline of $572,437. The new gasoline tax suffered a hit early in the year with the stay at home order. Since then, revenues have rebounded but are still anticipated to fall short of budget by approximately $145,000 or 7.6 percent. As a result of this, less funding was available for local street resurfacing.

Though the financial impacts of COVID-19 will continue to be a challenge into 2021, the proposed plan shows that the City remains dedicated to its investments in infrastructure and capital improvements with 14 percent of the estimated general fund income tax collections, representing $2,243,099. As Council will note, 2021 is balanced. However, years 2022-2025 are out of balance and will require cutbacks, additional funding sources or a combination of the two.

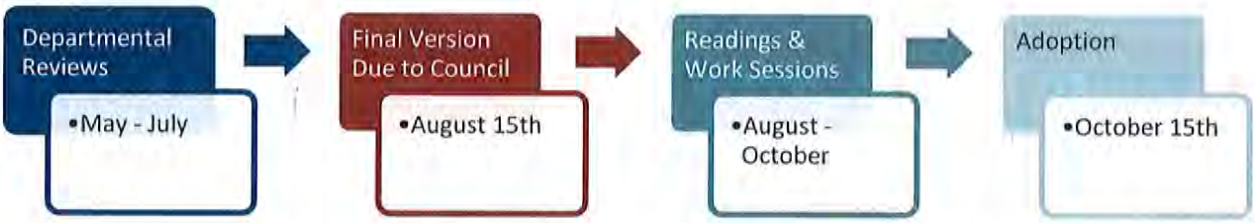
CIP: The Purpose

This capital improvement program (CIP) is a five-year strategic plan for the years 2021-2025. It is a budgetary tool enabling the City to financially plan for larger purchases and projects. The CIP itself is not an appropriation. Instead, it is a blueprint for future capital expenditures requiring ongoing reevaluation and adjustment. Formal annual CIP reviews are essential to allow for responsiveness to changing economic conditions and project prioritizations.

While this is not an exclusive list, typical projects included in the CIP achieve at least one of the following:

- Add to the value or capacity of the City's infrastructure
- Constitute permanent, physical or system improvements
- Require significant equipment purchases
- Are of a one time or limited duration nature

CIP: The Process



To begin the CIP process, the City Manager's Office and Finance Department meet with the City's department directors. They review existing project statuses discussing any amendments, changes or cancellations and anticipate new projects arising out of community concerns, changing priorities or necessity. Any potential or new funding sources are also discussed at this time.

After all departmental reviews are completed, the City Manager's Office and Finance Department work to compile a draft submission of all proposed projects. Funding sources are evaluated, and projects are prioritized with additional guidance from the department directors as needed. In accordance with the City's Charter, the City Manager is required to submit the finalized draft of the CIP to Council for review by August 15th.

2020-2024 CIP Review

As mentioned earlier, several projects scheduled for completion in 2020 were delayed, reduced or cancelled. The below table provides an update of the larger 2020 projects.

Department	Project	Status
Public Works	US 23/36 Exit Bin Wall Improvement	On Track
Public Works	Curtis and Firestone Turn Lane	Delayed
Public Works	Hills-Miller Sidewalk	On Track
Public Works	Downtown Sidewalk Repairs	Modified
Public Works	Downton Arch	Delayed
Public Works	E William St Widening	On Track
Public Works	OPWC - Belle Ave/US 36	On Track
Public Works	Local Resurfacing	On Track
Airport	Apron B Rehabilitation	Delayed
Parks	Willowbrook Park	On Track
Parks	Blue Limestone Park Playground Replacement	On Track
Parks	Mingo Park Playground Replacement	Completed
Parks	Smith Park Playground Replacement	On Track
Parks	Ross Street Park Improvement	On Track
Parks	Central Avenue Pedestrian Corridor	On Track
Water Capacity	Panhandle to US42 Water Main	On Track
Water	Water Tank Painting	Completed
Water	Lincoln Ave Waterline	On Track
Sewer Capacity	Spring Street Upsizing	Completed
Sewer	W William St CIPP Lining	Delayed
Storm	Montrose/Columbus/Toledo	Cancelled
Storm	US23 Storm Repair (ODOT)	Delayed

2021-2025 CIP Highlights

For the proposed CIP, capital investments have been modified from prior years to reflect the financial stress caused by the pandemic. With the declines within the major revenue sources sustaining the CIP, as well as declines in development-driven engineering fees and licenses and permits fees, City Administration placed a focus on investments of critical importance to the safety and welfare of the community and projects that include grant or outside funding sources. The purpose of this being to construct a CIP that allows the City to maintain adequate cash reserve balances to weather an extended period of economic decline. As a reminder, the budget gauge is currently at "Budget Restraint".

Funds that do not have sufficient revenue sources to support the costs of capital projects rely on transfers from the General Fund. Funding summaries for each departmental category of improvements are fully balanced in terms of revenues and expenditures with the term "CIP Allocation" pertaining to the General Fund contribution to the project schedule. This accounting of transfers with the CIP aligns with past practice in capital improvement funding as supported by the General Fund.

The proceeding sections summarize the new capital expenditures for 2021. In this context, new does not include debt service for existing projects. All revenue sources, not just local funds, are considered in the total amount for each of the categories described below.

Roads & Sidewalks

The completion of the East William Street widening in 2020 is the first of three crucial projects designed to improve the pedestrian safety and flow of traffic on the east side. The second major project, the Point, is scheduled to begin construction in 2022. This CIP further includes the design work of the third major project, East Central Avenue, with construction of the project outside of the scope of this plan tentatively scheduled for 2026. In total, these three projects represent an over $50 million investment in the infrastructure of the City.

It is these major improvements, coupled with our commitment to resurfacing local streets and improving safety and sidewalks throughout the community that plays the largest role in the imbalance of the CIP in later years. Without a dedicated funding source to support the City's transportation infrastructure, tough funding decisions will need to be made in the capital planning process for the outlying years.

Utilities

Available balances in the City's Water and Wastewater Capacity Funds allow for significant investments in utility infrastructure over the next five years. Included in the plan is $9.5 million in projects to support the growth of jobs in the City through extensions of the North Sawmill, US42 and Industrial Loop water and wastewater lines.

Equipment

The plan for 2021 for equipment replacement follows the strategy employed for previous capital plans. Going into next year, City staff plans to review the fleet maintenance strategy and shift to one guided by information, best practices and centralized around mechanical expertise.

Parks

Parks saw a higher than normal infusion of general fund monies in 2020 to complete the replacement of the large play structure at Mingo. Because of this and the current situation,

only the play structures deemed essential to replace for the safety of the community or funded by partial contributions from an HOA have been included in this plan.

Park impact fees will be utilized for several trail improvements throughout the City as well as a land acquisition for a South Community Park and a splash pad at Ross Street Park.

Police

The plan includes a request for body worn cameras. The department's current digital cruiser video recording system and body microphone system were purchased several years ago with the understanding that a body worn camera option could be added, as opposed to purchasing an entirely new system.

Parking remains a topic of concern, and 2022 reflects a $426,965 investment in parking meters. In this instance, the term parking meters is used loosely and encompasses the funding for a parking solution. The hope is to reconvene the project team and focus anew on the downtown parking strategy in 2021.

Fire/EMS

Funding for the feasibility and design of a fire training tower is shown in 2021. The estimated construction cost of this project is $1.25 million in 2022. This plan also reflects the potential need for a fifth fire station, Station 305, shown in 2025.

Airport

The proposed airport projects also follow the guidance of the rest of the CIP and show expenditures almost solely for the FAA grant improvements of T-Hangar resurfacing and Taxiways in the coming years.

Airport TIF revenues are proposed to be used for a corporate parking access drive in 2021. With some renewed interest in the airport, these funds may be redirected towards another project pending further staff review.

Debt Service

In the 2020-2024 CIP, the General Fund summary reflected three areas of debt service: 2012 Streetscape, 2019 City Hall/Annex, and 2019 Software. When the debt referenced on the 2019 borrowings was issued, it was listed under one bond offering of $4 million with a final maturity in 2034. As this was a single bond offering, the debt service has been combined to one item, 2019 City Hall/Software, in this plan. Based on the amortization schedule for the debt, principal payments on the debt through 2024 are accelerated and total $2,448,375 for the annual payments from 2020 through 2024. Commencing in 2025, the annual principal payment is

reduced to $187,000 which explains the lower debt service payment in the financial summary for this period.

Additionally, several debt service obligations are falling off in 2021-2025.

On the General Fund summary page, the debt service for the 2012 Streetscape project falls off after 2022, leaving an additional $260,000 for capital improvements moving forward.

Fire and EMS see the retirement of debt service after 2022 for Station 302, and after 2024 for EMS vehicles.

The Wastewater Capacity Fund will see the retirement of $300,000 in annual debt service for the land acquisition on Armstrong Road beginning in 2023.

Closing

Over the course of the next eight weeks, staff and I look forward to reviewing this document with Council. As always, we will be as responsive as possible to Council's questions and comments.

In closing, I want to thank and acknowledge all of our departments for their hard work on, even as we face the COVID-19 pandemic. Also, sincere thanks to Finance Director Justin Nahvi and Budget Management Analyst Alycia Ballone. Finally, my thanks to my Executive Assistant, Kim Gepper and City Council Clerk Elaine McCloskey for their support and assistance.

cc: Directors

EST 1808
CITY OF
DELAWARE
OHIO

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CITY OF DELAWARE
CAPITAL IMPROVEMENT PLAN
GENERAL FUND SUMMARY
2021-2025

	2021	2022	2023	2024	2025
BALANCE FORWARD	**698,338**	**333,325**	**(352,394)**	**(886,617)**	**(1,173,227)**
REVENUES:					
Income Tax (14% of 1% GF Collections)	2,243,099	2,287,961	2,333,720	2,380,395	2,428,002
City Hall Annex Rent	84,504	84,504	81,794	78,000	78,000
BALANCE PLUS REVENUE	**3,025,941**	**2,705,790**	**2,063,120**	**1,571,778**	**1,332,775**
EXPENDITURES:					
DEBT SERVICE					
2012 Streetscape ($2,542,516 through 2022)	261,067	263,538			
2019 City Hall/Software (through 2034)	446,701	527,189	547,350	548,400	214,000
TOTAL DEBT SERVICE	**707,768**	**790,727**	**547,350**	**548,400**	**214,000**
AMOUNT AVAILABLE FOR CAPITAL IMPROVEMENTS AFTER DEBT	***2,318,173***	***1,915,063***	***1,515,770***	***1,023,378***	***1,118,775***
OTHER EXPENDITURES					
Airport Improvements	176,001	-	124,756	-	-
Parks Improvements	48,000	268,000	65,000	195,000	55,000
Facilities Improvements	209,000	145,000	85,000	200,000	50,000
Streets Improvements	398,370	873,370	545,330	405,000	1,236,424
The Point	200,000	-	731,314	311,314	311,314
E Central	40,000	40,000	80,000	250,000	100,000
Police Department Improvements	260,000	16,000	64,474	96,474	331,474
Equipment Replacement	653,477	925,087	706,513	738,817	651,339
TOTAL OTHER EXPENDITURES	**1,984,848**	**2,267,457**	**2,402,387**	**2,196,605**	**2,735,551**
ENDING BALANCE	**333,325**	**(352,394)**	**(886,617)**	**(1,173,227)**	**(1,616,776)**

CAPITAL IMPROVEMENT PLAN
AIRPORT IMPROVEMENTS
2021-2025

	2021	2022	2023	2024	2025
REVENUES:					
FAA Entitlement	526,776		164,894	81,000	270,000
FAA Apportionment	21,754				
ODOT	30,474		9,161	4,500	15,000
TIF Revenue	192,000	27,000	27,000	4,500	15,000
CIP Allocation ***(pg.1)***	***176,001***	***-***	***124,756***	***-***	***-***
TOTAL REVENUES	**947,005**	**27,000**	**325,811**	**90,000**	**300,000**
EXPENDITURES:					
CITY NON-GRANT					
Maintenance Building Improvements	15,000	15,000			
GRANT IMPROVEMENTS					
T-Hangar A, B & C Resurfacing	741,313				
T-Hangar D, E & F Resurfacing			325,811		
T-Hangar G, H & I Resurfacing				90,000	300,000
TIF IMPROVEMENTS					
Corporate Parking Access Drive	190,692				
TOTAL EXPENDITURES	**947,005**	**15,000**	**325,811**	**90,000**	**300,000**

EST 1808 CITY OF DELAWARE OHIO

PUBLIC WORKS

T-HANGER PAVEMENT REHABILITATION

BACKGROUND

The latest pavement rating performed by ODOT Dept. of Aviation indicates the pavement between existing T-hangars is in poor condition. With the earliest sections constructed in 1987, the pavement is over 25 years old and in need of rehabilitation. The pavement composing the main taxi aisles is eligible to receive federal funding while the connections to the individual hangar doors from the taxi aisles are not and require local funds to complete. The FAA provides 'Entitlement' funds covering 90% of eligible project costs, with ODOT providing an additional 5%. The City is responsible for 5% of cost plus 100% of non-eligible items.



PROJECT TIMELINE

2021	Rehabilitation of T-hangar A, B & C pavement
2022	
2023	Rehabilitation of T-hangar D, E & F pavement
2024	Design of T-hangar G, H & I pavement
2025	Rehabilitation of T-hangar G, H & I pavement

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	741,313	Construction T-Hangars A, B & C (FAA 90%; State 5%; Local)
2022		
2023	325,811	Construction T-Hangars D, E & F (FAA 90%; State 5%; Local)
2024	90,000	Design T-Hangars G, H & I (FAA 90%; State 5%; Local)
2025	300,000	Construction T-Hangars G, H & I (FAA 90%; State 5%; Local)
TOTAL	**$1,457,124**	

PROJECT TEAM

CITY LEAD: Public Works – Engineering Division
DESIGN CONSULTANT: CHA
CONTRACTOR: In House

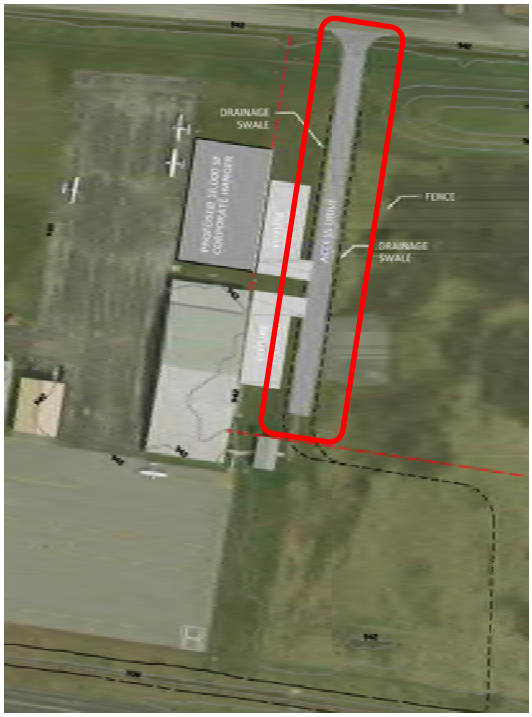
EST 1808 CITY OF DELAWARE OHIO

PUBLIC WORKS

CORPORATE PARKING ACCESS DRIVE

BACKGROUND

Delaware Municipal Airport Jim Moore Field is a leading Central Ohio general aviation facility. It is home to approximately 100 aircraft and handles an estimated 40,000 operations per year. To encourage additional growth opportunities, City is partnering to construct an access drive for a new corporate hanger facility proposed for construction north of the Jet Steam hanger. This corporate expansion is consistent with the City's 10-year Airport Capital Improvement Plan. The hanger owners will be responsible to construct desired parking areas off the new drive. There will be a ditch for drainage on either side of the proposed access drive that will drain to the south, and outlet into the existing runway ditch. This ditch will be sized to carry the runoff from both the roadway and new parking lots. The airport fence will need adjusted to separate the parking areas from the runway, ramp and apron areas.



PROJECT TIMELINE

2021	Preliminary & Final Design
2022	Construction
2022	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	$192,000	Airport TIF
2022		
2023		
2024		
2025		
TOTAL	**$192,000**	

$192,000 is the current project estimate. Any amount above the available TIF balance would be from local funds.

PROJECT TEAM

CITY LEAD: Public Works
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

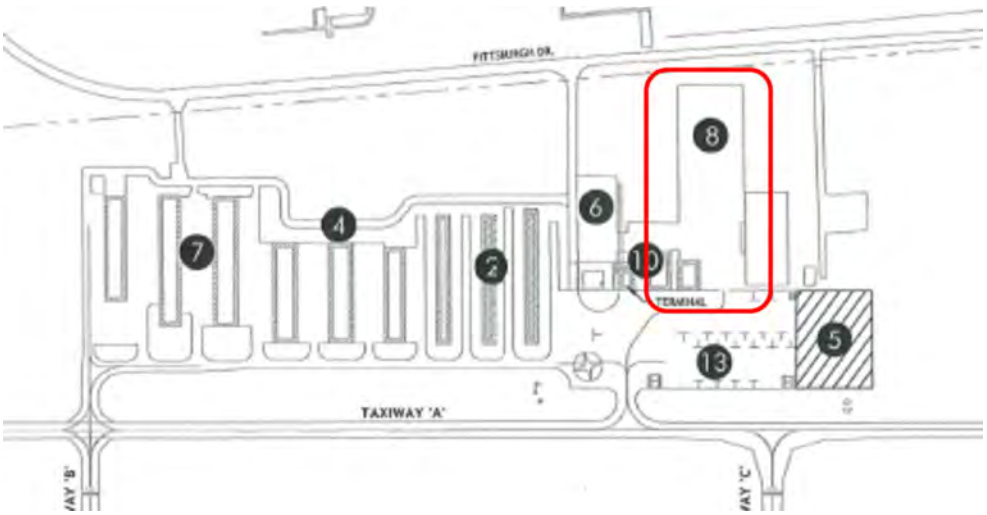
EST 1808 CITY OF DELAWARE OHIO

PUBLIC WORKS

AIRPORT APRON 'B' REHABILITATION

BACKGROUND

The latest pavement rating was completed in November 2016 and revealed that the pavement of Apron 'B' is in poor condition and in need of rehabilitation. Originally constructed in 1987, the pavement is over 25 years old and in need of significant restorative efforts including drainage improvements, subgrade repairs, and pavement replacement, collectively identified as rehabilitation. The utility of the apron is also in transition as a potential corporate hanger project may require the relocation or elimination of existing small aircraft tie-downs in order to provide ample maneuvering room for larger jet aircraft accessing the northeast quadrant of the apron. Work on the section of pavement is not eligible for federal FAA or ODOT funding, and therefore must be paid for locally.



PROJECT TIMELINE

TBD	Construction

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
TBD	$372,000	Local Funds. Not eligible for FAA or ODOT funds.
TOTAL	**$372,000**	

PROJECT TEAM

CITY LEAD: Public Works – Engineering Division
DESIGN CONSULTANT: CHA
CONTRACTOR: TBD

CAPITAL IMPROVEMENT PLAN
PARKS & NATURAL RESOURCES DEPARTMENT
2021-2025

	2021	2022	2023	2024	2025
REVENUES:					
Cheshire Crossing HOA	12,000				
CIP Allocation ***(pg.1)***	***48,000***	***268,000***	***65,000***	***195,000***	***55,000***
TOTAL REVENUES	**60,000**	**268,000**	**65,000**	**195,000**	**55,000**
EXPENDITURES:					
PARK IMPROVEMENTS					
Cheshire Basketball Court	25,000				
Carson Farms Court Resurfacing		60,000			
Mingo Park					
Rotary Shelter Roof			15,000		
Appliances		7,000			
Pool High Dive Platform		25,000			
PLAYGROUND REPLACEMENT					
Belle Avenue Park	35,000				
Carson Farms Park		55,000			
Cheshire Park		76,000			
Glenross Park					
Mingo Park		45,000			20,000
Nottingham Park					30,000
Smith Park			50,000		5,000
Sunnyview PPG Park				45,000	
Veterans Park				150,000	
TOTAL EXPENDITURES	**60,000**	**268,000**	**65,000**	**195,000**	**55,000**

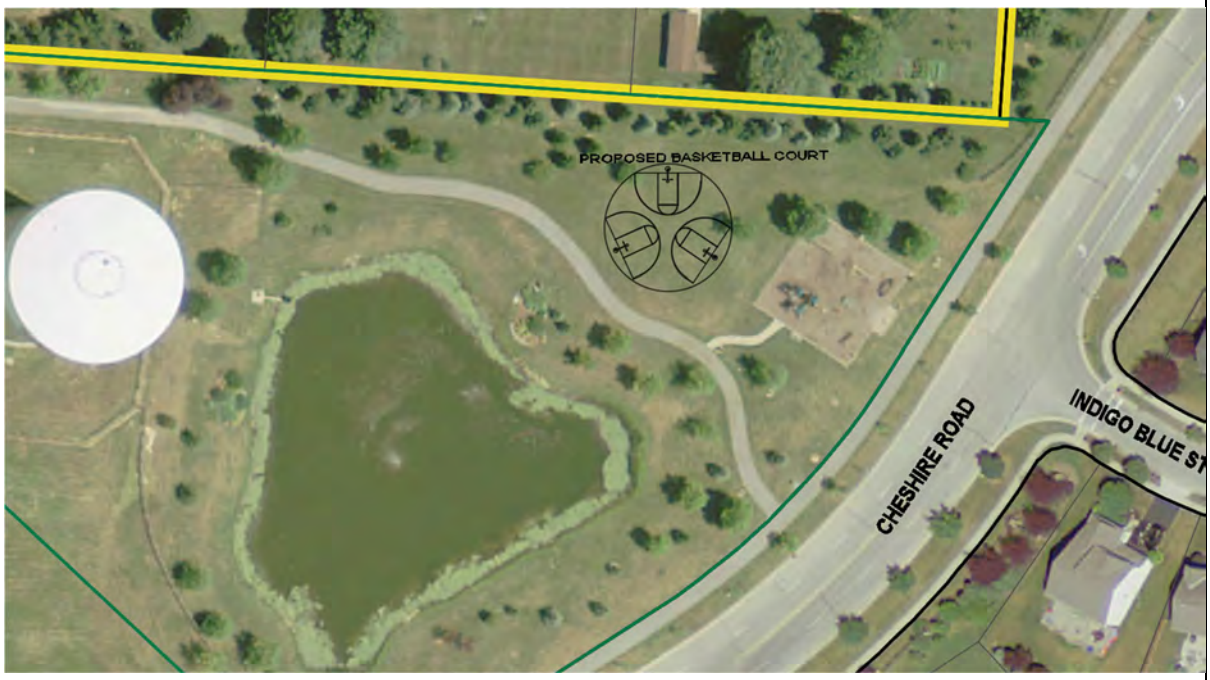
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PARKS & NATURAL RESOURCES

CHESHIRE CROSSING PARK

BACKGROUND

The Cheshire HOA has requested the addition of a basketball court in the Cheshire Crossing Park. They have agreed to share in the cost of construction.



PROJECT TIMELINE

2021	Work with HOA on cost sharing agreement
2021	Bid and construct court

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	$25,000	$12,000 Cheshire HOA Contribution $13,000 Local Funds
TOTAL	**$25,000**	

PROJECT TEAM

CITY LEAD: Parks & Natural Resources
DESIGN CONSULTANT: In house
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PARKS & NATURAL RESOURCES

PLAYGROUND EQUIPMENT

BACKGROUND

The Parks and Natural Resources department is responsible for 24 parks throughout the City. Every year, as part of the Capital Improvement Plan, playground equipment is replaced to maintain safe and accessible community parks. The lifespan of playground equipment is typically 15 years but depending on use that can sometimes be extended by several years.

In 2021, the play structure at the Belle Avenue Park will be replaced. It was originally installed in 1998 and has exceeded its useful life.

In 2022, the play structures and swings at Carson Farms and Cheshire Parks will be placed. They were installed in 2004 and 2007 respectively. Additionally, the tot play toy, installed in 2000, at Mingo Park will be replaced.

In 2023, improvements to the exercise equipment will be made at Smith Park.

In 2024, the playground surface at Veterans Park and the swings and play structure at Sunnyview PPG Park will be replaced.

In 2025, the swings at Mingo Park, the playground structure at Smith Park and the play toy and tot play toy at Nottingham Park are scheduled for replacements.

PROJECT TIMELINE

2021	Belle Avenue Park Playground Improvements
2022	Carson Farms, Cheshire and Mingo Parks Playground Improvements
2023	Smith Park Playground Improvements
2024	Sunnyview PPG and Veterans Parks Playground Improvements
2025	Mingo, Nottingham and Smith Parks Playground Improvements

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	$60,000	General Fund CIP Allocation
2022	$176,000	
2023	$50,000	
2024	$195,000	
2025	$55,000	
TOTAL	**$536,000**	

PROJECT TEAM

CITY LEAD: Parks & Natural Resources
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

CAPITAL IMPROVEMENT PLAN
FACILITIES IMPROVEMENTS
2021-2026

	2021	2022	2023	2024	2025
REVENUES:					
CIP Allocation *(pg.1)*	***209,000***	***145,000***	***85,000***	***200,000***	***50,000***
TOTAL REVENUES	**209,000**	**145,000**	**85,000**	**200,000**	**50,000**
EXPENDITURES:					
CITY HALL					
Roof Repairs			35,000		
JUSTICE CENTER					
HVAC - Heat Pump Replacement	25,000	25,000	25,000	25,000	25,000
Carpet Replacement		25,000	25,000	25,000	25,000
Interior Painting		25,000			
Roof Repairs		70,000			
Elevator Pumps Replacement	50,000				
PUBLIC WORKS BUILDING					
Fire Suppression System - Lines Upgrade	134,000				
Paving Northside Fleet/Traffic Area				150,000	
TOTAL EXPENDITURES	**209,000**	**145,000**	**85,000**	**200,000**	**50,000**

EST 1808 CITY OF DELAWARE OHIO

PUBLIC WORKS

FACILITY MAINTENANCE

BACKGROUND

The Public Works Facilities Division maintains the buildings and systems for several city facilities including Public Works, Justice Center, City Hall, and the 2nd floor of the Co-Hatch building at 10 E William Street. Improvements are necessary for the ongoing upkeep and maintenance of these facilities. Major maintenance items include HVAC units, roofing, flooring, interior/exterior paint, fire suppression systems, backup power systems, elevators and other building improvements. Most improvements are identified on a schedule for replacement at the end of their respective useful life.









PROJECT TIMELINE

2021	**Justice Center:** Heat pumps, elevator pumps **Public Works:** Fire suppression system
2022	**Justice Center:** Heat pumps, carpeting, interior painting, roof repairs
2023	**Justice Center:** Heat pumps, carpeting **City Hall:** Roof repairs
2024	**Justice Center:** Heat pumps, carpeting **Public Works:** North parking lot paving
2025	**Justice Center:** Heat pumps, carpeting

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	209,000	General Fund Revenues
2022	145,000	
2023	85,000	
2024	200,000	
2025	50,000	
TOTAL	**$689,000**	

PROJECT TEAM

CITY LEAD: Public Works – Facilities
CONSULTANT: N/A
CONTRACTOR: State Purchasing Contract

CAPITAL IMPROVEMENT PLAN
STREETS & TRAFFIC DIVISIONS
2021-2025

	2021	2022	2023	2024	2025
REVENUES:					
License Fees	440,000	440,000	440,000	440,000	440,000
Gas Taxes	800,000	800,000	800,000	800,000	800,000
CDBG Funding	150,000	150,000	150,000	150,000	150,000
Sidewalk Assessments	96,630	96,630	84,670	75,000	75,000
CITYWIDE SIGNALS					
MORPC Grant	2,500,000				
Fire Funds	385,000				
US23 & HULL DR INTERSECTION MODIFICATIONS					
ODOT Safety Grant		177,000			
PENICK AVE CONNECTOR					
Delaware City Schools Contribution	175,000				
Utility Funds	100,000				
CURTIS & FIRESTONE TURN LANE					
Developer Trust Funds				106,000	
Curtis Farms Infrastructure Fees		40,000			
PEDESTRIAN & ROADWAY SAFETY PROJECTS					
New Permissive License Fee	180,000	180,000	180,000	180,000	180,000
OPWC					
Grants - OPWC	450,000	450,000	450,000	450,000	450,000
Grants - County Match	150,000	150,000	150,000	150,000	150,000
JOHN STREET BRIDGE REHABILITATION					
Grants - OPWC	128,700				
Utility Funds	133,300				
HOUK RD BRIDGE REPLACEMENT					
Debt Proceeds					1,678,576
CIP Allocation ***(pg.1)***	***398,370***	***873,370***	***545,330***	***405,000***	***1,236,424***
TOTAL REVENUES	**6,087,000**	**3,357,000**	**2,800,000**	**2,756,000**	**5,160,000**
EXPENDITURES:					
Highway Improvements					
STREET LIGHTING HPS TO LED CONVERSION		-	-	-	-
CARSON FARMS SIGNAL		250,000			
CITYWIDE SIGNALS					
Upgrades Phase 1 - Construction	2,500,000				
Upgrades Phase 1 - Fire Pre-Emption	385,000				
US23 & HULL DR INTERSECTION MODIFICATIONS		207,000			
PENICK AVE CONNECTOR					
Construction	640,000				
CURTIS & FIRESTONE TURN LANE		40,000	40,000	146,000	

CAPITAL IMPROVEMENT PLAN
STREETS & TRAFFIC DIVISIONS
2021-2025

	2021	2022	2023	2024	2025
Highway Safety Program					
PEDESTRIAN & ROADWAY SAFETY PROJECTS	210,000	210,000	210,000	210,000	210,000
Resurfacing Program					
CDBG RESURFACING	120,000		120,000		120,000
RLF RESURFACING	30,000		30,000		30,000
LOCAL RESURFACING	240,000	550,000	550,000	550,000	550,000
OPWC	1,400,000	1,400,000	1,400,000	1,400,000	1,400,000
CONSTRUCTION ENGINEERING & INSPECTION	50,000	50,000	50,000	50,000	50,000
ODOT URBAN RESURFACING	150,000	150,000	150,000	150,000	150,000
Bridge Maintenance Program					
ODOT US23 BRIDGE REPAIRS (LOCAL)		300,000			
JOHN STREET BRIDGE REHABILITATION	262,000				
HOUK RD BRIDGE REPLACEMENT				100,000	2,500,000
GLEASONKAMP BRIDGE IMPROVEMENT		50,000			
NORTH STREET BRIDGE			100,000		
SPRINGFIELD BRANCH BRIDGE MAINTENANCE					
Safe Walks Program					
SAFE WALKS SIDEWALK MAINTENANCE	100,000	150,000	150,000	150,000	150,000
TOTAL EXPENDITURES	**6,087,000**	**3,357,000**	**2,800,000**	**2,756,000**	**5,160,000**

EST 1808 CITY OF DELAWARE OHIO

PUBLIC WORKS

CARSON FARMS SIGNAL

BACKGROUND

This project consists of installing a traffic signal at the intersection of US-36 & Carson Farms Boulevard/ Valleyside Drive. Based on existing traffic volumes, a signal warrant analysis was performed per OMUTCD requirements. It was found that two (2) of the eight (8) traffic signal warrants were met. The traffic signal will be a mast arm design configuration, include intersection lighting and pedestrian accessibility to connect the bike path across US-36 on the west side of Carson Farms Boulevard/Valleyside Drive. The preliminary and final design will be completed in 2020 and the construction is scheduled to commence in 2022.





PROJECT TIMELINE

2020	Preliminary and Final Design
2021	
2022	Construction

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021		At this time, no outside funding sources have been identified and all project funding is through general fund revenues. Preliminary and final design cost $24,400 and was funded in 2020.
2022	250,000	
2023		
2024		
2025		
TOTAL	**$250,000**	

PROJECT TEAM

CITY LEAD: Public Works – Engineering
DESIGN CONSULTANT: ms consultants
CONTRACTOR: TBD

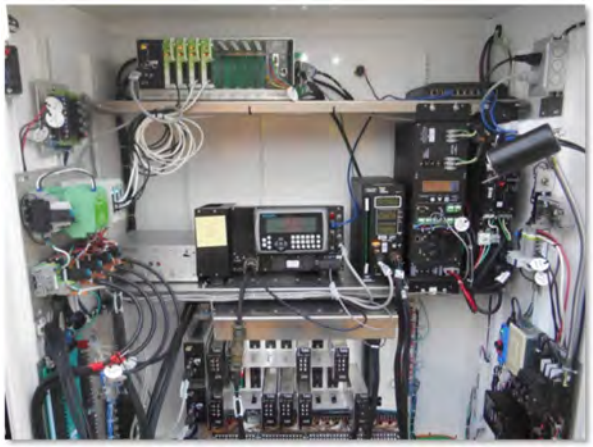
EST 1808 CITY OF DELAWARE OHIO

PUBLIC WORKS

CITY SIGNAL & SAFETY IMPROVEMENTS

BACKGROUND

The project consists of upgrading signal systems along US-36 (William St), SR-37 (Central Ave), Sandusky St and London Rd, which includes 37 signalized intersections. The project will improve safety and reduce emissions by improving average travel speed and reducing delay at each signalized intersection. The upgrades include optimizing traffic signal timing for each corridor and at each intersection, system level improvements including a central software system & CCTV IP-camera system, signal equipment upgrades including cabinets/controllers, communication (fiber or spread spectrum radios), vehicle detection, emergency vehicle preemption, uninterruptible power supply and insuring the equipment is expandable for peripherals & future technology (i.e. wireless pavement temperature sensors, cameras, DSRC, Connected Vehicles, etc.), and pedestrian upgrades such as curb ramps and pedestrian pedestal & pushbutton replacements to meet ADA standards. To date preliminary design and environmental has been completed and the final design and right-of-way acquisition will be completed in 2020.



PROJECT TIMELINE

2019-2020	Preliminary Design, Environmental, Final Design and Right-of-Way Acquisition
2021	Construction
2022	Construction

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	$2,885,000	The City has been awarded funding through MORPC for $2.5M to cover the construction costs. City Fire Department Levy funds will cover the cost to install emergency vehicle preemption equipment at each intersection, which is estimated at $385,000. By the end of 2020, the City has locally funded $350,272 of the project.
2022		
2023		
2024		
2025		
TOTAL	**$2,885,000**	

PROJECT TEAM

CITY LEAD: Public Works – Engineering
DESIGN CONSULTANT: HDR, Inc.
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC WORKS

US23 & HULL INTERSECTION MODIFICATIONS

BACKGROUND



City staff has tracked recent accident history and traffic volumes at the US-23 and Hull Drive intersection, and based on this preliminary data collected, it was recommended that the intersection be further studied and evaluated to determine what intersection modifications should be implemented to improve the safety of the intersection. This intersection was also identified in the 2002 US-23 Access Management Plan as possibly being restricted, when needed, to improve safety and reduce the potential for accident occurrence. Based on the safety study findings, the recommended safety countermeasure is to convert the US-23 and Hull Drive intersection from a full-access intersection to a left-in/right-out (LIRO) intersection (see plan view to the right). With this modification, left and through movements from Hull Drive will be prohibited. In the eastbound direction, Hull Drive residential traffic can utilize Liberty Road to drive to various public streets such as Cottswold Drive, Hawthorn Boulevard or Belle Avenue in order to access US-12 northbound. Eastbound left turning and through vehicles from the shopping center would divert to the Delaware Plaza North signal to north on US-23. It is assumed that westbound traffic on Hull Drive would access US-23 southbound from Stratford Road to Meeker Way. The inbound access to any businesses will not be affected, as crash data indicated that left turns from US-23 onto Hull Drive are not presenting a safety issue. The proposed countermeasure will address the safety issue of left turns and through movements form Hull Drive with the least possible impacts to traffic flow and business access.

PROJECT TIMELINE

2020	Safety Study, Safety Application and Preliminary & Final Design
2021	Construction

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	ODOT safety funds are being pursued to cover 90% of the costs for design and construction. Local funding will fund the remaining project cost. $207,000 in funding has been approved allowing design to begin in 2020. Construction will commence in 2022.
2022	207,000	
TOTAL	**$207,000**	

PROJECT TEAM

CITY LEAD: Public Works – Engineering
DESIGN CONSULTANT: ms consultants
CONTRACTOR: TBD

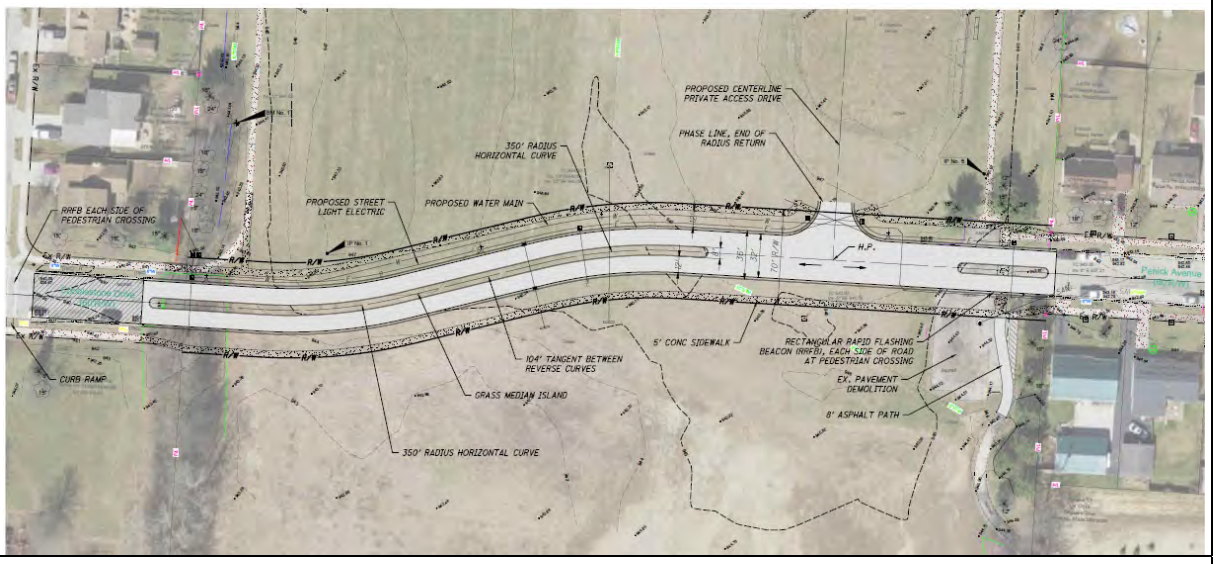
EST 1808 CITY OF DELAWARE OHIO

PUBLIC WORKS
PENICK AVENUE CONNECTOR

BACKGROUND

This project will extend Penick Avenue from its current ending point westward across the Schultz Elementary site to the current end of Cobblestone Drive at Rock Creek Road. The project will be performed in partnership with the Delaware City School District (DCS) as part of their Shultz Elementary expansion project. The DCS project will include a new school bus drive that will be accessed from the new portion of Penick Avenue. The project scope will include one lane of traffic in each direction separated by a raised median island for traffic calming purposes. Included with the roadway will be a water main extension to complete a loop, street lighting, multi-use path, and rapid flashing beacons at pedestrian crossings.

The required DCS participation has been recognized since a 1994 Final Development Plan for a previous project at the school. The project is also identified as a priority roadway improvement on the City's Transportation Thoroughfare Plan.



PROJECT TIMELINE

2020	Engineering Design DCS Shultz Elementary building expansion and site work construction
2021	Roadway Construction

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)	
2021	$640,000	DCS Participation	$175,000
		General Fund Contribution	$365,000
		Water Fund	$55,000
		Sanitary Sewer Fund	$15,000
		Storm Sewer Fund	$30,000
TOTAL	**$640,000**		**$640,000**

PROJECT TEAM

CITY LEAD: Public Works – Traffic & Engineering Services
DESIGN CONSULTANT: In House Engineering Design
CONTRACTOR: To Be Determined with Competitive Bidding

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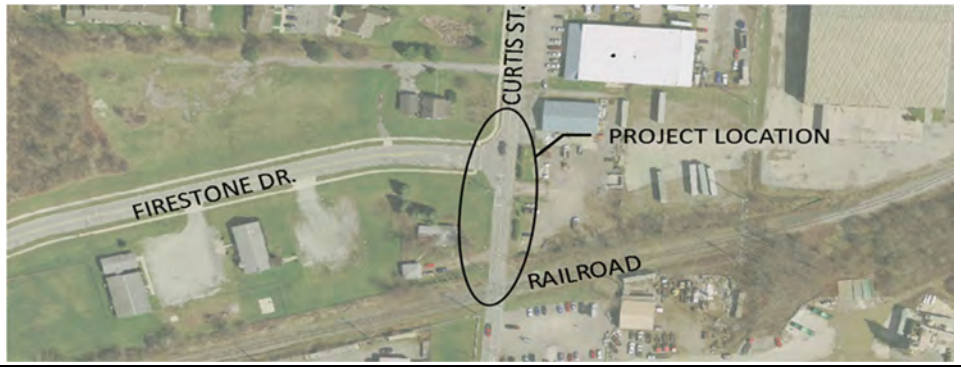
PUBLIC WORKS

CURTIS & FIRESTONE DRIVE INTERSECTION

BACKGROUND

This project will add a left turn lane for northbound traffic on Curtis Street turning left onto Firestone Drive. Currently, during periods of heavy traffic, there is a need to separate turning vehicles from vehicles continuing to travel northbound. Curtis Street and Firestone Drives are both Collector Streets that provide routes for high volumes of traffic. The project will also include improvements to the existing railroad grade crossing. These improvements will fulfill a portion of the Curtis Street Realignment Project identified in the City's 2016 Priority Roadway Improvements and Expansion Projects document.

The project is anticipated to cost approximately $226,000. The City's Transportation Trust Fund/Assessments will cover $199,000 anticipating the Del-Mor project proposed for the northwest corner of the intersection advances. The amount includes the anticipation final collection of $119,000 through property assessment contributions in the Curtis Farms subdivision.



PROJECT TIMELINE

2021	
2022	Design
2023	Right of Way Acquisition
2024	Construction

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021		
2022	40,000	Curtis Farms Infrastructure Fees
2023	40,000	Local Funds
2024	146,000	Developer Trust Fund
TOTAL	**226,000**	

PROJECT TEAM

CITY LEAD: Public Works – Administration
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

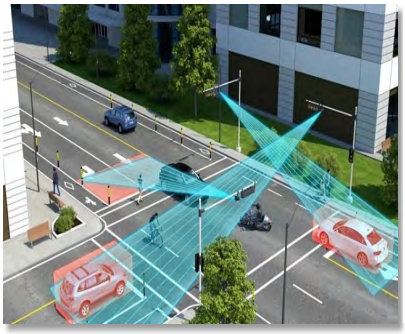
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PUBLIC WORKS

HIGHWAY SAFETY IMPROVEMENTS

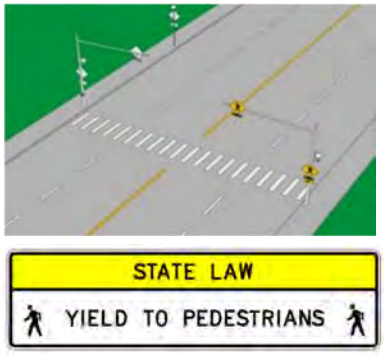
BACKGROUND

Significant improvements to the City's traffic signal system infrastructure are becoming more frequent as the system ages and technology improvements demand modifications to equipment. The timing of these improvements is generally associated to the timeframe of area capital project initiatives such as local and state resurfacing projects and other capital transportation projects. Signal head backplates are included with these improvements when deemed feasible utilizing existing signal supports that have the structural capacity & necessary clearance heights. Advances in technology also enable the City to more effectively address pedestrian safety though use of equipment such as Rectangular Rapid Flashing Beacons (RRFB's). These devices are becoming more prevalent as research shows that they improve motorist awareness by as much as 70% of the presence of a hazard and reduction of speed. Additional Safety improvements identified are new guardrail installations at locations meeting installation warrants along and traffic calming measures deemed necessary per the Traffic Calming Guide adopted in 2019 and approved by City Council in an attempt to slow vehicular speeds in residential neighborhoods. Such improvements include Dynamic Speed Feedback Signs (DSFS), Pavement Markings, etc..









PROJECT TIMELINE

Pedestrian Safety Enhancements	RRFB's for Springfield Branch Trail/Liberty St (2022), Springfield Branch Trail/S. Henry St (2022), N. Liberty St/W. Winter St (2022), Pennsylvania Ave at Euclid Ave (2024); W. William St/King Ave Pedestrian Crossing Enhancements for E. Central Ave/US-23 Ramp Ped Crossing (2021), W. Central Ave/Chatham Ln; W. Central Ave/Lexington Blvd
Signal Safety Improvements & Refurbishments	London Rd/Liberty Rd (2021); London Rd/Liberty St (2021), W. William St/Elizabeth St (2023), W. Central Ave/Elizabeth St (2023) & S. Sandusky St/Spring St intersections (2023), Troy Rd/Pennsylvania Ave (2024). W. William St/Franklin St (2025), E. William St/Union St intersections (2025), W. William St/Washington (2026), W. Central Ave/N. Franklin St (2026)
New Guardrail Installations	Liberty Rd (4 locations), William St (4 locations), US-42/London Rd, Peachblow Rd/Crownover Way
Traffic Calming Improvements	Installation of traffic calming measures on residential neighborhoods streets as deemed necessary per the Traffic Calming Guidelines Policy and approved by City Council

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	$210,000	Funding for this initiative was established with the recent approval of the $5 Permissive License Fee increase enacted by the City in early 2020. The funding is to be dedicated toward completing safety improvements that enhance pedestrian safety and mitigate traffic calming issues.
2022	$210,000	
2023	$210,000	
2024	$210,000	
2025	$210,000	
TOTAL	**$1,050,000**	

PROJECT TEAM

CITY LEAD: Public Works – Traffic Division
DESIGN CONSULTANT: In House & Contractor
CONTRACTOR: In House & Contractor

EST 1808 CITY OF DELAWARE OHIO

PUBLIC WORKS

RESURFACING PROGRAM

BACKGROUND

This is an annual program to maintain the current street network with the City. Currently Delaware is made up of 174 miles of Arterial, Collector and Local roadway. State and Federal funds are heavily relied upon to fund repairs to the collectors and local arterials as well as State and Federal routes. Local routes are selected based on the most recent pavement condition rating identifying Good, Fair and Poor streets. Roads with 'Poor' rating are prioritized above other streets with work funded through General Fund and Gas Tax revenues. Roads with higher ADT's (Average Daily Traffic) can be eligible for OPWC (Ohio Public Works Commission) funds. State and Federal routes are eligible for 80% funding through ODOT's Urban Resurfacing Program with the local 20% from License and Gas Tax Fee that must be spend on the State Highway system. Based on the condition of the city street network, a sustainable pavement maintenance program requires an estimated $3.5-$4.7 million in annual funding. However, the city does not have that level funding for a sustainable pavement maintenance program and will continue to focus primarily on Arterial, and Collector Roadways, and paving a limited number of local streets as funding permits.

PROJECT TIMELINE

2021	CDBG, RLF, OPWC, Urban resurfacing (US42), Local Streets
2022	OPWC, Local Streets
2023	CDBG, RLF, OPWC, Local Streets
2024	OPWC, Local Streets, Urban Resurfacing (US36)
2025	CDBG, RLF, OPWC, Local Streets, Urban Resurfacing (SR37)

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	$1,990,000	CDBG Resurfacing $120,000 every other year (LMI Local Streets) RLF Resurfacing $30,000 every other year (LMI Local Streets) OPWC Funds $450,000 (Collector & Arterial Streets) License Fees $440,000 (OPWC match funds) Delaware County Grant Match $150,000 (Collector & Arterials) Gas Tax $800,000 Local Funds
2022	$2,150,000	
2023	$2,300,000	
2024	$2,150,000	
2025	$2,300,000	
TOTAL	**$10,890,000**	

PROJECT TEAM

CITY LEAD: Public Works – Engineering
DESIGN CONSULTANT: In House Engineering Design
CONTRACTOR: To be determined through competitive bidding

EST 1808 CITY OF DELAWARE OHIO

PUBLIC WORKS
BRIDGE IMPROVEMENTS

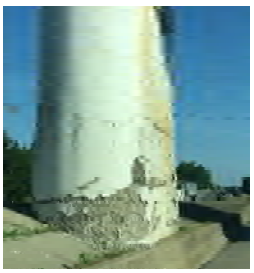
BACKGROUND

The City is responsible for the inspection and maintenance of (16) vehicular bridges and (6) pedestrian bridges throughout the community. They range in age from the new Springfield Branch Trail steel truss pedestrian bridge over E William Street to the 113-year-old concrete slab bridge carrying Houk Road over the Delaware Run. Annual inspections reveal deficiencies that require attention and establishes a bridge condition rating (0-9) that is an indicator of the severity of deficiencies. Federal Highway Administration (FHWA) requires us to do load ratings of all the structures of length greater than 20 feet to be in compliance with National Bridge Inspection Standards (NBIS). Structures with ratings of 4 or below are considered poor or critical.

The City has three bridges of concern with the currently closed John Street bridge as the top priority for replacement. The old abandoned mine car bridge under North Street is rated as a 4 and needs to be removed or otherwise modified to mitigate safety concerns. The bridge pier supporting the Springfield Branch Pedestrian Trail bridge over US23 shows signs of significant deterioration requiring immediate repair. Lastly, the Houk Road Bridge over the Delaware Run remains active though is approaching the end of its useful service life and plans for its eventually replacement now underway.







PROJECT TIMELINE

2021	John Street Bridge Rehabilitation
2022	Springfield Branch Trail Bridge – Pier Rehabilitation; Gleasonkamp Bridge Improvement
2023	North Street Bridge Abandonment
2024	Houk Road Bridge Design
2025	Houk Road Bridge Replacement

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	262,000	OPWC Emergency Funds, Storm Water Fund
2022	350,000	Local Funds, Storm Water Fund
2023	100,000	Local Funds
2024	100,000	Local Funds
2025	2,500,000	Municipal Bridge Program, Local Funds
TOTAL	**3,312,000**	

PROJECT TEAM

CITY LEAD: Public Works – Engineering Division
DESIGN CONSULTANT: To Be Determined
CONTRACTOR: To Be Determined

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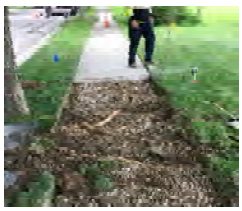
PUBLIC WORKS

SAFE WALKS PROGRAM

BACKGROUND

Sidewalks free of trip hazards and other deficiencies are essential to pedestrian safety. The Safe Walks Program makes repairs to defective sidewalks by identifying deficiencies on an ongoing basis and making repairs each year. The vast majority of deficiencies are associated with uneven sidewalk lifted by street tree roots and as such, the City's responsibility. Permanent repairs involve removal of concrete slabs, digging out roots below the walk, and pouring new concrete sections. This process is time consuming and expensive at an estimated $300 per section of walk, exceeding both financial and staffing resources to complete all identified deficiencies. Where a deficiency is not related to street tree damage, the property owner is notified of their responsibility to make repairs.

With the quantity of tripping hazards on the rise, the City will implement more 'temporary repairs' including surface grinding sections to reduce uneven joints. Where grinding is not possible, section may be removed and replaced with temporary asphalt for a few years until permanent repairs can be completed. Though not ideal, the goal of addressing dangerous tripping hazards can be met in a more expeditious manner until such time as adequate funding becomes available for permanent repairs.



PROJECT TIMELINE

2021	Temporary and permanent sidewalk repairs community-wide.
2022	Temporary and permanent sidewalk repairs community-wide.
2023	Temporary and permanent sidewalk repairs community-wide.
2024	Temporary and permanent sidewalk repairs community-wide.
2025	Temporary and permanent sidewalk repairs community-wide.

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	100,000	General Fund Revenues
2022	150,000	
2023	150,000	
2024	150,000	
2025	150,000	
TOTAL	**$700,000**	

PROJECT TEAM

CITY LEAD: Public Works – Streets/Engineering Division
DESIGN CONSULTANT: N/A
CONTRACTOR: TBD

CAPITAL IMPROVEMENT PLAN
THE POINT
2021-2025

	2021	2022	2023	2024	2025	2026	2027
BALANCE FORWARD	984,573	634,573	-	-	-		-
REVENUES:							
MORPC Grant			14,000,000				
Safety Grant	300,000						
TRAC Grant	1,500,000	8,000,000					
JEDD Receipts		2,000,000					
Urban Paving Allowance		378,985					
Storm Fund		535,000					
Project Trust		340,207					
SIB Loan		15,511,235					
Debt Proceeds							
General Fund Transfer	200,000	-	731,314	311,314	311,314	311,315	311,316
TOTAL REVENUES	**2,984,573**	**27,400,000**	**14,731,314**	**311,314**	**311,314**	**311,315**	**311,316**
EXPENDITURES:							
DEBT SERVICE							
SIB Loan Less MORPC Grant ($1,511,235, 3%, 5 yrs)			14,731,314	311,314	311,314	311,314	311,314
CAPITAL PROJECTS							
Engineering Services	300,000						
ROW (75% TRAC/25% Local)	2,000,000						
Private Utility Relocations	50,000						
RR Force Account (80% MORPC/20% Local)		2,925,000					
Construction		22,725,000					
Construction Admin		1,750,000					
TOTAL EXPENDITURES	**2,350,000**	**27,400,000**	**14,731,314**	**311,314**	**311,314**	**311,314**	**311,314**

CITY OF DELAWARE OHIO

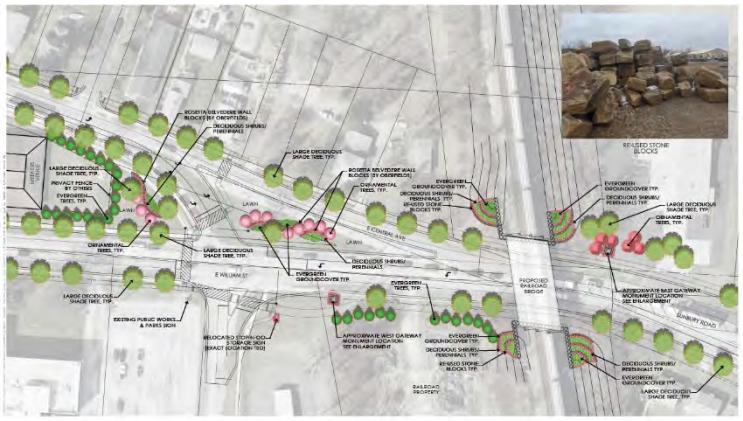
PUBLIC WORKS

THE POINT IMPROVEMENTS

BACKGROUND

"The Point" intersection is located at the location where US 36 and SR 37 converge on the east side of City, immediately west of the Norfolk Southern railroad overpass. The skewed alignment of the two roads, compounded by the narrow two-lane passage below the rail bridge restricting traffic to a single lane in each direction, limit the overall intersection capacity to manage current and anticipated future traffic loading. On average, 25,000 vehicles a day pass below the bridge, with traffic models projecting that number to increase to almost 40,000 vehicles a day by 2040. Traffic congestion and lengthy backups are routine during morning and afternoon peak-hour traffic conditions. In 2009 the City reconfigured the intersection slightly, relocating the signal further west on US 36 and realigning SR 37 to the new location. The improvement provided immediate relief to westbound traffic congestion and delay; however, modelling predicated that increasing eastbound traffic congestion was anticipated within seven to ten years as traffic volumes continued to increase in the area.

This project will relieve congestion and increase safety along US 36 and SR 37 by increasing the number of vehicular lanes beneath the Norfolk Southern Railroad bridge allowing for two lanes of travel in each direction beneath the railroad. The widened bridge will eliminate the notorious westbound merge on US 36 as vehicles approach the bridge. Eastbound traffic flow will benefit immediately from this improvement as dual through-lanes are established on both SR 37 and US 36 approaching the intersection adding significantly improved intersection capacity. Shared use paths connecting the east side of the community to the Glenwood Commons commercial center are also included as part of the overall improvement. Additional improvements at the US 36 with SR 521 intersection are included to address intersection safety and congestion issues there.



PROJECT TIMELINE

2021	Final Design, Right of Way Acquisition and Utility Relocates
2022	Right of Way Acquisition, Utility Relocates, and Railroad Permitting
2023	Construction of Temporary Rail Bridge and Roadway Improvements
2024	Construction of Permanent Rail Bridge and Roadway Improvements
2025	Construction Complete

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	2,984,573	Combination of grants, JEDD receipts, developer contributions, utility funds, SIB Loans and local funds.
2022	27,400,000	
2023	731,314	
2024-2027	311,314	SIB Loan debt service is $311,314 annually from 2024-2027.
TOTAL	**$32,361,143**	Project cost reflects only interest for the year 2023.

PROJECT TEAM

CITY LEAD: Public Works – Traffic Division
DESIGN CONSULTANT: In House & Contractor
CONTRACTOR: In House

CAPITAL IMPROVEMENT PLAN
EAST CENTRAL
2021-2025

	2021	2022	2023	2024	2025	2026	2027
BALANCE FORWARD			-	-	-	-	-
REVENUES:							
Safety Grant	360,000	360,000	720,000	1,500,000		2,000,000	
MORPC Grant						4,500,000	
Sewer Funds					500,000		
Water Funds					500,000		
Storm Funds						1,000,000	
Debt Proceeds						2,912,017	
General Fund Transfer	40,000	40,000	80,000	250,000	100,000	587,983	299,938
TOTAL REVENUES	**400,000**	**400,000**	**800,000**	**1,750,000**	**1,100,000**	**11,000,000**	**299,938**
EXPENDITURES:							
DEBT SERVICE							
E Central Debt ($2,912,017, 10 yrs, 3.0%, 2036)							299,938
Prelim & Env Engineering (90% Safety/10% Local)	400,000	400,000					
Final Engineering (90% Safety/10% Local)			800,000				
ROW				1,750,000			
Sanitary Rehab					500,000		
Water Rehab					500,000		
Private Utility Reimbursements					100,000		
Construction						10,000,000	
Construction Admin						1,000,000	
TOTAL EXPENDITURES	**400,000**	**400,000**	**800,000**	**1,750,000**	**1,100,000**	**11,000,000**	**299,938**

EST 1808 CITY OF DELAWARE OHIO

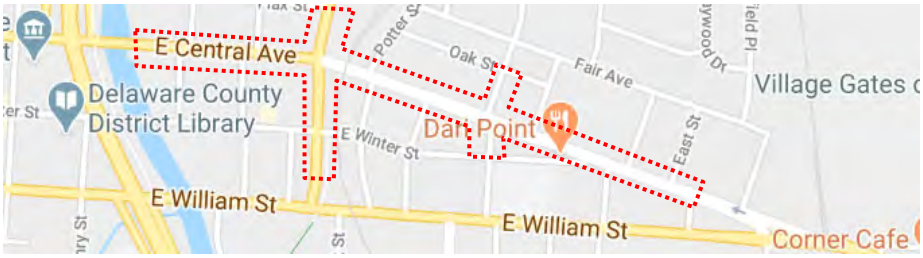
PUBLIC WORKS

EAST CENTRAL AVENUE IMPROVEMENTS

BACKGROUND

The East Central Avenue Improvements project will improve safety and reduce delay along this vital local traffic and freight movement corridor. The road itself has surpassed its useful service life and requires significant repair throughout the year. Though it will be resurfaced in 2020, the benefit of new pavement will likely be short lived before repairs are again required. It is the intent that the road be reconstructed before the next time resurfacing is required.

Improvements will include new pavement, curbs, drainage, sidewalk, and lighting. Both the Channing Street and Lake Street intersections will be realigned and widened to accommodate current and future anticipated traffic volumes. Public involvement meetings are anticipated in 2021 where design alternatives will be presented for public comment and feedback. Preliminary estimates indicate the project cost could between $12 - $15 million for all the improvements required. The City will be applying for State Highway Safety Funds in 2020 as well as Federal Attributable funds through MORPC. Additional grant funding will be sought one a final design is selected.



PROJECT TIMELINE

2021	Preliminary Engineering & Environmental
2022	Preliminary Engineering & Environmental
2023	Final Engineering
2024	Right of Way Acquisition
2025	Right of Way Acquisition & Utility Relocates
2026	Construction

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	400,000	State Safety/Local
2022	400,000	State Safety/Local
2023	800,000	State Safety/Local
2024	1,750,000	State Safety/Local
2025	1,000,000	State Safety/Local
2026	11,000,000	MORPC Attributable/Local
TOTAL	**15,450,000**	

PROJECT TEAM

CITY LEAD: Public Works – Engineering
DESIGN CONSULTANT: ms consultants
CONTRACTOR: Competitive Bidding TBD

CAPITAL IMPROVEMENT PLAN
PARK IMPACT FEES
2021-2025

	2021	2022	2023	2024	2025
BALANCE FORWARD	1,829,279	1,724,279	1,039,279	539,279	89,279
REVENUES:					
Park Impact Fees	350,000	350,000	350,000	350,000	350,000
TOTAL REVENUES	**2,179,279**	**2,074,279**	**1,389,279**	**889,279**	**439,279**
EXPENDITURES:					
Central Avenue Trail	150,000				
South Community Park Land Acquisition			500,000	500,000	
Stratford Olentangy Trail		350,000			
Olentangy River Walk - Mingo	25,000				
Olentangy River Trail			300,000		
Delaware Run Greenway	250,000	35,000		300,000	
Lexington Glen Park		175,000			
Mingo Facility Improvements					150,000
Ross Street Improvements	30,000	475,000	50,000		
TOTAL EXPENDITURES	**455,000**	**1,035,000**	**850,000**	**800,000**	**150,000**

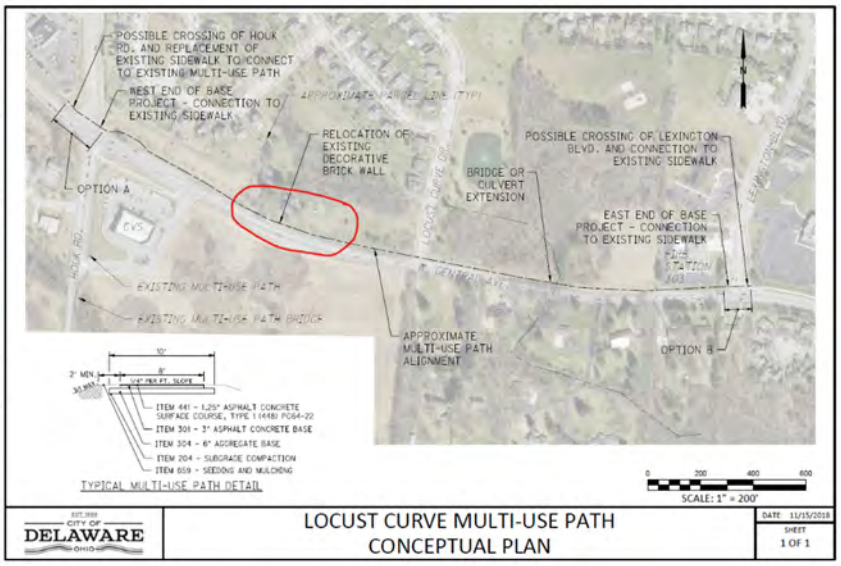
EST 1808 CITY OF DELAWARE OHIO

PARKS & NATURAL RESOURCES

CENTRAL AVENUE TRAIL

BACKGROUND

The completion of the Central Avenue trail began planning in 2018 and will be the final link for an east west pedestrian connection along Central Avenue. The remaining segment between Houk Road and Lexington Avenue will be partially built in 2020 with final segment remaining for construction in 2021. The last segment resulted in negotiation with property owner to agree on final design.



PROJECT TIMELINE

2019	Design of trail from Houk Road to Lexington Avenue
2020	Easement acquisition
2020	Project bid and construction
2021	Remaining segment bid and construction

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2020	490,000	City Park Impact Fees
2021	150,000	
2022		
2023		
2023		
TOTAL	**$640,000**	

PROJECT TEAM

CITY LEAD: P & NR and Public Utilities
DESIGN CONSULTANT: MS Consultants
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PARKS & NATURAL RESOURCES

OLENTANGY RIVER WALK- MINGO

BACKGROUND

The river walk project at Mingo is a design project that would separate pedestrian traffic from vehicular traffic, remove invasive species along the river and allow access to the Olentangy River. The initial effort of this project would lead the way in emphasizing the value of the river as a prized natural resource.

The design would focus on the segment in Mingo Park where pedestrian and vehicular traffic share a common roadway.



PROJECT TIMELINE

2021	Design trail segment
2022	Trail construction
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	25,000	City Park Impact Fees
2022		
2023		
2024		
2025		
TOTAL	$25,000	

PROJECT TEAM

CITY LEAD: P & NR and Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

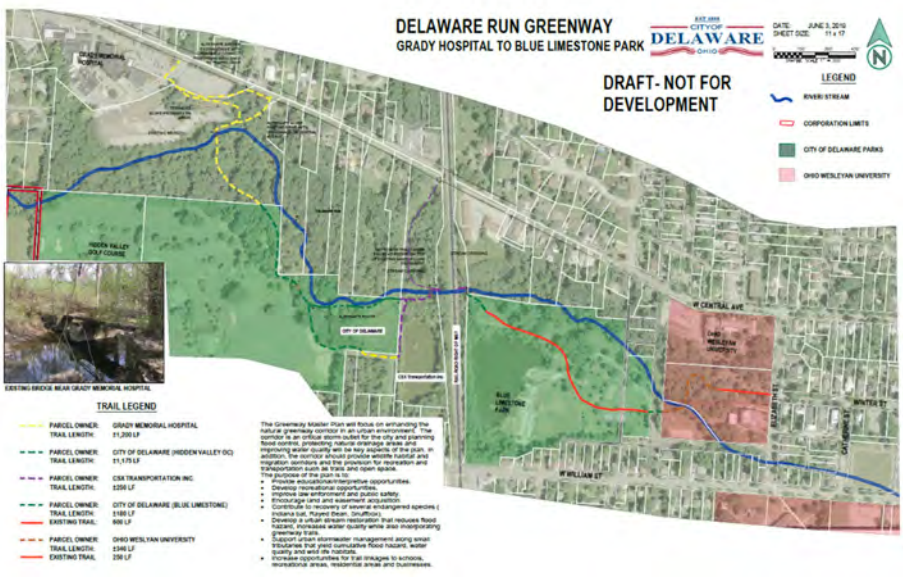
EST 1808 CITY OF DELAWARE OHIO

PARKS & NATURAL RESOURCES

DELAWARE RUN GREENWAY

BACKGROUND

The Delaware Run Greenway is an east-west pedestrian corridor that parallels Delaware Run and offers opportunities for forest preservation, flood protection, recreation and educational benefits. The proposed segment would stretch from Hidden Valley Golf Course to Blue Limestone Park, with potential to reach Grady Memorial Hospital and downtown Delaware. The proposed section would be a combination of gravel and unimproved trail approximately 1 mile in length.



PROJECT TIMELINE

2020	Feasibility study and CSX review
2021	Preliminary alignment design and begin construction of ½ segment
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	250,000	At this time, no outside funding sources have been identified and all project funding is through Parks Impact Fees
TOTAL	$250,000	

PROJECT TEAM

CITY LEAD: Parks & Natural Resources
DESIGN CONSULTANT: Patrick Engineering
CONTRACTOR: TBD

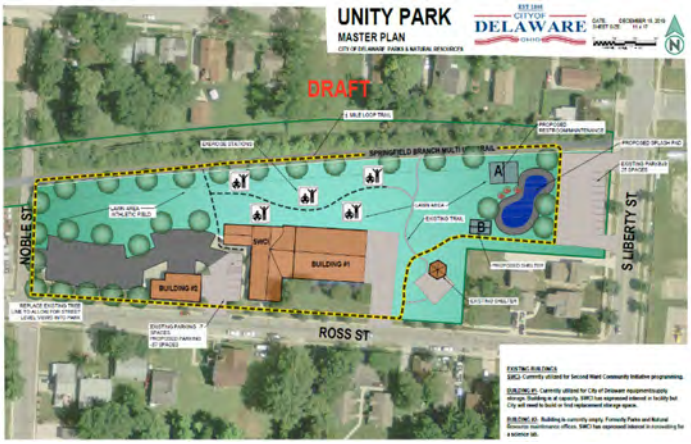
EST 1808 CITY OF DELAWARE OHIO

PARKS & NATURAL RESOURCES

ROSS STREET PARK IMPROVEMENTS

BACKGROUND

The proposed Ross Street park improvements evolved from several community surveys and meetings to include elements that would serve the surrounding community. The residents wanted to see a park that would promote healthy activities and provide a gathering space for community events in a safe and open environment.



Improvements began in 2020 with the removal of the existing maintenance facility along with design of an additional parking lot at the west end of the park.



Future improvements include additional parking, athletic field space, community gathering field space, exercise stations, pathways, splash pad, restroom, landscaping and pathways. Lighting and an open park plan will also be incorporated to promote a safe park setting.

PROJECT TIMELINE

2021	Landscaping and parking lot construction. Design for restroom and splash pad facility
2022	Construction of restroom and splash pad
2023	Landscaping, exercise equipment, pathways

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	30,000	City Park Impact Fees
2022	475,000	
2023	50,000	
TOTAL	**$555,000**	

PROJECT TEAM

CITY LEAD: Parks & Natural Resources
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

CAPITAL IMPROVEMENT PLAN
POLICE DEPARTMENT
2021-2025

	2021	2022	2023	2024	2025
REVENUES:					
Debt Proceeds		***625,965***			
CIP Allocation *(pg.1)*	***260,000***	***16,000***	***64,474***	***96,474***	***331,474***
TOTAL REVENUES	**260,000**	**641,965**	**64,474**	**96,474**	**331,474**
EXPENDITURES:					
DEBT SERVICE					
Meters/Building ($625,965, 10 yrs, 3.0%, 2032)			64,474	64,474	64,474
Body Cameras	260,000				95,000
Parking Meter Replacement		425,965			
Evidence Storage Building		200,000			
Police Sub-Station					
Cruiser Video Replacement					172,000
Police K9 Replacement				32,000	
Tornado Siren Replacement					
Intoxilyzer		16,000			
TOTAL EXPENDITURES	**260,000**	**641,965**	**64,474**	**96,474**	**331,474**

POLICE DEPARTMENT

BODY WORN CAMERA / CRUSIER VIDEO SYSTEM

BACKGROUND

The department has had a cruiser video system for many years. Our current product, purchased from WatchGuard, was originally purchased with the knowledge that the WatchGuard body worn camera product could be added to the system, thereby saving the cost of adding an entirely new server and storage system. Previous roadblocks to adding body worn cameras to the system have included cost, storage costs, lack of staffing required to manage data, and privacy concerns.

Several cruiser video systems need to be replaced due to the expiration of their warranty period.

Due to recent calls for police reform, the police department began researching and now submit this request for body worn cameras. The overall project cost will include replacement cruiser systems, body worn cameras, and additional storage.

PROJECT TIMELINE

2021	Upgrade of out of warranty cruiser video cameras ($92,000), addition of body worn cameras ($108,000) and storage ($60,000).
2022	
2023	
2024	
2025	Replacement of cruiser equipment – 5-year warranty.

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	260,000	At this time, no outside funding sources have been identified and all project funding is through general fund revenues.
2022		
2023		
2024		
2025	95,000	
TOTAL	**$325,000**	

PROJECT TEAM

CITY LEAD: Police Department
DESIGN CONSULTANT: N/A
CONTRACTOR: N/A

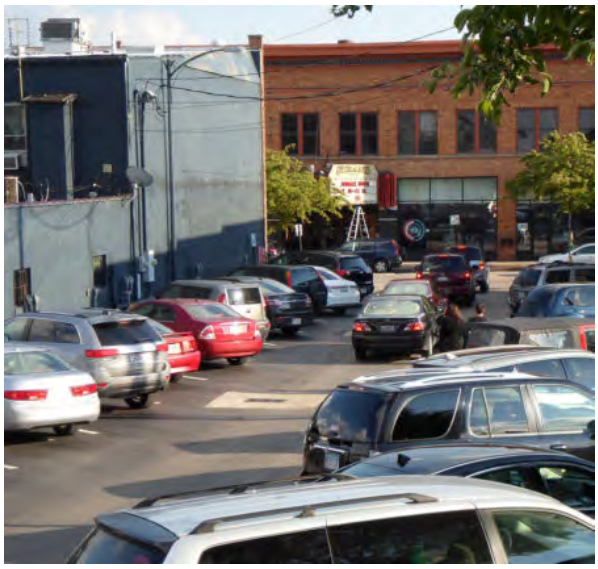
EST 1808 CITY OF DELAWARE OHIO

POLICE DEPARTMENT

PARKING METER REPLACEMENT

BACKGROUND

While the parking situation in downtown Delaware is still under review and being developed, it is necessary to consider potential cost of new meters should the decision be made to modernize our current system. This quote will provide for smart meters throughout downtown. The numbers provided here are based on approximately 500 new meters, but the final number and quote will have to be refined in the year leading up to whenever the project is decided and scheduled.



PROJECT TIMELINE

2021	Timeline of replacement is TBD.
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021		At this time, no outside funding sources have been identified and all project funding is through general fund revenues.
2022		
2023		
2024		
2025		
TOTAL	$425,965	

PROJECT TEAM

CITY LEAD: Police Department
DESIGN CONSULTANT: N/A
CONTRACTOR: N/A

EST 1808 CITY OF DELAWARE OHIO

POLICE DEPARTMENT

EVIDENCE STORAGE BUILDING

BACKGROUND

The police department currently uses a secure evidence security room at the Justice Center that has been expanded in recent years. This area houses our current caseload of evidence. Additional evidence that must be stored is maintained off site in a facility is nearing its maximum capacity and without environmental control. In order to securely store and maintain our growing catalogue of evidence, we need to expand our capacity with a facility that provides for technology, utilities, environmental control and security.

This proposal would allow for the construction of a similarly sized pole barn on the site of our current property storage building on Curve Rd. The new building would include the specifications needed to insure safe long-term storage of all evidence that we are mandated to maintain.

PROJECT TIMELINE

2021	
2022	Construction on currently owned city property.
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021		At this time, no outside funding sources have been identified and all project funding is through general fund revenues. Cost is estimated based on average costs for size and specifications.
2022	200,000	
2023		
2024		
2025		
TOTAL	**$200,000**	

PROJECT TEAM

CITY LEAD: Police Department
DESIGN CONSULTANT: N/A
CONTRACTOR: N/A

EST 1808 CITY OF DELAWARE OHIO

POLICE DEPARTMENT

POLICE K9 REPLACEMENT

BACKGROUND

The Delaware Police Department currently has 2 Police K9 teams that specialize in drug and article searches. The K9 working lifespan depends on many variables, but this proposal anticipates the need to retire K9 Ollie in or around 2024 which would constitute a typical working lifespan. This is subject to change based on the health of the K9.



PROJECT TIMELINE

2021	
2022	
2023	
2024	K9 replacement
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021		At this time, no outside funding sources have been identified and all project funding is through general fund revenues.
2022		
2023		
2024	32,000	
2025		
TOTAL	**$32,000**	

PROJECT TEAM

CITY LEAD: Police Department
DESIGN CONSULTANT: N/A
CONTRACTOR: N/A

CAPITAL IMPROVEMENT PLAN
FIRE/EMS DEPARTMENT
2021-2025

	2021	2022	2023	2024	2025
BALANCE FORWARD					
REVENUES:					
Fire/EMS Income Tax	891,389	2,094,819	2,459,375	1,622,310	417,072
Fire Impact Fee Funds	100,000	100,000	100,000	100,000	100,000
Debt Proceeds					12,500,000
TOTAL REVENUES	**991,389**	**2,194,819**	**2,559,375**	**1,722,310**	**13,017,072**
EXPENDITURES:					
DEBT SERVICE					
Station 302 ($573,416, 10 yrs, 1.52%, 2022)	60,872	60,872			
Station 303 ($2,755,000, 2.94%, 2032)	174,569	174,569	174,569	174,569	174,569
Station 304 ($3,500,000, 15 yrs, 2031)	285,550	284,850	284,000	281,000	282,800
EMS Vehicles (3) - (800,000, 10 yrs. 2024)	94,150	94,150	94,150	94,150	
Station 305 ($12,500,000, 15 yrs. 2040)					
CAPITAL PROJECTS					
Fire Training Tower	250,000	1,250,000			
Station Alerting		160,000			
Computers (Station)		6,470		37,709	
Cardiac Monitors			355,186		
Vehicle MDTs			97,279		
Copiers			4,204		
City AED Replacement - 10 Years				65,450	
Fire Station 305			500,000		12,500,000
Fire Station Updates (301 & 302)					
EQUIPMENT REPLACEMENTS					
Engine Replacement			926,745		
Medic Replacement				895,540	
Rescue Replacement					
Car Replacement	106,090	163,908	56,275	115,928	59,703
New Car - Risk Reduction				57,964	
Polaris Replacement					
Pick-up Replacement			56,275		
Boat Replacement					
Mower Replacement	20,158		10,692		
TOTAL EXPENDITURES	**991,389**	**2,194,819**	**2,559,375**	**1,722,310**	**13,017,072**

PUBLIC WORKS LED PROJECTS

Citywide Signals - Fire Pre-Emption	385,000				

FIRE DEPARTMENT

TRAINING TOWER

BACKGROUND

A training facility and resources are necessary for firefighters to maintain and learn new skills. The facility would be capable of providing live fire extinguishment training, search and rescue operations, ladder drills, ventilation trainings and hose advancement drills. Many Fire Departments in Delaware County came together to create the fire training facility located on the Delaware Area Career Center property on SR 521. Since then the Career Center has relocated their Center to US 23 and has sold the property to Delaware County for additional office space. In 2020, the Fire Chiefs have decided that they are not financially able to take the necessary steps to restore the grounds. The Department has been in discussion with DACC about partnering and building the necessary facilities to train new firefighters and maintain the skills of existing firefighters.



This is an example of a combination commercial and residential multi story training tower with live fire capabilities.

PROJECT TIMELINE

2021	Complete plan and confirm location of the training tower.
2022	Fire training tower purchased. Fire training tower constructed and operational.
2023	No Action
2024	No Action
2025	No Action

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	250,000	At this time, no outside funding sources have been identified and all project funding is through general fund revenues.
2022	1,250,000	
2023	0	
2024	0	
2025	0	
TOTAL	**$1,500,000**	

PROJECT TEAM

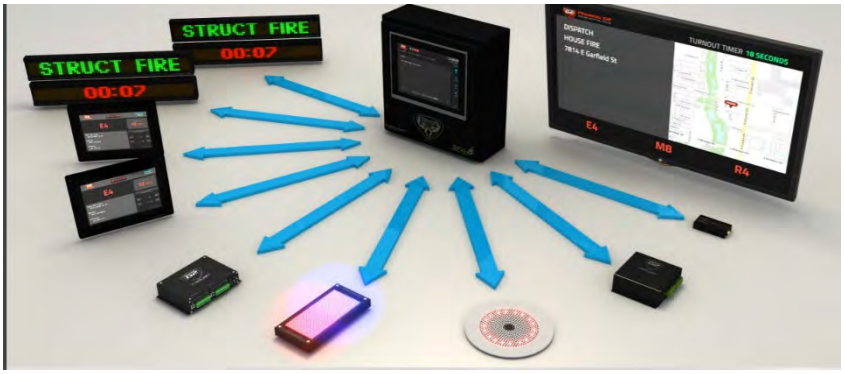
CITY LEAD: Fire Department
DESIGN CONSULTANT: Fire Department and DACC
CONTRACTOR: Vendor to be determined later

FIRE DEPARTMENT

STATION ALERTING SYSTEM

BACKGROUND

In 2021, Delaware County Communication System will be installing a new Computer Aided Dispatch (CAD) System. Included with this CAD will be an automated voice dispatching system from US Digital Designs, known as the Phoenix G2. The system will allow the calls to be dispatched by a computer voice announcement permitting rapid processing of the announcement and allowing the dispatcher to remain in contact with the caller to obtain additional information. With a separate purchase by the city of additional equipment, the system will improve notification throughout the stations and will provide the dispatch center with a monitored line ensuring the Fire Stations receive the alarms. This will also assist with our Insurance Service Office communication rating.



PROJECT TIMELINE

2021	CAD System installation and interface developed. Design of the station alerting system.
2021 2022	Construction – Installation at the 4 fire stations of the station alerting system.

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through general fund revenues.
2022	160,000	
2023	0	
2024	0	
2025	0	
TOTAL	**$160,000**	

PROJECT TEAM

CITY LEAD: Fire Department
DESIGN CONSULTANT: Fire Department/US Digital Design
CONTRACTOR: US Digital Design

FIRE DEPARTMENT

TECHNOLOGY REPLACEMENT

BACKGROUND

In 2022, the Department will begin replacing aging technology. The Fire Department uses technology that includes station computers, printer/copiers and mobile data computers. Mobile data computers provide access to dispatch information, access to information in existing databases, researching hazardous materials and the uploading of medical reports to the hospital. Mobile data computers are replaced every 5-years. The replacement of the computers, mobile data terminals, mobile wireless ports are anticipated to cost roughly $145,662 over the next 5 years. This project will be funded utilizing the Fire Fund. The Fire Department will be looking for alternative funding sources for this equipment.

- 2022 - Replacement of station computers
- 2023 - Mobile data computers located in all the medical apparatus and two copiers and the Mobile Data Computers located in all fire and EMS apparatus.
- 2024 – Replacement of remaining station computers



Mobile Data Terminal (MDT)

PROJECT TIMELINE

2021	No Action
2022	Computers specified, purchased and operations
2023	MDTs and copiers specified, purchased and operations
2024	Computers specified, purchased and operations
2025	No Action

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through general fund revenues.
2022	6,470	
2023	101,483	
2024	37,709	
2025	0	
TOTAL	**$145,662**	

PROJECT TEAM

CITY LEAD: Fire Department
DESIGN CONSULTANT: Fire Department and IT Department
CONTRACTOR: Vendor to be determined later

EST 1808 CITY OF DELAWARE OHIO

FIRE DEPARTMENT

CARDIAC MONITORS/DEFIBRILLATORS

BACKGROUND

The Department's 12-Lead cardiac monitor/defibrillator and automated external defibrillators (AEDs) are aging and will be reaching their life expectancy. This is one of the primary pieces of equipment that is used on all medical calls. The 12-Lead cardiac monitor/defibrillator also includes the capability of monitoring blood pressure, oxygen saturation, breathing wave forms, CPR feedback, and is an external cardiac pacemaker. These devices are located on all paramedic ambulances, the EMS quick response/community paramedic vehicle and one spare unit. The life expectancy of the 12-Lead Monitor/Defibrillator is 5-years. The Department also has placed AEDs in all other fire department vehicles, police cruisers and all city facilities. The life expectancy of the AEDs units are 10-years.

2023 – Replacement of (6) 12-Lead cardiac monitor/defibrillator and (22) AEDs

2024 – Replacement of (35) AEDs for City Facilities and Police Department Vehicles







PROJECT TIMELINE

2021	No Action
2022	No Action
2023	12-Lead cardiac monitor/defibrillator and AEDs ordered and placed in-service
2024	AEDs ordered and placed in-service
2025	No Action

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through general fund revenues.
2022	0	
2023	355,186	
2024	65,450	
2025	0	
TOTAL	**$420,636**	

PROJECT TEAM

CITY LEAD: Fire Department
DESIGN CONSULTANT: Fire Department
CONTRACTOR: Outside contractor to be determined later

EST 1808 CITY OF DELAWARE OHIO

FIRE DEPARTMENT

FIRE STATION EAST SIDE COVERAGE

BACKGROUND

Fire Station 301 was built in 1972. The Station was located on Liberty St. because of its central location in the City. This was the only Fire Station at the time. Since that time the city has grown considerably in all directions from this central location. Fire and EMS coverage on the eastside of the city in many cases is in excess of the desired 6-minute total response time. For several years we have had discussion about the relocation of Fire Station 301 or the addition of a fire station to the City's east side including the Fire Department Headquarters. This preliminary and conceptual idea will be more explored in 2021-2022. Consideration and research will include the related costs, impact of services provided and the impact to the community due to the relocation. With the projected growth on Glenn Parkway, consideration will also be given to a separate Station in this area. In 2026 we are planning the update of fire station 301 and 203.





PROJECT TIMELINE

2021	Research cost, impact of services provided and impact to the community
2022	Finalize cost estimates and impact
2023	Finalize Location and purchase property
2024	Construction plan development and bid
2025	Construction

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through general fund revenues.
2022	0	
2023	500,000	
2024	0	
2025	12,500,000	
TOTAL	**$13,000,000**	

PROJECT TEAM

CITY LEAD: Fire Department
DESIGN CONSULTANT: Fire Department and architect to be determined later
CONTRACTOR: Outside contractor to be determined later

EST 1808 CITY OF DELAWARE OHIO

FIRE DEPARTMENT

SELF CONTAINED BREATHING APPARATUS

BACKGROUND

Self-Contained Breathing Apparatus is a device worn by firefighters to provide breathable air in an immediately dangerous to life or health atmosphere (IDLH). This equipment is used during fire operations, as well as hazardous material and technical rescue operations. In 2025, this essential equipment will be 10-years old and nearing the end of its expected life.



Self-Contained Breathing Apparatus (SCBA)



Rapid Intervention Pack (RIT Pak)

PROJECT TIMELINE

2021	No Action
2022	No Action
2023	No Action
2024	No Action
2025	Research and specification development
2026	SCBAs purchased and placed in operations

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	$0	At this time, no outside funding sources have been identified and all project funding is through general fund revenues.
2022	$0	
2023	$0	
2024	$0	
2025	$0	
2026	560,000	
TOTAL	**$560,000**	

PROJECT TEAM

CITY LEAD: Fire Department
DESIGN CONSULTANT: Fire Department
CONTRACTOR: Outside vendor to be determined later

FIRE DEPARTMENT

FIRE APPARATUS

BACKGROUND

The Fire Department capital improvement plan projects the replacement of all existing and new vehicles. Fire apparatus are replaced based on age and typically replaced on a 25-year basis. Steps are taken to extend the life expectancy of the apparatus through the rotation of the vehicles to other fire stations, when possible, and through a designated period serving as a reserve/back-up apparatus. As part of the 2010 Fire Levy, many apparatuses have been replaced; however, due to the prior age of the existing apparatus, some vehicles have extended past the replacement schedule. In 2021, the 1989 engine will be replaced with a new engine that is currently under construction and funded as part of the 2021 budget. It takes approximately 1-year for a new truck to be built. In 2023, the 1997 engine is scheduled to be replaced.



1989 E-One Engine (replaced in 2021)



1997 Pierce Engine (replaced in 2023)

PROJECT TIMELINE

2021	2021 engine and equipment will be received and placed in-service
2022	Specification for new 2023 engine will be developed
2023	2023 engine and equipment ordered
2024	
2025	No action

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through general fund revenues.
2022	0	
2023	926,745	
2024	0	
2025	0	
TOTAL	**$926,745**	

PROJECT TEAM

CITY LEAD: Fire Department
DESIGN CONSULTANT: In House & Contractor
CONTRACTOR: Outside contractor to be determined later

EST 1808 CITY OF DELAWARE OHIO

FIRE DEPARTMENT

PARAMEDIC APPARATUS

BACKGROUND

The Fire Department capital improvement plan projects the replacement of all existing and new paramedic vehicles. Paramedic apparatus are replaced based on age and typically replaced on a 12-year basis. Steps are taken to extend the life expectancy of the apparatus through the rotation of the vehicles to other fire stations. As part of the 2010 Fire Levy, all EMS vehicles have been replaced. The paramedic units are the workhorse of the fire department operations, as 80% of responses are for medical calls. In 2024, the 2012 Braun Ambulance will be replaced, and a sister vehicle will also be purchased bringing the fleet to 5 paramedic units. Currently the Department does not have a reserve ambulance. This means if a paramedic unit is down for maintenance, one of the stations (typically St 302) operates without a paramedic unit. It takes approximately 9 months for a new paramedic unit to be built.

2012 Braun Ambulance (replaced in 2024)



PROJECT TIMELINE

2021	No action
2022	No action
2023	Specification for the new 2024 paramedic units will be developed
2024	2024 paramedic unit ordered and placed in-service
2025	No action

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through general fund revenues.
2022	0	
2023	0	
2024	895,540	
2025	0	
TOTAL	**$895,540**	

PROJECT TEAM

CITY LEAD: Fire Department
DESIGN CONSULTANT: In House & Contractor
CONTRACTOR: Outside contractor to be determined later

FIRE DEPARTMENT

STAFF VEHICLES

BACKGROUND

The Fire Department capital improvement plan projects the replacement of all existing and new staff vehicles. Staff vehicles are used in the fleet for a multitude of purposes including the incident command, EMS quick response vehicle/community paramedicine, fire inspections and Station cars. Staff vehicles are replaced based on age and typically replaced on a 10-year basis. Prior to 2017, the Fire Department was receiving 1 used police car annually. These cars were needed for other City Departments, which has resulted in the Fire Department now purchasing new vehicles. Steps are taken to extend the life expectancy of the apparatus through the rotation of the vehicles from an emergency response use to being used by the fire inspectors and as Station cars.

2021 – Replacement of 2 (2011) staff vehicles originally used by the Police Department

2022 – Replacement of 2 (2006) and 1 (2011) staff vehicles (staff vehicle and pick-up truck)

2023 – Replacement of 1 (2011) staff vehicle and 1 (2006) pick-up/utility truck

2024 – Replacement of 2 (2014) staff vehicles and 1 new vehicle for proposed public educator

2025 – Replacement of 1 (2014) staff vehicle

PROJECT TIMELINE

2021	Staff vehicles ordered and placed in-service
2022	Staff vehicles ordered and placed in-service
2023	Staff vehicles ordered and placed in-service
2024	Staff vehicles ordered and placed in-service
2025	Staff vehicles ordered and placed in-service

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	106,090	At this time, no outside funding sources have been identified and all project funding is through general fund revenues.
2022	163,908	
2023	112,550	
2024	173,892	
2025	59,703	
TOTAL	**$616,143**	

PROJECT TEAM

CITY LEAD: Fire Department
DESIGN CONSULTANT: In House & Contractor
CONTRACTOR: Outside contractor to be determined later

FIRE DEPARTMENT

STATION MOWERS

BACKGROUND

The Fire Department capital improvement plan projects the replacement of all existing station mowers. Station mowers are designed to mow the 2.5 acres or more of property at each fire station. Station mowers are replaced on a 10-year basis.

2021 – Replacement of 2 (2009) Station mowers (St 301 and 304)

2022 – None

2023 – Replacement of 1 (2013) Station mowers (St 303)

2024 – None

2025 – None



PROJECT TIMELINE

2021	Station mowers ordered and placed in-service
2022	No Action
2023	Station mowers ordered and placed in-service
2024	No Action
2025	No Action

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	20,158	At this time, no outside funding sources have been identified and all project funding is through general fund revenues.
2022	0	
2023	10,692	
2024	0	
2025	0	
TOTAL	**$30,850**	

PROJECT TEAM

CITY LEAD: Fire Department
DESIGN CONSULTANT: In House & Parks and Natural Resources Department
CONTRACTOR: Outside contractor to be determined later

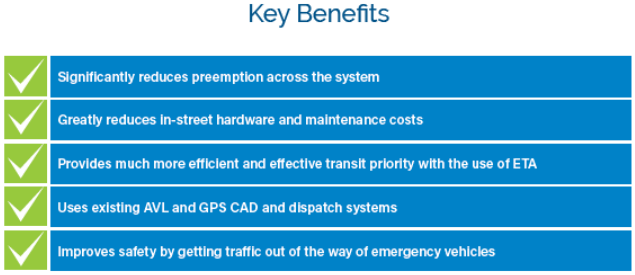
EST 1808 CITY OF DELAWARE OHIO

PUBLIC WORKS

EMERGENCY VEHICLE PRE-EMPTION

BACKGROUND

Emergency vehicle pre-emption is an important piece of technology deployed at signalized intersections where normal traffic operations impede emergency vehicles and where traffic conditions create a potential for conflicts between emergency and non-emergency vehicles. Emergency vehicle pre-emption can reduce emergency vehicle response times and is especially useful along corridors that emergency vehicles use to travel longer distances. It also can provide both a safety and operational benefit on roadways where emergency vehicles need to enter the intersection from the minor road. The new technology being deployed with this project leverages GPS and existing CAD AVL systems to successfully calculate the vehicle ETA at signalized intersections. This in turn enables the traffic controllers to render tailored priority to first responder vehicles and return to normal operation in a more efficient time frame to reduce delays to non-emergency vehicles. This new system has the ability to be utilized throughout the City and Delaware County by all First Responders. Using this type of technology requires less hardware to be installed in vehicles and at each signalized intersection, which will reduce upfront hardware costs and routine maintenance required by Technicians. The first part of this project began in 2019 and consists of integrating the new emergency vehicle pre-emption software with the Delaware County Emergency Management dispatch system and installing Emergency Vehicle Pre-emption equipment at 32 of the 62 signalized intersections. This work is planned to be completed in 2020. The remaining 30 signalized intersections will be equipped with emergency vehicle pre-emption as part of the Citywide Signal Upgrade Phase 1 Project planned for construction in 2021-2022.





PROJECT TIMELINE

2020	Construction – Installation at 32 signalized intersections and CADD software integration complete
2021	Construction – Installation at 30 signalized intersection with Citywide Signals Upgrade Phase 1 project
2022	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	385,000	The total project is anticipated to cost roughly $565,000, which will be covered 100% utilizing the Fire Fund. The cost of the first part of the project set to be completed by the end of 2020 will cost $385,000.
2022	0	
2023	0	
2024	0	
2025	0	
TOTAL	**$385,000**	

PROJECT TEAM

CITY LEAD: Public Works – Traffic Division
DESIGN CONSULTANT: In House/HDR
CONTRACTOR: Path Master/TBD

CAPITAL IMPROVEMENT PLAN
STORM CAPITAL PROJECTS
2021-2025

	2021	2022	2023	2024	2025
REVENUES:					
Storm Water Fees	732,805	360,000	705,000	425,000	625,000
TOTAL REVENUES	**732,805**	**360,000**	**705,000**	**425,000**	**625,000**
EXPENDITURES:					
CAPITAL PROJECTS					
Storm Water Repair	125,000	125,000	125,000	125,000	125,000
Storm Water I&I Remediation		100,000		100,000	
Bernard Avenue (Sandusky to Liberty)	400,000				
US23 Storm Culvert Inspection/Design	207,805				
US23 Storm Culvert Construction			210,000		
Vernon Avenue		135,000			
Chamberlain/Channing St			350,000		
Pittsburgh Drive				200,000	
Cemetery Storm Pipe Replacement					500,000
EQUIPMENT					
One-ton Dump Truck			20,000		
Mini Excavator					
TOTAL EXPENDITURES	**732,805**	**360,000**	**705,000**	**425,000**	**625,000**

PUBLIC WORKS LED PROJECTS

Penick Ave Connector	30,000				
John Street Bridget	133,300				
The Point		535,000			
E Central Avenue					

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

STORM WATER REPAIR

BACKGROUND

As storm water lines age, deteriorate, and begin to fail, they must be replaced. A failed storm water line can lose its ability to properly convey storm flows, potentially causing flooding to Delaware neighborhoods. As storm water lines are found to be in a failed condition via camera inspections, they will be scheduled for replacement by City staff.

PROJECT TIMELINE

2021	Storm water line repairs
2022	Storm water line repairs
2023	Storm water line repairs
2024	Storm water line repairs
2025	Storm water line repairs

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	125,000	Project will be funded from the storm water fund
2022	125,000	
2023	125,000	
2024	125,000	
2025	125,000	
TOTAL	**$625,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

STORM WATER INFLOW-INFILTRATION

BACKGROUND

As storm water lines age, they begin to allow ground water infiltration into the storm flows. During rain events, these areas of infiltration can cause storm water lines to become full sooner, leading to possible storm drain backups and localized flooding. As areas in need of repair are found via camera inspection, they will be scheduled for repair.



PROJECT TIMELINE

2021	
2022	Storm water I&I remediation
2023	
2024	Storm water I&I remediation
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Project will be funded from the storm water fund
2022	100,000	
2023	0	
2024	100,000	
2025	0	
TOTAL	**$200,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

BERNARD AVE STORM SEWER REPLACEMENT

BACKGROUND

Bernard Avenue's storm sewer has been found to be in failed condition, unable to properly convey storm flows from the area and causing localized flooding. The existing storm sewer will be removed and replaced with good condition storm sewer lines. Work is currently scheduled to be performed by City of Delaware utilities staff.



PROJECT TIMELINE

2021	Storm sewer replacement by City staff
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	400,000	Project will be funded from the storm water fund
2022	0	
2023	0	
2024	0	
2025	0	
TOTAL	**$400,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

US 23 STORM CULVERT REPAIRS

BACKGROUND

ODOT District 6 has initiated a project to inspect/design/repair the storm culvert structures along the US-23 corridor. Per Ohio Revised Code the City is responsible to comply with their project by funding the portions of work that fall within City boundaries. Project cost estimates were provided by ODOT. Public Utilities staff have worked with ODOT and elected to self-preform portions of the project to reduce the City's financial obligation.

PROJECT TIMELINE

2021	Inspection and Design of repairs by ODOT's consultant
2022	
2023	Repair of deficiencies found in 2021
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	207,805	Project will be funded from the storm water fund
2022	0	
2023	210,000	
2024	0	
2025	0	
TOTAL	**$417,805**	

PROJECT TEAM

CITY LEAD: Engineering
DESIGN CONSULTANT:
CONTRACTOR:

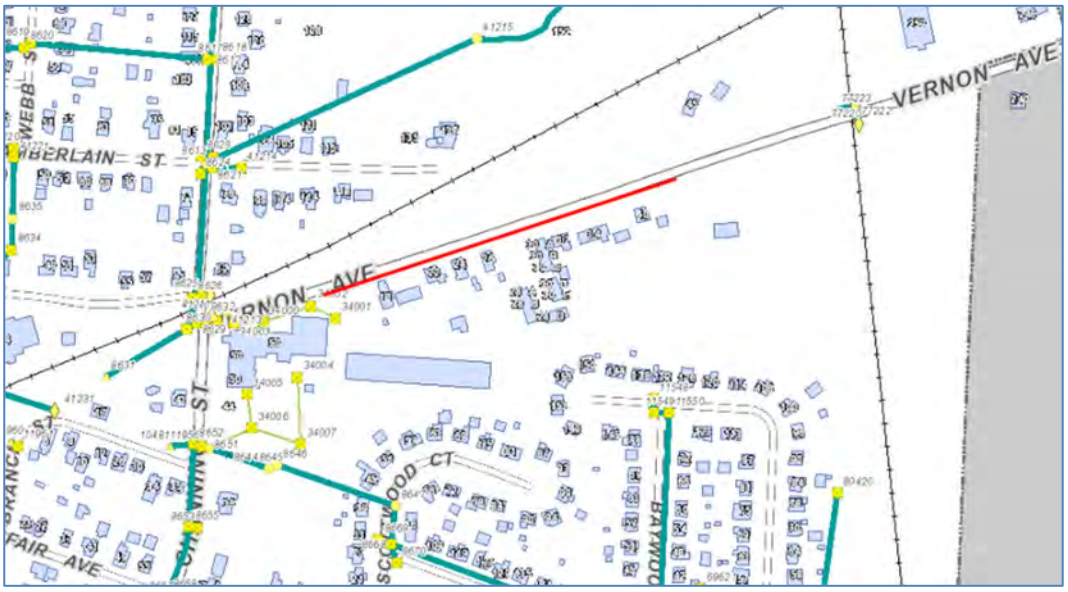
EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

VERNON AVE DITCH CLEANING

BACKGROUND

The Vernon Avenue ditch ways are no longer able to convey the required storm flows from the area. This is due to buildup of sediment from years of storm water conveyance. Ditches are as integral a part of storm water removal as storm sewers are and must also be maintained to ensure needed levels of flow.



PROJECT TIMELINE

2021	
2022	Planned repairs scheduled to be performed by City staff
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Project will be funded from the storm water fund
2022	135,000	
2023	0	
2024	0	
2025	0	
TOTAL	**$135,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: Public Utilities

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

CHAMBERLAIN/CHANNING STORM REPAIRS

BACKGROUND

The area of Chamberlain Street and Channing Street is experiencing storm sewer failure shown by area flooding during rain events. This project is intended to open up flow in the area to reduce the likelihood of flooding events.



PROJECT TIMELINE

2021	
2022	
2023	Planned repairs scheduled to be performed by City staff
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Project will be funded from the storm water fund
2022	0	
2023	350,000	
2024	0	
2025	0	
TOTAL	**$350,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: Public Utilities

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

PITTSBURGH DR DITCH CLEANING

BACKGROUND

The Pittsburgh Drive ditch ways are no longer able to convey the required storm flows from the area. This is due to buildup of sediment from years of storm water conveyance. Ditches are as integral a part of storm water removal as storm sewers are and must also be maintained to ensure needed levels of flow.



PROJECT TIMELINE

2021	
2022	
2023	
2024	Planned repairs scheduled to be performed by City staff
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Project will be funded from the storm water fund
2022	0	
2023	0	
2024	200,000	
2025	0	
TOTAL	**$200,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: Public Utilities

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

CEMETERY STORM PIPE REPLACEMENT

BACKGROUND

Below sections of the City's cemetery are large stormwater conveyance pipes. These pipes see substantial flows during storm events due to the large size of the land tributary to this drainage way. The storm sewer is built up brick and has begun failing and falling apart in areas. The City recently completed a cemetery master plan, which also called out the repair of the storm lines. This work will require the utmost care as much of it lies below existing burial sites.



PROJECT TIMELINE

2021	
2022	
2023	
2024	
2025	Planned repairs scheduled to be performed by City staff

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Project will be funded from the storm water fund
2022	0	
2023	0	
2024	0	
2025	500,000	
TOTAL	**$500,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: Public Utilities

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

STORM DIVISION VEHICLE REPLACEMENTS

BACKGROUND

The Public Utilities Department uses a variety of equipment for the operations and maintenance of its infrastructure. Vehicles and equipment are replaced based on hours of operation, mileage, equipment maintenance cost and whether it is a primary or secondary piece.

PROJECT TIMELINE

2021	
2022	
2023	Replacement of 1-ton dump – Collections (#554)
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Purchases will be funded from the storm water fund
2022	0	
2023	20,000	
2024	0	
2025	0	
TOTAL	**$20,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: N/A
CONTRACTOR: N/A

CAPITAL IMPROVEMENT PLAN
WATER FUND MAINTENANCE PROJECTS
2021-2025

	2021	2022	2023	2024	2025
BALANCE FORWARD	1,532,970	1,299,621	824,319	1,061,526	1,067,212
REVENUES:					
Transfer from Water Fund	800,000	800,000	800,000	800,000	800,000
Water Debt Meter Fee Allocation	1,152,379	1,175,427	1,198,935	1,222,914	1,247,372
TOTAL REVENUES	**3,485,349**	**3,275,047**	**2,823,254**	**3,084,440**	**3,114,584**
EXPENDITURES:					
DEBT SERVICE					
Treatment Plant ($22,400,000 - 25 yrs, 3.23%, 2039)	1,285,728	1,285,728	1,285,728	1,285,728	1,285,728
WATER PLANT MAINTENANCE					
Plant Maintenance	100,000	100,000	100,000	100,000	100,000
SCADA Hardware Replacement	25,000				
West Lagoon Valving Changes	60,000				
Well Cleaning			31,000	45,500	
UF/NF Membrane Replacement		675,000		276,000	
NF Feed Pump Motor Replacement					134,000
PLC & HMI Replacement					169,000
WATER DISTRIBUTION PROJECTS					
Water Tank Painting					750,000
Large Meter Replacement		25,000		25,000	
Water Line Improvements:					
Small Main/Service Replacement	50,000	50,000	50,000	50,000	50,000
Fire Flow Improvement	75,000	75,000	75,000	75,000	75,000
S. Washington St. Waterline		90,000			
Pennsylvania Ave. Waterline	525,000				
S. Franklin St. Waterline			190,000		
N. Franklin St. Waterline				160,000	
Fountain Ave. Waterline					100,000
EQUIPMENT REPLACEMENT					
One-ton Dump Truck	65,000				
Utility Truck		150,000			
Pickup Truck			30,000		
Two-ton Dump Truck					130,000
Pickup Truck					
TOTAL EXPENDITURES	**2,185,728**	**2,450,728**	**1,761,728**	**2,017,228**	**2,793,728**

PUBLIC WORKS LED PROJECTS

E Central Water Rehab					500,000

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

2021 PLANT SCADA REPLACEMENT

BACKGROUND

Replacement of the (2) plant supervisory control and data acquisition (SCADA) computers may be necessary for the optimum operation of plant processes. This also includes; new software, new server, (2) computers, (8) monitors, and any integration assistance.

In 2021 these (2) plant SCADA computers will be 6 years old. The City's IT Dept. has suggested that we have this money allocated to be proactive instead of reactive, so that chances of hardware failure are minimized. The SCADA is necessary for the operation of the complex plant processes.

PROJECT TIMELINE

2021	SCADA Hardware Replacement
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	25,000	Water fund
2022	0	
2023	0	
2024	0	
2025	0	
TOTAL	**$25,000**	

PROJECT TEAM

CITY LEAD: Water Treatment
CONSULTANT: IT / SOS Integration
CONTRACTOR: IT / SOS Integration

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

2021 WEST LAGOON VALVING

BACKGROUND

The project will enable the City to utilize the West lagoon for daily filter backwash waters and sediment from the settling basins along with daily maintenance CEB membrane cleaning waste and quarterly membrane cleaning waste streams. Currently the valving only allows these waste flows to enter the East lagoon. This new valving will give the City the ability to put these waste streams in the West lagoon. This will allow the City more time before these lagoons are full and need to be cleaned. When these lagoons were cleaned in the past, the waste sludge in these lagoons was beneficial to farmers fields from the lime that was used in the treatment processes. Being able to locally land apply this waste helped keep the sludge removal cost lower. The wastes mentioned above from the new treatment process have no benefit to farmland and will be a landfill application which will require considerably more capital cost from the past when this sludge is removed in the future.

PROJECT TIMELINE

2021	Valve Installation
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	60,000	Water Fund
2022	0	
2023	0	
2024	0	
2025	0	
TOTAL	**$60,000**	

PROJECT TEAM

CITY LEAD: Water Treatment
CONSULTANT: Prime AE /Rawdon Myers
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

2022 NF MEMBRANE REPLACEMENT

BACKGROUND

The NF membrane flows deteriorate over time which steadily increases operating pressure to the point where the NF feed pumps cannot push water thru the membranes. The conservative estimates for life of these NF membranes are 5-7 years. The plant started in December 2014. Current projections (5/2020) show that the NF membranes should go another 2-3 years. In saying this in 2022 would be a conservative estimate for replacement. At the end of the NF life the high-pressure conditions can begin to increase rapidly so having the funds available to replace these NF membranes will be essential.

We currently clean these NF Membranes every 3 months when operating pressures increase to the point of losing design flow thru the membranes. At the end of the life of the NF membranes the cleaning frequency increases substantially. Having this funding available when necessary will ensure the ability to provide the necessary volume of water for the daily needs of our customers.

PROJECT TIMELINE

2021	
2022	NF Membrane replacement
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Water Fund
2022	675,000	
2023	0	
2024	0	
2025	0	
TOTAL	**$675,000**	

PROJECT TEAM

CITY LEAD: Water Treatment
CONSULTANT: H2O Innovation
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

2023 RIVERVIEW WELL CLEANING

BACKGROUND

The project will help maintain proper flows to each of the (2) raw groundwater wells at the Riverview well field. Over time the well flows gradually start deteriorating. This is mostly due to iron and other minerals getting hard and plugging the caverns and voids in the limestone which block groundwater flow to the well pumps. If this iron and other mineral are not cleaned every five years or so the well flow will not ever be restored to original well flow and the necessary volume of groundwater.

This is good a preventative maintenance plan to ensure that the wells maintain their original flows so we can produce enough finished water for our customers.

PROJECT TIMELINE

2021	
2022	
2023	Riverview Well Cleaning
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Water Fund
2022	0	
2023	31,000	
2024	0	
2025	0	
TOTAL	**$31,000**	

PROJECT TEAM

CITY LEAD: Water Treatment
CONSULTANT:
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

2024 PENRY WELL CLEANING

BACKGROUND

The project will help maintain proper flows to each of the (3) raw groundwater wells at the Penry road well field. Over time the well flows gradually start deteriorating. This is mostly due to iron and other minerals getting hard and plugging the caverns and voids in the limestone which block groundwater flow to the well pumps. If this iron and other mineral are not cleaned every five years, the well flow cannot ever be restored to original flow rates and the necessary volume of groundwater.

This is good a preventative maintenance plan to ensure that the wells maintain their original flows so we can produce enough finished water for our customers.

PROJECT TIMELINE

2021	
2022	
2023	
2024	Penry Well cleaning
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Water Fund
2022	0	
2023	0	
2024	45,500	
2025	0	
TOTAL	**$45,500**	

PROJECT TEAM

CITY LEAD: Water Treatment
CONSULTANT:
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

2024 UF MEMBRANE REPLACEMENT

BACKGROUND

The ultra-filtration (UF) membrane permeability, or waters overall ability to flow thru the membranes, will deteriorate over time. As the permeability decreases so does production ability, creating the need for membrane replacement to provide the daily water demand for our customers. Manufacturer estimated life span for these membranes are 7-10 years. In December 2024 these UF membranes will be 10 years old, requiring replacement.

We currently clean these UF Membranes every 3 months when permeability decreases to the point of losing design flow. At the end of the life of the UF membranes the cleaning frequency will substantially increase. Having this funding available when necessary will ensure the ability to provide the necessary volume of water for the daily needs of our customers.

PROJECT TIMELINE

2021	
2022	
2023	
2024	UF Membrane Replacement
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Water Fund
2022	0	
2023	0	
2024	276,000	
2025	0	
TOTAL	**$276,000**	

PROJECT TEAM

CITY LEAD: Water Treatment
CONSULTANT: H2O Innovation
CONTRACTOR: TBD

2025 NF FEED PUMP MOTOR REPLACEMENT

BACKGROUND

Replacement of the motors for the (5) plant process Nano filtration (NF) feed pumps. (3) of the motors are for surface water (SW) NF membrane skids and (2) are for ground water (GW) NF membrane skids.

We currently operate these motors continually to power the SW & GW NF feed pumps. The life expectancy of these motors is normally 15 – 20 years of continuous operation. Due to the need to run these motors at the top of their operating parameters, as designed during plant construction, effective life span is effectively shortened from 15-20 years to around 10 years. In 2025 these motors will be 10 years old. Having this funding available when necessary will be crucial to maintain the ability to produce the necessary volume of water for the daily demands of our customers.

PROJECT TIMELINE

2021	
2022	
2023	
2024	
2025	NF Feed Pump Motor Replacement

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Water Fund
2022	0	
2023	0	
2024	0	
2025	134,000	
TOTAL	**$134,000**	

PROJECT TEAM

CITY LEAD: Water Treatment
CONSULTANT: Ohio Electric Motor Service LLC
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

2025 PLC & HMI REPLACEMENT

BACKGROUND

Replacement of the programmable logic controllers and human-machine interfaces for each for the; ultra-filtration, nano-filtration & pressure filters. This includes potential Ethernet upgrades, IO wiring, and site testing.

The PLC's have regular firmware updates, but eventually they become outdated, this causes need for replacement for security and performance updates. These PLC / HMI are essential for the proper and efficient function of each of the processes in the water treatment process. Conservatively these needs replaced every 10 years. In 2025, these will be 10 years old.

PROJECT TIMELINE

2021	
2022	
2023	
2024	
2025	Replacement

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Water Fund
2022	0	
2023	0	
2024	0	
2025	169,000	
TOTAL	**$169,000**	

PROJECT TEAM

CITY LEAD: Water Treatment & IT
CONSULTANT: H2O Innovation /SOS Integration
CONTRACTOR: H2O Innovation / SOS Integration

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

2025 WATER TANK PAINTING

BACKGROUND

The project will maintain the structural integrity of the SE water tank. Water tank paint normally lasts 15- 20 years. When performed the exterior and interior surfaces may need sandblasted prior to being painted. The City will use an engineering firm to help with the bidding of the project and to inspect the work being done on-site. This also helps the utility department provide the highest quality of finished water to the citizens of the City of Delaware.

In the fall of 2005 this water tank was designed, built, and painted prior to be placed into service. In 2025 the SE 2MG water tank surfaces will be 20 years old and will need resurfacing to protect the City's investment.

PROJECT TIMELINE

2021	
2022	
2023	
2024	
2025	SE Water Tank Painting

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Water Fund
2022	0	
2023	0	
2024	0	
2025	750,000	
TOTAL	**$750,000**	

PROJECT TEAM

CITY LEAD: Water Treatment
CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

LARGE METER REPLACEMENT

BACKGROUND

With normal use a water meter loses accuracy during the span of its life expectancy, the loss of flow reading ability is most pronounced in large-diameter meters. This rotating fund is aimed at replacing the large-diameter meters used by the high flow business users of the City. This ensures proper water use tracking within the system.



PROJECT TIMELINE

2021	Replacement of aged large meters by City crews
2022	Replacement of aged large meters by City crews
2023	Replacement of aged large meters by City crews
2024	Replacement of aged large meters by City crews
2025	Replacement of aged large meters by City crews

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	25,000	Funding will alternate yearly between the water maintenance fund and the sewer maintenance fund. Sewer in odd years and Water in even years.
2022	25,000	
2023	25,000	
2024	25,000	
2025	25,000	
TOTAL	**$125,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: In House
CONTRACTOR: In House

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

SMALL MAIN/SERVICE/FIRE FLOW

BACKGROUND

The small main and service replacement program is primarily focused on the removal of old style lead lines still within the system. Lead service lines were the primary style of service lines used for many years. While the locations of all lead lines are not known, we find several every year, and this fund is used for the replacement to current water safety standards.

Additionally, current City fire flow standards require 8" water mains be installed in order to meet the demands of fire department needs when battling fires. Many existing lines within the City are smaller than 8", and with the help of system flow testing, the areas of the City with the most flow restriction are scheduled for replacement.

PROJECT TIMELINE

2021	Replacement of lines as found or identified
2022	Replacement of lines as found or identified
2023	Replacement of lines as found or identified
2024	Replacement of lines as found or identified
2025	Replacement of lines as found or identified

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	125,000	Funding will come from the water maintenance fund.
2022	125,000	
2023	125,000	
2024	125,000	
2025	125,000	
TOTAL	**$625,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: In House
CONTRACTOR: In House

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

2022 S WASHINGTON WATERLINE

BACKGROUND

This project will remove 1,175 linear ft. of 4" water main along South Washington St., from Park Ave. to West Harrison St., and replace with an 8" main. The size of the water main along S. Washington St. has become a constriction to the water distribution system, and also does not meet current fire flow requirements.



PROJECT TIMELINE

2021	
2022	Replacement of line by City crews
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through the water maintenance fund.
2022	90,000	
2023	0	
2024	0	
2025	0	
TOTAL	**$90,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: In House
CONTRACTOR: In House

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

2021 PENNSYLVANIA AVE WATERLINE

BACKGROUND

The project will replace the 6” water main along Pennsylvania Ave. from N. Sandusky St. to Euclid Ave. Waterlines are in “failed” condition when they have experienced three or more breaks. At such time, they are planned and scheduled for replacement, as is the case for this waterline. In addition, the current main size is deficient for todays required fire flows and will be replaced with an 8” line.



PROJECT TIMELINE

2021	Replacement of line by City crews
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	525,000	At this time, no outside funding sources have been identified and all project funding is through the water maintenance fund.
2022	0	
2023	0	
2024	0	
2025	0	
TOTAL	**$525,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: In House
CONTRACTOR: In House

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

SOUTH FRANKLIN WATERLINE

BACKGROUND

This project will replace the 6” water main along S. Franklin St. from W. William St. to Spring St. Waterlines are in “failed” condition when they have experienced three or more breaks. At such time they are planned and scheduled for replacement, as is the case for this waterline. In addition, the current main size is deficient for today’s required fire flows, new line will be 8”.



PROJECT TIMELINE

2021	
2022	
2023	Replacement of line by City crews
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through the water maintenance fund.
2022	0	
2023	$190,000	
2024	0	
2025	0	
TOTAL	**$190,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: In House
CONTRACTOR: In House

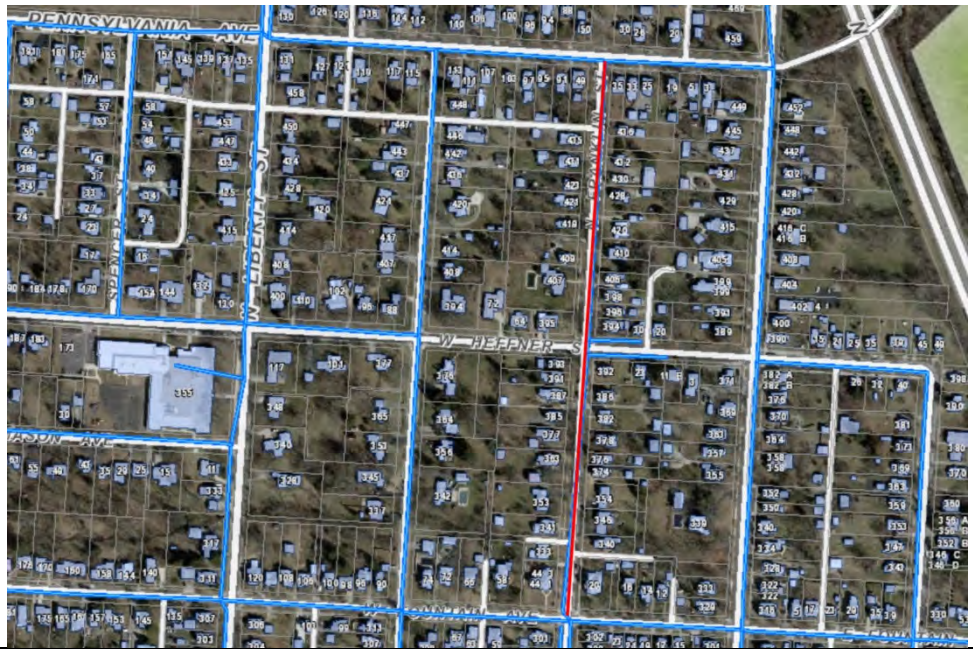
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PUBLIC UTILITIES

2024 N FRANKLIN WATERLINE

BACKGROUND

This project will remove 1,600 linear ft. of 6” water main along North Franklin St., from West Fountain Ave to Pennsylvania Avenue, and replace with an 8” main. The size of the water main along N. Franklin St. has become a constriction to the water distribution system, and also does not meet current fire flow requirements.



PROJECT TIMELINE

2021	
2022	
2023	
2024	Replacement of line by City crews
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through the water maintenance fund.
2022	0	
2023	0	
2024	160,000	
2025	0	
TOTAL	$160,000	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: In House
CONTRACTOR: In House

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

2025 FOUNTAIN AVE WATERLINE

BACKGROUND

This project will replace 1,700 linear ft. of 8” water main along Fountain Ave., from Euclid Ave to North Liberty St. When a section of watermain has experience 3 or more breaks it is considered to be in failed condition, requiring replacement. This section of waterline is currently in failed condition due to its break history and has been scheduled for this replacement.



PROJECT TIMELINE

2021	
2022	
2023	
2024	
2025	Replacement of line by City crews

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through the water maintenance fund.
2022	0	
2023	0	
2024	0	
2025	100,000	
TOTAL	**$100,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: In House
CONTRACTOR: In House

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WATER DIVISION VEHICLE REPLACEMENTS

BACKGROUND

The Public Utilities Department uses a variety of equipment for the operations and maintenance of its infrastructure. Vehicles and equipment are replaced based on hours of operation, mileage, equipment maintenance cost and whether it is a primary or secondary piece.

PROJECT TIMELINE

2021	Replacement of 1-ton dump – Distribution (#459)
2022	Replacement of utility truck – Distribution (#453)
2023	Replacement of pick-up truck – Distribution (#423)
2024	
2025	Replacement of 2-ton dump – Distribution (#574)

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	65,000	Purchases will be funded from the water maintenance fund
2022	150,000	
2023	30,000	
2024	0	
2025	130,000	
TOTAL	**$375,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: N/A
CONTRACTOR: N/A

CAPITAL IMPROVEMENT PLAN
WATER CAPACITY FUND PROJECTS
2021-2025

	2021	2022	2023	2024	2025
BALANCE FORWARD	10,640,541	10,133,561	8,091,581	7,229,601	5,067,621
REVENUES:					
Water Capacity Fees	1,500,000	1,200,000	1,200,000	1,200,000	1,200,000
Debt Proceeds					
TOTAL REVENUES	**12,140,541**	**11,333,561**	**9,291,581**	**8,429,601**	**6,267,621**
EXPENDITURES:					
DEBT SERVICE					
Westside Trans Line ($2,225,051, 25 yrs, 3.67%, 2036)	136,750	136,750	136,750	136,750	136,750
Penry Rd. Waterline ($1,000,000, 25 yrs, 3.55%, 2037)	62,976	62,976	62,976	62,976	62,976
Kingman Hill Tower ($3,545,000, 25 yrs, 4.51%, 2031)	211,228	211,228	211,228	211,228	211,228
Plant Expansion ($9,600,000, 25yrs, 3.23%, 2039)	551,026	551,026	551,026	551,026	551,026
CAPITAL PROJECTS					
Water Master Plan Update	100,000				
Gleasonkamp Dam Breach	25,000	250,000			
New Line Oversizing/Extension	250,000	200,000	200,000	200,000	200,000
Panhandle to US 42 Water Main	570,000	570,000			
Braumiller Rd 16" Water Main		160,000	800,000	800,000	
North Sawmill Watermain Extension	100,000	1,100,000			
US42 Watermain Extension			100,000	1,200,000	
South Industrial Loop Watermain				200,000	2,100,000
Troy Rd Loop (Hills-Miller to Buttermilk Hill)					200,000
TOTAL EXPENDITURES	**2,006,980**	**3,241,980**	**2,061,980**	**3,361,980**	**3,461,980**

PUBLIC WORKS LED PROJECTS

Penick Ave Connector	55,000				
Gleasonkamp Bridge Improvement		50,000			

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

2021 WATER MASTER PLAN UPDATE

BACKGROUND

The City of Delaware's current water master plan will be 12 years old in the year 2021. This plan update is meant to reanalyze the water distribution system, and adjust planned needs based on actual City development. This will allow the utilities department to better plan projects going forward, to best meet the needs of such a rapidly growing customer base.

PROJECT TIMELINE

2021	RFQ and Award of project, completion in late 2021
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	100,000	At this time, no outside funding sources have been identified and all project funding is through the water capacity fund.
2022	0	
2023	0	
2024	0	
2025	0	
TOTAL	**$100,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: N/A

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

GLEASONKAMP DAM BREACH

BACKGROUND

The City of Delaware is currently the owner and maintainer of a watershed dam that was pre-existing on a property purchased for future Utility uses. The most recent inspection performed by the Ohio Department of Natural Resources on the dam showed it to be in need of rehabilitation. However, the inspection report also noted that the dam was no longer needed and that removal would remove maintenance requirements of the dam that would continue in perpetuity if it remained. It was decided that removal of the dam, and thus removal of the City's required lifetime maintenance was the best option given from the report.

PROJECT TIMELINE

2021	Design of dam removal by an engineering/environmental consultant
2022	Bid/Award/Performance of dam removal project
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	25,000	At this time, no outside funding sources have been identified and all project funding is through the water capacity fund. This project was purchased as a site for a future above ground reservoir to increase total system allowable capacity, as such this project falls under the capacity fund.
2022	250,000	
2023	0	
2024	0	
2025	0	
TOTAL	**$275,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

PUBLIC UTILITIES

WATER OVERSIZING/EXTENSION

BACKGROUND

The City of Delaware continues to experience rapid growth, with several new developments beginning each year. Each new development is expected to install all the needed connections needed for their utilities needs, including taking those services to the edge of their property for the next development to continue. When the City requires a developer to put in larger service lines than their development requires, this fund is used to pay the City's portion of the oversizing.

PROJECT TIMELINE

2021	Oversizing and extension as needed
2022	Oversizing and extension as needed
2023	Oversizing and extension as needed
2024	Oversizing and extension as needed
2025	Oversizing and extension as needed

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	250,000	At this time, no outside funding sources have been identified and all project funding is through the water capacity fund.
2022	200,000	
2023	200,000	
2024	200,000	
2025	200,000	
TOTAL	**$1,250,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: N/A
CONTRACTOR: N/A

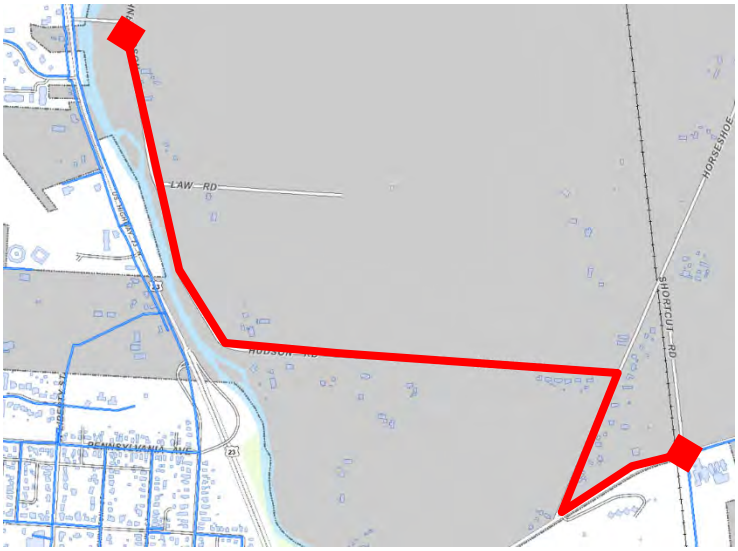
EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

PANHANDLE TO US 42 WATERMAIN

BACKGROUND

Currently, the areas of the City that are east of the Olentangy Rivers main source of supply is the 1960 - 16" water main from the water plant, then through the 16" East/West Connector which runs along Central Avenue. If the water supply from the plant treatment to the East/West Connector is interrupted the distribution system has issues with suppling water to the Eastside tower. This project will give the City an addition larger main feed to the Eastside water tank and provide the areas citizens with the proper level of service which should be provided.



PROJECT TIMELINE

2021	Bid and Award of project. Begin construction
2022	Completion of project started in 2021
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	570,000	At this time, no outside funding sources have been identified and all project funding is through the water capacity fund.
2022	570,000	
2023	0	
2024	0	
2025	0	
TOTAL	**$1,140,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

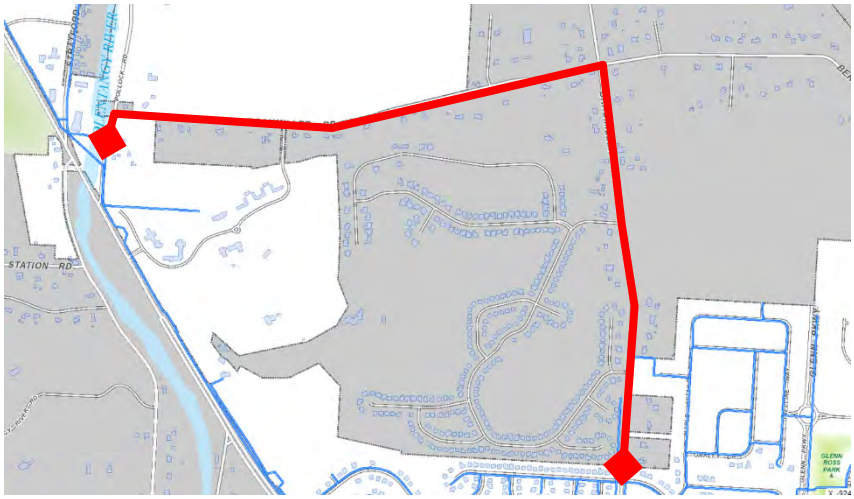
EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

BRAUMILLER RD WATERMAIN

BACKGROUND

Currently, the areas of the City that are South of Pollock Road only have 1 main source of water feeding from the distribution network. Should a shutdown or break occur between the S.E. Water Tank and the primary distribution network, we have no reliable way to keep pace with long term water demand of the area. This project will give the City an additional supply to our S.E. water tank, and provide the area citizens with the proper level of service which should be provided.



PROJECT TIMELINE

2021	
2022	RFQ and award of project design services to an engineering consultant
2023	Bid and award construction of project, begin construction
2024	Completion of construction begun in 2023
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through the water capacity fund.
2022	160,000	
2023	800,000	
2024	800,000	
2025	0	
TOTAL	**$1,760,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

NORTH SAWMILL WATERMAIN

BACKGROUND

Through ongoing discussion between Public Utilities, Planning, and Economic Development, as well as initial input from the new in-development comprehensive plan, it is agreed that the South-West industrial corridor of the City is of vital importance to our future growth and health. By creating utility ready land for industrial, commercial and mixed-use, developers will be more likely to choose the City of Delaware as their new home.

This project will extend the existing 16" watermain along Sawmill Parkway and then bring it down to connect with watermain that will have been extended down U.S. 42. This will both serve new development land, as well as provide critical watermain looping to both Sawmill and U.S. 42 watermains.



PROJECT TIMELINE

2021	Plan and bid package development
2022	Project bid, award, and construction
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	100,000	At this time, no outside funding sources have been identified and all project funding is through the water capacity fund.
2022	1,100,000	
2023	$0	
2024	$0	
2025	$0	
TOTAL	**$1,200,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

US 42 16” WATERMAIN EXTENSION

BACKGROUND

Through ongoing discussion between Public Utilities, Planning, and Economic Development, as well as initial input from the new in-development comprehensive plan, it is agreed that the South-West industrial corridor of the City is of vital importance to our future growth and health. By creating utility ready land for industrial, commercial and mixed-use, developers will be more likely to choose the City of Delaware as their new home.

This project will extend the existing 16” watermain along U.S. 42, giving the City the ability to serve a large portion of the undeveloped land present.



PROJECT TIMELINE

2021	
2022	
2023	Plan and bid package development
2024	Project bid, award, and construction
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through the water capacity fund.
2022	0	
2023	100,000	
2024	1,200,000	
2025	0	
TOTAL	**$1,300,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

SOUTH INDUSTRIAL WATERMAIN

BACKGROUND

Through ongoing discussion between Public Utilities, Planning, and Economic Development, as well as initial input from the new in-development comprehensive plan, it is agreed that the South-West industrial corridor of the City is of vital importance to our future growth and health. By creating utility ready land for industrial, commercial and mixed-use, developers will be more likely to choose the City of Delaware as their new home.

This project will create a large-scale loop of the industrial area while also creating greater water availability for the region. This project is also the first step in allowing watermain extension down Sawmill Parkway South from U.S. 42.



PROJECT TIMELINE

2021	
2022	
2023	
2024	Plan and bid package development
2025	Project bid, award, and construction

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through the water capacity fund.
2022	0	
2023	0	
2024	200,000	
2025	2,100,000	
TOTAL	**$2,300,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

TROY RD WATERLINE

BACKGROUND

Currently, the waterlines extending out Coover Rd. and a portion of Buttermilk Hill Rd are dead-end lines. Water industry best practices include the looping of waterlines when possible for both water quality, as it prevents water stagnation, as well as service redundancy. This project will open this dead-end, as well as provide rural level service along this section of Troy Rd.



PROJECT TIMELINE

2021	
2022	
2023	
2024	
2025	Project is projected for completion in 2025

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through the water capacity fund.
2022	0	
2023	0	
2024	0	
2025	200,000	
TOTAL	**$200,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

CAPITAL IMPROVEMENT PLAN
WASTEWATER FUND MAINTENANCE PROJECTS
2021-2025

	2021	2022	2023	2024	2025
BALANCE FORWARD	2,847,445	2,060,270	2,078,220	1,101,897	1,546,916
REVENUES:					
Transfer from Wastewater Fund	1,506,239	1,536,364	1,567,091	1,598,433	1,630,402
TOTAL REVENUES	**4,353,684**	**3,596,634**	**3,645,311**	**2,700,330**	**3,177,317**
EXPENDITURES:					
DEBT SERVICE					
Plant Rehabilitation ($2,230,000 20 yrs. 3.59%, 2026)	153,414	153,414	153,414	153,414	153,414
WASTEWATER TREATMENT PROJECTS					
Aeration Tank Diffuser Replacement	50,000				
Plant Arc Flash Study	50,000				
Belt Filter Press Replacement	750,000				
Plant Maintenance	125,000	125,000	150,000	150,000	150,000
Influent Pump Replacement		150,000			
Settling Tank Rehabilitation	325,000	325,000			
EQ Basin Repairs		300,000			
Electrical Transformer Testing/Repair	15,000	15,000	15,000		
Site Concrete Repairs	50,000	50,000	50,000	50,000	50,000
Influent Bar Screen Replacemet					250,000
Influent VFD Upgrade	50,000	50,000			
PLC Upgrades	50,000	50,000	50,000	100,000	
Building Improvement	100,000				
Odor Control Unit Replacement				400,000	
UV Disinfection Replacement			1,500,000		
Gravity Belt Thickener Replacement					
WASTEWATER COLLECTION PROJECTS					
Large Meter Replacement	25,000		25,000		25,000
Inflow/Infiltration Remediation	175,000	175,000	175,000	175,000	175,000
Sanitary Sewer Replacement	75,000	100,000	100,000	100,000	100,000
Weslyan Woods Sewer Rehab	150,000				
Pump Station Repair/Upgrade		25,000		25,000	
West William St CIPP lining	150,000				
East William (Lake St. to Point)					300,000
Shelbourne Forest CIPP Lining			280,000		
EQUIPMENT REPLACEMENT					
One-ton Truck			45,000		
Pickup Truck					
Mini Excavator					
TOTAL EXPENDITURES	**2,293,414**	**1,518,414**	**2,543,414**	**1,153,414**	**1,203,414**

PUBLIC WORKS LED PROJECTS

E Central Wastewater Rehab					500,000

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WWTP AERATION TANK DIFFUSER REPLACEMENT

BACKGROUND

The project will replace out of date diffusers in the aeration system. These diffusers have exceeded their life expectancy and should be replaced to increase the efficiency of the new high-speed turbo blowers that were installed in 2017. In turn this should allow for the blowers to sustain a lower working stress level.



PROJECT TIMELINE

2021	Purchase and installation of diffusers by plant maintenance personnel
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	50,000	Project will be funded from the sewer maintenance fund
2022	0	
2023	0	
2024	0	
2025	0	
TOTAL	**$50,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: N/A
CONTRACTOR: N/A

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WWTP ARC FLASH STUDY

BACKGROUND

The Utilities Department is committed to a high degree of safety in the workplace. Many of our safety practices are governed by the Occupational Safety and Health Administration (OSHA), which has established workplace safety standards. Working around electrical equipment requires Personal Protective Equipment (PPE) as specified under OSHA 29CFR 1910.335. The standards for meeting this requirement have been developed by the National Fire Protection Association (NFPA) and is referred to as NFPA 70E, Standard for Electrical Safety in the Workplace.

NFPA 70E includes provisions related to safe work practices and provides guidance related to arc flash. An arc flash hazard is an uncontrolled flow of electrical current through the air that can result in an explosive discharge of high temperature gas or molten metal from the electrical cabinet that can result in substantial damage to equipment and serious human injury or death within the arc flash boundary. An arc flash can occur when a person accidentally comes in contact with energized electrical equipment or improperly maintained or malfunctioning equipment. Conducting an arc flash hazard analysis utilizes procedures developed under NFPA 70E. The arc flash analysis will introduce safety precautions and training to protect workers near electrical hazards.

PROJECT TIMELINE

2021	Completion of study to be performed by Power Solutions Group
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	50,000	Project will be funded from the sewer maintenance fund
2022	0	
2023	0	
2024	0	
2025	0	
TOTAL	**$50,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: Power Solutions Group
CONTRACTOR: Power Solutions Group

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WWTP BELT FILTER PRESS REPLACEMENT

BACKGROUND

The project will replace the belt filter press which has exceeded its life expectancy. Replacement parts are becoming obsolete and very difficult to find. The Plant's belt filter press has been refurbished at least once in the past to prolong its lifespan, but that is no longer an option as current generation parts are no longer compatible with the existing unit.



PROJECT TIMELINE

2021	Replacement of BFP with help from an engineering consultant
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	750,000	Project will be funded from the sewer maintenance fund
2022	0	
2023	0	
2024	0	
2025	0	
TOTAL	**$750,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WASTEWATER PLANT MAINTENANCE

BACKGROUND

While the department does its best to pre-identify all plant maintenance needs, unforeseen equipment or plant structural failures do occur. In order to react to these unforeseen circumstances, this item provides unallocated funds for emergencies.



PROJECT TIMELINE

2021	
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	125,000	Project will be funded from the sewer maintenance fund
2022	125,000	
2023	150,000	
2024	150,000	
2025	150,000	
TOTAL	**$700,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: N/A
CONTRACTOR: N/A

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WWTP INFLUENT PUMP REPLACEMENT

BACKGROUND

This project will replace an influent pump at each of the budgeted times. The pumps were installed during the 2007 plant expansion and have begun to require semi-regular major repairs. Each pump has been repaired at least once during its life span, some multiple times. A typical repair ranges from $25,000 to $35,000 and repairs are becoming more expensive and difficult to get rebuilt as they continue to age. The WWTP has 6 influent pumps, by cycling the replacement of oldest or most problematic pumps the risk of having to replace multiple at a time or experiencing process failure are minimized.



PROJECT TIMELINE

2021	
2022	Purchase and installation of 1 new pump
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Project will be funded from the sewer maintenance fund
2022	150,000	
2023	0	
2024	0	
2025	0	
TOTAL	**$150,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: N/A
CONTRACTOR: N/A

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WWTP SETTLING TANK REHABILITATION

BACKGROUND

The project is aimed to replace the internal assembly and rotating mechanism within two settling tanks. These tanks are nearing 50 years in operation, the structures are starting to crumble and become unsafe for employees. Additionally, the treatment technology of these tanks is out of date and inefficient, this work will allow for better wastewater treatment.



PROJECT TIMELINE

2021	Complete removal and replacement of a single tank
2022	Complete removal and replacement of a single tank
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	325,000	Project will be funded from the sewer maintenance fund
2022	325,000	
2023	0	
2024	0	
2025	0	
TOTAL	**$650,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WWTP EQUALIZATION BASIN REPAIRS

BACKGROUND

This project will repair the concrete structure called the equalization basin. The basin was modified during the 2007 plant expansion, and the concrete has since settled and needs major rehab work. The concrete ballasts supporting the airlines in the tank are in disrepair.



PROJECT TIMELINE

2021	
2022	Repair of floor pad and airline supports
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Project will be funded from the sewer maintenance fund
2022	300,000	
2023	0	
2024	0	
2025	0	
TOTAL	**$300,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: Odle

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WWTP ELECTRICAL TRANSFORMER PM

BACKGROUND

Through best practices learned, WWTP personnel have begun the regular testing, with resulting repairs, of plant electrical system transformers. Electrical system professionals are brought in to perform the very specialized work required. Full plant shut-down is required during this testing/repair procedure.

PROJECT TIMELINE

2021	Testing to be performed
2022	Testing to be performed
2023	Testing to be performed
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	15,000	Project will be funded from the sewer maintenance fund
2022	15,000	
2023	15,000	
2024	0	
2025	0	
TOTAL	**$45,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: N/A
CONTRACTOR: Power Solutions Group

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WWTP SITE CONCRETE REPAIRS

BACKGROUND

This project will repair concrete tanks and structure around the facility. With portions of the plant going on 50 years old areas of concrete are starting to crumble and are becoming unsafe for the employees to walk on or around.



PROJECT TIMELINE

2021	
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	50,000	Project will be funded from the sewer maintenance fund
2022	50,000	
2023	50,000	
2024	50,000	
2025	50,000	
TOTAL	**$250,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: N/A
CONTRACTOR: Odle

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WWTP BAR SCREEN RELACEMENT

BACKGROUND

The project will replace the aged influent bar screens, which have been in operation since 2005. With age the screens have begun to break down, lowering their effectiveness to remove debris from the waste stream flow. Catching as much of this debris as possible is important to the health of the equipment that is downstream of the bar screens.



PROJECT TIMELINE

2021	
2022	
2023	
2024	
2025	Purchase with manufacturer install of new influent bar screens

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Project will be funded from the sewer maintenance fund
2022	0	
2023	0	
2024	0	
2025	250,000	
TOTAL	**$250,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WWTP INFLUENT VFD REPLACEMENT

BACKGROUND

The project will replace the variable frequency drives (VFD) for the influent pumps at the wastewater plant. The VFD's were installed during the 2007 plant expansion and are nearing the end of their life expectancy according to the manufacturer. The current VFD's are obsolete and have become increasingly difficult to repair and maintain.



PROJECT TIMELINE

2021	Replacement of half of the existing VFDs
2022	Replacement of the remaining VFDs
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	50,000	Project will be funded from the sewer maintenance fund
2022	50,000	
2023	0	
2024	0	
2025	0	
TOTAL	**$100,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: N/A
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WWTP PLC UPGRADES

BACKGROUND

This project will begin the process of upgrading the Plant's influent pump programmable logic controllers (PLC) at the wastewater plant. The PLC's were installed during the 2007 plant expansion and are nearing the end of their life expectancy, according to the manufacturer. Plant PLC and communications with the SCADA system is in need of major retrofitting in the near future, as we are currently using software that will soon be obsolete and no longer supported.



PROJECT TIMELINE

2021	Phase 1 of PLC replacements
2022	Phase 2 of PLC replacements
2023	Phase 3 of PLC replacements
2024	Phase 4 of PLC replacements
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	50,000	Project will be funded from the sewer maintenance fund
2022	50,000	
2023	50,000	
2024	100,000	
2025	0	
TOTAL	**$250,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WWTP BUILDING IMPROVEMENTS

BACKGROUND

This project is the next in continuing the slow and phased upgrade of Utility personnel's working spaces. This step will be a refresh and improvement to the working space of Public Utility Administration employees. Goals of the refreshed space include the ability to conduct semi-private conversations by using ceiling height modular office walls, replacing the current cubical structures. The PU department is currently looking to expand, this project will also make space for soon to filled positions within, as well as removing employees who are currently overflow working within our conference room.



PROJECT TIMELINE

2021	Repaint wall surfaces, purchase/installation of new office structures and surfaces
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	100,000	Project will be funded from the sewer maintenance fund
2022	0	
2023	0	
2024	0	
2025	0	
TOTAL	**$100,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WWTP ODOR CONTROL UNIT

BACKGROUND

The project will replace the aged and undersized odor control unit which is not meeting the needs required of it by plant staff. The stresses placed on the equipment from sizing result in regular equipment and piping failures within the system. The replacement of this system will both lower the maintenance costs that have been required and result in less down time of the plants odor control measures, something all the plants neighbors can appreciate.



PROJECT TIMELINE

2021	
2022	
2023	
2024	Purchase with manufacturer install of new odor control equipment
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Project will be funded from the sewer maintenance fund
2022	0	
2023	0	
2024	400,000	
2025	0	
TOTAL	**$400,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WWTP UV EQUIPMENT REPLACEMENT

BACKGROUND

The project will replace the aged influent ultra-violet treatment equipment, which has been in place since 2005. Replacement parts for the existing system are becoming harder to source as well has having become much more expensive due to their scarcity. By bringing the UV system up to current technology standards a more efficient E Coli treatment should be expected, allowing the WWTP to continue meeting ever increasing OEPA regulations going forward.



PROJECT TIMELINE

2021	
2022	
2023	Purchase with manufacturer install of new UV equipment
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Project will be funded from the sewer maintenance fund
2022	0	
2023	1,500,000	
2024	0	
2025	0	
TOTAL	**$1,500,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

LARGE METER REPLACEMENT

BACKGROUND

With normal use a water meter loses accuracy during the span of its life expectancy, the loss of flow reading ability is most pronounced in large-diameter meters. This rotating fund is aimed at replacing the large-diameter meters used by the high flow business users of the City. This ensures proper water use tracking within the system.



PROJECT TIMELINE

2021	Replacement of aged large meters by City crews
2022	Replacement of aged large meters by City crews
2023	Replacement of aged large meters by City crews
2024	Replacement of aged large meters by City crews
2025	Replacement of aged large meters by City crews

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	25,000	Funding will alternate yearly between the water maintenance fund and the sewer maintenance fund. Sewer funds odd years and Water funds even years.
2022	25,000	
2023	25,000	
2024	25,000	
2025	25,000	
TOTAL	**$125,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: In House
CONTRACTOR: In House

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

SEWER INFLOW/INFILTRATION REMEDIATION

BACKGROUND

As sewer lines age, they begin to allow ground water infiltration into the sewers. During rain events these areas of I&I allow large amounts of water into the system, which disrupts wastewater treatment plant operations. Once introduced, the City must also absorb the cost of treating this otherwise clean water. As areas in need of repair are found via camera inspection, they will be scheduled for repair.



PROJECT TIMELINE

2021	Reactive repair of deficiencies found during camera inspections
2022	Reactive repair of deficiencies found during camera inspections
2023	Reactive repair of deficiencies found during camera inspections
2024	Reactive repair of deficiencies found during camera inspections
2025	Reactive repair of deficiencies found during camera inspections

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	175,000	Project will be funded from the sewer maintenance fund
2022	175,000	
2023	175,000	
2024	175,000	
2025	175,000	
TOTAL	**$875,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

SANITARY SEWER REPLACEMENT

BACKGROUND

As sewer lines age, deteriorate, and begin to fail, they must be replaced. A failed sewer line can allow wastewater to discharge into the surrounding soil, potentially poisoning natural soils and waterways. This is also a required maintenance item, as knowingly allowing the exfiltration of sewers into the environment would be a violation of the City's OEPA permits. As sewer lines are found to be in a failed condition via camera inspections, they will be scheduled for replacement by City staff.



PROJECT TIMELINE

2021	Reactive repair of deficiencies found during camera inspections
2022	Reactive repair of deficiencies found during camera inspections
2023	Reactive repair of deficiencies found during camera inspections
2024	Reactive repair of deficiencies found during camera inspections
2025	Reactive repair of deficiencies found during camera inspections

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	75,000	Project will be funded from the sewer maintenance fund
2022	100,000	
2023	100,000	
2024	100,000	
2025	100,000	
TOTAL	**$475,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WESLYAN WOODS SEWER REHAB

BACKGROUND

Through sewer system camera inspections, areas of the Wesleyan Woods subdivision have been found to be a high source of system inflow & infiltration (I&I). The size and scope of repairs needed within the subdivision exclude it from fitting within the revolving I&I remediation line item. The remediation efforts entail grout injection into cracks, from within, to seal off these sources of infiltration.

PROJECT TIMELINE

2021	Rehabilitation of sewers throughout the development
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	150,000	Project will be funded from the sewer maintenance fund
2022	0	
2023	0	
2024	0	
2025	0	
TOTAL	**$150,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

PUMP STATION REPAIRS

BACKGROUND

This allocation is for the routine maintenance required with keeping the City's 12 pump stations in good operating order. As items require replacement or repair, this fund will allow for the work to happen.



PROJECT TIMELINE

2021	
2022	Pump station repairs
2023	
2024	Pump station repairs
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Project will be funded from the sewer maintenance fund
2022	25,000	
2023	0	
2024	25,000	
2025	0	
TOTAL	**$50,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

WEST WILLIAM SEWER CIPP LINING

BACKGROUND

Cast in-place pipe (CIPP) is a form of sewer repair that can be used in lieu of digging up and replacement. The W. William St. sewer has been found to be in failed condition, in need of replacement, and CIPP lining will work in this location to correct failures. Approximately 2,344 linear foot of 8" to 12" diameter pipe will be lined. This will also reduce the areas inflow & infiltration rates during rain events.



PROJECT TIMELINE

2021	Rehabilitation of indicated sewer mains
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	150,000	Project will be funded from the sewer maintenance fund
2022	0	
2023	0	
2024	0	
2025	0	
TOTAL	$150,000	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

EAST WILLIAM SEWER LINING

BACKGROUND

Through sewer system camera inspections, areas of the E. Williams St. sewer have been found to be a high source of system inflow & infiltration (I&I). The size and scope of repairs needed in the area exclude it from fitting within the revolving I&I remediation line item. The remediation efforts entail lining of approximately 2700 linear foot of 8" sewer main.



PROJECT TIMELINE

2021	
2022	
2023	
2024	
2025	Rehabilitation of sewer main along E. William

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Project will be funded from the sewer maintenance fund
2022	0	
2023	0	
2024	0	
2025	300,000	
TOTAL	**$300,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

SHELBOUNRE FOREST SEWER CIPP LINING

BACKGROUND

This allocation is for the CIPP lining of sanitary sewers within the Shelbourne Forest area that require more than routine maintenance to keep the collection system in good operating order. This type of rehabilitation work will extend the collection systems life cycle.



PROJECT TIMELINE

2021	
2022	
2023	CIPP Lining
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Project will be funded from the sewer construction fund
2022	0	
2023	280,000	
2024	0	
2025	0	
TOTAL	**$280,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

WASTEWATER DIVISION VEHICLE REPLACEMENTS

BACKGROUND

The Public Utilities Department uses a variety of equipment for the operations and maintenance of its infrastructure. Vehicles and equipment are replaced based on hours of operation, mileage, equipment maintenance cost and whether it is a primary or secondary piece.

PROJECT TIMELINE

2021	
2022	
2023	Replacement of 1-ton dump – Collections (#554)
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Purchases will be funded from the sewer maintenance fund
2022	0	
2023	45,000	
2024	0	
2025	0	
TOTAL	**$45,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: N/A
CONTRACTOR: N/A

CAPITAL IMPROVEMENT PLAN
WASTEWATER CAPACITY FUND PROJECTS
2021-2025

	2021	2022	2023	2024	2025
BALANCE FORWARD	7,814,375	8,283,633	7,678,740	6,379,954	4,865,689
REVENUES:					
Water Capacity Fees	1,500,000	1,150,000	1,150,000	1,150,000	1,150,000
SE Highland Sewer ERU Fees	366,000	256,200	179,340	125,538	87,877
Riverby Sewer Reimbursement	250,000				
Sewer Fees Transfer - 2007,2008,2009	1,730,851	1,765,468	1,800,778	1,836,793	1,873,529
TOTAL REVENUES	**11,661,226**	**11,455,302**	**10,808,857**	**9,492,285**	**7,977,095**
EXPENDITURES:					
DEBT SERVICE					
Land Armstrong Rd. ($2,915,000 10 yrs. 1.49%, 2022)	301,700	300,900			
23 North Sewer ($1,000,000, 25 yrs, 4.51%, 2031)	59,115	59,684	59,325	58,518	59,430
SE Highland Sewer ($15,000,000, 25 yrs, 4.49%, 2037)	825,400	824,600	828,200	826,700	824,200
SE Highland Sewer ($2,750,000, 20 yrs, 3.59%, 2026)	189,305	189,305	189,305	189,305	189,305
Plant Expansion ($20,882,000, 20 yrs, 3.59%, 2026)	1,437,073	1,437,073	1,437,073	1,437,073	1,437,073
COLLECTION CAPACITY PROJECTS					
Sewer Oversizing/Extension	200,000	200,000	200,000	200,000	200,000
Riverby Sewer Extension	250,000				
US 42 Sewer Extension			150,000	1,500,000	
North Sawmill Sewer Extension	50,000	500,000			
Industrial Loop South Sewer				200,000	2,300,000
Slack Rd Force Main Rerouting			1,500,000		
Belle Ave Sewer Capacity Improvements				150,000	
London Rd Sewer Capacity Improvements					200,000
Greenlawn Dr Sewer Extension		200,000			
Reimbursement - 245 Cherry St	65,000	65,000	65,000	65,000	65,000
TOTAL EXPENDITURES	**3,377,593**	**3,776,562**	**4,428,903**	**4,626,596**	**5,275,008**

PUBLIC WORKS LED PROJECTS

Penick Ave Connector	15,000				

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

RIVERBY SEWER EXTENSION

BACKGROUND

The Riverby subdivision, located on Pollock Rd, has been ordered by the Ohio EPA to abandon their private wastewater treatment plant, and tie into a public sewer system. The City of Delaware has the closest existing sewer system and has agreed to Riverby's integration into the City's system.



PROJECT TIMELINE

2021	Project to be bid and completed
2022	
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	250,000	Project expenses will be reimbursed to the City through an intergovernmental agreement with Delaware County Commissioners, assessed to the properties of residents of Riverby.
2022	0	
2023	0	
2024	0	
2025	0	
TOTAL	$250,000	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: City Engineering Dept
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

US 42 SEWER EXTENSION

BACKGROUND

Through ongoing discussion between Public Utilities, Planning, and Economic Development, as well as initial input from the new in-development comprehensive plan, it is agreed that the South-West industrial corridor of the City is of vital importance to our future growth and health. By creating utility ready land for industrial, commercial and mixed-use, developers will be more likely to choose the City of Delaware as their new home.

This project will extend sewer service from the Slack Rd area and travel along US 42, giving the City the ability to serve a large portion of the undeveloped land present.



PROJECT TIMELINE

2021	
2022	
2023	Plan and bid package development
2024	Project bid, award, and construction
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through the water capacity fund.
2022	0	
2023	150,000	
2024	1,500,000	
2025	0	
TOTAL	**$1,650,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

NORTH SAWMILL SEWER EXTENSION

BACKGROUND

Through ongoing discussion between Public Utilities, Planning, and Economic Development, as well as initial input from the new in-development comprehensive plan, it is agreed that the South-West industrial corridor of the City is of vital importance to our future growth and health. By creating utility ready land for industrial, commercial and mixed-use, developers will be more likely to choose the City of Delaware as their new home.

This project will extend sewer service from its current dead end near Innovation Court, to the mid-point of the Wilgus family owned properties. This East half of the Wilgus' land is expected to be the first area of build out as Sawmill extends.



PROJECT TIMELINE

2021	Plan and bid package development
2022	Project bid, award, and construction
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	50,000	At this time, no outside funding sources have been identified and all project funding is through the water capacity fund.
2022	500,000	
2023	0	
2024	0	
2025	0	
TOTAL	**$550,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

INDUSTRIAL LOOP SOUTH SEWER

BACKGROUND

Through ongoing discussion between Public Utilities, Planning, and Economic Development, as well as initial input from the new in-development comprehensive plan, it is agreed that the South-West industrial corridor of the City is of vital importance to our future growth and health. By creating utility ready land for industrial, commercial and mixed-use, developers will be more likely to choose the City of Delaware as their new home.

This project will provide sewer South from Slack Road, crossing under Sawmill Parkway, and turning to follow the rear of the properties along Bunty Station Rd. This will provide service to many potential development properties along Sawmill, Slack, and Bunty Station.



PROJECT TIMELINE

2021	
2022	
2023	
2024	Plan and bid package development
2025	Project bid, award, and construction

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	At this time, no outside funding sources have been identified and all project funding is through the water capacity fund.
2022	0	
2023	0	
2024	200,000	
2025	2,300,000	
TOTAL	**$2,500,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

SLACK RD FORCE MAIN REROUTING

BACKGROUND

The South-West industrial quarter has been flagged as an area of high criticality in the growth and financial stability of the City. Current sewer capacities of the area are not ready for any sizable growth. This project removes the bottleneck of the area by relocating where the Slack Rd. lift station pumps into.



PROJECT TIMELINE

2021	
2022	
2023	Project Design and construction
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Outside funding is not expected, project will be funded from the sewer capacity fund.
2022	0	
2023	1,500,000	
2024	0	
2025	0	
	$1,500,000	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

BELLE AVE CAPACITY IMPROVEMENTS

BACKGROUND

Belle Ave. is currently a bottleneck in the sewer system of its area, creating flow restriction to sections of the City upstream from it. Through investigation, the best method of capacity improvement will be determined, but could include pipe upsizing or internal cast in place pipe installation.



PROJECT TIMELINE

2021	
2022	
2023	
2024	Project Design and construction
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Outside funding is not expected, project will be funded from the sewer capacity fund.
2022	0	
2023	0	
2024	150,000	
2025	0	
TOTAL	$150,000	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

LONDON RD CAPACITY IMPROVEMENTS

BACKGROUND

London Rd. is currently a bottleneck in the sewer system of its tributary area, creating flow restriction to sections of the City upstream from it. Through investigation, the best method of capacity improvement will be determined, but could include pipe upsizing or internal cast in place pipe installation.



PROJECT TIMELINE

2021	
2022	
2023	
2024	
2025	Project Design and construction

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Outside funding is not expected, project will be funded from the sewer capacity fund.
2022	0	
2023	0	
2024	0	
2025	200,000	
TOTAL	**$200,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

EST 1808 CITY OF DELAWARE OHIO

PUBLIC UTILITIES

GREENLAWN DR SEWER EXTENSION

BACKGROUND

Throughout the City of Delaware there are pockets of unincorporated land. Council and staff have expressed interest in filling these 'holes', as such this sewer extension through an unincorporated section of the City will facilitate the slow annexation of properties as they become connected to City sewer.



PROJECT TIMELINE

2021	
2022	Project Design and construction
2023	
2024	
2025	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	0	Outside funding is not expected, project will be funded from the sewer capacity fund.
2022	200,000	
2023	0	
2024	0	
2025	0	
TOTAL	**$200,000**	

PROJECT TEAM

CITY LEAD: Public Utilities
DESIGN CONSULTANT: TBD
CONTRACTOR: TBD

CAPITAL IMPROVEMENT PLAN
REFUSE EQUIPMENT
2021-2025

	2021	2022	2023	2024	2025
REVENUES:					
Refuse Fees	795,000	780,000	606,000	373,000	545,000
TOTAL REVENUES	**795,000**	**780,000**	**606,000**	**373,000**	**545,000**
EXPENDITURES:					
Automated Side-Load Refuse Truck	305,000	314,000	323,000	333,000	343,000
Side-Load Recycling Truck	305,000	275,000	283,000		
Rear Load 20 CY Commercial Packer	185,000	191,000			202,000
Pickup Truck 2WD				40,000	
TOTAL EXPENDITURES	**795,000**	**780,000**	**606,000**	**373,000**	**545,000**

EST 1808 CITY OF DELAWARE OHIO

PUBLIC WORKS

SOLID WASTE COLLECTION

BACKGROUND

Residential waste and recycling collection operations require nine mainline and two backup sideload trucks. Commercial and yard waste collection each utilize two rear load trucks. The City introduced semi-automated tipcart collection through the sideload fleet in 2020 with good success. Two additional semi-automated vehicles will be added to the fleet in 2021. To maintain an adequate level of service, it is anticipated that two additional trucks will be required as the number of refuse stops increase with the expansion of the community. The expected useful life of a frontline sideload service vehicle is seven (7) years. After seven years the vehicles are replaced, and the old vehicle downgraded to backup service status.





PROJECT TIMELINE

2021	(2) Side Load Trucks, 20CY Rear Load
2022	(2) Side Load Trucks, 20CY Rear Load
2023	(2) Side Load Truck
2024	Side Load Truck, Pickup Truck
2025	Side Load Trucks, 20CY Rear Load

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	757,000	Refuse Fund
2022	780,000	
2023	606,000	
2024	373,000	
2025	545,000	
TOTAL	**3,895,000**	

PROJECT TEAM

CITY LEAD: Public Works – Solid Waste
DESIGN CONSULTANT: N/A
CONTRACTOR: State Purchasing Contract

CAPITAL IMPROVEMENT PLAN
EQUIPMENT
2021-2025

	2021	2022	2023	2024	2025
REVENUES:					
CIP Allocation *(pg.1)*	***653,477***	***925,087***	***706,513***	***738,817***	***651,339***
TOTAL REVENUES	**653,477**	**925,087**	**706,513**	**738,817**	**651,339**
EXPENDITURES:					
PARKS					
7- Zero Turn Mowers	31,747	32,699	33,750	34,763	35,806
3/4 Ton Pick -up Truck		40,888	42,115		
Skid Steer			48,095		
55 HP Tractor				37,079	
HIDDEN VALLEY GOLF COURSE					
Boom Sprayer	7,000				
Truckster Utility Vehicle				25,000	
Zero Turn Mower		12,000			
OAK GROVE CEMETERY					
2- Zero Turn Mowers	15,730		17,303		19,033
POLICE DEPARTMENT					
Cruiser Replacement	240,000	245,000	250,000	255,000	260,000
Unmarked Vehicle Replacement		42,000	45,000	47,000	49,000
STREETS					
Pickup Trucks (4WD w/plow)		39,500	40,750	41,975	42,500
Tandem Axle Dump Truck w/plow	198,000				
Single Axle Dump Truck w/plow		185,000	190,000	200,000	210,000
Backhoe		100,000			
Skidsteer	65,000				
Asphalt Paver		190,000			
One-Ton Dump Truck	65,000				
TRAFFIC					
Pickup Trucks 2WD				31,000	35,000
ENGINEERING					
Pickup Trucks	31,000	38,000	39,500	32,000	
FACILITIES					
Utility Van				35,000	
TOTAL EXPENDITURES	**653,477**	**925,087**	**706,513**	**738,817**	**651,339**

EST 1808 CITY OF DELAWARE OHIO

PUBLIC WORKS

PUBLIC WORKS EQUIPMENT

BACKGROUND

The Seven divisions within the Public Works Department operates over 70 different types of equipment and trucks during different times of the year ranging from dump trucks, pickup trucks, backhoes, skid steers, rollers, trailers, and plate compactors. All have a useful life expectancy and are replaced at the final determination of the fleet supervisor in consideration of general condition, maintenance costs and safety. Useful life of various equipment is as follows: Dump Trucks (10 Years); 4X4 Plow Trucks (10 Years); Service Pickup Trucks & Utility Van (20 Years); Backhoe/Skid Steer (15-20 Years); Paver (25 years).










PROJECT TIMELINE

2021	Tandem Dump Truck, Backhoe, Skid Steer, Pickup (Eng)
2022	Single Axle Dump, 4X4 Pickup, Paver, Pickup (Eng)
2023	Single Axle Dump, 4X4 Pickup, Pickup (Eng)
2024	Single Axle Dump, 4X4 Pickup, Pickup (Eng & Traffic), Utility Van (Facilities)
2025	Single Axle Dump, 4X4 Pickup, Pickup (Traffic)

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	394,000	Gas Tax & General Fund Revenues
2022	452,500	
2023	270,250	
2024	339,975	
2025	287,500	
TOTAL	**1,744,225**	

PROJECT TEAM

CITY LEAD: Public Works – Administration
DESIGN CONSULTANT: N/A
CONTRACTOR: State Purchasing Contract

POLICE DEPARTMENT

EQUIPMENT REPLACEMENT

BACKGROUND

The Police Department currently runs a front-line fleet of 11 cruisers, plus two K9 cruisers, and two school resource officer cruisers. Normal wear and tear require replacement of cruisers, which are typically over 100,000 miles when they are replaced. By replacing 4 cruisers every year, we can maintain a 3-year rotation which allows us to keep overall fleet mileage down, which keeps cruisers safely on the road as opposed to being down for repair. Cruisers that are decommissioned are often re-purposed within the PD or elsewhere in the city fleet.

PROJECT TIMELINE

2021	Normal fleet replacement
2022	Normal fleet replacement
2023	Normal fleet replacement
2024	Normal fleet replacement
2025	Normal fleet replacement

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2021	240,000	At this time, no outside funding sources have been identified and all project funding is through general fund revenues.
2022	287,000	
2023	295,000	
2024	302,000	
2025	309,000	
TOTAL	**$ 1,433,000**	

PROJECT TEAM

CITY LEAD: Police Department
DESIGN CONSULTANT: N/A
CONTRACTOR: N/A

EST 1808
CITY OF
DELAWARE
OHIO

TO: TOM HOMAN, CITY MANAGER

FROM: JUSTIN NAHVI, FINANCE DIRECTOR

SUBJECT: AUGUST 2020 FINANCIAL REPORT

DATE: 9/8/2020

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 August 31, 2020, and ties to the amount listed in Appendix B.

Appendix B is the Financial Statement for the city as of August 31, 2020. 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 August 31, 2020. 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 August 31, 2020.

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 real estate collections were $786,031 reflecting a decrease of $698,612 or 47.1% from the same period in the prior year. This decline is attributed to the shifting of the 2nd half real estate tax due date to August 2020. With this modification of the due date, 2nd half settlement will occur in September 2020.
- Income Tax – Year-to-date receipts total $10,717,534 which is $41,292 or 0.44%, less than amount the City received during the same period in the prior year. The decline is attributed to both the shifting of the income tax filing due date to July 15, 2020 as well as the rise in the unemployment rate which began in March 2020. Based on the collection rate, the current projected decline for income tax collections is $488,750 or 3.0% of the total estimated revenue from this source in 2020.
- Charges for Services – Chargebacks for the General Fund related services attributed to special revenue and enterprise funds through the end of August equaled $1,546,646.

Expenditures

The General Fund expenditures are performing as expected. However, the following expenditures require additional explanations:

- Transfers – Transfers to the following funds have been made to the Capital Improvement Fund ($1,233,333), Street Maintenance & Repair Fund ($692,667), Recreation Fund ($510,891), Cemetery Fund ($50,000) and the Airport Fund ($10,000).

GENERAL FUND
STATEMENT OF REVENUE AND EXPENDITURES
AUGUST 2020

	2019 ACTUAL YTD AUG 31	2020 ACTUAL YTD AUG 31	2020 TOTAL BUDGET	2020 % of BUDGET	2020 PRJ YR END
REVENUES					
Property Taxes	1,484,643	**786,031**	1,548,000	50.78%	1,662,367
Intergovernmental Receipts	557,067	**648,008**	1,013,726	63.92%	1,110,870
Income Taxes	10,758,826	**10,717,534**	16,510,750	64.91%	16,022,000
Fines & Forfeitures	80,763	**46,820**	140,000	33.44%	48,925
Fees, Licenses, & Permits	1,740,346	**1,692,146**	2,998,000	56.44%	2,135,443
Miscellaneous	264,896	**128,420**	380,000	33.79%	153,526
Other Financing	-	**5,013**	-	0.00%	5,013
Earnings on Investments	578,902	**240,834**	950,000	25.35%	377,563
Charges for Services	1,395,507	**1,546,646**	2,299,603	67.26%	2,299,603
Total Revenues	16,860,949	**15,811,452**	25,840,079	61.19%	23,815,310
EXPENDITURES					
Council	103,159	**107,212**	187,299	57.24%	168,064
City Manager	498,006	**517,090**	927,910	55.73%	831,044
Admin Services	252,765	**212,809**	425,183	50.05%	325,296
Economic Development	273,541	**255,089**	528,655	48.25%	261,767
Legal Affairs	489,194	**484,783**	882,940	54.91%	779,837
Finance	1,453,838	**1,472,625**	2,353,870	62.56%	2,013,361
General Admin	4,566,875	**3,122,488**	6,508,792	47.97%	5,207,199
Risk Management	274,473	**275,228**	349,100	78.84%	332,698
Police	5,416,286	**5,539,387**	9,739,704	56.87%	8,831,221
Planning	709,417	**781,207**	1,551,146	50.36%	1,278,256
Engineering	929,455	**976,100**	2,349,511	41.54%	1,895,015
Building Maintenance	339,018	**303,593**	589,467	51.50%	463,114
Total Expenditures	15,306,025	**14,047,611**	26,393,576	53.22%	22,386,872

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 August 31, 2020.

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 $486,864.
    - For the 2020 fiscal year, the per unit reimbursement rate will be $220 for EMS transport and $110 per non-transport runs.
- Income Tax – Year-to-date receipts total $7,500,012 which is $28,142, or 0.4%, less than amount the City received during the same period in the prior year. Based on the current module used to forecast the decline in income tax collections for the General Fund, it is estimated that a similar decline for the Fire/EMS Income Tax Fund would be $164,032 or 3.0% of the current revenue estimate for this line item.

Expenditures

Fire/EMIS Income Tax Fund expenditures are performing as expected through August 31, 2020.

FIRE/EMS INCOME TAX FUND
STATEMENT OF REVENUE AND EXPENDITURES
AUGUST 2020

	2019 ACTUAL YTD AUG 31	2020 ACTUAL YTD AUG 31	2020 TOTAL BUDGET	2020 % of BUDGET	2020 PRJ YR END
REVENUES					
Intergovernmental Receipts	192,293	**489,629**	752,765	65.04%	552,529
Income Taxes	7,528,154	**7,500,012**	11,500,000	65.22%	11,335,968
Miscellaneous	4,044	**3,017**	39,195	7.70%	2,427
Other Financing	-	**1,175**	-	0.00%	1,880
Transfer In	240,717	**122,310**	240,717	50.81%	236,058
Total Revenues	7,965,208	**8,116,143**	12,532,677	64.76%	12,128,862
EXPENDITURES					
Personal Services	5,324,783	**5,577,259**	9,501,589	58.70%	8,700,989
Charges & Services	478,136	**511,616**	1,138,934	44.92%	886,238
Materials & Supplies	157,893	**227,842**	447,354	50.93%	333,463
Capital Outlay	1,042,453	**241,650**	1,463,030	16.52%	1,262,405
Refunds	370,410	**267,916**	500,000	53.58%	341,556
Transfer	5,375	**242,078**	848,044	28.55%	848,044
Debt	42,087	**-**	514	0.00%	-
Total Fire Expenditures	7,421,138	**7,068,361**	13,899,465	50.85%	12,372,695

REC CENTER INCOME TAX FUND
RECREATION LEVY SUMMARY
AUGUST 2020

Account #	Description	2014 Expended	2015 Expended	2016 Expended	2017 Expended	2018 Expended	2019 Expended	2020 Expended	2020 Encumbered	2020 Remaining Budget	Total 2014 - 2020
	Phase 1 - $20,000,000										
233-0233-5230	Design	7,090	0	0	0	0	0	0	0	0	7,090
5513	Other Park Improvements	14,981	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	117,500
5533	Veterans Park Restroom/Shelter	0	100,000	150,000	0	0	0	0	0	0	250,000
	Total	**139,571**	**100,000**	**150,000**	**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	235,000
5522	Park Asphalt Projects	306,291	59,111	27,841	0	0	0	0	0	0	393,243
5523	Park Seal Coating Projects	36,025	100,894	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	236,978
5525	Park Irrigation	0	0	0	0	0	0	0	0	0	0
5526	Park Aeration	20,109	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	39,859	427,022
5528	Dog Park	32,354	34,003	0	0	0	0	0	0	0	66,357
5529	Drainage & Excavation Projects	2,608	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	61,247
5531	Veterans Park Parking Lot Addition	337,203	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	6,785	98,900	221,550
5534	Veterans Park Playtoy	0	152,551	94,449	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	583,976
5536	Parkland Acquisition/Improvement	0	722,272	428,577	0	0	0	0	0	0	1,150,849
5537	Park Improvements Contingency	3,040	0	0	0	0	0	0	0	0	3,040
5538	Pickleball Courts	0	17,035	0	0	0	0	0	0	0	17,035
5710	In House Design	0	4,237	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**	**6,785**	**138,759**	**4,144,373**
	Phase 1 Totals	**139,571**	**100,000**	**150,000**	**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**	**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 thirteen for a breakdown of the revenues and expenditures through August 31, 2020.

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 $576,319, which is $797 (0.1%) greater than the amount collected during the same period in the prior year.

Expenditures

The Stormwater Fund expenditures are performing as expected through August 31, 2020.

STORMWATER FUND
STATEMENT OF REVENUE AND EXPENDITURES
AUGUST 2020

	2019 ACTUAL YTD AUG 31	2020 ACTUAL YTD AUG 31	2020 TOTAL BUDGET	2020 % of BUDGET	2020 PRJ YR END
REVENUES					
Miscellaneous	1,063	**2,449**	500	489.76%	2,974
Charges for Services	575,522	**576,319**	900,200	64.02%	869,137
Total Revenues	576,584	**578,768**	900,700	64.26%	872,111
EXPENDITURES					
Stormwater Operations					
Personal Services	142,783	**165,372**	257,186	64.30%	256,814
Charges & Services	82,538	**67,674**	223,891	30.23%	92,944
Materials & Supplies	39,938	**23,717**	100,340	23.64%	49,515
Capital Outlay	-	**-**	20,000	0.00%	128
Refunds	28	**102**	2,000	5.09%	35
Total Ops Expenditures	265,286	**256,866**	603,416	42.57%	399,436
Stormwater Capital					
Capital Outlay	174,285	**403,257**	1,716,338	23.50%	1,090,556
Total Cap Expenditures	174,285	**403,257**	1,716,338	23.50%	1,090,556
Total Expenditures	439,572	**660,123**	2,319,754	28.46%	1,489,992

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 eleven for a breakdown of the revenues and expenditures through August 31, 2020.

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 $3,698,521 which is $48,529 or 1.3% greater than the amount collected same period from the prior year.
    - Capacity Fees – Year-to-date receipts total $1,466,014 and these fees are deposited into the Water Capacity Fee Fund (Fund 536).

Expenditures

The Water Fund expenditures are performing as expected through August 31, 2020.

WATER FUND
STATEMENT OF REVENUE AND EXPENDITURES
AUGUST 2020

	2019 ACTUAL YTD AUG 31	2020 ACTUAL YTD AUG 31	2020 TOTAL BUDGET	2020 % of BUDGET	2020 PRJ YR END
REVENUES					
Miscellaneous	26,772	**23,034**	25,000	92.14%	26,294
Other Financing	-	**6,549**	11,000	59.54%	10,478
Earnings on Investments	193,536	**95,380**	300,000	31.79%	140,271
Charges for Services	3,731,989	**3,765,166**	6,220,000	60.53%	5,250,147
Total Revenues	3,952,297	**3,890,129**	6,556,000	59.34%	5,427,190
EXPENDITURES					
Water Administration					
Personal Services	214,521	**187,049**	325,759	0.00%	311,562
Charges & Services	194,597	**203,993**	276,520	73.77%	273,514
Materials & Supplies	540	**344**	775	0.00%	550
Capital Outlay	-	**-**	-	0.00%	-
Refunds	10,020	**6,074**	27,750	21.89%	6,345
Transfers	1,431,048	**1,851,558**	2,659,783	69.61%	2,659,783
Total Admin Expenditures	1,850,727	**2,249,017**	3,290,587	68.35%	3,251,754
Water Treatment					
Personal Services	514,073	**525,848**	930,138	56.53%	840,513
Charges & Services	478,262	**482,970**	812,894	59.41%	648,025
Materials & Supplies	256,090	**241,908**	448,903	53.89%	294,367
Capital Outlay	29,664	**30,012**	87,045	34.48%	63,485
Refunds	-	**-**	-	0.00%	-
Total Treat Expenditures	1,278,089	**1,280,738**	2,278,981	56.20%	1,846,390
Water Distribution					
Personal Services	361,878	**351,958**	617,833	56.97%	565,075
Charges & Services	50,715	**46,578**	121,283	38.40%	94,495
Materials & Supplies	169,967	**139,902**	300,470	46.56%	223,610
Capital Outlay	10,148	**-**	15,000	0.00%	-
Refunds	-	**-**	-	0.00%	-
Total Dist Expenditures	592,709	**538,438**	1,054,586	51.06%	883,180
Total Expenditures	3,721,525	**4,068,194**	6,624,154	61.41%	5,981,324

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 nine for a breakdown of the revenues and expenditures through August 31, 2020.

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 $4,438,616 which is $34,653 or 0.8% greater than the same period from the prior year.

      Capacity Fees – Year-to-date receipts total $1,390,576 and these fees are deposited into the Wastewater Capacity Fee Fund (Fund 546).

Expenditures

The Wastewater Fund expenditures are performing as expected through August 31, 2020.

WASTEWATER FUND
STATEMENT OF REVENUE AND EXPENDITURES
AUGUST 2020

	2019 ACTUAL YTD AUG 31	2020 ACTUAL YTD AUG 31	2020 TOTAL BUDGET	2020 % of BUDGET	2020 PRJ YR END
REVENUES					
Miscellaneous	388	**18,950**	10,000	189.50%	30,320
Other Financing	-	**7,423**	-	0.00%	11,877
Earnings on Investments	174,809	**92,792**	275,000	33.74%	135,634
Charges for Services	4,587,728	**4,655,540**	7,426,500	62.69%	6,494,173
Total Revenues	4,762,925	**4,774,705**	7,711,500	61.92%	6,672,004
EXPENDITURES					
Sewer Administration					
Personal Services	108,555	**165,550**	323,556	0.00%	250,817
Charges & Services	166,711	**179,307**	247,743	72.38%	213,968
Materials & Supplies	631	**392**	1,000	0.00%	627
Capital Outlay	-		-	0.00%	-
Refunds	378	**24,010**	7,500	320.14%	38,416
Transfers	2,094,585	**3,722,285**	3,996,618	93.14%	3,996,618
Total Admin Expenditures	2,370,860	**4,091,544**	4,576,417	89.40%	4,500,446
Sewer Treatment					
Personal Services	558,882	**550,263**	975,531	56.41%	888,889
Charges & Services	580,884	**641,717**	1,004,447	63.89%	884,090
Materials & Supplies	144,734	**129,638**	238,770	54.29%	176,397
Capital Outlay	-	**-**	25,000	0.00%	-
Refunds	-	**-**	-	0.00%	-
Total Treat Expenditures	1,284,499	**1,321,618**	2,243,747	58.90%	1,949,376
Sewer Collection					
Personal Services	252,519	**167,427**	291,090	57.52%	264,733
Charges & Services	53,718	**105,203**	253,935	41.43%	173,128
Materials & Supplies	75,015	**56,228**	187,702	29.96%	80,045
Capital Outlay	17,863	**10,066**	16,100	62.52%	10,238
Refunds	-	**-**	-	0.00%	-
Total Col Expenditures	399,115	**338,924**	748,826	45.26%	528,144
Total Expenditures	4,054,474	**5,752,086**	7,568,991	76.00%	6,977,966

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 seven for a breakdown of the revenues and expenditures through August 31, 2020.

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 $2,385,222 which is $18,091 or 0.8% less than the City received from the same period in the prior year.

Expenditures

The Refuse Fund expenditures are performing as expected through August 31, 2020.

REFUSE FUND
STATEMENT OF REVENUE AND EXPENDITURES
AUGUST 2020

	2019 ACTUAL YTD AUG 31	2020 ACTUAL YTD AUG 31	2020 TOTAL BUDGET	2020 % of BUDGET	2020 PRJ YR END
REVENUES					
Miscellaneous	-	**49,557**	260,000	19.06%	48,683
Other Financing	13,251	**-**	-	0.00%	-
Earnings on Investments	15,516	**7,304**	12,000	60.87%	10,499
Charges for Services	2,403,313	**2,385,222**	3,793,350	62.88%	3,448,967
Total Revenues	2,432,079	**2,442,083**	4,065,350	60.07%	3,508,149
EXPENDITURES					
Refuse Administration					
Personal Services	-	**-**	-	0.00%	-
Charges & Services	32,575	**26,622**	92,834	28.68%	92,782
Materials & Supplies		**-**	-	0.00%	-
Capital Outlay	20,900	**5,985**	9,287	64.44%	9,576
Refunds	440	**355**	1,000	35.52%	568
Transfers	241,533	**247,453**	371,180	66.67%	371,180
Total Admin Expenditures	295,447	**280,416**	474,301	59.12%	474,106
Refuse Collection					
Personal Services	447,487	**455,205**	784,850	58.00%	749,640
Charges & Services	739,595	**770,988**	1,332,353	57.87%	1,015,706
Materials & Supplies	109,625	**100,353**	203,514	49.31%	138,410
Capital Outlay	243,537	**-**	731,207	0.00%	843,783
Refunds	-	**-**	-	0.00%	-
Total Collect Expenditures	1,540,244	**1,326,545**	3,051,924	43.47%	2,747,539
Refuse Recycling					
Personal Services	285,849	**275,863**	474,996	58.08%	449,428
Charges & Services	130,987	**155,489**	300,209	51.79%	255,801
Materials & Supplies	46,864	**33,340**	86,650	38.48%	50,030
Capital Outlay	-	**-**	513,447	0.00%	255,447
Refunds	-	**-**	-	0.00%	-
Total Recycle Expenditures	463,700	**464,692**	1,375,302	33.79%	1,010,706
Total Expenditures	2,299,391	**2,071,653**	4,901,528	42.27%	4,232,351

APPENDIX A

YEAR TO DATE FUND REPORT
August 31, 2020

Fund #	FUND	BEGINNING BALANCE	YTD REVENUES	YTD EXPEND	ENDING BALANCE	ENCUMB	UNENCUMB BALANCE
101	General Fund	6,801,606.03	15,811,451.90	14,047,611.20	8,565,446.73	798,102.85	7,767,343.88
200	Street Maintenance & Repair	603,206.35	2,063,227.39	1,839,902.48	826,531.26	756,069.38	70,461.88
201	State Highway Improvement	353,397.37	103,042.29	472,491.56	(16,051.90)	0.00	(16,051.90)
202	License Fee	426,903.67	285,342.76	486,299.98	225,946.45	52,604.68	173,341.77
203	Stormwater	2,113,380.23	578,767.86	660,123.33	2,032,024.76	456,239.32	1,575,785.44
210	Recreation	266,459.06	510,062.81	737,247.81	39,274.06	34,637.56	4,636.50
212	Oak Grove Cemetery	276,700.20	149,620.27	163,709.54	262,610.93	125,298.99	137,311.94
215	Tree Replacement	119,237.10	65,050.00	0.00	184,287.10	0.00	184,287.10
222	Airport	184,988.85	485,179.35	500,230.02	169,938.18	52,795.22	117,142.96
223	Hangars	180,442.96	67,314.50	33,790.83	213,966.63	0.00	213,966.63
231	Fire/EMS Income Tax	9,399,949.67	8,116,142.93	7,068,361.49	10,447,731.11	1,137,652.93	9,310,078.18
233	Rec Center Income Tax	5,065,048.57	1,638,144.78	517,253.67	6,185,939.68	6,785.00	6,179,154.68
235	Airport TIF	136,735.75	13,326.15	0.00	150,061.90	0.00	150,061.90
236	Glenn Road TIF	2,011,525.35	2,505,575.72	1,174,522.21	3,342,578.86	2,346,966.42	995,612.44
237	Sky Climber TIF	0.00	23,619.40	0.00	23,619.40	6,725.13	16,894.27
238	Mill Run TIF	0.00	51,477.73	51,477.73	0.00	0.00	0.00
240	Municipal Court	2,861,453.86	1,720,181.82	1,722,098.60	2,859,537.08	12,564.29	2,846,972.79
241	Court IDIAM	14,674.86	22,129.73	10,497.15	26,307.44	9,478.50	16,828.94
250	Drug Enforcement	51,218.50	2,168.70	3,307.52	50,079.68	0.00	50,079.68
251	Court Alcohol Treatment	592,279.16	16,422.20	5,264.16	603,437.20	0.00	603,437.20
252	OMVI Enforcement/Education	4,520.65	496.00	0.00	5,016.65	0.00	5,016.65
253	Police Judgement	40,138.50	229.52	17,044.00	23,324.02	0.00	23,324.02
254	Police Fed Judgement	0.00	17,080.13	3,200.00	13,880.13	0.00	13,880.13
255	Park Exaction Fee	184,116.07	0.00	37,336.98	146,779.09	2,663.02	144,116.07
256	Court Computer Legal Research	757,780.68	128,638.90	158,116.03	728,303.55	63,827.47	664,476.08
257	Court Special Projects	749,712.50	128,179.51	275,557.32	602,334.69	7,651.24	594,683.45
259	Court Probation Services	614,641.81	231,999.11	225,317.41	621,323.51	3,212.00	618,111.51
261	Police Disability Pension	0.00	136,035.06	122,310.00	13,725.06	0.00	13,725.06
262	Fire Disability Pension	0.00	136,035.18	122,310.10	13,725.08	0.00	13,725.08
272	Community Promotion	84,603.77	33,471.80	90,369.25	27,706.32	40,250.00	(12,543.68)
280	Local Coronavirus Relief	0.00	750,115.95	8,600.00	741,515.95	0.00	741,515.95
291	CDBG	0.00	0.00	1,984.20	(1,984.20)	1,290.80	(3,275.00)
292	Police Fed Treasury Seizures	0.00	3,540.40	0.00	3,540.40	0.00	3,540.40
295	ED Revolving Loan	240,333.27	69,241.20	12,106.80	297,467.67	52,800.20	244,667.47
296	Housing Program Income	8,150.00	0.00	0.00	8,150.00	8,150.00	0.00

YEAR TO DATE FUND REPORT
August 31, 2020

Fund #	FUND	BEGINNING BALANCE	YTD REVENUES	YTD EXPEND	ENDING BALANCE	ENCUMB	UNENCUMB BALANCE
300	General Bond Retirement	621,579.51	257,156.66	256,545.29	622,190.88	3,000.00	619,190.88
301	Park Improvement Bond	111,104.83	15,755,449.21	15,836,058.44	30,495.60	4,000.00	26,495.60
302	SE Highland Bond	0.00	552,702.62	327,519.99	225,182.63	0.00	225,182.63
410	Capital Improvement	4,666,224.39	3,746,588.84	5,268,781.48	3,144,031.75	2,646,395.52	497,636.23
415	Point Project	933,691.72	920,022.99	1,210,988.47	642,726.24	1,004,736.99	(362,010.75)
431	FAA Alloc/Improvement Grant	95,193.38	34,627.14	38,474.61	91,345.91	31,206.04	60,139.87
440	Equipment Replacement	217,510.22	416,508.00	320,588.75	313,429.47	220,745.50	92,683.97
491	Parks Impact Fee	2,067,688.56	322,837.66	24,863.46	2,365,662.76	102,303.04	2,263,359.72
492	Police Impact Fee	429,784.34	77,283.48	7,508.79	499,559.03	164.93	499,394.10
493	Fire Impact Fee	544,494.17	117,098.02	75,738.16	585,854.03	168.79	585,685.24
494	Municipal Impact Fee	444,342.10	126,327.92	16,628.22	554,041.80	7,168.78	546,873.02
496	Glenn Rd S Construction	926,595.96	633,029.76	121,712.50	1,437,913.22	0.00	1,437,913.22
498	Glenn Rd N	330,020.80	50,712.25	40,722.50	340,010.55	0.00	340,010.55
501	Golf Course	81,056.66	162,051.49	53,998.35	189,109.80	9,659.55	179,450.25
520	Parking Lots	52,087.14	22,275.75	36,516.32	37,846.57	518.25	37,328.32
530	Water	1,504,060.97	3,890,129.26	4,068,193.64	1,325,996.59	253,035.20	1,072,961.39
531	Water Construction	2,479,462.37	1,364,891.50	2,161,609.54	1,682,744.33	114,719.06	1,568,025.27
533	Water Reserve	2,000,000.00	0.00	0.00	2,000,000.00	0.00	2,000,000.00
536	Water Capacity Fee	10,619,956.63	1,466,014.06	1,197,360.95	10,888,609.74	202,656.50	10,685,953.24
540	Wastewater	3,724,670.38	4,774,705.11	5,752,086.25	2,747,289.24	280,649.25	2,466,639.99
541	Wastewater Construction	3,088,062.39	1,476,705.00	475,687.07	4,089,080.32	227,165.98	3,861,914.34
543	Wastewater Reserve	2,000,000.00	0.00	0.00	2,000,000.00	0.00	2,000,000.00
545	Water Customer Deposit	228,317.60	(19,548.33)	2,298.86	206,470.41	0.00	206,470.41
546	Wastewater Capacity Fee	6,796,915.87	3,087,489.42	2,019,956.33	7,864,448.96	42,537.53	7,821,911.43
548	SE Highland Wastewater	268,389.54	550,800.00	561,813.28	257,376.26	0.00	257,376.26
550	Refuse	1,159,867.16	2,442,083.32	2,071,653.39	1,530,297.09	1,329,398.80	200,898.29
601	Garage Rotary	504,994.89	199,181.93	429,205.26	274,971.56	90,445.08	184,526.48
602	IT Rotary	655,372.98	752,812.66	1,178,712.01	229,473.63	191,306.86	38,166.77
610	Health Insurance	522,534.62	4,660,101.20	3,857,061.07	1,325,574.75	8,259.49	1,317,315.26
620	Workers Compensation	2,626,777.89	9,515.16	28,116.39	2,608,176.66	2,154.00	2,606,022.66
701	Fire Donation	1,083.36	200.00	0.00	1,283.36	0.00	1,283.36
702	Parks/Rec Donation	13,214.03	6,500.00	11,965.00	7,749.03	0.00	7,749.03
703	Police Donation	10,836.60	0.00	2,000.00	8,836.60	0.00	8,836.60
704	Mayors Donation	898.15	450.00	50.00	1,298.15	0.00	1,298.15
705	Project Trust	1,129,526.94	102,316.91	116,238.72	1,115,605.13	0.00	1,115,605.13

YEAR TO DATE FUND REPORT
August 31, 2020

707	Unclaimed Funds	18,620.57	0.00	0.00	18,620.57	0.00	18,620.57
708	Municipal Court Unclaimed Funds	86,376.18	9,305.73	315.00	95,366.91	0.00	95,366.91
709	Development Reserve	1,008,885.74	50,000.00	422,755.19	636,130.55	3,900.13	632,230.42
710	Reserve Account	1,188,864.04	25,000.00	0.00	1,213,864.04	0.00	1,213,864.04
711	Berkshire JEDD	84,717.65	218,825.50	254,739.67	48,803.48	248,547.86	(199,744.38)
750	Cemetery Perpetual Care	33,839.98	194.43	360.00	33,674.41	0.00	33,674.41
801	State Highway Patrol	4,866.99	33,451.40	38,318.40	(0.01)	0.00	(0.01)
803	State Building Permit	1,296.92	7,095.34	7,092.18	1,300.08	0.00	1,300.08
804	Performance Bond	694,227.73	50,800.00	192,876.73	552,151.00	0.00	552,151.00
		88,121,216.74	**84,217,002.44**	**79,055,551.63**	**93,282,667.55**	**13,000,608.13**	**80,282,059.42**

CITY OF DELAWARE, OHIO
FINANCIAL STATEMENT
AUGUST 31, 2020

	Weighted Average Interest Rate	YTD Interest Earned	Weighted Average Maturity (Days)	Ending Balance
Checking/Depository				
Checking (Operating & Payroll)*		-		24,157,023
Total Bank Deposits		$ -		$ 24,157,023
Investments				
Star Ohio	25.00%	504,988		69,125,644
Total Investments		$504,988		$ 69,125,644
TOTAL BANK DEPOSITS & INVESTMENTS		$504,988		$ 93,282,668

* The city participates in an Earning Credit Allowance 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 knowledge.

Justin Nahvi — AUGUST 31, 2020

Finance Director — Date

Tom Homan — AUGUST 31, 2020

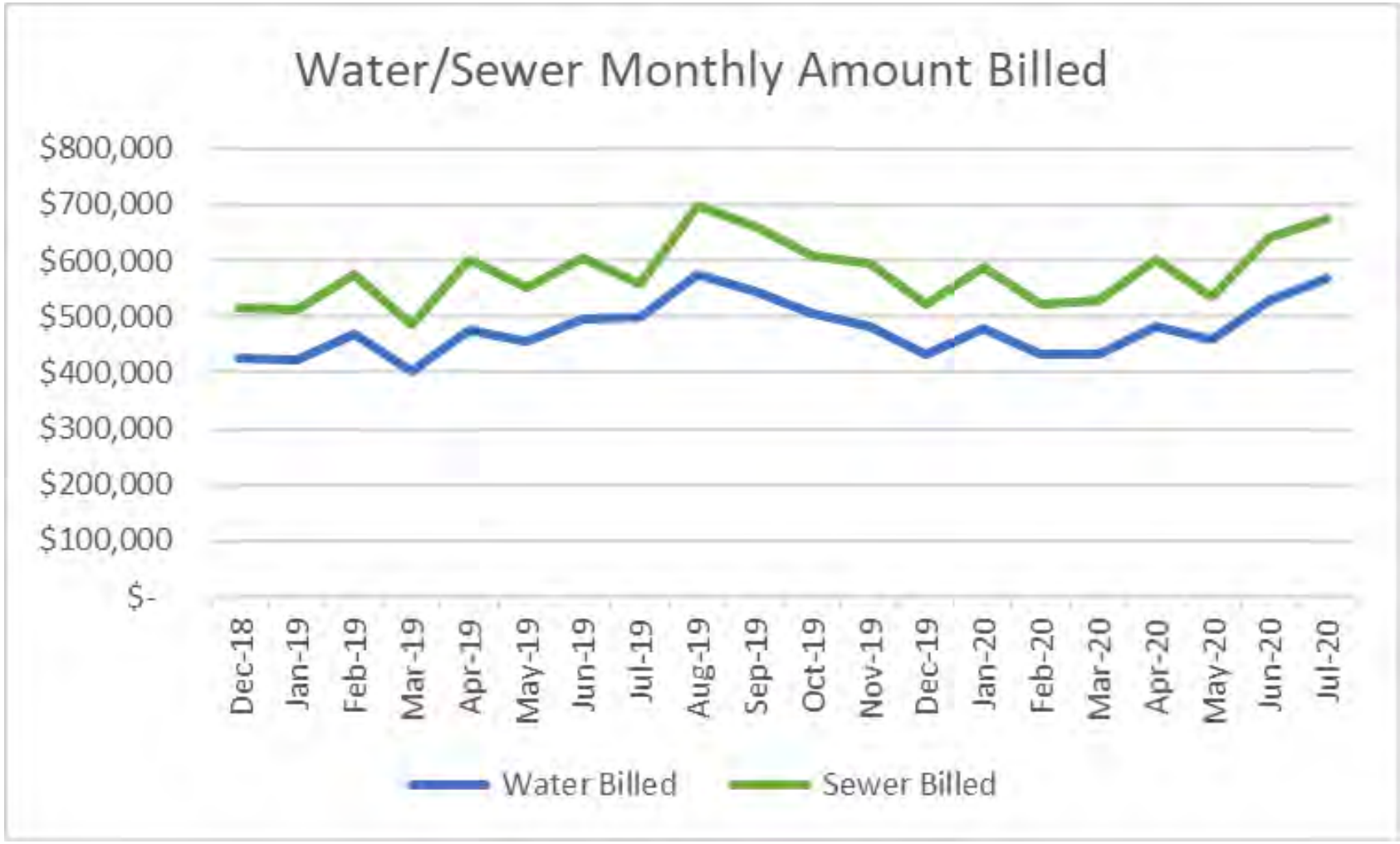
City Manager — Date

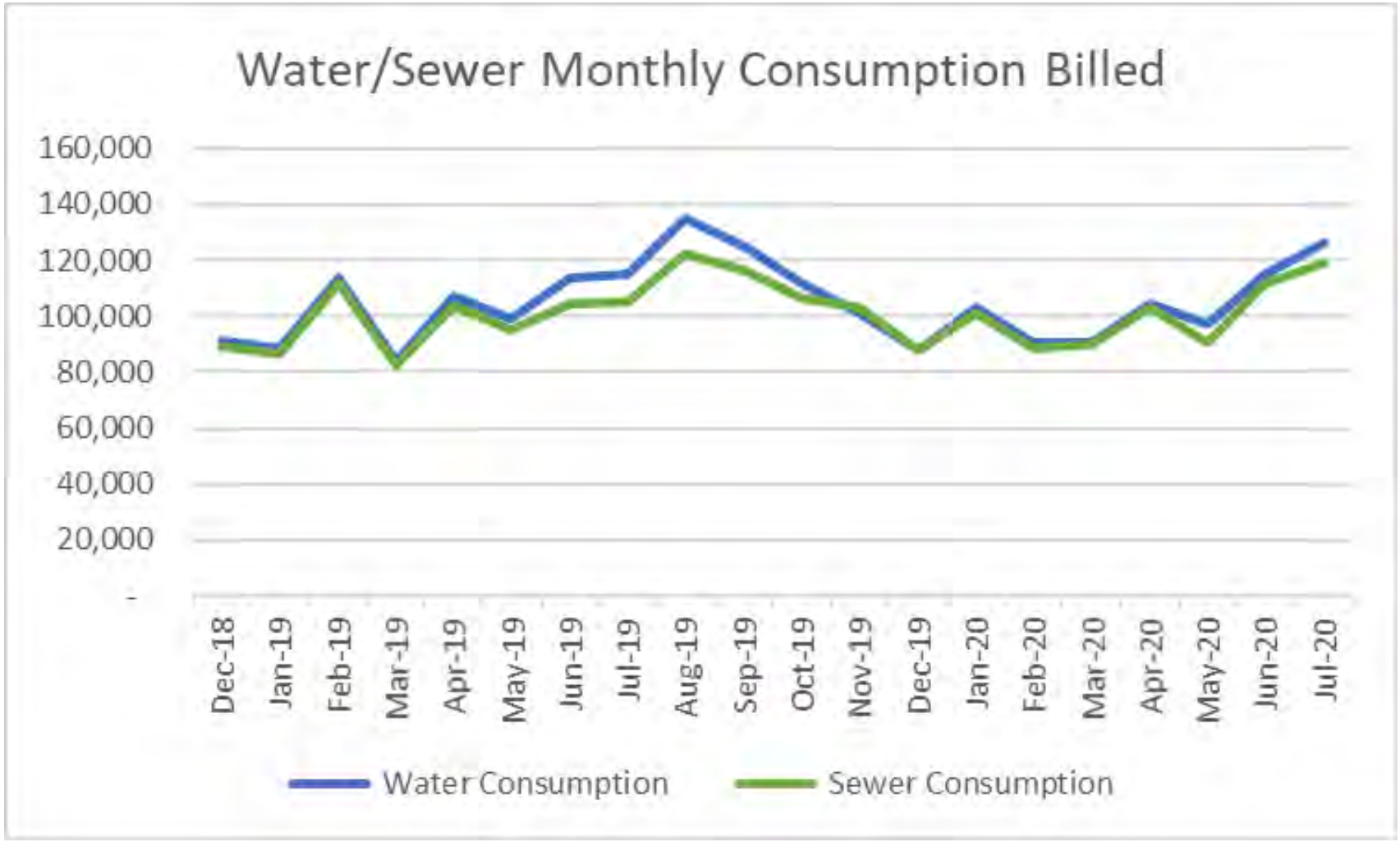
CITY OF DELAWARE
DEBT SCHEDULE
AUGUST 2020

	Outstanding Balance 8/31/2020	General	Fire/EMS	Rec Levy	Police Impact Impact Fee	Municipal Impact Fee	Glenn Rd. TIF/NCA	Water User Fee	Water Capacity Fee	Sewer User Fee	Sewer Capacity Fee
2019 GO Bonds	**$20,595,000**	$ 3,491,250				$ 508,750	$ 6,710,000				$ 9,885,000
2017 General Obligation Bonds	**$ 5,805,000**	$ 631,877	$ 2,665,000						$ 1,957,654		$ 550,469
2015 General Obligation Bonds	**$ 5,205,000**		$ 435,000	$ 2,345,000			$ 2,425,000				
2013 General Obligation Bonds	**$ 5,190,000**		$ 1,855,000		$ 587,500	$ 1,282,500	$ 1,465,000				
2012 General Obligation Bonds	**$ 1,890,000**	$ 847,722	$ 172,278								$ 870,000
OWDA Water Projects	**$29,449,933**							$18,855,372	$10,594,561		
OWDA Sewer Projects	**$11,327,491**									$ 976,430	$10,351,061
2020 Recreation Levy Bonds	**$13,690,000**			$13,690,000							
Total Long Term Debt	**$93,152,424**	$ 4,970,849	$ 5,127,278	$16,035,000	$ 587,500	$ 1,791,250	$10,600,000	$18,855,372	$12,552,215	$ 976,430	$21,656,530
Fund Balance Reserves 3/31/20		$ 5,846,062	$ 8,239,744	$ 5,354,930	$ 447,344	$ 475,112	$ 1,806,453	$ 4,666,539	$10,642,030	$ 8,813,290	$ 6,521,891
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
2020 Revenue		$25,840,079	$12,532,677	$ 2,521,500	$ 80,000	$ 222,500	$ 3,051,300	$ 6,205,500	$ 4,050,000	$ 7,430,300	$ 4,080,000

APPENDIX D

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


Water/Sewer Monthly Amount Billed
$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
Feb-20
Mar-20
Apr-20
May-20
Jun-20
Jul-20
Water Billed
Sewer Billed


Water/Sewer Monthly Consumption Billed
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
Oct-19
Nov-19
Dec-19
Jan-20
Feb-20
Mar-20
Apr-20
May-20
Jun-20
Jul-20
Water Consumption
Sewer Consumption

TO: Mayor Riggle and Members of Council

FROM: R. Thomas Homan, City Manager

SUBJECT: Miscellaneous Matters

DATE: September 24, 2020

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1. **Calendar**
   See Attached

2. **Per Section 73 Of The City Charter The City Manager Is To Report Contract Agreements**
   See Attached

3. **Required Reading**
   LED Update and Memo – Bill Ferrigno

October

2020

Monthly Meeting Schedule

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 Virtual Work Session 6pm	6	7 Virtual Planning Commission 6:30 pm	8	9	10
11	12 Virtual Council Meeting 7pm	13 Virtual Sister City 6 pm	14 Virtual BZA 6:30 pm	15 Virtual Airport Commission 6:30 pm	16	17
18	19 Virtual Parking and Safety 6 pm	20	21	22	23	24
25	26 Virtual Council Meeting 7pm	27 Virtual Shade Tree Commission 6:30 pm	28 Virtual HPC 6:30 pm	29	30	31

CONTRACT APPROVAL - 9/28/20			
VENDOR	**EXPLANATION OF AGREEMENT**	**2020 AMOUNT**	**DEPARTMENT**
Double Z Construction Co.	E. William St. Widening Change Order #6	$5,170,559.35	PW
Resource International	Glenn Pkwy Construction Inspection & Materials Testing	188,504.00	PW
Suburban Natural Gas	Glenn Pkwy Gas Utility Relocation	280,000	PW
T&R Properties	Addendum to Explosive Gas Monitoring Agreement	N/A	PW
AEP	AEP Easement North St.	N/A	PW
MS Consultants	E. Central Ave. Funding Applications	28,520.00	PW
Double Z Construction Co.	E. William Widening Change Order #7	5,175,079.30	PW
Zaremba Group	Glennwood TIF Interest Agreement	N/A	Finance
Lexis Nexis	Coplogic Solutions Electronic Crash Reports	N/A	PD
Aeromark Co.	2020 Pavement Maint. Program	81,617.25	PW
Burgess & Niple	Groundwater, Leachate & Explosive Gas Monitoring for Curve Rd. Landfill	68,530.00	PW
MS Consultants	US36 & Carson Farms Valleyside Signal Design	24,400.00	PW
HDR	Citywide Signals Improvements Mod 3	324,638.00	PW
Burgess & Niple	Explosive Gas Monitoring for Cherry St. Landfill	4170	PW
American Structure Point	Glenn Pkwy Mod 4	33,525	PW
Consolidated Cooperative	Right of Way Easement	N/A	PW
Poggemeyer Design Group	CDBG ED RLF Admin Svcs.	$8,872.00	Planning
Nickolas M. Savko & Sons	Glenn Pkwy Extension Project	$3,165,291.64	PW
Cyrus Concrete	Hills Miller Walk Improvements	$39,725.00	
JHR Preservation	Code Enforcement Mowing	$25 per lawn	Planning
R&B Mowing	Code Enforcement Mowing	$25 per lawn	Planning
Hoffmans Lawn	Code Enforcement Mowing	$25 per lawn	Planning
Cyrus Concrete	Code Enforcement Mowing	$25 per lawn	Planning
L&T Painting	Water Tower Painting	$656,000.00	PU
Verizon Wireless	Monthly Access Fees	$10,930.60	IT
Ohio EPA	Glenn Pkwy Extension Project	N/A	PW

EST 1808
CITY OF
DELAWARE
OHIO

MEMORANDUM

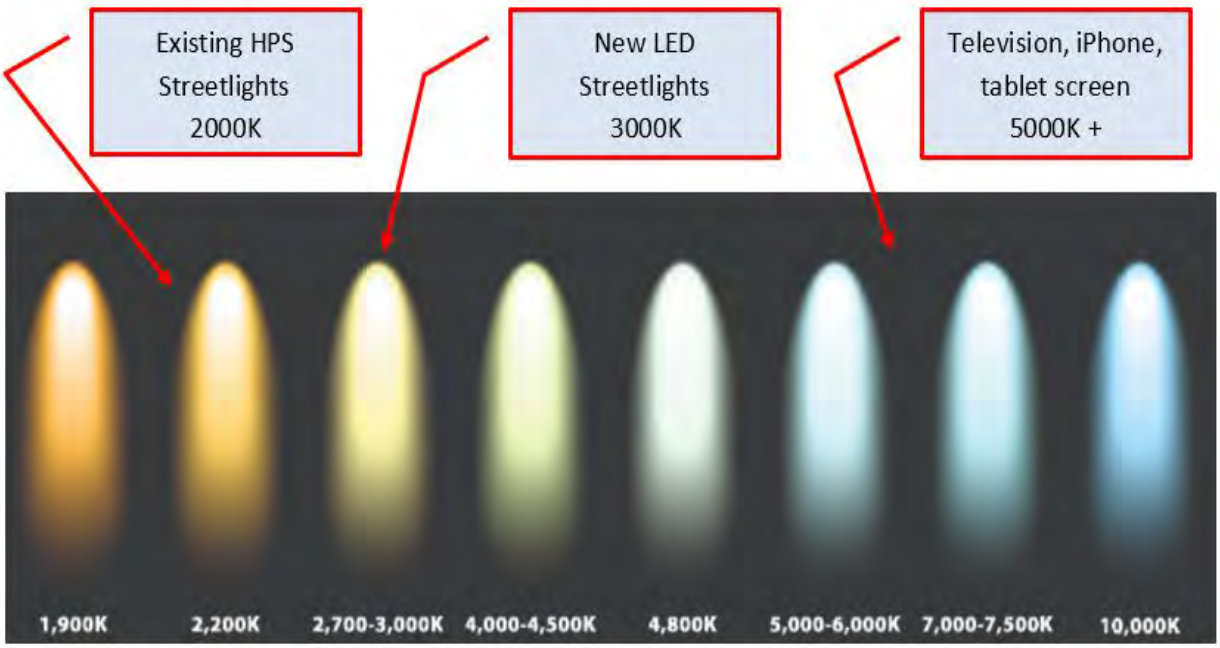
TO: R. Thomas Homan, City Manager

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

DATE: September 21, 2020

RE: LED Lighting on Public Streets

Staff first considered LED lighting in early 2018 at the prompting of City Council, largely for the energy saving value LED holds over the City's current HPS lighting. Meetings were held with lighting suppliers regarding options that would match the historic appearance of the current lighting pole-luminaire standard. Various LED lamps were considered of various color temperature as measure in kelvin units (K) as shown below. Lamps rated < 3000 K are considered 'warm'. The lamp selected was closest to the appearance of the current HPS luminaire while still providing energy savings. The color of light as measured in kelvins is not indicative of the brightness. Rather the brightness of light is measured in lumens and the new LED standard is equivalent in brightness to the previous 100-Watt HPS lamps. A standard was developed for implementation that is now included in the City's Technical Design Guide.



The first installation of LED street lighting was approved in the fall of 2018. Over the past two years multiple LED installations have been completed on 39 streets in over a dozen developments. There are currently 280 new LED light fixtures installed with many more in the pipeline. To our knowledge we have not received any complaints over this new lighting.

The Glenn Parkway and E. William Improvement projects both include lighting that meet the new standard. The image below compares the previous HPS standard (left) to the new LED lighting as found on E. William Street (right). Both installations appear bright to area residents as the previous street lighting was minimal, or in the case of Glenn Parkway, non-existent before the project. The lighting improves safety for pedestrians walking along sidewalks and allows for them to be more visible to motorists in and around intersections. The lighting along Glenn Parkway provides improved safety for pedestrians utilizing the new separate multi-use trail as well. It is understandable that area residents feel the new lighting is intrusive in what is generally considered a rural area. However, as the City continues to expand, providing infrastructure that protects pedestrians and motorists alike remains an integral part in the continued execution of the 'Safe City' component of the City's Strategic Plan Themes.



The addition of intersection lighting associated with the E. William project did introduce more intense lighting in relative proximity to existing homes. This was initially overlooked by the designer however staff in working with the lighting manufacturer and suppliers to identify and install the appropriate shielding to block the direct light emanating from the back of the fixtures toward individual residences. This work is in process and will continue to be adjusted in working with individual residents.

Lastly, as part of staff consideration in upgrading the lighting standard to LED, we worked with AEP to identify the energy cost savings if all 2077 unmetered streetlights would be converted from HPS lamps. The energy savings is estimated at $2.63 per light per month, or $65,550 per year. There is additional corresponding savings in material and labor costs in maintaining LED fixtures over HPS estimated at $18.75 per year per light, or $38,944 annually. Together, LED conversation represents a combined annual savings of just over $104,000 per year. Converting all 2077 HPS lights to LED would require an estimated capital investment of $1,040,000. The capital investment could be paid in ten years based on the estimated savings in energy costs and maintenance. There is no immediate plan to advance this initiative currently. Staff is considering upgrading streets lights to an LED standard on a case by case basis as lighting components fail. Upgrading fixtures in this manner would likely to take 10 years until all HPS lights are converted.