

**CITY OF DELAWARE
PLANNING COMMISSION
AGENDA**

**MEETING TO BE HELD VIRTUALLY VIA CISCO Webex **
6:30 P.M.**

REGULAR MEETING

September 2, 2020

1. ROLL CALL
2. APPROVAL of the Motion Summary of the Planning Commission meeting held on August 5, 2020, as recorded and transcribed.
3. REGULAR BUSINESS
 - A. UDF
 - (1) 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.
 - (2) 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.

Anticipated Process

- a. Staff Presentation
- b. Applicant Presentation
- c. Public comment (public hearing)

Due to the meeting being held virtually, public comment, less than 500 words is requested to be received by 3 p.m. before the meeting through email at emccloskey@delawareohio.net. To request to make a public comment virtually please email emccloskey@delawareohio.net by 3 p.m. prior to the meeting. Comments received on Facebook may have to be addressed by staff subsequent to the meeting.

- d. Commission Action

B. Springer Woods – Section 3

- (1) 2020-1600 A request by D.R. Horton Indiana LLC., (Westport Homes) for approval of a Final Subdivision Plat for Springer Woods Section 3 Phase 1 for 59 single family lots on approximately 18.351 acres zoned R-3 (One-Family Residential District) and located on Springer Woods

Boulevard, Bevan Way, Penwell Drive, Brazos Drive and Curly Smart Circle.

- (2) 2020-1601 A request by D.R. Horton Indiana LLC., (Westport Homes) for approval of a Final Subdivision Plat for Springer Woods Section 3 Phase 2 for 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.

Anticipated Process

- a. Staff Presentation
- b. Applicant Presentation
- c. Public comment (not a public hearing)

Due to the meeting being held virtually, public comment, less than 500 words is requested to be received by 3 p.m. before the meeting through email at emccloskey@delawareohio.net. To request to make a public comment virtually please email emccloskey@delawareohio.net by 3 p.m. prior to the meeting. Comments received on Facebook may have to be addressed by staff subsequent to the meeting.

- d. Commission Action

4. PLANNING DIRECTOR'S REPORT
5. COMMISSION MEMBER COMMENTS AND DISCUSSION
6. NEXT REGULAR MEETING: October 7, 2020
7. 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.

PLANNING COMMISSION
August 5, 2020
MOTION SUMMARY

ITEM 1. Roll Call

Chairman Simpson called the meeting to order at 6:32 p.m.

Members Present Virtually: Jim Halter, Dean Prall, Andy Volenik, Mayor Carolyn Kay Riggle (arrived at 6:42 p.m.), Vice-Chairman George Mantzoros and Chairman Stacy Simpson

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

City Council Clerk notified the Commission that she had received notification from Mayor Riggle that she would be arriving a little late.

Motion to Excuse: Mr. Prall motioned to excuse Mayor Riggle, seconded by Vice-Chairman Mantzoros. Motion approved by a 5-0 vote.

ITEM 2. APPROVAL of the Motion Summary of the Planning Commission meeting held on July 1, 2020, as recorded and transcribed.

Motion: Vice-Chairman Mantzoros motioned to approve the Motion Summary for the Planning Commission meeting held on July 1, 2020, as recorded and transcribed, seconded by Mr. Halter. Motion approved with 5-0 vote.

Mayor Riggle arrived at 6:42 p.m.

ITEM 3. REGULAR BUSINESS

A. Terra Alta – Section 2

- (1) 2020-1303: A request by Terra Alta LLC., for approval of a Final Development Plan for Terra Alta Section 2 Part 1 for 65 single-family lots on approximately 18.885 acres zoned A-1 PMU (Agricultural District with a Planned Mixed-Use Overlay District) and located on Firenze Road and Talla Road North and South.
- (2) 2020-1304: A request by Terra Alta LLC., for approval of a Final Subdivision Plat for Terra Alta Section 2 Part 1 for 65 single-family lots on approximately 18.885 acres zoned A-1 PMU (Agricultural District with a Planned Mixed-Use Overlay District) and located on Firenze Road and Talla Road North and South.
- (3) 2020-1305: A request by Terra Alta LLC., for approval of a Final Development Plan for Terra Alta Section 2 Part 2 for 27 single-family lots on approximately 7.634 acres zoned A-1 PMU (Agricultural

District with a Planned Mixed-Use Overlay District) and located on Lucca Road and Talla Road.

- (4) 2020-1306: A request by Terra Alta LLC., for approval of a Final Subdivision Plat for Terra Alta Section 2 Part 2 for 27 single-family lots on approximately 7.634 acres zoned A-1 PMU (Agricultural District with a Planned Mixed-Use Overlay District) and located on Lucca Road and Talla Road.

Anticipated Process

a. Staff Presentation

Mr. Schultz provided information on property location and description, as well as background information on the subject site. He discussed that the developer is proposing a Final Development Plans and Final Subdivision plats for Section 2 Parts 1 and 2. He reviewed the access locations to Section 2 which is accessed from Terra Alta Drive by Firenze Road. This development has extensive bike path networks throughout the plan, however there are not any bike or pedestrian paths proposed in Section 2. Sidewalks will be provided on both sides of all public streets in this section. Also discussed was parkland and open space. Section 2 does not have any of the 179.28 acres of open space and parkland, however the developer is proposing to construct the club house with a pool in Reserve F within the same timeframe as Section 2.

b. Applicant Presentation

APPLICANT:

Jeff Strung
EMHT
5500 New Albany Drive
Columbus, Ohio

Jim Ohlin
Romanelli and Hughes
148 West Schrock Road
Westerville, Ohio

Mr. Ohlin discussed the estimated sales prices for the homes and that recent months have had strong sales in the area.

c. Public comment (not a public hearing)

There was no public comment received or requested.

d. Commission Action

Motion: Mr. Prall motioned to approved 2020-1303, along with all staff recommendations, seconded by Mr. Volenik. Motion approved by a 6-0 vote.

Motion: Mr. Prall motioned to approved 2020-1304, along with all staff recommendations, seconded by Mr. Volenik. Motion approved by a 6-0 vote.

Motion: Mr. Prall motioned to approved 2020-1305, along with all staff recommendations, seconded by Mr. Volenik. Motion approved by a 6-0 vote.

Motion: Mr. Prall motioned to approved 2020-1306, along with all staff recommendations, seconded by Mr. Volenik. Motion approved by a 6-0 vote.

B. Delaware Square

- (1) 2020-1498: A request by Gosula Holdings LTD., for approval of a Conditional Use Permit 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).
- (2) 2020-1499: A request by Gosula Holdings LTD., for approval of a Combined Preliminary and Final Development Plan 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).

Anticipated Process

a. Staff Presentation

Mr. Schultz reviewed the property location and background. The owner razed the former Jiffy Lube building and is proposing to construct a commercial building with a drive thru. The out parcel would have two curb butts from the Shopping Center access road that would extend into a 20-space parking lot with a drive thru on the eastern portion of the building.

b. Applicant Presentation

APPLICANT:
Mohan Gosula

6028 Trent Court
Lewis Center, Ohio

c. Public comment (public hearing)

There was no public comment received or requested.

d. Commission Action

Motion: Mr. Prall motioned to approved 2020-1498, along with all staff recommendations, seconded by Mr. Halter. Motion approved by a 6-0 vote.

Motion: Mr. Prall motioned to approved 2020-1499, along with all staff recommendations, seconded by Mr. Halter. Motion approved by a 6-0 vote.

ITEM 4. PLANNING DIRECTOR REPORT

ITEM 5. COMMISSION MEMBER COMMENTS AND DISCUSSION

ITEM 6. NEXT REGULAR MEETING: September 2, 2020

ITEM 7. ADJOURNMENT:

Motion: Chairman Simpson moved for the Planning Commission meeting to adjourn. The meeting adjourned at 7:18 p.m.

Chairperson

Elaine McCloskey, Clerk

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.

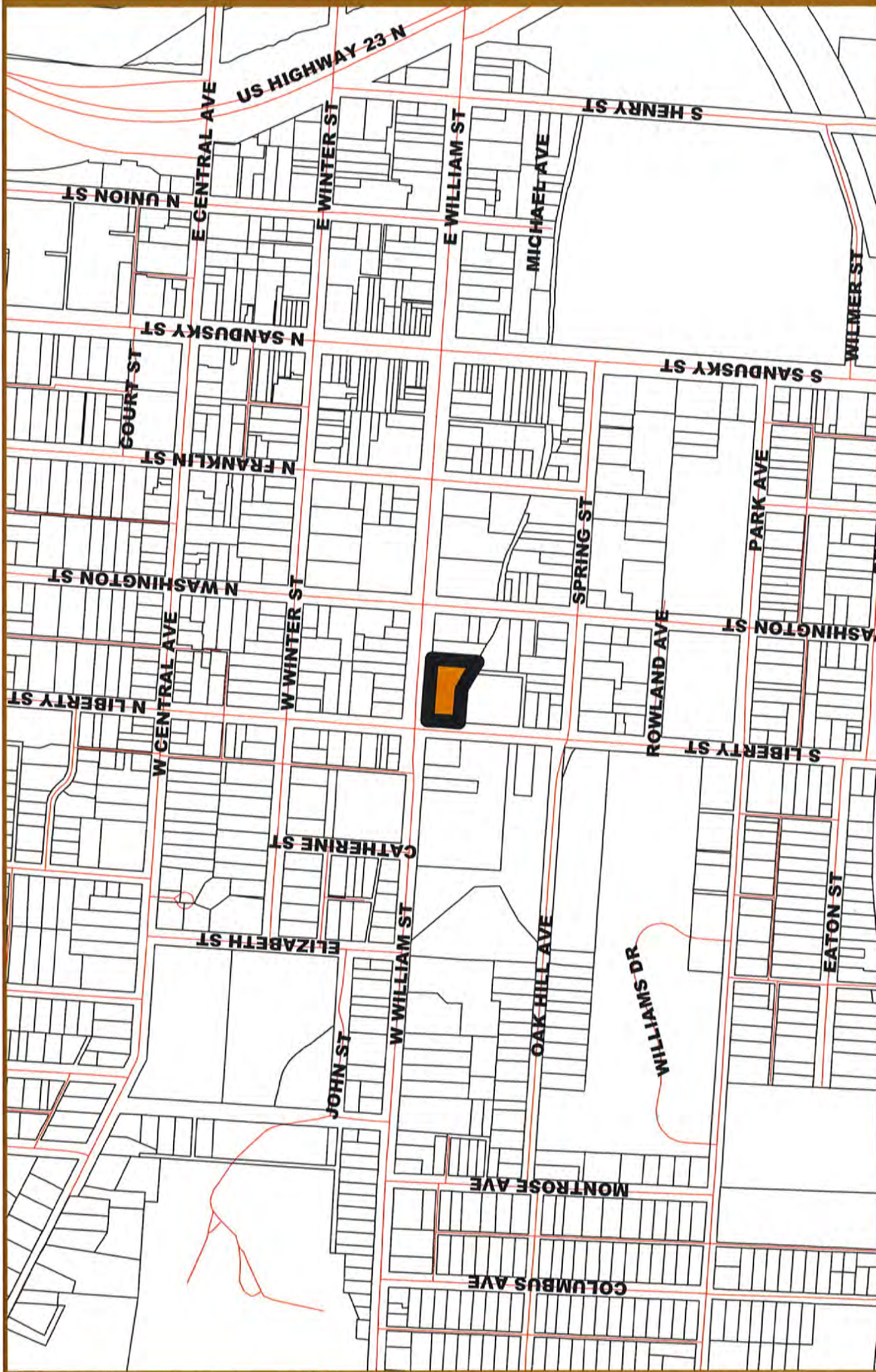
(j) **That the establishment of the conditional use will not be detrimental to the economic welfare of the community by creating excessive additional requirements or public cost for public facilities such as police, fire, and schools.** There shall be no detrimental impact on the economic welfare of 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.

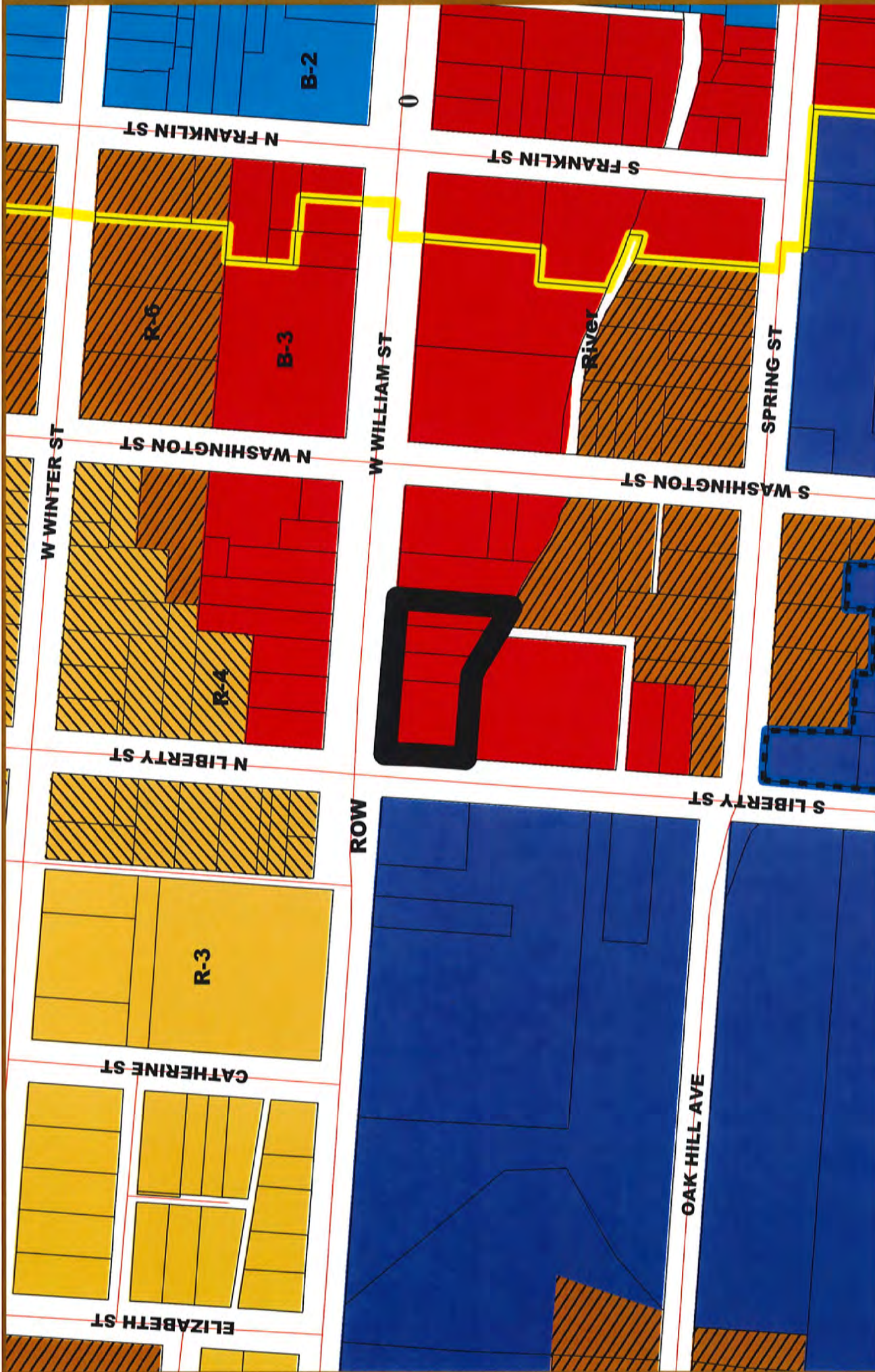
Lastly, the Applicant and City officials have been working for a lengthy period of time discussing and planning for the need to redevelop this Property and impact the natural features, such as the flood fringe, flood plain, and floodway areas of Delaware Run, which intersects the Property. The building 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.



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





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





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

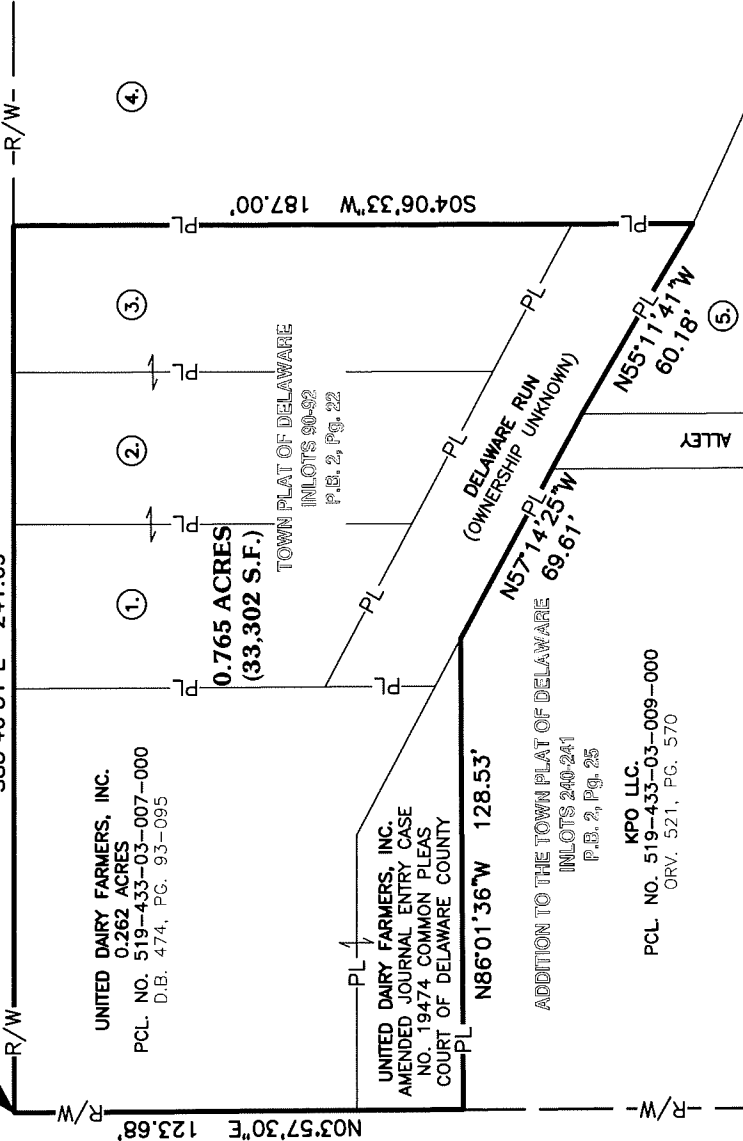


0.765 ACRE TRACT PROPERTY EXHIBIT
 STATE OF OHIO, COUNTY OF DELAWARE, CITY OF DELAWARE,
 SECTION 4, TOWNSHIP 5, RANGE 19
 UNITED STATES MILITARY DISTRICT

WILLIAM ST. (99')

(PUBLIC ROADWAY)

S85°46'51"E 241.69'



Legend

R/W Right-of-Way

PL Property Line

POB Point of Beginning

GRAPHIC SCALE



- 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 I, PARCEL 2
0.114 ACRES
PCL NO. 519-433-03-005-000
ORV. 1693, PG. 2243-2249
- ③. UNITED DAIRY FARMERS, INC.
TRACT I, 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).

880 KING AVENUE
 COLUMBUS, OHIO 43212
 (614) 299-2699
 (614) 299-2892 (FAX)
 www.EPFERRIS.com

E. P. FERRIS
 AND ASSOCIATES
 INC.

Consulting Civil Engineers and Surveyors

UNITED DAIRY FARMERS, INC.
 0.765 ACRE
 CITY OF DELAWARE

DATE	06/26/20
JOB NO.	1158.004
DRAWN BY:	JEC
CHECKED BY:	MJA
APPROVED BY:	MLS

1 OF 1

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
APPROVED ZONING: B-3
APPROVED ZONING: B-3
ADDRESS: 123 W. WILLIAM STREET

OWNER
UNITED DAIRY FARMERS, INC.
123 W. WILLIAM STREET
COLUMBUS, OHIO 43212
CONTACT: JOHN FERRIS, PE
PHONE: (614) 385-3654
EMAIL: john@epferris.com

ARCHITECT
M. ARCHITECTURE
123 W. WILLIAM STREET
COLUMBUS, OHIO 43212
CONTACT: JOHN FERRIS, PE
PHONE: (614) 385-3654
EMAIL: john@epferris.com

CIVIL ENGINEER
E.P. FERRIS & ASSOCIATES
123 W. WILLIAM STREET
COLUMBUS, OHIO 43212
CONTACT: JOHN FERRIS, PE
PHONE: (614) 385-3654
EMAIL: john@epferris.com

PARCEL INDEX
UNITED DAIRY FARMERS, INC.
PID: 5194330001000
0.327 AC. (AUTI09)
ZONING: B-3

UNITED DAIRY FARMERS, INC.
PID: 5194330002000
0.133 AC. (AUTI09)
ZONING: B-3

UNITED DAIRY FARMERS, INC.
PID: 5194330003000
0.141 AC. (AUTI09)
ZONING: B-3

UNITED DAIRY FARMERS, INC.
PID: 5194330004000
0.155 AC. (AUTI09)
ZONING: B-3

TM DONUT US LIMITED INC
PID: 5194330005000
0.322 AC. (AUTI09)
ZONING: B-3

TM DONUT US LIMITED INC
PID: 5194330006000
0.322 AC. (AUTI09)
ZONING: B-3

MPG LLC
PID: 5194330007000
1.009 AC. (AUTI09)
ZONING: B-3

MPG LLC
PID: 5194330008000
0.132 AC. (AUTI09)
ZONING: B-6

PEOPLES ROBERT P &
PID: 5194330009000
0.144 AC. (AUTI09)
ZONING: B-3

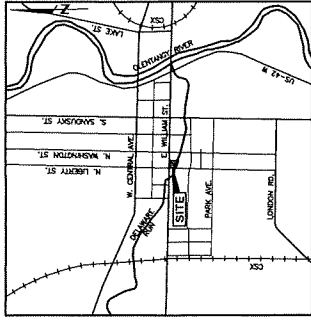
OHIO WESLEYAN UNIVERSITY
PID: 5194330010000
0.322 AC. (AUTI09)
ZONING: B-3

TRUSTEES O W U
PID: 5194330011000
3.178 AC. (AUTI09)
ZONING: F01

OWNER UNKNOWN
PID: 5194330012000
ZONING: B-3

E. P. FERRIS & ASSOCIATES
Consulting Civil Engineers and Surveyors
880 KING AVENUE
COLUMBUS, OHIO 43212
(614) 288-2882 (FAX)
WWW.EPFERRIS.COM

PROJECT 1138.004



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 (PRINTED)	0.73	AC.
BUILDING AREA	4017	S.F.
PAVING AREA	1100	S.F.
(1) SPACE FOR 200 CARS (PRINTED)	21	SPACES
PAVING PROVIDED	20	SPACES
ADA PROVIDED	1	SPACES
TOTAL PROVIDED	21	SPACES

E.P. FERRIS & ASSOCIATES
Consulting Civil Engineers and Surveyors
880-962-2764 or 614-288-2882
www.epferris.com

APPROVED BY:
CITY OF DELAWARE, OHIO

PC CASE NO. _____

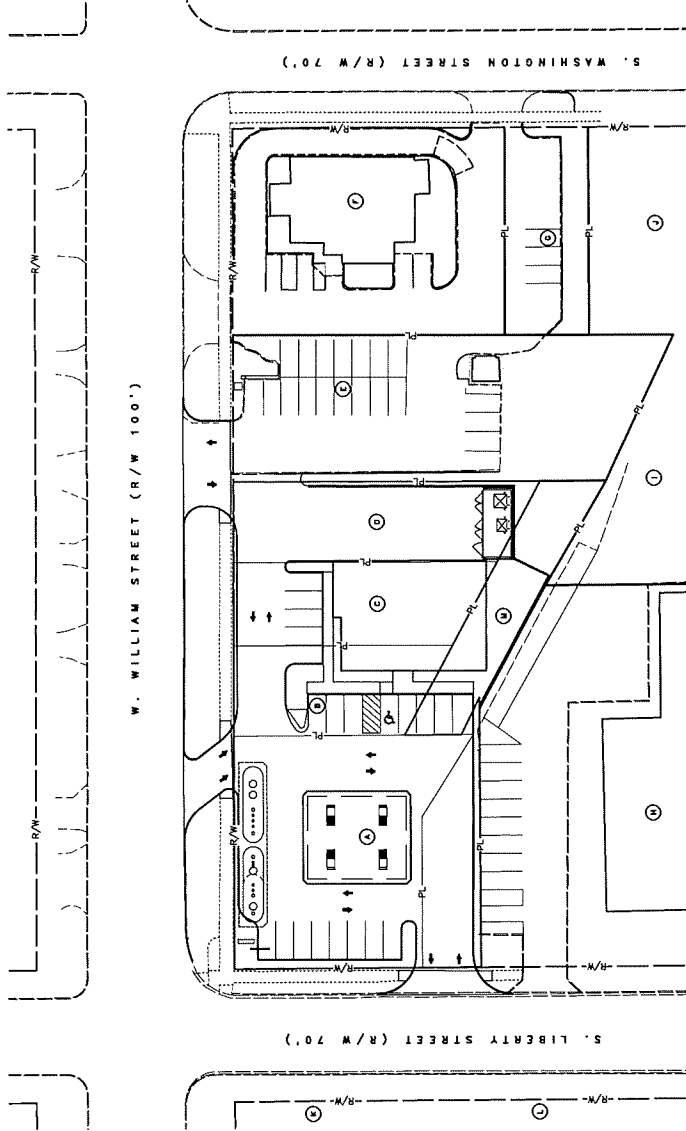
APPROVED BY THE PLANNING COMMISSION ON _____

APPROVED THIS _____ DAY OF _____ 2019.
DAVID M. EDWARDS, ACP
PLANNING & COMMISSION DEVELOPMENT DIRECTOR

SCALE IN FEET
0 30 60

SHEET NO. OF
1 4

DATE: 7/31/20



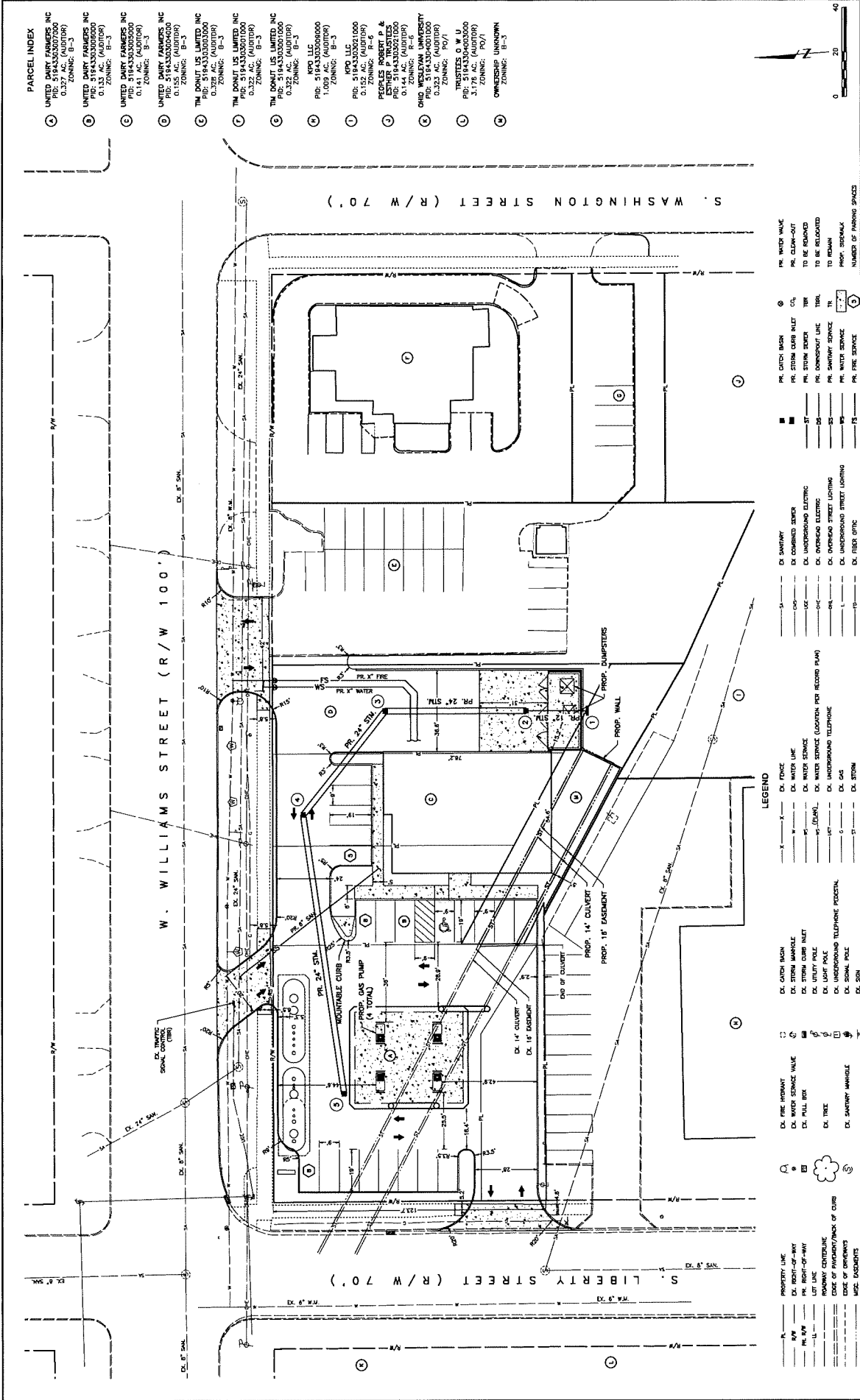
INDEX MAP
SCALE: 1" = 30'

BENCHMARKS

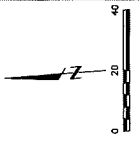
B.M. #	ELEVATION	DESCRIPTION
B.M. #1	860.39	"X" CUT ON IRON PIPE END OF NORTH STREET PAZE, 1ST FIVE FEET WEST OF INTERSECTION OF NORTH STREET AND WILLIAM STREET.
B.M. #2	860.65	SCAQUE CUT ON SE CORNER OF CONCRETE BASE OF SIGNAL POLE AT THE CORNER OF W. WILLIAM STREET & LIBERTY STREET.
B.M. #3	844.17	IRON PIPE END OF "X" CUT ON IRON PIPE END OF NORTH STREET PAZE, 1ST FIVE FEET WEST OF INTERSECTION OF NORTH STREET AND WILLIAM STREET.

NOTE: ALL BENCHMARKS SHOWN ARE BASED ON THE NORTH AMERICAN DATUM (NAD83) UNLESS OTHERWISE NOTED.

11138004.dwg - E:\Projects\1138004\1138004.dwg - THE LAST EXISTING REVISION ON 7/31/20



- PARCEL INDEX**
- ① UNITED DAIRY FARMERS INC
PID: 5194330307000
0.152 AC. (AUDITOR)
ZONING: B-3
 - ② UNITED DAIRY FARMERS INC
PID: 5194330306000
0.152 AC. (AUDITOR)
ZONING: B-3
 - ③ UNITED DAIRY FARMERS INC
PID: 5194330305000
0.143 AC. (AUDITOR)
ZONING: B-3
 - ④ UNITED DAIRY FARMERS INC
PID: 5194330304000
0.155 AC. (AUDITOR)
ZONING: B-3
 - ⑤ TM DONUT US LIMITED INC
PID: 5194330303000
0.292 AC. (AUDITOR)
ZONING: B-3
 - ⑥ TM DONUT US LIMITED INC
PID: 5194330302000
0.292 AC. (AUDITOR)
ZONING: B-3
 - ⑦ TM DONUT US LIMITED INC
PID: 5194330301000
0.292 AC. (AUDITOR)
ZONING: B-3
 - ⑧ KPO LLC
PID: 5194330300000
1.009 AC. (AUDITOR)
ZONING: B-3
 - ⑨ PID: 5194330201000
0.152 AC. (AUDITOR)
ZONING: B-3
 - ⑩ ESTHER P TRUSTEES
PID: 5194330200000
0.152 AC. (AUDITOR)
ZONING: B-3
 - ⑪ OHIO WESLEYAN UNIVERSITY
PID: 5194330100000
0.232 AC. (AUDITOR)
ZONING: PG/1
 - ⑫ TRUSTEES O W U
PID: 5194330000000
0.152 AC. (AUDITOR)
ZONING: PG/1
 - ⑬ OWNERSHIP UNKNOWN
ZONING: B-3



SHEET NO. 3		OF 4	
DATE: 7/21/20		SCALE: 1" = 20'	

SITE LAYOUT & UTILITY PLAN

JOB NO.	1135004
ISSUED BY:	EF
DESIGNED BY:	EF
CHECKED BY:	EF
APPROVED BY:	EF
DATE:	7/21/20

CITY OF DELAWARE, OHIO
UNITED DAIRY FARMERS INC
 UNITED DAIRY FARMERS INC

880 KING AVENUE
 COLUMBUS, OHIO 43212
 (614) 295-2882 (Tel)
 (614) 295-2882 (Fax)
 www.EPFERRIS.com
 Consulting Civil Engineers and Surveyors

E. P. FERRIS
 & ASSOCIATES
 INC

REVISIONS	DATE	BY	CHKD

E.P. FERRIS & ASSOCIATES INC

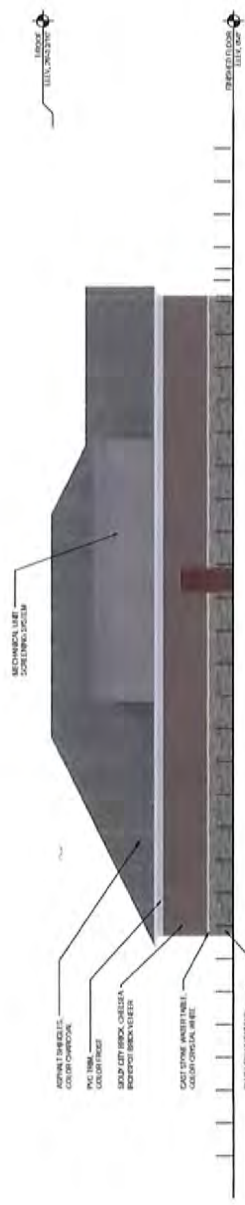
11/15/2004 12:42:23 PM C:\Users\epferris\Documents\Projects\1135004\1135004.dwg - SITE LAYOUT & UTILITY PLAN - LAST LOTTED BREAKER ON 7/21/20



2 SIDE ELEVATION
 SCALE: NOT TO SCALE



1 SIDE ELEVATION
 SCALE: NOT TO SCALE



3 REAR ELEVATION
 SCALE: NOT TO SCALE



4 FRONT ELEVATION
 SCALE: NOT TO SCALE

UDF DELAWARE - BUILDING ELEVATIONS

123 WEST WILLIAM STREET, DELAWARE, OH 45013



1. DUMPSTER ENCLOSURE BACK ELEVATION
SCALE: NOT TO SCALE



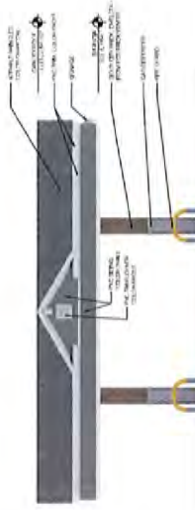
2. DUMPSTER ENCLOSURE FRONT ELEVATION
SCALE: NOT TO SCALE



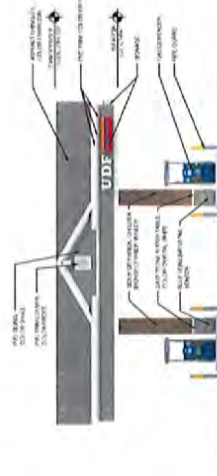
3. DUMPSTER ENCLOSURE SIDE ELEVATION
SCALE: NOT TO SCALE



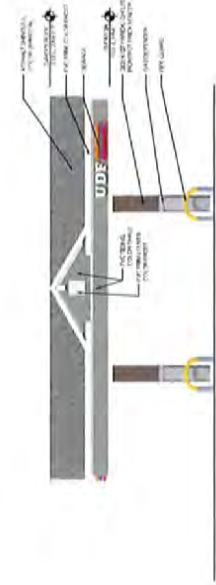
4. GAS CANOPY RIGHT ELEVATION
SCALE: NOT TO SCALE



5. GAS CANOPY BACK ELEVATION
SCALE: NOT TO SCALE



6. GAS CANOPY LEFT ELEVATION
SCALE: NOT TO SCALE



7. GAS CANOPY FRONT ELEVATION
SCALE: NOT TO SCALE

UDF DELAWARE - GAS CANOPY & DUMPSTER ELEVATIONS

123 WEST WILLIAM STREET, DELAWARE, OH 45013

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 elevations 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		Existing	Existing	Proposed	Proposed	Difference	Difference
Section	Sta.	Floodplain	Floodway	Floodplain	Floodway	Floodplain	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

Delaware
County



Revised: February 17, 2016



Federal Emergency Management Agency

FLOOD INSURANCE STUDY NUMBER
39041CV001B

**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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Big Run	Panels 07P-10P
Big Walnut Creek	Panels 11P-14P
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
Lick Run	Panels 30P-35P

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(Continued)

Volume 2 – February 17, 2016

Exhibit 1 – Flood Profiles

Little Walnut Creek	Panels 36P-43P
Mill Creek	Panels 44P-46P
Olentangy River	Panels 47P-50P
Reed Run	Panels 51P-57P
Retreat Run	Panels 58P-63P
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Tylers Run	Panels 70P-71P
Weeping Rock Run	Panels 72P-74P
Wildcat Run	Panels 75P-80P

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

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

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 1-270 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

¹Feet above confluence with Olen tangy River

²Elevation computed without consideration of backwater effects from Olen tangy River

TABLE 11

FEDERAL EMERGENCY MANAGEMENT AGENCY

**DELAWARE COUNTY, OH
AND INCORPORATED AREAS**

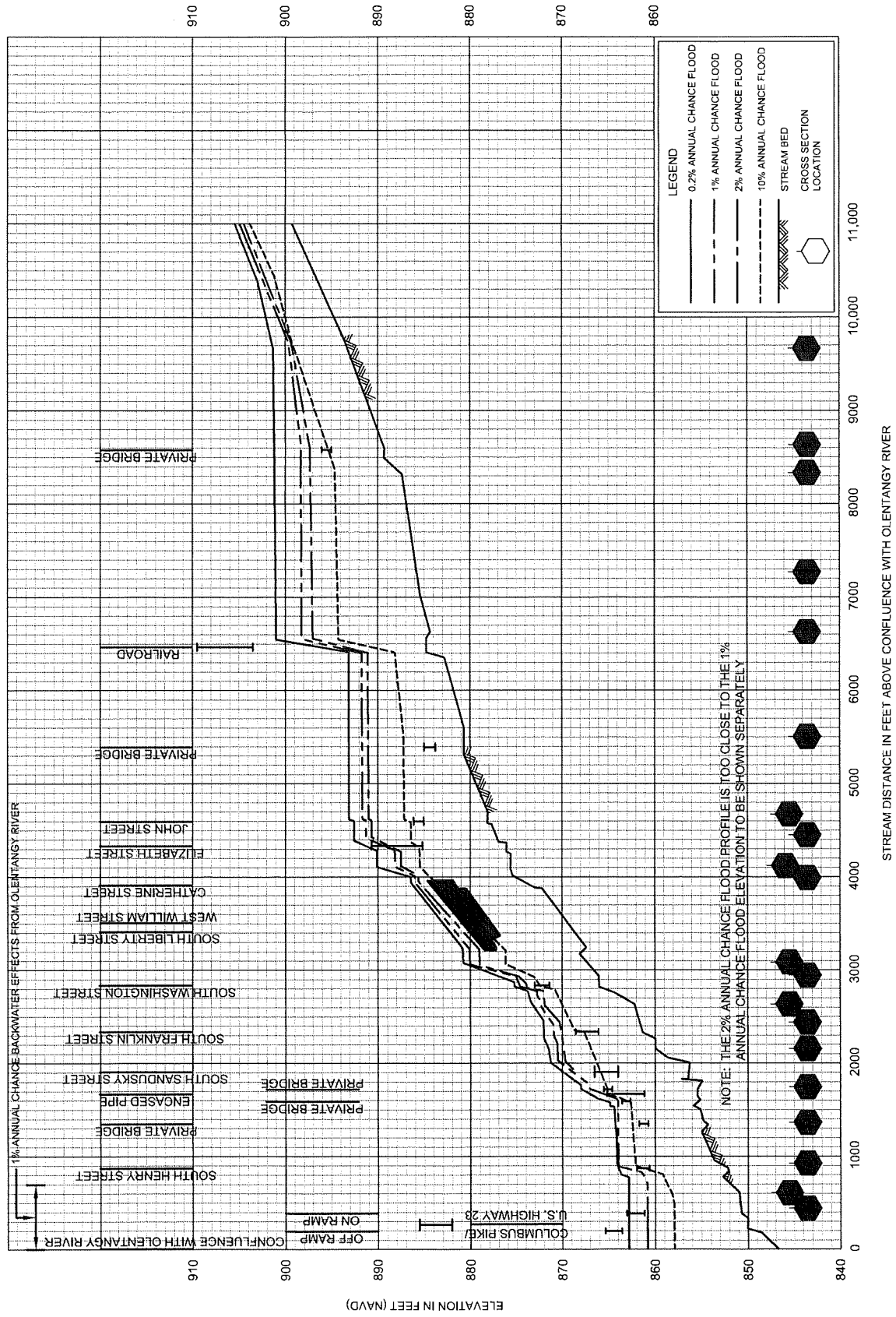
FLOODWAY DATA

DELAWARE RUN

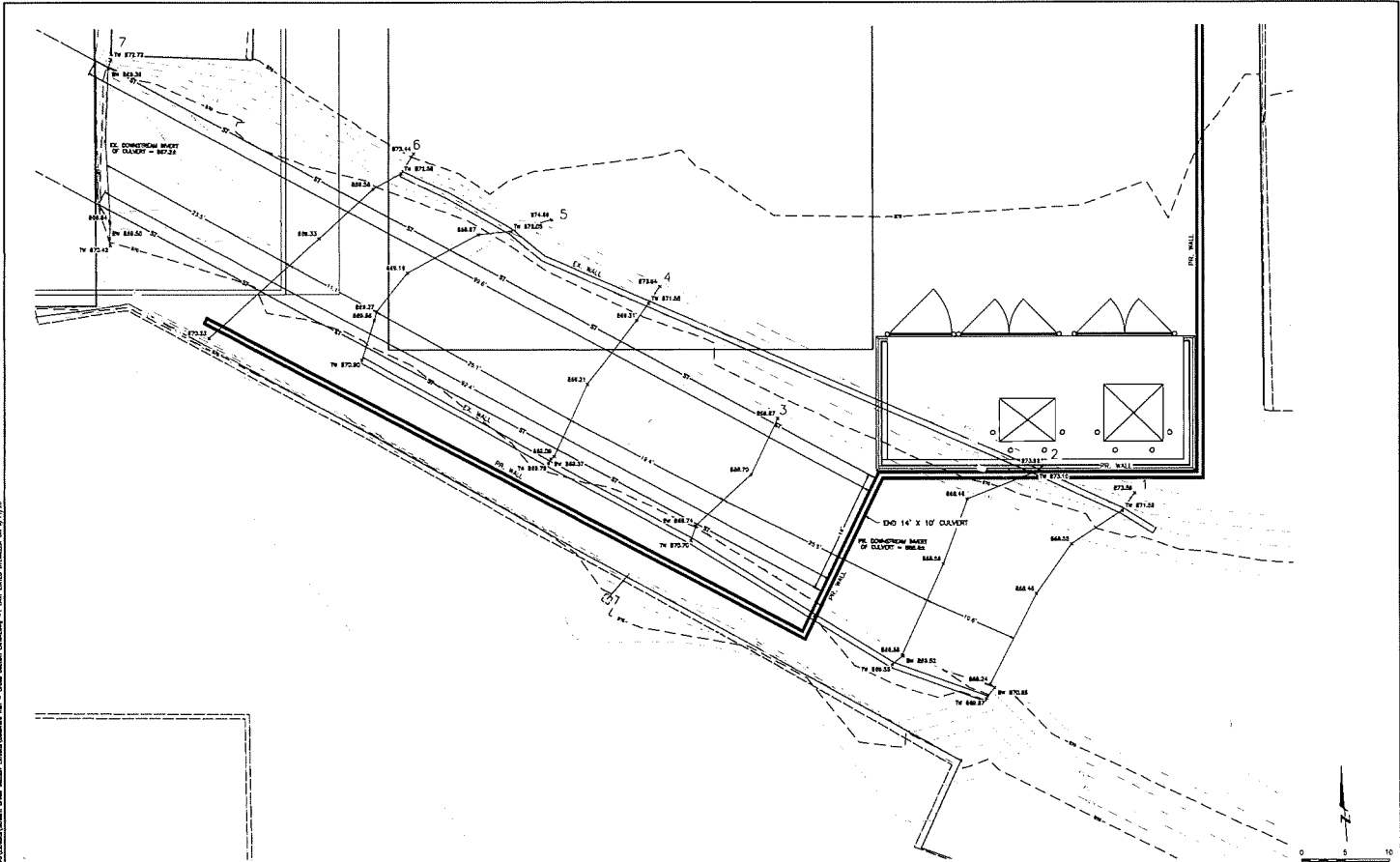
FLOOD PROFILES
DELAWARE RUN

FEDERAL EMERGENCY MANAGEMENT AGENCY
DELAWARE COUNTY, OH
AND INCORPORATED AREAS

21P



Appendix B



11/13/2020, 10:28:00 AM (GMT-5) - User: Admin, Location: 1 - LAST CHECKED: 8/10/2020

REVISIONS	DATE	BY	CHK

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

CITY OF DELAWARE, OHIO
UNITED DAIRY FARMERS
 UNITED DAIRY FARMERS INC

JOB NO.	1134 024
DESIGNED BY	EPW
DRAWN BY	EPW
CHECKED BY	EPW
APPROVED BY	---
DATE	8/10/2020

DELAWARE RUN
CROSS SECTION EXHIBIT

SCALE	1" = 5'
SHEET NO.	1
OF	2

E.P. FERRIS & ASSOCIATES INC



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

Table with 3 columns: Kind of development proposed, existing structure, filling/grading. Rows include new building, residential, non-residential, manufactured home installation, alteration, addition, accessory, materials storage, mining/dredging, watercourse, alteration, 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.

- 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
6006 REED ROAD
COLUMBUS, OHIO 43220

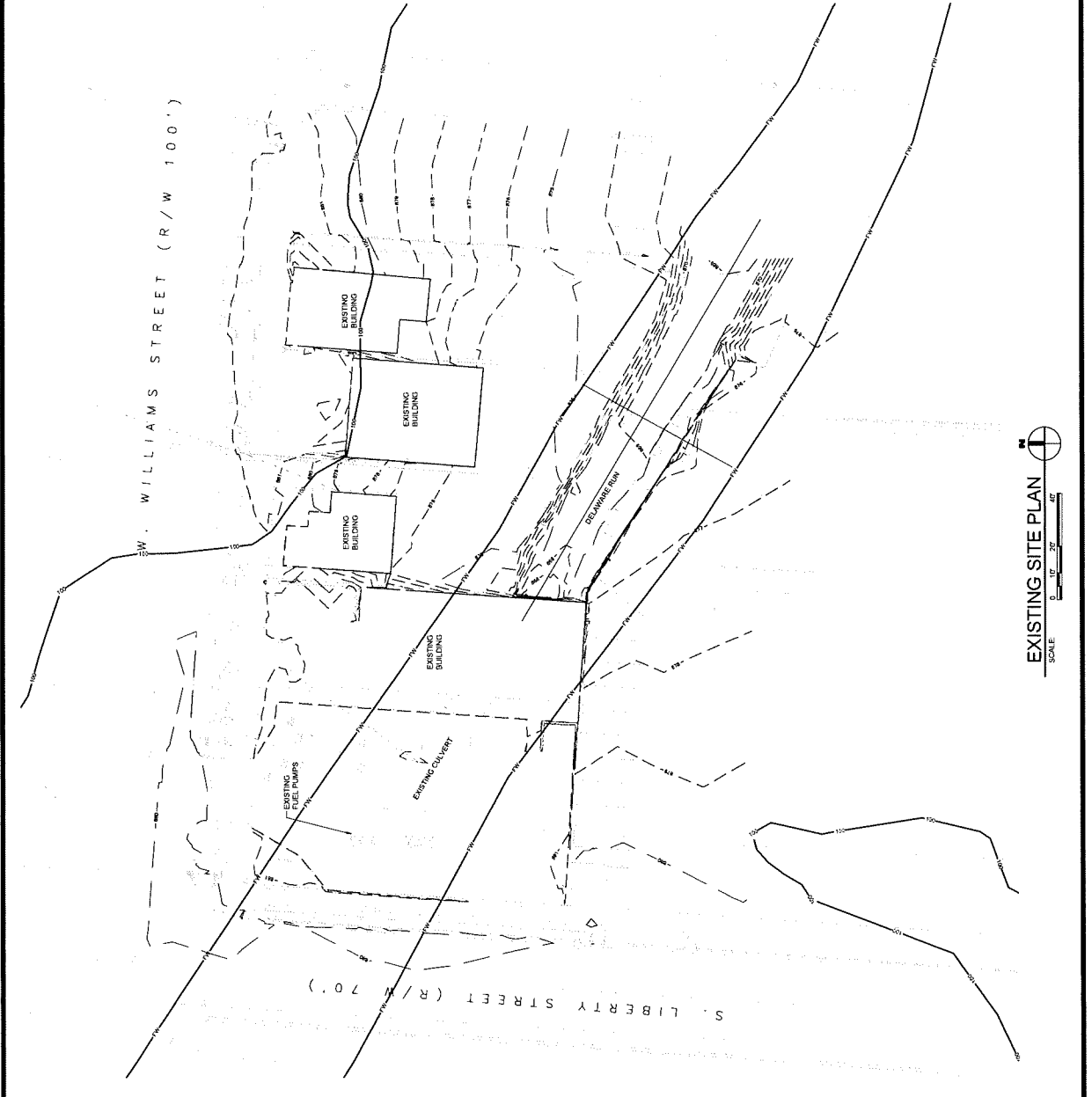
UNITED DAIRY FARMERS
NEW RETAIL LOCATION
123 W. WILLIAM ST.
FLOODPLAIN APPLICATION

NO.	DESCRIPTION	DATE

JOB NO: PRJ06010
DATE: JUNE 2020
DESIGNED BY: XXX
DRAWN BY: RYZ
CHECKED BY: BLY
APPROVED BY: BLY
SCALE: NOTED
TITLE SHEET

01

TOTAL: 01 OF 03



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 PLAN ARE BASED ON THE LOCATION OF EXISTING UTILITIES AND STRUCTURES SHOWN ON THE PLAN AND THE LOCATION OF EXISTING UTILITIES AND STRUCTURES SHOWN ON THE PLAN. THE USE OF GROUND PENETRATING RADAR, ELECTROMAGNETIC AND SONIC LOCATING EQUIPMENT, THE LOCATION OF EXISTING UTILITIES AND STRUCTURES SHOWN ON THE PLAN IS NOT A GUARANTEE OF THE LOCATION OF EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES, STRUCTURES, STRUCTURES, & APPOINTMENTS 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 AND TO UTILITIES PROTECTION SERVICE: 1-800-982-7374. NON-EMERGENCY UTILITIES MUST BE CONTACTED.
 SEEDING, ALL AREAS DISTURBED OR DAMAGED BY THESE CONSTRUCTION ACTIVITIES, WHICH ARE NOT OTHERWISE NOTED TO BE COVERED WITH GRAVEL OR PAVEMENT SHALL BE FINISH GRAZED AND SEEDING SHALL BE DONE TO MATCH THE EXISTING SURFACE. SEEDING SHALL BE DONE IN AREAS FOLLOWING PRECIPITATION EVENTS, SEEDING AND MULCHING SHALL BE IN ACCORDANCE WITH GDOT ITEM 556, CLASS 1 SEED MIX FOR LAWNS.

BURGESS & NIPLE
 6066 REEB ROAD
 COLUMBUS, OHIO 43220

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

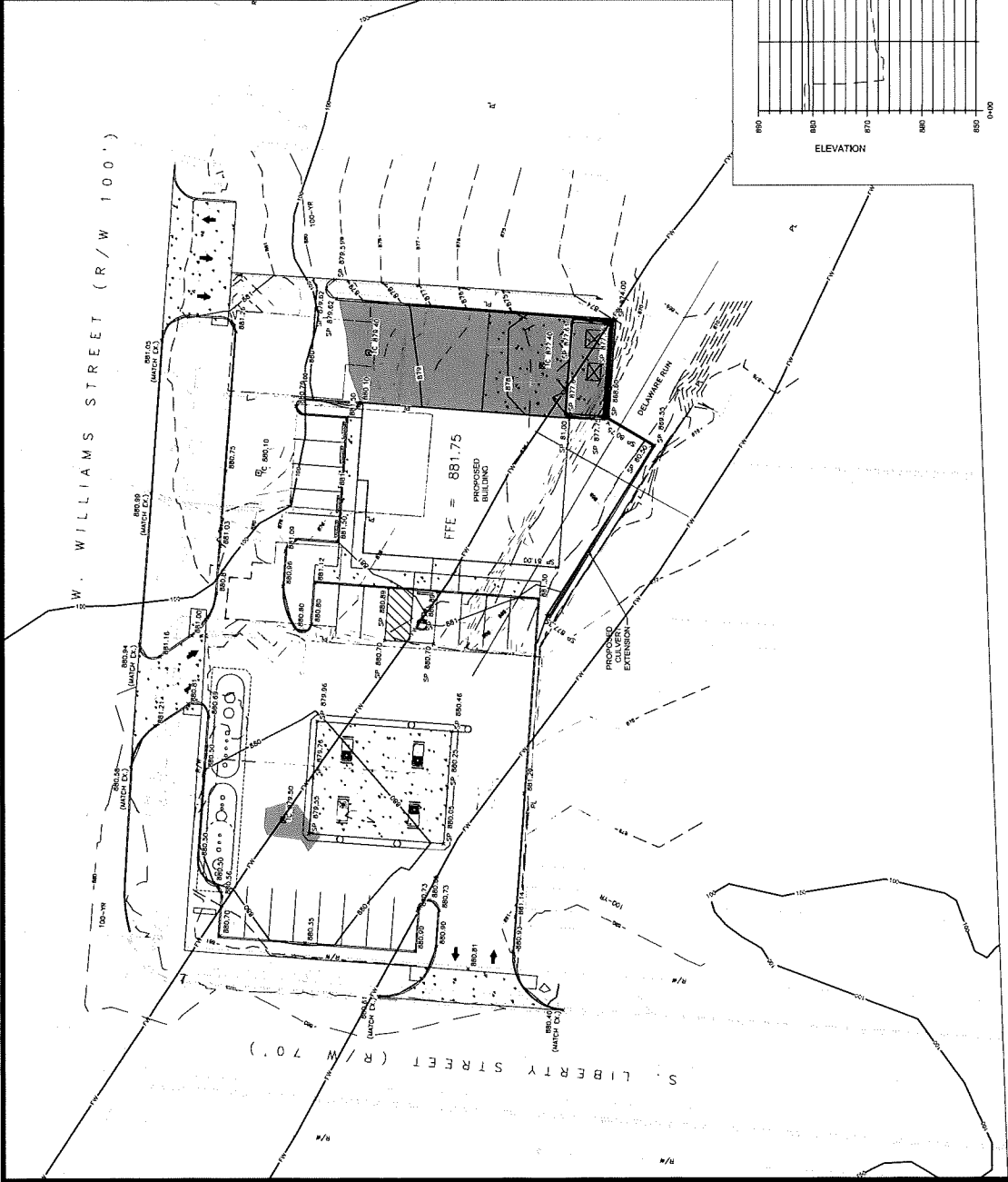
NO.	DESCRIPTION	DATE

JOB NO:	PR56510
DATE:	JUNE 2020
DRAWN BY:	BJY
CHECKED BY:	BJY
SCALE:	NOTED
EXISTING SITE PLAN	

02
 SHEET: 02 OF 03

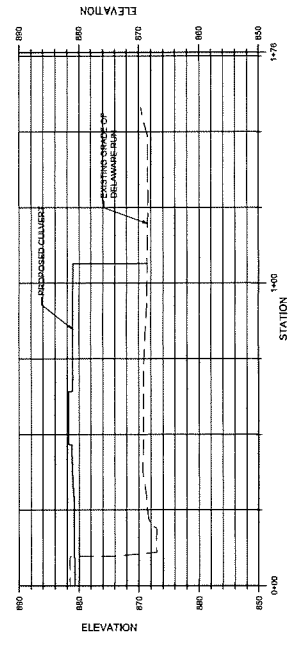
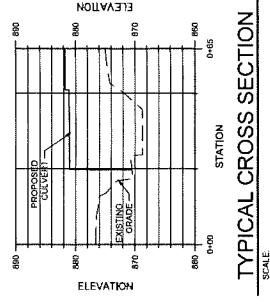
LEGEND
 FLOODWAY
 100-YEAR FLOODPLAIN

EXISTING SITE PLAN
 SCALE 0' 10' 20' 40'



PROPOSED SITE PLAN
SCALE

LEGEND
 FLOODWAY
 100-YEAR FLOODPLAIN



BURGESS & NIPLE
 6086 REED ROAD
 COLUMBUS, OHIO 43220

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

NO.	DESCRIPTION	DATE

JOB NO.	PR58010
DATE	JUNE 2020
DESIGNED BY	BJV
DRAWN BY	RJZ
CHECKED BY	BJV
APPROVED BY	BJV
SCALE	NOTED
PROPOSED SITE PLAN	

03
 SHEET 03 OF 03

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**



Project # _____

Case # _____

Planning Commission

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

Subdivision/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

Notary Stamp **Sec. 147.03 R.C.**

Notary Public



PLANNING COMMISSION/STAFF REPORT

CASE NUMBER: 2020-1600-1601

REQUEST: Final Subdivision Plat

PROJECT: Springer Woods Section 3

MEETING DATE: September 2, 2020

APPLICANT/OWNER

D.R. Horton Indiana LLC (Westport Homes)
507 Executive Campus Drive, Suite 100
Westerville, Ohio 43082

REQUEST

2020-1600 A request by D.R. Horton Indiana LLC., (Westport Homes) for approval of a Final Subdivision Plat for Springer Woods Section 3 Phase 1 for 59 single family lots on approximately 18.351 acres zoned R-3 (One-Family Residential District) and located on Springer Woods Boulevard, Bevan Way, Penwell Drive, Brazos Drive and Curly Smart Circle.

2020-1601 A request by D.R. Horton Indiana LLC., (Westport Homes) for approval of a Final Subdivision Plat for Springer Woods Section 3 Phase 2 for 62 single family lots on approximately 29.218 acres zoned R-3 (One-Family Residential District) and located on Springer Woods Boulevard and Colquitt Court.

PROPERTY LOCATION & DESCRIPTION

The Springer Woods Subdivision encompasses approximately 87-acres located between Warrensburg Road and West William Street (US 36) and is relatively flat with portions of the site being heavily wooded with a stream meandering through the site. More specifically, Section 3 which consists of 121 single-family lots encompassing approximately 47.569 acres is located north of Section 2 (Arron Drive). The subject site is zoned R-3 (One Family Residential District) while the property to the east is R-3 (One Family Residential District) with a PUD Planned Unit Development Overlay District and the property to the south is zoned R-3 (One Family Residential District) with a PRD Planned Residential District and A-1 (Agricultural District). The properties to the north and west are in the Township.

BACKGROUND

In January 2000, the Planning Commission and City Council approved a Preliminary Subdivision Plat for Springer Woods which contained 278 single family lots on 87 acres for a density of 3.13 units per acre. In October 2001, City Council (01-104) approved Final Subdivision Plats for Section 1-Phases 1-.3, which contained 62 lots on 20.93 acres. Section 1 has been constructed while Section 2 was approved by City Council in September 2019 (Ordinances 19-53-54) and is currently under construction.

In February 2014 (Ordinance 14-05), City Council approved an Amended Preliminary Plat for Section 3 which consisted of 129 single family lots on approximately 47.5 acres for Homewood Corporation. Since then, Westport Homes a Division of D.R.Horton Inc. purchased the site and in December 2019 received Amended Preliminary Subdivision Plat approval by the Planning Commission and City Council for Section 3 which would consist of 121 single family lots. The subdivision (Sections 2 and 3) was a victim of the housing downturn in the mid 2000's and the new developer is ready to commence on the build out of the subdivision. Since 2000 when the Preliminary Subdivision Plat was approved, engineering and zoning standards have been revised and the developer agreed with staff to upgrade the site plan to the extent possible to achieve compliance with the current standards while ensuring logical transitions within the subdivision for such. The developer has vested rights in the previous approval but prefers to work with the City to bring the development closer to compliance with current standards.

Now the developer is proposing Final Subdivision Plats for Section 3 Phase 1 and 2 (final section of the subdivision) which contains 121 single family lots on approximately 47.863 acres. Phase 1 consists of 59 single-family lots on approximately 18.351 acres and Phase 2 consists of 62 single-family lots on approximately 29.218 acres.

STAFF ANALYSIS

- **ZONING:** The subject site is zoned R-3 (One Family Residential District) and the typical bulk requirements (setbacks, minimum lot width and size) have changed since the original approval in 2000. Therefore, staff and the developer have negotiated fair zoning bulk requirements based on the previous and existing requirements coupled with the engineering requirements of wider streets and right-of-way which inherently reduced the

length of the lots. The proposed typical lots would be a minimum 8,190 square with 70 feet lot widths that are minimum 117 feet deep. However in Section 3 Phase 1, lots 13193 and 13194 would have less depth (approximately 112 feet deep) but would meet the minimum lot size of 8,190 square feet because the proposed bike path is located to the rear of these lots on a separate parcel owned by the homeowner's association which is the recommended approach to separating a private lot from the bikepath. This proposal is consistent in this regard with the Amended Preliminary Development Plan approved in 2019.

The yard setbacks would be: 25-foot front, 30-foot rear and 8-foot side. The corner lots would be oversized (typically approximately 90 feet wide) to comply with current zoning standards. All the houses would have to comply with the minimum residential design standards and minimum dwelling unit sizes. However, the applicant has agreed to upgrade to a minimum 50% of the front façade to be comprised of natural materials.

- **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 a technical review by the Engineering Department once a complete plan set is submitted for review.
- **ROADS AND ACCESS:** Access from the south from West William Street (US 36) to Section 3 would be through constructed Section 1 and under construction Section 2 through Springer Woods Boulevard, Bevan Way and Penwell Drive in Phase 1. Springer Woods Boulevard and Penwell Drive extend north into Section 3 Phase 2 and Penwell Drive extends to Warrensburg Road (northern terminus of the subdivision). Because Warrensburg Road is a county road, any improvements to Warrensburg Road shall be determined by the County Engineer and the developer shall be responsible for the cost of any improvements.

As mentioned earlier, the street standards have been revised since the Preliminary Subdivision Plat was approved in 2000 and the development began construction. The development would have public streets with a right-of-way width of 56 feet and pavement width of 32 feet. The original approved plan had streets with a right-of-way width of 52 feet and a pavement width of 26 feet. The current engineering standards require 60 feet of right of way and 32-foot-wide streets. Therefore, a 4-foot right-of-way concession would be given for this development while ensuring conforming pavement width to today's standards.

- **UTILITIES:** Both water and sewer utilities would be public and would be extended from Section 2 of the development. The development would have to comply with the current storm water requirements.
- **SITE LAYOUT:** The 2019 approved Amended Preliminary Development Plan would yield 8 lots less than the Amended Preliminary Subdivision Plat approved in 2014 and 37 fewer lots than was originally approved in the Preliminary Subdivision Plat in 2000. The lower lot count is primarily a result of the updated storm water requirements since 2000 which also results in more park area for the development than originally approved.

Section 3 is located just north of Aaron Drive and Sections 1 and 2 with access to West William Street (US 36) via Springer Woods Boulevard through Bevan Way and Aaron Drive which are existing stub streets from Sections 1 and 2. Springer Woods Boulevard and Penwell Drive are the main spine roads that would extend north through Section 3 to Warrensburg Road. Section 3 would consist of 121 single family lots on approximately 47.569 acres

Section 3 Phase 1 would contain 59 single-family lots on approximately 18.351 acres with a detention basin located in the southern part of this Phase. Springer Woods Boulevard, Bevan Way and Penwell Drive bisect the Phase in a north/south orientation while Brazos Drive and Curly Smart Circle extend through the Phase in a east/west orientation.

Section 3 Phase 2 would contain 62 single-family lots on approximately 29.218 acres with a 9.642-acre open space area with park amenities and detention basin located in the heart of the Phase. Springer Woods Boulevard and Penwell Drive extends through this Section in a north/south orientation while Colquit Court is a cul-de-sac on the northern portion of the Section. Also, a 0.890 acre and 0.116 acre of open space and detention area straddles Penwell Drive at the northern entrance into the subdivision on Warrensburg Road.

A stream bisects Section 3 in a north/south orientation with a branch that extends west to the subdivision property line. A required bike path is located along the stream bed that connects to the bike path in Section 1 and extends through Section 3 to Warrensburg Road. Four retention ponds along with programmed active open spaces are located along and near the stream bed in Section 3 Phase 2.

- **TREE REMOVAL & REPLACEMENT:** As previously submitted, reviewed, and required by approval of the most recent preliminary plan, the applicant submitted a tree survey for Sections 2 and 3 to account for any tree replacement and or financial obligations for the remainder of the development. The net total yields a removal of 2,398 caliper inches throughout the development that would be required to be replaced. It is also important to note the developer is preserving 5,809 caliper inches of trees in several preserve areas as well. Overall they are saving far more trees than they are removing. After an extensive tree survey, the developer with staff support has agreed on a financial approach to achieve compliance with Chapter 1168 Tree Preservation Regulations. The developer has agreed to make a payment of \$1,321 per lot at building permit approval for the 164 lots in Section 2 Phase 2 and 3 and Section 3. The applicant paid a lump sum fee of \$27,700 for Section 2 Phase 1. The fee was increased from \$1,000 per lot to \$1,321 per lot to accommodate and account for the required 527 caliper inches of trees that would otherwise need to be planted on the site above and beyond the required landscaping for the development. In the 2014 the Preliminary Subdivision Plat approval required the developer to install 527 caliper inches of trees on the site but the new owner discovered there is not sufficient land area to plant that many trees and would rather make the required financial contribution as allowed per Chapter 1168.
- **OPEN SPACE & PARKLAND:** The approved Preliminary Subdivision Plat for the entire development indicates there are 12.36 acres of open space in Sections 1, 2 and 3. The total open space in Section 3 equals 12.132 acres. (Lot 13228 = 0.987 acres, Lot 13229 = 0.497 acres, Lot 13293 = 0.89 acres, Lot 13294 = 0.116 acres and Lot 13295 = 9.642 acres). Lot 13295, located in the heart of Section 3 Phase 2, accommodates all the active open space with amenities including a tot lot, multi-purpose fields, two boardwalks, benches and the bike path. The amenities play equipment etc. should be installed prior to building occupancy permits in Phase 2. The amenities shall be open to the public and maintained by the Homeowner's Association. The remainder of the open space which totals 2.49 acres (lots 13228, 13229, 13293 and 13294) are detention areas.
- **LANDSCAPING PLAN:** The applicant submitted a street tree plan that needs to be reviewed and approved by the Shade Tree Commission. However, an open space landscape plan would need to be submitted and reviewed by staff and the Shade Tree Commission. Also, along Warrensburg Road on lots 13293 and 13294 east and west of the main entrance road (Penwell Drive), the developer is proposing entrance features including a sign, limestone columns, fencing and landscaping but such plans have not be submitted and reviewed by staff. Also, each house would require compliance with Chapter 1171 and as agreed to be enhanced as well as landscaping requirements for each house at building permit approval. It is imperative that the Applicant coordinate the landscaping plan and street tree plan with the engineering site development plan so that the landscaping does not impeded visibility at the intersection or of any traffic control signs.
- **PEDESTRIAN CONNECTIVITY:** An existing bike path in Section 1 would be extended north along the stream bed to Penwell Drive that would ultimately connect with Warrensburg Road in Section 3 per the adopted Bicycle and Pedestrian Master Plan 2027. The maintenance of the bike path shall be the responsibility of the Homeowners Association with an easement dedicated to the City to allow public use. Also, sidewalks would be required on all public streets within the development.
- **LIGHTING PLAN.** A lighting plan shall be submitted, reviewed and approved for Section 3 Phase 1 and 3 that achieves compliance with zoning code requirements..

STAFF RECOMMENDATION – (2020-1600 FINAL SUBDIVISION PLAT)

Staff recommends approval of a request by D.R. Horton Indiana LLC., (Westport Homes) for a Final Subdivision Plat for Springer Woods Section 3 Phase 1 for 59 single family lots on approximately 18.351 acres zoned R-3 (One-Family Residential District) and located on Springer Woods Boulevard, Bevan Way, Penwell Drive, Brazos Drive and Curly Smart Circle, with following conditions that:

1. The Applicant needs to obtain final engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.
2. The right-of-way and street pavement width shall be 56 feet and 32 feet respectively.
3. The minimum lot size and width and building setbacks shall be per the current submitted preliminary plat.
4. Lots 13193 and 13194 shall have less depth than required (approximately 112 feet deep) but would nearly meet the minimum lot size of 8,190 square because the proposed bike path is located to the rear of these lots on a separate parcel owned by the Homeowner's Association
5. An upgraded minimum 50% of the front elevation shall be comprised of natural materials along with achieving compliance with the minimum requirements of Chapter 1171.08 Residential Development Design Criteria and Performance Standards.
6. A \$1,321 fee shall be paid for each single-family lot at time of building permit issuance to achieve compliance with Chapter 1168 Tree Preservation Regulations. The developer shall commit to make full payment of the tree fee of the subject section no longer than 2 years after a final plat for the subject section has been recorded at the County if the subject phase is not built out.
7. A street tree plan shall be reviewed and approved by the Shade Tree Commission.
8. The bike path shall be installed by the developer from Section 1 to Warrensburg Road as proposed and shall be maintained by the Homeowner's Association with an easement to the City dedicating the bike path for public use.
9. The lighting plans shall be submitted and achieve compliance with all zoning requirements and shall be approved by the Chief Building Official prior to final plat approval for each Phase.

STAFF RECOMMENDATION – (2020-1601 FINAL SUBDIVISION PLAT)

Staff recommends approval of a request by D.R. Horton Indiana LLC., (Westport Homes) for approval of a Final Subdivision Plat for Springer Woods Section 3 Phase 2 for 62 single family lots on approximately 29.218 acres zoned R-3 (One-Family Residential District) and located, with the following condition that:

1. The Applicant needs to obtain final engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.
2. Any improvements to Warrensburg Road (county road) shall be determined by the County Engineer and the developer shall be responsible for the cost of any improvements. Such improvements shall be approved with the engineering drawings of Section 3 Phase 2.
3. The right-of-way and street pavement width shall be 56 feet and 32 feet respectively.
4. The minimum lot size and width and building setbacks shall be per the current submitted preliminary plat.
5. An upgraded minimum 50% of the front elevation shall be comprised of natural materials along with achieving compliance with the minimum requirements of Chapter 1171.08 Residential Development Design Criteria and Performance Standards.
6. A \$1,321 fee shall be paid for each single-family lot at time of building permit issuance to achieve compliance with Chapter 1168 Tree Preservation Regulations. The developer shall commit to make

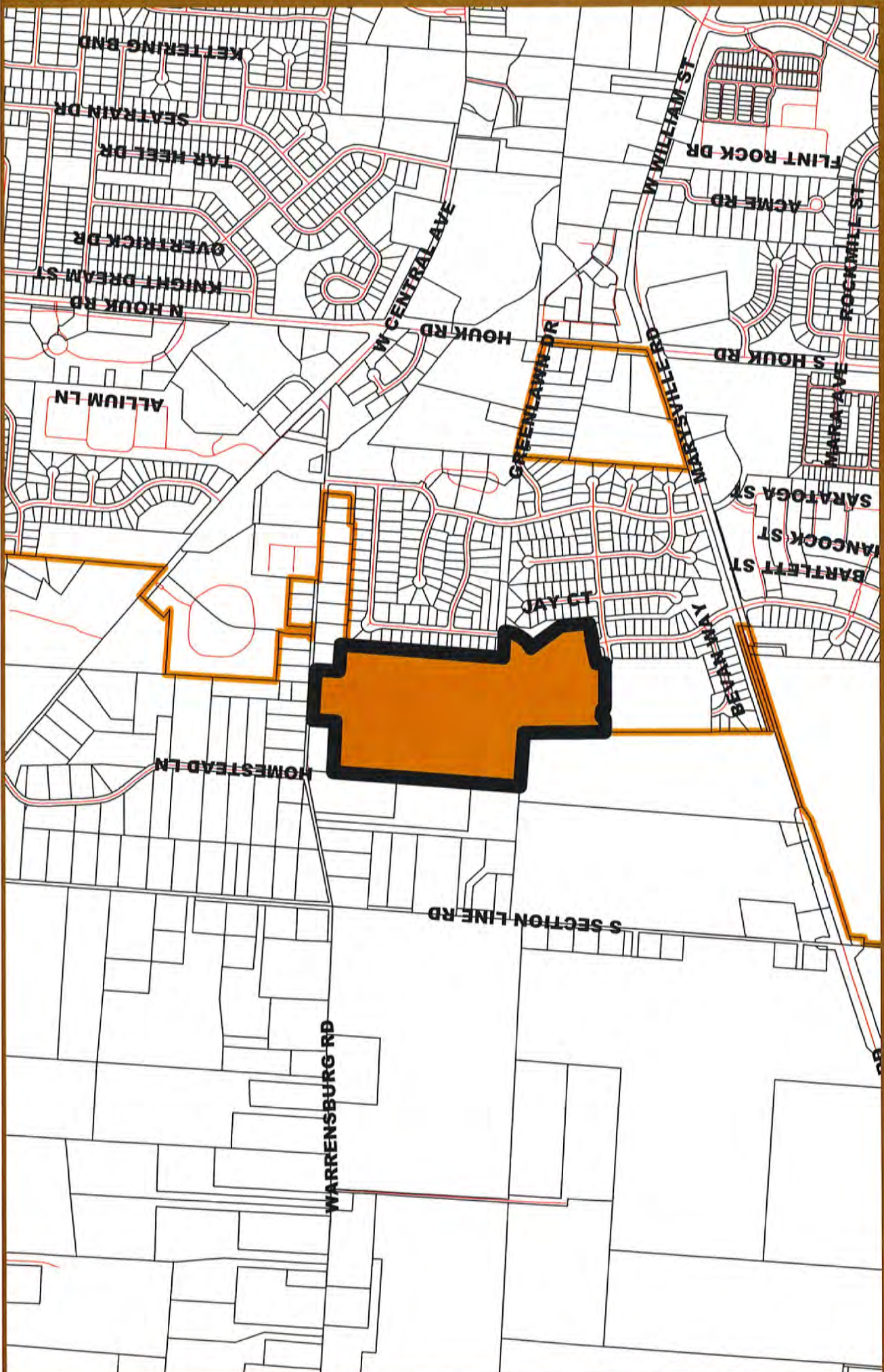
full payment of the tree fee of the subject section no longer than 2 years after a final plat for the subject section has been recorded at the County if the subject phase is not built out.

7. The proposed open space and active park in Section 3 Phase 2 (lot 13295) shall be programmed with play equipment, etc., prior to approval of any building occupancy permits and shall be maintained by the Homeowner's Association with an easement dedicated to the City to allow public use.
8. A street tree plan shall be reviewed and approved by the Shade Tree Commission.
9. The bike path shall be installed by the developer from Section 1 to Warrensburg Road as proposed and shall be maintained by the Homeowner's Association with an easement to City dedicating the bike path for public use.
10. The lighting plans shall be submitted and achieve compliance with all zoning requirements

COMMISSION NOTES:

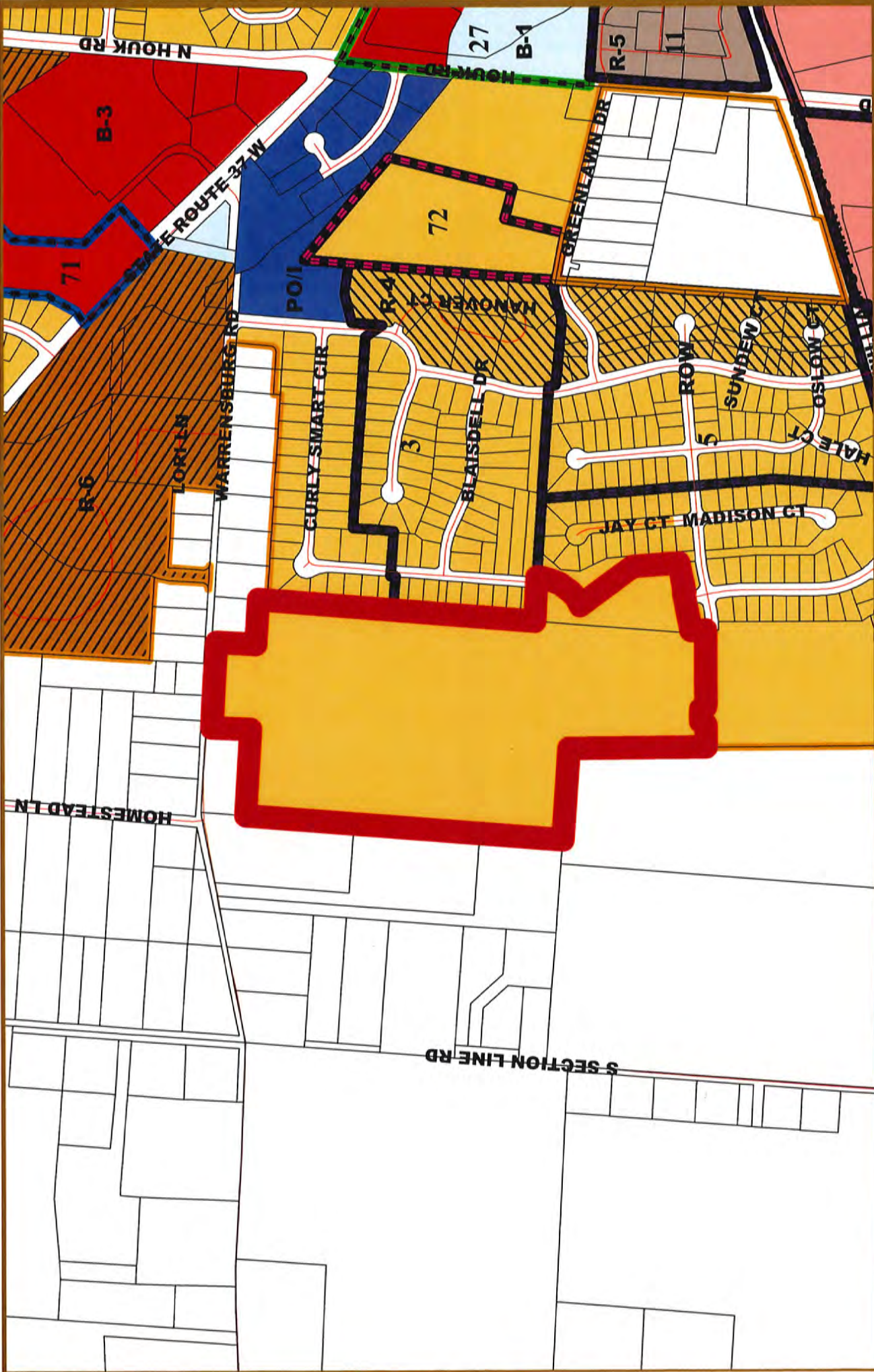
MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled* _____

CONDITIONS/MISCELLANEOUS:



2020-1600-1601
 Final Subdivision Plat
 Springer Woods - Section 3 Phase 1 & 2
 Location Map





2020-1600-1601
 Final Subdivision Plat
 Springer Woods - Section 3 Phase 1 & 2
 Zoning Map





2020-1600-1601
Final Subdivision Plat
Springer Woods - Section 3 Phase 1 & 2
Aerial (2016) Map

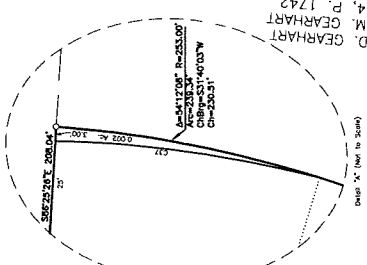
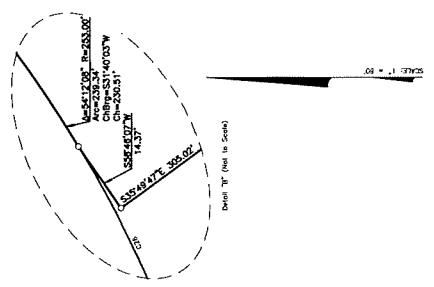


SPRINGER WOODS SECTION 3 PHASE 1

HOMWOOD CORPORATION
CORPORATION
O.R. 24, P. 2445

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

- A M11577W 6.81'
- B A=9700700' R=23.00'
Arc=39.27'
Ch=53.35'
- C M188117W 36.00'
- D A=9700700' R=23.00'
Arc=39.27'
Ch=53.35'
- E A=183337' R=23.00'
Arc=39.27'
Ch=53.35'



JEFFERY D. GEARHART
O.R. 1454, P. 1742
JENNIFER M. GEARHART
O.R. 1454, P. 1742

CORD No.	BEAR	DIST	LENGTH	CORD EASING	CORD DISTANCE
C1	45°48'00"	225.00	183.87	N 24°00' 00" E	178.17
C2	58°08'15"	225.00	228.88	S 24°00' 00" E	218.17
C3	45°48'00"	225.00	183.87	S 24°00' 00" E	178.17
C4	42°34'30"	100.00	78.86	S 87°00' 00" E	78.86
C5	42°34'30"	100.00	84.55	S 87°00' 00" E	84.55
C6	47°10'30"	100.00	81.87	N 87°00' 00" E	81.87
C7	17°08'30"	200.00	68.88	S 87°00' 00" E	68.88
C8	14°33'15"	200.00	64.27	S 87°00' 00" E	64.27
C9	10°00'00"	200.00	38.27	S 87°00' 00" E	38.27
C10	10°00'00"	200.00	61.57	S 89°54' 00" E	61.57
C11	10°00'00"	200.00	38.27	N 45°00' 00" E	38.27
C12	90°00'00"	200.00	200.00	S 45°00' 00" E	200.00
C13	10°00'00"	200.00	38.27	S 45°00' 00" E	38.27
C14	10°00'00"	200.00	38.27	S 45°00' 00" E	38.27
C15	17°15'15"	100.00	81.87	S 87°00' 00" E	81.87
C16	90°00'00"	200.00	38.27	S 87°00' 00" E	38.27
C17	90°00'00"	200.00	38.27	S 87°00' 00" E	38.27
C18	73°34'45"	97.50	49.15	S 89°54' 00" E	49.15
C19	14°14'00"	97.50	38.27	S 89°54' 00" E	38.27
C20	90°00'00"	200.00	38.27	S 89°54' 00" E	38.27
C21	25°33'15"	100.00	87.88	N 12°00' 00" E	87.88
C22	90°00'00"	200.00	38.27	N 12°00' 00" E	38.27
C23	25°33'15"	100.00	38.27	N 12°00' 00" E	38.27
C24	90°00'00"	200.00	38.27	N 12°00' 00" E	38.27
C25	25°33'15"	100.00	38.27	N 12°00' 00" E	38.27
C26	27°02'30"	100.00	80.15	N 12°00' 00" E	80.15
C27	17°14'45"	200.00	42.34	N 85°32' 00" E	42.34
C28	90°00'00"	200.00	38.27	S 85°32' 00" E	38.27
C29	20°02'30"	100.00	97.45	S 45°00' 00" E	97.45
C30	20°02'30"	100.00	102.33	S 45°00' 00" E	102.33
C31	5°16'15"	200.00	200.00	S 45°00' 00" E	200.00
C32	14°12'00"	200.00	83.37	S 45°00' 00" E	83.37
C33	14°12'00"	200.00	83.37	S 45°00' 00" E	83.37
C34	14°12'00"	200.00	83.37	S 45°00' 00" E	83.37
C35	42°30'00"	200.00	135.17	N 47°30' 00" E	135.17
C36	14°12'00"	200.00	44.35	N 100°00' 00" E	44.35
C37	14°44'45"	100.00	36.37	N 87°00' 00" E	36.37
C38	17°44'45"	100.00	43.87	N 100°00' 00" E	43.87
C39	47°03'00"	37.51	41.33	N 85°32' 00" E	41.33
C40	10°23'30"	100.00	46.34	S 89°54' 00" E	46.34
C41	47°03'00"	100.00	37.87	N 45°00' 00" E	37.87
C42	12°48'00"	118.84	118.87	S 100°00' 00" E	118.87

CHARLES R. DAVIS
O.R. 807, P. 2146

SPRINGER WOODS SECTION 2 PHASE 2
O.R. 264, P. 1426

SPRINGER WOODS SECTION 2 PHASE 3
O.R. 264, P. 1426

SPRINGER WOODS

SECTION 3 PHASE 1

NOTE "A": Notice is hereby given to any holder of the lot delineated upon this plan, that on file with the Building Department is a preliminary plat for the subdivision of the land shown on this plan into lots. The development of said lots, showing proposed lot drainage, proposed ground elevations at house and lot grading planes, proposed lot area, and proposed subdivision boundaries, shall be subject to the approval of the subdivision and are to be incorporated into the final plat plan required with the building permit.

NOTE "B": All utilities within Springer Woods Section 3 Phase 1 shall be installed underground. Electric, gas, water and sewer lines shall be installed in accordance with the applicable codes. The area shown on this plan is a preliminary plat and shall not be used as a basis for any action except where a service front must cross a street right of way or enter the subdivision.

NOTE "C": - ACREAGE BREAKDOWN

Total acreage:	14,317 Ac.
Average in Lots 1328 and 1329	1,484 Ac.
Average in Lots 1318-1327	1,318 Ac.

NOTE "D": - ACREAGE BREAKDOWN: Springer Woods Section 3 Phase 1 is out of the following Delaware County Parcel Number:

519X0201012009	14,697 Ac.
519X0201021000	3,706 Ac.

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

NOTE "F": MINNIE M. STRICKLAND, City of Delaware, is the applicant for the preliminary plat for the subdivision of the land shown on this plan into lots. The time of filing of this preliminary plat is subject to the time of filing of Springer Woods Section 3 Phase 1, and shall be subject to the following setback requirements:

- Front yard: 25 feet
- Rear yard: 30 feet
- Side yard: 30 feet

Zoning classification: R-3 (old)

The purpose of this plat is to show certain property rights of way and easement boundaries as of the time of filing. At the request of the applicant, the Department of Planning and Community Development has reviewed the plat and the requirements of the zoning code in effect on the date of filing this plat for reference only. The Department of Planning and Community Development does not warrant or guarantee the accuracy of the information shown on this plat. The time of filing of this preliminary plat is subject to the time of filing of Springer Woods Section 3 Phase 1, and shall be subject to the following setback requirements:

NOTE "G": The City of Delaware, Office of the Health Officer, is the applicant for the preliminary plat for the subdivision of the land shown on this plan into lots. The time of filing of this preliminary plat is subject to the time of filing of Springer Woods Section 3 Phase 1, and shall be subject to the following setback requirements:

- Front yard: 25 feet
- Rear yard: 30 feet
- Side yard: 30 feet

NOTE "H": The City of Delaware, Office of the Health Officer, is the applicant for the preliminary plat for the subdivision of the land shown on this plan into lots. The time of filing of this preliminary plat is subject to the time of filing of Springer Woods Section 3 Phase 1, and shall be subject to the following setback requirements:

- Front yard: 25 feet
- Rear yard: 30 feet
- Side yard: 30 feet

NOTE "I": At the time of filing, electric, cable, and telephone service providers have not issued information required so that necessary for the installation and maintenance of such services. The applicant shall be responsible for the installation and maintenance of such services. The applicant shall be responsible for the installation and maintenance of such services. The applicant shall be responsible for the installation and maintenance of such services.

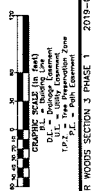
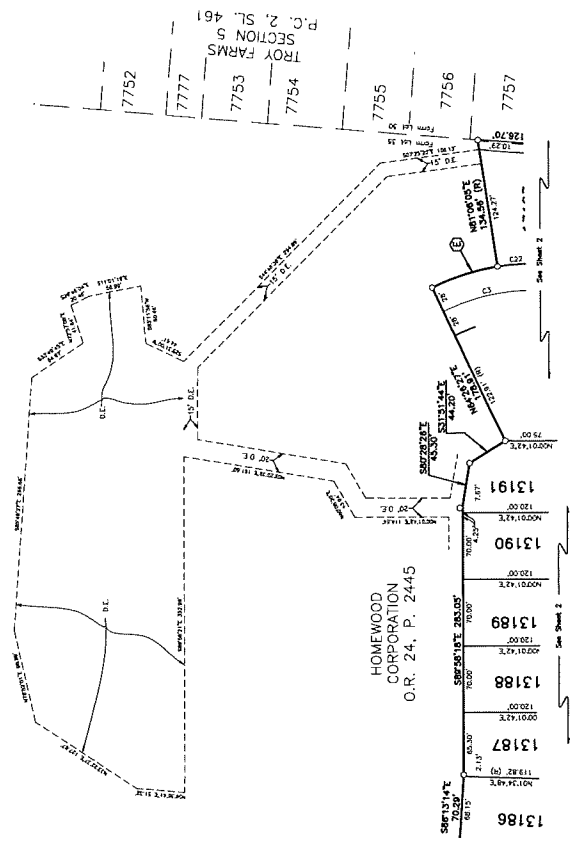
NOTE "J": The applicant shall be responsible for the installation and maintenance of such services. The applicant shall be responsible for the installation and maintenance of such services. The applicant shall be responsible for the installation and maintenance of such services.

NOTE "K": The applicant shall be responsible for the installation and maintenance of such services. The applicant shall be responsible for the installation and maintenance of such services. The applicant shall be responsible for the installation and maintenance of such services.

NOTE "L": The applicant shall be responsible for the installation and maintenance of such services. The applicant shall be responsible for the installation and maintenance of such services. The applicant shall be responsible for the installation and maintenance of such services.

NOTE "M": The applicant shall be responsible for the installation and maintenance of such services. The applicant shall be responsible for the installation and maintenance of such services. The applicant shall be responsible for the installation and maintenance of such services.

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





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



Project # _____ Case # _____

Planning Commission

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

Subdivision/Project Name Springer Woods Section 3 Phase 1 Address Warrensburg Road
 Acreage 18.315 Square Footage N/A Number of Lots 61 Number of Units N/A
 Zoning District/Land Use R-3 Proposed Zoning/Land Use R-3 Parcel # 51933201012000

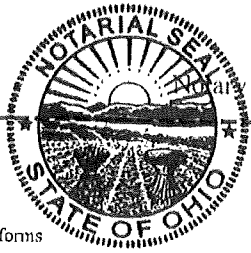
Applicant Name D.R. Horton - Indiana LLC d.b.a. Westport Homes Contact Person Mr. Terry Andrews
 Applicant Address 507 Executive Campus Drive, Suite 100 Westerville, Ohio 43082
 Phone (614) 891-8545 Fax _____ E-mail TerryA@westport-home.com
 Owner Name Homewood Corporation Contact Person Jim Lipnos
 Owner Address 2700 E. Dublin-Granville Road, Columbus, Ohio 43231
 Phone (614) 898-7200 Fax _____ E-mail jlipnos@homewoodcorp.com
 Engineer/Architect/Attorney EMH&T Contact Person Kyle J Shreves
 Address 5500 New Albany Road, Columbus, Ohio 43054
 Phone (614) 775-4443 Fax _____ E-mail kshreves@emht.com

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

[Signature] Owner Signature James L. Lipnos Owner Printed Name
[Signature] Agent Signature Kyle J Shreves Agent Printed Name

Sworn to before me and subscribed in my presence this 28 day of July, 2020

[Signature]
Notary Public



Stamp
HEATHER M. HARRISON
Notary Public, State of Ohio
My Commission Expires 05-02-2023



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



Project # _____ Case # _____

Planning Commission

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

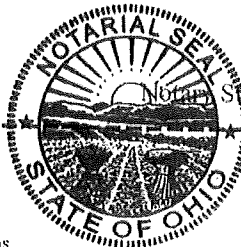
Subdivision/Project Name Springer Woods Section 3 Phase 2 Address Warrensburg Road
 Acreage 29.218 Square Footage N/A Number of Lots 66 Number of Units N/A
 Zoning District/Land Use R-3 Proposed Zoning/Land Use R-3 Parcel # 51933201012000

Applicant Name D.R. Horton - Indiana LLC d.b.a. Westport Homes Contact Person Mr. Terry Andrews
 Applicant Address 507 Executive Campus Drive, Suite 100 Westerville, Ohio 43082
 Phone (614) 891-8545 Fax _____ E-mail TerryA@westport-home.com
 Owner Name Homewood Corporation Contact Person Jim Lipnos
 Owner Address 2700 E. Dublin-Granville Road, Columbus, Ohio 43231
 Phone (614) 898-7200 Fax _____ E-mail jllipnos@homewoodcorp.com
 Engineer/Architect/Attorney EMH&T Contact Person Kyle J Shreves
 Address 5500 New Albany Road, Columbus, Ohio 43054
 Phone (614) 775-4443 Fax _____ E-mail kshreves@emht.com

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

[Signature] Owner Signature JAMES L. LIPNOS Owner Printed Name
[Signature] Agent Signature Kyle J Shreves Agent Printed Name

Sworn to before me and subscribed in my presence this 28 day of July, 2020



HEATHER M. HARRISON
 Notary Public, State of Ohio
 My Commission Expires 05-02-2023

[Signature]
 Notary Public