

## ORDINANCE NO. 02-21

AN ORDINANCE AMENDING THE THOROUGHFARE PLAN CHAPTER 1103 OF THE CODIFIED ORDINANCES BY ADOPTION OF THE "THOROUGHFARE PLAN - CITY OF DELAWARE, OHIO", (AS PREPARED BY MS CONSULTANTS AND DATED AUGUST 16, 2001), INCLUDING ALL APPENDICES ADOPTED BY THE TRANSPORTATION THOROUGHFARE TASK FORCE AND THE CITY PLANNING COMMISSION, AND REPEALING THE EXISTING CHAPTER, AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning Commission, at its meeting of January 23, 2002, recommended to City Council that it adopt the "Throughfare Plan-City of Delaware, Ohio" (as prepared by ms consultants and dated August 16, 2001), including all appendices, that was adopted by the Transportation Thoroughfare Task Force (PC 02-006).

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

SECTION 1, Chapter 1103 of the Delaware City Ordinances, Thoroughfare Plan, Sections 1103.01, 1103.02 and 1103.03 are hereby amended to read as follows:

### 1103.01 THOROUGHFARE PLAN ACCEPTED

The official plan for major streets and thoroughfares for the City of Delaware and for surrounding territory thereof, delineated and shown on the plan, map and appendices attached hereto, prepared by the firm of ms consultants, inc., Columbus, Ohio, and titled Thoroughfare Plan - City of Delaware, Ohio, is hereby accepted, confirmed and certified.

### 1103.02 CERTIFICATION ON PLAN AND FILE COPY

The City Clerk is authorized and directed to certify Council's approval and certification of the Thoroughfare Plan and cause such plan, as certified, to be filed in the office of the City Manager.

### 1103.03 CERTIFICATION TO COUNTY RECORDER, ENGINEER AND DIRECTOR OF REGIONAL PLANNING COMMISSION

The City Clerk is authorized and directed to certify Council's approval and certification of the Thoroughfare Plan to the County Recorder, County Engineer and Director of Regional Planning Commission.

SECTION 2. That existing Sections 1103.01, 1103.02 and 1103.03 are hereby repealed.

SECTION 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Ohio Revised Code.

SECTION 4. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health and welfare of the City, and to expedite the implementation of the Plan, and as such will be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION:

YEAS 7 NAYS 0  
ABSTAIN    

VOTE ON EMERGENCY CLAUSE:

YEAS 7 NAYS 0  
ABSTAIN    

PASSED: February 25, 2002

YEAS 7 NAYS 0  
ABSTAIN    

ATTEST:

Ruby M. Perkins  
CITY CLERK

Tommy L. Thompson  
MAYOR

**LIGHTING:** There are no indications of outside lighting for any portion of the facility. The Applicant needs to submit a Lighting Plan for any proposed lighting, particularly as they relate to the new parking, pedestrian walkways, and wall packs. The Lighting Plan needs to include Isolux levels, cut sheets, and locations for all outdoor lighting.

**UTILITIES:** The Utility Department recommends a Master Meter for this site and the existing water service should be abandoned to allow for the new service. The Applicant should provide a complete utility plan for this site that indicates a Master Meter to be installed per City standards, with the existing water service abandoned to allow for the new service.

The Plan indicates that the existing gas is to be capped. The Applicant should verify with the gas company that the gas service could be run up the alley to the west of the site.

A backflow prevention device is needed on the water flow. The Plan needs to be revised to indicate a backflow prevention device.

**SIDEWALKS:** No sidewalks are indicated on the Plan. The Applicant needs to replace any deteriorated sidewalks along S. Sandusky Street.

**ACCESS DRIVE:** The Plan illustrates the proposed curb cut at 25 feet, but Code requires a 26-foot access drive for two-way traffic. The Plan needs to be revised to indicate a 26-foot curb cut, with a radius of at least 30 feet. The Planning Commission may waive these requirements, per Code.

No directional markings are shown on the Plan for efficient movement of traffic. The Plan needs to indicate proposed traffic movement per the MUTCD (Manual on Uniform Traffic Control Devices) standards.

**CODE ISSUES:** The Zoning Code requires the following missing or inaccurate items:

For the Final Development Plan:

- (1) Location and layout of all proposed and existing outdoor storage areas including storage of waste materials, trash receptacles and dumpsters.
- (2) Preliminary architectural plans for the proposed development or use, showing exterior elevations and building floor plans, prepared by a professional engineer, architect, or surveyor (which shall contain their respective seal).
- (3) The first page of the application (drawings) shall include a description of the zoning requirements, the project's compliance with these requirements and identification of any deviations or variances requested.
- (4) Detailed engineering plans shall be submitted simultaneously with the final development plan for review by the appropriate administrative officials.

The Applicant needs to provide Code Issues 1-4 to the Planning Commission.

**STAFF RECOMMENDATION:** Normally, Staff would recommend an informal review of the Preliminary and Final Development Plans, with Tabling to the February 13 Meeting, because of the new policy that the Planning Commission should not be asked to act on Applications with missing information or unresolved issues.

However, because this is combined Preliminary and Final Plans and none of the Staff issues are major, Staff recommends approval of the Preliminary Development Plan, contingent upon any needed Engineering approvals and subject to the above-discussed Staff issues, as well as those identified by the Planning Commission, with the Final Development Plan Tabled to the February 13 Meeting.

Jennings stated that this is a nice improvement project to the property. Morrison asked if Staff could look into the extra lot behind the convenient store that Carriage Towne previously used as a parking lot.

Jeni and Carl Reida, owners of the property and Lou Cowan, Architect for the project presented a color rendering and material sample to the board to review. Papsidero stated that the staff would need a color copy of the rendering for the file. Jeni Reida stated that they would be going to the Board of Zoning Appeals for the parking issues and have agreed to the landscaping along Sandusky Street, but the landscaping was not Code requirement since they were not adding any additional square footage to the property and would not like to have the landscape buffer in the 8-foot hashed area due to already exceeding the budget on this project.

There was no other questions or comments from staff, members or neighbors on this project.

**Motion:** Long/Morrison moved to approve PC02-004 for the Preliminary Development Plan with the conditions that the landscaping portion be stated as optional and that the lots be combined, and that the Final Development Plan be tabled to the February 13, 2002 meeting. (6 in favor, 0 opposed)

MOTION PASSED.

**Application PC 02-006** - A request by the City of Delaware for approval of the

PC 02-006

TTTF PLAN

Thoroughfare Plan Report as prepared by ms consultants and adopted by the Transportation Thoroughfare Task Force.

Jennings presented the review for both applications (printed italic text is from written staff report, which Jennings summarized):

*BACKGROUND: The Transportation Thoroughfare Task Force began meeting in 1999 and completed its work in December of 2001, at which time it adopted the Thoroughfare Plan – Delaware, Ohio Report, which includes various Appendices.*

*Previously, the Planning Commission and City Council had formally adopted (for inclusion in the Comprehensive Plan) the 2 maps entitled "Delaware Thoroughfare Plan Functional Classification of Roadways-City of Delaware Region" plus "Delaware Thoroughfare Plan 2020 City Road Network Alternatives-City of Delaware Region", as modified by the Delaware County Regional Planning Commission and the Delaware County Commissioners.*

*STAFF REVIEW: The Thoroughfare Plan provides the policy and technical basis for the two maps that were adopted to update the Transportation Chapter of the Comprehensive Plan. The Thoroughfare Plan – Delaware, Ohio document will be the beginning point for the Transportation Plan portion of the new Comprehensive Plan. In addition, the Appendices will provide important technical information on important transportation topics, such as Traffic Calming and Access Management, that can be used by several City Departments.*

*STAFF RECOMMENDATION: Staff recommends adoption of Thoroughfare Plan – Delaware, Ohio, as prepared by ms consultants and adopted by the Transportation Thoroughfare Task Force, including all Appendices.*

There was no other questions or comments from staff, members or neighbors on this project.

Santos stated that the revised version would be sent to City Council and Jennings replied yes.

**Motion:** Ebersole/Morrison moved to approved PC02-006 as presented (5 in favor, 1 opposed – Long) MOTION PASSED.

**Application PC 02-001C** - A request by the City of Delaware to amend the Planning and Zoning Code, including portions of Chapters 1101 through 1191, regarding the granting of extensions for approval expirations plus modifications to Chapter 1135 – Planned Residential Development Regulations.

PC 02-001C

CITY OF  
DELAWARE

Jennings presented the review for both applications (printed italic text is from written staff report, which Jennings summarized):

ZONING COI  
REVISIONS

*BACKGROUND: As agreed when the Planning Commission adopted the final packet of text revisions prepared by the City's Consultant, D.B. Hartt & Associates, this is a part of an on-going effort to look at each Chapter of the Zoning Code, in detail.*

TABLED TO  
FEB. 13<sup>TH</sup> MT

*This continuing assessment of the Zoning Code is being done for three reasons.*

1. *There is no better way to find out what the Code says than to read it in small, digestible parts.*
2. *Now that the Code can be evaluated as a whole, overlooked aspects and issues can become more evident.*
3. *This will allow Staff to use its years of practical experience to contribute to an even better final product.*

*The plan is to review one or two Chapters per month, with revised Chapters going to Council when approved by the Planning Commission.*

*This month, we are proposing to add a new Section to Chapter 1129 to allow the Planning Commission to extend the expiration deadline for a previous Plan approval. In addition, because of the extensive revisions to Chapter 1134 – Residential Districts, it seemed appropriate to recommend some changes to the companion Chapter 1135 – Planned Residential Development Regulations.*

*STAFF RECOMMENDATION: Staff recommends a short review of the proposals, with Tabling to the February 13 Meeting.*

Long stated that for Chapter 1129 Procedures some type of objective standards need to be added to the language. And Chapter 1135 ER1 and ER2 – how can you have planned residential district in these zoning, and Jennings stated that in ER1 and ER2 it is Cluster Estates with large open spaces.

Morrison stated that the language regarding open spaces being sold, built on, etc. needs to be consistent.

Long stated that Homeowner Associations are good because there is more open space without the City having to maintain it.