CITY OF DELAWARE
CITY COUNCIL REGULAR MEETING
COUNCIL CHAMBERS
7:00 P.M. MEETING

AGENDA

7:00 PM **OCTOBER 12, 2026**

MEETINGS WILL BE STREAMED LIVE AT CITY HALL UNDER "EVENTS" AT www.cityofdelawareoh.gov

1. **ROLL CALL**

6:00 PM EXECUTIVE SESSION: Pursuant to Ohio Revised Code Section 121.22 (G)(1) to consider the appointment or employment of a public official.

2. **INVOCATION by Kim Gepper, Acting City Clerk.**

3. **PLEDGE OF ALLEGIANCE**

4. **APPROVAL OF MOTION SUMMARY**

   Approval of the Motion Summary from the City Council meeting held on September 28, 2026, as recorded and transcribed.

5. **LETTERS, PETITIONS, AND PUBLIC COMMENTS**

   ATTEND AN OPEN MEETING: Open meetings are held in City Hall Council Chambers. Sign in forms to speak are available at the door. Name and address are required for public comment. Comments are limited to 3 minutes.
   EMAIL, LETTER, PETITION: Emails, letters, and petitions received to the Council Clerk by 10 a.m. the date of the meeting will be presented to members and submitted into the record. These items will not be read aloud during the meeting but will be available on the website following the meeting at the end of the next business day. Name is required. Please avoid including personal contact information if you do not wish it to appear online. Send to councilclerk@cityofdelawareoh.gov. PLEASE NOTE SUBMISSION TIME.

6. **CONSENT AGENDA**

   a. Approval of the Motion Summary from the Shade Tree Commission meeting held on July 28, 2026, as recorded and transcribed.

   b. Acceptance of the Motion Summary from the Civil Service Commission meeting held on September 2, 2026, as recorded and transcribed.

   c. Acceptance of the Motion Summary from the Planning Commission Meeting held on September 2, 2026 as recorded and transcribed.

   d. Establish **October 26, 2026, at 7:10 PM** as the date and time for the public hearing and second reading of resolution No. 26-71, a resolution approving the development plan for the

Flats at Boulder Park. *(Consider approval of development plan for 252 multi-family units in the Flats at Boulder Park).*

e. Establish **October 26, 2026, at 7:15 PM** as the date and time for the public hearing and second reading of Ordinance No. 26-55, an ordinance approving a Zoning Map Amendment to expand C-PUD 25-15 to include 22.046 additional acres currently zoned C-CC (Community Commercial) located in the U.S. 36/S.R. 37 Sunbury Road and east of Sky View Lane. *(Zoning request to accommodate a large box retail store).*

f. Establish **October 26, 2026, at 7:20 PM** as the date and time for the public hearing and second reading of Ordinance No. 26-56, an ordinance approving a Zoning Map Amendment from A-1 (Agricultural) to R-PUD (Residential Planned Unit Development) on 12.417 acres of property located on the south side of Bowtown Road and Byxbe Parkway. *(Newly annexed land proposed to be rezoned allowing multi-family uses).*

g. Rescheduling the **October 12, 2026** Public Hearing and Second Reading of Ordinance No. 26-53. to **October 26, 2026 at 7:25 PM.** Ordinance 26-53 is an ordinance creating the Northwood tax increment financing incentive districts; declaring improvements to the parcels within each incentive district to be a public purpose and exempt from real property taxation; requiring service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund; providing for school-district distributions; and designating public infrastructure improvements; and declaring an emergency. (*Northwood non-school TIF for Byxbe Corridor Improvements*).

h. Establish **October 26, 2026, at 7:25 PM** as the date and time for the public hearing and second reading of Ordinance No. 26-59, an ordinance accepting the annexation of 0.427 acres of land, more or less, description and map are attached hereto, for the annexation known as Vernon Avenue Right of Way Annexation by Ryan D. Crossley, agent for the petitioners.

7. **STAFF INTRODUCTIONS**

Corey Staver, GIS Coordinator - IT Department

8. **PRESENTATION**

Auditor of State Award with Distinction presentation for the City of Delaware Finance Department.

9. **COMMITTEE REPORTS**

10. **7:10 PM PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 26-50**

Ordinance No. 26-50, an ordinance adopting the City of Delaware Americans with Disability Act (ADA) Policy and Transition Plan and authorizing its administration and implementation. *(Consolidated City plan implementing all elements in compliance to the Federal law.)*

11. **7:15 PM PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 26-51**

Ordinance No. 26-51, an ordinance changing the name of Vergon Drive to Rainstone Drive. *(Change of street name to avoid confusion in an emergency response and other municipal*

services)

12. **7:20 PM PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 26-52**

Ordinance No. 26-52, an ordinance amending and re-establishing the Delaware Community Reinvestment Area by implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code and expanding the boundaries to align with the City's Corporate Limits. *(Ordinance to re-establish CRA boundaries to include newly annexed territories.)*

13. **THIRD READING OF ORDINANCE NO. 26-47**

Ordinance No. 26-47, an ordinance approving a request by Ex Flax, LLC for approval of a Zoning Map Amendment from various zoning districts to R-PUD (Residential Planned Unit Development) on approximately 1.75 acres of property located on the west side of the intersection of Lake Street and Flax Street as described in "Exhibit A". *(Rezoning request for a property located on Lake Street for new duplex/townhomes that will become part of The Mill on Flax Apartment complex.)*

14. **CONSIDERATION OF ORDINANCE NO. 26-55**

Ordinance No. 26-55, an ordinance approving a Zoning Map Amendment to expand C-PUD 25-15 to include 11.746 additional acres currently zoned C-CC (Community Commercial) located in the U.S. 36/S.R. 37 Sunbury Road and east of Sky View Lane. (*Zoning request to accommodate a large box retail store*).

15. **CONSIDERATION OF ORDINANCE NO. 26-56**

Ordinance No. 26-56, an ordinance approving a Zoning Map Amendment from A-1 (Agricultural) to R-PUD (Residential Planned Unit Development) on 12.417 acres of property located on the south side of Bowtown Road and Byxbe Parkway. (*Newly annexed land proposed to be rezoned allowing multi-family uses*).

16. **CONSIDERATION OF ORDINANCE NO. 26-59**

Ordinance No. 26-59, an ordinance accepting the annexation of 0.427 acres of land, more or less, description and map are attached hereto, for the annexation known as Vernon Avenue Right of Way Annexation by Ryan D. Crossley, agent for the petitioners.

17. **CONSIDERATION OF RESOLUTION NO. 26-72**

Consideration of Resolution No. 26-72, a resolution authorizing the City Manager to enter into a cooperative agreement with Delaware County for purposes of submitting an application to the Ohio Public Works Commission (OPWC) State Capital Improvement and/or Local Transporation Improvement Programs round 41 for the East Central Avenue reconstruction project and authorizing the City Manager to prepare and submit the application to OPWC. (*Grant application to fund improvements to Central Ave.*).

18. **CONSIDERATION OF ORDINANCE NO. 26-57**

Ordinance No. 26-57, an ordinance amending the Management Pay Plan Ordinance No. 26-XX to

move the Fleet and Traffic Division Supervisor from M7-M8 pay grade and declaring an emergency. (*Changes to pay plan to include revised wage rate for supervisor position*).

19. **CONSIDERATION OF ORDINANCE NO. 26-58**

    Ordinance No. 26-58, an ordinance appointing an interim City Manager and declaring an emergency. (*Ordinance to appoint Acting City Manager*).

20. **CITY MANAGER'S REPORT**

21. **COUNCIL COMMENTS**

22. **ADJOURNMENT**

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Kim Gepper, City Clerk
ITEM TYPE:	Motion Summary
AGENDA SECTION:	**APPROVAL OF MOTION SUMMARY**
SUBJECT:	Approval of the Motion Summary from the City Council meeting held on September 28, 2026, as recorded and transcribed.

SUGGESTED ACTION:

ATTACHMENTS:
20260928 council motion summary.docx

ITEM 1. ROLL CALL

The meeting was called to order at 6:00 PM with the following City Council members present: Linsey Griffith, First Ward; Matt McClellan, Third Ward; Kyle Bogan, At-Large; Vice-Mayor Catlin Frazier and Mayor Carolyn Kay Riggle.

Motion to Excuse: Councilwoman Griffith motioned to excuse Councilman Rider and Councilman Haynes. Motion was approved with a 5-0-0 vote.

6:00 PM EXECUTIVE SESSION: Pursuant to Ohio Revised Code Section 121.22 Section 121.22 (G)(1) to consider the appointment or employment of a public official and (G)(5) matters required to be kept confidential by State statute.

Motion: Vice Mayor Frazier motioned to adjourn into Executive Session pursuant to Ohio Revised Code Section 121.22 (G) (1) to consider the appointment or employment of a public official and (G) (5) matters required to be kept confidential by state statute. Dr. Bogan provided a second. Motion was approved with a 5-0-0 vote.

The meeting was called back to order at 7:00 PM.

Staff Present: Sandra Pereira, Planning and Community Development Director; Adam Moore, Police Chief; Alycia Hefner, Finance Director; Nic Langford, Economic Development Director; Logan Annarino, Economic Development Project Manager II; Jonathan Owen, City Engineer; David Moser, City Attorney; Andy Beare, Assistant City Manager; and Paul Brake, City Manager

ITEM 2. INVOCATION

The invocation was led by the Reverend Dr. Kary Williams, Jr.

ITEM 3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ITEM 4. APPROVAL OF MOTION SUMMARY

Approval of the Motion Summary from the City Council meeting held on September 14. 2026, as recorded and transcribed.

Motion: Councilman Bogan motioned to approve the motion summary from the City Council meeting held on September 14, 2026, as recorded and transcribed, seconded by Councilwoman Griffith. Motion was approved with a 5-0-0 vote.

ITEM 5. LETTERS, PETITIONS, AND PUBLIC COMMENTS

Vernon T. Suttles

186 London Rd., Lot 327
Delaware, OH 43015

Mr. Settles stated that since he moved into his home, he has had a problem with water coming down the alley from High St., circling around his home and going down to London Rd. Mr. Suttles feels the width of the alley varies, narrowing near his home. Requesting the City to have Engineering and Public Works look into this while it is raining.

Deborah Guebert
265 West Fountain Avenue
Delaware, Ohio 43015

Ms. Guebert shared a handout from the Babylon Bee regarding climate change.

ITEM 6. CONSENT AGENDA

Agenda Amendment: City Attorney Mosure requested two minor amendments to tonight's agenda; item (g) in the consent agenda is redundant and does not need action tonight, and to correct a typo on Item 27, on the ordinance number to read 26-52 in both the heading and the body.

Motion: Councilwoman Griffith motioned to amend the agenda as described, Councilman McClellan provided a second. Motion was approved by a 5-0-0 vote.

a. Acceptance of the Motion Summary from the Shade Tree Commission meeting held on July 28, 2026, as recorded and transcribed.

Motion: Councilman Bogan motioned to approve the consent agenda as amended, seconded by Councilwoman Griffith. Motion was approved with a 5-0-0 vote.

ITEM 7. ACCEPTANCE OF PETITION

PETITION FOR THE FOUR SEASONS AT ADDISON FARMS: For Alternative Traffic Calming on Heritage Boulevard and Infrastructure Reassessment within the Four Seasons Active 55+ Senior Community.

Motion: Vice-Mayor Frazier motioned to accept the petition, Councilman Bogan provided a second. Motion was approved by a 5-0-0 vote.

ITEM 8. STAFF INTRODUCTION

Suzie Arehart, Human Resources Specialist, was introduced to Council by Human Resources Director, Jessica Feller.

ITEM 9. PROCLAMATION – STORMWATER AWARENESS WEEK

Mayor Riggle presented Emily Meek, Director of Public Utilities with a proclamation for Stormwater Awareness Week, which runs October 1 through October 7, 2026.

ITEM 10. PRESENTATION

Andy Volenik, Executive Director, Delaware County Transit. Mr. Volenik gave an update on the Delaware County Transit service expansion initiative.

ITEM 11. COMMITTEE REPORTS

Councilwoman Griffith reported that the Shade Tree Commission met last Thursday, where they had good discussion including the comments that came out tonight. Councilwoman Griffith stated that she appreciates the developer being willing to work with the City in having non-invasive species planted. Parks and Recreation was cancelled for lack of quorum.

Vice-Mayor Frazier reported that Parking and Safety will meet on 10/27/26. She is requesting an update on Station 305 to be added to that agenda.

ITEM 12. 7:10 PM PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 26-47

Ordinance No. 26-47, an ordinance approving a request by Ex Flax, LLC for approval of a Zoning Map Amendment from various zoning districts to R-PUD (Residential Planned Unit Development) on approximately 1.75 acres of property located on the west side of the intersection of Lake Street and Flax Street as described in “Exhibit A”

The clerk read the resolution for the second time.

Sandra Pereira, Planning and Community Development Director, gave a presentation that included the background, overview, site layout, and building design.

Public Hearing opened at 7:40 p.m.

Dana Glassburn
68 Flax St.
Delaware, OH 43015

Ms. Glassburn shared that she lives halfway down Flax St. and asked if it is necessary for another three-story building on the street. It was clarified that this was a public hearing only for the rezoning. The development plan will go to the Planning Commission and then back to City Council. Ms. Glassburn also asked about the name Ex-Flax.

Jacob Ives
79 Webb St.
Delaware, OH 43015

Mr. Ives stated he has similar concerns regarding the three-story building. He also expressed concern about the traffic on the east side of Delaware. Mr. Ives also requested that the carriage house on the property be preserved.

Applicant:
Barbara Jordan
Riverwest Partners
4215 Worth Ave. Suite 301
Columbus, OH

Jonathan Grubb
Archall Architects
49 E. Third St.
Columbus, OH 43201

Ms. Jordan addressed the question of the name Ex-Flax stating it is a temporary naming convention only to say that it is an extension of the Mill on Flax. It will not be the name. She added that the carriage house is very dilapidated and has asbestos in it. If it was salvageable they would consider doing something with this building, but it is not, so it will be demolished.

Mr. Grubb addressed the three-story building request stating that it is an extension of the Mill on Flax and it is designed to compliment the architecture of the Mill on Flax.

Mayor Riggle asked the applicants to see if there is a way they can preserve the carriage house.

The public hearing closed at 7:55 PM.

This ordinance will go to another reading.

ITEM 13. 7:15 PM PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 26-48

Ordinance No. 26-48, an ordinance accepting 101.92 acres of land, more or less, description and map are attached hereto for the annexation known as Hickory Woods Annexation by Laura McGregor Comek, agent for the petitioners.

The clerk read the resolution for the second time.

Sandra Pereria, Planning and Community Development Director, gave a presentation that included the location of the annexation and reminded council the parameters of the pre-annexation agreement.

Applicant:
Mary VanHaaften
Preservation Parks
2656 Hogback Rd.
Delaware, OH 43074

The public hearing opened at 7:58 p.m.

There was no public participation.

The public hearing was closed at 7:58 p.m.

Motion: Vice-Mayor Frazier motioned to suspend the rules on Ordinance No. 26-48, Mr. McClellan provided a second. Motion was approved with a 5-0-0 vote.

Motion: Vice-Mayor Frazier motioned to approve Ordinance No. 26-48, Councilwoman Griffith provided a second. Motion was approved with a 5-0-0 vote.

ITEM 14. 7:20 PM PUBLIC HEARING AND CONSIDERATION OF RESOLUTION NO. 26-70

Resolution No. 26-70, a resolution to approve a request by T&R Properties for approval of a Development Plan for the Goodwill Men's Transitional Living Home on 1.076 acres of property at 21 Vergon Drive in the Greenwood Commons / Flats at Sugar Run Planned Mixed-Use Overlay.

The clerk read the resolution for the first time.

Sandra Pereira, Planning and Community Development Director, gave a presentation that included the background, overview, site layout, and building design. Ms. Pereira clarified that at the first reading, this facility was referred to as a shelter, but it is actually considered transitional living, not long-term and not short term.

Applicant:
Ron Sabatino
T&R Properties
3895 Stoneridge Ln.
Dublin, OH 43017

Matthew Tway
334 Siesta Dr.
Marion, OH

The public hearing was opened at 8:03 p.m.

Deborah Guebert
265 West Fountain Avenue
Delaware, Ohio 43015

Ms. Guebert asked for clarification on who would provide funding once the transitional living home is opened. She also requested information on what type of program is included for the residents.

Mr. Tway stated that the purpose of the housing facility is to help residents get back to work and living on their own. The program will be funded by Goodwill and will not be a burden to the taxpayers.

Councilwoman Griffith shared that the Shade Tree Commission is requesting the developer consider planting something other than burning bush plants, which are an invasive species. They would prefer a native cultivar be used, such as a spice bush or a winterberry bush. Mr. Sabatino agreed to plant the requested bushes instead of the burning bushes.

The public hearing was closed at 8:04 p.m.

Motion: Vice-Mayor Frazier motioned to approve Resolution No. 26-70, Councilman McClellan provided a second. Motion was approved with a 5-0-0 vote.

ITEM 15. THIRD READING OF ORDINANCE 26-38

Ordinance No. 26-38, an ordinance accepting the annexation of 175.0 acres of land, more or less, description and map are attached for the annexation known as Price Trusts II annexation filed by Elizabeth Seedorf, agent for the petitioners.

The clerk read the resolution for the third time.

Motion: Vice-Mayor Frazier motioned to approve Ordinance No. 26-38, Councilman McClellan provided a second. Motion was approved with a 5-0-0 vote.

ITEM 16. THIRD READING OF ORDINANCE 26-39

Ordinance No. 26-39, an ordinance approving a request by Corridor Company for approval zoning map amendment to expand MX-PUD 26-2 to include 175 additional acres of property located at the southwest corner of the intersection of Troy and Hills-Miller Roads as described in "Exhibit A".

The clerk read the resolution for the third time.

Motion: Vice-Mayor Frazier motioned to approve Ordinance No. 26-39, seconded by Councilman McClellan. Motion was approved with a 5-0-0 vote.

ITEM 17. THIRD READING OF ORDINANCE 26-40

Ordinance No. 26-40, an ordinance approving a request by 19 Gruber LLC, for approval of a zoning map amendment to rezone approximately 2.84 acres currently zoned I-1 (Light Industrial) District to MX-PUD (Mixed-Use Planned Unit Development) located south and east of the intersection of West William Street and Gruber Street.

The clerk read the resolution for the third time.

Motion: Vice-Mayor Frazier motioned to approve Ordinance No. 26-40, Councilman McClellan provided a second. Motion was approved with a 5-0-0 vote.

ITEM 18. THIRD READING OF ORDINANCE 26-41

Ordinance No. 26-41, an ordinance approving a request to rezone approximately 5.386 acres from C-CC (Community Commercial) district with a PUD Overlay (C-CC PUD) to C-PUD Commercial Planned Unit Development located on the northwest corner of Lansdale Drive and South Houk Road as described in Exhibit A.

The clerk read the resolution for the third time.

Sandra Pereira, Director of Planning and Community Development stated that at the last meeting, Councilman Bogan requested additional information about EMS runs. The applicant did provide information to address this concern. Additionally, Fire Chief Pyle did provide a letter of support after viewing the provided information.

Motion: Vice-Mayor Frazier motioned approve Ordinance No. 26-41, seconded by Councilman McClellan. Motion was approved with a 5-0-0 vote.

ITEM 19. THIRD READING OF ORDINANCE 26-42

Ordinance No. 26-42, creating the Sawmill Parkway Tax Increment Financing Incentive Districts; declaring improvements to the parcels within each incentive district to be a public purpose and exempt from real property taxation; requiring the owners of those parcels to make service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of those service payments; and specifying the public infrastructure improvements that benefit or serve parcels in the incentive district.

The clerk read the resolution for the third time.

Motion: Vice-Mayor Frazier motioned to approve Ordinance No. 26-42, Councilman Bogan provided a second. Motion was approved with a 5-0-0 vote.

ITEM 20. THIRD READING OF ORDINANCE 26-43

Ordinance No. 26-43, an ordinance approving and authorizing the City Manager to execute a Community Reinvestment Area Agreement with Mason Hunt, LLC for investment in real property improvements on +/- 11,000 square feet at 0 Belle Avenue (Parcel #41912201027005).

The clerk read the resolution for the third time.

Motion: Vice-Mayor Frazier motioned to approve Ordinance No. 26-43, Councilwoman Griffith provided a second. Motion was approved with a 5-0-0 vote.

ITEM 21. THIRD READING OF ORDINANCE 26-44

Ordinance No. 26-44, an ordinance approving and authorizing the City Manager to execute a Community Reinvestment Area Agreement with Howald Properties, LTD for investment in real property improvements on +/- 39,000 square feet at 320 London Road, #100 (parcel #51934418007002).

The clerk read the resolution for the third time.

Motion: Vice-Mayor Frazier motioned to approve Ordinance No. 26-44 Councilwoman Griffith provided a second. Motion was approved with a 5-0-0 vote.

ITEM 22. THIRD READING OF RESOLUTION 26-67

Resolution No. 26-67, a resolution approving the City of Delaware Strategic Action Plan.

The clerk read the resolution for the third time.

City Manager Paul Brake stated that this is in follow up of the Strategic Planning Session City Council had in July. There were some additional revisions based on Council comments, specifically related to economic development steps

Motion: Vice-Mayor Frazier motioned to approve Resolution No. 26-67, seconded by Councilman Bogan. Motion was approved with a 5-0-0 vote.

ITEM 23. SECOND READING OF ORDINANCE NO. 26-49

Ordinance No. 26-49, an ordinance conveying to the Community Improvement Corporation of Delaware County, Ohio certain real property owned by the City and determined not to be required by the City for its purposes.

The clerk read the resolution for the second time.

Nic Langford, Economic Development Director, gave an overview of the project and stated that we are considering a disposition pathway that would authorize the City Manager and City Attorney to sign off on

ultimate disposition once the developer has zoning, development agreements or other entitlements for this project in place. All documents are complete and there are claw backs in case the project does not progress.

Applicant:
Cole Antol
Westwood Collective
3945 Parkside Ct.
Hilliard, OH

Mr. Antol stated that he is a proud OWU alumni and Andy Warnock, the principal and founder of Westwood Collective is a Delaware resident and an OWU alumni as well. Mr. Antol stated that one change to this plan is that the duplex at 81 Spring St. has been purchased and will provide more parking for the project.

Motion: Vice-Mayor Frazier motioned to suspend the rules on Ordinance No. 26-49, Councilwoman Griffith provided a second. Motion was approved with a 5-0-0 vote.

Motion: Vice-Mayor Frazier motioned to approve Ordinance No. 26-49, Councilwoman Griffith provided a second. Motion was approved with a 5-0-0 vote.

ITEM 24. SECOND READING OF RESOLUTION NO. 26-69

Resolution No. 26-69, a resolution accepting the recommendations of the City of Delaware Tax Incentive Review Council on the status of the 2026 Community Reinvestment Area, Enterprise Zone, and Tax Increment Financing Programs.

The clerk read the resolution for the second time.

Nic Langford, Director of Economic Development stated that the Tax Incentive Review Council has met and provided the recommendations before Council this evening. He gave an overview of what Council will be voting on.

Motion: Councilwoman Griffith motioned to approve Resolution No. 26-69, seconded by Councilman Bogan. Motion was approved with a 5-0-0 vote.

ITEM 25. CONSIDERATION OF ORDINANCE NO. 26-50

Ordinance No. 26-50, an ordinance adopting the City of Delaware Americans with Disability Act (ADA) Policy and Transition Plan and authorizing its administration and implementation.

The clerk read the resolution for the first time.

City Attorney David Moser and Jessica Feller, Director of Human Resources will present a detailed presentation on this plan at the public hearing on October 12, 2026.

This item will be coming back for a second reading.

ITEM 26. CONSIDERATION OF ORDINANCE NO. 26-51

Ordinance No. 26-51, an ordinance changing the name of Vergon Drive to Rainstone Drive.

The clerk read the resolution for the first time.

This ordinance will go to another reading.

ITEM 27. CONSIDERATION OF ORDINANCE NO. 26-52

Ordinance No. 26-52, an ordinance amending and re-establishing the Delaware Community Reinvestment Area by implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code and expanding the boundaries to align with the City's Corporate Limits.

The clerk read the resolution for the first time.

This ordinance will go to another reading.

ITEM 28. FINANCE DIRECTOR'S REPORT

August 2026 Financial Report

Alycia Hefner, Finance Director, stated that total revenue is down 2.4%. This is not concerning as it is related to timing. The county payment of the second half property tax settlement is late. Income tax is up 7.5%.

Relative to utility billing, there was an issue with the credit card processor online, who started to require zip code verification. This had to be taken care of by the resident, but our staff did a great job walking residents through the process.

With the approval of the CIP at the September 14, 2026 meeting, our Procurement Administrator has been working with departments on letters of intent for long lead time vehicles so we can secure the lowest pricing possible.

We are now in final negotiations for our downtown parking kiosks. The selected vendor is Arrive.

Finance will be issuing an RFP for the GFOA version of the budget as well as creating a Budget in Brief document for residents in an easy-to-understand format.

ITEM 29. CITY MANAGER'S REPORT

Paul Brake, City Manager, stated that the Point Project is nearing the end. The steel girders will be removed from the temporary railroad bridge next Thursday. This will take place during the day and there will be intermittent stops in both directions several times throughout the day.

ITEM 26. COUNCIL COMMENTS

Councilwoman Griffith complimented the Delaware County Fair with record setting sales. She felt the traffic was better managed. She asked who from Council will man the First Friday booth this Friday. It was agreed that Councilwoman Griffith and Councilman McClellan will cover the booth this Friday.

Councilman Bogan stated he had the opportunity to attend the Ohio State Buckeye's game and at the Skull Session and the Delaware Pacer Marching band was the guest band. They represented the City well.

Vice-Mayor Frazier stated it was a great fair season and the Jug was amazing. She expressed her appreciation to staff for their hard work during the fair.

Councilman McClellan had no report.

Mayor Riggle had no report.

ITEM 27. ADJOURNMENT

Motion: Vice-Mayor Frazier motioned to adjourn the meeting at 8:43 PM.

The meeting adjourned at 8:43 PM.

_____

Mayor Carolyn Kay Riggle

_____

Kimberly Gepper, Acting Council Clerk

AGENDA ITEM NO. a

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Sarah Dinovo, City Clerk
ITEM TYPE:	Motion Summary
AGENDA SECTION:	**CONSENT AGENDA**
SUBJECT:	Approval of the Motion Summary from the Shade Tree Commission meeting held on July 28, 2026, as recorded and transcribed.

SUGGESTED ACTION:

ATTACHMENTS:
20260526 Shade Tree Motion Summary.docx

SHADE TREE COMMISSION
MOTION SUMMARY
MAY 26, 2026

***These minutes were taken from the roll call sheet. There was no video available due to technical difficulties.

ITEM 1. Roll Call

Members Present: Stephen Harvey, Dr. Anna Willow, Nathan Andears, David Carey, and Linsey Griffith

ITEM 2. APPROVAL OF MOTION SUMMARY

Approval of the Motion Summary of the Shade Tree Commission meeting held on March 24, 2026, as recorded and transcribed.

Motion: Commissioner Griffith motioned to approve March 24, 2026, motion summary, seconded by Commissioner Willow. Motion was approved with a 3-2-0 vote.

ITEM 3. PUBLIC COMMENT

There was no public participation.

ITEM 4. STAFF COMMENTS AND UPDATE

a. May 2026 Arborist Report

ITEM 5. PLAN REVIEWS

a. 7 Brew Landscape Plan

b. Glenn Crossing Long Term Care Canopy Plan

c. McNett Meadows Tree Canopy Management Plan

d. Boulder Farms Canopy Management and Landscape Plans

e. Primrose Delaware Tree Canopy Management and revised Landscape Plans

ITEM 6. COMMISSION MEMBER COMMENTS AND DISCUSSION

ITEM 7. ADJOURNMENT

The meeting was adjourned at 7:45 PM

_____

Chairperson

_____

Clerk

AGENDA ITEM NO. b

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Kim Gepper, City Clerk
ITEM TYPE:	Motion Summary
AGENDA SECTION:	**CONSENT AGENDA**
SUBJECT:	Acceptance of the Motion Summary from the Civil Service Commission meeting held on September 2, 2026, as recorded and transcribed.

SUGGESTED ACTION:

ATTACHMENTS:
20260902 Motion Summary SIGNED.pdf

Docusign Envelope ID: E2C812E0-6AA4-8DC8-83E0-1CF814BD6F90

CIVIL SERVICE COMMISSION
MOTION SUMMARY
SEPTEMBER 2, 2026

ITEM 1. ROLL CALL

Chair Santos called the meeting to order at 3:30 p.m.

Members Present: Vice-Chair Mark Hurley, Chair Mary Jane Santos, and Kitty Hollingshead Mancil

Staff Present: Fire Chief Tim Pyle, Delaware City Fire Department; Jessica Feller, Human Resources Director; Whitney Faust, Human Resources Specialist; Chief Adam Moore, Delaware City Police Department, and David Moser, City Attorney

ITEM 2. PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

ITEM 3. APPROVAL OF MOTION SUMMARY

Approval of the Motion Summary from the Civil Service Commission meeting held on August 10, 2026, as recorded and transcribed.

Motion: Commissioner Hollingshead Mancil motioned to approve the Motion Summary from August 10, 2026, seconded by Vice Chair Hurley. Motion was approved with a 3-0-0 vote.

ITEM 4. PUBLIC COMMENT

There was no public participation.

ITEM 5. DISCUSSION AND RECOMMENDATION

a. Approval of the September 2026 Firefighter Certified List

Chief Pyle stated there are seven new hires on the list and two people have been removed from the list.

Discussion included whether any of the new hires would be assigned to the new fire station.

Motion: Vice Chair Hurley motioned to approve the September 2026 Firefighter Certified list, seconded by Commissioner Hollingshead Mancil. Motion was approved with a 3-0-0 vote.

b. Approval of the September 2026 Police Certified List

Chief Moore stated the list adds two, removes two who took employment elsewhere, which brings the list to 24. There are two on the list who have been given conditional offers and are actively doing background checks on others in the list.

Discussion included how much is costs to send candidates to an academy.

Motion: Commissioner Hollingshead Mancil motioned to approve the September 2026 Police Certified list, seconded by Vice Chair Hurley. Motion was approved with a 3-0-0 vote.

c. Approval of the 2026 Police Captain Recruitment Process

Ms. Faust went over the update to the recruitment process to not only have someone else administrating for the sake of impartiality and reconfiguring how the total score is calculated.

Motion: Commissioner Hollingshead Mancil motioned to approve the 2026 Police Captain Recruitment Process, seconded by Vice Chair Hurley. Motion was approved with a 3-0-0 vote.

d. Approval of the Police Sergeant Promotional Process: revised August 2026

Ms. Faust went over the update to the promotional process to not only have someone else administrating for the sake of impartiality and reconfiguring how the total score is calculated. Chief Moore stated this move the testing from a single facet to multifaceted approach.

Discussion included if any tracking is or will be done to complete to track if the testing is an accurate predictor for leadership roles.

Motion: Vice Chair Hurley motioned to approve the Police Sergeant Promotional Process, seconded by Commissioner Hollingshead Mancil. Motion was approved with a 3-0-0 vote.

ITEM 6. STAFF COMMENTS

There were no further comments.

ITEM 7. COMMISSIONER COMMENTS

Chair Santos asked Chief Pyle what type of training firefighters go through to be employed. Chief Pyle explained the process someone would go through to be employed by the Fire Department.

ITEM 8. ADJOURNMENT

Motion: Chair Santos motioned to adjourn the Civil Service Commission meeting.

The meeting was adjourned at 3:51 P.M.

Signed by:
C658EC30EA37464...

Chair

Acting Clerk

AGENDA ITEM NO. c

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Kim Gepper, City Clerk
ITEM TYPE:	Motion Summary
AGENDA SECTION:	**CONSENT AGENDA**
SUBJECT:	Acceptance of the Motion Summary from the Planning Commission Meeting held on September 2, 2026 as recorded and transcribed.

SUGGESTED ACTION:

ATTACHMENTS:
20260902 Motion Summary SIGNED.pdf

PLANNING COMMISSION
MOTION SUMMARY
SEPTEMBER 2, 2026

ITEM 1. Roll Call

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

Members Present: Dean Prall (arrived 6:31 PM), Brandon Feller, Dustin Nanna, and Stacy Simpson, and George Stroud

Motion to Excuse: Vice Chair Nanna motioned to excuse Josh Cross Mayor Riggle, seconded by Commissioner Feller. Motion was approved with a 5-0-0 vote.

Staff Present: Carrie Fortman, Project Manager; Sandra Pereira, Planning and Community Development Director; Anna Kelsey, Planning and Zoning Administrator; David Gentile, Development Planner; Jonathan Owen, City Engineer, Nic Langford, Economic Development Director, and Andy Beare, Assistant City Manager

ITEM 2. APPROVAL OF MOTION SUMMARY

Approval of the Motion Summary of the Planning Commission meeting held on August 5, 2026, as recorded and transcribed.

Motion: Vice-Chair Nanna motioned to approve the Motion Summary of the Planning Commission meeting held on August 5, 2026, seconded by Commissioner Feller. Motion was approved with a 5-0-0 vote.

ITEM 3. OLD BUSINESS

A. CONDITIONAL USES

1. PC 26-8: A request by Jablonka Real Estate Partners for Conditional Use Approval for the operation of a Boutique Hotel on 0.366 acres of property zoned R-NT (Residential – Neighborhood Transition) and located at 163 North Franklin Street. ***Application continued from August 5th meeting following closure of the public hearing.***

Anna Kelsey, Planning and Zoning Administrator, gave a quick recap of the last meeting regarding this case.

The clerk acknowledged emails from
Kristen Cole

Kevin and Cosby Carrico
Roger and Debbie Collum, MBAs
Arthur Neal Cole
Jessica Cain
Samantha Wittig
Brianna Barnes
Holly Gershbacher
Bob Gershbacher
Andy Knight
David Bilsing

a. Commission Discussion

Applicant:
Jared Jablonka
2671 Bryden Road
Columbus, Ohio

Mr. Jablonka apologized for his absence at the last meeting and gave a bit of history to how the potential sale of this property came to be, the state of the property now, and the possible name of the boutique hotel.

Mr. Jablonka answered questions from the commissioners that included, was not limited to, plans for the property, whether this would be a commercial hotel, whether a roof deck would be added, there was an additional condition added after speaking to some of the neighbors (a privacy fence), if the hotel would be owner-operated, if the conditional use permit would prevent the sale from occurring if not granted, if the applicant planned on adding more parking, if the property would be used as a long-term hotel, the types of uses allowed in this zoning district, and why this zoning was designated as transitional.

b. Commission Action (final decision)

Motion: Commissioner Prall motioned to approve case 26-8, Jablonka Real Estate Partners Conditional Use, seconded by Commission Stroud. Motion failed with a 2-3-0 vote.

ITEM 4. REGULAR BUSINESS

A. ZONING AMENDMENTS

1. PUD 26-7: A request by Ex Flax, LLC for approval of a Zoning Map Amendment from various zoning districts to R-PUD (Residential Planned Unit Development) on approximately 1.75 acres of property located on the west side of the intersection of Lake Street and Flax Street as described in "Exhibit A".

a. Staff Presentation

Anna Kelsey, Planning and Zoning Administrator, gave a presentation that included the background, request, how the project fits with the Delaware Together Plan, the concept plan, staff analysis and conditions.

b. Applicant Presentation

Barbara Jordan
4215 Worth Avenue, Suite 301
Columbus, Ohio

Ms. Jordan stated this development was going to be a little bit of an extension of the Mill on Flax; same ownership group, and we're excited to invest again in the community.

c. Public Hearing

The public hearing was opened at 7:18

Christine Swartz
79 Webb Street
Delaware, Ohio

Ms. Swartz stated her concern was primarily the increased traffic in the area with this development and the other apartments being built further north on Lake Street. Ms. Swartz also mentioned the amount of dump trucks, and the noise from the traffic.

Joseph Amato
103 Lake Street
Delaware, Ohio

Mr. Amato stated his concern was also about the traffic increase, and the lack of parking for the existing homes with some parking spots being removed from Lake Street near Central Avenue.

Jacob (last name not understood)
79 Webb Street
Delaware, Ohio

Jacob asked if there were any concerns about the capability of the utilities in that area to handle the new development. There are already issues with electricity flickering.

Joseph Amato

103 Lake Street
Delaware, Ohio

Mr. Amato shared there was flooding in front of his home over Lake Street to the grain elevator, damage to his porch from standing water, sewer backing up into in his basement

The public hearing was closed at 7:25 PM

d. Commission Discussion

Discussion included why other properties on the south side of Flax Street wasn't included in this plan, the current status of utility hookups in the area, what a cluster single family dwelling was and why it was a permitted use versus a conditional use, and how the Lake Street/Central Avenue intersection improvements may help with traffic flow.

e. Commission Action (recommendation to City Council)

Motion: Vice Chair Nanna motioned to approve of case R PUD 26-7 Flax and Lake River West with all staff conditions, seconded by Commissioner Prall. Motion was approved with a 5-0-0 vote.

B. DEVELOPMENT PLANS

1. PC 26-9: A request by T&R Properties for approval of a Development Plan for the Goodwill Men's Shelter on 1.076 acres of property at 21 Vergon Drive in the Greenwood Commons / Flats at Sugar Run Planned Mixed-Use Overlay.

a. Staff Presentation

Anna Kelsey, Planning and Zoning Administrator, gave a presentation that included the background, overview, history of the whole Greenwood Development, the request, and elevations of the project.

Ms. Kelsey added this would be approximately a 5,800-square-foot building. with16 rooms.Each of them would have its own bathroom, and there would be some shared space. There would be a meeting room, and office space for staff on site who would be on site at all times. They would have some outdoor recreation areas as well. The street name will likely be changed in the near future.

b. Applicant Presentation

Ron Sabatino

3895 Stoneridge Lane
Dublin, Ohio

Mr. Sabatino stated this has been a vision from the Mayor and former Vice-Mayor for many years. this apartment community, we've agreed with the city to reduce our rents by 20% of our dwellings, even much lower, with an agreement we made with the city to help this vision that the mayor had for the need for transitional housing for men. And our agreement is there'll be nonviolent people. Some will be homeless. Some will be coming from the jail and goodwill. And we will help them grow to get jobs. I have many jobs for them, cutting grass at my golf course at Delaware or other jobs to get initial jobs to where they can grow. This transitional housing is expected for these folks to live here from one to several months and is a need that the mayor started over two years ago. And so, you know, everybody says not in my backyard. So, I agreed to do it in our front yard. Mr. Sabatino clarified there won't be 24 hours of supervision. But when no one is there in the evening everything will be monitored by our partner, Goodwill, who will help place these folks with their other social service organizations and their jobs and give them a second chance.

c. Public Hearing

The public hearing was opened at 7:48 PM

There was no public participation.

The public hearing closed at 7:48 PM

d. Commission Discussion

Discussion included whether the men's shelter was a part of the state tax credit application, if this facility could be transitioned into a family capacity shelter,

e. Commission Action (recommendation to City Council)

Motion: Vice Chair Nanne motioned to approve case PC 26-9, Goodwill Men's Shelter VDP with all staff conditions, seconded by Commissioner Feller. Motion was approved with a 5-0-0 vote.

Mr. Sabatino stated the following: 'I think the city needs to look at their water and sewer tap fees, which are excessive. They are very excessive. We've written many letters about their excessive water and tap fees that are intended to be only used within that department with other developments. This not-for-profit has 16 little bedrooms for men to come and go and work and come home and watch TV. And I certainly hope that the department and

Jonathan does not punish them with the current excessive fees that they've done with the rest of the development in the city of Ohio, in the city of Delaware. I mean, they're excessive, and council and planning and zoning should look at it.'

C. PLATS

1. S 26-13: A request by Gandee Heydinger Group, LLC for approval of a Re-Plat for Glennwood Commons on property zoned C-CC PMU (Community Commercial with a Planned Mixed-Use Overlay).

a. Staff Presentation

David Gentile, Development Planner, gave a presentation that included the background/overview, the request, and staff conditions.

b. Commission Discussion

c. Commission Action (final decision)

Motion: Commissioner Prall motioned to approve 26-13 Glennwood Commons replat with all staff conditions, seconded by Commissioner Feller. Motion was approved with a 4-0-0 vote.

*Vice Chair Nanna left the room from 7:55-7:57 PM

2. S 26-14: A request by PPG Industries INC for approval of a Final Subdivision Plat for PPG to combine lots and dedicate right-of-way and easements on 95.59 acres of property zoned I-2 (General Industrial) and located at 760 and 876 Pittsburgh Drive.

a. Staff Presentation

David Gentile, Development Planner, gave a presentation that included the background/overview, the request, and staff conditions.

b. Commission Discussion

There was no further discussion.

c. Commission Action (final decision)

Motion: Commissioner Prall motioned to approve 26-14 PPG final subdivision plat with all staff conditions, seconded by Commissioner Feller. Motion was approved with a 5-0-0 vote

3. S 26-15: A request by Byers Ford for approval of a Combined Preliminary and Final Subdivision Plat for to combine lots and dedicate right-of-way on 9.54 acres of property zoned C-GC and located at 994 and 998 Stratford Road and 976 Havens Road.

a. Staff Presentation

David Gentile, Development Planner, gave a presentation that included the background/overview, the request, and staff conditions.

b. Commission Discussion

Discussion included if there was anything in the CIP (Capital Improvement Plan) for Pittsburg Drive. Jonathan Owen, City Engineer, stated there wasn't anything in this CIP but it is in our thoroughfare plan for long-range planning purposes to do an expansion widening someday.

c. Commission Action (final decision)

Motion: Commissioner Prall motioned to approve Buyer's Ford combined preliminary and final subdivision plat with all staff conditions, seconded by Vice Chair Nanna. Motion was approved with a 5-0-0 vote.

ITEM 5. CITY ENGINEER UPDATES

Jonathan Owen wanted to thank Carrie Fortman, Project Engineer, but all the other engineers on staff that do a lot of work behind the scenes.

A. 1. Sandusky Street Road Diet

Mr. Owen gave a presentation (with the study provided by GDP) that included the location of the study area (Sandusky Street from Olentangy Avenue up to Central Avenue), the numerous possibilities of what the road diet could look like, the number of crashes that happened at the intersections of William/Sandusky, Winter/Sandusky and Central/Sandusky which doesn't include the near misses of pedestrians in the crosswalk, planning for future growth, and the report card for the area studied.

Discussion included the timeline for the road diet, how old the current streetscape was, public perception of having less lanes to drive on downtown, and what kind of public input/feedback opportunities would be sought,

2. US 42 and Sawmill Road Traffic Study

Mr. Owen gave a presentation (with the study provided by Carpenter Marty Transportation) that included the reasons for the study; one of which

was to position the city to know what the costs are ahead of time to potentially recoup those costs through developments by various mechanisms like direct contributions or TIF revenues, the locations of the study, which areas needed attention, the possibility of US42 becoming a four-lane roadway, the different phases the work would be into, and the different grants being sought to pay for the improvements.

Discussion included turn lanes, whether a roundabout would work at any of the intersections along US42, the ODOT 23 Connect project, and the exit near Tanger

ITEM 6. PLANNING DIRECTOR'S REPORT

Sandra Pereira, Planning and Community Development Director, reported the City Manager's contract will not be renewed at the end of 2026 and assured the Commissioner that it will be business as usual for the Planning Department. Other than that, the Planning Department has been very busy these past couple of months working on the architectural standards for our historic district, as well as our south-side focus area plan. In the coming months, the Planning Commission will be hearing some presentations, and we'll be seeking your input, hopefully before the end of the year; there will be quite a few cases on the agenda for October so please let staff know if you are unable to attend.

ITEM 7. COMMISSION MEMBER COMMENTS AND DISCUSSION

Commissioner Stroud thanked staff for their hard work.

Commissioner Feller echoed thanks to staff, I would just say thank you to Anna and all of you really for being so accessible to residents as they have questions and concerns. I know that that can take a lot of your day and time as we have some of these big things come up. But I think it's important for residents to feel like they can have somebody they can talk through.

Vice-Chair Nanna thanked staff and especially our City Engineer who I think was very good. More of that would be awesome. It'll help us as a community and as people that get asked questions, tell other folks what's coming down the pipe. I think it will if we keep this sort of engagement and we want to pass a road levy at some point. It's going to be a lot easier if people can picture, why are we asking for this money? What's the plan? So, I think that was very good. I'm looking forward to hearing more of that type of thing.

Commissioner Prall had no further comments.

Chair Simpson thanked staff for a great meeting.

ITEM 8. NEXT MEETING: October 7, 2026

ITEM 9. ADJOURNMENT

Chair Simpson motioned to adjourn the meeting at 8:43 PM.

The meeting adjourned at 8:43 PM

Chairperson

City Clerk

AGENDA ITEM NO. d

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Sandra Pereira, Planning Department
ITEM TYPE:	Ordinances
AGENDA SECTION:	**CONSENT AGENDA**
SUBJECT:	Establish **October 26, 2026, at 7:10 PM** as the date and time for the public hearing and second reading of resolution No. 26-71, a resolution approving the development plan for the Flats at Boulder Park. *(Consider approval of development plan for 252 multi-family units in the Flats at Boulder Park).*
SUGGESTED ACTION:	
ATTACHMENTS:	

AGENDA ITEM NO. e

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Sandra Pereira, Planning Department
ITEM TYPE:	Ordinances
AGENDA SECTION:	**CONSENT AGENDA**
SUBJECT:	Establish **October 26, 2026, at 7:15 PM** as the date and time for the public hearing and second reading of Ordinance No. 26-55, an ordinance approving a Zoning Map Amendment to expand C-PUD 25-15 to include 22.046 additional acres currently zoned C-CC (Community Commercial) located in the U.S. 36/S.R. 37 Sunbury Road and east of Sky View Lane. *(Zoning request to accommodate a large box retail store).*
SUGGESTED ACTION:	
ATTACHMENTS:	

AGENDA ITEM NO. f

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Sandra Pereira, Planning Department
ITEM TYPE:	Ordinances
AGENDA SECTION:	**CONSENT AGENDA**
SUBJECT:	Establish **October 26, 2026, at 7:20 PM** as the date and time for the public hearing and second reading of Ordinance No. 26-56, an ordinance approving a Zoning Map Amendment from A-1 (Agricultural) to R-PUD (Residential Planned Unit Development) on 12.417 acres of property located on the south side of Bowtown Road and Byxbe Parkway. *(Newly annexed land proposed to be rezoned allowing multi-family uses).*
SUGGESTED ACTION:	
ATTACHMENTS:	

AGENDA ITEM NO. g

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Nicolas Langford
ITEM TYPE:	Ordinances
AGENDA SECTION:	**CONSENT AGENDA**
SUBJECT:	Rescheduling the **October 12, 2026** Public Hearing and Second Reading of Ordinance No. 26-53. to **October 26, 2026 at 7:25 PM.** Ordinance 26-53 is an ordinance creating the Northwood tax increment financing incentive districts; declaring improvements to the parcels within each incentive district to be a public purpose and exempt from real property taxation; requiring service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund; providing for school-district distributions; and designating public infrastructure improvements; and declaring an emergency. (*Northwood non-school TIF for Byxbe Corridor Improvements*).
SUGGESTED ACTION:	
ATTACHMENTS:	

AGENDA ITEM NO. h

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Anna Kelsey, Planning Department
ITEM TYPE:	Ordinances
AGENDA SECTION:	**CONSENT AGENDA**
SUBJECT:	Establish **October 26, 2026, at 7:25 PM** as the date and time for the public hearing and second reading of Ordinance No. 26-59, an ordinance accepting the annexation of 0.427 acres of land, more or less, description and map are attached hereto, for the annexation known as Vernon Avenue Right of Way Annexation by Ryan D. Crossley, agent for the petitioners.
SUGGESTED ACTION:	
ATTACHMENTS:	

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Susie Daily, Information Technology
ITEM TYPE:	Presentation
AGENDA SECTION:	**STAFF INTRODUCTIONS**
SUBJECT:	Corey Staver, GIS Coordinator - IT Department
SUGGESTED ACTION:	
ATTACHMENTS:	

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Alycia Hefner, Finance
ITEM TYPE:	Presentation
AGENDA SECTION:	**PRESENTATION**
SUBJECT:	Auditor of State Award with Distinction presentation for the City of Delaware Finance Department.
SUGGESTED ACTION:	
ATTACHMENTS:	

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Jessica Feller, Department of Administrative Services
ITEM TYPE:	Ordinances
AGENDA SECTION:	**7:10 PM PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 26-50**
SUBJECT:	Ordinance No. 26-50, an ordinance adopting the City of Delaware Americans with Disability Act (ADA) Policy and Transition Plan and authorizing its administration and implementation. *(Consolidated City plan implementing all elements in compliance to the Federal law.)*

SUGGESTED ACTION:

ATTACHMENTS:

Fact Sheet - ADA Policy and Transition Plan.docx
Ord 26-50, Adopting ADA Policy and Transition Plan.docx
City_of_Delaware_ADA_Transition_Plan_Clean_2026.docx
ada-checklist.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 10

DATE: 10/12/2026

ORDINANCE NO: 26-50

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: YES **(October 12, 2026, at 7:10 PM)**

PRESENTER(S): DAVID MOSER & JESSICA FELLER

TO: Mayor and Members of City Council

FROM: Paul J. Brake, City Manager

VIA: David Moser, City Attorney & Jessica Feller, HR Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE ADOPTING THE CITY OF DELAWARE AMERICANS WITH DISABILITIES ACT (ADA) POLICY AND TRANSITION PLAN AND AUTHORIZING ITS ADMINISTRATION AND IMPLEMENTATION.

BACKGROUND:
Title II of the Americans with Disabilities Act ("ADA") prohibits discrimination on the basis of disability in the programs, services, and activities of state and local governments. Applicable federal regulations require public entities to evaluate their services, policies, and practices for accessibility and, where structural changes are necessary to achieve program accessibility, develop and maintain a transition plan.

The City has undertaken a comprehensive review and update of its ADA policies, practices, facilities, and accessibility efforts. The proposed **Americans with Disabilities Act (ADA) Policy and Transition Plan** consolidates the City's approach to ADA compliance into a single Citywide document addressing program accessibility, effective communication, reasonable modifications, City facilities, pedestrian facilities and public rights-of-way, digital accessibility, capital improvements, procurement, and ongoing monitoring and implementation.

The Plan also identifies responsibility for ADA coordination and implementation and references the City's existing ADA grievance procedure established under Chapter 163 of the Codified Ordinances. A completed **ADA Self-Evaluation Checklist** documents the City's more detailed accessibility review and will serve as an ongoing administrative tool for identifying, prioritizing, and tracking accessibility improvements.

REASON WHY LEGISLATION IS NEEDED:
Council approval is recommended to formally adopt the ADA Policy and Transition Plan as the City's governing policy and transition plan for purposes of Title II of the ADA. Adoption by ordinance establishes a consistent Citywide framework while allowing the supporting ADA Self-Evaluation Checklist to be periodically reviewed and updated administratively as improvements are completed, additional barriers are identified, or applicable requirements change.

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):
Adoption of the Plan does not, by itself, authorize or appropriate funding for any specific capital project or accessibility improvement. Implementation may result in future operational, maintenance, technology, or capital expenditures. Such expenditures will be addressed through the City's normal budgeting, appropriation, procurement, and capital improvement processes, as applicable.

POLICY CHANGES:
The legislation adopts an updated and consolidated Citywide ADA Policy and Transition Plan. The Plan establishes the City's framework for ADA Title II compliance and ongoing accessibility efforts while maintaining the detailed ADA Self-Evaluation Checklist as an administrative implementation document that may be updated periodically without further legislative action. The Plan also incorporates by reference the ADA grievance procedure contained in Chapter 163 of the Codified Ordinances.

RECOMMENDATION:
Staff recommends approval of the Ordinance adopting the Americans with Disabilities Act (ADA) Policy and Transition Plan and authorizing its administration and implementation.

ATTACHMENT(S)
1) Proposed Ordinance

2) Americans with Disabilities Act (ADA) Policy and Transition Plan
3) ADA Self-Evaluation Checklist

ORDINANCE NO. 26-50

AN ORDINANCE ADOPTING THE CITY OF DELAWARE AMERICANS WITH DISABILITIES ACT (ADA) POLICY AND TRANSITION PLAN AND AUTHORIZING ITS ADMINISTRATION AND IMPLEMENTATION.

WHEREAS, Title II of the Americans with Disabilities Act of 1990, as amended ("ADA"), prohibits discrimination on the basis of disability in the services, programs, and activities of state and local governmental entities; and

WHEREAS, regulations implementing Title II of the ADA require public entities to evaluate their services, policies, and practices to identify and address barriers to accessibility and, where applicable, to develop and maintain a transition plan addressing structural changes necessary to achieve program accessibility; and

WHEREAS, the City of Delaware is committed to providing individuals with disabilities equal access to City programs, services, activities, facilities, and other opportunities in accordance with the ADA and other applicable law; and

WHEREAS, the City has reviewed and updated its policies, procedures, facilities, communications, and accessibility practices and has prepared an Americans with Disabilities Act (ADA) Policy and Transition Plan to provide a comprehensive framework for the City's continuing efforts to comply with Title II of the ADA; and

WHEREAS, the ADA Policy and Transition Plan establishes responsibilities for administration and implementation, addresses program and facility accessibility, effective communication, reasonable modifications, public rights-of-way, digital accessibility, and related compliance matters, and provides for ongoing evaluation and implementation; and

WHEREAS, the City has established a grievance procedure for complaints alleging unlawful discrimination regarding access to and participation in City facilities, services, employment, activities, and functions pursuant to Chapter 163 of the Codified Ordinances of the City of Delaware; and

WHEREAS, City Council finds that adoption of the ADA Policy and Transition Plan will further the City's commitment to accessibility and provide an appropriate framework for the ongoing identification, prioritization, and remediation of accessibility barriers.

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

SECTION 1. The City of Delaware Americans with Disabilities Act (ADA) Policy and Transition Plan, substantially in the form attached hereto as Exhibit "A," is hereby approved and adopted as the City's policy and transition plan for purposes of Title II of the Americans with Disabilities Act and other applicable accessibility requirements.

SECTION 2. The City Manager, ADA Title II Coordinator, Transition Plan Implementation Coordinator, and other appropriate City officials and employees are authorized and directed to administer and implement the ADA Policy and Transition Plan in accordance with applicable law.

SECTION 3. The City shall maintain an ADA Self-Evaluation Checklist and related records documenting its ongoing evaluation of City programs, services, communications, facilities, pedestrian facilities and public rights-of-way, accessibility barriers, corrective measures, and implementation priorities. The Checklist and related implementation records may be reviewed, supplemented, and updated administratively from time to time to reflect completed improvements, newly identified barriers, changes in City facilities or operations, changes in applicable accessibility requirements, and other relevant circumstances. Such administrative updates shall not require further legislative action by City Council, provided they remain consistent with the ADA Policy and Transition Plan and applicable law.

SECTION 4. Complaints alleging discrimination on the basis of disability shall be administered in accordance with the grievance procedure established by Chapter 163 of the Codified Ordinances of the City of Delaware, as may be amended from time to time.

SECTION 5. The Mayor is authorized to recruit and appoint, with the consent of Council, five resident members to fill the City's ADA Compliance Committee in accordance with the qualifications set forth in Section 163.02 of the Codified Ordinances of the City of Delaware. The Committee shall meet as often as necessary to carry out the duties set forth in Section 163.03 of the Codified Ordinances. All such meetings of the Committee shall be conducted in public, with the ADA Title II Coordinator, Transition Plan Implementation Coordinator, and other City staff as requested by the Committee encouraged to attend.

SECTION 6. The City Manager, or designee, is authorized to make non-substantive, administrative, organizational, or technical revisions to the ADA Policy and Transition Plan as may be necessary from time to time, including updates to personnel, contact information, citations, references, or similar information, provided that such revisions do not materially alter the policies established by this Ordinance. Any material or substantive amendment to the policies established by the ADA Policy and Transition Plan shall be presented to City Council for consideration.

SECTION 7. Implementation of the ADA Policy and Transition Plan shall be undertaken in accordance with applicable law and shall be coordinated with the City's annual appropriations, capital improvement planning, maintenance programs, operational priorities, and other available resources.

SECTION 8. This Ordinance shall take effect and be in force at the earliest time permitted by law.

PASSED: _____, 2026 YEAS_____NAYS_____
ABSTAIN_____

ATTEST: _____ _____
ACTING CITY CLERK MAYOR

Americans with Disabilities Act (ADA) Policy and Transition Plan

City of Delaware, Ohio

Adopted: _____, 2026

1 S. Sandusky Street, Delaware, Ohio 43015
740-203-1000
www.delawareohio.net

1. Introduction and Purpose

The Americans with Disabilities Act of 1990, as amended (ADA), is a federal civil rights law prohibiting discrimination on the basis of disability. Title II of the ADA applies to state and local governments and provides that no qualified individual with a disability shall, by reason of disability, be excluded from participation in or denied the benefits of the services, programs, or activities of a public entity, or otherwise be subjected to discrimination by a public entity. 42 U.S.C. § 12132; 28 C.F.R. Part 35.

The City of Delaware (City) adopts this ADA Transition Plan to document its continuing commitment to accessible programs, services, activities, facilities, communications, and public rights-of-way. Consistent with 28 C.F.R. §§ 35.105 and 35.150, the City has undertaken a self-evaluation of its services, policies, practices, facilities, and public rights-of-way and will continue to identify and address barriers to accessibility.

This Plan is intended to serve as a practical, living framework for ongoing ADA compliance. It should be read together with the City's ADA Self-Evaluation Checklist, which documents the City's detailed inventory, findings, corrective measures, priorities, and implementation information. The Checklist is maintained administratively and may be reviewed, supplemented, and updated from time to time as improvements are completed, additional barriers are identified, programs or facilities change, or applicable accessibility requirements evolve.

Relationship to Other Laws

Title II of the ADA operates alongside other federal accessibility and nondiscrimination requirements, including Section 504 of the Rehabilitation Act of 1973, which applies to programs and activities receiving federal financial assistance, and the Architectural Barriers Act of 1968, which applies to certain facilities designed, constructed, altered, or leased with federal funds. The City will comply with applicable federal, state, and local accessibility requirements.

General Title II Requirements

In administering its programs, services, and activities, the City will:

- Operate programs so that, when viewed in their entirety, they are readily accessible to and usable by individuals with disabilities, consistent with 28 C.F.R. § 35.150.
- Not exclude or deny a qualified individual the opportunity to participate in or benefit from a City service, program, or activity because of disability.
- Make reasonable modifications to policies, practices, and procedures when necessary to avoid discrimination on the basis of disability, unless the City can demonstrate that the modification would fundamentally alter the nature of the service, program, or activity.
- Provide appropriate auxiliary aids and services when necessary to ensure effective communication, consistent with 28 C.F.R. §§ 35.160 through 35.164.
- Provide required notice of Title II protections and the identity and contact information of the City's ADA Coordinator.
- Maintain and publish a grievance procedure providing for the prompt and equitable resolution of complaints, as provided in Chapter 163 of the City of Delaware Codified Ordinances.

2. Designation of Responsibility

ADA Title II Coordinator

In accordance with 28 C.F.R. § 35.107(a), the City designates the following employee to coordinate the City's compliance with Title II of the ADA and to serve as the City's central point of contact for ADA compliance matters:

Name	Kim Gepper
Title	Executive Assistant
Phone	740-203-1011
Email	kgepper@cityofdelawareoh.gov

The ADA Title II Coordinator may consult with department directors, subject-matter experts, legal counsel, risk-management personnel, and other appropriate staff when evaluating accessibility concerns, requests for reasonable modification or auxiliary aids and services, grievances, and other compliance matters.

Transition Plan Implementation Coordinator

In accordance with 28 C.F.R. § 35.150(d)(3), the City designates the following employee to monitor implementation of this Plan and coordinate its periodic review and update:

Name	David Moser
Title	City Attorney
Phone	740-203-1175
Email	dmoser@cityofdelawareoh.gov

The City Manager may designate successor or additional employees to perform these responsibilities without formal amendment of this Plan. Current coordinator contact information will be maintained and made available to the public.

The ADA Title II Coordinator and Transition Plan Implementation Coordinator will identify appropriate training resources and opportunities for City employees based on their job responsibilities and involvement in public programs, services, facilities, communications, procurement, or capital projects.

3. Self-Evaluation, Inventory, and Findings

Under 28 C.F.R. § 35.105, the City evaluates its services, policies, practices, communications, facilities, and public rights-of-way to identify barriers that may limit participation by individuals with disabilities. The City's self-evaluation addresses, at a minimum, the following categories:

- Communications, information, digital content, and facility signage;
- Buildings, related parking areas, and other City facilities; and
- Pedestrian facilities and public rights-of-way, including sidewalks, curb ramps, shared-use or bicycle/pedestrian trails, crosswalks, traffic-control signals, and other pedestrian access routes for which the City has responsibility.

ADA Self-Evaluation Checklist

The City's completed ADA Self-Evaluation Checklist is the formal administrative record of the detailed inventory and findings supporting this Plan. The Checklist identifies the areas examined, accessibility concerns or barriers identified, corrective measures taken or proposed, prioritization, and, where applicable, anticipated implementation schedules or coordination with planned projects.

The Checklist is attached hereto as "Exhibit A" and incorporated into the City's ADA compliance program by reference but is maintained separately from this Plan so that it may be updated administratively as conditions change. The City will periodically review and update the Checklist as necessary to document completed improvements, newly identified barriers, changes in programs or facilities, evolving technology, changes in applicable law, and accessibility priorities. Updating the Checklist does not, by itself, require formal amendment or readoption of this Plan.

Public Participation and Records

The City will provide interested persons, including individuals with disabilities and organizations representing individuals with disabilities, an opportunity to participate in the self-evaluation and transition-planning process by submitting comments or accessibility concerns. The City will maintain records required by 28 C.F.R. § 35.105(c), including information concerning interested persons consulted, areas examined and problems identified, and modifications made, for the period required by law and in accordance with applicable records-retention schedules.

4. Effective Communication, Information, and Signage

The City will take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. When necessary to provide an equal opportunity to participate in or benefit from a City service, program, or activity, the City will furnish appropriate auxiliary aids and services. In determining what aid or service is necessary, the City will give primary consideration to the request of the individual with a disability, consistent with applicable law.

Auxiliary aids and services may include, as appropriate, qualified interpreters, captioning, assistive listening systems, accessible electronic documents, large-print materials, audio formats, readers, relay services, or other effective methods of communication.

The City will take appropriate steps to ensure that interested persons, including individuals with vision or hearing disabilities, can obtain information concerning the existence and location of accessible services, activities, and facilities. Signage will be provided where required to direct individuals from inaccessible entrances to accessible entrances or locations where accessibility information may be obtained.

The City will also consider accessibility in temporary traffic-control zones, construction areas, and other conditions affecting pedestrian access routes, including the use of appropriate signs, warnings, detectable or accessible routing, and other measures as required by applicable standards and circumstances.

5. Reasonable Modifications and Requests for Accommodation

The City will make reasonable modifications to policies, practices, and procedures when necessary to afford qualified individuals with disabilities an equal opportunity to participate in City programs, services, and activities, unless the City can demonstrate that the requested modification would fundamentally alter the nature of the program, service, or activity.

Individuals who require an auxiliary aid or service for effective communication, or a reasonable modification of a policy, practice, or procedure, should contact the ADA Title II Coordinator. Requests should be made as far in advance as practicable. The City will not deny an otherwise reasonable request solely because it was not submitted a specified number of hours or days in advance.

The City will communicate with the requesting individual as appropriate to identify an effective reasonable modification or auxiliary aid or service. In evaluating requests, the City may consider the nature of the program or activity, the individual's stated needs, safety considerations, staff qualifications and training, available effective alternatives, and other relevant circumstances consistent with applicable law. The City may consult appropriate administrative, technical, medical, or legal professionals when reasonably necessary to evaluate a request.

Public Meetings and Governmental Proceedings

The City will provide reasonable modifications and appropriate auxiliary aids and services as necessary to permit qualified individuals with disabilities to participate in public meetings, hearings, boards,

commissions, and other governmental proceedings. Requests should be directed to the ADA Title II Coordinator as far in advance as practicable.

Recreation Programs and Public Activities

The City will make reasonable modifications to policies, practices, and procedures where necessary to afford qualified individuals with disabilities an equal opportunity to participate in recreation programs, camps, community events, and other public activities, unless doing so would fundamentally alter the nature of the activity or impose an undue financial or administrative burden under applicable law.

Service Animals

Individuals with disabilities may be accompanied by service animals in City facilities and programs consistent with the requirements of Title II of the ADA and other applicable law, including in locations where pets are otherwise prohibited.

6. Public Notice and ADA Grievance Procedure

Public Notice

In accordance with Title II of the ADA, the City will not discriminate against qualified individuals on the basis of disability in its services, programs, or activities. The City will provide ongoing notice of the protections of Title II and will make the name and contact information of the ADA Title II Coordinator available to applicants, participants, beneficiaries, employees, and other interested persons in a manner the City determines appropriate to apprise them of their rights.

Grievance Procedure

The City has established a grievance procedure for the prompt and equitable resolution of complaints alleging unlawful discrimination on the basis of disability regarding access to or participation in City facilities, services, employment, activities, or functions. ADA grievances shall be filed and processed in accordance with Chapter 163 of the City of Delaware Codified Ordinances, as may be amended from time to time. Information regarding the grievance procedure and how to submit a complaint will be made available through the City's ADA Title II Coordinator.

7. Building Facilities and Related Parking Areas

The City is responsible for ADA compliance at buildings and facilities that it owns, manages, or operates to the extent required by applicable law. The City's facility portfolio includes, among other facilities, City Hall and related offices, public safety facilities, public works and utility facilities, airport facilities, parks and recreation facilities, community centers, and other City-owned or City-operated buildings and associated parking areas.

The City evaluates building accessibility using the ADA Self-Evaluation Checklist, the 2010 ADA Standards for Accessible Design, and other applicable standards and guidance. The evaluation considers accessible approaches and entrances, accessible routes to programs and services, toilet facilities, parking, drinking fountains, elevators and lifts, door hardware, signage, and other accessibility features as applicable. The Checklist documents identified barriers and the corrective measures, priorities, and implementation information associated with those barriers.

The City will maintain accessibility features in operable working condition as required by 28 C.F.R. § 35.133. Maintenance, repair, operational changes, and capital improvements may each be used, as appropriate, to preserve or improve program and facility accessibility.

8. Pedestrian Facilities and Public Rights-of-Way

The City evaluates pedestrian facilities within public rights-of-way for which it has responsibility, including sidewalks, curb ramps, crosswalks, shared-use or bicycle/pedestrian trails, pedestrian signals, and other pedestrian access routes. Detailed inventory and findings are maintained in the ADA Self-Evaluation Checklist and related City records.

Methodology and Improvement Program

The City will address accessibility in the public right-of-way through a combination of scheduled street, utility, and capital improvement projects; dedicated sidewalk or accessibility projects; routine maintenance; operational measures; and other appropriate opportunities. Accessibility improvements may be incorporated into the City's Capital Improvement Program and other work programs based on identified needs, legal requirements, project scope, available resources, and coordination with other planned improvements.

The City will periodically review accessibility requests and identified barriers and may prioritize corrective measures based on public safety, severity of the barrier, number of individuals affected, frequency of public use, availability of funding, coordination with planned capital projects, operational considerations, and availability of outside funding sources, while remaining consistent with applicable legal obligations.

Construction and Alterations

The City will incorporate applicable accessibility requirements into the planning, design, construction, and alteration of facilities, infrastructure, and public improvements. Departments responsible for capital projects will consider ADA accessibility requirements during project development and implementation.

For pedestrian facilities in the public right-of-way, the City will apply accessibility standards that are legally applicable to the particular project and will consider the U.S. Access Board's final Public Right-of-Way Accessibility Guidelines (PROWAG), 36 C.F.R. Part 1190, and other applicable federal and state standards and guidance. Where applicable law permits an exception based on technical infeasibility or similar physical or site constraints, the City will document the relevant circumstances and provide accessibility to the maximum extent required by the applicable standard.

Curb ramps, blended transitions, sidewalks, trails, pedestrian signals, bus-stop facilities for which the City has responsibility, and similar pedestrian elements affected by City projects will be constructed or altered in accordance with applicable accessibility requirements. Identified barriers that cannot be fully addressed within the scope of a particular project may remain documented in the City's ADA Self-Evaluation Checklist for consideration as future projects or opportunities arise.

External Agency Coordination

Other public entities and agencies may own or control pedestrian facilities located within or passing through the City. Where appropriate, the City will coordinate with those entities to identify accessibility concerns and facilitate improvements within their respective areas of responsibility.

9. Digital Accessibility and Technology

Web Content and Mobile Applications

The City recognizes that websites, mobile applications, electronic documents, online forms, and other digital communications are important means by which members of the public access City services, programs, and activities. The City will work toward and maintain compliance with the web and mobile accessibility requirements of 28 C.F.R. Part 35, Subpart H, including the applicable WCAG 2.1 Level A

and Level AA success criteria and conformance requirements, subject to the exceptions and limitations provided by applicable law.

The City will periodically evaluate its digital content and technology and will implement reasonable corrective measures as necessary. Where permitted by applicable law, the City may provide an effective alternative method of access while accessibility issues are being corrected, but the availability of an alternative method will not substitute for compliance with technical standards when those standards otherwise apply.

Procurement and Third-Party Technology

To the extent applicable to the City's legal obligations and procurement authority, departments should consider accessibility requirements when procuring or developing software, websites, mobile applications, technology platforms, public kiosks, electronic content systems, and other products or services used to provide City programs, services, or activities to the public. This includes consideration of web content and mobile applications that the City provides or makes available through contractual, licensing, or other arrangements.

10. ADA Design Standards and Compliance Practices

The City will use the accessibility standards and guidance applicable to the particular facility, program, project, or activity. Relevant authorities and technical resources may include, as applicable:

- The Americans with Disabilities Act of 1990, as amended;
- 28 C.F.R. Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services;
- The 2010 ADA Standards for Accessible Design;
- The U.S. Access Board's Public Right-of-Way Accessibility Guidelines, 36 C.F.R. Part 1190, to the extent applicable or appropriately used as technical guidance;
- Federal Highway Administration ADA/Section 504 guidance;
- The Ohio Manual of Uniform Traffic Control Devices;
- The City's ADA Self-Evaluation Checklist and related technical evaluation tools; and
- Other applicable federal or state accessibility standards and guidance.

The City may update the technical resources, checklists, design references, and administrative practices used to implement this Plan without formally amending the Plan, provided that such updates remain consistent with applicable law.

11. Limitations, Decision-Making, and Surcharges

Nothing in this Plan requires the City to take an action that would fundamentally alter the nature of a service, program, or activity or impose undue financial and administrative burdens, as those terms are defined under applicable law. Any determination under 28 C.F.R. § 35.150(a)(3) that an action necessary to achieve program accessibility would result in a fundamental alteration or undue financial and administrative burdens shall be made by the City Manager or an authorized designee after considering all resources available for use in the funding and operation of the service, program, or activity, and shall be accompanied by a written statement of the reasons for reaching that conclusion. If a particular action would result in such an alteration or burden, the City will take any other action that would not result in such an alteration or burden but would nevertheless ensure, to the maximum extent possible, that individuals with disabilities receive the benefits or services provided by the City.

The City will not impose a surcharge on a particular individual with a disability or on a group of individuals with disabilities to cover the cost of measures required to provide nondiscriminatory treatment, including the provision of auxiliary aids or services or reasonable modifications required by Title II.

12. Implementation, Monitoring, and Funding

ADA compliance is an ongoing responsibility. Facilities, programs, communications, and technologies that are accessible at one point in time may later require attention because of damage, disrepair, alterations, operational changes, new technology, or changes in applicable law. The ADA Title II Coordinator and Transition Plan Implementation Coordinator will coordinate periodic monitoring and review appropriate to the City's operations. City employees are encouraged to report accessibility concerns or deficiencies for evaluation.

Implementation of this Plan will be coordinated with annual appropriations, available funding, staffing resources, operational priorities, maintenance programs, and capital improvement planning, consistent with the City's obligations under applicable law. The City may use maintenance activities, operational changes, capital improvements, technology improvements, program modifications, procurement measures, or other appropriate methods to address identified accessibility barriers.

This Plan is intended to remain current over time. The City may make administrative updates that do not materially alter the City's substantive ADA policy, including updates to coordinator contact information, technical references, the ADA Self-Evaluation Checklist, completed improvement information, and implementation records. Substantive revisions to this Plan will be processed in accordance with applicable law and City procedures, including opportunities for public input when required or appropriate.

13. Other City Policies, Practices, and Programs

City policies, practices, programs, services, activities, facilities, and technologies not specifically identified in this Plan remain subject to applicable ADA requirements. Nothing in this Plan limits any obligation imposed on the City by federal or state law.

Exhibit A

ADA Self-Evaluation Checklist

(maintained by the City and periodically reviewed and updated as necessary from time to time)

The ADA Self-Evaluation Checklist is maintained as the City's detailed administrative inventory and implementation record and is not reproduced within this Plan.



ADA Checklist for Existing Facilities

Based on the 2010 ADA Standards for Accessible Design

Produced by
Institute for Human Centered Design
www.HumanCenteredDesign.org

www.ADAchecklist.org

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ADA National Network
www.ADAta.org

Questions on the ADA 800-949-4232 voice/tty
Questions on checklist 617-695-0085 voice/tty
ADAinfo@NewEnglandADA.org

This checklist was produced by the New England ADA Center, a project of the Institute for Human Centered Design and a member of the ADA National Network. This checklist was developed under a grant from the Department of Education, NIDRR grant number H133A060092-09A. However the contents do not necessarily represent the policy of the Department of Education, and you should not assume endorsement by the Federal Government.

Questions or comments on the checklist contact the New England ADA Center at 617-695-0085 voice/tty or ADAinfo@NewEnglandADA.org

For the full set of checklists, including the checklists for recreation facilities visit www.ADAchecklist.org.

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ADA Checklist for Existing Facilities

The Americans with Disabilities Act (ADA) requires state and local governments, businesses and non-profit organizations to provide goods, services and programs to people with disabilities on an equal basis with the rest of the public.

Some people think that only new construction and alterations need to be accessible and that older facilities are "grandfathered," but that's not true. Because the ADA is a civil rights law and not a building code, older facilities are often required to be accessible to ensure that people with disabilities have an equal opportunity to participate.

The ADA has different requirements for state and local governments and for places of public accommodation (businesses and non-profit organizations that serve the public).

Requirements for State and Local Governments

State and local governments must ensure that services, programs and activities, when viewed in their entirety, are accessible to people with disabilities. This is part of public entities' program accessibility obligations. Alterations to older buildings may be needed to ensure program accessibility. Generally this is a greater obligation than "readily achievable barrier removal" the standard that applies to public accommodations. State and local governments are not required to take any action that would result in undue financial and administrative burdens.

State and local governments' ADA obligations for program accessibility are in the Department of Justice's ADA Title II regulations 28 CFR Part 35.150.

How to Use this Checklist

Get Organized

One person can conduct a survey, but it's easier with two people. One person can take measurements and the other person can fill out the checklist and take photos.

Obtain Floor Plan or Make Sketch

A floor plan helps the surveyors to get organized and to know how many elements there are, such as entrances and toilet rooms. If plans are not available, sketch the exterior and interior layout of interior and exterior spaces and mark the elements on the sketch.

Make Copies of the Checklist

Determine how many copies of each section of the checklist you need. For example, most facilities have more than one toilet room.

Gather Tools

- Checklist
- Clipboard
- Tape measure
- Electronic or carpenter's level - 24 inches
- Door pressure gauge or fish scale
- Camera
- Bag to hold these items

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Requirements for Places of Public Accommodation

Businesses and non-profit organizations that serve the public must remove architectural barriers when it is "readily achievable" to do so; in other words, when barrier removal is "easily accomplishable and able to be carried out without much difficulty or expense."

The decision of what is readily achievable is made considering the size, type, and overall finances of the public accommodation and the nature and cost of the access improvements needed. Barrier removal that is difficult now may be readily achievable in the future as finances change.

Public accommodations' ADA obligations for barrier removal are in the Department of Justice's ADA Title III regulations 28 CFR Part 36.304.

Priorities for Accessibility

The checklist follows the four priorities that are listed in the Department of Justice ADA Title III regulations. These priorities are equally applicable to state and local government facilities.

Priority 1 - Accessible approach and entrance

Priority 2 - Access to goods and services

Priority 3 - Access to public toilet rooms

Priority 4 - Access to other items such as water fountains and public telephones

Conduct the Survey

Start Outside

Start from site arrival points such as drop-off areas and sidewalks. Determine if there is an accessible route to an accessible entrance. If there is a parking lot or garage check for the correct number of accessible parking spaces, including van-accessible spaces. Is there an accessible route from the accessible parking spaces to an accessible entrance? Next survey the entrances. If there is an accessible entrance, determine if there are signs at inaccessible entrances directing people to the accessible entrance. Go inside and continue through the facility.

Keep Good Notes

Write on the front of each checklist where you are surveying. You may end up with six toilet room checklists. When you get back to your office you'll want to know which one is the checklist for the first floor women's room. If there isn't an accessible entrance you'll want to indicate how many steps there are and how much space is available to install a ramp or lift. This is a good time to take photographs.

Take Good Measurements

When in doubt write it down. It's better to have too much information than not enough. Even if something is in compliance it's helpful to have exact measurements.

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2010 ADA Standards for Accessible Design

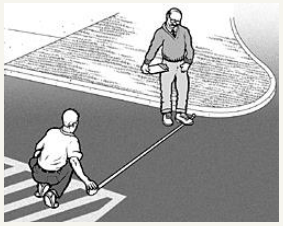
The checklist is based on the 2010 ADA Standards for Accessible Design (2010 Standards). The checklist does not include all sections of the 2010 Standards. For example there are no questions about patient rooms in hospitals or guest rooms in hotels. Consult the 2010 Standards for situations not covered in the checklist. Full compliance with the 2010 Standards is required only for new construction and alterations.

Safe Harbor – Construction Prior to March 15, 2012

Elements in facilities built or altered before March 15, 2012 that comply with the 1991 ADA Standards for Accessible Design (1991 Standards) are not required to be modified to specifications in the 2010 Standards. For example, the 1991 Standards allow 54 inches maximum for a side reach range to a control such as the operating part of a paper towel dispenser. The 2010 Standards lower that side reach range to 48 inches maximum. If a paper towel dispenser was installed prior to March 15, 2012 with the highest operating part at 54 inches, the paper towel dispenser does not need to be lowered to 48 inches.

Elements in the 2010 Standards that aren't in the 1991 Standards

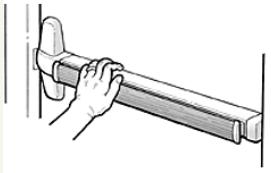
The 2010 Standards contain elements that are not in the 1991 Standards. These elements include recreation facilities such as swimming pools, team and player seating, accessible routes to court sports facilities, saunas and steam rooms, fishing piers, play areas, exercise machines, golf facilities, miniature golf facilities, amusement rides, shooting facilities with firing positions, and recreational boating facilities. Because these elements are not in the 1991 Standards, they are not subject to the safe harbor exemption. State and local governments must make these items



Parking Spaces
Measure from the center of marking lines. If lines are not adjacent to another space or aisle the measurement can be to the full width of the line.

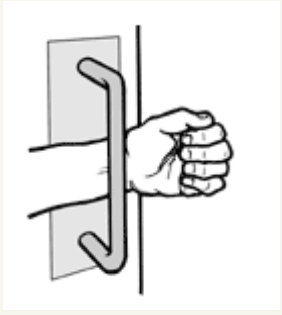


Door Clear Width
Open the door 90 degrees, measure from the face of the door to the edge of the door stop.



Door Opening Force
Place the door pressure gauge where you would push open the door.

If you're using a fish scale, place it where you would pull open the door.



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accessible if necessary to ensure program accessibility, unless an undue burden would result. Public accommodations must remove architectural barriers to these items.

What this Checklist is Not

The ADA Title II and III regulations require more than program accessibility and barrier removal. The regulations include requirements for nondiscriminatory policies and practices and for the provision of auxiliary aids and services, such as sign language interpreters for people who are deaf and material in Braille for people who are blind. This checklist does not cover those requirements.

Since this checklist does not include all of the 2010 Standards it is not intended to determine compliance for new construction or facilities being altered.

What are Public Accommodations?

Under the ADA public accommodations are private entities that own, lease, lease to or operate a place of public accommodation. This means that both a landlord who leases space in a building to a tenant and the tenant who operates a place of public accommodation have responsibilities to remove barriers.

A place of public accommodation is a facility whose operations affect commerce and fall within at least one of the following 12 categories:

1) Places of lodging (e.g., inns, hotels, motels, except for owner-occupied establishments renting fewer than six rooms)

2) Establishments serving food or drink (e.g. , restaurants and bars)

3) Places of exhibition or entertainment (e.g. , motion picture houses, theaters, concert



Accessible Slopes

You can measure slope with a 24 inch level and a tape measure. Put the level on the surface in the direction you are measuring. Put one end at the high point of the surface and raise the other end so that the bubble is in the middle of the level's gauge. The level is now level. Measure the distance between the end of the level at its bottom point and the surface.

For a ramp the maximum running slope allowed is 1:12. That means for every inch of height change there should be at least 12 inches of ramp run. If the distance between the bottom of the level and the ramp surface is 2 inches or less, then the slope is 1:12 or less (2:24 = 1:12 and 1.5:24 = 1:16 which is a more gradual slope than 1:12). If the distance is greater than 2 inches, the ramp is too steep. For example, if the distance is 3 inches, then the slope is 1:8 (3:24 = 1:8 which is a steeper slope than 1:12).

For the parts of an accessible route that aren't a ramp, the maximum running slope allowed is 1:20. That means for every inch of height change there must be at least 20 inches of route run. The distance from the bottom edge of the level to the surface should be no more than 1.2 inches (1.2:24 = 1:20).

halls, stadiums)

4) Places of public gathering (e.g. , auditoriums, convention centers, lecture halls)

5) Sales or rental establishments (e.g. , bakeries, grocery stores, hardware stores, shopping centers)

6) Service establishments (e.g. , laundromats, dry-cleaners, banks, barber shops, beauty shops, travel services, shoe repair services, funeral parlors, gas stations, offices of accountants or lawyers, pharmacies, insurance offices, professional offices of health care providers, hospitals)

7) Public transportation terminals, depots, or stations (not including facilities relating to air transportation)

8) Places of public display or collection (e.g. , museums, libraries, galleries)

9) Places of recreation (e.g. , parks, zoos, amusement parks)

10) Places of education (e.g. , nursery schools, elementary, secondary, undergraduate, or postgraduate private schools)

11) Social service center establishments (e.g. , day care centers, senior citizen centers, homeless shelters, food banks, adoption agencies)

12) Places of exercise or recreation (e.g. , gymnasiums, health spas, bowling alleys, golf courses).

For the cross slope of an accessible route the maximum slope allowed is 1:48. The distance from the bottom edge of the level to the surface should be no more than ½ inch (.5:24 = 1:48). The cross slope of an accessible route is the slope that is perpendicular to the direction of pedestrian travel.

Slopes may also be measured using a digital level. Be sure to read the instructions. Measure with the percent calculation rather than the degrees calculation. For a ramp the maximum running slope allowed is 8.33% (8.33% is a 1:12 slope). For an accessible route without a ramp the maximum running slope allowed is 5% (1:20). For the cross slope of an accessible route the maximum slope allowed is 2.083% (1:48).

Check that You Got Everything - Before you leave the site review all the checklists. Make sure you know which checklist goes with which entrance and which toilet room and that you've got all the information you need. It is better to do it now than to have to go back.

After the Survey

List Barriers and Solutions - Consider the solutions listed beside each question on the checklist and add your own ideas. Consult with building contractors and equipment suppliers to estimate the costs for making modifications.

Resources

U.S. Department of Justice ADA Information
800-514-0301 voice
800-514-0383 TTY
www.ada.gov

ADA National Network
800-949-4232 voice/TTY connects to your regional ADA Center
www.adata.org

U.S. Access Board
800- 872-2253 voice
800-993-2822 TTY
www.access-board.gov

ADA Title III Regulations 28 CFR Part 36
www.ada.gov/regs2010/titleIII_2010/titleIII_2010_regulations.htm

2010 ADA Standards for Accessible Design
www.ada.gov/2010ADAstandards_index.htm

1991 ADA Standards for Accessible Design
www.ada.gov/stdspdf.htm

Tax Deductions and Credits for Barrier Removal
www.ada.gov/taxincent.htm

Acknowledgements

Many of the illustrations are from the U.S. Department of Justice and the U.S. Access Board or are based on illustrations produced by the U.S. Access Board and the U.S. Department of Justice.

Develop a Plan – State and local governments were required to develop a Transition Plan a few years after the ADA went into effect. Conducting a current survey is a good opportunity to update the plan.

Although places of public accommodation are not required to have a plan,, the Department of Justice recommends one: *"...Such a plan...could serve as evidence of a good faith effort to comply..."*

Prioritize items, make a timeline, decide who is responsible to carry out the plan and develop a budget.

Make Changes - Use the 2010 ADA Standards for Accessible Design. Check whether local and state building codes require greater accessibility when alterations are undertaken.

Follow Up - Review the plan each year to evaluate whether more access improvements can be made.

Priority 1 – Approach & Entrance

Based on the 2010 ADA Standards for Accessible Design



Project

Building ALL BUILDINGS

Location DELAWARE CITY OWNED

Date 7/20/2026

Surveyors

Contact Information

An accessible route from site arrival points and an accessible entrance should be provided for everyone.

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This checklist was produced by the New England ADA Center, a project of the Institute for Human Centered Design and a member of the ADA National Network. This checklist was developed under a grant from the Department of Education, NIDRR grant number H133A060092-09A. However the contents do not necessarily represent the policy of the Department of Education, and you should not assume endorsement by the Federal Government.

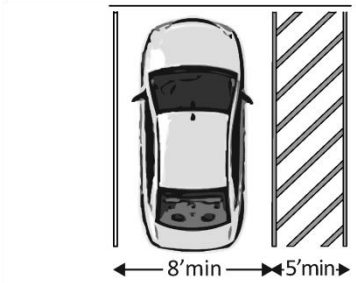
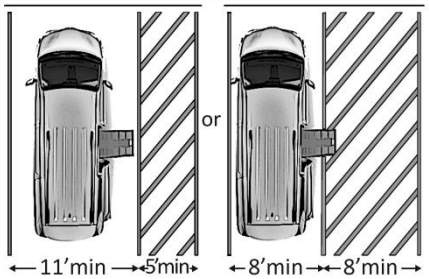
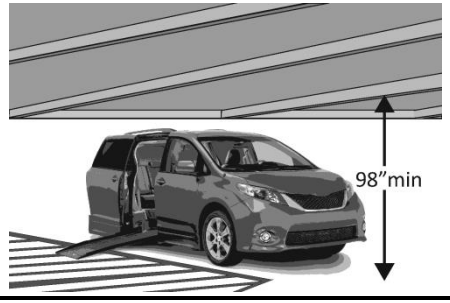
Questions or comments on the checklist contact the New England ADA Center at 617-695-0085 voice/tty or ADAinfo@NewEnglandADA.org

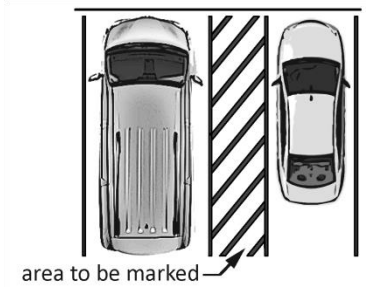
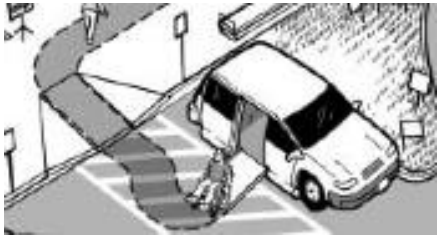
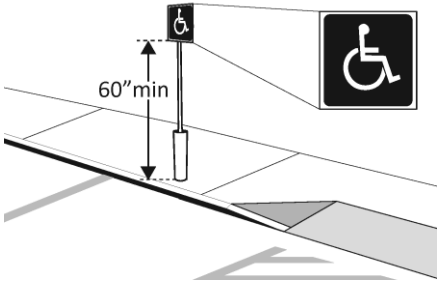
For the full set of checklists, including the checklists for recreation facilities visit www.ADAchecklist.org.

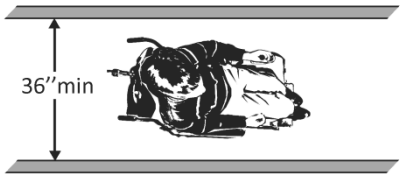
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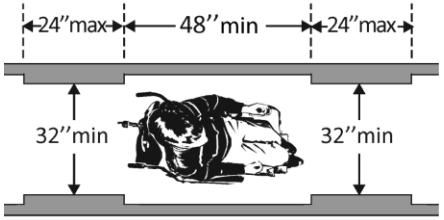
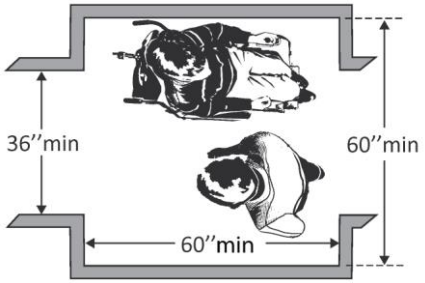
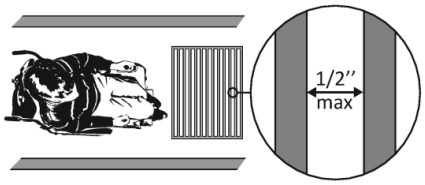
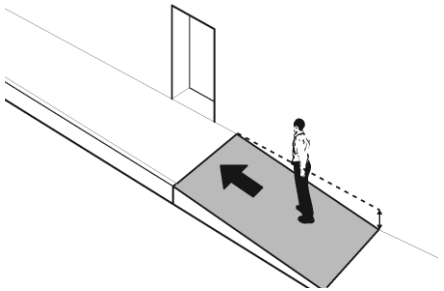
Priority 1 – Approach & Entrance				Comments	Possible Solutions
1.1	Is there at least one route from site arrival points (parking, passenger loading zones, public sidewalks and public transportation stops) that does not require the use of stairs? [See 2010 ADA Standards for Accessible Design – 206.2.1]	☑ Yes ☐ No If yes, location of route:		Photo #:	• Add a ramp • Regrade to 1:20 maximum slope • Add a lift if site constraints prevent other solutions
Parking Accessible parking spaces should be identified by size, access aisle and signage.					
1.2	If parking is provided for the public, are an adequate number of accessible spaces provided? [208.2]	☑ Yes ☐ No Total #: Accessible #:	**Total Spaces** / **Accessible Spaces** 1 - 25 / 1 26 - 50 / 2 51 - 75 / 3 76 - 100 / 4 100+ see 2010 Standards 208.2	Photo #:	• Reconfigure by repainting lines • •
1.3	Of the accessible spaces, is at least one a van accessible space?* [208.2.4]	☑ Yes ☐ No	*For every 6 or fraction of 6 parking spaces required by the table above, at least 1 should be a van accessible space.	Photo #:	* If constructed before 3/15/2012, parking is compliant if at least 1 in every 8 accessible spaces is van accessible • Reconfigure by repainting lines

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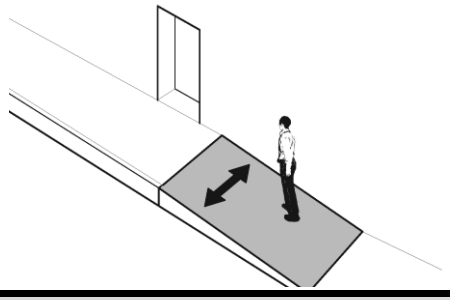
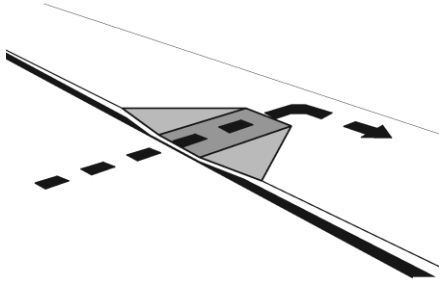
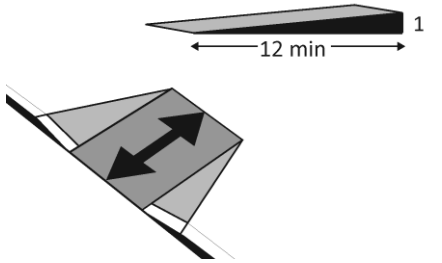
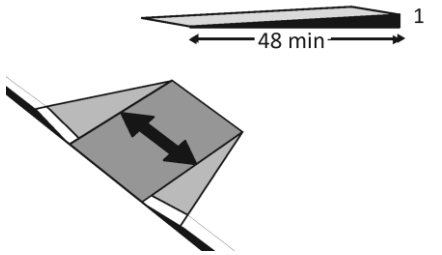
1.4	Are accessible spaces at least 8 feet wide with an access aisle at least 5 feet wide? [502.2, 502.3] Note: Two spaces may share an access aisle. Check state/local requirements; some specify that each space have its own aisle.	☑ Yes ☐ No Measurement:		Photo #:	• Reconfigure by repainting lines • •
1.5	Is the van accessible space: At least 11 feet wide with an access aisle at least 5 feet wide? Or At least 8 feet wide with an access aisle at least 8 feet wide? [502.2]	☑ Yes ☐ No Measurement: ☑ Yes ☐ No Measurement:		Photo #:	• Reconfigure to provide van-accessible space(s) • •
1.6	Is at least 98 inches of vertical clearance provided for the van accessible space? [502.5]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Reconfigure to provide van-accessible space(s) • •

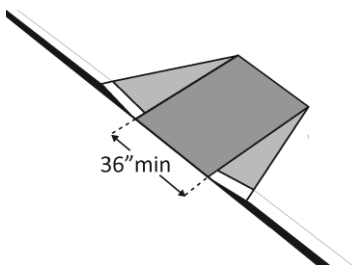
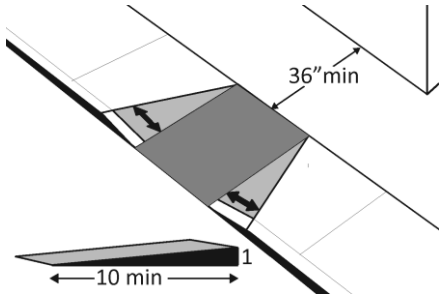
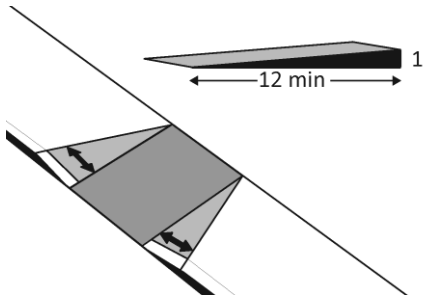
1.7	Are the access aisles marked so as to discourage parking in them? [502.3.3] Note: The marking method and color may be addressed by state/local requirements.	☑ Yes ☐ No		Photo #:	• Mark access aisles • •
1.8	Is the slope of the accessible parking spaces and access aisles no steeper than 1:48 in all directions? [502.4]	☑ Yes ☐ No Measurement:		Photo #:	• Regrade surface • •
1.9	Do the access aisles adjoin an accessible route? [502.3]	☑ Yes ☐ No		Photo #:	• Create accessible route • Relocate accessible space •
1.10	Are accessible spaces identified with a sign that includes the International Symbol of Accessibility? Is the bottom of the sign at least 60 inches above the ground? [502.6] Note: The International Symbol of Accessibility is not required on the ground.	☑ Yes ☐ No ☑ Yes ☐ No Measurement:		Photo #:	• Install signs • •

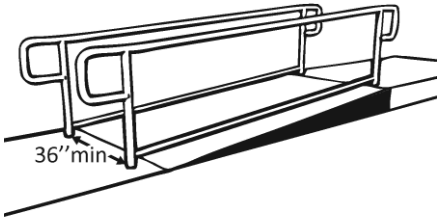
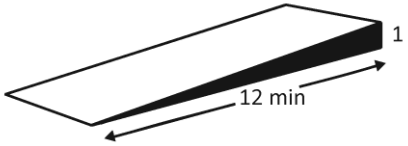
1.11	Are there signs reading "van accessible" at van accessible spaces? [502.6]	☐Yes ☑No		Photo #:	• Install signs • •
1.12	Of the total parking spaces, are the accessible spaces located on the closest accessible route to the accessible entrance(s)? [208.3.1] Note: If parking serves multiple entrances, accessible parking should be dispersed.	☑Yes ☐No		Photo #:	• Reconfigure spaces • •
Exterior Accessible Route					
1.13	Is the route stable, firm and slip-resistant? [302.1]	☑Yes ☐No		Photo #:	• Repair uneven paving • Fill small bumps and breaks with patches • Replace gravel with asphalt or other surface
1.14	Is the route at least 36 inches wide? [403.5.1]	☑Yes ☐No Measurement:			• Change or move landscaping, furnishings or other items • Widen route •

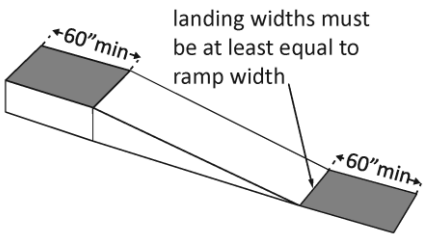
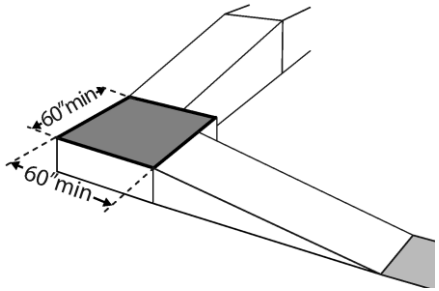
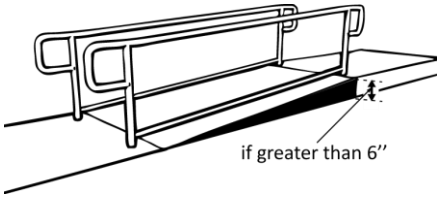
	Note: The accessible route can narrow to 32 inches min. for a max. of 24 inches. These narrower portions of the route must be at least 48 inches from each other.			Photo #:	
1.15	If the route is greater than 200 feet in length and less than 60 inches wide, is there a passing space no less than 60 x 60 inches? [403.5.3]	☑ Yes ☐ No Measurement:		Photo #:	• Widen route for passing space • •
1.16	If there are grates or openings on the route, are the openings no larger than ½ inches? Is the long dimension perpendicular to the dominant direction of travel? [302.3]	☐ Yes ☑ No Measurement: ☐ Yes ☐ No		Photo #:	• Replace or move grate • •
1.17	Is the running slope no steeper than 1:20, i.e. for every inch of height change there are at least 20 inches of route run? [403.3] Note: If the running slope is steeper than 1:20, treat as a ramp and add features such as edge protection and handrails.	☐ Yes ☑ No Measurement:		Photo #:	• Regrade to 1:20 max. • •

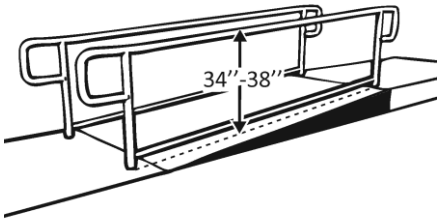
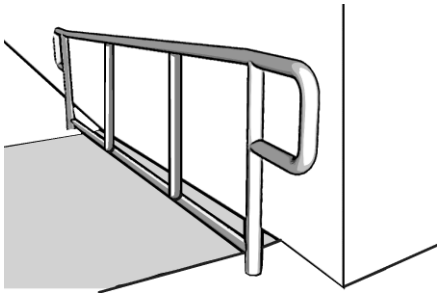
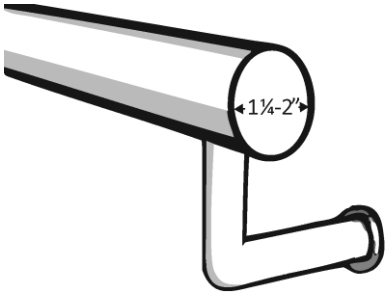
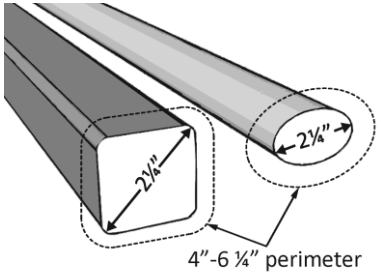
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1.18	Is the cross slope no steeper than 1:48? [403.3]	☑ Yes ☐ No Measurement:		Photo #:	• Regrade to 1:48 max. • •
Curb Ramps					
1.19	If the accessible route crosses a curb, is there a curb ramp? [402.2]	☐ Yes ☑ No		Photo #:	• Install curb ramp • •
1.20	Is the running slope of the curb ramp no steeper than 1:12, i.e. for every inch of height change there are at least 12 inches of curb ramp run? [406.1, 405.2]	☐ Yes ☑ No Measurement:		Photo #:	• Regrade curb ramp • •
1.21	Is the cross slope of the curb ramp, excluding flares, no steeper than 1:48? [406.1, 405.3]	☐ Yes ☑ No Measurement:		Photo #:	• Regrade curb ramp • •

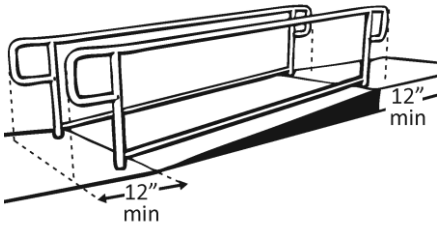
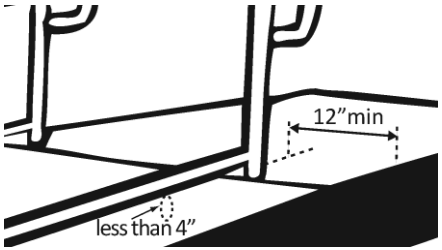
1.22	Is the curb ramp, excluding flares, at least 36 inches wide? [406.1, 405.5]	☐Yes ☑No Measurement:		Photo #:	• Widen curb ramp • •
1.23	At the top of the curb ramp is there a level landing (slope no steeper than 1:48 in all directions) that is at least 36 inches long and at least as wide as the curb ramp? [406.4] If there are curb ramp flares, are the slopes of the flares no steeper than 1:10, i.e. for every inch of height change there are at least 10 inches of flare run? [406.3]	☐Yes ☑No Measurement: ☐Yes ☑No Measurement:		Photo #:	• Reconfigure • Add ramp flares •
1.24	If the landing at the top is less than 36 inches long, are there curb ramp flares? Are the slopes of the flares no greater than 1:12, i.e. for every inch of height change there are at least 12 inches of flare run? [406.4]	☐Yes ☑No ☐Yes ☑No Measurement:		Photo #:	• Add ramp flares • Regrade flares •

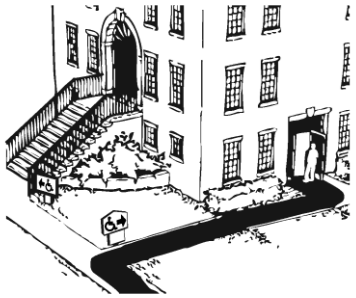
Ramps If any portion of the accessible route is steeper than 1:20, it should be treated as a ramp.					
1.25	If there is a ramp is it at least 36 inches wide? [405.5] Note: If there are handrails, measure between the handrails.	☑ Yes ☐ No Measurement:		Photo #:	• Alter ramp • •
1.26	Is the surface stable, firm and slip resistant? [405.4]	☑ Yes ☐ No		Photo #:	• Resurface ramp • •
1.27	For each section of the ramp, is the running slope no greater than 1:12, i.e. for every inch of height change there are at least 12 inches of ramp run? [405.2] Note: Rises no greater than 3 inches with a slope no steeper than 1:8 and rises no greater than 6 inches with a slope no steeper than 1:10 are permitted when such slopes are necessary due to space limitations.	☑ Yes ☐ No Measurement:		Photo #:	• Relocate ramp • Lengthen ramp to decrease slope •

1.28	Is there a level landing that is at least 60 inches long and at least as wide as the ramp: At the top of the ramp? At the bottom of the ramp? [405.7.2, 405.7.3]	☑ Yes ☐ No Measurement: ☑ Yes ☐ No Measurement:		Photo #:	• Alter ramp • Relocate ramp •
1.29	Is there a level landing where the ramp changes direction that is at least 60 x 60 inches? [405.7.4]	☑ Yes ☐ No Measurement:		Photo #:	• Alter ramp • Increase landing size •
1.30	If the ramp has a rise higher than 6 inches, are there handrails on both sides? [405.8] Note: Curb ramps are not required to have handrails.	☑ Yes ☐ No Measurement:		Photo #:	• Add handrails • •

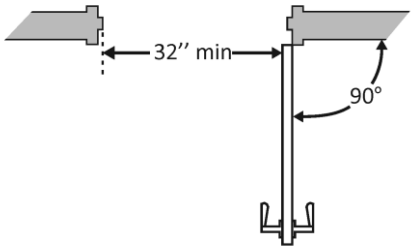
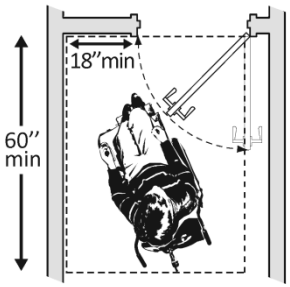
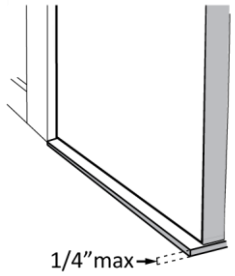
1.31	Is the top of the handrail gripping surface no less than 34 inches and no greater than 38 inches above the ramp surface? [505.4]	☑ Yes ☐ No Measurement:		Photo #:	• Reconfigure or replace handrails • Adjust handrail height •
1.32	Is the handrail gripping surface continuous and not obstructed along the top or sides? [505.3] If there are obstructions, is the bottom of the gripping surface obstructed no greater than 20%? [505.6]	☑ Yes ☐ No ☐ Yes ☐ No Measurement:		Photo #:	• Reconfigure or replace handrails • •
1.33	If the handrail gripping surface is circular, is it no less than 1 ¼ inches and no greater than 2 inches in diameter? [505.7.1]	☑ Yes ☐ No Measurement:		Photo #:	• Replace handrails • •
1.34	If the handrail gripping surface is non-circular: Is the perimeter no less than 4 inches and no greater than 6¼ inches?	☐ Yes ☐ No Measurement: ☐ Yes ☐ No Measurement: N/A			• Replace handrails • •

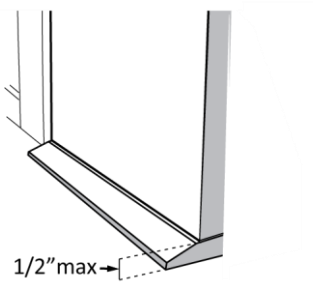
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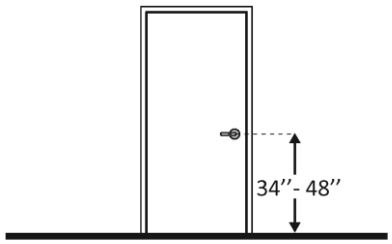
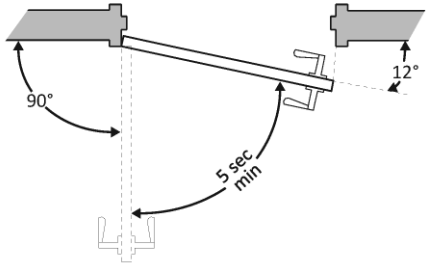
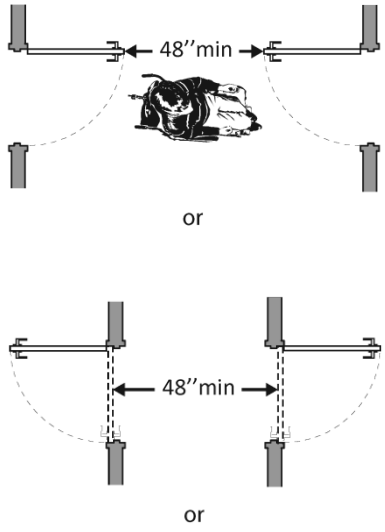
	Is the cross section no greater than 2¼ inches? [505.7.2]	☐Yes ☐No Measurement:		Photo #:	
1.35	Does the handrail: Extend at least 12 inches horizontally beyond the top and bottom of the ramp? Return to a wall, guard, or landing surface? [505.10.1] Note: If a 12 inch extension would be a hazard (in circulation path) it is not required.	☑Yes ☐No Measurement: ☑Yes ☐No		Photo #:	• Alter handrails • •
1.36	To prevent wheelchair casters and crutch tips from falling off: Does the surface of the ramp extend at least 12 inches beyond the inside face of the handrail? Or Is there a curb or barrier that prevents the passage of a 4-inch diameter sphere? [405.9.1, 405.9.2]	☐Yes ☐No Measurement: ☑Yes ☐No Measurement:		Photo #:	• Add curb • Add barrier • Extend ramp width •

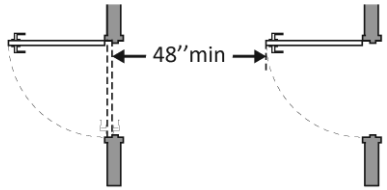
Entrance					
1.37	Is the main entrance accessible?	☑ Yes ☐ No		Photo #:	• Redesign to make it accessible • •
1.38	If the main entrance is not accessible, is there an alternative accessible entrance? Can the alternative accessible entrance be used independently and during the same hours as the main entrance?	☐ Yes ☐ No ☐ Yes ☐ No N/A		Photo #:	• Designate an entrance and make it accessible • Ensure that accessible entrance can be used independently and during the same hours as the main entrance •
1.39	Do all inaccessible entrances have signs indicating the location of the nearest accessible entrance? [216.6]	☐ Yes ☐ No ONE MAIN ENTRANCE		Photo #:	• Install signs • Install signs on route before people get to inaccessible entrances so that people do not have to turn around and retrace route •
1.40	If not all entrances are accessible, is there a sign at the accessible entrance with the International Symbol of Accessibility? [216.6]	☑ Yes ☐ No		Photo #:	• Install sign • •

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1.41	Is the clear opening width of the accessible entrance door at least 32 inches, between the face of the door and the stop, when the door is open 90 degrees? [404.2.3]	☑Yes ☐No Measurement:		Photo #:	• Alter door • Install offset hinges •
1.42	If there is a front approach to the pull side of the door, is there at least 18 inches of maneuvering clearance beyond the latch side plus at least 60 inches clear depth? Note: See 2010 Standards 404.2.4 for maneuvering clearance requirements on the push side of the door and side approaches to the pull side of the door On both sides of the door, is the ground or floor surface of the maneuvering clearance level (no steeper than 1:48)? [404.2.4]	☑Yes ☐No Measurement: ☑Yes ☐No Measurement:		Photo #:	• Remove obstructions • Reconfigure walls • Add automatic door opener
1.43	If the threshold is vertical is it no more than ¼ inch high? Or No more than ½ inch high with the top ¼ inch beveled no steeper than 1:2, if the threshold was installed on or	☑Yes ☐No Measurement: ☑Yes ☐No Measurement:			• Remove or replace threshold • •

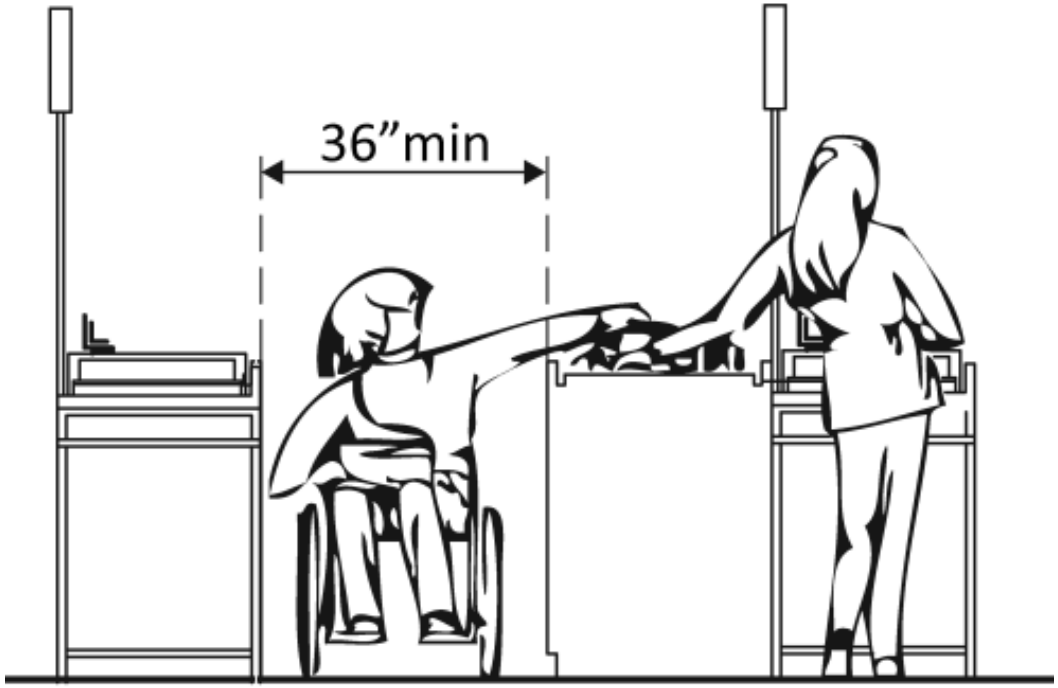
	after the 1991 ADA Standards went into effect (1/26/93)? Or No more than ¾ inch high with the top ½ inch beveled no steeper than 1:2, if the threshold was installed before the 1991 ADA Standards went into effect (1/26/93)? [404.2.5, 303.2] Note: The first ¼ inch of the ½ or ¾ inch threshold may be vertical; the rest must be beveled.	☐ Yes ☐ No Measurement: N/A		Photo #:	
1.44	Is the door equipped with hardware that is operable with one hand and does not require tight grasping, pinching or twisting of the wrist? Door handle? Lock (if provided)? [404.2.7]	☑ Yes ☐ No ☑ Yes ☐ No ☑ Yes ☐ No		Photo #:	• Replace inaccessible knob with lever, loop or push hardware • Add automatic door opener •

1.45	Are the operable parts of the door hardware no less than 34 inches and no greater than 48 inches above the floor or ground surface? [404.2.7]	☑Yes ☐No Measurement:		Photo #:	• Change hardware height • •
1.46	If the door has a closer, does it take at least 5 seconds to close from an open position of 90 degrees to a position of 12 degrees from the latch? [404.2.8]	☑Yes ☐No Measurement:		Photo #:	• Adjust closer • •
1.47	If there are two doors in a series, e.g. vestibule, is the distance between the doors at least 48 inches plus the width of the doors when swinging into the space? [404.2.6]	☑Yes ☐No Measurement:			• Remove inner door • Change door swing •

			Photo #:	
1.48	If provided at the building entrance, are carpets or mats no higher than ½ inch thick? [302.2]	☑ Yes ☐ No Measurement:	 Photo #:	• Replace or remove mats • •
1.49	Are edges of carpets or mats securely attached to minimize tripping hazards? [302.2]	☐ Yes ☑ No THEY LAY FLAT ON THE GROUND	Photo #:	• Secure carpeting or mats at edges • •
		☐ Yes ☐ No	Photo #:	• • •
		☐ Yes ☐ No	Photo #:	• • •

Priority 2 – Access to Goods & Services

Based on the 2010 ADA Standards for Accessible Design



Project

Building ALL BUILDINGS

Location DELAWARE CIY OWNED

Date 7/20/2026

Surveyors

Contact Information

The layout of the building should allow people with disabilities to obtain goods and services and to participate in activities without assistance.

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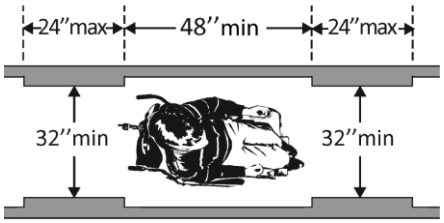
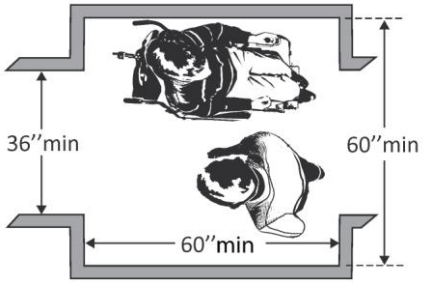
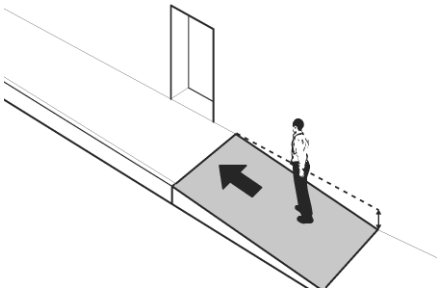
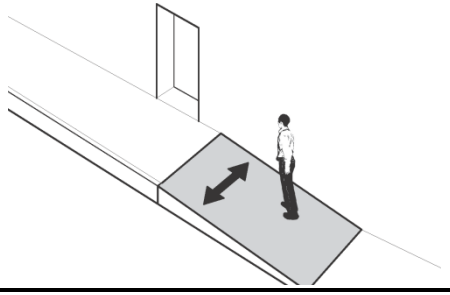
This checklist was produced by the New England ADA Center, a project of the Institute for Human Centered Design and a member of the ADA National Network. This checklist was developed under a grant from the Department of Education, NIDRR grant number H133A060092-09A. However the contents do not necessarily represent the policy of the Department of Education, and you should not assume endorsement by the Federal Government.

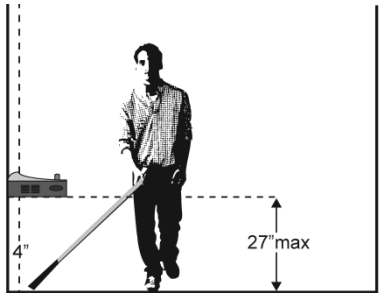
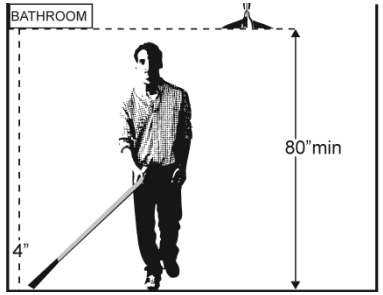
Questions or comments on the checklist contact the New England ADA Center at 617-695-0085 voice/tty or ADAinfo@NewEnglandADA.org

For the full set of checklists, including the checklists for recreation facilities visit www.ADAchecklist.org.

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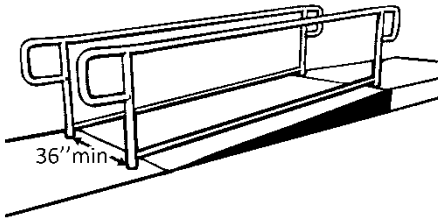
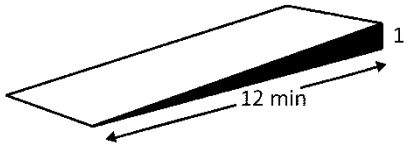
Priority 2 – Access to Goods & Services				Comments	Possible Solutions
2.1	Does the accessible entrance provide direct access to the main floor, lobby and elevator? [See 2010 ADA Standards for Accessible Design – 206.4]	☑ Yes ☐ No		Photo #:	• Create accessible route • •
Interior Accessible Route					
2.2	Are all public spaces on at least one accessible route? [206.2.4]	☑ Yes ☐ No		Photo #:	• Create accessible route • •
2.3	Is the route stable, firm and slip-resistant? [40.2, 302.1]	☑ Yes ☐ No		Photo #:	• Repair uneven surfaces • •
2.4	Is the route at least 36 inches wide? [403.5.1] Note: The accessible route can narrow to 32 inches min. for a max. of 24 inches. These narrower portions of the route must be at least 48 inches from each other.	☑ Yes ☐ No Measurement:			• Widen route • •

				Photo #:	
2.5	If the route is greater than 200 feet in length and less than 60 inches wide, is there a passing space no less than 60 x 60 inches? [403.5.3]	☑ Yes ☐ No Measurement:		Photo #:	• Widen route for passing space • •
2.6	Is the running slope no steeper than 1:20, i.e. for every inch of height change there are at least 20 inches of route run? [403.3] Note: If the running slope is steeper than 1:20, treat as a ramp and add features such as edge protection and handrails.	☑ Yes ☐ No Measurement:		Photo #:	• Regrade • •
2.7	Is the cross slope no steeper than 1:48? [403.3]	☑ Yes ☐ No Measurement:		Photo #:	• Regrade • •

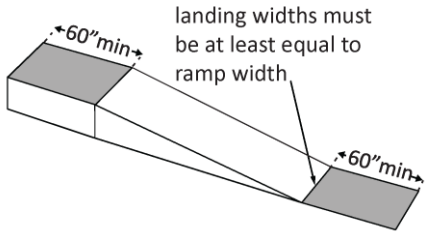
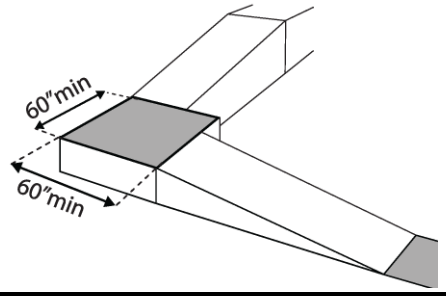
2.8	Do all objects on circulation paths through public areas, e.g. fire extinguishers, drinking fountains, signs, etc., protrude no more than 4 inches into the path? Or If an object protrudes more than 4 inches, is the bottom leading edge at 27 inches or lower above the floor? [307.2] Or Is the bottom leading edge at 80 inches or higher above the floor? [307.4]	☑ Yes ☐ No Measurement: ☑ Yes ☐ No Measurement: ☑ Yes ☐ No Measurement:	 Or  Or 	Photo #:	• Remove object • Add tactile warning such as permanent planter or partial walls •
2.9	Are there elevators or platform lifts to all public stories? Note: Vertical access is not required in new construction or alterations if a facility is less than three stories or has less than 3,000 square feet per story, unless the facility is a shopping center, shopping mall,	☑ Yes ☐ No			• Install if necessary • Offer goods and services on an accessible story •

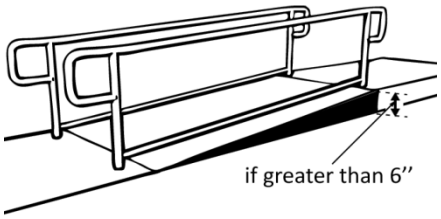
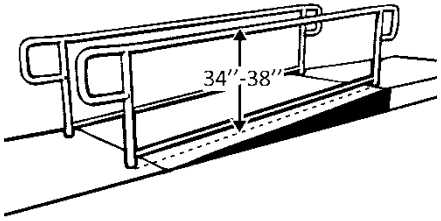
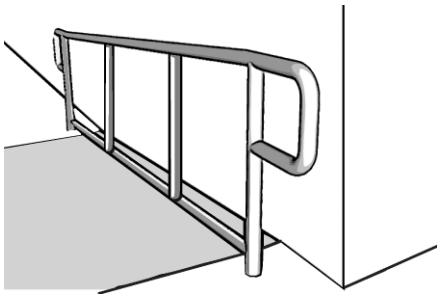
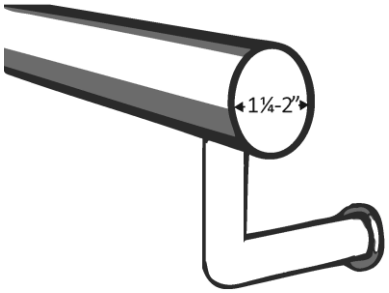
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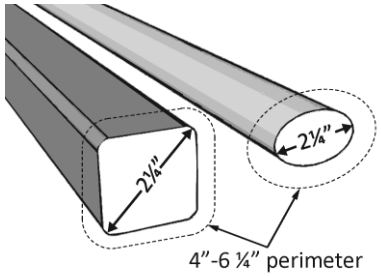
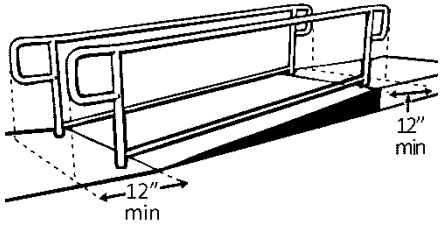
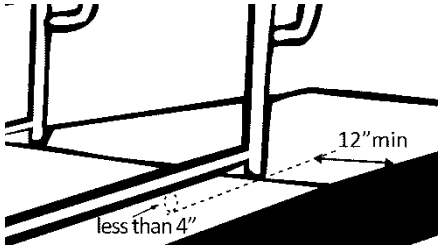
	professional office of a health care provider, transportation terminal, state facility or local government facility			Photo #:	

Ramps					
2.10	If there is a ramp, is it at least 36 inches wide? [405.5] Note: If there are handrails, measure between the handrails.	☑ Yes ☐ No Measurement:		Photo #:	• Alter ramp • •
2.11	Is the surface stable, firm and slip resistant? [405.4]	☑ Yes ☐ No		Photo #:	• Resurface ramp • •
2.12	For each section of the ramp, is the running slope no greater than 1:12, i.e. for every inch of height change there are at least 12 inches of ramp run? [405.2] Note: Rises no greater than 3 inches with a slope no steeper than 1:8 and rises no greater	☑ Yes ☐ No Measurement:			• Lengthen ramp to decrease slope • Relocate ramp •

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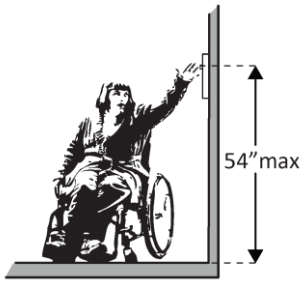
	than 6 inches with a slope no steeper than 1:10 are permitted when due to space limitations.			Photo #:	
2.13	Is there a level landing that is at least 60 inches long and at least as wide as the ramp: At the top of the ramp? At the bottom of the ramp? [405.7.2, 405.7.3]	☑ Yes ☐ No Measurement: ☑ Yes ☐ No Measurement:		Photo #:	• Alter ramp • Relocate ramp •
2.14	Is there a level landing where the ramp changes direction that is at least 60 x 60 inches? [405.7.4]	☑ Yes ☐ No Measurement:		Photo #:	• Increase landing size • •

2.15	If the ramp has a rise higher than 6 inches are there handrails on both sides? [405.8]	☑ Yes ☐ No Measurement:		Photo #:	• Add handrails • •
2.16	Is the top of the handrail gripping surface no less than 34 inches and no greater than 38 inches above the ramp surface? [505.4]	☑ Yes ☐ No Measurement:		Photo #:	• Adjust handrail height • •
2.17	Is the handrail gripping surface continuous and not obstructed along the top or sides? [505.3] If there are obstructions, is the bottom of the gripping surface obstructed no more than 20%? [505.6]	☑ Yes ☐ No ☑ Yes ☐ No Measurement:		Photo #:	• Reconfigure or replace handrails • •
2.18	If the handrail gripping surface is circular, is it no less than 1 ¼ inches and no greater than 2 inches in diameter? [505.7.1]	☑ Yes ☐ No Measurement:		Photo #:	• Replace handrails • •

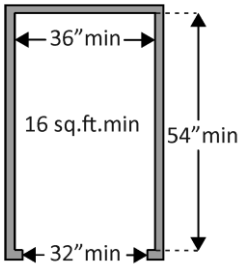
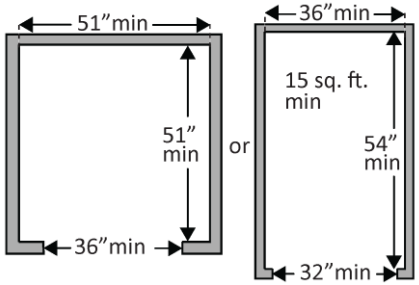
2.19	If the handrail gripping surface is non-circular: Is the perimeter no less than 4 inches and no greater than 6¼ inches? Is the cross section no greater than 2¼ inches in diameter? [505.7.2]	☐Yes ☐No Measurement: N/A ☐Yes ☐No Measurement:		Photo #:	• Replace handrails • •
2.20	Does the handrail: Extend at least 12 inches horizontally beyond the top and bottom of the ramp? Return to a wall, guard, or landing surface? [505.10.1] Note: If a 12" extension would be hazardous (in circulation path), it is not required	☑Yes ☐No Measurement: ☑Yes ☐No		Photo #:	• Alter handrails • •
2.21	To prevent wheelchair casters and crutch tips from falling off: Does the surface of the ramp extend at least 12 inches beyond the inside face of the handrail? Or	☑Yes ☐No Measurement: ☑Yes ☐No			• Add curb • Add barrier • Extend ramp width • •

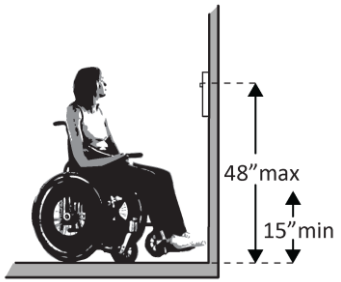
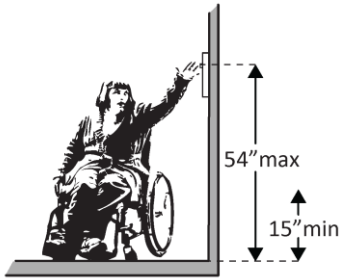
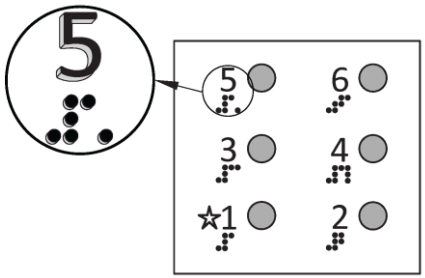
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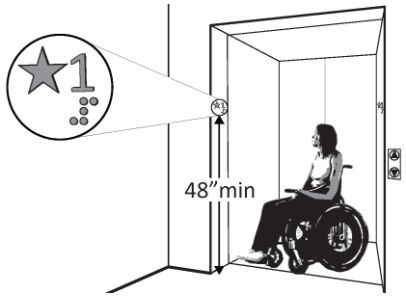
	Is there a curb or barrier that prevents the passage of a 4-inch diameter sphere? [405.9.1, 405.9.2]	Measurement:		Photo #:	

Elevators – Full Size & LULA (limited use, limited application) LULA elevators are often used in alterations.					
2.22	If there is a full size or LULA elevator, are the call buttons no higher than 54 inches above the floor? [407.2.1.1]	☑ Yes ☐ No Measurement:		Photo #:	• Change call button height • •
2.23	If there is a full size or LULA elevator, does the sliding door reopen automatically when obstructed by an object or person?* [407.3.3]	☑ Yes ☐ No		Photo #:	* If constructed before 3/15/2012 and manually operated, the door is not required to reopen automatically • Install opener •

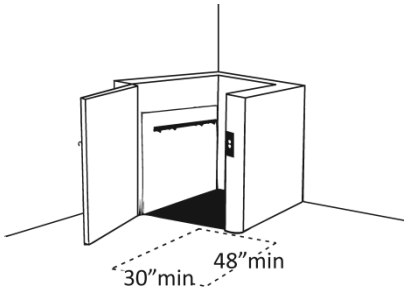
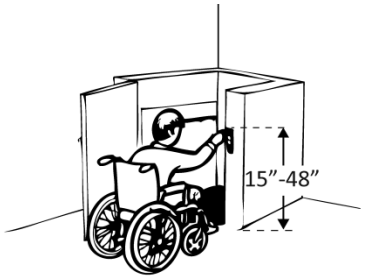
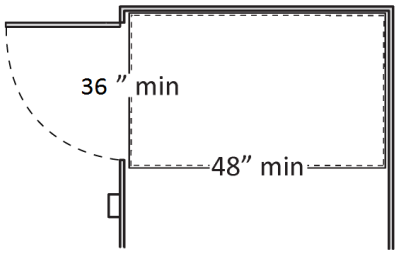
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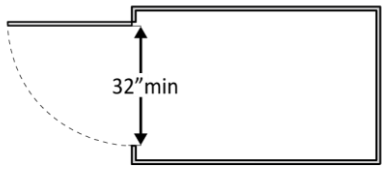
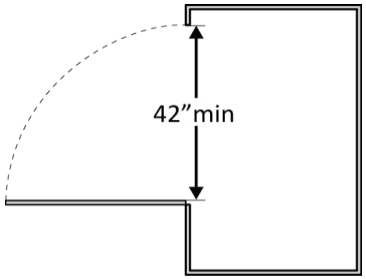
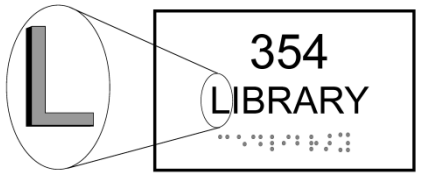
2.24	If there is a LULA elevator with a swinging door: Is the door power- operated? Does the door remain open for at least 20 seconds when activated? [403.3.2]	☐ Yes ☑ No ☐ Yes ☐ No Time:		Photo #:	• Add power operated door • Adjust opening time •
2.25	If there is a full size elevator: Is the interior at least 54 inches deep by at least 36 inches wide with at least 16 sq. ft. of clear floor area? Is the door opening width at least 32 inches? [407.4.1 Exception]	☑ Yes ☐ No Measurement: ☑ Yes ☐ No Measurement:		Photo #:	• Replace elevator • •
2.26	If there is a LULA elevator, is the interior: At least 51 inches deep by 51 inches wide with a door opening width of at least 36 inches? Or At least 54 inches deep by at least 36 inches wide with at least 15 sq. ft. of clear floor area and a door opening width of at least 32 inches? [408.4.1 Exceptions 1 and 2]	☐ Yes ☐ No Measurement: ☑ Yes ☐ No Measurement:		Photo #:	• Replace elevator • •

2.27	If there is a full size or LULA elevator, are the in-car controls: No less than 15 inches and no greater 48 inches above the floor? Or Up to 54 inches above the floor for a parallel approach? [408.4.6, 407.4.6.1]	☑ Yes ☐ No Measurement: ☑ Yes ☐ No Measurement:	 Or 	Photo #:	• Change control height • •
2.28	If there is a LULA elevator, are the in-car controls centered on a side wall? [408.4.6]	☑ Yes ☐ No Measurement:		Photo #:	• Reconfigure controls • •
2.29	If there is a full size or LULA elevator: Are the car control buttons designated with raised characters? Are the car control buttons designated with Braille?	☑ Yes ☐ No ☐ Yes ☐ No			• Add raised characters • Add Braille •

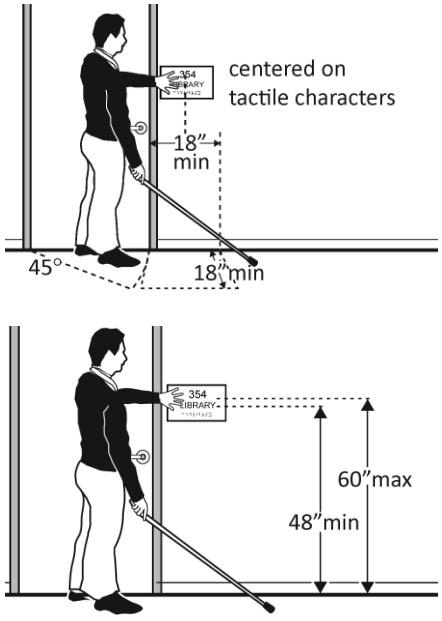
	[407.4.7.1, 703.2]			Photo #:	
2.30	If there is a full size or LULA elevator, are there audible signals which sound as the car passes or is about to stop at a floor? [407.4.8]	☐ Yes ☑ No		Photo #:	• Install audible signals • •
2.31	If there is a full size or LULA elevator: Is there a sign on both door jambs at every floor identifying the floor? Is there a tactile star on both jambs at the main entry level? Do text characters contrast with their backgrounds? Are text characters raised? Is there Braille? Is the sign mounted between 48 inches to the baseline of the lowest character and 60 inches to the baseline of the highest character above the floor?* [407.2.3, 408.2.3]	☑ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No ☑ Yes ☐ No ☐ Yes ☐ No ☑ Yes ☐ No Measurement:		Photo #:	• Install signs • Change sign height • • * If constructed before 3/15/2012 and mounted no higher than 60 inches to the centerline of the sign, relocation is not required

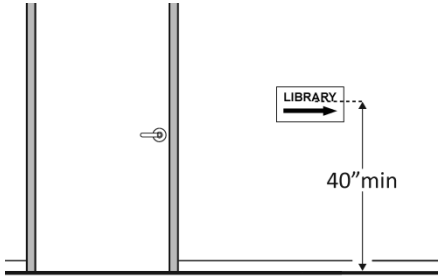
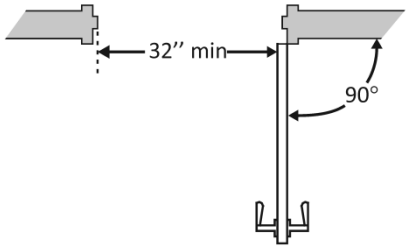
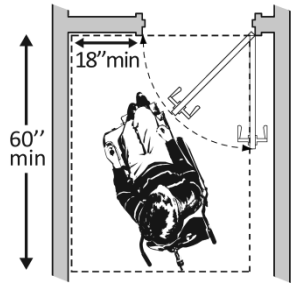
Platform Lifts

2.32	If a lift is provided, can it be used without assistance from others? [410.1]	☑ Yes ☐ No		Photo #:	• Reconfigure so independently operable • •
2.33	Is there a clear floor space at least 30 inches wide by at least 48 inches long for a person using a wheelchair to approach and reach the controls to use the lift? [410.5]	☑ Yes ☐ No Measurement:		Photo #:	• Remove obstructions • •
2.34	Are the lift controls no less than 15 inches and no greater than 48 inches above the floor? [410.5]	☑ Yes ☐ No Measurement:		Photo #:	• Change control height • •
2.35	Is there a clear floor space at least 36 inches wide by at least 48 inches long inside the lift? [410.3]	☑ Yes ☐ No Measurement:		Photo #:	• Replace lift • •

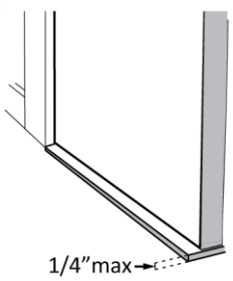
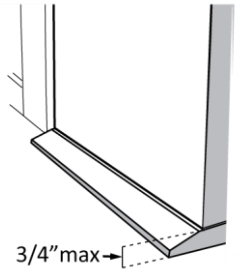
2.36	If there is an end door, is the clear opening width at least 32 inches? [410.6]	☑ Yes ☐ No Measurement:		Photo #:	• Alter door width • •
2.37	If there is a side door, is the clear opening width at least 42 inches? [410.6]	☑ Yes ☐ No Measurement:		Photo #:	• Alter door width • •
Signs "Tactile characters" are read using touch, i.e. raised characters and Braille.					
2.38	If there are signs designating permanent rooms and spaces not likely to change over time, e.g. room numbers and letters, room names, and exit signs: [216.2] Do text characters contrast with their backgrounds? [703.5] Are text characters raised? [703.2] Is there Braille? [703.3] Is the sign mounted:	☐ Yes ☑ No ☐ Yes ☑ No ☐ Yes ☑ No			• Install tactile sign • Relocate sign •

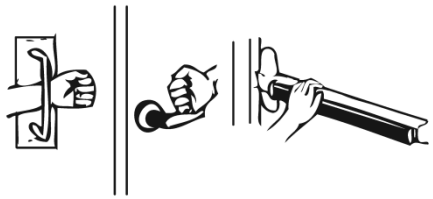
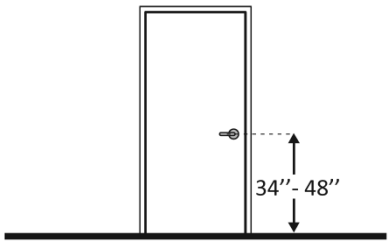
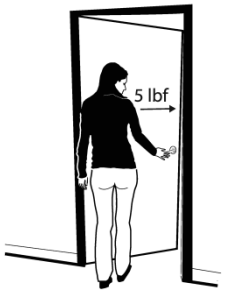
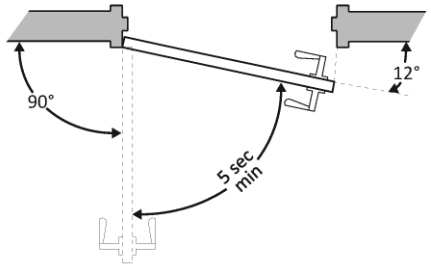
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On the wall on the latch side of the door? [703.4.2] Note: Signs are permitted on the push side of doors with closers and without hold-open devices. With clear floor space beyond the arc of the door swing between the closed position and 45-degree open position, at least 18 x 18 inches centered on the tactile characters?* [703.4.2] So the baseline of the lowest character is at least 48 inches above the floor and the baseline of the highest character is no more than 60 inches above the floor? * [703.4.1] Note: If the sign is at double doors with one active leaf, the sign should be on the inactive leaf; if both leaves are active, the sign should be on the wall to the right of the right leaf.	☐ Yes ☑ No ☐ Yes ☑ No Measurement: ☐ Yes ☑ No Measurement:		Photo #:	*If constructed before 3/15/2012 and a person may approach within 3 inches of the sign without encountering protruding objects or standing within the door swing, relocation not required *If constructed before 3/15/2012 and mounted no higher than 60 inches to the centerline of the sign, relocation not required

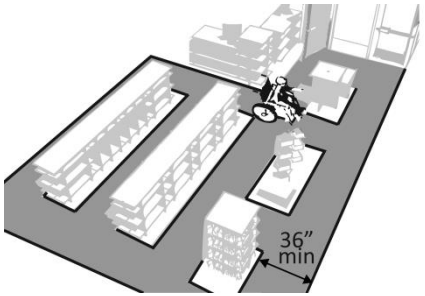
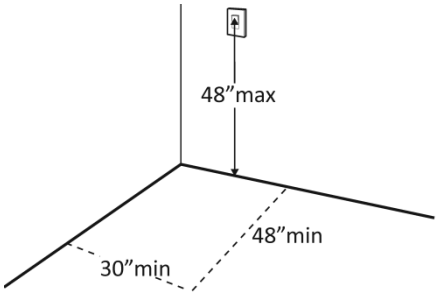
2.39	If there are signs that provide direction to or information about interior spaces: Do text characters contrast with their backgrounds? [703.5.1] Is the sign mounted so that characters are at least 40 inches above the floor? [703.5.6] Note: Raised characters and Braille are not required.	☐ Yes ☑ No ☐ Yes ☑ No Measurement:		Photo #:	• Install signs with contrasting characters • Change sign height •
Interior Doors – to classrooms, medical exam rooms, conference rooms, etc.					
2.40	Is the door opening width at least 32 inches clear, between the face of the door and the stop, when the door is open 90 degrees? [404.2.3]	☑ Yes ☐ No Measurement:		Photo #:	• Install offset hinges • Alter the doorway •
2.41	If there is a front approach to the pull side of the door, is there at least 18 inches of maneuvering clearance beyond the latch side plus at least 60 inches clear depth? Note: See 2010 Standards 404.2.4 for maneuvering clearance requirements on the push side of the door and side approaches to the pull side of the door.	☑ Yes ☐ No Measurement:			• Remove obstructions • Reconfigure walls • Add automatic door opener

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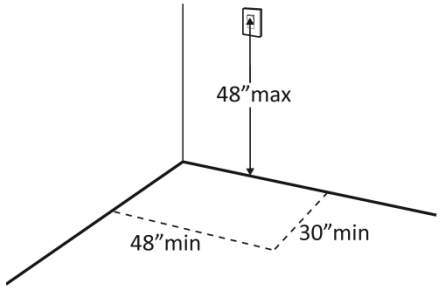
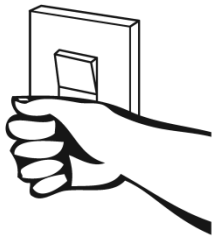
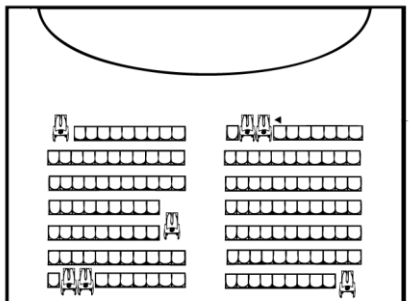
	On both sides of the door, is the floor surface of the maneuvering clearance level (no steeper than 1:48)? [404.2.4]	☑ Yes ☐ No Measurement:		Photo #:	
2.42	If the threshold is vertical is it no more than ¼ inch high? Or No more than ½ inch high with the top ¼ inch beveled no steeper than 1:2, if the threshold was installed on or after the 1991 ADA Standards went into effect (1/26/93)? Or No more than ¾ inch high with the top ½ inch beveled no steeper than 1:2, if the threshold was installed before the 1991 ADA Standards went into effect (1/26/93)? [404.2.5, 303.2] Note: The first ¼ inch of the ½ or ¾ inch threshold may be vertical; the rest must be beveled.	☑ Yes ☐ No Measurement: ☑ Yes ☐ No Measurement: ☐ Yes ☐ No Measurement: N/A	  	Photo #:	• Remove or replace threshold • •

2.43	Is the door equipped with hardware that is operable with one hand and does not require tight grasping, pinching or twisting of the wrist? Door handle? Lock (if provided)? [404.2.7]	☑ Yes ☐ No ☑ Yes ☐ No ☑ Yes ☐ No		Photo #:	• Replace inaccessible knob with lever, loop or push hardware • Add automatic door opener •
2.44	Are the operable parts of the hardware no less than 34 inches and no greater than 48 inches above the floor? [404.2.7]	☑ Yes ☐ No Measurement:		Photo #:	• Change hardware height • •
2.45	Can the door be opened easily (5 pounds maximum force)? [404.2.9] Note: You can use a pressure gauge or fish scale to measure force. If you do not have one you will need to judge whether the door is easy to open.	☐ Yes ☐ No Measurement:		Photo #:	• Adjust or replace closers • Install lighter doors • Install power-assisted or automatic door openers
2.46	If the door has a closer, does it take at least 5 seconds to close from an open position of 90 degrees to a position of 12 degrees from the latch? [404.2.8.1]	☐ Yes ☐ No Measurement:		Photo #:	• Adjust closer • •

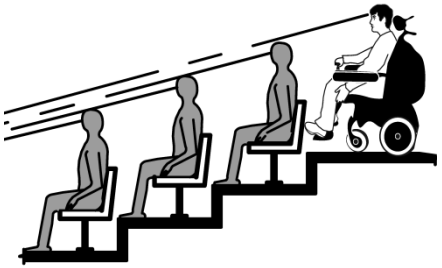
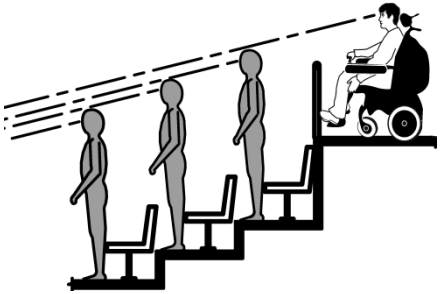
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Rooms and Spaces – stores, supermarkets, libraries, etc.					
2.47	Are aisles and pathways to goods and services, and to one of each type of sales and service counters, at least 36 inches wide? [403.5.1]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Rearrange goods, equipment and furniture • •
2.48	Are floor surfaces stable, firm and slip resistant? [302.1]	☐ Yes ☐ No N/A		Photo #:	• Change floor surface • •
2.49	If there is carpet: Is it no higher than ½ inch? Is it securely attached along the edges? [302.2]	N/A ☐ Yes ☐ No Measurement: ☐ Yes ☐ No		Photo #:	• Replace carpet • •
Controls – light switches, security and intercom systems, emergency/alarm boxes, etc.					
2.50	Is there a clear floor space at least 30 inches wide by at least 48 inches long for a forward or parallel approach? [305.3] Are the operable parts no higher than 48 inches above the floor?* [309.3, 308]	☑ Yes ☐ No Measurement: ☑ Yes ☐ No Measurement:			• Change height of control • • *If constructed before 3/15/2012 and a parallel approach is provided, controls can be 54 inches above the floor

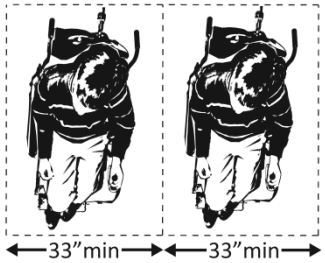
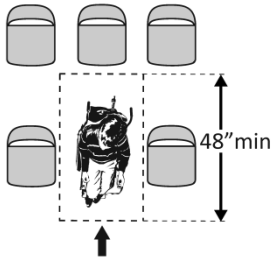
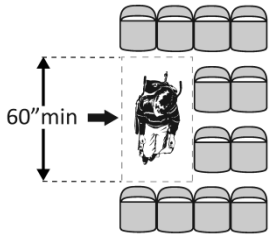
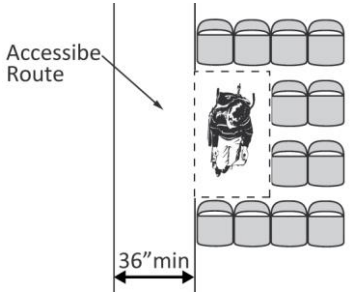
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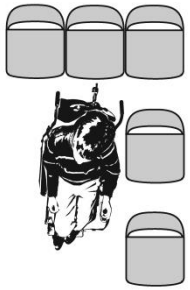
			Photo #:	
2.51	Can the control be operated with one hand and without tight grasping, pinching, or twisting of the wrist? [309.4]	☑ Yes ☐ No	 Photo #:	• Replace control • •
Seating: Assembly Areas – theaters, auditoriums, stadiums, theater style classrooms, etc.				
2.52	Are an adequate number of wheelchair spaces provided? [221.2.1]	☐ Yes ☐ No Total #: Wheelchair #: N/A	**# of Seats** / **Wheelchair Spaces** 4 - 25 / 1 26 - 50 / 2 51 - 150 / 4 151 - 300 / 5 300+ see 2010 Standards 221.2.1.	Photo #:	• Reconfigure to add wheelchair spaces • •
2.53	Are wheelchair spaces dispersed to allow location choices and viewing angles equivalent to other seating, including specialty seating areas that provide distinct services and amenities? [221.2.3]	☐ Yes ☐ No N/A		• Reconfigure to disperse wheelchair spaces • •

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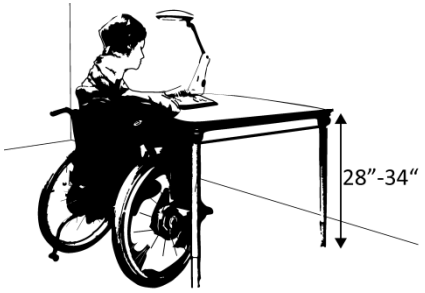
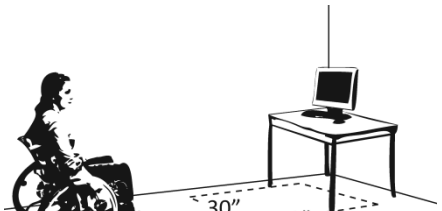
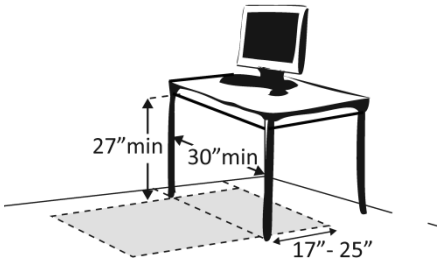
			Photo #:	
2.54	Where people are expected to remain seated, do people in wheelchair spaces have a clear line of sight over and between the heads of others in front of them? [802.2.1.1, 802.1.1.2]	☐ Yes ☐ No N/A	 Photo #:	• Alter for line of sight • •
2.55	Where people are expected to stand, do people in wheelchair spaces have a clear line of sight over and between the heads of others in front of them? [802.2.2.1, 802.1.2.2]	☐ Yes ☐ No N/A	 Photo #:	• Alter for line of sight • •
2.56	If there is a single wheelchair space, is it at least 36 inches wide? [802.1.2]	☐ Yes ☐ No Measurement: N/A	 Photo #:	• Alter space • •

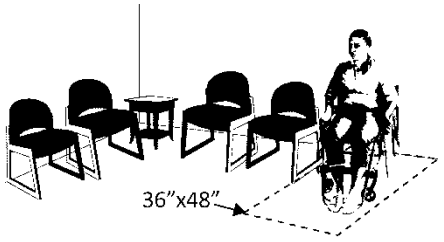
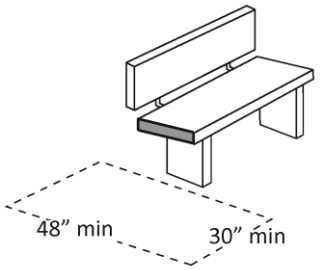
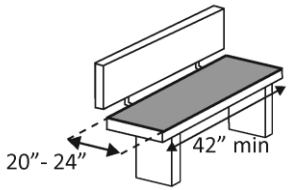
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2.57	If there are two adjacent wheelchair spaces, are they each at least 33 inches wide? [802.1.2]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Alter spaces • •
2.58	If the wheelchair space can be entered from the front or rear, is it at least 48 inches deep? [802.1.3]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Alter space • •
2.59	If the wheelchair space can only be entered from the side, is it at least 60 inches deep? [802.1.3]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Alter space • •
2.60	Do wheelchair spaces adjoin, but not overlap, accessible routes? [802.1.4]	☐ Yes ☐ No N/A		Photo #:	• Alter spaces • •

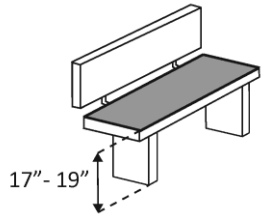
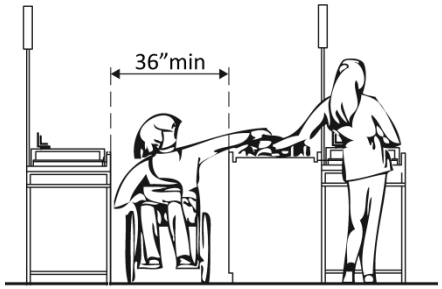
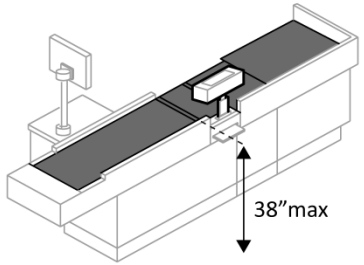
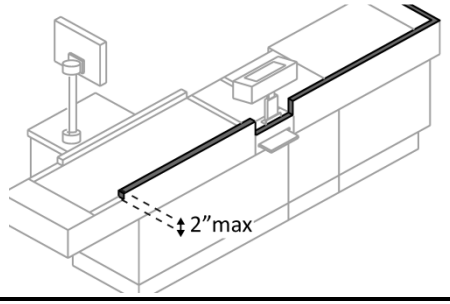
2.61	Is there at least one companion seat for each wheelchair space? [221.3]	☐ Yes ☐ No N/A		Photo #:	• Add companion seats • •
2.62	Is the companion seat located so the companion is shoulder-to-shoulder with the person in a wheelchair? [802.3.1]	☐ Yes ☐ No N/A		Photo #:	• Alter seating • •
2.63	Is the companion seat equivalent in size, quality, comfort and amenities to seating in the immediate area? [802.3.2]	☐ Yes ☐ No N/A		Photo #:	• Add equivalent seating • •
Seating: At dining surfaces (restaurants, cafeterias, bars, etc.) and non-employee work surfaces (libraries, conference rooms, etc.)					
2.64	Are at least 5%, but no fewer than one, of seating and standing spaces accessible for people who use wheelchairs? [226.1]	☐ Yes ☐ No Total #: N/A Wheelchair #:		Photo #:	• Alter to provide accessible spaces • •
2.65	Is there a route at least 36 inches wide to accessible seating? [403.5.1]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Widen route • •

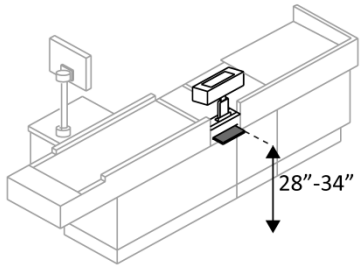
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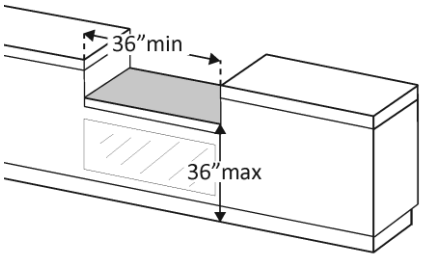
2.66	At the accessible space(s), is the top of the accessible surface no less than 28 inches and no greater than 34 inches above the floor? [902.3] Note: If for children, the top should be no less than 26 inches and no greater than 30 inches above the floor.	☐Yes ☐No Measurement: N/A		Photo #:	• Alter surface height • •
2.67	Is there a clear floor space at least 30 inches wide by at least 48 inches long for a forward approach? [305.3] Does it extend no less than 17 inches and no greater than 25 inches under the surface? Is there knee space at least 27 inches high and at least 30 inches wide? [306.2, 306.3] Note: If for children, the knee space may be 24 inches high.	☐Yes ☐No Measurement: N/A ☐Yes ☐No Measurement: ☐Yes ☐No Measurement: N/A	 	Photo #:	• Alter table or work surface • Add accessible table or work surface •
Seating: General – reception areas, waiting rooms, etc.					

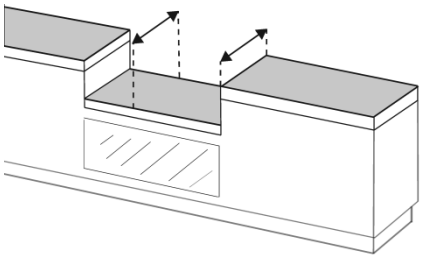
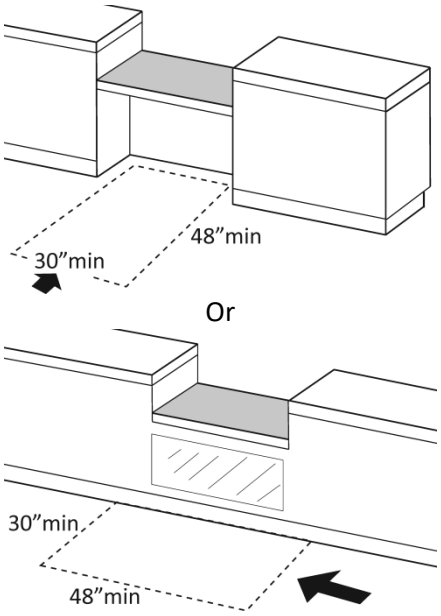
2.68	Is there at least one space at least 36 inches wide by at least 48 inches long for a person in a wheelchair? [802.1.2, 802.1.3]	☑ Yes ☐ No Measurement:		Photo #:	• Move furniture and equipment to provide space • •
Benches – In locker rooms, dressing rooms, fitting rooms This section does not apply to any other benches.					
2.69	In locker rooms, dressing rooms and fitting rooms, is there at least one room with a bench? [222.1, 803.4]	☑ Yes ☐ No		Photo #:	• Add bench • •
2.70	Is there a clear floor space at least 30 inches wide by at least 48 inches long at the end of the bench and parallel to the short axis of the bench? Is the bench seat at least 42 inches long and no less than 20 inches and no greater than 24 inches deep? Does the bench have back support or is it affixed to a wall? Is the top of the bench seat no less than 17 inches and no greater than 19 inches above the floor? [903]	☑ Yes ☐ No Measurement: ☑ Yes ☐ No Measurement: ☑ Yes ☐ No ☑ Yes ☐ No Measurement:	 		• Move bench • Replace bench • Affix bench to wall • •

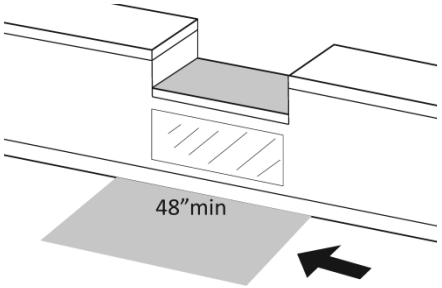
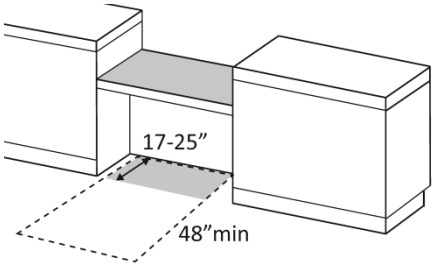
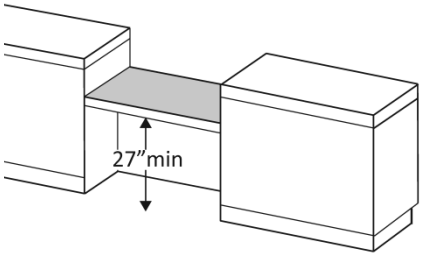
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			Photo #:	
Check-Out Aisles – supermarkets, large retail stores, etc.				
2.71 Is the aisle at least 36 inches wide? [904.3.1]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Widen aisle • •
2.72 Is the counter surface of at least one aisle no higher than 38 inches above the floor? [904.3.2]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Lower counter • •
2.73 Is the top of the counter edge protection no higher than 2 inches above the counter surface? [904.3.2]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Lower edge protection • •

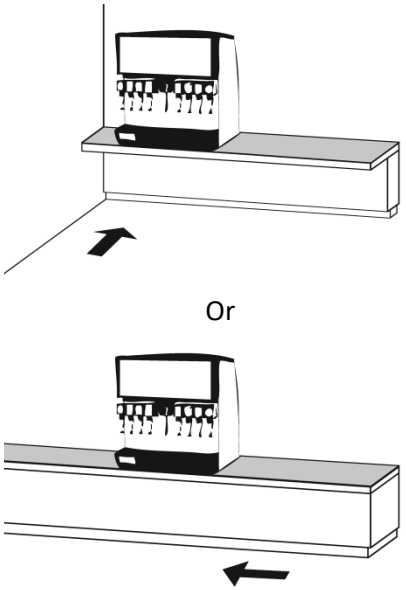
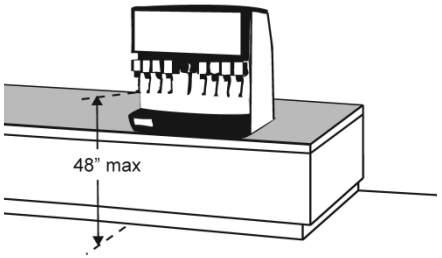
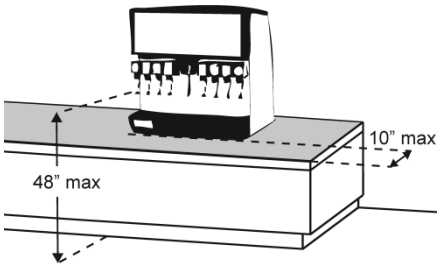
2.74	If there is a check writing surface, is the top no less than 28 inches and no greater than 34 inches above the floor? [904.3.3]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Alter check writing surface • •
2.75	If there is more than one check-out aisle is there a sign with the International Symbol of Accessibility at the accessible aisle? [216.11]	☐ Yes ☐ No N/A		Photo #:	• Add sign • •

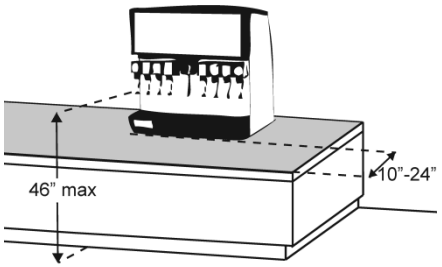
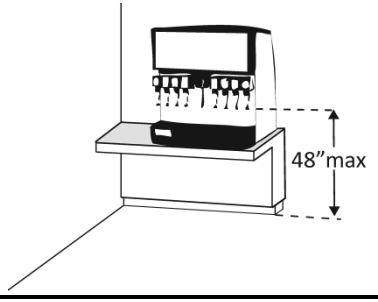
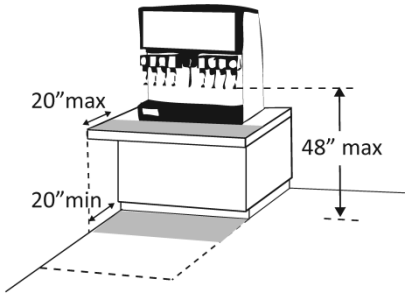
Sales & Service Counters – banks, stores, dry cleaners, auto repair shops, fitness clubs, etc.					
2.76	Is there a portion of at least one of each type of counter that is: No higher than 36 inches above the floor? At least 36 inches long? [904.4.1]	☐ Yes ☐ No Measurement: ☐ Yes ☐ No Measurement:		Photo #:	• Lower section of counter • Lengthen section of counter •

2.77	Does the accessible portion of the counter extend the same depth as the counter top? [904.4]	☐ Yes ☐ No Measurement:	 Photo #:	• Alter accessible portion • •
2.78	Is there a clear floor space at least 30 inches wide by at least 48 inches long for a forward or parallel approach? [904.4]	☐ Yes ☐ No ☐ Parallel Measurement: ☐ Forward Measurement:	 Photo #:	• Reconfigure to provide a parallel or forward approach • •

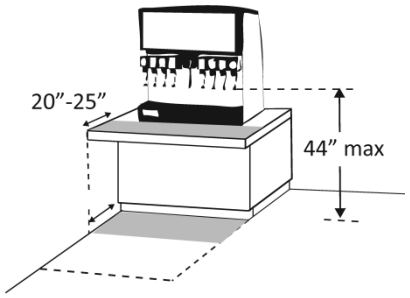
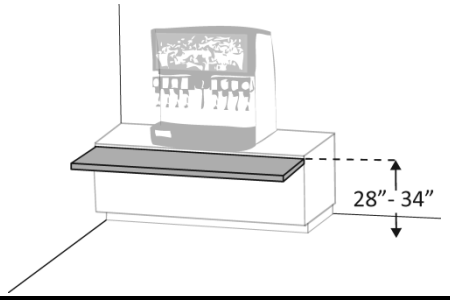
2.79	For a parallel approach, is the clear floor space positioned with the 48 inches adjacent to the accessible length of counter? [904.4.1]	☐ Yes ☐ No Measurement:		Photo #:	• If a parallel approach is not possible, a forward approach is required • •
2.80	For a forward approach: Do no less than 17 and no greater than 25 inches of the clear floor space extend under the accessible length of the counter? [306.2.2, 306.2.3] Is there at least 27 inches clearance from the floor to the bottom of the counter? [306.3.1]	☐ Yes ☐ No Measurement: ☐ Yes ☐ No Measurement:	 	Photo #:	• Reconfigure to provide knee clearance • •

Food Service Lines – in cafeterias, salad bars, eat-in fast food establishments, etc.

2.81	Does at least one of each type of self-service shelf or dispensing device for tableware, dishware, condiments, food and beverages have a forward or parallel approach? [904.5.1]	☐ Yes ☐ No ☐ Forward ☐ Parallel N/A		Photo #:	• Reconfigure to provide approach • •
2.82	If there is an unobstructed parallel approach, is the shelf or dispensing device no higher than 48 inches above the floor? [308.3.1]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Lower shelf and/or dispensing device • •
2.83	If there is a shallow obstruction no deeper than 10 inches with a parallel approach, is the shelf or dispensing device no higher than 48 inches above the floor? [308.3.1]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Lower shelf and/or dispensing device • •

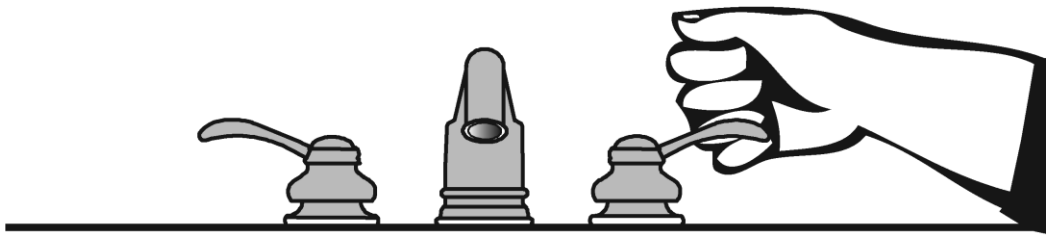
2.84	If there is an obstruction no less than 10 inches and no greater than 24 inches deep with a parallel approach, is the shelf or dispensing device no higher than 46 inches above the floor? [308.3.2]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Lower shelf and/or dispensing device • •
2.85	If there is an unobstructed forward approach, is the shelf or dispensing device no higher than 48 inches above the floor? [308.2.1]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Lower shelf and/or dispensing device • •
2.86	If there is an obstruction no deeper than 20 inches with a forward approach: Does clear floor space extend under the obstruction that is at least the same depth as the obstruction? Is the shelf or dispensing device no higher than 48 inches above the floor? [904.5.1]	N/A ☐ Yes ☐ No Measurement: ☐ Yes ☐ No Measurement:		Photo #:	• Reconfigure to provide knee space • Lower shelf and/or dispensing device •

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2.87	If the obstruction is no less than 20 inches and no greater than 25 inches deep with a forward approach: Does clear floor space extend under the obstruction that is at least the same depth as the obstruction? Is the shelf or dispensing device no higher than 44 inches above the floor? [904.5.1]	N/A ☐ Yes ☐ No Measurement: ☐ Yes ☐ No Measurement:		Photo #:	• Reconfigure to provide knee space • Lower shelf and/or dispensing device •
2.88	If there is a tray slide, is the top no less than 28 inches and no greater than 34 inches above the floor? [904.5.2]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Reconfigure • •
		☐ Yes ☐ No		Photo #:	• • •
		☐ Yes ☐ No		Photo #:	• • •

Priority 3 - Toilet Rooms

Based on the 2010 ADA Standards for Accessible Design



Project

Building ALL BUILDINGS

Location DELAWARE CITY OWNED

Date 7/20/2026

Surveyors

Contact Information

When toilet rooms are open to the public they should be accessible to people with disabilities.

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ADA National Network
Questions on the ADA 800-949-4232 voice/tty
www.ADAchecklist.org

This checklist was produced by the New England ADA Center, a project of the Institute for Human Centered Design and a member of the ADA National Network. This checklist was developed under a grant from the Department of Education, NIDRR grant number H133A060092-09A. However the contents do not necessarily represent the policy of the Department of Education, and you should not assume endorsement by the Federal Government.

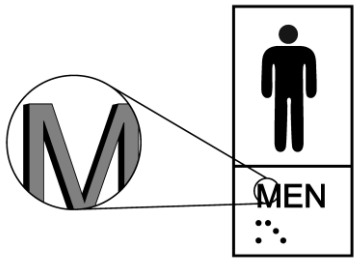
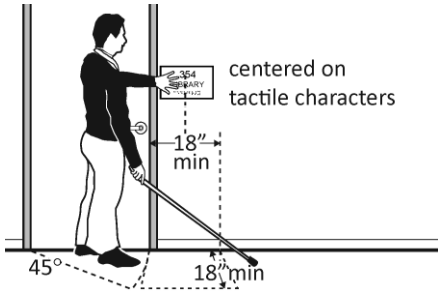
Questions or comments on the checklist contact the New England ADA Center at 617-695-0085 voice/tty or ADAinfo@NewEnglandADA.org

For the full set of checklists, including the checklists for recreation facilities visit www.ADAchecklist.org.

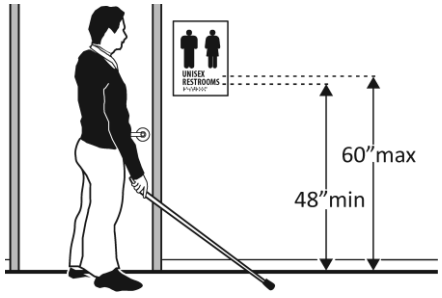
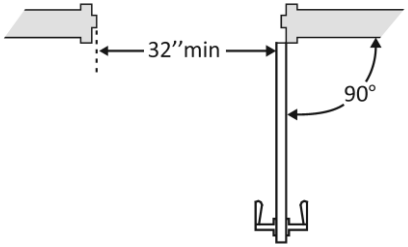
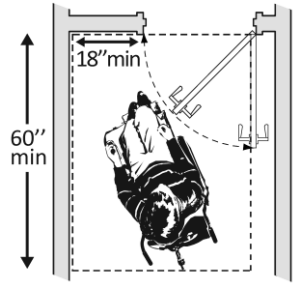
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Priority 3 – Toilet Rooms				**Comments**	**Possible Solutions**
3.1	If toilet rooms are available to the public, is at least one toilet room accessible? (Either one for each sex, or one unisex.) Note: If toilet rooms are chiefly for children, e.g., in elementary schools and day care centers, use the children's specifications in Toilets - 604.1, 604.8, 604.9, 609.4 and Lavatories and Sinks – 606.2.	☑ Yes ☐ No		Photo #:	• Reconfigure toilet rooms • Combine toilet rooms to create one unisex accessible toilet room •
3.2	Are there signs at inaccessible toilet rooms that give directions to accessible toilet rooms? [See 2010 ADA Standards for Accessible Design – 216.8]	☐ Yes ☑ No		Photo #:	• Install signs • •
3.3	If not all toilet rooms are accessible, is there a sign at the accessible toilet room with the International Symbol of Accessibility? [216.8]	☐ Yes ☑ No		Photo #:	• Install sign • •
Accessible Route					
3.4	Is there an accessible route to the accessible toilet room? [206.2.4]	☑ Yes ☐ No			• Alter route • •

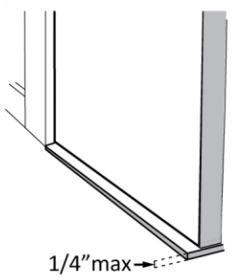
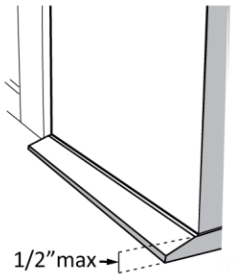
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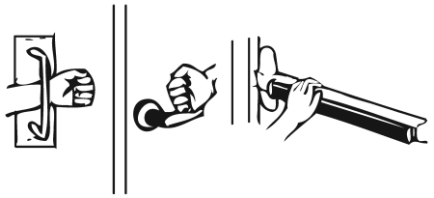
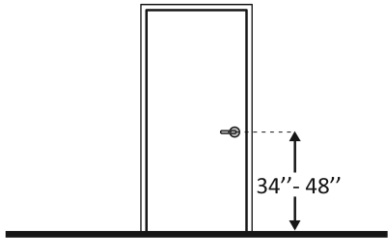
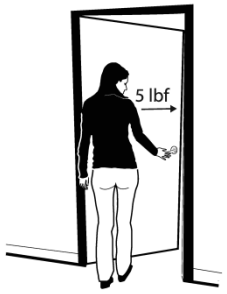
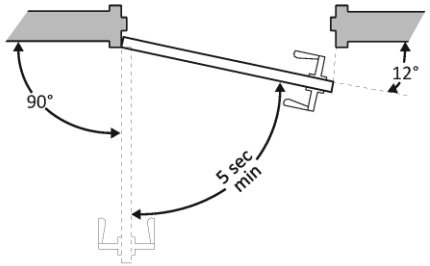
				Photo #:	
Signs at Toilet Rooms					
3.5	Do text characters contrast with their backgrounds? [703.5]	☑ Yes ☐ No			• Install tactile sign • Relocate sign •
	Are text characters raised? [703.2]	☑ Yes ☐ No			
	Is there Braille? [703.3]	☐ Yes ☐ No			
	Is the sign mounted: On the wall on the latch side of the door? [703.4.2]	☐ Yes ☐ No			
	Note: Signs are permitted on the push side of doors with closers and without hold-open devices.				
	With clear floor space beyond the arc of the door swing between the closed position and 45-degree open position, at least 18 x 18 inches centered on the tactile characters? * [703.4.2]	☐ Yes ☐ No Measurement:			*If constructed before 3/15/2012 and a person may approach within 3 inches of the sign without encountering protruding objects or standing within the door swing, relocation not required
	So the baseline of the lowest character is at least 48 inches above the floor and the	☐ Yes ☐ No Measurement:			

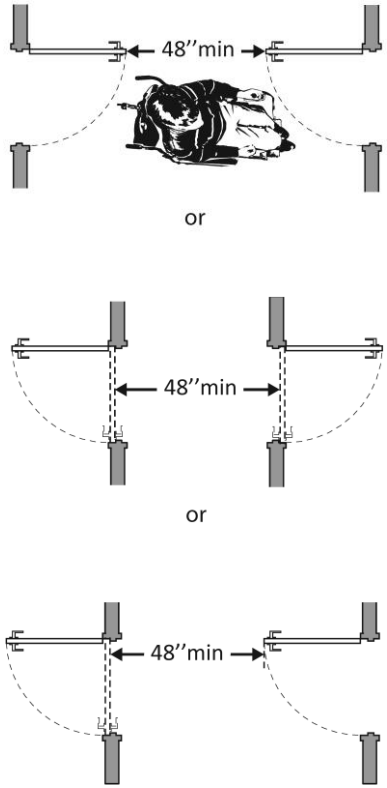
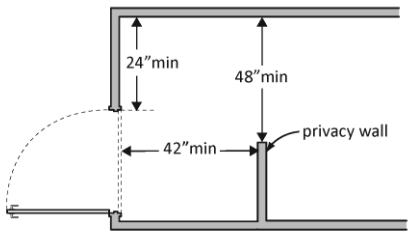
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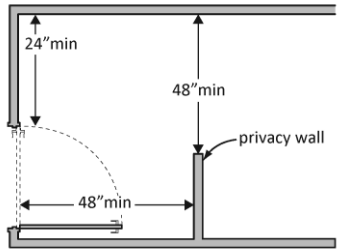
	baseline of the highest character is no more than 60 inches above the floor? * [703.4.1] Note: If the sign is at double doors with one active leaf, the sign should be on the inactive leaf; if both leaves are active, the sign should be on the wall to the right of the right leaf.			Photo #:	*If constructed before 3/15/2012 and mounted no higher than 60 inches to the centerline of the sign, relocation is not required
Entrance					
3.6	Is the door opening width at least 32 inches clear, between the face of the door and the stop, when the door is open 90 degrees? [404.2.3]	☑ Yes ☐ No Measurement:		Photo #:	• Install offset hinges • Alter the doorway •
3.7	If there is a front approach to the pull side of the door is there at least 18 inches of maneuvering clearance beyond the latch side plus 60 inches clear depth? Note: See 2010 Standards 404.2.4 for maneuvering clearance requirements on the push side of the door and side approaches to the pull side of the door On both sides of the door, is the	☑ Yes ☐ No Measurement:			• Remove obstructions • Reconfigure walls • Add automatic door opener

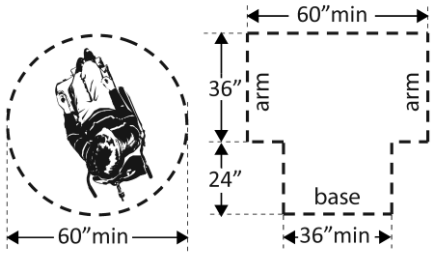
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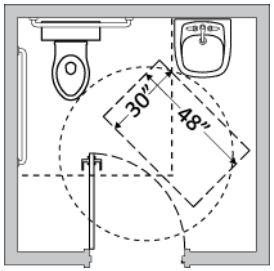
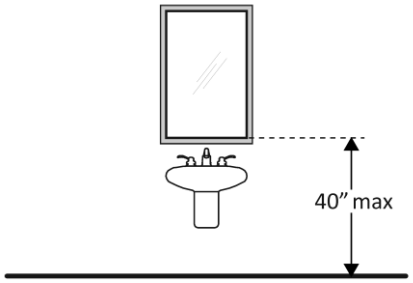
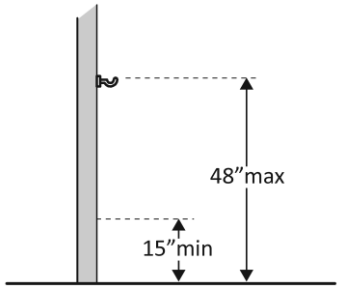
	floor surface of the maneuvering clearance level (no steeper than 1:48)? [404.2.4]	☑ Yes ☐ No Measurement:		Photo #:	
3.8	If the threshold is vertical is it no more than ¼ inch high? Or No more than ½ inch high with the top ¼ inch beveled no steeper than 1:2, if the threshold was installed on or after the 1991 ADA Standards went into effect (1/26/93)? Or No more than ¾ inch high with the top ½ inch beveled no steeper than 1:2, if the threshold was installed before the 1991 ADA Standards went into effect (1/26/93)? [404.2.5, 303.2] Note: The first ¼ inch of the ½ or ¾ inch threshold may be vertical; the rest must be beveled.	☑ Yes ☐ No Measurement: ☑ Yes ☐ No Measurement: ☐ Yes ☐ No Measurement: N/A	  	Photo #:	• Remove or replace threshold • •

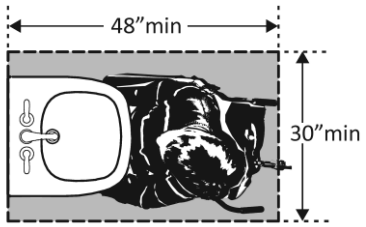
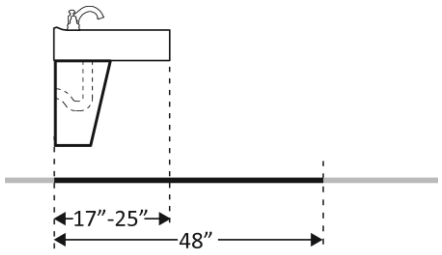
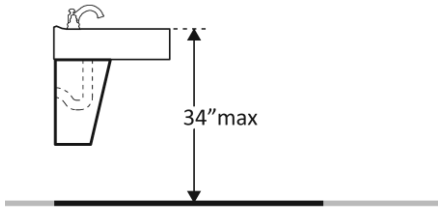
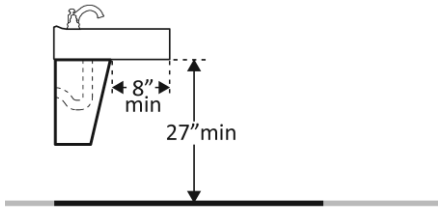
3.9	Is the door equipped with hardware that is operable with one hand and does not require tight grasping, pinching or twisting of the wrist? Door handle? Lock (if provided)? [404.2.7]	☑ Yes ☐ No ☑ Yes ☐ No ☑ Yes ☐ No		Photo #:	• Replace inaccessible knob with lever, loop or push hardware • Add automatic door opener •
3.10	Are the operable parts of the door hardware mounted no less than 34 inches and no greater than 48 inches above the floor? [404.2.7]	☑ Yes ☐ No Measurement:		Photo #:	• Change hardware height • •
3.11	Can the door be opened easily (5 pounds maximum force)? [404.2.9] Note: You can use a pressure gauge or fish scale to measure force. If you do not have one you will need to judge whether the door is easy to open.	☐ Yes ☐ No Measurement:		Photo #:	• Adjust or replace closers • Install lighter doors • Install power-assisted or automatic door openers
3.12	If the door has a closer, does it take at least 5 seconds to close from an open position of 90 degrees to a position of 12 degrees from the latch? [404.2.8.1]	☐ Yes ☐ No Measurement:		Photo #:	• Adjust closer • •

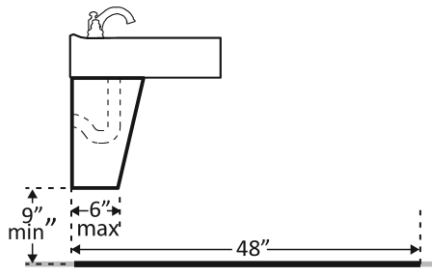
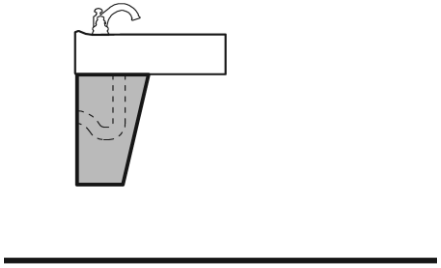
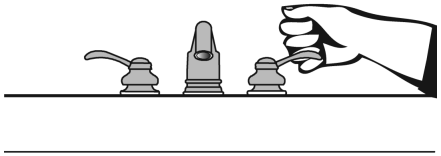
3.13	If there are two doors in a series, e.g. vestibule, is the distance between the doors at least 48 inches plus the width of the doors when swinging into the space? [404.2.6]	☑Yes ☐No Measurement:		Photo #:	• Remove inner door • Change door swing •
3.14	If there is a privacy wall and the door swings out, is there at least 24 inches of maneuvering clearance beyond the door latch side and 42 inches to the privacy wall? [404.2.4]	☑Yes ☐No Measurement:		Photo #:	• Reconfigure space • •

3.15	If there is a privacy wall and the door swings in, is there at least 24 inches of maneuvering clearance beyond the door latch side and at least 48 inches to the privacy wall if there is no door closer or at least 54 inches if there is a door closer? [404.2.4]	☑ Yes ☐ No Measurement:		Photo #:	• Reconfigure space • •

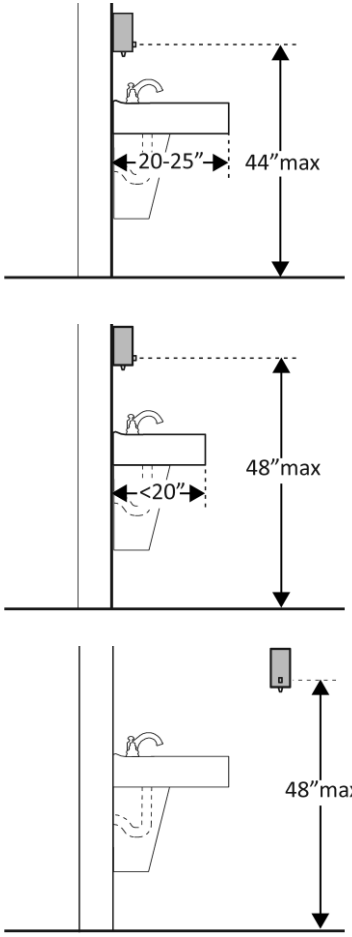
In the Toilet Room					
3.16	Is there a clear path to at least one of each type of fixture, e.g. lavatory, hand dryer, etc., that is at least 36 inches wide? [403.5.1]	☑ Yes ☐ No Measurement:		Photo #:	• Remove obstructions • •
3.17	Is there clear floor space available for a person in a wheelchair to turn around, i.e. a circle at least 60 inches in diameter or a T-shaped space within a 60-inch square? [603.2.1]	☑ Yes ☐ No Measurement:		Photo #:	• Move or remove partitions, fixtures or objects such as trash cans • •

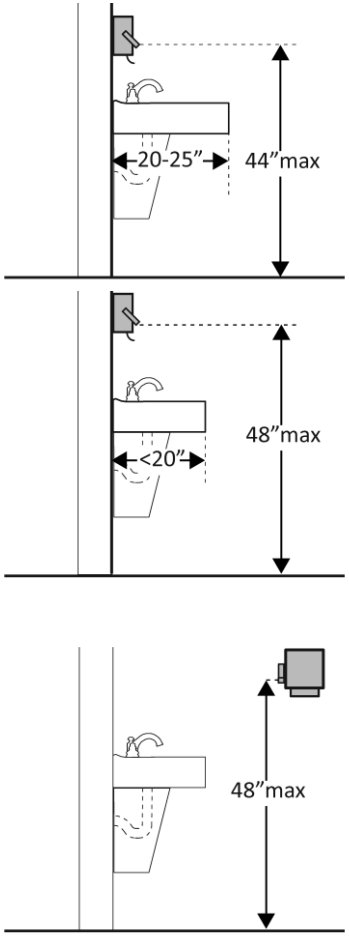
3.18	In a single user toilet room if the door swings in and over a clear floor space at an accessible fixture, is there a clear floor space at least 30 x 48 inches beyond the swing of the door? [603.2.3 Exception 2]	☑ Yes ☐ No Measurement:		Photo #:	• Reverse door swing • Alter toilet room •
3.19	If the mirror is over a lavatory or countertop, is the bottom edge of the reflecting surface no higher than 40 inches above the floor? Or If the mirror is not over the lavatory or countertop, is the bottom edge of the reflecting surface no higher than 35 inches above the floor?* [603.3]	☑ Yes ☐ No Measurement: ☑ Yes ☐ No Measurement:	- 	Photo #:	* If installed before 3/15/2012 and the bottom edge of the reflecting surface is no higher than 40 inches above the floor, lowering the mirror to 35 inches is not required • Lower the mirror • Add another mirror •
3.20	If there is a coat hook, is it no less than 15 inches and no greater than 48 inches above the floor?* [603.4]	☐ Yes ☐ No Measurement: N/A		Photo #:	• Adjust hook • Replace with or provide additional accessible hook • * If installed before 3/15/2010 and the clear floor space allows a parallel approach, the coat hook may be 54 inches above the floor.

Lavatories The 2010 Standards refer to sinks in toilet rooms as lavatories.					
3.21	Does at least one lavatory have a clear floor space for a forward approach at least 30 inches wide and 48 inches long? [606.2]	☑ Yes ☐ No Measurement:		Photo #:	• Alter lavatory • Replace lavatory •
3.22	Do no less than 17 inches and no greater than 25 inches of the clear floor space extend under the lavatory so that a person using a wheelchair can get close enough to reach the faucet? [306.2]	☑ Yes ☐ No Measurement:		Photo #:	• Alter lavatory • Replace lavatory •
3.23	Is the front of the lavatory or counter surface, whichever is higher, no more than 34 inches above the floor? [606.3]	☑ Yes ☐ No Measurement:		Photo #:	• Alter lavatory • Replace lavatory •
3.24	Is there at least 27 inches clearance from the floor to the bottom of the lavatory that extends at least 8 inches under the lavatory for knee clearance? [306.3.3]	☑ Yes ☐ No Measurement:		Photo #:	• Alter lavatory • Replace lavatory •

3.25	Is there toe clearance at least 9 inches high? [306.3.3] Note: Space extending greater than 6 inches beyond the available toe clearance at 9 inches above the floor is not considered toe clearance.	☑ Yes ☐ No		Photo #:	• Alter lavatory • Replace lavatory •
3.26	Are pipes below the lavatory insulated or otherwise configured to protect against contact? [606.5]	☑ Yes ☐ No		Photo #:	• Install insulation • Install cover panel •
3.27	Can the faucet be operated without tight grasping, pinching, or twisting of the wrist? Is the force required to activate the faucet no greater than 5 pounds? [606.4]	☑ Yes ☐ No ☐ Yes ☐ No		Photo #:	• Adjust faucet • Replace faucet •
Soap Dispensers and Hand Dryers					

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3.28 Are the operable parts of the soap dispenser within one of the following reach ranges: Above lavatories or counters no less than 20 inches and no greater than 25 inches deep: no higher than 44 inches above the floor? [308.2.2] Above lavatories less than 20 inches deep: no higher than 48 inches above the floor? Not over an obstruction: no higher than 48 inches above the floor? [308.2]	☑ Yes ☐ No Measurement: ☑ Yes ☐ No Measurement: ☑ Yes ☐ No Measurement:		Photo #:	• Adjust dispensers • Replace with or provide additional accessible dispensers •

3.29	Are the operable parts of the hand dryer or towel dispenser within one of the following reach ranges: Above lavatories or counters no less than 20 inches and no greater than 25 inches deep: no higher than 44 inches above the floor? Above lavatories less than 20 inches deep: no higher than 48 inches above the floor? Not over an obstruction: no higher than 48 inches above the floor? [308.2] Can the operable parts of the hand dryer or towel dispenser be operated without tight grasping, pinching or twisting of the wrist? Is the force required to activate the hand dryer or towel dispenser no greater than 5 pounds? [309.4]	☑Yes ☐No Measurement: ☑Yes ☐No Measurement: ☑Yes ☐No Measurement: ☑Yes ☐No ☑Yes ☐No Measurement:		Photo #:	• Adjust dispensers • Replace with or provide additional accessible dispensers •

Water Closets in Single-User Toilet Rooms and Compartments (Stalls) The 2010 Standards refer to toilets as water closets.

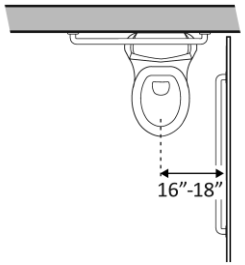
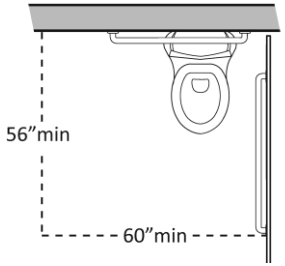
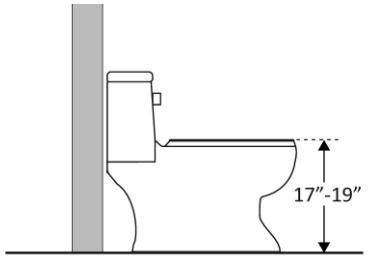
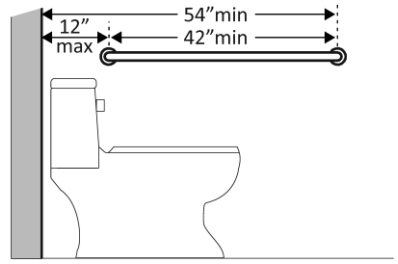
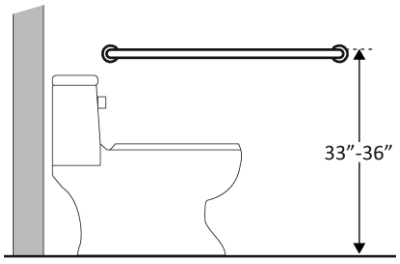
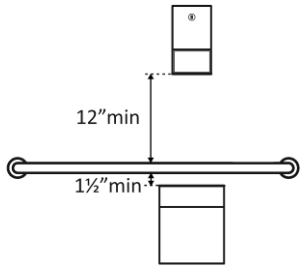
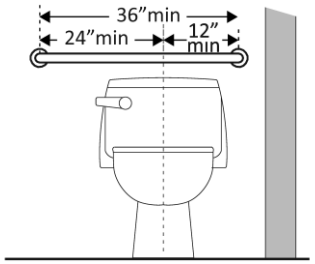
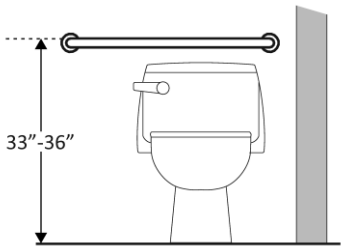
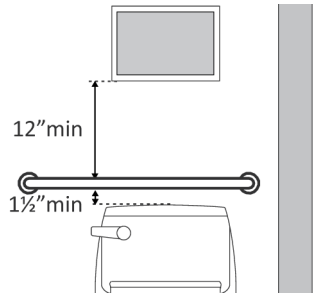
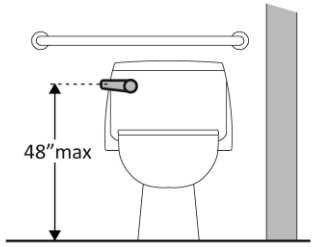
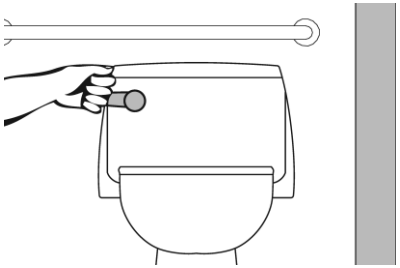
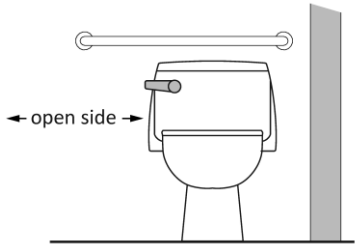
3.30	Is the centerline of the water closet no less than 16 inches and no greater than 18 inches from the side wall or partition? [604.2]	☑Yes ☐No Measurement:		Photo #:	• Move toilet • Replace toilet • Move partition •
3.31	Is clearance provided around the water closet measuring at least 60 inches from the side wall and at least 56 inches from the rear wall?* [604.3.1]	☑Yes ☐No Measurement:			* If constructed before 3/15/12, clearances around water closets in single user toilet rooms can be 48 inches wide by 66 inches long or 48 inches wide by 56 inches long (depending on the approach to the water closet, see 1991 Standards Figure 28) and the lavatory may overlap that clearance if the door to the room does not swing into the required clearances at fixtures (such as lavatories, water closet and urinals) and the edge of the lavatory is at least 18 inches from the centerline of the water closet • Alter room/compartment for clearance • •

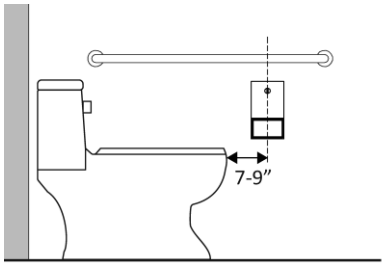
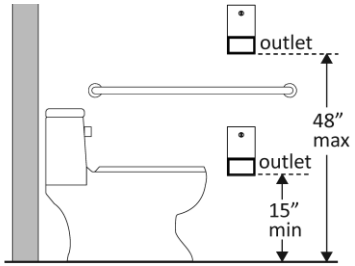
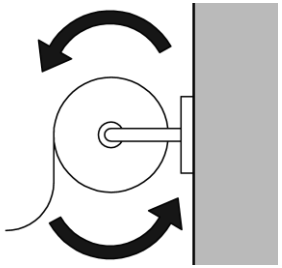
				Photo #:	
3.32	Is the height of the water closet no less than 17 inches and no greater than 19 inches above the floor measured to the top of the seat? [604.4]	☑Yes ☐No Measurement:		Photo #:	• Adjust toilet height • Replace toilet •
3.33	Is there a grab bar at least 42 inches long on the side wall? Is it located no more than 12 inches from the rear wall? Does it extend at least 54 inches from the rear wall? [604.5.1] Is it mounted no less than 33 inches and no greater than 36 inches above the floor to the top of the gripping surface? [609.4] Is there at least 12 inches clearance between the grab bar	☑Yes ☐No Measurement: ☑Yes ☐No Measurement: ☑Yes ☐No Measurement: ☑Yes ☐No Measurement: ☑Yes ☐No	 		• Install grab bar • Relocate grab bar • Relocate objects •

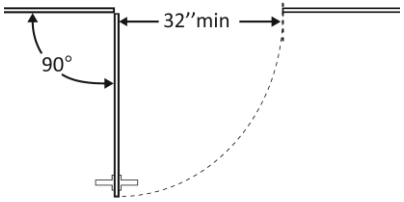
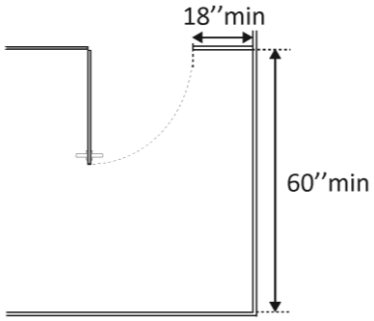
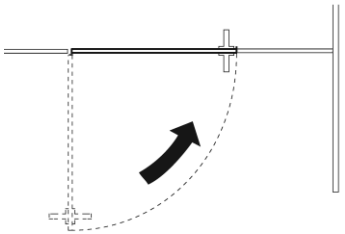
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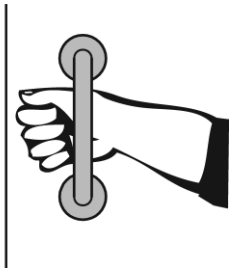
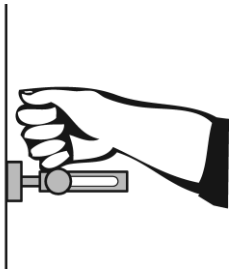
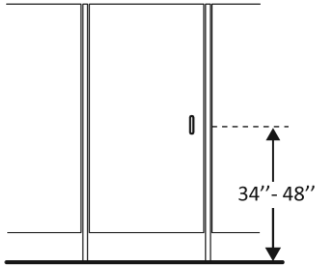
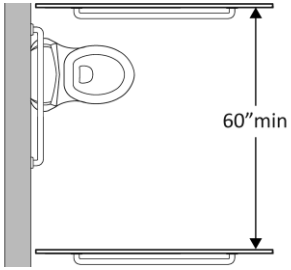
	and protruding objects above?* Is there at least 1½ inches clearance between the grab bar and projecting objects below?* Is the space between the wall and the grab bar 1 ½ inches? [609.3]	Measurement: ☑Yes ☐No Measurement: ☑Yes ☐No Measurement:		Photo #:	* If constructed before 3/15/2012 grab bars do not need to be relocated; there are no space requirements above and below grab bars in the 1991 Standards
3.34	Is there a grab bar at least 36 inches long on the rear wall? Does it extend at least 12 inches from the centerline of the water closet on one side (side wall)? Does it extend at least 24 inches on the other (open) side? [604.5.2] Is it mounted no less than 33 inches and no greater than 36 inches above the floor to the top of the gripping surface? [609.4] Are there at least 12 inches clearance between the grab bar and protruding objects above?* Are there at least 1½ inches	☑Yes ☐No Measurement: ☑Yes ☐No Measurement: ☑Yes ☐No Measurement: ☑Yes ☐No Measurement: ☑Yes ☐No	 		• Install grab bar • Relocate grab bar • Relocate objects • * If constructed before 3/15/2012 grab bars do not need to be relocated; there are no space

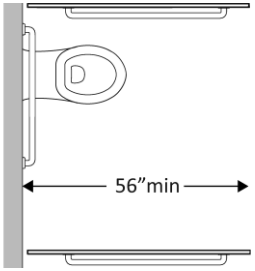
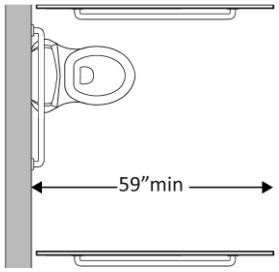
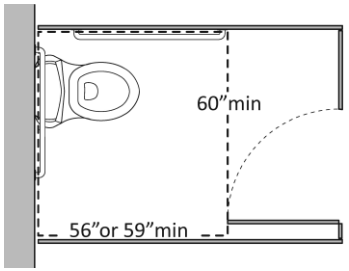
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	clearance between the grab bar and projecting objects below?* Is the space between the wall and the grab bar 1½ inches? [609.3]	Measurement: ☑Yes ☐No Measurement:		Photo #:	requirements above and below grab bars in the 1991 Standards
3.35	If the flush control is hand operated, is the operable part located no higher than 48 inches above the floor? [604.6]	☑Yes ☐No Measurement:		Photo #:	• Move control • Install sensor with override button no higher than 48 inches •
3.36	If the flush control is hand operated, can it be operated with one hand and without tight grasping, pinching, or twisting of the wrist? Is the force required to activate the flush control no greater than 5 pounds? [605.4]	☑Yes ☐No ☑Yes ☐No Measurement:		Photo #:	• Change control • Adjust control •
3.37	Is the flush control on the open side of the water closet? [604.6]	☑Yes ☐No		Photo #:	• Move control • •

3.38	Is the toilet paper dispenser located no less than 7 inches and no greater than 9 inches from the front of the water closet to the centerline of the dispenser?* [604.7]	☑Yes ☐No Measurement:		Photo #:	* If constructed before 3/15/2012 dispenser does not need to be relocated if it is within reach from the water closet seat; the 1991 Standards do not specify distance from the front of the water closet • Relocate dispenser • •
3.39	Is the outlet of the dispenser: Located no less than 15 inches and no greater than 48 inches above the floor? Not located behind grab bars? [604.7]	☑Yes ☐No Measurement: ☑Yes ☐No		Photo #:	• Relocate dispenser • •
3.40	Does the dispenser allow continuous paper flow? [604.7]	☑Yes ☐No		Photo #:	• Adjust dispenser • Replace dispenser •
Toilet Compartments (Stalls)					

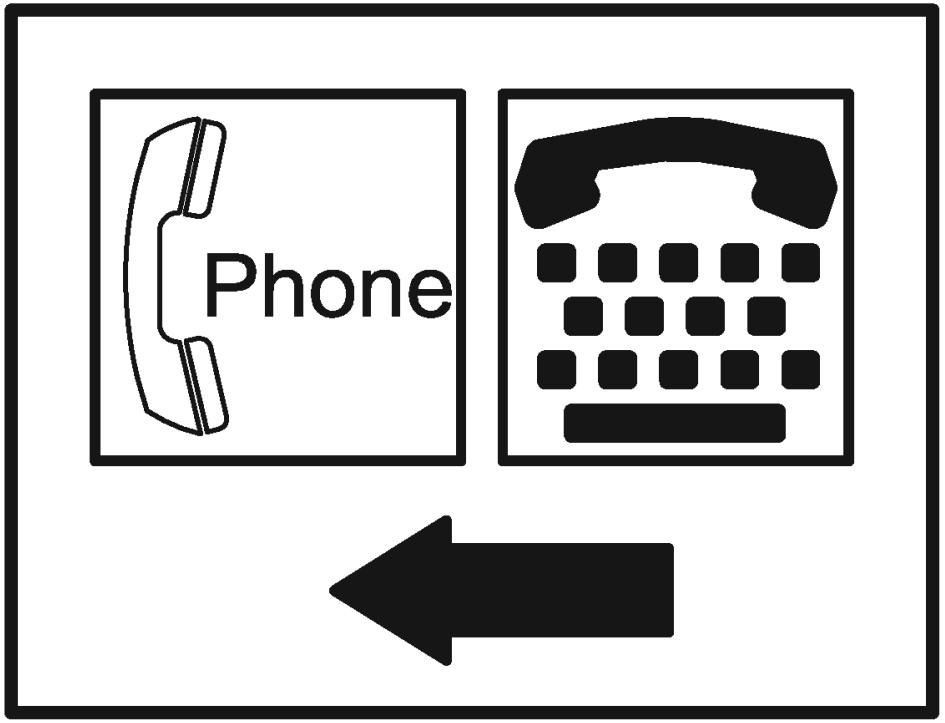
3.41	Is the door opening width at least 32 inches clear, between the face of the door and the stop, when the door is open 90 degrees? [604.8.1.2]	☑Yes ☐No Measurement:		Photo #:	• Widen door width • •
3.42	If there is a front approach to the pull side of the door, is there at least 18 inches of maneuvering clearance beyond the latch side plus 60 inches clear depth? [604.8.1.2] Note: See 2010 Standards 604.8.1.2 Doors for maneuvering clearance requirements on the push side of the door and side approaches to the pull side of the door	☑Yes ☐No Measurement:		Photo #:	• Remove obstructions • •
3.43	Is the door self-closing? [604.8.1.2]	☑Yes ☐No		Photo #:	• Add closer • Replace door •

3.44	Are there door pulls on both sides of the door that are operable with one hand and do not require tight grasping pinching or twisting of the wrist?* [604.8.1.2]	☐Yes ☑No		Photo #:	* If constructed before 3/15/2012 door pulls do not need to be added; door pulls are not required in the 1991 Standards • Replace hardware • •
3.45	Is the lock operable with one hand and without tight grasping, pinching or twisting of the wrist? [309.4]	☑Yes ☐No		Photo #:	• Replace lock • •
3.46	Are the operable parts of the door hardware mounted no less than 34 inches and no greater than 48 inches above the floor? [404.2.7]	☑Yes ☐No Measurement:		Photo #:	• Relocate hardware • •
3.47	Is the compartment at least 60 inches wide? [604.8.1.1]	☑Yes ☐No Measurement:		Photo #:	• Widen compartment • •

3.48	If the water closet is wall hung, is the compartment at least 56 inches deep? [604.8.1.1]	☑Yes ☐No Measurement:		Photo #:	• Widen compartment • •
3.49	If the water closet is floor mounted, is the compartment at least 59 inches deep? [604.8.1.1]	☑Yes ☐No Measurement:		Photo #:	• Alter compartment • •
3.50	If the door swings in, is the minimum required compartment area provided beyond the swing of the door (60 inches x 56 inches if water closet is wall hung or 59 inches if water closet is floor mounted)? [604.8.1.1]	☑Yes ☐No Measurement:		Photo #:	• Reverse door swing • Alter compartment •

Priority 4 – Additional Access

Based on the 2010 ADA Standards for Accessible Design



Project

Building ALL BUILDINGS

Location DELAWARE CITY OWNED

Date 7/20/2026

Surveyors

Contact Information

Amenities such as drinking fountains and public telephones should be accessible to people with disabilities.

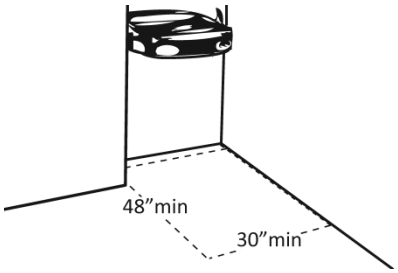
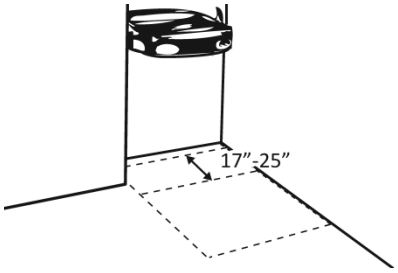
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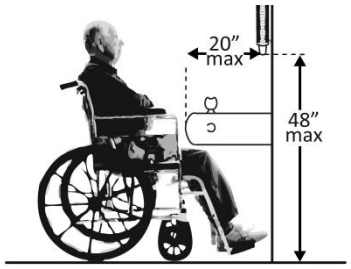
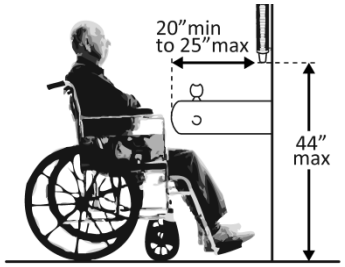
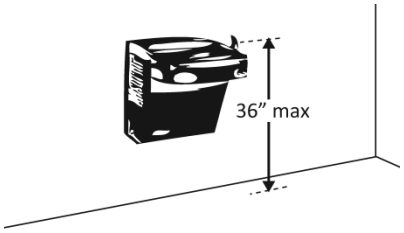
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Questions or comments on the checklist contact the New England ADA Center at 617-695-0085 voice/tty or ADAinfo@NewEnglandADA.org

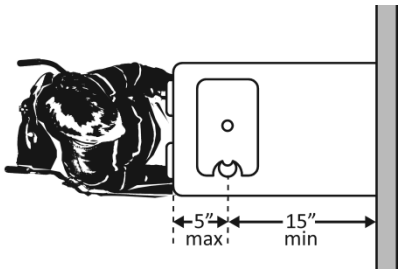
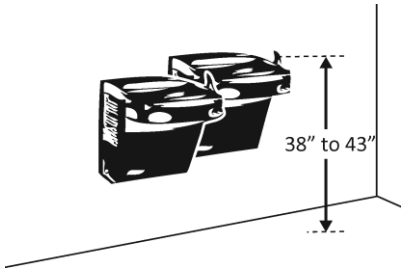
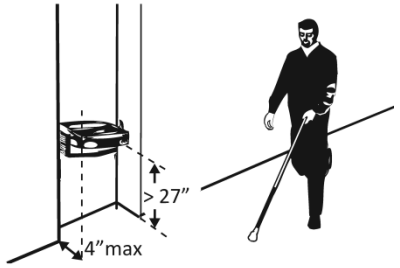
For the full set of checklists, including the checklists for recreation facilities visit www.ADAchecklist.org.

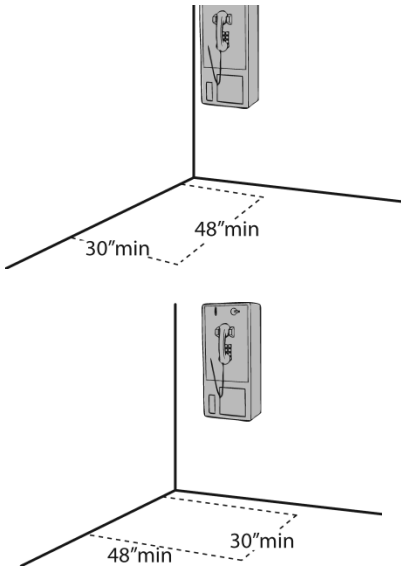
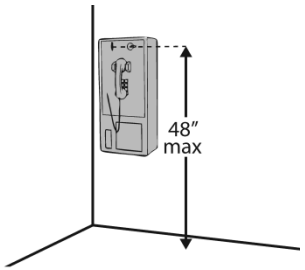
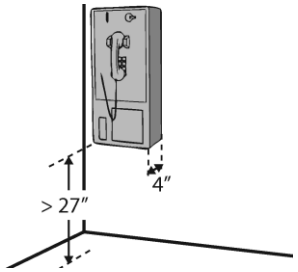
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Priority 4 – Additional Access				Comments	Possible Solutions
Drinking Fountains					
4.1	Does at least one drinking fountain have a clear floor space at least 30 inches wide x at least 48 inches long centered in front of it for a forward approach?* [See 2010 ADA Standards for Accessible Design – 602.2]	☑ Yes ☐ No Measurement:		Photo #:	*If installed before 3/15/2012, a parallel approach is permitted and the clear floor space is not required to be centered • Alter space • Relocate drinking fountain • Install a drinking fountain in another location
4.2	If there is a forward approach, do no less than 17 inches and no greater than 25 inches of the clear floor space extend under the drinking fountain? [306.2.2, 306.2.3] Note: If the drinking fountain is primarily for children’s use and the spout is no more than 30 inches above the floor and no more than 3 ½ inches from the edge of the unit, a parallel approach is permitted.	☑ Yes ☐ No Measurement:		Photo #:	• Alter space • Replace drinking fountain •

4.3	If the drinking fountain is no deeper than 20 inches, are the operable parts no higher than 48 inches above the floor? [308.2.2]	☑ Yes ☐ No Measurement:		Photo #:	• Adjust drinking fountain • Replace drinking fountain •
4.4	If the drinking fountain is no less than 20 inches and no greater than 25 inches deep, are the operable parts no higher than 44 inches above the floor? [308.2.2]	☑ Yes ☐ No Measurement:		Photo #:	• Adjust drinking fountain • Replace drinking fountain •
4.5	Can the control be operated with one hand and without tight grasping, pinching or twisting of the wrist? Is the force required to activate the control no more than 5 pounds? [309.4]	☑ Yes ☐ No ☐ Yes ☐ No Measurement:		Photo #:	• Change control • Adjust control •
4.6	Is the spout outlet no higher than 36 inches above the floor? [602.4]	☑ Yes ☐ No Measurement:		Photo #:	• Adjust drinking fountain • Replace drinking fountain •

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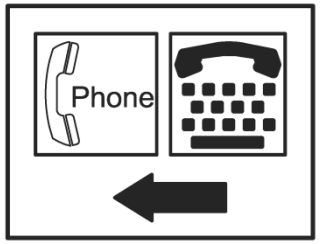
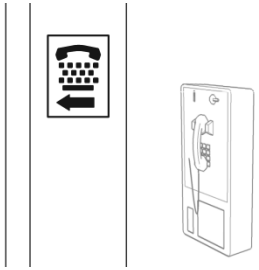
4.7	Is the spout: At least 15 inches from the rear of the drinking fountain? No more than 5 inches from the front of the drinking fountain? [602.5]	☑Yes ☐No Measurement: ☑Yes ☐No Measurement:		Photo #:	• Adjust spout • Replace drinking fountain •
4.8	If there is more than one drinking fountain, is there at least one for standing persons? [211.2] Is the spout outlet no lower than 38 inches and no higher than 43 inches above the floor? [602.7]	☑Yes ☐No ☑Yes ☐No Measurement:		Photo #:	• Adjust drinking fountain • Install new drinking fountain for standing height •
4.9	If the leading (bottom) edge of the fountain is higher than 27 inches above the floor, does the front of the fountain protrude no more than 4 inches into the circulation path? [307.2]	☑Yes ☐No Measurement:		Photo #:	• Adjust drinking fountain • Replace drinking fountain • Add tactile warning such as permanent planter or partial walls

Public Telephones					
4.10	Does at least one telephone have a clear floor space at least 30 inches wide x at least 48 inches long for a parallel or forward approach? [704.2.1]	☐Yes ☐No N/A		Photo #:	• Move telephone • Install new telephone for clear floor space •
4.11	Is the highest operable part of the telephone no higher than 48 inches above the floor? [704.2.2]	☐Yes ☐No Measurement: N/A		Photo #:	• Adjust telephone • •
4.12	If the leading (bottom) edge of the telephone is higher than 27 inches above the floor, does the front of the telephone protrude no more than 4 inches into the circulation path? [307.2]	☐Yes ☐No Measurement: N/A		Photo #:	• Adjust telephone • •

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4.13	Does at least one telephone have a volume control? [704.3]	☐Yes ☐No N/A		Photo #:	• Install volume control • Replace telephone with one that has volume control •
4.14	Is the volume control identified by a pictogram of a telephone handset with radiating sound waves? [703.7.2.3]	☐Yes ☐No N/A		Photo #:	• Add pictogram • •
4.15	Does at least one telephone have a TTY? [217.4.1] Note: TTY's are devices that employ interactive text-based communication through the transmission of coded signals across the telephone network. They are mainly used by people who are deaf and/or cannot speak.	☐Yes ☐No N/A		Photo #:	• Install TTY • •
4.16	Is the touch surface of the TTY keypad at least 34 inches above the floor? [704.4.1] Note: If a seat is provided, the TTY is not required to be 34 inches minimum above the floor.	☐Yes ☐No Measurement: N/A		Photo #:	• Adjust height of TTY • •

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4.17	Is the TTY identified by the International Symbol of TTY? [703.7.2.2]	☐Yes ☐No N/A		Photo #:	• Add symbol • •
4.18	Do signs that provide direction to public telephones also provide direction to the TTY? [216.9.2]	☐Yes ☐No N/A		Photo #:	• Add signs • • Type text here
4.19	Do telephones that do not have a TTY provide direction to the TTY? [216.9.2]	☐Yes ☐No N/A		Photo #:	• Add signs • •
Fire Alarm Systems					
4.20	If there are fire alarm systems, do they have both flashing lights and audible signals? [702.1]	☑Yes ☐No		Photo #:	• Install audible and visual alarms • •

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	David Moser, City Attorney
ITEM TYPE:	Ordinances
AGENDA SECTION:	**7:15 PM PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 26-51**
SUBJECT:	Ordinance No. 26-51, an ordinance changing the name of Vergon Drive to Rainstone Drive. *(Change of street name to avoid confusion in an emergency response and other municipal services)*

SUGGESTED ACTION:

ATTACHMENTS:

Fact Sheet - Ord 26-51 Rainstone Drive Name Change.docx
Ord 26-51 Rainstone Drive.docx

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 11

DATE: 10/12/2026

ORDINANCE NO: 26-51

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: YES **(October 12, 2026 at 7:15 PM)**

PRESENTER: David Moser and Sandra Pereira

TO: Mayor and Members of City Council

FROM: Paul J. Brake, City Manager

VIA: David Moser, City Attorney & Sandra Pereira, Director of Planning & Community Development

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE CHANGING THE NAME OF VERGON DRIVE TO RAINSTONE DRIVE.

BACKGROUND:

Vergon Drive is an existing private roadway located within the City of Delaware, on or around Parcel No. 51941003012002. The roadway is owned by Greenwood Commons Apartments LLC. A similar street name exists elsewhere in the City, creating potential confusion in emergency response dispatching and other municipal services.

REASON WHY LEGISLATION IS NEEDED:

The proposed ordinance will rename Vergon Drive to Rainstone Drive to eliminate confusion associated with similar street names and establish a clear and distinct roadway designation. The property owner has consented to and requested the proposed name change. The change will not affect existing mailing addresses. Review and approval of this street name change is being presented to Council in tandem with a new development plan for this same area.

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):
No fiscal impact is presented by the attached ordinance.

POLICY CHANGES:
The proposed name change supports public safety and efficient municipal operations by reducing the potential for confusion in emergency response dispatching and other City services. A certified copy of the ordinance will be recorded with the Delaware County Recorder.

RECOMMENDATION:
Approval.

ATTACHMENT(S)

- Proposed Ordinance

ORDINANCE NO. 26-51

AN ORDINANCE CHANGING THE NAME OF VERGON DRIVE TO RAINSTONE DRIVE.

WHEREAS, Vergon Drive is an existing private roadway located within the City of Delaware, Delaware County, Ohio; and

WHEREAS, a similar street name also exists elsewhere in the City of Delaware; and

WHEREAS, City administration has identified a need to change the name of this private roadway and is presenting the need and request for a road change to this Council; and

WHEREAS, there is a need to avoid duplicate or similar street names to avoid confusion in emergency response dispatching and other City of Delaware public service functions; and

WHEREAS, Vergon Drive is located at or around Parcel Number 51941003012002 in the City of Delaware, Delaware County, Ohio; and

WHEREAS, the owner of record of Parcel Number 51941003012002, including the private roadway Vergon Drive, consists of GREENWOOD COMMONS APARTMENTS LLC; and

WHEREAS, changing the street name will not impact the mailing addresses of the tenants or entities or owners at or around this private roadway; and

WHEREAS, the owner of the private roadway has consented to and requested a proposed change; and

WHEREAS, the proposed name change will provide a clear and distinct designation for the roadway and will not be detrimental to the general interest; and

WHEREAS, this Council finds good cause exists to change the street name from Vergon Drive to Rainstone Drive.

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

SECTION 1. That street named Vergon Drive shall be changed to Rainstone Drive.

SECTION 2. A certified copy of this ordinance shall be recorded in the official records of the Delaware County Recorder.

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

SECTION 4. This Ordinance shall take effect at the earliest period permitted by law.

VOTE ON RULE SUSPENSION: YEAS____NAYS____
ABSTAIN ____

PASSED: _____, 2026 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
ACTING CITY CLERK MAYOR

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Nicolas Langford, Economic Development
ITEM TYPE:	Ordinances
AGENDA SECTION:	**7:20 PM PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 26-52**
SUBJECT:	Ordinance No. 26-52, an ordinance amending and re-establishing the Delaware Community Reinvestment Area by implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code and expanding the boundaries to align with the City's Corporate Limits. *(Ordinance to re-establish CRA boundaries to include newly annexed territories.)*

SUGGESTED ACTION:

ATTACHMENTS:

2026_Citywide_CRA_Boundary_Expansion_Fact_Sheet.docx
2026_Citywide_CRA_Boundary_Expansion_Ordinance.docx
2026_Citywide_CRA_Boundary_Expansion_School_Notice.pdf
Addendum_to_2024_Housing_Survey_2026 - updated 9.20.26.pdf
CRA Amended Designation - Delaware Community Reinvestment Area_esigned.pdf
CRA Amendment_Housing Survey_Submit.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 12
ORDINANCE NO: 26-52
READING: SECOND

DATE: 10/12/2026
RESOLUTION NO:
PUBLIC HEARING: YES **(October 12, 2026 at 7:20 PM)**

TO:	Mayor and Members of City Council
FROM:	Paul J. Brake, ICMA-CM, CEcD, City Manager
VIA:	Nic Langford, Director of Economic Development

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE AMENDING AND RE-ESTABLISHING THE DELAWARE COMMUNITY REINVESTMENT AREA BY IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE AND EXPANDING THE BOUNDARIES TO ALIGN WITH THE CITY'S CORPORATE LIMITS.

BACKGROUND:

On May 12, 2025, City Council adopted Ordinance No. 25-21 to amend and re-establish the Delaware Community Reinvestment Area (CRA) and align the CRA with the City's then-current corporate limits. Following review of the adopted legislation and boundary map, the Ohio Department of Development issued an Amended Designation on June 18, 2025 assigning the Delaware CRA Area No. 041-01135-01B.

Since adoption of Ordinance No. 25-21, additional territory has been annexed into the City. The proposed 2026 ordinance updates the CRA boundary so that it is again co-extensive with the City's corporate limits as they legally exist on the date the ordinance is passed. The final Exhibit A map will therefore be updated immediately prior to passage to include all annexations that are final and effective by that date.

The ordinance does not change the substantive CRA program adopted in 2025. Existing eligible improvement categories, maximum exemption schedules, mixed-income housing provisions, enhanced incentive review requirements, Housing Officer administration, CRA Housing Council oversight, TIRC review, and compliance provisions remain in effect.

2026 Housing Survey Update/Addendum:

The City has prepared a September 2026 Addendum to the May 2024 CRA Housing Survey. The addendum updates the housing-market evidence using Esri Business Analyst, 2024 ACS five-year data delivered through Esri, and the City's 2026 mid-year housing pipeline information. The addendum

confirms that Delaware continues to be a strong-growth housing market, while housing attainability remains the principal pressure point. Here are the key facts from the report:

- 2026 population is estimated at 47,535, with population projected to grow approximately 1.85% annually from 2026-2031, second among an 11-city Central Ohio peer comparison.

- The City is estimated to have 19,488 housing units in 2026 and is projected to add approximately 2,395 housing units by 2031.

- Mid-year Planning data show 1,452 dwelling units under construction and 2,226 additional units approved/in the development pipeline; 4,181 preliminary approvals are reported separately because those stages may overlap.

- Delaware's Housing Affordability Index (HAI) is 102 compared with a peer median of 119. Median home value is approximately $342,173 and forecast home-value growth is projected to outpace household income growth through 2031.

- Median contract rent is approximately $1,240, while 42.7% of renter households are cost-burdened at 30% or more of household income.

The updated evidence supports a CRA rationale centered on housing attainability, product diversity, rehabilitation, reinvestment, and preservation of access rather than a generalized claim that the City is not producing housing. The CRA boundary expansion preserves Council's ability to evaluate future residential, commercial, industrial, mixed-use, adaptive-reuse, and historic-preservation projects on a project-specific basis.

REASON WHY LEGISLATION IS NEEDED:

The existing CRA boundary reflects the City's corporate limits at the time Ordinance No. 25-21 was adopted in 2025. Because additional territory has since been annexed, Council action is needed to amend and re-establish the CRA boundary and incorporate the findings of the updated housing survey so that the CRA remains aligned with the City's incorporated area.

The ordinance itself does not grant a tax exemption to any specific property. Any future project-specific CRA incentive remains subject to the applicable application, City Council approval, written CRA agreement, school-district notice or approval requirements, and other requirements of Ohio law and the City's CRA program.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

There is no immediate direct General Fund expenditure, City debt obligation, or project-specific tax abatement created by this ordinance. The legislation only updates the geographic area to be coterminous with City boundaries in which future CRA applications may be considered.

Any fiscal impact from a future CRA exemption will be evaluated when a project-specific agreement is presented to Council. Existing CRA agreements lawfully approved under prior legislation remain in effect according to their terms.

POLICY CHANGES:

The principal change is geographic: the CRA boundary will be updated to match the City's corporate limits as they legally exist on the date of passage. The ordinance retains the substantive CRA program terms adopted under Ordinance No. 25-21 and does not alter the existing abatement schedules or project-specific approval process.

PRESENTER(S):

Nic Langford, Director of Economic Development

RECOMMENDATION:

Conduct the public hearing at the Second Reading of Ordinance No. 26-____. Consider and pass the legislation on 3rd reading scheduled for October 26, 2026.

ATTACHMENT(S):

- Proposed Ordinance No. 26-____ with Exhibit A (2026 CRA Boundary Map)
- 2026 Addendum to May 2024 Housing Survey
- May 2024 CRA Housing Survey
- Department of Development Amended Designation: Area No. 041-01135-01B (June 18, 2025)
- 2026 CRA Boundary Expansion School Notice
- Ordinance No. 25-21 (reference only)

ORDINANCE NO. 26-52

AN ORDINANCE AMENDING AND RE-ESTABLISHING THE DELAWARE COMMUNITY REINVESTMENT AREA BY IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE AND EXPANDING THE BOUNDARIES TO ALIGN WITH THE CITY'S CORPORATE LIMITS

WHEREAS, the Council of the City of Delaware desires to pursue all reasonable and legitimate incentive measures to assist and encourage housing improvements and economic development in areas that have not experienced a commensurate level of new construction or remodeling, pursuant to Sections 3735.65 through 3735.70 of the Ohio Revised Code (the "CRA Statute"); and

WHEREAS, by prior legislation, including Resolution 24-41 and Ordinance No. 25-21 adopted May 12, 2025, the City of Delaware (the "City") established, amended, and re-established a Community Reinvestment Area (CRA) covering portions of the City and ultimately aligning the CRA with the City's then-current corporate limits for the purpose of granting real property tax exemptions to stimulate residential, commercial, and industrial growth; and

WHEREAS, following adoption of Ordinance No. 25-21, the Ohio Department of Development reviewed the City's amended CRA legislation and boundary map and, by Amended Designation executed June 18, 2025, assigned the Delaware Community Reinvestment Area the unique designation Area No. 041-01135-01B; and

WHEREAS, since the adoption of Ordinance No. 25-21, additional territory has been annexed into the City, and additional annexations may become final and effective before passage of this Ordinance, and this Council desires to maintain the CRA boundaries as co-extensive with the City's corporate limits as they legally exist on the date of passage; and

WHEREAS, a city-wide housing survey has been prepared in accordance with Ohio Revised Code Section 3735.66, supporting the expansion of the CRA to align with the City's corporate boundaries; and

WHEREAS, this Council finds that the remodeling of existing structures and construction of new structures in the proposed expanded CRA will serve to enhance economic stability, maintain real property values, create affordable housing opportunities, and generate employment growth within the City; and

WHEREAS, this Council desires to broaden the CRA program by including additional eligible project types, such as adaptive reuse of existing buildings, historic preservation efforts, and mixed-use developments that combine residential with commercial or other uses; and

WHEREAS, this Council also seeks to encourage the development of mixed-income housing by providing a predictable tax abatement incentive for projects that include a significant affordable housing component, while reserving the discretion to grant higher abatements, up to the statutory maximum, for projects that demonstrate a need for additional financial assistance or provide extraordinary public benefit; and

WHEREAS, for purposes of CRA tax exemptions, this Council finds it appropriate to classify all multifamily residential developments as "residential" projects, thereby enabling such projects to receive the full residential abatement under Ohio Revised Code 3735.671.

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

SECTION 1**.** This Council hereby adopts the findings of the Housing Survey on file with the City Clerk for the area designated in Section 2 below and reaffirms that the area constitutes an area in which housing facilities or structures of historical significance are located and in which new construction or rehabilitation has been discouraged.

SECTION 2. Pursuant to ORC 3735.66, the Delaware Community Reinvestment Area boundaries are hereby expanded and re-established to be co-extensive with the City of Delaware's corporate limits as they legally exist on the date of passage of this Ordinance, including all territory for which annexation into the City has become final and effective on or before that date, and the entire area is declared a "Community Reinvestment Area" under the CRA Statute. A map of the CRA boundaries as of the date of passage is attached as Exhibit A.

SECTION 3. In this newly expanded CRA, only residential, commercial, industrial, adaptive reuse, historic preservation, and mixed-use real properties are eligible for tax exemptions for their improvements under this Ordinance. This expansion and re-establishment is intended to promote and expand conforming uses in designated areas and may include supporting public improvements. The following types of property improvements shall be eligible for real property tax exemptions as provided in this Ordinance, pursuant to the CRA Statute:

A. Residential Construction or Remodeling: The construction of new rental residential structures containing four (4) or more units or the remodeling of existing residential structures (including single-family homes, condominiums, townhomes, and multi-family apartment buildings).

B. Commercial or Industrial Construction or Remodeling: The construction of new commercial or industrial facilities, and the expansion or remodeling of existing commercial or industrial structures.

C. Adaptive Reuse: The conversion of existing commercial buildings to new uses (residential, commercial, mixed-use, or other conforming uses).

D. Historic Preservation: Rehabilitation of properties that are certified as historic by one of the following authorities: National Register of Historic Places, National Park Service, Ohio State Historic Preservation Office (SHPO), or the City of Delaware's Historic Preservation Commission (HPC).

E. Mixed-Use Development: Developments combining residential units with commercial, office, or retail space.

A structure or remodeling composed of multiple units is classified as a commercial project unless otherwise classified by resolution or ordinance adopted by City Council.

SECTION 4**.** For each category of improvement within the CRA, the maximum percentage of exemption on the increase in assessed valuation (i.e. the real property improvement value) and the maximum term of years of that exemption shall be as set forth in the following schedule:

Improvement Type	**Maximum %**	**Maximum Term**	**Notes**
Commercial/Industrial – Renovation (Existing Facility)	100%	15 years	Case-by-case; in accordance with O.R.C. 3735.67.
Commercial/Industrial – New Construction	100%	15 years	Case-by-case; standard commercial/industrial projects.
Commercial/Industrial – Megaproject (R.C. 122.17)	100%	30 years	Case-by-case; for projects qualifying as "megaprojects" under O.R.C. 122.17.

Improvement Type	Maximum %	Maximum Term	Notes
Residential – New Construction	100%	15 years	Applies only to structures containing four (4) or more rental units or condominium units within a Mixed-Use Development that is classified by City Council resolution or ordinance as a residential project.
Residential – Remodeling	100%	7 years	A minimum remodeling costs of $2,500 must be met for dwellings containing not more than two (2) housing units. A minimum remodeling costs of $5,000 must be met for dwellings containing more than two housing units.
Adaptive Reuse / Historic Preservation	Matches applicable Residential or Commercial category	Matches applicable Residential or Commercial category	Follows above category (residential or commercial). Can be combined with historic tax credit programs. R.C. 3735.67(D)(1) allows an additional 10 years of abatement when a historically significant structure is remodeled and leased to tenants for 5 or more years.

SECTION 5. Council Authority**:** Pursuant to Ohio Revised Code 3735.67(D)(2)(b), City Council may classify a structure or remodeling composed of multiple units as a residential project and thereby authorize an exemption of 100% for 15 years. All abatement percentages and terms are subject to the requirements of the CRA Statute and the provisions of this Ordinance.

SECTION 6. Any new multifamily or mixed-use residential development within the CRA that provides an affordable housing component as described below shall qualify for a property tax exemption of 70% of the increased assessed value of the real property improvements for a term of 10 years. To be eligible for this mixed-income housing abatement, the project must meet all of the following requirements:

A. 20% Affordable Unit Set-Aside for 10-YR/70% CRA:
   1. Baseline Affordability: a minimum of twenty percent (20%) of the dwelling units in the project are reserved as affordable units for the entire duration of the abatement. Unless a higher AMI threshold is approved under subsection 2, an "affordable" unit is one that is leased at or below 60% of Area Median Income (AMI), as annually published by the U.S. Department of Housing and Urban Development (HUD) for the Columbus, Ohio Metropolitan Statistical Area (MSA).
   2. Optional Increase to ≤ 80 % AMI: Upon a written request from the developer, the City's Housing Officer and/or a 3rd Party Consultant shall review the project's financing, market conditions, and public-benefit metrics and may forward a recommendation to City Council for approval of rent limits up to, but not exceeding, 80 % AMI for any or all affordable units. Council may grant such higher threshold by ordinance or by CRA Agreement resolution. In issuing its recommendation, the Housing Officer shall consider:
      - depth of affordability proposed;
      - duration of the restriction;
      - proportion and bedroom mix of affordable units; and
      - demonstrated financing gap or other tangible need.

   If Council grants a higher AMI threshold under this subsection, that threshold shall be enumerated in the CRA Agreement and shall supersede the baseline limits of subsection 1 for the affected units.

B. Integration of Affordable Units**:** The affordable units shall be reasonably dispersed throughout the development and shall be comparable in size, appearance, amenities, and finishes to the market-rate units in the project. There shall be no improper concentration or segregation of affordable units (no "poor door" or similar separation).

C. Annual Certification**:** The property owner shall annually certify to the City's Housing Officer that the required affordable units are being leased at or below the specified AMI rent limits and maintained in accordance with the above standards. The City may require documentation of rents and tenant incomes as needed to verify compliance.

A project meeting the above criteria shall receive the abatement upon entering into a CRA Agreement as described in Section 8 upon approval by City Council so long as the project remains in compliance with the terms of this Section. If the property at any time fails to meet the affordable housing requirements, the abatement may be terminated or modified pursuant to the compliance provisions of this Ordinance.

SECTION 7. A developer of a multifamily or mixed-use residential project who seeks an abatement greater than 70% and/or for a term longer than 10 years (up to the maximum of 100% for 15 years) may apply for an enhanced CRA incentive under this needs-based provision. The developer must demonstrate a financial need or extraordinary public benefit to justify the higher abatement. An application for an enhanced incentive shall include a detailed justification package to determine the appropriate incentive structure (percentage and term), including but not limited to:

A. Multi-year project pro forma detailing projected costs, revenues, and returns, reviewed or verified by a recognized financial institution, typically the developer's primary lender for the project.
B. Complete sources-and-uses of funds statement for the project, identifying any financing gap or other financial hurdles for the project.
C. Projected net operating income (NOI) and debt coverage ratio (DCR) over the proposed abatement period.
D. A narrative explanation of any extraordinary development costs, below-market rents, public infrastructure contributions, or other public benefits that demonstrate and potentially justify an enhanced abatement.

The submitted materials will be reviewed by the City (and may be subject to third-party evaluation) to determine the necessity and appropriateness of additional CRA assistance. If City Council finds that a significant financial gap exists or that the project provides exceptional public benefits that cannot be realized without a deeper abatement, Council may approve an exemption up to one-hundred percent (100%) of the improvement value for up to fifteen (15) years for the project. The specific percentage and term of any such enhanced abatement shall be determined by Council and memorialized in the CRA Agreement for the project.

School District Consent: In accordance with Ohio Revised Code 3735.671(A), the approval of the board of education of the affected school district is required for CRA exemptions that exceed seventy-five percent (75%) on commercial or industrial projects. For any commercial or industrial abatement exceeding 75%, the City will obtain the requisite school board approval by separate agreement before such abatement is granted.

SECTION 8. Administration and Compliance:

A. Housing Officer: The City's Economic Development Director is hereby designated as the Housing Officer for the Delaware CRA, pursuant to Ohio Revised Code 3735.65. The Housing Officer shall be responsible for receiving and processing CRA exemption applications, ensuring that each application meets the requirements of this Ordinance and State Law, overseeing compliance with CRA Agreements and affordable housing commitments, and performing such other duties as prescribed in the CRA Statute.

B. CRA Agreement: Each tax exemption granted under this Ordinance, including mixed-income residential projects qualifying under Section 6 or Section 7, shall be implemented through a written CRA Agreement between the property owner and the City. The CRA Agreement shall be approved by City Council and shall set forth the specific terms and conditions of the abatement, including the percentage and term of the exemption and any project-specific requirements (such as affordable housing commitments). The Agreement must be executed *prior* to the commencement of vertical construction or remodeling for which the exemption is sought, and it shall be binding on the property owner (and any successors) for the duration of the incentive period.

C. Oversight – Housing Council and TIRC**:** The City's existing CRA Housing Council (previously established pursuant to Ohio Revised Code 3735.69) shall continue to oversee the program and perform their duties, including making annual inspections of properties within the CRA that have received exemptions to verify compliance. Additionally, the Tax Incentive Review Council (TIRC) shall annually review all CRA exemptions and agreements involving commercial or industrial projects (and any other projects as required or as directed by Council) in accordance with Ohio Revised Code 3735.67(D) and 5709.85. The TIRC shall make annual recommendations to City Council as to continuing, modifying, or terminating each active CRA exemption.

D. Compliance and Revocation: The recipient of any CRA tax exemption shall comply with all applicable provisions of the CRA Agreement and this Ordinance. In the event of non-compliance, including but not limited to failure to maintain the required affordable housing set-aside (if applicable) or failure to file required annual certifications, the City, after notice and opportunity to cure, may take action to reduce or revoke the tax exemption. City Council reserves the right to terminate the abatement and require the repayment of previously abated taxes (to the extent permitted by law) or to enforce other remedies as provided by Ohio Revised Code, unless otherwise stipulated in the CRA Agreement.

SECTION 9. The Clerk of Council and/or the City's Housing Officer shall cause a certified copy of this Ordinance to be forwarded, together with the

accompanying Exhibit A (CRA Boundary Map), to the Director of the Ohio Department of Development and to the Delaware County Auditor, in accordance with Ohio Revised Code 3735.66, as an amendment to the Delaware Community Reinvestment Area currently designated Area No. 041-01135-01B.

SECTION 10. All prior ordinances, resolutions, and parts thereof that established or amended a Community Reinvestment Area in the City of Delaware, including but not limited to Resolution Nos. 01-52, 04-39, 22-07, and 24-41 and Ordinance No. 25-21, are hereby repealed to the extent that they are inconsistent with the provisions of this Ordinance. Any existing CRA incentives or agreements lawfully granted under previous legislation shall continue in effect, but henceforth all new applications and agreements shall be governed by the terms of this Ordinance.

SECTION 11. If any section, subsection, clause, sentence, or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such provision shall be deemed separate and independent and shall not affect the validity of the remaining provisions of this Ordinance, which shall remain in full force and effect.

SECTION 12. It is hereby found and determined that all formal actions of this Council concerning and relating to the enactment of this Ordinance were taken in open meetings of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were conducted in meetings open to the public, in full compliance with the requirements of Ohio's Open Meetings Act, Ohio Revised Code 121.22.

SECTION 13. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2026 YEAS____ NAYS____

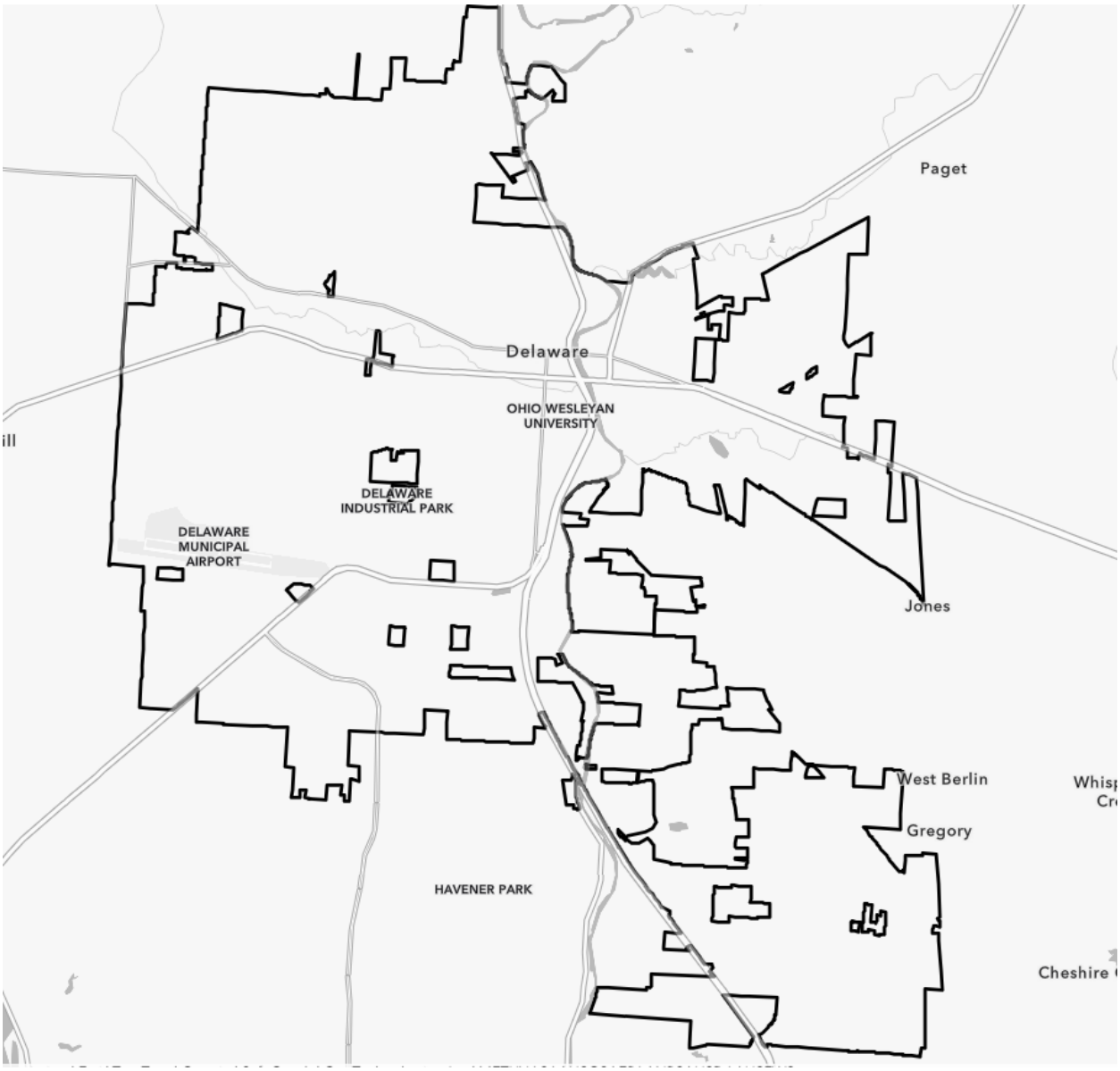
ABSTAIN ____

ATTEST: _____ _____

ACTING CITY CLERK MAYOR

EXHIBIT A – CRA Boundary Map (Coextensive with the City of Delaware corporate limits as of the date of passage of Ordinance No. 26-____;

Note: FINAL 2026 MAP TO BE INSERTED PRIOR TO PASSAGE and shall include all annexations that are final, effective, and legally incorporated into the City on or before the date of passage.



EST 1808
CITY OF
DELAWARE
OHIO

Date: September 20, 2026

Re: Notice of Proposed 2026 Amendment to Delaware Community Reinvestment Area Boundaries

The City of Delaware (the "City") is providing notice to the Olentangy Local School District, Delaware City School District, Buckeye Valley Local School District, and Delaware Area Career Center regarding the City's proposed 2026 amendment to the boundaries of the Delaware Community Reinvestment Area ("CRA") pursuant to Ohio Revised Code Sections 3735.65 through 3735.70.

On May 12, 2025, City Council adopted Ordinance No. 25-21 to amend and re-establish the Delaware CRA and align its boundaries with the City's then-current corporate limits. On June 18, 2025, the Ohio Department of Development approved the amended designation and assigned the Delaware CRA Area No. 041-01135-01B.

Since that action, additional territory has been annexed into the City. The proposed 2026 ordinance would again make the CRA boundaries co-extensive with the City's corporate limits as they legally exist on the date the ordinance is passed, including any additional annexations that become final and effective before passage. The final Exhibit A boundary map will therefore be updated before passage to reflect the City's then-current incorporated boundaries.

The proposed ordinance does not change the CRA's existing program terms, eligible improvement categories, maximum abatement schedules, mixed-income housing requirements, or project-specific approval process established by Ordinance No. 25-21. It also does not itself grant a tax exemption to any property. Any future project-specific CRA agreement will remain subject to the applicable school-district notice, approval, and compensation requirements of Ohio law.

The ordinance will receive its First Reading at the September 28, 2026 City Council meeting. A public hearing is scheduled on Monday, October 12, 2026, in the Council Chambers at City Hall, 1 South Sandusky Street, Delaware, Ohio 43015. You or your designee are invited to attend and provide any comments or questions.

Attached for reference are the proposed 2026 ordinance, the current draft boundary materials, Ordinance No. 25-21, and the June 18, 2025 Ohio Department of Development Amended Designation.

Sincerely,

Nic Langford
Economic Development Director / CRA Housing Officer
nlangford@cityofdelawareoh.gov; 740-203-1016

sent to:
Superintendent and Treasurer/CFO, Olentangy Local School District
Superintendent and Treasurer/CFO, Delaware City School District
Superintendent and Treasurer/CFO, Buckeye Valley Local School District
Superintendent and Treasurer/CFO, Delaware Area Career Center
w/ cc to: Paul Brake (City Mgr), David Moser (City Attorney), Logan Brunney (Economic Development Project Manager)

CITY OF DELAWARE, OHIO

ADDENDUM TO 2024 HOUSING SURVEY

Community Reinvestment Area Housing Market Update

September 2026

47,535	**19,488**	**$342,173**	**$1,240**
2026 population	2026 housing units	median home value	median contract rent

Prepared as a data addendum to the City of Delaware Community Reinvestment Area Housing Survey dated May 2024.

EXECUTIVE SUMMARY

Delaware is adding housing rapidly, but affordability remains the central pressure point

#2 of 11	#2 of 11	1.85%	102
forecast population growth	**forecast housing growth**	**2026-2031 annual growth projection**	**Housing Affordability Index**
note: based on benchmark comparison to 10 peer Columbus MSA cities	City of Marysville slightly outpacing City of Delaware		2 index points above national benchmark of 100

The 2026 update changes the emphasis of the 2024 housing story. Delaware is not a slow-supply market. It is one of the fastest-growing communities in the peer set, and its housing stock is expanding at a similarly high rate. The more precise policy issue is whether the type/price of new supply remain attainable to households when incomes are not rising as quickly as ownership costs.

- Population is forecast to grow 1.85% annually from 2026–2031, second among the 11-city peer set and above Delaware County, the Columbus MSA, and Ohio.
- The existing stock is more housing-diverse than the peer median: 63.4% single-family detached and about 27.1% in structures with two or more units. Peer cities have more single-family housing.
- Mid-year 2026 Planning data show 1,452 units under construction: 1,176 multifamily and 276 single-family, plus 2,226 units approved/in the pipeline. An additional 4,181 dwelling units are preliminarily approved, but that category may overlap other stages and is not additive without project-level reconciliation.
- Ownership affordability is the clearest comparative weakness: Delaware's HAI (Housing Affordability Index) is 102 versus a 119 peer median, placing Delaware 17 index points below the peer median. The index compares modeled home-purchasing capacity with household income. For instance, modeled mortgage payments consume 20.7% of income versus 18.1% for the peer median.
- Rental affordability is mixed: Delaware's $1,240 median contract rent is below the $1,318 peer median, but rent consumes a slightly larger share of local median income and 42.7% of renter households are cost-burdened at 30%+ of income.

What changed since 2024	2024 survey	2026 addendum
Housing-market framing	**Rapid growth + need for attainable units**	**Rapid growth + rapid supply; affordability/product outcomes are the central issue**
Pipeline evidence	**6,319 units across planning stages**	**1,452 under construction + 2,226 approved/in pipeline; 4,181 preliminary approvals shown separately**
Comparative evidence	**Primarily City profile and local market survey**	**City benchmarked against 10 peers + County + Columbus MSA + Ohio (utilizing ESRI Business Analyst)**

Note
The data supports a CRA expansion rationale centered on housing attainability and product diversity, not a generalized claim that Delaware is failing to produce housing. The City is producing a lot of supply; the policy question is how to preserve access to that supply across the workforce income spectrum.

BACKGROUND

What the 2024 Housing Survey established

The May 2024 Community Reinvestment Area Housing Survey was prepared to support an amendment of Delaware's CRA and to document the need for additional housing attainable to working households. The framework combined demographic growth, housing-stock characteristics, permit activity, the development pipeline, CRA reinvestment, demolition activity, and a direct rent-versus-mortgage comparison provided by a 3rd party.

2024 survey finding	Reported value	Why it mattered
Population/housing profile	**43,895 population; 16,864 housing units**	**Established a fast-growing city with a large and expanding housing base**
Tenure	**62.5% owner / 37.5% renter**	**Documented the City's meaningful rental component**
Housing type	**70.8% 1-unit; 27.5% 2+ unit; 1.7% mobile**	**Established housing-stock mix**
Permits, 2010–Q1 2024	**5,235 total permitted units**	**Demonstrated sustained residential production**
Pipeline, May 2024	**6,319 units**	**Showed large future supply across multiple stages**
Pipeline mix	**44% SF; 49% MF; 7% condo**	**Showed that future supply was not exclusively single-family**
Income-targeted pipeline	**124 units identified**	**Supported the workforce/attainable-housing rationale**
Apartment survey	**Average rent $1,545**	**Compared renter costs with surrounding homeowner costs**

The survey's conclusion was not simply that Delaware needed more units. It emphasized that rapid growth and predominantly market-rate development created a need for high-quality housing attainable to workers below area median income. The proposed CRA structure was intended to use private development incentives to secure below-market units within larger market-rate projects.

What still carries forward

Three elements of the 2024 logic remain central in 2026: strong underlying demand, the importance of housing type and tenure (not just unit totals) and the need to compare housing costs with household earning power. The addendum keeps those concepts but replaces stale headline figures with current estimates, forecasts, peer benchmarks, and the City's mid-year 2026 pipeline.

Source: City of Delaware, Community Reinvestment Area Housing Survey, May 2024; City Planning and Community Development records included in that survey.

DATA REFRESH

What was updated for the 2026 addendum, and what was intentionally not carried forward

The addendum uses 2026 estimates and 2031 forecasts as the primary analytical frame. Historical 2020 values were intentionally excluded from the headline comparison. Where a past-growth measure is useful, the analysis begins in 2021. The principal exceptions are 2024 ACS five-year variables for housing structure type, housing age, and renter cost burden because those are the latest directly comparable measures supplied for those topics.

Source	Variables used	Reason for use
Esri 2026 estimates	Population, households, housing units, tenure, vacancy, income, home value, rent, density	Current comparable market baseline
Esri 2031 forecasts	Population, households, housing units, tenure, vacancy, income, home value, rent	Forward demand, supply, and affordability trajectory
2021–2026 Esri annual observations	Population and housing stock	Recent growth without using 2020 as a headline benchmark
2024 ACS 5-year via Esri	Housing structure type, housing age, renter cost burden	Latest directly comparable stock and burden measures supplied
Esri / Data Axle 2026	Employment count	Normalized as jobs per 100 population
City Planning mid-year 2026	Occupied, under construction, approved/pipeline, preliminary dwelling units	Project-stage evidence of current local supply
May 2024 Housing Survey	Prior rationale, permit history, prior pipeline, CRA/demolition context, rent study	Baseline for the formal addendum and change-over-time interpretation

Esri methodology context

Esri's current housing updates synthesize recorded inventory changes, construction and permit information, ACS data, postal/residential-list information, and other public/private inputs. The 2031 values are forecasts, not project commitments. The City pipeline is therefore read alongside, not mechanically added to, the Esri forecast.

Variables intentionally de-emphasized include 2020 headline values, average home value and average income where medians are more representative, detailed rent/home-value bands that duplicate headline affordability measures, and lifestyle/consumer variables that do not directly establish housing demand, supply, product mix, vacancy, or attainable cost.

Methodology references: Esri Demographics 2026 release documentation; U.S. Census Bureau ACS five-year estimates as delivered through Esri; City of Delaware Planning and Community Development.

METHODOLOGY

A two-benchmark framework: regional context and a ten-city peer set

Delaware is compared in two ways. The regional comparison uses Delaware County, the Columbus MSA, and Ohio. The peer comparison uses ten incorporated communities within the Columbus metropolitan area selected to capture Delaware's combination of county-seat functions, historic urban fabric, independent employment base, suburban growth, and outer-ring development pressure.

Peer Cities	Benchmark role
Marysville	Closest growth/county-seat comparison
Newark	Historic county seat and independent employment center
Grove City	Growth market with significant residential and employment base
Westerville	Mature historic suburb/employment center
Dublin	Upper-income and upper-value benchmark
Hilliard	Fast-growing affluent suburban market
Pickerington	Family-oriented growth market
Pataskala	Outer-ring greenfield-growth benchmark
Reynoldsburg	Mature renter/multifamily comparison
Lancaster	Legacy county-seat/affordability bookend

The peer median is the primary summary statistic. A median is preferred to an average because communities such as Dublin and Lancaster intentionally serve as opposite market bookends and can pull averages materially upward or downward.

BENCHMARK DASHBOARD

Ten indicators that best explain Delaware's 2026 housing position

#	Indicator	Delaware	Peer median	Peer position	Interpretation
1	Projected population CAGR (Compound Annual Growth Rate), 2026–31	1.85%	0.53%	2/11	Demand growing much faster than peer norm
2	Projected household CAGR (Compound Annual Growth Rate), 2026–31	2.05%	0.67%	2/11	Household formation is exceptionally strong
3	Projected housing-stock CAGR, 2026–31	2.35%	0.75%	2/11	Supply is also expanding rapidly
4	Units added/new households, 2026–31	1.23	1.13	5/11	Forecast supply modestly exceeds household formation
5	Housing mix: Single Family detached/2+ unit developments	63.4%/27.1%	67.7%/23.3%	Context	More multifamily-diverse than peer median
6	Vacancy, 2026 → 2031	6.7% → 8.0%	4.5% → 5.3%	Context	Vacancy rises with rapid supply gains, i.e. vacant units come online before they are purchased/leased
7	Owner / renter share, 2026	65.8%/34.2%	66.9% / 33.1%	Context	Near peer tenure balance
8	Housing Affordability Index	102	119	11 / 11	Ownership affordability weaker than every peer
9	Mortgage burden/price-income	20.7%/3.51×	18.1% / 3.07×	11 / 11	Local income does not stretch as far on ownership
10	Rent burden/rent-income	42.7%/15.3%	40.3% / 14.8%	7 / 11	Nominal rent is moderate, but renter burden remains elevated

Supporting context

2026 median household income is $97,414; median home value is $342,173; median contract rent is $1,240; population density is 2,329 persons per square mile; and Delaware has about 33 jobs per 100 residents. These measures help interpret the ten indicators but are not all treated as independent headline variables.

INDICATOR 1

Population growth remains a leading source of housing demand

Projected population growth, 2026–2031 (Compound Annual Growth Rate)

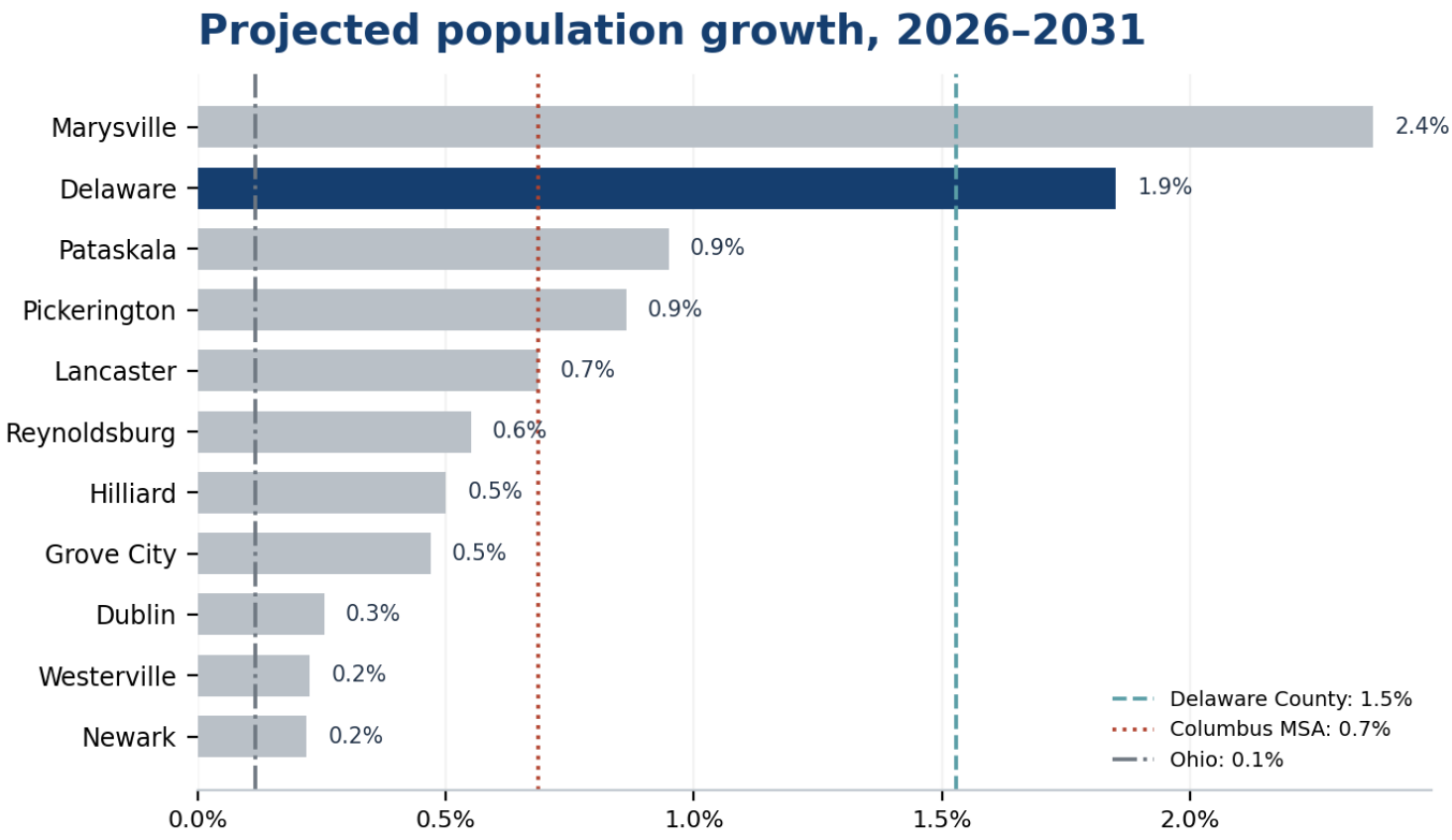


Figure 1. Projected annual population growth across the peer set.

Source: Esri 2026/2031 forecasts; calculations from the benchmark workbook.

Measure	Delaware	Peer median	Delaware Co.	Columbus MSA	Ohio
2021–2026 population CAGR	1.92%	0.82%	1.88%	0.91%	0.19%
2026–2031 population CAGR	1.85%	0.53%	1.53%	0.69%	0.12%
2026 population	47,535	n/a	239,724	2,257,176	11,918,015
2031 population	52,099	n/a	258,625	2,335,595	11,987,061

Delaware ranks second among the 11 peer cities in projected population growth, behind Marysville. The 1.85% annual forecast is roughly three and one-half times the peer median and nearly three times the Columbus MSA rate. This establishes sustained demand pressure through 2031 rather than a one-time post-pandemic increase.

Meaning for the CRA

A housing strategy that relies only on the current inventory would be misaligned with the demand trajectory. The City must evaluate affordability and product mix in the context of continued population expansion.

INDICATOR 2

Household formation is growing faster than population

Projected household growth, 2026–2031

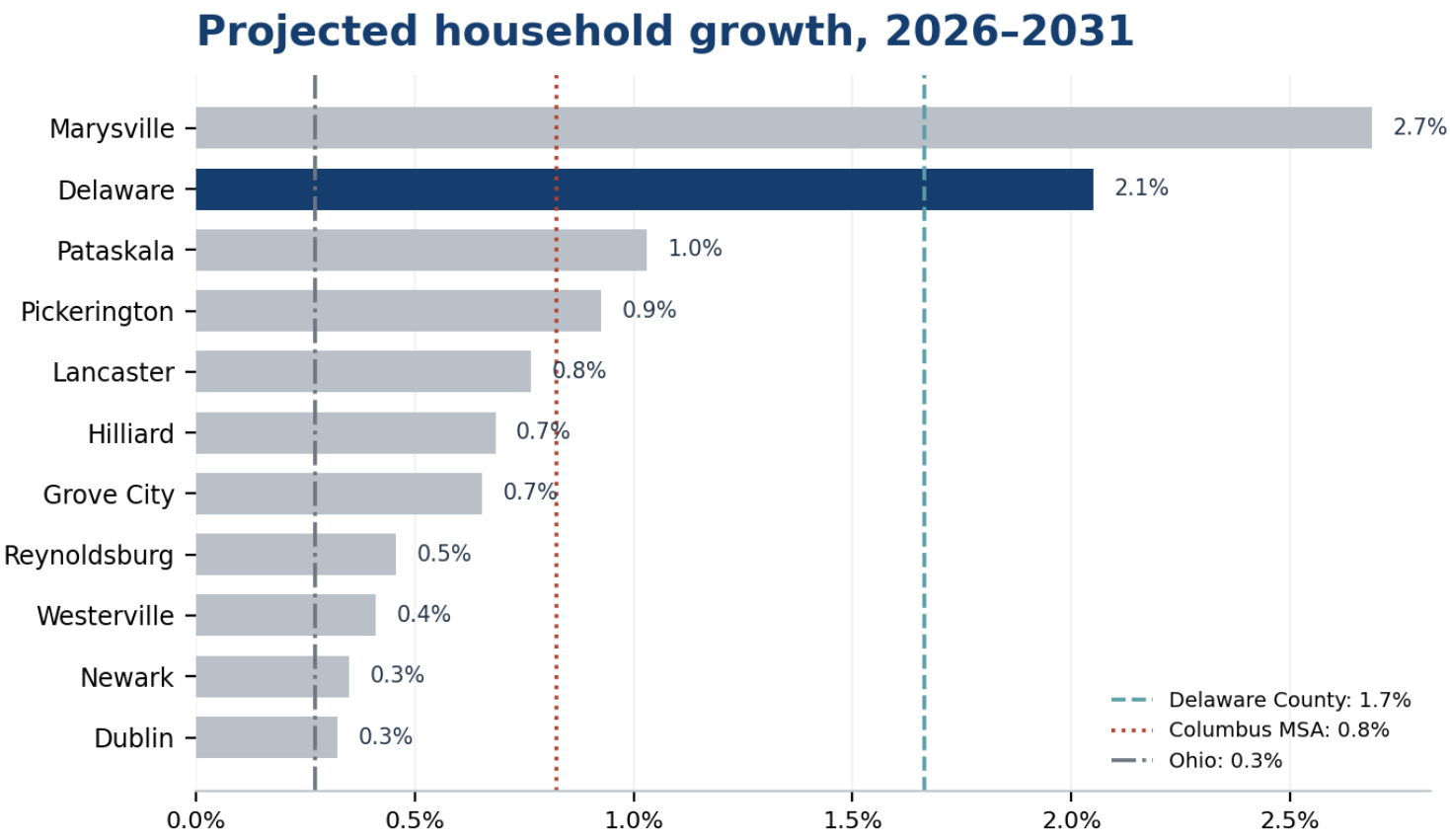


Figure 2. Projected annual household growth across the peer set.

Source: Esri 2026/2031 forecasts; calculations from the benchmark workbook.

Measure	Delaware	Peer median	Delaware Co.	Columbus MSA	Ohio
Households, 2026	18,189	16,146	88,066	900,972	4,933,505
Households, 2031	20,132	16,499	95,637	938,671	5,001,133
Net new households	1,943	396	7,571	37,699	67,628
Annual growth	**2.05%**	**0.67%**	**1.66%**	**0.82%**	**0.27%**

Delaware's projected household growth rate of 2.05% is second in the peer set and exceeds its projected population growth rate. That relationship is important because households (not population alone) are the direct demand unit for housing. Smaller household formation, young-adult households, divorce/separation, and aging can all increase housing demand even when population growth moderates.

Meaning for the CRA

The forecast adds approximately 1,943 households by 2031. Housing production should therefore be assessed against household formation, not simply population totals.

INDICATOR 3

Housing production is keeping pace with Delaware's growth

Projected housing-stock growth, 2026–2031

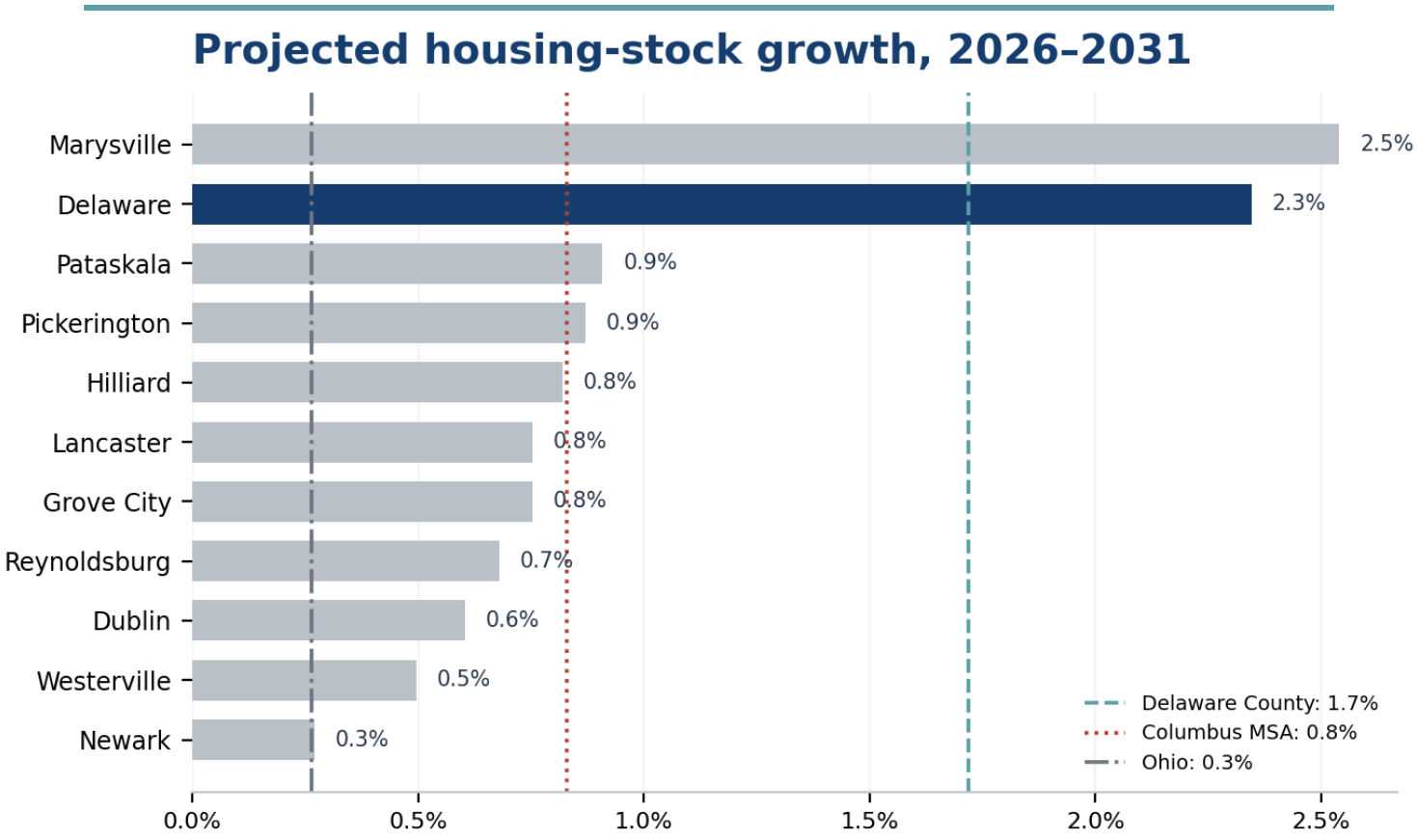


Figure 3. Projected annual housing-stock growth across the peer set.

Source: Esri 2026/2031 forecasts; calculations from the benchmark workbook.

Measure	Delaware	Peer median	Delaware Co.	Columbus MSA	Ohio
Housing units, 2026	19,488	16,777	93,806	967,271	5,387,158
2021–2026 stock CAGR	2.09%	1.03%	2.31%	1.21%	0.50%
Projected units, 2031	21,883	17,277	102,155	1,008,007	5,458,789
Projected net units added	2,395	584	8,349	40,736	71,631
2026–2031 stock CAGR	2.35%	0.75%	1.72%	0.83%	0.26%

Delaware ranks second among peers in forecast housing-stock growth and is projected to add about 2,395 units by 2031. That is more than four times the peer-median absolute addition despite Delaware being only a mid-sized peer. The City is therefore not characterized by a lack of residential development activity.

Meaning for the CRA

The policy case should focus on what is being built and whether it is attainable, not on an unsupported claim that the City is failing to add units.

INDICATOR 4

Forecast supply modestly exceeds net household formation

Housing units added per net new household, 2026–2031

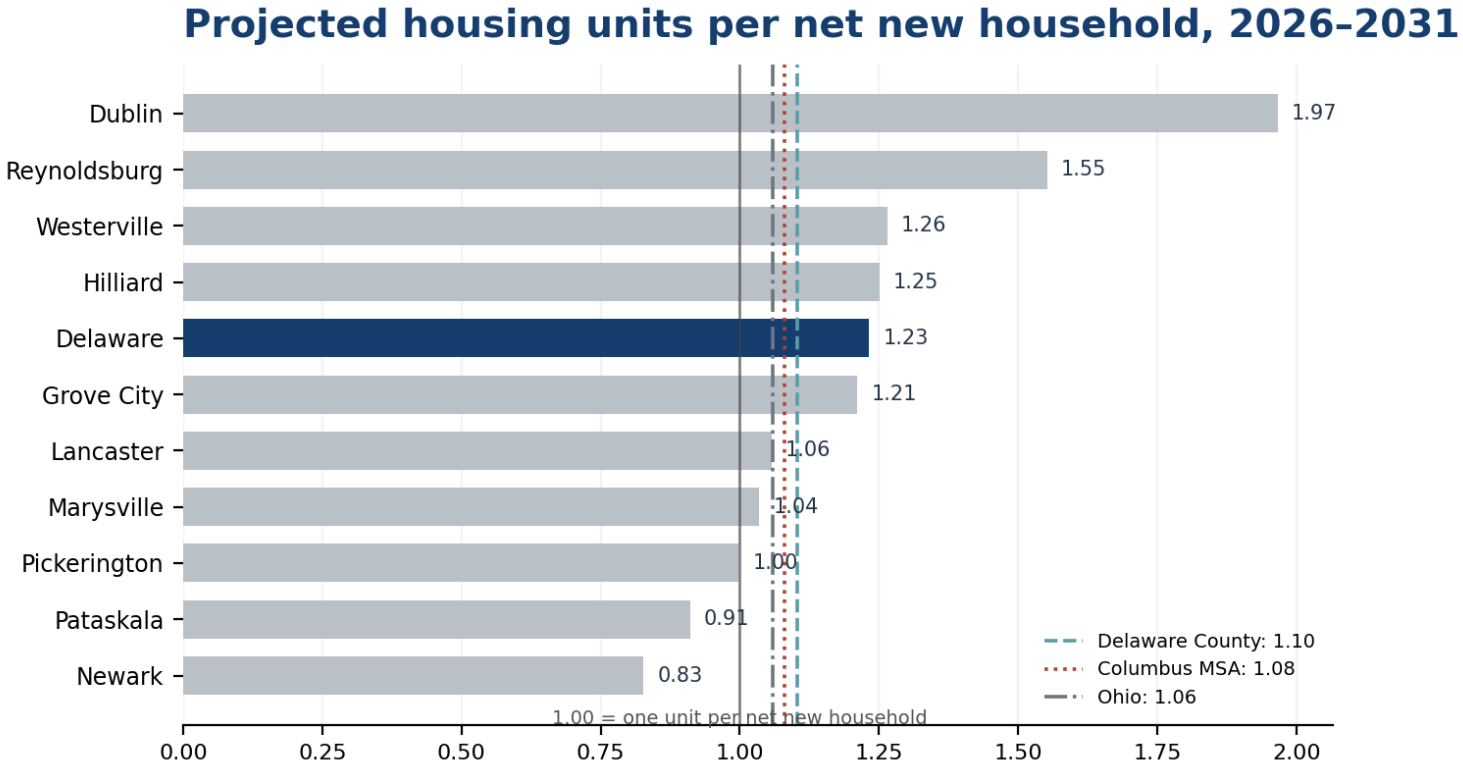


Figure 4. Forecast housing-unit additions divided by forecast net household additions.

Source: Derived from Esri 2026/2031 housing-unit and household forecasts.

Geography	Projected units added	Projected HHs added	Units per HH
Delaware City	2,395	1,943	1.23
Peer median	584	396	1.13
Delaware County	8,349	7,571	1.10
Columbus MSA	40,736	37,699	1.08
Ohio	71,631	67,628	1.06

A ratio above 1.0 is generally consistent with allowing for vacancies, replacement, turnover, and market choice. Delaware's 1.23 forecast is above the peer median and all three regional benchmarks. That helps explain why Esri also forecasts Delaware's vacancy rate increasing by 2031.

Interpret cautiously

This is a supply-response indicator, not a target ratio. Higher is not always better. The result should be read with vacancy, pipeline timing, and product type; it suggests that the market is adding capacity faster than net household formation, not that every segment is sufficiently supplied.

INDICATOR 5

Delaware's existing housing stock is more diverse than the peer median

Structure mix from the latest comparable ACS data

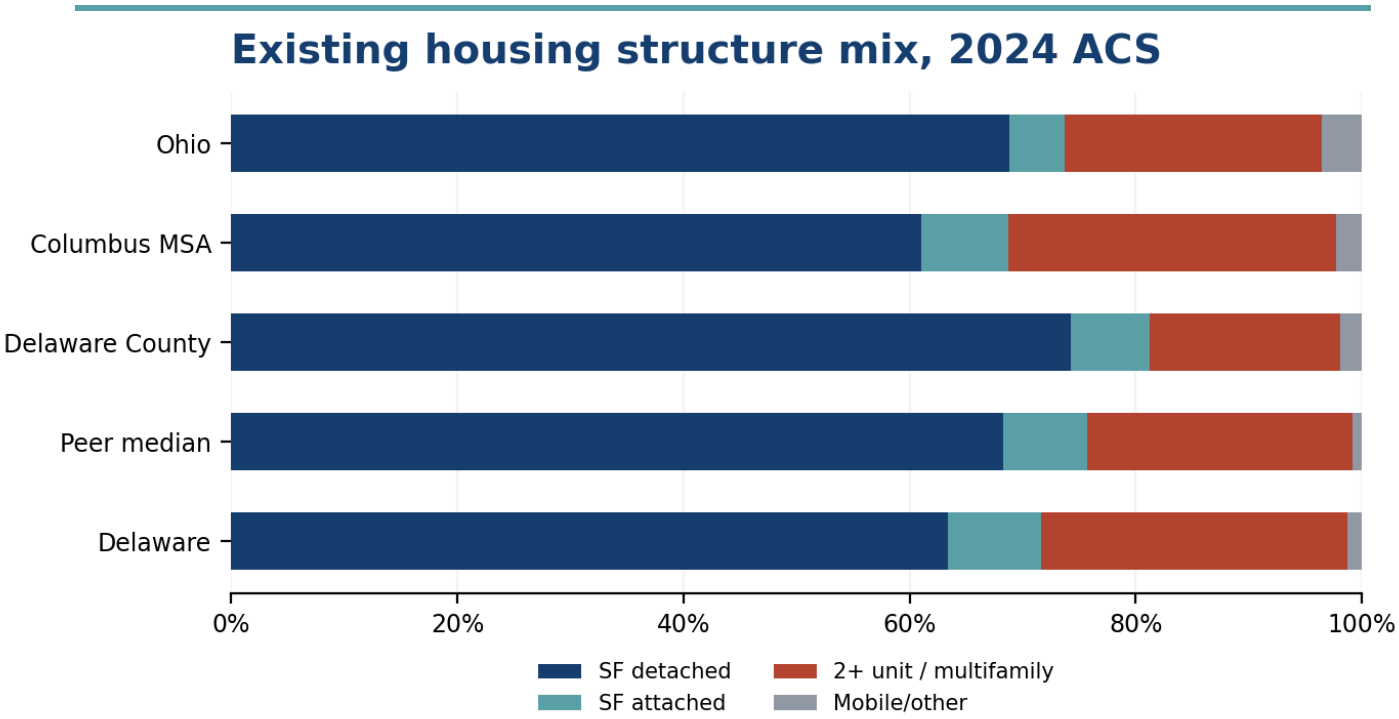


Figure 5. Existing housing structure mix. Multifamily includes structures with two or more units.

Source: 2024 ACS five-year estimates via Esri housing supplemental reports.

Housing type	Delaware	Peer median	Delaware Co.	Columbus MSA	Ohio
Single-family detached	63.4%	67.7%	74.3%	61.0%	68.8%
Single-family attached	8.2%	7.4%	6.9%	7.7%	4.9%
2+ unit / multifamily	27.1%	23.3%	16.9%	29.0%	22.8%
Mobile / other	1.5%	0.8%	2.0%	2.4%	3.5%

Delaware's 27.1% share in structures with two or more units is above the peer median and substantially above Delaware County, while remaining close to the Columbus MSA. Put simply, the peer cities have more single-family detached housing, while Delaware has a somewhat more diverse mix of attached and multifamily housing.

Data limitation

The supplied peer datasets do not provide 2026 or 2031 structure-type forecasts. For forward product mix, this addendum therefore relies on the City's own pipeline data rather than inventing peer projections by type.

INDICATOR 6

Vacancy is currently moderate but projected to rise

Vacancy trajectory and tenure balance

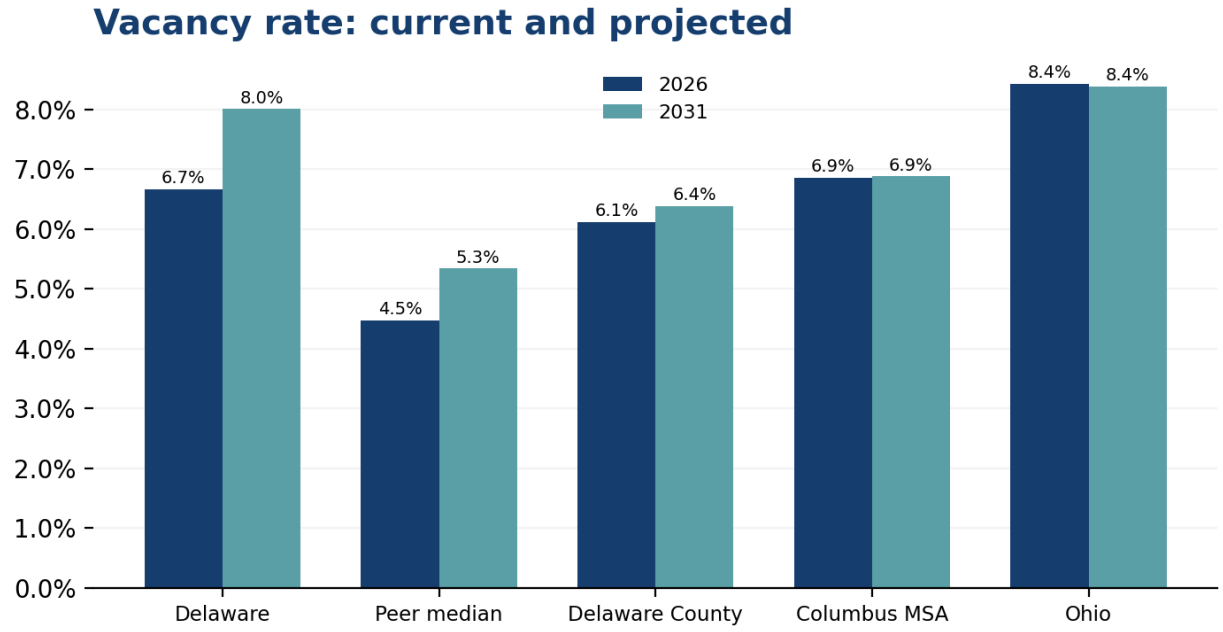


Figure 6. Current and forecast vacancy rates.

Source: Esri 2026 estimates and 2031 forecasts; peer median calculated from ten peer cities.

Measure	Delaware	Peer median	Delaware Co.	Columbus MSA	Ohio
Vacancy rate, 2026	6.7%	4.5%	6.1%	6.9%	8.4%
Vacancy rate, 2031	8.0%	5.3%	6.4%	6.9%	8.4%
Owner share, 2026	65.8%	66.9%	77.0%	60.0%	66.7%
Renter share, 2026*	34.2%	33.1%	23.0%	40.0%	33.3%

Delaware's current vacancy rate is close to the MSA and below the statewide rate, but above the peer median. Esri forecasts vacancy rising to 8.0% by 2031 as housing-unit growth outpaces household growth. That increase should be monitored, but it is not in itself evidence of distress; new units can temporarily increase lease-up and turnover vacancy, and Delaware has been adding proportionally more units overall.

Owner and renter shares are calculated as percentages of occupied units so the tenure comparison is internally consistent. Delaware's tenure split is almost identical to the peer median, more renter-oriented than Delaware County, and less renter-oriented than the MSA.

INDICATOR 7

Ownership affordability is Delaware's clearest comparative weakness

Housing Affordability Index, mortgage burden, and price-to-income

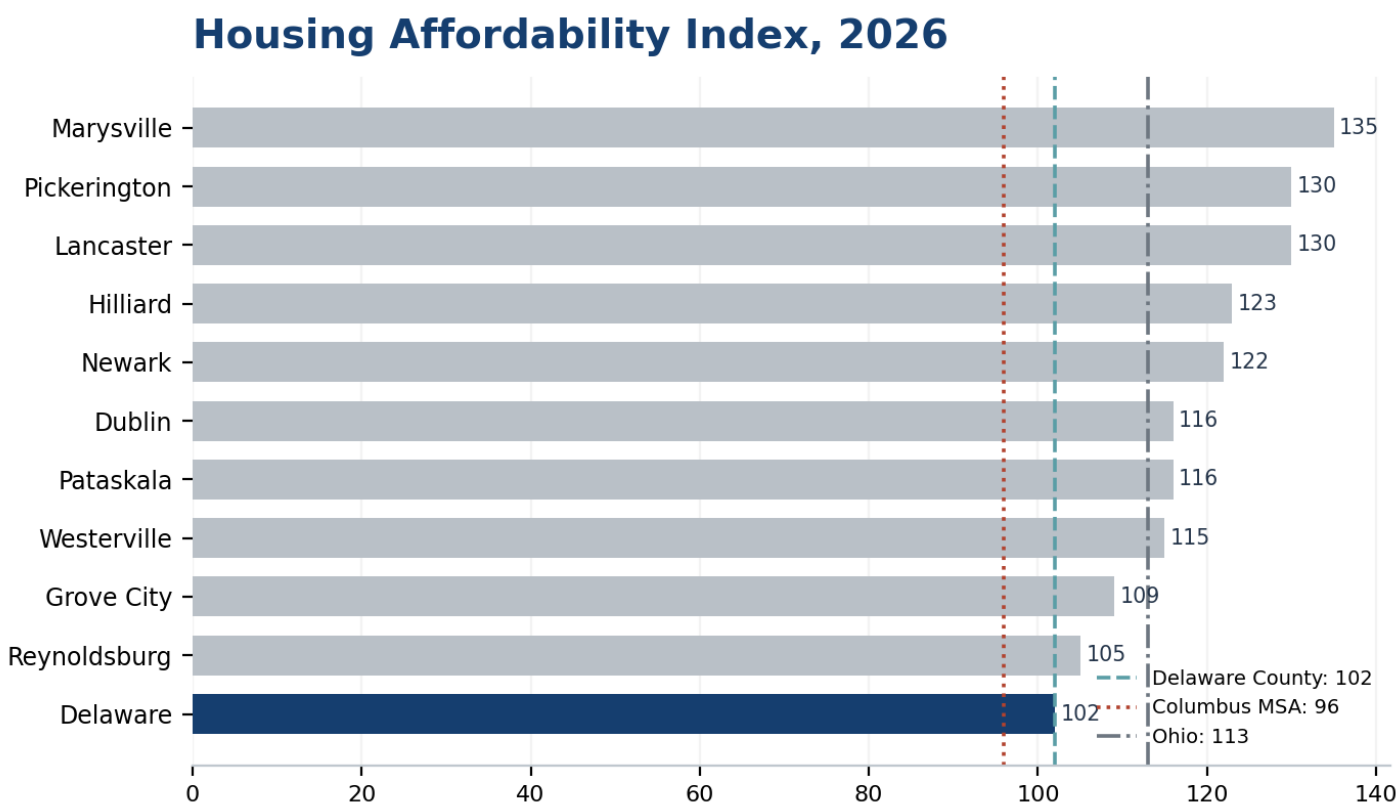


Figure 7. Esri Housing Affordability Index; higher values indicate greater modeled purchasing capacity.

Source: Esri 2026 Housing Affordability Index. Regional reference lines shown for context.

Measure	Delaware	Peer median	Delaware Co.	Columbus MSA	Ohio
Housing Affordability Index	102	119	102	96	113
Income spent on mortgage	20.7%	18.1%	20.7%	22.2%	18.7%
Median home value	$342,173	$336,869	$488,487	$331,597	$244,811
Home value / MHI	3.51×	3.07×	3.51×	3.77×	3.18×

Delaware ranks last among the 11 cities on the three income-normalized ownership-affordability measures shown here: the Housing Affordability Index (HAI), mortgage burden, and the home-value-to-income ratio. Delaware's HAI of 102 is 17 index points below the 119 peer median, even though it remains two points above the national benchmark of 100. The issue is not an unusually high median home value by itself; it is the relationship between housing cost and local household purchasing power.

How to read HAI (Housing Affordability Index)

An HAI of 100 indicates that modeled median household income is just sufficient, under Esri's loan assumptions, to afford a median-valued home. Delaware's 102 is slightly above that national benchmark, but materially below the 119 peer median. HAI is an index, so differences are described as index points rather than literal percentage differences.

INDICATOR 8

Delaware's rents are not the highest, but renter cost burden remains elevated

Rent level, rent-to-income, and actual cost burden

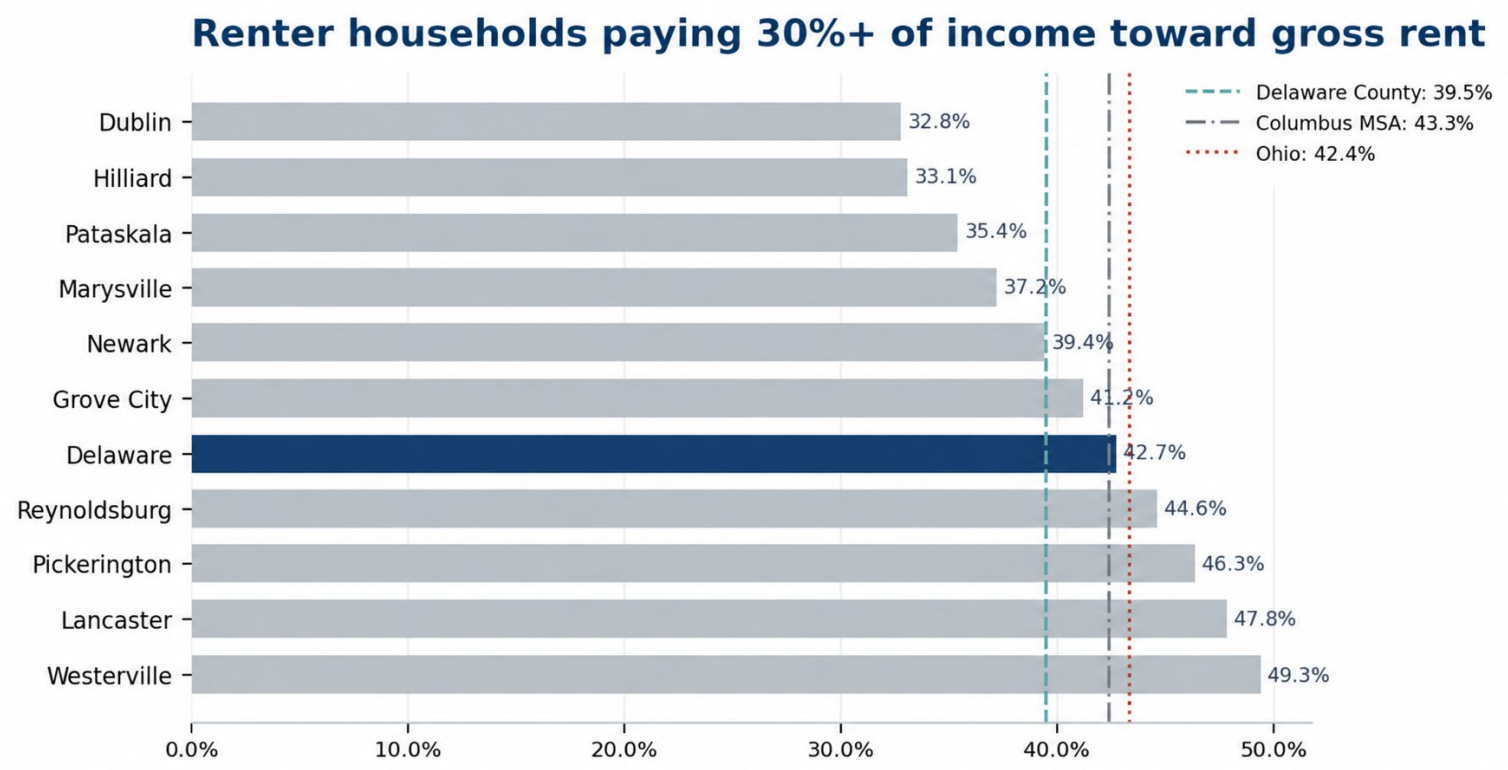


Figure 8. Share of renter households spending 30% or more of income on gross rent.

Source: 2024 ACS five-year estimates via Esri; latest direct comparable renter-burden measure supplied.

Measure	Delaware	Peer median	Delaware Co.	Columbus MSA	Ohio
Median contract rent, 2026	$1,240	$1,318	$1,419	$1,220	$949
Contract rent / MHI	15.3%	14.8%	12.2%	16.7%	14.8%
Rent-burdened HHs (30%+)	42.7%	40.3%	39.5%	43.3%	42.4%
Projected contract rent, 2031	$1,394	$1,454	$1,515	$1,362	$1,125
Projected rent / MHI	14.9%	14.6%	11.4%	16.0%	15.3%

Delaware's nominal median contract rent is below the peer median, but that does not translate into superior renter affordability because household income is also lower than the peer median. Delaware's rent-to-income ratio and the share of renter households paying 30%+ of income toward gross rent are both modestly worse than the peer midpoint.

Esri forecasts median household income growing slightly faster than median contract rent through 2031, so the simple citywide rent-to-income ratio improves from 15.3% to 14.9%. Lower-income renters should still be evaluated separately because a citywide median can mask burden at the bottom of the income distribution.

INDICATOR 9

Home values forecasted to outpace household income

The direction of affordability depends on growth rates, not prices alone

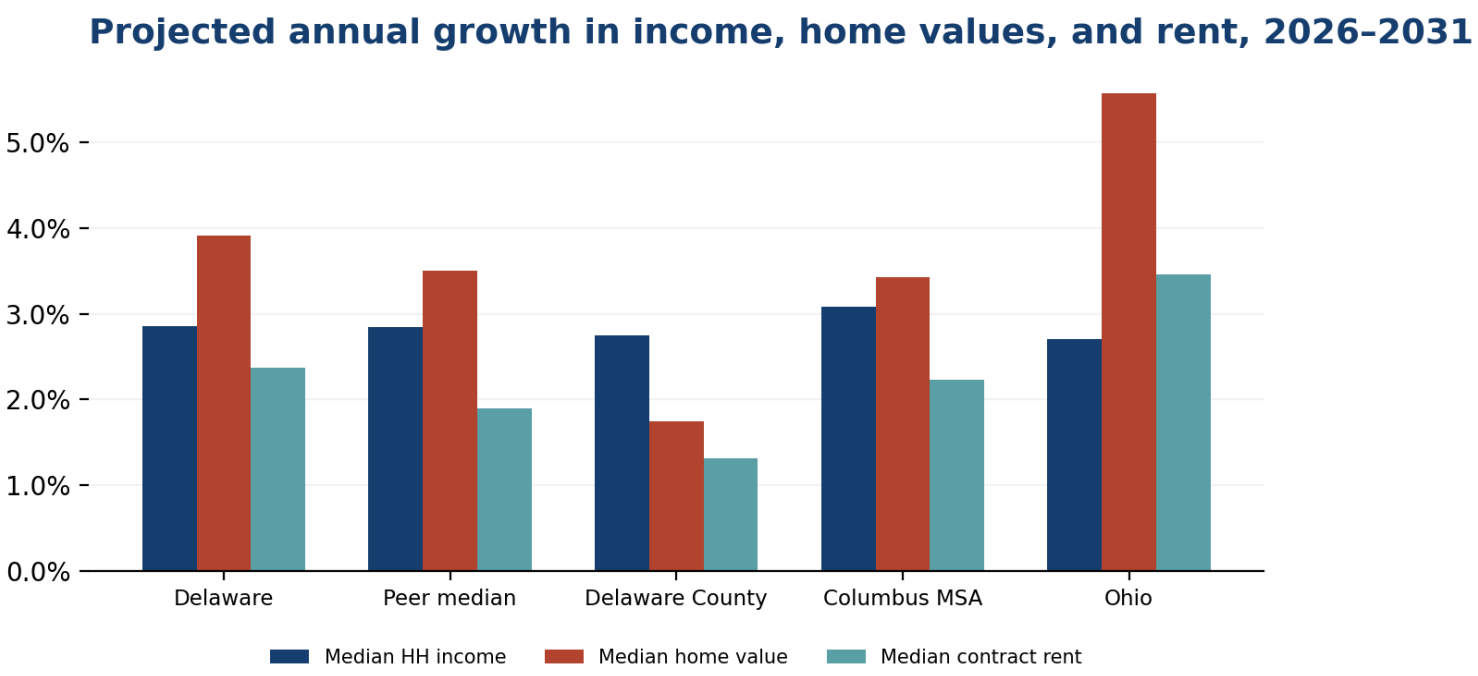


Figure 9. Projected annual growth in household income, median home value, and median contract rent.

Source: Esri 2026/2031 forecasts; home-value and rent CAGRs derived from published 2026 and 2031 values.

Delaware trajectory	2026	2031	Annual growth
Median household income	$97,414	$112,127	2.85%
Median home value	$342,173	$414,516	3.91%
Median contract rent	$1,240	$1,394	2.37%
Home value / MHI	3.51×	3.70×	Worsens
Contract rent / MHI	15.3%	14.9%	Improves slightly

This divergence is the most concise explanation of Delaware's ownership-affordability challenge. Median household income is forecast to grow at 2.85% annually, while the median home value grows at about 3.91%. The price-to-income multiple therefore rises from 3.51× to 3.70× by 2031.

Rental costs follow a different trajectory. Median contract rent is forecast to increase at about 2.37% annually, slower than household income, thus producing a modest improvement in the citywide median rent-to-income ratio.

INDICATOR 10

Delaware's housing demand is supported by growth more than by job concentration

Jobs per 100 residents, density, and household profile

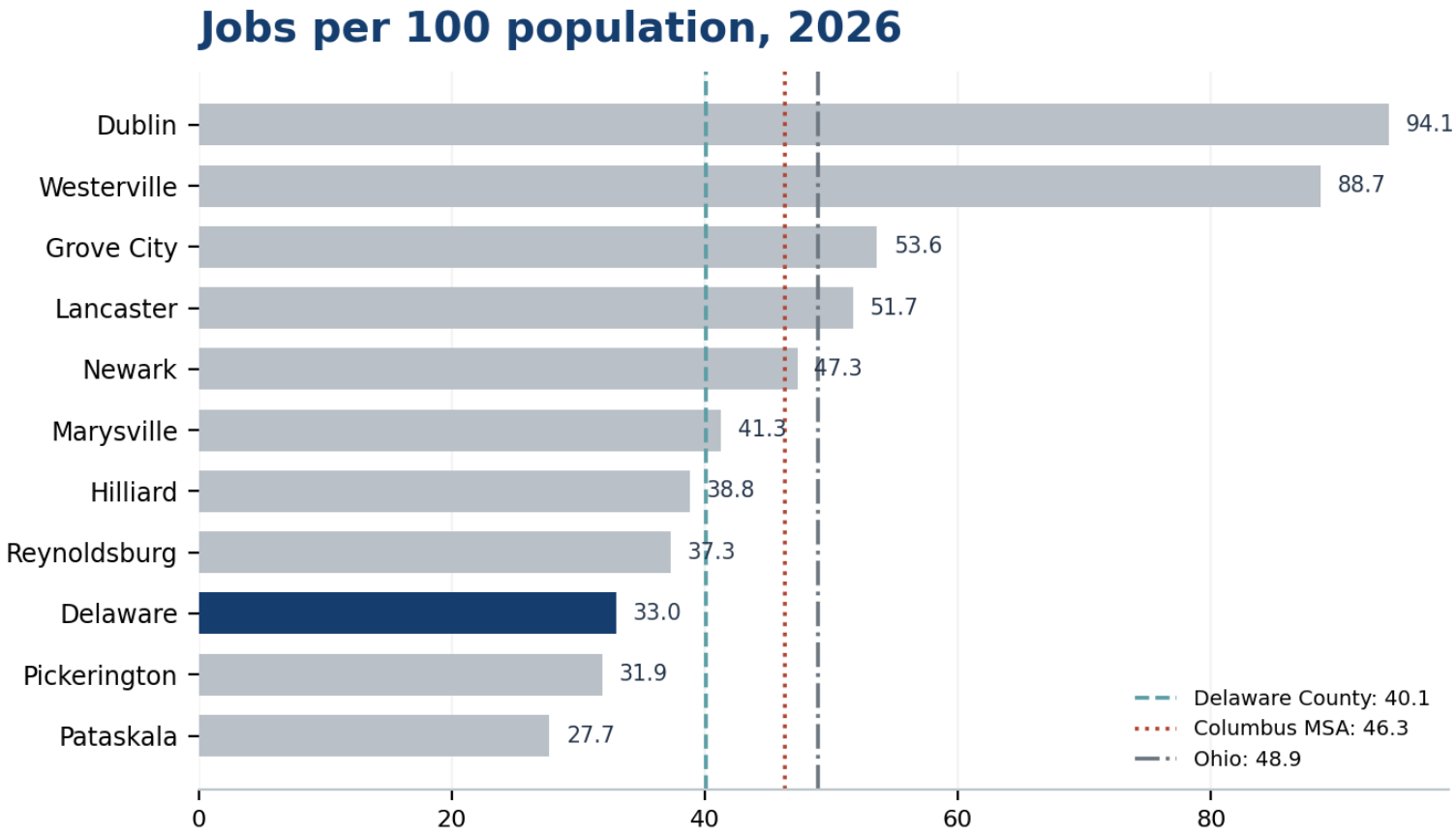


Figure 10. Jobs per 100 population across the peer set.

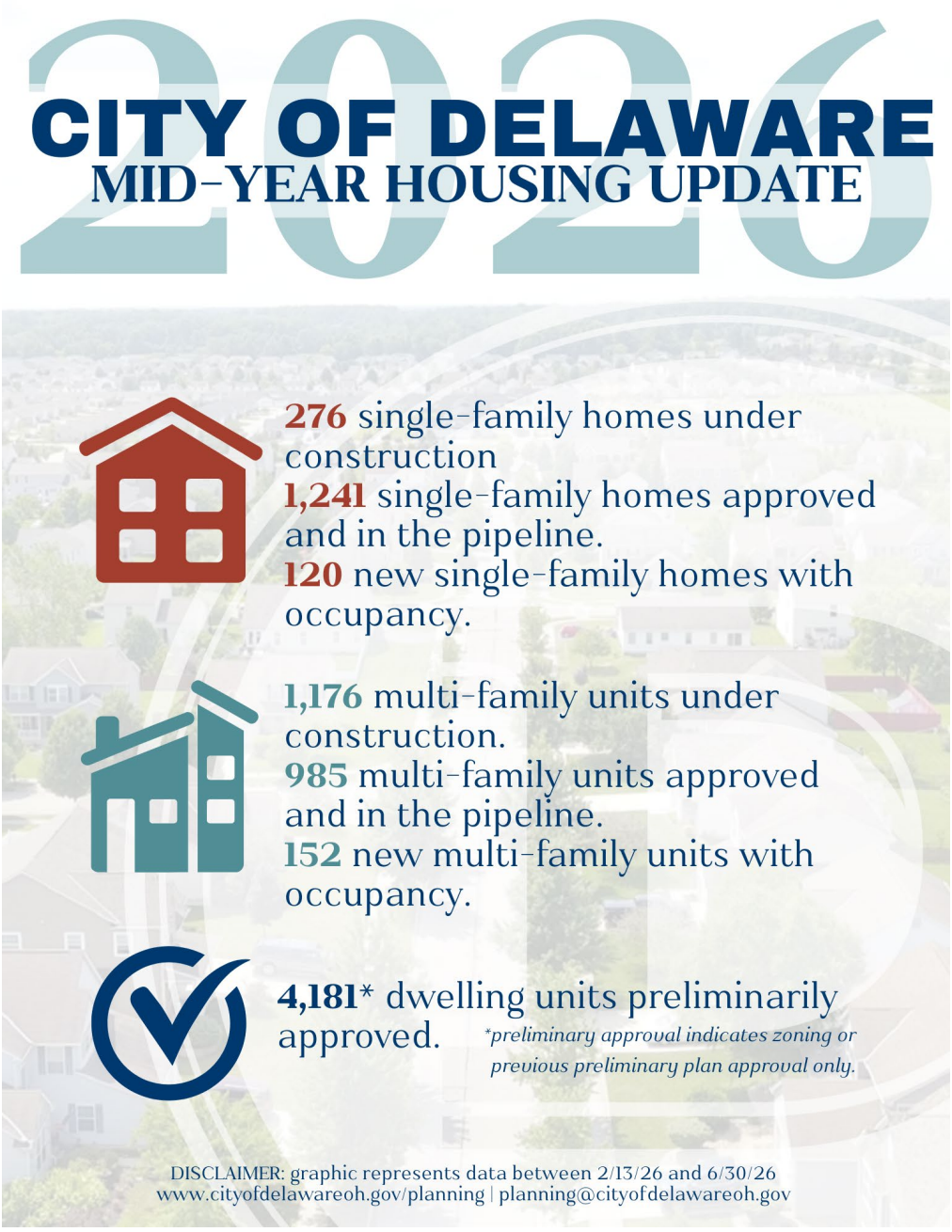
Source: Esri/Data Axle 2026 employment and Esri 2026 population; ratio derived for comparability.

Supporting measure	Delaware	Peer median	Delaware Co.	Columbus MSA	Ohio
Jobs per 100 population	33.0	44.3	40.1	46.3	48.9
Population density (per sq mile)	2,329	2,369	541	471	292
Median HH income	$97,414	$103,965	$139,096	$87,878	$77,059

Delaware has fewer jobs per 100 residents than most peers, ranking ninth of 11. That does not negate housing demand; it indicates that Delaware is less job-dense than major employment centers such as Dublin, Westerville, and Grove City. Delaware's population density, however, is nearly identical to the peer median and far above countywide density, consistent with its role as an incorporated urban center.

2026 PIPELINE UPDATE

Planning data show a large volume of units moving through the development process



Source: City of Delaware Planning and Community Development, Mid-Year Housing Update 2026. Graphic states that it represents data between 2/13/26 and 6/30/26.

Current stage counts

120 single-family and 152 multifamily units had new occupancy; 276 single-family and 1,176 multifamily units were under construction; 1,241 single-family and 985 multifamily units were approved/in the pipeline. The graphic also identifies 4,181 dwelling units as preliminarily approved.

PIPELINE IMPLICATIONS

Near-term delivery is heavily multifamily, while the approved queue is more balanced

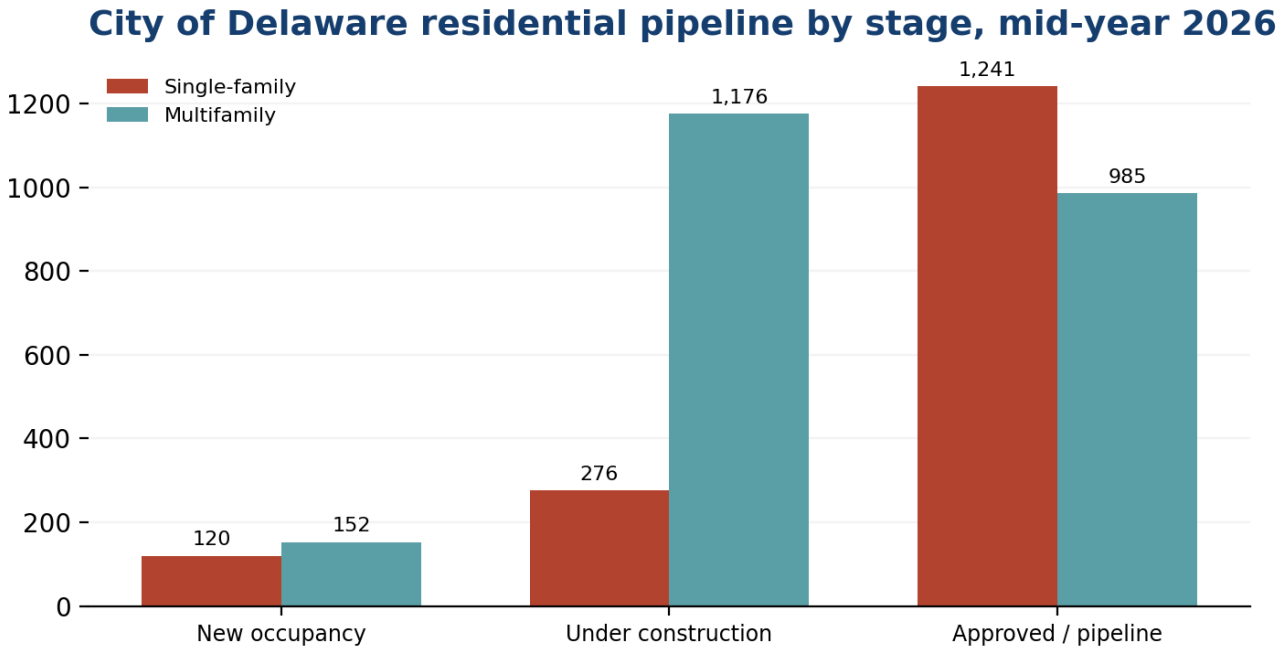


Figure 11. Mid-year 2026 residential stage counts by broad housing type.

Source: City of Delaware Planning and Community Development; calculations from the supplied 2026 graphic.

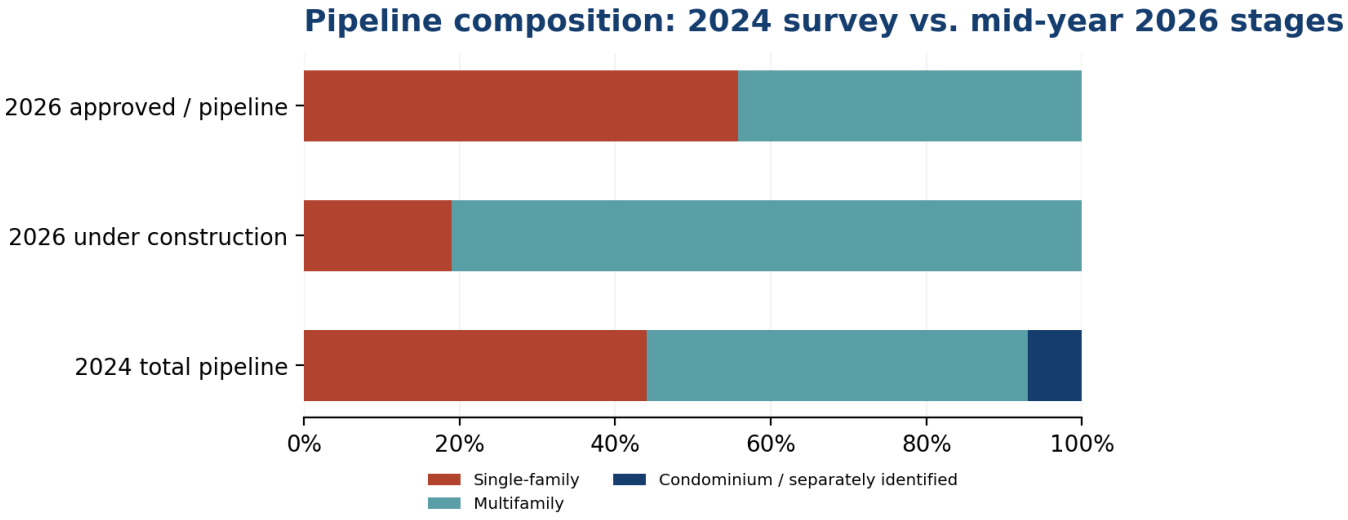


Figure 12. Comparison of 2024 pipeline mix with 2026 under-construction and approved/pipeline stages.

Source: 2024 CRA Housing Survey and 2026 Planning mid-year update. Stage definitions differ; comparisons are directional.

The strongest change from the 2024 survey is not simply the number of units, it is the stage composition. Multifamily represents about 81% of units currently under construction, while single-family represents about 56% of units in the approved/in-pipeline category. This indicates a substantial multifamily delivery wave followed by a more balanced approved queue.

INTERPRETATION

What the updated evidence means for the CRA housing rationale

The updated evidence supports the core premise of the 2024 Housing Survey, but the strongest 2026 rationale is more precise. Delaware's market is producing units at a rapid pace. The challenge is that ownership costs are high relative to local household income, while a substantial share of renters remains cost-burdened. The CRA rationale for housing should therefore emphasize housing attainability, diversity, and preservation of access, not merely unit production. Given the lagging metric of jobs/per 100 (population), the CRA rationale for commercial and industrial projects should emphasize job growth of all types, but specifically target incentivizing higher-paying advanced manufacturing jobs and professional (white-collar) employment opportunities.

- Demand remains structurally strong. Delaware is second among peers for projected population growth and second for projected household growth.
- Supply is responding. Delaware is second among peers for projected housing-stock growth, with about 2,395 net units forecast through 2031.
- The City's product mix is comparatively diverse. The share of housing in 2+ unit structures exceeds the peer median and Delaware County.
- The current pipeline confirms significant multifamily construction rather than a single-family-only development pattern.
- Ownership attainability is the clearest comparative gap. Home prices are not extreme by peer standards, but local income supports less purchasing power.
- Rental affordability remains a legitimate policy issue even though nominal rent is below the peer median, because rent burden is a function of income as well as price.
- Rising forecast vacancy is a reason to monitor absorption and product segmentation, not a reason to abandon attainable-housing policy. Aggregate vacancy can rise while lower-price segments remain constrained.

Framing Delaware's Housing Circumstances for CRA Consideration

Delaware has a high-growth, high-production housing market in which supply is increasing, but the relationship between household income and housing cost remains less favorable than in most peer communities. Targeted CRA incentives can be justified as a tool to influence affordability and product outcomes within an already active private housing market.

CONCLUSION AND SOURCES

The addendum strengthens the 2024 housing survey

The 2026 addendum confirms that Delaware remains one of the strongest-growth housing markets in the Columbus region. Population, household formation, and housing production are all projected to continue expanding through 2031, and the City is already seeing substantial single-family and multifamily activity in the development pipeline. This is not a market characterized by an absence of residential construction. Rather, Delaware is adding housing at a comparatively rapid pace and has a more diverse mix of attached and multifamily housing than many peer communities. The key policy question is therefore not simply whether enough units are being built, but whether the mix, location, and price points of that growth remain aligned with the needs of the community.

The nature of housing demand is also changing as household composition evolves. Household growth can exceed population growth when average household sizes decline and when more people live in single-person, single-parent, divorced or separated, blended-family, roommate, senior, or other nontraditional household arrangements. These changes can create demand for more housing units even without a proportional increase in population. They also broaden the range of housing products a community needs: smaller apartments, townhomes, condominiums, attainable starter homes, downsizing options, and family housing can all serve different stages of life. Delaware's projected household growth therefore reinforces the importance of maintaining a housing stock that is diverse not only by tenure (owner versus renter) but also by size, form, and price point.

Affordability remains the clearest pressure point. Delaware's median home value is not exceptionally high compared with the peer set in absolute terms, but housing costs consume a larger share of local household purchasing power than in many comparable communities. Ownership affordability is weaker than the peer median, while a meaningful share of renters remains cost-burdened even though nominal rents are relatively moderate. At the same time, forecast home-value growth is expected to outpace household-income growth, suggesting that ownership attainability could become more difficult if current trends continue. These findings support a policy approach focused on preserving access to housing across income levels while continuing to accommodate the City's rapid growth.

For City Council, the broader implication is that the City should continue expanding and maintaining a flexible Community Reinvestment Area program and geographic coverage. The same growth dynamics affecting housing are also creating opportunities for commercial redevelopment, industrial investment, job creation, and expansion of the tax base. Broader CRA boundaries do not commit Council to granting abatements to every project; they preserve the ability to evaluate individual residential, commercial, and industrial investments on their merits and negotiate assistance where there is a demonstrable public benefit. Maintaining a broad CRA framework gives the City another tool to influence the quality, location, affordability, employment impact, and fiscal value of growth, positioning Delaware to remain competitive within Central Ohio while ensuring that private investment advances the City's long-term community and economic-development objectives.

Primary sources used in this addendum:

- City of Delaware, Ohio, Community Reinvestment Area Housing Survey, May 2024, including the attached July 2023 Vogt Strategic Insights Achievable Market-Rent Analysis.
- City of Delaware Planning and Community Development, "City of Delaware 2026 Mid-Year Housing Update," data stated as 2/13/26 through 6/30/26.
- Esri Business Analyst: Community Profile, Demographic and Income Profile, Household Income Profile, Housing Profile, Business Summary, Civilian Labor Force Profile, and custom housing supplemental reports for Delaware City, Delaware County, Columbus CBSA, Ohio, and ten peer cities; generated September 9, 2026.
- U.S. Census Bureau American Community Survey 2024 five-year estimates as delivered through Esri for housing type, housing age, and renter cost burden.
- Esri Demographics documentation, "Essential vocabulary" (Housing Affordability Index) and "Updated Demographics methodology," accessed September 2026.

Prepared as an analytical addendum. Esri 2031 values are forecasts; City pipeline stage counts and Esri forecasts use different methodologies and were not mechanically summed. Peer comparisons use the median unless otherwise stated.

Department of Development

Development.Ohio.gov

Mike DeWine, *Governor* Jim Tressel, *Lt. Governor* Lydia Mihalik, *Director*

OHIO'S COMMUNITY REINVESTMENT AREA PROGRAM

CITY OF DELAWARE

DELAWARE COMMUNITY REINVESTMENT AREA AMENDED DESIGNATION – AREA NO. 041-01135-01B

Upon examination of (a) the "Community Reinvestment Area (CRA) Legislation Submission Cover Form" of the Delaware Community Reinvestment Area submitted by the City of Delaware dated May 30, 2025; (b) a certified copy of Community Reinvestment Area Ordinance No. 25-21 adopted by the Council of the City of Delaware on May 12, 2025; and (c) a map of the amended area, pursuant to Ohio Revised Code Section 3735.66, the area identified as the Delaware Community Reinvestment Area by the Council of the City of Delaware, in the aforementioned "CRA Legislation Submission Cover Form" is assigned the unique Community Reinvestment Area designation – 041-01135-01B. This area was previously certified on 8/9/1997, 5/4/2022, 7/19/2024.

Executed at Columbus, Ohio, this 2025-06-18 15:55:41 day of June 2025.

Lydia L. Mihalik
Director
Ohio Department of Development

By: E-SIGNED by Susan Restrepo on 2025-06-18 15:55:41 EST

Name: Susan Restrepo

Title: Chief Investment Officer

City of Delaware, Ohio

Community Reinvestment Area

Housing Survey

May 2024

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Page 18: Conclusion

Attachment A: Achievable Market-Rent Analysis (Vogt Strategic Insights Survey)

Purpose and Scope:

The purpose of this report is to provide a housing survey for a proposed city-wide Community Reinvestment Area (CRA) designation for the City of Delaware. The City of Delaware currently contains an existing CRA totaling approximately 7.5 square miles. The new CRA designation would be modified and expanded 0.11 square miles. The amended CRA area would allow the city to incentivize new multi-family development to provide the creation of new affordable housing with rents attainable to workers earning less than the area median income.

While the city of Delaware continues to see robust population growth, new residential development projects that are currently being built or that are in the planning stages are mostly targeted for middle to high end market rate housing. The need for new high-quality housing that is attainable to working people remains a critical piece for a diversified economy and workforce.

The chart below indicates levels of income as a percent of the Area Median Income (AMI) for Delaware, Ohio. It also indicates the maximum monthly housing costs at 30% of monthly income and rent levels as 85% of maximum housing costs. For example, those in the workforce that make approximately 60% of the AMI may include: restaurant workers, store clerks, entry level civil servants, warehouse workers, beginning teachers. Those that make 70% of the AMI may include: government employees, truck drivers, paralegals, social workers, customer service workers, trade apprentices, education workers.

Percent AMI	Annual Income	Hourly Income	Max. Monthly Housing*	Max. Monthly Rent*
100	$ 74,130.00	$ 37.07	$ 1,853.25	$ 1,575.26
90	$ 66,717.00	$ 33.36	$ 1,667.93	$ 1,417.74
80	$ 59,304.00	$ 29.65	$ 1,482.60	$ 1,260.21
70	$ 51,891.00	$ 25.95	$ 1,297.28	$ 1,102.68
60	$ 44,478.00	$ 22.24	$ 1,111.95	$ 945.16
50	$ 37,065.00	$ 18.53	$ 926.63	$ 787.63

***These are estimates. Actual maximum housing amounts and rent before utilities are established for each income level annually by HUD. These amounts vary for 1 bedroom, 2 bedroom, 3 bedroom, etc. This data is provided by HUD.**

The modified and expanded CRA would put in place a maximum 10 -year, 70% CRA (with 30% school pilot payment) on new multi-family housing where the owner would agree to provide 20% of rental units at reduced rates to provide workforce housing at below market rent. The units would be required to be the same in content and quality as other units on the property. The owner would be required to maintain the agreed number of units at the agreed comparable rental rate for the life of the CRA agreement. A map of the existing CRA and proposed city wide CRA is shown on the following page.

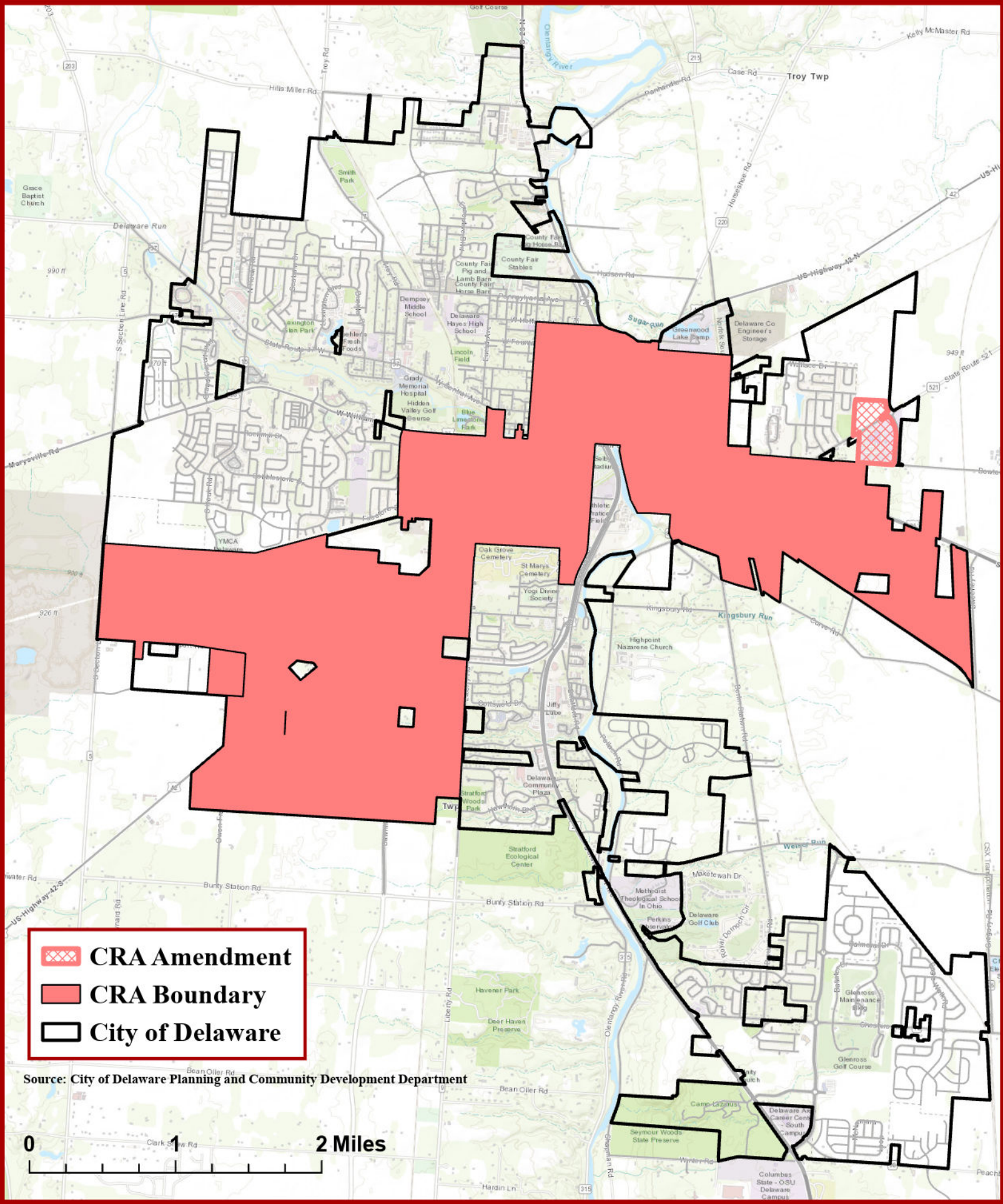


Exhibit A
CRA Area

CITY OF DELAWARE OHIO

City of Delaware Characteristics:

The central Ohio region is one of the fastest growing areas in the Midwest, with a predicted increase of 500,000 people and an additional 300,000 jobs by 2050. Delaware County was the 22nd fastest growing county in the United States by percentage of growth according to the 2010 U.S. Census and was number 87th in the 100 fastest growing counties in the U.S. according to the Census Bureau's population estimates from April 2010 to July 2018. Delaware County is also the No.1 fastest growing county in the State of Ohio.

The city of Delaware has undergone extensive growth in the past few decades. Currently, the city has an estimated population of 43,895 situated in approximately 21 square miles. The population was 34,753 in 2010 and 25,243 in 2000. The city's housing stock includes 16,864 housing units, of which 16,026 are occupied and 838 (Margin of Error 246) are vacant. Of the total housing units, approximately 62.5% are owner-occupied while 37.5% are renter-occupied. The area median income for the city is $86,387.[1]

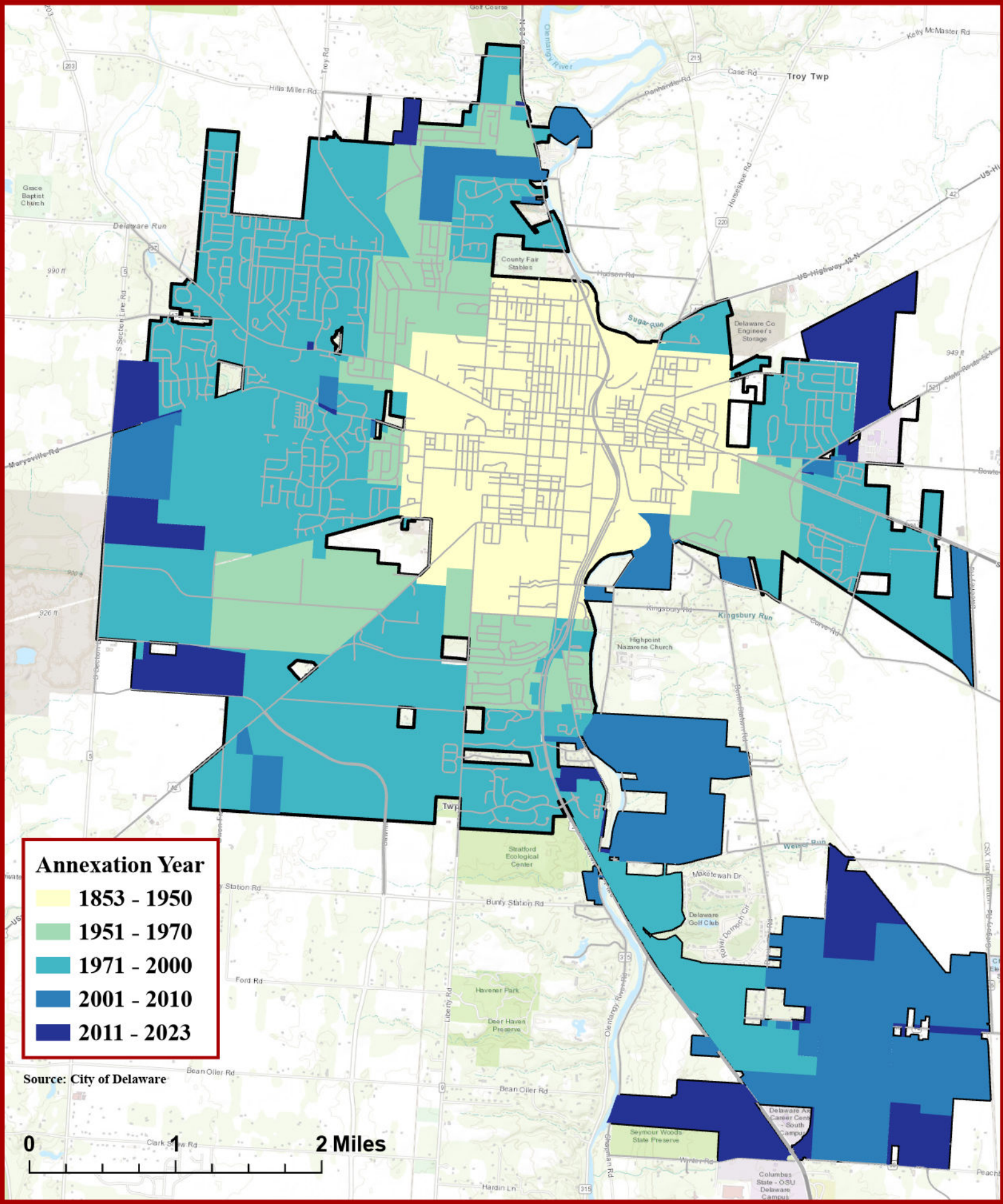
Delaware Housing Profile[1]						
Population	**Total Households**	**1-unit structures**	**2-or-more-unit structures**	**Mobile homes**	**Owner-occupied housing units**	**Renter-occupied**
43,895	**16,864**	**70.80%**	**27.50%**	**1.70%**	**62.50%**	**37.50%**

1. Source: 2022 American Community Survey 5-Year Estimates

To accommodate growth, the city of Delaware has annexed approximately 4,185 acres. This has allowed the city to grow and increase the property and income tax base. The city provides municipal services and utilities. Education services are provided by the Delaware City School District and two surrounding districts, Olentangy and Buckey Valley.

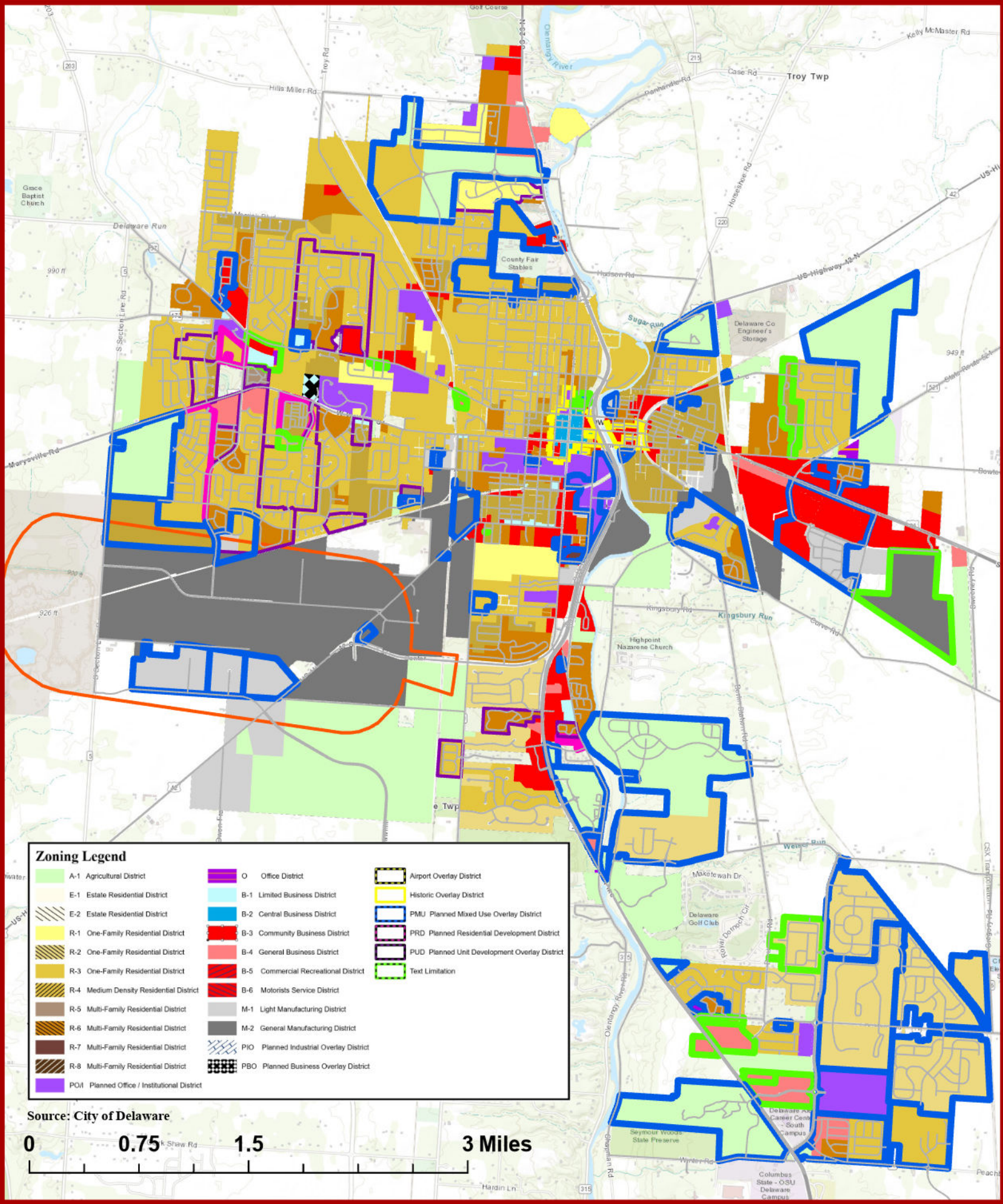
The following maps display the City's:

- Annexation History
- Current Zoning Districts
- Median Year Structure Built (per Census Tract)
- Percent Owner Occupied Housing (per Census Tract)



Annexation Map

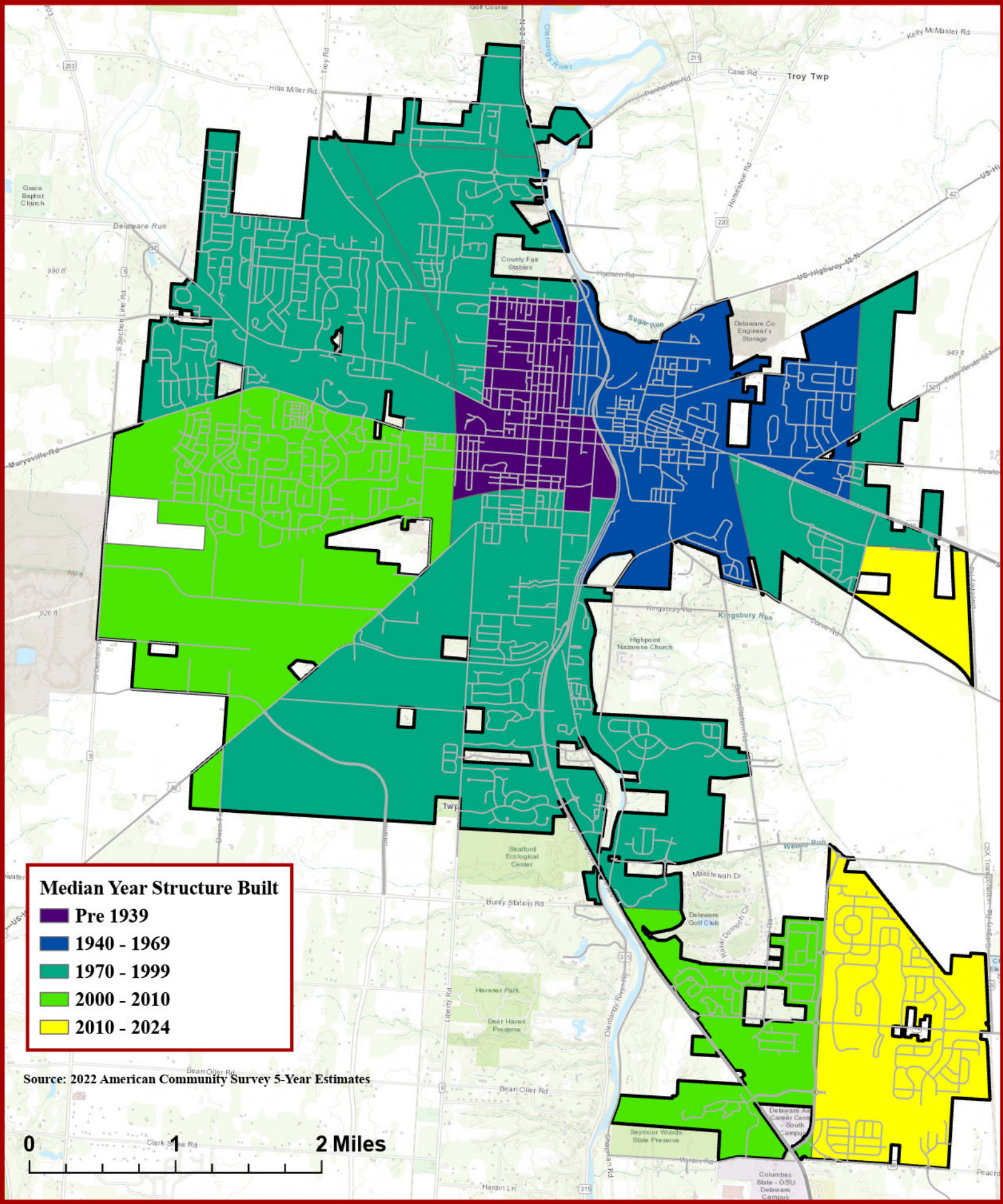
CITY OF DELAWARE OHIO



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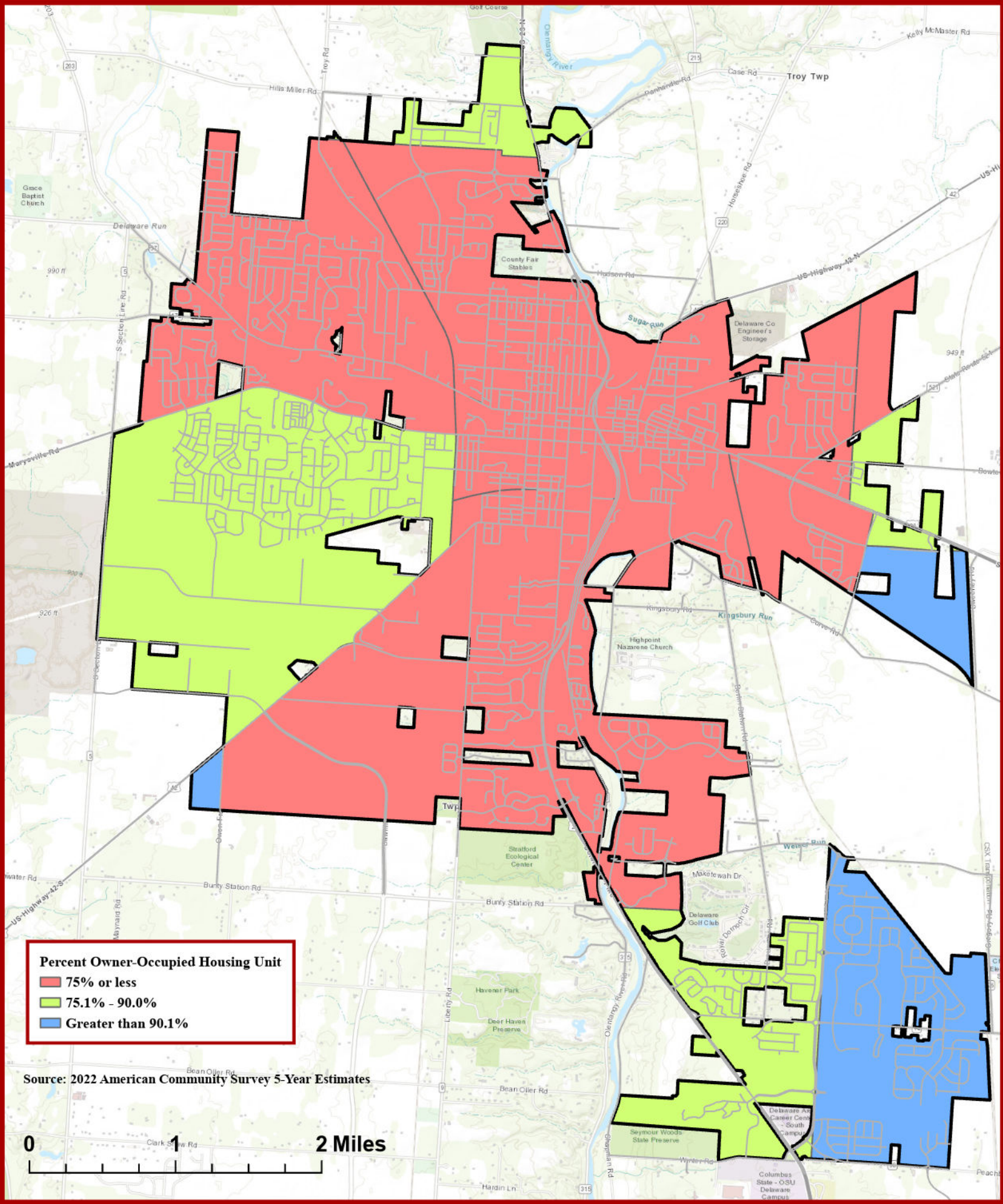
Zoning Map

CITY OF DELAWARE OHIO



Median Year Structure Built By Census Tract

CITY OF DELAWARE OHIO



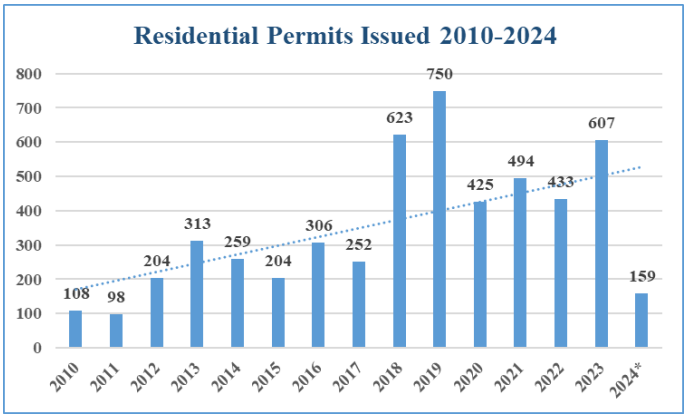
Percent Owner-Occupied Housing Units By Census Tract

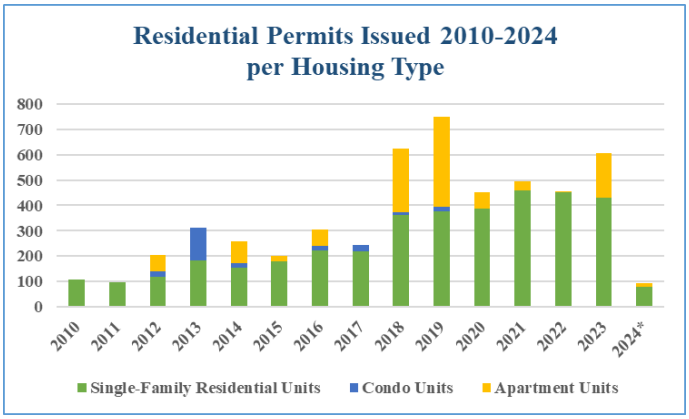
CITY OF DELAWARE OHIO

Dwelling Unit Permits Issued 2010-2024:

Since 2010, the City of Delaware has approved approximately 5,235 dwelling unit permits. Total permits issued have trended at a steady increase with a high of 750 residential permits issued in 2019 and a low of 98 in 2011. The majority of permits have been single-family units totaling 73.2% of all dwelling types, with multi-family units comprising 21.8%, condominium units at 4.5%, and 2-family units at 0.2% respectively.

Year	Single-Family Residential Units	Condo Buildings	Condo Units	Multi-Family Apartment Buildings (4+ Units)	Number of Apartment Units	2-Family Units	3-Family Units	Total All Units
2010	108	0	0	0	0	0	0	108
2011	98	0	0	0	0	0	0	98
2012	117	6	24	0	63	0	0	204
2013	184	22	129	0	0	0	0	313
2014	156	5	15	0	88	0	0	259
2015	180	0	0	0	22	2	0	204
2016	223	8	16	11	65	2	0	306
2017	220	4	24	0	0	8	0	252
2018	364	1	9	29	250	0	0	623
2019	377	4	17	36	356	0	0	750
2020	389	0	0	12	64	0	0	425
2021	458	0	0	7	36	0	0	494
2022	451	0	0	1	4	0	0	433
2023	429	0	0	14	178	0	0	607
2024*	79	0	0	2	14	0	0	159
Total:	**3,833**	**50**	**234**	**112**	**1,140**	**12**	**0**	**5,235**





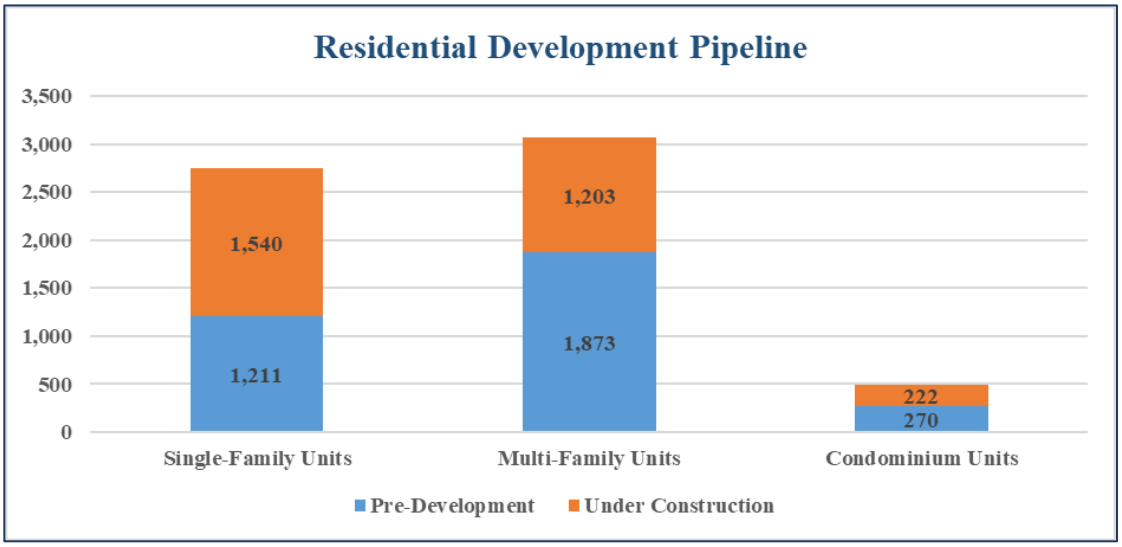
***2024 Represents First Quarter Only**
Source: City of Delaware Planning and Community Development Department

Housing Pipeline:

The growth in new residential unit production will remain strong in the upcoming years. New residential development will continue at a steady pace, particularly along the periphery of the city limits. There are approximately 6,319 housing units in the development pipeline, including single-family, condominium, and multi-family units in various stages of the development process ranging from preliminarily approved to under construction. Dwelling types in the pipeline include forty-four (44%) percent single-family residential units, forty-nine (49%) percent multi-family units, and seven (7%) percent condominium units.

Of the total units in the housing pipeline, only two proposed developments (DCBR- Homeport and Northwood Subarea B) will contain housing units with rental rates attainable to those in the workforce making less than the Area Median Income. Twenty percent (20%) of the Northwood Subarea B, totaling 72 units, will be set aside for households making 80% and 60% of the Area Median Income. One hundred percent (100%) of the units at the DCBR-Homeport development will be set aside (averaging 60% of the AMI) for affordable housing, totaling 52-units.

The graph and charts below display the current housing development pipeline for the city of Delaware.



Source: City of Delaware Planning and Community Development Department

Single-Family/ Two-Family Housing Pipeline*			
Development Name	**Total Units Approved**	**Estimated Potential Population****	**School District**
Addison Farms North	206	509	Delaware
Four Seasons at Addison Farms	94	232	Delaware
Boulder Farms	222	548	Delaware
Communities at Glenross	169	417	Olentangy
DCBR Conversion (Homeport) Phase 3	8	20	Delaware
Donovan Farms	255	630	Delaware
Glenross North	91	225	Olentangy
Limestone Ridge	77	190	Delaware
Park View	182	450	Delaware
Ravines at Olentangy	119	294	Delaware
Rutherford Acres	69	170	Delaware
Terra Alta	639	1,578	Delaware / Olentangy
Northwood (Subarea B)	357	893	Delaware/ Buckeye
Winterbrook Place	263	650	Olentangy
Total:	**2,751**	**6,806**	

*As of May 2024

**Number of Units x 2.5

Pre-Development/ Preliminary Approval

Under Construction

Multi-Family Housing Pipeline*			
Development Name	**Total Units Proposed**	**Estimated Potential Population****	**School District**
Redwood at Addison Farms	280	692	Delaware
Boulder Farms	398	983	Delaware
Coughlin Crossing Apartments	178	440	Delaware
DCBR Conversion (Homeport) Phase 1	24	59	Delaware
Donovan Farms	360	889	Delaware
Greenwood Lake / Flats at Sugar Run	593	1,465	Delaware
Lucy Ridge	270	667	Delaware
Northwood (Subarea A and C)	811	1,267	Delaware/ Buckeye
Mill on Flax	162	400	Delaware
Total:	**3,076**	**6,862**	

*As of May 2024

**Number of Units x 1.5

Pre-Development/ Preliminary Approval

Under Construction

Condominium Housing Pipeline*			
Development Name	**Total Units Approved**	**Estimated Potential Population**	**School District**
Addison Farms Townhomes (Sub-Area B)	76	188	Delaware
Bowtown Grand Townhomes	132	323	Delaware
DCBR Conversion (Homeport) Phase 2	20	49	Delaware
Terra Alta (Section 10 and 11)	132	326	Delaware/ Olentangy
Enclaves at Ravines of the Olentangy	90	222	Delaware
Houk Road Condos	42	103	Delaware
Total:	**492**	**1,211**	

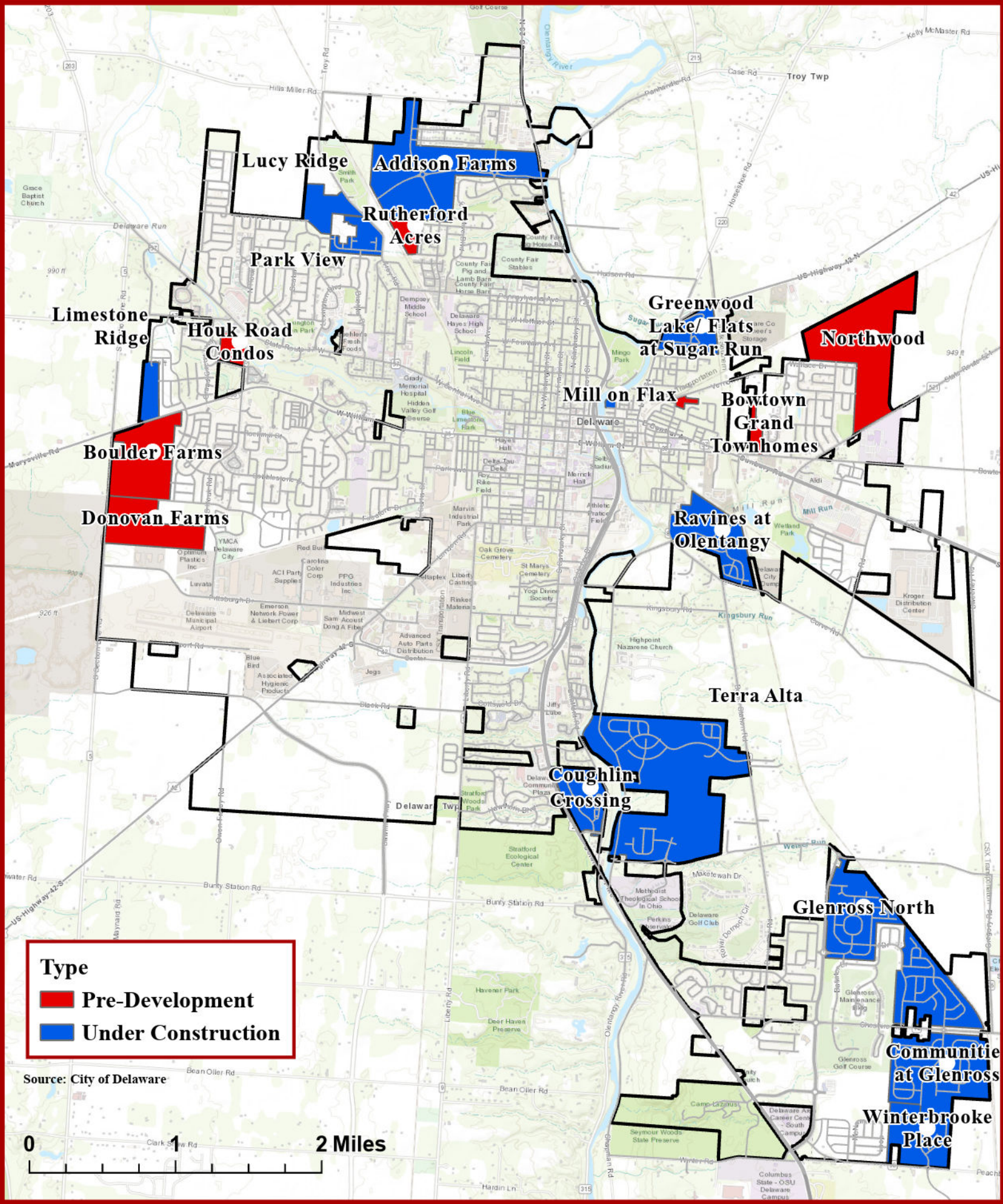
*As of May 2024

**Number of Units x 2.5

Pre-Development/ Preliminary Approval

Under Construction

Source: City of Delaware Planning and Community Development Department



Housing Pipeline Location Map
As of May 2024

CITY OF DELAWARE OHIO

Existing CRA Residential Analysis 2010-2024:

The City of Delaware initiated a CRA program beginning in 1981 with the creation of the City's first CRA Zone. Through the years, as the city grew in population, industrial, commercial and related needs increased, the City periodically amended the CRA boundary through the addition of parcels to incentivize housing, as well as commercial and industrial projects. The last CRA Amendment was performed in 2022 for two parcels south of the Municipal Airport to incentivize a proposed business park.

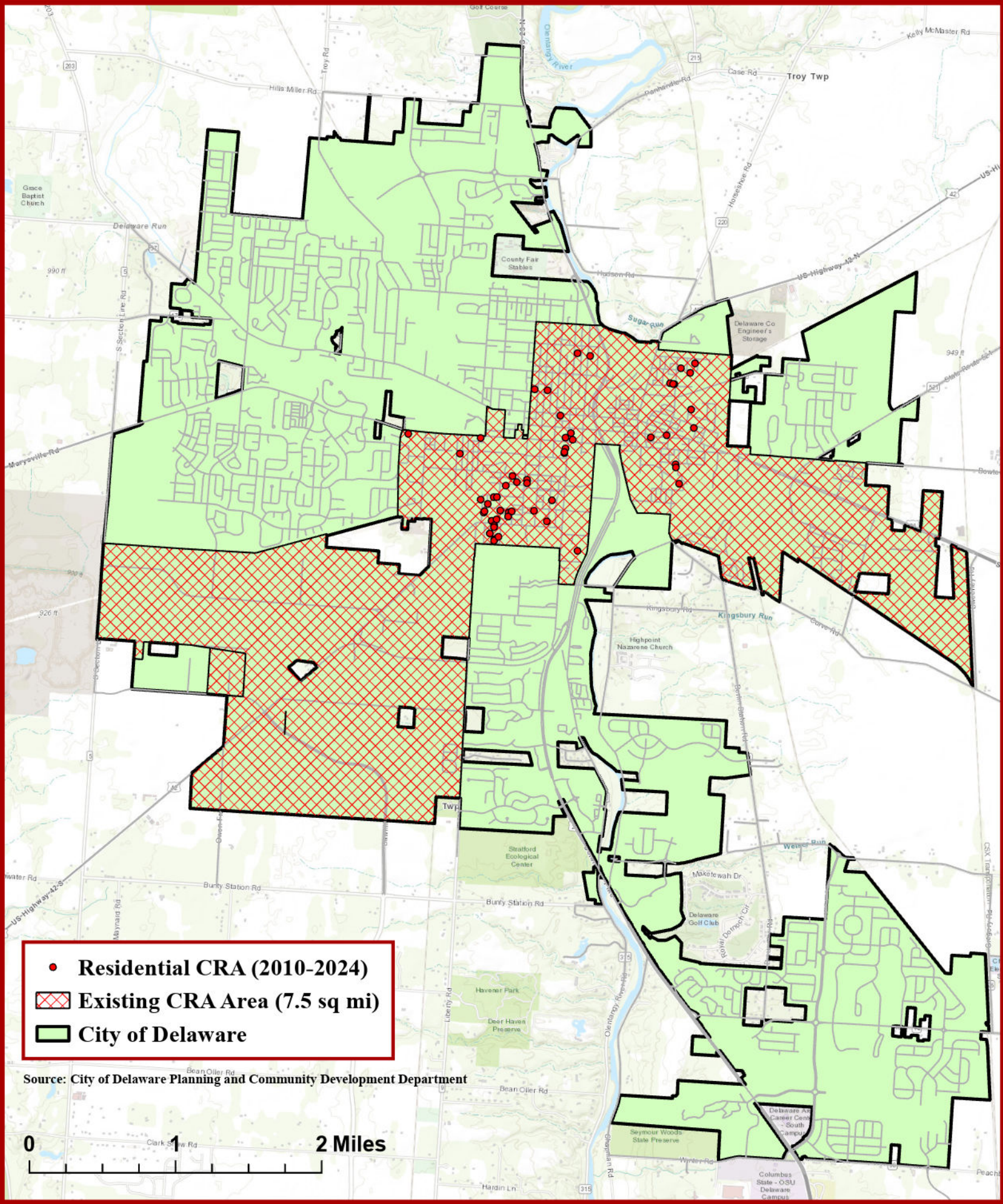
For residential property, a tax exemption on the increase in the assessed valuation resulting from improvements are as follows:

1) Seven (7) years, 100% abatement, for new dwellings containing not more than 2 housing units.
2) Seven (7) years, 100% abatement, for the remodeling of dwellings containing not more than 2 housing units, and upon which the cost of remodeling is at least $2,500 total.
3) Seven (7) years, 100% abatement, for the remodeling of every dwelling containing more than 2 housing units upon which the cost of the remodeling is at least $5,000 total.

Between 2010-2024, the City has administered sixty-three (63) Residential CRA applications. Seventy-six percent (76%) were for new construction and twenty-four percent (24%) were for remodels. Eight (8) of the sixty-three (63) applications were located within the City's Historic District. The average cost of construction per application was $126,377.

		Application Type		Structure Type		
Year	**Total CRA Applications**	**Total: New Structures**	**Total: Remodels**	**1 & 2 Family Stucture**	**3+ Family Structure**	**Average Construction Cost**
2010	3	2	1	3	0	$126,812
2011	4	2	2	4	0	$81,550
2012	4	4	0	4	0	$97,197
2013	9	9	0	9	0	$148,481
2014	7	5	2	5	2	$90,940
2015	3	3	0	3	0	$215,068
2016	3	3	0	3	0	$100,925
2017	4	3	1	4	0	$182,000
2018	1	1	0	1	0	$90,000
2019	3	2	1	2	1	$102,898
2020	7	3	4	5	2	$176,209
2021	7	6	1	7	0	$97,957
2022	5	3	2	3	2	$107,339
2023	2	1	1	2	0	$98,284
2024	1	1	0	1	0	$180,000
Total	**63**	**48**	**15**	**56**	**7**	**$126,377**
Percent Total	**100%**	**76%**	**24%**	**89%**	**11%**	

Source: City of Delaware Planning and Community Development Department



Residential CRA Applications 2010-2024

CITY OF DELAWARE OHIO

Residential Demolitions 2010-2024:

Between 2010-2024, the City of Delaware has approved one-hundred forty-five (145) residential demolition permits. A total of ninety-five (95) demolition permits or sixty-five (65%) percent were located within the existing CRA boundary. During that period, the City also pursued and received state grant funding to target distressed and vacant structures throughout the city. A total of twenty-nine (29) demolitions occurred utilizing a combination of the State's Neighborhood Stabilization Program (NSP), Ohio Attorney General (OAG) Moving Ohio Forward Program, and Revolving Loan Funds (RFL) totaling $478,885 in demolition funding.

NEIGHBORHOOD STABILIZATION PROGRAM (NSP) FUNDED DEMOLITIONS

Address	Year Demolished	Amount Expended
57 Stilson Street	2011	$13,591.20
319 London Rd	2011	$17,820.00
100 E William St	2011	$10,800.00
96 E William St	2011	$18,180.00
1961 Columbus Pike	2011	$11,760.00
34 High St	2012	$8,148.00
51 Toledo St.	2012	$17,453.55
Total:		**$97,752.75**

OAG MOVING OHIO FORWARD FUNDED DEMOLITIONS

Address	Year Demolished	Amount Expended
116 N Sandusky St	2013	$14,295.00
55 W Central Ave	2013	$16,965.38
93 N Franklin St	2014	$16,713.38
2 King Ave	2014	$8,503.95
535 W William St	2014	$11,437.13
28 Lewis St	2014	$6,536.25
39 Eaton St	2014	$5,572.35
43 Eaton St	2014	$5,420.10
181 S Franklin St	2014	$10,080.00
216 S Washington St	2014	$9,135.00
78 Bernard Ave	2014	$18,340.88
68 Spring St	2014	$15,513.75
470 S Sandusky St	2014	$149,064.30
Total:		**$287,577.47**

2016 REVOLVING LOAN FUNDS (RLF) DEMOLITIONS

Address	Year Demolished	Amount Expended
21 Hoyt St.	2016	$6,578.00
24 David	2016	$7,250.00
72 High St.	2016	$6,761.50
32 Colfret Ct	2016	$24,355.00
68 High St.	2016	$6,761.50
Total:		**$51,706.00**

2017 REVOLVING LOAN FUNDS (RLF) DEMOLITIONS

Address	Year Demolished	Amount Expended
304 London Rd	2017	$7,400.00
Total:		**$7,400.00**

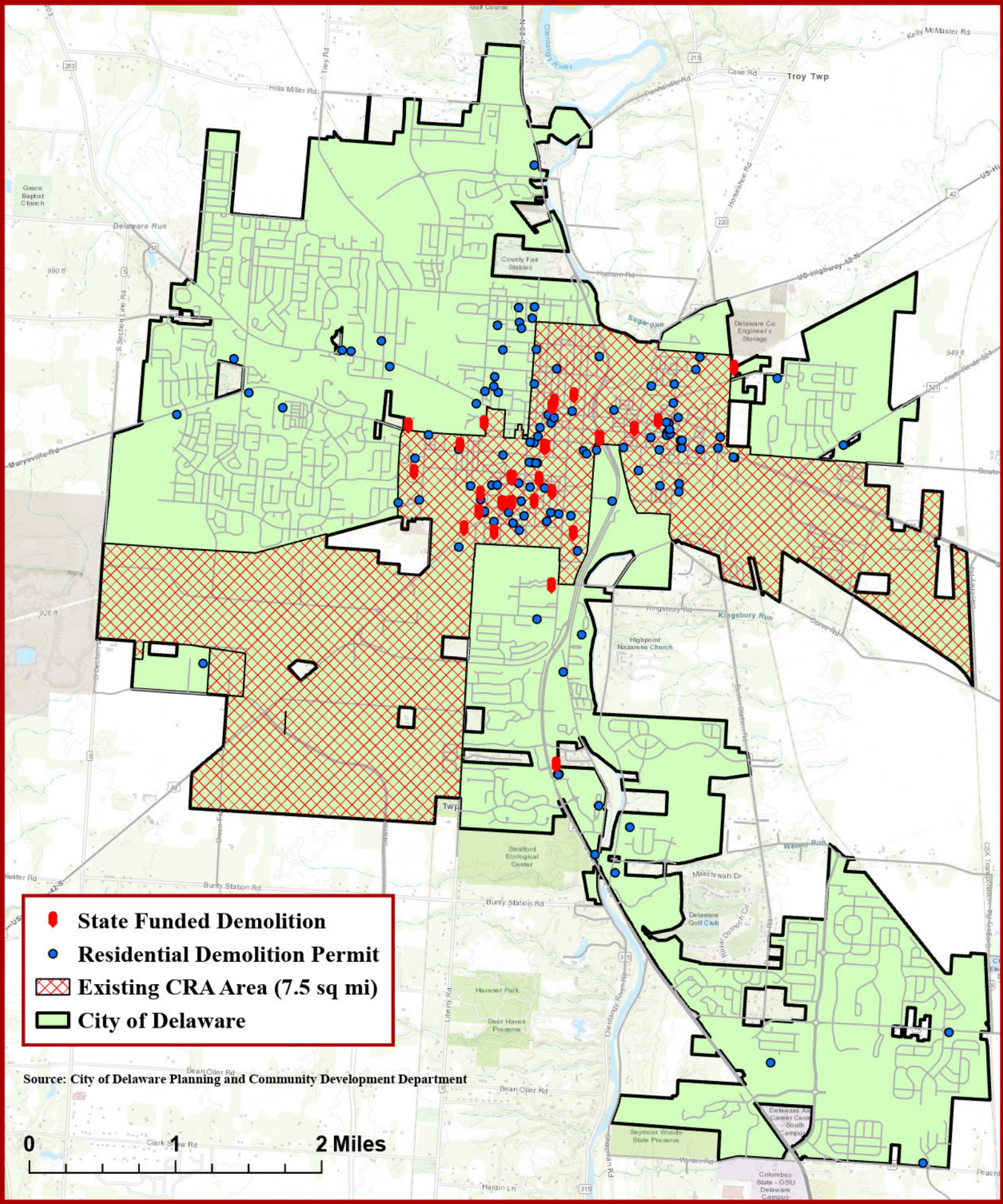
2018 REVOLVING LOAN FUNDS (RLF) DEMOLITIONS

Address	Year Demolished	Amount Expended
246 Vernon Ave	2019	$11,170.00
62 Spring Street	2019	$13,420.00
Total:		**$24,590.00**

2019 REVOLVING LOAN FUNDS (RLF) DEMOLITIONS

Address	Year Demolished	Amount Expended
224 E Central Ave	2020	$9,860.00
Total:		**$9,860.00**

Source: City of Delaware Planning and Community Development Department



Residential CRA Applications 2010-2024

N

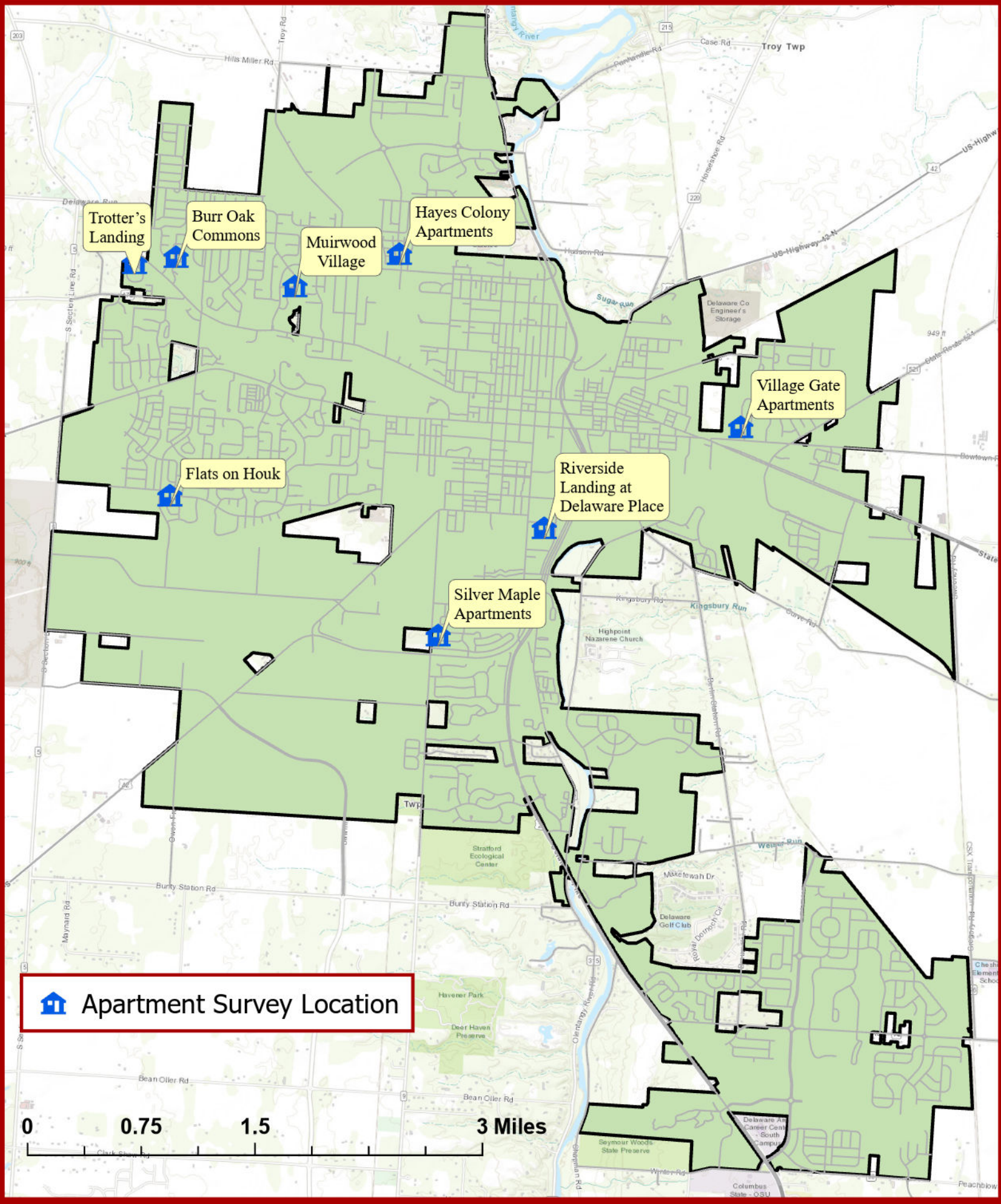
CITY OF DELAWARE OHIO

Price of Rent vs Price of Mortgage Survey:

Eight different apartment complexes and their surrounding neighborhoods in Delaware were surveyed to gather and compare average rent prices and mortgages. Of the apartments surveyed, the average monthly rent was $1,545, monthly mortgages were $1,689 (30 year) and $2,199 (15 year), and the average price of a home was $278,230. When comparing rental prices to surrounding homeowner mortgages, five (5) apartments were comparable in price (marked in blue), two (2) apartments were cheaper (marked in green), and one (1) apartment was more expensive than mortgages costs in the immediately surrounding area (marked in yellow).

Apartment Complex	Apartment Rent	Average Neighborhood Mortgage
Burr Oak Commons	1 bed, 1.5 bath: $2,184 2 beds, 2.5 baths: $2,540	30 yr fixed (%7.709): $1,599 15 yr fixed: (%6.849): $2,184
Flats on Houk	1 bed, 1 bath: $1,472 2 beds, 2 baths: $1,739	30 yr fixed (%7.709): $2,167 15 yr fixed: (%6.849): $2,954
Muirwood Village	1 bed, 1 bath: $971 2 beds, 2 baths: $1,155	30 yr fixed (%7.709): $1,393 15 yr fixed: (%6.821): $1,736
Silver Maple Apartments	1 bed, 1 bath: $1,098 2 beds, 1.5 baths: $1,354 3 beds, 1.5 baths: $2,950	30 yr fixed (%7.709): $1,287 15 yr fixed: (%6.849): $1,603
Riverside Landing at Delaware Place	2 beds, 1 bath: $1,008 2 beds, 1.5 baths: $1,231	30 yr fixed (%7.709): $1,222 15 yr fixed: (%6.849): $1,525
Hayes Colony Apartments	1 bed, 1 bath: $825 2 beds, 1 bath: $870 3 beds, 1 bath: $1,100 3 beds, 1.5 baths: $1,313	30 yr fixed (%7.709): $1,407 15 yr fixed: (%6.821): $1,753
Trotter's Landing	1 bed, 1 bath: $1,433 2 beds, 2 baths: $1,523 3 beds, 2 baths: $1,820 3 beds, 2.5 baths: $2,485	30 yr fixed (%7.709): $1,913 15 yr fixed: (%6.821): $2,383
Village Gate Apartments	1 bed, 1 bath: $1,228 2 beds, 1 bath: $1,296 2 beds, 1.5 baths: $1,348 2 beds, 2 baths: $1,396 2 beds, 2.5 baths: $1,498 3 beds, 2.5 baths: $2,259	30 yr fixed (%7.709): $2,185 15 yr fixed: (%6.821): $2,721

**Mortgage rates are based on averages in the state of Ohio.
**Average monthly mortgage costs are determined by multiplying 80% of the average home cost by the average mortgage rate. 80% accounts for an assumed 20% down payment.



Apartment Location Map
Price of Rent vs Price of Mortgage Survey

CITY OF DELAWARE OHIO

Conclusion:

While the city of Delaware continues to see robust population growth, new residential development projects currently under development or in the planning stages are mostly targeted for middle to high end market rate housing. The need for new high-quality housing that is attainable to working people remains a critical piece for a diversified economy and workforce.

Providing abatement incentives for the development community to provide below market rate housing units as a set aside to a larger market rate development will incentivize the private sector to play a key role in the development of a diversified housing stock attainable to a workforce at all levels.

Currently, there are only two proposed developments in the city's housing pipeline of which 124 units will be dedicated to the construction of new affordable multi-family housing.

Attachment A

Achievable Market-Rent Analysis

Conducted by Vogt Strategic Insights

July 2023

Vogt Strategic Insights

MEMO

Date: July 27, 2023
To: Roy Lowenstein
From: Andrew W. Mazak, Vogt Strategic Insights (VSI)
Re: Achievable Market-Rate Rents – Delaware, Ohio

The purpose of this memorandum is to address and evaluate the potential market-rate rents that could be achieved in a new construction, modern multifamily rental project to be developed in Delaware, Ohio. To determine the achievable market rents, we have established a typical conventional apartment product design and features from which to compare to existing modern market-rate apartments projects in Delaware.

Below are the characteristics of the hypothetical new construction multifamily apartment project from which we evaluated achievable market rents. Note that these characteristics are comparable to other new construction apartment projects recently developed in Delaware and the Greater Columbus region.

Hypothetical New Construction Multifamily Apartment Project				
Bedrooms/Baths	**Style**	**Square Feet**	**Utilities Included in Rent**	**Utilities Responsible by Tenant**
Studio/1.0-Bath	Garden/Flat	500	Trash Collection	General Electricity Electric Heat Electric Hot Water Cold Water/Sewer
One-Bedroom/1.0-Bath	Garden/Flat	750		
Two-Bedroom/2.0-Bath	Garden/Flat	1,000		
Three-Bedroom/2.0-Bath	Garden/Flat	1,250		

Unit Amenities

- Electric Range
- Refrigerator
- Dishwasher
- Garbage Disposal
- Microwave Oven
- Vinyl Wood Plank Floors
- Window Blinds
- In-unit Washer/Dryer
- Patio/Balcony
- Ceiling Fans
- Walk-in Closets

Community Amenities

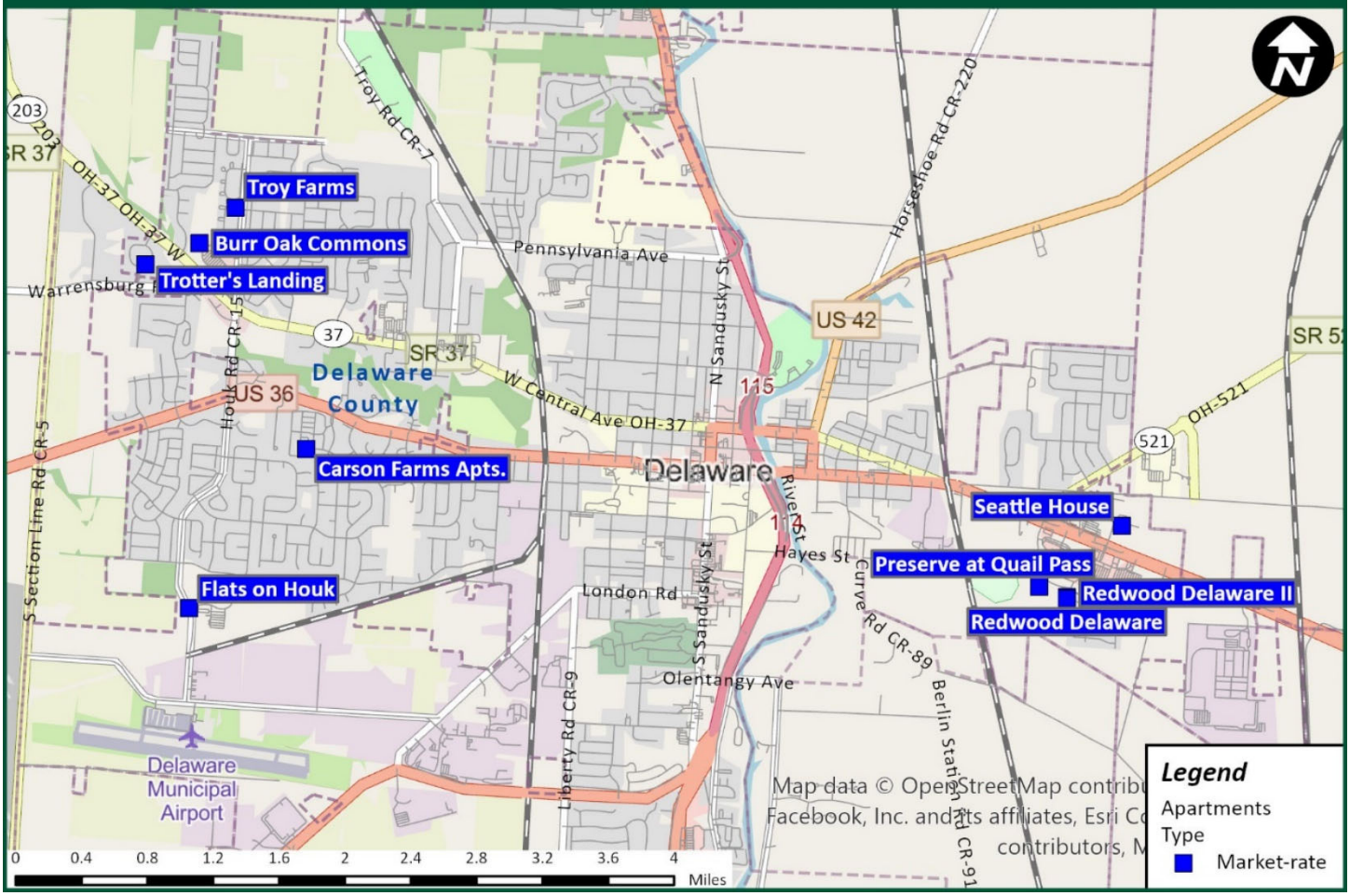
- On-site Management
- Clubhouse/Community Space
- Swimming Pool
- Fitness Center
- Business Center
- Playground

Based on our analysis of the Delaware rental market, we have identified and surveyed nine of the most modern multifamily apartment projects in the area. These comparable properties are summarized in the following table. A map of these properties follows the comparison table, and one-page profiles of these comparable projects can be found after the map.

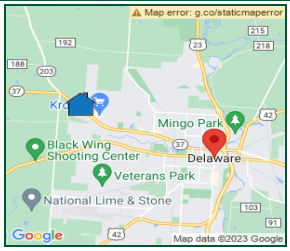
Comparable Market-rate Projects						
Map ID	Project Name	Year Opened	Total Units	Occupancy Rate	Ratings	
					Q.R.	N.R.
1	Trotter's Landing	2000	219	94.1%	A-	B
2	Burr Oak Commons	2020	92	82.6%	A+	A
3	Troy Farms	2003	304	97.0%	A-	A
4	Preserve at Quail Pass	2021	100	96.0%	A	B
5	Redwood Delaware II	2017	226	98.7%	A	A
6	Redwood Delaware	2014	335	94.0%	A-	A
7	Carson Farms Apartments	2013	157	94.3%	A	A
8	Seattle House	2020	240	97.9%	A	B
9	Flats on Houk	2019	168	98.2%	A	B

Source: VSI Apartment Survey
Q.R. – Quality Rating
N.R. – Neighborhood Rating

Comparable Market-rate Property Locations







Electric	Tenant	
Heating	Tenant	Gas
Hot Water	Tenant	Electric
Cooking	Tenant	Electric
Water	Tenant	
Sewer	Tenant	
Trash	Tenant	

Key Facts

Type Market-Rate

Total Units 219

Occupancy 94.1%

Waiting List 12 households

Year Open 2000

Distance to Site miles

Age Restriction None

Unit Amenities:
Refrigerator, Range, Dishwasher, Disposal, Central AC, Carpet, Washer & Dryer, Washer/Dryer Hookups, Patio/Deck/Balcony, Blinds

Concessions:
$500 off

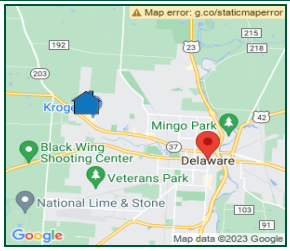
Project Amenities:
Swimming Pool, On-site Management, Clubhouse, Lounge, Fitness Center, Storage

Remarks:
End units have attached garage; Unit mix estimated; Rent range based on renovations

Trotter's Landing

BRs	Baths	Type	Units	Vacant	Square Feet	Collected Rent		Gross Rent
						Unit	$ / Square Foot	
1	1	G	40	1	755	$1,265	$1.68	$1,361
2	2	G	139	10	1,026 - 1,055	$1,430	$1.36 - $1.39	$1,561
3	2	G	40	2	1,156 - 1,450	$1,665 - $1,830	$1.26 - $1.44	$1,832 - $1,997





Electric	Tenant	
Heating	Tenant	Gas
Hot Water	Tenant	Gas
Cooking	Tenant	Gas
Water	Tenant	
Sewer	Tenant	
Trash	Landlord	

Key Facts

Type Market-Rate
Total Units 92
Occupancy 82.6%
Waiting List None
Year Open 2020

Distance to Site miles
Age Restriction Senior (55+)

Unit Amenities:
Refrigerator, Icemaker, Range, Dishwasher, Disposal, Microwave, Central AC, Washer & Dryer, Washer/Dryer Hookups, Patio/Deck/Balcony, Ceiling Fan, Blinds, Granite Counters

Concessions:
1 month free rent

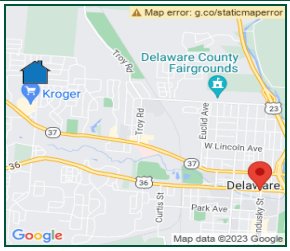
Project Amenities:
On-site Management, Clubhouse, Lounge, Fitness Center, Water Feature(s), Computer/Business Center, Car Wash Area, Walking/Bike Trail, Picnic Area, Dog Park/Pet Care Areas, Community Garden, Activities/Events, Concierge/Doorman, Community Patio

Remarks:
Opened in July 2020; Still in lease-up; 55+ luxury condo type apartments

Burr Oak Commons

BRs	Baths	Type	Units	Vacant	Square Feet	Collected Rent		Gross Rent
						Unit	$ / Square Foot	
1	1.5	G	16	2	1,213	$2,283	$1.88	$2,207
2	2.5	G	44	9	1,451	$2,518 - $2,550	$1.74 - $1.76	$2,455 - $2,487
2	2.5	G	32	5	1,578	$2,770 - $2,835	$1.76 - $1.80	$2,686 - $2,751





Electric	Tenant	
Heating	Tenant	Electric
Hot Water	Tenant	Electric
Cooking	Tenant	Electric
Water	Tenant	
Sewer	Tenant	
Trash	Tenant	

Key Facts

Type Market-Rate

Total Units 304

Occupancy 97.0%

Waiting List None

Year Open 2003

Distance to Site miles

Age Restriction None

Unit Amenities:
Refrigerator, Range, Dishwasher, Disposal, Microwave, Central AC, Carpet, Washer/Dryer Hookups, Patio/Deck/Balcony, Security System, Blinds, Vaulted Ceilings

Concessions:
No Rent Specials

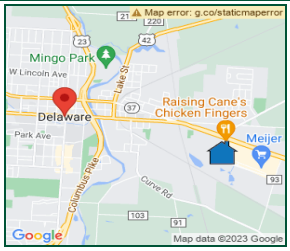
Project Amenities:
Swimming Pool, On-site Management, Laundry Facility, Clubhouse, Lounge, Fitness Center, Water Feature(s), Activities/Events

Remarks:
Accepts HCV (30 units); Higher rent townhomes are 3-stories w/ partially finished basement & vaulted ceilings; LRO rents

Troy Farms

BRs	Baths	Type	Units	Vacant	Square Feet	Collected Rent		Gross Rent
						Unit	$ / Square Foot	
1	1	G	80	2	613 - 756	$1,173 - $1,327	$1.76 - $1.91	$1,311 - $1,465
2	1	G	60	2	949 - 982	$1,446 - $1,461	$1.49 - $1.52	$1,620 - $1,635
2	1.5	T	164	5	1,125 - 1,536	$1,775 - $1,904	$1.24 - $1.58	$1,949 - $2,078





Electric	Tenant	
Heating	Tenant	Electric
Hot Water	Tenant	Electric
Cooking	Tenant	Electric
Water	Tenant	
Sewer	Tenant	
Trash	Landlord	

Key Facts

Type Market-Rate
Total Units 100
Occupancy 96.0%
Waiting List None
Year Open 2021

Distance to Site miles
Age Restriction None

Unit Amenities:
Refrigerator, Range, Dishwasher, Disposal, Microwave, Central AC, Carpet, Washer/Dryer Hookups, Patio/Deck/Balcony, Ceiling Fan, Blinds, Vaulted Ceilings

Concessions:
No Rent Specials

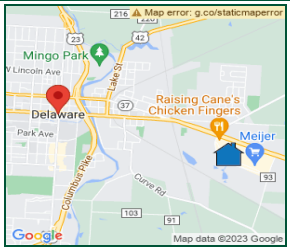
Project Amenities:
On-site Management, Water Feature(s), BBQ Area, Picnic Area, Walking/Bike Trail, Wi-Fi, Courtyard

Remarks:
Preleasing began 2/2021; Opened 9/2021

Preserve at Quail Pass

BRs	Baths	Type	Units	Vacant	Square Feet	Collected Rent		Gross Rent
						Unit	$ / Square Foot	
2	2	G	100	4	1,249 - 1,620	$1,873 - $2,339	$1.44 - $1.50	$2,032 - $2,498





Electric	Tenant	
Heating	Tenant	Electric
Hot Water	Tenant	Electric
Cooking	Tenant	Electric
Water	Landlord	
Sewer	Landlord	
Trash	Landlord	

Key Facts

Type Market-Rate
Total Units 226
Occupancy 98.7%
Waiting List None
Year Open 2017

Distance to Site miles
Age Restriction None

Unit Amenities:
Refrigerator, Range, Dishwasher, Disposal, Microwave, Central AC, Carpet, Washer/Dryer Hookups, Patio/Deck/Balcony, Ceiling Fan, Blinds, Vaulted Ceilings

Concessions:
No Rent Specials

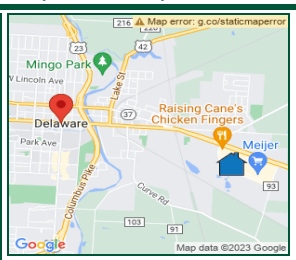
Project Amenities:
On-site Management, Water Feature(s), BBQ Area, Picnic Area, Wi-Fi, Courtyard

Remarks:

Redwood Delaware II

BRs	Baths	Type	Units	Vacant	Square Feet	Collected Rent		Gross Rent
						Unit	$ / Square Foot	
2	2	G	226	3	1,294 - 1,427	$1,755 - $2,100	$1.36 - $1.47	$1,831 - $2,176





Electric	Tenant	
Heating	Tenant	Electric
Hot Water	Tenant	Electric
Cooking	Tenant	Electric
Water	Tenant	
Sewer	Tenant	
Trash	Landlord	

Key Facts

Type Market-Rate
Total Units 335
Occupancy 94.0%
Waiting List None
Year Open 2014

Distance to Site miles
Age Restriction None

Unit Amenities:
Refrigerator, Range, Dishwasher, Disposal, Microwave, Central AC, Carpet, Washer/Dryer Hookups, Patio/Deck/Balcony, Ceiling Fan, Blinds, Vaulted Ceilings

Concessions:
No Rent Specials

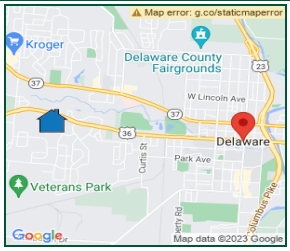
Project Amenities:
On-site Management, Water Feature(s), BBQ Area, Picnic Area, Walking/Bike Trail, Wi-Fi, Courtyard

Remarks:

Redwood Delaware

BRs	Baths	Type	Units	Vacant	Square Feet	Collected Rent		Gross Rent
						Unit	$ / Square Foot	
2	2	G	335	20	1,294 - 1,709	$1,622 - $2,068	$1.21 - $1.25	$1,781 - $2,227





Electric	Tenant	
Heating	Tenant	Electric
Hot Water	Tenant	Electric
Cooking	Tenant	Electric
Water	Tenant	
Sewer	Tenant	
Trash	Landlord	

Key Facts

Type Market-Rate
Total Units 157
Occupancy 94.3%
Waiting List None
Year Open 2013

Distance to Site miles
Age Restriction None

Unit Amenities:
Refrigerator, Icemaker, Range, Dishwasher, Disposal, Microwave, Central AC, Carpet, Washer/Dryer Hookups, Patio/Deck/Balcony, Blinds, Vaulted Ceilings

Concessions:
No Rent Specials

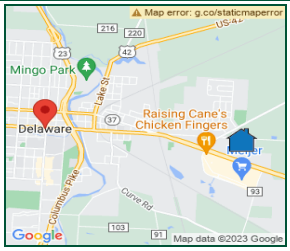
Project Amenities:
Swimming Pool, On-site Management, Clubhouse, Lounge, Fitness Center, Computer/Business Center, BBQ Area, Picnic Area, Wi-Fi, Tanning, Concierge/Doorman, Movie Theater, Courtyard

Remarks:
Flat fee for trash included in reported rents: $25; $10 discount to Delaware YMCA; Unit mix estimated

Carson Farms Apts.

BRs	Baths	Type	Units	Vacant	Square Feet	Collected Rent		Gross Rent
						Unit	$ / Square Foot	
2	2	G	97	3	1,178	$1,479	$1.26	$1,638
2	1.5	T	16	0	1,100	$1,619	$1.47	$1,778
2	2.5	T	20	3	1,100	$1,678	$1.53	$1,837
3	2.5	T	24	3	1,245	$1,840	$1.48	$2,034





Electric	Tenant	
Heating	Tenant	Gas
Hot Water	Tenant	Gas
Cooking	Tenant	Electric
Water	Tenant	
Sewer	Tenant	
Trash	Landlord	

Key Facts

Type Market-Rate
Total Units 240
Occupancy 97.9%
Waiting List None
Year Open 2020

Distance to Site miles
Age Restriction None

Unit Amenities:
Refrigerator, Icemaker, Range, Dishwasher, Disposal, Microwave, Central AC, Vinyl Flooring, Washer & Dryer, Washer/Dryer Hookups, Patio/Deck/Balcony, Ceiling Fan, Blinds

Concessions:
No Rent Specials

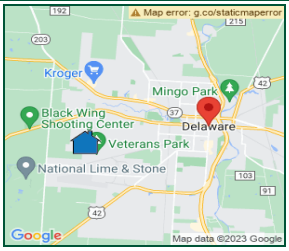
Project Amenities:
Swimming Pool, On-site Management, Clubhouse, Billiards, Fitness Center, Computer/Business Center, BBQ Area, Picnic Area, Dog Park/Pet Care Areas, Community Garden, Activities/Events, Wi-Fi, Movie Theater

Remarks:
Preleasing began & opened 3/2020; Reached stabilized occupancy 7/2021

Seattle House

BRs	Baths	Type	Units	Vacant	Square Feet	Collected Rent		Gross Rent
						Unit	$ / Square Foot	
1	1	G	80	1	681	$1,160	$1.70	$1,276
2	2	G	160	4	957	$1,410	$1.47	$1,559





Electric	Tenant	
Heating	Tenant	Gas
Hot Water	Tenant	Gas
Cooking	Tenant	Gas
Water	Tenant	
Sewer	Tenant	
Trash	Tenant	

Key Facts

Type Market-Rate
Total Units 168
Occupancy 98.2%
Waiting List None
Year Open 2019

Distance to Site miles
Age Restriction None

Unit Amenities:
Refrigerator, Range, Dishwasher, Disposal, Microwave, Central AC, Vinyl Flooring, Washer & Dryer, Washer/Dryer Hookups, Patio/Deck/Balcony, Blinds, Quartz Counters

Concessions:
No Rent Specials

Project Amenities:
Swimming Pool, On-site Management, Clubhouse, Lounge, Fitness Center, Bocce Ball, Computer/Business Center, BBQ Area, Picnic Area, Walking/Bike Trail, Dog Park/Pet Care Areas, Community Garden, Movie Theater, Car Charging Station

Remarks:
Preleasing began 6/2019; Opened 10/2019; Rent range based on unit size

Flats on Houk

BRs	Baths	Type	Units	Vacant	Square Feet	Collected Rent		Gross Rent
						Unit	$ / Square Foot	
1	1	G	64	1	762 - 846	$1,228 - $1,422	$1.61 - $1.68	$1,357 - $1,551
2	2	G	104	2	1,078 - 1,210	$1,555 - $1,876	$1.44 - $1.55	$1,717 - $2,038

The basis for the selection of these projects includes, but is not limited to, the following factors:

- Surrounding neighborhood characteristics
- Target market (seniors, families, disabled, etc.)
- Unit types offered (garden or townhouse, bedroom types, etc.)
- Building type (single-story, midrise, high-rise, etc.)
- Unit and project amenities offered
- Age and appearance of property

Since it is unlikely that any two properties are identical, we adjust the collected rent (the actual rent paid by tenants) of the selected properties according to whether or not they compare favorably with the hypothetical subject development. Rents of projects that have additional or better features than the subject site are adjusted negatively, while projects with inferior or fewer features are adjusted positively. For example, if the hypothetical subject project does not have a washer and dryer and a selected property does, then we lower the collected rent of the selected property by the estimated value of a washer and dryer to derive an *achievable market rent* for a project similar to the subject project as proposed.

The rent adjustments used in this analysis are based on various sources, including known charges for additional features within the Delaware market, estimates made by area property managers and realtors, quoted rental rates from furniture rental companies and VSI's prior experience in central Ohio and similar markets nationwide.

One or more of the selected properties may be more similar to the subject property than others. These properties are given more weight in terms of reaching the final achievable market rent determination. While monetary adjustments are made for various unit and project features, the final market rent determination is based upon our judgment.

The following Rent Comparability Grids show the collected rents for each of the selected properties and illustrate the adjustments made (as needed) for various features and location or neighborhood characteristics, as well as quality differences that exist among the selected properties and the hypothetical subject development.

Studio Comparability Grid

	Subject		Comp #1		Comp #2		Comp #3		Comp #4		Comp #5	
	Hypothetical New Construction		Trotter's Landing		Burr Oak Commons		Troy Farms		Seattle House		Flats on Houk	
	N/A	Data on	1 Trotter's Cir.		90 Burr Oak Dr.		124 Lippazon Way		1 Kerry Park Cir.		1000 Solomon Sq.	
	Delaware, OH	Subject	Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH	
A.	**Rents Charged**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
1	**$ Last Rent/Restricted?**		**$1,265**		**$2,283**		**$1,173**		**$1,160**		**$1,228**	
3	**Rent Concessions**		YES	($42)	YES	($190)	NONE		NONE		NONE	
4	**Occupancy for Unit Type**		98%		88%		98%		99%		98%	
5	**Effective Rent & Rent/Sq. Ft.**		**$1,223**	$1.62	**$2,093**	$1.73	**$1,173**	$1.91	**$1,160**	$1.70	**$1,228**	$1.61
B.	**Design, Location, Condition**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
6	**Structure/Stories**	**WU/3**	WU/2		R/1		WU/2,3		WU/2		WU/2	
7	**Year Built/Year Renovated**	**2024**	2000	$48	2020	$8	2003	$42	2020	$8	2019	$10
8	**Condition/Street Appeal**	**A**	A-	$20	A+	($20)	A-	$20	A		A	
9	**Neighborhood**	**B**	B		A		A		B		B	
10	**Same Market? Miles to Subj**		YES		YES		YES		YES		YES	
C.	**Unit Equipment/ Amenities**		**Data**	**$ Adj**	**Data**	**Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
11	**# Bedrooms**	**0**	1	($125)	1	($125)	1	($125)	1	($125)	1	($125)
12	**# Baths**	**1**	1		1.5	($20)	1		1		1	
13	**Unit Interior Sq. Ft.**	**500**	755	($87)	1213	($244)	613	($39)	681	($62)	762	($90)
14	**Balcony/Patio**	**Y**	Y		Y		Y		Y		Y	
15	**AC: Central/Wall**	**C**	C		C		C		C		C	
16	**Range/Refrigerator**	**R/F**	R/F		R/F		R/F		R/F		R/F	
17	**Microwave/Dishwasher**	**Y/Y**	N/Y	$5	Y/Y		Y/Y		Y/Y		Y/Y	
18	**Washer/Dryer**	**W/D**	W/D		W/D		HU/L	$15	W/D		W/D	
19	**Floor Coverings**	**W**	C	$5	W		C	$5	V	$10	V	$10
20	**Window Treatments**	**B**	B		B		B		B		B	
21	**Ceiling Fan**	**Y**	N	$5	Y		N	$5	Y		N	$5
22	**Garbage Disposal**	**Y**	Y		Y		Y		Y		Y	
23	**Appliance Type**	**S**	B	$10	S		W	$20	B	$10	S	
D	**Site Equipment/ Amenities**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
24	**Parking** ($ Fee)	**LOT/$0**	LOT/$0		A-GAR	($150)	LOT/$0		LOT/$0		STREET	$10
25	**On-Site Management**	**Y**	Y		Y		Y		Y		Y	
26	**Security**	**N**	N		N		N		N		N	
27	**Clubhouse/Meeting Rooms**	**CH/A/L**	CH/L	$2	CH/L	$2	CH/L	$2	CH/B	$5	CH/L	$2
28	**Pool/Recreation Areas**	**P/F**	P/F		F	$10	P/F		P/F		P/F/C	($1)
29	**Playground**	**Y**	N	$5	N	$5	N	$5	N	$5	N	$5
30	**Business Center**	**Y**	N	$4	Y		N	$4	Y		Y	
31	**Outdoor Areas**	**N**	N		W/P/D/G	($14)	N		B/P/D/G	($11)	B/P/W/D/G	($16)
32	**Services**	**N**	N		A	($5)	A	($5)	A	($5)	B	$0
E.	**Utilities**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
33	**Heat** (in rent?/type)	**N/E**	N/G	$6	N/G	$6	N/E	$6	N/G	$6	N/G	$6
34	**Cooling** (in rent?/type)	**N/E**	N/E		N/E		N/E		N/E		N/E	
35	**Cooking** (in rent?/type)	**N/E**	N/E	$2	N/G		N/E	$2	N/E	$2	N/G	
36	**Hot Water** (in rent?/type)	**N/E**	N/E	$4	N/G	($3)	N/E	$4	N/G	($3)	N/G	($3)
37	**Other Electric**	**N**	N		N		N		N		N	
38	**Cold Water/Sewer**	**N/N**	N/N		N/N		N/N		N/N		N/N	
39	**Trash/Recycling**	**Y/N**	N/N	$15	Y/N		N/N	$15	Y/N		N/N	$15
F.	**Adjustments Recap**		**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**
40	**# Adjustments B to D**		9	2	4	7	9	3	5	4	6	4
41	**Sum Adjustments B to D**		$104	($212)	$25	($578)	$118	($169)	$38	($203)	$42	($232)
42	**Sum Utility Adjustments**		$27	$0	$6	($3)	$27	$0	$8	($3)	$21	($3)
			Net	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**
43	***Net/Gross Adjmts B to E***		*($81)*	*$343*	*($550)*	*$612*	*($24)*	*$314*	*($160)*	*$252*	*($172)*	*$298*
G.	**Adjusted & Market Rents**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**	
44	**Adjusted Rent** (5+ 43)		**$1,142**		**$1,543**		**$1,149**		**$1,000**		**$1,056**	
45	Adj. Rent/Last Rent			93%		74%		98%		86%		86%
46	**Estimated Market Rent**	**$1,100**	**$2.20**		**Estimated Market Rent/Sq. Ft.**							

One-Bedroom Garden Comparability Grid

	Subject		Comp #1		Comp #2		Comp #3		Comp #4		Comp #5	
	Hypothetical New Construction		Trotter's Landing		Burr Oak Commons		Troy Farms		Seattle House		Flats on Houk	
	N/A	Data on	1 Trotter's Cir.		90 Burr Oak Dr.		124 Lippazon Way		1 Kerry Park Cir.		1000 Solomon Sq.	
	Delaware, OH	Subject	Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH	
A.	**Rents Charged**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
1	**$ Last Rent/Restricted?**		**$1,265**		**$2,283**		**$1,173**		**$1,160**		**$1,228**	
3	**Rent Concessions**		YES	($42)	YES	($190)	NONE		NONE		NONE	
4	**Occupancy for Unit Type**		98%		88%		98%		99%		98%	
5	**Effective Rent & Rent/Sq. Ft.**		**$1,223**	$1.62	**$2,093**	$1.73	**$1,173**	$1.91	**$1,160**	$1.70	**$1,228**	$1.61
B.	**Design, Location, Condition**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
6	**Structure/Stories**	**WU/3**	WU/2		R/1		WU/2,3		WU/2		WU/2	
7	**Year Built/Year Renovated**	**2024**	2000	$48	2020	$8	2003	$42	2020	$8	2019	$10
8	**Condition/Street Appeal**	**A**	A-	$20	A+	($20)	A-	$20	A		A	
9	**Neighborhood**	**B**	B		A		A		B		B	
10	**Same Market? Miles to Subj**		YES		YES		YES		YES		YES	
C.	**Unit Equipment/ Amenities**		**Data**	**$ Adj**	**Data**	**Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
11	**# Bedrooms**	**1**	1		1		1		1		1	
12	**# Baths**	**1**	1		1.5	($20)	1		1		1	
13	**Unit Interior Sq. Ft.**	**750**	755	($2)	1213	($158)	613	$47	681	$24	762	($4)
14	**Balcony/Patio**	**Y**	Y		Y		Y		Y		Y	
15	**AC: Central/Wall**	**C**	C		C		C		C		C	
16	**Range/Refrigerator**	**R/F**	R/F		R/F		R/F		R/F		R/F	
17	**Microwave/Dishwasher**	**Y/Y**	N/Y	$5	Y/Y		Y/Y		Y/Y		Y/Y	
18	**Washer/Dryer**	**W/D**	W/D		W/D		HU/L	$15	W/D		W/D	
19	**Floor Coverings**	**W**	C	$5	W		C	$5	V	$10	V	$10
20	**Window Treatments**	**B**	B		B		B		B		B	
21	**Ceiling Fan**	**Y**	N	$5	Y		N	$5	Y		N	$5
22	**Garbage Disposal**	**Y**	Y		Y		Y		Y		Y	
23	**Appliance Type**	**S**	B	$10	S		W	$20	B	$10	S	
D	**Site Equipment/ Amenities**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
24	**Parking** ($ Fee)	**LOT/$0**	LOT/$0		A-GAR	($150)	LOT/$0		LOT/$0		STREET	$10
25	**On-Site Management**	**Y**	Y		Y		Y		Y		Y	
26	**Security**	**N**	N		N		N		N		N	
27	**Clubhouse/Meeting Rooms**	**CH/A/L**	CH/L	$2	CH/L	$2	CH/L	$2	CH/B	$5	CH/L	$2
28	**Pool/Recreation Areas**	**P/F**	P/F		F	$10	P/F		P/F		P/F/C	($1)
29	**Playground**	**Y**	N	$5	N	$5	N	$5	N	$5	N	$5
30	**Business Center**	**Y**	N	$4	Y		N	$4	Y		Y	
31	**Outdoor Areas**	**N**	N		W/P/D/G	($14)	N		B/P/D/G	($11)	B/P/W/D/G	($16)
32	**Services**	**N**	N		A	($5)	A	($5)	A	($5)	B	$0
E.	**Utilities**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
33	**Heat** (in rent?/type)	**N/E**	N/G		N/G		N/E		N/G		N/G	
34	**Cooling** (in rent?/type)	**N/E**	N/E		N/E		N/E		N/E		N/E	
35	**Cooking** (in rent?/type)	**N/E**	N/E		N/G	($2)	N/E		N/E		N/G	($2)
36	**Hot Water** (in rent?/type)	**N/E**	N/E		N/G	($7)	N/E		N/G	($7)	N/G	($7)
37	**Other Electric**	**N**	N		N		N		N		N	
38	**Cold Water/Sewer**	**N/N**	N/N		N/N		N/N		N/N		N/N	
39	**Trash/Recycling**	**Y/N**	N/N	$15	Y/N		N/N	$15	Y/N		N/N	$15
F.	**Adjustments Recap**		**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**
40	**# Adjustments B to D**		9	1	4	6	10	1	6	2	6	3
41	**Sum Adjustments B to D**		$104	($2)	$25	($367)	$165	($5)	$62	($16)	$42	($21)
42	**Sum Utility Adjustments**		$15	$0	$0	($9)	$15	$0	$0	($7)	$15	($9)
			Net	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**
43	***Net/Gross Adjmts B to E***		*$117*	*$121*	*($351)*	*$401*	*$175*	*$185*	*$39*	*$85*	*$27*	*$87*
G.	**Adjusted & Market Rents**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**	
44	**Adjusted Rent** (5+ 43)		**$1,341**		**$1,741**		**$1,348**		**$1,199**		**$1,255**	
45	Adj. Rent/Last Rent			110%		83%		115%		103%		102%
46	**Estimated Market Rent**	**$1,350**	**$1.80**		**Estimated Market Rent/Sq. Ft.**							

Two-Bedroom Garden Comparability Grid

	Subject		Comp #1		Comp #2		Comp #3		Comp #4		Comp #5		Comp #6		Comp #7		Comp #8		Comp #9	
	Hypothetical New Construction		Trotter's Landing		Burr Oak Commons		Troy Farms		Preserve at Quail Pass		Redwood Delaware II		Redwood Delaware		Carson Farms Apts.		Seattle House		Flats on Houk	
	N/A	Data on	1 Trotter's Cir.		90 Burr Oak Dr.		124 Lippazon Way		24 Bur Reed Rd.		20 Bur Reed Rd.		20 Bur Reed Rd.		437 Sunburst Dr.		1 Kerry Park Cir.		1000 Solomon Sq.	
	Delaware, OH	Subject	Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH	
A.	**Rents Charged**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
1	$ Last Rent/Restricted?		$1,430		$2,518		$1,446		$1,873		$1,755		$1,622		$1,479		$1,410		$1,555	
3	Rent Concessions		YES	($42)	YES	($210)	NONE		NONE		NONE		NONE		NONE		NONE		NONE	
4	Occupancy for Unit Type		93%		80%		97%		96%		99%		94%		97%		98%		98%	
5	Effective Rent & Rent/Sq. Ft.		$1,388	$1.35	$2,308	$1.59	$1,446	$1.47	$1,873	$1.50	$1,755	$1.36	$1,622	$1.25	$1,479	$1.26	$1,410	$1.47	$1,555	$1.44
B.	**Design, Location, Condition**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
6	Structure/Stories	WU/3	WU/2		R/1		WU/2,3		R/1		R/1		R/1		WU/2		WU/2		WU/2	
7	Year Built/Year Renovated	2024	2000	$48	2020	$8	2003	$42	2021	$6	2017	$14	2014	$20	2013	$22	2020	$8	2019	$10
8	Condition/Street Appeal	A	A-	$20	A+	($20)	A-	$20	A		A		A-	$20	A		A		A	
9	Neighborhood	B	B		A		A		B		A		A		A		B		B	
10	Same Market? Miles to Subj		YES		YES		YES		YES		YES		YES		YES		YES		YES	
C.	**Unit Equipment/ Amenities**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
11	# Bedrooms	2	2		2		2		2		2		2		2		2		2	
12	# Baths	2	2		2.5	($20)	1	$40	2		2		2		2		2		2	
13	Unit Interior Sq. Ft.	1000	1026	($8)	1451	($132)	982	$5	1249	($73)	1294	($86)	1294	($86)	1178	($52)	957	$13	1078	($23)
14	Balcony/Patio	Y	Y		Y		Y		Y		Y		Y		Y		Y		Y	
15	AC: Central/Wall	C	C		C		C		C		C		C		C		C		C	
16	Range/Refrigerator	R/F	R/F		R/F		R/F		R/F		R/F		R/F		R/F		R/F		R/F	
17	Microwave/Dishwasher	Y/Y	N/Y	$5	Y/Y		Y/Y		Y/Y		Y/Y		Y/Y		Y/Y		Y/Y		Y/Y	
18	Washer/Dryer	W/D	W/D		W/D		HU/L	$15	HU	$20	HU	$20	HU	$20	HU	$20	W/D		W/D	
19	Floor Coverings	W	C	$5	W		C	$5	C	$5	C	$5	C	$5	C	$5	V	$10	V	$10
20	Window Treatments	B	B		B		B		B		B		B		B		B		B	
21	Ceiling Fan	Y	N	$5	Y		N	$5	Y		Y		Y		N	$5	Y		N	$5
22	Garbage Disposal	Y	Y		Y		Y		Y		Y		Y		Y		Y		Y	
23	Appliance Type	S	B	$10	S		W	$20	W	$20	W	$20	W	$20	B	$10	B	$10	S	
D	**Site Equipment/ Amenities**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
24	Parking ($ Fee)	LOT/$0	LOT/$0		A-GAR	($150)	LOT/$0		A-GAR	($150)	A-GAR	($150)	A-GAR	($150)	A-GAR	($150)	LOT/$0		STREET	$10
25	On-Site Management	Y	Y		Y		Y		Y		Y		N		N		N		N	
26	Security	N	N		N		N		N		N		N		N		N		N	
27	Clubhouse/Meeting Rooms	CH/A/L	CH/L	$2	CH/L	$2	CH/L	$2	N	$11	N	$11	N	$11	CH/L	$2	CH/B	$5	CH/L	$2
28	Pool/Recreation Areas	P/F	P/F		F	$10	P/F		N	$13	N	$13	N	$13	P/F		P/F		P/F/C	($1)
29	Playground	Y	N	$5	N	$5	N	$5	N	$5	N	$5	N	$5	N	$5	N	$5	N	$5
30	Business Center	Y	N	$4	Y		N	$4	N	$4	N	$4	N	$4	Y		Y		Y	
31	Outdoor Areas	N	N		W/P/D/G	($14)	N		B/P/W	($9)	B/P	($4)	B/P/W	($9)	B/P	($4)	B/P/D/G	($11)	B/P/W/D/G	($16)
32	Services	N	N		A	($5)	A	($5)	N		N		N		N		A	($5)	B	$0
E.	**Utilities**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
33	Heat (in rent?/type)	N/E	N/G	($1)	N/G	($1)	N/E		N/E		N/E		N/E		N/E		N/G	($1)	N/G	($1)
34	Cooling (in rent?/type)	N/E	N/E		N/E		N/E		N/E		N/E		N/E		N/E		N/E		N/E	
35	Cooking (in rent?/type)	N/E	N/E		N/G	($2)	N/E		N/E		N/E		N/E		N/E		N/E		N/G	($2)
36	Hot Water (in rent?/type)	N/E	N/E		N/G	($9)	N/E		N/E		N/E		N/E		N/E		N/G	($9)	N/G	($9)
37	Other Electric	N	N		N		N		N		N		N		N		N		N	
38	Cold Water/Sewer	N/N	N/N		N/N		N/N		N/N		Y/Y	($83)	N/N		N/N		N/N		N/N	
39	Trash/Recycling	Y/N	N/N	$15	Y/N		N/N	$15	Y/N		Y/N		Y/N		Y/N		Y/N		N/N	$15
F.	**Adjustments Recap**		**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**
40	# Adjustments B to D		9	1	4	6	11	1	8	3	8	3	9	3	7	3	6	2	6	3
41	Sum Adjustments B to D		$104	($8)	$25	($341)	$163	($5)	$84	($232)	$92	($240)	$118	($245)	$69	($206)	$51	($16)	$42	($40)
42	Sum Utility Adjustments		$15	($1)	$0	($12)	$15	$0	$0	$0	$0	($83)	$0	$0	$0	$0	$0	($10)	$15	($12)
			Net	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**
43	*Net/Gross Adjmts B to E*		*$110*	*$128*	*($328)*	*$378*	*$173*	*$183*	*($148)*	*$316*	*($231)*	*$415*	*($127)*	*$363*	*($137)*	*$275*	*$25*	*$77*	*$5*	*$109*
G.	**Adjusted & Market Rents**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**	
44	**Adjusted Rent** (5+ 43)		$1,499		$1,980		$1,619		$1,725		$1,524		$1,495		$1,342		$1,435		$1,560	
45	Adj. Rent/Last Rent			108%		86%		112%		92%		87%		92%		91%		102%		100%
46	**Estimated Market Rent**	$1,650	$1.65		Estimated Market Rent/Sq. Ft.															

Three-Bedroom Garden Comparability Grid

	Subject		Comp #1		Comp #2		Comp #3		Comp #4		Comp #5		Comp #6		Comp #7		Comp #8		Comp #9	
	Hypothetical New Construction		Trotter's Landing		Burr Oak Commons		Troy Farms		Preserve at Quail Pass		Redwood Delaware II		Redwood Delaware		Carson Farms Apts.		Seattle House		Flats on Houk	
	N/A	Data on	1 Trotter's Cir.		90 Burr Oak Dr.		124 Lippazon Way		24 Bur Reed Rd.		20 Bur Reed Rd.		20 Bur Reed Rd.		437 Sunburst Dr.		1 Kerry Park Cir.		1000 Solomon Sq.	
	Delaware, OH	Subject	Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH		Delaware, OH	
A.	**Rents Charged**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
1	**$ Last Rent/Restricted?**		**$1,665**		**$2,518**		**$1,775**		**$1,873**		**$1,755**		**$1,622**		**$1,840**		**$1,410**		**$1,876**	
3	**Rent Concessions**		YES	($42)	YES	($210)	NONE		NONE		NONE		NONE		NONE		NONE		NONE	
4	**Occupancy for Unit Type**		95%		80%		97%		96%		99%		94%		88%		98%		98%	
5	**Effective Rent & Rent/Sq. Ft.**		**$1,623**	$1.40	**$2,308**	$1.59	**$1,775**	$1.58	**$1,873**	$1.50	**$1,755**	$1.36	**$1,622**	$1.25	**$1,840**	$1.48	**$1,410**	$1.47	**$1,876**	$1.55
B.	**Design, Location, Condition**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
6	**Structure/Stories**	**WU/3**	WU/2		R/1		TH/2,3		R/1		R/1		R/1		TH/2		WU/2		WU/2	
7	**Year Built/Year Renovated**	**2024**	2000	$48	2020	$8	2003	$42	2021	$6	2017	$14	2014	$20	2013	$22	2020	$8	2019	$10
8	**Condition/Street Appeal**	**A**	A-	$20	A+	($20)	A-	$20	A		A		A-	$20	A		A		A	
9	**Neighborhood**	**B**	B		A		A		B		A		A		A		B		B	
10	**Same Market? Miles to Subj**		YES		YES		YES		YES		YES		YES		YES		YES		YES	
C.	**Unit Equipment/ Amenities**		**Data**	**Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
11	**# Bedrooms**	**3**	3		2	$80	2	$80	2	$80	2	$80	2	$80	3		2	$80	2	$80
12	**# Baths**	**2**	2		2.5	($20)	1.5	$20	2		2		2		2.5	($20)	2		2	
13	**Unit Interior Sq. Ft.**	**1250**	1156	$28	1451	($60)	1125	$37	1249	$0	1294	($13)	1294	($13)	1245	$1	957	$87	1210	$12
14	**Balcony/Patio**	**Y**	Y		Y		Y		Y		Y		Y		Y		Y		Y	
15	**AC: Central/Wall**	**C**	C		C		C		C		C		C		C		C		C	
16	**Range/Refrigerator**	**R/F**	R/F		R/F		R/F		R/F		R/F		R/F		R/F		R/F		R/F	
17	**Microwave/Dishwasher**	**Y/Y**	N/Y	$5	Y/Y		Y/Y		Y/Y		Y/Y		Y/Y		Y/Y		Y/Y		Y/Y	
18	**Washer/Dryer**	**W/D**	W/D		W/D		HU/L	$15	HU	$20	HU	$20	HU	$20	HU	$20	W/D		W/D	
19	**Floor Coverings**	**W**	C	$5	W		C	$5	C	$5	C	$5	C	$5	C	$5	V	$10	V	$10
20	**Window Treatments**	**B**	B		B		B		B		B		B		B		B		B	
21	**Ceiling Fan**	**Y**	N	$5	Y		N	$5	Y		Y		Y		N	$5	Y		N	$5
22	**Garbage Disposal**	**Y**	Y		Y		Y		Y		Y		Y		Y		Y		Y	
23	**Appliance Type**	**S**	B	$10	S		W	$20	W	$20	W	$20	W	$20	B	$10	B	$10	S	
D	**Site Equipment/ Amenities**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
24	**Parking** ($ Fee)	**LOT/$0**	LOT/$0		A-GAR	($70)	LOT/$0		A-GAR	($70)	A-GAR	($70)	A-GAR	($70)	A-GAR	($70)	LOT/$0		STREET	$5
25	**On-Site Management**	**Y**	Y		Y		Y		Y		Y		N		N		N		N	
26	**Security**	**N**	N		N		N		N		N		N		N		N		N	
27	**Clubhouse/Meeting Rooms**	**CH/A/L**	CH/L	$2	CH/L	$2	CH/L	$2	N	$11	N	$11	N	$11	CH/L	$2	CH/B	$5	CH/L	$2
28	**Pool/Recreation Areas**	**P/F**	P/F		F	$10	P/F		N	$13	N	$13	N	$13	P/F		P/F		P/F/C	($1)
29	**Playground**	**Y**	N	$5	N	$5	N	$5	N	$5	N	$5	N	$5	N	$5	N	$5	N	$5
30	**Business Center**	**Y**	N	$4	Y		N	$4	N	$4	N	$4	N	$4	Y		Y		Y	
31	**Outdoor Areas**	**N**	N		W/P/D/G	($14)	N		B/P/W	($9)	B/P	($4)	B/P/W	($9)	B/P	($4)	B/P/D/G	($11)	B/P/W/D/G	($16)
32	**Services**	**N**	N		A	($5)	A	($5)	N		N		N		N		A	($5)	B	$0
E.	**Utilities**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
33	**Heat** (in rent?/type)	**N/E**	N/G		N/G	($7)	N/E	($6)	N/E	($6)	N/E	($6)	N/E	($6)	N/E		N/G	($7)	N/G	($7)
34	**Cooling** (in rent?/type)	**N/E**	N/E		N/E		N/E		N/E		N/E		N/E		N/E		N/E		N/E	
35	**Cooking** (in rent?/type)	**N/E**	N/E		N/G	($3)	N/E	($1)	N/E	($1)	N/E	($1)	N/E	($1)	N/E		N/E	($1)	N/G	($3)
36	**Hot Water** (in rent?/type)	**N/E**	N/E		N/G	($13)	N/E	($4)	N/E	($4)	N/E	($4)	N/E	($4)	N/E		N/G	($13)	N/G	($13)
37	**Other Electric**	**N**	N		N		N		N		N		N		N		N		N	
38	**Cold Water/Sewer**	**N/N**	N/N		N/N		N/N		N/N		Y/Y	($83)	N/N		N/N		N/N		N/N	
39	**Trash/Recycling**	**Y/N**	N/N	$15	Y/N		N/N	$15	Y/N		Y/N		Y/N		Y/N		Y/N		N/N	$15
F.	**Adjustments Recap**		**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**
40	**# Adjustments B to D**		10	0	5	6	12	1	10	2	9	3	10	3	8	3	7	2	8	2
41	**Sum Adjustments B to D**		$132	$0	$105	($189)	$255	($5)	$164	($79)	$172	($87)	$198	($92)	$70	($94)	$205	($16)	$129	($17)
42	**Sum Utility Adjustments**		$15	$0	$0	($23)	$15	($11)	$0	($11)	$0	($94)	$0	($11)	$0	$0	$0	($21)	$15	($23)
			Net	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**
43	***Net/Gross Adjmts B to E***		*$147*	*$147*	*($107)*	*$317*	*$254*	*$286*	*$74*	*$254*	*($9)*	*$353*	*$95*	*$301*	*($24)*	*$164*	*$168*	*$242*	*$104*	*$184*
G.	**Adjusted & Market Rents**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**	
44	**Adjusted Rent** (5+ 43)		**$1,770**		**$2,201**		**$2,029**		**$1,947**		**$1,746**		**$1,717**		**$1,816**		**$1,578**		**$1,980**	
45	Adj. Rent/Last Rent			109%		95%		114%		104%		99%		106%		99%		112%		106%
46	**Estimated Market Rent**	**$1,900**	**$1.52**		**Estimated Market Rent/Sq. Ft.**															

Once all adjustments to collected rents were made, the adjusted rents for each comparable were used to derive an achievable market rent for each bedroom type. Each property was considered and weighed based upon its proximity to the subject site and its amenities and unit layout compared to the subject site.

Based on the preceding Rent Comparability Grids, it was determined that the present-day achievable collected market rents for new construction, quality multifamily apartments units in Delaware are **$1,100** for a studio unit, **$1,350** for a one-bedroom unit, **$1,650** for a two-bedroom unit and **$1,900** for a three-bedroom unit. These achievable market rent conclusions are illustrated as follows:

Achievable Market Rent Summary			
Bedroom Type	**Typical Unit Size**	**Achievable Market Rent**	**Achievable Market Rent Per Square Foot**
Studio	500 S.F.	$1,100	$2.20
One-Bedroom	750 S.F.	$1,350	$1.80
Two-Bedroom	1,000 S.F.	$1,650	$1.65
Three-Bedroom	1,250 S.F.	$1,900	$1.52

S.F. – Square Foot

These present-day achievable collected market rents are considered to be the maximum rent that a modern, new construction, conventional multifamily rental project could achieve in Delaware, Ohio.

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Sandra Pereira, Planning Department
ITEM TYPE:	Ordinances
AGENDA SECTION:	**THIRD READING OF ORDINANCE NO. 26-47**
SUBJECT:	Ordinance No. 26-47, an ordinance approving a request by Ex Flax, LLC for approval of a Zoning Map Amendment from various zoning districts to R-PUD (Residential Planned Unit Development) on approximately 1.75 acres of property located on the west side of the intersection of Lake Street and Flax Street as described in "Exhibit A". *(Rezoning request for a property located on Lake Street for new duplex/townhomes that will become part of The Mill on Flax Apartment complex.)*

SUGGESTED ACTION:

ATTACHMENTS:

1 Fact Sheet.docx
2 PUD 26-7 CC Staff Report.docx
3 PUD 26-2 AMEND 05-26 Ordinance.docx
4 PUD 26-7 attachments.pdf
5 R-PUD 26-7, Flax and Lake rezoning.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 13

DATE: 9/28/2026

ORDINANCE NO: 26-47

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: YES (9/28/2026 **September 28, 2026 at 7:10 PM**)

TO: Mayor and Members of City Council

FROM: Paul J. Brake, City Manager

VIA: Sandra Pereira, Planning & Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE APPROVING A REQUEST BY EX FLAX, LLC FOR APPROVAL OF A ZONING MAP AMENDMENT FROM VARIOUS ZONING DISTRICTS TO R-PUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT) ON APPROXIMATELY 1.75 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF THE INTERSECTION OF LAKE STREET AND FLAX STREET AS DESCRIBED IN "EXHIBIT A".

BACKGROUND:
See attached staff report.

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Chapter 1105: Amendments of the Codified Ordinances.

COMMITTEE RECOMMENDATION:
Planning Commission approved this case 5-0 on September 2, 2026

FISCAL IMPACT(S):
N/A

POLICY CHANGES:

N/A

PRESENTER(S):
Sandra Pereira, Planning & Community Development Director

RECOMMENDATION:
Staff recommends approval

ATTACHMENT(S)
See attached

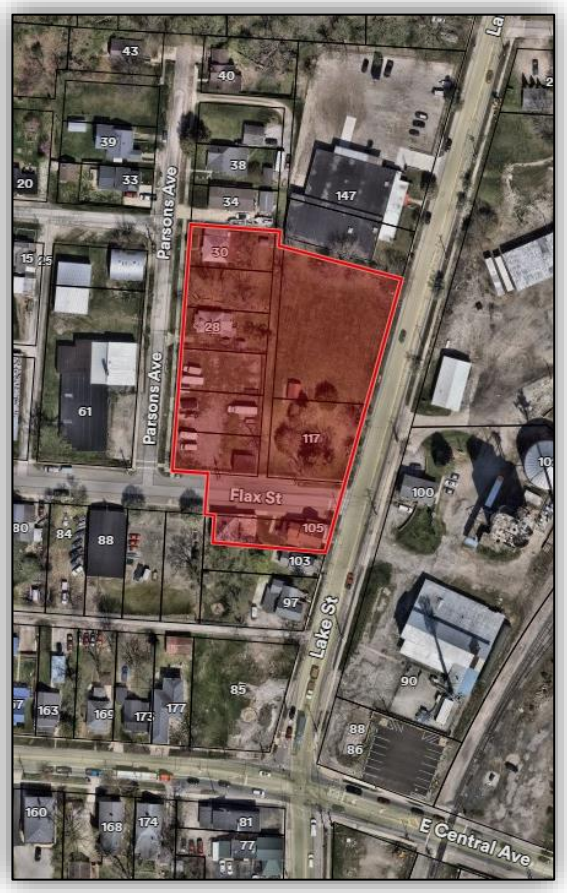
CITY COUNCIL STAFF REPORT

CASE ID: R-PUD 26-7: Flax and Lake (River West)

APPLICANT: Ex Flax, LLC
4215 Worth Avenue, Suite 310
Columbus, OH 43219

REQUEST

A request by Ex Flax, LLC for approval of a Zoning Map Amendment from various zoning districts to R-PUD (Residential Planned Unit Development) on approximately 1.75 acres of property located on the west side of the intersection of Lake Street and Flax Street as described in "Exhibit A".



BACKGROUND/ LOCATION

The subject site is comprised of nine parcels located on the west side of the intersection of Lake Street and Flax Street (shown in red, right). Eight of the nine parcels are located north of Flax Street.

EXISTING CONDITIONS/ CURRENT ZONING

The site is comprised of two single-family homes, one two-family home, and various vacant lots. The three vacant lots located on the northeast corner of Parsons Avenue and Flax Street have been used as an informal parking lot since at least 1997. The home which was once located on the parcel on the northwest corner of Flax Street and Lake Street was demolished sometime between 2006 and 2008. There is unimproved right-of-way north of Flax Street between Parsons Avenue and Lake Street which would be vacated. The lot furthest northwest is currently zoned R-NT (Residential Neighborhood Transition), and the eight other lots north of Flax Street are currently zoned C-NX (Commercial Neighborhood Mixed). The lot south of Flax Street is currently zoned R-NX (Residential Neighborhood Mixed). The surrounding zoning is as follows:

Location	Zoning	Land Use
North	R-NT (Residential Neighborhood Transition) / C-NX (Commercial Neighborhood Mixed)	Single-Family Residential / Commercial Business
South	R-NT (Residential Neighborhood Transition) / R-NX (Residential Neighborhood Mixed)	Single- and Two-Family Residential / Commercial Business
West	R-NT (Residential Neighborhood Transition) / C-NX (Commercial Neighborhood Mixed)	Single-Family Residential / Commercial Business
East	C-NX (Commercial Neighborhood Mixed)	Commercial Industrial Business

STAFF ANALYSIS

Zoning: The applicant is requesting to rezone the site to a Residential Planned Unit Development (R-PUD) to establish a multi-family residential development. While multi-family residential is a conditionally permitted use in the C-NX zoning district, which a majority of this site lies within, a PUD allows the site to be more creatively developed to accommodate for the complexity of infill development while bringing all parcels in this proposed development into the same zoning district.

Land Use and Comprehensive Plan: The subject site is in the Riverfront and Near East Side Gateway Focus Areas and is located within a designated Traditional Activity District (mixed-use, higher intensity). Traditional Activity Districts support multi-family development as outlined in the Comprehensive Plan. The proposed development aligns with several goals and objectives of Delaware Together, including:

- Objective A.2: Encourage quality, higher density development in selected locations.
- Objective A.8: Improve design quality and align the design of major corridors.
- Objective A.15: Encourage infill and redevelopment in the Riverfront, Near East Side, and South Sandusky Street.
- Action B.6.3: Increase the amount of workforce housing.
- Objective D.1: Provide more attainable housing.
- Objective D.3: Diversify the housing stock.
- Objective D.6: Enhance linkages between housing and amenities.

Uses: The attached Resolution outlines a variety of conditions relating to the proposed PUD, including the uses recommended by staff, shown in the table below.

	Permitted (P) / Conditional (C)
Residential Uses	
a. Two-Family dwelling	P
b. Three-Family Dwelling	P
c. Four-Family or more dwelling	P
d. Cluster single-family Dwelling	P
e. Multi-Family Complex	P
Commercial Uses	
a. Public or Private Recreational Facility	P
b. Neighborhood Commercial Establishment	C

Concept Plan: The conceptual plan dated "01/14/2026" is the proposed concept plan for the PUD. Specific details around lot dimensions, building design, internal road layout, etc. will be determined at the Development Plan stages. Some high-level details relating to the zoning of this site are as follows:

Density and Layout

The gross density of the development shall not exceed 38 dwelling units per acre (66 units). This is consistent with the nearby Mill on Flax development by this same developer, which is 37 dwelling units per acre. Staff is recommending a condition to limit the height of buildings to 45 feet.

Roads and Traffic

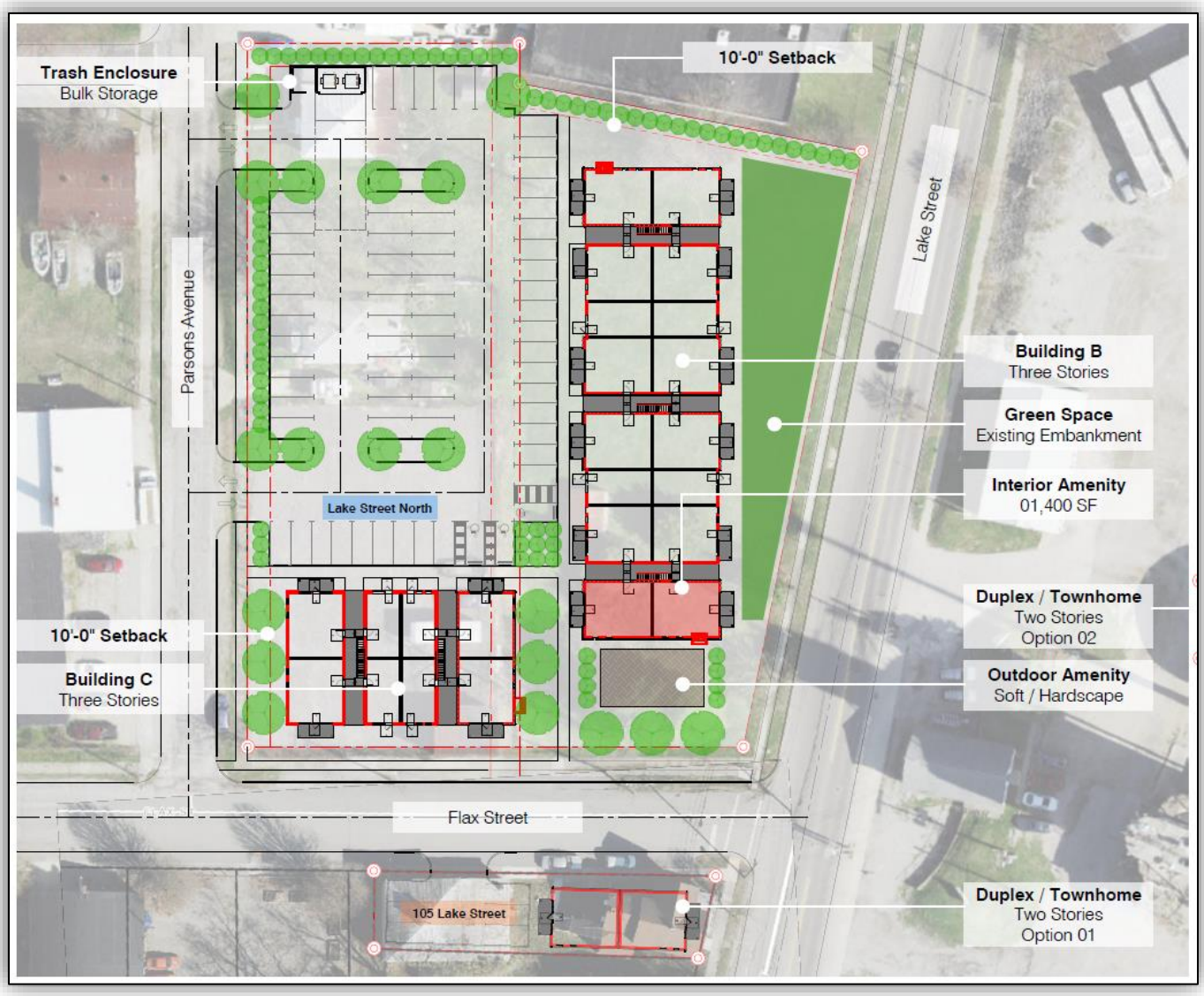
All access to the development north of Flax Street shall be from Parsons Avenue. A single access point would be permitted on Flax Street for the development south of Flax. The applicant will be required to contribute to regional infrastructural and transportation improvements in the area in the following ways:

1. Fee-simple right-of-way shall be dedicated along Lake Street.
2. Design and construction of improvements to Flax Street along the project frontage.
3. Design and construction of upgrades to Parsons Avenue between Flax and Delta Streets, including resurfacing and curb.

4. Financial contribution to the Project Trust Fund for the City's Lake Street and East Central Avenue intersection improvements, of an amount to be determined in the future.

Buffers, Landscaping, and Open Space

Because this proposal is an infill development, there would be small pockets of open space, largely fronting Lake Street. The full open space plan, including parkland dedication requirements, will be determined at the Development Plan stage and will need to meet zoning code requirements.



Pedestrian Access

The applicant would maintain and improve existing sidewalk connections to meet, at minimum, base code requirements.

RECOMMENDATION

Staff and Planning Commission recommend approval of the request with the conditions of approval outlined in the attached resolution.

ORDINANCE NO. 26-47

AN ORDINANCE APPROVING A REQUEST BY EX FLAX, LLC FOR APPROVAL OF A ZONING MAP AMENDMENT FROM VARIOUS ZONING DISTRICTS TO R-PUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT) ON APPROXIMATELY 1.75 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF THE INTERSECTION OF LAKE STREET AND FLAX STREET AS DESCRIBED IN "EXHIBIT A".

WHEREAS, the Planning Commission at its meeting on September 2, 2026, recommended approval of an ordinance approving a request by Ex Flax, LLC for approval of a Zoning Map Amendment from various zoning districts to R-PUD (Residential Planned Unit Development) on approximately 1.75 acres of property located on the west side of the intersection of Lake Street and Flax Street as described in "Exhibit A".

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

SECTION 1. A request by Ex Flax, LLC for approval of a Zoning Map Amendment from various zoning districts to R-PUD (Residential Planned Unit Development) on approximately 1.75 acres of property located on the west side of the intersection of Lake Street and Flax Street as described in "Exhibit A", is hereby confirmed, approved, and accepted with the following conditions:

1. The concept plan dated "January 14, 2026" illustrates the general layout of the development within this Planned Unit Development.
2. Uses permitted (P) and conditionally permitted (C) in this Residential Planned Unit Development are as follows:

Residential Uses	
a) Two-Family dwelling	P
b) Three-Family dwelling	P
c) Four-family or more dwelling	P
d) Cluster single-family dwelling	P
e) Multi-family complex	P
Commercial Uses	
a) Public or private recreational facility	P
b) Neighborhood Commercial Establishment	C

3. Roads, Traffic, and Engineering:

a. All comments and concerns of the City Engineer, including any stormwater and utility requirements, must be addressed through the Engineering and Utilities Departments through the development plan and engineering plan approvals with development of the property.
b. Vehicular access to the parcels north of Flax St. will only be permitted from Parsons Ave.; no direct access to either Lake St. or Flax St. will be permitted. A single curb cut on Flax. St. to the parcel south of Flax St. will be permitted.
c. Fee-simple public right of way shall be dedicated along Lake St. to 35-ft from centerline of existing right of way.
d. Unimproved right-of-way shall be vacated by the applicant.
e. With engineering plan approval and development plan approval, redevelopment of the property will be required to design and construct the following in association with this development:
    i. Improvements to Flax St. along the frontage
    ii. Upgrades to Parsons Ave. between Flax St and Delta St., including resurfacing and curb
    iii. Provide contribution to the Project Trust Fund for the City's Lake St. and Central Ave. intersection improvements. The amount will be determined by a development plan approval condition.

4. Density and Layout:

    a. The gross density of this R-PUD shall not exceed 38 dwelling units per acre (66 dwelling units).

    b. The height of all buildings shall not exceed 45 feet.

    c. There shall be a minimum setback of 10 feet on Parsons Avenue. Building setbacks on Lake and Flax Streets shall be determined at the Development Plan stage. All development shall require sight triangle analysis to ensure buildings do not encroach on vehicular or pedestrian visibility.

5. Landscaping and Screening:

    a. Landscaping, screening, and buffers shall be determined at the Development Plan stage and shall at a minimum comply with Chapter 1121 of City Code requirements.

    b. Existing conditions, including but not limited to sidewalks, tree lawns, and street trees, shall be brought into compliance with City Code requirements.

    c. A minimum 10-foot buffer shall be required on the north property line.

6. Minimum building and parking setbacks shall be established at the Development Plan stage.

7. Signage requirements shall be determined at the Development Plan stage.

SECTION 2. That the Zoning Map referenced in §1110.02 of the Planning and Zoning Code be amended to rezone 1.75 acres of land described further in Exhibit A, from various zoning districts to R-PUD (Residential Planned Unit Development).

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

VOTE ON RULE SUSPENSION: YEAS_____NAYS_____ ABSTAIN_____

PASSED: _____, 2026 YEAS_____NAYS_____ABSTAIN_____

ATTEST: _____ _____
ACTING CITY CLERK MAYOR

RIVERWEST PARTNERS

07/10/2026

City of Delaware

Planning and Community Development Department

Re: Letter of Intent – Zoning Amendment Application

To Whom It May Concern,

This Letter of Intent is submitted in support of our zoning amendment application for the properties listed within the application materials. The ownership group intends to undertake the following actions as part of a coordinated redevelopment effort:

- Combine all commonly owned parcels identified in the application into a single development parcel. These properties are currently under three separate LLCs, which will be consolidated at a later stage of the process.
- Vacate the alley located between the parcels north of Flax Street to allow for unified site planning and improved development efficiency.
- Develop a 46 unit multifamily residential project across the combined parcels.

The existing zoning classifications for the subject parcels include Neighborhood Mixed Commercial District (C NX). The proposed zoning classification requested through this amendment is Neighborhood Mixed Residential District (R NX).

The existing uses associated with the parcels include 520, 599, 400, 499, 510, and 500. The proposed redevelopment will transition these properties to a unified multifamily residential use consistent with the City's planning objectives and the requested zoning designation 555 R-PUD.

We appreciate the City's consideration of this application and look forward to continuing to work collaboratively with staff throughout the review process.
Sincerely,

Jeremy Freeman
VP, Special Projects
RiverWest Partners
614-935-1085
Jfreeman@riverwestproperties.com

EXHIBIT A

Parcel 1:

Situated in the City of Delaware, in the County of Delaware, and in the State of Ohio, and being more particularly bounded and described as follows:

Being Inlots Nos. Twenty-three Hundred Nine (2309), Twenty-three Hundred Ten (2310) and Twenty-three Hundred Eleven (2311) in H. L. AND F. J. HYATT'S ADDITION to the said City of Delaware, Ohio. See Plat Book 3, Page 23, Delaware County Recorder's Office.

Parcel 2:

Situated in the State of Ohio, in the County of Delaware, and in the City of Delaware, bounded and described as follows:

Being Inlot No. Two Thousand Three Hundred and Seven (2307) in H. L. AND F. J. HYATT'S ADDITION to the City of Delaware, as the same is delineated upon the recorded plat thereof in Plat Book No. 3, Page 23, Recorder's Office, Delaware, Ohio.

Parcel 3:

Being situated in the State of Ohio, in the County of Delaware, and in the City of Delaware, and being bounded and described as follows:

Being Inlot No. 2306 in H. L. AND F.J. HYATT'S ADDITION to the City of Delaware, as recorded in Volume 3, Page 23, Plat Records of Delaware County, Ohio.

Parcel 4:

Situated in the County of Delaware, in the State of Ohio and in the City of Delaware and bounded and described as follows:

Being Inlot No. 2308 in H. L. AND F. J. HYATTS ADDITION to the City of Delaware, Ohio, as delineated upon the recorded plat thereof in Plat Book 3, Page 23, Recorder's Office, Delaware County, Ohio.

Parcel 5:

Situated in the State of Ohio, in the County of Delaware, and in the City of Delaware, and being bounded and described as follows:

Being a part of Inlot No. 1224 in LEWIS H. AND GRACE V. LEE'S ADDITION to said City as recorded in Plat Book 2, Page 139 and being part of Lot C in partition of the real estate of M.W. Pettibone as platted on Chancery Record 10, Page 106 of said County, the part of the lot hereby conveyed being the North part of said Lot No. 1224, bounded and described as follows:

Commencing at a point on the East line of said inlot and West line of Lake Street, 36 feet and 10 inches South of the northeast corner of said inlot; thence, North along the West line of said Lake Street 36 feet and 10 inches to the Northeast corner of said Lot; thence, West along the North line of said Lot and South line of Flax Street, 146 feet; thence, South on a line parallel with the West line of said Lot, 34 feet; thence, East on a line parallel with the North line of said Lot to the place of beginning.

Parcel 6:

EXHIBIT A
(Continued)

Situated in the County of Delaware, in the State of Ohio, in the City of Delaware and bounded and described as follows: Being in Range 19, Township 5, Section 4, U.S.M. Lands, in the West part of Farm Lot No. 11 and in the Northeast part of Subdivision "C" in the plat and subdivision of the real estate of Milo D. Pettibone, deceased, and bounded thus: Beginning at a stone on a post at the intersection of the West line of Lake Street with the North line of Flax Street; thence West along the North line of Flax Street 94 1/4 feet; thence North 534 1/2 feet to the North line of said Subdivision "C", being the North line of Lot No. 11; thence East along said North line 199 feet to a stone on a post in the West line of said Lake Street; thence Southeasterly along the West line of said Lake Street 47 07/100 feet to the place of beginning, containing 1.8 acres.

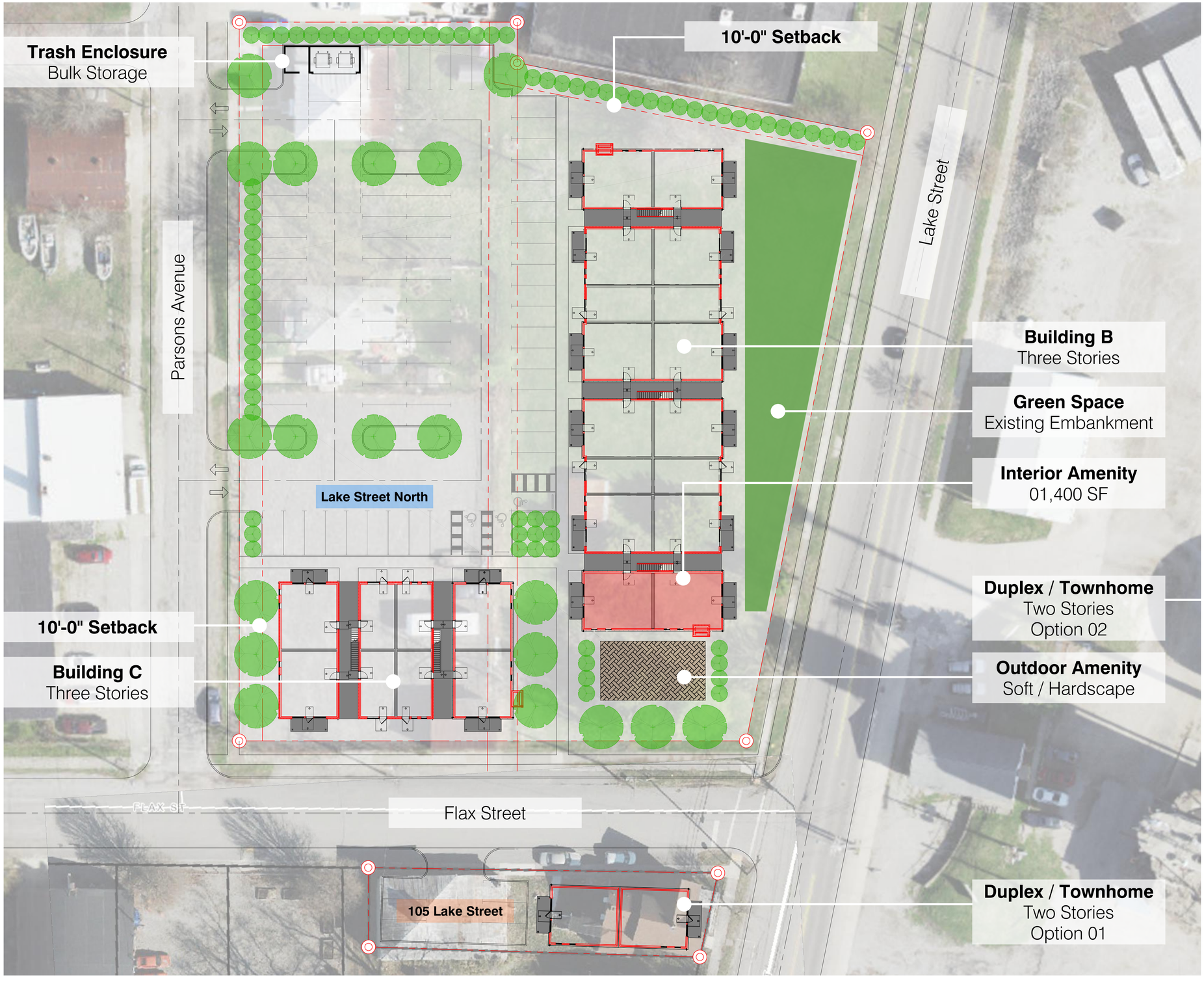
EXCEPTING THEREFROM .858 acres described in Deed Book 231, Page 102, bounded and described as follows: Being in Range Nineteen (19), Township Five (5), Section Four (4), United States Military Lands in the West part of Farm Lot No. 11 and in the Northeast part of Subdivision "C" in the plat and subdivision of the real estate of Milo D. Pettibone, deceased, and bounded thus: Beginning at an iron pipe in the West line of Lake Street, said pipe located Three Hundred Nineteen (319.0) feet North thirteen (13) degrees and zero (0) minutes East of the intersection of the North line of Flax Street and the said West line of Lake Street; thence North Seventy-seven (77) degrees zero (0) minutes West one hundred fifty-nine and fifty-eight hundredths (159.58) feet to an iron pipe in the East line of an alley; thence North one (1) degree forty four (44) minutes East one hundred ninety and seventeen hundredths (190.17) feet along the East line of said alley to an iron pipe in the North line of the aforesaid Subdivision "C"; thence South eighty nine (89) degrees nine (9) minutes East two hundred one and twenty three hundredths (201.23) feet along said North line to an iron pipe in the West line of Lake Street; thence South thirteen (13) degrees zero (0) minutes West two hundred twenty-eight and eighty-seven hundredths (228.87) feet along said West line of Lake Street to the place of beginning and containing eight hundred fifty eight thousandths (0.858) acres, more or less.

FURTHER EXCEPTING THEREFROM .209 acre parcel described in Deed Book 314, Page 349, bounded and described as follows:

Being in Range 19, Township 5, Section 4, part of Farm Lot No. 11, and in the East part of Subdivision "C" in the plat and subdivision of the real estate of M.D. Pettibone, deceased, and bounded thus: Beginning at an iron pipe on the West line of Lake Street, said iron pipe being N. 13 deg. 00' E. 259 feet from the point of intersection of the North line of Flax Street and the West line of Lake Street; thence N. 76 deg. 31' W. 147.66 feet to an iron pipe on the East line of an alley; thence N. 1 deg. 44' E. along the East line of said alley 60 feet to an iron pipe being the Southwest corner of a .858 acre tract; thence S. 77 deg. 00' E. along the South line of said .858 acre tract 159.59 feet to an iron pipe on the West line of Lake Street; thence S. 13 deg. 00' W. along the West line of Lake Street 60 feet to the point of beginning, containing .209 acres.

Legal Description Index

Parcel Number	Owner Name	Address	Parcel # Exhibit A
51943128047000	EXFLAX LLC	LAKE ST DELAWARE	1
51943128046000	EXFLAX LLC	99 FLAX ST DELAWARE	1
51943128048000	EXFLAX LLC	PARSONS AVE DELAWARE	1
51943128050000	EXFLAX LLC	PARSONS AVE DELAWARE	2
51943128051000	EXFLAX LLC	30 PARSONS AVE DELAWARE	3
51943128049000	28 PARSONS LLC	28 PARSONS AVE DELAWARE	4
51943125014000	105 LAKE LLC	105 LAKE ST DELAWARE	5
51943128044000	EXFLAX LLC	LAKE ST DELAWARE	6
51943128045000	EXFLAX LLC	LAKE ST DELAWARE	6



SITE // TOTALS v2.0

SITE INFO // CURRENT — Lake Street North

ACRES	// 01.647 AC
JURISDICTION	// CITY OF DELAWARE
ZONING	// NEIGHBORHOOD MIXED COMMERCIAL DISTRICT | C-NX
HEIGHT	// H-45

SITE INFO // PROPOSED

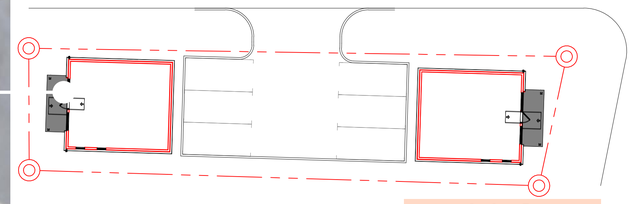
ACRES	// 01.647 AC
JURISDICTION	// CITY OF DELAWARE
ZONING	// NEIGHBORHOOD MIXED COMMERCIAL DISTRICT | C-NX
HEIGHT	// H-45

PROPOSAL //

BLDG TYPE B	// 11,800 SF FOOTPRINT
# BLDGS	// 01
UNITS / BLDG	// 38
AMENITY	// 01,400 SF
BLDG TYPE C	// 05,590 SF
# BLDGS	// 01
UNITS / BLDG	// 24

TOTAL UNITS	**// 62 UNITS**	**70 BEDS**
	// 16 STUDIO	22.9%
	// 38 1 BD	61.2%
	// 08 2 BD	12.9%
TOTAL PARKING	**// 72 SPACES PROVIDED**	
	// 93 SPACES REQUIRED (1.5 SPACES / UNIT)	

// 1.16 SPACES / UNIT
// 1.03 SPACES / BED



SITE INFO // PROPOSED — 105 Lake Street

ACRES	// 00.1132 AC
JURISDICTION	// CITY OF DELAWARE
ZONING	// NEIGHBORHOOD MIXED RESIDENTIAL DISTRICT | R-NX
HEIGHT	// H-35
PROPOSED	// 01 PRIMARY STRUCTURE / LOT // 25'-0" FRONT YARD // 06'-0" SIDE YARD

PROPOSAL //

BLDG TYPE	// DUPLEX | TOWNHOME
# BLDGS	// 01
FOOTPRINT	// 1,400 SF
#LEVELS	// 02

TOTAL UNITS	**// 04 UNITS**	**04 BEDS**
TOTAL PARKING	**// 06 SPACES PROVIDED**	
	// 06 SPACES REQUIRED (1.5 SPACES / UNIT)	

Riverwest Partners : Flax Street East // Site Capacity Study v2.0
JANUARY 14, 2026
© 2026 ARCHALL ARCHITECTS

N 1

Proposed Site Plan
SCALE 1" = 20'-0"

20 10 0

archall architects

CITY OF DELAWARE
PLANNING COMMISSION
SEPTEMBER 2, 2026

R-PUD 26-7
FLAX AND LAKE
REZONING

RESOLUTION

WHEREAS, EX FLAX LLC, 4215 Worth Avenue, Suite 310, Columbus, OH 43219, has filed an application requesting to rezone approximately 1.75 acres of land from C-NX (Commercial Neighborhood Mixed) to R-PUD (Residential Planned Unit Development) located on the west side of the intersection of Flax Street and Lake Street, as described in Exhibit A.

WHEREAS, a public hearing was held on September 2, 2026, by the City of Delaware Planning Commission, as required by law, at which time all people who wished to testify regarding the pending application were afforded the opportunity to give their comments at the public hearing; and

WHEREAS, the City of Delaware Planning Commission finds that the facts submitted with this PUD rezoning application and presented at the public hearing and any amendments, or supplementary conditions, satisfy the standards and criteria for PUD rezoning approval as per §1114.06 of the Planning and Zoning Code; and

WHEREAS, the City of Delaware Planning Commission finds that pursuant to §1114.06 of the Planning and Zoning Code, each and all excluded uses are inappropriate for this specific R-PUD; and

WHEREAS, the City of Delaware Planning Commission finds that the applicant's plans are in compliance with the City of Delaware Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED that the City of Delaware Planning Commission recommends to the City of Delaware City Council:

SECTION 1. That the Zoning Map referenced in §1110.02 of the Planning and Zoning Code be amended to rezone approximately 1.75 acres of land from C-NX (Commercial Neighborhood Mixed) to R-PUD (Residential Planned Unit Development) located on the west side of the intersection of Flax Street and Lake Street, as described in Exhibit A.

SECTION 2.

1. The concept plan dated "January 14, 2026" illustrates the general layout of the development within this Planned Unit Development.

2. Uses permitted (P) and conditionally permitted (C) in this Residential Planned Unit Development are as follows:

Residential Uses	
a) Two-Family dwelling	P
b) Three-Family dwelling	P
c) Four-family or more dwelling	P
d) Cluster single-family dwelling	P
e) Multi-family complex	P
Commercial Uses	
a) Public or private recreational facility	P
b) Neighborhood Commercial Establishment	C

3. Roads, Traffic, and Engineering:
    a. All comments and concerns of the City Engineer, including any stormwater and utility requirements, must be addressed through the Engineering and Utilities Departments through the development plan and engineering plan approvals with development of the property.
    b. Vehicular access to the parcels north of Flax St. will only be permitted from Parsons Ave.; no direct access to either Lake St. or Flax St. will be permitted. A single curb cut on Flax. St. to the parcel south of Flax St. will be permitted.
    c. Fee-simple public right of way shall be dedicated along Lake St. to 35-ft from centerline of existing right of way.
    d. Unimproved right-of-way shall be vacated by the applicant.
    e. With engineering plan approval and development plan approval, redevelopment of the property will be required to design and construct the following in association with this development:
        i. Improvements to Flax St. along the frontage
        ii. Upgrades to Parsons Ave. between Flax St and Delta St., including resurfacing and curb
        iii. Provide contribution to the Project Trust Fund for the City's Lake St. and Central Ave. intersection improvements. The amount will be determined by a development plan approval condition.

4. Density and Layout:

a. The gross density of this R-PUD shall not exceed 38 dwelling units per acre (66 dwelling units).

b. The height of all buildings shall not exceed 45 feet.

c. There shall be a minimum setback of 10 feet on Parsons Avenue. Building setbacks on Lake and Flax Streets shall be determined at the Development Plan stage. All development shall require sight triangle analysis to ensure buildings do not encroach on vehicular or pedestrian visibility.

5. Landscaping and Screening:

a. Landscaping, screening, and buffers shall be determined at the Development Plan stage and shall at a minimum comply with Chapter 1121 of City Code requirements.

b. Existing conditions, including but not limited to sidewalks, tree lawns, and street trees, shall be brought into compliance with City Code requirements.

c. A minimum 10-foot buffer shall be required on the north property line.

6. Minimum building and parking setbacks shall be established at the Development Plan stage.

7. Signage requirements shall be determined at the Development Plan stage.

SECTION 3. These plans and all papers relating to the approved plan shall be submitted with this resolution to City Council.

The Clerk is directed to transmit this case to City Council for further determination as required by law.

PASSED: September 2, 2026 YEAS 5 NAYS Ø ABSTAIN Ø

ATTEST: _____
CITY CLERK

_____
CHAIRMAIN

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Sandra Pereira, Planning Department
ITEM TYPE:	Ordinances
AGENDA SECTION:	**CONSIDERATION OF ORDINANCE NO. 26-55**
SUBJECT:	Ordinance No. 26-55, an ordinance approving a Zoning Map Amendment to expand C-PUD 25-15 to include 11.746 additional acres currently zoned C-CC (Community Commercial) located in the U.S. 36/S.R. 37 Sunbury Road and east of Sky View Lane. (*Zoning request to accommodate a large box retail store*).

SUGGESTED ACTION:

ATTACHMENTS:

ord no 26-55 Nutter Zoning Fact Sheet.docx
ord no. 26-55 Nutter Farms Zoning.docx
Legal Description_attach to Ordinance.pdf
PUD 25-15 Amend 10-26 Trailhead Crossing Staff Report.docx
PUD 25-15 Amend 10-26 Trailhead Crossing SUBMIT.pdf
PCR 25-15 Amend 10-26 Trailhead Crossing West C.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 14

DATE: 10/12/2026

ORDINANCE NO: 26-55

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: **YES (10/26/2026)**

TO: Mayor and Members of City Council

FROM: Andrew Beare, Acting City Manager

VIA: Sandra Pereira, Planning & Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

An ordinance approving a request by Nutter Farm, Inc. for approval of a Zoning Map Amendment to expand C-PUD 25-15 to include 11.746 additional acres currently zoned C-CC (Community Commercial) located on the U.S 36/ S.R. 37 Sunbury Road and east of Sky View Lane.

BACKGROUND:
See attached staff report.

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Chapter 1105: Amendments of the Codified Ordinances.

COMMITTEE RECOMMENDATION:
Planning Commission approved this case 7-0 on October 7, 2026

FISCAL IMPACT(S):
N/A

POLICY CHANGES:
N/A

PRESENTER(S):
Sandra Pereira, Planning & Community Development Director

RECOMMENDATION:
Staff recommends approval

ATTACHMENT(S)
See attached

ORDINANCE NO. 26-55

AN ORDINANCE APPROVING A REQUEST BY NUTTER FARM, INC. FOR APPROVAL OF A ZONING MAP AMENDMENT TO EXPAND C-PUD 25-15 TO INCLUDE 11.746 ADDITIONAL ACRES CURRENTLY ZONED C-CC (COMMUNITY COMMERCIAL) TO C-PUD (COMMERCIAL PLANNED UNIT DEVELOPMENT) LOCATED ALONG THE NORTH SIDE OF SUNBURY ROAD (US-36/ SR-37) EAST OF SKYVIEW LANE.

WHEREAS, Nutter Farm, Inc., 250 West Street, Suite 700, Columbus, OH 43215 requests rezoning and concept plan approval; and

WHEREAS, the City of Delaware Planning Commission at its meeting on October 7, 2026, recommended approval of the rezoning amendment with conditions and requirements; and

WHEREAS, Delaware City Council finds the facts submitted with the application and presented at the public hearing and any modifications, amendments, or supplementary conditions satisfy the standards and criteria for Planned Unit Development approval as per §1114.07 of the Zoning Code and;

WHEREAS, Delaware City Council finds that pursuant to §1114.13 of the Zoning Code, each and all of the permitted and conditional uses are appropriate for this specific Planned Unit Development; and

WHEREAS, Delaware City Council has voted to adopt the recommendation of the Planning Commission with modifications.

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

SECTION 1.

The zoning map referenced in §1110.02 of the Zoning Code is hereby further amended to change approximately 11.746 acres of land described in the attached “Exhibit A” from C-CC, Community Commercial to C-PUD, Commercial Planned Unit Development.

SECTION 2.

The following conditions and requirements shall apply:

1. All previous approvals and conditions of approval associated with C-PUD 25-15 shall remain in full force and effect unless specifically modified by these conditions.

2. The concept plan dated "Received 09/22/26" illustrates the general layout of the development within this Planned Unit Development.

3. Uses permitted (P) in this Commercial Planned Unit Development are as follows:

Land Use	**Permitted Use**
Commercial Uses	
a) Retail development with a minimum gross floor area under 80,000 square feet	P
b) Retail development with a minimum gross floor area of 80,000 square feet or greater	P
c) Restaurant	P
d) Financial Institution	P
e) Health Club	P
f) Entertainment, indoor	P
g) Event venue – capacity of 50 or fewer	P
h) Offices: Clerical/ professional, medical/ dental, veterinary, no boarding kennel	P
i) Drive-thru facilities associated with any Permitted Use*	P
j) Day care center, child or adult	P
k) Hotel	C

Table 1: P= Permitted Use, C= Conditional Use, A= Accessory Use
** A maximum of three (3) drive-thru facilities shall be permitted. One (1) accessory drive-thru may be permitted for a retail development with a minimum gross- floor area of 80,000 square feet or greater.*

4. Roads, Traffic, and Engineering:

   a. All comments and concerns of the City Engineer, including any stormwater and utility requirements, must be addressed through the Engineering and Utilities Departments prior to the release of any permits for this development.

   b. The primary access to the site, with full movements, shall be from Biltmore Drive. Any access points on US 36/SR 37 shall be considered at the development plan stage.

c. An 11-foot-wide shared-use path shall be provided along the Sunbury Road (U.S. 36/ S.R. 37) and Byxbe Parkway frontages of the C-PUD, including any associated path easements as deemed necessary by the City Engineer. At the discretion of the City Engineer, a fee-in-lieu of path construction may be provided, in an amount determined by the City, for use by the City toward shared-use path construction anywhere within the City.

5. Buffers, Landscaping, and Screening:

   a. Landscaping, screening, and buffers shall be determined at the Development Plan stage and shall at a minimum comply with Chapter 1121 of City Code requirements.

6. Pedestrian Access

   a. Pedestrian facilities with a minimum of 5-foot sidewalks shall be provided along the perimeter of the site as determined by the City Engineer as well as along interior access roads and require connection to individual store fronts. Pedestrian facilities shall be established at the Development Plan stage.

7. Minimum building and parking setbacks shall be established at the Development Plan stage.

8. Signage requirements shall be determined at the Development Plan stage and shall require the submission of a comprehensive sign plan for the entire PUD.

9. A development agreement for this C-PUD in compliance with Chapter 1105.31 of City Code requirements must be approved and executed prior to the release of any building permits.

10. A final subdivision plat to include all dedicated easements and right of way must be recorded prior to the release of permits.

11. SECTION 3. These plans and all papers relating to the approved plan shall be submitted with this resolution to City Council.

SECTION 3.

This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this

Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Ohio Revised Code.

PASSED: _____, 2026 YEAS_____NAYS_____
ABSTAIN_____

ATTEST: _____ _____
CITY CLERK MAYOR

EXHIBIT A.2

DESCRIPTION OF 22.046 ACRES

Situated in the State of Ohio, County of Delaware, City of Delaware, being part of Farm Lot 18, Quarter Township 3, Township 5, Range 18, United States Military Lands, being all of a 0.929 acre tract of land described in deed to Seattle House (Bowtown South) Condominium Association Common Element of record in Official Record Volume 1869, Page 2637 and Page 2708, being part of an original 20 acre tract of land, part of an original 16.5 acre tract of land (First Tract), and part of an original 3.175 acre tract of land (Second Tract) described in deed to Nutter Farm, Inc. of record in Deed Book 636, Page 808, being part of a 3.775 acre tract of land described in deed to Jenna M. Pickett of record in Official Record Volume 1312, Page 1698, being part of a 3.775 acre tract of land described in deed to Debra S. Noellert and John C. Noellert of record in Official Record Volume 479, Page 285, being part of a 4.049 acre tract of land (Parcel 1) described in deed to Donna J. Bukovec of record in Official Record Volume 660, Page 1596, being part of a 2.994 acre tract of land (Lot 152) of Bowtown Subdivision of record in Plat Book 18, Page 138 as described in deed to George A. Piacentino & Christine Y. Piacentino of record in Official Record Volume 2040, Page 2290, and being part of Seattle House (Bowtown South) Condominium of record in Official Record Volume 1869, Page 2637 and Page 2708, all references being of record in the Recorder's Office, Delaware County, Ohio, said 22.046 acre tract being more fully described herein:

COMMENCING at the southeast corner said of Seattle House (Bowtown South), being at the southwest corner of said 4.049 acre tract, being on the north line of said 0.929 acre tract, and being at an angle point of the City of Delaware Corporation Line and Brown Township line;

Thence North 86°49'59" West, a distance of 65.82 feet with the south line of said Seattle House (Bowtown South) Condominium, with the north line of said 0.929 acre tract, and with the north line of said 20 acre tract, to the **POINT OF BEGINNING**;

Thence **North 86°49'59" West**, a distance of **27.91 feet**, with the south line of said Seattle House (Bowtown South) Condominium, and with the north line of said 20 acre tract, to a point on the north right-of-way line of Biltmore Drive (60' right-of-way width);

Thence **North 67°50'56" West**, a distance of **126.89 feet**, with the south line of said Seattle House (Bowtown South) Condominium, and with the north right-of-way line of said Biltmore Drive, to a point;

Thence with the arc of a curve to the left, having a radius of **320.00 feet**, a delta angle of **39°03'46"**, an arc length of **218.17 feet**, a chord bearing of **South 87°22'49" East** and a chord distance of **213.97 feet**, across said Seattle House (Bowtown South) Condominium, to a point on the east line of said Seattle House (Bowtown South) Condominium, and being on the west line of said 4.049 acre tract;

Thence across said 4.049 acre tract, across said Lot 152, across said 3.775 acre Noellert Tract, across said 3.775 acre Pickett Tract, across said 3.175 acre tract (Second Tract), and across said 16.5 acre tract (First Tract), the following sixteen (16) courses:

1. **North 68°08'22" East**, a distance of **157.54 feet**, to a point of curvature;
2. With the arc of a curve to the right, having a radius of **385.00 feet**, a delta angle of **20°12'57"**, an arc length of **135.84 feet**, a chord bearing of **North 79°52'12" East** and a chord distance of **135.14 feet**, to a point;
3. **North 00°01'19" West**, a distance of **99.08 feet**, to a point;
4. With the arc of a curve to the right, having a radius of **376.82 feet**, a delta angle of **49°15'17"**, an arc length of **323.93 feet**, a chord bearing of **South 83°20'10" East** and a chord distance of **314.05 feet**, to a point of tangency;
5. **South 58°17'42" East**, a distance of **165.95 feet**, to a point;
6. **South 37°42'07" East**, a distance of **185.31 feet**, to a point;
7. **South 13°07'29" West**, a distance of **11.95 feet**, to a point;
8. **South 31°47'35" West**, a distance of **48.74 feet**, to a point;

8800 Lyra Drive, Suite 300 | Columbus, OH 43240 | p: 614-540-6633 f: 614-540-6638 | www.cecinc.com

9. **South 76°47'35" West**, a distance of **49.50 feet**, to a point;
10. **South 31°47'35" West**, a distance of **70.00 feet**, to a point;
11. **South 13°12'25" East**, a distance of **49.50 feet**, to a point;
12. **South 31°47'35" West**, a distance of **431.81 feet**, to a point;
13. **South 38°25'10" West**, a distance of **166.21 feet**, to a point;
14. **South 27°09'51" West**, a distance of **24.15 feet**, to a point;
15. **South 13°23'38" West**, a distance of **126.19 feet**, to a point;
16. **South 65°40'14" West**, a distance of **69.16 feet**, to a point on the north right-of-way line of Sunbury Road ~ U.S. Rt. 36/St. Rt. 37 (right-of-way width varies);

Thence **South 20°36'21" West**, a distance of **105.00 feet**, across said Sunbury Road, and across said 16.5 acre tract (First Tract), to a point on the centerline of said Sunbury Road, and being on the south line of said 16.5 acre tract (First Tract);

Thence with the centerline of said Sunbury Road, with the south line of said 16.5 acre tract, and with the south line of said 20 acre tract, the following three (3) courses:

1. **North 69°23'39" West**, a distance of **327.75 feet**, to a point of curvature;
2. With the arc of a curve to the right, having a radius of **12,277.66 feet**, a delta angle of **01°55'15"**, an arc length of **411.61 feet**, a chord bearing of **North 68°26'02" West** and a chord distance of **411.59 feet**, to a point of tangency;
3. **North 67°28'24" West**, a distance of **108.22 feet**, to a point;

Thence across said 20 acre tract with the following two (2) courses:

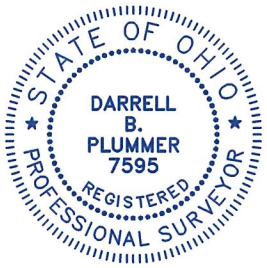
1. **North 22°50'13" East**, a distance of **499.16 feet**, to a point;
2. **North 49°02'16" East**, a distance of **337.65 feet**, to the **POINT OF BEGINNING** containing **22.046 acres**, more or less, there being 0.090 acres out of said Seattle House (Bowtown South) Condominium and Parcel Number 519-444-01-001-640, being 2.547 acres out of said 4.049 acre tract and Parcel Number 518-300-01-099-000, being 0.054 acres out of said Lot 152 and Parcel Number 518-300-01-100-000, being 0.645 acres out of said 3.775 acre tract and Parcel Number 518-300-01-097-000, being 0.017 acres out of said 3.775 acre tract and Parcel Number 518-300-01-096-000, being 0.217 acres out of said 3.175 acre tract and Parcel Number 519-300-01-105-000, being 12.315 acres out of said 16.5 acre tract and Parcel Number 518-300-01-105-000, being 5.232 acres out of said 20 acre tract and Parcel Number 518-300-01-105-000, and being all of said 0.929 acre tract and Parcel Number 519-444-01-001-641.

The above description is based on deeds of record and available existing surveys, aforementioned description is not intended to be used for the transfer of real property. The acreages and distances shown are intended for zoning purposes only.

CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

Darrell B. Plummer 8/25/2026

Darrell B. Plummer, P.S. Date
Professional Surveyor No. 7595



Date Prepared: 8/25/2026
File Name: 353737-SV03-ZON-Legal 22.046 Ac.docx

CITY COUNCIL STAFF REPORT

CASE ID: PUD 25-15 Amend 10-26 Trailhead Crossing

APPLICANT: **Nutter Farm, Inc.**
250 West Street, Suite 700
Columbus, OH 43215

REQUEST

A request by Nutter Farm, Inc. for approval of a Zoning Map Amendment to expand C-PUD 25-15 to include 11.746 additional acres currently zoned C-CC (Community Commercial) located on the U.S 36/ S.R. 37 Sunbury Road and east of Sky View Lane.

BACKGROUND/ LOCATION

The 11.746-acre property is located on the north side of US-36/ SR-37 east of Skyview Lane and south of Biltmore Drive and the Seattle House Apartments. The applicant is proposing to amend an existing C-PUD (25-15) and rezone the site from C-CC (Community Commercial) to C-PUD (Commercial Planned Unit Development) for a future commercial development of various uses, including big-box retail.

EXISTING CONDITIONS/ CURRENT ZONING

The subject property is located within the Far East Focus Area of the City of Delaware's, Delaware Together Comprehensive Plan. The property is currently vacant and unimproved land located along the US-36/ SR-37 commercial corridor with C-CC Community Commercial zoning. The surrounding properties to the west are included as part of the existing C-PUD and have begun the development process for commercial/retail uses. Single-family homes under site control by the applicant are located immediately to the north, while the Glenwood Crossing Shopping Center is located across the street to the south.

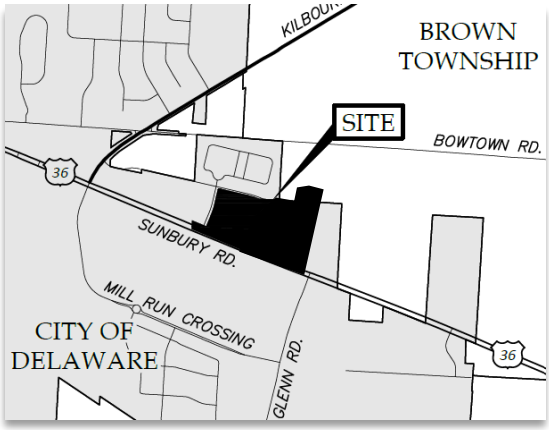




Figure 1 (top): Subject Property/ Location Boundary
Figure 2 (bottom): Amended portion of C-PUD (25-15) in dark red (approximately 11.746 acres).

STAFF ANALYSIS

Zoning: The applicant is requesting to expand and amend an existing C-PUD (25-15 Trailhead Crossing) and rezone the 11.746-acre subject property to a Commercial-Planned Unit Development (C-PUD) with the intent to construct commercial uses, specifically big-box retail (Target). While the existing C-CC Community Commercial zoning would permit the proposed uses, amending the zoning map to a C-PUD will allow the applicant to provide more thoughtful and comprehensive site planning for the entire site, as well as ensure that the permitted land uses as amended in the C-PUD remain appropriate for the US-36/ SR-37 commercial corridor. The proposed permitted uses for the amended portion of the C-PUD will remain the same as those permitted within the existing C-PUD, with the addition of a daycare center as a permitted use and a hotel as a conditional use. Per C-PUD requirements, maximum building coverage shall be 40%, with total coverage by buildings and impervious surfaces limited to 70%.

Land Use and Comprehensive Plan: The subject property is located within the Far East Focus Area along the US-36/ SR-37 commercial corridor. The future land use map for this location supports a Community-Scale Activity Center development type. Appropriate development types within this development type support retail, restaurants, services, and entertainment land uses.

This proposed Zoning Map Amendment meets several of the goals and actions of the Comprehensive Plan, including:

- **Objective A.1:** *Encourage a greater mix of land uses in selected locations.*
  - **Action A.1.4:** *Work with experienced developers.*
- **Objective A.9:** *Maximize compatibility between existing and new development, while allowing for appropriate changes.*
  - **Action A.9.1:** *Require transition areas at edges of development.*
- **Objective A.16:** *Focus new development to the Southeast, Southwest and portions of the Far East Focus Areas.*

Concept Plan: The amended Concept Plan incorporates the approximately 11.746-acre area to the east into the existing C-PUD and depicts the conceptual development of the property with a big-box retail use, specifically a Target store, along with associated parking, access, and site improvements. The proposed development would extend the existing Trailhead Crossing commercial development east toward the future Byxbe Parkway extension. If the zoning map amendment is approved, the final site layout, including building placement, access and circulation, parking, landscaping, setbacks, stormwater management, and other site improvements, will be reviewed and approved at the Development Plan stage but should remain generally consistent with the Concept Plan included with this application.

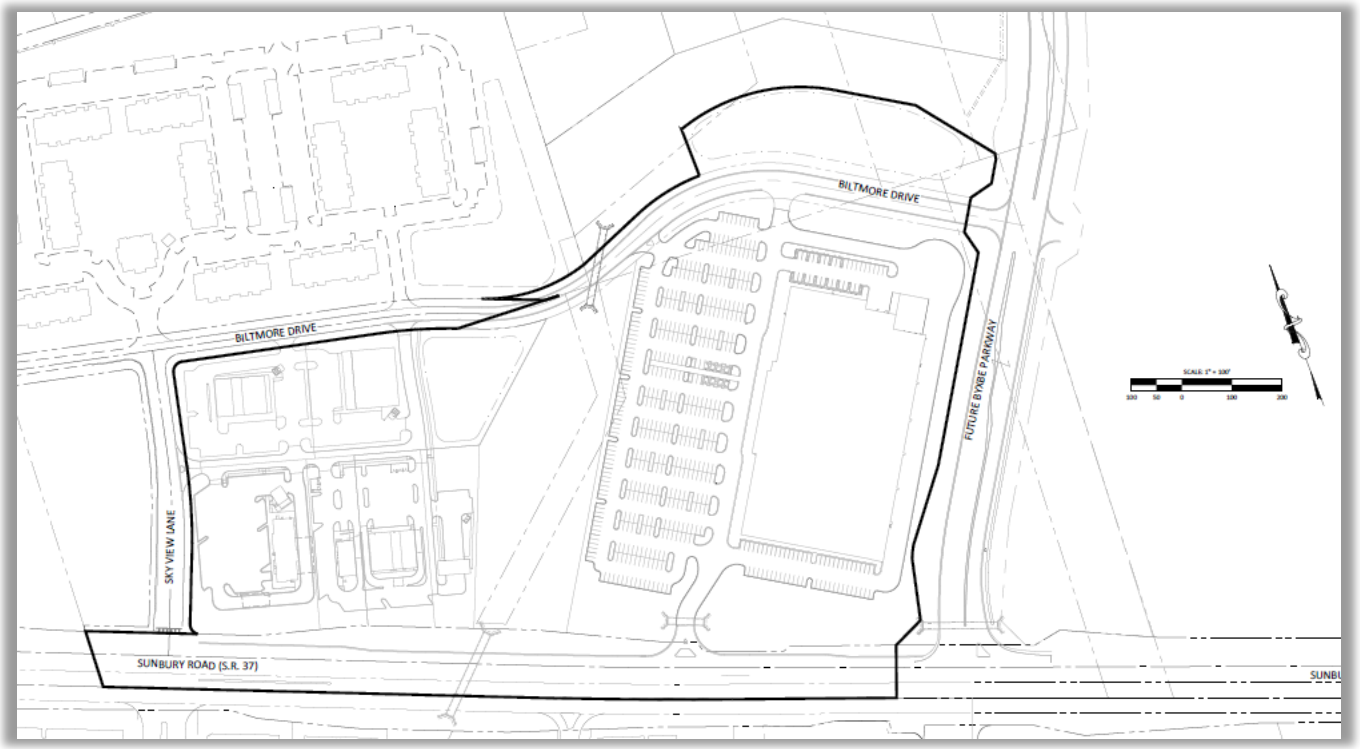


Figure 2: Amended Trailhead Crossing C-PUD Concept Plan Showing the Proposed Big-Box Retail Development (Target).

Access and Traffic

The Concept Plan depicts three points of vehicular access to the proposed development. Two access points are shown from Biltmore Drive, including one full-access connection and one right-in/right-out connection. A third right-in/right-out access point is shown along Sunbury Road (U.S. 36/S.R. 37). The final design and location of all

access points and internal circulation will be reviewed as part of the Development Plan and associated engineering review.

An 11-foot-wide shared-use path will be required along the Sunbury Road (U.S. 36/S.R. 37) and future Byxbe Parkway frontages, extending the shared-use path required as part of the existing C-PUD. Any necessary path easements will be determined by the City Engineer. At the discretion of the City Engineer, a fee-in-lieu may be provided toward shared-use path construction. Within the development, a minimum of 5-foot-wide sidewalks will be required along interior access roads and will provide pedestrian connections to individual storefronts. Final pedestrian facilities will be established at the Development Plan stage.

Screening, Buffering, and Landscaping

All screening, buffering, and landscaping will be reviewed and approved at the Development Plan stage.

Building Design

Building plans, designs, and elevations for all structures are to be determined and will be reviewed and approved at the Development Plan stage.

Signage and Lighting

A lighting plan and comprehensive sign plan will be required and reviewed at the Development Plan Stage.

Procedures:

The applicant will be required to receive a Development Plan approval and final subdivision approval for the full site (including all easements, right-of-way, etc.) prior to the issuance of any building permits.

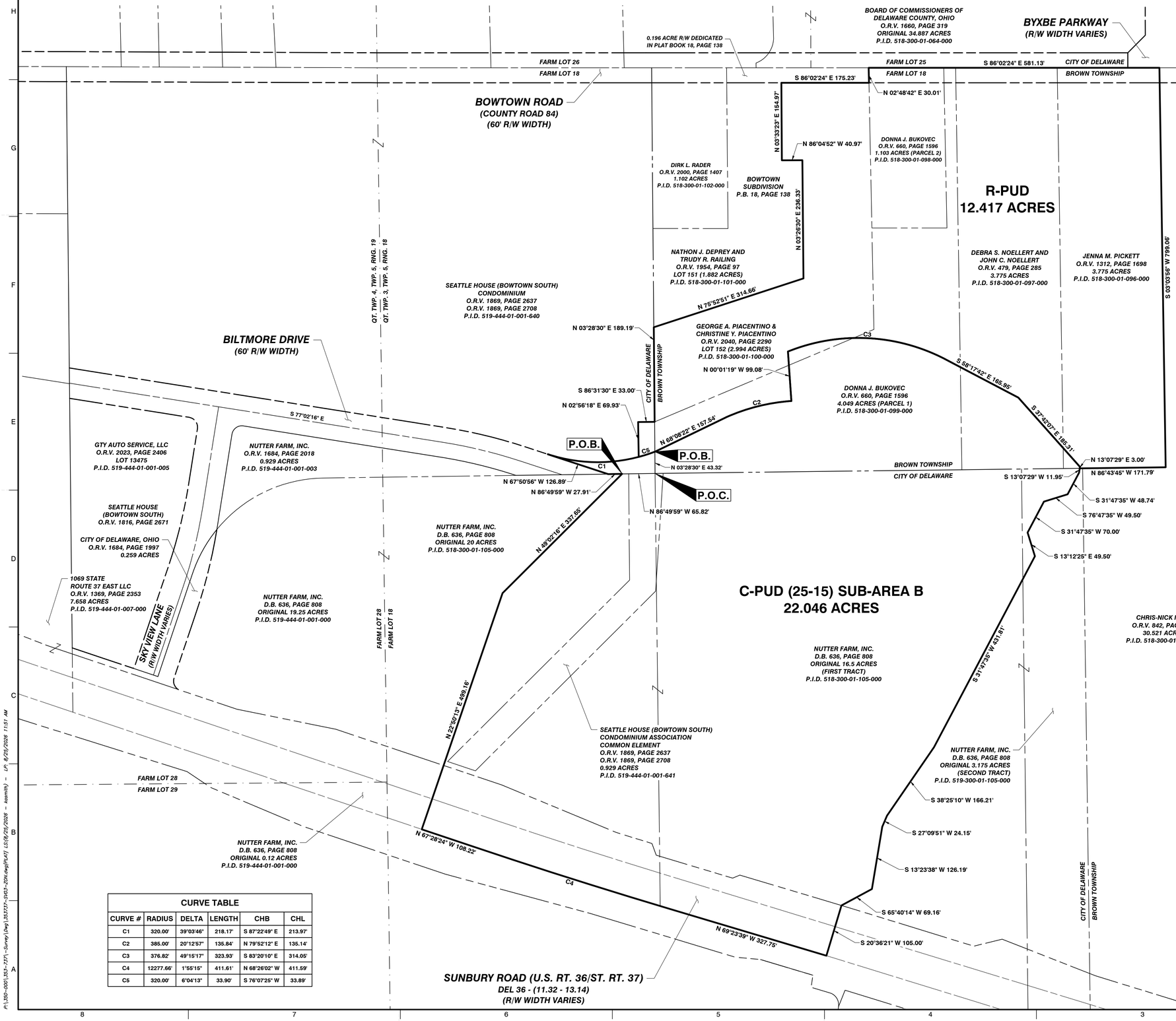
RECOMMENDATION

Staff and Planning Commission recommend approval of the request with the conditions of approval outlined in the attached resolution.

EXHIBIT A.1

ZONING EXHIBIT

STATE OF OHIO, COUNTY OF DELAWARE, CITY OF DELAWARE, FARM LOT 18, QUARTER TOWNSHIP 3, TOWNSHIP 5, RANGE 18, UNITED STATES MILITARY LANDS.



CURVE TABLE					
CURVE #	RADIUS	DELTA	LENGTH	CHB	CHL
C1	320.00'	39°03'46"	218.17'	S 87°22'49" E	213.97'
C2	385.00'	20°12'57"	135.84'	N 79°52'12" E	135.14'
C3	376.82'	49°15'17"	323.93'	S 83°20'10" E	314.05'
C4	12277.66'	1°55'15"	411.61'	N 68°26'02" W	411.59'
C5	320.00'	6°04'13"	33.90'	S 76°07'25" W	33.89'

NORTH

SCALE IN FEET
0 100' 200'

LEGEND:

- EXISTING CENTERLINE
- EXISTING EASEMENT LINE
- EXISTING FARM LOT LINE
- EXISTING PARCEL LINE
- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY LINE

ACREAGE BREAKDOWN 22.046 ACRE TRACT

0.090 ACRES OUT OF SEATTLE HOUSE (BOWTOWN SOUTH) CONDOMINIUM.
2.547 ACRES OUT OF 4.049 ACRE TRACT (PARCEL 518-300-01-099-000).
0.054 ACRES OUT OF LOT 152 (PARCEL 518-300-01-100-000).
0.645 ACRES OUT OF 3.775 ACRE TRACT (PARCEL 518-300-01-097-000).
0.017 ACRES OUT OF 3.775 ACRE TRACT (PARCEL 518-300-01-096-000).
0.217 ACRES OUT OF 3.175 ACRE TRACT (PARCEL 519-300-01-105-000).
12.315 ACRES OUT OF 16.5 ACRE TRACT (PARCEL 518-300-01-105-000).
5.232 ACRES OUT OF 20 ACRE TRACT (PARCEL 518-300-01-105-000).
ALL OF A 0.929 ACRE TRACT (PARCEL 519-444-01-001-641).

ACREAGE BREAKDOWN 12.417 ACRE TRACT

0.049 ACRES OUT OF THE SEATTLE HOUSE (BOWTOWN SOUTH) CONDOMINIUM.
1.488 ACRES OUT OF 4.049 ACRE TRACT (PARCEL 518-300-01-099-000).
2.945 ACRES OUT OF LOT 152 (PARCEL 518-300-01-100-000).
3.096 ACRES OUT OF 3.775 ACRE TRACT (PARCEL 518-300-01-097-000).
3.736 ACRES OUT OF 3.775 ACRE TRACT (PARCEL 518-300-01-096-000).
ALL OF A 1.103 ACRE TRACT (PARCEL 518-300-01-098-000).

BASIS OF BEARINGS:

THE BEARINGS SHOWN ON THIS SURVEY ARE BASED ON THE BEARING OF SOUTH 77°02'16" EAST FOR THE CENTERLINE OF BILTMORE DRIVE, BASED ON FIELD OBSERVATIONS PERFORMED IN JULY 2025, AND BASED ON NAD 83 (NSRS 2011 ADJUSTMENT), OHIO STATE PLANE NORTH ZONE.

PERTINENT DOCUMENTS:

DEEDS OF RECORD, ON FILE AT THE DELAWARE COUNTY RECORDER'S OFFICE, EXISTING CEC SURVEYS, SURVEYS OF RECORD & TAX MAPS ON FILE AT DELAWARE COUNTY.

CERTIFICATION:

I HEREBY CERTIFY THAT THE FOREGOING SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY IN ACCORDANCE WITH CHAPTER 4733-37 OHIO ADMINISTRATIVE CODE. SURVEY AND THE ASSOCIATED LEGAL DESCRIPTION SHALL NOT BE USED FOR PROPERTY TRANSFER, AND IS INTENDED FOR ZONING PURPOSES ONLY.

Darrell B. Plummer 8/25/2026

DARRELL B. PLUMMER DATE
PROFESSIONAL LAND SURVEYOR NO. 7595

STATE OF OHIO
DARRELL B. PLUMMER 7595
REGISTERED PROFESSIONAL SURVEYOR

REVISION RECORD

NO	DATE	DESCRIPTION

8800 Lyra Drive
Suite 300
Columbus, OH 43240
Ph: 614.540.6633
www.cecinc.com

CEC
Civil & Environmental Consultants, Inc.

TEBBE CIVIL ENGINEERING
CITY OF DELAWARE
BROWN TOWNSHIP
DELAWARE COUNTY, OHIO

22.046 & 12.416 ACRE TRACTS

DATE:	AUGUST 2026
DWG SCALE:	1" = 100'
PROJECT NO:	353-737
DRAWN BY:	BTB
CHECKED BY:	DBP
APPROVED BY:	DBP

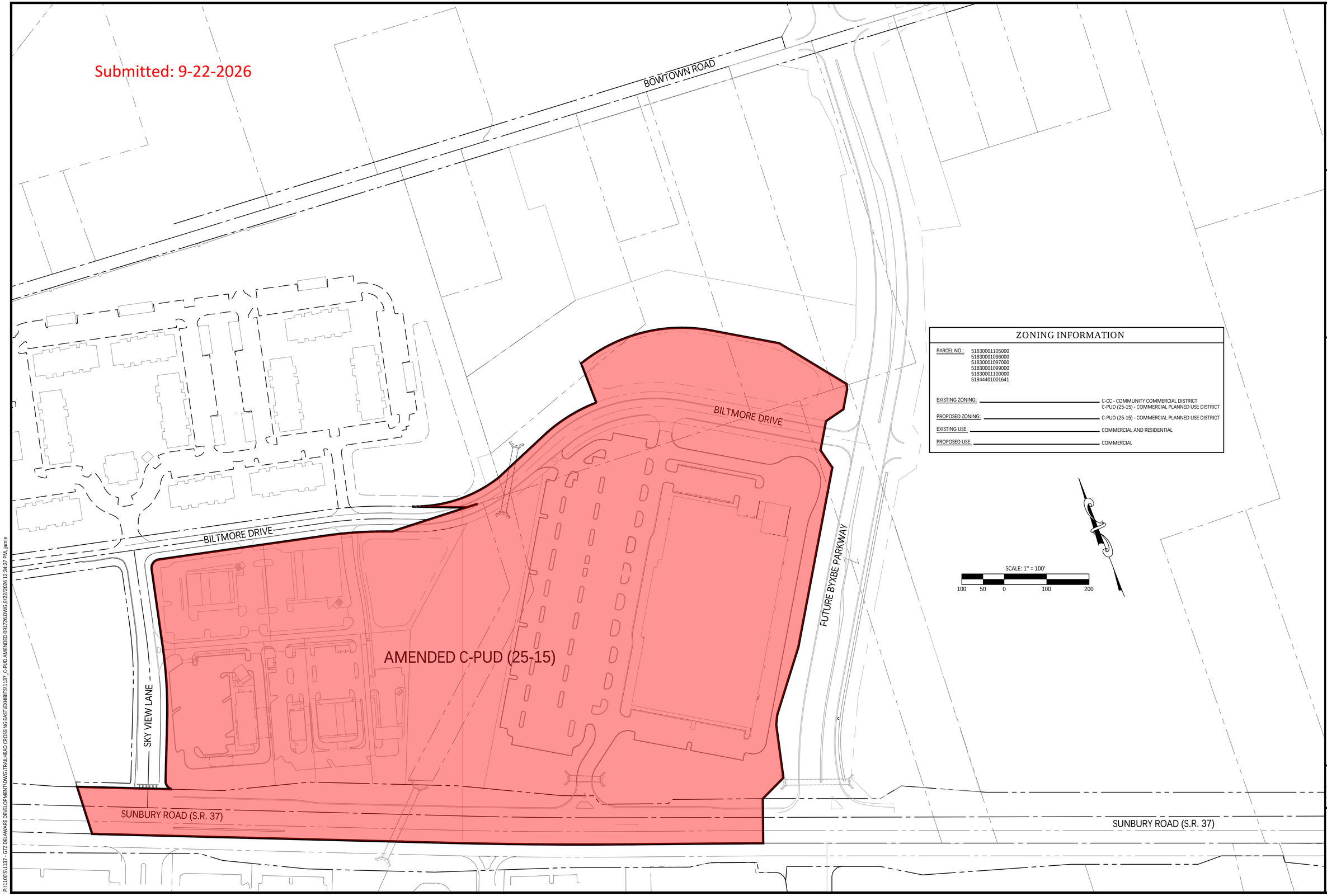
DRAWING NO.: ZON

SHEET 1 OF 1

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255

Submitted: 9-22-2026



ZONING INFORMATION

PARCEL NO.: 51830001105000
51830001096000
51830001097000
51830001099000
51830001100000
51944401001641

EXISTING ZONING: C-CC - COMMUNITY COMMERCIAL DISTRICT
C-PUD (25-15) - COMMERCIAL PLANNED USE DISTRICT

PROPOSED ZONING: C-PUD (25-15) - COMMERCIAL PLANNED USE DISTRICT

EXISTING USE: COMMERCIAL AND RESIDENTIAL

PROPOSED USE: COMMERCIAL

REVISION RECORD

NO.	DATE	REVISION DESCRIPTION

TEBBE CIVIL ENGINEERING, LLC
4700 Lakehurst Court, Suite 135
Dublin, Ohio 43016
Phone (614) 845-5885 ● Chris@TebbeCivil.Com

AMENDED PUD (25-15) EXHIBIT
TRAILHEAD CROSSING EAST
STATE ROUTE 37
CITY OF DELAWARE, OHIO

09-22-26

JOB NO.	1137
DRAWN BY	DJM
DESIGN BY	JSG
CHECKED BY	JSG

SHEET 1 OF 1

P:\1137\1137 - GTZ DELAWARE DEVELOPMENT\DWG\TRAILHEAD CROSSING EAST\EXHIBITS\1137_C-PUD AMENDED 091726.DWG 9/22/2026 12:34:37 PM jamie

Submitted: 9-22-2026

BOWTOWN ROAD

BILTMORE DRIVE

BILTMORE DRIVE

SKY VIEW LANE

FUTURE BYXBE PARKWAY

SUNBURY ROAD (S.R. 37)

SUNBURY ROAD (S.R. 37)

SCALE: 1" = 100'

100 50 0 100 200

REVISION RECORD

NO.	DATE	REVISION DESCRIPTION

TEBBE CIVIL ENGINEERING, LLC
4700 Lakehurst Court, Suite 135
Dublin, Ohio 43016
Phone (614) 845-5885 ● Chris@TebbeCivil.Com

AMENDED PUD (25-15) CONCEPT PLAN

TRAILHEAD CROSSING EAST

STATE ROUTE 37
CITY OF DELAWARE, OHIO

09-22-26

JOB NO.	1137
DRAWN BY	DJM
DESIGN BY	JSG
CHECKED BY	JSG

SHEET 1 OF 1

P:\1137\01\1137 - GTZ DELAWARE DEVELOPMENT\DWG\TRAILHEAD CROSSING EAST\EXHIBITS\1137_C-PUD AMENDED 091726.DWG, 9/22/2026 12:35:38 PM, jamie

Docusign Envelope ID: DB1825FD-647F-8A91-8051-A4245A19F7B4

CITY OF DELAWARE
PLANNING COMMISSION
OCTOBER 7, 2026

C-PUD 25-15 AMEND 10-26
TRAILHEAD CROSSING WEST REZONING

RESOLUTION

WHEREAS, Nutter Farm, Inc., 250 West Street, Suite 700, Columbus, OH 43215 has filed an application requesting to expand C-PUD 25-15 to include 22.046 additional acres currently zoned C-CC (Community Commercial) located on the U.S 36/ S.R. 37 Sunbury Road and east of Sky View Lane.

WHEREAS, a public hearing was held on October 7, 2026 by the City of Delaware Planning Commission, as required by law, at which time all people who wished to testify regarding the pending application were afforded the opportunity to give their comments at the public hearing; and

WHEREAS, the City of Delaware Planning Commission finds that the facts submitted with this PUD rezoning application and presented at the public hearing and any amendments, or supplementary conditions, satisfy the standards and criteria for PUD rezoning approval as per §1114.06 of the Planning and Zoning Code; and

WHEREAS, the City of Delaware Planning Commission finds that pursuant to §1114.06 of the Planning and Zoning Code, each and all excluded uses are inappropriate for this specific C-PUD; and

WHEREAS, the City of Delaware Planning Commission finds that the applicant's plans are in compliance with the City of Delaware Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED that the City of Delaware Planning Commission recommends to the City of Delaware City Council:

SECTION 1. That the Zoning Map referenced in §1110.02 of the Planning and Zoning Code be amended to rezone approximately 22.046 acres of land identified as Delaware County Auditor's Parcel No. 518-300-01-105-000 and a portion of Parcel No. 518-300-01-099-000 from C-CC (Community Commercial) district and A1 Agricultural to C-PUD (Commercial Planned Unit Development), as further described in the legal description attached hereto as Exhibit A.

SECTION 2.

1. All previous approvals and conditions of approval associated with C-PUD 25-15 shall remain in full force and effect unless specifically modified by these conditions.

2. The concept plan dated "Received 09/22/26" illustrates the general layout of the development within this Planned Unit Development.

3. Uses permitted (P) in this Commercial Planned Unit Development are as follows:

Land Use	Permitted Use
Commercial Uses	
a) Retail development with a minimum gross floor area under 80,000 square feet	P
b) Retail development with a minimum gross floor area of 80,000 square feet or greater	P
c) Restaurant	P
d) Financial Institution	P
e) Health Club	P
f) Entertainment, indoor	P
g) Event venue – capacity of 50 or fewer	P
h) Offices: Clerical/ professional, medical/ dental, veterinary, no boarding kennel	P
i) Drive-thru facilities associated with any Permitted Use*	P
j) Day care center, child or adult	P
k) Hotel	C

Table 1: P= Permitted Use, C= Conditional Use, A= Accessory Use
** A maximum of three (3) drive-thru facilities shall be permitted. One (1) accessory drive-thru may be permitted for a retail development with a minimum gross- floor area of 80,000 square feet or greater.*

4. Roads, Traffic, and Engineering:

   a. All comments and concerns of the City Engineer, including any stormwater and utility requirements, must be addressed through the Engineering and Utilities Departments prior to the release of any permits for this development.

   b. The primary access to the site, with full movements, shall be from Biltmore Drive. Any access points on US 36/SR 37 shall be considered at the development plan stage.

c. An 11-foot-wide shared-use path shall be provided along the Sunbury Road (U.S. 36/ S.R. 37) and Byxbe Parkway frontages of the C-PUD, including any associated path easements as deemed necessary by the City Engineer. At the discretion of the City Engineer, a fee-in-lieu of path construction may be provided, in an amount determined by the City, for use by the City toward shared-use path construction anywhere within the City.

5. Buffers, Landscaping, and Screening:

   a. Landscaping, screening, and buffers shall be determined at the Development Plan stage and shall at a minimum comply with Chapter 1121 of City Code requirements.

6. Pedestrian Access

   a. Pedestrian facilities with a minimum of 5-foot sidewalks shall be provided along the perimeter of the site as determined by the City Engineer as well as along interior access roads and require connection to individual store fronts. Pedestrian facilities shall be established at the Development Plan stage.

7. Minimum building and parking setbacks shall be established at the Development Plan stage.

8. Signage requirements shall be determined at the Development Plan stage and shall require the submission of a comprehensive sign plan for the entire PUD.

9. A development agreement for this C-PUD in compliance with Chapter 1105.31 of City Code requirements must be approved and executed prior to the release of any building permits.

10. A final subdivision plat to include all dedicated easements and right of way must be recorded prior to the release of permits.

SECTION 3. These plans and all papers relating to the approved plan shall be submitted with this resolution to City Council.

The Clerk is directed to transmit this case to City Council for further determination as required by law.

PASSED: _____, 2026 YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____ Signed by: _____
1AE34B4125B9440...

CITY CLERK CHAIRMAIN

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Sandra Pereira, Planning Department
ITEM TYPE:	Ordinances
AGENDA SECTION:	**CONSIDERATION OF ORDINANCE NO. 26-56**
SUBJECT:	Ordinance No. 26-56, an ordinance approving a Zoning Map Amendment from A-1 (Agricultural) to R-PUD (Residential Planned Unit Development) on 12.417 acres of property located on the south side of Bowtown Road and Byxbe Parkway. (*Newly annexed land proposed to be rezoned allowing multi-family uses*).

SUGGESTED ACTION:

ATTACHMENTS:

Ord 26-56 Bowtown Byxbe Fact Sheet.docx
Ord 26-56 Bowtown Byxbe Zoning.docx
Legal Description_attach to Ordinance.pdf
PUD 26-8 Residential Trailhead Crossing Staff Report.docx
PUD 26-8 Residential Trailhead Crossing SUBMIT.pdf
PCR PUD 26-8 Trailhead R-PUD.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 15

DATE: 10/12/2026

ORDINANCE NO: 26-56

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: **YES (10/26/2026)**

TO: Mayor and Members of City Council

FROM: Andrew Beare, Acting City Manager

VIA: Sandra Pereira, Planning & Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

An ordinance approving a request by Trailhead Acquisitions, LLC. for approval of a Zoning Map Amendment from A-1 (Agricultural) to R-PUD (Residential Planned Unit Development) on 12.417 acres of property located on the south side of Bowtown Road and Byxbe Parkway.

BACKGROUND:
See attached staff report.

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Chapter 1105: Amendments of the Codified Ordinances.

COMMITTEE RECOMMENDATION:
Planning Commission approved this case 7-0 on October 7, 2026

FISCAL IMPACT(S):
N/A

POLICY CHANGES:
N/A

PRESENTER(S):
Sandra Pereira, Planning & Community Development Director

RECOMMENDATION:
Staff recommends approval

ATTACHMENT(S)
See attached

ORDINANCE NO. 26-56

AN ORDINANCE APPROVING A REQUEST BY TRAILHEAD ACQUISITIONS INC. FOR APPROVAL OF A ZONING MAP AMENDMENT FROM A-1 (AGRICULTURAL) TO R-PUD (RESIDENTIAL PLANNED DEVELOPMENT) ON 12.417 ACRES OF PROPERTY LOCATED ON THE SOUTH SIDE OF BOWTOWN ROAD AND BYXBE PARKWAY.

WHEREAS, Trailhead Acquisitions LLC., 250 West Street, Suite 700, Columbus, OH 43215 requests rezoning and concept plan approval; and

WHEREAS, the City of Delaware Planning Commission at its meeting on October 7, 2026, recommended approval of the rezoning amendment with conditions and requirements; and

WHEREAS, Delaware City Council finds the facts submitted with the application and presented at the public hearing and any modifications, amendments, or supplementary conditions satisfy the standards and criteria for Planned Unit Development approval as per §1114.07 of the Zoning Code and;

WHEREAS, Delaware City Council finds that pursuant to §1114.13 of the Zoning Code, each and all of the permitted and conditional uses are appropriate for this specific Planned Unit Development; and

WHEREAS, Delaware City Council has voted to adopt the recommendation of the Planning Commission with modifications.

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

SECTION 1.

The zoning map referenced in §1110.02 of the Zoning Code is hereby further amended to change approximately 12.417 acres of land described in the attached “Exhibit A” from A-1, Agricultural to R-PUD, Residential Planned Unit Development.

SECTION 2.

The following conditions and requirements shall apply:

1. The concept plan dated “Received 08/31/26” illustrates the general layout of the development within this Planned Unit Development.

2. The following uses shall be permitted (P) in this Residential Planned Unit Development are as follows:

Land Use	**Permitted Use**
Residential Uses	
a) Multi-family Complex	P
b) Attached one/two/three/ four family dwellings	P

Table 1: P= Permitted Use, C= Conditional Use, A= Accessory Use

3. Roads, Traffic, and Engineering:
   a. All comments and concerns of the City Engineer, including any stormwater and utility requirements, must be addressed through the Engineering and Utilities Departments through the development plan and engineering plan approvals prior to the release of permits for construction.

   b. The applicant is required to complete a Traffic Impact Study (TIS). The TIS is required to be submitted prior to the development plan and must be accepted by the City Engineer prior to submitting a subdivision plat application. The applicant shall be responsible for any improvements and/or financial obligations identified by the TIS, as determined by the City Engineer.

   c. Full vehicular access shall only be permitted from Bowtown Road. Access to/from Byxbe Parkway shall be limited to emergency/gated access, if determined necessary by the City.

   d. The property shall be required to participate in either a new or existing New Community Authority (NCA) at a millage not to exceed 7.5 mills.

   e. Fee simple public right of way shall be dedicated by plat along proposed Byxbe Parkway for the completion of this roadway improvement, as determined by the City Engineer.

   f. Fee simple public right of way shall be dedicated by plat along Bowtown Road to 35-FT from centerline along the entire property frontage.

4. Buffers, Landscaping, and Screening:

   a. The conservation area depicted on the Concept Plan shall be preserved as open space. Existing trees, the stream corridor, and other natural features within the conservation area shall be preserved to the greatest

extent practicable. The final boundaries of the conservation area and the appropriate mechanism for its permanent preservation, ownership, and maintenance shall be established as part of the Development Plan and final subdivision plat.

b. A minimum 50-foot-wide landscape buffer shall be provided along the western perimeter of the R-PUD where the property is adjacent to existing single-family residential properties. Existing mature trees and vegetation within the buffer shall be preserved to the greatest extent practicable, except where removal is necessary, with approval from the City, to accommodate required grading, utilities, drainage improvements, or other necessary site infrastructure. The buffer shall be supplemented with additional landscaping and screening as necessary.

c. Final landscaping, screening, and buffering throughout the R-PUD shall be established at the Development Plan stage and shall comply, at a minimum, with the applicable requirements of Chapter 1121 of the Zoning Code.

5. Pedestrian Access

   a. Pedestrian facilities, including a minimum 5-foot-wide sidewalk, shall be provided along internal access roads and shall provide connections to individual buildings and other pedestrian facilities within the development. Final pedestrian circulation shall be established at the Development Plan stage.

   b. An 11-ft path shall be extended along the perimeter of Byxbe Pkwy and Bowtown Road.

6. Minimum building and parking setbacks shall be established at the Development Plan stage.

7. Residential development shall be limited to a maximum of 252 dwelling units within the approximately 8.37-acre development area identified on the Concept Plan, representing a maximum density of 30.1 dwelling units per acre. The total number of dwelling units within the R-PUD shall not exceed 252 units.

8. Building height shall not exceed thirty-five (35) feet within 100 feet of a principal residential structure located within a non-multi-family residential zoning district. Beyond 100 feet, the maximum permitted building height shall be forty-five (45) feet.

9. Final building elevations, architectural design, and exterior materials shall be established at the Development Plan stage and shall comply, at a minimum, with the applicable residential building design and exterior material requirements of Section 1120.06 of the City of Delaware Zoning Code.

10. Signage requirements shall be determined at the Development Plan stage and shall require the submission of a comprehensive sign plan for the entire PUD.

11. A final subdivision plat, including all required easements and right-of-way dedications, shall be recorded prior to the issuance of building permits.

SECTION 3.

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

PASSED: _____, 2026 YEAS_____NAYS_____ABSTAIN_____

ATTEST: _____ _____
CITY CLERK MAYOR

DESCRIPTION OF 12.417 ACRES

Situated in the State of Ohio, County of Delaware, City of Delaware, being part of Farm Lot 18, Quarter Township 3, Township 5, Range 18, United States Military Lands, being part of Seattle House (Bowtown South) Condominium of record in Official Record Volume 1869, Page 2637 and Page 2708, being part of a 2.994 acre tract of land (Lot 152) of Bowtown Subdivision of record in Plat Book 18, Page 138 as described in deed to George A. Piacentino & Christine Y. Piacentino of record in Official Record Volume 2040, Page 2290, being part of a 4.049 acre tract of land (Parcel 1) described in deed to Donna J. Bukovec of record in Official Record Volume 660, Page 1596, being all of a 1.103 acre tract of land (Parcel 2) described in deed to Donna J. Bukovec of record in Official Record Volume 660, Page 1596, being part of a 3.775 acre tract of land described in deed to Debra S. Noellert and John C. Noellert of record in Official Record Volume 479, Page 285, and being part of a 3.775 acre tract of land described in deed to Jenna M. Pickett of record in Official Record Volume 1312, Page 1698, all references being of record in the Recorder's Office, Delaware County, Ohio, said 12.417 acre tract being more fully described herein:

COMMENCING at the southeast corner said of Seattle House (Bowtown South), being at the southwest corner of said 4.049 acre tract, being on the north line of a 0.929 acre tract of land described in deed to Seattle House (Bowtown South) Condominium Association Common Element of record in Official Record Volume 1869, Page 2637 and Page 2708, and being at an angle point of the City of Delaware Corporation Line and Brown Township line;

Thence North 03°28'30" East, a distance of 43.32 feet with the east line of said Seattle House (Bowtown South) Condominium, with the west line of said 4.409 acre tract, with a westerly line of said Brown Township Line, and being on an easterly line of said City of Delaware Corporation Line, to the **POINT OF BEGINNING**;

Thence across said Seattle House (Bowtown South) Condominium, the following three (3) courses:

1. With the arc of a curve to the right, having a radius of **320.00 feet**, a delta angle of **06°04'13"**, an arc length of **33.90 feet**, a chord bearing of **South 76°07'25" West** and a chord distance of **33.89 feet**, to a point;

2. **North 02°56'18" East**, a distance of **69.93 feet**, to a point;

3. **South 86°31'30" East**, a distance of **33.00 feet**, to a point on the east line of said Seattle House (Bowtown South) Condominium, being at the northwest corner of said 4.409 acre tract, being at the southwest corner of said Lot 152, being on a westerly line of said Brown Township Line, and being on an easterly line of said City of Delaware Corporation Line;

Thence **North 03°28'30" East**, a distance of **189.19 feet**, with the east line of said Seattle House (Bowtown South) Condominium, with the west line of said 2.994 acre tract, with a westerly line of said Brown Township Line, and with an easterly line of said City of Delaware Corporation Line, to a point at the northwest corner of said Lot 152, and being at the southwest corner of a 1.882 acre tract of land (Lot 151) of said Bowtown Subdivision as described in deed to Nathon J. Deprey and Trudy R. Railing of record in Official Record Volume 1954, Page 97;

Thence with the common lines of said Lot 151 and with said Lot 152, the following four (4) courses:

1. **North 75°52'51" East**, a distance of **314.66 feet**, to a point;

2. **North 03°26'30" East**, a distance of **236.33 feet**, to a point;

3. **North 86°04'52" West**, a distance of **40.97 feet**, to a point;

4. **North 03°33'23" East**, a distance of **154.97 feet**, to a point on the south right-of-way line of Bowtown Road (County Road 84) 60' right-of-way width;

Thence **South 86°02'24" East**, a distance of **175.23 feet**, with the south right-of-way line of said Bowtown Road, and with the north line of said Lot 152, to a point at the northeast corner of said Lot 152, and being on the west line of said 1.103 acre tract;

Thence **North 02°48'42" East**, a distance of **30.01 feet**, with the west line of said 1.103 acre tract, to a point on the centerline of said Bowtown Road, being at the northwest corner of said 1.103 acre tract, being on the south line of an original 34.887 acre tract of land described in deed to Board of Commissioners of Delaware County, Ohio of record in Official Record Volume 1660, Page 319, being on the north line of said Farm Lot 18, being on the south line of Farm Lot 25, being on a northerly line of said Brown Township Line, and being on a southerly line of said City of Delaware Corporation Line;

Thence **South 86°02'24" East**, a distance of **581.13 feet**, with the centerline of said Bowtown Road, with the north line of said 1.103 acre tract, with the north line of said 4.049 acre tract, with the north line of said 3.775 acre Noellert Tract, with the north line of said 3.775 acre Pickett Tract, with the north line of said Farm Lot 18, with the south line of Farm Lot 25, with a northerly line of said Brown Township Line, and with a southerly line of said City of Delaware Corporation Line, to a point at the northeast corner of said 3.775 acre Pickett Tract, and being at the northwest corner of a 30.521 acre tract of land described in deed to Chris-Nick I, LLC of record in Official Record Volume 842, Page 107;

Thence **South 03°03'56" West**, a distance of **799.06 feet**, with the east line of said 3.775 acre Pickett Tract, and with the west line of said 30.521 acre tract, to a point at the southeast corner of said 3.775 acre Pickett Tract;

Thence **North 86°43'45" West**, a distance of **171.79 feet**, with the south line of said 3.775 acre Pickett Tract, with a northerly line of said 30.521 acre tract, and with the north line of an original 3.175 acre tract of land (Second Tract) described in deed to Nutter Farm, Inc. of record in Deed Book 636, Page 808, to a point;

Thence crossing said 3.775 acre Pickett Tract, said 3.775 acre Noellert Tract, said 4.049 acre tract, and said Lot 152, the following seven (7) courses:

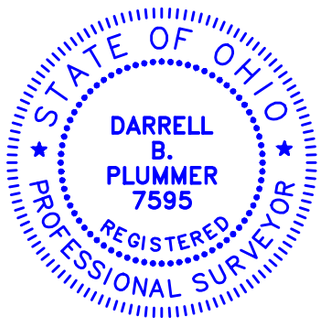
1. **North 13°07'29" East**, a distance of **3.00 feet**, to a point;
2. **North 37°42'07" West**, a distance of **185.31 feet**, to a point;
3. **North 58°17'42" West**, a distance of **165.95 feet**, to a point of curvature;
4. With the arc of a curve to the left, having a radius of **376.82 feet**, a delta angle of **49°15'17"**, an arc length of **323.93 feet**, a chord bearing of **North 83°20'10" West** and a chord distance of **314.05 feet**, to a point;
5. **South 00°01'19" East**, a distance of **99.08 feet**, to a point;
6. With the arc of a curve to the left, having a radius of **385.00 feet**, a delta angle of **20°12'57"**, an arc length of **135.84 feet**, a chord bearing of **South 79°52'12" West** and a chord distance of **135.14 feet**, to a point of tangency;
7. **South 68°08'22" West**, a distance of **157.54 feet**, to the **POINT OF BEGINNING** containing **12.417 acres**, more or less, there being 0.049 acres out of said Seattle House (Bowtown South) Condominium and Parcel Number 519-444-01-001-640, being 1.488 acres out of said 4.049 acre tract and Parcel Number 518-300-01-099-000, being 2.945 acres out of said Lot 152 and Parcel Number 518-300-01-100-000, being 3.096 acres out of said 3.775 acre tract and Parcel Number 518-300-01-097-000, being 3.736 acres out of said 3.775 acre tract and Parcel Number 518-300-01-096-000, and being all of said 1.103 acre tract and Parcel Number 518-300-01-098-000.

The above description is based on deeds of record and available existing surveys, aforementioned description is not intended to be used for the transfer of real property. The acreages and distances shown are intended for zoning purposes only.

CIVIL & ENVIRONMENTAL CONSULTANTS, INC.



Darrell B. Plummer, P.S. Date
Professional Surveyor No. 7595



Date Prepared: 8/25/2026
File Name: 353737-SV03-ZON-Legal 12.417 Ac.docx

CITY COUNCIL STAFF REPORT

CASE ID: R-PUD 26-8 Trailhead Crossing

APPLICANT: **Trailhead Acquisitions, LLC.**
250 West Street, Suite 700
Columbus, OH 43215

REQUEST

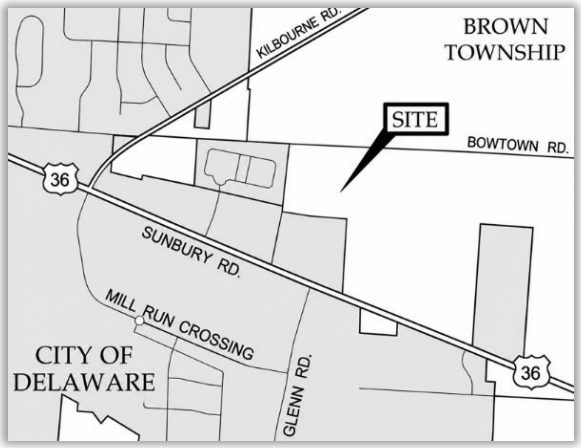
A request by Trailhead Acquisitions, LLC. for approval of a Zoning Map Amendment from A-1 (Agricultural) to R-PUD (Residential Planned Unit Development) on 12.417 acres of property located on the south side of Bowtown Road and Byxbe Parkway.

BACKGROUND/ LOCATION

The 12.417-acre property is located on the south side of Bowtown Road and Byxbe Parkway and east of the Seattle House Apartments. The applicant is proposing to establish a Residential Planned Unit Development (R-PUD) for a future multi-family residential development. The

EXISTING CONDITIONS/ CURRENT ZONING

The subject property is located within the Far East Focus Area of the City of Delaware's Delaware Together Comprehensive Plan. The subject property is currently zoned A-1 Agricultural. The property currently contains four (4) single-family homes, all of which are under the applicant's site control. Surrounding uses include two (2) single-family homes to the west, Delaware County government facilities to the north, vacant land to the south proposed for commercial development, and unimproved land within Brown Township to the east.



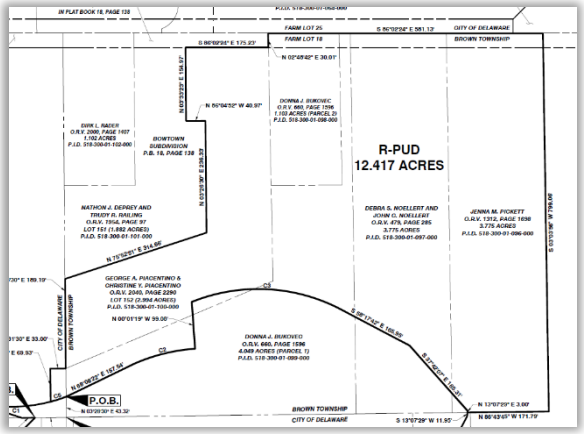


Figure 1 (top): Subject Property Location
Figure 2 (bottom): Area proposed as R-PUD

STAFF ANALYSIS

Zoning: The applicant is requesting to rezone the 12.417-acre subject property to a Residential Planned Unit Development (R-PUD) to allow for future residential development. The proposed R-PUD would permit multi-family complexes and attached one-, two-, three-, and four-family dwellings. The maximum residential density would be limited to 30.1 dwelling units per acre. Building height would be permitted up to a maximum of 45 feet, except within 100 feet of a principal residential structure located within a non-multi-family residential zoning district, where building height would be limited to 35 feet. Additional buffering would be required along the western portion of the site adjacent to the existing single-family homes, including a 50-foot landscape buffer that would emphasize preservation of the existing tree line. Landscaping and screening throughout the development would be further refined as part of the Development Plan review.

Land Use and Comprehensive Plan: The subject property is located within the Far East Focus Area of the Delaware Together Comprehensive Plan and is identified on the Future Land Use Map as Rural Frontage within a Legacy Township area. This designation reflects the historically rural development pattern that existed in this area prior to annexation into the City. Since adoption of the Comprehensive Plan, the surrounding area has continued to transition as properties have been annexed and developed with more urban land uses.

The proposed R-PUD would be compatible with the existing and planned development pattern surrounding the site. Delaware County government facilities are located immediately to the north, the Seattle House apartment development is located to the west, and commercial development is planned immediately to the south along the US-36/SR-37 corridor. The proposed multi-family residential development would therefore represent a continuation of the evolving development pattern in this portion of the Far East Focus Area rather than an isolated higher-density residential use within an otherwise rural area.

The proposed development would also provide an appropriate transition between the commercial development planned to the south and existing development to the north and west. A conservation area proposed along the southern portion of the site, together with landscaping and buffering to be established at the Development Plan stage, would further provide separation between the residential and commercial uses.

This proposed Zoning Map Amendment meets several of the goals and actions of the Comprehensive Plan, including:

- **Objective A.1:** *Encourage a greater mix of land uses in selected locations.*
  - **Action A.1.4:** *Work with experienced developers.*
- **Objective A.9:** *Maximize compatibility between existing and new development, while allowing for appropriate changes.*
  - **Action A.9.1:** *Require transition areas at edges of development.*
- **Objective A.16:** *Focus new development to the Southeast, Southwest and portions of the Far East Focus Areas.*

Concept Plan: The Concept Plan depicts the conceptual development of the 12.417-acre site with a multi-family residential development consisting of six (6) residential buildings, associated parking areas, internal access drives, and open space. The residential development would be concentrated on approximately 8.37 acres, with the remaining area primarily dedicated to future right-of-way improvements and the conservation area along the southern portion of the site.

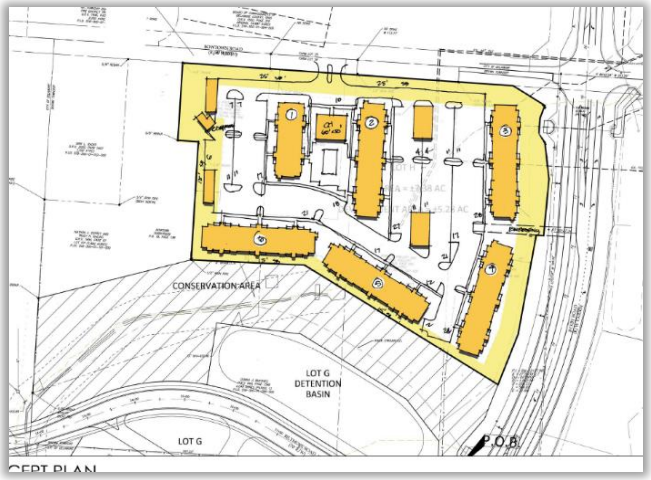


Figure 2: Proposed R-PUD Concept

Within the 8.37-acre development area, a maximum of 252 dwelling units would be permitted, representing a maximum density of 30.1 dwelling units per acre. The final unit count and configuration will be established at the Development Plan stage but shall not exceed the maximum permitted by the R-PUD.

The Concept Plan also identifies a conservation area along the southern portion of the site, consistent with the conservation area included as part of the adjacent amended C-PUD (25-15). The conservation area is intended to provide a buffer between the proposed residential development and the commercial development to the south, while preserving existing trees and other natural features, including the existing stream corridor.

As shown on the Concept Plan, primary access to the development is proposed from Bowtown Road, with additional emergency access contemplated from future Byxbe Parkway. The final location and configuration of all site access will be established at the Development Plan stage. The development is anticipated to include

approximately 454 parking spaces, including 42 garage spaces and 412 surface parking spaces; however, final parking requirements and layout will also be determined through the Development Plan process.

If the zoning map amendment is approved, the final site layout, including building placement, access and circulation, parking, landscaping, setbacks, stormwater management, and other site improvements, will be reviewed and approved at the Development Plan stage but should remain generally consistent with the Concept Plan included with this application. Minimum building and parking setbacks will also be established as part of that review. Final building elevations, architectural design, and exterior materials will be required to comply, at a minimum, with the applicable residential building design and exterior material requirements of the Zoning Code.

Access and Traffic

As shown on the Concept Plan, primary vehicular access to the proposed development would be provided from Bowtown Road. Full vehicular access would be limited to Bowtown Road, while any connection to future Byxbe Parkway would be limited to emergency/gated access if determined necessary by the City. The final location and configuration of access points, internal circulation, and emergency access will be established through the Development Plan and associated engineering review. Pedestrian improvements will include an 11-foot-wide shared-use path along the Bowtown Road and future Byxbe Parkway frontages. Within the development, a minimum 5-foot-wide sidewalk will be provided along internal access roads with connections to individual buildings and other pedestrian facilities. Final pedestrian circulation and connections will be established at the Development Plan stage.

A Traffic Impact Study (TIS) will be required prior to submission of the Development Plan and must be accepted by the City Engineer prior to submission of a subdivision plat. The applicant will be responsible for any roadway improvements or financial obligations identified through the TIS, as determined by the City Engineer. All other engineering matters, including stormwater management and utility requirements, will also be addressed through the Development Plan and engineering plan review processes.

Additional right-of-way will be required as part of the development. Fee-simple right-of-way will be dedicated along the future Byxbe Parkway alignment as determined necessary by the City Engineer for completion of the roadway, and additional right-of-way will be dedicated along the entire Bowtown Road frontage to provide 35 feet of right-of-way from the roadway centerline.

Screening, Buffering, and Landscaping

All screening, buffering, and landscaping will be reviewed and approved at the Development Plan stage and will be required to comply, at a minimum, with the applicable requirements of Chapter 1121 of the Zoning Code. This includes applicable requirements for landscape buffers, parking lot landscaping and screening, and screening of accessory uses and equipment.

Building Design

Final building plans, architectural design, elevations, and exterior materials will be reviewed and approved at the Development Plan stage and will be required to comply, at a minimum, with the applicable residential building design and exterior material requirements of Section 1120.06 of the Zoning Code.

Signage and Lighting

A lighting plan and comprehensive sign plan will be required and reviewed at the Development Plan Stage.

Procedures:

The applicant will be required to receive a Development Plan approval and final subdivision approval for the full site (including all easements, right-of-way, etc.) prior to the issuance of any building permits.

RECOMMENDATION

Staff and Planning Commission recommend approval of the request with the conditions of approval outlined in the attached resolution.

Received: 8-31-2026

CONCEPT PLAN

NUTTER FARMS

PREPARED FOR ROCKY POINT PARTNERS

DATE: 6.29.26

NORTH
SCALE: 1"=50'
0 25 50 100 150

Faris Planning & Design
LAND PLANNING ◆ LANDSCAPE ARCHITECTURE
4876 Cemetery Road
p (614) 487-1964
Hilliard, OH
www.farisplanninganddesign

Docusign Envelope ID: 39A03267-DE22-84AC-839C-CAC763849607

CITY OF DELAWARE
PLANNING COMMISSION
OCTOBER 7, 2026

R-PUD 26-8
TRAILHEAD CROSSING REZONING

RESOLUTION

WHEREAS, Trailhead Acquisitions LLC., 250 West Street, Suite 700, Columbus, OH 43215 has filed an application requesting to rezone 12.417 acres from A-1 (Agricultural) to R-PUD (Residential Planned Unit Development) on 12.417 acres of property located on the south side of Bowtown Road and Byxbe Parkway.

WHEREAS, a public hearing was held on October 7, 2026 by the City of Delaware Planning Commission, as required by law, at which time all people who wished to testify regarding the pending application were afforded the opportunity to give their comments at the public hearing; and

WHEREAS, the City of Delaware Planning Commission finds that the facts submitted with this PUD rezoning application and presented at the public hearing and any amendments, or supplementary conditions, satisfy the standards and criteria for PUD rezoning approval as per §1114.06 of the Planning and Zoning Code; and

WHEREAS, the City of Delaware Planning Commission finds that pursuant to §1114.06 of the Planning and Zoning Code, each and all excluded uses are inappropriate for this specific R-PUD; and

WHEREAS, the City of Delaware Planning Commission finds that the applicant's plans are in compliance with the City of Delaware Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED that the City of Delaware Planning Commission recommends to the City of Delaware City Council:

SECTION 1. That the Zoning Map referenced in §1110.02 of the Planning and Zoning Code be amended to rezone approximately 12.417 acres of land identified as Delaware County Auditor's Parcel No. 518-300-01-100-000, 518-300-01-098-000, 518-300-01-097-000 and 518-300-01-096-000 from A-1 (Agricultural) district R-PUD (Residential Planned Unit Development), as further described in the legal description attached hereto as Exhibit A.

SECTION 2.

1. The concept plan dated "Received 08/31/26" illustrates the general layout of the development within this Planned Unit Development.

2. The following uses shall be permitted (P) in this Residential Planned Unit Development are as follows:

Land Use	Permitted Use
Residential Uses	
a) Multi-family Complex	P
b) Attached one/two/three/ four family dwellings	P

Table 1: P= Permitted Use, C= Conditional Use, A= Accessory Use

3. Roads, Traffic, and Engineering:
   a. All comments and concerns of the City Engineer, including any stormwater and utility requirements, must be addressed through the Engineering and Utilities Departments through the development plan and engineering plan approvals prior to the release of permits for construction.
   b. The applicant is required to complete a Traffic Impact Study (TIS). The TIS is required to be submitted prior to the development plan and must be accepted by the City Engineer prior to submitting a subdivision plat application. The applicant shall be responsible for any improvements and/or financial obligations identified by the TIS, as determined by the City Engineer.
   c. Full vehicular access shall only be permitted from Bowtown Road. Access to/from Byxbe Parkway shall be limited to emergency/gated access, if determined necessary by the City.
   d. The property shall be required to participate in either a new or existing New Community Authority (NCA) at a millage not to exceed 7.5 mills.
   e. Fee simple public right of way shall be dedicated by plat along proposed Byxbe Parkway for the completion of this roadway improvement, as determined by the City Engineer.
   f. Fee simple public right of way shall be dedicated by plat along Bowtown Rd to 35-FT from centerline along the entire property frontage.

4. Buffers, Landscaping, and Screening:

    a. The conservation area depicted on the Concept Plan shall be preserved as open space. Existing trees, the stream corridor, and other natural features within the conservation area shall be preserved to the greatest extent practicable. The final boundaries of the conservation area and the appropriate mechanism for its permanent preservation, ownership, and maintenance shall be established as part of the Development Plan and final subdivision plat.

    b. A minimum 50-foot-wide landscape buffer shall be provided along the western perimeter of the R-PUD where the property is adjacent to existing single-family residential properties. Existing mature trees and vegetation within the buffer shall be preserved to the greatest extent practicable, except where removal is necessary, with approval from the City, to accommodate required grading, utilities, drainage improvements, or other necessary site infrastructure. The buffer shall be supplemented with additional landscaping and screening as necessary.

    c. Final landscaping, screening, and buffering throughout the R-PUD shall be established at the Development Plan stage and shall comply, at a minimum, with the applicable requirements of Chapter 1121 of the Zoning Code.

5. Pedestrian Access

    a. Pedestrian facilities, including a minimum 5-foot-wide sidewalk, shall be provided along internal access roads and shall provide connections to individual buildings and other pedestrian facilities within the development. Final pedestrian circulation shall be established at the Development Plan stage.

    b. An 11-ft path shall be extended along the perimeter of Byxbe Pkwy and Bowtown Road.

6. Minimum building and parking setbacks shall be established at the Development Plan stage.

7. Residential development shall be limited to a maximum of 252 dwelling units within the approximately 8.37-acre development area identified on the Concept Plan, representing a maximum density of 30.1 dwelling units per acre. The total number of dwelling units within the R-PUD shall not exceed 252 units.

8. Building height shall not exceed thirty-five (35) feet within 100 feet of a principal residential structure located within a non-multi-family residential zoning district. Beyond 100 feet, the maximum permitted building height shall be forty-five (45) feet.

Docusign Envelope ID: 39A03267-DE22-84AC-839C-CAC763849607

9. Final building elevations, architectural design, and exterior materials shall be established at the Development Plan stage and shall comply, at a minimum, with the applicable residential building design and exterior material requirements of Section 1120.06 of the City of Delaware Zoning Code.

10. Signage requirements shall be determined at the Development Plan stage and shall require the submission of a comprehensive sign plan for the entire PUD.

11. A final subdivision plat, including all required easements and right-of-way dedications, shall be recorded prior to the issuance of building permits.

SECTION 3. These plans and all papers relating to the approved plan shall be submitted with this resolution to City Council.

The Clerk is directed to transmit this case to City Council for further determination as required by law.

PASSED: _____, 2026 YEAS____ NAYS____
ABSTAIN ____

Signed by:
1AE34B4125B9440...

ATTEST: _____ _____

CITY CLERK CHAIRMAIN

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Anna Kelsey, Planning Department
ITEM TYPE:	Ordinances
AGENDA SECTION:	**CONSIDERATION OF ORDINANCE NO. 26-59**
SUBJECT:	Ordinance No. 26-59, an ordinance accepting the annexation of 0.427 acres of land, more or less, description and map are attached hereto, for the annexation known as Vernon Avenue Right of Way Annexation by Ryan D. Crossley, agent for the petitioners.

SUGGESTED ACTION:

ATTACHMENTS:

VERNON FACT SHEET.docx
ord 26-59 Vernon Ave Annexation.docx
2 res 26-55, ROS for Vernon Avenue right of way.pdf
3 FILED Annexation Petition - Vernon Crossing.pdf
4 BOC granting Vernon Crossing annexation 0.427 acres.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 16

DATE: 10/12/26

ORDINANCE NO: 26-59

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: YES **(10/26/26 at 7:10 PM)**

TO: Mayor and Members of City Council

FROM: Andy Beare, Acting City Manager

VIA: Sandra Pereira, Director of Planning & Community Development

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE ACCEPTING THE ANNEXATION OF 0.427 ACRES OF LAND, MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO, FOR THE ANNEXATION KNOWN AS VERNON AVENUE RIGHT OF WAY ANNEXATION BY RYAN D. CROSSLEY, AGENT FOR THE PETITIONERS.

BACKGROUND:

The resolution of services was approved by City Council at the July 13, 2026, meeting. This ordinance formally accepts the property into the City of Delaware following the annexation process outlined in the Ohio Revised Code.

REASON WHY LEGISLATION IS NEEDED:

Council must act to accept the annexation to finalize the acceptance of the property into the City of Delaware pursuant to Ohio law.

RECOMMENDATION:

Approval

ATTACHMENT(S)

Ordinance 26-
Petition for Annexation
Resolution of Services 26-55
Board of Commissioners resolution granting annexation

ORDINANCE NO. 26-59

AN ORDINANCE ACCEPTING THE ANNEXATION OF 0.427 ACRES OF LAND, MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO, FOR THE ANNEXATION KNOWN AS VERNON AVENUE RIGHT OF WAY ANNEXATION BY RYAN D. CROSSLEY, AGENT FOR THE PETITIONERS.

WHEREAS, Ryan D. Crossley, Agent for petitioner, has filed with the Delaware County Commissioners for annexation of 0.427 acres of land, the description and map are attached hereto; and

WHEREAS, Ryan D. Crossley, as agent for the petitioners delivered to the Clerk of the Delaware City Council the notice of his filing of the annexation petition with the Board of County Commissioners of Delaware County and its clerk on July 1, 2026; and

WHEREAS, the Ohio Revised Code requires that within 20 days following the date the petition is filed, the City Council shall, by resolution, adopt a statement as to what services, if any, the City will provide and an approximate date by which it will provide them to the territory proposed for annexation, upon annexation, which was completed when City Council passed a Resolution of Services on July 13, 2026 via Resolution 26-55; and

WHEREAS, the proposed annexation applied for in the petition to the Delaware County Commissioners has been approved, by them for annexation to the City of Delaware on July 30, 2026. The territory to be annexed is described in the Exhibits “A” & “B” provided in the attached petition; and

WHEREAS, the certified transcript of the proceedings for annexation, with an accurate map of the territory, together with the petition of annexation and other papers relating to the proceedings of the County Commissioners, are on file with the Clerk of Council, and have been for more than sixty days.

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

SECTION 1. That Council hereby accepts the annexation of 0.427 acres of land, description, and plat of which are hereby attached of the annexation knows as Vernon Avenue Right of Way Annexation by Ryan D. Crossley, agent for the petitioners.

SECTION 2. That the Clerk of Council is directed to make five copies of this ordinance, to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof. The Clerk shall then forthwith deliver one copy to the Secretary of State and shall file notice of annexation with the Board of Elections, the County Auditor, the County Recorder, and the County Engineer within thirty days after it becomes effective, and the Clerk shall do all other things required by law.

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

PASSED: _____, 2026 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

EST 1808

CITY OF

DELAWARE

OHIO

RESOLUTION CERTIFICATION

I, Sarah Dinovo, being the duly appointed as Clerk of City Council of Delaware, Ohio, do hereby swear and attest that the attached document is a true and correct copy of Resolution No. 26-55, as passed on July 13, 2026, by the Delaware City Council.

CLERK OF DELAWARE SEAL OHIO COUNCIL

Sarah Dinovo

Sarah Dinovo
Clerk of City Council

This Resolution Certification dated this 14th day of June in the year 2026.

RESOLUTION NO. 26-55

A RESOLUTION INDICATING WHAT SERVICES THE CITY OF DELAWARE WILL PROVIDE TO 0.427 ACRES OF LAND, MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO FOR THE ANNEXATION KNOWN AS VERNON AVENUE RIGHT OF WAY ANNEXATION BY JACOB ATEVISIAN, AGENT FOR THE PETITIONER AND DECLARING AN EMERGENCY.

WHEREAS, Jacob Atevisian, agent for the petitioner, has filed with the Delaware County Commissioners for annexation of 0.427 acres of land, more or less, the description and map are attached hereto; and

WHEREAS, Jacob Atevisian, as agent for the petitioner delivered to the Clerk of the Delaware City Council the notice of his filing of the annexation petition with the Board of County Commissioners of Delaware County and its clerk on July 1, 2026; and

WHEREAS, the Ohio Revised Code, Section 709.023 (c), requires that within 20 days following the date the petition is filed, the City Council shall, by resolution, adopt a statement as to what services, if any, the City will provide and an approximate date by which it will provide them to the territory proposed for annexation, upon annexation.

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

SECTION 1. That upon annexation to the City of Delaware of 0.427 acres more or less as delineated in the attached Exhibits, the City will provide the following services by the approximate date indicated as to each, provided all necessary lines, hydrants, and other apparatus are installed by the property owner as required by the City and said services shall be provided under the same conditions and same costs as they are provided to other residents in the City of Delaware:

(a) Water – upon acceptance of annexation

(b) Sanitary Sewer – upon acceptance of annexation

(c) Refuse – upon acceptance of annexation

(d) Fire – upon acceptance of annexation

(e) Police – upon acceptance of annexation

(f) Road Maintenance – upon acceptance of annexation, road maintenance will be available for additional right-of-way that may be included in this annexation request upon adoption. If a street or highway will be divided or segmented by a boundary line between a township and the City of Delaware so as to create a road maintenance concern, the City of Delaware agrees, as a condition of the annexation, to assume the maintenance of that street or highway or to otherwise address the concern.

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

SECTION 4. That the Clerk of Council shall prepare and furnish to the agent for the petitioners a certified copy of this resolution and file with the Delaware County Board of County Commissioners on or before 20 days from the filing of the annexation petition.

SECTION 5. That if the territory is annexed and becomes subject to zoning by the City of Delaware and the City permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under the current county or township zoning regulations in the adjacent land remaining within the township from which the territory was annexed, the Council of the City of Delaware will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed and the adjacent land remaining within the township for purposes of this ordinance, buffer includes open space, landscaping, fences, walls, and other structured elements; streets and street rights of way; and bicycle and pedestrian paths and sidewalks.

SECTION 6. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and to provide for the usual daily operation of a department or an office of the City; specifically, this Resolution is required to be immediately effective to satisfy the requirement of Ohio Revised Code Section 709.023(C) requiring adoption of this Resolution of Services within 20 days after the date that the annexation petition has been filed.

VOTE ON EMERGENCY CLAUSE: YEAS 7 NAYS 0 ABSTAIN 0

PASSED: July 13, 2026 YEAS 7 NAYS 0 ABSTAIN 0

ATTEST: Sarah Swian
CITY CLERK

Cindy Kay Pugh
MAYOR

ANNEXATION PETITION

For Annexation of Real Property From Delaware Township, Ohio into The City of Delaware, Ohio
Filed as Expedited Type II Annexation Pursuant to Ohio Revised Code §709.023

PROPERTY TO BE ANNEXED:

ADDRESS: Vernon Avenue, Delaware, Ohio 43015

PARCEL ID: 51944101009003

TOTAL ACREAGE: 0.427 Acres

FROM TOWNSHIP: Delaware Township, Ohio

TO MUNICIPALITY: Delaware, Ohio

DELAWARE COMMISSIONERS
JUL 1 2026 PM12:36

ADDITIONAL ANNEXED PROPERTY INFORMATION:

Total length of Annexed Property boundary's contiguity with City of Delaware boundary: +/- 620.22 Feet

Total length of Annexed Property's perimeter: +/- 1,300.37 Feet.

Total percentage of Annexed Property's perimeter's contiguity with the City of Delaware: 47.70%

The annexation proposed by this petition does not create any island of unincorporated area.

OWNER INFORMATION:

SOLE OWNER: RD Delaware LLC, an Ohio limited liability company

ADDRESS: 1075 W 3rd Avenue, Columbus, OH 43212

PHONE: 614-657-7000

EMAIL: joel@robydevelopment.com

ATTORNEY / AGENT INFORMATION:

NAME: Kooperman Mentel Crossley Yaross, Ltd.
Ryan D. Crossley, Esq | Jon R. Stevenson, Esq. | Jacob W. Avetisian, Esq.

ADDRESS: 250 East Town Street, Suite 200, Columbus, Ohio 43215

PHONE: 614-344-4800

EMAIL: rcrossley@kmcylaw.com | jstevenson@kmcylaw.com | javetisian@kmcylaw.com

ATTACHMENTS:

A: Properties Adjacent to Annexed Property or Directly Across the Road From Annexed Property

B: Delaware County Engineer Approved: Legal Description | Annexation Map | Closure Report

C: Check for Payment of Fee: $100

PETITIONER'S SIGNATURE:

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

PROPERTY OWNER:

RD Delaware LLC,
an Ohio limited liability company

By: _____ Date: 6/29/26
Name: Joel Roby
Its: Authorized Representative

ATTORNEY / AUTHORIZED AGENT:

Kooperman Mentel Crossley Yaross, Ltd.,
an Ohio limited liability company

By: _____ Date: 6/29/26
Name: Ryan D. Crossley
Its: Authorized Representative

ATTACHMENT A

Properties Adjacent to Annexed Property or Directly Across the Road From Annexed Property

Properties Adjacent to Annexed Property

Property (Address & Parcel ID)	**Owner**	**Owner Mailing Address**
780 VERNON AVE, DELAWARE, OH 43015 51944101015003	RD DELAWARE LLC	1075 W 3rd AVE, COLUMBUS, OH 43212
592 VERNON AVE, DELAWARE, OH 43015 51944210001000	CHAD DEEL	592 VERNON AVE, DELAWARE, OH 43015
759 WALLACE DR, DELAWARE, OH 43015 51944125001000	SCOTT THOMAS HAACK	759 WALLACE DR, DELAWARE, OH 43015
771 VERNON AVE, DELAWARE, OH 43015 51944101008000	CHRISTINA K. CANTLEBERRY	771 VERNON AVE, DELAWARE, OH 43015
703 VERNON AVE, DELAWARE, OH 43015 51944101007000	LANA R. LONG	703 VERNON AVE, DELAWARE, OH 43015

Properties Directly Across the Road From Annexed Property.

Property (Address & Parcel ID)	**Owner**	**Owner Mailing Address**
593 VERNON AVE, DELAWARE, OH 43015 51944101006000	STEPHEN T. MARTIN	593 VERNON AVE, DELAWARE, OH 43015
543 VERNON AVE, DELAWARE, OH 43015 51944201010000	THERESA STONE	543 VERNON AVE, DELAWARE, OH 43015
771 WALLACE DR, DELAWARE, OH 43015 51944109013000	KARA L. MCKIBBEN KURT W. MCKIBBEN	771 WALLACE DR, DELAWARE, OH 43015

ATTACHMENT B

Delaware County Engineer Approved: Legal Description | Annexation Map | Closure Report

[*see attached*]

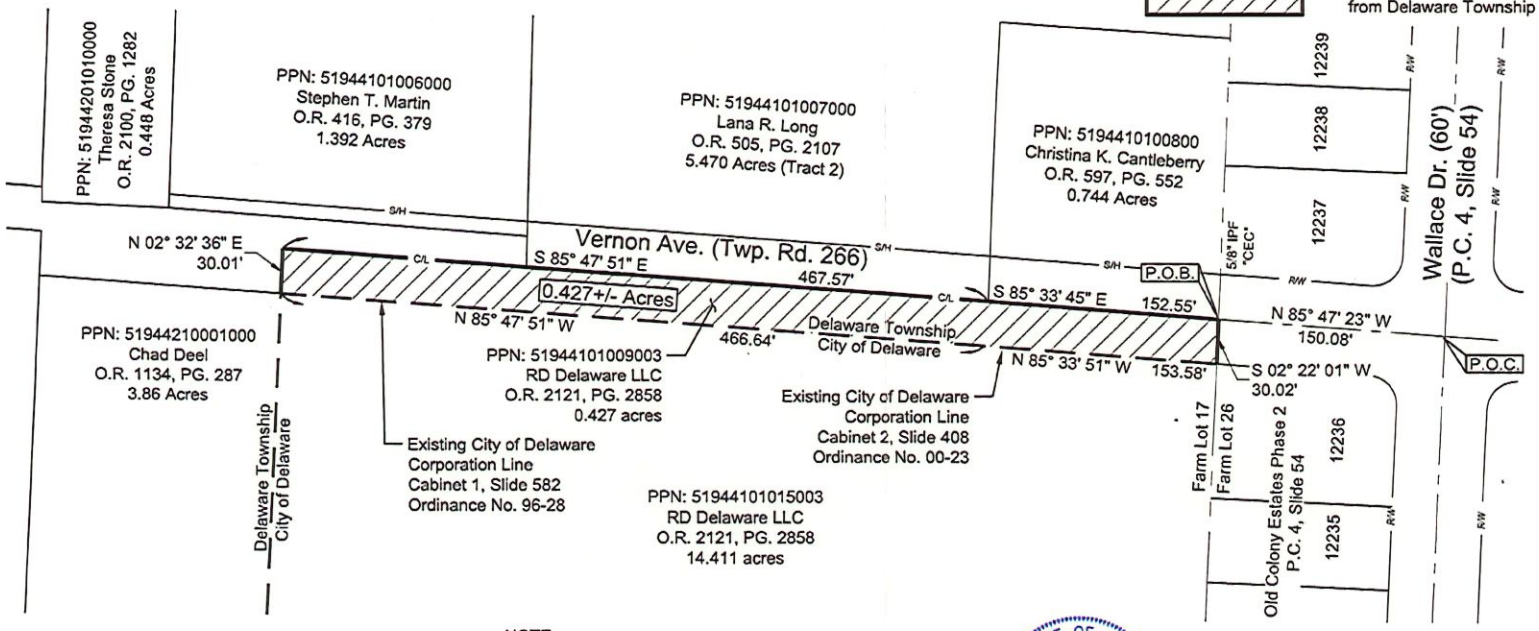
MAP OF TERRITORY TO BE ANNEXED
FROM: TOWNSHIP OF DELAWARE
TO: CITY OF DELAWARE
TOWNSHIP OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO
FARM LOT 17,QUARTER TOWNSHIP 4, TOWNSHIP 5, RANGE 19
UNITED STATES MILITARY LANDS

N

BASIS OF BEARINGS
NAD 83 (2011), OHIO NORTH
Derived from GPS Observations

80 0 80
GRAPHIC SCALE (IN FEET)

LEGEND
- Proposed City of Delaware corporation line
- Existing parcel line
- Existing road centerline
- R/W — Existing right-of-way
- Existing corporation line
- Proposed area to be annexed from Delaware Township



NOTE:
This petition is filed as an Expedited II Annexation proceeding under Section 709.021 & 709.023 O.R.C.

CONTIGUITY NOTE:
Total perimeter of Annexation area is 1,300.37+/- ft. of which 620.22+/- ft. is contiguous with the City of Delaware and giving 47.70% contiguity with the existing City of Delaware corporation line.

Length of roadway affected by Annexation:
-620.22 lineal feet of Township roads
-0 lineal feet of County roads
-0 lineal feet of U.S. or State route

This Annexation doe snot create any unincorporated islands.

DELAWARE COUNTY ENGINEER:
Map Department

I hereby certify the within to be a true copy of the original on file in the map department.

Chris E. Bauserman, P.E., P.S.
County Engineer

Ayed Shamie 6/1/26
Supervisor Date

STATE OF OHIO
STEVEN J. METCALF
S-8622
REGISTERED
PROFESSIONAL SURVEYOR

ACREAGE BREAKDOWN:

Delaware Township (0.427+/- Acres)

RD Delawre LLC Parcel: 0.427+/- Acres

This exhibit was prepared from the record information from the Delaware County Engineer, Recorder, and Auditor;s Office, and is not intended for the transfer of real property.

Steven J. Metcalf PS No. 8622 05-27-2026
steve.metcalf@cesoinc.com Date

CESO
WWW.CESOINC.COM

ANNEXATION
0.427+/- ACRES

© 2026 CESO, INC.

Project Number:	765315
Drawn By:	JWP
Checked By:	JKH
Date:	05/27/2026
Issue:	

Drawing Title:
MAP OF ANNEXATION

1 OF 1

Proposed Annexation
Containing 0.427 +/- Acres
From Delaware Township to the City of Delaware

The petition is filed as expedited II annexation proceeding
Under sections 709.021 and 709.023 of the Ohio Revised Code

Situated in the State of Ohio, County of Delaware, Township of Delaware, being a part of Farm Lot 17, Quarter Township 4, Township 5, Range 19, United States Military Lands, and being part of a 14.411 acre tract of land described in deed to RD Delaware LLC of record in Official Record 2121, Page 2858, all document references are to the records of the Recorder's Office of Delaware County, Ohio, and being more particularly described as follows:

COMMENCING at the centerline intersection of Wallace Drive (60') and Vernon Avenue (Twp. Road 266);

Thence **North 85°47'23" West**, with the centerline of said Vernon Avenue a distance of **150.08 feet** to the northeasterly corner of said 14.411 acre tract of land and the southeasterly corner of a 0.744 acre tract of land as conveyed to Christinia K. Cantleberry of record in Official Record 597, Page 552 and the **PLACE OF BEGINNING** for this description;

Thence **South 02°22'01" West**, leaving said centerline and along the easterly line of said 14.411 acre tract of land, a distance of **30.02 feet** to the existing City of Delaware Corporation Line, of record in Cabinet 1, Slide 582 and Ordinance Number 96-28 and of record Cabinet 2, Slide 408 and Ordinance Number 00-23;

Thence with said existing corporation line the following two (2) courses:

North 85°33'51" West, a distance of **153.58 feet**;

North 85°47'51" West, a distance of **466.64 feet** to the westerly line of said 14.411 acre tract of land;

Thence **North 02°32'36" East**, leaving said existing corporation line and along the westerly line of said 14.411 acre tract of land, a distance of **30.01 feet** to the northwesterly corner thereof and the centerline of said Vernon Avenue;

Thence **South 85°47'51" East**, with said centerline line, the northerly line of said 14.411 acre tract of land, and the southerly line of a 5.470 acre tract of land as conveyed to Lana R. Long of Official Record 505, Page 2107, a distance of **467.57 feet** to the southeasterly corner of said 5.470 acre tract and the southwesterly corner of said 0.744 acre tract;

Thence **South 85°33'45" East**, with said centerline, the northerly line of said 14.411 acre tract of land, and the southerly line of said 0.744 acre tract, a distance of **152.55 feet** to the **PLACE OF BEGINNING** and containing **0.427 +/- acres** of land, more or less.

This annexation description is a general description of the location of the property to be annexed and is not a boundary survey as defined in the O.A.C Chapter 4733-37. The above description is for annexation purposes only and not intended to be used for the transfer of real property. This annexation does not create any unincorporated islands.

The above annexation contains 620.22 +/- lineal feet that is contiguous with the Existing Corporation Line of the City of Delaware, with a total perimeter of 1,300.37 +/- lineal feet to be annexed to the City of Delaware, that being 47.70% of the perimeter length that is contiguous to the Existing Corporation Line of the City of Delaware.

The length of roadway affected by the above annexation is 620.22 lineal feet of Vernon Avenue (Township Rd. 266).



CESO, Inc.

05-27-2026

Steven J. Metcalf, PS — Date
Registered Surveyor No. 8622

Delaware County Engineer:
Map Department
I hereby certify the within to be a true copy of the original on file in the Map Department.

Aysel Shamis 6/1/26

Chris E. Bauserman, P.E., P.S. — Date
County Engineer
Supervisor

CESO

5/27/2026

Vernon Ave Annexation Closure Report

Segment #1 : Line

Course: S02°22'00.84"W Length: 30.016'

Segment #2 : Line

Course: N85°33'50.92"W Length: 153.576'

Segment #3 : Line

Course: N85°47'50.79"W Length: 466.643'

Segment #4 : Line

Course: N02°32'35.53"E Length: 30.013'

Segment #5 : Line

Course: S85°47'50.79"E Length: 467.573'

Segment #6 : Line

Course: S85°33'45.46"E Length: 152.554'

Perimeter: 1300.374' Area: 18604.88 Sq. Ft.

Error Closure: 0.0004 Course: S77°20'34.14"E

Error North: -0.00009 East: 0.00039

Precision 1: 3250937.500

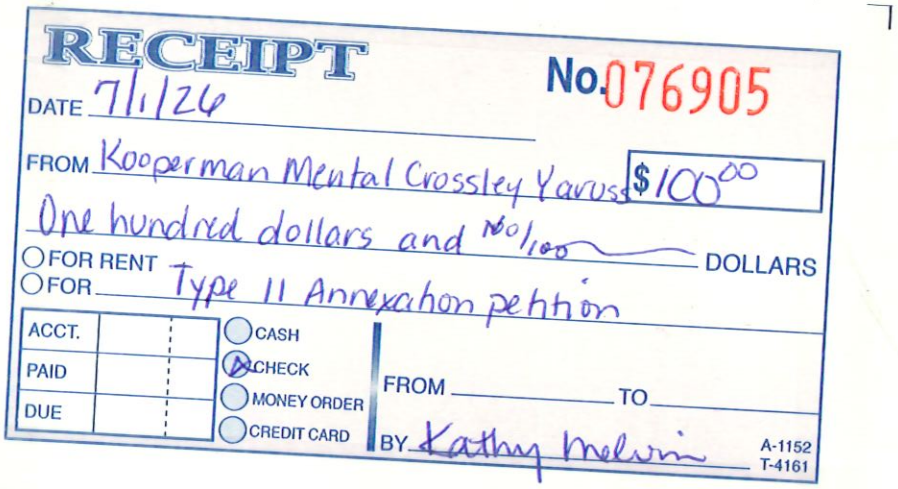
STATE OF OHIO
STEVEN J. METCALF
S-8622
REGISTERED
PROFESSIONAL SURVEYOR

05.27.2026

ATTACHMENT C

Check for Payment of Fee: $100

[*see attached*]



RECEIPT No. 076905

DATE 7/1/26

FROM Kooperman Mental Crossley Yarussi $100.00

One hundred dollars and No/100 DOLLARS

○ FOR RENT
○ FOR Type II Annexation petition

ACCT.		○ CASH	
PAID		⊘ CHECK	FROM _____ TO _____
DUE		○ MONEY ORDER	
		○ CREDIT CARD	BY Kathy Melvin

A-1152
T-4161

Delaware County Commissioners

Jeff Benton
Barb Lewis
Gary Merrell

County Administrator
Tracie Davies

Deputy Administrators
Dawn Huston
Aric Hochstettler

Clerk to the Commissioners
Jennifer Walraven

RESOLUTION NO. 26-534

IN THE MATTER OF GRANTING ANNEXATION PETITION FROM AGENT FOR THE PETITIONER, RYAN D. CROSSLEY, KOOPERMAN MENTEL CROSSLEY YAROSS, LTD., REQUESTING ANNEXATION OF 0.427 ACRES OF LAND IN DELAWARE TOWNSHIP TO THE CITY OF DELAWARE:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to approve the following resolution:

WHEREAS, on July 1, 2026, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by Ryan D. Crossley, Kooperman Mentel Crossley Yaross, Ltd., agent for the petitioners, requesting annexation of 0.427 acres, more or less, from Delaware Township to the City of Delaware; and

WHEREAS, pursuant to section 709.023 of the Revised Code, if the Municipality or Township does not file an objection within 25 days after filing of the annexation petition, the Board at its next regular session shall enter upon its journal a resolution granting the proposed annexation; and

WHEREAS, 25 days have passed and the Clerk of the Board has not received an objection from the City of Delaware or the Township of Delaware;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners grants the petition requesting annexation of 0.427 acres, more or less, from Delaware Township to the City of Delaware.

Vote on Motion Mr. Merrell Aye Mrs. Lewis Aye Mr. Benton Aye

I, Jennifer Walraven, Clerk to the Board of County Commissioners hereby certify that the foregoing is a true and correct copy of a resolution of the Board of County Commissioners of Delaware County duly adopted on July 30, 2026, and appearing upon the official records of said Board.

Jennifer Walraven, Clerk to Commissioners

Jeff Benton
County Commissioner

Barb Lewis
County Commissioner

Gary Merrell
County Commissioner

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Jonathan Owen, Public Works
ITEM TYPE:	Resolutions
AGENDA SECTION:	**CONSIDERATION OF RESOLUTION NO. 26-72**
SUBJECT:	Consideration of Resolution No. 26-72, a resolution authorizing the City Manager to enter into a cooperative agreement with Delaware County for purposes of submitting an application to the Ohio Public Works Commission (OPWC) State Capital Improvement and/or Local Transporation Improvement Programs round 41 for the East Central Avenue reconstruction project and authorizing the City Manager to prepare and submit the application to OPWC. (*Grant application to fund improvements to Central Ave.*).

SUGGESTED ACTION:

ATTACHMENTS:

Fact Sheet Res 26-72 OPWC Rd 41.docx
Res 26-72 OPWC Rd 41 Application.doc
OPWC Round 41 City County Agmt.docx
East Central Reconstruction.pdf

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 17 | DATE: 10/12/26

ORDINANCE NO: | RESOLUTION NO: 26-72

READING: First | PUBLIC HEARING: No

TO: Mayor and Members of City Council

FROM: Paul J. Brake, City Manager

VIA: Jonathan R. Owen, P.E., City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH DELAWARE COUNTY FOR PURPOSES OF SUBMITTING AN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORATION IMPROVEMENT PROGRAMS ROUND 41 FOR THE EAST CENTRAL AVENUE RECONSTRUCTION PROJECT AND AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT THE APPLICATION TO OPWC.

BACKGROUND:

The Public Works Department is proposing to pursue OPWC and Delaware County grant opportunities as part of the overall funding package for the East Central Avenue Reconstruction Project. The project will completely reconstruct the pavement, add pedestrian infrastructure, add stormwater drainage facilities, and make improvements to drinking water infrastructure between approximately Potter St. and East St.

The project is already partially funded through a nearly $3,000,000 federal grant administered by the Mid-Ohio Regional Planning Commission (MORPC). To limit the impacts to the general fund, City utility funds are being utilized for

corresponding utility work, and the OPWC and County grants are being pursued. The project is currently scheduled for construction in 2028.

REASON WHY LEGISLATION IS NEEDED:

Passage of this Resolution authorizes the City Manager to apply for grant funding from OPWC in November 2026. The project is eligible to be funded by the State Capital Improvement Program (SCIP) and/or Local Transportation Improvement Program (LTIP). OPWC will make the determination on which program funds the project, if any. If grant funding is awarded, this Resolution also allows the City Manager to sign a formal OPWC Project Agreement in July of 2027. It is anticipated that the amount of grant funding requested in the application will be up to $500,000.

This Resolution is also required in order for the City Manager to apply for funding from the County and to sign an intergovernmental agreement for participation in the County's Roadway Grant Assistance Program (RGAP). The RGAP will provide matching funds of $3 for every $1 of local City funding, up to a maximum of the grant funding from OPWC or $150,000, whichever is less.

Lastly, this Resolution authorizes the City Manager to execute contracts for the design and construction of the project.

COMMITTEE RECOMMENDATION:

None

FISCAL IMPACT(S):

The construction cost of the project estimated to be $7,416,000. The adopted 2027-2031 Capital Improvement Plan (CIP) includes the following funding package for this project:

Item	Amount
MORPC MPO Funds	$2,735,328
OPWC Grant	$500,000
Delaware County Grant	$150,000
City Wastewater Funds	$478,000
City Water Funds	$446,000
City Stormwater Funds	$1,422,000
City General Fund CIP Allocation/Debt Issuance	$1,684,672
Total	**$7,416,000**

POLICY CHANGES:

None

PRESENTER(S):

Jonathan R. Owen, P.E., City Engineer

RECOMMENDATION:

Approval with emergency clause to allow for cooperative agreement to be signed and OPWC application to be submitted by 11/6/26.

ATTACHMENT(S)

2027-2031 CIP Project Narrative
Draft County Cooperative Project Agreement

RESOLUTION NO. 26-72

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH DELAWARE COUNTY FOR PURPOSES OF SUBMITTING AN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORATION IMPROVEMENT PROGRAMS ROUND 41 FOR THE EAST CENTRAL AVENUE RECONSTRUCTION PROJECT AND AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT THE APPLICATION TO OPWC.

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of Delaware is planning to make capital improvements to East Central Avenue (State Route 37) as part of the East Central Avenue Reconstruction Project (Project); and

WHEREAS, the County of Delaware provides financial assistance to political subdivisions applying for OPWC Grant funds for Capital Improvements to public infrastructure; and

WHEREAS, Delaware County, through the Roadway Grant Assistance Program (RGAP), will contribute three dollars ($3) for every one dollar ($1) of local share funding provided by the City of Delaware not to exceed the amount of grant funds provided by OPWC or One Hundred Fifty Thousand Dollars ($150,000), whichever is less; and

WHEREAS, the infrastructure improvements herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs and the RGAP,

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

SECTION 1. The City Manager is hereby authorized to submit an application to the Ohio Public Works Commission for funds as described above.

SECTION 2. The City Manager is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

SECTION 3. The City Manager is hereby authorized to submit an application to Delaware County for matching funds through the County's RGAP program to be utilized for the Project.

SECTION 4. The City Manager is hereby authorized to enter into a Cooperative Agreement with Delaware County for an OPWC grant application with a Delaware County match not to exceed $150,000.00 for the Project.

SECTION 5. That the City of Delaware agrees to be the designated lead agency, signing all required applications, agreements, and correspondence.

SECTION 6. The City Manager is authorized to execute contracts for the design and construction of the Project.

SECTION 7. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 8. EMERGENCY CLAUSE. This Resolution is declared to be an emergency measure necessary to provide for the preservation of the public peace, property, health, safety, or welfare from an immediate danger, or to provide for the usual daily operation of a department or an office of the City, specifically to permit the execution of cooperative agreement with Delaware County and submittal of the OPWC grant application before November 6, 2026, and as such will be in full force and effect immediately upon its passage.

VOTE ON EMERGENCY CLAUSE: YEAS____NAYS____
ABSTAIN ____

PASSED: _____, 2026 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

COOPERATIVE PROJECT AGREEMENT
BY AND BETWEEN
CITY OF DELAWARE
AND DELAWARE COUNTY

The CITY OF DELAWARE, the Project Sponsor, and the Delaware County Board of Commissioners hereby enter into a cooperative agreement to submit an application to the Ohio Public Works Commission (OPWC) for the Project known as the EAST CENTRAL AVENUE RECONSTRUCTION PROJECT, for Round 41 of the OPWC programs.

The CITY OF DELAWARE will provide the Local Share as described in the OPWC Application for Funding Assistance from the Capital Improvements Fund not to exceed approximately $5,231,328, and will pay its Local Share as invoices are due.

Delaware County, through the ***Roadway Grant Assistance Program (RGAP)***, will provide matching funds equal to three ($3) Dollars for every ($1) Dollar Local Share provided by the CITY OF DELAWARE, not to exceed the amount of grant funds provided by OPWC or One Hundred Fifty Thousand Dollars ($150,000), whichever is less, from the Road and Bridge Projects fund, subject to the approved RGAP Grant Guidelines.

Delaware County agrees to pay its share of costs as construction invoices are due, or, if requested by the Project Sponsor, shall pay directly to the awarded contractor.

Delaware County authorizes the Project Sponsor to be the lead applicant and to sign all necessary applications, agreements and certifications relating to the OPWC programs and this Project.

This Agreement shall become effective the date last signed by the parties below. This Agreement shall become null and void if the Project does not receive a grant award by the OPWC in the funding round stated above, or if the required OPWC Grant Agreement is not properly executed by the Project Sponsor or if funding is revoked for any reason by the OPWC.

CITY OF DELAWARE

_____ _____
Andrew Beare, Acting City Manager Date

Approved as to form:

_____
David Moser, City Attorney

DELAWARE COUNTY

_____ _____
Jeff Benton Date
President, Board of County Commissioners
Pursuant to Resolution _____

EST 1808 CITY OF DELAWARE OHIO

ENGINEERING
East Central Avenue
EAST CENTRAL AVENUE RECONSTRUCTION

BACKGROUND

State Route 37 (East Central Avenue) needs full-depth pavement reconstruction between US23 and the Point. Improvements to this corridor are a third component of overall east side improvements, which have included the East William Street Widening and Point projects. In 2020, the City was not successful in pursuing ODOT safety and MORPC attributable funds for a large project that would have included pavement reconstruction and a new intersection at SR 37 and US 42 (Lake Street). In 2022, these improvements were split into two projects, and the City was awarded MORPC grant funding for the SR 37 Preservation Project, while funding was not awarded for a separate Central/Lake intersection project. The proposed preservation project will completely reconstruct the pavement, add pedestrian facilities, add stormwater drainage facilities, and make improvements to drinking water infrastructure between Lake Street and The Point.



PROJECT TIMELINE

2025-2026	Design (ongoing)
2027	Right of Way
2028	Construction
2029	
2030	
2031	

FINANCING

YEAR	AMOUNT	IDENTIFIED FUNDING SOURCE(S)
2027	947,200	Grants: MPO Funds, OPWC, County RGAP
2028	7,416,000	City Funds: Wastewater, Water, Stormwater, CIP Allocation
2029	0	
2030	0	
2031	0	
TOTAL	$ 8,363,200	

Funding does not include prior years or financing costs.

PROJECT TEAM

CITY LEAD: Engineering
DESIGN CONSULTANT: American Structurepoint
CONTRACTOR: TBD

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	Jessica Feller, Department of Administrative Services
ITEM TYPE:	Ordinances
AGENDA SECTION:	**CONSIDERATION OF ORDINANCE NO. 26-57**
SUBJECT:	Ordinance No. 26-57, an ordinance amending the Management Pay Plan Ordinance No. 26-XX to move the Fleet and Traffic Division Supervisor from M7-M8 pay grade and declaring an emergency. (*Changes to pay plan to include revised wage rate for supervisor position*).

SUGGESTED ACTION:

ATTACHMENTS:

ord 26-57 FACT SHEET MGT Pay Plan DRAFT PROPOSED CHANGES.docx
ord 26-57 - mgt pay changes_20261012.doc
20261012 Management Pay Plan_DRAFT changes.docx

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 18 | DATE: 10/12/26

ORDINANCE NO: 26-57 | RESOLUTION NO:

READING: SECOND | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: Paul J. Brake, City Manager

VIA: Jessica Feller, Human Resources Director

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

BACKGROUND:
This ordinance reflects the following recommended changes to the Management, Professional, Technical, Confidential, and Supervisory Employees' Pay Plan for 2026.

Revisions are clearly marked within the document – additions are indicated in bold and capitalized text, while deletions appear as struck-through text. Key proposed changes include:

1. Section 1.01 – Non-Union Employee Pay Plan:
    a. Fleet Division Supervisor and Traffic Division Supervisor pay grade change from M7/07M to M8/08M.

In late 2025, the City was still engaged in labor negotiations with the Public Works, Public Utilities and Parks Employees Association. Because those negotiations were not finalized, the Management Pay Plan ordinance approved by Council on November 24, 2025 did not reflect changes that became necessary once the Association agreement was completed. The Resolution accepting the Public Works, Public Utilities and Parks Employees Association agreement was subsequently passed by Council on January 12, 2026.

Finalization of the Association agreement resulted in updated 2026 wages for Fleet and Traffic Technicians. These increases created wage compression between the highest-paid technicians and their supervisory counterparts, the Fleet Division Supervisor and Traffic Division Supervisor positions, reducing the differential normally maintained between technician and supervisor classifications.

Recognizing the anticipated compression issue, the City determined that an additional wage adjustment was necessary for the Fleet and Traffic Division Supervisors. This was identified at the time wage changes were being processed in late December for Management Pay Plan positions. This adjustment increased the wages for the Division Supervisors outside of the M7/07M pay grade. As a result, it was necessary to move both positions from pay grade M7/07M to pay grade M8/08M to be able to pay them accordingly.

This proposed change is administrative in nature and ensures an appropriate separation in base wages between these supervisory roles and the technicians they oversee. The Fleet and Traffic Division Supervisor positions are now placed in a higher pay grade than other Division Supervisors due to the specific wage compression circumstances affecting these divisions. This proposed change is additionally necessary in order to begin the recruitment process for the vacant Fleet Division Supervisor position using the higher pay grade and wage band.

City staff are continuing to evaluate additional compression concerns as part of the comprehensive 2026 compensation study that includes Management Pay Plan positions.

REASON WHY LEGISLATION IS NEEDED:
Legislation is necessary to amend the pay plan and post for vacant Fleet Division Supervisor at the M8/08M pay grade.

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):
None. The positions were budgeted at the M8/08M pay grade for the 2026 budget.

POLICY CHANGES:
N/A

PRESENTER(S):
Jessica Feller, Human Resources Director

RECOMMENDATION:
Approval

ATTACHMENT(S)
Amended Pay Plan

ORDINANCE NO. 26-57

AN ORDINANCE AMENDING THE MANAGEMENT, PROFESSIONAL, TECHNICAL, CONFIDENTIAL, AND SUPERVISORY EMPLOYEES PAY PLAN, AND DECLARING AN EMERGENCY.

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

SECTION 1. That the attached Management, Professional, Technical, Confidential and Supervisory Pay Plan shall be amended to reflect the noted changes.

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

SECTION 3. EMERGENCY CLAUSE. This Ordinance is declared to be an emergency measure necessary to provide for the usual daily operation of a department or an office of the City. The emergency clause is required to enact the changes effective on **October 12, 2026,** and as such will be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION: YEAS____NAYS____
ABSTAIN ____

PASSED: _____, 2026 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

THE CITY OF DELAWARE 2026 SUMMARY OF BENEFITS

Professional, Confidential, Supervisory and Non-Union Employees

October 12, 2026

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Article I. WAGES AND PAY PLAN

Section 1.01 Non-Union Employee Pay Plan

(a) The following pay schedule is to be effective December 24, 2023.

(b) Employees hired before February 13, 2024, who are currently positioned on a step may continue to advance through the steps until they reach the midpoint. Once they reach the midpoint, they may continue to advance up to the maximum.

(c) Employees hired or reclassified after February 13, 2024, will be placed within the range for their pay grade (minimum to maximum).

(d) Movement within an employee's assigned pay grade (minimum to maximum) will be predicated on the merit incentive program effective February 13, 2024.

1) The merit incentive program will be paused for the 2025 review year. Employees eligible for merit will receive the annual wage adjustment approved by council in section (e)(1), below, and may still be eligible for an additional wage adjustment as determined by the city manager.

(e) Employees who have been employed with the city for less than one (1) year by the conclusion of the merit incentive program evaluation period shall still have their performance evaluated in accordance with the review cycle. Their increases will be based on the annual wage adjustment approved by Council and may still be eligible for an additional wage adjustment as determined by the City Manager.

1) For the 2025 review cycle, the annual wage adjustment is 3.5%, provided that the employee receives an "achieves performance standards rating."

(f) Employees hired after October 1 will remain at their current step for the following calendar year, unless otherwise authorized by the City Manager.

(g) When an employee reaches the maximum of their assigned pay grade, they will receive their merit pay in the form of a lump sum payment.

(h) The City Manager or designee reserves the right to allow eligible employees to exceed the maximum wage of their respective range.

(i) Retirees who are re-hired under this pay plan will be considered newly hired for the purpose of compensation and benefits. All prior service benefits will cease with retirement and not be considered for determining benefits offered by the city, including but not limited to vacation accrual and longevity pay, or other service credit-based benefits. Pre-retirement service also will not be counted as seniority for purposes of scheduling overtime. Rehired retirees shall be compensated at a rate no higher than the minimum pay for the position's pay grade, unless authorized by the City Manager. The City Manager has the discretion to compensate rehired retirees at a rate of pay lower than the position's minimum rate under the city's pay grade schedule or at any rate within the position's pay grade.

	Position
[1]**M1/01M**	Airport Technician I
M2/02M	Airport Technician II, Help Desk Support Technician
M3/03M	Airport Technician III, Financial Specialist I, Police Assistant**,** Cemetery Administrator
M4/04M	Cemetery Manager, Collections Manager, Data & Video Technician, GIS/Data Technician, HR Assistant, Office Manager, Service Coordinator, Recreation Coordinator, Technical Support Specialist I, Development Financing Manager, Planning Coordinator, Paralegal
M5/05M	Building Inspector I, Code Enforcement Officer I, Construction Inspector, GIS/CMMS Analyst, Zoning Officer, Project Manager I
M6/06M	Economic Development Coordinator, Executive Assistant, Financial Specialist II, Police Technician, Right-of-Way Manager, Watershed Sustainability Coordinator, Communications Specialist, Project Manager II**,** Technical Support Specialist II
M7/07M	City Forester, Building Inspector II, Code Enforcement Officer II, Collections Division Supervisor, Development Planner, Distribution Division Supervisor, ~~Fleet Division Supervisor~~, Golf Course Supervisor, Parks Division Supervisor, Solid Waste Collection Division Supervisor, Street Division Supervisor, ~~Traffic Division Supervisor~~, Meter Reading Division Supervisor
M8/08M	Airport Manager, Purchasing Analyst, Budget & Management Analyst, Economic Development Project Manager II, Recreation Program Superintendent, Financial Specialist III, HR Specialist, Project Manager III, GIS Coordinator, Construction Inspection Manager, Grants Administrator, **FLEET DIVISION SUPERVISOR, TRAFFIC DIVISION SUPERVISOR**
M9/09M	Facility Maintenance Superintendent, Application Systems Specialist, Project Engineer I, Technical Support Specialist III
M10/10M	Assistant to the City Manager, Parks Superintendent, Planning & Zoning Administrator, Public Works Superintendent, Utilities Field Superintendent, Wastewater Manager, Water Manager, Deputy Chief Building Official, Assistant City Prosecutor, Procurement Administrator, GIS Manager
M11/11M	Deputy Director of Public Utilities, Traffic Engineer, Assistant City Attorney/Prosecutor, Project Engineer II, Assistant City Attorney (Collections), Income Tax Administrator
M12/12M	Chief Building Official, IT Manager, Project Engineer III**,** Assistant City Attorney (Real Estate), Deputy Finance Director
M13/13M	Assistant City Engineer
M14/14M	Deputy IT Director, City Prosecutor

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

Employees Hired Prior to February 13, 2024

Pay Grade	Step 1 (MIN)	Step 1 Annual	Step 2	Step 2 Annual	Step 3	Step 3 Annual	Step 4	Step 4 Annual	Step 5 (MID)	Step 5 Annual	MAX	MAX Annual
M1	$21.54	$44,803	$22.56	$46,925	$23.63	$49,150	$24.75	$51,480	$25.84	$53,747	$30.15	$62,712
M2	$22.83	$47,486	$23.91	$49,733	$25.05	$52,104	$26.24	$54,579	$27.39	$56,971	$31.96	$66,477
M3	$24.20	$50,336	$25.35	$52,728	$26.55	$55,224	$27.81	$57,845	$29.04	$60,403	$33.88	$70,470
M4	$25.65	$53,352	$26.87	$55,890	$28.14	$58,531	$29.48	$61,318	$30.78	$64,022	$35.91	$74,693
M5	$27.19	$56,555	$28.48	$59,238	$29.83	$62,046	$31.25	$65,000	$32.63	$67,870	$38.06	$79,165
M6	$28.82	$59,946	$30.19	$62,795	$31.62	$65,770	$33.12	$68,890	$34.58	$71,926	$40.35	$83,928
M7	$30.55	$63,544	$32.00	$66,560	$33.52	$69,722	$35.11	$73,029	$36.66	$76,253	$42.77	$88,962
M8	$32.38	$67,350	$33.92	$70,554	$35.53	$73,902	$37.22	$77,418	$38.86	$80,829	$45.33	$94,286
M9	$34.32	$71,386	$35.96	$74,797	$37.66	$78,333	$39.45	$82,056	$41.19	$85,675	$48.05	$99,944
M10	$36.38	$75,670	$38.17	$79,394	$39.92	$83,034	$41.82	$86,986	$43.66	$90,813	$50.94	$105,955
M11	$38.57	$80,226	$40.40	$84,032	$42.32	$88,026	$44.33	$92,206	$46.28	$96,262	$53.99	$112,299
M12	$40.88	$85,030	$42.82	$89,066	$44.86	$93,309	$46.99	$97,739	$49.06	$102,045	$57.23	$119,038
M13	$43.33	$90,126	$45.39	$94,411	$47.55	$98,904	$49.81	$103,605	$52.00	$108,160	$60.67	$126,194
M14	$45.93	$95,534	$48.12	$100,090	$50.40	$104,832	$52.80	$109,824	$55.12	$114,650	$64.31	$133,765

Employees Hired After February 13, 2024

Pay Grade	Minimum	Annual	Maximum	Annual
01M	$21.54	$44,803	$30.15	$62,712
02M	$22.83	$47,486	$31.96	$66,477
03M	$24.20	$50,336	$33.88	$70,470
04M	$25.65	$53,352	$35.91	$74,693
05M	$27.19	$56,555	$38.06	$79,165
06M	$28.82	$59,946	$40.35	$83,928
07M	$30.55	$63,544	$42.77	$88,962
08M	$32.38	$67,350	$45.33	$94,286
09M	$34.32	$71,386	$48.05	$99,944
10M	$36.38	$75,670	$50.94	$105,955
11M	$38.57	$80,226	$53.99	$112,299
12M	$40.88	$85,030	$57.23	$119,038
13M	$43.33	$90,126	$60.67	$126,194
14M	$45.93	$95,534	$64.31	$133,765

Section 1.02 Department Director Pay Plan

(a) The following pay schedule for the positions below is to be effective December 21, 2025.

	Minimum	Midpoint	Maximum
Police Chief	$74.89	$80.51	$86.13
Fire Chief	$71.01	$78.11	$85.21
Finance Director	$59.23	$68.11	$77.00
Chief Information Officer	$59.23	$68.11	$77.00
City Attorney	$59.23	$68.11	$77.00
Assistant City Manager	$58.26	$67.00	$75.73
Public Works Director	$56.43	$64.89	$73.36
Public Utilities Director	$56.32	$64.77	$73.22
Planning and Development Director	$55.14	$63.41	$71.68
Director of Management, Budget and Procurement	$55.10	$63.37	$71.63
Economic Development Director	$54.96	$63.20	$71.45
Parks & Natural Resources Director	$54.05	$62.16	$70.27
City Engineer	$53.04	$61.00	$68.95
Human Resources Director	$51.50	$59.23	$66.95
Community Affairs Coordinator	$42.77	$49.19	$55.60

(b) The City Manager or designee reserves the right to allow eligible employees to exceed the maximum wages of their respective range.

(c) Movement within an employee's assigned pay grade (minimum to maximum) will be predicated on the merit incentive program effective February 13, 2024.

Section 1.03 Safety Forces Pay Plan

(a) Police

SFI	**Min**	**Max**
Annual	determined as needed	
Hourly	determined as needed	
APC	**Min**	**Max**
Annual	$146,958.74	$158,049.96
Hourly	$ 70.65	$ 75.99
Pay Grade	**Position**	
SF1	Police Captain (Non-Exempt)	
APC	Assistant Police Chief (Exempt)	

1) *Compensation*

The pay scale outlined above will be reevaluated annually to determine appropriate adjustments to address compression issues that may exist as a result of wage movement of the bargaining unit positions.

2) *Advancement*

Movement within an employee's assigned pay grade (step advancement) will be predicated on the merit incentive program effective February 13, 2024. Employees who receive an "achieves performance standards rating" will advance to the next step in the pay grade. When an employee reaches the maximum of their assigned pay grade, they will receive their merit pay in the form of a lump sum payment. The city manager or designee reserves the right to allow eligible employees to exceed the maximum wages of their respective range.

3) *Maximum accruals*

If an employee enters into the management pay plan with more than the maximum accrual of any form of accrued leave allowed, the following will occur: 1. The employee will be paid out for any amount of leave over the maximum at the time of transfer or 2. The employee may keep their accruals with the understanding that any overage must be used/sold by the last day of the last pay period of the calendar year. Any overage remaining after this date will be forfeited.

4) *Initial Compensatory Time*

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

5) *Clothing Maintenance Allowance*

The positions of Police Chief, Assistant Chief**,** and Police Captain shall receive an annual clothing maintenance allowance equal to that provided to FOP members in January of each year.

6) *Uniforms Allowance*

The Management Pay Plan positions in the Police Department~~s~~ will receive replacement uniform items when determined by the Chief that replacement is necessary.

7) *Life Insurance*

Life insurance will be provided as outlined in section 3.09.

(b) Fire

SF2	Min	Max	
Annual	determined as needed		
Hourly	determined as needed		
AFC	Min	Max	
Annual	$ 139,332.03	$ 149,847.65	
Hourly	$ 66.99	$ 72.04	
Pay Grade	Position		
SF2	Management Fire Captain (Non Exempt)*		
	**Incumbent will receive 5% out of class pay (based on base wage rate) when serving as Acting Chief.*		
AFC	Assistant Fire Chief (Exempt)		

1) *Fire Captain Provision*

Wages and associated benefits for the 40-hour/week Management Fire Captain are identical to those provided to equivalent bargaining unit position, except for life insurance, which is outlined in section 3.09. The position is considered overtime eligible. Additionally, the incumbent will receive 5% out-of-class pay (based on wage rate and does not include shift premium) when serving as Acting Chief.

2) *Compensation*

The pay scale outlined above will be reevaluated annually to determine appropriate adjustments to address compression issues that may exist as a result of wage movement of the bargaining unit positions.

3) *Advancement*

Movement within an employee's assigned pay grade (step advancement) will be predicated on the merit incentive program effective February 13, 2024. Employees who receive an "achieves performance standards rating" will advance to the next step in the pay grade. When an employee reaches the maximum of their assigned pay grade, they will receive their merit pay in the form of a lump sum payment. The city manager or designee reserves the right to allow eligible employees to exceed the maximum wages of their respective range.

4) *Maximum accruals*

If an employee enters into the management pay plan with more than the maximum accrual of any form of accrued leave allowed, the following will occur: 1. The employee will be paid out for any amount of leave over the maximum at the time of transfer or 2. The employee may keep their accruals with the understanding that any

overage must be used/sold by the last day of the last pay period of the calendar year. Any overage remaining after this date will be forfeited.

5) *Uniforms allowance*

The management pay plan positions in the Fire Department will receive replacement uniform items when determined by the Chief that replacement is necessary.

6) *Life insurance*

Life insurance will be provided as outlined in section 3.09.

(c) Paramedic Wages

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

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

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

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

(a) Non-exempt employees are entitled to overtime pay or compensatory time off under the provisions of the Fair Labor Standard Act as described below:

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

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

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

4) Compensatory time cannot be converted to any other form of leave. Upon termination of employment or upon transfer/promotion to an exempt level position in this pay plan, a non-exempt employee shall be paid for unused compensatory time provided that the time was earned after April 14, 1986 at a rate of compensation not less than:

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

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

5) Compensatory time shall be documented in the appropriate payroll tracking system.

Section 1.05 Compensatory Time: Exempt Employees

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

1) No existing compensatory time balances will be carried over from an outside position or when the employee transfers/promotes into an exempt position in this pay plan
2) Compensatory time shall be earned for approved work that exceeds eight (8) hours per day and such employees may receive said compensatory time at the rate of one (1) hour for each hour worked in excess of eight (8) hours per day.
3) The maximum accrual of compensatory time shall be eighty (80) hours.
4) Compensatory time must be used in minimum increments of one-half (1/2) hour and maximum increments of forty (40) hours per pay period.
5) At no time shall compensatory time be converted to any other form of leave or compensation. Upon termination of employment, an exempt employee is not entitled to payment for unused compensatory time.
6) Compensatory time shall be documented in the appropriate payroll tracking system.

Article II. ACCRUED TIME AND VARIOUS LEAVES

Section 2.01 Vacation

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

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

(c) The following vacation accrual schedules are established:

Years of Total Service	Vacation Hrs./Year	Vacation Hrs./Pay
5 years or less	80.6	3.1
Start of 5 but less than 10 years	119.6	4.6
Start of 10 but less than 15 years	161.20	6.2
Start of 15 plus years	200.2	7.7

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

Years of Total Service	Maximum Accrual of Vacation Hours
5 years or less	241.8
Start of 5 but less than 10 years	358.8
Start of 10 but less than 15 years	483.6
Start of 15 plus years	600.6

(e) Eligibility

1) To be eligible for biweekly (pay period) vacation accumulation, an employee must be in paid status for a minimum of 72 hours within that pay period; except that when an employee is required to report for work and does so report and is denied work because of circumstances beyond their control, absence from work for the balance of that day shall not be construed as unpaid work status.
2) An employee in full-time status who is to be separated from City service through discharge, resignation, retirement or layoff, and who has unused vacation leave to their credit, shall be paid in a lump sum for such unused vacation leave in lieu of granting a vacation leave after his last day of active service with the City. Such payment shall be paid at the employee's hourly rate of pay at time of separation.
3) When a member dies while in paid status in the City service, any unused vacation leave to their credit shall be paid in a lump sum to the surviving spouse, or such other person the employee may have designated in writing.
4) Requests for vacation are to be submitted and approved, in advance of the intended use, by employee's supervisor or Department Director.
5) To be eligible to transfer years of service for determination of vacation benefits to the City of Delaware from prior employment **inside the state of Ohio:**
    a. Employees will only be eligible to transfer years of service from a public agency as defined by State law.
    b. The amount of years of service that can be transferred is unlimited.
    c. Prior employment must be in full-time status
6) Employees are responsible for providing the city with documentation of prior public service within sixty (60) calendar days from their date of hire to be considered for determination of vacation benefits.
7) To be eligible to transfer years of service for determination of vacation benefits to the City of Delaware from prior employment **outside the State of Ohio:**
    a. Employees will only be eligible to transfer years of service from their immediate previous employer.
    b. Said previous employer must be a public agency.
    c. Employment with the City of Delaware must take place within twelve months of termination from their immediate previous employer.
    d. The maximum amount of years of service that can be transferred is five (5) years.
    e. Present employees are not eligible.
    f. Prior employment must be in full-time status.
    g. Employees are responsible for providing the city with documentation of prior public service within sixty (60) calendar days from their date of hire to be considered for determination of vacation benefits.

8) An employee may elect to trade three (3) weeks of vacation time, or the equivalent of vacation time earned in one year, whichever is greater, for equivalent pay during the calendar year. Conversion of vacation time may occur for pay periods ending in the months of January, June, or December of each year. For 2025, these dates are as follows:

Pay period ending	**Pay date**
January 3, 2026	January 9, 2026
January 17, 2026	January 23, 2026
June 6, 2026	June 12, 2026
June 20, 2026	June 26, 2026
December 5, 2026	December 11, 2026
December 19, 2026	December 25, 2026

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

Section 2.02 Sick Leave

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

(b) To be eligible for sick leave incentive, an employee must be on the first payroll of the calendar year and remain employed through the last payroll period of the calendar year. Sick leave incentive is awarded the first pay in February following the completed calendar year.

i) If an employee used 0 hours of sick leave in any one calendar year, that employee shall be credited with an additional three (3) vacation days the following year.

ii) If an employee uses between one (1) and eight (8) hours of sick leave in any one calendar year that employee shall be credited with an additional two (2) vacation days, the following year.

iii) If an employee uses between nine (9) and sixteen (16) hours of sick leave in any one calendar year that member shall be credited with one (1) additional vacation day the following year.

iv) At the employee's option, any additional vacation days earned can be converted to pay for pay periods ending in the months of January, June, or December of the year the additional vacation is earned. For **2026**, these dates are as follows:

Pay period ending	**Pay date**
January 3, 2026	January 9, 2026
January 17, 2026	January 23, 2026
June 6, 2026	June 12, 2026
June 20, 2026	June 26, 2026
December 5, 2026	December 11, 2026
December 19, 2026	December 25, 2026

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

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

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

1) Employees will only be eligible to transfer sick leave from their immediate previous employer.
2) Said previous employer must be a public agency.
3) Employment with the City of Delaware must take place within twelve (12) months of termination from their immediate previous employer.
4) The maximum amount of sick leave hours that can be transferred is six hundred (600).
5) Any sick leave time so transferred shall have been accumulated at the rate of one and one-fourth days per month of employment.
6) Present employees are not eligible.

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

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

(g) For Employees Hired After November 1, 2013:

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

Section 2.03 Holiday and Personal Days

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

New Year's Day, January 1	Little Brown Jug Day, ½ day
Martin Luther King Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving Day
Juneteenth, June 19	Day before Christmas, ½ day
Independence Day, July 4	Christmas Day, December 25
Labor Day	

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

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

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

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

(f) Employees shall be credited 32 hours of personal leave a year, except for new hires who shall receive a prorated amount based on hire date. Use of holiday compensatory time or personal days shall be at the employee's discretion with the approval of the employee's supervisor or Department Director. Any employee separated from City service for other than just cause shall be paid for all accumulated and unused personal leave.

(g) All employees will be permitted to accumulate three (3) years' worth of holiday compensatory time and personal leave. Once an employee accumulates the maximum allowable number of personal leave/holiday compensatory time then future personal leave/holiday compensatory time will be compensated for in cash, at the time they are earned. An employee may elect to cash in up to one year's worth of personal leave each year (32 hours) for pay periods ending in the months of January, June, or December each year. An employee must inform his or her Department Director prior to August 1 of the year preceding the calendar year in which they intend to make the trade. For 2025, the dates are as follows:

Pay period ending	Pay date
January 3, 2026	January 9, 2026
January 17, 2026	January 23, 2026
June 6, 2026	June 12, 2026
June 20, 2026	June 26, 2026
December 5, 2026	December 11, 2026
December 19, 2026	December 25, 2026

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

Section 2.04 Funeral Leave

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

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

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

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

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

Section 2.05 Special Leave

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

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

Section 2.06 Jury Duty Leave

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

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

Section 2.07 Court Leave

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

Section 2.08 Injury Leave

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

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

Article III. Insurance

Section 3.01 Medical/Hospital Insurance Coverages

The City shall make health care benefits coverages available to employees under the City's health care plan. All benefit payments, annual deductibles, and out-of-pocket expenses shall be as defined by the City's health care plan. Proposed changes to the City's health care plan will be presented to the health insurance committee for review and discussion prior to implementation. The City will utilize its best efforts to ensure that medical/hospital insurance coverage is provided on a uniform basis to all City employees.

Section 3.02 Cost Sharing

Employees shall pay, by wage withholding, fifteen percent (15%) for family and single premium coverage. Contributions will be deducted from the employees' gross income prior to taxes, subject to compliance with all applicable tax regulations. Annually, the monthly COBRA rate to be utilized by the City will be established. Subsequent annual changes to the calculated COBRA rate will be applied to the monthly employee contributions. The employees' contribution shall be paid through a section 125 plan by which the contributions are treated as pre-tax income.

Section 3.03 Opt-Out / Opt-Down Waiver Of Coverage

Employees who opt out of the City's health care plan will be compensated as follows. All payments made under this provision will be included as other pay on the employee's paycheck. This income will be subject to OPERS regulations and all applicable taxes.

(a) Opt-out (no medical/prescription coverage) = $100 per month
   a. *Families who have both spouses employed full time by the city will not be eligible to opt out of the plan. One spouse will carry the full cost of the plan.*

(b) Opt-down (from family to single medical/prescription coverage) = $50 per month
   a. *An employee who "opts-down" must remain eligible for family coverage*

Section 3.04 Prescription Coverage

The City will provide prescription coverage for eligible employees under the City's health care plan. Employees may not elect to have prescription-only coverage; enrollment in the City's health care plan is required.

Section 3.05 Dental Coverage

The City will provide dental coverage for eligible employees under the City's health care plan.

Section 3.06 Vision Coverage

The City will provide vision coverage for eligible employees under the City's health care plan. The City will contribute $6.00 per month on behalf of the employee. The employee will be responsible for the balance of the monthly cost of the coverage selected.

Section 3.07 Flexible Spending

The City may make available the option to enroll in flexible spending. Contributions will be subject to IRS code 125 regulations and annual maximum contribution amounts.

Section 3.08 Alternate Coverage

Notwithstanding the provisions in section 3.01 above, which provides for health care coverage, the City may offer alternative health care coverage programs. The City shall determine the terms and conditions of such alternative programs. The cost and/or terms and conditions of said programs shall be at the discretion of the City and may be subject to change. Employees may enroll or withdraw from said program during open enrollment or due to a qualifying change and shall be entitled to the benefits described in section 3.01.

Section 3.09 Life Insurance

The city will provide the following amount of life insurance, effective January 1, 2023:

i. Department Directors: $100,000
ii. Management Employees: $50,000
iii. Police Captain: $100,000[2]
iv. Fire Captain: $100,000

The city will provide the following amount of life insurance, effective July 1, 2024:

v. Assistant Police Chief: $100,000
vi. Assistant Fire Chief: $100,000

[2] Effective 7/1/2025.

Article IV. Other Compensation

Section 4.01 Longevity Compensation

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

After five (5) years of continuous service	$600 /year
After ten (10) years of continuous service	$800 /year
After fifteen (15) years of continuous service	$1,000 /year
After twenty (20) years of continuous service	$1,200 /year

1) Longevity compensation shall be paid, in accordance with the above schedule, in two (2) separate lump sum payments during the first pay periods in June and December of each year.
2) Upon termination of service for any reason, employees who are eligible for longevity pay under this section (or in the event of death, the surviving spouse or estate) will be paid, as part of their terminal pay, the final partial year of longevity compensation, prorated to the name of months completed during said partial year since the employee's last payment date.
3) For the purpose of this section, continuous years of service shall include approved military leave.
4) Employees who are hired into a full-time position from a part-time position will have their part-time service counted as continuous, provided there was no break in service between the part-time and full-time employment.

Section 4.02 Automobile Expense Reimbursement

(a) Employees shall receive reimbursement for business use of their personal vehicle.
(b) Mileage reimbursement is permissible only for business-related travel outside of Delaware City limits.
(c) Reimbursement will be in accordance with the Internal Revenue Service (IRS) regulations for non-taxable reimbursements and shall be at the IRS per mile reimbursement rate in effect when the business use miles were incurred.
(d) Department Directors employed by the City prior to January 1, 1999 who had received a monthly automobile allowance will only be reimbursed for business use of their personal vehicle for travel outside the City limits.

Section 4.03 Call-In Pay & Emergency Stipend

(a) Both exempt and nonexempt employees shall be eligible for "on call" compensation for weekly periods when assigned the responsibility of direct Parks, Public Works, or Utility personnel in response to service requests during non-scheduled work periods. Employees assigned to this "on call" status shall serve in this posture for weekly time periods as authorized by the respective Department Director. Said employees shall be responsible for responding to after-hour service requests. Employees assigned to an "on-call" status shall be compensated at a weekly rate of $100.00. On-call compensation shall be paid in addition to regular and overtime wages earned during the pay period. On-call assignments will be posted in June and December of each year for the following six-month period. Changes to the schedule must be made in advance with the approval of the Department Director.

(b) Exempt employees, who are ineligible for overtime compensation under the Fair Labor Standards Act, may be authorized emergency pay for performing work outside of their primary classification during non-work hours due to staffing or other emergency circumstances (i.e., snow removal operations) within their department or another department (29 CFR 541.604). Before an exempt employee performs such work, the employee must receive prior written authorization from their immediate supervisor or director and human resources. Exempt employees shall be paid an hourly stipend within the range of the assigned pay grade or the job classification that encompasses the supplemental work or a pay rate approved by human resources for hours spent performing work outside of their primary classification during non-work hours.

Section 4.04 Tuition Reimbursement

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

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

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

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

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

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

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

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

Section 4.05 TOOL STIPEND

(a) Employees required to supply and maintain tools as part of their job will be provided an annual stipend of $1,000, payable in two $500 installments, the first pay of January and July as reimbursement for the use of their tools. Employees who separate employment prior to the conclusion of their probationary period will be responsible for paying the stipend back to the city. This would be deducted from the employee's final paycheck.

Section 4.06 Clothing & Personal Protective Equipment Purchase Credit

(a) Upon initial hire, a newly hired employee will be provided with two (2) city-branded clothing items.

1) Employees will be provided with one (1) city-branded clothing item annually.

2) Employees who regularly interact with the public may be allotted additional items based on department budget availability.

3) The style and type of items shall be determined by the department, utilizing an approved vendor.

4) The cost per item shall not exceed fifty ($50.00) dollars.

(b) Personal protective equipment required for the employee's position (ex: steel-toed boots, hard hat, safety vest, rain gear, rubber boots and work gloves etc.) will be provided, where necessary and prudent to ensure the employee's safety in the performance of their essential functions.

1) The cost of which shall not exceed the annual stipend permitted by labor agreement for similarly situated employees.

2) This provision is specific to management positions that are required to be in the field regularly.

Section 4.07 ONE-TIME PAY ADJUSTMENT POLICY

(a) In recognition of exceptional circumstances, a one-time pay adjustment may be authorized for an employee as permitted by the City Manager. This adjustment is discretionary and is not intended to be a permanent increase to an employee's base salary but rather a one-time payment for a specific reason, as outlined below:

1. Recruitment and retention: to address difficulties in attracting or retaining qualified personnel for specific reasons.
2. Significant change in job responsibilities: where an employee's duties and responsibilities have been substantially expanded or altered without a corresponding pay grade adjustment.
3. Market adjustments: to bring compensation in line with wage rates for similar positions in the local labor market if this has changed significantly between market evaluation years.
4. Performance: in cases where exceptional performance has been demonstrated, warranting immediate recognition.
5. Other exceptional circumstances: as determined by the City Manager, including but not limited to critical skills gaps or urgent organizational needs.

(b) A formal request for a one-time pay adjustment must be submitted in writing by the department director to the City Manager. The request must include the reason for the adjustment, the amount proposed, and supporting documentation (e.g., job description changes, market comparison data or other relevant information).

(c) The City Manager, or designee, will review the request, evaluate for justification, and may consult with relevant stakeholders (e.g., human resources, finance) to determine the impact on the budget and overall compensation equity.

(d) The City Manager, or designee, will make the final determination on whether the one-time pay adjustment will be granted. The City Manager reserves the right to approve, modify, or deny the request based on budgetary considerations, equity, or other organizational priorities. Approval of a one-time pay adjustment is discretionary and shall not be construed as creating a precedent for future pay decisions, nor does it imply an ongoing entitlement to similar adjustments.

(e) The adjustment is a one-time payment and will not be added to an employee's base salary.

(f) The adjustment may impact eligibility for other merit-based pay increases.

Article V. Miscellaneous

Section 5.01 Personnel Files

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

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

Section 5.02 Parks and Recreation Credit

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

(b) Credits may not be used to purchase memberships or to secure rentals beyond the calendar year for which it is issued. Credits are non-transferable.

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 12, 2026
SUBMITTED BY:	David Moser, City Attorney
ITEM TYPE:	Ordinances
AGENDA SECTION:	**CONSIDERATION OF ORDINANCE NO. 26-58**
SUBJECT:	Ordinance No. 26-58, an ordinance appointing an interim City Manager and declaring an emergency. (*Ordinance to appoint Acting City Manager*).

SUGGESTED ACTION:

ATTACHMENTS:

Ord 26-58 Cont'd Designation of Beare as Acting City Mgr w Agreement.docx

Acting City Manager Agreement.docx

ORDINANCE NO. 26-58

AN ORDINANCE CONTINUING THE DESIGNATION OF ANDREW BEARE AS ACTING CITY MANAGER, ESTABLISHING TERMS FOR SUCH TEMPORARY SERVICE, AUTHORIZING AN ACTING CITY MANAGER AGREEMENT, AND DECLARING AN EMERGENCY

WHEREAS, pursuant to the Charter and Codified Ordinances of the City of Delaware, the City has provided for the designation of an Acting City Manager when necessary to ensure continuity in the administration of City Government; and

WHEREAS, by Ordinance No. 26-54, City Council previously provided that Assistant City Manager Andrew Beare would serve as Acting City Manager upon the cessation of Paul J. Brake's service as City Manager; and

WHEREAS, Council anticipates that the process of determining and implementing the City's longer-term leadership arrangements may require a months-long period of transition and desires to provide stability and continuity in the administration of City operations during that period; and

WHEREAS, although the Charter and Codified Ordinances utilize the term "Acting City Manager," Council recognizes that the anticipated duration and responsibilities of this particular acting assignment warrant the establishment of more specific terms governing Mr. Beare's temporary services, including additional compensation and preservation of his underlying position as Assistant City Manager; and

WHEREAS, Council finds that continuing Mr. Beare's designation as Acting City Manager during this transitional period is in the best interests of the City.

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

SECTION 1. The designation of Andrew Beare as Acting City Manager is hereby continued and confirmed, effective October 12, 2026. During such designation, Mr. Beare shall exercise the powers, perform the duties, and assume the responsibilities of the City Manager as provided by the Charter, Codified Ordinances, and other applicable law.

SECTION 2. The Acting City Manager designation is temporary but is intended to provide continuity in City administration during the period necessary

for Council to determine and implement the City's longer-term arrangements for the Office of City Manager. The designation shall continue until a permanent City Manager assumes the duties of the office, until Council terminates or modifies the designation, or until such other date as Council may establish by a subsequent legislative action.

SECTION 3. Council hereby approves the Acting City Manager Agreement between the City and Mr. Beare, substantially in the form attached hereto as Exhibit A, and authorizes the Mayor to execute the Agreement on behalf of the City.

SECTION 4. Mr. Beare's acceptance and performance of the Acting City Manager assignment shall not constitute a resignation, relinquishment, or abandonment of his underlying position as Assistant City Manager. Upon conclusion of the acting assignment, Mr. Beare shall be entitled to return to the position of Assistant City Manager in accordance with the terms of the Agreement attached as Exhibit A, unless the parties otherwise agree to a different employment arrangement with the City.

SECTION 5. The Finance Director is authorized to make such payroll and administrative adjustments as are necessary to implement the compensation authorized by the Agreement.

SECTION 6. To the extent the provisions of Ordinance No. 26-54 concerning the designation of an Acting City Manager are inconsistent with this Ordinance, this Ordinance shall control. Except as expressly provided herein, Ordinance No. 26-54 shall remain in full force and effect.

SECTION 7. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with applicable law, including Section 121.22 of the Ohio Revised Code.

SECTION 8. EMERGENCY CLAUSE. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City and, specifically, to provide for the continued and uninterrupted administration of City operations during the transition in the Office of City Manager. Accordingly, this Ordinance shall be in full force and effect immediately upon its passage and approval as provided by the Charter.

VOTE ON RULE SUSPENSION: YEAS_____NAYS_____ ABSTAIN_____

VOTE ON EMERGENCY CLAUSE: YEAS_____NAYS_____ ABSTAIN_____

PASSED: _____, 2026 YEAS_____NAYS_____ABSTAIN_____

ATTEST: _____ _____
CITY CLERK MAYOR

ACTING CITY MANAGER AGREEMENT

This Acting City Manager Agreement ("Agreement") is entered by and between the City of Delaware, Ohio ("City") and Andrew Beare ("Mr. Beare").

1. **Acting City Manager Assignment.** Pursuant to Ordinance No. 26-57, Mr. Beare shall continue to serve as Acting City Manager beginning October 12, 2026. During this assignment, Mr. Beare shall perform the duties and exercise the authority assigned to the City Manager by the Charter, Codified Ordinances, and applicable law.

2. **Temporary Nature of Assignment.** The parties acknowledge that the Acting City Manager assignment is temporary but may continue for the period reasonably necessary for the City to determine and implement its longer-term arrangements for the Office of City Manager.

   This assignment shall continue until a permanent City Manager assumes the duties of the office, until terminated or modified by City Council, or until otherwise provided by subsequent legislative action of Council.

   Nothing in this Agreement creates a fixed or guaranteed term for the Acting City Manager assignment or any entitlement to continued service in that capacity.

3. **Compensation.** During his service as Acting City Manager, Mr. Beare's compensation shall be adjusted by a 25% increase to constitute a total hourly rate of **$89.41** ($185,978 annually), effective October 12, 2026 and continuing until the conclusion of 30 days after the start date of a permanent City Manager, unless otherwise agreed to in writing by the parties. Such compensation shall be paid in accordance with the City's regular payroll and benefit practices.

   At the conclusion of the 30-day transition period, as applicable, Mr. Beare's compensation shall revert to the salary applicable to his position as Assistant City Manager, including any adjustments to the salary that would otherwise have occurred during the period of his acting service, unless the parties otherwise agree in writing to a different employment arrangement with the City.

   All other benefits provided to Mr. Beare as a City employee shall continue during the acting assignment except as otherwise expressly agreed in writing.

4. **Preservation of Assistant City Manager Position.** Mr. Beare's acceptance of and service in the Acting City Manager assignment shall not constitute a resignation, relinquishment, or abandonment of his position as Assistant City Manager. Upon conclusion of the Acting City Manager assignment, Mr. Beare shall be entitled to return to the position of Assistant City Manager without loss of salary, benefits, accrued leave, service credit, or other employment rights he would otherwise have held or accrued in that position during the acting assignment, subject to the 30-day transition compensation provided in Section 3 and unless the parties otherwise agree in writing to a different employment arrangement with the City.

Service as Acting City Manager, and the subsequent conclusion of that assignment, shall not, standing alone, constitute grounds for any adverse employment action with respect to Mr. Beare's underlying position as Assistant City Manager.

5. **No Modification of Underlying Employment Except as Stated.** Except for the temporary assignment, compensation, and transition provisions expressly provided by this Agreement, Mr. Beare's existing terms and conditions of employment with the City remain unchanged.

   This Agreement does not create a fixed term of employment in the Assistant City Manager position or otherwise alter the legal status of that position except as expressly provided herein.

6. **Entire Agreement; Modification.** This Agreement constitutes the entire agreement of the parties concerning Beare's Acting City Manager assignment and supersedes any prior oral or written understandings concerning the terms of that assignment. This Agreement may be amended only by a writing authorized by the City and executed by the parties.

7. **Effective Date.** This Amendment shall become effective upon its approval by City Council pursuant to the Charter of the City of Delaware and execution by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the dates set forth below.

COUNCIL OF THE CITY OF DELAWARE, OHIO	**ANDREW BEARE**
_____	_____
Carolyn Kay Riggle, Mayor On behalf of City Council	Andrew Beare
Date: _____	Date: _____

Approved as to form:

_____
City Attorney