

Canal Winchester

*Town Hall
10 North High Street
Canal Winchester, OH 43110*



Meeting Agenda

December 17, 2018

7:00 PM

City Council

*Bruce Jarvis – President
Mike Walker – Vice President
Jill Amos
Will Bennett
Bob Clark
Mike Coolman
Patrick Lynch*

- A. Call To Order
- B. Pledge of Allegiance - Clark
- C. Roll Call
- D. Approval of Minutes

[MIN-18-055](#) 12-3-18 Work Session Minutes ([Work Session Minutes](#))
[MIN-18-056](#) 12-3-18 Public Hearing Minutes ([Public Hearing Minutes](#))
[MIN-18-057](#) 12-3-18 City Council Meeting Minutes ([Council Minutes](#))

- E. Communications & Petitions - NONE
- F. Public Comments - Five Minute Limit Per Person

G. RESOLUTIONS

[RES-18-019](#) A Resolution Approving The Mayor's Appointment Of Joseph Wildenthaler To Serve A Four Year Term As A Member Of The Planning And Zoning Commission Expiring On December 31, 2022 ([Resolution](#))
Development
- Adoption

[RES-18-020](#) A Resolution Approving The Mayor's Appointment Of Joseph Donahue To Serve A Four Year Term As A Member Of The Planning And Zoning Commission Expiring On December 31, 2022 ([Resolution](#))
Development
- Adoption

[RES-18-021](#) A Resolution Approving The Mayor's Appointment Of Jamoya Cox To Serve A Four Year Term As A Member Of The Landmarks Commission Expiring On December 31, 2022 ([Resolution](#))
Development
- Adoption

[RES-18-022](#) A Resolution Approving The Mayor's Appointment Of Richard Dobda To Serve A Four Year Term As A Member Of The Landmarks Commission Expiring On December 31, 2022 ([Resolution](#))
Development
- Adoption

[RES-18-023](#) A Resolution To Approve The Distribution Of 2019 Bed Tax Grant Funds ([Resolution, 2019 Bed Tax Recommendations](#))
Finance
- Adoption

H. ORDINANCES

Tabled

[ORD-18-029](#)

Development

Sponsor: Jarvis

An Ordinance To Amend Part 11 Of The Codified Ordinances And The Zoning Map Of The City Of Canal Winchester, Rezoning An Approximately 11.954 Acre Tract Of Land From Exceptional Use (EU) To Planned Residential District (PRD), Owned By The Dwight A. Imler Revocable Living Trust, Located On The Southeast Corner Of The Intersection Of Hayes Road and Lithopolis Road And Consisting Of Parcel Number 184-002994, And To Adopt A Preliminary Development Plan And Development Text For A Proposed 79.5 Acre Planned Residential Development (Middletown Farms) ([Ordinance, Exhibit A, Exhibit B, P&Z Recommendation](#))

- Tabled at Third Reading

Third Reading - **NONE**

Second Reading

[ORD-18-045](#)

Development

Sponsor: Lynch

An Ordinance To Amend Part 11 Of The Codified Ordinances And Adopt The Official Woodlands Map For The City Of Canal Winchester ([Ordinance, Exhibit A](#))

- Second Reading Only

[ORD-18-046](#)

Development

Sponsor: Clark

An Ordinance To Amend Part 11 Of The Codified Ordinances And The Zoning Map Of The City Of Canal Winchester, Rezoning An Approximately 69.237 Acre Tract Of Exceptional Use (EU) To Limited Manufacturing (LM), Owned By Gender/Thirty Three, Located On The North Side Of Winchester Boulevard (PID 184-000532 And 184-000871) ([Ordinance, Exhibit A](#))

- Second Reading Only

[ORD-18-047](#)

Development

Sponsor: Coolman

An Ordinance Adopting Section 1198 Of The Codified Ordinances Regarding Residential Appearance Standards ([Ordinance, Exhibit A](#))

- Second Reading Only

[ORD-18-048](#)

Development

Sponsor: Lynch

An Ordinance Amending Section 11991 Of The Codified Ordinances Regarding Landscaping And Screening ([Ordinance](#))

- Second Reading Only

First Reading

[ORD-18-050](#)

Construction Services

An Ordinance To Authorize The Mayor To Enter Into A Contract With Quality Control Inspection, Inc. For Consulting Services Relating To Construction Inspection For The Period From January 1, 2019 Through December 31, 2019 ([Ordinance, QCI Agreement](#))

- First Reading Only

[ORD-18-051](#)

Construction Services

An Ordinance To Authorize The Mayor To Amend A Contract With American Structurepoint, Inc. For Consulting Services Relating To Construction Inspection For The Period From January 13, 2019 Through January 13, 2020 ([Ordinance, Agreement](#))

- First Reading Only

I. Reports

Mayor's Report

[18-137](#)

[November 2018 Mayor's Court Report](#)

Fairfield County Sheriff

Law Director

Finance Director

[18-139](#)

[Finance Director's Report](#)

Public Service Director

[18-138](#)

[Public Service Director's Report](#)

Development Director

J. Council Reports

Organizational Meeting/Work Session/Council - Monday, January 7, 2019 at 6:00 p.m.

Work Session/Council - TUESDAY, January 22, 2019 at 6:00 p.m.

CW Human Services - Mr. Lynch

CWICC - Mr. Clark

CWJRD - Mr. Bennett/Mrs. Amos

Destination: Canal Winchester - Mr. Walker

K. Old/New Business

L. Adjourn to Executive Session (if necessary)

M. Adjournment

Canal Winchester

*Town Hall
10 North High Street
Canal Winchester, OH 43110*



Meeting Minutes - DRAFT

December 3, 2018

5:30 PM

Council Work Session

Mike Walker – Chair

Jill Amos

Will Bennett

Bob Clark

Mike Coolman

Bruce Jarvis

Patrick Lynch

- A. **Call To Order** *Mr. Walker called the meeting to order at 5:39 p.m.*
- B. **Roll Call** *Present 7- Amos, Bennett, Clark, Coolman, Jarvis, Lynch, Walker*

C. **Also In Attendance**

Matt Peoples, Lucas Haire, Amanda Jackson

D. **Request for Council Action**

ORD-18-045
Development

An Ordinance To Amend Part 11 Of The Codified Ordinances And Adopt The Official Woodlands Map For The City Of Canal Winchester (**Ordinance, Exhibit A, Areas Added and Removed**)

- Request to move to full Council

Haire: Thank you Mr. Walker; this is related to the public hearing we have later tonight in regards to the landscape code; so as part of the landscape code in certain areas we have protected woodlands, protected trees and we have different standards for saving those areas; what we've done here with this is we're realizing there's some areas that probably need to be added; that also should be protected; there's some areas that are in the path of development or have already been amended and so we'd like to remove those areas; in the areas on the map, the areas in black are the areas that we'd like to move; remove from the woodlands map and the areas in orange are the areas we would like to add; Bennett: Mr. Haire, what's the purpose for the removal, specifically; Haire: some of them are specifically in the paths of planned roadway extensions that have been planned for years; others are adjacent to areas that are likely to be developed; for example, that little area along Gender Road there, that's an area that city council transferred to HFI a few years ago for a parking lot expansion; so the majority of that property would remain but the area adjacent to HFI would be removed; the extension on Winchester Boulevard, we've planned to extend that for at least twelve years now; so we'd like to see that removed so we don't run into any issues with extending the roadway; Bennett: I guess to follow up on the flipside then, how were the decisions made on the areas to add; Haire: some of them are already being preserved; some of them are stream corridor protection zones; so in our code we have a stream corridor protection zone that protects a minimum of 75 foot width along a stream corridor; so some of those areas are generally wooded now; we'd just like to add that extra layer of protection in case there's any utility crossings or things like that, that need to take place; Lynch: how often do we update this map; Haire: this will be the third iteration of this map; Lynch: since when was the last; Haire: it was created in 2006; Jarvis: just out of curiosity, Mr. Haire, why wouldn't we use a variance process if something is in the path of an approved development rather than remove it from the woodlands map; Haire: we've had a lot of issues over the years in terms of the landscape code in general; part of the reason it's prompting the rewrite of that; we just want to make it more clear I guess as to what is a woodland and what's not; and the emphasis now is more on canopy coverage rather than protecting specific trees; so the idea is that you protect the canopy instead of protecting a specific tree; Jarvis: does it still contain the language about the trunk size of the tree; Haire: it's changed some and we had some areas of the code where it was if you cut down a tree that was over 4 inches you had to replace it with a tree; and there were other areas where you had to replace it inch for inch; so we've tried to clear that up with a code rewrite; Jarvis: the bottom line now is that we're not reducing our canopy by making any of these

changes; this is just a shifting; Haire: overall there's more ground that's being added than taken away with the proposed changes; Walker: we're doing away with the four inch are we doing select cut of 18 inch or 16 inch or is there; Haire: there's just different standards; we can talk about that more when we talk about the landscape changes; there's a different standard for how those are calculated;

A request was made by Lynch to move Ordinance 18-045 to full council, seconded Amos by. The motion carried with the following vote:

Yes – 7 Lynch, Amos, Bennett, Clark, Coolman, Jarvis, Walker

ORD-18-049

Law

An Ordinance To Authorize The Mayor To Enter Into A Settlement Agreement With Rockford Homes, Inc And Declaring An Emergency ([Ordinance, Settlement Agreement](#))

- Request to move to full Council

Haire: I can address the agreement; this is similar to what we talked about in the past and a number of executive sessions we've had in regards to this litigation; we've been in litigation for quite a long time in regards to this property and the proposed development; the property is zoned PUD which allows for multifamily development; what this proposal basically would do is it would stay the current litigation that's happening; allow them to apply for a development plan approval for a 46 unit condominium project on the site; and they would go through all the normal development plan approval process; so they'd go through planning and zoning process; and what they've agreed to here is that they would meet the code requirements with a few exceptions; some of those exceptions being the stream corridor protection zone and the ditch on the property so that would be removed and they would be allowed to pipe that ditch; basically put a storm sewer over top of a ditch and fill that in; it would still convey water but it would be outside of what we normally allow in this case; and then Cormorant Drive is currently a private roadway that's never been accepted; and with this agreement we would be accepting Cormorant Drive; or with the development plan approval we would be accepting Cormorant Drive in its current state; Amos: Mr. Haire, have we determined how much the cost would be to get Cormorant Drive, I know they said there were some issues, have we determined the cost of that repair yet; Haire: the roadway was built to public standards and it was inspected when it was built; so it was built to our standards it was just never dedicated; to there was an oversight on their part on actually dedicating either by plat or by deed that right-of-way and us actually accepting it; and so we've looked at the roadway; its currently not deficient; it's in good condition; there are other areas on Cormorant Drive that are already public that are deficient; so we're going to be doing some projects next year with our street program to address a few of those issues; but there's nothing specifically in this area; Amos: Mr. Peoples, that was on your; Peoples: yeah, there was a n email floating around that there was a section; that is not in this part; Amos: thank you; Clark: Lucas, can you explain just for the record how this kind of came about; how long this has been going on; and why we have come to this situation of accepting this agreement; Haire: well we've been in litigation for a number of years; Clark: how many; Haire: earlier in 2009; we lost that case; Rockford had the right to build 112 apartments on the site at that point; they were given a two year period to do that before their development plan expired by the court; they didn't build the apartment complex within that that two year period; they applied again in September of 2012 to build that apartment complex; it was denied by our planning and zoning commission; appealed to council; then went to the court of appeals after that; that's kind of how we arrived at the point we're at now; the

environmental court ruled in our favor in terms of the site plan being denied based on our code; they have appealed that; so it's in a court of appeals now; Walker: any other questions or discussion;

A motion was made by Jarvis to move Ordinance 18-049 to full council, seconded by Bennett. The motion carried with the following vote:

Yes 7 –Jarvis, Bennett, Amos, Clark, Coolman, Lynch, Walker

E. Reports

Matt Peoples - thank you Mr. Walker; I don't really have a whole lot to add to my written report; just end of the year projects; trying to get some things done; obviously you see the decorations; it's probably been one of our biggest tasks to go on; but again just trying to finish up a few projects left from the 2018 year

Lucas Haire - just a few updates on existing projects; NIFCO has been issued the permits for their new warehouse and production facility in Canal Pointe; that's underway now; they should be starting foundation work as soon as they get some decent weather; Columbia gas in nearing completion of their town station also in Canal Pointe that we sold them; so hopefully that will be done here soon and they can get those new gas lines up and running; Crossroads Church has been issued the building permit to their new church building on Bigerton Bend; so that will hopefully get underway as well; they've begun site work and clearing at the Turning Stone project at High Street and 33; I'm sure many of you have heard of that; we've received a number of calls and inquiries in regards to that; planning and zoning approved a new 7,200 square foot office building at the Winchester Office Park at their last meeting; so that will be the third building; the two are under construction now; you can see from Winchester Boulevard and Gender Road; so this will be the third building and it will be occupied by a medical office user; then the final round of the sod grants that was decided by the Canal Winchester Industry and Commerce Corporation last week; we had \$7,000 available that was turned back in from one of the grant applications we previously granted; so that was rewarded to two of the four projects that applied;

Amanda Jackson - thank you Mr. Walker; I just want to briefly touch on the three items I listed in my report this evening; the first of that being the bed tax grants; applications were due last Friday; I am in the process of putting them all in a spreadsheet; then Mr. Bennett, Mrs. Amos and I will met to go over all of them; so if we could touch base about a good date with the both of you; the 2019 council calendar wad included in your council packets this evening; please take a look at that and let me know if there's anything that you foresee to be a problem; anything you would like to change; it is set up so that we do not have a second meeting in July; typically council likes to take a recess that second meeting; so that is not on the calendar; I will say that currently the way the calendar falls there would be a committee on the whole December 30th; I don't know if it's council's desire to hold that meeting; but again, take a look at it and we can discuss at the next meeting; finally, some information about the change from the city of Columbus to the Regional Income Tax Agency has gone out to employers; there's been some radio spots that they purchased; I don't know if anybody's heard any of those on their commute; and there was also some information in the Dispatch; so that is going to continue on for the entire month of December; for those of you that have taxes withheld from your employer there's not a whole lot that you're going to have to do until you file your return; but the employers should be getting more and more information to remind them as of January 1 everything needs to go to RITA rather than the city of Columbus; but if you get any questions about that change have them call my office and we will take care of it; Bennett: Mrs.

Jackson, have you received a lot of calls on the switch; Jackson: no, we've got just a couple; I think most of the larger employers are probably already remitting taxes to a RITA municipality so there hasn't been a lot of questions;

F. Items for Discussion - None

G. Old/New Business

H. Adjournment @ 5:51 p.m.

A motion was made by Bennett to adjourn, seconded by Amos. The motion carried with the following vote:

Yes 7 – Bennett, Amos, Clark, Colman, Jarvis, Lynch, Walker

DRAFT

Canal Winchester

*Town Hall
10 North High Street
Canal Winchester, OH 43110*



Meeting Minutes - DRAFT

December 3, 2018

6:00 PM

PUBLIC HEARING

City Council

Bruce Jarvis – President

Mike Walker – Vice President

Jill Amos

Will Bennett

Bob Clark

Mike Coolman

Patrick Lynch

A. Call To Order

Mr. Jarvis called the meeting to order at 6:01 p.m.

B. Roll Call

Present 7- Amos, Bennett, Clark, Coolman, Jarvis, Lynch, Walker

C. Purpose of Public Hearing

Jarvis: we will be addressing these one at a time but the purpose of the public hearing is to discuss a rezoning request; also a proposed change to the ordinance regarding residential appearance standards; also an ordinance related to the landscaping within the city which we touched on in the previous meeting;

ORD-18-046

An Ordinance To Amend Part 11 Of The Codified Ordinances And The Zoning Map Of The City Of Canal Winchester, Rezoning An Approximately 69.237 Acre Tract Of Exceptional Use (EU) To Limited Manufacturing (LM), Owned By Gender/Thirty Three, Located On The North Side Of Winchester Boulevard (PID 184-000532 And 184-000871) ([Ordinance, Exhibit A, P&Z Recommendation](#))

Haire: the proposed rezoning is for 69.24 acres on the north side of Winchester Boulevard; the property is currently zoned EU; the proposal is to rezone the property to limited manufacturing; the adjacent properties to both the east and the south are both zoned general commercial; to the north is zoned exceptional use which is Wyler Chevrolet; to the west is agricultural land that's in Madison Township; so this is the parcel hat we're talking about; it's actually two parcels to the east is the Winchester Square shopping center; a little history on this site is this property was annexed into Canal Winchester in 1964; remained vacant for a number of years without access to utilities; when they developed Winchester Square they brought utilities to the site; they had a development plan in 1988 that was approved that included these parcels; it changed from R2 which was a single family zoning district and it went to general commercial; 25 acres were multifamily residential and 44 acres were rezoned for M2 which was light manufacturing; the intention rom this development form the beginning is that this was going be mixed use, commercial, multifamily, and manufacturing; the site was then rezoned again in July of 2003 to a traditional neighborhood development; that traditional neighborhood development has had a significant portion of multifamily housing; I believe it was 468 units that were approved at that time for this site along with office uses; so there's been some intense land uses approved for this site in the past; as part of a negotiation with CASTO who is the successor to Gender 33 on this property when they expanded the Winchester Square shopping center and added the hair salon and the gym and those uses between Kroger and Home Depot; they did away with the TND zoning and rezoned the property to EU with the intentional that if they were ever to develop the site they would come back through for rezoning; that's what brought us here today; the property is EU which is our holding category for zoning; and they're applying to make that a limited manufacturing zoning district; the applicant has presented a concept plan for further development; this has changed a little bit since we were at the planning and zoning meeting; the planning and zoning concept was a three building layout; this concept is a two building layout; so this concept would have one building that is 258,346 square feet and the second building would be 555, 907 square feet; this is the proposal here would mostly look at and users being logistics and distribution type uses; based on this type of building; of any of you are familiar with these types of buildings that are in Groveport; it would be a similar style of building that's been constructed there; the applicant has changed their plans a little bit with this site plan; they're looking at relocating

the detention pond; if you notice on the center of the site there's a large detention area that serves the Home Depot development as well as the Winchester Square shopping center; that would be relocated to the north along with the existing detention pond that's along 33; and then there would be a smaller detention basin on the east side of the site between the Kroger shopping center and the building at the front there; they're still accommodating all the offsite storm water with this site plan it would just be changed up in the location of where that's being accommodating; so with this plan they'd be accommodating offsite drainage as well as the impervious areas that they'd be adding with this development; there's close proximity to U.S. 33 with this; that's one of the reasons that makes it attractive for development with the interchange and easy in and out with Winchester Boulevard; the applicant would be proposing to extend Winchester Boulevard with this application; so there'd be about a 1,000 foot extension of that roadway to the corporate limits, to the end of the property; and there's be utilities and everything associated with that extension; the site is served by water and sewer lines already that are located between Winchester Square in this development so there are already lines in place and there's capacity to serve any industrial development on the site; so there's an existing 12 inch water main and an existing 12 inch sanitary sewer line that would serve this development; the applicant has completed a traffic pattern study; we reviewed that once; the applicant has gone back and run a number of other studies or components to this study to address any traffic along Winchester Boulevard; the intersections that were considered as part of that traffic study; Winchester Boulevard and Gender Road intersection; Winchester Road and Prentiss School; as well as the two site driveways; we also looked at Prentiss School and Canal Street; and Canal Street and Gender Road; just to see if there would be any bypassed traffic that would be going southbound and any impacts that would be there; the results of those studies, there will obviously be some increased traffic generation but it doesn't lead to any of the intersections going below a level d service; so basically there wouldn't be warranted improvements based on the traffic that would be generated from this site; so there's some things that can happen with adjusting some timing with the signals and potentially looking at restriping a portion of Winchester Boulevard to allow for more traffic stacking at the intersection of Prentiss School; so as you're heading eastbound on Prentiss School; it's two lanes for a very short distance and then it goes to one lane heading eastbound; so there may be an opportunity to restripes some of that area to allow for more stacking so you'd have a bigger section of two lane road way there; and so those are items that we plan on working out as we get towards applying for a final development plan; we'll work with the applicant to address those concerns that were identified in the traffic study; so with that these are some concept elevations; these are other buildings that this developer has developed that would be similar in architectural concept in what they'd be proposing here; so this is kind of a view of the office area or the entry of those buildings; again this is a kind of institutional grade industrial building; then this shows just how those are broken up; so the front building could be broken up into four different users potentially; as you can see there's different office or entry areas in each of these; Jarvis: Mr. Haire, I'm sorry for interrupting, but these are spec buildings or is there someone already intended; Haire: these would be built on a speculative basis; and so these are just the rear which would be the truck dock areas of the proposed building; Lynch: am I correct that the office is facing out toward Winchester Boulevard and 33; while the office frontage and loading docks will only be turned inside towards each other; Haire: the loading docks would be, on the larger building the loading docks would be on both sides; so it would be on the interior and also would be on the portion facing 33; you have a couple hundred feet with a pond and existing landscaping that would remain along 33 there; but the Winchester Boulevard frontage would be this view; it would be the front of the building; so it would be the office areas; not necessarily this building; these are just examples of the type of architecture that they would potentially do here;

Amos: is Casto maintaining the management rights or is the intention to sell them once they're built; Haire: Casto would not be the developer of this; so the developer of this project would be Opus and so Opus is here this evening and I'm sure they would be happy to answer any of your questions and I believe they have a little presentation so you can learn a little bit more about their company as well; so if you have any questions for me I'd be happy to answer; Jarvis: before you approach the podium gentleman does anyone on council have any questions of Mr. Haire at this point; Clark: I just have one; the Prentiss School Drive, when you said they're stacking up; Prentiss School, that's the street that's further down; Haire: It's the first traffic intersection; with the Wendy's; between Wendy's and Tim Horton's and Fixari office building; that's Prentiss School; Coolman: It runs parallel to Gender; Clark: Okay; I got you; Walker; we already have that timing issue a lot of people are having with coming out where the UPS is, coming out to that traffic light; it's just so short; will that be looked at to change that to make that longer; you may get one or two cars out and that's it right now; Haire: there's some timing issues that need to be addressed; it will not fix that issue; Walker: that issue will not change; Haire: that issue will not change with this development; the queue will actually get a little longer there with this project on both sides; on the driveway that's more toward the Kroger store as well as that driveway you'll have a little but more storage that will take place; it will be a little slower getting out of the shopping center; Jarvis: is there any way to quantify that based on the traffic study; Haire: yes; Jarvis: you said that we were after this development based on the anticipated activity it's going to be a D grade for those intersections or maybe; Haire: to quantify it the current south bound queues are 101 feet and they; increase to 190 feet; 195 feet at the opening here; (inaudible); Jarvis: not matter what happens back there, I'm just looking at the future, kind of hypothetical, that intersection is going to be degraded right; Haire: correct; Jarvis: it could be worse than what we're talking about; the only thing different that I would think about this is based on the nature of the business I would think there would be semi-trucks; Haire: we specifically asked them to address that for the second study which they did; what percentage and how much; obviously a semi takes up a lot more room in terms of queuing and how that is addressed; so that was addressed in their revised numbers; Bennett: Mr. Haire, what was the grade on that Winchester Road Prentiss School intersection currently; I don't know if we're actually talking letter grades; Haire: they call it level of service; so the other one the drive at the Inn at Winchester Trail is currently a level C; Lynch: it's currently C; Haire: yes; it says it would decrease the level of service to a D and increase the delay at the intersection to an average of 16.4 seconds which is considered acceptable; and mitigation is not triggered based on this level of service; Bennett: when is mitigation; Haire: those are private drives so typically its only if it impacts the public roadway portion that would require mitigation; we have development taking place on both sides of this roadway; so it's a bigger solution than one property owner; and also it's private drive; so those private entities would have to be part of any solution that we're doing there as well; Bennett: I guess part of my concern is that if we make, regardless of whether its private or public, but if its private and that gets to be a bigger challenge are we starting to affect entrepreneur's desire; is that becoming a less desirable place to put your business; if it's already a struggle to get out in the one intersection; we're talking about its 101 feet and now it's going to be 195 feet; I'm just putting my concerns on the table; Haire: with that development specifically there's a lot of behaviors that change that would lead to a lot less congestion; and they've tried a number of times to add signage to direct people further back to other intersections to go northbound on Gender Road and people are slowly changing their behavior but it's a slow process; if you go further west you go back east; it makes a lot more sense; you get out quicker; and most people that live here do that; you'll go down in the drive in front of Kroger to get out because you don't want to sit in the congestion by McDonald's; or if you're going southbound you're not going to wait in those; you're going

to go out to Gender Road, and take a right, and go down Gender Road; as people change their behaviors due to congestion, that helps as well; Jarvis: If for some reason, this is the acceptable rating that we're looking at; if it turns out to be optimistic, or based on additional activity – I'm just saying for the future; what would you envision could be done in that area – is this a dead end? You just have to deal with it? Haire: We'd have to get into more specifics on the traffic study, but I think what our engineer, EMH&T, that evaluated this suggested is that there may need to be another traffic signal added at the Inn at Winchester Trail Drive, and the Kroger shopping center drive; there may need to be a requirement for another traffic signal there; or there may be, at Prentiss School, there may be turn restrictions that could take place, that would remove the signal, and place turning restrictions at that intersection, that would change how you're accessing that site; there are other measures that we could take to help traffic in the area; Jarvis: I think that's important; it looks good on paper; Haire: What they've recommended is that there be some sort of site contribution from this development, to address future issues there, and then also any other development that takes place – adding contributions for a long term solution for that roadway; Jarvis: Is there something along the lines of a tif that – Haire: We do have tifs in place; Jarvis: It could be used for these things that we're talking about? Haire: Correct; Amos: I think that a lot of it will depend on the hours of operation; if it goes with the factory setting, it typically goes from 6-2, and 2-10, which is going to hit your not as busy hours; at least we can help traffic; Coolman: Like with TS Trim on the other side of the property, there's something times of day when you go up there – like when I go to Canal Bank, if I'm there around 2:30, I'm going to wait; they're letting shift out; if you go at a different time, it's not bad at all; it has a lot to do with – like you said, the business flow; Clark: I think this just continues to stress the importance of planning, of looking at that road heading all the way down to Bixby, and then pushing that interchange, when you get to the Bixby Road interchange, all that traffic can go that way; that's what I'm going to continue to stress; Haire: Any other options we have that wouldn't make that a dead end would be good to distribute traffic in other directions; Coolman: Lucas, you said that the stacking was an extra 90-something-feet, but the time was only an extra 16 seconds; Haire: Yes; Coolman: So is that fewer number of vehicles, or? Haire: Yeah, that's what the report says; I think their traffic engineer is here, so they can probably answer any other questions you have; Coolman: Fair enough, thank you; Clark: Lucas, I don't know if this would be a question to you, or maybe to our guests later – what would be the typical employment for buildings of those sizes? I know it's a hard, arbitrary number, but is there any formula to kind of come up with a projection of jobs that come with a building that size? Haire: We've put together some averages in terms of jobs per square foot, and we think that this project would probably result in somewhere between 300-500 jobs for the community; these are speculative in nature; they don't necessarily have it; we don't know exactly what that will be – just based on 20 projects I've put together across central Ohio that are in logistics and distribution, it's somewhere in that range; Walker: It would certainly be good for the city; Lynch: Mr. Haire, are the current utilities large enough to accept a facility like this? Haire: Yes, we currently have 12-inch water and a 12-inch sanitary sewer line that run between this site and the Home Depot and Kroger; they could handle the capacity, it would not be an issue out there; generally, logistics and distribution are huge utility users; manufacturing, and depending on the process can be a heavy and intensive user.

Jarvis: If there are no other questions right now – did I understand you to say that the traffic engineer is present as well? Haire: I believe so, yes; Jarvis: Does anyone have any other questions for this gentleman, before we move on?

Doug Swain, OPUS: I apologize ahead of time for my voice, I'm coming off of a cold; my name is Doug Swain, I am the Vice President and general manager of the regional office for OPUS development – the OPUS group; with me here, I have Kevin O'Connor, who is also with me on the development team; as Lucas mentioned, we also have our traffic engineer, and our civil engineer as well; again, I apologize for my voice, it's not usually this hoarse; I thought I would give you a brief overview on who the OPUS group is; we are a family-owned business that is based out of Minneapolis, Minnesota; we have been in business for over 60 years; we are no stranger to the Columbus area, we have built over 5 million square feet of modern distribution-type products, similar to what we are talking about this evening; in Groveport, we have also built office buildings here, and up north, and around the city; we've been involved in various projects throughout the Ohio and Indiana regions; we've been an active developer here in this region for a number of years; most recently, a couple of years ago, we finished a building over in Rickenbacker, called the Rickenbacker 8 – it was the 8th building we have built there; we are a fully integrated development company; we started over 60 years ago as a small construction firm, grew over the years to become fully integrated; we have our own development group, in-house; we also have our own architectural and engineering group in-house; we also have our own construction group in-house; we do all of our own construction, we do all of our architectural and structural engineering; we do all of the development, which includes land acquisition – financing, leasing, marketing, and capitalizing various projects; we refer to local civil engineers, and sometimes local other groups to help us with these projects, depending on what the projects entail; we have 8 regional offices today across the country; the furthest west is in Phoenix – Denver, Minneapolis, Chicago, Indianapolis, St. Louis, Kansas City and Des Moines; probably more of a Midwest focus; we're very active typically in the communities that we work in; one of the slides here that you'll see is a sustainability slide, and charitable slide – we have a foundation that the OPUS group has supported over the years; we support groups that we like to be involved with, not just from a project side, but from a charitable side in the communities that we work in; you'll see that we have a variety of organizations that we support; we started working with the CASTO group and Lucas on this site; we think the site lays out well, and is very consistent with some of the growth that you want to see in the area; we're certainly here to answer any kind of questions that you have, either about the company or – a lot of the people in this company have been with the company for 20 plus years; it's a very solid, stable company in terms of the personnel, and the people that have been involved with the organization over a number of years; just kind of gives you a visual of what I mentioned – the 3 different pillars about this – fully integrated; we have operated that way for a number of years, and it works well for us in terms of delivery, and in terms of project delivery on all fronts; our projects have spanned coast to coast; at one time we had 30 offices across the country, and we consolidated and went to a more regional footprint a number of years ago; we're very focused on safety on the project site; if you look at our regional office, we have 12-14 people, and a number of them are project managers that are involved with projects on the construction side; safety is always a key focus of our group, and in everything we do; we have a lot of safety that we incorporate into the operations that we do, as we transact the construction side of business, as well as diversity on the employment side; we have the foundation – just in this region, typically we will, through various grants that we have, provide – usually it's \$150,000 or so to various organizations, charitable organizations that are active in the communities; there are a number of areas that the foundation likes to support; a lot of them are around early childhood education, and youth-type development; the rest of them, it just

kind of gives you a snapshot as I go through – we have developed, and are active in a number of different product types, not just distribution; that has really spanned the ? over the years; in this region, I would say we have mostly focused on the distribution type of assets in some office; we have looked at various multi-family and institutional-type work, but I would say most of the work that we've done here has been focused on the distribution side, and that's what we've always done, and have done well in this area; it's a good product type for this region in general; the experience that our group has really (inaudible) with a variety of different types of projects; everything from office, to distribution, to multi-family, to student housing, campus work or for governments – a lot of variety there in terms of what we've done; we're available for any questions you have, either about this project, or about the company in general; Jarvis: Because we are sort of at the tail-end of this process, can you share with us why you decided to do this kind of a project in Canal Winchester? In that location? Swain: We think – there's a couple of reasons; the access and proximity to Route 33, and being able to jump on a roadway system like 33 that will take you to the city, without any stoplights, on a nice, improved highway is attractive; this area, kind of piggybacking on that, would be the labor story for this general area; if you back up and look at the tenants today that would occupy a building like this, and maybe you could say that this is true of all tenants and all companies in general; there's a real concern to try to get good labor; we think that this is a good labor area, with Lancaster to the south, and proximity to Indianapolis; we think that is a good story, that would be able to tell; we like the amenities that are at this location; if you look at our plan, as we progress it through the development plan process, you will see some walking trails and so forth that take you from the actual development into the retail there that we think will be supportive of the retail but certainly from an employer standpoint; we think it will be an attractive amenity for the employees that can walk over there and have a number of options to eat and go to the grocery and bank and do different things; and the amenities and the retail store there; so we like for really accommodation for all of those reasons; we like the ease of really doing business so far; we've worked with Lucas and we like the story of Canal Winchester; the story that you guys have in terms of growth and the businesses and so forth that you have in the community today; we think all those things align really well with what we're trying to do there; and the type of development that we're trying to do there; Walker: just noticing right off of 33 where the two water areas are would there be possible just fountains there just to add to the attraction right off of 33; just I don't know if that was part of your plan; I didn't see it but I was just curious; Swain: typically they're not part of the plan; but that would be probably be a question for civil; and it comes down to the factor of the cost and what we'd be able to do there; certainly an interesting idea; Walker: what does OPUS stand for; Swain: it's just the name; no relation to the wine or anything like that; I don't know where it came from years ago; like I said it's a family business and the family is still involved in it and some of the members today; when Gerry Rauenhorst started the business it was Rauenhorst construction company and when he transitioned to OPUS I'm not really sure where that came from; Jarvis: I think it's like a symphony; it's a musical term right; Swain: I will say kind of going back to the question about the offices accommodating, the way we initially do have it planned yes it's for the two offices with the larger building; and of course that building could be split up; we have office on all four corners; initially the thought would be that the offices would face out over that water towards the highway area; Lynch: so you are putting offices there; not loading docks; Swain: well there's office fronts on either corner of the building to where we have some additional glass fronts that would accommodate where the offices would typically go there on the corners; and the

way that we have the building designed and it's not 100 percent complete at this point, those would have, or position those offices so that you would look out the front of those offices out towards the water and towards 33; Lynch: and everything in between is loading docks; Swain: and the possibly two of the loading docks, I'm speaking of the big building, so the smaller building has all of its storefronts along the front of Winchester Boulevard; Lynch: are you guys do you build this and lease it out or do you sell it off and move on; Swain: so we are what's known as a merchant builder so our focus is ground up development; we will lease it and we will own it until we lease it and stabilize it; but then typically we will sell these to, typically based on the size and the project and the type of buildings that they are, usually other institutional type of owners; in fact, almost always, so a large pension fund or a large insurance company that will come and acquire the buildings for a longer term hold and manage them; these are typically, largely because of the size of the investment, they are larger institutional owners that contract with local professional brokerage firms; usually one of the big two or three or four demands them and continue to lease them; Clark: is there any brick in the architecture mix of this; you'll notice as you go out there; there is brick on every building that is out there almost; I think it's mandatory; the brick façade of all the buildings; Haire: yes for some of the commercial the developer specified a certain brick that's used in; Clark: and I know that's added cost and I'm not asking you to break the bank but just if there could be some mixture; if you could look and its feasible in you're, to kind of look like some of the other building that are there; the brick theme there; Swain: we are still designing the elevations of these buildings; our architect, our in house architect typically does a really good job spending time in the community; he's been out to this community; and try to incorporate some of the surrounding architecture into that development; note well taken; Clark: thank you; Walker: it say a lot to me that Casto is on board too with this; Swain: yes; Walker: because they obviously lease out the property and they're not concerned about the traffic and leasing the property; with all those three things in line we're not worried about losing any business or people coming in; Clark: Casto's just a land owner; Walker: yeah they are; Swain: they are fully aware and supportive of the project and we are keeping them informed as to the step by step progress of so they're very update to date as far as traffic and what we're doing there and the project in general; and they're supportive of it; Jarvis: when we talk about development vision or whatever, this is the kind of project that we really hope for; and it doesn't bring children into the school system; it provides revenue for the city; it's a good jolt to the local economy as well; you touched on that point; but you probably picked up on the fact that the one thing we're a little nervous about because the way the traffic moves around there is what kind of an affect this will be you know; if it's a reasonable degradation then it's something we can all live with and residents won't have a problem with; but if you have a traffic engineer here with you tonight, if they could address that and kind of let us know what they see in this; Swain: I have one add on comment; also as the owner of the project and the one putting in significant investment of dollars and time also look at that; the last thing we would want to do as the owner of the project is create an environment that would make it difficult for companies to come in there and feel comfortable leasing the space and feel comfortable that they would have easy ingress and egress out of the site; from our perspective we look and spend a lot of time with them looking at those varied things as well; Jarvis: that's a great point; if you didn't believe it was going to be a very workable solution after then you wouldn't be there; we wouldn't be having this conversation; Swain: correct; we've got a considerable dollar expenditure investment and we want to make sure we get it right; Lynch: in the Columbus area do you have a comparable project to this in close

proximity to a commercial area much like what you're doing here; I mean its all commercial in front then of course you're building limited manufacturing behind it; do you have any place here in Columbus very similar to where you've done this; Swain: of the distribution facilities that we've built they are mostly over in the Groveport marketplace; Lynch: around Rickenbacker; Swain: around Rickenbacker; so if you're asking if we have any close to kind of the retail proximity I would say five, six, seven, eight, ten years ago what you would look at as an ideal location sitting in the middle of an industrial park where there's comparable buildings on all four sides and up and down the parkway and that's what you have in Rickenbacker; two things have happened; one, land there for the most part is developed so there's not a lot of land there; but the other thing that's happened that has made this site more attractive today than it would have been four or five years ago is the proximity of the retail; because there is a recognition by employers that we need to provide amenities for our employees; and that's going to make it better for us to be able to track employees and for someone that's going to come and work there a long time; a long period of time and be a stable and consistent employee; so these amenities there, being able to walk across and go across the street and grab; or go to the supermarket and do different things like that; Lynch: there will be trails connecting; Swain: so I think the market has just changed a little bit; the land that has been available; and the desire to locate next to amenities like this is changed a little bit; most of the land that we had and have developed has been in more your distribution parks; your modern distribution parks like Groveport; we built an office building in Westerville; we built over in Grove City; we've built in a number of areas; but I would say next to this amenity type of area, that's what your question is, this would be a first; but I will tell you in some of the other markets that we're developing in currently as I stand here you've got sites that I would look at and say this is just like Canal Winchester; where we're coming in with a mid-size building and maybe a slightly larger and building next to a lot of amenities in areas growing just like your community is; so again, rewind five years ago, we may not have been as interested in that site but the dynamics have changed a little bit today; Haire: Mr. Lynch, a good example would be Grove City; so Grove City, if you look at Stringtown and Gantz Road; Gantz Road serves a huge distribution and warehouse facilities but then you have Stringtown Road; you've got all the retail associated with Stringtown Road that's in very close proximity and in very close proximity to 71; Lynch: I was just trying to get a relationship between the traffic of trucks and logistics vehicles coming in and out along with the retail that's there and does it work; Haire: so they have an extensive retail office and as you go further north up Gantz Road there you get into all the distribution uses; Swain: you'll typically have a mix of tenants in a park like this; and some of that is intentional; that's why we have kind of a mid-size building; it's kind of a rear load that can be divided up more easily into smaller tenants; small service companies; small regional distribution type companies; as well as ones that can accommodate slightly larger ones that might be a little more focused on distribution; but you got as real mix there of potential tenants that can go in a park like this; the way we've got it designed; and that's intentional; Coolman: what kind of time frame and kind of walk me through if you don't mind visually; do you start with a smaller building; do you start with a larger building; what kind of time frame; do you get one building completed and get it leased out before you start the next building; because those are pretty significant size buildings; so what kind of time frame are we looking at as far as construction from start to occupancy possibly; Swain: we originally looked at this a couple of different ways; and we looked at phasing it; and where we are right now is we're looking to build both buildings at the same time and part of that has to do with efficiencies that we get from the construction side; efficiencies that we get

from the site and the work that we do on the site to prepare it; if you're doing the work and it's a site, we're going to have to repair the whole site essentially if you can figure out a way to build on all of it its more advantageous to do so; maybe even more importantly we think the market is there so we think that we can stabilize and lease them in a period of time that we would budget; and that budget is hope to close on the property in the Spring; construct them through the balance of a year; so we would expect or we should be able to build and get these building completed by year end if we can get them started by the April time frame let's say; and then we typically budget about a year to get them fully leased; now that could happen sooner; sometimes it slides a little bit later; typically we put it at a year; so that will put you at the end of 2020; Coolman: thank you; Haire: I want to add on the transportation side of things COTA has recently made an announcement; we've been working with them for the last year to year and a half trying to get service extended down here; and they;; be extending the number 25 bus line that will come down basically to Canal Street and then make the westbound turn on Canal Street and then turn north on Prentiss School Drive and then make their final stop behind BW3's; sop that will be hourly service from COTA; currently that's at Refugee and Gender Road; it will extend down Gender Road to this area; that will help with any transportation in terms of potential employees and things like that as another option; Walker: just wanted to add that President Jarvis could be correct; it was a set of compositions by a particular composer or any artistic work especially om a large scale; who knows; Jarvis: and sir you did bring a traffic engineer with you that might be able to address some of our concerns; I appreciate your time and the insight; Swain: absolutely; thank you;

Drew Laurent, Carpenter Marty Transportation: we performed the traffic study for this development and I'm happy to answer any questions you guys may have; Coolman: so I had a question earlier that Mr. Haire deferred to you and that was on the study the stacking on Prentiss School was an additional 93 feet; Laurent: I think what Lucas was referring to was the southbound approach of the shopping center intersection to the west of Prentiss School; so that's about 100 feet queue right now based on our analysis and that would be extended by another 90 feet; basically a way of explaining that is right now that drive is pretty far to the west along Winchester Boulevard; there's not a lot of traffic going further west on Winchester so with this development naturally we are going to see more eastbound westbound traffic along Winchester which would increase that delay slightly and the queuing as well; and as Lucas did mention the possibility of signalization in the future depending on how the rest of this area develops; Coolman: what's your opinion if the future development continues in that area do you think, I know it's hard and no one has a crystal ball, but do you think that's a good area for a future traffic signal; Laurent: sure yes, it's hard to tell right now but you get growth rates from MORPC that help us project out traffic for the future along this roadway and we show that the level of service did reach failure ten years from now based on those growth rates; but obviously anything can happen within these next ten years; Haire: they did take into account in the study the development taking place currently on the south side; the office space that's currently planned as well as there is projections in the for an additional hotel location based on some acquisitions that were made of property there; those were taken into account but they didn't take into account any other future developments; so any future developments on the south side would also have to do a traffic study to show what their impacts would be on this roadway; Coolman: I think that as long as there's the possibility of having a traffic signal put in there if demand calls for it I

think that's important; Jarvis: if there are no additional comments or questions I will entertain motion to forward ordinance 18-046 to full council;

A motion was made by Clark to move ordinance 18-046 to council, seconded by Coolman. The motion carried with the following vote:

Yes 7- Clark, Coolman, Amos, Bennett, Lynch, Jarvis, Walker

ORD-18-047

An Ordinance Adopting Section 1198 Of The Codified Ordinances Regarding Residential Appearance Standards ([Ordinance, Exhibit A, Residential Appearance Standards Redline Copy, P&Z Recommendation](#))

Moore: I will try to be brief since I think I am supposed to be done by 7:00 with two of these; so the first zoning text amendment is to repeal chapter 1130 the residential design standards and to create chapter 1198 the residential appearance standards; based on the email I sent you guys a little over a week ago as kind of a sum; city council adopted a committee to review our current residential design standards to see if they were okay as is or if they needed to be modified, added onto or completely removed; that committee determined that they needed to be updated to today's standards and what the committee felt was inappropriate standards to set forth a new growth of residential homes that would endure it for the future and kind of last and be similar to what our committee called kind of what our downtown has here; it has that charm; that makes it last; when looking at that the committee looked at adopting these new standards; I presented this update to you guys in September or August; and then touched on getting your guys head nod to planning and zoning so planning and zoning could review it and send it back to you with any recommendations; so I'm not going to cover all the dame stuff you guys have seen; I'm just going to talk about the changes since the planning and zoning has stayed; I'll try to save some time; again this document does have the new structure to compared to the existing; we really dive into the purpose of it in the first section here talking about why we have it; what this document does; when looking at what it applies to is in the next concurrent section; and then when looking at the residential design requirements this is where a lot of the changes took place; at the September planning and zoning commission meeting a member of the BIA the Building Industry Association of Central Ohio was present at that meeting he made it in the public comments section very clear that he wanted to be a part of the discussion to adopt these new standards and that the BIA was a part of the original standards that we have now and that he wanted to have his group involved and to help with any definitions that should be changed to make it more clear for the Builder Industry Association and just developers in general and then to basically understand in a more clear manner what the intent of this code section was; so we held that meeting on September 21st; planning and zoning tabled their discussion in the September meeting to basically hear that feedback from that organization during that feedback meeting we got some direction to help clear some language up; help understand what we meant by certain sections; some things were just not feasible; so how to make them feasible with change of language; everything in bold here I'm going to talk about is the changes that was made; then everything striped out is just what was changed and removed based on that feedback; so the first big section here we discussed having architectural diversity and they wanted to understand why we were trying to accomplish that; so right off the bat the beginning first sentence is to discourage the appearance of tact type housing; they asked what we were trying to accomplish and we said that's a good first line to throw in there; then to help accomplish that they helped us come up with different key words; one item they had a problem with was

using the word model; a lot of builders only have two or three models and they change elevation enough to make the model look different; so we changed it to houses of same or very similar design; then with some components in the next section kind of helped define what that means; the help also clarified the graphics in here are for your presentation and what we would present to developers but would not be in the zoning text; the pictures are here to help make things more clear this evening; so again some of the here is to have houses of the same and very similar design have more deviation and be further apart in the same subdivision and on the same street; these two graphics are just showing how the houses would be; none of the lots shown have the same or similar house on them; and then when defining on what those minimum variations are we have table 1 and 2; so the house to be not the same or substantially similar; has to incorporate two changes from each table 1 and 2; so there'd be a minimum of four changes as quantified by this that makes them a completely different house; moving forward; we talked about the importance of chimneys and driveways and what both of those do to just the appearance driving down the road; one of the things the BIA just wanted to ask us about was it looks like we're encouraging more on street parking; we explained that on street parking slows down traffic and council loves slowing down traffic to make people happy; so that was a good thing; that's just something they're not used to hearing; that kind of helped explain why we wanted that to happen; another item that we wanted to clarify is our current standards really restricted a lot of designs of architecture from happening by requiring porches on every single home; and so we kind of explained that we wanted that porch to be that front entry; to be the main feature of the house; to make you focus on the front door rather than the garage; so they talked about different alternatives to accomplish that so we would change that to basically explain in words what we were trying to do with the front porches; the focus on the front door and to make the garage secondary; and to make your front entrance of your house inviting and you want to walk up to the house one other option we found that fit a multitude of architectural styles aside from front porches are porticos; a portico can be a porch but a porch cannot be a portico; basically a porch is always attached and a portico can be detached; just kind of mixing up those definitions and kind of showing a little bit of what we're trying to highlight as that front entry of the home; and again we're allowing these elements to protrude closer to the street as they do not effect building setbacks, lot coverage, things of that nature; it would be a current restriction requiring thee on every single house; other items we kind of helped define clearer is finished building materials; we wanted to say that the finished building materials shall be detailed on all sides of the building and shall match all elevations so that way we weren't getting a mix of materials that weren't compatible with each other; the BIA was concerned about four sided architecture and what counted as four sided architecture; we incorporated some items here listed in bold in the se bullets; we asked them to provide us with a comprehensive list of what they would consider architectural elements; they failed to provide us with anything; this is just kind of what we've come up with and we're moving on with; and then again with the garages we discussed that the front entry needs to be the focal point of the house not the garage; so just in the garage section completely saying that it should not be the focal point of the house and it should be scaled and massed appropriately for that type of home; in terms of other clarifications for them they wanted to know why we were requiring gutters and downspouts; we basically said the Ohio building code does not require them but we want to require them; they also had questions about the drainage; so we also had to explain what that drainage system does; they're used to either all to storm sewer or all to ditches that lead to soils to ponds and not a combination of both; so we explained we want to accommodate both because we can do both; they had a concern about in the windows and the shutters section kind of grouping only the materials as painted wood, vinyl, synthetic, pvc or hardy plank as being the only materials; and kind explained as technology gets better, new materials are

invented and different things could be evolved and do we want to only allow these certain things; we're open to different things; this is just what's out there right now; so we kind of added in anything substantially similar as determined by P&Z; so if they want to present something that's better, newer, we're not prohibiting that; and then with the vinyl home section that meeting they were confused on how the vinyl homes section worked with the four sided architecture section; does one cancel out the other; we wanted to explain that the vinyl home section is in addition to the four sided architecture; so if you wanted to build and all vinyl home it just had to be a much nicer home; so we just explained that with this beginning bold paragraph here as well; and kind of explained that anything from the table below that that's counted in the architectural element; that doesn't count towards this; you have to pick something else; basically just stacking more things on to make it a much nicer project; and then again they were concerned about the pigeon holing as certain materials are approved or appropriate; we're allowing for that flexibility for those things to change in the future; I know that was really quick but if I have any specific questions on anything I would be glad to go back and help cover them; but the main takeaway is the planning and zoning commission had the first public hearing; a member was there to discuss wanting to be involved as they have been in the past; we had that meeting; we took their input; planning and zoning was actually really happy with these changes; we were concerned specifically with requiring front porches on every home; and that kind of removed Georgian style architecture things of all brick homes that don't really have a front porch element and really wanted us to focus on why we want the front entry to be the focal point of the house and not the garage; things of that nature; the commission had that discussion in September and they were really happy in October; they think this is a major step forward and to what we expect for future growth; any specific questions; Walker: was there a particular amount of, I didn't notice if there was, of side load garages that will be expected; Coolman: 20 percent; Moore: in this change our current standard require 20 percent side load; we are upping that to 25 but we're also allowing detached garages; so it could be detached or side load; as long as a new development has a quarter of that mixed in to help kind of break apart the architecture and the design; so we've added a new element I guess allowing a detached garage; Lynch: Mr. Moore, the front load garage sitting four feet back, was there a pushback from the BIA in that particular text; Moore: no, one of the members that was there actually was a custom home builder and he said he could do everything our list asks for; Lynch: so in this text it's no different than what was in the 1130 texts when it comes to four foot setbacks on properties; Moore: no that section is completely the same; Lynch: the Middletown Farms that's one of the things they're trying to get us to overstep; Moore: that was one of the items I believe with that specific development their current layouts don't accommodate that; Lynch: they said they could not do it without challenges; Haire: Mr. Lynch, we did have that discussion with the BIA about the four foot setback; they were concerned with requiring the garage to be setback from the front of the home; Lynch: but doable; Haire: we told them that the committee, that was a priority of theirs; so we would not amend that with our proposal; Lynch: great job on putting this all together; I think it's a great step in moving forward in how we develop Canal Winchester; Amos: Mr. Moore, with the addition of the attached garages would that require a larger amount of property to develop on; Moore: not necessarily; Haire: if it's a planned district you can change the setbacks and things for a detached garage; our current requirement, is it ten feet or fifteen Andrew, for an accessory building to setback from a house; Moore: ten feet; Haire: so we require it to be ten feet away but you could make it five feet away if the planned district renegotiated with us; Walker: a side load would probably create a little bit more because you have to be able to pull in; Haire: typically side loads a wider lot; a detached can actually be more narrow especially if you have a one care driveway that then goes back beside you home but opens up into a bigger driveway if its located to the rear; Moore: so there's another version of this rendering

where the garage is actually pushed back and is not touching the house; and the driveway is the exact same width going all the way back; so if you just imagine this; the garage not attached and pushed back; it doesn't change that lot width at all in this conceptual rendering; Coolman: question on the vinyl siding; I'm not a builder so I don't know how thick vinyl siding and everything is but what I do know is that vinyl siding can be insulated or non-insulated; so being a higher scale type format I don't see any working in this about insulated vinyl siding; is that what you try to keep in mind with the thickness of the vinyl you're using ; Moore: so none of the communities that we piggy backed or borrowed text from or modified text from, none of them that we found in central Ohio talk about the insulation of the siding; it's really about the premium of the gauge; and the nicer gauge we saw is that .046 that's where it becomes something that you're not going to Lowes to purchase; Haire: normally when you get into that premium siding it has a much greater wind load; and so they can get into two hundred plus mile per hour winds; being rated for those; Coolman: can they rate them for hail damage; I don't know that they rate for hail damage; but the thicker it is the less prone it is to any type of cracking with flexibility its more rigid; Coolman: a lot of times people that build vinyl homes they like the insulation because with masonry reflects sound and vinyl normally absorbs it; so if they want to reflect sound they insulate the vinyl; Walker: so the .046 will be our standard; Haire: yes; Lynch: your average siding is usually a .044; so that's kind of average; so this takes it a notch up; then you got a .048 which is even better but there's not a lot of homes that are actually built out of that; this is kind of a fair compromise as far as not cheap not just right in the middle; Moore: just as kind of a side note I recently learned at one of the landmarks meetings that there are communities whose landfills are not accepting vinyl siding in the landfill; they actually have to store them in a warehouse because they're a contaminant; so there's a lot of processes being done with vinyl that change the way it has been made in the past that way it can be more or less thrown away safely; so that was one of the discussions I learned last month and landmarks; Coalman: my other question was when I was looking through this the shingles you talked about; these are the minimum standards right; so you talk about three tab shingle and you talk about the weight of the shingle; and again to get with wind endurance and my business that I work in personally we go on wind endurance; so with what is proposed on the three tab do you know where that ranks with today's upscale shingle that they're now marketing; Moore: no that is not something that we looked at specifically; Haire: what we're doing is looking at the product itself and mostly the appearance of the product; not necessarily the building code requirements of the product; Coolman: and again it's a minimum; Haire: correct; Lynch: yeah these are all minimum aesthetic standards for everything; Haire: and the aesthetics on requiring thicker vinyl is really because you've all driven by homes that were built with the economy vinyl where you get the waviness in that after a few years; your neighbor's window reflects the sunlight and it melts your siding; it happened on certain subdivisions that are in proximity to Canal Winchester; that was more of the goal behind those; Bennett: Mr. Moore, I wasn't part of the committee, when detached garages were discussed I guess was the minimum setback discussed as being greater or are we still looking at four feet from the front; Moore: if its detached as long as it's behind the front of the house; Bennett: so it's still four feet; Moore: council would like it to; as interpreted if its detached it could be even with the front of the house and just be a detached garage; Bennett: when I think of those attractive homes with detached garages the garage is usually pushed further back almost behind the home; Jarvis: kind of like a carriage house or something; Haier: so it would have to be ten feet away from the existing house; so you'd have ten feet between a house and a garage if it were in line; I don't think I've ever seen that; Walker: I've also seen some where you have the house with somewhat of a walkway; Haire: breezeway; Walker: to the garage that are attractive; Moore: this definition would count a breezeway attached as a detached garage; Walker: that would look great; Walker: great job;

Jarvis: I'd like to echo that as well; Mr. Lynch and everyone else seems to feel that this is a really good piece of staff work; you have listened and you have been asked to incorporate different viewpoints into this document; it may not be the end all for the end of time but it is certainly much better than what we have currently on the books; and if someone feels like it's too high you can always come down if the circumstances dictate; but it's hard to go the other direction; Moore: so this again is just a recap; if there's any panned district this is the baseline of where you start that conversation from and then you can go wither direction based on what that's specific communities' goals are; so that's where we see this document being used is new growth and kind of setting a standard that we want you to get here then they make this fluctuation to make that community their community; Jarvis: I think you nailed it; very close; Coolman: job well done;

A motion was made by Coolman to forward 18-047 to full council, seconded by Lynch. The motion carried with the following vote:

Yes 7- Coolman, Lynch, Amos, Bennett, Clark, Jarvis, Walker

ORD-18-048

An Ordinance Amending Section 11991 Of The Codified Ordinances Regarding Landscaping And Screening ([Ordinance, CHAPTER 1191 Redline Copy, P&Z Recommendation](#))

Jarvis: Mr. Moore, are you delivering that one, too? Moore: This is the last one I have, I promise; this update is a general update to chapter 11-91, landscaping and screening; as you all are aware, for the past several years, we have been working really hard to update our entire zoning code, one chapter at a time, basically to bring it up to current standards, to do new things, and learn from things that haven't worked in the past; this is one that we have been working on this year; it's really been on my plate for the past several years; with this update, this chapter is very long, so I'm not going to talk about anything that's staying the same, I'm going to just talk about the changes; if you guys have any specific question along the way, stop me; I'm just going to talk about why we've structured this document the way that we did, and what makes it different from the way that it was; planning & zoning commission heard this update on the October 8th meeting; at that meeting, they made a recommendation to offer approval as presented, with the understanding that it's going to the street tree advisory board on October 30th, before your hearing; I presented it to the street tree advisory board on October 30th; they didn't have any questions, once things were clarified, on why things were changed, and what they meant; a lot of the questions that they had were questions that should be directed to you as council; I left those things up to them, to bring to your guys' attention in the future; as standing, neither commission had any questions or concerns about this document; the way that we structured this change is to make this whole chapter cumulative; you read chapters 1-16, and then you kind of add up, divide, subtract as you go through it, rather than pick and choose what applies to you; that was one thing that made the previous layout a little confusing for people, because they didn't know where to look; we have made it more straightforward; as I move through it, you'll see things start to ramp up, and add up, in terms of what the requirements are; in the end, it allows for some exceptions and subtractions to make it a site-specific layout component; this first section here is the purpose – again, this document: anything that's in bold is new, anything that's not in bold is what's existing; you'll see most of it is bold, because it's all new text; in the purpose section, we've added some definitions for clarification; one is just explaining that a caliper of a tree is the tree that is planted; the diameter breast-height of the tree is the size of the tree as it's in the ground, or to be removed; those are just some definitions from the urban forestry side; we define

what a 'major' tree is; we also define what a woodland is; noting that that woodland directly correlates to the Canal Winchester woodlands map; that's something that was missing from our current landscape code, that we wanted to hammer in early on; the first section, right after the definitions is just talking about the preservation of trees in a wooded area; that's saying that's really important to the community, and whenever you're doing any planning, this is of utmost importance, you need to do this first, and take a look at this before you move on and talk about what you want to build; that is the head-off into this section; after you have examined your site, and taken a look at what you can preserve, and keep, there is what has to be removed to get your site to work – a sort of replacement plan, saying if you're going to remove stuff, what you have to replace it with; kind of defining what needs to happen on a site that's not a farm field, it's pretty straightforward, there's nothing to replace in that scenario; immediately after that replacement schedule, we talk about the importance of woodlands; we are directly identifying that with the Canal Winchester woodland map, that I'll be showing later in this presentation, and talking about an amendment to that woodland map, based on foreseen growth, and how the dynamics of the city have changed since it was last approved by the city council; as part of that woodland replacement schedule, we're saying that you have to maintain at least 40% of woodland on your parcel; you can't just clear it, and say you're going to replace all of those trees, just because at that level it becomes almost unquantifiable to replace that magnitude, if you start removing everything; this is the woodland map that I'll refer to at the end of the slide, to just kind of give you a visual; this previous line here is talking about replacement schedule for woodlands; anything that's in green on here is what we're going to be defining as a woodland; 99% of this is the same as the current woodlands map; at the end of the presentation, I'll show you a ? that was added, and is going to be subtracted, just based on current development patterns; once you figure out what your site characteristics are, what you need to replace as part of your plan, in terms of what's existing and if it's in a woodland or not, then you get into this section that talks about what your options are; the way our current code is laid out is you plant tree-for-tree, or inch-for-inch, depending on where you're looking at; it doesn't give you any guidance on how you accomplish that according to site restrictions; when looking at community's codes, and other tree city's codes, there are things that you can allow – like planting bigger trees to account for multiple smaller trees; if you save a bigger tree, it counts for smaller trees that you won't plant later, because you're saving a large, healthy, mature tree; if you physically can't just get the landscaping plan to work for your site, because of its size, and what else is allowed through zoning – you can pay a fee, and basically pay into a fund that allows the community to plant those trees elsewhere, because you can't get them to work on your specific piece of property; once you figure out the current site standards, what you can and can't do with what's existing; then you go into the landscape standards on what we'll be expecting to be a part of your landscape plan; you can see the main item that was added here is to use the urban forest tree and plant list for Canal Winchester as a guide for your landscape plans; our urban forester puts a lot of time into updating this every single year, and it does not have to be followed by anybody; I wanted to incorporate that into what we'd require; Lynch: In the deciduous trees, why are we going with 1-3/4" trees as a minimum? That seems really small; Moore: That is what our urban forester plants for new street trees; Haire: That's his recommendation based on the survival rate of the trees, especially if they're going to be placed in parking lot islands; Lynch: Even for woodland placement it says 2-1/2"; Moore: It's saying that a woodland – that area is more important, but it's being designated by that map as being a woodland; if you're going to replace a tree in the woodland, you have a higher standard; Lynch: It seems small; most of the trees we plant on commercial properties are 2-1/2-3" caliper, and 2-1/2" seems to be a minimum – evergreens, minimum standards for a community are 7-8 foot tall; Peoples: Evergreens don't have the – it's based on 5-foot; Lynch: Evergreens are based on

height yes, so we have 5-foot – I'm saying a lot of other communities have a minimum standard of 7-8 feet; is there a way to make that a little more substantial? We're just looking at a big development behind Kroger that could possibly be put in; if they start putting in small trees – Peoples: We need to get more trees for the cost; when we do our street tree program, we want to get as many trees as we can for the money that we have in the budget; we are buying more trees at a smaller caliper; for the street trees, correct; he just put that standard on to the – Lynch: But in a new development like Middletown Farms, if that was to move forward, the developer would have to put their own trees in, correct? Moore: Correct; this text here – the inch and 3/4 and 5-foot height is what we currently have, that people are reading; that hasn't been changed; if that's something that council wants to make greater, then – right now it's just being left as is; Lynch: I think for new installs, for commercial and residential installs, it would be a good idea; if we are planning our own park, and the street trees are on our own dime, then we have to stretch the budget – that's a little bit different; if we're asking developers to do a certain thing, I think our standards should be higher; Moore: I could say that that's something you guys could amend; that's a conversation you guys should have moving forward; Clark: Is that done in other communities – to have a different – can you have one for one group, and then another group? Lynch: I don't know; Moore: I think what he was asking is if this standard saying that a tree has to be an 1-3/4" size at planting, and that's what this would require for any new development; that's based off of what we plant ourselves; Clark: How do we write it that the city, in the city right-of-way – Moore: We don't have to put anything about our own; Lynch: I guess what your asking is if we can develop a different code for what developers would have to do? Moore: We wouldn't have to write our own code for our own right-of-way planning; Walker: I do remember something about what Mr. Miller said, about the survival rate in a shopping area not being real good; Moore: That's something – when I get to that section, I'll highlight what we've changed; Lynch: But you do have larger islands, you worded that in there? Moore: Yes; this is part of the landscape standards – these are the minimum standards on what would be planted; another item that we wanted to add is having a monarch culture as maximum; basically, if one subdivision plants all ash trees down one street, if there's another disease, and all the trees; in this case, if it's a development that's big enough, or there were a number of trees that were big enough, you would only look at a 15% loss if there were a catastrophic failure, versus 100%; it's really to promote diversity, and promote the entire forest canopy to evolve in a more natural item – that was another item that we incorporated, that I think was taken from another community locally; in terms of the development standards – this is where a lot of the items were tailored based on what planning & Zoning have learned, based on what Lucas and myself have learned; in terms of what people can and can't do, flat out don't want to do – in terms of the variance process; when looking at non-residential uses, we've broken these into different categories; the first category here is commercial and industrial; the commercial and industrial tree ratio is based off of the size of the building; if you have a building that's 1 square foot-30,000 square feet, that's one tree per 1,000 square feet of the building; between 30,000 and 60 is one tree per every 2,000 square feet; it just gets smaller for a larger building, just based off of if they're using more of that same site for a building, that provides less area for trees to be planted; in our industrial areas, we allow 80% lot coverage; if you imagine a quarter million acre building on a site, and we allow 80% lot coverage – that 20% doesn't allow for 500 trees; that's one item that we wanted to help justify either sections of our code; in terms of the minimum tree planting – for this and the following section, we are capping all development sites to be at a hundred trees maximum; if they're developing something that would require 105 trees, they only have to plant 100 of them on the site; that's basically, again, just based off of what you can physically fit on any property; we've looked at a number of different sites and projects on what could physically fit there; 100 seems to be that tipping

point, where someone is just going to need the variance, because they physically can't get it to work; the last item beyond that is if that scenario comes, where it gets to the 100 cap, but it still can't physically work for whatever the site constraints are; it could be utility easements, roadway easements, things of that nature – over 50 trees planted, the developer can pay into a fund to pay for the other 50 trees; that puts it at the 100 cap point – they plant 50, pay for 50, but they don't reach that until they reach 50 trees on their site alone; Coolman: How much is that fee? Moore: That fee, we are trying to determine right now, to amend the current fee schedule; right now, I believe we are looking at \$300 a tree; Lynch: If you can't fit more than 50 trees on a site, up to 100 trees, you would pay for that additional 50; Moore: Correct; Lynch: Why do we cap that at 100 – I understand that there are some lots that can't fit that, but I was just looking at the OPUS property – you could lose 100 trees on that lot easily; Moore: that was a specific project that we put this map towards; you can actually see an amendment that we want to make this evening, just based on the scale, you can't fit that number when you account for parking; Haire: when you account for parking, there's a gas line on that site, there's detention ponds on that site; once you have the building coverage, the parking coverage, the detention pond requirements that we have in our code, it leaves you very little area to plant; in that case, our current code would require over 1,000 new trees to be planted on that site; Moore: We even did the math, with this update, as written – that project that was proposed as a concept this evening would require almost 500 trees; Lynch: So they put 100 trees in, and they pay us for 400 trees so we can put them all in our parks; Moore: I have a feeling that that would be a variance request; Haire: We've granted variances to Nifco, to Mill-Tech, to BrewDog; Moore: All the large industrial developments; Haire: Those are just recent variances that we granted within the last year; Bennett: Through planning & zoning? Haire: Yes; Moore: Their only advantage is that they can't fit them on the site; Haire: We're continuing to run into this issue any time we get into larger developments; the sites aren't large enough to accommodate a forest that would need to be planted; Lynch: I understand that; if we cap that at 100, we limit what we can collect for funds to use for other trees, to compensate for all the hardscape area that they're putting on their lot; Moore: You're looking at a maximum of \$15,000 paid into a fund by a single project; if they pay for 50 trees, at \$300 a tree, that's \$15,000; Haire: They also pay \$9 per linear foot of frontage, for any frontage that goes into our street tree fund; they're already paying a significant fee for maintenance of trees, long-term; Clark: I thought you said the minimum is 100 – but they can do 50, and buy 50? Moore: They would be paying to get those other 50 on their site; Haire: You're only giving that cap generally on a building that's more than 90,000 square feet – we aren't talking many buildings in Canal Winchester that would be that scale.

Jarvis: In the interest of time, this is going to be going through a regular, 3-reading process; there's opportunities to make changes, if you want along the way; Moore: Thank you; Jarvis: We don't need to figure it out tonight; Moore: The next section – the first section was on commercial and industrial; the next section for this table of what's required is for office, institutional, convalescence, nursing homes, child daycare facilities – this is a more intense use; it has more intense pedestrian presence; we've required more trees to be planted; again, we've capped it at 100; getting at 100 trees for this is going to be a lot harder, because those buildings typically aren't that size; over 50 trees, you can pay a fee to pay for the other 50 if you need to; for residential uses, we do not require any specific standards for residential; right now, it's really just based off of what the developer is taking out; planning & zoning examines that, and says 'well you're taking out 100 trees, you have to plant 100 more trees'; this would require you to plant those 100 trees based on the replacement schedule in section 2; you have to plant 1 tree for every 500 square feet of building ground coverage; on average, you're looking at 4 trees per

house; in addition to whatever they removed to get that development to fit; in this specific instance, we have received this as planting our street trees; you'll plant a tree in the front yard, a tree in the backyard, and 2 in the right-of-way in the front of the house; this code actually allows the developers to plant in the right-of-way if they need the space; if they do plant in the right-of-way, they have to coordinate with the urban forester, who has to go out and do onsite inspections to make sure they're actually planting the tree that they said they were going to, and that was approved; with the master of landscape plans that these developments can do, we don't see this as being an issue; this was one of the things that the street tree advisory board wanted to understand their role in; they can basically approve those plans; it's giving them bigger projects to do, that don't cost them anything; that is to really help plant more trees faster, that way we can actually use our linear fee for lots being developed, to actually maintain trees, and not plant trees; with this, the goal is that there will be a lot more trees planted faster than what we can currently get done on our own; when looking at this standard, this chapter is meant to look at your site, you add up what you need; this is something where you can subtract; if you're saving a lot of trees on your site, you can be credited up to 4 trees to not have to plant; there's qualifications for what counts for those credits; for whatever reason, if you only have to plant 4 trees, and you're saving enough, then you can get out of planting anything; I don't think that's realistic by any means; it is setup in the math to be possible; with the parking standards, this is one where we've modified – we've changed our parking lot minimum island size to match our commercial development standards, which is twice the size of what it is now; now it's a minimum of 4 feet wide, we are changing it to 9; it's a minimum of a parking lot stall length; it's just doubling in size with that, to mimic other sections in our code; we've also, in trying to figure out how to get trees to survive longer than that 7 year average, based on what the constraints they have in islands – if you plant an island that is much bigger at 1,200 cubic feet, then you get an exemption for, instead of a 1:1 ratio of entries, it's a 1:2; the trees you put in that bigger island count as 2 trees a piece; those trees have a higher probability of surviving as they get bigger; as long as you're planting a big, shade tree, and not an ornamental Japanese maple, then you get the credit; in terms of other designs, we don't have any minimum depth for a parking lot island; a lot of times, our urban forester goes out, and they've compacted the soil in the island, and the tree can't mature because of that condition; because of that, the parking lot islands have to be at least 3 feet in depth, with soil that is promoting healthy tree growth; the other sections, 3 and 4 are copied over; the one thing that, again, as I was saying, we would like to amend this evening, based on what was presented in your packets; in doing the math for a large-scale project, it was a misunderstanding at planning & zoning that the parking lot standards were capped at 100 as well, for the maximum trees; when we were reviewing just how they are cumulatively split apart into subsections, it was not - if you had a large building, you could be capped at 100; all of a sudden, you have to plant 1 for every 6 parking spaces; that 100 could be 300 really fast, and you can only pay for 50 in the building, and not pay for anything in the parking standards; subline B in the red, at the bottom, is what we are requesting to be added to this amended, saying that this section also stacks with the section before for the building size; for building, and parking, you're capped at 100, and not just the building; Haire: I think the rest of the changes are just striking out other portions of the code, and I don't know that we need to go into a lot more detail on those; if you have any questions on what's been presented, we would be happy to address those over the next 2 weeks; if you want to talk about them, feel free to call Andrew or myself.

Jarvis: Does anyone have any questions? Thank you, Andrew, for walking us through that; obviously, a lot of thought went into that; some of the math kind of escapes me, I'm not sure how that plays out, but I trust that by experience, or through experience, you know what works and what doesn't; Moore: It's

just really – sections of our code allow for a lot of the lot to be building and parking, and once you allow that, and say you have to plant a forest, it becomes really tricky; we’re trying to figure out how to get our entire zoning code in sync, that was the goal.

A motion was made by Lynch to move ORD-18-048 to full council, seconded by Walker. The motion carried with the following vote:

Yes 7 – Lynch, Walker, Amos, Bennett, Clark, Coolman, Jarvis

D. Staff Report

[18-134](#)

ORD-18-046 Staff Report and Rezoning Application

E. Public Comments - Five Minute Limit Per Person

F. Council Discussion and Recommendation

G. Adjournment @ 7:38 p.m.

A motion was made by Walker to adjourn, seconded by Lynch. The motion carried with the following vote:

Yes 7 – Walker, Lynch, Amos, Bennett, Clark, Coolman, Jarvis

DRAFT

Canal Winchester

*Town Hall
10 North High Street
Canal Winchester, OH 43110*



Meeting Agenda

December 3, 2018

7:00 PM

City Council

*Bruce Jarvis – President
Mike Walker – Vice President
Jill Amos
Will Bennett
Bob Clark
Mike Coolman
Patrick Lynch*

- A. **Call To Order** Mr. Jarvis called the meeting to order at 7:47 p.m.
- B. **Pledge of Allegiance - Bennett**
- C. **Roll Call** Present 7 – Amos, Bennett, Clark, Coolman, Jarvis, Lynch, Walker
- D. **Approval of Minutes**

[MIN-18-053](#)

11-19-18 Work Session Minutes ([WS Minutes](#))

[MIN-18-054](#)

11-19-18 City Council Meeting Minutes ([Council Minutes](#))

A motion was made by Bennett to approve MIN-18-053 & MIN-18-054, seconded by Lynch. The motion carried with the following vote:

Yes 7 – Bennett, Lynch, Amos, Clark, Coolman, Jarvis, Walker

E. **Communications & Petitions**

[18-132](#)

Madison Township Fire Report - November 2018 ([November 2018](#))

Fasone: I'll do my part to be brief, and get you back on time; it's my pleasure to be here and present the report for November; it's pretty innocuous, and bland; I did include – we had a fire on Bowen Road, which I believe is in the township, and not the city limits; I wanted to include it because it was a pretty significant loss; I was off on medical leave on the time, so I can't give you an on-scene report, but I can tell you that the gentleman was outside in his yard doing some mulching, he pulled his tractor into his garage; he didn't notice that he had some smoldering debris inside the tractor itself; it started the fire in the garage, and it went into the house; he lost almost a total of \$300,000; that was very unfortunate, the house was pretty much fully engulfed when we got there; I don't think there was anything we could've done to help his plight; a terrible loss, especially during the holidays; we have Santa Claus in Groveport, we're looking forward to hopefully do that this weekend here as well; Walker: Sir, would you remind us, too, how many fires, or tests were caused by the fire alarms not being checked? I believe you filled us in before on that; I think the mayor was going to put that out in a letter, just to check every January; check your fire – Fasone: We probably put that out in October's report – the fire reports for fire prevention week; off the top of my head, I'd be remiss to give it to you at this time; Walker: We can look back at the minutes; I just wanted to make sure that we do our due diligence; I know Mayor Ebert was going to possibly put it out in our water bill; just to remind everybody that January 1st, or once a year, check your fire alarms; it just really hit me when you informed us of that last time you were here.

[18-136](#)

CW Human Services Quarterly Report ([FY19: Qtr 1 Report](#))

Jarvis: It's from the first quarter of fiscal '19; Jackson: Yes, they are on a July 1-June 30 fiscal year; Jarvis: Okay, and Mr. Lynch, as our representative, is there anything in there that you feel needs called out? Lynch: They've got the super bowl thing coming up; that will be in January, their super bowl weekend is then – they've got the adopt-a-family coming up, too; Jarvis: That's a big one, too.

F. Public Comments - Five Minute Limit Per Person

Roger Sisler: (unintelligible) I was just curious about the progress they're making across the street there, north of the roundabout; I've seen a lot of people go through there every day, picking up my grandchildren; the lift station, everything, I've seen the equipment out there; I was just curious about what's going on; Jarvis: We are at the point where we have had 2 readings; the developer has asked us on the table, which kind of means put it on ice; there's some additional information that needs to be negotiated; this evening, we will touch on it, but just to put it on the table; Sisler: I remember when they put in the lift station years ago, I know you can't hold back progress; I was just curious to how it's coming along; Jarvis: Everyone here is committed to making sure it's the highest quality product that it can be; Haire: Mr. Sisler, you're talking about north of the roundabout, which is Westchester Section 13; they're putting in 46 new houses there; they'll have a new roadway that comes off of Gender Road, and it'll loop over to Lithopolis, and connect those two; those will be along the golf course there; Sisler: (unintelligible); you guys are doing a great job; Walker: Thank you for your service; Jarvis: Thank you for that clarification, the lift station was throwing me off a little bit; Hollins: We'd be happy to get you information or maps, whatever you need if you're interested.

Doctor William Mills, 107 E. Waterloo Street: I sat in your place 30 years ago, and went through this for the original writing for the whole thing; it goes on forever, it's the worst thing you can endure; I know where you're at, so I'm going to move through this like there's no tomorrow; I'm just here to address the situation about some signs; I've got one across the street here that's lighted, and apparently that's not in line with the ordinances; I've been trying to get some things done, and have probably broken some rules; I'm willing to straighten it out, I can tell you that much; life is too short to mess around with this stuff, I think you all agree; that's where we're going to go there; the sign itself – there's 8 parts to it; 7 parts are just what we run into, the 8th part is a black family; as a landlord, I cannot tell them to get out, that's discrimination; with the orders from the town, I can tell them to take that out of there, so they probably did me a favor; that's the way I look at that, I can move it around the building; the other thing we're working with is the fire department, we have a stairway that's not too good; we have a couple of other little signs that we need to get straightened out; we will take care of it, I'll tell you that; like I said, we're moving along here; we have a problem downtown here that it's awful dark; we have a great population coming here in the evenings, but it is real dark; I know they reduced the size of the bulbs in the lights, to help cut back on the electric; I think it hit 80,000 last year, or something like that; so we need to get some bigger lightbulbs in; wherever we can get some more lights down here would help, because it's hard to even see people walking through the crosswalks; that's the high points – any questions? Jarvis: Doc Mills, the way this works is it's kind of a soliloquy – you unload whatever is on your chest, we have a chance to listen and take notes, and take this material you've given us; Mills: The more say, the bigger chance I have of making a mistake; I think that is – all the rest of it is here, there is the article in the paper, because it did a better job describing what I did here; that should've been torn down, according to (inaudible) when we did the project; that was a mistake, too; Jarvis: Let me ask this – do you have a specific outcome that – what's the ideal outcome for you on these issues? I'm looking at signage as the primary issue; Mills: The primary issue is to be able to rent the space; the more restrictive – I get people that come in, and they want to rent something; when they get to the highly detailed signage, they leave; the Kiss Rule needs to be in effect there, to keep it simple; you can make it so detailed, you have to have a calculus degree to figure it out; we made this mistake 30 years ago; we thought we had a great job, and we covered

everything; 30 years later, we screwed up; that's kind of where it's at; anything you can do to simplify it, we'd appreciate it.

G. RESOLUTIONS

H. ORDINANCES

Third Reading

ORD-18-029

Development

Sponsor: Jarvis

An Ordinance To Amend Part 11 Of The Codified Ordinances And The Zoning Map Of The City Of Canal Winchester, Rezoning An Approximately 11.954 Acre Tract Of Land From Exceptional Use (EU) To Planned Residential District (PRD), Owned By The Dwight A. Imler Revocable Living Trust, Located On The Southeast Corner Of The Intersection Of Hayes Road and Lithopolis Road And Consisting Of Parcel Number 184-002994, And To Adopt A Preliminary Development Plan And Development Text For A Proposed 79.5 Acre Planned Residential Development (Middletown Farms) ([Ordinance, Exhibit A, Exhibit B, P&Z Recommendation](#))

- Adoption

Jarvis: We had received a letter in our packets, written by an attorney representing the applicant, asking us for this to be tabled, so that it could be further negotiated between city staff and themselves, to address issues like cost-sharing; I think there's no problem in granting that wish, even though this has kind of been hanging around for a while, it looks like there's still some more discussion; they have asked us to table it – is there a motion to table ORD-18-029?

A motion was made by Walker to table ORD-18-029, seconded by Coolman. The motion carried with the following vote:

Yes 7 – Walker, Coolman, Amos, Bennett, Clark, Jarvis, Lynch

ORD-18-033

Development

Sponsor: Amos

An Ordinance Amending Section 1193 Of The Codified Ordinances Regarding Wireless Communication Facilities ([Ordinance](#))

- Adoption

A motion was made by Amos to adopt ORD-18-033, seconded by Coolman. The motion carried with the following vote:

Yes 7 – Amos, Coolman, Bennett, Clark, Jarvis, Lynch, Walker

ORD-18-038

Public Service

Sponsor: Coolman

An Ordinance To Authorize The Mayor To Enter Into An Amended And Restated Joint Self-Insurance Agreement With The Central Ohio Health Care Consortium For The Provision Of Healthcare Benefits For City Officers And Employees ([Ordinance](#))

- Adoption

A motion was made by Coolman to adopt ORD-18-038, seconded by

Walker. The motion carried with the following vote:

Yes 7 – Coolman, Walker, Amos, Bennett, Clark, Jarvis, Lynch

ORD-18-039

Finance

Sponsor: Bennett

An Ordinance To Authorize The Mayor To Enter Into A Health Services Contract With Franklin County Public Health ([Ordinance, 2019 Contract](#))

- Adoption

A motion was made by Bennett to adopt ORD-18-039, seconded by Amos. The motion carried with the following vote:

Yes 7 – Bennett, Amos, Clark, Coolman, Jarvis, Lynch, Walker

ORD-18-040

Finance

Sponsor: Amos

An Ordinance To Make Final Appropriations For Current Expenses And Other Expenditures Of The City Of Canal Winchester, State Of Ohio, During Fiscal Year Ending December 31, 2019 ([Ordinance](#))

- Adoption

A motion was made by Amos to adopt ORD-18-040, seconded by Coolman. The motion carried with the following vote:

Yes 7 – Amos, Coolman, Bennett, Clark, Jarvis, Lynch, Walker

Second Reading - NONE

First Reading

ORD-18-045

Development

An Ordinance To Amend Part 11 Of The Codified Ordinances And Adopt The Official Woodlands Map For The City Of Canal Winchester ([Ordinance, Exhibit A, Areas Added and Removed](#))

- First Reading Only

ORD-18-046

Development

An Ordinance To Amend Part 11 Of The Codified Ordinances And The Zoning Map Of The City Of Canal Winchester, Rezoning An Approximately 69.237 Acre Tract Of Exceptional Use (EU) To Limited Manufacturing (LM), Owned By Gender/Thirty Three, Located On The North Side Of Winchester Boulevard (PID 184-000532 And 184-000871) ([Ordinance, Exhibit A](#))

- First Reading Only

ORD-18-047

Development

An Ordinance Adopting Section 1198 Of The Codified Ordinances Regarding Residential Appearance Standards ([Ordinance, Exhibit A](#))

- First Reading Only

ORD-18-048

An Ordinance Amending Section 11991 Of The Codified Ordinances

Development

Regarding Landscaping And Screening ([Ordinance](#))

- First Reading Only

[ORD-18-049](#)

Law

An Ordinance To Authorize The Mayor To Enter Into A Settlement Agreement With Rockford Homes, Inc And Declaring An Emergency ([Ordinance, Settlement Agreement](#))

- Request waiver of second and/or third reading and adoption

Bennett: The purpose for this, again, I assume is – Jackson: Court deadlines; Hollins: We’ve been stretching the patience of the court of appeals’ mediator; we did get one additional extension of time, so that we don’t have to go through further brief-writing and all that; they are pressing us to get this done.

A motion was made by Jarvis to waive 2nd and 3rd readings, seconded by Amos. The motion carried with the following vote:

Yes 7 – Jarvis, Amos, Bennett, Clark, Coolman, Lynch, Walker

A motion was made by Jarvis to adopt ORD-18-049, seconded by Coolman. The motion carried with the following vote:

Yes 7 – Jarvis, Amos, Bennett, Clark, Coolman, Lynch, Walker

I. Reports

Fairfield County Sheriff - I don’t have any information for you on garages or trees tonight; stats for November – my part is done, but the other part is not; you’ll receive my stats on our December 17th meeting; as far as our department goes, we’re getting ready for Christmas in the Village on Friday and Saturday; we are concentrating our patrols right now, since it’s the holiday season, on the retail district areas; parking lots, residential areas, and also traffic control; that’s all I have for you today, any questions? Jarvis: Thank you very much.

Law Director - Just want to thank council for its review, consideration, and creativity in helping us get a long-standing dispute with Rockford put to bed with a condo development; your efforts were inaugural; the thing gets settled – I step out of the room, come back, and you guys have figured out how to do it; all compliments to council and the mayor for working through that; I do have a request for an executive session with respect to personnel items at the end of the regular meeting.

Finance Director

[18-135](#)

[Finance Director's Report, 2019 Council Calendar](#)

Jackson: I do not have anything in addition to what was discussed at work session this evening; Jarvis: I’ll repeat something you said earlier about the council calendar, if you’re not going to be here – if you know that, let us know, so that it can be moved, or at least we’ll know not to expect you.

Public Service Director

[18-133](#)

[Public Service Project Updates, Construction Services Update](#)

Peoples: Thank you Mr. Jarvis, just one thing to highlight from the written report – leaf pickup ends on this Friday; we have had a lot of them, they all came down at once; it pushed us back a little bit, we were a little slow to get around, just because there was so much on the ground all at once; Jarvis: This was extended once from December 1st already, right? Peoples: No, it's always been the 7th; Amos: I did want to thank you for the communication that was sent out; I did see that going around on many trails over this past couple weeks; Peoples: We were getting a lot of calls – one of the guys suggested we put something out there, because he was getting stopped a lot; we spent 3 days in Winchester Village; Amos: I forwarded it out to a couple of people, but it was nice to have; Coolman: Mr. Peoples, you feel you can get the rest of the leaves and debris up by Friday? Peoples: We usually have a truck hanging around afterwards; we are scheduling a truck next week to go up to one of the service departments, to get some work done on that; we are also preparing for the winter season; we will keep one truck outfitted with the leaf pickup, and also the street sweeper will still be around; Coolman: The reason I ask is that the subdivision I live in has the fir trees; Peoples: That's where we spent 3 days; there's still people out there straggling; we just do piles, it's not meant for whole subdivisions.

Development Director

18-131

Development Report

Haire: One item I wanted to talk a little more about – COTA, I mentioned previously in the last meeting; COTA is extending line number 25; that will go into effect on January 7th; that'll be the change they're making there – that'll also be the same day that they start service to the park & ride location; they do service changes 3 times a year, so that's the first service change; a lot of the businesses I know were excited about that, because a lot of their employees are walking Gender Road; I am sure you've all seen people walking out there; that'll give folks a safer option to get to Canal Winchester – to work, to shop, to do the business that they need to do; the stops will not actually be on Gender Road themselves; they'll be turning on Canal, stopping on Prentiss School Drive; they'll be returning to the park & ride location; they'll actually loop down, and then the park & ride will be the end of the line; 2 stops in Canal Winchester, one on Prentiss School Drive, and one at the park & ride; Jarvis: When they have a stop, do they have a sign on the sidewalk, or some kind of structure? Haire: It'll just be a sign on the sidewalk, and they'll probably have a pad on that side of the street, since they don't have sidewalks on that side of the street; Jarvis: Okay, so they won't have a shelf, like downtown Columbus; Haire: They typically do that based on the number of people entering and exiting the bus; I can't quote you on specific numbers, when I was with Reynoldsburg we had to build a number of sites, but I can't recall what that number is; I want to say it was over 200 a day – people boarding or exiting the bus, and then they'll build a shelter; we'll have to see what the ridership is like down here; with one bus an hour, it's not going to be a solution for most people, but it'll be a solution for some; Coolman: Did they give any consideration to stopping over at the Walmart side of Gender – there's a lot of people walking over there; Haire: We've tried for a number of years for cooperation on a loop – an end of the line; we worked with Casto, with Walmart, trying to find a solution, and weren't able to find that; that's what led us to a solution of the public roadway for the final stop; Walker: For safety, and being in the middle of the winter, and January coming on – how will we get that word out to the folks that are crossing over from the other side, so that for their safety, we can get that word out? Haire: There should be some notices going up soon; they should be posting a sign soon of where the stops are located, along Gender Road from Refugee all the way down; they'll have some notices out that line 25 will be extended; they generally do that 30 days prior to the bus stop going into effect; I imagine this week is when they'll start putting that out; we'll be putting it out on social media as well; COTA will be putting it out as well; it's a crosstown route – it starts at the Easton Town Center, and comes

down through Gahanna, through Reynoldsburg, down Brice Road, and then down Gender Road.

J. Council Reports

Work Session/Council - Monday, December 17, 2018 at 6:00 p.m.

Organizational Meeting/Work Session/Council - Monday, January 7, 2019 at 6:00 p.m.

Jarvis: Next work session and council meeting is on Monday, December 17th, at 6pm; it is a tradition among council – the last meeting of the year – to do something of a gift exchange with a limit of \$10; it can be a gift certificate, or something you make at home; we're trying to stay out of trouble, so keep it around the price of a meal; be sure to include everybody who is around – if you can do it, great, if you can't, that's alright. We also have the first meeting of 2019, which is on January 7th, which is a Monday.

CW Human Services - Mr. Lynch

CWICC - Mr. Clark

Clark: Our next meeting is January 3rd – let me report, quickly – we did meet on the last Wednesday of November; we approved 2 downtown façade grants; one was for \$6,000, for the third and fifth N. High Street projects; there's also another one approved for \$1,000 that is on – help me, Lucas; Haire: 57 W. Waterloo; Gerald Frederick; Clark: Look out for those, those should be some nice additions for downtown; our next meeting is January 30th at 11:30, at the Interurban Building; I did want to give some kudos to Lucas; he updated the Columbus 2020 today, and did a nice job presenting Canal Winchester economic development projects to Columbus 2020; we had a good exchange about how they can be helpful to our community, and how we can help the region; we talked about 33, and the development in both projects – the land acquisition that we got, and the Speck buildings; they also were interested in the 33/Bixby interchange, and that project; we made some recommendations to them, and see if they can try to help us; see if we can get some seed money in to get that moved to where some engineering is done to it, and maybe some acquisition of right-of-way property, so we at least save that area down there, so at some point an interchange can be built, so a development won't preclude that ever being built; that was discussed as well.

CWJRD - Mr. Bennett/Mrs. Amos

Bennett: We have our next meeting on Thursday, December 20th, 7pm at Town Hall; we have a budget-planning meeting coming up Saturday; last week, we had 3 grant interviews for candidates that came in for our community board member seat for 2019; we had 3 interviews last week for that position; they were all great candidates, we will probably look to have that nomination made at our December meeting; I'll let Ms. Amos speak to our other new event acquisition; Amos: We're having a movie night, we're so excited; the rec department – we've talked about trying to branch out and do some other things that encompass more than just sports for the kids; as a quick rollout, it's something we can incorporate quickly into the program – we are doing a winter movie series of 3 movies; it'll be December with Polar Express and then January and February; it's open to all of the families in Canal Winchester, it'll be a free event; we're hoping to get a lot of kids in, and just get people out and about, and visiting with each other; that's December 15th at Winchester Trail, if any of you want to come, feel free to bring your blanket or a folding chair; come watch the Polar Express with us; Jarvis: I have one suggestion – if you're going to have movies, do you have popcorn? Amos: We do have a popcorn machine that we could break out, but we haven't decided yet; Jarvis: It's a lot of trouble, but it just sort of completes the feel; Amos: I

will say thank you to Amanda Lemke, because she did make sure that we secured the licensing for all of the movies; we're super excited to host something out of the sports element, and we hope to branch off into additional things later next year; Jarvis: I'm very happy to hear that; you never know what catches – you have to try different things, and something might take off; Amos: The schools facilitated movies for a long time through the PTOs; I don't think that they're doing it any longer; I'm not sure if it's a licensing issue, because they are expensive; we are hoping to get all of our families, not just the sports families included; Clark: Might get some new people – new blood that isn't so familiar with the sports side, like 'oh, now I'll do some sports'; Jarvis: That's what it's all about, recruiting; Bennett: It's a way to change the profile of the rec as well; I don't think it's necessarily appropriate to just be a youth athletics organization, we have potential to be much more than that; I like the idea of branching out, not just pigeon-holing ourselves; Amos: It also gives us an opportunity – not many people know that we do offer some adult sports; it's a way for us to – Jarvis: It's an outreach; Amos: It's a way for us to get 5 minutes and say 'we have a lacrosse program', or 'hey did you know we would like to do adult kickball'; there's so many things that we're really trying to bring the community together with; Jarvis: You could do like Marcus Cinemas, and do commercials before the movie rolls; Walker: Offer ping pong, and you're all in trouble.

Destination: Canal Winchester - Mr. Walker

Walker: Next meeting is January 29th, that's a Tuesday, 2019, 6:30 at the Interurban.

K. Old/New Business

Clark: I just have one, it would be new business; can we add development issues to the list of items to discuss in the executive session? Hollins: Absolutely, if there are other subjects – Jarvis: But we have to state that; Hollins: Yes, you do state that; Jarvis: Which he just did, right? Clark: Do we need a vote? Hollins: No, it's just part of a motion – with economic development, the only thing that's different is that it takes a unanimous vote.

L. Adjourn to Executive Session @ 8:26 p.m.

A motion was made by Clark to adjourn to executive session, seconded by Coolman. The motion carried with the following vote:

Yes 7 – Clark, Coolman, Amos, Bennett, Jarvis, Lynch, Walker

Council returned from Executive Session @ 9:26 p.m.

M. Adjournment @ 9:27 p.m.

A motion was made by Coolman to adjourn, seconded by Lynch. The motion carried with the following vote:

Yes 7 – Coolman, Lynch, Amos, Bennett, Clark, Jarvis, Walker

RESOLUTION NO. 18-019

A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF JOSEPH WILDENTHALER TO SERVE A FOUR YEAR TERM AS A MEMBER OF THE PLANNING AND ZONING COMMISSION EXPIRING ON DECEMBER 31, 2022

WHEREAS, the Canal Winchester Code of Ordinances section 1139.01 provides for the establishment of the Planning and Zoning Commission; and

WHEREAS, the Mayor of the City of Canal Winchester is required to appoint members to the Planning and Zoning Commission and City Council is required to approve the Mayor's appointment;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

Section 1: Joseph Wildenthaler shall serve a four (4) year term as a member of the Planning and Zoning Commission as appointed by the Mayor expiring on December 31, 2022.

Section 2: That this resolution shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED _____

PRESIDENT OF COUNCIL

ATTEST _____
CLERK OF COUNCIL

MAYOR

DATE APPROVED _____

APPROVED AS TO FORM:

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Finance Director/Clerk of Council

RESOLUTION NO. 18-020

A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF JOSEPH DONAHUE TO SERVE A FOUR YEAR TERM AS A MEMBER OF THE PLANNING AND ZONING COMMISSION EXPIRING ON DECEMBER 31, 2022

WHEREAS, the Canal Winchester Code of Ordinances section 1139.01 provides for the establishment of the Planning and Zoning Commission; and

WHEREAS, the Mayor of the City of Canal Winchester is required to appoint members to the Planning and Zoning Commission and City Council is required to approve the Mayor's appointment;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

Section 1: Joseph Donahue shall serve a four (4) year term as a member of the Planning and Zoning Commission as appointed by the Mayor expiring on December 31, 2022.

Section 2: That this resolution shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED _____

PRESIDENT OF COUNCIL

ATTEST _____
CLERK OF COUNCIL

MAYOR

DATE APPROVED _____

APPROVED AS TO FORM:

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Finance Director/Clerk of Council

RESOLUTION NO. 18-021

A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF JAMOYA COX TO SERVE A FOUR YEAR TERM AS A MEMBER OF THE LANDMARKS COMMISSION EXPIRING ON DECEMBER 31, 2022

WHEREAS, the Canal Winchester Code of Ordinances section 1139.02 provides for the establishment of the Landmarks Commission; and

WHEREAS, the Mayor of the City of Canal Winchester is required to appoint members to the Landmarks Commission and City Council is required to approve the Mayor's appointment;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

Section 1: Jamoya Cox shall serve a four (4) year term as a member of the Landmarks Commission as appointed by the Mayor expiring on December 31, 2022.

Section 2: That this resolution shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED _____

PRESIDENT OF COUNCIL

ATTEST _____
CLERK OF COUNCIL

MAYOR

DATE APPROVED _____

APPROVED AS TO FORM:

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Finance Director/Clerk of Council

RESOLUTION NO. 18-022

A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF RICHARD DOBDA TO SERVE A FOUR YEAR TERM AS A MEMBER OF THE LANDMARKS COMMISSION EXPIRING ON DECEMBER 31, 2022

WHEREAS, the Canal Winchester Code of Ordinances section 1139.02 provides for the establishment of the Landmarks Commission; and

WHEREAS, the Mayor of the City of Canal Winchester is required to appoint members to the Landmarks Commission and City Council is required to approve the Mayor's appointment;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

Section 1: Richard Dobda shall serve a four (4) year term as a member of the Landmarks Commission as appointed by the Mayor expiring on December 31, 2022.

Section 2: That this resolution shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED _____

PRESIDENT OF COUNCIL

ATTEST _____
CLERK OF COUNCIL

MAYOR

DATE APPROVED _____

APPROVED AS TO FORM:

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Finance Director/Clerk of Council

RESOLUTION NO. 18-023

A RESOLUTION TO APPROVE THE DISTRIBUTION OF 2019 BED TAX GRANT FUNDS

WHEREAS, the City of Canal Winchester collects funds from the Bed Tax Grant and distributes them in the form of grant money to various local non-profit organizations; and

WHEREAS, interested non-profit organizations make formal application through the Bed Tax grant program on an annual basis; and

WHEREAS, the Bed Tax Grant Committee has reviewed the applications and made recommendations on how these grant funds should be distributed;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. That the Council of the City of Canal Winchester approves and authorizes the Finance Director to distribute grant monies in the amounts listed as "Recommended Funding" on the table attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2: That this Resolution shall be in full force and effect from and immediately upon its adoption.

DATE PASSED _____

PRESIDENT OF COUNCIL

ATTEST _____
CLERK OF COUNCIL

MAYOR

DATE APPROVED _____

APPROVED AS TO FORM:

LAW DIRECTOR

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Finance Director/Clerk of Council

**City of Canal Winchester
Bed Tax Grant Applications**

**RES-18-023
Exhibit A**

Total Grant Fund Balance as of 11/30/18 \$123,728.29

Fund Balance Commitments (Not Yet Paid Out)

	CW Historical Society	\$1,000.00
	Destination: Canal Winchester	\$0.00
	Dr. Bender Scholarship	\$1,000.00
		<u>\$2,000.00</u>

Fund Balance Available as of 11/30/18 \$121,728.29

Estimated 2019 Revenue \$ 70,000.00

2019 Budget Commitments

	Destination: Canal Winchester	\$ 35,000.00
	CW Historical Society	\$ 2,000.00
	Dr. Bender Scholarship	\$ 2,000.00
	Bed Tax Grants	\$ 25,000.00
		<u>\$64,000.00</u>

Organization Making Request	2019 Recommended Funding	2019 Amount Requested	Project Description	2018 Award Amt	2018 Report Submitted?	2017 Award Amt
The BrockStrong Foundation	\$ 1,000.00	\$ 9,900.00	Umpire fees for 2019 BrockStrong Labor Day Baseball Tournament	\$ 1,000.00	Yes	\$ - <i>See (1) below</i>
CW Area Historical Society	\$ 2,000.00	\$ 2,000.00	Designing, printing, and distributing National Barber Museum and Hall of Fame brochures	\$ 2,000.00	Yes	\$ 2,000.00
CW After Prom Committee	\$ 2,000.00	\$ 2,000.00	Entertainment and activities for High School After Prom	\$ 2,000.00	Yes	\$ 2,000.00
CW Art Guild	\$ 1,250.00	\$ 1,250.00	2019 Mural project - purchase, signage, installation, and removal of murals	\$ 875.00	Yes	\$ 1,000.00
CW Chamber of Commerce	\$ 1,000.00	\$ 1,000.00	Running Scared 5K marketing	\$ 500.00	N/A	\$ -
CW Human Services	\$ 2,000.00	\$ 2,000.00	Development and expansion of Community Gardens	\$ 2,000.00	Yes	\$ 2,000.00
CW Labor Day Festival	\$ 2,000.00	\$ 2,000.00	Facebook and Columbus Dispatch Advertising for 2019 Festival	\$ 2,000.00	Yes	\$ 2,000.00
CW Lacrosse Association	\$ 2,000.00	\$ 2,000.00	Start up costs (goals and uniforms) for HS level lacrosse program	\$ -	N/A	\$ -
CW Performing Arts Booster	\$ 2,000.00	\$ 2,000.00	2019 Winchester Classic marching band competition expenses - Judges	\$ 1,000.00	Yes	\$ 2,000.00
CW Senior Citizens Club	\$ 1,200.00	\$ 1,200.00	Veteran's Day Celebration - pancake breakfast for veterans and families, hall decoration, advertising, supplies, and signage	\$ 1,500.00	Yes	\$ 1,500.00
Friends for Life Animal Haven	\$ 2,000.00	\$ 2,000.00	Canal Winchester - City Kitty Round Up - Trap-Neuter-Return-Adoption program	\$ 1,000.00	Yes	\$ 1,000.00
Indians Cross Country Boosters	\$ 2,000.00	\$ 2,000.00	The 2019 Dr. Bender 5K Classic - chip timing, race t-shirts, and prizes.	\$ 2,000.00	Yes	\$ 2,000.00
The Miss Canal Winchester Pageant	\$ 750.00	\$ 1,500.00	Expenses for the Queens Luncheon to be held on Labor Day	\$ -	N/A	\$ -
Total Grants Requested	\$ 21,200.00	\$ 30,850.00		\$ 15,875.00		\$ 15,500.00

(1) - Grant application states maximum amount of grant is \$2,000 per requestor

ORDINANCE NO. 18-029

AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND THE ZONING MAP OF THE CITY OF CANAL WINCHESTER, REZONING AN APPROXIMATELY 11.954 ACRE TRACT OF LAND FROM EXCEPTIONAL USE (EU) TO PLANNED RESIDENTIAL DISTRICT (PRD), OWNED BY THE DWIGHT A. IMLER REVOCABLE LIVING TRUST, LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF HAYES ROAD AND LITHOPOLIS ROAD AND CONSISTING OF PARCEL NUMBER PID 184-002994, AND TO ADOPT A PRELIMINARY DEVELOPMENT PLAN AND DEVELOPMENT TEXT FOR A PROPOSED 79.5 ACRE PLANNED RESIDENTIAL DEVELOPMENT (MIDDLETOWN FARMS)

WHEREAS, the rezoning of a 11.954 acre tract of land hereinafter described from Exceptional Use (EU) to Planned Residential District (PRD) has been proposed to the Council of the City of Canal Winchester by the owner, the Dwight A. Imler Revocable Living Trust ("Imler Trust"); and

WHEREAS, such 11.954 acre tract is contiguous to an approximately 67.55 acre tract of land also owned by the Imler Trust and currently zoned Planned Residential District ("PRD"); and

WHEREAS, an accompanying Planned Residential District preliminary development plan and development text has been submitted for the combined 79.5 acre tract for approval; and

WHEREAS, a public hearing has been held by the Planning and Zoning Commission of the City of Canal Winchester, and the Planning and Zoning Commission has recommended that the rezoning, the preliminary plan, and the development text not be approved by City Council; and

WHEREAS, notice of a public hearing has been duly advertised and the public hearing has been held before the Council of the City of Canal Winchester;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, OHIO:

Section 1. That Part 11 of the Codified Ordinances and the Zoning Map of the City of Canal Winchester, Ohio, which is a part thereof, be and hereby is amended as follows:

That approximately 11.954 acres, located at the southeast corner of the intersection of Hayes Road and Lithopolis Road and being a part of PID 184-002994, owned by The Dwight A. Imler Revocable Living Trust, as fully set forth in the description attached hereto as Exhibit A and incorporated herein by reference, is rezoned from Exceptional Use (EU) to Planned Residential District (PRD).

Section 2. That the preliminary development plan and development text of the proposed Middletown Farms as depicted in Exhibit B, attached hereto and made a part of hereof, be and hereby is accepted and approved.

Section 3. That all other provisions of Part 11 of the Codified Ordinances and accompanying zoning map shall remain in full force and effect.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

MAYOR

DATE APPROVED: _____

APPROVED AS TO FORM:

LEGAL COUNCIL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Finance Director/Clerk of Council

11.954 ACRES

Situated in the State of Ohio, County of Franklin, City of Canal Winchester, in Section 1, Township 10, Range 21, Congress Lands, being part of that 70.797 acre tract of land conveyed to The Dwight A. Imler Revocable Living Trust by deed of record in Instrument Number 201607050085266, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

BEGINNING at the centerline intersection of Hayes Road and Lithopolis Road;

Thence South 53° 02' 57" East, with the centerline of said Lithopolis Road, a distance of 406.78 feet to the northwesterly corner of that 8.000 acre tract conveyed to Roger E. Sisler II by deed of record in Instrument Number 201604150045988;

Thence South 36° 43' 38" West, with the westerly line of said 8.000 acre tract, a distance of 721.31 feet to a point;

Thence North 53° 02' 48" West, crossing said 70.797 acre tract, a distance of 666.89 feet to a point in the easterly line of that 5.001 acre tract conveyed as Parcel III to The Dwight A. Imler Revocable Living Trust by deed of record in Instrument Number 201607050085266;

Thence North 00° 27' 50" East, with said easterly line, a distance of 419.95 feet to a point in the centerline of said Hayes Road;

Thence North 89° 50' 16" East, with said centerline, a distance of 635.80 feet to the POINT OF BEGINNING, containing 11.954 acres of land, more or less;

This description is to be used for zoning purposes only, not for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.



Evans, Mechwart, Hambleton & Tilton, Inc.
 Engineers • Surveyors • Planners • Scientists
 5500 New Albany Road, Columbus, OH 43054
 Phone: 614.775.4500 Toll Free: 888.775.3648
 emht.com

ZONING EXHIBIT

SECTION 1, TOWNSHIP 10, RANGE 21

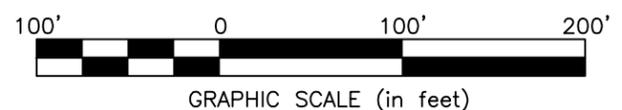
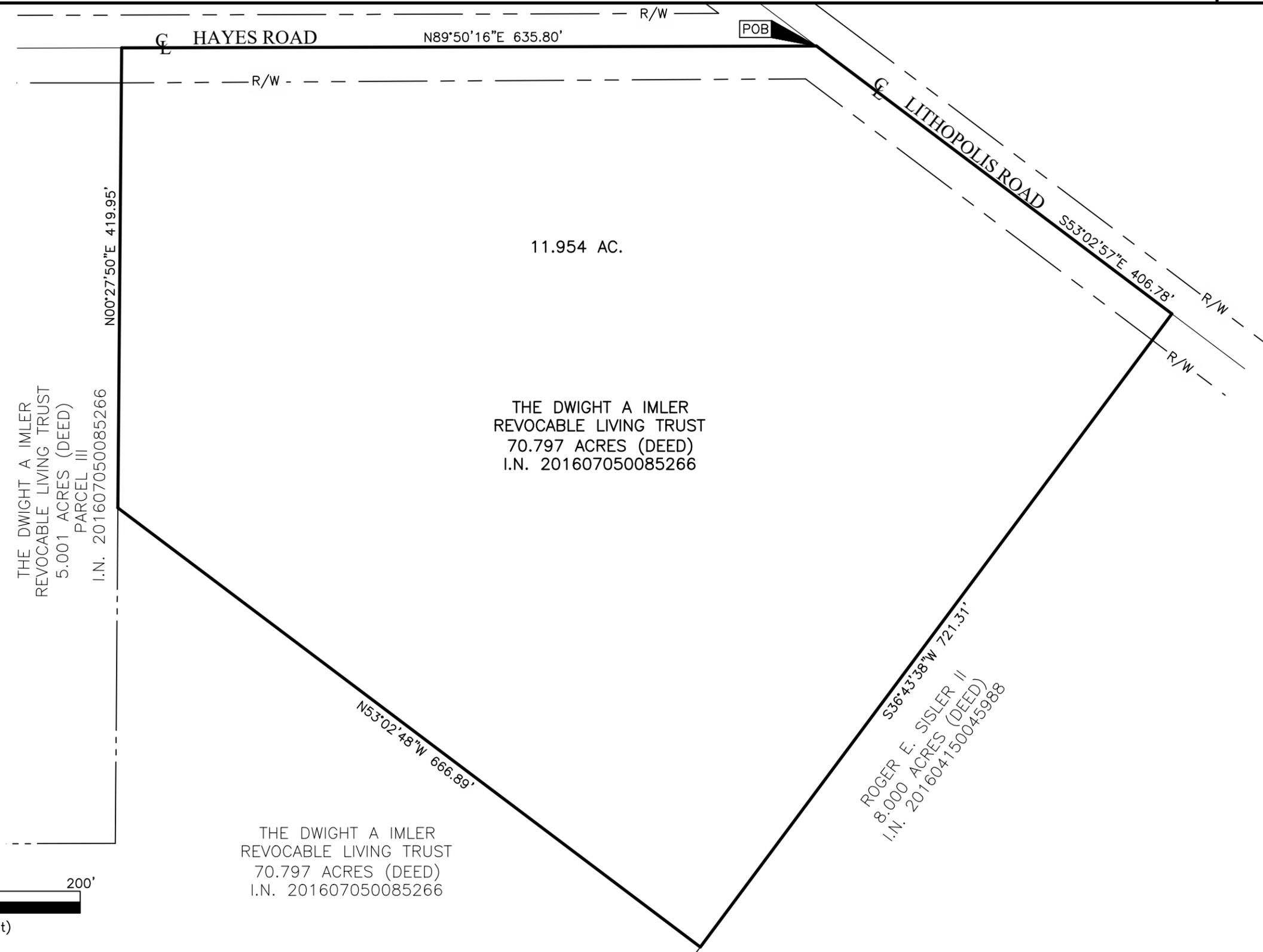
CONGRESS LANDS

CITY OF CANAL WINCHESTER, COUNTY OF FRANKLIN, STATE OF OHIO

Date: November 16, 2017

Scale: 1" = 100'

Job No: 2017-1159



J:\20171159\DWG\04SHEETS\EXHIBITS\20171159-VS-ZONE-01.DWG plotted by KIRK, MATTHEW on 11/17/2017 10:13:21 AM last saved by MKR on 11/17/2017 10:13:04 AM

Middletown Farms

Preliminary Development Plan

Hayes and Oregon Roads

Canal Winchester, Ohio

January 22, 2018

Revised: April 23, 2018

Due to the size of this exhibit, only page one has been included in this packet. To view the entire exhibit, please click [here](#).





To: Amanda Jackson, CMC, Clerk of Council
From: Andrew Moore, Planning and Zoning Administrator
Date: October 9, 2018
RE: Application ZM-17-007 & PDP-17-003

RECOMMENDATION

Regular Meeting of Planning and Zoning Commission held **October 8, 2018**

Motion by Konold, seconded by Wildenthaler, to recommend to council approval of Zoning Map Amendment ZM-17-007; to consider a Zoning Map Amendment from EU to PRD; for 11.954 acres located along at PID: 184-002994 (Located along the corner of Hayes Road and Lithopolis Road). Westport Homes applicant Jack Mautino, Owner Dwight A. Imler Revocable Living Trust.

Voting yes: Mark Caulk; Mike Vasko; Bill Christensen; June Konold; Joe Donahue; Joe Wildenthaler. **Motion Carried with Conditions. 6-0**

Conditions of Approval:

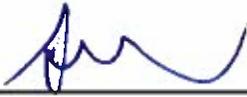
- 1. The development text is modified to comply with Chapter 1130.09 with a maximum lot coverage of 30%.**
- 2. The development text is modified to comply with Chapter 1130.07(a) for any front loaded garage to be setback a minimum four (4) feet behind the front line of the livable area of the home.**

Motion by Vasko, seconded by Wildenthaler, to recommend to council approval of Preliminary Development Plan PDP-17-003; to consider a Preliminary Development Plan for Middletown Farms Planned Residential District; for 79.488 acres located along Hayes Road and Oregon Road (PID 184-002994, 184-003001, & 184-002998). Westport Homes applicant Jack Mautino, Owner Dwight A. Imler Revocable Living Trust.

Voting yes: Mark Caulk; Mike Vasko; Bill Christensen; June Konold; Joe Donahue; Joe Wildenthaler. **Motion Carried with Conditions. 6-0**

Conditions of Approval:

- 1. The development text is modified to comply with Chapter 1130.09 with a maximum lot coverage of 30%.**
- 2. The development text is modified to comply with Chapter 1130.07(a) for any front loaded garage to be setback a minimum four (4) feet behind the front line of the livable area of the home.**



Andrew Moore
Planning and Zoning Administrator

ORDINANCE NO. 18-045

AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND ADOPT THE OFFICIAL WOODLANDS MAP FOR THE CITY OF CANAL WINCHESTER

WHEREAS, Chapter 1191 of the Zoning Code establishes management practices for woodlands within the City of Canal Winchester; and

WHEREAS, the City of Canal Winchester is considering amendments to Chapter 1191; and

WHEREAS, a woodlands map to be used in conjunction with Section 1191.02 has been prepared; and

WHEREAS, Ordinance 43-11 adopting a previous woodlands map shall be repealed;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, OHIO:

Section 1. That Part 11 of the Codified Ordinance of the City of Canal Winchester, Ohio be and hereby is amended by adopting the official woodlands map, which is attached hereto as Exhibit A and incorporated herein by reference.

Section 2. That all other provisions of Part 11 of the Codified Ordinance shall remain in full force and effect.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED _____

PRESIDENT OF COUNCIL

ATTEST _____

CLERK OF COUNCIL

MAYOR

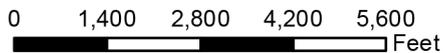
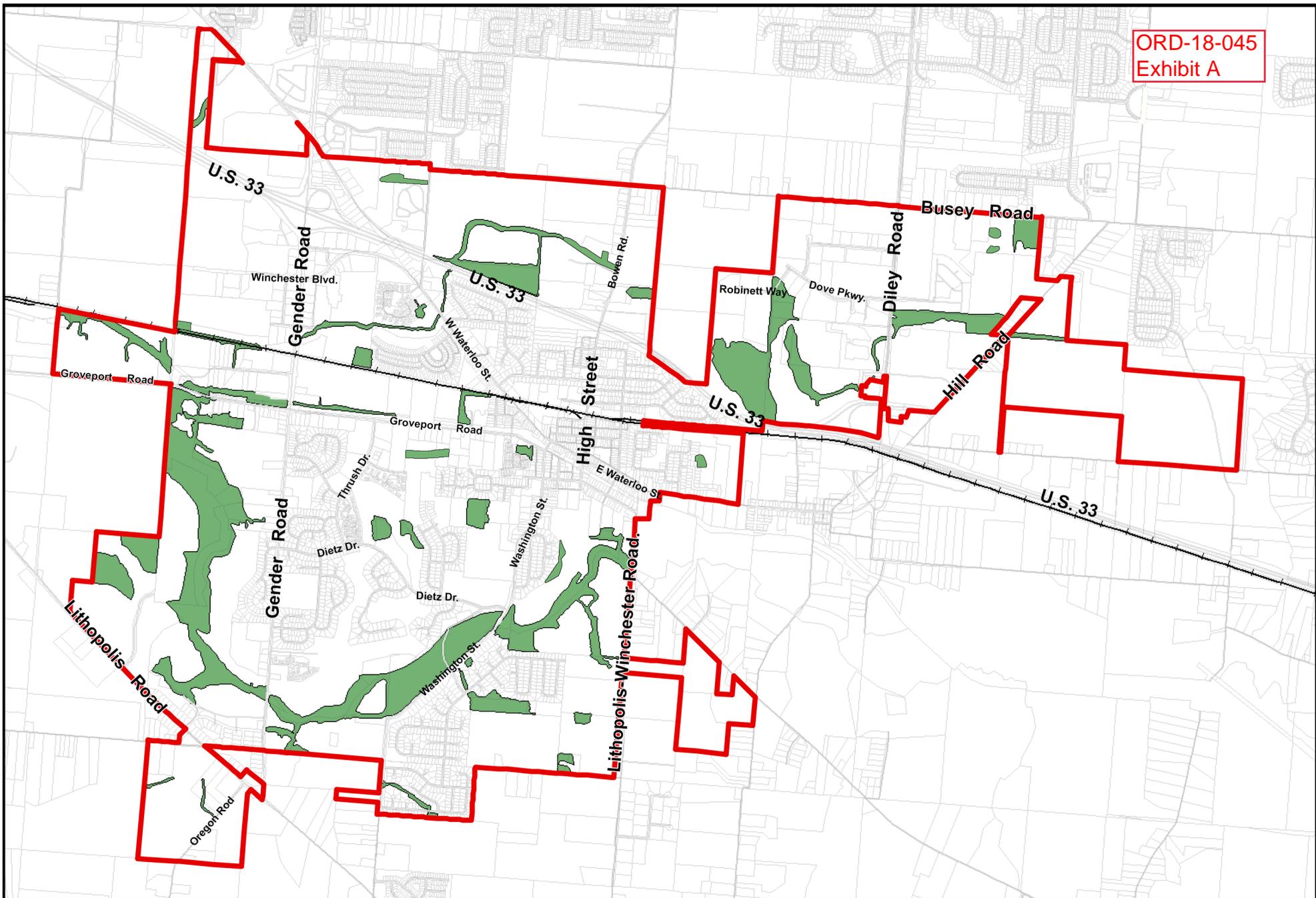
DATE APPROVED _____

APPROVED AS TO FORM:

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Finance Director/Clerk of Council



Official Woodland Map of Canal Winchester



ORDINANCE NO. 18-046

AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND THE ZONING MAP OF THE CITY OF CANAL WINCHESTER, REZONING AN APPROXIMATELY 69.237 ACRE TRACT OF EXCEPTIONAL USE (EU) TO LIMITED MANUFACTURING (LM), OWNED BY GENDER/THIRTY THREE, LOCATED ON THE NORTH SIDE OF WINCHESTER BOULEVARD (PID 184-000532 AND 184-000871)

WHEREAS, the rezoning of the area hereinafter described has been proposed to the Council of the City of Canal Winchester; and

WHEREAS, notice of a public hearing has been duly advertised and the public hearing has been held before the Council of the City of Canal Winchester; and

WHEREAS, a public hearing has been held by the Planning and Zoning Commission of the City of Canal Winchester with a recommendation for approval of the rezoning;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. That Part 11 of the Codified Ordinances and the Zoning Map of the City of Canal Winchester, Ohio, which is part thereof, be and hereby is amended as follows:

That approximately 69.237 acres, located on the north side of Winchester Boulevard, PID 184-000532 and 184-000871, owned by Gender/Thirty Three, as fully set forth in the description attached hereto as Exhibit A and incorporated herein by reference, is rezoned from Exceptional Use (EU) to Limited Manufacturing (LM).

SECTION 2. That all other provisions of Part 11 of the Codified Ordinances and accompanying zoning map shall remain in full force and effect.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

MAYOR

APPROVED AS TO FORM:

DATE APPROVED

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Clerk of Council/Finance Director

ZONING DESCRIPTION

69.237 Acres

Situated in the State of Ohio, county of Franklin, City of Canal Winchester, Section 24, Township 11, Range 21, Congress Lands and being all of those tracts of land as conveyed to Gender/Thirty-three of Official Record 11357F13 and Official Record 1135F16, all deed references refer to the records of The Recorder's Office, Franklin County, Ohio and described as follows:

Beginning for reference at F.C.G.S. Monument 2270 reset located at the intersection of the northerly right-of-way line of Winchester Boulevard extended, also being the southerly line of said Section 24, with the centerline of Gender Road;

Thence, North 85°45'23" West with said northerly right-of-way line and said southerly section line a distance of 1231.68 feet to an iron pin set at the southwesterly corner of a 14.828 acre tract as conveyed to Winchester Square LLC of record in Instrument Number 200412200286893, the northwesterly corner of that 2.119 acre tract as conveyed to the City of Canal Winchester Official Record 31057H09, and the northeasterly corner of that 0.629 tract as conveyed to the City of Canal Winchester of record in Instrument Number 201608180109326, at the **True Point of Beginning** for the description;

Thence, North 85°45'23" West continuing with said South section line, partly with northerly line of said 0.629 acre tract, partly with the northerly line of an original 3.924 acre tract as conveyed to Gender/Thirty-Three of record in Official Record 27286D07 and partly with the northerly line of that 11.280 acre tract of land as conveyed to Phele Investment of record in Instrument Number 201706150081040, a distance of 1493.31 feet to a 13/16" pipe with an EMH&T cap at the northwesterly corner of said 11.280 acre tract and the northeasterly corner of a 78.384 acre tract as conveyed to Baker Levin Farms, LLC of record in Instrument Number 200704240071166, the southeasterly corner of a 134.50 acre tract as conveyed to Baker Levin Farms LLC of record in Instrument Number 200704240071166, also being the southwesterly corner of Section 24 at its common corner with Sections 23, 25, and 26;

Thence, North 4°26'33" East with the easterly line of said 134.50 acre tract and the common line between Section 24 and 23 a distance of 1597.99 feet to a 13/16" pipe found with EMH&T cap at an angle point in said line;

Thence, North 4°20'59" East partly with the easterly line of said 134.50 acre tract and partly with the easterly line of a 20.1366 acre tract as conveyed to Dill's Realty LLC of record in Instrument Number 200111050255847, and the common line between sections 24 and 23 a distance of 866.30 feet to a ¾" pipe found no cap at a corner thereof in the southerly right-of-way line of State Route 33 as recorded in Deed Book 2390, page 592, Parcel 69LA;

Thence, South 61°24'34" East with said southerly limited access right-of-way line a distance of 1698.02 feet to a 5/8" rebar found with a Preferred Surveying Company cap at the northwesterly line of an 11.315 acre tract as conveyed to H.D. Development of Maryland Inc. of record in Instrument Number 200707020115156;

Thence, with the westerly line of said 11.315 acre tract the following courses:

South 26°50'00" West a distance of 217.80 feet to an iron pin set at a corner thereof;
North 85°06'32" West a distance of 135.03 feet to an iron pint set at a corner thereof;

Thence, South 4°55'08" West partly with said westerly line and partly with the westerly line of a 6.395 acre tract as conveyed to Winchester Square LLC of record in Instrument Number 201412150165939 a distance of 822.51 feet to an iron pin set at a corner thereof;

Thence, South 64°45'23" East partly with the westerly line of said 7.393 acre tract and partly with the westerly line of said 14.828 acre tract passing a 13/16" iron pipe found with the EMH&T cap at a distance of 162.39 feet a total distance of 345.56 feet to an iron pin set at a corner thereof;

Thence, South 4°14'37" West with the westerly line of said 14.828 acre tract a distance of 440.00 feet to the **True Point of Beginning** and containing 69.237 acres of land more or less, 51.032 acres being out of PID 184-000532 and 18.205 acres out of PID 184.000871. This description is for zoning purposes only.

ZONING DESCRIPTION

69.237 Acres

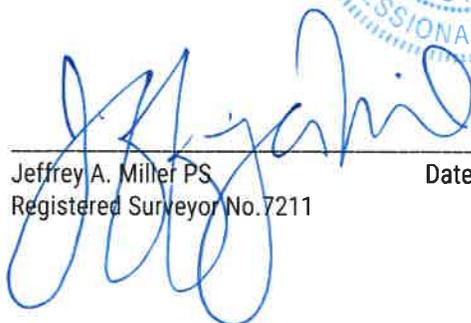
Subject to all covenants, restrictions, reservations and easements contained in any instrument of record pertaining to the above described tract of land.

All iron pins called as set are 5/8" x 30" rebar with yellow cap stamped "CESO".

The basis of bearing is based on a bearing of North 85°45'23" West for the southerly line of Section 24 as determined by GPS observation, based on NAD 83 (2011), Ohio State Plane South zone and post processed using and OPUS Solution.

CESO, Inc.



 9-12-18

Jeffrey A. Miller PS
Registered Surveyor No.7211

Date 9/12/2018

ORDINANCE NO. 18-047

AN ORDINANCE ADOPTING SECTION 1198 OF THE CODIFIED ORDINANCES REGARDING RESIDENTIAL APPEARANCE STANDARDS

WHEREAS, City Council had formed a committee to review standards for residential development in the City of Canal Winchester to further assist developers and city officials in the preparation and review process of said developments; and

WHEREAS, the Residential Appearance Standards prepared by the committee have been presented to the Planning and Zoning Commission who held a public hearing and subsequently recommended their adoption by City Council; and

WHEREAS, Ordinance 82-06 adopting Section 1130 Planning and Zoning Residential Standards shall be repealed;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. Section 1198 Residential Appearance Standards attached hereto as Exhibit "A" are hereby adopted.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

MAYOR

DATE APPROVED

APPROVED AS TO FORM:

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Clerk of Council/Finance Director

CHAPTER 1198
Residential Appearance Standards

1198.01	Purpose	1187.03	Definitions
1198.02	Applicability	1198.04	Residential Design Requirements

1198.01 Purpose

(a) Residential development in Canal Winchester has a direct effect on the character and livability of the community. Therefore, the City of Canal Winchester has the responsibility to adopt standards that promote desirable residential development that fits the context and character of the existing community. The following findings warrant the need for exterior appearance requirements for residential development:

(1) The adopted community plan recommends promoting high quality standards in building design that is in good scale and harmony with surrounding neighborhoods and buildings, and the natural surroundings.

(2) Providing for compliance with appearance regulations will assist in creating quality development with residential neighborhoods.

(3) Limiting the garage appearance within the front elevation limits the negative visual impact.

(4) A balance of natural and synthetic building materials allows for design creativity and promotes a high quality development.

(5) Trim around windows completes the appearance on every elevation.

(6) Placing windows, doors, porches, and other features on each elevation enhances the visual environment and contributes to the overall architectural diversity of a neighborhood.

(7) The lack of detailing, architectural features, and trim on elevations detracts from a dwelling and reduces the visual quality of a neighborhood.

(b) Residential appearance standards provide design requirements that are applicable to single, two, and three-family dwelling units. For purposes of this section, a single-, two-, and three-family dwelling unit will be defined as a "house." These requirements are designed to increase the quality of neighborhoods, to promote positive architectural appearance within residential areas, to encourage design flexibility and creativity, and to establish an interesting, aesthetically pleasing residential environment. It is also the intent of this section to promote durable, quality materials that will allow residential neighborhoods to endure and mature for future generations in the city.

1198.02 Applicability

(a) These requirements shall apply to the construction of all new homes, and additions to homes, unless designated as exempt in section (a)(3).

(1) Compliance Required. These requirements shall apply to any new home or to certain additions or alterations of an existing house constructed in compliance with the regulations of

this section. If an existing home is expanded or altered, the addition or alteration must comply with these architectural requirements when the alteration encompasses more than fifty percent (50%) of the Ground Floor Area (square feet), or the ground floor area is expanded by more than fifty percent (50%).

(2) Minimum Requirements. These requirements are minimum appearance requirements applicable to all houses in all districts, including Planned Development Districts, except as may be specifically approved in the Planned Development District ordinance.

(3) Exemption. Houses in the districts described below are exempt with these requirements:

(A) Houses located within a planned district approved prior to the effective date of this section.

(B) Houses located in a planned district approved after the effective date of this section with specific substitute residential appearance requirements contained in the adopted planned district ordinance. Residential appearance objectives for Planned Development Districts shall be adopted by City Council. These objectives explain more general intents regarding appearance in order to allow for creativity in meeting them through the Planned Development District process. Planned Development District proposals must demonstrate how the proposal addresses the residential appearance objectives and replace these minimum requirements.

(C) Houses located within the Old Town Overlay District (Chapter 1175) are exempt from the requirements of this section. These residential homes shall be regulated by the Landmarks Commission with the Certificate of Appropriateness Procedures for Design Review.

1198.03 Definitions

(a) For the purpose of this section, the following definitions apply:

(1) "*Blank Elevation*" An elevation that lacks the minimum required openings and architectural features, such as windows, doors, exterior chimneys, or other similar architectural features.

(2) "*Breastboard*" A lower flat area of a door or window crosshead.

(3) "*Chimney*" A structure projecting from the exterior wall of a house and enclosing or appearing to enclose a flue that carries off smoke. A chimney may or may not extend vertically to the eaves line or have a foundation/connected to the ground.

(A) "*Cantilevered Chimney*" A chimney that projects from the exterior wall and does not have a foundation or extension to the ground.

(B) "*Shed-type Chimney*" A chimney that does not extend full height vertically to the eaves line. A shed chimney typically includes a direct vent outlet in the chimney wall.

(4) "*Corbel*" A build out of one or more courses of brick or stone from the face of a wall, traditionally to form a support for timbers.

(5) "*Cornice*" Overhang of a pitched roof at the eaves line, usually consisting of a fascia board, a soffit for a closed cornice, and appropriate moldings.

(6) "*Corrugated Metal Roofing*" A roofing material that consists of interlocking rippled metal sheets that are fastened directly to the roof sheathing.

(7) "*Crosshead*" Decorative form that resembles a lintel used to top a door or window, consisting of a breastboard with crown moulding surrounding the top portion, and moulded together as one piece. Crossheads come in heights from 6" to 18". A variety of accessories can be added to complement the design of a simple crosshead.

(8) "*Crown Moulding*" Moulding used on cornice or wherever an interior angle is to be covered.

(9) "*Direct Vent Outlet*" An outlet through an exterior wall associated with the air supply and/or exhaust of a fire burner. It may or may not occur in a projecting box/chimney.

(10) "*Dormer*" A window set vertically in a structure projecting through a sloping roof; also the roofed structure containing that window.

(11) "*Eaves*" The margin or lower part of a roof projecting over a wall.

(12) "*Elevation*" A geometric projection of the front, side, or rear outer surface of a building onto a plane perpendicular to the horizontal; a vertical projection.

(13) "*Façade*" The front, sides or rear faces of a building.

(14) "*Fascia*" A horizontal piece (such as a board) covering the joint between the top of a wall and the projecting eaves also called a fascia board.

(15) "*French Drain*" A French drain or weeping tile is a trench filled with gravel or rock containing a perforated pipe that redirects surface water and groundwater away from an area. A French drain can have perforated hollow pipes along the bottom to quickly vent water that seeps down through the upper gravel or rock.

(16) "*Frieze Board*" A decorated band along the upper part of an exterior wall. In house construction a horizontal member connecting the top of the siding with the soffit of the cornice.

(17) "*Foundation Cladding*" An aesthetic enhancement to the foundation concealing exposed portions with an approved material.

(18) "*Gable*"

(A) *The vertical triangular end of a building from cornice or eaves to ridge.*

(B) *The similar end of a gambrel roof.*

(C) *The end wall of a building.*

(D) *A triangular part of a structure.*

(19) “*Masonry*” Natural or natural-appearing stone or brick.

(20) “*Plinth*” A continuous, usually projecting course of stone or brick forming the base or foundation of a wall.

(21) “*Projection*” Any component of a structure that extends out from the main building.

(22) “*Quoin*” Corner stones that anchor the edge of the building wall or decorative feature to imitate corner stones, which wrap the corner of an elevation and join two abutting walls.

(23) “*Soffit*” *The exposed undersurface of any overhead component of a building.*

(24) “*Standing Seam Metal Roof*” Roofing material constructed of interlocking metal panels that run from the ridge of the roof to the eave. The seams of the two panels are raised above the surface to allow the water to run off rather than seep between the panels. The seams are fastened to the roof using hidden anchors that are located on the raised portion of the panel that is overlapped by the adjacent panel hiding the fastener.

(25) “*Stucco*” A coarse plaster composed of Portland or masonry cement, sand, and hydrated lime mixed with water and applied in a plastic state to form a hard exterior covering.

(26) “*Trim*” The finished woodwork or similar architectural element used to enhance, border or protect the edges of openings or surfaces, such as windows or doors.

(27) “*Vinyl Siding Accessories*” Exterior design elements that serve to provide more visual interest and complement the primary home design.

(28) “*Water Table*” A projecting brick or stone stringcourse, molding or ledge placed to divert rainwater from a building.

1198.04 Residential Design Requirements

(a) Design Requirements. In addition to all applicable zoning and development requirements, the following design requirements shall apply as outlined per 1198.02.

(1) Architectural Diversity (Same house next to each other). To discourage the appearance of tract-type housing, all single-family residential developments shall incorporate architectural diversity.

(A) Houses with the same or very similar design shall not be directly across the street and shall have a minimum 3-lot separation on the same side of the street or diagonal from each other.

(B) Minimum variations in house design shall be created by providing a minimum of two items from each of the two lists below, or by any other means as approved by the Planning and Zoning Commission with a similar degree of variation.

(i) Alterations of perceived scale and massing:

Reorientation/relocation of the garage and driveway.

Change in the basic roof by a change of the roof type, the roof form through the addition of dormers and gables, and/or reorientation of the roof spine from parallel to perpendicular to the street.

Addition or relocation of significant bump outs to the front or side of the house that alter the perceived massing of the house such as, two story bay windows, one story sunrooms, corner towers, balconies or other approved features.

Other significant exterior features proposed by the applicant if approved by the Planning and Zoning Commission.

(ii) Alterations of character, detail and color:

Change architectural style.

Change in material of significant proportions (40%) of the house façade.

Addition or alteration of significant new detailing package with altered accent color to include any three items such as, trims, shutters, style and color of a front door or garage door.

Other significant exterior features proposed by the applicant if approved by the Planning and Zoning Commission.

(2) Chimneys. All chimneys must extend full height, from ground and vertically past the eaves line. Cantilevered and shed-type chimneys are prohibited. Chimneys must be finished in masonry or stucco but need not match the background wall in material or color.

(3) Driveways. Driveways for residential developments shall consist of concrete, asphalt, or brick pavers. The Planning and Zoning Commission may permit a similar construction material as an alternative only upon prior approval. All driveway aprons shall be concrete. All driveways shall be a flat, earth tone color. The maximum driveway width at the right-of-way line shall be ten (10) feet wide, not including the approach. The Driveway may flare to be wider at the garage. Driveways should be designed to be grouped to increase the amount of open space along the street.

(4) Entryways and Porches. The design of each houses shall emphasize the house mass and entry. The front entrance should be the focal point of the home and be designed to shelter you from the elements and be inviting. Flat front entryways shall be prohibited. All front entryways must include features which extend beyond the front façade of the primary living area.

(A) Portico. Porticos offer a visual cue on where to enter the house and connects the indoors to the outdoors. Typically, it is a structure consisting of a roof supported by columns or piers, usually attached to the building as a porch. Portico's can encroach the front setback or a build-to line by up-to seven (7) feet.

(B) Front Porches. Front porches provide a "stage" for interaction between the house and the street. Neighbors can publicly communicate much like the older neighborhoods in Canal Winchester. Front porches shall be a minimum of seven (7) feet in depth and ten (10)

feet wide. Front porches can encroach the established front setback or build-to line by up-to seven (7) feet.

(5) Finish Building Materials. The design of buildings shall coordinate the materials and details of all sides of the building with the design of the front elevation and street sides. Wood board or shake, brick, stone, cultured stone, fibrous cement siding, stucco and vinyl siding are the permitted finish building materials. Asphalt dimensional shingles, natural or simulated slate, tile, standing seam metal, natural or simulated wood shingles or shakes are the permitted roof materials. Corrugated metal roofing is not a permitted roof material.

(A) Asphalt Dimensional Shingles. Asphalt Dimensional shingles must be a 25-year “true” dimensional shingle. Painted shadows are not permitted. Shingles must have a minimum weight of 240 pounds per 100 square feet and be installed according to the manufacture’s specifications.

(B) When a change in materials occurs at corners, the change must occur at the inside of the corner unless the masonry on the street-facing façade extends at least two feet past the outside corner. If a house has a side gable and a material change occurs on the outside corner, or if two different materials are used on the facades of main and upper floors, rather than extending the materials around the corner, a quoin or minimum 5 ¼-inch wide corner board must be used along the vertical length of the non-masonry corner.

(6) Foundations. There shall be no more than twelve (12) inches of exposed foundation walls. If there are more than twelve (12) inches of foundation wall exposed, they must be finished with one of the following: brick, veneer brick, stone or cultured stone designed by the manufacturer for at-grade or below-grade installation.

(7) Four-Sided Architecture. The purpose of requiring four-sided architecture on all residential dwellings is to avoid large areas of blank exterior walls. Each side elevation must contain at least two (2) design elements per floor and each elevation facing a street or rear elevation must contain at least three (3) design elements per floor. Blank facades are not permitted for any detached garages or accessory structures. Typical design elements are included below, but this list is not all-inclusive.

(A) The eligible design elements are as follows:

- A door of at least seventeen (17) square feet in area.
- A window of at least six (6) square feet in area. Windows closer than ten (10) feet shall be considered as one (1) element. A set of adjacent windows, such as double or bay windows, shall be considered as one element.
- A chimney.
- An articulated gable vent of at least four (4) square feet in area.
- A dormer.
- Porches, decks, balconies or similar structure.
- A Sunroom.

Architectural cornice returns.

A similar significant permanent architectural feature consistent with the style of the house only upon prior approval by the Planning and Zoning Commission.

(B) Unacceptable design elements include:

Sides of porches.

Rooflines.

Water Tables.

Garage Doors.

Egress Steps required by building code.

(8) Garages. Design of each houses shall be designed to emphasize the house mass and entry, garages shall be clearly secondary in character. Garages may be attached or detached. All single-family residential developments shall have a mix of front loaded and side loaded garages. A minimum 25% of the lots must be designed for a detached or standard side entrance garage. Garages attached via a breezeway shall be considered detached for purposes of this standard. For corner lots, the garage shall be oriented towards the “lower” defined street classification as determined by the Planning and Zoning Commission. Garage doors shall be a maximum 9 feet height. If there is a living area above the garage, the maximum height of the roof over the garage shall be 35 feet. Otherwise, the maximum height of the roof over the garage is 18 feet.

(A) Front Loaded Garages:

Shall be located a minimum four (4) feet behind the front line of the livable area of the home. A covered or uncovered porch shall not be considered a livable area of a home.

Garage doors shall not exceed forty-five percent (45%) of the house width (frontage). Where more than a standard 2-car front loaded garage is provided, the additional garage bay(s) shall be offset from and architecturally designed to appear separate and distinct from the 2-car garage and the garage doors shall not exceed fifty percent (50%) of the house width.

(B) Side Loaded Garages:

Side loaded garages may be loaded from an inside court area.

The garage elevation facing the street must incorporate design features also found in the front elevation of the home including, but not limited to, windows.

(9) Gutters and Downspouts. Gutters and downspouts are required on all homes. Downspouts may be tied into curb drains or exit directly into a French drain system to discharge the water in the rear of the yard. No more than 50% of the roof drainage may lead to the curb.

(10) Roof Pitch. The main architectural roof of a house must have a minimum 6:12 pitch. Dormers, porches, and other similar secondary architectural features may have roofs with a minimum 4:12 pitch. Eaves and overhangs are required and in no case shall they be less than eight (8) inches on any elevation.

(11) Vinyl Homes. This section shall serve as a guide for constructing a vinyl sided home. Where the vinyl sided home requirements overlap with four-sided architecture requirements, the requirements of this section shall not be counted towards the minimum four-sided architecture requirements, but shall be in addition those requirements. All vinyl materials must have a minimum thickness of .046 inches. The siding must have a low-gloss finish. Any predominantly vinyl-sided home must include complementary accessories and detailing where vinyl siding elevations occur, as follows:

(A) A detailed main entryway by use of a minimum eight (8) inch wide three-dimensional door-surround system;

(B) Minimum six (6) inch wide frieze or fascia boards; and

(C) Minimum eight (8) inch wide water table trim board at the foundation.

(D) At least two of the following accessory types must be utilized per home. The selected accessory type must occur on each vinyl-sided elevation as indicated on the following table. Additional accessories may be utilized in addition to the minimum requirements.

Minimum Accessories for Vinyl-Sided Homes	Select Accessory Type Must Occur (at least) When the Exterior Wall Elevation is Vinyl.
Select two accessory types:	
Shutters Pairs	X
Crosshead	X
Masonry Water Table	X
Gable Vent	X

Shutter shall be sized to fully cover the window and shall be operable or appear as such, and utilize shutter hardware including s-clips and hinges. Shutters shall be louvered, raised or flat paneled or board and batten and made of painted wood, vinyl, painted synthetic, PVC or Hardiplank or substantially similar materials as determined by the Planning and Zoning Commission.

Crossheads must occur at least above all windows on vinyl-sided elevations.

Masonry water table and plinth must occur along all elevations of a vinyl-sided house. The height of this feature shall be at least two (2) feet as measured from grade.

Gable vents must be articulated decorative gable vent(s) of at least four square feet in area and occur in at least the front, or side of vinyl-sided homes.

(12) Windows (Trim and Shutters): Trim is required with all windows on any elevation. Trim shall include either a top and bottom finish of soldier course, rowlock, lintel or sill; or a minimum 3 ½- inch board around all sides of the window.

(A) Shutter shall be sized to fully cover the window and shall be operable or appear as such, and utilize shutter hardware including s-clips and hinges. Shutters shall be louvered, raised or flat paneled or board and batten and made of painted wood, vinyl, painted synthetic, PVC or Hardiplank, or substantially similar materials as determined by the Planning and Zoning Commission.

ORDINANCE NO. 18-048

AN ORDINANCE AMENDING SECTION 11991 OF THE CODIFIED ORDINANCES REGARDING LANDSCAPING AND SCREENING

WHEREAS, in order to promote, protect, and preserve the character of the municipality it is necessary to revise the requirements for landscaping and screening in the City;

WHEREAS, the Planning and Zoning Commission initiated Application #ZA-18-006 following a public hearing held on October 8, 2018 and has recommended approval of this ordinance; and

WHEREAS, notice of a public hearing has been duly advertised and the public hearing has been held before the Council of the City of Canal Winchester.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. That Section 1191 of the Codified Ordinance of the City of Canal Winchester is hereby amended to read as follows:

**CHAPTER 1191
Landscaping and Screening**

- 1191.01 Purpose
- 1191.02 Preservation of Trees and Wooded Areas
- 1191.03 Tree Replacement
- 1191.04 Landscape Standards
- 1191.05 Development Standards
- 1191.06 Off-Street Parking Standards
- 1191.07 Signage
- 1191.08 Screening of Service Courts and Loading Dock Areas
- 1191.09 Submittal Requirements
- 1191.10 Installation and Maintenance
- 1191.11 Tree Removal Permits
- 1191.12 Public Spaces

CROSS REFERENCES

- Administration, Enforcement and Penalty - see P. & Z. Chapter 1135
- Off-Street Parking - see P. & Z. Chapter 1185
- Signage - see P. & Z. Chapter 1189

1191.01 PURPOSE.

The purpose and intent of this chapter is the preservation and promotion of tree canopy coverage and landscaping as a suitable and necessary aspect of land development, as a component of Municipal development character, as an important beneficial element of the microclimate through the provision of shade and as buffers, and to promote the public health, safety and general welfare. It is further the purpose of this chapter to promote the preservation and, when necessary, replacement of major trees removed in the course of land development, to promote the proper utilization of landscaping as a buffer between certain land uses to minimize conflicts, and to protect, preserve and promote the character of the Municipality.

(a) *“Caliper”* the caliper of a tree shall be measured at six (6) inches above grade. For this chapter the term “caliper” only applies to new trees.

(b) *“Diameter Breast Height (dbh)”* the dbh of a tree shall be measured at four and one half (4 1/2 feet) above ground level. For this chapter the term “diameter breast height (dbh) only applies to existing trees.

(c) *“Major Tree”* For the purposes of this section, a major tree is defined by having diameter breast

height of six (6) inches or greater.

(d) "Woodlands" For the purposes of this section, a Woodland is an area of trees and unique site characteristic that have been determined by the City of Canal Winchester and identified on the Canal Winchester Woodland Map.

1191.02 PRESERVATION OF TREES AND WOODED AREAS.

(a) All major trees shall be preserved unless exempted, as follows: The Urban Forester may approve the cutting down, removal or destruction of a major tree when the tree interferes with the proper development of a lot, provided that the lot is in the subject of application for approval of a zoning certificate, a site plan, a development plan, a variance, or a conditional use permit and one of the following applies:

(1) The tree will be located within a public right-of-way or easement.

(2) The tree is located within the area to be covered by proposed structures or within twelve feet from the perimeter of structures, and the proposed structures cannot be located in a manner to avoid removal of the tree at the same time permitting desirable and logical development of the lot.

(3) The tree will be located within a proposed driveway designed to service a single family home.

(4) The tree is damaged, diseased or a safety hazard.

(5) The tree is an undesirable species in its present location.

(6) Established single family lots shall be exempt from this section, however; new subdivision development of single family lots shall not be exempt.

(b) When preparing and reviewing subdivision plans and landscape plans, good faith effort shall be made to preserve natural vegetation areas. Streets, lots, structures and parking areas shall be laid out to avoid the unnecessary destruction of wooded areas or outstanding tree specimens. Developers of land are encouraged to designate wooded areas as park reserves.

1191.03 TREE REPLACEMENT.

(a) Major Tree Replacement. During the course of development of a single lot or a subdivision, including Woodlands, the developer or owner shall be required to replace major trees removed pursuant to Section 1191.02 in accordance with the following schedule with trees having a trunk diameter of at least six (6) inches dbh.

Major Tree Replacement Schedule	
Trunk Diameter dbh	Replacement Schedule
Six (6) inches up to twelve (12) inches	One-for-one
Twelve (12) inches up to eighteen (18) inches	Two-for-one
Eighteen (18) inches up to twenty four (24) inches	Three-for-one
Twenty four (24) inches and greater	Four-for-one

(1) Replacements for major trees shall have a trunk diameter at planting of at least two and one-half (2.5) inches caliper.

(2) The requirement for major tree replacement shall be considered as being in addition to any other landscaping required by Section(s) 1191.02 through 1191.05.

(b) Replacement Schedule for Woodlands. In addition to the provisions in Section 1191.03(a), the developer or owner of a woodland, as identified on the Canal Winchester Woodland Map shall, during the course of development, be required to retain a minimum of forty percent (40%) of the woodland.

(c) Where it is impractical or not feasible to replace all of the trees on the affected lot or within the affected subdivision, staff may approve one, or any combination of the following alternatives as a means of meeting the tree replacement requirements:

- (1) Replace as many trees as is practical on the affected lot;
- (2) Replace as many trees as is practical within this affected subdivision phase;
- (3) Replace as many trees as is practical within the affected subdivision;
- (4) For those trees that cannot be replaced through steps one through three above, the developer shall be required to replace the trees elsewhere in the City, or
- (5) Pay a fee as determined by the Canal Winchester Fee Schedule to support the City's effort to replace the trees on public land in the City;
- (6) Use larger caliper replacement trees to achieve a planting of equal or greater value with fewer numbers.

1191.04 LANDSCAPE STANDARDS.

Proposed landscape materials should complement existing vegetation, all architectural features and general layout, and should be comprised of viable plant material. Landscaping design and materials shall consist of the following:

(a) Plants. All plant materials shall be living plants that conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under State regulations. Artificial plants are prohibited in all landscaped areas in the Municipality required as per this chapter.

(1) The Urban Forest Tree and Plants list for Canal Winchester shall be referenced for approved tree species in new landscape plans.

(b) Deciduous Trees. Deciduous trees shall be species having an average mature crown spread of greater than fifteen (15) feet in Central Ohio and having trunk(s) which can be maintained with over five (5) feet of clear wood in areas which have visibility requirements, except at vehicular use area intersections where eight (8) foot clear wood requirements will control. Trees having an average mature spread of crown less than fifteen (15) feet may be substituted by grouping of the same so as to create the equivalent of a fifteen (15) foot crown spread. Deciduous trees shall be a minimum of five (5) feet in height with a minimum caliper of one and three-fourth (1 ¾) inches at planting. The deciduous trees recommended as appropriate for Municipal environment and encouraged for use in meeting the requirements of this chapter are found in the recommended street tree list maintained by the Urban Forester.

(c) Evergreen Trees. Evergreen trees shall be a minimum of five (5) feet in height at planting.

(d) Shrubs and Hedges. Shrubs and hedges shall be at least two (2) feet in average height when planted.

(e) Earth Mounds. Earth mounds shall be physical barriers, which when planted block or screen the view just as a hedge or low wall would. Mounds shall be constructed of clean fill, top soil and similar materials, and shall be designed with proper plant material to prevent erosion and facilitate drainage. Earth mounds shall not exceed four (4) feet in height and shall be planted completely by plant material, which may include mulching limited to the immediate base of plantings, of which no greater than fifty (50) percent shall be turf.

(f) Screening Materials. Screening may consist of walls, fences, natural vegetation or a combination thereof acceptable to the Planning and Zoning Commission and with an opacity of no less than seventy-five (75) percent, except where superseded under Section 1191.02(f). Only masonry and brick walls or solid wood privacy fencing is permitted for built screening. Such screening shall be between four (4) and six (6) feet in height and shall be maintained in good condition. Landscaping provided in lieu of such wall or fence shall consist of dense evergreen bushes planted no less than four (4) feet in height.

(g) Monoculture. Monoculture, or the extensive use of a single species of trees, shall be limited in order to minimize the potential for disease or pests to strike a particular species resulting in significant same-species loss. The following limits shall apply:

Maximum Use of Same Genus	
Number of Trees on Site	Maximum % of Same Genus
10-19	50%
20-39	33%
40-59	25%
Over 60	15%

1191.05 DEVELOPMENT STANDARDS.

(a) Non-Residential Uses. For all new construction, building additions, or land development for which a building permit and/or zoning certificate is required the following shall apply:

(1) All non-residential uses shall provide thirty (30) square feet of landscaped area for every one thousand (1,000) square feet of building ground coverage area, or fraction thereof. All areas of a lot not covered by buildings, structures, paving, or the landscaping required herein shall be covered by natural turf at a minimum.

(2) All commercial structures, and all industrial warehouse structures, shall be required to plant the required minimum landscaping listed below:

Minimum Tree Planting Required per Building Size	
Square Foot of Building	Number of Trees per Square Foot
Up to 30,000 sq. ft.	One Tree per 1,000 sq. ft.
30,001 sq. ft. to 60,000 sq. ft.	One Tree per 2,000 sq. ft.
60,001 sq. ft. to 90,000 sq. ft.	One Tree per 4,000 sq. ft.
90,001 sq. ft. and greater	One Tree per 8,000 sq. ft.

(A) In no instance shall the number of trees required to be planted exceed one hundred (100) trees.

(B) Over fifty (50) trees, a fee-in-lieu planting per tree, as determined by the Canal Winchester Fee Schedule may be made to support the City's effort to replace the trees on public land in the City.

(3) All office uses, institutional uses, convalescent and nursing homes and child daycare facilities, shall be required to plant the required minimum landscaping listed below:

Minimum Tree Planting Required per Building Size	
Square Foot of Building	Number of Trees per Square Foot
Up to 30,000 sq. ft.	One Tree per 1,000 sq. ft.
30,001 sq. ft. to 60,000 sq. ft.	One Tree per 1,500 sq. ft.
60,001 sq. ft. and greater	One Tree per 2,000 sq. ft.

(A) In no instance shall the number of trees required to be planted exceed one hundred (100) trees.

(B) Over fifty (50) trees, a fee-in-lieu planting per tree, as determined by the Canal Winchester Fee Schedule may be made to support the City's effort to replace the trees on public land in the City.

(b) Residential Uses. For all new construction, building additions, or land development for which a building permit and/or zoning certificate is required the following shall apply:

(1) All residences and residential land uses, per dwelling unit, there shall be a minimum of one (1) tree planted for every five hundred (500) square feet or fraction hereof of building ground coverage.

(2) Multi-Family Perimeter Treatment. For all multi-family residential uses a fifteen (15) foot landscaped perimeter shall be provided where such development is adjacent to or abuts a residential zoning district or public right-of-way, excluding on-site access drives. Such landscaping shall include a combination of

trees, shrubs, hedges, earth mounds, and other natural features. No more than eighty (80) percent of natural landscaping material shall consist of turf.

(A) Screening Between Multi-Family Developments and Non-Residential Zoned Property. Screening shall consist of walls, fences, or natural vegetation in combination with a minimum four (4) foot mounding, said screening shall have an opacity of no less than fifty (50) percent, except where superseded under Section 1191.02 (f). Screening between multi-family residential and non-residential developments shall be reviewed for approval by the Planning and Zoning Commission. Only masonry and brick walls or solid wood privacy fencing is permitted for built screening, shall be maintained in good condition, and comply with Section 1181.07. Landscaping provided in lieu of such wall or fence shall consist of dense evergreen bushes planted no less than two (2) feet in height or evergreen trees at no more than thirty (30) feet spacing at five (5) feet in height at the time of planting. A minimum of one evergreen tree and four evergreen or deciduous shrubs per 1,000 sq. ft. of landscaped area for areas in all combinations of screening materials will be planted.

(B) The opacity of fifty (50) percent will take into consideration existing vegetation to be preserved and shall contain at least the minimum evergreen trees and shrubs. The minimum tree shall be five (5) feet in height with a minimum caliper of 1 ¼ inches at the time of planting. The minimum shrub shall be two (2) feet in height at the time of planting.

(c) Existing Trees. Existing healthy trees and shrubs shall be preserved and incorporated into the overall site and landscape design to the maximum extent practical as determined by the City. Existing trees may be credited towards minimum tree planning requirements as follows:

(1) Existing trees, which are preserved, may be credited toward the tree planting requirements of this Section according to the Credit for Existing Trees Table. Tree credits shall be given as long as all other provisions and the intent of this Code is met. Fractional caliper measurements shall be attributed to the next lowest category.

Credit for Existing Trees – in aggregate inches	
DBH	Number of Tree Credits
20+ total inches	4 Trees
13 - 19 total inches	3 Trees
8 - 12 total inches	2 Trees
2 - 7 total inches	1 Tree

(2) No credit shall be given for existing preserved trees that are:

- (A) Not located on the actual development site;
- (B) Not properly protected from damage during the construction process;
- (C) Prohibited Species in the Urban Forester Street Tree List;
- (D) Dead, dying, diseased, or infested with harmful insects.

(3) No new tree planting shall be required if existing trees to remain on site after development, and the aggregate trunk sizes of such trees, meet or exceed the requirements set forth above.

(d) Any combination of existing and new trees may be used to meet the requirements of this section.

1191.06 OFF-STREET PARKING STANDARDS

(a) Off-Street Parking Areas. Off-street parking areas for more than five (5) vehicles shall be effectively screened on each side which abuts a residential zoning district or public right-of- way by a masonry wall or solid wood fence. Such wall or fence shall be no higher than four (4) feet and shall be maintained in good condition. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than fifteen (15) feet in width planted with an evergreen hedge or dense planting of evergreen shrubs not less than four (4) feet in height. This subsection shall apply to bed and breakfast inns regardless of the size of off-street parking area.

(1) All off-street parking areas shall provide one (1) tree of no less than two (2) inches caliper, for every six (6) parking spaces, unless specified below. A minimum of fifty percent (50%) of the off-street parking trees shall be planted in parking lot islands. The remainder must be planted within ten (10) feet of the perimeter of the parking lot.

(A) Parking Lot Islands. Each landscaped tree island in a single loaded parking stall design shall have a minimum area of one hundred and sixty two (162) square feet with a minimum width of nine (9) feet. Each landscaped tree island located in a double loaded parking stall shall have a minimum area of three hundred twenty-four (324) square feet, with a minimum width of nine (9) feet.

(B) Exemptions. Parking lots with landscape tree islands that provide a minimum area of 1,200 cubic feet to accommodate a large species shade tree shall be credited on a two-to-one ratio on the off-street tree planting requirements. The minimum dimensions for planting areas shall be nine (9) feet on one side.

(2) All parking lot islands and peninsulas shall be designed to provide a minimum of three (3) feet in depth, for soil in a friable condition for healthy tree and plant growth.

(3) All trees shall be balled and burlapped or containerized/potted when planted. The top eighteen (18) inches of the burlap bag and cage shall be removed when planting.

(4) All trees shall be maintained in a healthy condition.

1191.07 SIGNAGE

(a) Signage. A landscaped area totaling a minimum of fifty (50) square feet shall be provided centered on the base of all freestanding signs and should be comprised of a variety of natural materials, such as turf, ground cover, shrubs, and hedges. No more than fifty (50) percent of natural landscaping material shall consist of turf. Low maintenance plant materials should be utilized. A sketch plan drawn to scale and indicating plant material by type (Latin/Botanical names) and quantity shall be provided with the application for a Sign Permit.

1191.08 SCREENING OF SERVICE COURTS AND LOADING DOCK AREAS.

(a) Screening of Service Courts and Loading Dock Areas. All areas used for service, loading and unloading activities shall be screened along the entire lot line if adjacent to or abutting a residential zoning district or public right-of-way. The following requirements shall apply:

(1) Screening of Trash Container Receptacles. For all non-single family residential uses requiring trash container receptacles, such as dumpsters, all such containers or receptacles shall be enclosed on all sides by walls or fences with an opacity of one hundred (100) percent and a minimum height of six (6) feet. Such containers or receptacles when located adjacent to or abutting a residential zoning district shall in addition be landscaped on all sides visible from such districts by shrubs and hedges with an opacity of seventy-five (75) percent. Trash containers and receptacles shall be located behind the building line and shall be located to the rear of non-residential uses. Trash containers and receptacles shall conform to side and rear yard setback requirements and for non-residential uses adjacent to a residential zoning district, such containers and receptacles shall be located no closer than twenty-five (25) feet to any property line.

1191.09 SUBMITTAL REQUIREMENTS.

(a) Procedure. Landscaping plans shall be submitted to the Planning and Zoning Administrator whenever an application is filed for a non-single family residential use as a part of a request for a Certificate of Zoning Compliance, zoning map amendment, conditional use permit, and in conjunction with the submittal requirements for Planned Districts.

(b) Plan Contents. The landscaping plan shall be prepared by a licensed design professional or landscape architect and shall include the following information:

(1) Plot plan drawn to scale indicating property lines, easements, proposed improvements, natural features, drainage, adjacent uses and structures, and proposed landscaping which shall include botanical and common names, dbh of deciduous trees, installation size, on-center planting dimensions where applicable, and a summary of all landscaping materials used on-site, new and existing, by type, common name, and quantity.

(2) In the case where trees are to be removed as part of any site development, the plot plan shall, in addition to items included in (1) above, also specifically indicate any trees to be removed and include botanical and common names and location of any major trees and any significant trees, as determined by a site visit.

(3) Title block with the pertinent names and addresses of property owner, applicant, design professional or landscape architect including the architect's seal, scale, date, north arrow, address of the subject property, and name of the subdivision (if applicable).

(c) Criteria for Review. The submitted landscaping plan shall be reviewed to determine if proposed improvements comply with the requirements and standards of this Chapter and commonly accepted landscaping and design standards. The Planning and Zoning Commission and/or Planning and Zoning Administrator may call upon professional services from either the public or private sectors to provide an evaluation relative to any submitted landscaping plan.

1191.10 INSTALLATION AND MAINTENANCE.

(a) Installation. Landscaping plans and the improvements identified therein meeting the requirements of this Chapter shall be completely installed no later than six (6) months subsequent to the date of issuance of a Temporary Certificate of Use and Occupancy. A single three (3) month extension may be granted by the Planning and Zoning Administrator upon request of the Applicant upon demonstration that such extension is warranted because of adverse weather conditions or unavailability of approved landscaping material. All landscaping material shall be installed in a sound, professional manner and according to accepted landscaping and planting procedures.

(b) Maintenance. All landscaping material shall be maintained in proper and healthful condition. Property owners shall maintain landscaped areas in a proper, neat and orderly appearance, and free from refuse and debris. Upon issuance of a citation, corrective action shall be completed within sixty (60) days unless the Planning and Zoning Administrator determines that weather constraints require one additional sixty (60) day period. Failure to meet the requirements of this section shall constitute violation of this Zoning Code and enforcement and penalty requirements of Chapter 1135 shall apply.

(c) Dead or Diseased Trees. It shall be unlawful for any property owner to maintain or permit to stand on his or her property, dead, diseased, or damaged trees, shrubs, evergreens or other plants which are deemed by the Municipality to be a menace to the public peace, health, and safety.

1191.11 TREE REMOVAL PERMITS.

(a) No person shall do any of the following without first having obtained a tree removal permit:

(1) Remove, damage, or destroy any tree or similar woody vegetation of any dbh in a woodland.

(2) Remove, damage, or destroy any tree or similar woody vegetation of six inch (6") dbh or greater which is not located in a woodland.

(3) Conduct any tree clearing activities.

(b) Exceptions.

(1) The removal or trimming of any trees by or on behalf of a resident owner of a one-family dwelling unit, one-family cluster-housing unit, site condominium unit, or residential condominium unit from an area under the owner's exclusive control. This exception shall not apply to removal of trees from common areas.

(2) Upon prior approval by the Urban Forester, the removal of or trimming of trees necessitated by the installation, repair or maintenance work performed in a public utility easement or approved private easement for public utilities.

(3) The removal or trimming of trees if performed by or on behalf of Canal Winchester,

Franklin or Fairfield County, Ohio Department of Transportation, Franklin or Fairfield County Public Works Office or other public agencies, or a public utility company in a public right-of-way, upon public property, or upon a private easement for public utilities in connection with a publicly awarded construction project, the installation of public streets or public sidewalks, or installation of public utilities within a private or public easement established for such purpose.

(4) The trimming and pruning of trees as part of normal maintenance of landscaping or orchards, if performed in accordance with accepted forestry or agricultural standards and techniques.

(5) The removal or trimming of dead, diseased or damaged trees if performed by or on behalf of Canal Winchester, Franklin or Fairfield County, Ohio Department of Transportation, Franklin or Fairfield County Public Works Office or other public agencies in a public right-of-way or upon public property if done to prevent injury or damage to persons or property.

(6) The removal or trimming of dead, diseased or damaged trees provided that the damage resulted from an accident or non-human cause, and provided further that the removal or trimming is accomplished through the use of standard forestry practices and techniques.

(7) The removal or transplanting of trees during the operation of a commercial nursery or tree farm or practicing sustained-yield forestry (land stays a productive forest).

(8) Actions made necessary by an emergency, such as a tornado, windstorm, flood, freeze, dangerous and infectious insect infestation or disease or other disaster, in order to prevent injury or damage to persons or property or restore order.

(d) Content of Application.

(1) Required Information. An applicant for a tree removal permit for a parcel of one (1) acre or more, if required by Section 1191.11, shall submit the following materials to the Municipality:

(A) A completed tree removal permit application on a form prescribed by Planning and Zoning Administrator, which such application shall include the following information:

i. The name, address and telephone number of the applicant and/or the applicant's agent.

ii. The name, address and telephone number of the owner of the property.

iii. The project location, including as applicable, the address, the street, road, or highway, section number, lot or unit number, and the name of the subdivision or development.

iv. A detailed description and statement of the activity to be undertaken.

(B) A tree removal permit application fee in the amount as established by the adopted fee schedule.

(C) If the applicant is not the owner of the property, a written authorization from the owner allowing the proposed activity.

(D) Five (5) copies of a tree survey prepared by a certified arborist and a plan for proposed tree removal containing all of the following information:

i. The shape and dimensions of the property, and the location of any existing and proposed structure or improvement.

ii. The location of all existing trees of six inch (6") or greater dbh, identified by common and botanical name. Trees proposed to remain, to be transplanted, or to be removed shall be designated. A cluster of trees may be designated as a "stand" of trees, and predominant species, estimated

number, and average size shall be indicated. Clusters of trees located within an approved open space which is to be preserved may be designated as an "open space stand" and identified in the same manner as a "stand" without individual identification and location.

iii. A description of tree species, size, density, health and vigor.

iv. The location and dimension of all setbacks required by existing zoning requirements.

v. A statement that all retained trees will be identified by a method, such as painting or flagging. If protective barriers are deemed necessary by Canal Winchester, the statement shall include a description of how the retained trees are to be protected, with an acknowledgment that the barriers must be in place before operations commence.

vi. A general grading plan prepared by a registered engineer or land surveyor showing the anticipated drainage patterns, including the location of any areas where cut and fill operations are likely to occur, to enable Canal Winchester to determine the impact of the proposal on the viability of the existing trees.

(e) Application Review Procedures.

(1) Procedure. Canal Winchester shall review the submitted application for a tree removal permit required by Section 1191.11 to determine that all required information has been provided. At the request of the applicant or the Municipality, an administrative review meeting may be held to review the request in light of the purpose and the review standards of Section 1191.11. A field inspection of the site may be conducted by the Urban Forester and/or his or her designee. Where the site proposed for development requires review or approval by the Planning and Zoning Commission of the subdivision layout, qualification for one-family cluster, or special land use approval, the Planning and Zoning Commission shall be responsible for approval or denial of the request for a tree removal permit (subject to affirmance, reversal or modification by the Council of Canal Winchester with respect to tentative preliminary plat approval, or any other approval for which Council has final authority). In all other instances, the review of tree removal permit requests shall be the responsibility of the Urban Forester or his or her designee. All decisions shall be made in accordance with the review standards of Section 1191.11.

(2) Denial. If an application for a tree removal permit is denied, the permit applicant shall be notified in writing of the reasons for denial by the Urban Forester.

(3) Approval; Conditions; Performance Requirements. If an application for a tree removal permit is granted, the reviewing authority may do any or all of the following:

(A) Attach to the granting of the permit reasonable conditions considered necessary by the reviewing authority to ensure the intent of Section 1191.11 is fulfilled and to minimize damage to, encroachment in, or interference with natural resources and processes within wooded areas.

(B) Set a reasonable time frame within which to complete tree removal operations.

(C) Require a permit holder to deposit a performance bond, or other acceptable security, equal to 100% of the cost of the improvements to ensure compliance with the terms of Section 1191.11, including the planting of any required replacement trees. Once the trees designated to be removed have been removed and any required replacement trees have been planted and inspected, the Municipality shall release the bond or security. If the permit holder has provided a bond or other performance guarantee to the Municipality under any other ordinance or regulation, and such bond or guarantee is deemed adequate by the Municipality to ensure compliance with Section 1191.11, no additional performance guarantee shall be required under this Section.

(f) Term of Permit.

(1) Any and all tree removal permits issued by the Municipality to a developer shall expire (unless extended) at the same time as the contemporaneous approval granted by the Municipality for the

development, if any (e.g. preliminary plan, preliminary site plan, special land use, site plan approval, etc.).

(2) Any and all tree removal permits issued by the Municipality to any person for an activity regulated under Section 1191.11 for which a contemporaneous approval of the development is not required (e.g. removal of trees by a builder in connection with construction of a residence upon a lot or parcel) shall expire one year from the date of issuance.

(3) Any activity regulated under Section 1191.11 which is to be commenced after expiration of a tree removal permit shall require a new application, additional fees, and new review and approval.

(g) Protection of Trees and Woodlands during Construction; Display of Permit.

(1) No individual shall conduct any activity within ten (10) feet of the drip line of any tree designated to remain, including but not limited to placing solvents, building material, construction equipment, or soil deposits within the drip line.

(2) During construction, no individual shall attach a device or wire to any remaining tree, except to cordon off protected areas.

(3) Before development, land clearing, filling, or any property alteration for which a tree removal permit is required, the developer or builder shall erect and maintain suitable barriers such as snow fencing, cyclone fencing, etc., to protect remaining trees. Wood, metal, or other substantial material shall be utilized in the construction of barriers. Protective barriers shall remain in place until the Urban Forester, or his or her designee, authorizes their removal. Barriers are required for all trees designated to remain, except in the following cases:

A. Street right-of-way and utility easement may be cordoned by placing stakes a minimum of twenty-five (25) feet apart and tying ribbon, plastic tape, or other brightly visible materials at least two and one-half (2 ½) feet above the ground from stake to stake along the outside perimeters of areas to be cleared.

B. Large property areas separate from the construction or land clearing area onto which no equipment will venture shall be cordoned off.

(4) The permit holder shall conspicuously display the tree removal permit on-site. The permit shall be displayed continuously while trees are being removed or while activities authorized under the permit are performed, and for ten (10) days following completion of those activities. The permit holder shall allow the Urban Forester to enter and inspect the premises during reasonable business hours. Failure to allow an inspection is a violation of Section 1191.11.

(h) Enforcement and Administration. To ensure enforcement of Section 1191.11 and the approved plan for tree removal, various inspections will be performed at the site by the Urban Forester. The applicant will be responsible for all inspection fees in accordance with the Inspection Fees set and established by Resolution of the Council.

(i) Penalties and Remedies.

(1) In addition to the penalties as set forth in Section 1135.12, any person who violates any provision of Section 1191.11 shall forfeit and pay a civil penalty equal to the total value of those trees illegally removed or damaged, as computed from the International Society of Arboriculture shade tree value formula. Such sum shall accrue to the Municipality and may be recovered in a civil action brought by the Municipality. Such sum so collected shall be placed into the Street Tree Fund. Replacement of illegally removed trees may be required as restoration in lieu of money. This replacement will be computed on an inch-for-inch ratio based on the total diameter measured at dbh in inches of the illegally removed trees. If, because of destruction of the removed trees, exact inch-for-inch measurements cannot be obtained, the Municipality may use other means to estimate the tree loss. A combination of money and tree replacement may be required.

(2) Any person authorized or designated by the Planning and Zoning Administrator to enforce or administer Section 1191.11 may issue a stop work order to any person conducting any operation in violation

of Section 1191.11, including but not limited to failing to conspicuously display the tree removal permit upon the site. The written stop work order shall be posted upon the premises. A person shall not continue, or cause or allow to be continued, any operation in violation of such an order, except as authorized by the enforcing agency to abate a dangerous condition or remove the violation.

(3) If a stop work order is not obeyed, the enforcing agency or person may apply to a court of competent jurisdiction for any order enjoining the violation of the order. This remedy is in addition to, and not in limitation of, any other remedy provided by law or ordinance, and does not prevent criminal prosecution for failure to obey the order.

(4) Any person aggrieved by a stop work order may request review by the Planning and Zoning Administrator or his or her designee of the stop work order within one (1) working day of its issuance. The Planning and Zoning Administrator or his or her designee shall then determine whether the stop work order was properly issued due to operations being conducted in violation of the terms of Section 1191.11. The Planning and Zoning Administrator or his or her designee may lift the stop work order if the operations are determined to be in compliance with Section 1191.11.

(5) Any use or activity in violation of the terms of Section 1191.11 is hereby declared to be a nuisance per se, and may be abated by order of any court of competent jurisdiction. In addition to other remedies, the Municipality may institute any appropriate action or proceeding to prevent, abate, or restrain the violation. All costs, fees and expenses in connection with such action, including attorney fees incurred by the Municipality, shall be assessed against the violator.

1191.12 PUBLIC SPACES.

Within the public right-of-way and on public properties, no person or entity other than the Municipality shall plant a tree, shrub, evergreen, woody shrub or other obstruction on public property without the written consent of the City of Canal Winchester. The enforcement and penalty provisions of Chapter 1135 shall apply to this section.

(a) Tree Topping. No person shall, as a normal practice, top any tree within the public right-of-way. Topping is defined as the severe cutting back of limbs to stubs larger than three (3) inches in diameter within the tree's crown to such a degree so as to remove the normal canopy or disfigure the tree. With an immature tree, removing more than twenty-five percent (25%) of the canopy will be considered topping.

(b) Height of Limbs Over Sidewalks and Streets. Tree limbs extending over a sidewalk shall be trimmed to such an extent that no portion of the same shall be less than ten (10) feet above the sidewalks. Tree limbs extending over streets shall be trimmed to such an extent that no portion of the same shall interfere with the normal flow of traffic.

(c) Municipal Rights. The Municipality shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the rights-of-way of all streets, alleys, avenues, lanes and other public grounds as may be necessary to ensure public safety or to preserve or enhance the environmental quality and beauty of such public grounds. The Planning and Zoning Administrator may cause or order to be removed any tree or part thereof which is in an unsafe condition or which by reason of its nature poses a threat to the interruption of service to sewers, electric power lines, gas lines, water lines or other public improvements.

(d) Reducing Tree Lawn. No person shall by any type of construction reduce the size of a tree lawn without first securing permission from the Planning and Zoning Administrator.

(e) Utility Companies. Utility companies shall provide written evidence to the Planning and Zoning Administrator, of adherence to established guidelines (as recommended by the National Arborists Association) for line clearance work. These guidelines shall cover the following areas:

- (1) Tree trimming/pruning.
- (2) Tree removal.
- (3) Brushing.

(4) Right-of-way clearance for new transmission conductors on private rights-of-way.

(5) Chemical brush control and appropriate precautions.

(f) Removal, Replanting and Replacement in Public Places.

(1) Wherever it is necessary to remove a tree(s) or shrub(s) from any Municipally owned property, in connection with the paving of a sidewalk, or the paving or widening of a portion of a street, alley, or highway used for vehicular traffic, or any other reason, the Urban Forester must be contacted. At that time, the Urban Forester will determine if replacement of the trees and/or shrubs is feasible.

(g) Public Tree Care.

(1) The Urban Forester or its consultants shall notify the Street Tree Advisory Board those locations at which it deems the removal of street trees is necessary. The Urban Forester will notify the adjacent property owner(s) of the Municipality's intentions to remove the tree(s).

(2) The Municipality shall have the right to enter private property to gain access to trees adjacent to public areas for the purpose of proper pruning, after reasonable prior notice has been given to the property owner. To ensure that street trees thrive, homeowners are encouraged to confer with the Urban Forester, and water and mulch the trees as needed.

(3) No person or contractor, unless working on behalf of the municipality, shall attach any rope, wire, nails, advertising poster, decoration, decorative lighting, or other contrivance to any tree on Municipally owned property. No person shall permit any fire to burn where such fire or heat there from, or heat from any source will injure any portion of any tree on Municipally owned property. No person or contractor, unless working on behalf of the municipality, shall use herbicides or other chemicals on any trees, shrubs or evergreens locate on Municipally owned property.

(4) No person shall hinder, prevent, or interfere with the agents or employees of the Municipality while the agents or employees are engaged in planting, maintaining, or removing any tree, shrub, evergreen, or other plant material on Municipally owned property.

(5) No person shall excavate any ditch, tunnel, trench, or lay any drive within ten (10) feet from the drip line of any tree, shrub, evergreen, or other plant material standing on any Municipally owned property.

(6) It shall be unlawful for any person or contractor, unless working on behalf of the municipality, to break, deface, injure, mutilate, kill, or destroy any tree, shrub, or evergreen on any Municipally owned property.

(h) Removal of Stumps. All stumps of street trees shall be removed twelve (12) inches below the surface of the ground. Stumps shall be removed or shall be ground at the site. All residual material shall be removed from the site at the time the tree is removed and the site shall be restored as approved by the Urban Forester.

(i) Arborist License and Bond. It shall be unlawful for any person or contractor working on behalf of the municipality, to act as an arborist in the business or occupation of planting, pruning, treating, or removing street trees within the Municipality without providing documentation as a certified arborist or as the authorized representative of a certified arborist. Each applicant shall file evidence of possession of liability insurance in the minimum amount of \$1,000,000 indemnifying the Municipality or any person injured or damaged resulting from the pursuit of such endeavors as herein described.

(j) Appeal Procedures. Any person aggrieved by a decision of the Planning and Zoning Administrator may appeal the decision to the Planning and Zoning Commission as prescribed in Section 1137.06 (c).

(k) Tree Fund.

(1) Upon the issuance of a building permit for the construction of a building or structure in any

zoning district, the owner of said building or structure shall pay the sum as determined by the Canal Winchester Fee Schedule, a set fee per one lineal foot of frontage at the right-of-way to the Municipality's Street Tree Fund. This measurement shall include the side yard frontage on corner lots. The Street Tree Fund shall be used for the purpose of implementing the Street Tree Program, whose goal is to provide uniform street tree plantings and maintenance along public roadways within the Municipality.

(2) Payment to the Street Tree Fund shall be upon the issuance of a building permit. Such fee shall be waived if the fee was paid at the time of the original construction of the building or structure or if the buildings are part of a development project where landscaping at the interior streets is part of the overall development plan approved by the Planning and Zoning Commission. In such cases, the fee charged shall be only for the areas that are part of the development that front on existing streets and/or roads.

(3) All alterations or additions to buildings or structures on properties in the "Downtown" area shall only be charged one-third (1/3) of the street tree fee per lineal foot of frontage to be applied for street tree maintenance within the municipality.

(m) Donations. The Finance Director is hereby authorized to accept, on behalf of the Municipality, all gifts, money or other things or items of value for the purpose of planting, maintaining, removing, protecting, utilizing and promoting shade trees in accordance with the decision and approval of the STAB. However, a gift given expressly for a specific purpose shall, before the Municipality is deemed to have accepted it, be accepted by motion and vote of Council. If such motion to accept is rejected by Council, such gift, if already delivered to the Municipality, shall be returned to the donor and not accepted.

SECTION 2: That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

MAYOR

DATE APPROVED

APPROVED AS TO FORM:

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Clerk of Council/Finance Director

ORDINANCE NO. 18-050

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH QUALITY CONTROL INSPECTION, INC. FOR CONSULTING SERVICES RELATING TO CONSTRUCTION INSPECTION FOR THE PERIOD FROM JANUARY 1, 2019 THROUGH DECEMBER 31, 2019

WHEREAS, Council hereby finds and determines that it is in the best interest of the City of Canal Winchester to provide for consulting services relating to construction inspection for private and public capital projects in the City; and

WHEREAS, it is necessary to enter into such agreement immediately to provide for construction inspection;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

Section 1. That the Mayor be, and hereby is, authorized to enter into and execute an agreement with Quality Control Inspection, Inc., herein attached as Exhibit A, to provide construction inspection for private and public capital projects in the City for the Period from January 1, 2019 through December 31, 2019.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

MAYOR

DATE APPROVED

APPROVED AS TO FORM:

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Clerk of Council/Finance Director

Agreement



Contract No.: 110-19-04
Expiration: 12-31-19
Client: City of Canal Winchester
Service: General Project Representation/
Contract Administration

This Agreement made this _____ day of _____ 201__ by and between Quality Control Inspection, Inc ("QCI") and the City of Canal Winchester ("OWNER").

WITNESSETH:

WHEREAS, QCI is in the business of providing consulting services relating to construction inspection

WHEREAS, the OWNER is desirous of engaging QCI to retain consulting services relating to construction inspection and contract administration as more fully set forth below: and

WHEREAS, on _____, 201_ the _____ authorized the hiring of QCI by Resolution # _____; and

WHEREAS, QCI and OWNER have agreed to the terms and conditions for the consideration as more fully set forth below.

NOW THEREFORE, in consideration of the mutual promises and obligations observed and performed by the parties hereto, QCI and the OWNER hereby agree as follows:

ARTICLE I - SCOPE OF SERVICE

QCI shall provide qualified Resident Project Representative(s) ("RPR"), and Contract Administrators ("CA") for use by the OWNER and at the direction of the OWNER's engineer ("ENGINEER") to inspect and consult on work being performed by Contractors hired, or authorized to perform work, by the OWNER.

1. RPR Classifications:

- a.) Class I RPR's shall have the technical practical experience to perform the services as described herein on public works projects of a more typical nature, *i.e.*: Roadway and underground utility construction, new development projects or other types of projects mutually agreed upon by the OWNER and QCI to be of typical nature.
- b.) Class II RPR's shall have the technical practical experience to perform the services as described herein on public works projects of a more specialized nature, *i.e.*: wastewater treatment plants, water plants, water towers, bridges, non-hazard landfills, building construction or other types of work mutually agreed upon by the OWNER and QCI to be of a highly specialized nature.

2. Duties and Responsibilities:

- a.) Liaison: Serve as the ENGINEER's liaison with Contractor working principally through Contractors Superintendent and assist him/her in understanding the intent

of the Contract Documents.

b.) Review of work, Rejection of Defective Work, Inspection, and Tests:

- (i) Conduct on-site observations of the work in progress to determine if the work is proceeding in accordance with the Contract Documents and that completed work will conform to the Contract Documents.
- (ii) Report to the ENGINEER and OWNER whenever QCI believes that any work is unsatisfactory, faulty or defective or does not conform to the Contract Documents, or does not meet the requirements of any inspections, tests, or approval required to be made or has been damaged prior to final payment; and advise ENGINEER and OWNER when QCI believes work should be corrected or rejected or should be uncovered for observation, or requires special testing, inspection or approval.
- (iii) Verify that tests are conducted as required by the Contract Documents and in the presence of the required personnel, and that the Contractor maintains adequate records thereof; observe, record and report to the ENGINEER and OWNER appropriate details relative to the test procedures.
- (iv) Accompany visiting inspectors representing public or other agencies having jurisdiction over the project, record the outcome of these inspections and report to ENGINEER and OWNER.

c.) Interpretation of Contract Documents: Transmit to the Contractor clarifications and interpretations of the contract documents as approved by the ENGINEER.

d.) Modification: Consider and evaluate Contractor's suggestions for modifications in Drawings or Specifications and report them with recommendations to ENGINEER and OWNER.

e.) Reports:

- (i) Furnish ENGINEER and OWNER daily reports as required for progress of the work and Contractor's compliance with the approved progress schedule and schedule of Shop Drawings submissions. Included shall be pay items completed, test data, and comments relative to observations of the day's work.
- (ii) Consult with ENGINEER and OWNER in advance of scheduled major tests, inspections, or start of important phases of work.

f.) RPR:

- (i) The RPR is authorized to call to the attention of the Contractor any failure of the work or materials that do not conform to the Specifications and Contract.
- (ii) The RPR is authorized to reject non-specified materials.

g.) Payment Requisitions: Review applications for payment with Contractor for compliance with the established procedure for their submission and forward those with recommendations to ENGINEER and OWNER, noting particularly their relation to the schedule of values, work completed and materials and equipment delivered at the site but not incorporated in the work.

h.) Completion:

- (i) Submit to Contractor a list of observed items requiring completion or correction.
- (ii) Conduct final inspection in the presence of the ENGINEER, OWNER and Contractor and prepare a final list of items to be completed or corrected.
- (iii) Verify that all items on final list have been completed or corrected and make recommendations to ENGINEER and OWNER concerning acceptance.

i.) Additional Duties and Responsibilities: In addition to the duties and responsibilities as spelled out in Article 1 - Scope of Service, at the request of the ENGINEER, the CA shall act as a liaison Officer between the ENGINEER, and the RPR, and shall, under the ENGINEER's authority and control; use best effort to resolve, rectify, remedy, correct and/or modify all field problems of any nature whatsoever, included, but not limited to, making recommendations and/or suggestions of solutions to field problems to the ENGINEER.

j.) At the written request of OWNER, QCI shall provide an Ohio licensed engineer for the purpose of construction engineering (CE) consulting services as may be required from time-to-time by the OWNER.

ARTICLE II - LIMITATIONS

Except upon written instruction of the ENGINEER or OWNER, the RPR, CA or CE:

- 1. Shall not authorize any deviation from the Contract Documents or approve any substitute materials or equipment.
- 2. Shall not issue instructions contrary to the contract plans, specifications, or contract documents.
- 3. Shall not exceed limitations of the ENGINEERs authority as set forth in the Contract Documents.
- 4. Shall not undertake any of the responsibilities of Contractor, Subcontractor, or Contractor's Superintendent, or expedite the work.
- 5. Shall not advise on or issue directions relative to any aspect of the means, methods, techniques, sequences, or procedures of construction unless such is specifically called for in the Contract Documents.
- 6. Shall not issue directions as to safety precautions and programs in connection with the work.
- 7. Shall not be liable for defective work, acts of omission, or operating procedures of the Contractor.

ARTICLE III - OWNER RESPONSIBILITY

- 1. The OWNER Designates Mr. William Sims as its Owner's Representative to coordinate the work of QCI. The Owner's Representative shall be the source of instruction to QCI and shall have the authority to interpret OWNER's policies and procedures as necessary to maintain QCI's work schedule. The Owner Representative shall have the right to

reasonably approve all personnel assigned by QCI.

2. OWNER shall provide QCI with any additional information including approved Final Subdivision Plans, Cut Sheets, Reports, OWNER Standard Construction Drawings and Specifications, Maps and Tax Maps insofar as the information is available or may be secured by the OWNER.
3. OWNER shall bear the cost of furnishing the information indicated above as a cost separate and apart from fees paid to QCI under the terms and conditions of this Agreement, except as may be otherwise noted.

ARTICLE IV - FEES

1. Fee Schedule:

- a.) The OWNER shall pay to QCI the fees as set forth in Exhibit "A" attached hereto,
- b.) The fees shall be due and payable on a monthly basis upon presentation by QCI of a detailed invoice.
- c.) QCI shall submit a monthly invoice to the OWNER, specifying the project name, total RPR hours worked, CA hours worked and any additional reimbursable expenses with prior approval from the OWNER.
- d.) Payment shall be made to Quality Control Inspection, Inc., 40 Tarbell Avenue, Bedford, Ohio 44146, or QCI's assigned financial agent within THIRTY (30) days of the dated invoice.
- e.) In the event the OWNER or QCI desires to terminate this Agreement, it may be terminated upon a SEVEN (7) days written notice by the party so desiring to terminate to the other party. QCI shall be paid for work completed and services performed up to the time of notice and in the event it is permitted to complete commenced projects, QCI shall be compensated at the rate provided for herein.
- f.) This agreement shall become effective upon "Acceptance" and remain in effect through December 31, 2019 and shall not be construed to provide for exclusive use of QCI or to guarantee utilization of the above stated services to any level stated or implied.

ARTICLE V - INDEMNIFICATION

1. Indemnification and Hold Harmless:

- a.) OWNER shall indemnify, defend, and hold QCI harmless from and against any and all liabilities, losses, claims, damages, suits, actions, judgments, costs, charges and other expenses of whatsoever nature or character arising out of or occasioned by injury or death to any person or persons, or damages to any property, or any other damages whatsoever, except as otherwise may be limited to this agreement, caused by reason of the performance of services hereunder as RPR/CA or otherwise provided for the OWNER, its servants, agents, employees, contractors, sub-contractors; provided, however, that QCI acted in good faith in a manner which, under the circumstances, a reasonable person might believe to be in or not opposed to the best interests of the OWNER. OWNER agrees not to assert as a defense to its indemnification obligations hereunder any immunity to which it may be entitled under Section 35, Article II of the Ohio Constitution or Sections 4123.74 and

4123.741 of the Ohio Revised Code. This indemnity obligation of OWNER shall not be applicable to the extent QCI is provided coverage under the insurance policy set forth in letter e.) below, or to the extent that this indemnity obligation is prohibited or limited by the laws of the State of Ohio.

- b.) In connection with the indemnification to be provided by the OWNER hereunder, the OWNER shall have the right to designate the attorney to represent QCI, and such attorney may be the Solicitor or Law Director of the OWNER.
- c.) In the event the OWNER shall incur expenses on behalf of QCI hereunder in connection with a claim or matter as to which QCI shall be adjudged to be liable for negligence or intentional misconduct or violation of civil rights, as provided above, QCI shall reimburse the OWNER for such expenses reasonably incurred by it.
- d.) With respect to any claim or matter as to which the OWNER shall undertake to indemnify QCI, no amount shall be paid in settlement thereof unless the OWNER has approved such payment.
- e.) QCI shall at all times maintain in force and effect professional liability insurance with a Limit of liability of not less than \$2,000,000.00 and in a form generally the same as its current coverage provided by Enestan Insurance Company.
- f.) In the event the OWNER indemnifies QCI hereunder in connection with a claim or matter as to which QCI's insurance carrier has denied coverage under QCI's insurance policy, QCI shall, upon request of the OWNER, assign to the OWNER all of its rights against the insurance carrier arising by reason of such denial.
- g.) As used in this Section, the term "QCI" shall include: employees; agents and sub-consultants of QCI in connection with the performance of services hereunder.
- h.) Notwithstanding any of the foregoing provisions of this Section, this Section shall not apply to any claims that may be asserted by the OWNER against QCI in connection with his performance of services for the OWNER.

ARTICLE VI - NON-SOLICITATION OF QCI EMPLOYEES

- 1. Solicitation of QCI Employees.
 - a.) Information About QCI Employees. OWNER may work closely with employees of QCI performing services under this Agreement. Any information about such employees which becomes known to OWNER during the course of this Agreement and which is not otherwise known to the public, including compensation or commission structure, is a Trade Secret of QCI and shall not be used by OWNER in soliciting employees of QCI at any time. OWNER agrees to protect the confidentiality of such information, to the extent that these terms are permitted under public records law.
 - b.) Solicitation of Employees Prohibited. During the term QCI is performing services for OWNER and from one (1) year following the cessation of such services, OWNER shall not directly or indirectly ask or encourage any employee(s) or former employee(s) of QCI to leave their employment with QCI, solicit any employee(s) of QCI or former employee(s) for employment, make any offer(s) of employment to any employee(s) or former employee(s) of QCI or employ any employee(s) or former employee(s) of QCI.

- c.) Injunctive Relief. OWNER agrees and acknowledges that the violation of any of the provisions contained herein would cause irreparable injury to QCI, that the remedy of law for any violation or threatened violation thereof would be inadequate, and that QCI shall be entitled to temporary or permanent injunctive or other equitable relief without the necessity to prove actual damages. In any proceeding by QCI to enforce any of the provision of this Agreement, the prevailing party shall be entitled to reimbursement of all costs and reasonable attorney's fees incurred in such litigation.
- d.) liquidated Damages. OWNER agrees and acknowledges that the actual damages, which would result by any breach by it of this Agreement, are uncertain and would be extremely difficult to ascertain. OWNER therefore agrees to pay QCI a sum equal to thirty-five percent (35%) of the annual compensation previously paid by QCI to any employee(s) of QCI that leave(s), as a result of OWNER's breach of this Agreement, and any damages over and above this amount to which QCI may be entitled by law.

ARTICLE VII - COPYRIGHTS

OWNER acknowledges and agrees that QCI has certain licensing rights to Build A Form® Engineer Report System ("System") that will be utilized by QCI under this Agreement. QCI has proprietary rights in said System, which shall remain the sole property of QCI, and nothing herein shall be deemed to create any rights to OWNER in violation of the rights or interest of QCI or any third party. OWNER acknowledges that the remedy at law for any breach of this section will be inadequate and, accordingly, in the event of any breach or threatened breach by OWNER of this section, QCI shall be entitled, in addition to any other remedies, to any injunction restraining any such breach, without bond or other security being required.

ARTICLE VIII - GENERAL

1. Heading. The headings to the Articles and Sections of the Agreement are inserted for convenience only and will not be deemed a part of this Agreement for purposes of interpreting or applying the provisions of this Agreement.
2. Governing Law. This Agreement will be governed in all respects by the laws of the State of Ohio.
3. Severability. If any provision or paragraph of this Agreement shall be prohibited by law or held to be invalid, such provision or paragraph shall be separable from this agreement without invalidating the remaining provisions or paragraphs hereof.
4. Amendments. During the term of this Agreement, OWNER and QCI may amend this Agreement provided; however, any such amendment must be in writing and signed by both OWNER and QCI.
5. Force Majeure. Neither party shall be liable for its failure to perform hereunder due to any contingency beyond its reasonable control, including acts of God or the public enemy, fire, explosion, accident, flood, drought, embargoes, war, riot, sabotage, action of any kind of governmental authority, whether valid or invalid, strikes, lockouts, labor disputes or shortages or any contingency, delay, failure or cause beyond the parties reasonable control, whether or not of the kind specified herein.
6. Waiver. The waiver by either party of any breach or violation of any provision of this Agreement shall be effective only if given in writing and signed by the waiving party. Any waiver of one breach or violation shall not operate or be construed as a waiver of

any subsequent breach or violation.

- 7. Entire Agreement. This instrument, including the appendices, exhibits, and attachments hereto, constitutes the entire Agreement between the parties covering the subject matter and supersedes all previous agreements and all proposals and negotiations not expressly set forth herein. No modifications or amendments shall be valid unless in writing and signed by both parties. Where conflicts may arise between this Agreement and the proposal of QCI, this Agreement shall prevail.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the day and year first above mentioned.

WITNESSES:

MDP

Mark D Pace

[print witness name]

BARBARA L KLIMCZYK

Barbara L Klimczyk

[print witness name]

[print witness name]

[print witness name]

QUALITY CONTROL INSPECTION, INC.

By: [Signature]

Print Name: Rick Capone
Title: President

CITY OF CANAL WINCHESTER

By: _____

Print Name: Michael Ebert
Title: Mayor

EXHIBIT "A"

1. Fee.
- a.) **Resident Project Representative - Class I** - \$52.50 per hour, per person. Work performed on a Saturday, Sunday, Holiday and/or any hours, which exceed a total of eight hours (8) per day, will be regarded as an extra for which compensation will be in the sum of \$78.75 per hour, per person for each extra hour worked.
 - b.) **Resident Project Representative - Class II** - \$59.50 per hour, per person. Work performed on a Saturday, Sunday, Holiday and/or any hours, which exceed a total of eight hours (8) per day, will be regarded as an extra for which compensation will be in the sum of \$89.25 per hour, per person for each extra hour worked.
 - c.) **Contract Administration** - \$82.50 per hour, per person.
 - d.) **Construction Engineer** - \$86.00 per hour, per person.
 - d.) **Mileage Reimbursement** – QCI shall be reimbursed the current IRS "Standard Mileage Rate" for mileage reimbursement for any required driving.
 - e.) QCI's rates conform to the following cost principles: Monday through Friday, five (5) eight (8) hour workdays.
 - f.) OWNER/Developer's Representative shall contact QCI one (1) hour prior to the start of any scheduled work to terminate any scheduled daily inspections. QCI shall forgo compensation for properly terminating scheduled daily inspection services. QCI shall be compensated for TWO (2) hours per person, for all scheduled inspection terminated before a two (2) hour working period, compensated for FOUR (4) hours per person for all scheduled inspection which exceeds two (2) hours but has not exceeded a four (4) hour working period and compensated for EIGHT (8) hours per person for all scheduled inspection exceeding four (4) hours and not exceeding an eight (8) hour working period.
 - g.) Reimbursable expenses; mean the actual expenses incurred directly or indirectly, plus 10%, in connection with the project including: expendable materials, incidental thereto; providing and maintaining field office facilities including furnishings and utilities; reproduction of reports, drawings and specifications and similar project related items.
 - i.) All QCI personnel shall have made available to them, when necessary, inspection equipment for all assignments as identified in exhibit "B".

EXHIBIT "B"

Tool Inventory List

Air Temperature Thermometer
Calculator
Hard Hat
Level (Torpedo)
Probe
Safety Vest
Spec. Book (City of Columbus & State of Ohio, D.O.T.)
Wheel (Measuring)

Asphalt Thermometer
Flashlight
Level (4'-0)
Pick
Ruler (6'-0 Folding)
Shovel
Columbus/ODOT Standard Drawings
Cellular Telephone & Digital Camera

ORDINANCE NO. 18-051

AN ORDINANCE TO AUTHORIZE THE MAYOR TO AMEND A CONTRACT WITH AMERICAN STRUCTUREPOINT, INC. FOR CONSULTING SERVICES RELATING TO CONSTRUCTION INSPECTION FOR THE PERIOD FROM JANUARY 13, 2019 THROUGH JANUARY 13, 2020

WHEREAS, Council hereby finds and determines that it is in the best interest of the City of Canal Winchester to provide for consulting services relating to construction inspection for private and public capital projects in the City; and

WHEREAS, it is necessary to enter into such agreement immediately to provide for construction inspection;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

Section 1. That the Mayor be, and hereby is, authorized to enter into and execute an amendment to the agreement dated January 13, 2015 with American Structurepoint, Inc., a copy of which is attached as Exhibit A, to provide construction inspection for private and public capital projects in the City for the Period from January 13, 2019 through January 13, 2020.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

MAYOR

DATE APPROVED

APPROVED AS TO FORM:

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Clerk of Council/Finance Director

AMENDMENT NO. 3 TO OWNER-ENGINEER AGREEMENT

1. Background Data:

- a. Effective Date of Owner-Engineer Agreement: January 13, 2015
- b. Owner: City of Canal Winchester
- c. Engineer: American Structurepoint, Inc.
- d. Project: Resident Project Representative Services

2. Nature of Amendment

Modifications to Time(s) for rendering Services

3. Description of Modifications

The duration of services established in 9.01.B of the Agreement is extended for an additional 12 months, with a new expiration date of January 13, 2020.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is January 1, 2019.

OWNER:

ENGINEER:

City of Canal Winchester

American Structurepoint, Inc.

By: _____

By: Julia A. Pothly

Title: _____

Title: ADMIN MANAGER

Date Signed: _____

Date Signed: 12/13/2018

Monthly Mayor's Court Report

Canal Winchester Mayor's Court
Cash Flow for November 2018

Page : 1
Report Date : 12/03/2018
Report Time : 08:02:59

	Current Period	Year-To-Date	Last Year-to-Date
City Revenue From:			
Court Costs			
Court Costs	\$969.00	\$20,637.95	\$25,838.05
Additional Costs	\$117.00	\$1,150.00	\$730.00
Fines			
Overpayment / Adjustment	\$0.00	\$0.00	\$0.00
City Revenue From Fines	\$2,627.06	\$57,961.65	\$66,613.68
Fees			
Fees	\$133.00	\$2,243.00	\$2,560.00
Bond Forfeits			
Bond Forfeits	\$0.00	\$0.00	\$450.00
Miscellaneous/Other			
Bond Administration Fees	\$0.00	\$0.00	\$0.00
Total to City:	\$3,846.06	\$81,992.60	\$96,191.73
State Revenue From:			
Court Costs			
Court Costs	\$959.00	\$21,468.50	\$27,554.50
Fines			
Fines	\$0.00	\$250.00	\$310.00
Fees			
Fees	\$30.00	\$175.00	\$240.00
Total to State:	\$989.00	\$21,893.50	\$28,104.50
Other Revenue From:			
Court Costs			
Court Costs	\$36.00	\$733.50	\$946.50
Restitution			
Restitution	\$20.00	\$202.00	\$1,091.77
Total to Other:	\$56.00	\$935.50	\$2,038.27
TOTAL REVENUE *	\$4,891.06	\$104,821.60	\$126,334.50
*Includes credit card receipts of	\$976.00	\$24,639.94	\$27,506.83

END OF REPORT

Ticket Summary

Canal Winchester Mayor's Court
All tickets issued from 11/01/2018 through 11/30/2018

Page : 1
Report Date : 12/03/2018
Report Time : 08:05:03

<u>Ordinance</u>	<u>Description</u>	<u># Offenses</u>
313.010	TRAFFIC CONTROL DEVICES	1
331.080	MARKED LANES OF TRAVEL	1
331.160	RIGHT OF WAY AT INTERSECTIONS	2
331.170	RIGHT OF WAY WHEN TURNING LEFT	1
331.180	RIGHT OF WAY AT YIELD SIGNS	1
331.340	FTC/FULL TIME ATT./WEAVING	3
331.440	SENDING,READING OR WRITING TEXT MSG	1
333.020	DISREGARD SAFETY-PRIVATE PROP	1
333.030	SPEED	1
333.030A	ACDA	5
333.090	RECKLESS OPERATION	1
335.010A1	EXPIRED DRIVERS LICENSE	1
335.070	DUS/REVOCATION/RESTRICTIONS	3
335.110	TRANSFER OF OWNER/REGISTRATION	2
351.040	PARKING VIOLATION	1
351.040E	Handicapped Parking	1
501.090	ATTEMPT	3
501.100	COMPLICITY	2
509.030	DISORDERLY CONDUCT	1
513.030A	POSSESSION OF MARIJUANA 513.03 C2A	3
513.040	POSSESS DRUG ABUSE INSTRUMENTS	2
513.120	DRUG PARAPHERNALIA	2
525.020	FALSIFICATION	1
525.070	OBSTRUCTING OFFICIAL BUSINESS	1
529.070	OPEN CONTAINER PROHIBITED	1
537.050	AGGRAVATED MENACING	1
541.050	CRIMINAL TRESPASS	4
545.050	PETTY THEFT	9
Total Offenses for Time Period		56
Total Tickets for Time Period		43

COUNCIL UPDATE



December 13, 2018

Finance Department
Amanda Jackson, Finance Director

Project Status:

RITA Conversion – Just a reminder that the official conversion date from City of Columbus to RITA for income taxes is January 1, 2019. Any and all filings and questions should be directed to RITA after this date. Please feel free to contact me with questions.

2018 End of Year – As we approach the end of 2018, we will begin wrapping up the writing of purchase orders and checks to aid in the final balancing for the year. The goal is have the books balanced on January 2, 2019 to allow for a smooth transition into the new year for our department managers. A deeper analysis of 2018 revenue and expenditure will be completed after the first of the year.

COUNCIL UPDATE



December 12, 2018

Department of Public Service
Matthew C. Peoples, Director

Project Status:

Gender Rd. Signal Synchronization Project: We are working with ODOT on a 100% grant for the Gender Rd. Signal Synchronization project as part of their Signal Timing Program. This project was originally included in the 2019 appropriations and an anticipated cost of around \$50,000. EMH&T is preparing a proposal for the engineering work associated with the grant application and subsequent signal timing reviews.

Office Renovations: We received the cost estimates for the Municipal Building and Community Center office renovations. The Municipal building came in at \$77,300 and the Community Center \$70,100. These projects were included in the debt borrowing we did for the Public Service Facility so no new funds will be needed. We are working to finalize details before we proceed any further.

Speed Control: We will continue to monitor the efficacy of the flashing speed limit sign installed on westbound E. Waterloo St.

McGill Park: OHM has completed and submitted the application for the Land and Water Conservation Fund grant. Total project costs are estimated to be \$2,288,341.00 and we are requesting the grant to be the \$500,000 maximum allowed under the LWCF program.

Westchester Park Improvements: We are still awaiting final approval from the State Controlling Board for the \$100,000 NatureWorks grant.

Westchester 13 Sanitary Oversizing: We are working with Fischer Homes on an agreement to oversize the sanitary sewers in Westchester Section 13 to accommodate future developments.

Gender Road Paving: ODOT has scheduled to pave Gender Rd. from US Rt. 33 to Lithopolis Rd. in FY 2020 (beginning July, 2019) as part of their Urban Paving Program. The program pays 80% of the estimated cost of \$702,273 with the city being responsible for the remaining 20% and all ancillary items such as pavement repairs, guardrail, drainage and lighting.

2019 Street Capital Improvement Program: We are beginning planning for the 2019 Street CIP with the major focus on E. Waterloo St., Ashbrook Village, and Westchester Section 3.

Gender IV OPWC Project: Project has hit substantial completion with the exception of the traffic signal and street light poles. There has been a delay in the manufacturing of the poles and they are not expected to ship until January. We have notified the contractor there will be liquidated damages assessed as the construction contract allows.

COUNCIL UPDATE



December 12, 2018

Division of Urban Forestry
Dick Miller, Urban Forester

Project Status:

Ash Removal: Standing dead trees within striking distance of a target are being removed this month near walking paths, parks and streets.

Invasive Plant Removals: Dormant basal bark spray on invasive trees (Pear, Russian Olive and Honeysuckle), will continue through the winter.

Pruning: General pruning of street trees will resume when leaf pick up ends, as we share that dumping truck with the street department.

COUNCIL UPDATE



December 12, 2018

Division of Water Reclamation
Steve Smith, Superintendent

Project Status:

S. Gender Lift Station: A new, less clog-prone pump was installed on Tuesday November 27th at the South Gender lift station. The remaining pump at the station was rebuilt following damage to both pumps by flushable wipes.

I/I Removal: A large source of groundwater relating to the new sewer installations along Lithopolis Rd. were found and eliminated. The source was determined to be improper isolation of the new sewer lines by the contractor. Additionally, a possible I/I source was investigated and found to be a failing pump seal rather than actual flow at the North Gender lift station. The pump was repaired and flows have returned to normal.

Manhole Inspections: The manholes in the Westchester area have been inspected per the normal every 4-year (25% of all city manholes) program. This section of the collection system seems to be in good overall condition.

NPDES Permit Renewal: The city has received the new NPDES (National Pollutant Discharge System) permit. The new pollutant limitations do not include phosphorus removal as anticipated, which will result in savings to the city of over 1 million dollars in the permit's 5-year term. Additional changes to the permit with regard to analyzations will also result in some cost savings due to some expensive testing that will no longer be required.

Safety:

- The city has been awarded the Ohio Water Environment Association (OWEA) highest safety award for its successful safety program and the new city safety manual. The new awards have been received and are displayed on the walls of the WRF administration building.
- The Safety Committee will meet later in the month to continue the discussion regarding first aid kits

COUNCIL UPDATE



December 12, 2018

Division of Streets, Lands and Buildings
Shawn Starcher, Superintendent

Project Status:

Leaf Removal: Crews are finishing up this week with Leaf Removal season that we have extended through Friday December 14th. Street Sweeping will continue through the remainder of the month.

Street Repairs: Crews have made asphalt repairs from waterline breaks with are Durapatcher. We have also started addressing minor pothole issues in are roadways.

Street Lights: Crews just finished with our last event of the year, Christmas in the Village. It was a big success. We will begin decoration removals the first week of January.

Winterizing: We are starting to clean up and winterize mowing equipment in preparation of Winter storage.

COUNCIL UPDATE



December 12, 2018

Division of Information Technology
Rick Brown, Coordinator

Project Status:

Network Environment: Continuing building the Disaster Recovery infrastructure

Building Security: South Central Power has installed most of the security cameras at city-owned buildings and we will begin startup on them as soon as that is complete.

Town Hall Equipment: Completed move and upgrades for Town Hall equipment during carpet replacement.

Updates/Audit/Repairs: Continuing updating servers, workstations and network equipment.

COUNCIL UPDATE



December 12, 2018

Division of Water
Joe Taylor, Superintendent

Project Status:

Well #5: Well 5 has been cleaned and is being assembled on December 12th.

Plant Production: We pumped 24.51 Million in November at an average of .817 MGD per day. Average Hardness was 120 mg/l.

AMI: AMI Metering System installs are ongoing. We have around 1360 units installed.

Water Main Break: We repaired a broken water main on 11/4/18 on Walnut View Ct S. Permanent repairs will need to be performed in the spring due to a poor pipe section.

Service Line Replacement: We are replacing a leaking service line at 375 S. Sarwil Dr. that runs under a tree.

Shut-offs: Shut offs will be December 27th.