



## City Council Agenda

Monday, February 5, 2024 at 7:00 pm

6550 N. High Street, Worthington, Ohio 43085

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Visitor Comments

### Special Presentation(s)

**5. Resolution No. 15-2024 - Recognition of Reserve Officer Kip Witchey**

*Executive Summary:* This Resolution expresses the appreciation and best wishes of the Worthington City Council to Kip Witchey for his outstanding service to the City of Worthington and the Worthington community.

### Approval of the Minutes

**6. Approval of the Minutes**

November 6, 2023

*Recommendation:* Approve as presented.

### Public Hearings on Legislation

**7. Ordinance No. 24-2023- Subdivision – Final Plat – 286 W. South St. – SUB 03-2023 - Revised**

Approving a Final Plat for the Resubdivision of Lot #1 of Weatherburn Subdivision Located at 286 W. South St. and Authorizing Variances (Eric Kmetz).

*Executive Summary:* This Ordinance approves the Final Plat for the Resubdivision of Lot #1 of Weatherburn Subdivision located at 286 W. South St. and grants variances for lot width for Lot#1B and Lot #1C.

*Recommendation:* Approve as presented.

**8. Ordinance No. 05-2024 - Riverlea Easement Agreement**

Authorizing the Acting City Manager to Execute an Easement Agreement with the Village of Riverlea.

*Executive Summary:* In preparation for the upcoming bridge replacement project on West Selby Boulevard, staff has been coordinating with the Village of Riverlea to create a temporary road connection between Melbourne Place and Northbrook Drive West. Riverlea's Village Council unanimously passed an easement agreement in December 2023 to allow this connection to proceed. This agenda item authorizes the City Manager to enter into agreement with the Village of

Riverlea for this temporary connection.

*Recommendation:* Approve as presented.

**9. Ordinance No. 06-2024 - Community Center Windows & Doors Ordinance**

Amending Ordinance No. 26-2023 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the Worthington Community Center South End Windows and Doors Replacement and all Related Expenses and Determining to Proceed with said Project. (Project No. 735-22) .

*Executive Summary:* This ordinance would fund Window and Door Replacements in the south end of the Community Center and all related expenses.

*Recommendation:* Motion to amend, approve as amended.

## **New Legislation - Resolution(s)**

**10. Resolution No. 16-2024 -Appointment to the COHCC Board**

*Executive Summary:* This Resolution appoints Scott Bartter as the principal and Angela Harris as the alternate representative to the Central Ohio Health Care Consortium Board.

*Recommendation:* Introduce and approve as presented.

## **Reports of City Officials**

**11. Policy Item(s)**

**a. Motion to Withdraw - Ordinance No. 20-2022 (Community Center Windows & Doors)**

*Executive Summary:* This ordinance was tabled in 2022. With Ordinance No. 06-2024, it is no longer needed.

*Recommendation:* Motion to withdraw Ordinance No. 20-2022 from consideration.

## **Reports of Council Members**

### **Other Business**

### **Executive Session**

### **Adjournment**

**12. Motion to Adjourn**

RESOLUTION NO. 15-2024

Expressing the Appreciation and Best Wishes of the Worthington City Council to Kip Witchey for his Outstanding Service to the City of Worthington and the Worthington community.

WHEREAS, Police Reserve Lieutenant Kip Witchey has diligently served the Worthington Division of Police and the City of Worthington for over 30 years; and,

WHEREAS, Kip Witchey was sworn in as a Reserve Officer in 1992, was promoted to Reserve Sergeant in 1992, Reserve Lieutenant in 2016 and has retired his commission in the Reserves on December 31, 2023; and,

WHEREAS, Worthington's Reserve program was established in 1978 to provide assistance and additional staffing for the Division of Police at special events and other activities. All reserve officers are fully trained and serve without compensation, providing outstanding support and policing skill with minimal costs to our community; and,

WHEREAS, Kip Witchey has always led by example, consistently volunteering for City functions including the July 4<sup>th</sup> fireworks, Memorial Day Parade and the Market Day Festival, dedicating countless volunteer hours while pursuing his full-time career for over 30 years as a teacher, athletic director and administrator with Dublin City Schools; and,

WHEREAS, Kip Witchey has been recognized by City leaders, staff and residents for his caring attitude, personal character and leadership; and,

WHEREAS, the Worthington City Council is pleased to recognize and thank Kip Witchey for his dedication and outstanding service to the Worthington community,

NOW THEREFORE, BE IT RESOLVED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That on behalf of the community, City Council hereby expresses to Kip Witchey sincere appreciation for his contributions and dedicated service and extends him best wishes in future pursuits.

SECTION 2. That the Clerk of Council be instructed to forward a duly certified copy of this Resolution to Kip Witchey and to record said Resolution in the appropriate record book.

Adopted \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
Clerk of Council



# City Council Agenda

## Minutes

Monday, November 6, 2023 at 7:00 pm

6550 N. High Street, Worthington, Ohio 43085

### 1. Call to Order

#### Minutes:

Worthington City Council met in person on Monday, November 6, 2023. President Robinson called the meeting to order at 7:00 p.m.

### 2. Roll Call

#### Minutes:

**Members Present:** Katherine Brewer, Peter Bucher, Rebecca Hermann, Beth Kowalczyk, Bonnie Michael, Doug Smith, David Robinson **Absent:** None **Also Present:** Acting City Manager Robyn Stewart, Assistant City Manager David McCorkle, Director of Law Tom Lindsey, Director of Finance Scott Bartter, Planning & Building Director Lee Brown, Director of Parks & Recreation Darren Hurley, Chief of Fire & EMS Mark Zambito, and Clerk of Council Grace Brown.

### 3. Pledge of Allegiance

#### Minutes:

President Robinson invited those in attendance to stand and recite the Pledge of Allegiance.

### 4. Visitor Comments

#### Minutes:

Kim Kirkwood-Boulter of 6441 Spinnaker Drive in Lewis Center addressed Council regarding her work as a leader of Changing Spaces, an Ohio-based advocacy group. She shared her ties and experiences with the City of Worthington. Ms. Kirkwood-Boulter shared her experience as a mother who strives to give her son new experiences. However, as he uses protective undergarments, the experiences are often cut short due to the need to find a place to get changed. He outgrew baby-changing tables years ago. She spoke of the lack of space and access to universal-sized changing tables as a public health crisis. She advocated for the inclusion of the tables in the City of Worthington. Ms. Kirkwood-Boulter shared the International Code Council wrote a new building code that would include adult changing stations in the 2024 International Building Code. She and co-leader Jennifer Corcoran petitioned the Ohio Board of Building Standards to adopt in their code and that they would be enforceable beginning in March 2024. Ms. Kirkwood-Boulter explained that they started their mission to change code by attending a Council Meeting in Orange Township and from there it caught on. She spoke of work with



Darren Hurley to get universal changing tables installed in the Worthington Community Center (which would hold up to 400 lbs) and additional facilities around Worthington. Ms. Hermann expressed support for the project as a mother of a now teenager who was a micro-preemie at birth. She related to the challenges as described by Ms. Kirkwood-Boulter. Jessica Haglund of 687 Hartford Street spoke in support of Ms. Kirkwood-Boulter's initiative to bring universal changing stations to Worthington facilities. She spoke of anywhere from 40-60 million Americans with disabilities. She encouraged City Council to help the City become ADA compliant and allow citizens to live more dignified lives through access. Mr. Mark Gideon of 91 Chaucer Court spoke of what he called "the tale of two developers and how the city Council made their dreams come true". He stated that by approving the Kenyon Brook subdivision, city council made the developer's dream come true. He also stated that within a short time of approval, the city saw the need to construct a new sewer, ten feet deeper than the existing sewer, which would provide gravity sewer service to the residents of Kenyon Brook. He added that the Tonti Organization consulted and wrote the City Engineer for sewer-related items. Subsequently, Mr. Gideon indicated that the citizens did not receive the same "royal" treatment as the developers.

## Special Presentation(s)

### 5. Lifesaving Award

#### Minutes:

Acting Police Chief Eric Grile recognized several City of Worthington Police Officers for their heroic and lifesaving actions on October 5, 2023. Officers Jennifer Farmer, Isaac Altenburger, Michael Aisel, Andrew Smith, and Kevin Rigano responded to a call from a concerned resident because children across the street from them could not enter their home after school. When officers arrived, both cars were in the drive and a baby could be heard crying from inside. Officers were able to see a gallon of milk sitting on the kitchen table from a window, but no adults. Knowing that would be unusual, an officer climbed over an air conditioner to finally see one person lying on the floor unconscious. They then forced entry and called EMS. Through their actions, they discovered three adults, all unresponsive were in the home with the crying baby. After officers safely removed the baby from the home, six doses of naloxone were subsequently administered to revive the adults. Unfortunately, one would pass away days later. Chief Grile recognized that the officers' quick actions saved several lives that day. Each officer received a special paper recognition, as well as hearing support from City Council members.

## Public Hearings on Legislation

### 6. Ordinance No. 23-2023 - Additional Appropriations – General Fund and 350 W. Wilson Bridge TIF Fund

Amending Ordinance No. 39-2022 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the General Fund and 350 W. Wilson Bridge Rd. TIF.

#### Minutes:

Mr. Bartter gave a brief overview of Ordinance No. 23-2023. It would appropriate \$86,000 in the General Fund and \$20 in the 350 West Wilson Bridge Road TIFF fund. He shared it was for some unanticipated HVAC repairs at the Community Center and some inflationary pricing on floor care,

window cleaning, and carpet cleaning. The \$20 in the 350 West Wilson Bridge Road TIFF fund was for county auditor fees.

**There being no additional comments, the clerk called the roll on Ordinance No. 23-2023.**

**The Ordinance passed unanimously by the following vote:**

**Vote results:**

Ayes: 7 / Nays: 0

## **New Legislation - Resolution(s)**

### **7. Resolution No. 57-2023 – Establish Compensation for the position of Part-Time Community Risk Reduction Service Coordinator**

Amending Resolution 55-2022 to Establish Compensation for the Position of Part-Time Community Risk Reduction Service Coordinator in the Division of Fire.

#### **Minutes:**

**\*\* Introduced by Ms. Michael. \*\***

Ms. Stewart provided background that the position of Part-Time Community Risk Reduction Service Coordinator had been included in the budget and was being recruited by the City. The request from Council was to pass the Resolution which established the pay range at 16 which was slightly over \$30 per hour.

**MOTION: Ms. Kowalczyk moved, seconded by Ms. Hermann to adopt Resolution No. 57-2023. The motion carried unanimously by a voice vote.**

## **New Legislation - Ordinance(s)**

### **8. Ordinance No. 24-2023 – Subdivision – Final Plat – 286 W. South St. – SUB 03-2023**

Approving a Final Plat for the Resubdivision of Lot #1 of Weatherburn Subdivision Located at 286 W. South St. and Authorizing Variances (Eric Kmetz).

#### **Minutes:**

Shelby Furer of 290 West South Street addressed Council regarding the intended plans for the subdivision plat. She expressed concern that the developers had not reached out to neighbors as they indicated they would do in an impromptu meeting when they were standing by her garage in the past.

Michael White of 556 Hallmark Place spoke next before Council. He brought a previously signed petition by neighbors to Council's attention and asked them to listen to the citizen's concerns. He also pointed out his concerns that there were plans to build homes ranging from 3,400-3,800 square feet. He spoke of the contrast between the current homes in the neighborhood which were smaller with some being 1,000- 1,200 square feet. He also mentioned concerns of property tax increases.

Council President Robinson shared that he had driven through the development area in question to gather more insight. He wanted the developer to reach out to the neighbors and have one or two meetings with them to learn something that may improve the project.

Ms. Hermann shared that Council should watch the Commission meeting that was held. She believed that holding the public hearing on November 20 to hear more from the neighbors.

Ms. Kowalczyk indicated Council received the petition mentioned by Mr. White on September 20, 2023.

Introduced by Ms. Brewer and set for public hearing on November 20, 2023.

#### **9. Ordinance No. 25-2023 – Prohibiting the Sale of Flavored Tobacco Products**

To Amend Various Sections of Chapter 765 "Tobacco Sales" of the Codified Ordinances of the City of Worthington to Prohibit the Sale of Flavored Tobacco Products.

##### **Minutes:**

Introduced by Ms. Kowalczyk and set for public hearing on November 20, 2023.

### **Reports of City Officials**

#### **10. Policy Item(s)**

##### **a. Worthington Pools**

##### **Minutes:**

Ms. Stewart shared that the purpose of the agenda item was to revisit the ongoing discussion about Worthington Pools and that several staff members were ready to provide information. She also indicated that Mr. Paul Fallon of Fallon Research was also in the audience.

Mr. Hurley provided an overview of the three main funding requests from Swimminc. The three funding options were for 1.) \$10,300,000 which was for renovation and repair of existing facilities, 2). \$12,800,000 which was also for renovation and repair of existing outdoor pool facilities but with a replacement of the pool house, and 3). \$15,400,000 for complete replacement of existing outdoor pool and pool facilities.

Ms. Hermann asked if the latest survey had the same amount of participants or how they felt about the pools as the survey done before COVID-19 pandemic. Mr. Fallon responded that it was four years ago and there were different samples and questions. He mentioned people were excited, but there would be a challenge to explain what the needs were because there was a high stratification rating with the pools as is.

Mr. Bartter gave an overview of the financial options that were submitted and presented in a July 2023. He indicated no action by Council would likely mean the closing of the pools. Fundraising would not provide complete funding, and a JRD (Join Recreation District). He highlighted the need for the Worthington City Schools to be involved if that was the way Council wanted to proceed. Especially as the pools were on school property. Ms. Stewart indicated the City had not requested the conversation with the schools. She estimated a year or so would be a likely timeline to get through the organizational process.

Ms. Hermann shared that a JRD had been thought of in the Committee Meeting, and that they would need to decide as Council before bringing a JRD possibility to the School Board. Mr. Bartter shared that cash options, even the 10.3 million would drop the General balance below the 35% threshold that was previously established in guidelines. He also went over General Bond Payments, CIP Bond Payments, and a voted ballot issue. He continued by sharing Charter Millage options and hybrid options.

Ms. Stewart welcomed Council comments or questions after Mr. Bartter's initial financial presentation. Ms. Stewart proceeded to share additional details that would need to be considered, including who would hold the construction contracts, if the city would review or inspect constructions, would the City want influence in operations and maintenance.

Ms. Hermann shared that she felt a step was missing as the City would be funding but would not be owners. Ms. Stewart indicated that a new contract may need to be developed with Swimminc.

The presentations concluded with Council taking more time to consider the funding options.

#### **b. Proposed 2024 Operating Budget**

##### **Minutes:**

Ms. Stewart, Mr. McCorkle and Mr. Bartter provided an overview of the 2024 Operating Budget which was distributed to Council in October 2023.

Ms. Stewart shared a \$1.7 million transfer in 2024 as well as \$500,000 in 2025-2028 to fund operations. Mr. McCorkle highlighted projects of Administration. He mentioned the search for a City Manager, 2024 records scanning, the Japanese Delegation, new software in the Court Clerk's Office, Housing Study, hiring a Chief of Police, and more. For Economic Development, he shared that 6700 High Street remained a priority, as well as Worthington Gateway leasing. Ms. Stewart said that there would be a hire of an Assistant City Law Director as there was currently only one. She shared that Service and Engineering would be working on response times to fix city equipment and infrastructure. She noted some key retirements which would mean new hires. She shared that there were approximately six new hires in Fire and there would be more in 2024 along with a Fire Safety Coordinator.

Mr. Bartter shared Police would seek a \$24000 software upgrade and Parks and Recreation would continue to develop outdoor and nature programming. He said there would not be significant updates to their budget. He also noted that there was a \$450,000 comprehensive plan update in 2024.

Mr. Robinson asked what would be included in the plan update. Mr. Brown said a lot of the money would be geared toward outreach to citizens and the public. He mentioned the focus on housing, the development of economic plans and more.

Ms. Stewart thanked staff for their hard work on the budget.

### **Reports of Council Members**

Ms. Michael shared Chamber event updates.

Ms. Brewer shared agenda updates from the upcoming ARB/MPC meeting.

### **Other Business**

Ms. Stewart shared that the Citizens Academy concluded and reported about the most recent COMMA (Central Ohio Mayor's and Manager's Association). She also provided a list of Board and Commission term expirations at the seat of each council member and provided a Deer Task Force update.

### **Executive Session**

## Adjournment

### 11. Motion to Adjourn

**Minutes:**

Ms. Michael moved, seconded by Ms. Hermann to adjourn. The motion carried unanimously by a voice vote. President Robinson declared the meeting adjourned at approximately 8:53 pm.

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Contact: Grace Brown, Clerk of Council ([grace.brown@worthington.org](mailto:grace.brown@worthington.org)) (614) 436-3100 | Minutes published on 02/01/2024 at 3:23 PM



**STAFF MEMORANDUM**  
**City Council Meeting – February 5, 2024**

Date: January 17, 2024

To: Robyn Stewart, Acting City Manager  
David McCorkle, Assistant City Manager

From: R. Lee Brown, Director of Planning and Building

Subject: Ordinance – Subdivision – Final Plat – 286 W. South St. – SUB 03-2023 - Revised

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**EXECUTIVE SUMMARY**

This Ordinance approves the Final Plat for the Resubdivision of Lot #1 of Weatherburn Subdivision located at 286 W. South St. and grants variances for lot width for Lot#1B and Lot #1C.

**RECOMMENDATION**

Approve as presented.

**TIMELINE**

On January 16, 2024, City Council tabled the request for the Final Plat with variances to February 5, 2024, to give the applicant additional time to resubmit revised materials. To view the meeting, please go to the Video Archives for [January 16, 2024, City Council Meeting](#).

On December 4, 2023, City Council tabled the request for the Final Plat with variances to January 16, 2024, to give the applicant time to resubmit revised materials. To view the meeting, please go to the Video Archives for [December 4, 2023, City Council Meeting](#).

On Monday, November 27, 2023, the applicants met with the neighboring property owners to discuss their plans for the development of three homes on the site. An alternative plan was discussed that would still create three buildable lots that would need variances, however two of those lots would now have frontage on W. South St. with one of those lots being a corner lot, and the third lot having frontage only on Weatherburn Place. The

applicants requested to table their request until Tuesday, January 16, 2024, so that they could resubmit revised materials.

On November 20, 2023, City Council reviewed and tabled the request for the Final Plat with variances to December 4, 2023. To view the meeting, please go to the Video Archives for [November 20, 2023, City Council Meeting](#).

On November 6, 2023, City Council introduced the request for the Final Plat with variances and set a hearing date of November 20, 2023. To view the meeting, please go to the Video Archives for [November 6, 2023, City Council Meeting](#).

On September 28, 2023, the Municipal Planning Commission reviewed and recommended **approval** of the Final Plat with variances for the Resubdivision of Lot #1 in Weatherburn Subdivision. To view the meeting, please go to the Video Archives for [September 28, 2023, ARB & MPC Meeting](#).

On June 8, 2023, the Municipal Planning Commission reviewed and **conditionally approved** the Preliminary Plat with the following conditions:

1. Building placement variance requests were not approved as part of the platting process.
2. Any missing items needed for the Preliminary Plat will be needed at the time of Final Plat submission.

To view the meeting, please go to the Video Archives for [June 8, 2023, ARB & MPC Meeting](#).

Staff is recommending **approval** of the revised application as the proposed lot widths are not out of character and the lots exceed the minimum square footage requirement for lots in the R-10 District. The creation of the two additional lots will provide additional housing options for those wanting to stay or move into Worthington that desire a newly constructed residence.

## **BACKGROUND/DESCRIPTION**

The request before you is a Final Plat to subdivide an existing .88-acres lot that is located at the northwest corner of W. South St. and Weatherburn Pl. The proposal is to create three (3) building lots out of what is currently Lot #1 of Weatherburn Subdivision which was platted in 1986 that created a five (5) lot subdivision with four (4) lots gaining access from a newly constructed cul-de-sac. The subdivision now known as Weatherburn was a Resubdivision of Hoyer's Subdivision that was originally a 36-lot subdivision platted in 1894. The applicant purchased the property on March 14, 2023, and the existing 2,782 sq. ft. one-story home constructed in 1944 is proposed to be demolished as part of the redevelopment of the site. The property is located in the R-10 Zoning District.

## **MPC History:**

- On June 18, 2023, the Municipal Planning Commission **approved** the demolition of an existing 2,782 sq. ft. single-family home that was constructed in 1944.

- On June 18, 2023, the Municipal Planning Commission **conditionally approved** the Preliminary Plat to create two additional lots with the following conditions:
  - Building placement variance requests were not approved as part of the platting process.
  - Any missing items needed for the Preliminary Plat will be needed at the time of Final Plat submission.
- On September 28, 2023, the Municipal Planning Commission recommended **approval** of the Final Plat with variances to City Council.

**Project Details:**

**1. Proposed Lots:**

- a. *Previous Lot #1A:*
  - i. *Lot Area – 17,156 sq. ft.*
  - ii. *Lot Width – 78-feet – Weatherburn Pl.*
  - iii. *Lot Width – 174-feet – W. South St.*
- b. *Proposed Lot #1A:*
  - i. *Lot Area – 16,201 sq. ft.*
  - ii. *Lot Width – 143-feet – Weatherburn Pl.*
  - iii. *Lot Width – 106.77-feet – W. South St.*
- c. *Previous Lot #1B:*
  - i. *Lot Area – 10,891 sq. ft.*
  - ii. *Lot Width – 65-feet*
- d. *Proposed Lot #1B:*
  - i. *Lot Area – 11,846 sq. ft.*
  - ii. *Lot Width – 67.67*
- e. *Previous Lot #1C:*
  - i. *Lot Area – 10,777 sq. ft.*
  - ii. *Lot Width – 67-feet*
- f. *Proposed Lot #1C:*
  - iii. *Lot Area – 10,777 sq. ft.*
  - iv. *Lot Width – 67-feet*

**2. Proposed Front Setbacks:**

- a. *Lot #1A*
  - i. Required – A minimum of 30-feet along W. South St., however the setback would be 58-feet along Weatherburn Pl.
    - 1. Larger setback along Weatherburn Pl. due to an existing platted utility easement for an existing 12-inch sanitary sewer line that runs north to south.
- b. *Lot #1B*
  - i. Required – A minimum of 30-feet along W. South St.
- c. *Lot #1C*
  - i. Required – 30-feet, however the setback would be 58-feet along Weatherburn.



1. Larger setback along Weatherburn Pl. due to an existing platted utility easement for an existing 12-inch sanitary sewer line that runs north to south.
3. Access Points:
    - a. Two access points will be from Weatherburn Pl. with one access point on W. South St. All three access points will be required to receive a Driveway Permit and Right-of-way Permit from the Service & Engineering Department.
      - i. The Service & Engineering Department will need to review the access to Lot #1A to ensure that there is an appropriate distance from the intersection of Weatherburn Pl. and W. South St.
    - b. The existing access point on W. South St. appears to be removed as part of the subdivision. This area will need to be reseeded, graded and a new curb installed in the area of the existing drive approach.
    - c. A Right-of-way Work Permit and Driveway Permit will be required by the Service & Engineering Dept.
  4. Sidewalks:
    - a. Sidewalks will be required along the W. South St. frontage that will be 5-feet in width and will connect with the existing sidewalk of 4-feet along Weatherburn Pl.
  5. Street Trees:
    - a. Twelve (12) street trees are proposed along W. South St. and Weatherburn Pl. Four (4) street trees along Weatherburn Pl. located in the public right-of-way and eight (8) street trees located on the backside of the new sidewalk by approximately 5-feet that will be located on private property along W. South St.
      - i. The location of the existing underground utilities in the tree lawn area is the reason for the location of the W. South St. street trees being located on the backside of the new sidewalk instead of the tree lawn.
      - ii. Utilities:
        1. 21-inch and 24-inch storm sewer
        2. 12-inch sanitary sewer line
        3. 6-inch waterline
    - b. The City Arborist has provided the following list of trees that are acceptable street trees:
      - i. Weatherburn Pl.
        1. Norwegian Sunset maple -Acer truncatum x platanoides 'Keithsform'
        2. Hot Wings Maple -Acer tataricum 'GarAnn'
        3. American Hornbeam -Carpinus caroliniana 'Native Flame®', Palisade®, Ball O' Fire™, & Rising Fire®'
        4. Cornelian Cherry Dogwood -Cornus mas
        5. Frontier Elm -Ulmus x Frontier
        6. Golden Rain Tree -Koelreuteria paniculata
        7. Fort McNair Red Horse Chestnut -Aesculus x carnea 'Fort McNair'

8. Persian ironwood -*Parrotia persica*
9. Paperbark Maple -*Acer grisium*
10. American yellowwood -*Cladrastis kentukea*
- ii. W. South St. – Any of the Weatherburn Pl. trees are acceptable as well as the following larger trees. Larger trees should not be used in the quantity shown on the Preliminary Plat. Coordination with the City Arborist would be needed.
  1. Main Street® Maple -*Acer truncatum* 'WF-AT1'
  2. Japanese zelkova - *Zelkova serrata*
  3. Silver Linden - *Tilia tomentosa* 'Sterling'
  4. Swamp White Oak -*Quercus Bicolor*
  5. London planetree - *Platanus x acerifolia* 'Morton's Circle'
  6. Black Gum -*Nyssa sylvatica* 'Northern Splendor' or 'Green Gable'
  7. Kentucky Coffeetree - *Gymnocladus dioica* 'Espresso'

6. Existing Vegetation:

- a. A Tree Survey was submitted providing detail for every tree larger than 6 caliper inches on the site.
- b. The site also has an abundance of honeysuckle and overgrown vegetation on the site.
- c. There are thirty-eight (38) existing trees on the site that exceed 6 caliper inches on the site. The trees have all been ranked for their condition from Very Good to Poor.
- d. Some of the trees have been shown on the Preliminary Plat to stay as part of the redevelopment of the site.
  - i. 17 trees have been shown to remain on the site.
- e. Tree protection fencing needs to be shown on the plans for the trees that are proposed to stay on the site and be protected during demolition and construction of the new single-family homes.
  1. A Tree Protection Plan will be required to be submitted with the Demolition Permit for review and approval.
- f. City Arborist comments:
  - i. Recommends removal of the existing Hackberry Tree and Crabapple Tree on Lot #1A due to their condition and quality.
  - ii. States that the Honey Locust Tree on Lot #1C is in great shape.
    1. This is likely the only tree that is impacted by the placement of the proposed new single-family home.

7. Utilities:

- a. There is an existing 12-inch sanitary sewer line that runs north to south that is located in a 10' sanitary sewer easement that is approximately 40-feet from the public right-of-way of Weatherburn Pl.
  - i. Connection to sewer will connect to the existing 12-inch sanitary sewer line that is already on the site.
- b. There will be a 10' sanitary sewer easement across the western portion of Lot #1A than will provide access to the 12-inch sanitary sewer line for Lot #1B.

- c. There is an existing 6-inch waterline on the eastern side of Weatherburn Pl. and a 6-inch waterline along the north side of W. South St.
    - i. To connect to the waterline on Weatherburn Pl. the Service & Engineering Department will require the applicant to bore under the roadway to access the waterline. The applicant will be responsible for any damage related to connection to utilities.
  - d. Gas & Electric:
    - i. Gas:
      - 1. Lot #1C will access the gas main on Weatherburn Pl.
      - 2. Lot #1A and Lot #1B will access the gas main on W. South St.
    - ii. Electric:
      - 1. Electric is required to be buried in any new subdivision.
      - 2. A 10' utility easement for AEP and fiber/cable is shown to cross under W. South St. at Garden Dr. and run along the western and northern side of Lot #1B to provide access to Lot #1A and Lot #1C.
  - e. Stormwater:
    - i. There are two existing catch basins at the intersection of Weatherburn Pl. and W. South St. that connect to a 21-inch storm sewer line.
    - ii. The flow of water from the site will be required to be graded to not negatively impact the neighboring properties.
    - iii. Drainage Analysis
      - 1. A Drainage Analysis was submitted by E.P. Ferris and reviewed by the Service & Engineering Dept. and found that the addition of two lots will have minimal impact on the current storm sewer system.
8. A Subdivider's Agreement has been provided as part of the Subdivision process.

### **Worthington Planning & Zoning Code:**

#### **Section 1149.01 Yard, Area and Height for Dwellings & Accessory Structures**

<b>District</b>	<b>Lot Width</b>	<b>Lot Area</b>	<b>Front Setback</b>	<b>Rear Setback</b>	<b>Side</b>	<b>Sum of Side</b>	<b>Height</b>
R-10	80-feet	10,400sq. ft.	30-feet	30-feet	8-feet	20-feet	30-feet

### **Land Use Plans:**

#### Worthington Comprehensive Plan

The 2005 Worthington Comprehensive Plan states that one of the strengths of the Worthington Community is its residential neighborhoods. Encouraging development in existing neighborhoods is important in maintaining the existing housing stock throughout Worthington.

**Staff Analysis:**

1. Public Area Payment:
  - a. \$250.00/new dwelling unit – required at the time of applying for a permit to construct the new dwelling units.
2. Special Park Fund:
  - a. \$500.00/newly created lot – required prior to the recording the Final Plat.
3. Proposed Variances:
  - a. Lot #1B
    - i. Lot Width
      1. Required – 80-feet
      2. Proposed – 67.67-feet
        - a. Variance of 12.33-feet
          - i. The lot widths are not out of character for the area. There are a variety of lot sizes and widths found throughout this quadrant of the City.
  - a. Lot #1C
    - ii. Lot Width
      1. Required – 80-feet
      2. Proposed – 67-feet
        - a. Variance of 13-feet
          - i. The lot widths are not out of character for the area. There are a variety of lot sizes and widths found throughout this quadrant of the City.
4. Tree Protection Plan
  - a. Tree protection fencing needs to be shown on the plans for the trees that are proposed to stay on the site and be protected during demolition and construction of the new single-family homes.
    - i. A Tree Protection Plan will be required to be submitted with the Demolition Permit for review and approval.
5. Since the property is not located in the Architectural Review District, strict adherence to construct the homes as previously shown in the original application materials provided as part of the Preliminary Plat is not legally possible by the Municipal Planning Commission and/or City Council.
6. The Municipal Planning Commission and/or City Council cannot legally require the proposed houses to be constructed as previously shown in the information provided as part of the Preliminary Plat. The Commission can review the proposal for compliance with the Subdivision Regulations and any variances as part of the platting process. The applicant previously proposed variances for building setbacks as part of the platting process and the proposed variances related to the setbacks would run with the land.
  - a. The Municipal Planning Commission did not approve setback variances for the proposed new homes as part of the original Preliminary Plat approval. The Commission did recommend approval of a variance for lot width for Lot #1B and Lot #1C of the original layout.

7. The applicant previously made application to demolish the existing single-family home on the site that that was approved on June 8, 2023. The demolition application met the requirements of Section 1153.05.
8. The proposed lot sizes exceed the minimum square footage of 10,400 sq. ft. in size for newly created lots in the R-10 District.
9. Two of the proposed lots to not meet the minimum lot width requirement for newly created lots in the R-10 District; however, the lot widths are not out of character for the area. There are a variety of lot sizes and widths found throughout the City.
  - a. The applicant provided an exhibit that depicts the lots in the surrounding area that do not meet the minimum lot width for newly created parcels in the vicinity of the proposed development.
  - b. The majority of lots in this area were created prior to the adoption of the 1971 Planning & Zoning Code.
  - c. The applicant would technically be able to create three (3) lots with a minimum of 80-feet of frontage without any variances if it was not for the 10' sanitary sewer easement that bisects the eastern portion of the site there could have been two lots on W. South St. and one lot on Weatherburn Pl.
  - d. City staff has provided an exhibit that depicts all the lots in the City that are zoned R-10 that are zoning compliant, lots less than 10,400 sq. ft. and lots that exceed 10,400 sq. ft., but are less than 80-feet in width.
    - i. Total R-10 parcels = 4,677.
      1. 940 parcels are under the current 80-feet in width requirement but meet or exceed the minimum lot size requirement.
        - a. Approximately 20% of the parcels do not meet the frontage requirement.
      2. 2,428 parcels are under the required 10,400 sq. ft. lot size requirement.
        - a. Approximately 52% of the parcels do not meet the lot size requirement.
      3. 1,488 parcels are compliant with both lot size requirements and road frontage requirements.
        - a. Approximately 32% of the parcels meet the R-10 requirements found in the Planning & Zoning Code.
    - ii. Please see attached exhibit.
10. Subdivision Process:
  - a. Municipal Planning Commission
    - i. Preliminary Plat – [Section 1101.09](#)
      1. MPC conditionally approved the Preliminary Plat.
    - ii. Final Plat – [Section 1101.12](#)
      1. The Municipal Planning Commission shall make a recommendation to City Council.
  - b. City Council
    - i. Council may review the application and may adopt or reject the Subdivision with or without change.

1. If approved, the Ordinance would have an effective date 20-days after Council passage.
2. The Final Plat must be recorded by the applicant within 6-months of City Council approval unless such time is extended by Resolution of City Council.

**ATTACHMENTS**

- Ordinance and Exhibit A & B
- Revised Materials

ORDINANCE NO. 24-2023

Approving a Final Plat for the Resubdivision of Lot #1 of  
Weatherburn Subdivision Located at 286 W. South St. and  
Authorizing Variances (Eric Kmetz)

WHEREAS, a request has been made by Eric Kmetz to subdivide Lot #1 of  
Weatherburn Subdivision located at 286 W. South St.; and,

WHEREAS, the request has received a complete and thorough review by the  
Municipal Planning Commission on June 18, 2023 (Preliminary Plat) and on September  
28, 2023 (Final Plat) and approval has been recommended by the Commission; and,

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of  
Worthington, County of Franklin and State of Ohio:

SECTION 1. That the Final Plat for the Resubdivision of Lot #1 of Weatherburn  
Subdivision located at 286 W. South St., as per Case No. SUB 03-2023, Drawings No.  
SUB 03-2023, dated September 15, 2023, attached hereto as Exhibit "A" be approved.

SECTION 2. That the City Manager is authorized to enter into a Subdivider's  
Agreement with the Developer attached hereto as Exhibit "B".

SECTION 3. That there be and hereby is granted variances from Section 1149.01  
of the Codified Ordinances which requires each newly created lot to have a minimum lot  
width of 80-feet for proposed Lot #1B and Lot #1C.

SECTION 4. That notice of passage of the Ordinance shall be posted in the  
Municipal Administration Building, the Worthington Library, the Griswold Center, and the  
Worthington Community Center and shall set forth the title and effective date of the  
Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council.  
This Ordinance shall take effect and be in force from and after the earliest period allowed  
by law and by the Charter of the City of Worthington, Ohio.

Passed:

Attest:

---

President of Council

Introduced November 6, 2023  
P.H. November 20, 2023, Tabled  
P.H. January 16, 2024, Tabled  
P.H. February 5, 2024  
Effective

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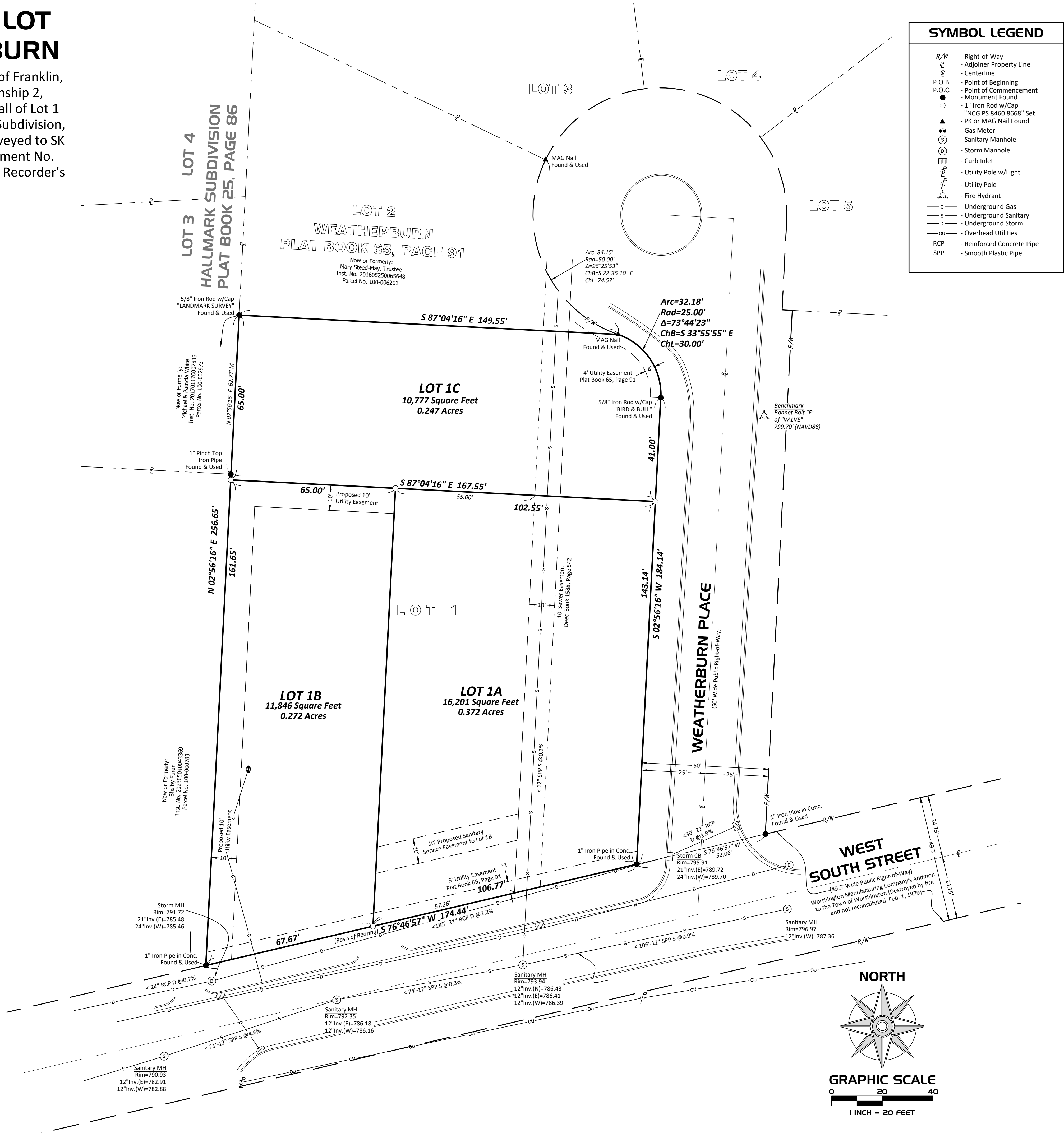
Clerk of Council





RESUBDIVISION OF LOT NO. 1 OF WEATHERBURN

Situated in the City of Worthington, County of Franklin, and State of Ohio, Quarter Township 3, Township 2, Range 18, U.S.M.L., being a resubdivision of all of Lot 1 of Weatherburn, a resubdivision of Hoyer's Subdivision, as recorded in Plat Book 65, Page 91, as conveyed to SK HOMES SOUTH STREET LLC by deed in Instrument No. 202303140024060, all being of record in the Recorder's Office, Franklin County, Ohio.



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DATE:	COMMENT:
2023-07-10	GENERAL COMMENTS
2023-08-29	GENERAL COMMENTS
2023-12-08	CHANGE LOT CONFIGURATION
2024-01-22	GENERAL COMMENTS
2024-01-26	GENERAL COMMENTS

SURVEY PREPARED FOR:	
SK HOMES MANAGEMENT, LLC	

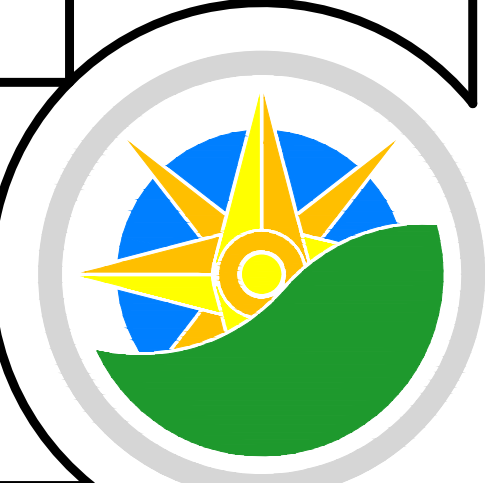
286 W. SOUTH STREET CITY OF WORTHINGTON COUNTY OF FRANKLIN STATE OF OHIO
---

NORTH COAST GEOMATICS  
Mapping & Surveying - northcoastgeo.com

667 Sunridge Rd  
Fairlawn, OH 44333  
(614) 519-3611

Project No. NCG 3046  
Drafted by: ESJ/LKC

SHEET  
2 OF 2



## SUBDIVIDER'S AGREEMENT

THIS AGREEMENT is executed on this \_\_\_\_ day of \_\_\_\_\_ 2024, by and between SK Homes South Street LLC, an Ohio Limited Liability Company (the "Subdivider") and the City of Worthington, Ohio, an Ohio municipal corporation (the "City"), pursuant to Chapter 1101 of the Codified Ordinances of the City of Worthington and the Final Subdivision Plat for Subdivision of Lot No. 1 of Weatherburn (the "Subdivision").

NOW, THEREFORE, in consideration of the approval of the Subdivision by the Council of the City of Worthington, Ohio, it is hereby agreed as follows:

1. The proposed Subdivision and its ultimate use shall conform to the Subdivision Plat as approved by City Council and the requirements of law, including without limitation, the Planning and Zoning Code and the Building Code of the City of Worthington, except as may be otherwise authorized by proper authority.
2. No transfer of any lot, parcel or tract from said Subdivision shall be made, nor shall any construction work, including grading, be started which may affect the arrangement of streets or other public improvements until approval of the Final Plat is obtained by the Subdivider and the performance bond or irrevocable letter of credit acceptable to the City or certified check guaranteeing the completion of public improvements in accordance with Paragraph V of this Agreement is provided to the City.
3. The Subdivider shall pay the entire cost and shall construct, install or otherwise provide all public improvements necessary to serve the Subdivision as required by Part Eleven – Planning and Zoning Code - Title One – Subdivision Platting Regulations of the Worthington Codified Ordinances, in connection with the Subdivision, under the supervision of the City Engineer, including, at a minimum:
  - a. Sidewalks to be installed along the frontage of W. South Street.
  - b. Landscaping and screening features, and street trees along Weatherburn Place and W. South Street.
4. Prior to beginning any construction work, detailed engineering drawings and specifications shall be furnished to the City by the Subdivider for all of the public improvements to be installed in the Subdivision.
5. The Subdivider shall, in accordance with Section 1101.15 of the Worthington Codified Ordinances, provide to the City a performance bond or irrevocable letter of credit acceptable to the City, or a certified check, in an amount equal to the estimated cost of constructing said improvements, guaranteeing the completion thereof within one year from the date of approval of this Subdivider's Agreement, or such extension of time as may be granted by Council. Said performance bond or letter of credit acceptable to the

City or certified check shall be released upon acceptance of the public improvements by the City and upon the furnishing by the Subdivider of an additional bond or letter of credit acceptable to the City, or a certified check, in an amount equal to ten percent (10%) of the estimated cost of construction, guaranteeing the maintenance of said improvement for a period of one (1) year from the date of acceptance. Said maintenance bond or letter or credit acceptable to the City or certified check shall be released upon satisfactory completion of the one (1) year maintenance period. The Subdivider shall be responsible for the maintenance and care of all subdivision improvements for a period of one (1) year after acceptance of said improvements by the City.

6. The Subdivider shall in accordance with Section 1101.15 of the Worthington Codified Ordinances, deposit with the Finance Director a sum of money as prescribed by the City Engineer to defray the cost of inspection, engineering services, and other expenses, as may be incurred by the City in connection with the inspection of the installation of said public improvements. Should the amount of such deposit be insufficient to pay the cost thereof, the Subdivider shall, immediately upon demand by the City, deposit such additional sums as are estimated to be necessary. Upon completion and acceptance of said improvements, any unexpended balance shall be refunded.
7. The City Engineer shall be notified, in writing, seven (7) days before any construction is begun on said improvements in order that inspection may be provided.
8. The Subdivider shall hold the City of Worthington, its officials, and employees free and harmless from any and all claims for damages of nature arising or growing out of the construction of said public improvements, and shall defend, at its own cost and expense, any suit or action brought against the City of Worthington, or its officials and employees, by reason thereof, until the public improvements have been accepted by the City Council and until the end of the one (1) year maintenance period.
9. The Contractor shall purchase and maintain, during the duration of the Contract, Comprehensive General and Automobile Liability insurance issued to the Contractor and protecting the Contractor from all claims for personal injury, including death, and all claims for destruction of or damage to property, arising out of or in connection with any operations under the Contract Documents, whether such operations be by the Contractor or by any Subcontractor, or anyone directly or indirectly employed by the Contractor or by a Subcontractor. Insurance shall be written with limits of liability of not less than \$500,000.00 for each person and \$1,000,000.00 for each occurrence for all damages arising out of bodily injury, including death at any time resulting therefrom, and not less than \$500,000.00 for all property damages sustained in any one occurrence and shall include coverage for:
  - (a) Claims arising after the Contractor and Subcontractor have completed their work (completed operations and product liabilities coverage).

- (b) Claims arising from the liability assumed by the Contractor under this Contract including third party beneficiary liability coverage.
  - (c) Claims arising from property damage to wires, conduits, pipes, mains, sewers, tanks, tunnels, any similar property and any apparatus in connection therewith beneath the surface of the ground or water, caused by and occurring during the use of mechanical equipment for the purpose of grading land, paving, excavating, drilling, borrowing, filling, backfilling, tunneling, or pile driving.
  - (d) Claims for property damage arising out of collapse of or structural injury to any building or structure due to grading of land, excavating, borrowing, filling, backfilling, tunneling, pile driving, cofferdam work or caisson work.
10. Said insurance shall be maintained in full force and effect during the construction of the Subdivision improvements and shall protect the City, its officials, employees, agents and representatives from claims for damages to property arising in any manner from the negligent or wrongful acts, errors or omissions of the Subdivider or the contractor, their employees, agents, or representatives in the construction of the Subdivision improvements. Certificates of insurance naming the City as an additional insured shall be obtained and filed with the City prior to commencement of construction of the Subdivision improvements. These certificates shall contain a provision that coverage afforded under the policies shall not be cancelled unless at least thirty (30) days prior actual written notice has been given to the City.
11. Any violation of, or noncompliance with, any of the provisions of this Agreement shall constitute a breach of contract and the City shall have the right to stop the work forthwith and hold the bonding company responsible for the completion of said improvements according to the approved plat and this Agreement, or to use the certified check, or the letter of credit for such purpose. The City shall notify the Subdivider, in writing, of any such breaches, violations or noncompliance with any of the provisions or stipulations of this Agreement and shall provide a reasonable time for the Subdivider to remedy the breach, violation or noncompliance before the City shall have the right to stop work, and hold the bonding company responsible for completion of said improvements.
12. The acceptance and approval of all required improvements be and hereby is conditioned upon the Subdivider or its authorized agent complying in full with Section 1101.16 of the Worthington Codified Ordinances unless the requirements as applicable to this Subdivision have been modified or deleted by action of Worthington City Council.

# EXHIBIT "B"

13. Upon approval and acceptance of the public improvements, reproducible as-built construction drawings of the public improvements shall be provided by the Subdivider and become the property of the City of Worthington.
14. In consideration whereof, the City of Worthington hereby grants the Subdivider, or its duly authorized agent, the right and privilege to make the improvements provided for herein.
15. This Agreement shall inure to the benefit of and be binding on the heirs, executors, successors or assigns of the Subdivider.
16. This Agreement shall be recorded in the Office of the Franklin County Recorder at the expense of the Developer and shall become a public record of Franklin County, Ohio.

IN WITNESS WHEREOF, the parties to this Agreement have caused it to be executed and subscribed by their duly authorized representatives as of the date first written above.

-----SIGNATURES OF FOLLOWING PAGE-----

EXHIBIT "B"

SK HOMES SOUTH STREET, LLC

CITY OF WORTHINGTON

By\_\_\_\_\_

By\_\_\_\_\_

Print Name\_\_\_\_\_

Print Name\_\_\_\_\_

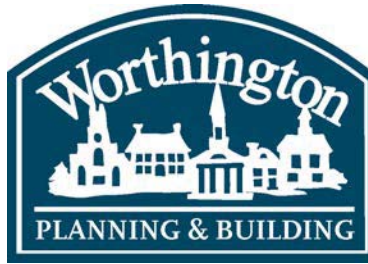
Its\_\_\_\_\_

Approved as to form:

By\_\_\_\_\_

Print Name\_\_\_\_\_

Director of Law  
City of Worthington



## MPC APPLICATION SUB 03-2023 286 W. South St.

<b>Plan Type:</b> Subdivision	<b>Project:</b>	<b>App Date:</b> 07/14/2023
<b>Work Class:</b> Final Plat	<b>District:</b> City of Worthington	<b>Exp Date:</b>
<b>Status:</b> In Review		<b>Completed:</b>
<b>Valuation:</b> \$0.00		<b>Approval</b>
<b>Description:</b> This is an application to subdivide a 0.88 acre parcel into three smaller parcels, each of which will be greater than the required minimum parcel size of 10,400 square feet. Due to a large sewer easement that runs across the parcel, a variance is requested to allow the frontage of the parcels to be less than the required 80'. The requested width of these parcels is consistent with the character of the neighborhood. Indeed, with the variance, the width of each of these parcels would be consistent with more than 20% of all residential parcels located in Worthington.		<b>Expire Date:</b>

<b>Parcel:</b> 100-006200	Main	<b>Address:</b> 286 W South St Worthington, OH 43085	Main	<b>Zone:</b> R-10(Low Density Residence)
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Architect	Owner	Applicant / Owner
Clarke Architects	Megan Schaffernocker	Eric Kmetz
James W Clarke	1149 High Grove Dr	7720 Campus Lane
475 Village Park Dr.	Columbus, OH 43235	Montgomery, OH 45242
Powell, OH 43065	Mobile: (614) 203-1306	Mobile: (859) 307-2026
Business: (614) 791-1200		
Mobile: (614) 271-8420		

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00004617	(Subdivision)Final Plat	\$100.00	\$100.00
Total for Invoice INV-00004617		\$100.00	\$100.00
Grand Total for Plan		\$100.00	\$100.00



Approved  
Municipal Planning Commission  
City of Worthington  
Date 09/28/2023  
*Lynda Bitar*  
Clerk



# 286 W. South St.





# RESUBDIVISION OF LOT NO. 1 OF WEATHERBURN

Situated in the City of Worthington, County of Franklin, and State of Ohio, Quarter Township 3, Township 2, Range 18, U.S.M.L., being a resubdivision of all of Lot 1 of Weatherburn, a resubdivision of Hoyer's Subdivision, as recorded in Plat Book 65, Page 91, as conveyed to SK HOMES SOUTH STREET LLC by deed in Instrument No. 202303140024060, all being of record in the Recorder's Office, Franklin County, Ohio.

## ACCEPTANCE

The undersigned, Eric Kmetz, CEO of SK Homes South St., LLC, does hereby certify that this plat correctly represents its "Resubdivision of Lot No. 1 of Weatherburn", containing Lots 1A, 1B and 1C, and does hereby accept this plat of the same.

SK Homes South St LLC Eric Kmetz Title: CEO

State of Ohio }  
County of Franklin } SS

Before me, a Notary Public in and for said County and State, personally appeared the above named persons, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

In testimony whereof, I have hereunto set my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

NOTARY PUBLIC

My commission expires \_\_\_\_\_

## APPROVALS

Approved this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Clerk, Municipal Planning Commission, Worthington, OH

Approved this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Director of Service and Engineering, Worthington, OH

Approved this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

City Manager, Worthington, OH

Approved and accepted this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, by Ordinance No. \_\_\_\_\_ wherein the plat of "Resubdivision of Lot No. 1 Weatherburn" is accepted as such by the Council of the City of Worthington, Ohio.

Clerk of Council, Worthington, OH

Approved this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Deputy Auditor

Approved this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Deputy Recorder

Transferred this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

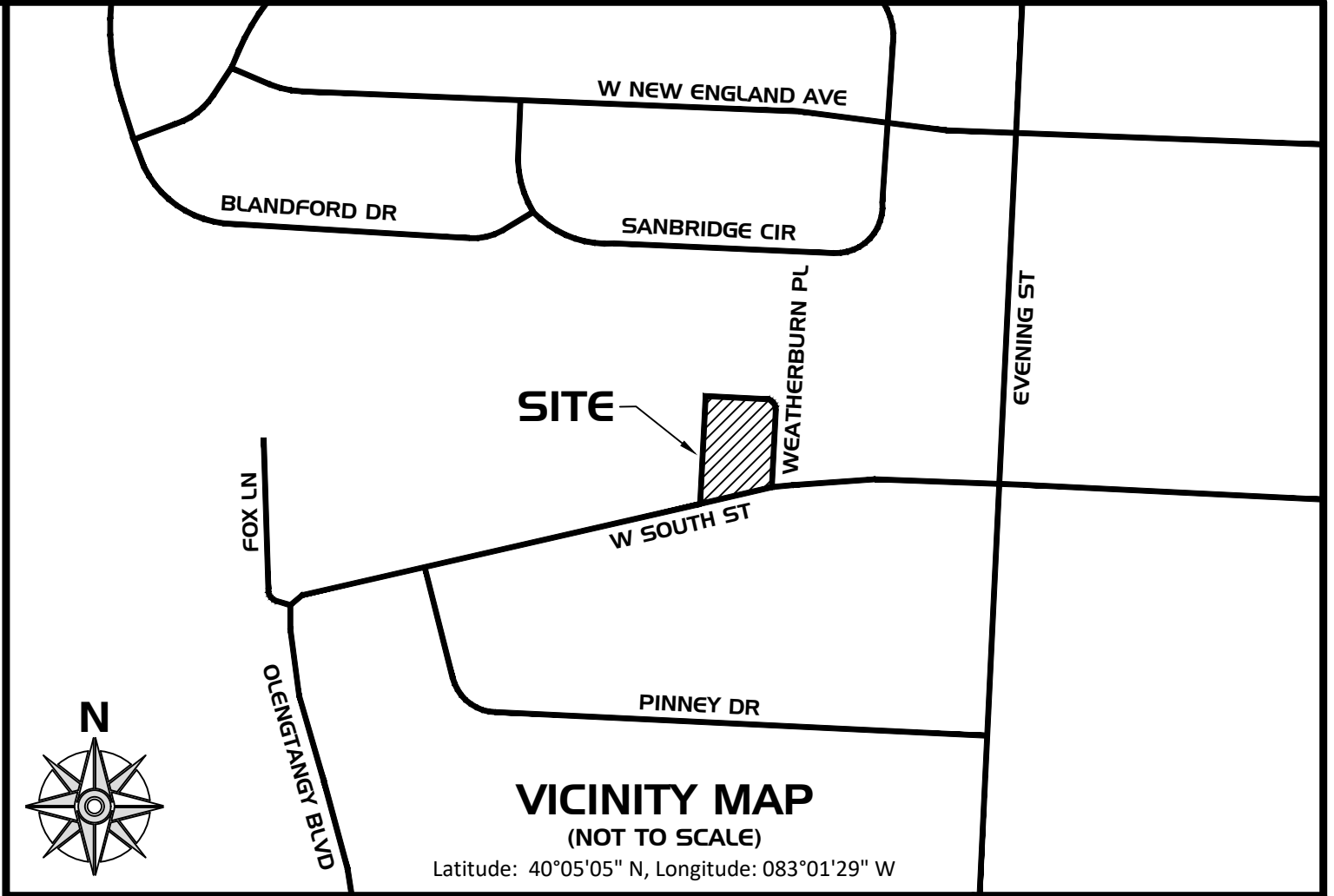
Auditor, Franklin County, OH

Filed for record this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, at \_\_\_\_\_.

Recorded this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ in Plat Book \_\_\_\_\_, Page \_\_\_\_\_.

File No. \_\_\_\_\_ Fee \_\_\_\_\_

Recorder, Franklin County, OH



## OWNER OF RECORD

SK Homes South Street LLC  
Inst. No. 202303140024060  
Parcel No. 100-006200  
286 South Street, Worthington, OH

## LAND AREA

Lot 1A: 16,201 Square Feet, 0.372 Acres  
Lot 1B: 11,846 Square Feet, 0.272 Acres  
Lot 1C: 10,777 Square Feet, 0.247 Acres

Total Land Area: 38,824 Square Feet, 0.891 Acres

## BASIS OF BEARING

The Basis of Bearing for this survey is Grid North of the Ohio State Plane Coordinate System, South Zone (FIPS Zone 3402), on the North American Datum of 1983(2011) (Epoch 2010.000) using geoid model GEOID18, with a combined scale factor of 1.00002091033112. A GNSS Real Time Kinematic Network survey was used to establish a bearing of South 76°46'57\"/>

## REFERENCE DOCUMENTS

- Franklin County Auditor's Office Geographic Information System and Tax Maps
- Plat Book 65, Page 91
- Plat Book 25, Page 86
- Inst. No. 202303140024060
- Documents as shown

## MISCELLANEOUS NOTES

The planting of street trees along W. South Street shall be installed on private property in compliance with the approved Landscape Plan.

## CERTIFICATION

I hereby certify that this map or plat and the field survey on which it is based were made in accordance with the Minimum Standards for Boundary Surveys in the State of Ohio, Chapter 4733-37 of the Ohio Administrative Code. This plat represents a survey made by me and that the monuments as shown exist, or will be set, as located and that all dimensional and geodetic details are correct.

The field work was completed on July 5, 2023.

Date of Plat or Map: July 7, 2023

Eric S. Jackson, PS Signature Date:  
Ohio Professional Surveyor No. 8668  
ejackson@northcoastgeo.com

**NORTH COAST GEOMATICS**  
Mapping & Surveying - northcoastgeo.com

667 Sunridge Rd  
Fairlawn, OH 44333  
(614) 519-3611

Project No. NCG 3046  
Drafted by: ESJ/LKC

SHEET  
1 OF 2

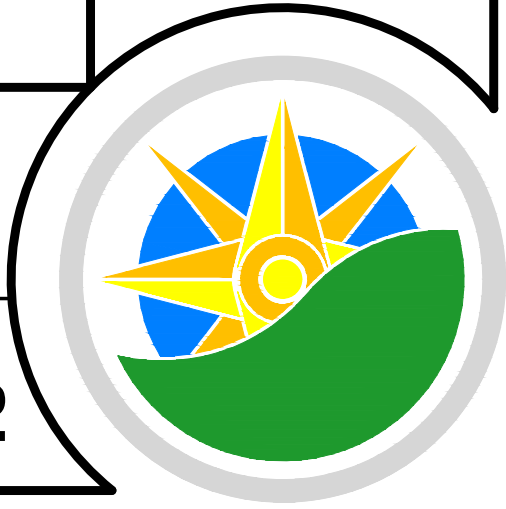
## REVISION HISTORY

BY:	DATE:	COMMENT:
LKC	2023-07-10	GENERAL COMMENTS
ESJ	2023-08-29	GENERAL COMMENTS
ESJ	2023-12-08	CHANGE LOT CONFIGURATION
ESJ	2024-01-22	GENERAL COMMENTS
ESJ	2024-01-26	GENERAL COMMENTS

## SURVEY PREPARED FOR:

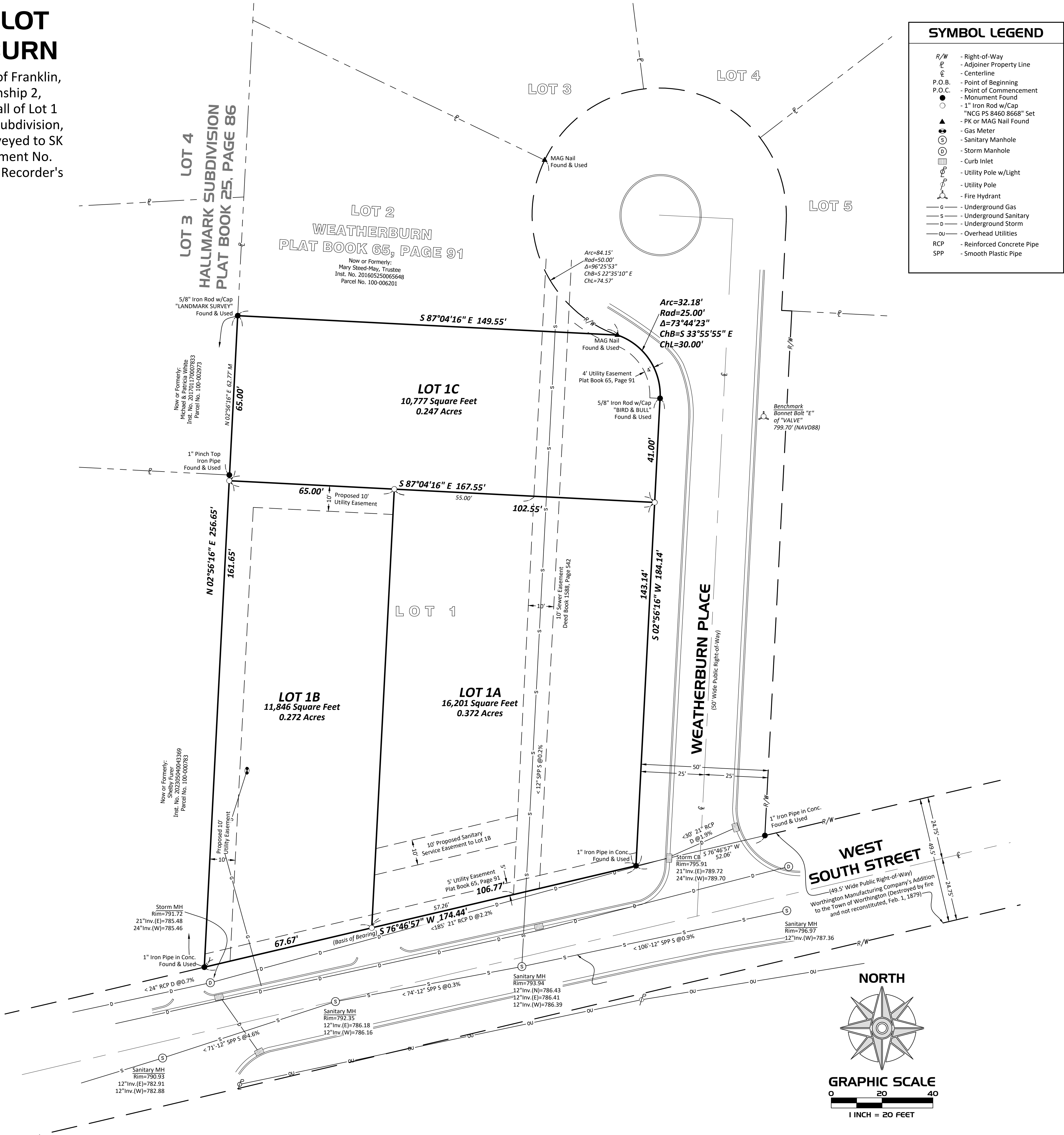
SK HOMES MANAGEMENT, LLC

286 W. SOUTH STREET  
CITY OF WORTHINGTON  
COUNTY OF FRANKLIN  
STATE OF OHIO



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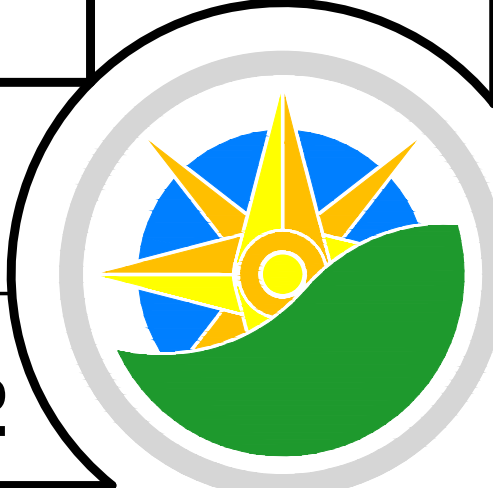
286 W. SOUTH STREET CITY OF WORTHINGTON COUNTY OF FRANKLIN STATE OF OHIO	
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NORTH COAST GEOMATICS  
Mapping & Surveying - northcoastgeo.com

667 Sunridge Rd  
Fairlawn, OH 44333  
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Project No. NCG 3046  
Drafted by: ESJ/LKC

SHEET  
2 OF 2

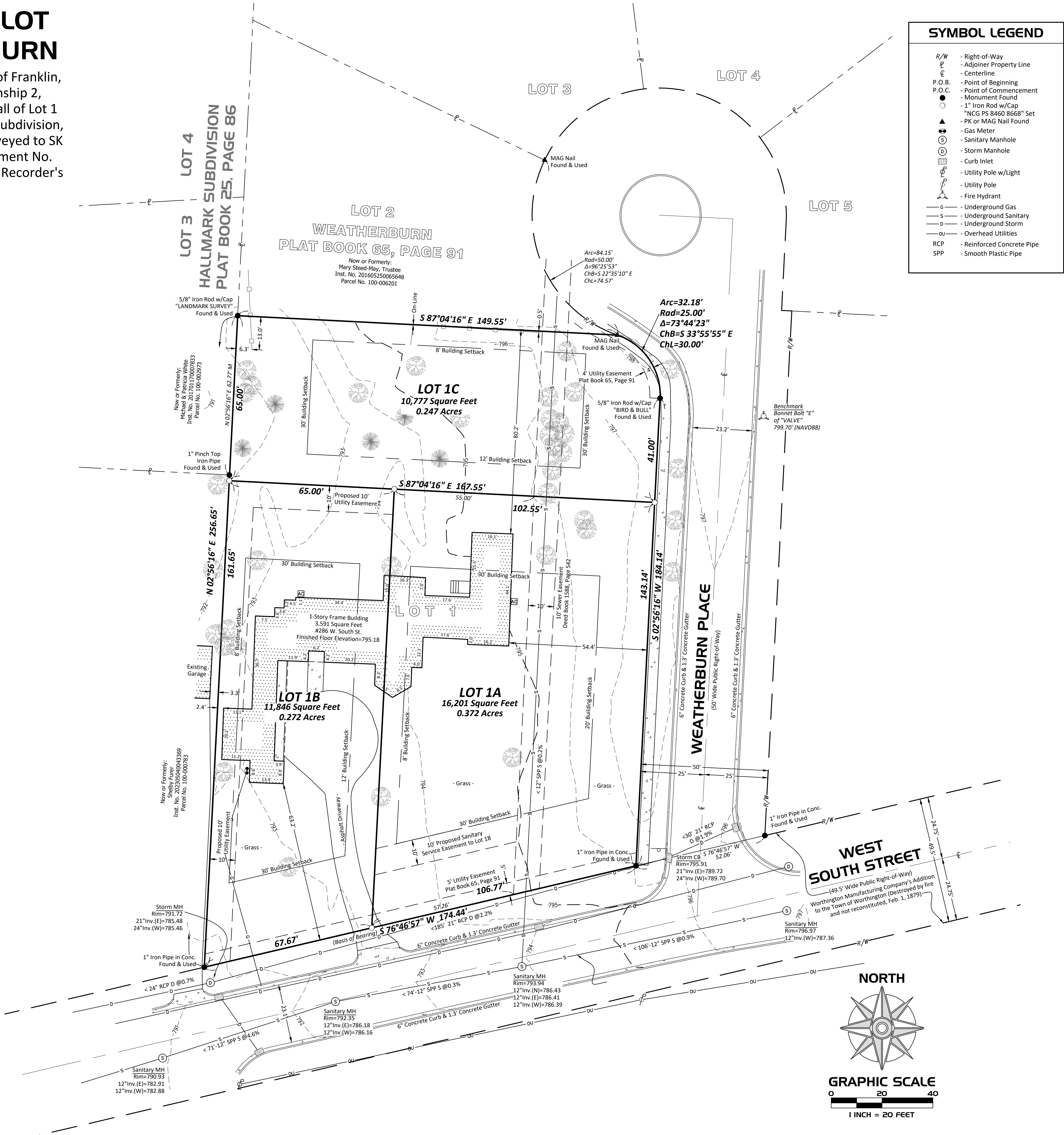




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TOPOGRAPHY, EXISITING CONDITIONS & SETBACK EXHIBIT



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LKC	2023-07-10	GENERAL COMMENTS
ESJ	2023-08-29	GENERAL COMMENTS
ESJ	2023-12-08	CHANGE LOT CONFIGURATION
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SURVEY PREPARED FOR:	
SK HOMES MANAGEMENT, LLC	

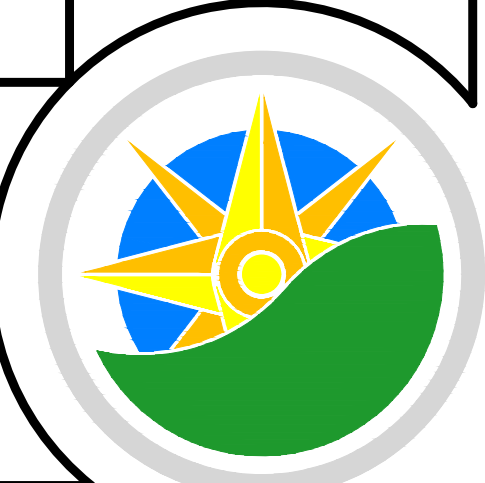
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Drafted by: ESJ/LKC

SHEET  
OF





SYMBOL	COMMON NAME	QTY	SYMBOL	COMMON NAME	QTY
COH	COMMON HACKBERRY	6	BLC	BLACK CHERRY	1
BRF	BRADFORD FEAR	5	SIE	SIBERIAN ELM	1
BOE	BOX ELDER	1	SUC	SWEET CHERRY	1
AME	AMERICAN ELM	5	HOL	HONEY LOCUST	1
APP	APPLE	3	COH	COMMON HACKBERRY	1
SYG	SYCAMORE	2	HEM	HENLOCK	1
REM	RED MAPLE	1	COA	COMMON ASH	1
DOW	DOG WOOD	1	NBM	NORWEGIAN SUNSET MAPLE	4
SLE	SLEPPERY ELM	1	LPT	LONDON PLACETREE	5

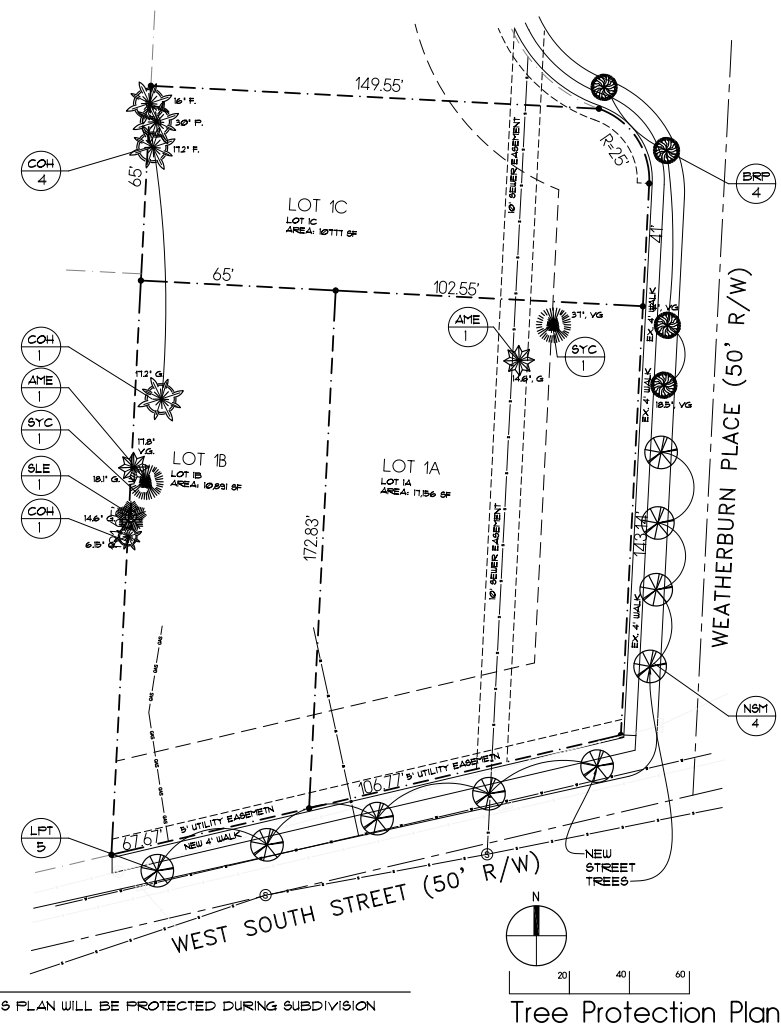


Landscape Plan w/ Lots



ALL TREES ON THIS PLA WILL BE PROTECTED DURING SUBDIVISION PROCESS.

METHOD OF TREE PROTECTION IS DESCRIBED IN SHEET L2



- NOTES:
- ALL TREES ON THIS PLAN WILL BE PROTECTED DURING SUBDIVISION PROCESS
  - METHOD OF TREE PROTECTION IS DESCRIBED IN SHEET L2

LANDSCAPING SPEC:

SYMBOL	COMMON NAME	QTY	SYMBOL	COMMON NAME	QTY
COH	COMMON HACKBERRY	6			
BRP	BRADFORD PEAR	4			
AME	AMERICAN ELM	5			
SYC	SYCAMORE	2			
REM	RED MAPLE	1			
SLE	SLIPPERY ELM	1			
			COH	COMMON HACKBERRY	1
			NSM	NORWEGIAN SUNSET MAPLE	4
			LPT	LONDON PLACETREE	5

OHIO  
Utilities Protection  
SERVICE  
Click, Call or Tap Before You Dig

UNDERGROUND UTILITIES  
CALL TWO WORKING DAYS  
BEFORE YOU DIG  
800-362-2764 or 8-1-1  
www.ups.org

NON-MEMBERS  
MUST BE CALLED DIRECTLY

SYMBOL	TREE'S CONDITION
VG.	VERY GOOD
G.	GOOD
F.	FAIR
P.	POOR

NOTE: TREE SIZES ARE X" DIAMETER  
MEASURED FROM 3" ABOVE THE GROUND

**CLARKE ARCHITECTS, INC.**

475 Village Park Dr.  
Powell, Ohio 43065-9178  
Office: 614-791-1200  
Mobile: 614-271-8420  
jclarke@clarkearchitects.com

These Drawings and Specifications prepared by Clarke Architects Inc. are instruments of service for use solely with respect to the Project and unless otherwise provided, Clarke Architects Inc. shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright. The Architect's Drawings, Specifications or other documents shall not be used by the Owner or others on other projects, for additions to this Project or for completion of this Project by others. No modifications or changes to the drawings shall be permitted.

DATE: JANUARY 8, 2024

REVISION DATES:

PROJECT:

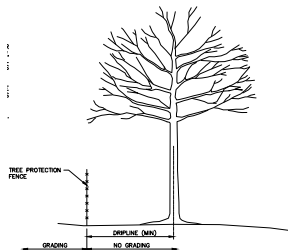
3 HOUSES  
WEATHERBURN PLACE

PROJECT NUMBER: 2023B-H

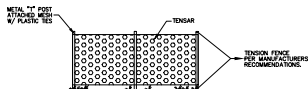
SHEET TITLE:

TREE PROTECTION PLAN

SHEET NUMBER:



**TREE PROTECTION DETAIL**  
-NOT TO SCALE-



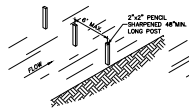
**TREE PROTECTION FENCE DETAIL**

PROTECTION FENCE SHALL BE 4' HIGH TENSAR "SAFETY GRID" COLOR ORANGE, AS MANUFACTURED BY TENSAR CORPORATION, WOODBRIDGE, GEORGIA 30269, (800) 942-9448, OR EQUAL. INSTALLATION SHALL BE PER MANUFACTURER'S RECOMMENDATIONS. INTERMEDIATE POSTS SHALL BE SPACED EVERY 10 FEET.

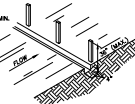
FENCE SHALL BE INSTALLED NO CLOSER TO THE TREES TO BE PROTECTED THAN THE DRIPLINE OF THE TREE OR 10' WHICHEVER IS GREATER.

TREE PROTECTION SHALL BE PERFORMED ALL TREES LOCATED ON SHEET L1.

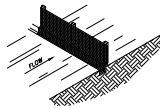
1.) SET THE STAKES.



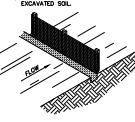
2.) EXCAVATE A 4"x4" TRENCH UPSLOPE ALONG THE LINE STAKES.



3.) STAPLE FILTER MATERIAL TO STAKES AND EXTEND IT INTO THE TRENCH.



4.) BACKFILL AND COMPACT THE EXCAVATED SOIL.



**SEDIMENT FENCE DETAIL**

CONTRACTOR SHALL PLACE SEDIMENT FENCE AS LOCATED ON THIS SHEET PRIOR TO CONSTRUCTION.

THE HEIGHT OF A SILT FENCE SHALL NOT EXCEED 36 INCHES (HIGHER FENCES MAY IMPOUND VOLUMES OF WATER SUFFICIENT TO CAUSE FAILURE TO THE STRUCTURE).

THE FILTER FABRIC SHALL BE PURCHASED IN A CONTINUOUS ROLL CUT TO THE LENGTH OF THE BARRIER TO AVOID THE USE OF JOINTS. WHEN JOINTS ARE NECESSARY FILTER CLOTH SHALL BE SPUN TOGETHER ONLY AT A SUPPORT POST WITH A MINIMUM 6-INCH OVERLAP AND SECURELY SEALED.

POSTS SHALL BE SPACED A MAXIMUM OF 8 FEET APART AT THE BARRIER LOCATION AND DRIVEN SECURELY INTO THE GROUND (MINIMUM OF 12 INCHES). EXTRA STRENGTH FABRIC SHALL BE USED.

A TRENCH SHALL BE EXCAVATED APPROXIMATELY 4 INCHES WIDE AND 4 INCHES DEEP ALONG THE LINE OF POSTS AND UPSLOPE FROM THE BARRIER.

THE FABRIC SHALL BE STAPLED OR WIRED TO THE FENCE AND 8 INCHES OF THE FABRIC SHALL BE EXTENDED INTO THE TRENCH. THE FABRIC SHALL NOT EXTEND MORE THAN 36 INCHES ABOVE THE ORIGINAL GROUND SURFACE. FILTER FABRIC SHALL NOT BE STAPLED TO EXISTING TREES.

THE TRENCH SHALL BE BACKFILLED AND SOIL COMPACTED OVER THE FILTER FABRIC.

IT MAY BECOME NECESSARY TO REMOVE PORTIONS OF THE SEDIMENT FENCE DURING CONSTRUCTION TO FACILITATE THE GRADING OPERATIONS IN CERTAIN AREAS. HOWEVER, THE SEDIMENT FENCE SHALL BE IN PLACE IN THE EVENING OR DURING ANY INCLEMENT WEATHER.

SILT FENCES AND FILTER BARRIERS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. ANY REQUIRED REPAIRS SHALL BE MADE IMMEDIATELY.

SHOULD THE FABRIC ON A SILT FENCE OR FILTER BARRIER DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF THE EXPECTED USABLE LIFE AND THE BARRIER IS STILL NECESSARY THE FABRIC SHALL BE REPLACED PROMPTLY.

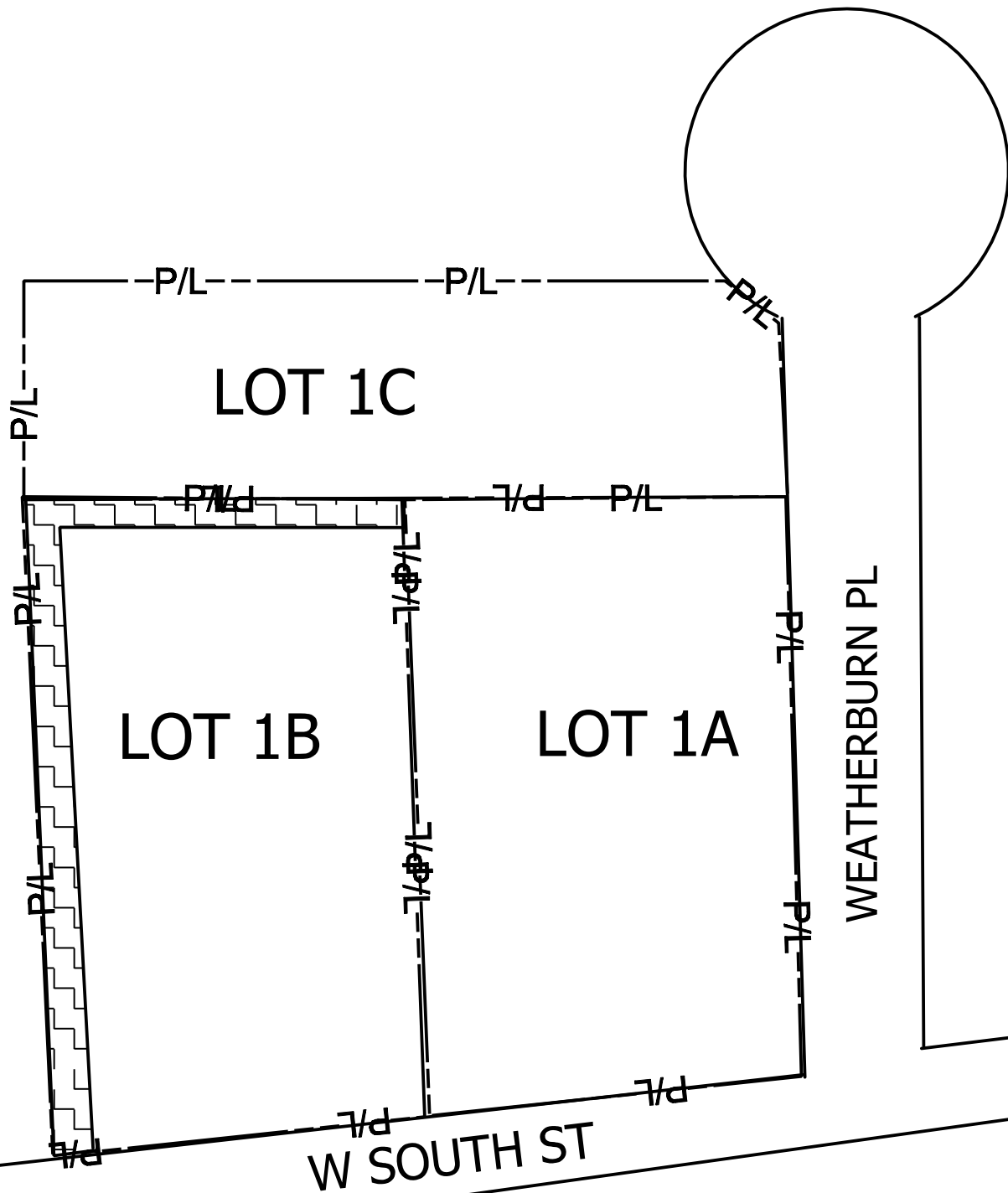
SEDIMENT DEPOSITS SHOULD BE REMOVED AFTER EACH STORM EVENT. THEY MUST BE REMOVED WHEN DEPOSITS REACH APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.

ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE OR FILTER BARRIER IS NO LONGER REQUIRED SHALL BE DRESSED TO CONFORM WITH THE EXISTING GRADE PREPARED AND SETBACK.

SILT FENCES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFUL PURPOSE BUT NOT BEFORE THE UPSLOPE AREA HAS BEEN PERMANENTLY STABILIZED.



4



Page 35 of 58

# OHIO POWER COMPANY

## **SUBDIVIDER'S AGREEMENT**

THIS AGREEMENT is executed on this \_\_\_\_ day of \_\_\_\_\_ 2024, by and between SK Homes South Street LLC, an Ohio Limited Liability Company (the "Subdivider") and the City of Worthington, Ohio, an Ohio municipal corporation (the "City"), pursuant to Chapter 1101 of the Codified Ordinances of the City of Worthington and the Final Subdivision Plat for Subdivision of Lot No. 1 of Weatherburn (the "Subdivision").

NOW, THEREFORE, in consideration of the approval of the Subdivision by the Council of the City of Worthington, Ohio, it is hereby agreed as follows:

1. The proposed Subdivision and its ultimate use shall conform to the Subdivision Plat as approved by City Council and the requirements of law, including without limitation, the Planning and Zoning Code and the Building Code of the City of Worthington, except as may be otherwise authorized by proper authority.
2. No transfer of any lot, parcel or tract from said Subdivision shall be made, nor shall any construction work, including grading, be started which may affect the arrangement of streets or other public improvements until approval of the Final Plat is obtained by the Subdivider and the performance bond or irrevocable letter of credit acceptable to the City or certified check guaranteeing the completion of public improvements in accordance with Paragraph V of this Agreement is provided to the City.
3. The Subdivider shall pay the entire cost and shall construct, install or otherwise provide all public improvements necessary to serve the Subdivision as required by Part Eleven – Planning and Zoning Code - Title One – Subdivision Platting Regulations of the Worthington Codified Ordinances, in connection with the Subdivision, under the supervision of the City Engineer, including, at a minimum:
  - a. Sidewalks to be installed along the frontage of W. South Street.
  - b. Landscaping and screening features, and street trees along Weatherburn Place and W. South Street.
4. Prior to beginning any construction work, detailed engineering drawings and specifications shall be furnished to the City by the Subdivider for all of the public improvements to be installed in the Subdivision.
5. The Subdivider shall, in accordance with Section 1101.15 of the Worthington Codified Ordinances, provide to the City a performance bond or irrevocable letter of credit acceptable to the City, or a certified check, in an amount equal to the estimated cost of constructing said improvements, guaranteeing the completion thereof within one year from the date of approval of this Subdivider's Agreement, or such extension of time as may be granted by Council. Said performance bond or letter of credit acceptable to the



City or certified check shall be released upon acceptance of the public improvements by the City and upon the furnishing by the Subdivider of an additional bond or letter of credit acceptable to the City, or a certified check, in an amount equal to ten percent (10%) of the estimated cost of construction, guaranteeing the maintenance of said improvement for a period of one (1) year from the date of acceptance. Said maintenance bond or letter or credit acceptable to the City or certified check shall be released upon satisfactory completion of the one (1) year maintenance period. The Subdivider shall be responsible for the maintenance and care of all subdivision improvements for a period of one (1) year after acceptance of said improvements by the City.

6. The Subdivider shall in accordance with Section 1101.15 of the Worthington Codified Ordinances, deposit with the Finance Director a sum of money as prescribed by the City Engineer to defray the cost of inspection, engineering services, and other expenses, as may be incurred by the City in connection with the inspection of the installation of said public improvements. Should the amount of such deposit be insufficient to pay the cost thereof, the Subdivider shall, immediately upon demand by the City, deposit such additional sums as are estimated to be necessary. Upon completion and acceptance of said improvements, any unexpended balance shall be refunded.
7. The City Engineer shall be notified, in writing, seven (7) days before any construction is begun on said improvements in order that inspection may be provided.
8. The Subdivider shall hold the City of Worthington, its officials, and employees free and harmless from any and all claims for damages of nature arising or growing out of the construction of said public improvements, and shall defend, at its own cost and expense, any suit or action brought against the City of Worthington, or its officials and employees, by reason thereof, until the public improvements have been accepted by the City Council and until the end of the one (1) year maintenance period.
9. The Contractor shall purchase and maintain, during the duration of the Contract, Comprehensive General and Automobile Liability insurance issued to the Contractor and protecting the Contractor from all claims for personal injury, including death, and all claims for destruction of or damage to property, arising out of or in connection with any operations under the Contract Documents, whether such operations be by the Contractor or by any Subcontractor, or anyone directly or indirectly employed by the Contractor or by a Subcontractor. Insurance shall be written with limits of liability of not less than \$500,000.00 for each person and \$1,000,000.00 for each occurrence for all damages arising out of bodily injury, including death at any time resulting therefrom, and not less than \$500,000.00 for all property damages sustained in any one occurrence and shall include coverage for:
  - (a) Claims arising after the Contractor and Subcontractor have completed their work (completed operations and product liabilities coverage).

- (b) Claims arising from the liability assumed by the Contractor under this Contract including third party beneficiary liability coverage.
  - (c) Claims arising from property damage to wires, conduits, pipes, mains, sewers, tanks, tunnels, any similar property and any apparatus in connection therewith beneath the surface of the ground or water, caused by and occurring during the use of mechanical equipment for the purpose of grading land, paving, excavating, drilling, borrowing, filling, backfilling, tunneling, or pile driving.
  - (d) Claims for property damage arising out of collapse of or structural injury to any building or structure due to grading of land, excavating, borrowing, filling, backfilling, tunneling, pile driving, cofferdam work or caisson work.
10. Said insurance shall be maintained in full force and effect during the construction of the Subdivision improvements and shall protect the City, its officials, employees, agents and representatives from claims for damages to property arising in any manner from the negligent or wrongful acts, errors or omissions of the Subdivider or the contractor, their employees, agents, or representatives in the construction of the Subdivision improvements. Certificates of insurance naming the City as an additional insured shall be obtained and filed with the City prior to commencement of construction of the Subdivision improvements. These certificates shall contain a provision that coverage afforded under the policies shall not be cancelled unless at least thirty (30) days prior actual written notice has been given to the City.
11. Any violation of, or noncompliance with, any of the provisions of this Agreement shall constitute a breach of contract and the City shall have the right to stop the work forthwith and hold the bonding company responsible for the completion of said improvements according to the approved plat and this Agreement, or to use the certified check, or the letter of credit for such purpose. The City shall notify the Subdivider, in writing, of any such breaches, violations or noncompliance with any of the provisions or stipulations of this Agreement and shall provide a reasonable time for the Subdivider to remedy the breach, violation or noncompliance before the City shall have the right to stop work, and hold the bonding company responsible for completion of said improvements.
12. The acceptance and approval of all required improvements be and hereby is conditioned upon the Subdivider or its authorized agent complying in full with Section 1101.16 of the Worthington Codified Ordinances unless the requirements as applicable to this Subdivision have been modified or deleted by action of Worthington City Council.

13. Upon approval and acceptance of the public improvements, reproducible as-built construction drawings of the public improvements shall be provided by the Subdivider and become the property of the City of Worthington.
14. In consideration whereof, the City of Worthington hereby grants the Subdivider, or its duly authorized agent, the right and privilege to make the improvements provided for herein.
15. This Agreement shall inure to the benefit of and be binding on the heirs, executors, successors or assigns of the Subdivider.
16. This Agreement shall be recorded in the Office of the Franklin County Recorder at the expense of the Developer and shall become a public record of Franklin County, Ohio.

IN WITNESS WHEREOF, the parties to this Agreement have caused it to be executed and subscribed by their duly authorized representatives as of the date first written above.

-----SIGNATURES OF FOLLOWING PAGE-----

SK HOMES SOUTH STREET, LLC

By\_\_\_\_\_

Print Name\_\_\_\_\_

Its\_\_\_\_\_

CITY OF WORTHINGTON

By\_\_\_\_\_

Print Name\_\_\_\_\_

Approved as to form:

By\_\_\_\_\_

Print Name\_\_\_\_\_

Director of Law  
City of Worthington



**STAFF MEMORANDUM**  
**City Council Meeting – February 5, 2024**

Date: January 29, 2024

To: Robyn Stewart, Acting City Manager

From: John Moorehead, P.E., Director of Service & Engineering

Subject: Riverlea Easement Agreement

---

**EXECUTIVE SUMMARY**

In preparation for the upcoming bridge replacement project on West Selby Boulevard, staff has been coordinating with the Village of Riverlea to create a temporary road connection between Melbourne Place and Northbrook Drive West. Riverlea's Village Council unanimously passed an easement agreement in December 2023 to allow this connection to proceed. This agenda item authorizes the City Manager to enter into agreement with the Village of Riverlea for this temporary connection.

**RECOMMENDATION**

Approve as presented.

**BACKGROUND/DESCRIPTION**

Worthington is partnering with ODOT on a project to replace the existing bridge on West Selby Boulevard over Rush Run. Routine inspections revealed deterioration of the bridge structure, leading to a recommendation that the bridge be replaced. Staff sought grant dollars through the State of Ohio's Municipal Bridge Program. Our application was successful, and Worthington has been awarded up to \$1,102,000 towards the replacement of this bridge.

West Selby Boulevard provides the sole means of access to 84 Worthington households in the Northbrook and Chaucer subdivisions. Although a public road connecting Northbrook Drive to Melbourne Place was envisioned during the subdivision's platting, that was never constructed. As a result, the neighborhood relies heavily on this bridge. Although the West Selby bridge project is designed to

maintain vehicle traffic throughout construction, it does increase the risk this vital connection is unexpectedly closed or further restricted. Additionally, it is desirable to re-route heavy vehicles away from the bridge project area during construction.

Out of an abundance of caution, staff began seeking a secondary route into the neighborhood via an extension of Melbourne Place. Over the second half of 2023, staff engaged neighbors and the Village of Riverlea to garner support for a temporary roadway connection. At their December 2023 council meeting, the Village of Riverlea authorized an access agreement that grant Worthington the ability to construct and maintain a temporary access road between Melbourne Place and Northbrook Drive West. Staff recommends that council authorize the City Manager to enter into agreement with the Village of Riverlea for the purposes described above.

**FINANCIAL IMPLICATIONS/FUNDING SOURCES (if applicable)**

N/A

**ATTACHMENTS**

Ordinance No. 05 -2024

Riverlea ROW Easement Agreement

Exhibit A\_Riverlea Temporary Access

Exhibit B\_Load Rating

Exhibit C\_Overweight vehicle detour

ORDINANCE NO. 05-2024

Authorizing the Acting City Manager to Execute an  
Easement Agreement with the Village of Riverlea.

WHEREAS, Worthington is partnering with ODOT to replace the existing bridge on West Selby Boulevard over Rush Run due to deterioration of the bridge structure discovered during routine bridge inspections; and,

WHEREAS, a weight restriction has been posted along West Selby Boulevard to restrict vehicle weights to approximately 60% of the bridge's original capacity which will not impact residential vehicles but may restrict large commercial trucks and certain emergency vehicles; and

WHEREAS, as a safety precaution the City plans to construct a temporary access road between Melbourne Place and Northbrook Drive West to be used by vehicles exceeding the weight restriction during the bridge replacement project; and

WHEREAS, the Council of the Village of Riverlea has authorized an easement agreement to permit the City to construct the temporary access road and a permanent sidewalk on property owned by the Village of Riverlea.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That City Council hereby authorizes the Acting City Manager to execute an easement agreement with the Village of Riverlea and accepts the easement as described and shown on the easement agreement attached hereto as Exhibit "A".

SECTION 2. That the City Manager, Acting City Manager, Director of Service and Engineering, and Finance Director are each hereby authorized, acting singly or jointly, to take all actions, necessary and consistent with the easement agreement and all applicable state and federal law.

SECTION 3. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington Ohio.

Passed:

Attest:

\_\_\_\_\_  
President of Council

Introduced: January 16, 2024

PH

Effective

\_\_\_\_\_  
Clerk of Council

**RIGHT OF WAY EASEMENT AGREEMENT  
BETWEEN  
VILLAGE OF RIVERLEA AND CITY OF WORTHINGTON**

This Right of Way Easement Agreement (“Easement Agreement”) is made and entered into by and between the **VILLAGE OF RIVERLEA, OHIO**, a municipal corporation (“Riverlea”) and the **CITY OF WORTHINGTON, OHIO**, a municipal corporation (“Worthington”), and in consideration of the terms and conditions contained herein and for other good and valuable consideration, the receipt and legal sufficiency of which is acknowledged, the parties hereto agree as follows:

**1. Description of Easement Area.** Riverlea is the owner of the land described below (the “Easement Area”):

The portion of Melbourne Place that was vacated by Ordinance No. 152, passed by the Village Council of the Village of Riverlea, Ohio September 12, 1958 as recorded in Deed Book 2137, page 236 Recorder’s Office, Franklin County, Ohio.

Prior Instrument References: Instrument # 195902030001791 and Instrument # 195902030001787, Recorder’s Office, Franklin County, Ohio.

Street Address: 0 Melbourne Place Parcel ID: 253-002662-00

**2. Use and Purpose.** Riverlea does hereby grant a   fifty   (50) foot wide temporary right of way easement across the Easement Area to Worthington to be used for the construction and maintenance of a   twenty three   (23) foot wide temporary gravel access road connecting Melbourne Place and Northbrook Drive West (the “Access Road”) as depicted in Exhibit A.

Construction of the Access Road will occur prior to the beginning of work on the West Selby Bridge, which is tentatively scheduled for the second half of 2024. The Access Road will be closed with barricades until the start of construction on the West Selby Bridge.

Except for an unanticipated full closure of West Selby Boulevard, the Access Road is intended for use only by vehicles exceeding the weight limits shown on the Bridge Load Rating Summary Report attached hereto as Exhibit B. Vehicles exceeding the weight limits in Exhibit B will be directed to follow the alternate route through the Village of Riverlea indicated on Exhibit C. This alternate route is not intended for the use of construction vehicles serving the West Selby Bridge project or the Access Road.

**3. Term.** The term of this Easement Agreement shall commence upon the Grantee’s entry upon the described real property for construction of the Access Road and terminate upon the completion of construction related to the West Selby Bridge.

**4. Construction/Maintenance.** The Access Road shall be installed, constructed, maintained, and serviced in accordance with all applicable local, state, or federal laws, rules, and regulations, and applicable engineering standards. Worthington shall comply with any applicable prevailing wage provisions of Chapter 4115 of the Ohio Revised Code. Worthington will maintain the Access



Road in good condition and will remove from Melbourne Place loose stone or debris generated by the Access Road.

Worthington will erect traffic control devices alongside the Access Road to guide traffic and enhance nighttime visibility. Worthington will post temporary no parking signs along the North side of Melbourne Place between the Access Road and Olentangy Boulevard. These no parking signs and any signage along the alternate route illustrated in Exhibit C will be provided and installed by Worthington.

If collateral damage occurs within or adjacent to the Easement Area due to construction of the Access Road, The City of Worthington shall be responsible for repairing or restoring the affected area back to a condition like or better than existed prior to construction.

**5. Restoration and Sidewalk.** Worthington, as soon as is practicable after all entries made pursuant to the rights granted herein, shall cause restoration of the Easement Area by returning the subject property to its former grassed open space condition as nearly as is reasonably possible. Worthington will remove the access road and restore the grade of the easement area by placing soil to match the grade of the access road. Drainage patterns within the construction area will be maintained in the existing east to west fashion. Upon removal of the temporary Access Road, Worthington will install a five (5) foot wide sidewalk linking the existing sidewalk along Northbrook Drive West to Melbourne Place. The sidewalk will be constructed as close as is reasonably possible to the southern side of Melbourne Place.

Restoration will also include reinstallation of the reflective signage and wooden barricade at the end of Melbourne Place. Worthington will coordinate with the Village of Riverlea on the appropriate configuration of the signs and barricade.

Worthington will plant two (2) or more trees within Worthington's Melbourne Place right of way to offset the tree removal necessary for construction of the Access Road.

Restoration of the Easement Area will be performed to the satisfaction of both The City of Worthington and Village of Riverlea.

**6. Just Compensation.** Riverlea hereby releases and discharges Worthington from any further claims for Ohio Constitution, Article I, Section 19 just compensation resulting from the granting of the temporary right of way easement.

**7. Trash Collection Coordination.** Worthington will coordinate with Local Waste Services to arrange for Monday trash collection on Northbrook Drive, Melbourne Place, West Selby Boulevard, and Chaucer Court during the period of construction of the West Selby Boulevard bridge project.

**8. Notifications and Monitoring.** Worthington will provide bi-weekly updates to the Mayor of Riverlea on the status of the West Selby Bridge project and the Access Road. Worthington will communicate the Access Road's use restrictions to the residents of Riverlea and Worthington. Worthington will periodically monitor traffic on the Access Road for the presence of unintended

vehicle users. Worthington will install a traffic camera to monitor the Access Road for unintended uses. Should an unanticipated full closure of West Selby Boulevard occur, Worthington will notify the Mayor of Riverlea and provide daily updates until West Selby Boulevard is re-opened.

**9. Lawful Owner.** Grantor for itself and its successors and assigns, covenants with the Grantee that it is the true and lawful owner in fee simple, and has the right and power to convey the property and the property is free and clear from all liens and encumbrances, except (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances rules, and regulations; and (d) any and all real estate taxes and assessments not yet due and payable; and that Grantor will warrant and defend the property against all claims of all persons.

**10. Modification.** This Easement Agreement may not be changed, modified or discharged except by a writing signed by duly authorized representatives of both Riverlea and Worthington.

**11. Other Consideration.** In agreeing to this Easement Agreement, the parties also commit to cooperation on a future sanitary sewer lining project. The future project would include CIPP lining of approximately 1,000 feet of 15" diameter sanitary sewer within the Village of Riverlea, and other adjacent sewers within the City of Worthington. Worthington will be responsible for the design, inspection, and construction administration of this future project, along with associated costs. The City of Worthington and the Village of Riverlea would be jointly responsible for the costs of construction, which would be divided amongst the parties.

The specific manner of dividing construction costs between parties and any other conditions associated with the future project will be determined through a separate agreement. The future project would occur prior to December 31, 2027, subject to the development of a separate working agreement between the parties.

**12. Entire Agreement.** This Easement Agreement contains the complete agreement and understanding of the parties regarding the subject matter herein, and any previous representations, negotiations, or understandings between the parties regarding the subject matter of this grant of Easement are hereby superseded.

*[Remainder of Page Intentionally Left Blank.]*

The parties, each by a duly authorized representative, have executed this Agreement to be effective as of the date last written below.

VILLAGE OF RIVERLEA:

By: \_\_\_\_\_

Name: \_\_\_\_\_ Date \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF OHIO  
COUNTY OF FRANKLIN

This instrument was acknowledged before me on \_\_\_\_\_, 2023, by \_\_\_\_\_,  
\_\_\_\_\_ of \_\_\_\_\_.

Notary Public

CITY OF WORTHINGTON:

Name: \_\_\_\_\_ Date \_\_\_\_\_ By \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF OHIO  
COUNTY OF FRANKLIN

This instrument was acknowledged before me on \_\_\_\_\_, 2023, by \_\_\_\_\_,  
\_\_\_\_\_ of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

Approved as to form:

Approved as to form:

By \_\_\_\_\_  
Tom Lindsey, Director of Law

By \_\_\_\_\_  
Leah Reibel, Village Solicitor

This document prepared by Tom Lindsey, Law Director, City of Worthington, 374 Highland Avenue, Worthington, Ohio 43085, 614-431-2424.

**EXHIBIT A**

**DEPICTION OF ACCESS ROAD AND EASEMENT AREA**

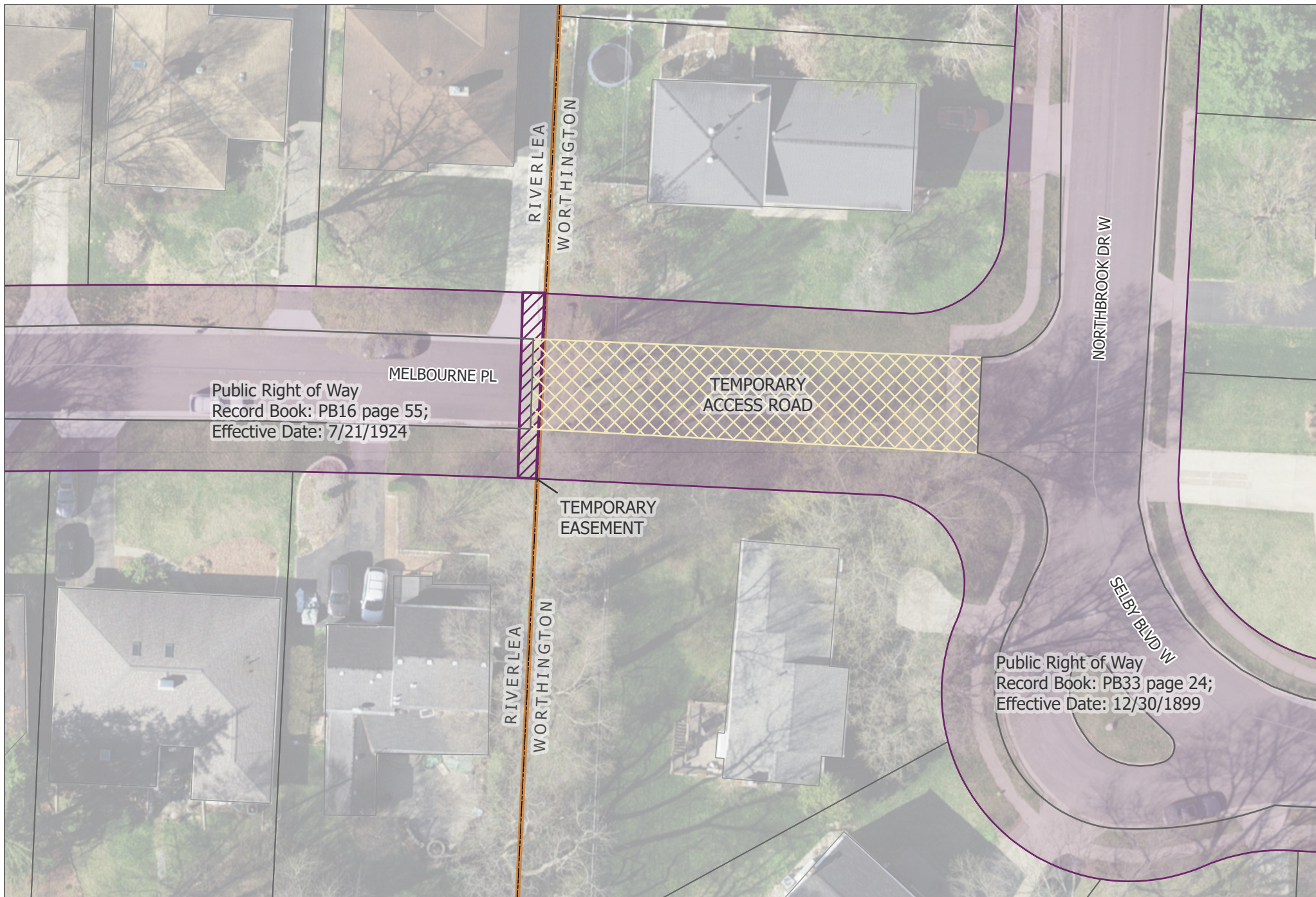
**[ATTACHED HERETO]**

**EXHIBIT B**  
**BRIDGE LOAD RATING SUMMARY REPORT**  
**[ATTACHED HERETO]**

**EXHIBIT C**

**ALTERNATE ROUTE FOR VEHICLES EXCEEDING LOAD RATINGS**

**[ATTACHED HERETO]**



## TEMPORARY EASEMENT & GRAVEL ACCESS ROAD

- Edge of Pavement
- Municipal Boundary
- Existing Right Of Way
- Temporary Easement
- Temporary Road



Scale: 1:400

0 25 50  
Feet

Date Exported: 10/12/2023





# BRIDGE LOAD RATING SUMMARY REPORT

## OFFICE OF STRUCTURAL ENGINEERING


### OHIO DEPARTMENT OF TRANSPORTATION

SFN	BRIDGE NUMBER	DISTRICT	GPS COORDINATES	
			LATITUDE:	LONGITUDE:
2561100	FRA-SELBY-00.198	6	40.07768	-83.02102
ORIGINAL CONSTRUCTION YEAR	REHABILITATION YEAR	OVERALL STRUCTURE LENGTH	FEATURE INTERSECTED	
1982	N/A	33 ft	Rush Run	

<b>SPECIAL ASSUMPTIONS &amp; COMMENTS</b>	Side-by-side 12' span x 8' rise precast box culverts rated per As-Built Plans dated 12-1982 and ASTM C850 (based on note in As-Built Plans). Reinforcement ratio used in the rating is for 12x8 boxes in Table 2 of ASTM C850 specification. Skew = 32.5 degrees. Material strength per As-Built Plans: $F_c' = 4.0$ ksi, $F_y = 60$ ksi. Depth of fill = 1.29' to 2.47'. Deterioration is included in the rating based on measurements taken at the time of the routine inspection, performed on 07.14.2020. Top slab, bottom layer reinforcement is adjusted to account for governing location with 4 broken longitudinal bars in a row (west barrel). Adjusted EV load factors for non-interstate bridges: EV2=1.3, EV3=1.1
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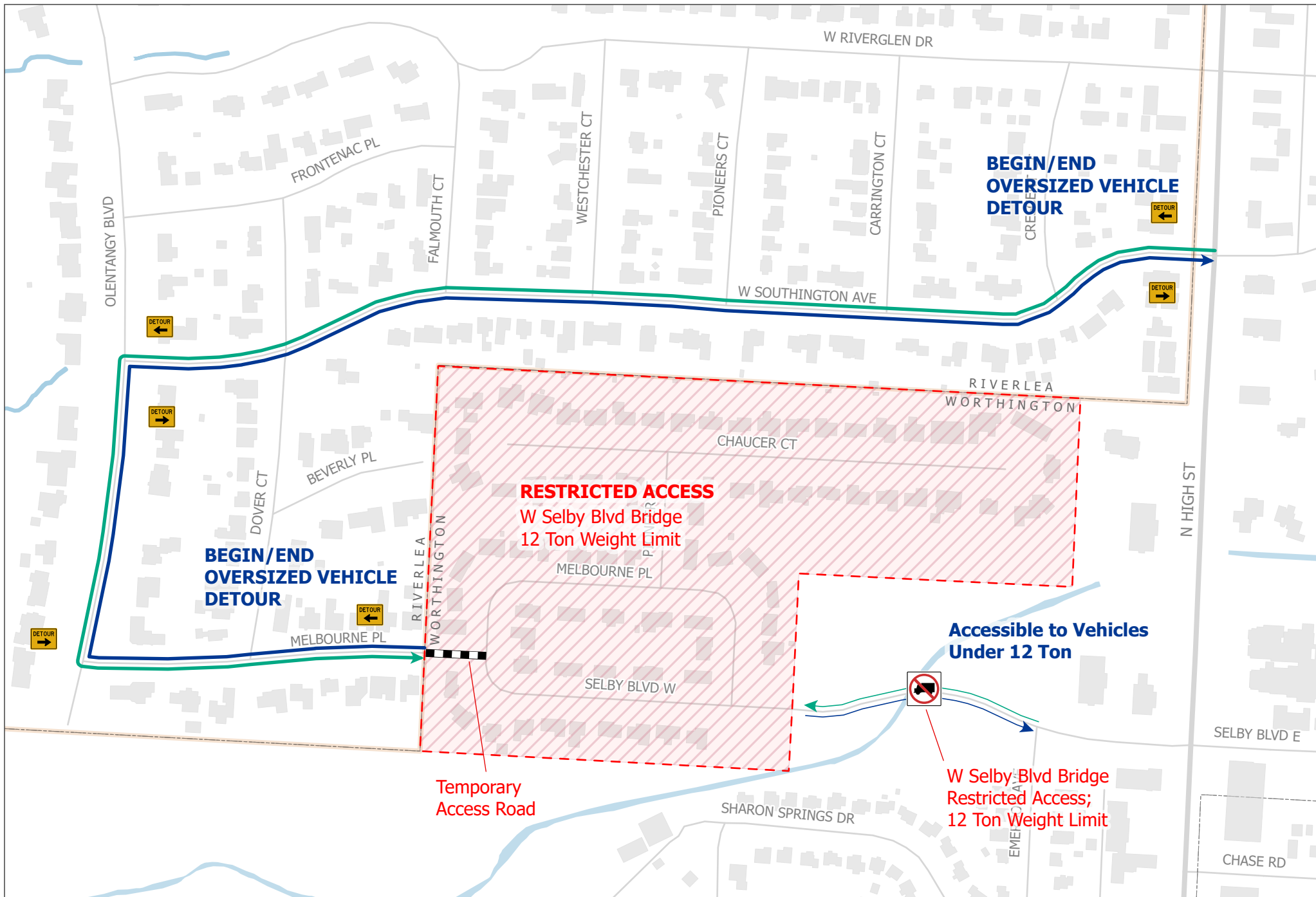
	PLEASE SELECT ON RIGHT, WHERE APPROPRIATE, BY USING THE DROP DOWN ARROW BUTTON
LOAD RATING PURPOSE :	1 - Initial Load Rating
GENERAL APPRAISAL (0-9) :	6
(708) LOAD RATING SOFTWARE :	3 - AASHTO BrR (VIRTIS)
SOFTWARE VERSION :	6.8.4
(709) RATING SOURCE :	1 - Plan information available for load rating analysis
(63)(65) RATING METHOD :	8 - Load & Resistance Factor Rating (LRFR) reported by rating factor (RF)
(31) ORIGINAL DESIGN LOADING :	5 - HS20

#### STRUCTURE RATING SUMMARY

OHIO LEGAL VEHICLES				DESIGN VEHICLE				
Loading Type	GVW (Tons)	Operating Rating RF	Legal Weight (Tons)	Loading Type	Rating by RF			
					Operating	Inventory		
2F1	15	0.797	11.96	HL93 Loading	0.568	0.438		
3F1	23	0.679	15.62					
4F1	27	0.679	18.33					
5C1	40	0.679	27.16					
SPECIALIZED HAULING VEHICLES (SHV)				Overall Legal Posting Rating				
SU4	27	0.622	16.79	60%				
SU5	31	0.622	19.28	Posting Recommendation				
SU6	34.75	0.620	21.55	LOAD POSTING IS RECOMMENDED				
SU7	38.75	0.620	24.03	<div>Sign Posting Recommendation:</div> <div><div>WEIGHT LIMIT SINGLE UNIT</div><div><div>2 AXLE12 T</div><div>3 AXLE16 T</div><div>4 AXLE17 T</div><div>5 AXLE19 T</div><div>6+ AXLE22 T</div><div>27 T</div></div></div>				
EMERGENCY VEHICLES (EV)								
Check box if this is an NBI bridge <input checked="" type="checkbox"/>								
EV2	28.75	0.732	21.05					
EV3	43	0.677	29.11					

AGENCY/FIRM/OFFICE	American Structurepoint, Inc.	Report Date	7/31/2020
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	Rated By	Reviewed By	
Name:	Adam Dahlfors	Joseph Schmitz	
PE Number:	83357	73966	
Phone Number:	614-901-2235	614-901-2235	
Email:	adahlfors@structurepoint.com	jschmitz@structurepoint.com	



## WEST SELBY BRIDGE WEIGHT LIMIT DETOUR



Restricted Access Over 12 Tons



Restricted Access Zone

→ Ingress

→ Egress



Scale: 1:3,600

0 250 500  
Feet

Date Exported: 10/12/2023





**STAFF MEMORANDUM**  
**City Council Meeting – February 5, 2024**

Date: February 1, 2024

To: Robyn Stewart, Acting City Manager

From: Darren Hurley, Parks & Recreation Director

Subject: Community Center Windows & Doors Ordinance

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**EXECUTIVE SUMMARY**

This ordinance would fund Window and Door Replacements in the south end of the Community Center and all related expenses.

**RECOMMENDATION**

Motion to Amend, Approve as Amended

**BACKGROUND/DESCRIPTION**

The interior doors and windows in much of the south end (original portion) of the Community Center have gone well beyond their useful life and need replacement. This replacement has been approached in phases, with this being the third project as we gradually address the various areas in the facility. Staff have sought bids for this phase utilizing our standard process on two occasions, with both resulting in no submitted bids. As a result, staff are recommending appropriation of the funds and authorization for the City Manager to award a contract based on quotes.

Staff is requesting a motion to amend to the revised version of the ordinance included in this agenda packet.

Ordinance No. 20-2022 was introduced July 5, 2022, and is currently tabled. Under a separate policy item on this agenda, staff is requesting Council Member Hermann, who introduced the ordinance, make a motion to withdraw Ordinance No. 20-2022 from consideration.

**FINANCIAL IMPLICATIONS/FUNDING SOURCES (if applicable)**

The 2021 CIP had \$102,000 for this project. We chose to delay it until 2022 and have subsequently had issues finding bidders.

**ATTACHMENT(S)**

Ordinance No. 06-2024

ORDINANCE NO. 06-2024

Amending Ordinance No. 26-2023 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the Worthington Community Center South End Windows and Doors Replacement and all Related Expenses and Determining to Proceed with said Project. (Project No. 735-22)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available; and

WHEREAS, the City has twice unsuccessfully sought bids from interested contractors pursuant to its standard bidding procedures for the Worthington Community Center South End Windows and Doors Replacement (Project No. 735-22); and

WHEREAS, staff is requesting Council appropriation of the funds and authorization for the City Manager to award a contract based on quotes;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.4010.533463 an amount not to exceed one-hundred two thousand (\$102,000) to pay the cost of the Worthington Community Center South End Windows and Doors Replacement (Project No. 735-22)

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the firm of \_\_\_\_\_ for the provision of the aforementioned services.

SECTION 3. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an "Ordinance Determining to Proceed" with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest:

Introduced: January 16, 2024

\_\_\_\_\_  
Clerk of Council

PH  
Effective



**STAFF MEMORANDUM**  
**City Council Meeting – February 5, 2024**

Date: January 25, 2024

To: Robyn Stewart, Acting City Manager

From: Scott F. Bartter, Finance Director

Subject: Resolution No. 16-2024– Appointment to the COHCC Board

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**EXECUTIVE SUMMARY**

This Resolution appoints Scott Bartter as the principal and Angela Harris as the alternate representative to the Central Ohio Health Care Consortium Board.

**RECOMMENDATION**

Introduce and Approve as Presented.

**BACKGROUND/DESCRIPTION**

The City of Worthington provides health insurance benefits to employees through membership in the Central Ohio Health Care Consortium (COHCC). As a member of the COHCC, the City may appoint one principal representative and one alternate representative to the Board of Directors. Currently, Angela Harris serves as the principal (voting) member and Scott Bartter serves as the alternate. However, effective January 2024 I have taken on the role of Treasurer for the COHCC. Because of these new responsibilities it makes sense for me to be the principal member and move Angela Harris to the alternate position.

**ATTACHMENT(S)**

Resolution No. 16-2024

RESOLUTION NO. 16-2024

Appointing Scott Bartter to the Position of Principal Representative and Angela Harris to the Position of Alternate Representative for the City of Worthington to the Board of the Central Ohio Health Care Consortium.

WHEREAS, the City of Worthington is a participating member of the Central Ohio Health Care Consortium; and

WHEREAS, each participating jurisdiction of the Central Ohio Health Care Consortium may appoint one principal and one alternate representative to the Board of the Consortium; and

WHEREAS, Resolution No. 49-2017 appointed Scott Bartter as the alternate appointment and Resolution No. 32-2023 appointed Angela Harris as the Principal Representative to the Board; and

WHEREAS, the City finds the need to switch the alternate and principal appointments.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. Scott F. Bartter be and hereby is appointed to serve as the principal representative to the Board of the Central Ohio Health Care Consortium.

SECTION 2. That Angela N. Harris be and hereby is appointed to serve as the alternate representative to the Board of the Central Ohio Health Care Consortium

SECTION 3. That the Clerk be and hereby is instructed to record this Resolution in full in the appropriate resolution book.

Adopted:

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
Clerk of Council

ORDINANCE NO. 20-2022

Amending Ordinance No. 53-2021 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the Worthington Community Center South End Windows and Doors Replacement and all Related Expenses and Determining to Proceed with said Project. (Project No. 735-22)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.4010.533463 an amount not to exceed \_\_\_\_\_ (\$\_\_\_\_\_) to pay the cost of the Worthington Community Center South End Windows and Doors Replacement (Project No. 735-22)

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the firm of \_\_\_\_\_ for the provision of the aforementioned services.

SECTION 3. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an "Ordinance Determining to Proceed" with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed \_\_\_\_\_

Attest

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Introduced July 5, 2022  
P.H. July 18, 2022  
Tabled