

Review of Petition to Annex 0.93 +/- acres from Prairie Township to the city of Columbus by Jill Tangeman, Esq. Case #ANX-EXP2-09-10 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Jill Tangeman, Esq. filed on behalf of GP Portfolio Landlord #3, LLC on May 25, 2010 and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Expedited Type 2 petition, and having considered all the facts with reference thereto, being fully advised, and

WHEREAS, the Commissioners make the following findings based upon the exhibits and testimony presented at the review of this matter:

1. The petition does meet all the requirements set forth in, and was filed in the manner provided in, section 709.021 of the Revised Code.
2. The persons who signed the petition are owners of the real estate located in the territory proposed for annexation and constitute all of the owners of real estate in that territory.
3. The territory proposed for annexation does not exceed five hundred acres.
4. The territory proposed for annexation shares a contiguous boundary with the municipal corporation to which annexation is proposed for a continuous length of at least five percent of the perimeter of the territory proposed for annexation.
5. The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.
6. The municipal corporation to which annexation is proposed has agreed to provide to the territory proposed for annexation the services specified in the relevant service ordinance #0823-2010, passed on June 7, 2010 by the city of Columbus.

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BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

That, in accordance with the findings made in the preamble, which are incorporated herein, the prayer of the Petition be *approved*, and the territory sought to be annexed by the petition filed herein *shall* be annexed to the city of Columbus, Ohio, in accordance with the law; that the orders and proceedings of this board relating to the Petition, and map and description attached thereto, and all papers on file relating to this matter be delivered forthwith to the Clerk of Council, city of Columbus, Ohio.

Prepared by: R. Lee Brown

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0547-10

July 06, 2010

**REVIEW OF PETITION TO ANNEX 0.93 +/- ACRES FROM PRAIRIE
TOWNSHIP TO THE CITY OF COLUMBUS BY JILL TANGEMAN, ESQ. CASE
#ANX-EXP2-09-10**

**(Economic Development and
Planning)**

Upon the motion of Commissioner Paula Brooks, seconded by Commissioner Marilyn Brown:

Voting:

John O'Grady, President

Aye

Paula Brooks

Aye

Marilyn Brown

Aye

Board of County Commissioners
Franklin County, Ohio

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Franklin County, Ohio on the date noted above.



Debra A Willaman, Clerk
Board of County Commissioners
Franklin County, Ohio



Commissioners
Paula Brooks, President
Marilyn Brown
John O'Grady

Economic Development & Planning Department
James Schimmer, Director

RECEIVED

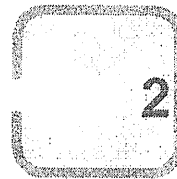
MAY 25 2010

BY: _____

Application for

Annexation Petition

Expedited Type 2
Pursuant to ORC §709.023




Property Information	
Site Address	5547 West Broad Street
Parcel ID(s)	240-000256
From Township	Prairie
Total Acreage	.93+-
To Municipality	Columbus

Property Owner Information	
Name	GP Portfolio Landlord #3, LLC
Address	5547 West Broad Street
	Columbus, Ohio 43228
Phone #	
Fax #	
Email	

Attorney/Agent Information	
Name	Jill S. Tangeman, Esq.
Address	52 East Gay Street
	Columbus, OH 43216
Phone #	(614) 464-5608
Fax #	(614) 719-4638
Email	jstangeman@vorys.com

Staff Use Only	
Case #	ANX EXP2 09-10
Hearing date:	7-6-10
Date filed:	5-25-10
Fee paid	250.00
Receipt #	7171
Notifications deadline: 5 days	5-29-10
Svc statement deadline: 20 days	6-21-10

Document Submission
The following documents must accompany this application on letter-sized 8 1/2" x 11" paper:
<input checked="" type="checkbox"/> Legal description of property
<input checked="" type="checkbox"/> Map/plot of property
<input checked="" type="checkbox"/> List of adjacent properties

Waiver of Right to Appeal			
WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.			
	05-10-10		
Property Owner	Date	Property Owner	Date

Economic Development · Community Development
150 South Front Street, FSL Suite 10, Columbus, Ohio 43215
Tel: 614-462-5631
Fax: 614-462-4876
www.FranklinCountyOhio.gov

Planning · Zoning · Building
Planning & Zoning Tel: 614-462-3094
Building Permits Tel: 614-462-3166
Fax: 614-462-7155

0.93 ACRE ANNEXATION TO THE CITY OF COLUMBUS

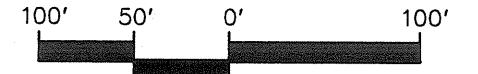
SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF PRAIRIE, IN VIRGINIA MILITARY SURVEY NO. 1474.

RECEIVED

MAY 25 2010

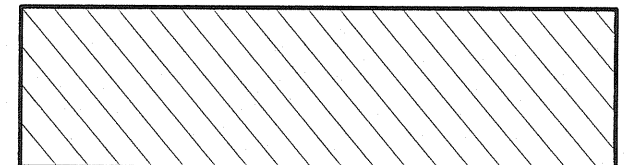
Franklin County Planning Department
Franklin County, Ohio

ANX EXP 2 09-10



Scale 1" = 100'
September 14, 2009

AREA TO BE ANNEXED



Existing City of Columbus Corporation Line

Proposed City of Columbus Corporation Line

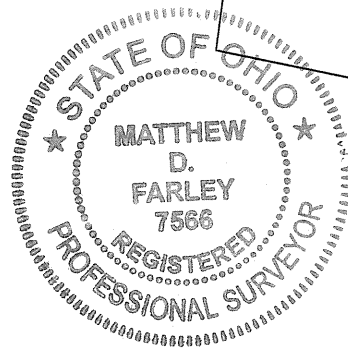
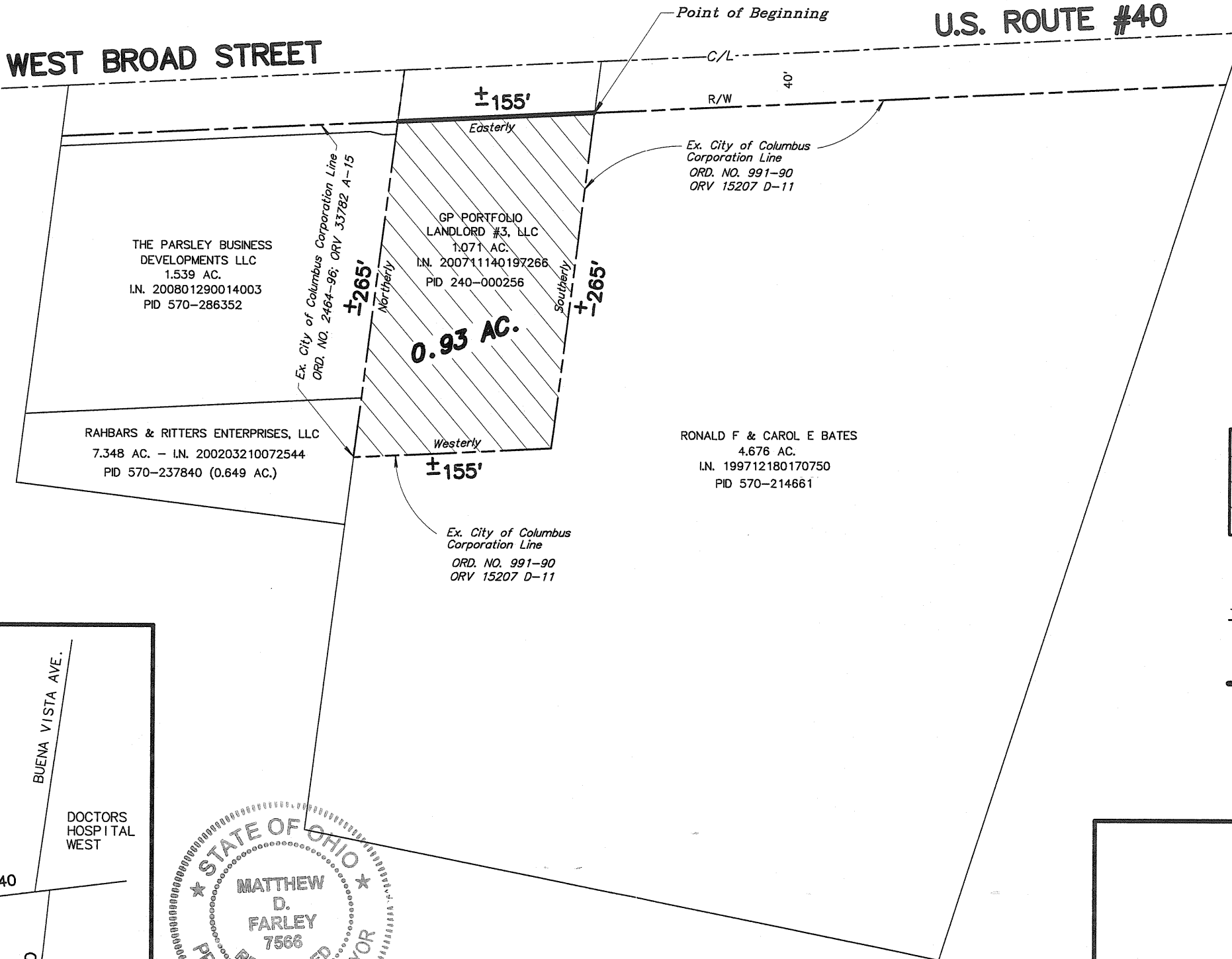
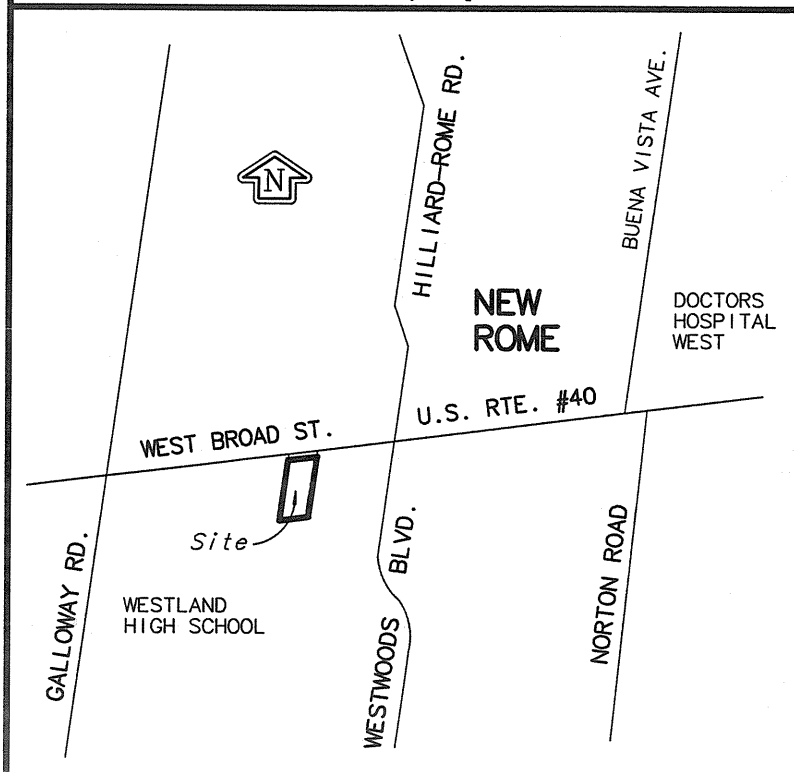
RECEIVED

SEP 28 2009

Franklin County Engineer
Dean C. Ringle, P.E., P.S.

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By RR Date 9/28/09

Vicinity Map



BY:

Matthew D. Farley 9/29/09
Matthew D. Farley, P.S. #7566.

MyersSurveying
COMPANY

2740 East Main Street (614) 235 - 8677
Bexley, Ohio 43209-2577 info@myerssurveying.com

RECEIVED

SEP 28 2009

Franklin County Engineer
Dean C. Ringle, P.E., P.S.

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER

By RB Date 9/28/09

September 14, 2009

**0.93 ACRES IN PRAIRIE TOWNSHIP, FRANKLIN COUNTY, OHIO,
TO BE ANNEXED TO THE CITY OF COLUMBUS, OHIO**

Situated in the State of Ohio, County of Franklin, Township of Prairie, in Virginia Military Survey No. 1474, being part of the 1.071 acre tract conveyed to GP Portfolio Landlord #3, LLC, as shown of record in Instrument Number 200711140197266, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an angle point in an existing City of Columbus Corporation line, as established by Ordinance 991-90, of record in Official Records Volume 15207 D-11, said Recorder's Office, being the intersection of the east line of said 1.071 acre tract with the south right-of-way of West Broad Street (U.S. Route #40);

Thence, Southerly, along said corporation line, part of the east line of said 1.071 acre tract and the west line of the 4.676 acre tract conveyed to Ronald F. and Carol E. Bates (Instrument Number 199712180170750, said Recorder's Office) approximately 265 feet to the southeast corner of said 1.071 acre tract;

Thence, Westerly, along the south line of said 1.071 acre tract and a north line of said 4.676 acre tract, approximately 155 feet to the southwest corner of said 1.071 acre tract, a northwest corner of said 4.676 acre tract, and in the east line of a 0.649 acre tract (part of the 7.348 acre tract conveyed to Rahbars & Ritters Enterprises, LLC, as shown of record in Instrument Number 200203210072544, said Recorder's Office);

Thence, Northerly, along an existing City of Columbus Corporation line, as established by Ordinance 2464-96, of record in Official Records Volume 33782 A-15, said Recorder's Office, part of the west line of said 1.071 acre tract, part of the east line of said 0.649 acre tract and part of the east line of the 1.539 acre tract conveyed to The Parsley Business Developments LLC tract (Instrument Number 200801290014003, said Recorder's Office) approximately 265 feet to the intersection of said line with said original south right-of-way of West Broad Street (U.S. Route #40);

Thence, Easterly, across said 1.071 acre tract and along said right-of-way, approximately 155 feet to the place of beginning **CONTAINING APPROXIMATELY 0.93 ACRES.**

THE FOREGOING DESCRIPTION IS FOR ANNEXATION PURPOSES ONLY, BASED ON RECORDS AND NOT FROM AN ACTUAL FIELD SURVEY.



Matthew D. Farley 9/28/09
Matthew D. Farley, P.S. #7566



City of Columbus

Legislation Report

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

File Number: 0823-2010

ORIGINAL

Emergency

File Number: 0823-2010

File Type: Ordinance

Status: Second Reading

Version: 1

Controlling Body: Development Committee

File Name: Annexation Service AN09-008: 0.93 acres, Prairie Township, GP
Portfolio Landlord #3, LLC

Introduced: 5/26/2010

Requester: Dev Drafter

Cost:

Final Action:

Auditor Cert #:

Auditor: When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

Contact Name/No.: Lori Baudro 645-6986

Floor Action (Clerk's Office Only)

JUN 07 2010

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 0823-2010 passed by The Council of The City of Columbus, Ohio 6/7, 20 10, as shown by the records now on file in this office.

Seal

Andrea Blewins
City Clerk

Mayor's Action

Mayor

Date

Council Action

Date Passed/ Adopted

President of Council

City Clerk

Title:

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN09-008) of .93± acres in Prairie Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD0823-2010 AN09-008 Legal Description.doc, ORD0823-2010 AN09-008 Map.doc

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Dev Drafter	5/26/10	Sent for Approval	DEVELOPMENT DIRECTOR			
	Action Note: Planning Division						
1	DEVELOPMENT DIRECTOR	5/26/10	Reviewed and Approved	Dev Drafter			
	Action Note: nmb						
1	Dev Drafter	5/26/10	Sent to Clerk's Office for Council	City Clerk Inbox			

EBOCO: Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

City Attorney: Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

Explanation

AN09-008

BACKGROUND: This ordinance is being submitted to set forth the municipal services and zoning conditions the city of Columbus will provide upon annexation of a territory located in Prairie Township. This ordinance is required by the Ohio Revised Code (ORC) as enacted by the General Assembly of the State of Ohio. An annexation petition has been filed with Franklin County for this property. A service ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Franklin County. Information regarding municipal services that would be available, should the subject site be annexed, has been compiled and is reflected in this ordinance. Should the petition be approved by the County Commissioners, a second City ordinance accepting the annexation will be required to complete the process.

The time frames specified in the ORC require that this legislation be filed as emergency.

FISCAL IMPACT: The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. While provision of the stated services does represent cost to the city, annexation of land also has the potential to create revenue to the city.

Title

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN09-008) of .93± acres in Prairie Township to the City of Columbus as required by the Ohio Revised Code and to declare an emergency.

Body

WHEREAS, a petition for the annexation of certain territory in Prairie Township was duly filed on behalf of GP Portfolio Landlord #3, LLC on May 25, 2010; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on

June 29, 2010; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Westland planning area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code, all for the preservation of the public peace, property, health safety and welfare; **now, therefore,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the city of Columbus will provide the following municipal services for .93 ± acres in Prairie Township upon the annexation of said area to the city of Columbus

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City

Sanitation: Residential refuse collection services will be available for residential uses upon annexation of the property. However, commercial uses are required to provide their own refuse collection

Transportation: Maintenance will be available for any additional right-of-way that may be included in this annexation request. If this annexation contains existing signalized intersections, those intersections and signals are subject to Transportation Division Policy, which appeared in the December 6, 2003 Columbus City Bulletin, and any subsequent updates thereto.

Water: The site will be served by the existing 16" water main located on the north side of West Broad Street

Sewer:

Sanitary Sewer: The site can be served by an existing 8-inch sanitary sewer located within an easement abutting the subject property in the vicinity of the southwest property corner. Permission to tap the sewer is required.

Storm Sewer: All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development

All sanitary and storm sewers required shall be constructed privately by the owners/developers at their own cost and expense with no cost to the city.

Section 2. If this .93± acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Prairie Township the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Prairie Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same

**LEGAL DESCRIPTION
ANNEXATION AN09-008
.93 Acres in Prairie Township
GP Portfolio #3, LLC**

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BASED ON RECORDS AND NOT FROM AN ACTUAL FIELD SURVEY.**

0.93 ACRE ANNEXATION TO THE CITY OF COLUMBUS
SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF PRAIRIE, IN VIRGINIA MILITARY SURVEY NO. 1474.

U.S. ROUTE #40

0.93 ACRE ANNEXATION TO THE CITY OF COLUMBUS

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF PRAIRIE, IN VIRGINIA MILITARY SURVEY NO. 1474.

RECEIVED
SEP 28 2009
Franklin County Engineer
Dean C. Ringle, P.E., P.S.

ANNEXATION
PLAN & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By DR Date 9/29/09

WEST BROAD STREET
U.S. ROUTE #40

Point of Beginning

C/L

±155'

±265'

0.93 AC.

±155'

±265'

THE PARSLEY BUSINESS DEVELOPMENTS LLC
10000 S.W. 10TH AVE.
SUITE 200
MIAMI, FL 33156
PO BOX 228323

RYAN'S & BATES ENTERPRISES, LLC
7398 AC - IN 200022 (00224+)
PO BOX 227940 (0449 AC)

OF COLUMBUS LAND CO. LLC
14071 AC
IN 20711407208
PO BOX 400255

ROUND F & CAROL E BATES
4575 AC
IN 198712180170750
PO BOX 214831

Ex. City of Columbus Corporation Line
ORD. NO. 2464-95; ORD. NO. 33782 A-15

Ex. City of Columbus Corporation Line
ORD. NO. 891-40
ORD. NO. 15507 B-11

Ex. City of Columbus Corporation Line
ORD. NO. 891-40
ORD. NO. 15507 B-11

NEARLY MAP

GALLOWAY RD.
WESTLAND HIGH SCHOOL
WESTWOODS BLVD.
NORTON ROAD
WEST BROAD ST.
U.S. RTE. #40
HILLIARD-ROME RD.
NEW ROME
BUENA VISTA AVE.
DOCTORS HOSPITAL WEST

STATE OF OHIO
MATTHEW D. FARLEY
REGISTERED PROFESSIONAL SURVEYOR
7588

BY: Matthew D. Farley 9/29/09
Matthew D. Farley, P.S. #7588.

myerssurveying.com

2740 East Main Street (614) 338-8877
Bexley, Ohio 43206-2577 info@myerssurveying.com

AREA TO BE ANNEXED.

Existing City of Columbus Corporation Line

Proposed City of Columbus Corporation Line

Scale 1" = 100'
September 14, 2009