Review of Petition to Annex 13.925 +/- acres from Jackson Township to the City of Columbus Case #ANX-EXP2-19-14 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition filed by Connie J. Klema on August 26, 2014 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 passed resolution no. 2002-2014 agreeing to provide to the territory proposed for annexation certain services and adopting a statement regarding possible incompatible land uses and zoning buffer. The respective resolution was passed by the City of Columbus on September 8, 2014.

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

Review of Petition to Annex 13.925 +/- acres from Jackson Township to the City of Columbus Case #ANX-EXP2-19-14 (ECONOMIC DEVELOPMENT & PLANNING)

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, 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: D. Anthony Hray

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0678-14

September 30, 2014

REVIEW OF PETITION TO ANNEX 13.925 +/- ACRES FROM JACKSON TOWNSHIP TO THE CITY OF COLUMBUS CASE #ANX-EXP2-19-14

(Economic Development and Planning)

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

Voting:

Marilyn Brown, President Paula Brooks

Aye 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.

Shannon Z Cross, Clerk Board of County Commissioners

Franklin County, Ohio

CERTIFIED TRUE COPY

By: _____ Date: _ to / 6 / 1 Y
Franklin County Economic Development

& Planning Department



Commissioner Marilyn Brown · Commissioner Paula Brooks · Commissioner John O'Grady President

Economic Development & Planning DepartmentJames Schimmer, Director

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX 13.925 +/- ACRES FROM JACKSON TOWNSHIP TO THE CITY OF COLUMBUS

Description:

Attached is a resolution to consider the annexation of 13.925-acres, more or less, from Jackson Township to the city of Columbus. The petition case number is ANX-EXP2-19-14.

Agent:

Connie J. Klema, Attorney

Owner:

The Russete Corporation

Site:

3830 Big Run Road South (160-000218)

Additional Information:

Approximately 2,085 feet of the site is contiguous with the city of Columbus, which constitutes 59.9 percent of the total site perimeter.

Analysis:

The applicant <u>has</u> met all statutory requirements outlined in Section 709.021 of the Ohio Revised Code. The applicant <u>has</u> provided proof of notification, and timeline and <u>has</u> provided a resolution from the city of Columbus identifying the services that will be provided once the annexation has been approved and a statement regarding possible incompatible land uses and zoning buffer. The respective resolution, no. 2002-2014, was passed by the city of Columbus on September 8, 2014.

Recommendation:

Pending any questions, staff would request your **approval** of this annexation.



 $\textbf{Commissioner Marilyn Brown} \cdot \textbf{Commissioner Paula Brooks} \cdot \textbf{Commissioner John O'Grady President}$

Economic Development & Planning Department James Schimmer, Director

MEMO JOURNALIZATION

TO:

Shannon Zee Cross, County Clerk

Franklin County Commissioners Office

FROM:

D. Anthony Hray, Planner

Franklin County Economic Development & Planning Department

CC:

James Schimmer, Director

Jenny Snapp, Assistant Director, Building, Planning and Zoning

Matthew Brown, Planning Administrator

Franklin County Economic Development & Planning Department

RE:

Description of Expedited Type 2 annexation case to be

journalized on the **September 2, 2014** General Session Agenda

for a hearing on **September 30, 2014.**

<u>Case #ANX-EXP2-19-14</u>- An Expedited Type 2 annexation petition ANX-EXP2-19-14 was filed in our office on August 26, 2014. The petition is requesting to annex 13.9 +/- acres from Jackson Township to the City of Columbus.

Site: 3830 Big Run Road South (160-000218)



Commissioners Marilyn Brown, President Paula Brooks John O'Grady

Property Information

Economic Development & Planning Department James Schijmer, Director

Application for

Annexation Petition

Expedite y

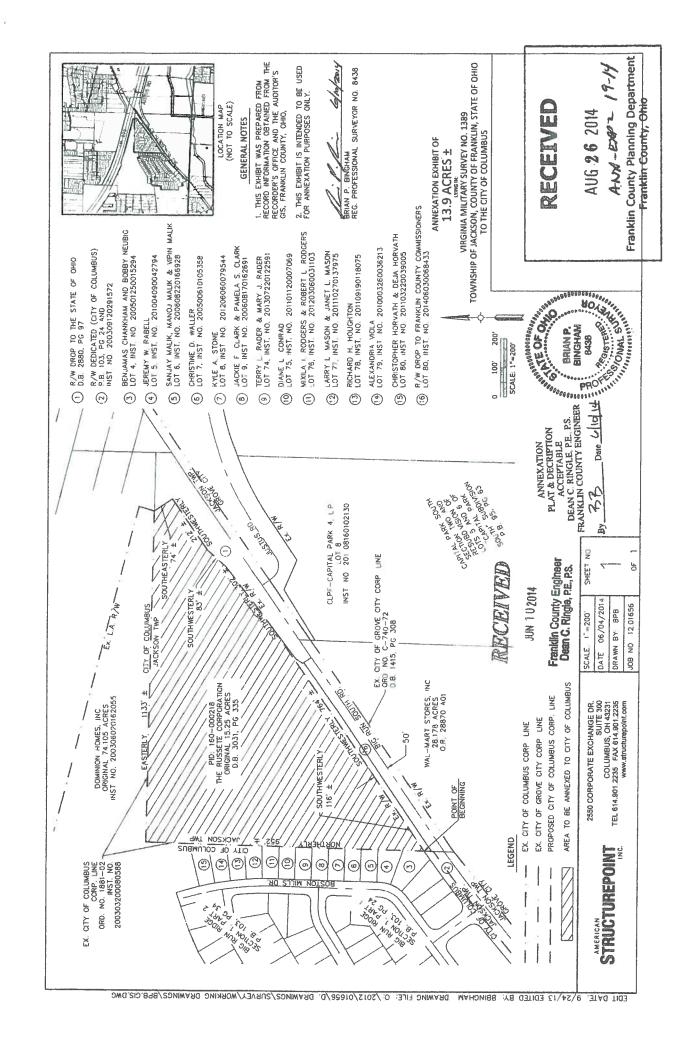
RECEIVED

AUG 26 2014

Franklin County Planning Department
Franklin County Ohio

Staff Use Only

Parcel ID(s) 160 - 000 Z18 - 00 From Township JACKSON		ANX-EXPZ
From Township		
TACKSONI	To Municipality	/7-/7
CACHOON	COLUMBUS	
THE RESIDENCE PARTY SHAPE STATE OF THE PARTY SERVICES FOR THE		Hearing date;
Property Owner Information		realing date; 9/30/14
NAME RUSSETE CORPORATI	10N	Date filed: 8/26/14
Address 38 30 BIG RUN ROAD	S.	
GROVE CITY, OH 4		Fee paid 350.00
		Receipt # 1472
Phone# THOMAS R. CLARK A-TI	4 Fox 614) 875 - 2155	Notifications deadline:
(614) 875-4895		Svc statement deadline:
TCLARK OCLARKANDWALL	LGALAW, COM	20 days 9/15/14
Attorney/Agent Information		Document Sübmission
DONNIE J. KIEMA, AT	TTORNEY	The following documents must
145 E RICH ST, ZNO	accompany this application on letter-sized 8 %" x 11" paper:	
COLUMBUS DH 43	215	
		Legal description of property
Phone # 44 - 410 - 417 7	Fax# 614-221-1895	
614-469-9122	619-221-1893	Map/plat of property
Email		List of adjacent properties
CKLEMAD Tronio. Co	om	
Waiver of Right to Appeal	NOTE SEED OF THE PROPERTY OF THE PERSON OF T	
THE STATE OF THE S		
WHOEVER SIGNS THIS PETITION EXPRE		
BOARD OF COUNTY COMMISSIONERS' E PROCEDURE, ALTHOUGH A WRIT OF MA		
ITS DUTIES REQUIRED BY LAW FOR THE	S SPECIAL ANNEXATION PROCEDURE.	
The Russete LOAP		
194 Elite Bills. To	5/5/14	
Company Current Curren	Date Property Owner	Date
Fluberty Owner S 1 2 Alas II.	trans (Esta Su LE 1986)	
Property Contract Established Sun	THE MES WONT	





JUN 1 0 2014

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

Franklin County Engineer ANNEXATION DESCRIPTION Dean C. Ringle, P.E., P.S. 13.9 ACRES ±

BB Date 6/10/14

FROM JACKSON TOWNSHIP TO CITY OF COLUMBUS

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Virginia Military Survey Number 1389, and being a part of an original 15.25 acre parcel described in a deed to The Russete Corporation, of record in Deed Book 3031, page 335, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being generally described for annexation purposes only as follows:

Beginning at the intersection of the existing northwest right-of-way line for Big Run South Road and the southeast corner of Lot 4, as dedicated and depicted on the Big Run Ridge, Section 1, Part 1 subdivision, of record in Plat Book 103, page 24, being on the west line of said original 15.25 acre tract, and being on an existing eastern City of Columbus corporation line, established by Ordinance Number 1881-02, of record in Instrument Number 200303200080588;

Thence Northerly along the west property line of said original 15.25 acre parcel, along the east lines of Lot numbers 4, 5, 6, 7, 8 and 9 of said Big Run Ridge, Section 1, Part 1, along the east lines of Lots 74, 75, 76, 77, 78, 79 and 80 of the Big Run Ridge, Section 1, Part 2 subdivision, of record in Plat Book 103, page 34, along the east line of an original 74.105 acre parcel described in a deed to Dominion Homes, Inc., of record in Instrument Number 200306020162055, and along the existing east corporation line for the City of Columbus, a distance of 952 feet, more or less, to the northwest corner of said original 15.25 acre parcel, being a corner of said original 74.105 acre parcel;

Thence Easterly along the north property line of said original 15.25 acre parcel, along a south line of said original 74.105 acre parcel, and along the existing south corporation line of the City of Columbus, a distance of 1,133 feet, more or less, to an existing right-of-way line for said Big Run South Road, as conveyed to the State of Ohio in a deed of record in Deed Book 2880, page 97;

Thence leaving said existing City of Columbus corporation line and along the proposed City of Columbus corporation line, across said original 15.25 acre parcel, along the following seven (7) courses:

- Southeasterly, along an existing southwest right-of-way line for said Big Run South Road, a distance of 74 feet, more or less;
- Southwesterly, along an existing northwest right-of-way line for said Big Run South Road, a distance of 212 feet, more or less;
- Southwesterly, continuing along an existing northwest right-of-way line for said Big Run South Road, a distance of 83 feet, more or less;
- Southwesterly, continuing along an existing northwest right-of-way line for said Big Run South Road, a distance of 302 feet, more or less to the existing northwest right-of-way line for said Big Run South Road as conveyed to the Franklin County Commissioners in Instrument Number 201406030068433;

- 5. Southwesterly, along the existing northwest right-of-way line for said Big Run South Road, a distance of 764 feet, more or less;
- Southwesterly, continuing along the existing northwest right-of-way line for said Big Run South Road, a distance of 116 feet, more or less to the Point of Beginning for this annexation description.

The above annexation description contains a total area of approximately 13.9 acres, more or less, within Franklin County Auditor's parcel number 160-000218.

This description was prepared based on record information obtained from the Franklin County Recorder's Office, and from the Franklin County Auditor's GIS and is intended for annexation purposes only.

Brian P. BingHam

Registered Professional Surveyor No. 8438

410/2019

Date

RECEIVED

AUG 26 2014

Franklin County Planning Department Franklin County, Ohio

ANY-EXPZ

19-14



City of Columbus **Legislation Report**

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

File Number: 2002-2014

ORIGINAL

Emergency

File ID: 2002-2014

Type: Ordinance

Status: Consent

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN14-008: 13.925 Acres,

Jackson Township, Russete Corporation

File Created: 08/27/2014

Cost: \$0.00

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.:

Jackie Yeoman 645-0663

RECEIVED

Floor Action (Clerk's Office Only)

SEP 0 8 2014



SEP 1 1 2014

Franklin County Planning Department Franklin County, OH

ANX -EXPZ - 19-14

1 0 2014 Date Mayor

Council Action

SEP 0 8 2014

Date Passed/ Adopted

Council

Veto

Date

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 (AN14-008) of 13.925 + acres in Jackson Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD2002-2014 AN14-008 Legal Description.

ORD2002-2014 AN14-008 Map

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 2002-2014 passed by The Council of The City of Columbus, Ohio 918, 2014, as shown by the records

now on file in this office.

Approval History

Version	Date	Approver		Action
1	08/27/2014	Steven Schoeny	-	Approved
1	08/27/2014	ATTORNEY APPROVER		Approved
Notes	wsb			ii.

History of Legislative File

Ver. Acting Body: Date: Action: Sent To: Due Date: Return Result: Date:

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

AN14-008

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 Jackson 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. If the petition is approved by the County Commissioners, a second City ordinance accepting the annexation will be necessary 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 (AN14-008) of $13.925 \pm$ acres in Jackson 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 Jackson Township was duly filed on behalf of the Russete Corporation on August 26, 2014; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on September 30, 2014; 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

Printed on 8/29/2014

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

WHEREAS, the property is located within the boundaries of the adopted Westland Area Plan; 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 $13.925 \pm acres$ in Jackson 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: Single family homes would qualify for city provided 90-gallon front curb or 300-gallon alley refuse service, the method of which to be determined by Division of Refuse Collection management. Any other development would require compliance with Title 13 requirements; Commercial/business 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: This site will be served by an existing 12" water main in Big Run Road South at the s/e corner of the site, which will require an extension by the property owner to serve the site. The connection will be made at the owner's expense.

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

Sanitary: This property can be served by an existing 30-inch sanitary sewer sub-trunk situated in an easement abutting the northeast property line between the right of way of I-270. The sub-trunk was built as a Capital Improvements Project. Tapping the sewer, with a private service lateral will incur front footage fees in addition to inspection and capacity fees. Permission to tap this sewer may be required, which could result in additional fees if the sewer is still privately owned.

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

SECTION 2. If this 13.925 ± 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 Jackson 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 Jackson 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 AN14-008 13.925 ± Acres in Jackson Township

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Virginia Military Survey Number 1389, and being a part of an original 15.25 acre parcel described in a deed to The Russete Corporation, of record in Deed Book 3031, page 335, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being generally described for annexation purposes only as follows:

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- 4. Southwesterly, continuing along an existing northwest right-of-way line for said Big Run South Road, a distance of 302 feet, more or less to the proposed northwest right-of-way line for said Big Run South Road;
- 5. Southwesterly, along the proposed northwest right-of-way line for said Big Run South Road, a distance of 764 feet, more or less;
- 6. Southwesterly, continuing along the proposed northwest right-of-way line for said Big Run South Road, a distance of 116 feet, more or less to the Point of Beginning for this annexation description.

The above annexation description contains a total area of approximately 13.9 acres, more or less, within Franklin County Auditor's parcel number 160-000218.

ANNEXATION AN14-008 ± 13.925 Acres /Jackson Township The Russete Corporation

