Resolution No. 0110-16

Review of Petition to Annex 35.9 +/- acres from Prairie Township to the City of Columbus Case #ANX-EXP2-01-16 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition, filed by Thomas W. O'Neil, on January 12, 2016, 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 Ordinance No. 0171-2016 agreeing to provide to the territory proposed for annexation certain services and adopting a statement regarding possible incompatible land uses and zoning buffer. The resolution was passed by the City of Columbus on January 25, 2016.

Resolution No. 0110-16

Review of Petition to Annex 35.9 +/- acres from Prairie Township to the City of Columbus Case #ANX-EXP2-01-16 (ECONOMIC DEVELOPMENT & PLANNING)

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, 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: Matt Brown

C: Economic Development & Planning Department

SIGNATURE PAGE FOLLOWS

SIGNATURE SHEET

Resolution No. 0110-16

February 16, 2016

REVIEW OF PETITION TO ANNEX 35.9 +/- ACRES FROM PRAIRIE TOWNSHIP TO THE CITY OF COLUMBUS CASE #ANX-EXP2-01-16

(Economic Development and Planning)

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

Voting:

John O'Grady, President Paula Brooks Marilyn Brown

Aye 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.

Antwan Booker, Clerk Board of County Commissioners Franklin County, Ohio



 $\label{eq:commissioner} \begin{array}{l} \textbf{Commissioner} \ \textbf{Paula Brooks} \cdot \textbf{Commissioner Marilyn Brown} \\ \textbf{President} \end{array}$

Economic Development & Planning Department James Schimmer, Director

RESOLUTION SUMMARY

Review of Petition to Annex 35.9 +/- acres from Prairie Township to the City of Columbus Case #ANX-EXP2-01-16

Description:

Attached is a resolution to consider the annexation of 35.9-acres, more or less, from Prairie Township to the City of Columbus. The petition case number is ANX-EXP2-01-16.

Agent:

Thomas W. O'Neil

Owner:

LJKJ Rome Hilliard LLC, Ruth Ann Hoffman and Roy Lee Hoffman

Site:

0 Rome-Hilliard Road (PID #240-002540 & 240-006855)

Additional Information:

The total perimeter of the site is approximately 5,478 feet; approximately 3,932 feet, or 72 percent, of which is contiguous to the City of Columbus.

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 resolution, Ordinance No. 0171-2016, was passed by the City of Columbus on January 25, 2016.

Recommendation:

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



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

Economic Development & Planning Department James Schimmer, Director

MEMO JOURNALIZATION

- **TO:**Victoria Caldwell, Acting County Clerk
Franklin County Commissioners Office
- **FROM:** Matthew Brown, Planning Administrator Franklin County Economic Development & Planning Department
- CC: James Schimmer, Director Jenny Snapp, Assistant Director, Building, Planning and Zoning Franklin County Economic Development & Planning Department
- **RE:** Description of Expedited Type 2 annexation case to be journalized on the **January 12**, **2016** General Session Agenda for consideration on **February 16**, **2016**.

Case #ANX-EXP2-01-16 - An Expedited Type 2 annexation petition ANX-EXP2-01-16 was filed with the Franklin County Economic Development and Planning Department on January 7, 2016. The petition is requesting to annex 35.9 +/- acres from Prairie Township to the City of Columbus. The petition will be considered by the Board of Commissioners on February 16, 2016.

Site: 0 Rome-Hilliard Road (PID# 240-002540 & 240-006855)

		The second s
		RECEIVED
Where Government Works	Application for	JAN 07 2016
Commissioners Marilyn Brown, President Paula Brooks John O'Grady Economic Development & Planning Department James Schimmer, Director	Annexation Petition Expedited Type 2 Pursuant to ORC §708 023	Franklin County Planning Department Franklin County, Ohio 2 ANX-EXP2-01-16
Property Information Site Address Vacant land West of the intersection of Hilliard Parcel (D(s)		Staff Use Only Case #
240-002540-00 & 240-006855-00 From Township Prairie Township	Total Acreage 35.9 ACYES To Municipality City of Columbus	01-16
Property Owner Information Name LJKJ Rome Hilliard LLC, Ruth Ann Hoffma Address Attn: Julie Hoffman 4087 Trueman Boulevard Hilliard, OH 43026	n, Roy Lee Hoffman	Hearing dete: 2/16/16 Date filed: 1/7/16 Fee paid #450.00 Receipt # 68.5354
Phone # 614-554-3262 Email julie.hoffman@herrealtors.com	Fax#614-763-4222	Notifications deadline: 5 days //2//16 Svc statement deadline: 20 days /27/16
Attorney/Agent Information Name Thomas W. O'Neil Address Menard, Inc. 5101 Menard Drive Eau Claire, WI 54703 Phone #	Fax #	Document Submission The following documents must accompany this application on letter-sized 8 ½" x 11" paper: Legal description of property
715-876-2810	715-876-5998	Map/plat of property
Waiver of Right to Appeal WHOEVER SIGNS THIS PETITION EXPRESSLY W/ BOARD OF COUNTY COMMISSIONERS' ENTRY O PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS ITS DUTIES REQUIRED BY LAW FOR THIS SPECIA	F ANY RESOLUTION PERTAINING TO TH S MAY BE SOUGHT TO COMPEL THE BO	HIS SPECIAL ANNEXATION
Property Dwine - Member LJKJ Rome Hilliard LLC Date Judy Hoffman Property Owner - Member Date Date Date Date Date	12/15 Ruth Inn Hy Property Owner - Ruth Ann bo Ray L. Hop Property Owner - Roy Lee Hop	Iman 12/2/15 Iman Date

150 South Front Street, FSL Suite 10, Columbus, Ohio 43215- 7104 Tel: 614-525-3094 Fax: 614-525-7155 www.FranklinCountyOhio.gov



OCT 302015

ANNEXATION OF 35.9 ACRES±

	EXATION
PLAT & I	DECRIPTION
ACCI	EPTABLE
	INGLE, P.E., P.S.
FRANKLIN CO	DUNTY ENGINEER
By RB	Date 10/30/15

Franklin County Engineer Dean C. Ringle, P.E., P.S. FROM: TOWNSHIP OF PRAIRIE **TO: CITY OF COLUMBUS**

Situated in the State of Ohio, County of Franklin, Township of Prairie, in Virginia Military Survey Numbers 7326 and 1484, being part of Lots 1 and 5 as shown on Plat "A" of the partition of the lands of Thomas O'Harra, of record in Complete Record Number 80, Page 196 of the Court of Common Pleas, also being part of those tracts of land conveyed to LJKJ Rome Hilliard, LLC by deeds of record in Instrument Numbers 201212190195037 and 201306120097793, and to Ruth Ann Hoffman and Roy Lee Hoffman by deeds of record in Official Records 2614J05 and 5431H02, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

BEGINNING at the northeasterly corner of said Hoffman tracts, the southeasterly corner of that 0.972 acre tract conveyed as Tract Three to Dean E. Salts, Trustee, by deed of record in Instrument Number 201411030145462, in the westerly line of that 7.879 acre tract conveyed as Parcel No. 104 WD to State of Ohio by deed of record in Deed Book 2990, Page 249, in the westerly right-of-way line of Hilliard-Rome Road;

Thence with said westerly right-of-way line the following courses and distances:

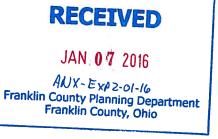
South 14° 27' 57" East, a distance of 110.68 feet to a point;

South 21° 34' 02" East, a distance of 314.09 feet to a point;

South 31° 34' 10" East, a distance of 209.73 feet to a point;

South 40° 22' 51" East, a distance of 400.89 feet to a point;

South 33° 03' 34" East, a distance of 192.46 feet to a point; and



South 23° 34' 36" East, a distance of 71.46 feet to the northerly corner of the condominium entitled "Templeton Crossing Condominiums", of record in Condo Plat Book 92, Page 35, in the existing City of Columbus corporation line as established by Ordinance Number 775-98, of record in Instrument Number 199805120115788;

Thence South 13° 54' 58" West, with the westerly line of said "Templeton Crossing Condominiums", with said City of Columbus corporation line, a distance of 725.74 feet to the northeasterly corner of that 5.023 acre tract conveyed to City of Columbus, Ohio by deed of record in Instrument Number 199902250048365;

Thence North 85° 53' 40" West, with the northerly lines of said 5.023 acre tract and said "Templeton Crossing Condominiums", with said City of Columbus corporation line, a distance of 1133.61 feet to the southeasterly corner of that 16.480 acre tract conveyed to Marcus Pohlmann Properties I, LLC by deed of record in Instrument Number 200007240145759;

Thence North 03° 47' 12" East, with the easterly line of said 16.480 acre tract, with said City of Columbus corporation line, a distance of 1091.76 feet to a point in the southerly line of the condominium entitled "Hartford Village Commons Condominiums Phase V, Fifth Amendment", of record in Condominium Plat Book 243, Page 9;

Thence South 85° 51' 22" East, with said southerly line, continuing with said City of Columbus corporation line, a distance of 295.39 feet to the southeasterly corner thereof:

Thence North 03° 52' 15" East, with the easterly lines of said condominium and that 1.629 acre tract conveyed to Image Hospitality, L.L.C. by deed of record in Instrument Number 201010010129017, continuing with said City of Columbus corporation line, a distance of 685.45 feet to the southwesterly

corner of said 0.972 acre tract; Thence South 55041 56" East, with the southerly line of said 0.972 acre tract, a distance of 246.75 feered ne POINT OF BEGINNING, containing 35.9 acres, more or less.

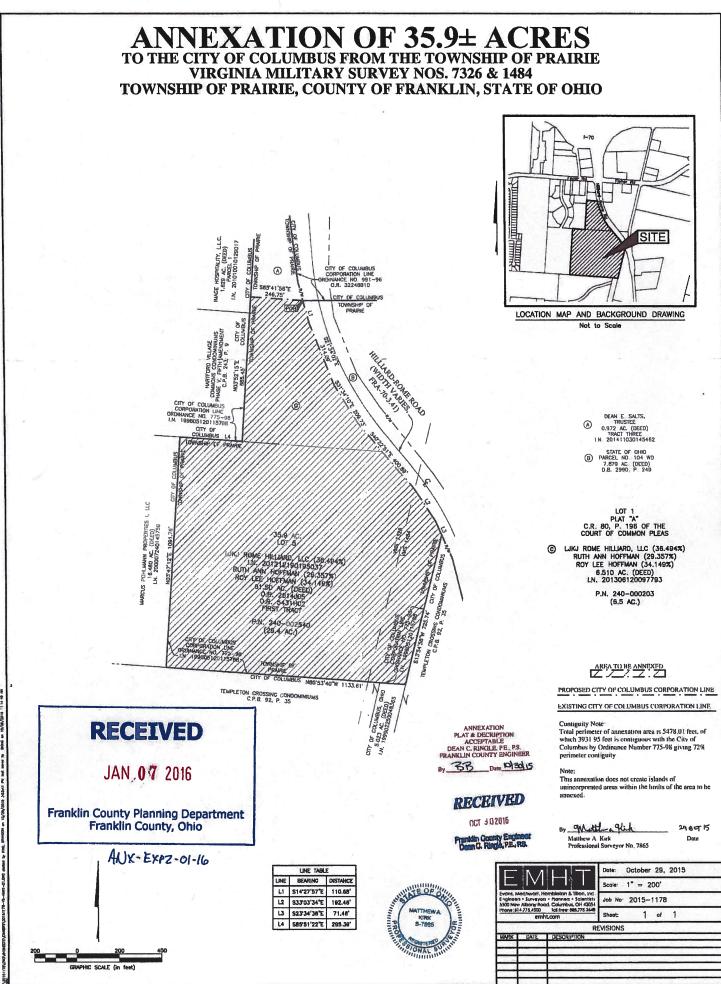


EVANS, MECHWART, HAMBLETON & TILTON, INC.

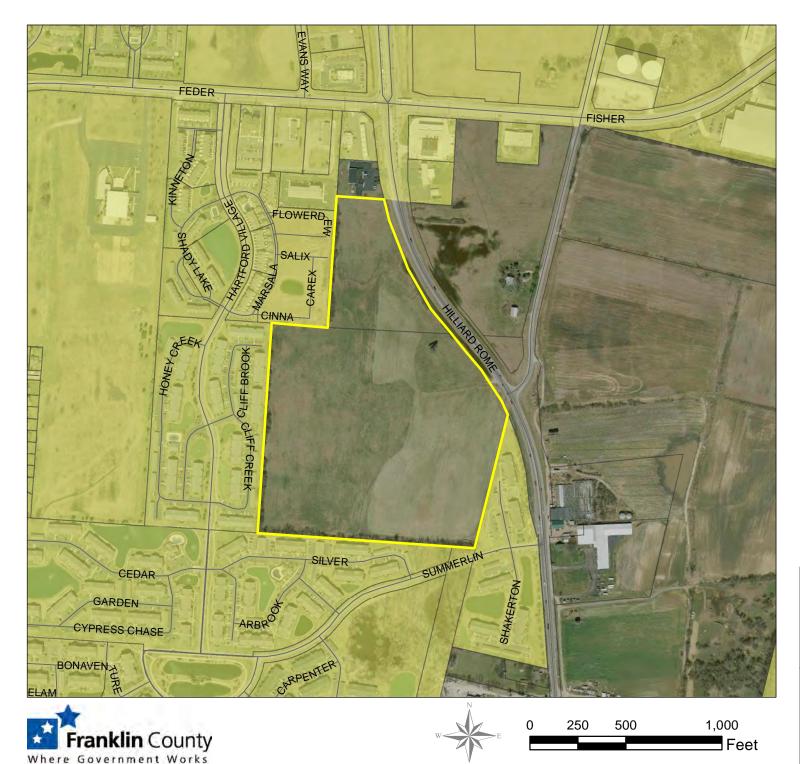
Mottly a Kinh Matthew A. Kirk Professional Surveyor No. 7865

29005 5 Date

MAK:bk 35_9 ac 20151178-VS-ANNX-01.doc



Mendard, Inc / Menarda Survey Services / 2015-1178 / 20151178-VS-ANNX-



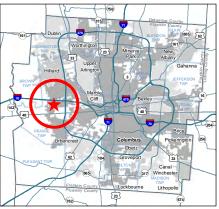
ANX-EXP2-01-16

Petition to annex 35.9+/acres from Prairie Township into the City of Columbus.

35.9+/- Acres Prairie Township



Note: Boundary shown is approximate area to be annexed. See petition plat for exact area.



*	* *		^F Columbus	Office of City Clerk 90 West Broad Street
	Net Net Net	Legisla	ation Report	Columbus OH 43215-9015 columbuscitycouncil.org
-333555		File Num	ber: 0171-2016	ORIGINAL
Emergency				
	0171-2016	Туре:	Ordinance	Status: Consent
Version:	-	*Committee:	Economic Developme	nt Committee
File Name:	Annexation Service AN15 Township, LJKJ Rome Hil	$-018 \cdot 359 \Delta cr$	es, Prairie	File Created: 01/12/2016
Auditor Cert #:	Alexandria Voignier 6		anticipate to come into	Final Action: ditor Certificate Number I, the City that there is in the treasury, or the treasury, and not appropriated the amount of money specified in Ordinance.
	Passed 7-0			JAN 27 2016 Franklin County Planning Department Franklin County, OH
	A			A
or's Action	11	Counc	il Action	ANX-EXPZ-01-16
or's Action	JAN 2 6 2016		il Action AN 252016	ANK-EXPZ-01-16
or's Action	JAN 2 6 2016 Date	J	il Action AN 2 5 2016 assed/ Adopted	ANK-EXAZ-01-16
de f. Stat		J	AN 25 2016	ANK-EXAZ-01-16 AMD
Title: To the	Date	Date Pa	AN 2 5 2016 assed/ Adopted ices and zoning cond on (AN15-018) of 35 ired by the Ohio Rev	ANK-EXAZ-01-16 Revident of Council City Clerk titions to be provided to

F

City of Columbus

Legislation Report

File Number: 0171-2016

Approval History

RECEIVED

Version	Date	Approver	Action
1	01/14/2016	DEVELOPMENT DIRECTOR	Approved
Notes	SRS		
1	01/14/2016	ATTORNEY APPROVER	Approved
Notes	wsb		

JAN 2.6 2016

I hareby certify that the above or magned to a true and correct copy of surfingued No 22 passed by The Council of The City of Celler, a Ohio 20 20 23 Abryle by the Excurs now on file in this office.

City Clerk

History of Legislative File

Ver.	Acting Body:	Date: A	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Columbus City Council	01/25/2016					

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

AN15-018

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. 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 (AN15-018) of $35.9 \pm$ 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 LJKJ Rome Hilliard LLC on January 7, 2016; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on February 16, 2016 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, the property is located within the boundaries of the adopted Trabue/Roberts 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 $35.9 \pm$ 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: 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 is served by an existing 24" water main on the east side of Hilliard-Rome Road East, a water line extension may be required depending on how the site is developed.

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 site can be served by an existing 18" sanitary sewer, RP4157, located between two parcels running east-west along the west side of Hilliard-Rome Road, and on the east side of the property. This sewer is made of RCP Cl. V, and is about 27 feet deep.

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 $35.9 \pm$ 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.

AN15-018 LEGAL DESCRIPTION 35.9 <u>+</u> Acres in Prairie Township

Situated in the State of Ohio, County of Franklin, Township of Prairie, in Virginia Military Survey Numbers 7326 and 1484, being part of Lots 1 and 5 as shown on Plat "A" of the partition of the lands of Thomas O'Harra, of record in Complete Record Number 80, Page 196 of the Court of Common Pleas, also being part of those tracts of land conveyed to LJKJ Rome Hilliard, LLC by deeds of record in Instrument Numbers 201212190195037 and 201306120097793, and to Ruth Ann Hoffman and Roy Lee Hoffman by deeds of record in Official Records 2614J05 and 5431H02, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

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Thence with said westerly right-of-way line the following courses and distances:

South 14° 27' 57" East, a distance of 110.68 feet to a point;

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South 31° 34' 10" East, a distance of 209.73 feet to a point;

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Thence South 13° 54' 58" West, with the westerly line of said "Templeton Crossing Condominiums", with said City of Columbus corporation line, a distance of 725.74 feet to the northeasterly corner of that 5.023 acre tract conveyed to City of Columbus, Ohio by deed of record in Instrument Number 199902250048365;

Thence North 85° 53' 40" West, with the northerly lines of said 5.023 acre tract and said "Templeton Crossing Condominiums", with said City of Columbus corporation line, a distance of 1133.61 feet to the southeasterly corner of that 16.480 acre tract conveyed to Marcus Pohlmann Properties I, LLC by deed of record in Instrument Number 200007240145759;

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Thence South 85° 41' 56" East, with the southerly line of said 0.972 acre tract, a distance of 246.75 feet to the POINT OF BEGINNING, containing 35.9 acres, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk Professional Surveyor No. 7865 Date

