City of Dublin

Office of the City Manager
5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Dana L. McDaniel, City Manager

Date: May 4, 2017

Initiated By: Jennifer D. Readler, Law Director
Paul Hammersmith, P.E., Director of Engineering/City Engineer
Claudia Husak, AICP, Senior Planner

Re: Resolution 39-17 - Adopting a Statement of Services for a Proposed Annexation of 2.9 Acres, More or Less, from Washington Township, Franklin County to the City of Dublin, Ohio. (Petitioners: Walter Lee Shier, Mary Ann Sorden, Robert E. Shier and Mark A. Shier)

Resolution 40-17 - Adopting a Statement Regarding Possible Incompatible Land Uses and Zoning Buffer for a Proposed Annexation of 2.9 Acres, More or Less, from Washington Township, Franklin County to the City of Dublin, Ohio as Required by Section 709.023(C) of the Ohio Revised Code (Petitioners: Walter Lee Shier, Mary Ann Sorden, Robert E. Shier and Mark A. Shier)

Summary

On April 26, 2017, Aaron Underhill/David Hodge, Attorney/Agent for Petitioners, Walter Lee Shier, Mary Ann Sorden, Robert E. Shier and Mark A. Shier, filed an annexation petition with the Franklin County Commissioners. The petition is for 2.9 acres, more or less.

The petition was filed as an Expedited Type II annexation petition. Under this process the City must first, within 20 days after the petition is filed, adopt an ordinance or resolution relating to municipal services.

Second, within 20 days after the petition is filed, the City must adopt an ordinance or resolution relating to land uses and zoning buffers, if the territory proposed to be annexed is currently subject to either county or township zoning. Resolution Nos. 39-17 and 40-17 have been prepared for these purposes and for Council consideration.

The Franklin County Commissioners will grant the proposed annexation, without a hearing, if neither the municipality nor the township object to the annexation by ordinance or resolution within 25 days of the petition being filed. If neither the municipality nor the township object, the commissioners must grant the proposed annexation without hearing, if certain criteria in R.C. 709.023 have been established.

This proposed annexation is for 2.9 acres, more or less, and includes no right-of-way.

Background

Zoning and Community Plan

Upon annexation, properties are typically automatically zoned R, Rural District, under the Zoning Code of the City of Dublin. However, the site is located in the Innovation District, and pursuant to Code Section 153.004(D) it will automatically be zoned to the appropriate Innovation District (ID-4) per the adopted Economic Advancement Zone Plan. This would allow multi-family uses up to 10 units per acre as well as office, and research and development use. A rezoning application will need to be filed for any development outside of these parameters.

Planning and Engineering staff have been working with Kaufman Development on a proposal for a residential community, including 130 single-family units 202 multi-family units, community spaces, and amenities on 64 acres (including this site). The proposal has been informally reviewed twice by the Planning and Zoning Commission and was generally viewed favorably. At their April 20, 2017 meeting, Commissioners encouraged the applicant to place an emphasis on sustainable development that is innovative and forward-thinking, in accordance with the intent of the District.

The City is working on an update to the West Innovation District as a significant amount of development activity has required the City to take a coordinated approach to an update of the plan for the West Innovation District, including impacts on land use, development character, road infrastructure and other planning recommendations. The plan update was shared with City Council at a work session in October of 2016 and was briefly reviewed at the Joint City Council and Planning and Zoning Commission work session on April 17, 2017. This proposal is ahead of the planning work by the City, and staff will need to identify the appropriate zoning process in the future.

Service Assessment

- **Police Protection**
  The City of Dublin has five police districts and deploys a minimum of five cruisers per shift. The Property is located approximately 3.0 driving miles from the Justice Center, the Division of Police headquarters. The City of Dublin provides 24-hour police and communications services and has mutual aid agreements with other jurisdictions. The Property will be fully served with these services at the same or similar level now being provided to other areas of the City.

- **Fire Protection and Emergency Medical Service (EMS)**
  The Washington Township Fire Department provides fire protection to this area of Dublin. Dublin will ensure that the Property will be provided with fire protection and EMS services at the same or similar level now being provided to other areas of the City by either Washington Township or a comparable fire and EMS department upon annexation.

- **Solid Waste Collection**
  The City of Dublin provides residential solid waste collection at no additional fee. The Property will be served with solid waste services at the same or similar level now being provided to other areas of the City.

- **Water Distribution**
  The Property is located within the Exclusive Dublin Expansion Area of the Water Service Agreement with the City of Columbus. Service to the area will be provided by constructing new public mains that will connect into existing water mains located along Cosgray Road.

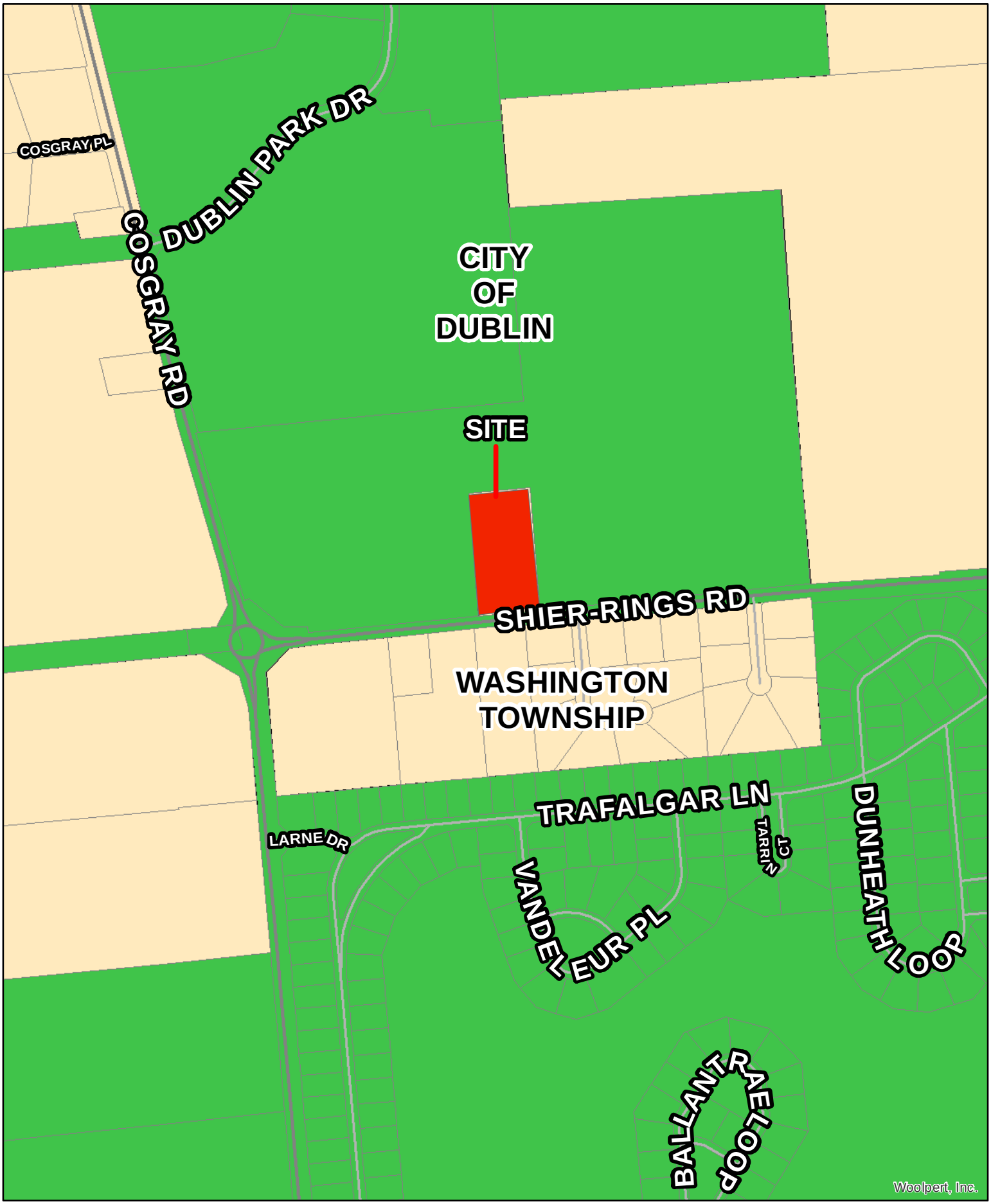
- **Sanitary Sewer (Wastewater) Collection**
  The Property is located within the Exclusive Dublin Expansion Area within the Sanitary Service Agreement with the City of Columbus. This site will be served by constructing a new sanitary sewer that will extend westward to the site from existing mains that are located near the intersection of Eiterman Road and Shier Rings.

- **Stormwater Management and Floodplain**
  The site will be required to meet the requirement of the Dublin Stormwater Management Code and the Ohio EPA. This will be met via the construction of new public storm sewer, storm structures and stormwater management features, such as wet ponds. No existing floodplain exists on this site.

- **Roadway Maintenance and Improvements**
  A traffic impact study will be completed for this annexation area in conjunction with the City of Dublin rezoning process. The City of Dublin will work with the Franklin County Engineer to implement recommendations of this study and determine financial contributions.

Recommendation

This Property is within the proposed annexation areas of the Community Plan and is located in the exclusive Dublin Service Area as defined in the water and sewer agreements with the City of Columbus. Approval of Resolution 39-17 regarding the Statement of Services and Resolution 40-17 Regarding Incompatible Land Uses are recommended. Upon City Council's approval, these approved Resolutions will be forwarded to the Franklin County Commissioners for their required hearing.



City of Dublin

Annexation of 2.87 Acres
Washington Township to the City of Dublin
7026 Shier Rings Road

0 250 500
Feet

N

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 39-17 Passed _____, 20____

A RESOLUTION ADOPTING A STATEMENT OF SERVICES FOR A PROPOSED ANNEXATION OF 2.9 ACRES, MORE OR LESS, FROM WASHINGTON TOWNSHIP, FRANKLIN COUNTY TO THE CITY OF DUBLIN.

WHEREAS, an Expedited Type II annexation petition for 2.9 acres, more or less, from Washington Township, Franklin County to the City of Dublin was filed in the offices of the Franklin County Commissioners on April 26, 2017, by Aaron Underhill/David Hodge, Attorney/Agent for Petitioners, Walter Lee Shier, Mary Ann Sorden, Robert E. Shier and Mark A. Shier ("the Property"); and

WHEREAS, Section 709.023(C) of the Ohio Revised Code requires that, prior to the hearing of the annexation petition, the Municipal Authority shall adopt a statement indicating what services the Municipal Corporation will provide to the territory proposed for annexation and an approximate date by which it will provide services to the territory proposed for annexation upon annexation; and

WHEREAS, the area proposed for annexation lies within Dublin's Exclusive Water and Sewer Service extension area, as provided under the agreements with the City of Columbus.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. The City of Dublin will provide the following municipal services for the Property (the 2.9 acres, more or less in Washington Township, Franklin County) immediately upon the annexation of the area to the City of Dublin, Ohio, which is expected to be approximately September 1, 2017.

- **Police Protection**
  The City of Dublin has five police districts and deploys a minimum of five cruisers per shift. The Property is located approximately 3.0 driving miles from the Justice Center, the Division of Police headquarters. The City of Dublin provides twenty-four hour police and communications services and has mutual aid agreements with other jurisdictions. The Property will be fully served with these services at the same or similar level now being provided to other areas of the City.

- **Fire Protection and Emergency Medical Service (EMS)**
  The Washington Township Fire Department provides fire protection to this area of Dublin. Dublin will ensure that the Property will be provided with fire protection and EMS services at the same or similar level now being provided to other areas of the City by either Washington Township or a comparable fire and EMS department upon annexation.

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  The City of Dublin provides residential solid waste collection at no additional fee. The Property will be served with solid waste services at the same or similar level now being provided to other areas of the City.

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  The Property is located within the Exclusive Dublin Expansion Area within the Sanitary Service Agreement with the City of Columbus. This site will be served

by constructing a new sanitary sewer that will extend westward to the site from existing mains that are located near the intersection of Eiterman Road and Shier Rings.

- **Stormwater Management and Floodplain**
  The site will be required to meet the requirement of the Dublin Stormwater Management Code and the Ohio EPA. This will be met via the construction of new public storm sewer, storm structures and stormwater management features, such as wet ponds. No existing floodplain exists on this site.

- **Roadway Maintenance and Improvements**
  A traffic impact study will be completed for this annexation area in conjunction with the City of Dublin rezoning process. The City of Dublin will work with the Franklin County Engineer to implement recommendations of this study and determine financial contributions.

Section 2. The City has Water and Sanitary Sewer Service Agreements with the City of Columbus, and the subject property is within the Dublin Exclusive Service area of both agreements. Conditioned upon the ability of the City of Columbus to provide water supply and to provide sufficient sanitary sewerage disposal capacity, sufficient public water distribution and sanitary sewer collection systems exist in this area to serve this property at the current time.

Section 3. This resolution shall be effective immediately upon passage, as provided under Section 4.04(a) of the Revised Charter.

Passed this _____ day of _____, 2017

_____
Mayor - Presiding Officer

ATTEST:

_____
Clerk of Council

NOTICE OF FILING EXPEDITED TYPE II ANNEXATION PETITION

TO: COUNCIL CLERK OF THE CITY OF DUBLIN, OHIO

In accordance with the provisions of Section 709.023 of the Ohio Revised Code, you are hereby notified that, on **April 26, 2017**, the undersigned, an attorney at the law firm of Underhill & Hodge LLC, Agent for the Petitioners, filed an Annexation Petition in the Office of the Board of County Commissioners of Franklin County, Ohio. Said Petition prays for annexation to the City of Dublin, Ohio, of 2.90± acres in Washington Township, Ohio. A copy of said Petition, with description and plat, is attached hereto and made a part hereof.

Dated: April 28, 2017

Joseph M. Tanoury, Esq.

RECEIPT OF THE AFOREMENTIONED DOCUMENTS IS HEREBY ACKNOWLEDGED THIS 28th day of April, 2017.

Acting CLERK

Franklin County
Where Government Works

Commissioners
Marilyn Brown, President
Paula Brooks
John O'Grady

Economic Development & Planning Department
James Schimmer, Director

Application for

Annexation Petition

Expedited Type 2

RECEIVED
APR 26 2017 2
Franklin County Planning Department

Property Information

Site Address: 7026 Shier-Rings Road, Dublin, Ohio 43016	
Parcel ID(s): 272-000134	Total Acreage: 2.9 +/-
From Township: Washington	To Municipality: City of Dublin

Staff Use Only

Case #: ANX-07-17

Hearing date: 5/30/17

Date filed: 4/26/17

Fee paid: $250.00

Receipt #: 17-01255

Notifications deadline: 5 days 5/1/17

Svc statement deadline: 20 days 5/16/17

Property Owner Information

Name: Walter L. Shier, Mary Ann Sorden, Robert E. Shier and Mark A. Shier	
Address: 7026 Shier-Rings Road Dublin, Ohio 43016	
Phone #	Fax #
Email	

Attorney/Agent Information

Name: Aaron L. Underhill, Esq., Underhill & Hodge LLC	
Address: 8000 Walton Parkway, Suite 260 New Albany, Ohio 43054	
Phone #: 614.335.9320	Fax #: 614.335.9329
Email: aaron@uhlawfirm.com	

Document Submission

The following documents must accompany this application **on letter-sized 8 ½" x 11" paper**:

- [x] Legal description of property
- [x] Map/plat of property
- [x] 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.

By: Aaron L. Underhill 4/25/17
Property Owner AGENT — Date — Property Owner — Date

By: Aaron L. Underhill 4/25/17
Property Owner AGENT — Date — Property Owner — Date

EXPEDITED TYPE II PETITION
FOR ANNEXATION (SECTION 709.023) TO THE CITY OF DUBLIN
OF ± 2.9 ACRES MORE OR LESS IN THE TOWNSHIP OF WASHINGTON

TO THE BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, OHIO:

The undersigned, petitioners in the premises, and being ALL OF THE OWNERS OF REAL ESTATE in the territory hereinafter described, consisting of ±2.9 acres, more or less, with a total perimeter boundary of 1,496 feet, more or less, in the Township of Washington, which perimeter is 100% contiguous with the municipal boundary of the City of Dublin, do hereby request that said territory be annexed to the City of Dublin according to the statutes of the State of Ohio, and specifically the expedited procedure specified in Ohio Revised Code Section 709.023, and that no island of unincorporated area will be created by this annexation.

A full and accurate description and plat of the requested annexation territory are attached hereto and made part hereof.

In support of said Petition, your petitioners state that there are within the territory to be annexed FOUR (4) OWNERS OF REAL ESTATE.

Aaron L. Underhill and David L. Hodge, whose address is 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054, are hereby appointed Agents for the undersigned Petitioner(s), as required by Section 709.02 of the Ohio Revised Code. Each of said agents are hereby individually authorized to make any amendment, deletion, and/or supplementation which in his absolute and complete discretion is necessary or proper under the circumstances then existing, and in particular to do so in order to correct any discrepancy or mistake noted by the Delaware County Engineer in his examination of the Petition and/or Plat. Said amendment shall be made by the presentation of an amended plat and description to the Board of County Commissioners on, before, or after the date set for hearing on this Petition.

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 SAID SPECIAL ANNEXATION PROCEDURE.

[*Petition signatures on following page*]

RECEIVED
APR 26 2017
Franklin County Planning Commission
Franklin County, Ohio

ANX-07-17

NAME	DATE	ADDRESS
Walter L. Shier	4-17-17	339 Desoto St Nokomis, FL 34275

Walter L. Shier

RECEIVED
APR 26 2017

ANx-07-17

NAME	DATE	ADDRESS
Mary A. Sorden Mary A. Sorden	4/16/2017	5472 Mount Lane Mechanicsburg Oh 43016

RECEIVED
APR 26 2017
Franklin County Board of Commissioners
Planning Services Office

ANX-07-17

NAME	DATE	ADDRESS
Robert E. Shier	4/16/17	7169 Butler Ave Plain City Ohio

Robert E. Shier

RECEIVED
APR 26 2017

ANX-07-17

NAME	DATE	ADDRESS
Mark Shier	4/16/2017	7026 Shier Ringe Rd
Mark A. Shier		

RECEIVED
APR 26 2017
ANX-07-17

ANNEXATION
PLAT & DECRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By _____ Date 3/2/17

RECEIVED
MAR 02 2017
Franklin County Engineer
Dean C. Ringle, P.E., P.S.

ANNEXATION DESCRIPTION
2.9 +/- ACRES

FROM: **WASHINGTON TOWNSHIP**

TO: **CITY OF DUBLIN**

Situated in the State of Ohio, County of Franklin, Township of Washington, located in Virginia Military Survey Number 6748, being all of the remainder of that 3.000 acre tract conveyed to Walter Lee Shier, Mary Ann Sorden, Robert E. Shier and Mark A. Shier by deeds of record in Official Record 34787J16 and Instrument 200808190126446 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

BEGINNING at the intersection of the northerly right-of-way line of Shier-Rings Road with the easterly line of said 3.000 acre tract, being the common corner of the remainder of said 3.000 acre tract, the remainder of that 64.219 acre tract conveyed to S.R. Associates by deed of record in Official Record 12935A01, that 0.629 acre tract conveyed to City of Dublin, Ohio by deed of record in Instrument Number 201206220089839, and that 0.144 acre tract conveyed to City of Dublin, Ohio by deed of record in Instrument Number 201207060097096, being an angle point in the existing City of Dublin Corporation line as established by Ordinance Number 62-02, of record in Instrument Number 200205290131857, and in the northerly City of Dublin Corporation line as established by Ordinance Number 12-13, of record in Instrument Number 201305160081017;

thence South 84° 26' 15" West, with the line common to the remainder of said 3.000 acre tract and said 0.144 acre tract, with said existing Corporation Line (12-13), a distance of 250.00 feet to a point, being the common corner of the remainder of said 3.000 acre tract, said 0.144 acre tract, that 1.503 acre tract conveyed to City of Dublin, Ohio by deed of record in Instrument Number 201206220089839, and the remainder of said 64.219 acre tract;

thence with said existing Corporation Line (62-02), the line common to said 3.000 and 64.219 acre tracts, the following courses and distances:

North 05° 34' 42" West, a distance of 497.70 feet to a point;

North 84° 26' 15" East, a distance of 250.00 feet to a point; and

South 05° 34' 42" East, a distance of 497.70 feet to the POINT OF BEGINNING, containing approximately 2.9 acres of land.

THIS DESCRIPTION IS FOR ANNEXATION PURPOSES ONLY AND IS NOT TO BE USED FOR DEED TRANSFER.

STATE OF OHIO
HEATHER L. KING
S-8307
REGISTERED
PROFESSIONAL SURVEYOR

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King 3/2/17
Heather L. King
Registered Surveyor No. 8307

HLK: iep
2_9 ac 20161547-VS-ANNX-01.docx

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

PROPOSED ANNEXATION OF 2.9± ACRES TO CITY OF DUBLIN FROM WASHINGTON TOWNSHIP

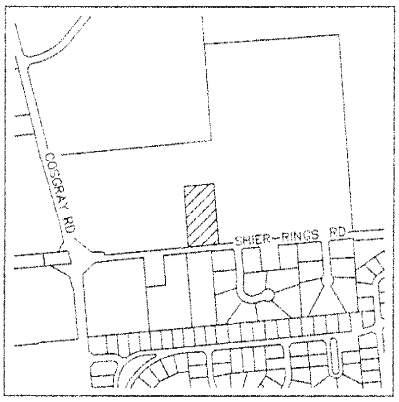
VIRGINIA MILITARY SURVEY 6748

TOWNSHIP OF WASHINGTON, COUNTY OF FRANKLIN, STATE OF OHIO

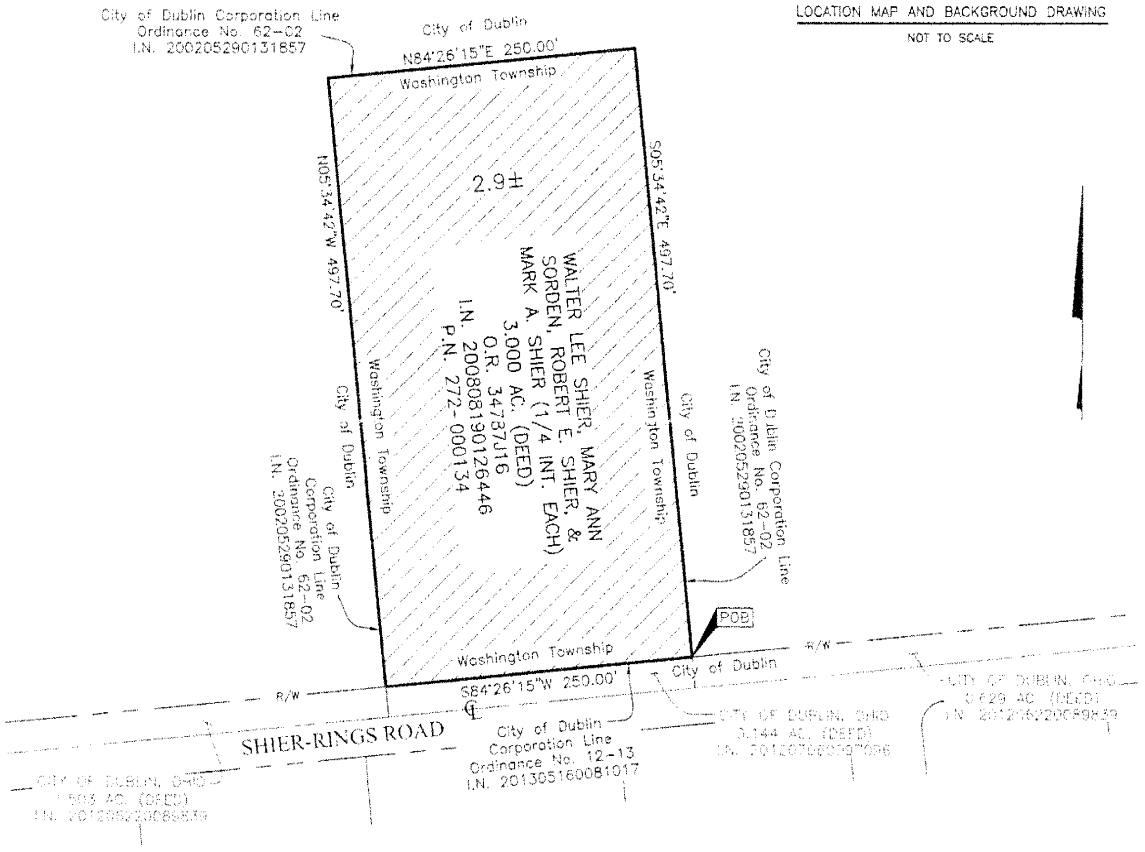
Date: February 24, 2017	Job No: 2016-1547	Scale: 1" = 100'

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By: PAR Date: 3/2/17

RECEIVED
MAR 02 2017
Franklin County Engineer
Dean C Ringle, P.E., P.S.



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE



AREA TO BE ANNEXED

EXISTING CITY OF DUBLIN CORPORATION LINE

Contiguity Note:
Total perimeter of annexation area is 1496 feet, of which 1496 feet is contiguous with the City of Dublin by Ordinance Numbers 62-02 and 12-13, giving 100% perimeter contiguity.

Note:
This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

100' 0 100' 200'
GRAPHIC SCALE (in feet)

RECEIVED
APR 26 2017
AUX-07-17

By: Heather L. King 3/2/17
Heather L. King
Professional Surveyor No. 8307
Date

Property to be Annexed and
Adjacent Property Owners

PARCEL TO BE ANNEXED:	Walter L. Shier Mary A. Sorden Robert E. Shier and Mark A. Shier 7026 Shier Rings Road Dublin, Ohio 43017 PN: 272-000134
ADJACENT PARCELS:	Michael and Sharon Ramsey 6111 Holliday Lane Dublin, Ohio 43016 PN: 272-000374
Beatrice Brogan 7025 Shier Rings Road Dublin, Ohio 43016 PN: 272-000291	Ima Moore 7055 Shier Rings Road Dublin, Ohio 43016 PN: 272-000292
SR Associates 5510 Ashford Road Dublin, Ohio 43017 PN: 274-000660	

ANx - 07-17