

VILLAGE OF OBETZ
RECORD OF ORDINANCES

ORDINANCE: 51 – 19

PASSED: February 11, 2020

AN ORDINANCE TO ACCEPT THE ANNEXATION OF 13.8 +/- ACRES FROM HAMILTON TOWNSHIP TO THE VILLAGE OF OBETZ AND AMENDING THE ZONING MAP TO PLANNED COMMERCIAL DISTRICT

WHEREAS, a petition for annexation of certain territory in Hamilton Township was duly filed by Underhill and Hodge, LLC, on behalf of several property owners; and,

WHEREAS, the petition was duly considered by the Board of County Commissioners of Franklin County, Ohio on November 19, 2019, and said Board approved the annexation of such territory to the Village of Obetz; and,

WHEREAS, the Board of County Commissioners certified a copy of the Resolution approving said annexation with the map and petition to the Clerk of the Village of Obetz who received the same on December 12, 2019; and,

WHEREAS, sixty (60) days from the date of receipt of the County Resolution granting the petition for annexation, has now lapsed in accordance with Section 709.04 of the Ohio Revised Code; and,

WHEREAS, contemporaneous with acceptance of the annexation, the Village of Obetz desires to approve a Zoning Map Amendment such that the zoning of the annexation parcels are Planned Commercial District; and,

WHEREAS, the Planning and Zoning Commission recommended approval of the zoning request at its December 11, 2019 meeting; and,

WHEREAS, Council held a public hearing on the zoning request at its January 27, 2020 meeting.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OBETZ, OHIO, THAT:

Section 1: The petition for the annexation of 13.8 acres, more or less (see attached legal description, Exhibit "A"), to the Village of Obetz is hereby accepted.

Section 2: The Zoning Map is hereby amended to reflect that parcels 150-000798; 150-000808; 150-000068; 150-000371; 150-000816; 150-002417; and 150-000797 as described in the legal description attached hereto as Exhibit "A" and incorporated herein by reference shall be zoned Planned Commercial District.

ORDINANCE: 51 - 19

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Section 3: The Preliminary Development Plan, attached hereto as Exhibit B and incorporated by reference, is approved.

Section 4: This Ordinance shall take effect at the earliest time permitted by law.

Passed this 11 day of February, 2020.

ATTESTS:

Stacey Boumis
Stacey Boumis, Clerk of Council

Angela M. Kirk
Angela M. Kirk, Mayor

Michael R. Flaherty
Michael Flaherty, Council Pres. Pro-Tem

APPROVED AS TO FORM

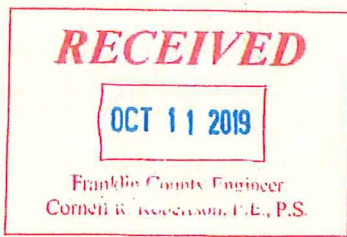
[Signature]
Stephen J. Smith, Esq., Director of Law

CERTIFICATION OF PUBLICATION

Pursuant to the Village Charter, I, Stacey E. Boumis, Clerk of Council of the Village of Obetz, Ohio, do hereby certify that Ordinance 51-19 was duly posted at 1:30 PM (time) on the 20 day of February, 2020, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center as well as on the Obetz website.

Stacey Boumis
Stacey Boumis, Clerk

2/20/20
Date



Ordinance 51-19
Exhibit A

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
CORNELL R. ROBERTSON, P.E., P.S.
FRANKLIN COUNTY ENGINEER

13.8± Acre Annexation Description
from the Township of Hamilton
to the Village of Obetz

By: *JH*

Date 10/11/2019

Situated in the State of Ohio, County of Franklin, Township of Hamilton, Section 25, Township 4, Range 22, being a 13.8± acre tract, said 13.8± acre tract being part of Parcel One and Parcel Two as conveyed to Douglas W. Showalter of record in Official Record 13218J11, all of a 1.24 acre tract of land conveyed to William A. Paszke of record in Instrument Number 200108130186779, all of the 0.80 acre tract of land conveyed to Darrell L. Taylor of record in Instrument Number 201308050132133, all of the 1.000 acre tract of land conveyed to Victor D. and Jennifer L. Higgenbotham of record in Instrument Number 200607210142948, all of the remainder of a 0.974 acre tract of land conveyed to Gary and Julie A. Doughty of record in Instrument Number 201112200165384, all of the 0.787 acre tract of land conveyed to William G. and Sandra L. Taylor of record in Instrument Number 201409290127995, all of the remainder of that Original 5.0 acre tract of land conveyed to James C. & Mary K. Davis of record in Official Record 30176117, and more particularly described as follows:

Beginning, for Reference, at the centerline intersection of Alum Creek Drive as dedicated in Road Record 19, Page 49 and Toy Road as established in Road Record 10, Page 305, said intersection also being Franklin County Survey Control Monument "FCGS 5436";

Thence **S 84° 08' 59" E**, along the centerline of said Toy Road, **50.13± feet** to a southwesterly corner of a 0.211 acre tract of land (Parcel No. 3-WD) conveyed to Franklin County Commissioners of record in Instrument Number 200003160052126 and in a westerly line of a Village of Obetz Corporation Line (Case No. 19-07, Ord. No. 35-07, I.N. 200801250012256);

Thence **N 04° 46' 00" E**, along the westerly line of said 0.211 acre tract, along said Village of Obetz Corporation line and across the right-of-way of said Toy Road, **69.95± feet** to the northwesterly corner of said 0.211 acre tract and said Village of Obetz Corporation line, the southwesterly corner of said 0.974 acre tract and the northeasterly right-of-way intersection of said Alum Creek Drive and said Toy Road, the **True Point of Beginning**;

Thence **N 04° 46' 00" E**, along the westerly line of said 0.974 acre tract, said Higgenbotham's 1.000 acre tract, said 0.80 acre tract, said 1.24 acre tract, said Parcel One and along the easterly right-of-way line of said Alum Creek Drive, **1160.30± feet** to a point, said point being the easterly right-of-way line of said Alum Creek Drive and the southerly right-of-way line of Bixby Road;

Thence across said Parcel One and Parcel Two and along the southerly right-of-way line of said Bixby Road, the following three (3) courses;

N 88° 21' 59" E, 378.86± feet to an angle point;

N 14° 55' 33" W, 11.15± feet to a point of curvature;

with a curve to the left, having a central angle of **01° 41' 46"**, a radius of **1049.00 feet**, an arc length of **31.05 feet**, a chord bearing and chord distance of **N 85° 12' 58" E, 31.05±** to a point of tangency in the easterly line of said Parcel One;

Thence **S 06° 05' 00" W**, along the easterly line of said Parcel One tract, **546.04± feet** to the southeasterly corner thereof and being in the northerly line of said Davis 5.0 acre tract;

Thence **S 84° 09' 00" E**, along the northerly line of said Davis 5.0 acre tract, **195.15± feet** to the northeasterly corner thereof and being an angle point;

Thence **S 05° 47' 00" W**, along the easterly line of said Davis 5.0 acre tract, **699.50± feet** to the southeasterly corner of said Davis 5.0 acre tract, to a point in a Village of Obetz Corporation Line (Case No. 19-07, Ord. No. 35-07, I.N. 200801250012256) and being in the northerly right-of-way line of said Toy Road;



**13.8± Acre Annexation Description
from the Township of Hamilton
to the Village of Obetz**

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Thence along the northerly line of said Davis 5.0 acre tract, said 0.787 acre tract, said 0.974 acre tract, along said southerly right-of-way line of Toy Road and along said Village of Obetz Corporation Line, the following six (6) courses;

N 84° 09' 00" W, 40.00± feet to an angle point thereof;

N 80° 40' 55" W, 165.31± feet to an angle point thereof;

N 84° 09' 24" W, 226.82± feet to an angle point thereof;

N 77° 26' 04" W, 42.99± feet to an angle point thereof;

N 84° 09' 00" W, 75.00± feet to an angle point thereof;

N 72° 44' 09" W, 24.97± feet to the **True Point of Beginning**, and containing **13.8± acres**, more or less.

Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on August 22, 2019 and is based on existing records from the Franklin County Auditor's and Recorder's Office. A drawing of the above description is attached hereto and made a part thereof.

This description is to be used for annexation purposes only and not to be used in the transfer of land.

The total length of the annexation perimeter is 3,597.1± feet, of which 575.1± feet are contiguous with existing Village of Obetz Corporation lines, being 16.0±% contiguous.

This annexation does not create any islands of township property.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.



ADVANCED CIVIL DESIGN, INC.

Jonathan E. Phelps
Jonathan E. Phelps

Professional Surveyor No. 8241

10/11/19
Date:

Length of Contiguity: 575.1± feet
 Total Length of Perimeter: 3597.1± feet
 Percentage of Contiguity: 16.0±%

13.8± ACRE ANNEXATION FROM THE TOWNSHIP OF HAMILTON TO THE VILLAGE OF OBETZ

Section 25, Township 4, Range 22
 Hamilton Township, Franklin County, Ohio



Legend

- Area to be Annexed
- Existing City of Obetz Corp Line
- Proposed City of Obetz Corp Line

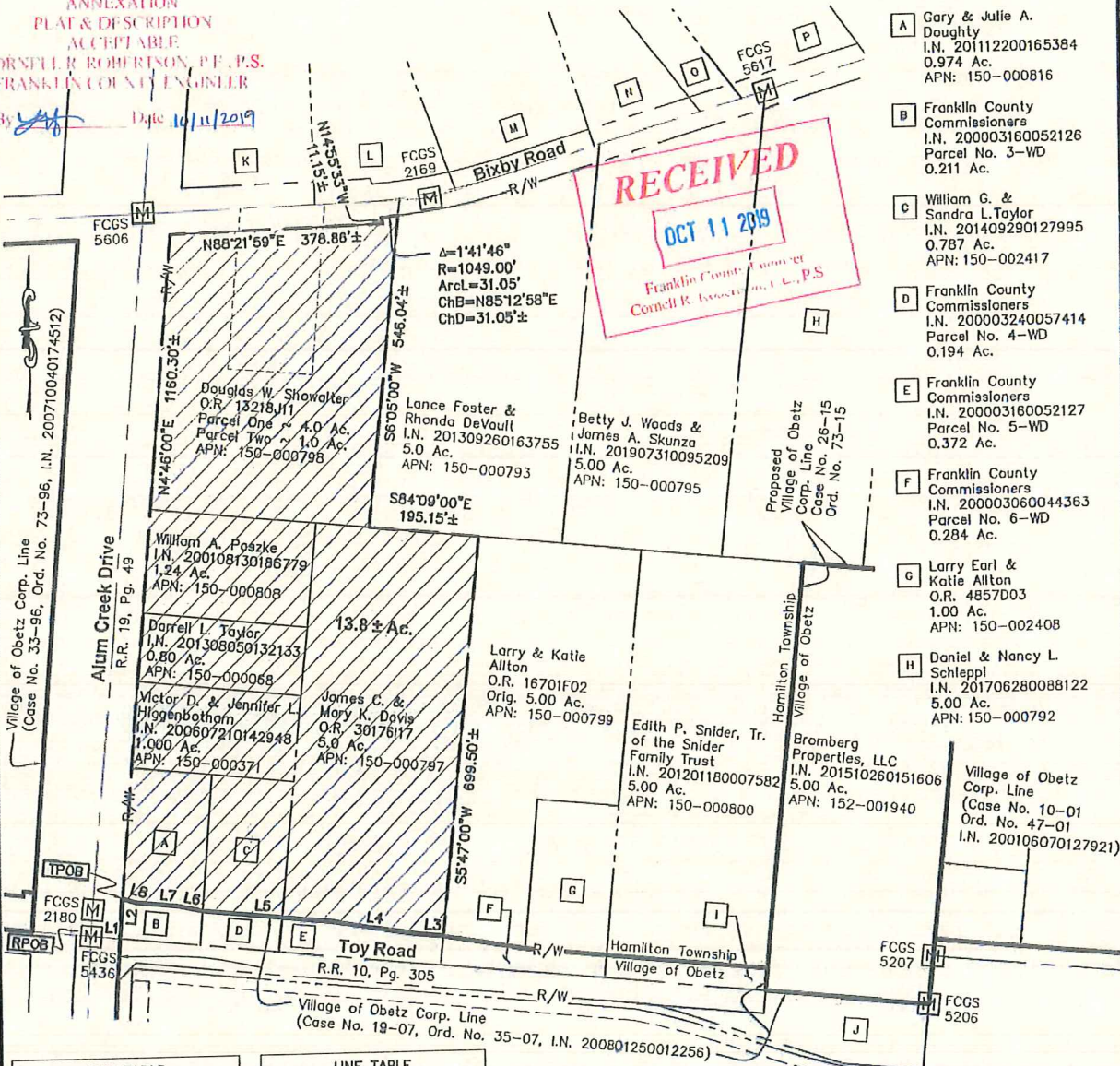
GRAPHIC SCALE



1 inch = 200 feet

ANNEXATION PLAT & DESCRIPTION
ACCEPTABLE
 CORNELL R. ROBERTSON, P.E., P.S.
 FRANKLIN COUNTY ENGINEER

By *[Signature]* Date 10/11/2019



- A** Gary & Julie A. Doughty
I.N. 201112200165384
0.974 Ac.
APN: 150-000816
- B** Franklin County Commissioners
I.N. 200003160052126
Parcel No. 3-WD
0.211 Ac.
- C** William G. & Sandra L. Taylor
I.N. 201409290127995
0.787 Ac.
APN: 150-002417
- D** Franklin County Commissioners
I.N. 200003240057414
Parcel No. 4-WD
0.194 Ac.
- E** Franklin County Commissioners
I.N. 200003160052127
Parcel No. 5-WD
0.372 Ac.
- F** Franklin County Commissioners
I.N. 200003060044363
Parcel No. 6-WD
0.284 Ac.
- G** Larry Earl & Katie Allton
O.R. 4857003
1.00 Ac.
APN: 150-002408
- H** Daniel & Nancy L. Schleppl
I.N. 201706280088122
5.00 Ac.
APN: 150-000792

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S84°08'59"E	50.13'±
L2	N04°46'00"E	69.95'±
L3	N84°09'00"W	40.00'±
L4	N80°40'55"W	165.31'±
L5	N84°09'24"W	226.82'±

LINE TABLE		
LINE	BEARING	DISTANCE
L6	N77°26'04"W	42.99'±
L7	N84°09'00"W	75.00'±
L8	N72°44'09"W	24.97'±

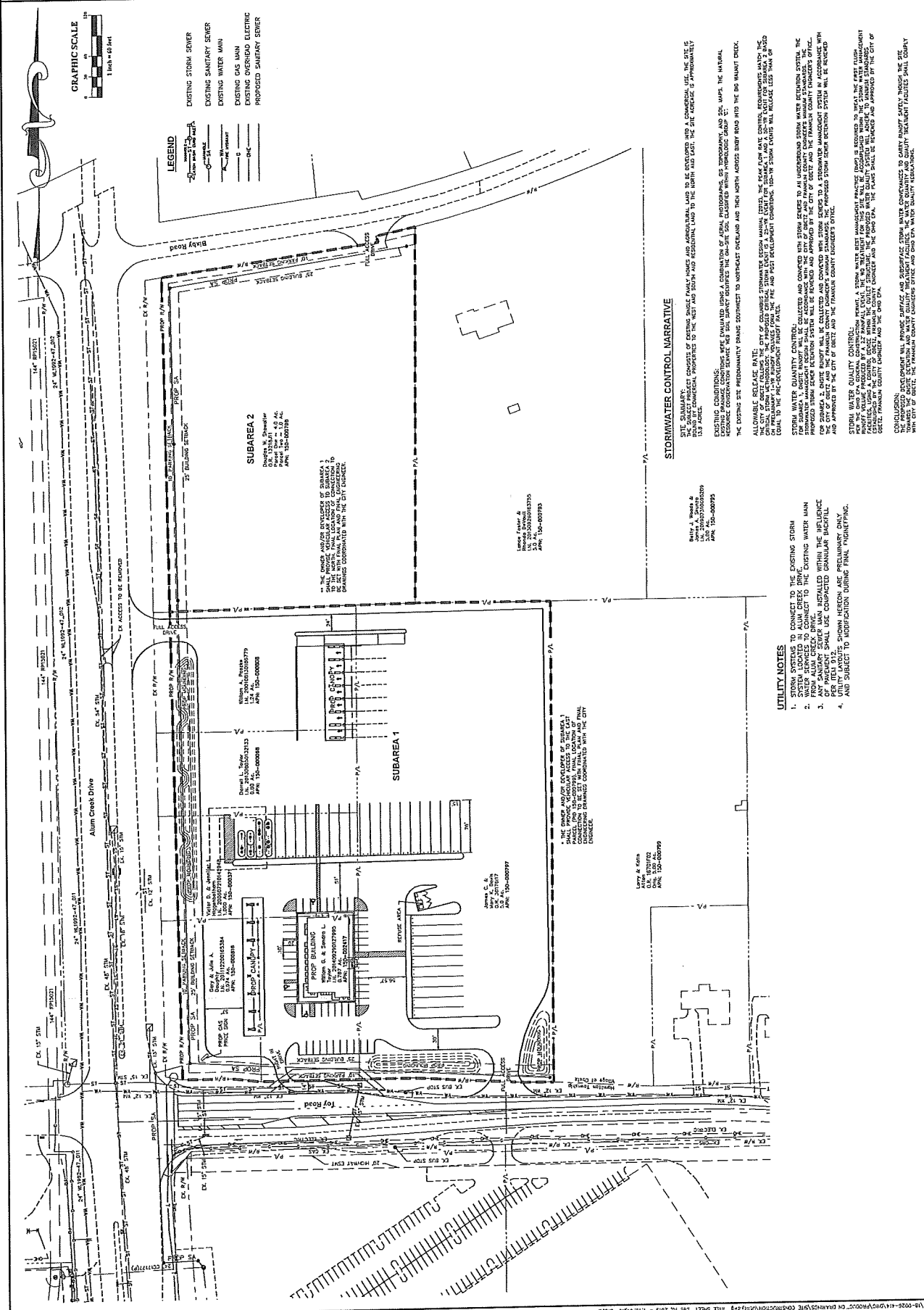
- M** Clark N. & Novella S. Bailly
APN: 150-001476
- N** Shirley N. Robey
APN: 150-000758
- O** Shirley N. Robey
APN: 150-000818
- P** Cynthia D. Busic-Snyder, Tr
APN: 150-000832
- I** Franklin County Commissioners
I.N. 200003080046482
Parcel No. 7-WD
0.267 Ac.
- J** The Village of Obetz
I.N. 200510310229045
Parcel No. 7-WD
0.808 Ac.
- K** Robert L. Kendall III
APN: 150-000356
- L** Stephen F. Rittenhouse
APN: 150-001257

[Signature]
 Jonathan E. Phelps
 Professional Surveyor No. B241
 Advanced Civil Design, Inc
 422 Beecher Road
 Gahanna, OH 43230
 Phone 614-428-7750

Job No.: 18-0026-414
 Date: 03/11/2019
 Revised 10/02/19



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FINAL DEVELOPMENT PLAN TEXT

Alum Creek Drive

February 5, 2020

Zoning District: Planned Commercial District (PCD)

Property Address: Original Parcels: 150-000808, 150-000068, 150-000371, 150-000816, 150-002417, and 150-000797

Applicant: Barton Hall II, LLC

Property Owners: Barton Hall II, LLC, Douglas W. Showalter, Victor D. & Jennifer L. Higgenbotham, Gary and Julie A. Doughty, William G. & Sandra L. Taylor

I. Introduction: The subject property is approximately 10.7+/- acres of land, located on the east side of Alum Creek Drive, north of Toy Road. The property is in the process of being annexed into the Village of Obetz from Hamilton Township and consists of all of Subarea 1 of the Planned Commercial District zoning for the property. A separate Final Development Plan for Subarea 2 shall be submitted in accordance with the Village of Obetz Zoning Code once a developer is identified for that property. Properties bordering the site include:

To the immediate north, Subarea 2 of the same Planned Commercial District.
North of Bixby Road, residential dwellings in Hamilton Township;
To the south, warehouse facilities in the Village of Obetz;
To the west, warehouse facilities in the Village of Obetz; and,
To the east, vacant lot and residential in Hamilton Township, both of which are likely to soon redevelop with warehouse facilities upon annexation to the Village of Obetz.

This Final Development Plan is submitted to provide the requisite detail under Village of Obetz Zoning Code Section 1159.04 to demonstrate how this property will redevelop. Subarea 1 will redevelop with Fueling Stations for Passenger vehicles, Commercial vehicles, and Semi-trucks; Semi-truck and Trailer Parking; Convenience Stores; and Fast Food Restaurants with or without drive-thru windows as a part of the convenience store building.

II. Permitted Uses. The Final Development Plan for Subarea 1 is for uses permitted for this site under the approved Planned Commercial Development (PCD) zoning district, section 1159.02(b)(1), including Fueling Stations for Passenger vehicles, Commercial vehicles, and Semi-trucks; Semi-truck and Trailer Parking; Convenience Stores; and Fast Food Restaurants with or without drive-thru windows.

III. Development Standards: All improvements shall meet the provisions set forth in Section 1159.03 of the Codified Ordinances of Obetz and the approved Development Plan Text in the PCD zoning district. In cases of conflicts between the provisions of this Development Plan

Text, the zoning ordinance, or the Final Development Plan this document, including by reference all required plans submitted herewith, shall take precedence.

General Requirements:

- A. **Maximum Building Height:** The proposed building height is 25 feet at the peak of the cupola.
- B. **Architectural Standards:** The design treatment for Subarea 1 is reflected in attached building elevations, which include an Exterior Material Selection Plan for specific materials selected, and all four sides of the proposed building.
- C. **Building Setbacks:** All building setbacks exceed the minimum established in the Planned Commercial District for Subarea 1.
- D. **Required Yards:** All required yard separation requirements are exceeded.
- E. **Dumpsters:** Refuse service and dumpsters shall be located as reflected on the attached Final Development Plan and screened as indicated in the attached Landscape Plans.
- F. **Parking:** Off-street parking areas meet the requirements of the approved Planned Commercial District.
 - i. Parking spaces are indicated on the attached Final Development Plan and Landscape Plans. Truck parking is located along the northern perimeter of Subarea 1 and to the east of the convenience store building. Convenience store parking is located along all sides of the store.
 - ii. No long-term truck parking is allowed on site. Parking on site shall be limited to no more than 3 consecutive days.
- G. **Landscaping:** Landscape plans are included herewith detailing landscaping commitments meeting the requirements outlined in the Village of Obetz Zoning Code with the exceptions noted below.
 - i. Interior parking lot landscaping requirements for areas of the site used primarily for semi-truck traffic are waived, those proposed are indicated on the attached Landscape Plans.
 - ii. Truck parking areas are landscaped and screened to block truck and trailer parking from Alum Creek Drive and Toy Road.
 - iii. Perimeter mounding shall be a maximum of 3.5 to 4 feet in height.
- H. **Utilities:** The following utilities shall be provided, constructed, and installed underground: gas lines, sanitary and storm sewer lines, water lines, electrical lines, telephone lines, fiber optic cables, and cable television lines. A stormwater management

plan (the "SW Plan") shall be in place prior to commencement of construction on a given parcel. The SW Plan shall demonstrate the parcel does not adversely impact any public or private regional stormwater management facilities, including, but not limited to shared stormwater basins. All local and state requirements for stormwater detention shall be met.

I. Lighting: All external lighting shall be cut-off fixtures (down-lighting) or wall mounted lighting fixtures shielded to prevent off-site spillage.

- i. All pole fixtures shall have a maximum height of 50 feet.
- ii. Parking lot lighting shall be of a consistent light source type and style.
- iii. Any parking area, which is intended to be used during non-daylight hours, shall be properly illuminated to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property and shall provide no less than one-half (1/2) foot candles average at the paved surface.
- iv. All light poles shall be black. All lighting fixtures shall be approved by the Zoning Administrator prior to installation and shall be consistent throughout the development.

J. Signage: An updated comprehensive signage package for Subarea 1 is attached. The signage for Subarea 1, with the exception of the monument sign and directional signs, were approved with the Preliminary Development Plan. Those signage types, details, and their locations are submitted with the updated comprehensive signage package.

K. Access: Ingress and egress shall be as depicted on the Final Development Plan or as otherwise approved by the Franklin County Engineer in the case of Alum Creek Drive, and the Village of Obetz Engineer for Toy Road. A Traffic Impact Study is currently under review by the Franklin County Engineer and the Village of Obetz Engineer. Access points are designed to ensure proper circulation for vehicles expected to use the site.

- i. Right-of-way shall be dedicated to either Franklin County or the Village of Obetz depending upon which governmental entity has jurisdiction.
- ii. Cross access shall be provided across both Subareas, and any newly created parcel as the property redevelops. An access point for future development to the east is shown on the Final Development Plan. The developer of Subarea 1 shall work cooperatively with the developer / owner of that property on cross access between that future redevelopment and Subarea 1.