ORDINANCE NO. 90- 75

AN ORDINANCE AMENDING SECTION 1131.02 (ZONING MAP) OF THE CODIFIED ORDINANCES OF THE CITY OF DELAWARE, OHIO, BY REZONING 31.744 ACRES LOCATED ON U.S. RT 36 WEST FROM A-1, AGRICULTURAL TO R-1,SINGLE FAMILY RESIDENCE PLANNED UNIT DEVELOPMENT AND R-2, TWO FAMILY RESIDENCE PLANNED UNIT DEVELOPMENT AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Delaware, Ohio, at its June 27, 1990, meeting, approved the rezoning of 31.744 acres owned by Troy Farms, Inc., from A-1, Agricultural to R-1, Single Family Residence Planned Unit Development and R-2, Two Family Residence Planned Unit Development, NOW THEREFORE:

BE IT ORDAINED by the Council of The City of Delaware, State of Ohio:

SECTION 1. That the zoning classification of 31.744 acres of land described and delineated upon the attached plat, be and the same is hereby changed from A-1 Agricultural to R-1, Single Family Residence Planned Unit Development and R-2, Two Family Residence Planned Unit Development.

SECTION 2. That the City Clerk be and is hereby authorized and directed to enter the appropriate changes on the zoning map as authorized by Section 1131.02 of the Codified Ordinances of the City of Delaware, Ohio.

SECTION 3. EMERGENCY CLAUSE. That in order to provide for the public peace, safety, health and welfare of the City, this ordinance is hereby declared to be an emergency measure, and as such, will be in full force and effect from and after its passage.

VOTE ON RULE SUSPENSION: Yeas 6 Nays 0

VOTE ON EMERGENCY CLAUSE: Yeas 6 Nays 0

PASSED: Sept. 24, 1990 Yeas 6 Nays 0

ATTEST: E. Speece
Clerk

Melva Hunter
Vice-Mayor

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VOTE ON RULE SUSPENSION: Yeas 6 Nays 0

VOTE ON EMERGENCY CLAUSE: Yeas 6 Nays 0

PASSED: September 24, 1990 Yeas 6 Nays 0

ATTEST: s/Elizabeth F. Speese
Clerk

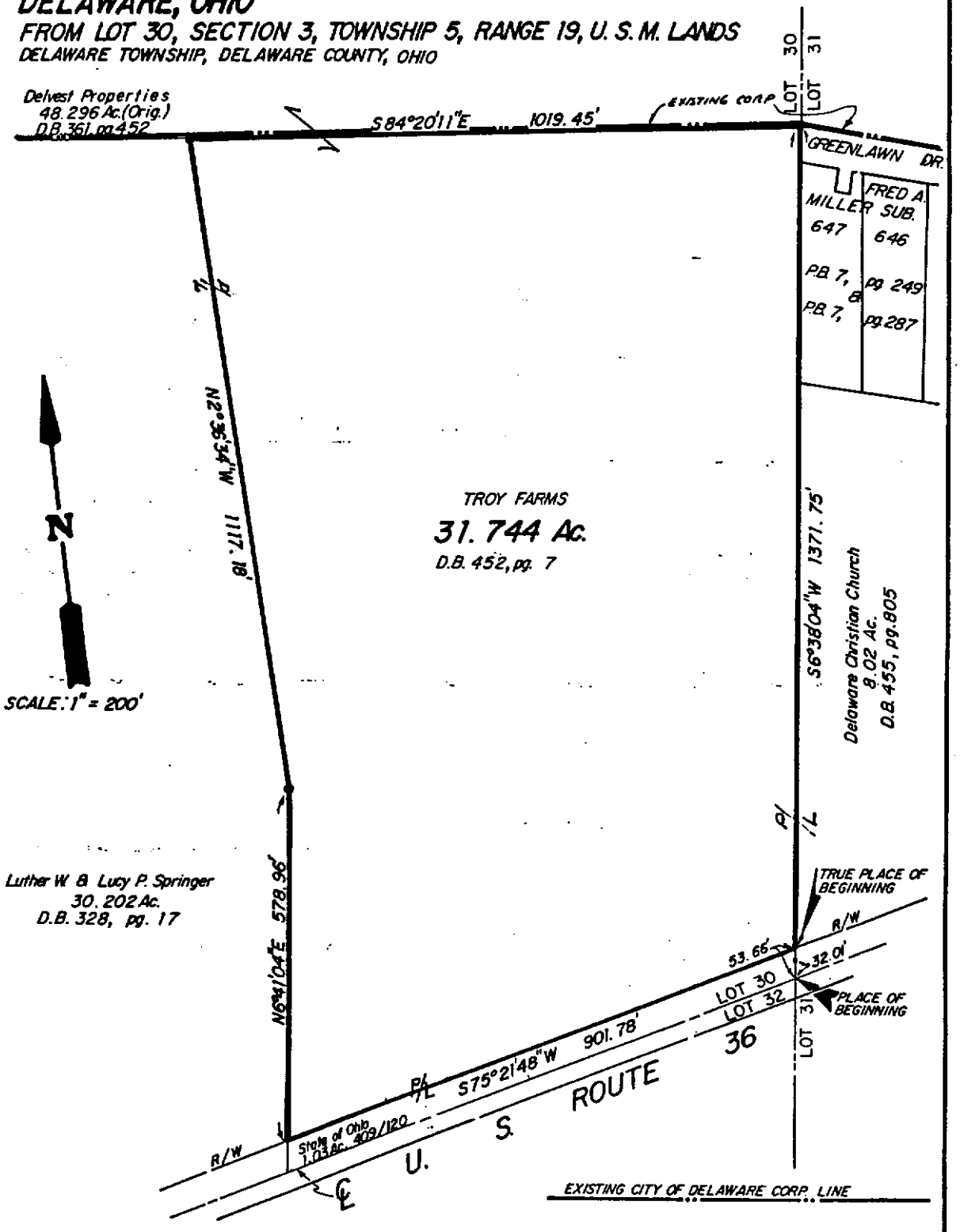
s/Melva Hunter
Vice Mayor

STULTS & ASSOCIATES, INC.
CONSULTING ENGINEERING – SURVEYING
67 N. SANDUSKY STREET, DELAWARE, OHIO 43015
DELAWARE PHONE: 363-6792 COLUMBUS PHONE: 436-5238

PROPOSED ANNEXATION OF 31.744 ACRES TO THE CITY OF DELAWARE, OHIO

FROM LOT 30, SECTION 3, TOWNSHIP 5, RANGE 19, U.S.M. LANDS

DELAWARE TOWNSHIP, DELAWARE COUNTY, OHIO



EXISTING CITY OF DELAWARE CORP. LINE

PROPOSED CITY OF DELAWARE CORP. LINE

BEARING SYSTEM BASED ON THE ℄ OF U.S. ROUTE 36 (S.75°21'48"W.)- PER PLAT BY STULTS & ASSOC. FOR THE RUTH G. HULTS ESTATE, DATED: 4-19-74.

We hereby certify that the above plat was prepared from an actual survey and to the best of our knowledge is correct.

LEGEND
- ● CONCRETE MONUMENT FOUND
- ● IRON PIN FOUND
- • SPIKE OR P.K. NAIL FOUND
- △ STONE FOUND
- ○ ¾" IRON PIN SET W/YELLOW PLASTIC CAP STAMPED "STULTS & ASSOC."
- • RAILROAD SPIKE SET

Registered Surveyor No. 5555

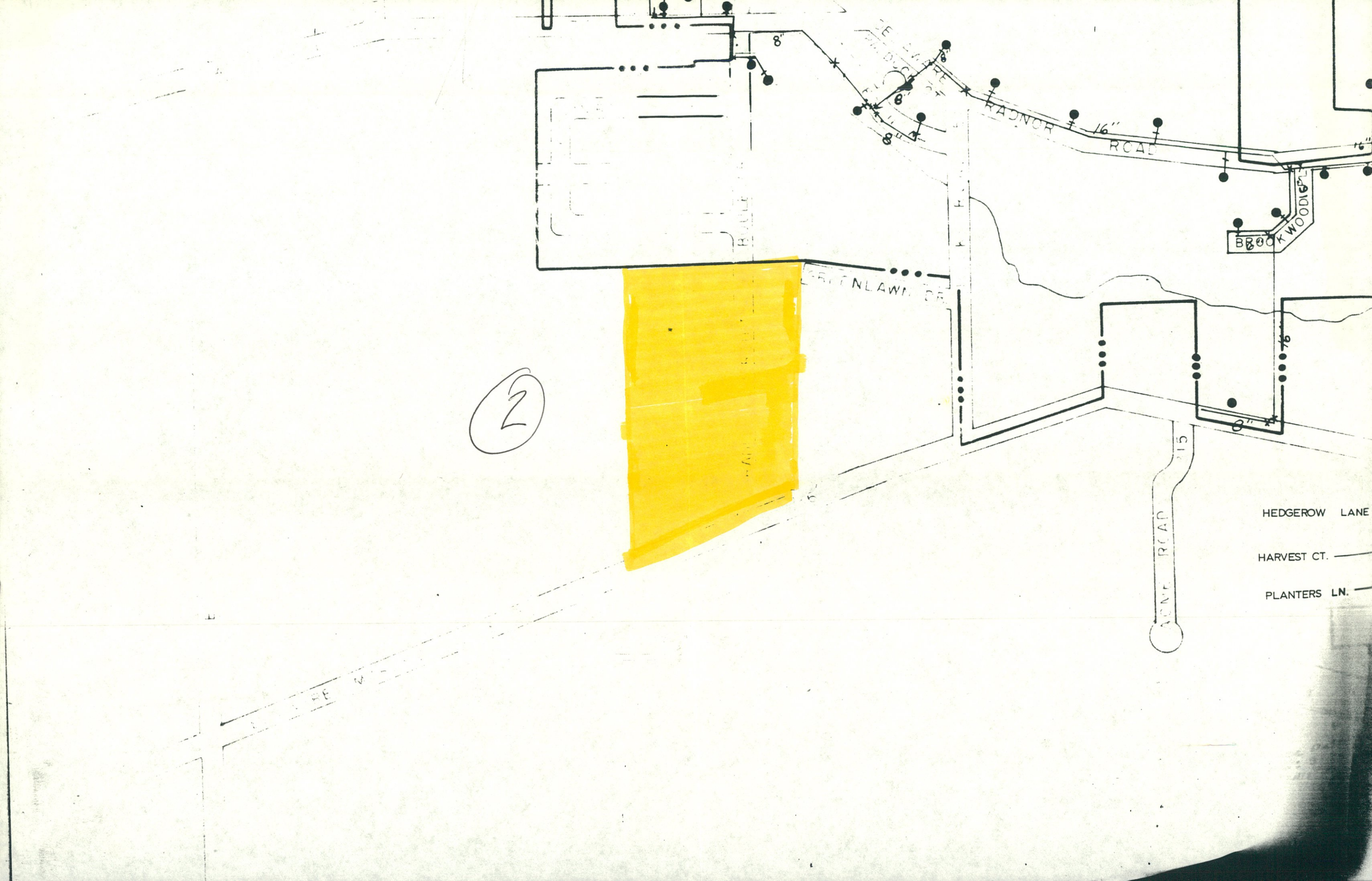
Date 10/13/1989

REVISED: OCT. 20, 1989

File No. 89-56

✓ TROY FARMS ANNEXATION ORD. 90-58
31.744 acres, Grand Circuit to 36W

SCANNED


8"
16"
RADNOR
RCAD
BROOKWOODS
HEDGEROW LANE
HARVEST CT.
PLANTERS LN.
ACRE ROAD
2

TROY FARMS ANNEXATION

1. EXISTING LAND USE

This land parcel is vacant farm land which is part of large land holdings owned by Troy Farms Partnership in which Dr. David R. Smith has a substantial interest. Some 500 acres plus comprise all of Troy Farms and most of it was annexed into the City 15 years or more ago. The land in the petition extends south from the parcel on which single family homes are presently in the Curly Smart Circle area.

The land parcel which is still vacant and is the subject of this report extends all the way to State Route 36 West. Significantly perhaps, the survey map and property description provided does not include any portion of the Route 36 R-O-W. Recent annexations have included highway R-O-W as a matter of ODOT policy.

2. WATER SUPPLY

This annexation can be serviced through existing water mains in the Warrensburg Road/Grand Circuit Boulevard locale. At present, we do experience difficulty providing sufficient fire flows depending upon seasonal water demands and plant production rates. I strongly suggest that up to date fire flow data be taken on the mains leading to and including this annexation area for a better understanding of the impact on the water utility. The Sunnyview Farms north water project (coming mid 1990) is another link in the system improvement process to strengthen flow rates to this annexation area. As this Troy Farms development grows to the south, extension of the Rt. 36 W. water main from the Fravel residence past Houk Road to the Grand Circuit Boulevard intersection, should be initiated to ensure sufficient fire flows and water quality levels.

3. SANITARY SEWER

The area requested for annexation is within the general service area of the Delaware Run trunk sewer. The swale running through the N.E. quadrant would be the likely location for a collector sewer and this sewer would need to be oversized to provide for future service to the northwest and west. Connection alternatives are: gravity sewer east, across Houk Road, then northeast to an existing 12" stub previously provided for this service area; or a pump station feeding the existing sewers in the residential area to the north. Pump stations are not recommended in areas serviceable by gravity sewers.

4. STORM DRAINAGE

This site is near the Delaware Run which is where the natural drainage from this area now runs. A major tributary to the Delaware Run crosses the property west to east. Preliminary studies have shown that this tributary drains a major watershed area. Future development will require the control of accelerated storm water runoff to conform to City specifications using storm sewers and detention.

5. RIGHT OF WAY

At present, no public roadways exist on the land parcel. The Concept Plan already prepared would extend Grand Circuit Boulevard on south to connect to Route 36. This road extension and any other streets being built as part of the development which are to be dedicated to the City must be constructed to City specifications.

6. CITY COMPREHENSIVE PLAN COMPLIANCE

The Comprehensive Master Plan adopted in 1964 projects residential uses for this area which is consistent with the proposed Concept Plan. Ohio State University concept planning maps also support residential uses. The 1964 Thoroughfare Plan proposes a West Side Drive with an alignment close to Grand Circuit Boulevard as it now exists and as it would be extended by this development.

7. IMPACT ON CITY SERVICES

In its review of the proposed annexation, the administrative staff found no substantial adverse impact on the City services as a result of this annexation. The City Police currently patrol the general area of this annexation. While the proposed annexation will increase the jurisdictional area of the City Police Department, no adverse impacts are contemplated by this annexation. The City Fire Department will have to increase its response area because of this proposed annexation; however, no adverse impacts are expected here. The City Refuse Collection Service will be expanded to serve this particular area. While, overall, no adverse impact is expected in this service, when the City looks at the combination of the three annexations currently in process, some consideration must be given to the fact that an additional trash collection route will need to be addressed in the very near future pending the development of these parcels of annexed property. Overall, the impact on City services from the proposed annexation of the Troy Farms annexation does not pose substantial adverse impact on the City.

8. RECREATION FACILITIES

This area is in need of a neighborhood park. The Curly Smart Circle is without a park within a close proximity (1/4 to 3/8 mile radius). The problem will be compounded with the additional development. The staff strongly suggests acquisition of land through the park exaction policy and purchase. The minimum land needed for this area is five acres.

9. CONFORMANCE WITH CURRENT CITY ORDINANCES

Since this tract is presently vacant land, no uses now exist which need to meet current City ordinances.

10. ESTABLISHMENT OF ZONING DISTRICTS

The Concept Plan prepared by the prospective developer of this tract shows some 75 single family lots and 15 two family lots. They are part of a larger development plan which includes parcels already within the corporation limits. Since the developer is familiar with present City

zoning code requirements concerning lot size, setbacks, etc., zoning classifications of R-1 single family and R-2 two family would be appropriate for present Code requirements. This developer is eager to get through the approval process, both annexation and zoning, before any new zoning code might be adopted by the City. Part of the process on instituting a new code is the drafting of a new zoning map to reflect the classifications of a new code. At least one new residential category is contemplated for larger lot requirements than the existing code demands. At this point in time, the staff cannot predict where the larger lot requirements might apply but instead offers this information as a possible conflict which may impact the concept plan now contemplated by the developer. The timing of events may well dictate the outcome of this density related question.

City of Delaware Ohio

February 8, 1990

Mr. Frank Ciarochi
City Manager
Municipal Building
Delaware, Ohio

Dear Frank:

This letter is to offer my input on any new construction projects or annexations in regards to the required water flow for fire protection.

The N.F.P.A. Standard No. 1231 gives the method of determining how many gallons are required for these areas. It depends upon the type of construction, materials used, the intended use of the structure, and the square footage of construction and exposures. The minimum flow for a single residential structure with exposures is 3,000 gallons per minute.

On this date, February 8, 1990, a flow test was conducted at the following locations.

1. Taylor and Executive (marked #1 on the enclosed map).
   The flow was 1,120 gallons per minute at 20 p.s.i.
   (Pinecrest annexation)

2. Route 521 and State Route 36 East (marked #2 on map)
   The flow was 800 gallons per minute at 20 p.s.i.
   (Sun Del annexation)

3. Grand Circuit and Curly Smart (marked #3 on map).
   The flow was 480 gallons per minute at 20 p.s.i.
   (Troy Farms annexation)

Please take note that these figures are a long way from the 3,000 gallons per minute required as a minimum flow.

Another concern of the department is the response distance standards as specified by the Insurance Services Office (given below).

1. High value under 4,500 required flow is 1-1/2 miles for an engine and two (2) miles for a ladder truck.

2. High value with 4,500 to 9,000 required flow is one (1) mile for an engine and 1-1/4 miles for a ladder truck.

3. Residential is two (2) miles for an engine and three (3) miles for a ladder truck.

4. Residential (low density) is four (4) miles for an engine and four (4) miles for a ladder truck.

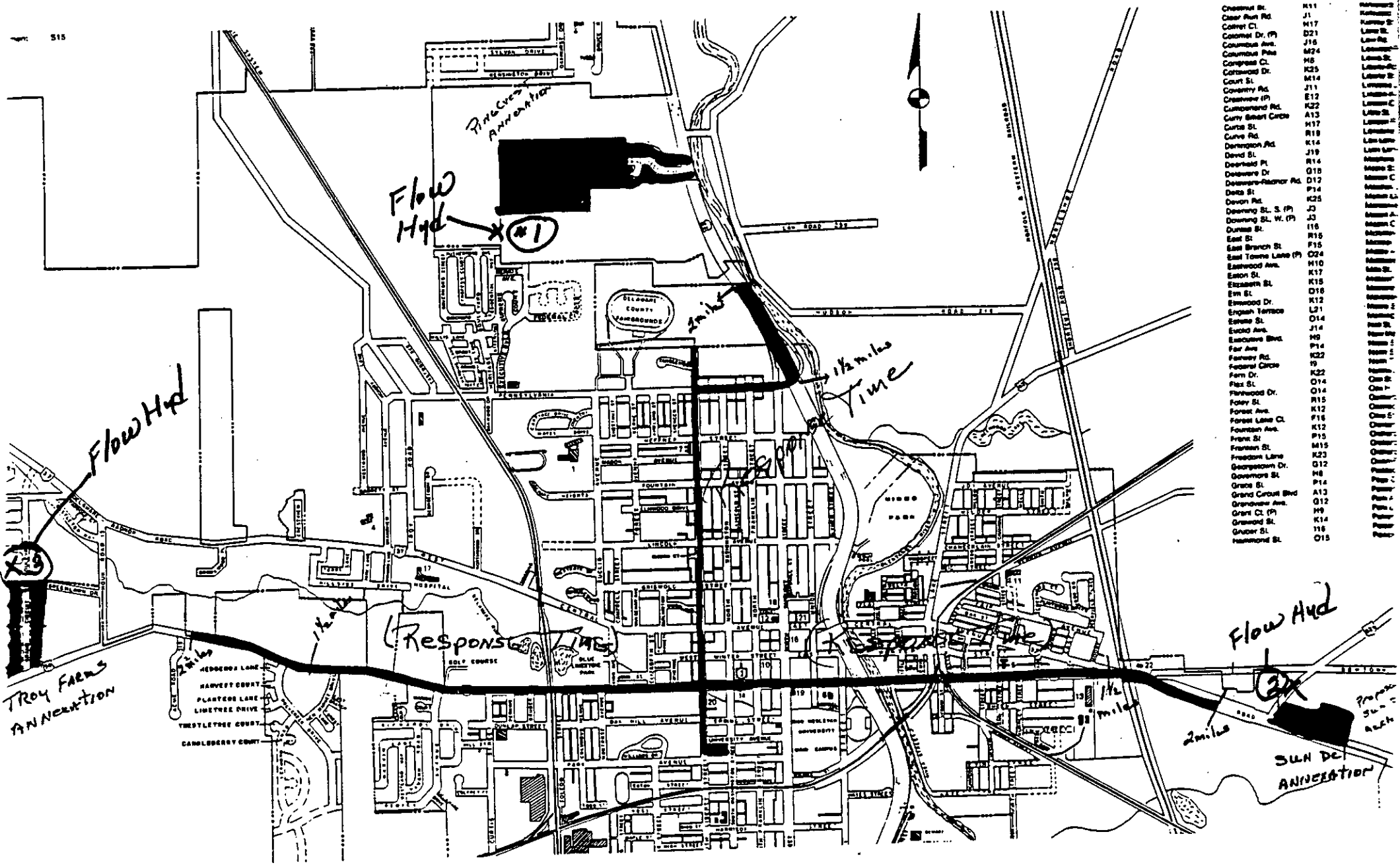
The enclosed map shows the response distance to the three (3) areas presented for annexation. As you can see, the map shows that we are falling short of the safe distance for successful life saving efforts.

Sincerely,

Chief Stephen G. Robinson
Delaware Fire Department

SGR/mjw
Enclosure

cc: D. Bilsing
J. Ray


Flow Hyd
#1
Ring Cyes Annexation
2 mile
1½ miles
Time
Flow Hyd
Response Time
1½ miles
2 miles
Troy Farms Annexation
Flow Hyd
#2
2 miles
Sun Del Annexation
Chestnut St. K11
Clear Run Rd. J1
Colmet Ct. H17
Colonial Dr. (P) D21
Columbus Ave. J16
Columbus Pike M24
Congress Ct. H8
Cottswold Dr. K25
Court St. M14
Coventry Rd. J11
Crestview (P) E12
Cumberland Rd. K22
Curry Beach Circle A13
Curtis St. H17
Curve Rd. R19
Dennington Rd. K14
Bend St. J19
Deerfield Pl. R14
Delaware Dr. G18
Delaware-Radnor Rd. D12
Delta St. P14
Devon Rd. K25
Downing St. S. (P) J3
Downing St. W. (P) J3
Dundee St. I16
East St. R18
East Branch St. F15
East Towne Lane (P) O24
Eastwood Ave. H10
Eaton St. K17
Elizabeth St. K15
Elm St. D16
Elmwood Dr. K12
English Terrace L21
Estate St. O14
Euclid Ave. J14
Executive Blvd. H9
Fair Ave P14
Fairway Rd. K22
Federal Circle 19
Fern Dr. K22
Flat St. O14
Flintwood Dr. O14
Foley St. R15
Forest Ave. K12
Forest Lane Ct. F16
Fountain Ave. K12
Franz St P15
Franzen St. M15
Freedom Lane K23
Georgetown Dr. G12
Governors St. H8
Grace St. P14
Grand Circuit Blvd A13
Grandview Ave. G12
Grant Ct. (P) H9
Grenwood St. K14
Gruber St. I16
Hammond St. O15

ORDINANCE NO. 90-58

AN ORDINANCE ACCEPTING ANNEXATION OF 31.744 ACRES, MORE OR LESS, LOCATED ALONG THE NORTH SIDE OF RT. 36 JUST WEST OF HOUK ROAD, IN DELAWARE TOWNSHIP, OWNED BY TROY FARMS, AN OHIO PARTNERSHIP, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the proposed annexation as applied for in the petition to the Delaware County Commissioners, approved by them for annexation to the City of Delaware on May 7, 1990, is hereby accepted. The territory to be annexed is described in the attached Exhibit A.

SECTION 2. The certified transcript of the proceedings for annexation, with an accurate map of the territory, together with the petition for annexation and other papers relating to the proceedings of the County Commissioners, are on file with the Clerk of Council, and have been for more than sixty days.

SECTION 3. That the Clerk of Council is directed to make three copies of this ordinance, to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof. The Clerk shall then forthwith deliver one copy to the Secretary of State, and shall file notice of annexation with the Board of Elections within thirty days after it becomes effective, and the Clerk shall do all other things required by law.

SECTION 4. Emergency Clause. That this ordinance is hereby declared to be an emergency measure, necessary to provide for the public peace, safety, health and welfare of the City, and as such, will be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION: Yeas 7 Nays 0

VOTE ON EMERGENCY CLAUSE: Yeas 7 Nays 0

PASSED: August 13, 1990 Yeas 7 Nays 0

ATTEST: s/Elizabeth F. Speese
City Clerk

s/Michael R. Shade
Mayor

CONSULTING ENGINEERING
COMMUNITY PLANNING
FEASIBILITY STUDIES
SUBDIVISION DESIGN
HIGHWAY DESIGN
CONSTRUCTION INSPECTION
LAND SURVEYING
CONTROL SURVEYS
CONSTRUCTION STAKING
TOPOGRAPHIC SURVEYS

STULTS AND ASSOCIATES, INC.
ENGINEERING - SURVEY

FRANKLIN D. STULTS
H. EDWARD SNODGRASS

67 N. SANDUSKY ST.
DELAWARE, OHIO 43015
PHONE (614) 363-6792
(614) 369-4124
COLS. (614) 436-5238

EXHIBIT A

October 20, 1989

Description of a 31.744 acre tract of land for annexation purposes only.

Situated in the Township of Delaware, County of Delaware, State of Ohio and located in Farm Lot 30, Section 3, Township 5, Range 19, U.S. Military Lands, being 31.744 acres out of an original 32.778 acres conveyed to Troy Farms, in Deed book 542, page 7, and being more particularly described as follows;

Commencing for reference, at a railroad spike found in the centerline of U.S. Route 36 where it intersects the westerly line of Farm Lot 31 at the southeasterly corner of Farm Lot 30 and the northeasterly corner of Farm Lot 32;

Thence along the easterly line of Lot 30, the westerly line of Lot 31, North 06°38' 04" East (passing an iron pin found at 32.01 feet) a total distance of 53.66 feet to a point in the northerly right-of-way line for U.S. Route 36 being the northeasterly corner of a 1.03 acre tract conveyed to the State of Ohio as described in Deed Book 409, page 120, said corner also being THE TRUE PLACE OF BEGINNING of the tract herein described;

Thence, along said northerly right-of-way line South 75°21' 48" West a distance of 901.78 feet to a point at the northwesterly corner of the above mentioned 1.03 acre State of Ohio tract, said corner being in the easterly line of a 30.202 acre tract conveyed to Luther W. & Lucy P. Springer in Deed Book 328, Page 17;

Thence, along said easterly line, North 6°41' 04" East a distance of 578.96 feet to an iron pin found at an angle point on the easterly line of the above mentioned 30.202 acre tract;

Thence continuing along said easterly line, North 02°36' 34" West, a distance of 1117.18 feet to an iron pin found in the southerly line of an original 48.296 acre tract, now or formerly owned by Delvest Properties, also known as Troy Farms, as described in Deed Book 361, page 452, and also a southerly line of The City of Delaware corporation limits;

Thence along said southerly line and the city corporation line, South 84°20' 11" East, a distance of 1019.45 feet to an iron pin found in the line between lot 30 and Lot 31, and at the northwesterly corner of Greenlawn Drive, as recorded on the plat of Fred A. Miller Subdivision in Plat Book 7, page 249, and refiled in Plat Book 7, page 287;

Thence along said common lot line, the end of Greenlawn Drive, the westerly line of Lot 647 of Fred A. Miller's Subdivision and the westerly line of an 8.02 acre tract granted to Delaware Christian Church in Deed Book 455, page 805, South 06° 38' 04" West a distance of 1371.75 feet to the TRUE PLACE OF BEGINNING.

Containing 31.744 acres of land, more or less.

Subject to, however, all restrictions, easements, and rights-of-way, if any, of record.

Bearings based on the centerline of U.S. Route 36, (South 75° 21' 48" West), as shown on a plat of survey for the estate of Ruth G. Hults, dated April 19, 1974, and prepared by Stults and Associates, Inc.

All references being to records of the Recorder's Office Delaware County, Ohio.



H. Edward Snodgrass
Registered Surveyor No. 5555

EXHIBIT A

CONSULTING ENGINEERING
COMMUNITY PLANNING
FEASIBILITY STUDIES
SUBDIVISION DESIGN
HIGHWAY DESIGN
CONSTRUCTION INSPECTION
LAND SURVEYING
CONTROL SURVEYS
CONSTRUCTION STAKING
TOPOGRAPHIC SURVEYS

STULTS AND ASSOCIATES, INC.

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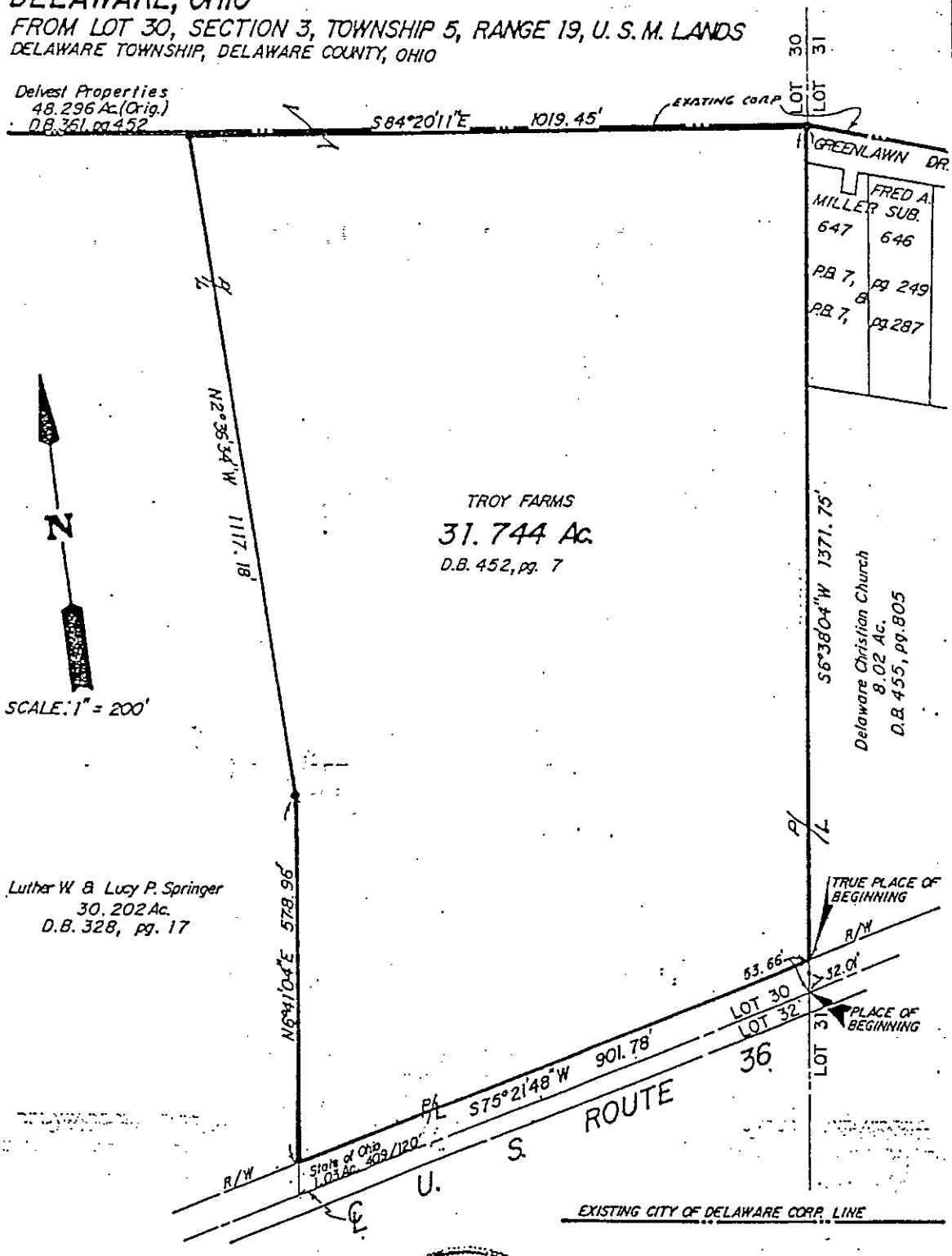
H. Edward Snodgrass
Registered Surveyor No. 5555

EXHIBIT B

STULTS & ASSOCIATES, INC.
CONSULTING ENGINEERING – SURVEYING
67 N. SANDUSKY STREET, DELAWARE, OHIO 43015
DELAWARE PHONE: 363-6792 COLUMBUS PHONE: 436-5238

PROPOSED ANNEXATION OF ACRES TO THE CITY OF DELAWARE, OHIO

FROM LOT 30, SECTION 3, TOWNSHIP 5, RANGE 19, U. S. M. LANDS
DELAWARE TOWNSHIP, DELAWARE COUNTY, OHIO



EXISTING CITY OF DELAWARE CORP. LINE

PROPOSED CITY OF DELAWARE CORP. LINE

BEARING SYSTEM BASED ON THE ℄ OF U.S. ROUTE 36 (S.75°21'48"W.)-PER PLAT BY STULTS & ASSOC. FOR THE RUTH G. HULL ESTATE, DATED: 4-19-74.

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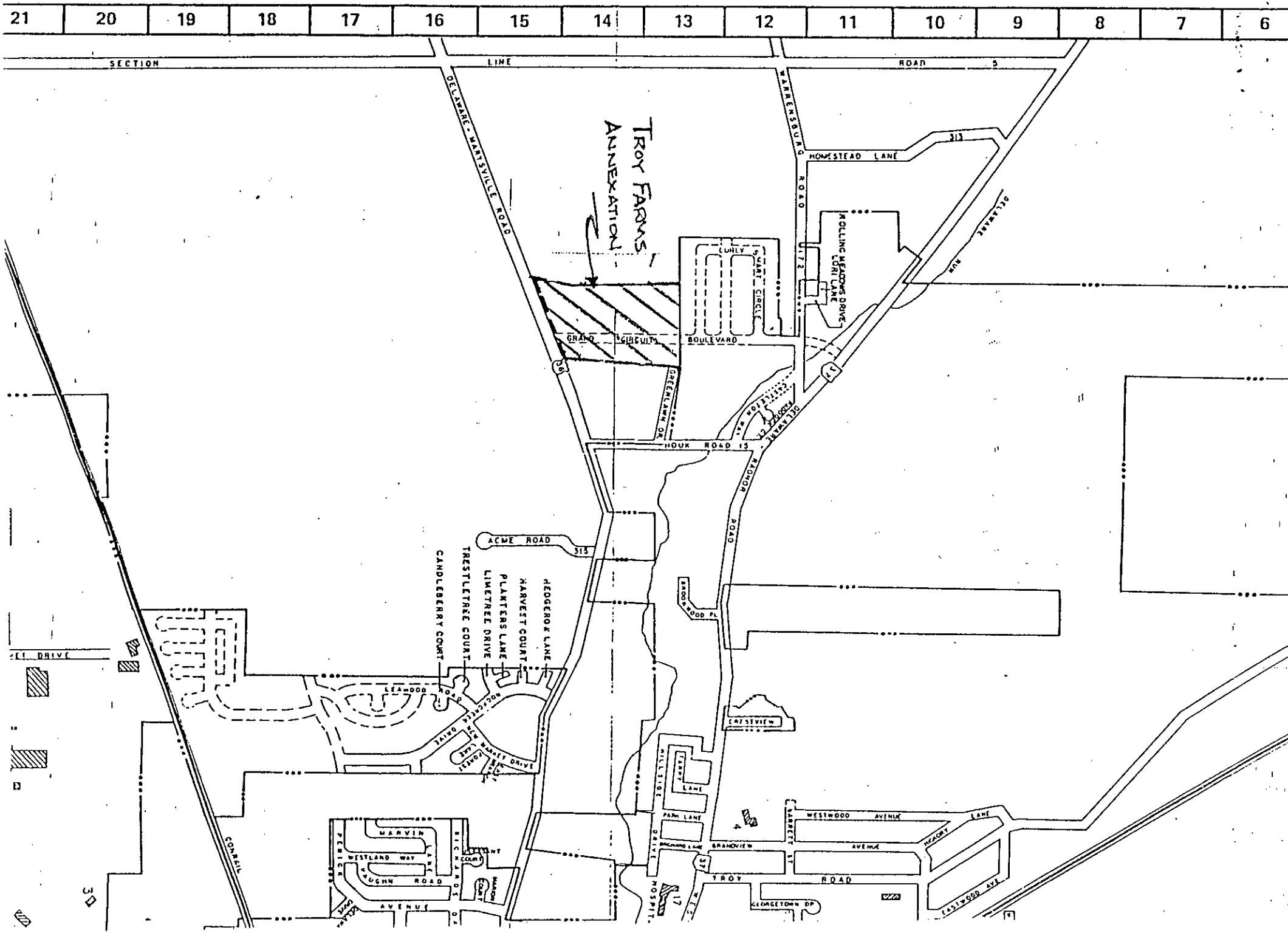
We hereby certify that the above plat was prepared from an actual survey and to the best of our knowledge is correct.

STATE OF OHIO
H. EDWARD
STULTS
REGISTERED
SURVEYOR

Registered Surveyor No. 5555 Date 10/13/1989

REVISED: OCT. 20, 1989

File No. 89-56


21
20
19
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12
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SECTION LINE
ROAD 5
TROY FARMS I
ANNEXATION
DELAWARE - MARYSVILLE ROAD
WARRENSBURG ROAD
HOMESTEAD LANE
313
ROLLING MEADOWS DRIVE
CURLY MART CIRCLE
GRAND CIRCUIT BOULEVARD
GREENLAWN DR
HOUK ROAD 15
MADDOX ROAD
ACME ROAD
315
CANDLEBERRY COURT
TRESTLETREE COURT
LIMETREE DRIVE
PLANTERS LANE
HARVEST COURT
HEDGEROW LANE
LEAWOOD ROAD
WESTLAND WAY
AVENUE
WESTWOOD AVENUE
TROY ROAD
CONRAIL
30

GORDON AND GORDON
ATTORNEYS AT LAW
40 N. SANDUSKY STREET
DELAWARE, OHIO 43015

NOV 27

DAVID J. GORDON
LINDA M. GORDON

TELEPHONE 363-8988
AREA CODE 614

November 21, 1989

Elizabeth Speese, Clerk
City of Delaware
Delaware City Hall
Delaware, Ohio 43015

Re: Annexation - 31.744 acre tract

Dear Mrs. Speese:

Please find enclosed a copy of the Petition for Annexation signed by a majority of the owners of a 31.744 acre tract which was filed with the Delaware County Commissioners on November 16, 1989.

The Commissioners have set the 12th day of February, 1990 at 10:00 a.m. as a hearing date for this annexation. It is necessary that I have a resolution from the City concerning the ability to provide utilities to the premises. Thank you for your kind and immediate attention.

Very truly yours,

David J. Gordon

DJG:ep

Enclosure

PETITION FOR ANNEXATION ON APPLICATION OF OWNERS

To: The Board of Commissioners of Delaware County, Ohio
Delaware County Courthouse
Delaware County, Ohio 43015

We, the undersigned, being a majority of the owners of the real estate and the territory herein described, hereby petition for annexation the following-described territory to the City of Delaware, Ohio:

See Exhibit A attached hereto.

The above-described territory is adjacent and contiguous with the City of Delaware, Ohio.

Petitioners have attached hereto and made a part of this Petition an accurate map showing the boundaries of the territory sought to be annexed, marked "Map of the Territory to be Annexed to the City of Delaware, Ohio".

There is one owner of the real estate in the above described territory which is sought to be annexed to the City of Delaware, Ohio. David J. Gordon is hereby appointed agent for the undersigned Petitioners as required by Ohio Revised Code 709.02, with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential hereto, and to make any section necessary for obtaining the granting of this Petition. Said amendment, alteration, change, correction, withdrawal, filing, substitution, compromise, increase or deletion, or other things or actions for the granting of this Petition shall be made in the Petition, description, and/or plat by said agent without further express consent of the Petitioners.

Troy Farms, an Ohio Partnership

By: David R. Smith
David R. Smith, Managing Partner
Dated:

CONSULTING ENGINEERING
COMMUNITY PLANNING
FEASIBILITY STUDIES
SUBDIVISION DESIGN
HIGHWAY DESIGN
CONSTRUCTION INSPECTION
LAND SURVEYING
CONTROL SURVEYS
CONSTRUCTION STAKING
TOPOGRAPHIC SURVEYS

STULTS AND ASSOCIATES, INC.
ENGINEERING - SURVEY

FRANKLIN D. STULTS
H. EDWARD SNODGRASS

67 N. SANDUSKY ST.
DELAWARE, OHIO 43015
PHONE (614) 363-6792
(614) 369-4124
COLS. (614) 436-5238

October 20, 1989

Description of a 31.744 acre tract of land for annexation purposes only.

Situated in the Township of Delaware, County of Delaware, State of Ohio and located in Farm Lot 30, Section 3, Township 5, Range 19, U.S. Military Lands, being 31.744 acres out of an original 32.778 acres conveyed to Troy Farms, in Deed book 542, page 7, and being more particularly described as follows;

Commencing for reference, at a railroad spike found in the centerline of U.S. Route 36 where it intersects the westerly line of Farm Lot 31 at the southeasterly corner of Farm Lot 30 and the northeasterly corner of Farm Lot 32;

Thence along the easterly line of Lot 30, the westerly line of Lot 31, North 06°38' 04" East (passing an iron pin found at 32.01 feet) a total distance of 53.66 feet to a point in the northerly right-of-way line for U.S. Route 36 being the northeasterly corner of a 1.03 acre tract conveyed to the State of Ohio as described in Deed Book 409, page 120, said corner also being THE TRUE PLACE OF BEGINNING of the tract herein described;

Thence, along said northerly right-of-way line South 75°21' 48" West a distance of 901.78 feet to a point at the northwesterly corner of the above mentioned 1.03 acre State of Ohio tract, said corner being in the easterly line of a 30.202 acre tract conveyed to Luther W. & Lucy P. Springer in Deed Book 328, Page 17;

Thence, along said easterly line, North 6°41' 04" East a distance of 578.96 feet to an iron pin found at an angle point on the easterly line of the above mentioned 30.202 acre tract;

Thence continuing along said easterly line, North 02°36' 34" West, a distance of 1117.18 feet to an iron pin found in the southerly line of an original 48.296 acre tract, now or formerly owned by Delvest Properties, also known as Troy Farms, as described in Deed Book 361, page 452, and also a southerly line of The City of Delaware corporation limits;

Thence along said southerly line and the city corporation line, South 84°20' 11" East, a distance of 1019.45 feet to an iron pin found in the line between lot 30 and Lot 31, and at the northwesterly corner of Greenlawn Drive, as recorded on the plat of Fred A. Miller Subdivision in Plat Book 7, page 249, and refiled in Plat Book 7, page 287;

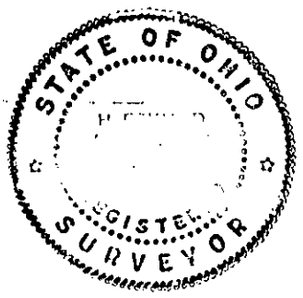
Thence along said common lot line, the end of Greenlawn Drive, the westerly line of Lot 647 of Fred A. Miller's Subdivision and the westerly line of an 8.02 acre tract granted to Delaware Christian Church in Deed Book 455, page 805, South 06° 38' 04" West a distance of 1371.75 feet to the TRUE PLACE OF BEGINNING.

Containing 31.744 acres of land, more or less.

Subject to, however, all restrictions, easements, and rights-of-way, if any, of record.

Bearings based on the centerline of U.S. Route 36, (South 75° 21' 48" West), as shown on a plat of survey for the estate of Ruth G. Hults, dated April 19, 1974, and prepared by Stults and Associates, Inc.

All references being to records of the Recorder's Office Delaware County, Ohio.



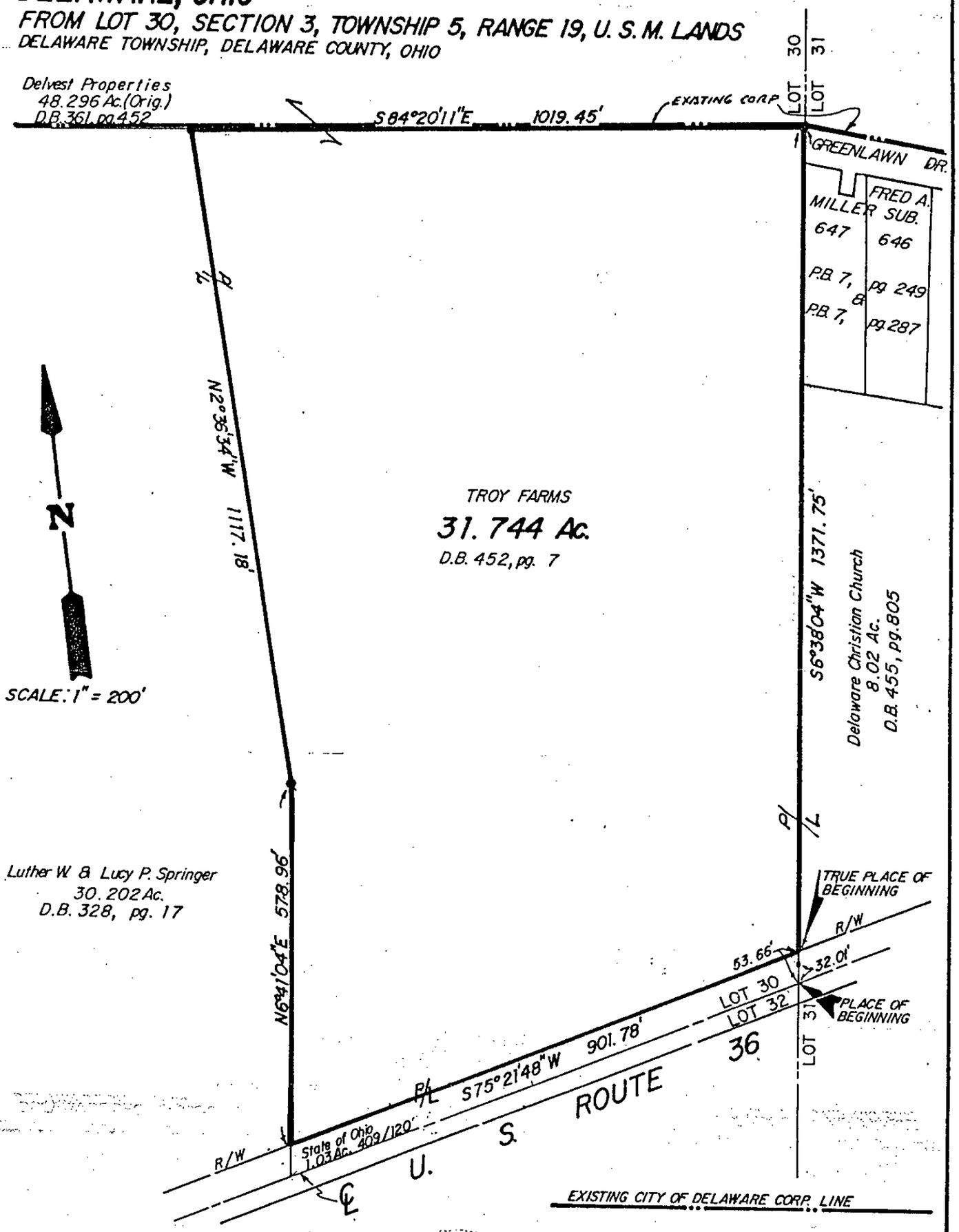
H. Edward Snodgrass
Registered Surveyor No. 5555

STULTS & ASSOCIATES, INC.
CONSULTING ENGINEERING – SURVEYING
67 N. SANDUSKY STREET, DELAWARE, OHIO 43015
DELAWARE PHONE: 363-6792
COLUMBUS PHONE: 436-5238

PROPOSED ANNEXATION OF ACRES TO THE CITY OF DELAWARE, OHIO

FROM LOT 30, SECTION 3, TOWNSHIP 5, RANGE 19, U. S. M. LANDS

DELAWARE TOWNSHIP, DELAWARE COUNTY, OHIO



BEARING SYSTEM BASED ON THE ℄ OF U.S. ROUTE 36 (S.75° 21' 48"W.)- PER PLAT BY STULTS & ASSOC. FOR THE RUTH G. HULT ESTATE, DATED: 4-19-74.

We hereby certify that the above plat was prepared from an actual survey and to the best of our knowledge is correct.

STATE OF OHIO
H. EDWARD 5555
REGISTERED SURVEYOR

H. Edward Snetzer

Registered Surveyor No. 5555

Date 10/13/1989

REVISED: OCT. 20, 1989

LEGEND
- ● CONCRETE MONUMENT FOUND
- ● IRON PIN FOUND
- • SPIKE OR P.K. NAIL FOUND
- △ STONE FOUND
- ○ ⅝" IRON PIN SET W/YELLOW PLASTIC CAP STAMPED "STULTS & ASSOC."
- • RAILROAD SPIKE SET

File No. 89-56

RESOLUTION NO. 90-10

A RESOLUTION INDICATING WHAT SERVICES THE CITY OF DELAWARE WILL PROVIDE TO 31.744 ACRES OF LAND, MORE OR LESS, LOCATED NEAR U.S. ROUTE 36, WHICH HAVE BEEN PROPOSED FOR ANNEXATION BY TROY FARMS, AN OHIO PARTNERSHIP.

WHEREAS, Troy Farms, an Ohio partnership, has filed a petition with the Delaware County Commissioners for annexation of 31.744 acres located near U. S. Rt. 36 in Delaware Township, the description and plat of which are attached hereto as Exhibits A and B, and

WHEREAS, the agent for the petitioner has delivered to the Clerk of the Delaware City Council the notice referred to in Revised Code Section 709.031 (A), and

WHEREAS, said statute requires that upon receiving said notice, the City Council shall, by resolution, adopt the statement as to what services, if any, the City will provide to the territory proposed for annexation upon annexation, NOW THEREFORE:

BE IT RESOLVED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That upon annexation to the City of Delaware of the 31.744 acres in Delaware Township owned by Troy Farms, an Ohio partnership, and described and delineated on the attached Exhibits A and B, the City will provide water, sewer, refuse, fire and police services, provided all necessary lines, hydrants and other apparatus are installed by the property owner as required by the City and said services shall be provided under the same conditions and same costs as they are provided to other residents in the City of Delaware.

SECTION 2. That the Clerk of Council shall prepare and furnish to the agent for the petitioners a certified copy of this resolution.

SECTION 2. That this resolution shall take force and be in effect immediately upon its passage.

PASSED: January 29, 1990 Yeas 7 Nays 0

ATTEST: s/Elizabeth F. Speese
City Clerk

s/Michael R. Shade
Mayor

EXHIBIT A

CONSULTING ENGINEERING
COMMUNITY PLANNING
FEASIBILITY STUDIES
SUBDIVISION DESIGN
HIGHWAY DESIGN
CONSTRUCTION INSPECTION
LAND SURVEYING
CONTROL SURVEYS
CONSTRUCTION STAKING
TOPOGRAPHIC SURVEYS

STULTS AND ASSOCIATES, INC.

67 N. SANDUSKY ST.
DELAWARE, OHIO 43015
PHONE (614) 363-6792
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FRANKLIN D. STULTS
H. EDWARD SNODGRASS

October 20, 1989

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All references being to records of the Recorder's Office Delaware County, Ohio.

STATE OF OHIO
REGISTERED
SURVEYOR

H. Edward Snodgrass
Registered Surveyor No. 5555

STULTS & ASSOCIATES, INC. EXHIBIT B

CONSULTING ENGINEERING – SURVEYING

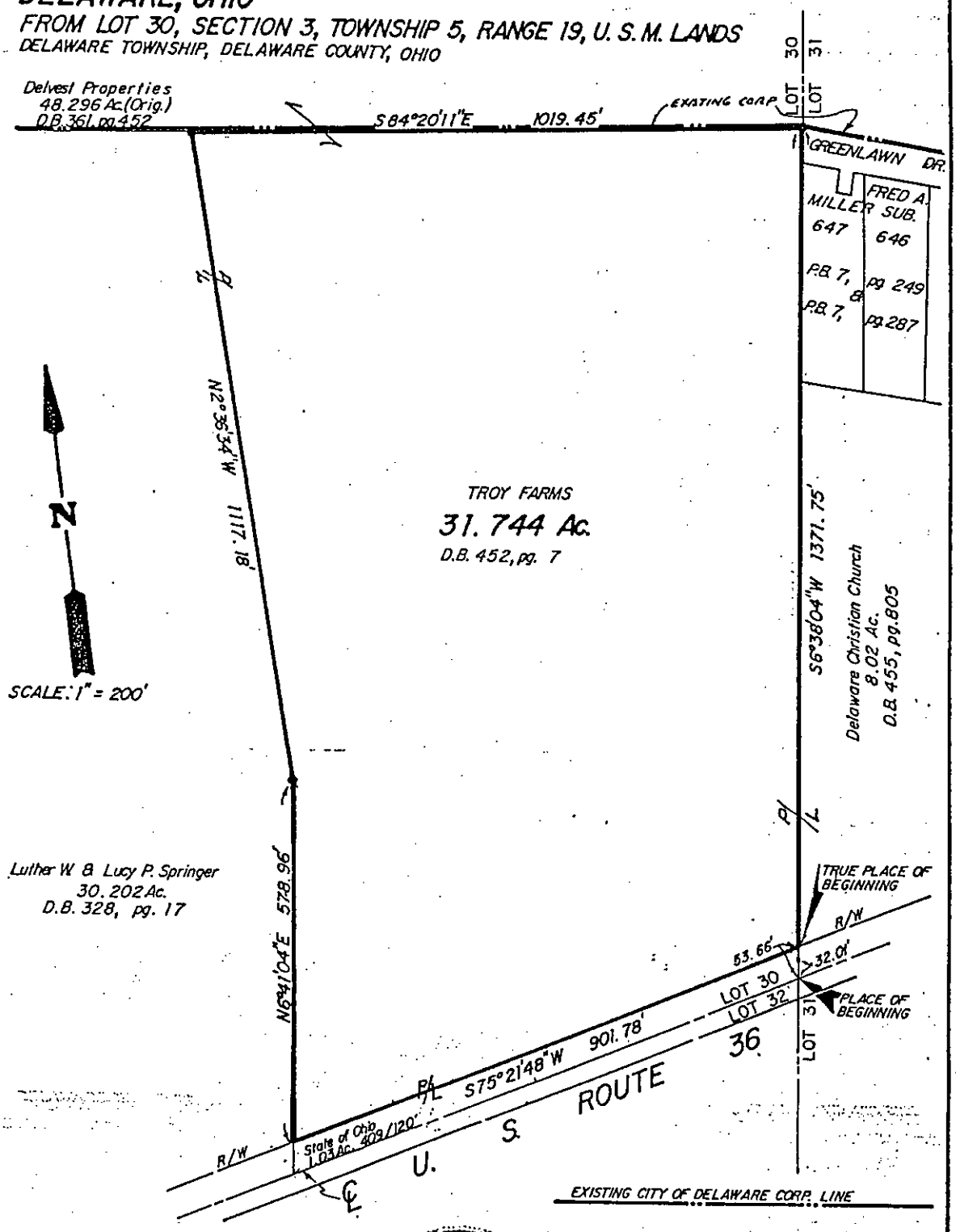
67 N. SANDUSKY STREET, DELAWARE, OHIO 43015

DELAWARE PHONE: 363-6792 COLUMBUS PHONE: 436-5238

PROPOSED ANNEXATION OF ACRES TO THE CITY OF DELAWARE, OHIO

FROM LOT 30, SECTION 3, TOWNSHIP 5, RANGE 19, U.S.M. LANDS

DELAWARE TOWNSHIP, DELAWARE COUNTY, OHIO



BEARING SYSTEM BASED ON THE ℄ OF U.S. ROUTE 36 (S.75° 21' 48"W.)- PER PLAT BY STULTS & ASSOC. FOR THE RUTH G. HULL ESTATE, DATED: 4-19-74.

We hereby certify that the above plat was prepared from an actual survey and to the best of our knowledge is correct.

STATE OF OHIO — REGISTERED — 5555 — SURVEYOR

Registered Surveyor No. 5555 Date 10/13/1989

REVISED: OCT. 20, 1989

LEGEND
- ● CONCRETE MONUMENT FOUND
- ● IRON PIN FOUND
- • SPIKE OR P.K. NAIL FOUND
- △ STONE FOUND
- ○ ⅝" IRON PIN SET W/YELLOW PLASTIC CAP STAMPED "STULTS & ASSOC."
- • RAILROAD SPIKE SET

File No. 89-56

City of Delaware Ohio

February 12, 1990

TO: Delaware City Council
Delaware City Planning Commission

FROM: Delaware City Department Heads

SUBJECT: The Troy Farms Annexation Involving 31.744 Acres

The proposed Troy Farms annexation involves 31.744 acres located along the north side of Rt. 36 just west of Houk Road. The property involved in this request is owned by Troy Farms Partnership; Dr. David Smith is a principal owner. It has been proposed for annexation as a part of a development proposal to accommodate the continued development of a subdivision/P.U.D. and involving the extension of Grand Circuit Boulevard from Warrensburg Road south to Rt. 36. As noted on the attached map, the property is contiguous to existing City boundaries along the north edge of the proposed annexation. It should be noted that the proposed annexation does not create any new islands; however, a small peninsula would be created between Greenlawn Drive and St. Rt. 36. It is anticipated that the surrounding land within this area will become a part of the City corporate boundaries when development proposals for this land are proposed.

RECOMMENDATION

The City administrative staff finds that the proposed annexation of 31.744 acres herein referred to as the Troy Farms annexation is consistent with City policies and objectives, is capable of being served by the City, and will not generate substantial negative impacts on City facilities or services. The proposed Troy Farms annexation is located within a logical growth area of the City and provides a boundary delineation that does not create any new islands but does generate a small peninsula between Greenlawn Drive and St. Rt. 36. The proposed annexation will accommodate residential development and the extension of Grand Circuit Boulevard and an extension of the Curly Smart Circle and Grand Circuit Boulevard development. Based upon these observations, the administrative staff recommends that the proposed annexation be accepted by City Council incorporating this land area into the City of Delaware.

OTHER FINDINGS AND RECOMMENDATIONS

TROY FARMS ANNEXATION

1. EXISTING LAND USE

This land parcel is vacant farm land which is part of large land holdings owned by Troy Farms Partnership in which Dr. David R. Smith has a substantial interest. Some 500 acres plus comprise all of Troy Farms and most of it was annexed into the City 15 years or more ago. The land in the petition extends south from the parcel on which single family homes are presently in the Curly Smart Circle area.

The land parcel which is still vacant and is the subject of this report extends all the way to State Route 36 West. Significantly perhaps, the survey map and property description provided does not include any portion of the Route 36 R-O-W. Recent annexations have included highway R-O-W as a matter of ODOT policy.

2. WATER SUPPLY

This annexation can be serviced through existing water mains in the Warrensburg Road/Grand Circuit Boulevard locale. At present, we do experience difficulty providing sufficient fire flows depending upon seasonal water demands and plant production rates. It is suggested that up to date fire flow data be taken on the mains leading to and including this annexation area for a better understanding of the impact on the water utility. The Sunnyview Farms north water project (coming mid 1990) is another link in the system improvement process to strengthen flow rates to this annexation area. As this Troy Farms development grows to the south, extension of the Rt. 36 W. water main from the Fravel residence past Houk Road to the Grand Circuit Boulevard intersection, should be initiated to ensure sufficient fire flows and water quality levels.

3. SANITARY SEWER

The area requested for annexation is within the general service area of the Delaware Run trunk sewer. The swale running through the N.E. quadrant would be the likely location for a collector sewer and this sewer would need to be oversized to provide for future service to the northwest and west. Connection alternatives are: gravity sewer east, across Houk Road, then northeast to an existing 12" stub previously provided for this service area; or a pump station feeding the existing sewers in the residential area to the north. Pump stations are not recommended in areas serviceable by gravity sewers.

4. STORM DRAINAGE

This site is near the Delaware Run which is where the natural drainage from this area now runs. A major tributary to the Delaware Run crosses the property west to east. Preliminary studies have shown that this tributary drains a major watershed area. Future development will require the control of accelerated storm water runoff to conform to City specifications using storm sewers and detention.

5. RIGHT OF WAY

At present, no public roadways exist on the land parcel. The Concept Plan already prepared would extend Grand Circuit Boulevard on south to connect to Route 36. This road extension and any other streets being built as part of the development which are to be dedicated to the City must be constructed to City specifications.

6. CITY COMPREHENSIVE PLAN COMPLIANCE

The Comprehensive Master Plan adopted in 1964 projects residential uses for this area which is consistent with the proposed Concept Plan. Ohio State University concept planning maps also support residential uses. The 1964 Thoroughfare Plan proposes a West Side Drive with an alignment close to Grand Circuit Boulevard as it now exists and as it would be extended by this development.

7. IMPACT ON CITY SERVICES

In its review of the proposed annexation, the administrative staff found no substantial adverse impact on the City services as a result of this annexation. The City Police currently patrol the general area of this annexation. While the proposed annexation will increase the jurisdictional area of the City Police Department, no adverse impacts are contemplated by this annexation. The City Fire Department will have to increase its response area because of this proposed annexation; however, no adverse impacts are expected here. It should be noted that fire flows need to be checked prior to development plan approvals (see Water Supply section of this report). The City Refuse Collection Service will be expanded to serve this particular area. While, overall, no adverse impact is expected in this service, when the City looks at the combination of the three annexations currently in process, some consideration must be given to the fact that an additional trash collection route will need to be addressed in the very near future pending the development of these parcels of annexed property. Overall, the impact on City services from the proposed annexation of the Troy Farms annexation does not pose substantial adverse impact on the City.

8. RECREATION FACILITIES

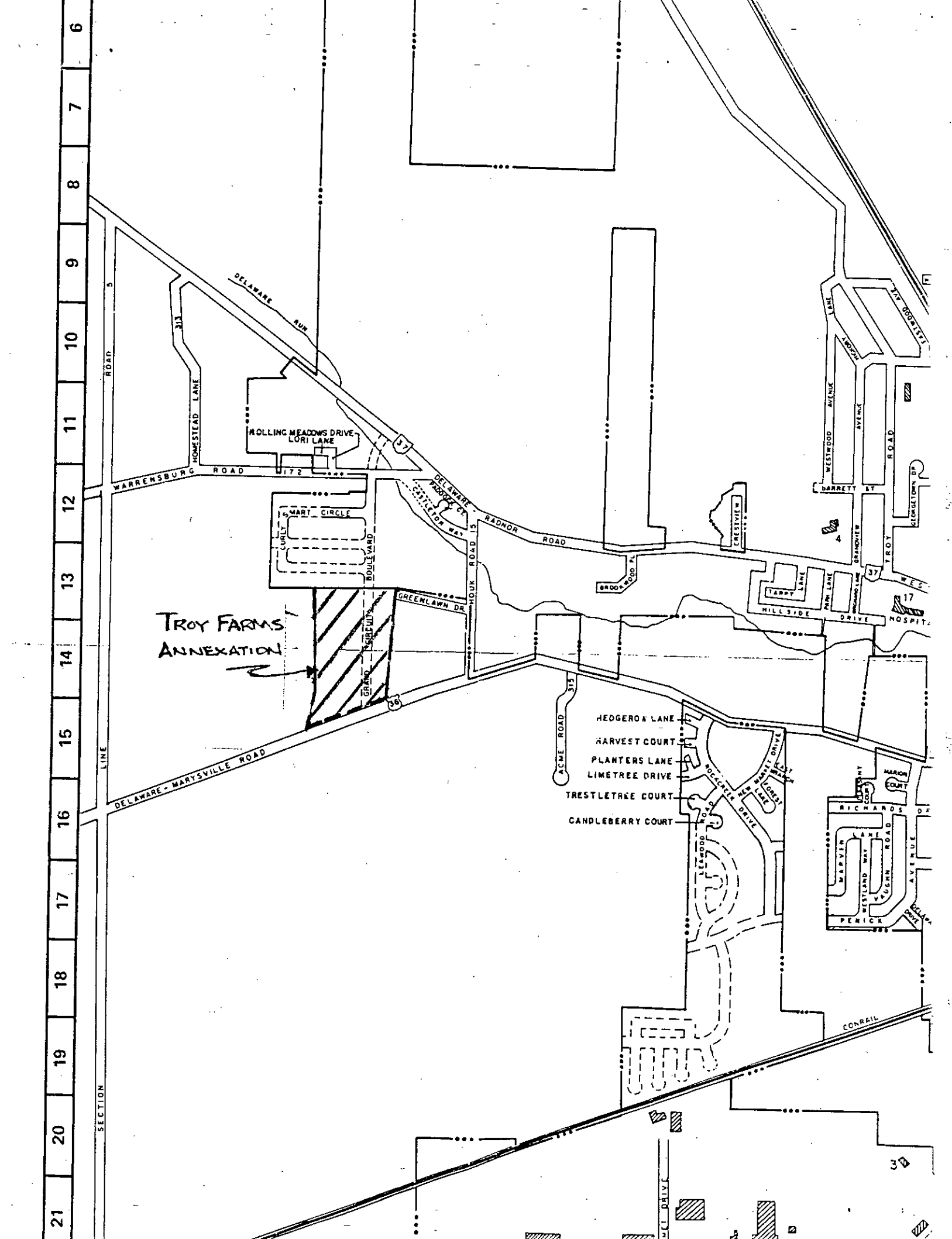
This area is in need of a neighborhood park. The Curly Smart Circle is without a park within a close proximity (1/4 to 3/8 mile radius). The problem will be compounded with the additional development. The staff suggests that acquisition of land through the park exaction policy and purchase, be considered by the City to serve this general area. The minimum land needed for this area is projected to be five acres. It should also be noted that the Troy Farms Partnership is proposing to comply with City Recreation commitments with a large site for recreation and therefore this development is requesting a deferral of recreation commitment until the Troy Farms agreement is reached.

9. CONFORMANCE WITH CURRENT CITY ORDINANCES

Since this tract is presently vacant land, no uses now exist which need to meet current City ordinances.

10. ESTABLISHMENT OF ZONING DISTRICTS

The Concept Plan prepared by the prospective developer of this tract shows some 75 single family lots and 15 two family lots. They are part of a larger development plan which includes parcels already within the corporation limits. Since the developer is familiar with present City zoning code requirements concerning lot size, setbacks, etc., zoning classifications of R-1 single family and R-2 two family would be appropriate for present Code requirements. Since the proposed development will likely utilize a P.U.D. approach, no major zoning problems are anticipated. However, it should be noted that the proposed development will be subject to all City standards and review requirements.


TROY FARMS ANNEXATION
DELAWARE RUN
ROLLING MEADOWS DRIVE
LORI LANE
HOMESTEAD LANE
WARRENSBURG ROAD
DELAWARE - RADNOR ROAD
CURLY MART CIRCLE
BOULEVARD
GREENLAWN DR
HOUK ROAD
GRAND TRUNK
DELAWARE - MARYSVILLE ROAD
ACME ROAD
HEDGEROW LANE
HARVEST COURT
PLANTERS LANE
LIMETREE DRIVE
TRESTLETREE COURT
CANDLEBERRY COURT
CONRAIL
HILLSIDE DRIVE
TARPT LANE
BARRETT ST
TROY ROAD
SECTION LINE ROAD
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ORDINANCE NO. 90- 75

AN ORDINANCE AMENDING SECTION 1131.02 (ZONING MAP) OF THE CODIFIED ORDINANCES OF THE CITY OF DELAWARE, OHIO, BY REZONING 31.744 ACRES LOCATED ON U.S. RT 36 WEST FROM A-1, AGRICULTURAL TO R-1,SINGLE FAMILY RESIDENCE PLANNED UNIT DEVELOPMENT AND R-2, TWO FAMILY RESIDENCE PLANNED UNIT DEVELOPMENT AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Delaware, Ohio, at its June 27, 1990, meeting, approved the rezoning of 31.744 acres owned by Troy Farms, Inc., from A-1, Agricultural to R-1, Single Family Residence Planned Unit Development and R-2, Two Family Residence Planned Unit Development, NOW THEREFORE:

BE IT ORDAINED by the Council of The City of Delaware, State of Ohio:

SECTION 1. That the zoning classification of 31.744 acres of land described and delineated upon the attached plat, be and the same is hereby changed from A-1 Agricultural to R-1, Single Family Residence Planned Unit Development and R-2, Two Family Residence Planned Unit Development.

SECTION 2. That the City Clerk be and is hereby authorized and directed to enter the appropriate changes on the zoning map as authorized by Section 1131.02 of the Codified Ordinances of the City of Delaware, Ohio.

SECTION 3. EMERGENCY CLAUSE. That in order to provide for the public peace, safety, health and welfare of the City, this ordinance is hereby declared to be an emergency measure, and as such, will be in full force and effect from and after its passage.

VOTE ON RULE SUSPENSION: Yeas 6 Nays 0

VOTE ON EMERGENCY CLAUSE: Yeas 6 Nays 0

PASSED: September 24, 1990 Yeas 6 Nays 0

ATTEST: s/Elizabeth F. Speese
Clerk

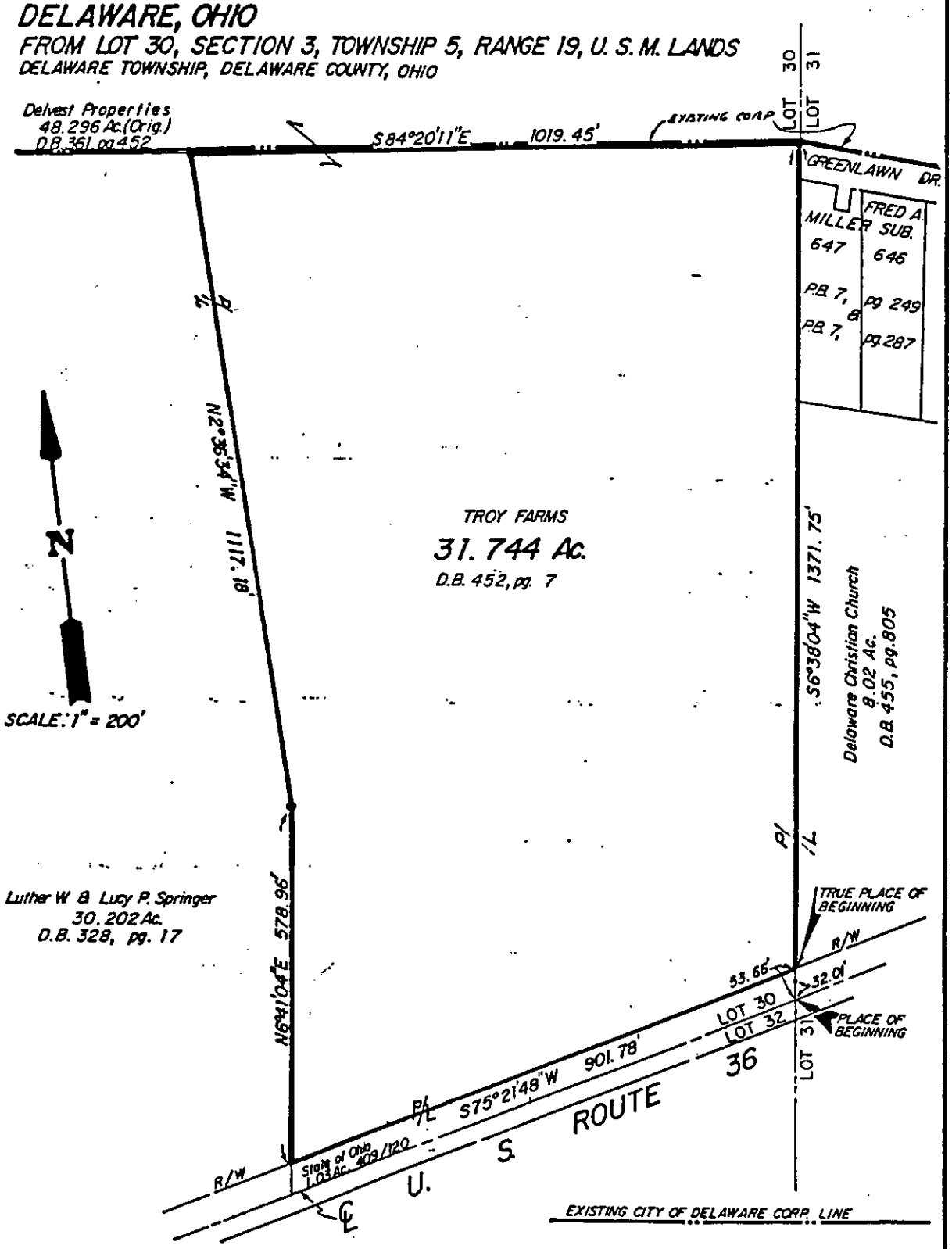
s/Melva Hunter
Vice Mayor

STULTS & ASSOCIATES, INC.
CONSULTING ENGINEERING – SURVEYING
67 N. SANDUSKY STREET, DELAWARE, OHIO 43015
DELAWARE PHONE: 363-6792 COLUMBUS PHONE: 436-5238

PROPOSED ANNEXATION OF 31.744 ACRES TO THE CITY OF DELAWARE, OHIO

FROM LOT 30, SECTION 3, TOWNSHIP 5, RANGE 19, U. S. M. LANDS

DELAWARE TOWNSHIP, DELAWARE COUNTY, OHIO



EXISTING CITY OF DELAWARE CORP. LINE

PROPOSED CITY OF DELAWARE CORP. LINE

BEARING SYSTEM BASED ON THE ℄ OF U.S. ROUTE 36 (S.75° 21' 48" W.)- PER PLAT BY STULTS & ASSOC. FOR THE RUTH G. HULTS ESTATE, DATED: 4-19-74.

LEGEND
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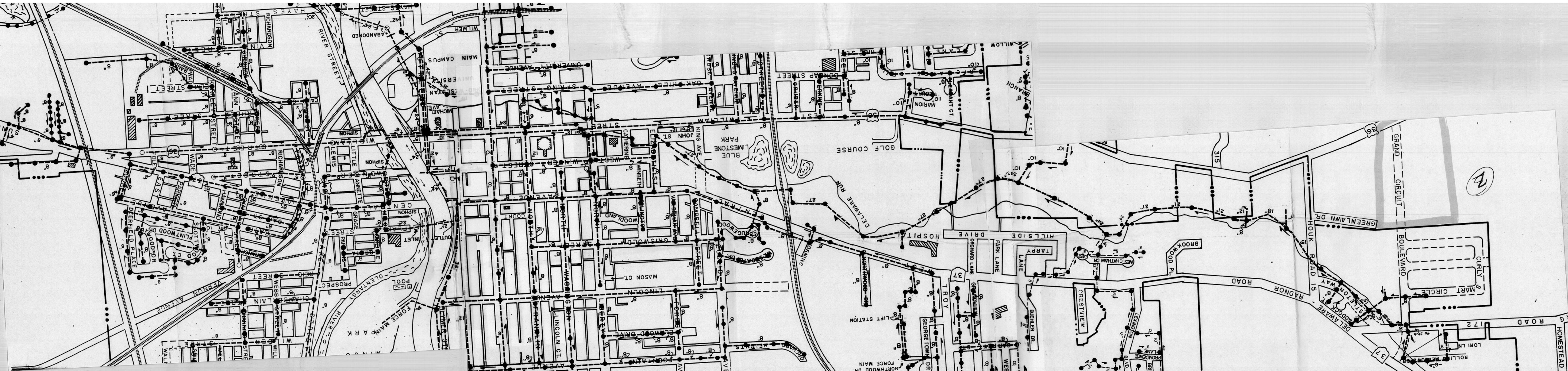
We hereby certify that the above plat was prepared from an actual survey and to the best of our knowledge is correct.

Registered Surveyor No. 5555

Date 10/13/1989

REVISED: OCT. 20, 1989

File No. 89-56


RICHARDSON
RIVER STREET
ABANDONED
MAIN CAMPUS
WADE
LEWIS
LITTLE
SIPHON
ANNETTE
GRACE
HOLLY
DEERFIELD PLACE
WOODBRIDGE
PROSPECT
POOL
FORGE MANOR PARK
MASON CT
LINCOLN
GRISWOLD
WOOD LAND
BLUE LIMESTONE PARK
GOLF COURSE
DELAWARE RUN
HOSPITAL DRIVE
HILLSIDE
ORCHARD LANE
PARK LANE
LARRY
NORTHWOOD DR
LIFT STATION
GEORGE TOWN
BEHLER DR
FRESTVIEW
BROOKWOOD PL
RADNOR ROAD
HOUK ROAD
GREENLAWN DR
GRAND CIRCUIT
BOULEVARD
CURLY
SMART CIRCLE
DELAWARE
LORI LN
HOMESTEAD
ROAD
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36