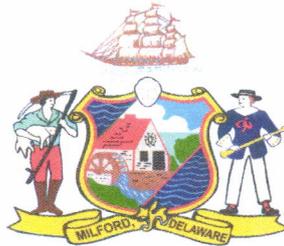


City of Milford



Agenda *City Council Committee Meeting*

Joseph Ronnie Rogers Council Chambers-Milford City Hall
201 South Walnut Street, Milford, Delaware

ANNEXATION COMMITTEE

February 6, 2014

8:00 a.m.

Call to Order - Chairperson Katrina Wilson

Annexation/Lands belonging to Anna M. Legates & JoAnn L. Currey

Tax Parcel No. MD-00-174.00-02-27.00-00001

6.481 +/- Acres

Current Zone AR-1/Proposed Zone C-3

Advantages and Disadvantages

Recommendation

Adjourn

**SUPPORTING DOCUMENTS MUST BE SUBMITTED TO THE CITY CLERK IN ELECTRONIC FORMAT
NO LATER THAN ONE WEEK PRIOR TO MEETING; NO PAPER DOCUMENTS WILL BE
ACCEPTED OR DISTRIBUTED AFTER PACKET HAS BEEN POSTED ON THE CITY OF MILFORD WEBSITE.**

November 26, 2013

CITY OF MILFORD
201 S. Walnut Street
Milford, Delaware 19963

Attn: Gary Norris, AICP

RE: Request - Petition for Annexation of Property
Tax Map No. MD-00-174.00-02-27.00
Site Address: Carpenter Pitt Road and State Hwy 408A

Ladies and Gentlemen:

We are requesting the above-referenced tax parcel be annexed into the City of Milford from Kent County, 6.481 +/- Acres, currently zoned AR.

General Location Description: The property is located east of DE Route One, situated between State Hwy 408-A (east) and Carpenter Pitt Road (north). The parcel is contiguous to lands within the City of Milford (north).

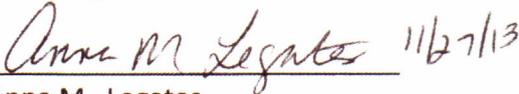
The reason for our request is to bring the property into compliance with the City of Milford's Comprehensive Plan. We are applying for C-3 Zoning, Highway Commercial, which is consistent with Milford's Plan.

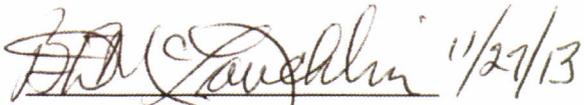
An enclosure titled "Reasons to Annex - Supplementary" provides additional rationale. We believe there are many potential benefits to the City of Milford represented by this application.

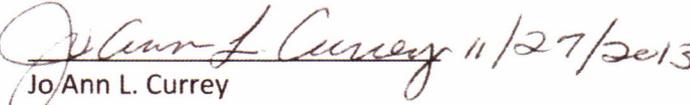
Also enclosed are the Annexation Application, Land Use Application Cover Sheet, sealed survey, deed, legal description, two aerial maps indicating the features of our unimproved land with abutting properties and roadways, and a map from the Comprehensive Plan. A check for the required fees is attached.

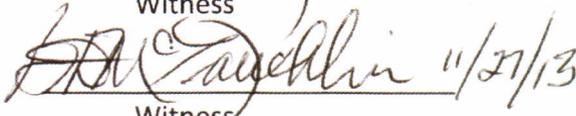
We extend a special thank you to City employees who assisted us, in person or by telephone, as we assembled the required documents. Your knowledge, guidance, and patience are appreciated.

Sincerely,


Anna M. Legates


Witness


Jo Ann L. Currey


Witness

Phone: 410-251-2672 cell
AnnaLegates@gmail.com

Enclosures

REASONS TO ANNEX - Supplementary

Tax Parcel #MD-00-174.00-02-27.00

Annexation: Legates – Currey

COMPREHENSIVE DEVELOPMENT PLAN:

- The annexation complies with Milford’s Future Land Use Map, designated as Highway Commercial - part of the urban growth area.
- Milford is a viable growing community. This annexation will provide a site for good jobs. The area is prime for responsible growth indicated in the Plan. It supports the City’s goals for economic development and jobs.

ADDITIONAL SUPPORT FOR ANNEXATION:

- **Proximity to Water System/Wastewater Collection**
This property is near Milford’s water system and the County’s wastewater collection system which currently serves a number of developed properties in this area north of DE Route 1 and the US Route 113 split. Control of this area will permit the City to implement additional water main looping and transportation improvements as described in the City’s infrastructure plan.
- **Strategic Goals**
This annexation is consistent with Milford’s goal for diverse and vibrant businesses. Milfordians are active and healthy and desire activities and facilities that will provide a variety of opportunities. This was acknowledged by the University of Delaware’s Institute of Public Administration when Milford was recently selected as a “Complete Community” program.
- **Multi-faceted Uses**
If annexed, this property can fulfill a variety of needs: dining, retail, entertainment, and small to large corporate functions.
- **Uniquely Situated**
The land is uniquely situated for commercial activity to attract both residents and visitors. Milford was described by State planning and transportation agencies as a “jurisdiction with room to grow.” This land provides ample space for smart growth.
- **Adjacent to Municipal Lands**
This parcel borders City of Milford mixed-use properties: commercial, residential and proposed institutional; large tracts of land to the north are in the City of Milford.
- **Complete Community Options**
This area conforms with the mixed use component of a “complete community” whereby the land can be developed for the most intense purposes to coincide with neighboring land uses of various types and levels of density.
- **Economic Development -- Employment Opportunities -- Revenue**
 - The City has an active advisory group, focused on economic development. The creation of jobs for pre and post-development projects is a major boost to the local economy with long-term benefits to residents and visitors. Fees, permits, taxes, and other potential revenues will positively affect the city’s finances, providing a positive impact in perpetuity.
 - Transfer taxes and miscellaneous fees will help offset infrastructure improvements that may require county and state participation.

NEIGHBORING LANDS:

Adjacent to municipal lands: Hampton Inn, Lighthouse Estates, lands of a future church, proposed day care or school – recreational facility etc



Land Use Application Cover Sheet

File Name: Legates Annexation
 File Number: 13-203

CITY OF MILFORD
 Date Stamp
DEC 16 2013

RECEIVED

Instructions for Applicants:

Please read and follow all instructions on your application carefully. If you have any questions about the process or your project, it is strongly recommended that you speak with staff prior to submitting your application to help ensure that processing can advance in a timely manner. Every application must include this cover sheet, the application/checklist and all required items. No applications will be accepted if violations exist or if any fees owed the City are delinquent.

Specify Type of Land Use Application to be submitted (check all that apply):

- Preliminary Site Plan
- Preliminary Major Subdivision
- Final Minor Subdivision
- Final Site Plan
- Final Major Subdivision
- Variance/Appeal
- Change of Zone
- Conditional Use
- Annexation

Please Type or Print Legibly

Property Owner: Anna M. Legates + JoAnn L. Currey			Phone: 410-251-2672
Address: 12 West Street			Cell: same "
City: Dewey Beach	State: DE	Zip: 19971	Fax: 302-227-7479
E-Mail: AnnaLegates@GMAIL.COM			
Contact Person For This Application: Anna M. Legates			Phone: 410-251-2672
Address: 12 West Street			Cell: same "
City: Dewey Beach	State: DE	Zip: 19971	Fax: 302-227-7479
E-Mail: Anna Legates @GMAIL.com			
Applicant Name and/or Company: Anna M. Legates + JoAnn L. Currey			Phone:
Address: same as above			Cell:
City:	State:	Zip:	Fax:
E-Mail:			
Site Address: Carpenter Pitt Road + State Hwy 408A			Zoning: AR
Tax Map & Parcel Number (s): MD-00-174.00-02-27.00-			Acreage: 6.481 +/-
Description of Proposal: Owners request the above tax map parcel to <u>LOO0</u> be annexed into the City of Milford, and zoned C-3, Highway Commercial in compliance with the latest approved Comprehensive Plan.			
I/We certify that the information provided in this application, including all submittals and attachments, is true and correct to the best of my/our knowledge.			
Signature of Applicant:		Date: 11/27/13	
Signature of Property Owner:		Date: 11/27/13	

REVISED: 11.15.11



Annexation Application

CITY OF MILFORD

File Name: Legates Annexation
 File Number: 13-203

DEC 16 2013

RECEIVED

A Land Use Application for Annexation is deemed complete when it is accompanied by the required items identified below. Please be advised that additional information may be required during the review process in order to respond to or resolve particular issues. No application shall be considered complete if any of the required information is missing.

Current County Zoning: AR Requested Zoning: C-3 Comprehensive Plan Designation: C-3

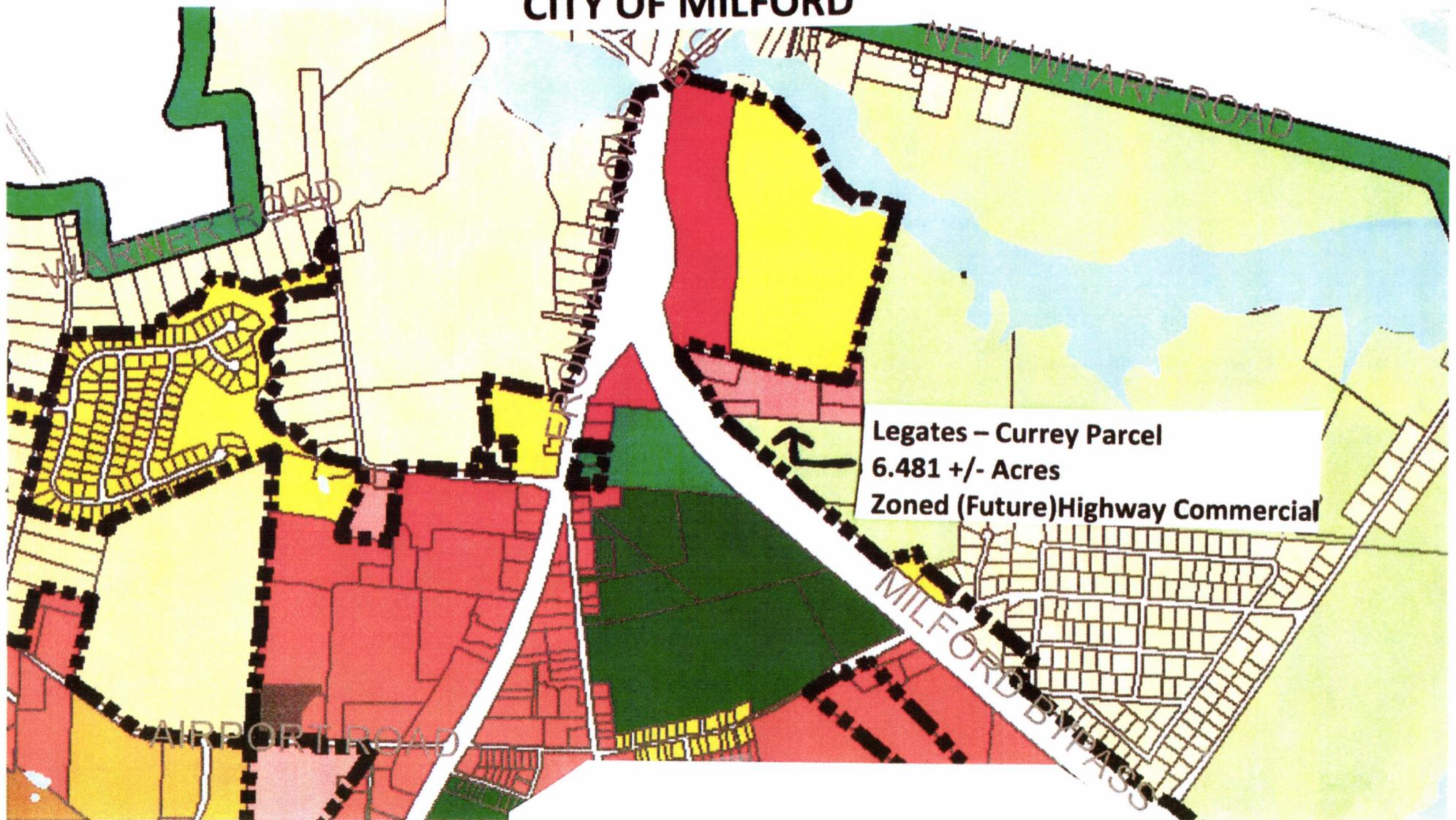
REQUIRED ITEMS		For Staff Use ONLY	
		Verified	Waived
<input checked="" type="checkbox"/>	1. Land Use Application Cover Sheet.	cc	
<input checked="" type="checkbox"/>	2. Petition for annexation, signed by ALL property owners with signature of each petitioner duly witnessed; petition must contain:	cc	
	A. Site address;		
	B. Tax map number (s);		
	C. Size of property in acres;		
	D. Reasons for request;		
	E. General location description (proximity to closest roadways, streets and intersections).		
<input checked="" type="checkbox"/>	3. A full legal description of the property in Word format.	cc	
<input checked="" type="checkbox"/>	4. Current recorded deed showing legal description and ownership.	cc	
<input checked="" type="checkbox"/>	5. Current sealed survey (no larger than 11" x 17"), drawn to scale, showing: <u>plus 2 aerial maps</u>		
	A. Property identified for annexation indicating existing location of City limits;		
	B. Date, scale and north arrow;		
	C. Existing right-of-ways and improvements;		
	D. Existing utilities; <u>Unimproved Lot - no utilities</u>		
	E. Existing natural features;		
	F. Existing structures and other improvements;		
	G. All structures, natural features and other improvements on abutting property.		
<input checked="" type="checkbox"/>	6. Application fee (see page 2). <u>5,740.50</u>	cc	

I/We certify that the information provided in this application, including all submittals are attachments, is true and correct to the best of my/our knowledge.

Signature of Applicant: Anne M. Legates Date: 11/27/13
 Signature of Property Owner: Anne M. Legates Date: 11/27/13

FOR STAFF USE ONLY			
DAC	Planning Commission	City Council	BOA
			n/a
Applicant			
Owner			

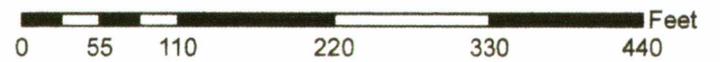
COMPREHENSIVE PLAN CITY OF MILFORD



Supplement to Annexation Request - November 2013

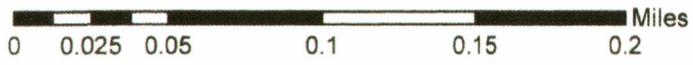


Legates – Currey Annexation





Legates – Currey Annexation



City of Milford
RESOLUTION 2014-01

Annexation/Lands belonging to Anna M. Legates & JoAnn L. Currey
Tax Parcel No. MD-174.00-02-27.00-00001
6.481 +/- Acres
Current Zone AR-1/Proposed Zone C-3

COMMITTEE DIRECTED TO INVESTIGATE ANNEXATION

Whereas, a Petition, signed by the legal property owner and duly witnessed, requesting annexation into the City of Milford, situated east of Delaware Route 1, between County Road 408A (east) and Carpenter Pit Road (north), legally described as follows:

Reference: Tax Map MD-00-174.00-02-27.00-00001

All that certain tract, piece and parcel of land, lying and being situate in Milford Hundred, Kent County, and the State of Delaware, as depicted on a survey prepared by Bob Nash Associates, Inc., dated 30 July 2013, fronting on the northeasterly right-of-way line of State Highway Route 408A, at sixty (60) feet wide, and a twelve (12) foot wide access, adjoining lands now or formerly of David A. & Jean W. Morgan, lands now or formerly of Carl J. & Cindy L. Popelas, lands now or formerly of Robert E. & Edgar W. Cannon, and lands now or formerly of J. & R. Scarborough, Inc., being more particularly described as follows, to wit:

Beginning at a found iron pipe at a corner for lands now or formerly of David A. & Jean W. Morgan, and at a point on the northeasterly right-of-way line of State Highway Route 408A, at sixty (60) feet wide, said point being distant 2,600 feet, more or less, from the right-of-way intersection of N.E. Tenth Street; thence running with said right-of-way line of 408A and deflecting right along a 2,173.85 foot radius curve, the chord of which bears North 31 degrees 55 minutes 29 seconds West 230.82 feet, an arc distance of 230.93 feet to a found concrete monument at a corner for lands now or formerly of Carl J. & Cindy L. Popelas; thence proceeding with said Popelas lands the following two (2) courses and distances:

- 1) South 76 degrees 35 minutes 48 seconds East 340.28 feet to a set capped rebar, and
- 2) North 13 degrees 21 minutes 42 seconds East 208.72 feet to a set capped rebar on line of a twelve (12) foot wide access,

thence running with said access road South 76 degrees 39 minutes 47 seconds East 600.00 feet to a set capped rebar on line of lands now or formerly of Robert E. & Edgar W. Cannon; thence proceeding with said Cannon lands South 03 degrees 41 minutes 11 seconds West 337.35 feet to a found iron pipe on line of lands now or formerly of J. & R. Scarborough, Inc.; thence continuing with said Scarborough lands North 86 degrees 05 minutes 27 seconds West 487.62 feet to a found iron pipe at a corner for aforementioned Morgan lands, thence running with said Morgan lands, the following two (2) courses and distances:

- 1) North 02 degrees 23 minutes 45 seconds East 130.08 feet, and finally,

2) North 89 degrees 11 minutes 34 seconds West 396.68 feet to the place of beginning, CONTAINING 6.481 acres of land, more or less.

has been submitted to the City Council of the City of Milford.

Now, Therefore, a Committee, composed of three (3) elected members of City Council and one (1) member of the Planning Commission has been appointed by the Mayor to investigate the possibility of annexing said property, said Committee to be comprised of Chair Katrina Wilson, Douglas Morrow, S. Allen Pikus and Planning Commission Chairman James Burk.

Be It Further Resolved, that said Committee shall submit a written report containing its findings and conclusions, including the advantages and disadvantages of the proposed annexation both to the City and to the property proposed to be annexed and said report shall further contain the committees' recommendations whether or not to proceed with the proposed annexation and the reasons therefor.

NOW, THEREFORE, I, Teresa K. Hudson, City Clerk of the City of Milford, do hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Milford at a Council Meeting held the 13th day of January 2014 by a majority vote.



City Clerk

