

**CITY OF GROVE CITY, OHIO
PLANNING COMMISSION MINUTES**

REGULAR MEETING

March 23, 2010

The meeting was called to order at 1:30 p.m.

Chair Holt began the Meeting with a moment of silence and the Pledge of Allegiance. Roll was taken with the following members present: Mr. Phil Honsey; Mr. Gary Leasure; Mr. Marv Holt; Mr. Mike Linder, and Mr. Dan Havener. Others present: Kyle Rauch, Development and Planning Officer; Kim Dooley, Development Intern; Mitch Banchevsky, SZD; Ryan Andrews, EMH&T; Lt. Bill Dolby, Jackson Township Fire; Tami Kelly, Clerk of Council; Chuck Boso, Development Director; Jodee Lowe, Urban Forester; and Jennifer Uhrin, Secretary.

Chair Holt noted that a quorum was present. Chair Holt then noted there were no changes to the minutes for the March 9, 2010 regular meeting. The minutes were approved by unanimous consent.

Chair Holt asked for a motion to amend today's agenda to reflect the addition of *Item #3 Wet Bar – Special Use Permit (Outdoor Seating)*. Mr. Leasure made the motion to add the requested item; seconded by Mr. Honsey. The motion unanimously passed.

**ITEM #1 The Mews at Pinnacle Club – Development Plan
4714 Buckeye Parkway**

(Project ID# 200910090051)

Applicant: Terry Andrews, The Stonehenge Company, 147 N. High St., Gahanna OH 43230

The applicant is proposing to revise the development plan for The Mews at Pinnacle Club ("Subarea I"). This item was previously discussed and postponed from the February 23, 2010 regular Planning Commission meeting. Outstanding issues include, pavement width, pond ownership, landscaping, additional parking, additional mailbox location and changes to the north and south entrances.

Mr. Terry Andrews, as well as Mews' residents, Mark and Patty Schweikert, Cheri Werner and Mike Lombardo were present and spoke to this item.

Mr. Rauch indicated that numerous discussions have taken place since the last Planning Commission meeting with Terry Andrews, Stonehenge and Joe Ciminello and that most of the issues should be resolved at this point. Mr. Rauch has also had conversations with the Post Office.

Chair Holt stated that as everyone was aware of the issues and requested that Mr. Rauch review his recommendations, if there were no objections. No objections were made.

Mr. Rauch indicated the most outstanding issue concerned the pond. The City does not have any authority to force two private parties to enter into a contract. Mr. Rauch indicated that Mr. Ciminello's reluctance to sign the pond agreement contract stemmed from the landscaping issue within the contract, that portion has since been removed and the amended contract has been sent for Mr. Ciminello's review. Mr. Terry Andrews confirmed that an amended contract without the landscaping portion was sent to Mr. Ciminello. However a further change requested by Mr. Ciminello and his attorney is that of removing Stonehenge as the other party, they want the contract to be between them and the Homeowner's Association, but until the property is 75% built, the HOA is managed by Stonehenge. Mr. Boso stated that the current situation shows two property owners for the pond, but the issue is between the two property owners and not the City. Mr. Linder read from an e-mail sent by Mr. Ciminello indicating that he would sign an agreement with the Homeowner's Association. Mr. Terry Andrews did not feel that would be a good means to the end for the Homeowner's Association and he would have further conversations with Mr. Ciminello to resolve this issue. Mr. Banchevsky further stated that Planning Commission could strongly suggest that the agreement be put in place for Council to see, but neither would have the authority to enforce an agreement between two private entities.

Mr. Rauch continued that he received correspondence from Mr. Joe Ciminello and he has agreed to install the landscaping and street trees along Buckeye Parkway by June 15, 2010.

Mr. Mark Schweikert wished to thank the Commission for their patience and support on this ongoing issue, he specifically wished to mention Mike Boso and Jodee Lowe for their assistance. Mr. Schweikert understands that the pond is a liability for the Homeowner's Association that the Developer took on for them and it would be best to have one person responsible, however he understands that they have to live with that. It appears to him that most of the items have been resolved and they are much better off than they were there. He however would like specific dates as to the completion of the other items. Also, he had hoped for a stronger discussion between the City and the post office in relation to the addition of a mailbox location. Mr. Schweikert questioned the resolution of the pavement width. In his opinion, they had agreed to additional parking spaces, but it now appears that the 24 ft wide streets would cause the additional parking to go away.

Discussion held regarding the possibility of additional parking spaces, the number of additional parking spaces and whether the existing pavement would be increased to 24 ft in width or if only the new pavement would be required to be 24 ft in width. Mrs. Schweikert expressed her concerns regarding the need for additional parking because there is no parking on the street. Lt. Dolby stated that the Fire Department would object to on-street parking, but was agreeable to either 22 or 24 foot wide streets, with additional parking spaces disbursed throughout the site. Regardless of the street width being 22 or 24 foot wide, they cannot set up their equipment with any vehicle parked on the street.

Ms. Cheri Werner requested that they need assurances going forward that the roads be 24 ft wide as well as specific dates to accomplish the other items. Mr. Mike Lombardo agreed and commented that during the snow storm, the north entrance was blocked with snow and that had anything happened, the Fire Department would not have been able to get to them through the south entrance. He wants a specific date for the corrections to be made to the south entrance to ensure adequate space for Fire and Rescue equipment.

Mr. Linder strongly suggested that the additional parking spaces should be installed and Chair Holt stated he preferred the 24 foot wide streets.

Chair Holt suggested that the residents take a few moments to meet and discuss their concerns amongst themselves and come back in when ready.

At this point, the residents stepped out of Council Chambers into the Council Caucus room for discussion. Upon returning, Mrs. Schweikert expressed the concerns of the group and requested specific completion dates for each of the concerns.

Chair Holt incorporated those concerns along with the following stipulations:

1. The building setback line behind building 10 shall be reduced from ten (10) feet to five (5) feet to permit all units in the building to have screened porches or three or four season rooms.
2. The tree planting typical on sheet L3.01 needs to read that "50% of the wire basket and burlap and all twine and trunk wrap shall be removed at the time of planting.
3. Applicant shall submit Site Improvement Plans for engineering review and approval prior to the issuance of any building permits.
4. South entrance island shall be removed and revisions shall be completed by June 15, 2010
5. Plans shall be revised to reflect 31 additional parking spaces and installation of those parking spaces near the mailbox location and existing residences shall be completed by June 15, 2010, the remaining parking spaces shall be installed at the same time as the street installation.
6. All future streets shall be 24 feet wide as built face to face.

7. No parking signs shall be installed by June 15, 2010.
8. Applicant shall comply with all provisions of the Development Agreement including an inspection of street improvements and underground utilities by the City's engineer.
9. Landscape corrections on existing buildings shall be completed by June 15, 2010
10. Applicant shall amend the condominium documents to reflect the setback adjustments by June 15, 2010.

Mr. Terry Andrews agreed to comply with all of the stipulations. Additionally, Mr. Andrews agreed to provide a current set of plans to the Development Department for review prior to being submitted to Council.

Mr. Leasure made a motion that The Mews Pinnacle Club – Development Plan be recommended for approval to City Council with the stipulations as noted by the Chair; seconded by Mr. Honsey. The motion was unanimously passed.

Chair Holt expressed his appreciation to the residents, Development Department; Developer and the Planning Commission for the long tenure in getting this resolved and hopes that it meets with everyone's satisfaction.

ITEM #2 Proposed Amendments to the Grove City Codified Ordinances – Sections 1101.07; 1103.06 & 1135.14

Applicant: Development Department, City of Grove City, 4035 Broadway, Grove City, OH 43123

The Development Department is proposing amendments to portions of the Planning and Zoning Code related to fee collection for development projects. The proposed amendment includes a "Fee Recovery Policy" for Consulting Architects and Engineers. The Policy will create a mechanism which will allow staff to collect fees from applicants prior to providing plan review and/or inspection services. This Policy will also enable the City to better monitor costs incurred as a project progresses through the development process.

Planning Commission was in agreement with the proposed changes.

Mr. Leasure made a motion that the Proposed Amendments to the Grove City Codified Ordinances – Sections 1101.07; 1103.06 and 1135.14 be recommended for approval to Council as submitted; seconded by Mr. Linder. The motion was unanimously passed.

**ITEM #3 Wet Bar - Special Use Permit (Outdoor Seating) (Project ID# 201003160014)
1849 Stringtown Road**

Applicant: Charles Montgomery, 1849 Stringtown Road, Grove City, OH 43123

The applicant is proposing to install an outdoor seating area off the northwest corner of the building that will be approximately 1400 square feet and enclosed by a 42" high fence. The applicant is proposing six tables with umbrellas and chairs for the outdoor seating. The area will be lit by existing exterior building lighting, with no additional exterior lighting proposed. Speakers will be located on the patio, and the facility will operate seven days a week from 2:30pm to 2:30am. However, Mr. Rauch indicated that Staff is requesting that the speakers not be used after 10 pm.

Mr. Charles Montgomery was present and spoke to this item. Chair Holt reviewed the stipulations regarding signage on umbrellas, black metal fence, black outdoor furniture, and exterior speakers.

Mr. Montgomery requested the black metal fence stipulation be changed to allow for the decorative white vinyl fence he has already installed. He felt the black metal fence looked too much like a cage and the white vinyl fence matched the fence on Stringtown Road. Planning Commission and Staff were agreeable to this request. Mr. Linder questioned which way the gate would swing. Lt. Dolby did not feel this would be an issue and since the fence is only 42" high, people could basically step over the fence itself. Mr. Linder expressed concern about the speaker volume. Mr. Rauch indicated that he has spoken with Lt. Pearson of the Police Division and our current code addresses noise limits should a problem arise.

Chair Holt then indicated the following stipulations:

1. No signage shall be placed on umbrellas.
2. Outdoor tables, chairs, and umbrellas shall have a black finish.
3. Applicant shall provide a photograph of the fence prior to the Council meeting.
4. Exterior speakers shall be located and operated in a manner to minimize noise impacts on nearby uses.
5. Exterior speakers shall not operate after 10pm

Mr. Montgomery agreed to comply with the stipulations.

Mr. Leasure made a motion that the Wet Bar – Special Use Permit (Outdoor Seating) be recommended for approval to City Council with the stipulations as noted by the Chair; seconded by Mr. Honsey. The motion was unanimously passed.

Having no further business, Chair Holt adjourned the meeting at 2:57 p.m.

Jennifer Uhrin, Secretary

Marv Holt, Chair