

**GROVE CITY, OHIO COUNCIL  
LEGISLATIVE AGENDA**

*February 17, 2015*

*6:30 Caucus*

*7:00 – Reg. Meet.*

**FINANCE: Mr. Bennett**

Ordinance C-10-15 Appropriate \$36,900.00 from the General Fund for the Current Expense of purchasing Video Equipment and Professional Services for Public Meetings. First reading.

Resolution CR-04-15 Authorize the City Administrator to Apply for and Accept Assistance from the Clean Ohio Conservation Program Fund administered through Ohio Public Works Comm.

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**SAFETY: Mr. Davis**

Resolution CR-05-15 Waive the provisions of Section 529.07(b)(3) of the Codified Ordinance for the Wine & Arts Festival on June 20, 2015 in the Town Center.

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**SERVICE: Ms. Lanese**

Ordinance C-08-15 Vacate a Portion of First Street between Columbus Street and Cleveland Ave. Second reading and public hearing.

Resolution CR-03-15 Promoting Transparency in Government by Requiring that the Audio Recordings for all regular Council Meetings be made available to the public on the City's Website.

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**LANDS: Ms. Klemack-McGraw**

Ordinance C-09-15 Amend Section 1135.12(a) of the Codified Ordinances titled Nonresidential District Requirements to Expand the Central Business District. 2nd reading & public hearing

Ordinance C-11-15 Accept the Annexation of 5.923 acres located West of Elm Street and at Midland Street to the City of Grove City. First reading.

Ordinance C-12-15 Authorize the City Administrator to enter into an Agreement with Hoover Park Homeowners Association Inc. for the Extension and Maintenance of a Bike Path. First reading.

Ordinance C-13-15 Amend Section 1138.05(B) & (C) of the Codified Ordinances titled Procedures for Architectural Review and Approval; Certificate of Appropriateness Required. First reading.

Ordinance C-14-15 Amend Ord. C-92-07, approving a Special Use Permit for a U-Haul Truck Rental Service for Grove City Marathon located at 4441 Broadway. First reading.

Ordinance C-15-15 Approve the Rezoning of 3542 Grant Ave. from R-1 to D-1. First reading.

Resolution CR-06-15 Approve a Certificate of Appropriateness for Exterior Building Modifications to 3800 Broadway in the Historical Preservation Area.

Resolution CR-07-15 Approve the Sign Request for Sanderson Automotive Services located at 3586 Broadway in the Historical Preservation Area.

Resolution CR-08-15 Approve the Development Plan for Aladdin Shrine Center located at 1801 Gateway

Resolution CR-09-15 Approve the Dev. Plan for The Courtyards on Hoover located at 3883 - 4895 Hoover

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**\*\* FOLLOW-UP ON LIBRARY EXTERIOR DISCUSSION – Dan Meehan, HBM Architects  
ON FILE: Minutes of: Feb. 2 & 3 –Council Meeting ; Feb 3 – Plann. Comm.**

Date: 02/11/15  
Introduced By: Mr. Bennett  
Committee: Finance  
Originated By: Mr. Berry  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: XX

No. : C-10-15  
1st Reading: 2/17/15  
Public Notice: 2/19/15  
2nd Reading: 3/02/15  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE C-10-15

### AN ORDINANCE TO APPROPRIATE \$36,900.00 FROM THE GENERAL FUND FOR THE CURRENT EXPENSE OF PURCHASING OF VIDEO EQUIPMENT AND PROFESSIONAL SERVICES FOR PUBLIC MEETINGS

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WHEREAS, the Council encourages the involvement, participation, and input of the entire community of its proceedings; and

WHEREAS, due to the busy lives of our citizens it can be very difficult to attend Council meetings and special meetings of Council; and

WHEREAS, we are in a technological age that allows video to be made available to the citizens of its Council meetings and the issues before the City; and

WHEREAS, this Council values community input and participation; and

WHEREAS, it is this Councils continued goal to educate the public and ensure access to its Council Members; and

WHEREAS, this Council strives to make information easy and readily available to the public in a form that best conveys the public meetings.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. There is hereby appropriated \$7,900.00 & \$29,000.00 from the unappropriated monies of the General Fund to account #541000 and #57400 respectfully, for the Current Expense of purchasing video professional services and equipment & installation.

SECTION 2. This ordinance appropriates for current expenses and shall therefore go into immediate effect.

\_\_\_\_\_  
Ted A. Berry, President of Council

Passed:

\_\_\_\_\_  
Richard L. Stage, Mayor

Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

Date: 02/11/15  
Introduced By: Mr. Bennett  
Committee: Finance  
Originated By: Mr. Smith  
Approved: Mr. Boso  
Emergency: 30 Days  
Current Expense: \_\_\_\_\_

No.: CR-04-15  
1st Reading: 02/17/15  
Public Notice: 02/19/15  
2nd Reading: 0 / /15  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## RESOLUTION CR-04-15

A RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATIVE TO APPLY FOR  
AND ACCEPT ASSISTANCE FROM THE CLEAN OHIO CONSERVATION PROGRAM  
FUND ADMINISTERED THROUGH THE OHIO PUBLIC WORKS COMMISSION

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WHEREAS, the Ohio Public Works Commission has grants available from the Clean Ohio Conservation Program Funds; and

WHEREAS, it is in the best interest of the City of Grove City to take advantage of the opportunities provided by this program by applying for funding; and

WHEREAS, the City would like to utilize these funds to assist in re-locating the drainage/stream that runs through the Beulah Subdivision and Park property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby authorizes the City Administrator to submit applications and to enter into any agreements as may be necessary for obtaining this financial assistance from the Clean Ohio Conservation Program Fund.

SECTION 2. The resolution shall take effect at the earliest opportunity afforded by law.

\_\_\_\_\_  
Ted A. Berry, President of Council

Passed:

\_\_\_\_\_  
Richard L. Stage, Mayor

Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I certify that this  
resolution is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

Date: 02/11/15  
Introduced By: Mr. Davis  
Committee: Safety  
Originated By: Mr. Boso  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: CR-05-15  
1st Reading: 02/17/15  
Public Notice:  
2nd Reading:  
Passed: \_\_\_\_\_ Rejected:  
Codified: \_\_\_\_\_ Code No:  
Passage Publication:

## RESOLUTION NO. CR-05-15

### A RESOLUTION TO WAIVE THE PROVISIONS OF SECTION 529.07(b)3 OF THE CODIFIED ORDINANCES FOR THE WINE & ARTS FESTIVAL ON JUNE 20, 2015 IN THE TOWN CENTER

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WHEREAS, the 2015 Wine & Arts Festival will be held on the streets of Town Center on June 20, 2015; and

WHEREAS, Grove City Town Center, Inc. wish to have tastings and sell wine during this event; and

WHEREAS, Section 529.07(b)3 of the Codified Ordinances of the City states: No person shall have in his possession an open container of beer or intoxicating liquor in a public place.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The provisions of Section 529.07(b)3 of the Codified Ordinances that no person shall have in his possession an open container of beer or intoxicating liquor in a public place is hereby waived for this one occasion for the 2015 Wine & Arts Festival on the streets of Town Center on June 20, 2015.

SECTION 2. The provisions shall only be waived between the hours of 11:00 a.m. to 10:00 p.m. within the areas designated in Exhibit "A" attached hereto and made a part hereof. The pouring of wine shall be from 11:00 a.m. - 9:30 p.m.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

\_\_\_\_\_  
Ted A. Berry, President of Council

\_\_\_\_\_  
Richard L. Stage, Mayor

Passed:  
Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I Certify that this resolution is correct as to form

\_\_\_\_\_  
Stephen J. Smith, Director of Law



Date: 1/27/15  
Introduced By: Ms. Lanese  
Committee: Service  
Originated By: Mr. Smith  
Approved: Mr. Boso  
Emergency: 30 Days: X  
Current Expense: \_\_\_\_\_

No. : C-08-15  
1st Reading: 02/02/15  
Public Notice: 02/05/15  
2nd Reading: 02/17/15  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE C-08-15

### AN ORDINANCE TO VACATE A PORTION OF FIRST STREET BETWEEN COLUMBUS STREET AND CLEVELAND AVENUE

WHEREAS, on August 8, 2014 Council approved Resolution CR-42-14 which endorsed the realignment of Columbus Street and Mill Street; and

WHEREAS, the realignment of the Columbus Street and Mill Street intersection require the City to acquire public right-of-way; and

WHEREAS, in return for the vacation of this portion of First Street, a landowner has agree to donate the right-of-way necessary for the realignment of the Columbus Street and Mill Street on east side of Broadway; and

WHEREAS, when a road is vacated under Ohio law, the roadway is split and attaches to the adjoining properties and, in this case, all of the adjoining properties are owned and controlled by the landowner that is donating the right-of-way; and

WHEREAS, Council is satisfied that there is good cause for the vacation of said portion of First Street and that it will not be detrimental to the general interest of the public; and

WHEREAS, all land owners abutting the vacation of said portion of First Street have submitted written consent to this vacation, thus waiving the six week notification requirements.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The portion of First Street depicted in Exhibit "A" and as more fully described in Exhibit "B" is hereby vacated.

SECTION 2. All existing easements are hereby expressly reserved.

SECTION 3. This Ordinance shall take effect and be in force from and after the earliest date permitted by law.

\_\_\_\_\_  
Ted A. Berry, President of Council

Passed:

\_\_\_\_\_  
Richard L. Stage, Mayor

Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I certify that this ordinance is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

C-08-15  
Exhibit A



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

# SURVEY OF ACREAGE PARCEL

VIRGINIA MILITARY SURVEY NO. 1388

CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: November 10, 2014

Job No. 2014-1510

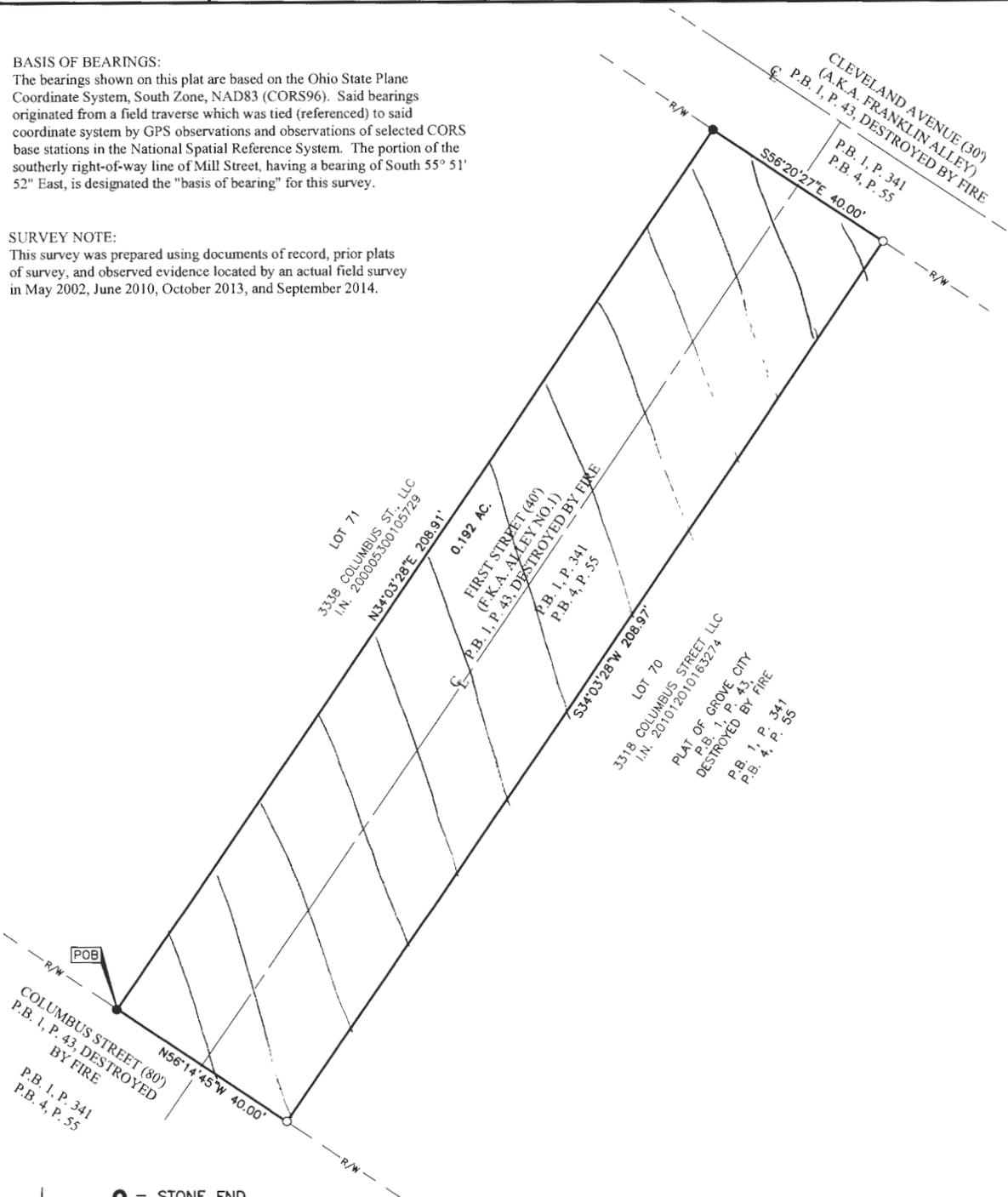
Scale: 1" = 20'

**BASIS OF BEARINGS:**

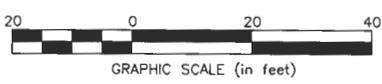
The bearings shown on this plat are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the southerly right-of-way line of Mill Street, having a bearing of South 55° 51' 52" East, is designated the "basis of bearing" for this survey.

**SURVEY NOTE:**

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey in May 2002, June 2010, October 2013, and September 2014.



- = STONE FND.
  - = MON. FND.
  - = 3/4" I.P. FND.
  - = I.P. SET
  - = MAG. NAIL FND.
  - = MAG. NAIL SET
  - ▲ = R.R. SPK. FND.
  - △ = R.R. SPK. SET
  - = P.K. NAIL FND.
- I.P. Set are 13/16" I.D. iron pipe with cap inscribed EMHT INC



By \_\_\_\_\_ Date \_\_\_\_\_  
Joshua M. Meyer  
Professional Surveyor No. 8485

J:\2014\1510\DWG\ASHEETS\BOUNDARY\20141510-05-BNDY-07.DWG, plotted by MFGSR, JOSH on 11/10/2014 8:55:53 AM last saved by JMEYER on 11/16/2014 8:55:36 AM

C-08-15  
Exhibit B  
0.192 ACRE

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military Survey No. 1388, being part of First Street (40 feet wide, formerly known as Alley No. 1) as shown on that subdivision entitled "Plat of Grove City", of record in Plat Book 1, Page 43, destroyed by fire, as demonstrated in Plat Book 1, Page 341 and Plat Book 4, Page 55 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at a 3/4" iron pin found at the southerly corner of Lot 71 of said "Plat of Grove City", being the intersection of the northwesterly right-of-way line of said First Street with the northeasterly right-of-way line of Columbus Street (80 feet wide) as shown on said "Plat of Grove City";

Thence North 34° 03' 28" East, with said northwesterly right-of-way line, the southeasterly line of said Lot 71, a distance of 208.91 feet to a 3/4" iron pin found at the easterly corner of said Lot 71, being the intersection of said northwesterly right-of-way line with the southwesterly right-of-way line of Cleveland Avenue (30 feet wide, also known as Franklin Alley), as shown on said "Plat of Grove City";

Thence South 56° 20' 27" East, with the northeasterly terminus of said First Street, a distance of 40.00 feet to an iron pin set at the northerly corner of Lot 70 of said "Plat of Grove City";

Thence South 34° 03' 28" West, with the southeasterly right-of-way line of said First Street, the northwesterly line of said Lot 70, a distance of 208.97 feet to an iron pin set at the westerly corner of said Lot 70, being in the northeasterly right-of-way line of Columbus Street;

Thence North 56° 14' 45" West, across said First Street, a distance of 40.00 feet to the POINT OF BEGINNING containing, 0.192 acre, more or less.

The bearings herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the southerly right-of-way line of Mill Street, having a bearing of South 55° 51' 52" East, is designated the "basis of bearing" for this survey.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

This description was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Joshua M. Meyer  
Professional Surveyor No. 8485

Date

**Plank Law Firm**  
*A Legal Professional Association*

Donald T. Plank  
[dplank@planklaw.com](mailto:dplank@planklaw.com)  
David Watkins  
[dwatkins@planklaw.com](mailto:dwatkins@planklaw.com)  
Amy K. Kuhn, of counsel  
[akuhn@planklaw.com](mailto:akuhn@planklaw.com)

145 E. Rich Street, 3<sup>rd</sup> Flr  
Columbus, Ohio 43215-5240  
Business: 614-947-8600  
Fax: 614-228-1790

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January 29, 2015

Stephen J. Smith, Jr., Esq.  
Frost Brown Todd LLC  
One Columbus – Suite 2300  
10 W. Broad St.  
Columbus, OH 43215-3484

RE: Vacation of First Street, Grove City, Ohio

Mr. Smith:

I represent 3338 Columbus St., LLC (“3338”) and 3318 Columbus Street LLC (“3318”). 3338 is the owner of the property on the west side of First Street along its entire length between Columbus Street and Cleveland Avenue. 3318 is the owner of the property on the east side of First Street along its entire length between Columbus Street and Cleveland Avenue. As the only adjacent property owners to that segment of First Street, my clients request that the City of Grove City vacate First Street, between Columbus Street and Cleveland Avenue. By this letter, 3338 and 3318 hereby consent to said vacation of First Street.

Sincerely yours,



Donald Plank

DTP/bp

cc: Tami Kelly, Clerk of Council

311.00//Corres/LtrSmith Vacation of First Street (1-29-15)

Date: 01/26/15  
Introduced By: Ms. Lanese  
Committee: Service  
Originated By: Ms. Lanese  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

*Postponed  
to 2/11/15*

No. : CR-03-15  
1st Reading: 02/02/15  
Public Notice: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## RESOLUTION CR-03-15

### A RESOLUTION PROMOTING TRANSPARENCY IN GOVERNMENT BY REQUIRING THAT THE AUDIO RECORDINGS FOR ALL REGULAR COUNCIL MEETINGS BE MADE AVAILABLE TO THE PUBLIC ON THE CITY'S WEBSITE

WHEREAS, the City records all of its Council regular meetings and these recordings are used to prepare the official minutes for the meeting; and

WHEREAS, while these recordings are not the official minutes, they do contain valuable information that would provide insight into the City's decision making process; and

WHEREAS, the City and this Council believe that greater transparency in the decision making process will encourage more public participation and strengthen the public trust.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby requires that audio recordings taken for all regular Council meetings be maintained in a manner that is consistent with the City's retention schedule and be made available to the public on the City's website.

SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.

\_\_\_\_\_  
Ted A. Berry, President of Council

Passed:

\_\_\_\_\_  
Richard L. Stage, Mayor

Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I certify that this  
resolution is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

Date: 01-28-15  
Introduced By: Ms. K-McGraw  
Committee: Lands  
Originated By: Mr. Smith  
Approved: Mr. Boso  
Emergency: 30 Days: XX  
Current Expense: \_\_\_\_\_

No. : C-09-15  
1st Reading: 02/02/15  
Public Notice: 02/05/15  
2nd Reading: 02/17/15  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE C-09-15

### AN ORDINANCE TO AMEND SECTION 1135.12 OF THE CODIFIED ORDINANCES TITLED NONRESIDENTIAL DISTRICT REQUIREMENTS TO EXPAND THE BOUNDARIES OF THE CENTRAL BUSINESS DISTRICT

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WHEREAS, to encourage economic development in the Town Center area, the City is interested in expanding the boundaries of the Central Business District; and

WHEREAS, the expansion of the Central Business District is being done in conjunction with the other improvements occurring in the Town Center area.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. Section 1135.12(a) is hereby amended, in part, as follows:

Being in the City of Grove City, County of Franklin, State of Ohio, and beginning at the point of intersection of the south right-of-way line of ~~the alley north of Park Street (known as Jackson Street St.)~~ and the west right-of-way line of Third Street, said point being the point of beginning; **thence** and proceeding southwesterly along the west right-of-way line of Third Street to its intersection with the north right-of-way **line** of Park Street; **thence** northwesterly along ~~the~~ said north **right-of-way** line to its intersection with the west right-of-way line of First Street; **thence** southwesterly along ~~the~~ said west **right-of-way** line to its intersection with the north right-of-way **line** of Civic Place; **thence** northwesterly along ~~the~~ said north **right-of-way** line and its extension northwesterly to its intersection with the west right-of-way **line** of ~~South~~ Broadway; **thence** southwesterly along the said west **right-of-way** line to its intersection with the southeasterly extension of the north right-of-way line of the east-west portion of Franklin Street; **thence** northwesterly along the said extension and **along the said** north **right-of-way** line to its intersection with the east right-of-way line of the north-south portion of Franklin Street north of the east-west portion of Franklin Street; **thence** northeasterly along said east **right-of-way** line to its intersection with the south right-of-way line of Grove City Road; **thence** ~~easterly~~ **east** along said south **right-of-way** line to its intersection with the southwesterly extension of ~~the~~ east right-of-way line of the first alley west of Broadway between Park Street and Grove City Road; **thence** northeasterly along said **southwesterly extension and along said east right-of-way** line and its **extension northeasterly** ~~extensions~~ to its intersection with the north right-of-way line of Park Street; **thence** northwesterly along said north **right-of-way** line to its intersection with the west line of lot number 9 (being the fifth lot east of the railroad) of the A.G. Grant Addition, said line also being the east line of lot number 10; **thence** northeasterly along said lot line to its intersection with the south right-of-way line of the alley north of Park Street; **thence** southeasterly along said south **right-of-way** line to its intersection with the southwesterly extension of the west right-of-way line of the first alley east of the railroad between the alley north of Park Street and Grant Avenue; **thence** northeasterly along said west **right-of-way extension and along said west right-of-way line to its intersection with the north right-of-way line of Mill Street; thence northwesterly along said north right-of-way line and said right-of-way line extended to its intersection with the west line of lot number 18 of the Geo. H. Gantz Addition, said line also being the east line of lot number 19; thence northeasterly along;**

said lot line to its intersection with the south right-of-way line of the first alley north of Mill Street; thence southeasterly along said south right-of-way line and partially along the north line of lot number  
~~line to its intersection with the north lot line of lot 18, being the lot north of the railroad spur and Mill Street (never dedicated) and west of said alley; thence northwesterly along lot 18 to its intersection with the southwesterly extension of the east right-of-way line of Meadow Lane; thence northeasterly along said east right-of-way~~  
line extension and along said east right-of-way line to its intersection with the south lot line of the second lot south of White Place, said point being approximately 150 feet south of White Place; thence southeasterly along said south ~~side~~ lot line to the southeast corner ~~east end~~ of the lot; thence northeasterly along the east line of said the lot to a point approximately 110 feet south of White Place said point being the southwest corner of a lot facing White Place; thence southeasterly along the south line of said the lot and its extension southeasterly to a point approximately 130 feet ~~the~~ west of Broadway said point being the southwest corner of a lot line of the lots facing North Broadway; thence northeasterly along the west lines of said lot three courses to the northwest corner of said lot; thence southeasterly along the north line of said lot to the southwest corner of the lot at the southwest corner of Broadway and White Place; thence northeasterly along the west line of said corner lot to ~~to its intersection with~~ the south right-of-way line of White Place; thence southeasterly along said south right-of-way line to its intersection with the west right-of-way line of ~~North~~ Broadway; thence southeasterly to the southwest corner of the fifth second lot south of Reserve "A" in the Glenn L. Lotz Grove City Addition, said point being in ~~which faces the east side of North Broadway, said line appearing to be also the southeasterly extension of the south right of way line of White Place, thence southeasterly along said lot line to the southeast corner of said lot; thence southwesterly to the intersection of the south right-of-way line of Cleveland Avenue east of North Broadway;~~ thence southeasterly along ~~and the south west right-of-way line of~~ said lot and its extension southeasterly to its apparent intersection with First Street, said line appearing to be the northeasterly extension of the west right-of-way line of First Street; thence southwesterly along said west right-of-way extension to a point on the south right-of-way line of Cleveland Avenue; thence southeasterly along said south right-of-way line to a point on the west right-of-way line of Arbutus Avenue; thence southwesterly along said west right-of-way line to a point on the north right-of-way line of Columbus Street; thence northwesterly along said north right-of-way line to a point on the west right-of-way line of First Street; thence southwesterly along said west right-of-way line to its intersection with the south right-of-way line of Jackson ~~the alley north of Park Street;~~ thence southeasterly along said south right-of-way line to its intersection with the west right-of-way line of Third Street; said intersection ~~point~~ being the point of beginning. All lands, parcels, tracts or lots within the area bounded by the above said description shall be classified for ~~the CBD~~ Central Business District (CBD) use.

SECTION 2. Council hereby approves the map, attached hereto as Exhibit A, as the boundaries for the Central Business District.

SECTION 3. This Ordinance shall take effect and be in force from and after the earliest date permitted by law.

\_\_\_\_\_  
Ted A. Berry, President of Council

Passed:

\_\_\_\_\_  
Richard L. Stage, Mayor

Effective:

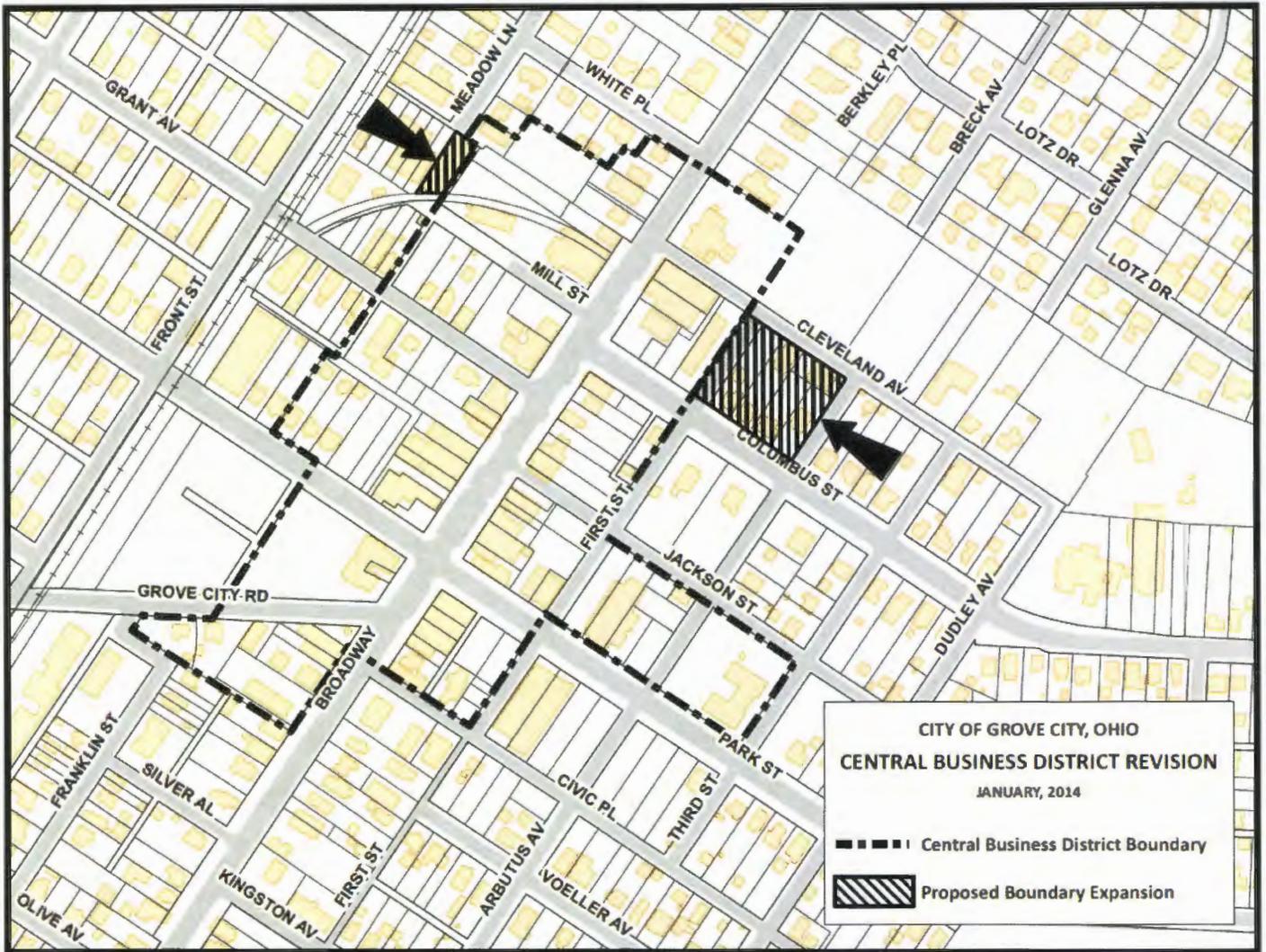
Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I certify that this ordinance is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

Exhibit A



Date: 02/11/15  
Introduced By: Ms. K-McGraw  
Committee: Lands  
Originated By: Clerk  
Approved: \_\_\_\_\_  
Emergency: 30 Days: X  
Current Expense: \_\_\_\_\_

No.: C-11-15  
1st Reading: 02/17/15  
Public Notice: 02/19/15  
2nd Reading: 03/02/15  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE NO. C-11-15

### AN ORDINANCE TO ACCEPT THE ANNEXATION OF 5.92+ ACRES LOCATED WEST OF ELM STREET AND AT MIDLAND STREET IN JACKSON TOWNSHIP TO THE CITY OF GROVE CITY

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WHEREAS, a petition for the annexation of 5.92+ acres, more or less, in Jackson Township was duly filed by Barbara Helwagen and Reba D. Warren; and

WHEREAS, said petition was considered by the Board of County Commissioners of Franklin County, Ohio on December 02, 2014; and

WHEREAS, the Board of County Commissioners certified the transcript of the proceeding in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on December 10, 2014.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT

SECTION 1. The proposed annexation, as applied for in the petition of Barbara Helwagen & Reba . Warren being the owner(s) of the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio on October 28, 2014 and which said petition was approved for annexation to the City of Grove City by the County Commissioners on December 02, 2014, be and the same is hereby accepted.

**Said territory is described as follows:** *Situated in the State of Ohio, County of Franklin, Township of Jackson and being part of Virginia Military Survey No. 1388. A copy of the legal description of the property being annexed is attached hereto as "Exhibit A" and made a part hereof as if fully written herein.*

SECTION 2. The zoning on this annexation shall be R-1, Single Family Residential, as approved by Ord. C-04-15, and shall be placed in Ward 1. A map is attached as "Exhibit B" and made a part hereof.

SECTION 3. The City Clerk be and she is hereby authorized and directed to make three copies of the ordinance to each of which will be attached a copy of the map showing this annexation, a copy of the original petition, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, a certificate as to the correctness thereof. The clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, and one copy to the Secretary of State and such other things as may be required by law.

SECTION 4. This ordinance shall take effect at the earliest opportunity allowed by law.

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Ted A. Berry, President of Council

Passed:

**RECEIVED**

OCT 23 2014

Franklin County Engineer  
Dean C. Ringle, P.E., P.S.

C-11-15  
Exhibit A  
ANNEXATION  
PLAT & DESCRIPTION  
ACCEPTABLE  
DEAN C. RINGLE, P.E., P.S.  
FRANKLIN COUNTY ENGINEER  
By BB Date 10/23/14

October 23, 2014

**PROPOSED ANNEXATION OF 5.923 ACRES  
WEST OF ELM STREET, NORTH OF GROVE CITY ROAD**

**FROM: JACKSON TOWNSHIP**

**TO: THE CITY OF GROVE CITY, OHIO**

Situated in the State of Ohio, County of Franklin, Township of Jackson, Virginia Military Survey Number 1388, and being all of that 5.923 acre tract as described in a deed to Barbara Helwagen and Reba D. Warren, of record in Instrument Number 200804020049567, all records referenced herein being to those located in the Recorder's Office, Franklin County, Ohio, and being 5.923 acres more particularly described as follows:

Beginning at the southeast corner of said 5.923 acre tract, at the northeast corner of that 1.351 acre tract as described in a deed to Donn A. and Barbara A. Rowe, of record in Instrument Number 200201300027475, in the westerly line of that 10 foot wide vacated alley, originally shown on the plat "Smith's Addn to Beulah", of record in Plat Book 5, Page 310, in the existing corporation line of the City of Grove City as established by annexation plat of record in Plat Book 15, Page 17 and text of record in Miscellaneous Record 17, Page 464;

Thence in a westerly direction, along a common line between said 5.923 acre and said 1.351 acre tracts, leaving said existing corporation line, a distance of approximately 358 feet to a point at the northwest corner of said 1.351 acre tract;

Thence in a southerly direction, along a common line between said 5.923 acre and said 1.351 acre tracts, a distance of approximately 21 feet to a point at a southeast corner of said 5.923 acre tract, the northeast corner of that 4.000 acre tract as described in a deed to Berkley J. Roach, Trustee, of record in Instrument Number 200712040208134;

Thence in a westerly direction, along the common line between said 5.923 acre and said 4.000 acre tracts, a distance of approximately 567 feet to a point at the southwest corner of said 5.923 acre tract, in the easterly line of that 1.002 acre (tax) tract as described in a deed to William C. Thomas, of record in Official Record 33777, Page H02;

Thence in a northerly direction, along the westerly line of said 5.923 acre tract, partially along the easterly line of said 1.002 acre tract and partially along the easterly line of that 2.982 acre (tax) tract as described in a deed to Ohio Conference Association of Seventh Day Adventists, of record in Deed Book 2279, Page 187, a distance of approximately 287 feet to a point at the northwest corner of said 5.923 acre tract, a northeast corner of said 2.982 acre tract, in the southerly line of that 0.053 acre tract as described in a deed to Beulah Park Gaming Ventures, Inc., of record in Instrument Number 201007010082844;

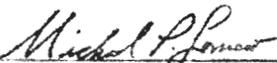
Thence in an easterly direction, along the northerly line of said 5.923 acre tract, partially along the southerly line of said 0.053 acre tract and partially along the southerly line of that 0.487 acre tract as described in a deed to Beulah Park Gaming Ventures, Inc., of record in Instrument Number 201007010082844, a distance of approximately 923 feet to a northeast corner of said 5.923 acre tract, in the westerly line of said vacated 10 foot alley, returning to said existing corporation line;

(continued)

(5.923 acre annexation description, continued)

Thence in a southerly direction, along the easterly line of said 5.923 acre tract, the westerly line of said vacated 10 foot alley, and said existing corporation line, a distance of approximately 288 feet to the place of beginning, containing 5.923 acre of land, being in tax parcel number 160-0009721.

This description was prepared by Westerville Land Surveying, LLC, based on the best available public records (not based on an actual field survey) in October, 2014.

by   
Michael P. Lomano  
Registered Surveyor No. 7711  
10.23.14

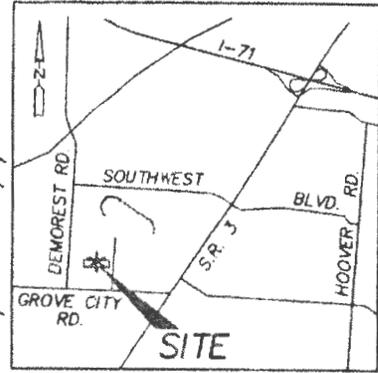
C-11-15  
Exhibit B

# ANNEXATION PLAT

FROM JACKSON TWP. TO THE CITY OF GROVE CITY  
V.M.S. 1388  
JACKSON TOWNSHIP, FRANKLIN COUNTY, OHIO

## LOCATION MAP

(NOT TO SCALE)



LAT 39°53'05"N LON 83°06'14"W

### LEGEND

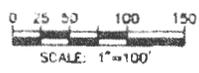
- = EX. CORP. LINE
- = PROPOSED GROVE CITY CORP. LINE

SUBJECT PROPERTY IS NOT CURRENTLY ASSIGNED A STREET ADDRESS.

LOT NUMBERS REFERENCED TO THE PLAT "SMITH'S ADDN TO BEULAH" OF RECORD IN P.B. 5, PG. 310.

THIS ANNEXATION DOES NOT CREATE AN UNINCORPORATED AREA OF THE TOWNSHIP COMPLETELY SURROUNDED BY THE TERRITORY PROPOSED FOR ANNEXATION.

TOTAL PERIMETER OF ANNEXATION IS 2421 FT., OF WHICH 286 FT. IS CONTIGUOUS WITH THE CITY OF GROVE CITY, RESULTING IN 11.0% OF PERIMETER CONTIGUITY.



OCT 23 2014

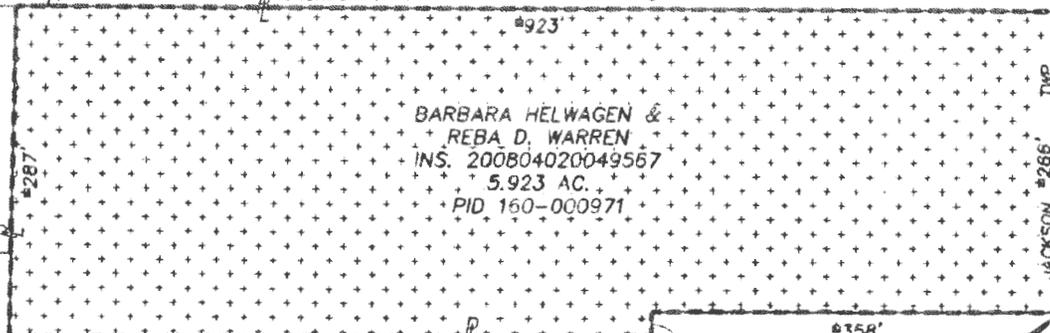
Franklin County Engineer  
Dean C. Ringle, PE, PS.

BEULAH PARK GAMING VENTURES, INC.  
INS. 201007010082844  
0.053 AC.

BEULAH PARK GAMING VENTURES, INC.  
INS. 201007010082844  
0.487 AC.

VACATED 10' ALLEY

OHIO CONFERENCE ASSOCIATION OF SEVENTH-DAY ADVENTISTS  
D.B. 2279, PG. 187  
2.982 AC. (TAX)



BARBARA HELWAGEN &  
REBA D. WARREN  
INS. 200804020049567  
5.923 AC.  
PID 160-000971

WILLIAM C. THOMAS, JR.  
O.R. 3377, PG. 402  
1.002 AC. (TAX)

#567'  
BERKLEY J. ROACH, TR.  
INS. 200712040208134  
4.000 AC.

#358'  
DONN A. &  
BARBARA A. ROWE  
INS. 200201300027475  
1.351 AC.

ANNEXATION PLAT & DESCRIPTION  
ACCEPTABLE  
DEAN C. RINGLE, PE, PS.  
FRANKLIN COUNTY ENGINEER

By BB Date 10/23/14

### ADJOINING OWNERSHIP

LOT 18  
TIMOTHY L. &  
BRENDA J. SMITH  
INS. 201302120025162

LOT 19  
TIMOTHY L. &  
BRENDA J. SMITH  
INS. 201302120025161

LOT 20  
STEPHANIE R. CASINO  
INS. 200210020246874

LOTS 21-24  
BEULAH PARK GAMING VENTURES, INC.  
INS. 201007010082844

DRAWING PREPARED BY  
WESTERVILLE LAND SURVEYING  
80 E. COLLEGE AVE.  
WESTERVILLE, OH 43081  
(614) 898-2209

DATE: 10-23-14  
JOB No.: 14-273  
CLIENT: Mr. Thomas Clark, Esq.

BY Michael P. Lammert  
OHIO PROFESSIONAL SURVEYOR No. 7711

23-14

Date: 02/11/15  
Introduced By: Ms. KMcGraw  
Committee: Lands  
Originated By: Mr. Smith  
Approved: Mr. Boso  
Emergency: 30 Days: X  
Current Expense: \_\_\_\_\_

No.: C-12-15  
1st Reading: 02/17/15  
Public Notice: 02/19/15  
2nd Reading: 03/02/15  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE C-12-15

### AN ORDINANCE TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH HOOVER PARK HOMEOWNERS ASSOCIATION INC. FOR THE EXTENSION AND MAINTENANCE OF A BIKE PATH

WHEREAS, the City has been working on interconnecting and expanding the bike path network in the City; and

WHEREAS, the Hoover Park Homeowners Association Inc. owns the real property known as Franklin County Auditor's Parcel Number 040-012789-00 ("Reserve C"); and

WHEREAS, the City currently maintains a bike path located on Reserve C and, under this Agreement, the City would like to extend the existing Bike Path.

WHEREAS, because the agreement exceeds twelve (12) months, it must be approved by Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The City Council hereby authorizes the City Administrator to execute a multi-year agreement with the Hoover Park Homeowners Association Inc. for the extension and maintenance of a bike path as set forth in Exhibit A.

SECTION 2. This Ordinance shall take effect at the earliest opportunity allowed by law.

\_\_\_\_\_  
Ted A. Berry, President of Council

Passed:

\_\_\_\_\_  
Richard L. Stage, Mayor

Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I certify that this ordinance is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

C-12-15  
EXHIBIT A  
**PROPERTY MAINTENANCE AGREEMENT**

THIS PROPERTY MAINTENANCE AGREEMENT (the "Agreement") is entered into on the \_\_\_ day of \_\_\_\_\_, 2015, (the "Effective Date") by and between the City of Grove City, Ohio, an Ohio municipal corporation (the "City"), whose address is 4035 Broadway Grove City, Ohio 43123, and Hoover Park Homeowners Association Inc., (the "Association"), an Ohio non-profit corporation whose address is 5550 Blazer Parkway, Suite 175, Dublin, Ohio 43017.

**BACKGROUND INFORMATION**

- A. The Association owns the real property known as Franklin County Auditor's Parcel Number 040-012789-00 ("Reserve C").
- B. The City currently maintains a bike path located on Reserve C (the "Bike Path").
- C. The Association is currently responsible for the maintenance of Reserve C.
- D. In return for permission to extend the Bike Path, the City will take over maintenance responsibilities for Reserve C as set forth herein.

**AGREEMENT**

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree to the foregoing Background Information and as follows:

1. Grant of Easement. The Association agrees to grant to the City the necessary easements in Reserve C to extend the existing Bike Path as shown in Exhibit A. A copy of the easement is attached hereto as Exhibit B.
2. Property Maintenance. In return for the grant of the necessary easements as set forth in Section 1, the City shall be responsible for mowing the grass growing on Reserve C, in a manner consistent with other residential parks located within the City. The City shall also be responsible for maintaining the retention pond, including but not limited to, reasonably erosion control, dredging, aeration, and water quality treatments, and otherwise care for and maintain the landscaping located on Reserve C in good, safe and neat condition.
3. Bike Path Maintenance. The City shall maintain the Bike Path in accordance with the City's rules and procedures applicable to the maintenance of bike paths owned by the City. These maintenance obligations include, but are not limited to, resurfacing the Bike Path and repairing or replacing segments that are in poor or unsafe condition. The Association acknowledges that the City's rules and procedures regarding the maintenance of bike paths may change from time to time and agrees that the City's maintenance obligations set forth in this Section 3 may likewise change, provided that if such obligation changes, the City will notify the Association of any such change pursuant to the Provision of Paragraph 7.
4. Term. The term of this Agreement shall be for a period of Fifty (50) year, beginning on the Effective Date. This Agreement may be terminated upon mutual agreement of the parties.
5. Insurance. Grantee represents that it has obtained and will maintain a comprehensive public liability insurance on Reserve C and the Bike Path in an amount not less than \$1,000,000.00 per incident, in full force and effect with a reputable insurance carrier, registered to do business in Ohio.

6. Relationship of the Parties. The parties agree that no provision contained in this Agreement, or any act of the parties taken pursuant to the terms of this Agreement, will be deemed to create any relationship other than the relationship set forth in this Agreement.
7. License for Access. The Association hereby grants the City, and its residents, a license to access Reserve C for any public purpose.
8. Notice. Whenever notice must or may be given, each notice or demand must be in writing and will not be effective unless given by hand-delivery or by registered or certified mail, return receipt requested, or by overnight nationally-recognized courier service provided a receipt is required, at the notice address as set forth below, or at such other address as either party may from time to time designate in writing. Notice will be deemed delivered on receipt or refusal of receipt. Notices shall be sent:

If to the Association: Hoover Park Homeowners Association  
5550 Blazer Parkway, Suite 175  
Dublin, Ohio 43017  
Attn: President

With a copy to: Kaman & Cusimano, LLC  
470 Olde Worthington Road, Suite 460  
Columbus, Ohio 43082  
Attention: Jeffrey E. Kaman, Esq.

If to the City: City of Grove City, Ohio  
4035 Broadway  
Grove City, Ohio 43123  
Attn: Charles W. Boso, Jr.  
City Administrator

9. Miscellaneous.
  - a. Governing Law. This Agreement shall be construed and enforced in accordance with the laws of the State of Ohio. For all litigation, disputes and controversies which may arise out of or in connection with this Agreement, the undersigned hereby waive the right to trial by jury and consent to the jurisdiction of the courts in the State of Ohio.
  - b. Complete Agreement. This Agreement sets forth all of the understandings between the Association and the City concerning the matters set forth herein. No alteration, amendment, change or addition to this Agreement shall be binding unless in writing and signed by each party.
  - c. Assignment. This Agreement may not be assigned by the Association without the City's prior written consent.
  - d. Severability. If any term or provision of this Agreement should be declared invalid or unenforceable, the balance of the Agreement shall not be affected, and each term not declared invalid or unenforceable shall be enforced to the full extent permitted by law.
  - e. Counterparts. The Agreement may be executed in counterparts, including by facsimile, all of which shall be considered one and the same agreement, binding on all parties, notwithstanding that all parties are not signatories to the same counterpart.

- f. Exoneration. All Agreements of payment or performance on the part of the signatory(ies) for Association and City will be agreements to pay and/or perform out of funds of Association and City. No signatory for Association or City assumes, neither he nor she be under, any personal liability or obligation by reason of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Property Maintenance Agreement on the Effective Date.

ASSOCIATION

Hoover Park Homeowners Association Inc.,  
an Ohio non-profit corporation

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Print Name: \_\_\_\_\_

CITY

City of Grove City, Ohio,  
an Ohio municipal corporation

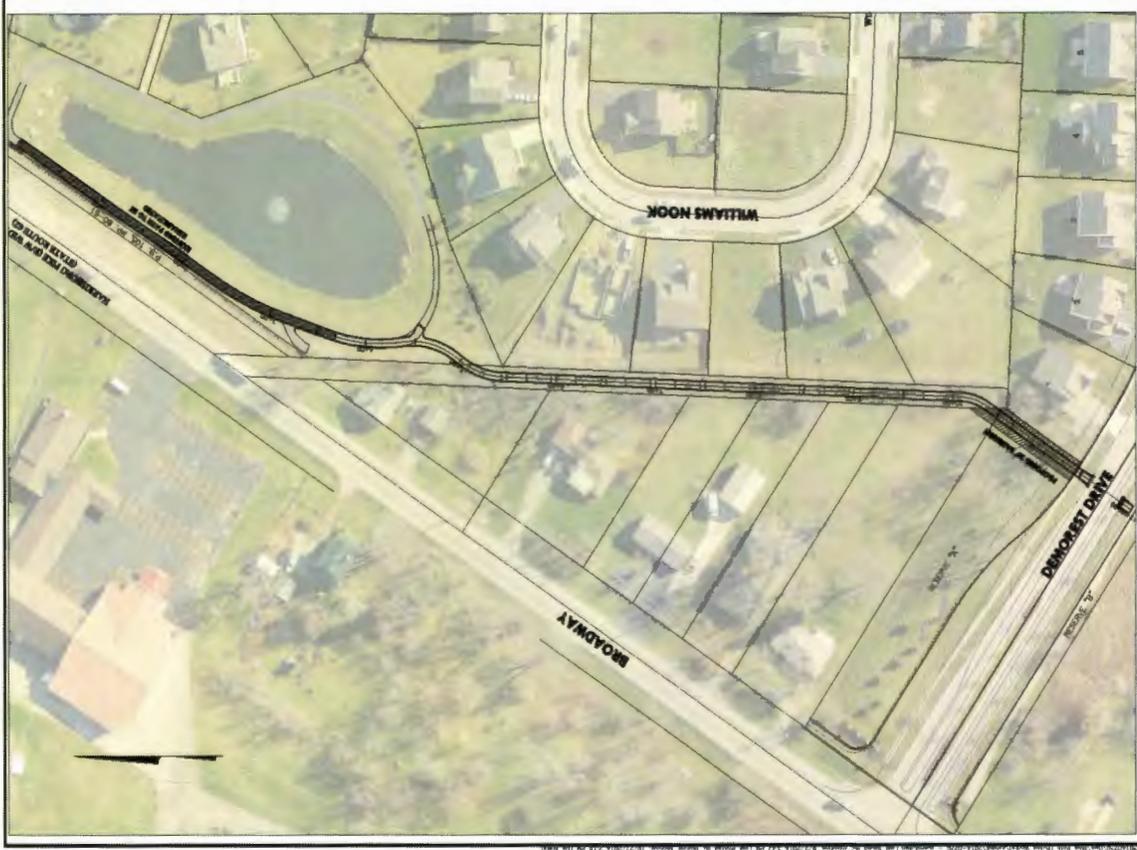
By: \_\_\_\_\_  
Charles W. Boso, Jr.  
City Administrator

Approved as to form:

\_\_\_\_\_  
Stephen J. Smith, Law Director

# Exhibit A

		<b>BROADWAY-CASA DRAINAGE &amp; TRAIL IMPROVEMENTS OVERALL EXHIBIT</b> CITY OF CHESAPEAKE, VIRGINIA TRAIL PATH IMPROVEMENTS 2018	<b>EMHT</b> <small>Engineering, Mapping &amp; Technology</small>	SCALE 1" = 100'	SHEET 1/1
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**Exhibit B**

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Portion above reserved for County Recorder, Engineer and Auditor's Offices Use

**PERMANENT EASEMENT  
FOR BIKE PATH, UTILITIES, STORM DRAINAGE, AND GRADING**

THIS PERMANENT EASEMENT FOR BIKE PATH, UTILITIES, STORM DRAINAGE, AND GRADING (the "Easement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2015, by and between \_\_\_\_\_ ("Grantor"), whose mailing address is \_\_\_\_\_, and the **City of Grove City, Ohio**, an Ohio municipal corporation ("Grantee"), whose mailing address is 4035 Broadway, Grove City, Ohio 43123.

**BACKGROUND INFORMATION**

WHEREAS, Grantor owns the real property known as Franklin County Auditor's Parcel No. \_\_\_\_\_ (the "Grantor's Property");

WHEREAS, Grantee desires a permanent easement over those portions of the Grantor's Property legally described on the attached Exhibit A and depicted on the attached Exhibit B (the "Easement Area") for the purpose of a bike path, utilities, storm drainage, and grading; and

WHEREAS, Grantor desires to grant a permanent easement over the Easement Area for the benefit of Grantee upon the terms and conditions set forth in this Easement.

**STATEMENT OF AGREEMENT**

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree to the foregoing Background Information and as follows:

1. Grant of Permanent Easement. Grantor grants to Grantee, its agents, employees, independent contractors, and successors and assigns, a permanent, non-exclusive easement in, through, over and under the Easement Area for the following purposes: (i) to construct, operate, maintain, repair, and replace a bike path, utilities, and drainage facilities, and to perform such grading work as Grantee deems necessary in connection therewith; (ii) to construct, operate, maintain, repair and replace (a) utility lines for gas, electric, water, sewer, cable, and communication services, and facilities and appurtenances incidental thereto, including, but not limited to, lines, wires, cables, conduits, anchors, circuits, equipment, meters, valves, regulators, manholes, drain pipes, fixtures, and other appurtenances and facilities and (b) drainage facilities (collectively, the "Facilities") and (ii) of ingress and egress over those portions of Grantor's Property reasonably necessary to facilitate Grantee's use of the Easement Area as permitted hereby. Grantee, as soon as reasonably practicable after construction of the path and Facilities, including any alterations and repairs thereto, and completion of the grading work shall cause the Easement Area to be restored to its former condition as nearly as is reasonably practicable. Grantee shall have the right to remove any and all vegetation growing within the Easement Area as is reasonably necessary to facilitate Grantee's use thereof as permitted by this Easement. Grantor has the right to enter on the Easement Area for any purpose whatsoever provided such entry by Grantor does not in any way impair or hinder the rights granted to Grantee in this Easement.

2. Relationship of Parties. Nothing contained herein shall be deemed or construed by the parties or by any third party as creating the relationship of principal and agent, of partnership or of joint venture between the parties, it being understood and agreed that no provision contained herein or any act of the parties hereto shall be deemed to create any relationship other than grantor and grantee of the rights and easements set forth herein.

3. Waiver. Except to the extent that a party may have otherwise agreed in writing, no waiver by such party of any breach of the other party of any of its obligations, agreements, or covenants hereunder shall be deemed to be a waiver of any subsequent breach of the same or of any other covenants, agreements, or obligations, nor shall any forbearance by a party to seek a remedy for any breach by the other party be deemed a waiver of any rights or remedies with respect to such breach or any similar breach in the future.

4. Severability. In the event any provision of this Easement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

5. Captions and Pronoun Usage. The captions and section numbers in this Easement are for convenience only and shall not be deemed to be a part hereof. The pronouns used herein shall be considered as meaning the person, number, and gender appropriate under the circumstances at any given time.

6. Governing Law. This Easement shall be governed by and construed in accordance with the laws of the State of Ohio.

7. Modification. This Easement, or any easement or covenant set forth herein, may not be amended, terminated, rescinded or otherwise modified, in whole or in part, except by a written instrument executed by the parties hereto and recorded with the Recorder's Office, Franklin County, Ohio with reference made to this Easement.

8. Benefit. This Easement shall run with the land and inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, representatives, successors and assigns.

9. Authority. Grantor represents and warrants that she has the full right and authority to enter into this Easement and to grant the rights hereby conveyed to Grantee.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the date set forth above.

GRANTOR:

GRANTEE:

City of Grove City, Ohio, an Ohio Municipal Corporation

---

Charles W. Boso, Jr., City Administrator

STATE OF OHIO            )  
                                  )ss.  
FRANKLIN COUNTY        )

BE IT REMEMBERED, that on this \_\_\_\_ day of \_\_\_\_\_, 2015, before me, the subscriber, a Notary Public in and for said county and state, personally came Charles W. Boso, Jr., City Administrator of the City of Grove City, Ohio, an Ohio municipal corporation, who acknowledged the signing thereof to be her free act and deed for and on behalf of the municipal corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

\_\_\_\_\_  
Notary Public

STATE OF OHIO            )  
                                  )ss.  
FRANKLIN COUNTY        )

BE IT REMEMBERED, that on this \_\_\_\_ day of \_\_\_\_\_, 2015, before me, the subscriber, a Notary Public in and for said county and state, personally came \_\_\_\_\_, Grantor, who acknowledged the signing thereof to be her free act and deed for the purpose stated therein.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

\_\_\_\_\_  
Notary Public

This Instrument Prepared By:  
Frost Brown Todd LLC  
One Columbus  
10 West Broad Street  
Columbus, Ohio 43215

Date: 02/11/15  
Introduced By: Ms. KMcGraw  
Committee: Lands  
Originated By: Davis & Stage  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: C-13-15  
1st Reading: 02/17/15  
Public Notice: 02/19/15  
2nd Reading: 03/02/15  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE C-13-15

AN ORDINANCE TO AMEND SECTION 1138.05(B) & (C) OF THE  
CODIFIED ORDINANCES TITLED PROCEDURE FOR ARCHITECTURAL  
REVIEW AND APPROVAL; CERTIFICATE OF APPROPRIATENESS REQUIRED

---

WHEREAS, the Historical Preservation Area is an important district in our community; and

WHEREAS, the businesses within this district are subject to criteria to help preserve the historical character; and

WHEREAS, the requirements for signage are specified in the Codified Ordinances; and

WHEREAS, permitting these signs to be approved through an administrative review would assist the businesses in getting the approval more quickly.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, COUNTY OF FRANKLIN, AND STATE OF OHIO, THAT:

SECTION 1. Section 1138.05(b) and (c) is hereby amended as follows:

(b) A certificate of appropriateness is required ~~from the Planning Commission~~ prior to the erection of any sign which requires a permit pursuant to Chapter 1138 of the Codified Ordinances. The Chief Building and Zoning Official shall review the application for compliance with the provisions of this Chapter, and either issue or deny the request for the Certificate of Appropriateness. All requests for Certificates of Appropriateness submitted under this Chapter shall be reviewed by the Chief Building and Zoning Official within 15 days of submission of the application.

(c) Any person whose application for a Certificate of Appropriateness has been denied by the Chief Building and Zoning Official may appeal such decision by filing an appeal with the Planning Commission within 30 days of such denial, and at least 14 days prior to the Planning Commission meeting date at which such appeal shall be heard. The appeal shall be in the form of a "Certificate of Appropriateness Application" to the Planning Commission and Council, which must be fully completed and contain all materials required pursuant to Section 1143.06. The application, with 18 copies, along with a check for \$50.00 (made payable to the City of Grove City) must be submitted to the secretary of the Planning Commission. The appeal shall be treated as an original application for approval pursuant to Chapter 1101, under which the Planning Commission shall examine, take action within 45 days and forward its recommendations to Council for its approval, approval with modifications, or denial. The decision of Council shall be final. Upon approval or approval with modifications by Council, the Chief Building and Zoning Official shall issue a Certificate of Appropriateness to the applicant within fifteen days.

SECTION 2. This ordinance shall take effect at the earliest opportunity allowed by law.

Date: 02/11/15  
Introduced By: Ms. KMcGraw  
Committee: Lands  
Originated By: Plan. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: C-14-15  
1st Reading: 02/17/15  
Public Notice: 02/19/15  
2nd Reading: 03/02/15  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE C-14-15

AN ORDINANCE TO AMEND ORDINANCE C-92-07 TO APPROVE  
A SPECIAL USE PERMIT FOR A U-HAUL TRUCK RENTAL SERVICE  
FOR GROVE CITY MARATHON LOCATED AT 4441 BROADWAY

---

WHEREAS, on November 11, 2007, Council approved a Special Use Permit for Grove City Marathon for a U-Haul Truck Rental service with the following stipulations:

1. There shall be no more than three (3) trucks and two (2) trailers located at this facility at any one time;
2. A six (6) foot fence is to be constructed from the southwest corner to the east of the property that extends 20 feet long to screen parked trucks.

WHEREAS, Grove City Mobil, applicant, has submitted a request to amend their Special Use Permit for a U-Haul Truck Rental service located at 4441 Broadway; and

WHEREAS, on February 3, 2015, the Planning Commission of the City of Grove City recommended the approval of a Special Use Permit at this location, with the following stipulations:

1. There shall be no more than **five (5)** trucks and **three (3)** trailers located at the facility at any one time;
2. Trucks and trailers shall only be located along the rear (west) property line;
3. A six foot (6') fence shall be constructed from the southwest corner of the property extending east 20 feet to screen parked trucks and trailers;
4. Landscaping removed along the east property line (fronting Broadway) shall be replaced. The applicant shall work with the Urban Forester in selecting appropriate plant material to ensure landscaping meets the requirements of Chapter 1136.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

**SECTION 1.** The Special Use Permit for Grove City Marathon for a U-Haul Truck Rental service located at 4441 Broadway, as approved by Ordinance C-92-07, is hereby amended, contingent upon the stipulations set by Planning Commission.

**SECTION 2.** This ordinance shall take effect at the earliest opportunity allowed by law.

\_\_\_\_\_  
Ted A. Berry, President of Council

Passed:

\_\_\_\_\_  
Richard L. Stage, Mayor

Date: 02/11/15  
Introduced By: Ms. K-McGraw  
Committee: Lands  
Originated By: Plan. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: C-15-15  
1st Reading: 02/17/15  
Public Notice: 02/19/15  
2nd Reading: 04/06/15  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE C-15-15

### AN ORDINANCE FOR THE REZONING OF 3542 GRANT AVENUE FROM R-1 TO D-1

WHEREAS, a petition was filed with the Planning Commission of the City of Grove City praying for the recommendation of said Commission in regard to the rezoning of certain premises hereinafter described; and

WHEREAS, the Planning Commission recommended approval of the rezoning on February 03, 2015; and

WHEREAS, a copy of the ordinance, together with a map and plat and the report of the Planning Commission has been on file in the Clerk's office for thirty days for public inspection.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The following described premises are rezoned from R-1 to D-1:

Situated in the State of Ohio, County of Franklin, City of Grove City and being Lot 43 in Grants Addition to Beulah, and being more fully described in Exhibit "A" attached hereto and made a part hereof.

SECTION 2. The comprehensive zoning map is hereby amended to conform to the provisions of this ordinance.

SECTION 3. This Ordinance shall take effect at the earliest opportunity allowed by law.

\_\_\_\_\_  
Ted A. Berry, President of Council

Passed:  
Effective:

\_\_\_\_\_  
Richard L. Stage, Mayor

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance  
is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

C-1545

**EXHIBIT "A"**

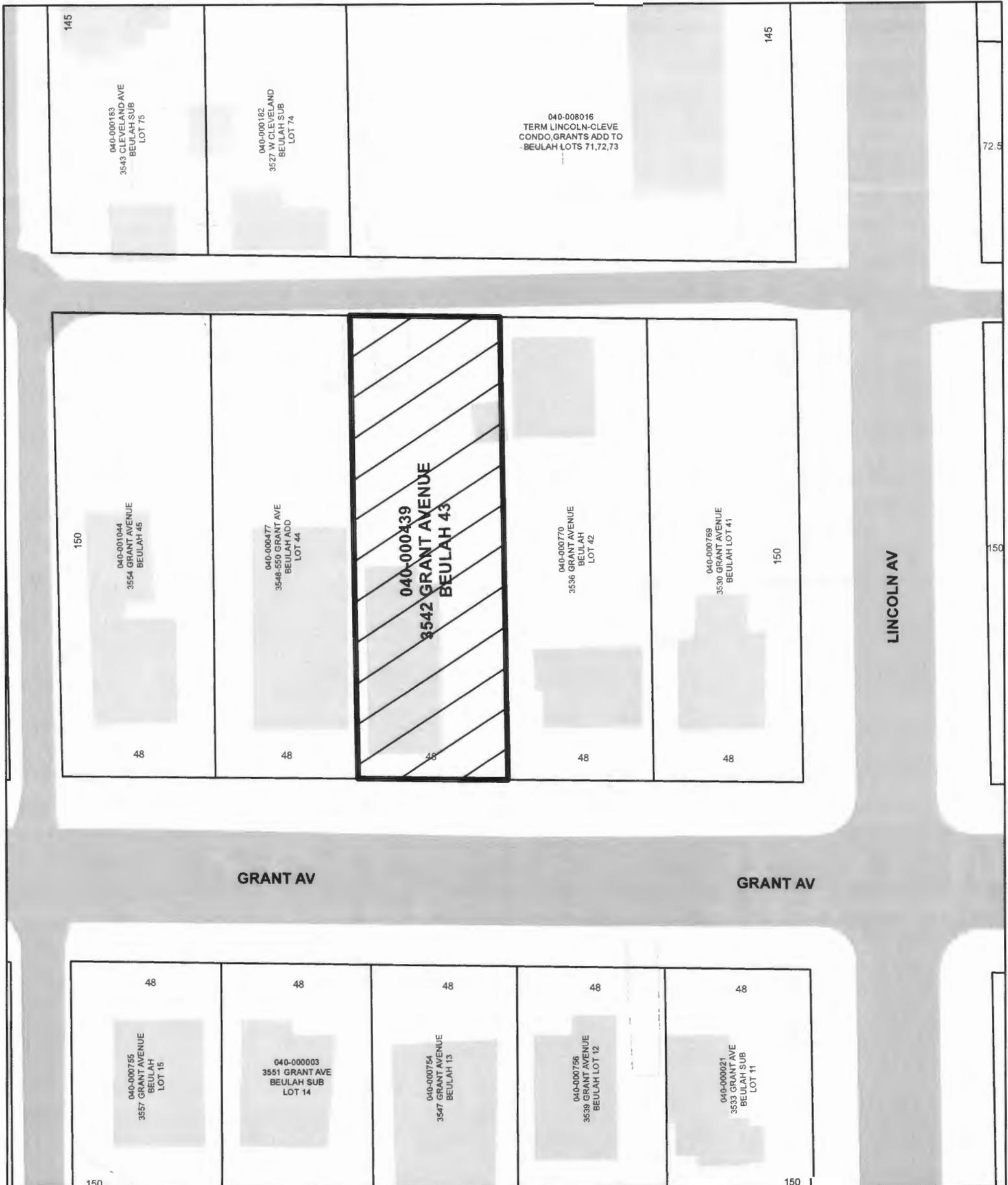
SITUATED IN THE COUNTY OF FRANKLIN IN THE STATE OF OHIO AND IN THE CITY OF GROVE CITY:

BEING LOT NUMBER FORTY-THREE (43) IN GRANTS ADDITION TO BEULAH, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OR RECORD IN PLAT BOOK 5, PAGE 130, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.



+U05021659+

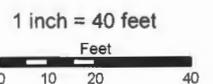
2021 11/20/2014 79643835/1



**Disclaimer**

The information on this map was derived from Grove City's Geographic Information System (GIS). Extensive detail and attention was given to the creation of this map to maximize its accuracy but is provided "as is". Grove City cannot accept responsibility for any errors, omissions, or positional inaccuracies that may have occurred before, during, or after production. Therefore, no warranties accompany this product. Although information from land/field surveys may have been utilized during the creation of this product, in no way does this product represent or constitute a Land Survey. Users are cautioned to field verify information on this product prior to making any decisions.

**3542 Grant Ave**



Date: 02/11/15  
Introduced By: Ms. K-McGraw  
Committee: Lands  
Originated By: Plan. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: CR-06-15  
1st Reading: 02/17/15  
Public Notice: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## RESOLUTION NO. CR-06-15

### A RESOLUTION TO APPROVE A CERTIFICATE OF APPROPRIATENESS FOR EXTERIOR BUILDING MODIFICATIONS TO 3800 BROADWAY LOCATED IN THE HISTORICAL PRESERVATION AREA

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WHEREAS, on February 03, 2015, the Planning Commission did NOT recommend approval of the Certificate of Appropriateness request for exterior building modifications to 3800 Broadway, as submitted.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby approves the Certificate of Appropriateness for exterior building modifications to 3800 Broadway, as submitted.

SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.

\_\_\_\_\_  
Ted. A. Berry, President of Council

\_\_\_\_\_  
Richard L. Stage, Mayor

Passed:  
Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I Certify that this resolution  
is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

Date: 02/12/15  
Introduced By: Ms. K-McGraw  
Committee: Lands  
Originated By: Plan. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: CR-07-15  
1st Reading: 02/17/15  
Public Notice:  
2nd Reading:  
Passed: \_\_\_\_\_ Rejected:  
Codified: \_\_\_\_\_ Code No:  
Passage Publication:

## RESOLUTION NO. CR-07-15

### A RESOLUTION TO APPROVE THE SIGN REQUEST FOR SANDERSON AUTOMOTIVE SERVICES LOCATED AT 3586 BROADWAY IN THE HISTORICAL PRESERVATION AREA

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WHEREAS, on February 03, 2015 the Planning Commission recommended *approval* of the Sign request for Sanderson Automotive Services, located at 3586 Broadway, with the following stipulations:

1. The proposed signage shall be permitted to exceed the total signage permitted on the property by 12.64 square feet;
2. The pole sign at the northwest corner of the property shall be removed;
3. Any lighting of the signs shall be from a concealed exterior or indirect light source and shall not flash, blink, fluctuate, travel, move or in any way fail to provide constant illumination.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby approves the Sign request for Sanderson Automotive Services located at 3586 Broadway, contingent upon the stipulations set by Planning Commission.

SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.

\_\_\_\_\_  
Ted A. Berry, President of Council

\_\_\_\_\_  
Richard L. Stage, Mayor

Passed:  
Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I Certify that this resolution  
is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

Date: 02/12/15  
Introduced By: Ms. K-McGraw  
Committee: Lands  
Originated By: Plan. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: CR-08-15  
1st Reading: 02/17/15  
Public Notice: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## RESOLUTION NO. CR-08-15

### A RESOLUTION TO APPROVE THE DEVELOPMENT PLAN FOR THE ALADDIN SHRINE CENTER LOCATED AT 1801 GATEWAY CIRCLE

WHEREAS, on February 03, 2015 the Planning Commission recommended approval of the Development Plan for the Aladdin Shrine Center, with the following stipulations:

1. The proposed 20' future path easement shall be recorded with Franklin County prior to the approval of any lot splits for the property;
2. Four (4) deciduous trees shall be planted between the proposed detention basin and right-of-way of Gateway Circle;
3. Signage shall be in accordance with Chapter 1145 and reviewed/approved by the Building Division.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby approves the Development Plan for the Aladdin Shrine Center located at 1801 Gateway Circle, contingent upon the stipulations set by Planning Commission.

SECTION 2. This approval shall be good for 12 months from the date passed, or as otherwise provided in Section 1101.07(b) of the Codified Ordinances of the City of Grove City, Ohio.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

\_\_\_\_\_  
Ted A. Berry, President of Council

\_\_\_\_\_  
Richard L. Stage, Mayor

Passed:  
Effective:

Attest:

\_\_\_\_\_  
Tami K. Keñy, MMC, Clerk of Council

I Certify that this resolution  
is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

Date: 02/12/15  
Introduced By: Ms. K-McGraw  
Committee: Lands  
Originated By: Plan. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: CR-09-15  
1st Reading: 02/17/15  
Public Notice: \_\_\_\_\_  
2nd Reading: Postpone to 3/2  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## RESOLUTION NO. CR-09-15

### A RESOLUTION TO APPROVE THE DEVELOPMENT PLAN FOR THE COURTYARDS AT HOOVER LOCATED AT 4883, 4895 HOOVER ROAD

WHEREAS, on February 03, 2015 the Planning Commission recommended approval of the Development Plan for the Courtyards at Hoover, with the following stipulations:

1. An easement of sufficient area shall be provided to the City to contain both the stream corridor protection area and the multi-use path and shall be designated for public use.
2. Parkette 2 (+0.38ac) as shown on the submitted plans shall be conveyed to the City for public use. Gateway Circle;
3. A variance approval shall be obtained for compensatory cut and fill in floodplain.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby approves the Development Plan for the Courtyards at Hoover located at 4883, 4895 Hoover Rd., contingent upon the stipulations set by Planning Commission.

SECTION 2. This approval shall be good for 12 months from the date passed, or as otherwise provided in Section 1101.07(b) of the Codified Ordinances of the City of Grove City, Ohio.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

\_\_\_\_\_  
Ted A. Berry, President of Council

\_\_\_\_\_  
Richard L. Stage, Mayor

Passed:  
Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I Certify that this resolution  
is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

## Kelly, Tami

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**From:** Joel Rhoades [JRhoades@epconcommunities.com]  
**Sent:** Thursday, February 12, 2015 9:03 AM  
**To:** Kelly, Tami  
**Cc:** Boso, Chuck; Rauch, Kyle  
**Subject:** Request to Postpone Final Development Plan Approval for 4883/4895 Hoover Road

Tami:

This is to request that City Council postpone its hearing of our Final Development Plan application for 4883/4895 Hoover Road (Project I/D # 201412290076) until its meeting on Monday, March 2, 2015.

We are making this request so that both the rezoning and the Final Development Plan may be heard by City Council at the same time.

Please let me know if you have any questions or comments. Thank you for your assistance with this matter.

Joel D. Rhoades  
Vice President and General Counsel

[jrhoades@epconcommunities.com](mailto:jrhoades@epconcommunities.com)  
Epcon Communities  
614-761-1010

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