

**GROVE CITY, OHIO COUNCIL
LEGISLATIVE AGENDA**

June 6, 2016

6:00 – Rules of Council Review

6:30 Caucus

7:00 – Reg. Meet.

Presentations: Oath of Office - BZA

FINANCE: Mr. Davis

- Ordinance C-43-16 Appropriate \$1,999,999.00 from the Capital Improvement Fund and \$417,001.00 from the General Fund for the Current Expense of the Gantz Road Improvement Project. Second reading and public hearing.
- Ordinance C-44-16 Appropriate \$50,000.00 from the General Fund for the Current Expense of Legal Expenses related to Litigation. Second reading and public hearing.
- Ordinance C-51-16 Amend Ord. C-96-15 to Authorize the City Administrator to Enter into an Economic Development Agreement with Mount Carmel Health System. First reading.
- Resolution CR-33-16 Approve the Establishment of a Procedure for the Succession of the Appointed Members of the Board of Trustees of the Pinnacle Community Infrastructure Financing Authority under Chapter 349 of the Ohio Revised Code.
- Resolution CR-34-16 Approve the Application to add certain parcels of Real Property to the Pinnacle Community Infrastructure Financing District and to Amend the Petition for Establishment of the Pinnacle Community Infrastructure Financing Authority as a New Community Authority under Chapter 349 of the Ohio Revised Code.
-

LANDS: Mr. Bennett

- Ordinance C-40-16 Amend the Zoning Text for 625.92 acres located South of White Road and East of I-71 as adopted by Ordinance C-126-03. Second reading and public hearing.
- Ordinance C-45-16 Approve the Plat of Claybrooke Crossing, Section 6, Part 2. Second reading and public hearing.
- Ordinance C-46-16 Approve a Special Use Permit for Outdoor Sales for The Tamarkin Company d/b/a Getgo, located at 2165 Stringtown Road. Second reading and public hearing.
- Ordinance C-47-16 Approve a Special Use Permit for Auto Services for Grove City Tire Shop located at 3184 Southwest Blvd. Second reading and public hearing.
- Ordinance C-48-16 Approve a Special Use Permit for Outdoor Sales for Circle K located at 4043 London Groveport Road. Second reading and public hearing.
- Resolution CR-19-16 Approve an Amendment to Subarea E of the Development Plan for the Pinnacle Club located South of White Road as approved by Resolution CR-24-04.
- Resolution CR-35-16 Amend Resolution CR-19-04 to Authorize Payment to the City for the Required Public Improvements.
-

ON FILE: Minutes of: 05/16 - Council Meeting

Date: 05/10/16
Introduced By: Finance
Committee: Mr. Davis
Originated By: Mr. Boso
Approved: _____
Emergency: 30 Days: _____
Current Expense: XX

No.: C-44-16
1st Reading: 05/16/16
Public Notice: 05/19/16
2nd Reading: 06/06/16 ✓
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-44-16

AN ORDINANCE TO APPROPRIATE \$50,000.00 FROM THE GENERAL FUND FOR THE CURRENT EXPENSE OF LEGAL EXPENSES RELATED TO LITIGATION

WHEREAS, on March 7, 2016 this Council enacted Ordinance C-17-16 to place restrictions on the sale of cats and dogs in the City; and

WHEREAS, on March 23, 2016 Petland filed suit against the City of Grove City; and

WHEREAS, on April 11, 2016 Petland filed suit against a Council Member; and

WHEREAS, insurance defense counsel is defending the City with the assistance of the Law Director; and

WHEREAS, based upon the prior research and experience with this matter, the Law Director is assisting with case administration and strategy, discovery, motions and trial preparation; and

WHEREAS, litigation costs and expenses are not covered under the general retainer agreement with the Law Director; and

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

SECTION 1. There is hereby appropriated \$50,000.00 from the unappropriated monies of the General Fund to account number 100050.541200 for current legal expenses related to litigation.

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

Roby Schottke, 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

I certify that there is money in the treasury, or is in the process of collection, to pay the within ordinance.

Michael A. Turner, Director of Finance

Date: 05-31-16
Introduced By: Mr. Davis
Committee: Finance
Originated By: Mr. Smith
Approved: Mr. Boso
Emergency: 30 Days: X
Current Expense: _____

No.: C-51-16
1st Reading: 06/06/16
Public Notice: 06/08/16
2nd Reading: 06/20/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-51-16

AN ORDINANCE TO AMEND ORDINANCE C-96-15 TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT WITH MOUNT CARMEL HEALTH SYSTEM

WHEREAS, on December 21, 2015, Council enacted Ordinance C-96-15 which authorized the City Administrator to enter into an economic development agreement with Mount Carmel Health Systems; and

WHEREAS, the Agreement was tied to the Development Plan that was approved by Council on June 15, 2015; and

WHEREAS, on April 18, 2016, Council enacted Resolution CR-20-16 which amended the Development Plan for Mount Carmel Health Systems; and

WHEREAS, the Agreement needs to be updated to reflect the amended Development Plan.

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

SECTION 1. Ordinance C-96-15 is hereby amended and the City Administrator is hereby authorized to enter into an amended economic development agreement with Mount Carmel Health Systems as set forth in Exhibit "A".

SECTION 2. This Ordinance shall take effect at the earliest date permitted by law.

Roby Schottke, 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-51-16
Exhibit "A"

JOBS DEVELOPMENT AND INCENTIVE AGREEMENT

THIS DEVELOPMENT AND INCENTIVE AGREEMENT (this "Agreement") is made and entered into this the ____ day of _____, 201~~6~~⁵ by and between the City of Grove City, Ohio, (the "City"), a municipal corporation and political subdivision organized and existing under the Constitution and laws of the State of Ohio, and Mount Carmel Health System (the "Company").

RECITALS

WHEREAS, the Company currently operates a free-standing 37,000 square foot emergency department at its Grove City medical center campus located at 5350 North Meadows Drive (the "Site"); and

WHEREAS, the total Site is approximately 112 ± acres; and

WHEREAS, the Company desires to expand its campus by adding an ±500,000 square foot 210 bed hospital and a ±125,000 square foot medical office building ("Project") at the Site; and

WHEREAS, the Project will incorporate several parking options to minimize the impact on the Site and ensure that it retains some of its natural features and open space; and

WHEREAS, as part of this Agreement, the Company has agreed to sell to the City approximately 21 ± acres on the Site that will remain open to the general public; and

WHEREAS, the open space that the City is acquiring contains a natural preserve with a meandering stream; and

WHEREAS, with this Project, the Company plans on making an estimated Three Hundred Fifty Five Million Dollar (\$355,000,000.00) capital investment in the City; and

WHEREAS, it is estimated that the Company will add approximately One Thousand Five Hundred (1,500) jobs in the City; and

WHEREAS, following completion of the Project, the Company will be the largest employer in the City; and

WHEREAS, during the construction of the Project, it is estimated that the City will receive approximately Three Million Dollars (\$3,000,000) in income tax revenue; and

WHEREAS, following completion of the Project, it is estimated that the City will receive approximately Two Million Dollars (\$2,000,000) annually in income tax revenue; and

WHEREAS, the Company has the financial responsibility and business experience to create employment and improve the economic welfare of the people of the City; and

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties, intending to be legally bound, agree as follows:

Section 1. Based on a review of the relevant information, the City has determined the following:

- A. The Project will bring new jobs to the City.
- B. The Project will benefit the people in the City by bringing new employment opportunities, access to medical care, and strengthening the economy of the City.
- C. Receiving the Development and Incentive Agreement will contribute to the success of the Project in the City.

Section 2. Agreements of the City. The City hereby agrees as follows:

A. Economic Inducements:

1. **Parking Garage.** In moving forward with the Project, the City and Company have been exploring options to preserve green space on the Site. In order to do so, the Parties have agreed to construct a **visitor's** parking garage on the ~~east side of the~~ Site in lieu of the Company developing this and other green areas with a paved suitable parking lot. The City agrees to contribute Six Million Dollars (\$6,000,000) towards the cost of the parking garage. The payment shall be made on or before December 31, 2017. Upon completion, the parking garage shall have +305 spaces which will be free of charge for patrons.
2. **Property Purchase.** As part of this Agreement, the City agrees to purchase from Company and Company agrees to sell to City a portion of the Site as shown on Exhibit A consisting of approximately 21 ± acres at a total price of Eight Hundred Thousand Dollars (\$800,000). The City shall close on the purchase on or before December 31, 2017. The City Consulting Engineer shall prepare the legal descriptions and plat for the lot split at the City's cost and the City shall be responsible for all preparation and recording costs associated with the transfer of the property.
3. **City Property.** The City agrees that it will include the Company in all the planning processes and decisions made for the future use of the 21 ± acre tract which purchase is detailed in Section 2(A)(2) as the acreage directly abuts the Site thereby requiring careful and deliberate planning for future activities which may impact the operation of the project.

Section 3. City's Obligation to Make Payments Not Debt. Notwithstanding anything to the contrary herein, the obligations of the City pursuant to this Agreement shall not be a general obligation debt or bonded indebtedness, or a pledge of the general credit or taxes levied by the City, and the Company shall have no right to have excises or taxes levied by the City, the State or any other political subdivision of the State for the performance of any obligations of the City herein. Payment of all financial obligations of the City under this Agreement is subject to the issuance of debt by the City for the purpose of payment such obligations or appropriations by the City Council and certification by the Finance Director of the City as to the availability of funds necessary for such payments. In particular, since Ohio law limits the City to appropriating monies for such expenditures only on an annual basis, the obligation of the City to make

payments pursuant to Section 2 shall be subject to annual appropriations by the City Council and certification by the Finance Director of the City as to the availability of funds necessary for such payments.

Section 4. Agreements of the Company. The Company hereby agrees as follows:

- A. **Permits/Approvals.** The Company will obtain any and all necessary permits/approvals under the City's Codified Ordinances.

- B. **Construction Guarantee.** The Company shall be responsible for the construction of all public and private improvements as delineated on the approved Development Plan and as shown in Exhibit A approved by Resolution **CR-20-16** ~~CR-20-15~~. Improvements shall include but not be limited to a ±500,000 s.f., seven-story hospital facility, ±125,000 s.f. medical office building, a parking garage, bike paths, sidewalks, roadways, and all public and private utility facilities.

Section 5. Authority, Execution and Delivery. Each party to this Agreement represents and warrants to each other party as follows:

- A. **Authority.** It has the full right, power and authority to enter into this Agreement and to carry out its obligations hereunder, and the execution and delivery of this Agreement and the performance of its obligations hereunder have been duly and validly authorized by all necessary action.

- B. **Execution and Delivery.** This Agreement has been duly executed and delivered by it, and constitutes a valid and binding obligation of it, enforceable against it in accordance with its terms.

Section 6. Miscellaneous.

- A. **Amendment or Waiver.** No amendment or waiver of any provision of this Agreement shall be effective against any party hereto unless in writing and signed by that party.

- B. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute one and the same agreement.

- C. **Severability.** If any provision of this Agreement is invalid, illegal or unenforceable for any reason, such invalidity, illegality or unenforceability shall not affect the remainder of this Agreement and the remainder of this Agreement shall be construed and enforced as if such invalid, illegal or unenforceable portion were not contained herein, provided and to the extent that such construction would not materially and adversely frustrate the original intent of the parties hereto as expressed herein.

- D. **Jurisdiction.** The provisions of this Agreement and all matters that relate to its interpretation or enforcement shall be governed by Ohio law. The venue for any action to enforce any provision of this Agreement shall be exclusively in the state and federal courts in Franklin County, Ohio and each of the parties hereby consents to and subjects itself to the exclusive jurisdiction of such courts.

Exhibit A"
of Attachment

RESOLUTION NO. CR-20-16

A RESOLUTION TO APPROVE AMENDMENTS TO THE DEVELOPMENT PLAN FOR MOUNT CARMEL GROVE CITY MEDICAL CENTER AS APPROVED BY RES. CR-36-15

WHEREAS, on June 15, 2015, Council approved a Development Plan for Mt. Carmel Grove City Medical Center by Resolution No. CR-36-15; and

WHEREAS, on April 05, 2016, the Planning Commission recommended approval of amendments to the Development Plan, with the following stipulations:

1. Any improvement not proposed for amendment as part of this application shall remain as originally approved by CR-36-15;
2. A modified Jobs Development and Incentive Agreement shall be submitted to City Council to address the elimination of the east parking garage;
3. A **deviation** shall be granted to allow parking lots to exceed the maximum of 21 consecutive parking spaces without a landscape peninsula or island, as shown on proposed amend plan sheets;
4. Two rows of evergreen trees (6' height at installation, installed 20' O.C. maximum) and 2" caliper small class trees (two per each 100 lineal feet of property line) shall be installed on the mounding between the proposed parking lot and Hoover Road;
5. Irrigation shall be installed as shown on Sheet L01.5 and shall be permitted to deviate from the standards of Chapter 1136.

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

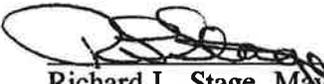
SECTION 1. This Council hereby accepts the amendments to the Development Plan for Mount Carmel Grove City Medical Center, approved by Resolution CR-36-15, contingent upon the stipulations set by Planning Commission, except for #3 and with the following:

1. A deviation shall be granted to allow parking lots to exceed the maximum of 21 consecutive parking spaces without a landscape peninsula or island, with a maximum of 27 consecutive parking spaces.

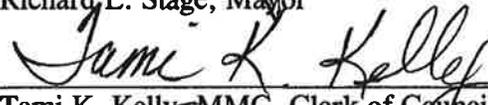
SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.



Roby Schöttke, President of Council



Richard L. Stage, Mayor



Tami K. Kelly, MMC, Clerk of Council

Passed: 05-02-16
Effective: 05-02-16 Attest:

Certify that this resolution
is correct as to form.



Stephen J. Smith, Director of Law

Date: 5/31/16
Introduced By: Mr. Davis
Committee: Finance
Originated By: Mr. Smith
Approved: Mr. Boso
Emergency: 30 Days
Current Expense: _____

No.: CR-33-16
1st Reading: 06/06/16
Public Notice: 0 / /16
2nd Reading: 0 / /16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION CR-33-16

A RESOLUTION APPROVING THE ESTABLISHMENT OF A PROCEDURE FOR
THE SUCCESSION OF THE APPOINTED MEMBERS OF THE BOARD OF
TRUSTEES OF THE PINNACLE COMMUNITY INFRASTRUCTURE FINANCING
AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE

WHEREAS, pursuant to Ohio Revised Code Chapter 349, on February 12, 2004, a petition for the establishment of the Pinnacle Community Infrastructure Financing Authority was filed with the Board of County Commissioners of Franklin County, Ohio by M/I Homes of Central Ohio, LLC and Pinnacle Development Company of Grove City, Ltd. (together, the "Developer") as the developer of the Authority, which Petition the County Commissioners approved on March 30, 2004, pursuant to Resolution Number 275-04; and

WHEREAS, pursuant R.C. Section 349.04, the County Commissioners, in Resolution Number 275-04, approved the structure of the Board of Trustees of the Authority wherein seven (7) members were initially selected as follows: (a) the County Commissioners appointed three (3) citizen members of the Trustees to represent the interests of present and future residents of the District and one (1) member to serve as a representative of local government; and (b) the Developer appointed three (3) members of the Trustees as representatives of the Developer; and

WHEREAS, the County Commissioners adopted Resolution Number 372-05 on May 10, 2005 to establish a procedure for the succession of appointed members of the Trustees with elected citizen members based on the population within the Pinnacle Community Infrastructure Financing District; and

WHEREAS, the population of the District has reached levels to satisfy certain thresholds established by County Commissioners Resolution Number 372-05, and the Board of Trustees is currently composed of three (3) elected members, two (2) appointed Developer members, one (1) appointed citizen member, and the appointed local government representative; and

WHEREAS, since House Bill 64 of the 130th General Assembly became effective on September 29, 2015, the Council of the City of Grove City, Ohio is the "organizational board of commissioners," as that term is defined in R.C. Section 349.01(F)(3), because the Authority is located entirely within the corporate boundaries of the City of Grove City; and

WHEREAS, in accordance with the application to add certain parcels of real property to the District and to amend the Petition (the "Application") filed by the Developer on April 22, 2016 with this Council, the projected population of the Authority has been reduced since the County Commissioners adopted Resolution Number 372-05; and

WHEREAS, pursuant to R.C. Section 349.04, as the “organization board of commissioners,” this Council is endowed with the authority to determine the intervals at which an election shall occur to replace the remaining appointed Trustees with qualified electors who reside in the District at such time the population thresholds established by such statute are satisfied;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Grove City, Ohio;

SECTION 1. Pursuant to R.C. Section 349.04, this Council adopts the following method for election of successor members of the Board of Trustees of the Authority, which determines the projected total population of the District and meets the following criteria:

- (a) An elected citizen member shall replace the remaining appointed citizen member at the time the District gains one-half ($1/2$) of its projected total population. Pursuant to the Application, the projected total population of the District is 4,107 residents.
- (b) An elected citizen member shall replace one (1) of the remaining Developer members at the time the District gains two-third ($2/3^{\text{rd}}$) of its projected total population.
- (c) An elected citizen member shall replace the representative of local government at the time the District gains three-quarters ($3/4^{\text{th}}$) of its projected total population.
- (d) An elected citizen member shall replace the final Developer member at the time the District gains the full projected population.
- (e) Elected citizen members of the Board of Trustees shall be elected by a majority of the residents of the District voting in elections held on such date as the Trustees shall determine.
- (f) Each citizen member except an appointed citizen member shall be a qualified elector who resides in the District.

SECTION 2. The population of the District at any one time shall be determined pursuant to a formula adopted by the Trustees. This Council advises that such population calculation be determined by multiplying the number of dwelling units certified to have occupancy permits by three (3) persons per dwelling unit. The multiplier of three (3) is equal to the total anticipated population of the District of 4,107 residents, as provided in the Application, divided by the projected total number of dwelling units in the District of 1,369, as provided in the Application. The population and dwelling unit thresholds shall be as follows:

- (a) When the total population of the District reaches 2,055 residents (or 685 dwelling units), the remaining appointed citizen member of the Trustees shall be replaced by election.
- (b) When the total population of the District reaches 2,739 residents (or 913 dwelling units), one (1) appointed Developer member of the Trustees shall be replaced by election.
- (c) When the total population of the District reaches 3,081 residents (or 1,027 dwelling units), the appointed local government member of the Trustees shall be replaced by election.
- (d) When the total population of the District reaches 4,107 (or 1,369 dwelling units), or because of amendments to the development plan, the total number of dwelling units anticipated is reduced to less than 1,369 and all proposed units have been granted occupancy permits, the final appointed Developer member of the Trustees shall be replaced by election.

SECTION 3. Council determines that no later than August 1 of each year, the Trustees shall receive from the City a certified calculation of the total number of anticipated dwelling units to be constructed within the District that have been granted occupancy permits as of June 30 of that year.

SECTION 4. When a population threshold has been surpassed as determined by the Trustees, the Trustees, through a predetermined nomination procedure established by the Trustees, shall conduct an election for the replacement of the appointed member or members of the Trustees to be held on such date as the Trustees shall determine.

SECTION 5. Candidates to be elected to the Trustees shall at a minimum be qualified electors who reside within the District and shall not be employees or agents of, or have a financial interest in the developers of the Authority and/or their affiliates.

SECTION 6. An elected Trustee's term shall commence on January 1 following the date of the election. In advance of or upon the expiration of the term of any elected Trustee, said position shall be open for election again at the next succeeding election. If the replacement of any Trustee by election occurs in the midst of a term, the elected Trustee shall serve the remainder of the term and said position shall be open for election again at the next succeeding election.

If the replacement of any Trustee by appointment occurs in the midst of a term, the Trustee appointed as the replacement Trustee shall serve the remainder of the term and said position shall be open for appointment by Council, or for election at the next succeeding election, as applicable.

SECTION 7. Pursuant to R.C. Section 349.04, each member of the Trustees, before entering upon official duties, shall take and subscribe to an oath before an officer authorized to administer oaths in Ohio that the member will honestly and faithfully perform the duties of the member's office, and such oath shall be filed with the Clerk of the County Commissioners, as the organizational board of commissioners with which the Petition was filed.

SECTION 8. Pursuant to R.C. Section 349.04 and Resolution Number 275-04 of the County Commissioners, each member of the Trustees shall post a bond in the amount of \$10,000 for the faithful performance of their duties. The bond shall be with a company authorized to conduct business within the State of Ohio as a surety and a copy of each bond shall be filed with the Franklin County Auditor.

SECTION 9. Council finds and determines that all formal actions of City Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that result in those formal actions were in meetings open to the public in compliance with the law.

SECTION 10. This resolution shall take effect at the earliest opportunity allowed by law.

Passed:

Roby Schottke, President of Council

Effective:

Richard L. Stage, Mayor

Attest:

Tami K. Kelly, MMC, Clerk of Council

Date: 05/31/16
Introduced By: Mr. Davis
Committee: Finance
Originated By: Mr. Smith
Approved: Mr. Boso
Emergency: 30 Days
Current Expense: _____

No.: CR-34-16
1st Reading: 06/06/16
Public Notice: 0 / /16
2nd Reading: 0 / /16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION CR-34-16

A RESOLUTION APPROVING THE APPLICATION TO ADD CERTAIN PARCELS OF REAL PROPERTY TO THE PINNACLE COMMUNITY INFRASTRUCTURE FINANCING DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF THE PINNACLE COMMUNITY INFRASTRUCTURE FINANCING AUTHORITY AS A NEW COMMUNITY AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE

WHEREAS, pursuant to Ohio Revised Code Chapter 349, M/I Homes of Central Ohio, LLC and Pinnacle Development Company of Grove City, Ltd. (together, the “Developer”), as developer of the Pinnacle Community Infrastructure Financing Authority, filed an application on April 22, 2016 with the Council of the City of Grove City, Ohio to add certain parcels of real property owned by the Developer to the territory comprising the Authority (the “District”), and to amend the petition as originally filed with the Board of County Commissioners of Franklin County, Ohio for the establishment of the Authority; and

WHEREAS, this Council is the “organizational board of commissioners,” as that term is defined in R.C. Section 349.01(F), for the Authority; and

WHEREAS, this Council determined that the Application complies with the requirements of R.C. Section 349.03 as to form and substance by its Resolution No. 23-16, adopted on May 2, 2016; and

WHEREAS, on June 6, 2016, and pursuant to R.C. Section 349.03(A), this Council held a public hearing on the Application after public notice was duly published in accordance with R.C. Section 349.03;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Grove City, Ohio;

SECTION 1. Council finds and determines that the addition of property to the District, as described in the Application, will be conducive to the public health, safety, convenience and welfare, and is intended to result in the continued development of a new community as defined in R.C. Section 349.01(A).

SECTION 2. The Application is hereby accepted and shall be recorded, along with this Resolution, in the journal of Council, as the organizational board of commissioners.

SECTION 3. The boundary of the District shall be amended to include the territory set forth in Exhibit A attached to this Resolution.

SECTION 4. Council finds and determines that all formal actions of City Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that result in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5. This resolution shall take effect at the earliest opportunity allowed by law.

Passed:

Roby Schottke, President of Council

Effective:

Richard L. Stage, Mayor

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this Resolution
is correct as to form.

Stephen J. Smith, Director of Law

EXHIBIT A

The legal description of the Additional Property is as follows:

**DESCRIPTION OF
22.898 ACRES
LOCATED SOUTH OF PINNACLE CLUB DRIVE
AND EAST OF MCNULTY STREET
CITY OF GROVE CITY, FRANKLIN COUNTY OHIO**

Situated in the State of Ohio, County of Franklin, Township of Jackson, lying within Virginia Military Survey Number 478, being out of that 32 acre tract of land described in deed to Richard Fred McClish and Harriet Elizabeth McClish, Trustee, of record in Instrument 200910220152776, all being of record in the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

BEGINNING FOR REFERENCE, at a mag nail found at the centerline intersection of Pinnacle Club Drive (70 feet-wide) and McNulty Street (60 feet-wide), of record in Plat Book 104, Page 99;

Thence South 74°53'41" East, a distance of 160.01 feet, to a mag nail found;

Thence South 15°06'12" West, a distance of 44.25 feet, in part, through the right of way of Pinnacle Club Drive and in part with the west line of Lot 517 of Pinnacle Club Section 6 Part 1, of record in Plat Book 113, Page 43, to an iron pin set at the northwest corner of said 32 acres, said iron pin being the **POINT OF TRUE BEGINNING**;

Thence South 75°04'37" East, a distance of 658.01 feet, with the north line of said 32 acres, to an iron pin set;

Thence South 16°39'14" East, a distance of 1204.66 feet, crossing said 32 acres, to an iron pin set in the south line of said 32 acres, said iron pin being in the right of way of Holton Road;

Thence North 74°51'28" West, a distance of 1291.93 feet, with the south line of said 32 acres and the north line of said Pinnacle Club Section 6 Part 1, passing an iron pin found (EMHT cap) at a distance of 479.75 feet, to an iron pin set at a common corner of said 32 acres and said Pinnacle Club Section 6, Part 1;

Thence North 15°05'47" East, a distance of 1021.36 feet, passing iron pins found at distances of 50.26 feet (EMHT cap), 377.73 feet (Pomeroy cap), 517.73 feet (Pomeroy cap), 587.73 feet (Pomeroy cap), 657.73 feet (Pomeroy cap), 727.73 feet (Pomeroy cap), 867.73 feet (Pomeroy cap), and 937.73 feet (Pomeroy cap), with the west line of said 32 acres and the east line of said Pinnacle Club Section 6 Part 1, to the **POINT OF TRUE BEGINNING**, containing 22.898 acres, more or less.

The bearings described herein are based on the bearing of South 74°53'41" East, for the centerline of Pinnacle Club Drive as determined by GPS observations and post processed utilizing NGS OPUS Solutions (NAD 83- 2007 Adjustment).

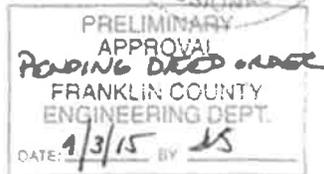


CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

Mark Alan Smith

Mark Alan Smith, P.S.
Registered Surveyor No. 8232

6/20/2015
Date



**DESCRIPTION OF
8.889 ACRES
LOCATED SOUTH OF PINNACLE CLUB DRIVE
AND EAST OF McNULTY STREET
CITY OF GROVE CITY, FRANKLIN COUNTY OHIO**

Situated in the State of Ohio, County of Franklin, Township of Jackson, lying within Virginia Military Survey Number 478, being out of that 32 acre tract of land described in deed to Richard Fred McClish and Harriet Elizabeth McClish, Trustee, of record in Instrument 200910220152776, all being of record in the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

BEGINNING FOR REFERENCE, at a mag nail found at the centerline intersection of Pinnacle Club Drive (70 feet-wide) and McNulty Street (60 feet-wide), of record in Plat Book 104, Page 99;

Thence South 74°53'41" East, a distance of 160.01 feet, to a mag nail found;

Thence South 15°06'12" West, a distance of 44.25 feet, to an iron pin set at the northwest corner of said 32 acres;

Thence South 75°04'37" East, a distance of 658.01 feet, with the north line of said 32 acres, to an iron pin set, said iron pin being the **POINT OF TRUE BEGINNING**;

Thence South 75°04'37" East, a distance of 693.71 feet, continuing with the north line of said 32 acres, to an iron pin found at the common corner of said 32 acres and that 3.994 acre tract of land described in deed to Bronson Mallett, of record in Instrument 199802170034516;

Thence South 15°02'22" West, a distance of 1026.53 feet, with the east line of said 32 acres, in part with the west line of said 3.994 acres and in part with the west line of a 2.006 acre tract of land described in deed to William A. Smith, of record in Instrument 20130410060285, to an iron pin found at the common corner of said 32 acres and said 2.006 acres;

Thence North 74°51'28" West, a distance of 60.81 feet, with the south line of said 32 acres and in part with the centerline of Holton Road, to an iron pin set;

Thence North 16°39'14" West, a distance of 1204.66 feet, crossing said 32 acres, to an iron pin set in the south line of said 32 acres, to the **POINT OF TRUE BEGINNING**, containing 8.889 acres, more or less.

The bearings described herein are based on the bearing of South 74°53'41" East, for the centerline of Pinnacle Club Drive as determined by GPS observations and post processed utilizing NGS OPUS Solutions (NAD 83- 2007 Adjustment).



CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

Mark Alan Smith

Mark Alan Smith, P.S.
Registered Surveyor No. 8232

8/20/2015

Date

Date: 04/13/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No. : C-40-16
1st Reading: 04/18/16
Public Notice: 04/21/16
2nd Reading: 06/06/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-40-16

AN ORDINANCE TO AMEND THE ZONING TEXT FOR 625.92 ACRES LOCATED SOUTH OF WHITE ROAD AND EAST OF I-71 AS ADOPTED BY ORDINANCE C-126-03

WHEREAS, on February 02, 2004, Council approved Ordinance C-126-03, a Rezoning request for 625+ acres located South of White Road, for The Pinnacle Club, that included a Zoning Text; and

WHEREAS, Council has approved amendments to said Zoning Text for Subarea A, by Ordinance C-23-11 and C-10-12; and

WHEREAS, Council has approved amendments to said Zoning Text for Subarea E, by Ordinance C-28-07, C-45-09, C-71-12 and C-28-14; and

WHEREAS, on April 05, 2016, the Planning Commission recommended approval of requested amendments to said Zoning Text, Subarea E, with the following stipulation:

1. Amendments shall only apply to Section V (Subarea E) of the Zoning Text; and
2. The proposed Village Homes shall have a front setback of 25 feet.

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

SECTION 1. The Zoning Text for 625.92 acres located South of White Road and East of I-71, as adopted by Ordinance C-126-03 and amended by Ordinance C-28-07, C-45-09, C-23-11, C-10-12, C-71-12 and C-28-14, is hereby amended as shown in Exhibit "A", attached hereto and made a part hereof.

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

Roby Schottke, 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-40-16

Exhibit A

**SECOND AMENDMENT OF
THE PINNACLE CLUB OF GROVE CITY
620+ ACRES**

GROVE CITY, OHIO

PLANNED UNIT OF DEVELOPMENT-RESIDENTIAL (PUD-R)

Original Applicants:

Pinnacle Development Company
567 Lazelle Road
Westerville, OH 43081

Mil Schottenstein Homes, Inc.
3 Easton Oval
Suite 540
Columbus, OH 43219

Amendment Applicant

M/I Schottenstein Homes, Inc.
3 Easton Oval
Suite 540
Columbus, OH 43219

Zoning Text

~~November 3, 2003~~

~~Revised November 17, 2003~~

~~Revised November 23, 2003~~

~~Revised November 26, 2003~~

~~Revised December 1, 2003~~

~~Revised January 30, 2004~~

Original – C-126-03, Feb. 2, 2004

First Amendment ~~January 29, 2007~~ C-28-07, May 07, 2007

Second Amendment ~~June 2, 2009~~ C-45-09, Aug. 17, 2009

Third Amendment ~~October 2, 2012~~ C-23-11, June 20, 2011

Fourth Amendment C-10-12, April 16, 2012

Fifth Amendment C-71-12, Jan. 22, 2012

Sixth Amendment C-28-14, July 7, 2014

Seventh Amendment C-40-16

INTRODUCTION:

This zoning text establishes the permitted uses, residential densities, minimum lot sizes, the house size ranges and various other development standards for the development comprising the 620+ acres of land generally located south of White Road, west of Jackson Pike, north of Holton Road and east of Interstate 71, as more particularly depicted on the Preliminary Development Plan dated November 26, 2003 and described in the legal description submitted with the zoning application (the "Property"). The text also establishes land use, residential density and lot size for the Eberhard 3.72 acre parcel and the Nocero 10 acre parcel.

The Property or, as sometimes referred to herein, the "Pinnacle Club", is designed as a master planned community to be developed around a championship golf course. Unlike most golf course communities that are designed to maximize lot layout, often to the detriment of the golf course layout, the Pinnacle Club is first and foremost a golf course. Lot layout is designed not to interfere with golf or to distract from the public views into the golf course from public right-of-ways. The natural beauty of the land east of the proposed Buckeye Parkway extension is captured and preserved by golf course. Lots and condominium sites are located in areas that compliment the golf course design.

The future residents of the Pinnacle Club, the residents of the existing M/I Homes Creekside development and the general public, as they drive Buckeye Parkway and the proposed Pinnacle Club Drive, will be treated to exceptional views into the golf course. Much of Buckeye Parkway, as extended through the Property, and most of Pinnacle Club Drive will be single loaded (only one side of the road developed with housing) to provide unobstructed public views of the golf course. Unlike most golf course communities, the golf course will not be hidden from the general public.

One's arrival to the Pinnacle Club will be announced at Buckeye Parkway and White Road. Spectacular entrance features to be presented to the City as part of the development plan approval process will set the tone for what lies beyond the gateway. Landscaping along White Road and throughout the Property will provide visual image and identity of the Pinnacle Club at the entranceway and throughout the Property.

The general land use design of the Property is to step down residential densities from Interstate 71 eastward, with densities east of Buckeye Parkway being extremely low. The land west of Buckeye Parkway, including condominium Subareas F, G and J, have a combined density of 5.85 dwelling units per acre. Not including the Subareas F, G and J, the density west of Buckeye Parkway is 4.56 dwelling units per acre. Although multi-family apartments are typically located on land along freeways, all dwelling units within the Pinnacle Club development will be for sale to individual owners.

Because of the size of the development, multiple Subareas will be developed simultaneously. Buckeye Parkway and Pinnacle Club Drive will be constructed in their entirety at the beginning of development. The traditional concept of phasing sequence is not applicable with this development. A tree survey will not be required as part of the development plan review of Subarea L.

I. SUBAREA A (65.7 ACRES)

- A. Permitted Uses: Subarea A consists of three (3) areas: A₁ consists of 39.1± acres containing approximately 78 lots; Subarea A₂ consists of 16.2± acres containing approximately 36 lots. Subarea A₃ consists of 10.4± acres containing approximately 44 two-family lots. Subareas A₁ and A₂ may be enlarged and the number of lots in the Subarea may be increased provided views into the golf course from public rights-of-way are maintained and further subject to the established minimum lot size requirements set forth below. Subarea A₁ and A₂, also referred to herein as the "Estate Lots", will be sold to custom home builders, which shall include M/I Homes Showcase division. Contiguous platted lots may be combined in whole or part resulting in larger lots.
- B. Density: As provided in Section I(A) above, subarea size may increase and densities may increase or decrease provided views into golf course are maintained.
- C. Lot Size: Subarea A₁ and A₂ contains 90' and 100' wide lots, measured at the building line, with a minimum lot depth of 120'. No lot in Subarea A₁ and A₂ may be split and combined with a contiguous platted lot if said split results in a lot containing less than 90' of frontage at the building line. Subarea A₃ contains lots with a minimum width of 45', measured at the building line with a minimum lot depth of 110'. Lots within Subarea A₃ shall contain single family detached homes and/or attached single family homes sharing one common lot line and wall and subject to the setback requirements set forth in Exhibit 6.
- D. House Sizes: The minimum house size in Subarea A₁ and A₂ shall be 2,400 square feet. The minimum house size in Subarea A₃ for each unit shall be 1,250 square feet a total of 2,500 square feet per building for attached units. Detached units within Subarea A₃ shall be a minimum 1,170 square feet along Pinnacle Club Drive and all other areas within Subarea A₃ will have a minimum 1,519 square feet. No two adjacent detached units within Subarea A₃ shall be less than a total of 2,680 square feet. Detached units on lots 1 and 2 as shown on Exhibit 7 shall be a minimum of 2,034 square feet. A minimum of three detached units on lots 3 thru 10 as shown on Exhibit 7 will have at least 2,034 square feet. Minimum square footages are to exclude garages and unfinished basements.

- E. Exterior Materials: All homes will be traditional in architecture, i.e. Colonial, Georgian, County French and Country English. A design review manual will be in place prior to any final platting of this Subarea. Four sided architecture will be encouraged with brick or stone foundations on all sides and common window fenestration. Natural materials including wood, brick, stone and stucco will be encouraged with the use of hardy plank siding or beaded lap profile and shake profile vinyl siding with .044 gauge or greater, where appropriate. The roof material will be dimensional architectural shingles.
- F. Streets/Sidewalks:
- (1). Streets within Subarea A shall have a minimum right-of-way width of 50 feet and a minimum pavement width of 28 feet measured from face-of-curb to face-of-curb.
 - (2). Four foot wide brick or concrete sidewalks shall be installed in front of all homes. Sidewalks do not have to be installed along open space areas except as shown on the Development Plan.
- G. Street Trees: Street trees shall be 3" to 3.5" in caliper at planting and planted 35' on center.
- H. Within Subarea A₃, all of the lots will have a common landscape theme and maintenance.

II. SUBAREA B (13.7ACRES)

- A. Permitted Uses: Subarea B shall be developed with single-family homes as an expansion of the adjacent Creekside Subdivision.
- B. Density: The maximum number of homes in Subarea B shall be 45 for a total maximum density of approximately 3.3 dwelling units per acre.
- C. Exterior Materials: Exterior materials of homes shall be those materials used in the existing Creekside Subdivision.
- D. Lot Sizes/House Sizes:
- (1). Lot sizes shall be a minimum of 80' width at the building line and 120' depth.
 - (2). Homes shall be a minimum of 1,600 square feet for ranch homes and 1,800 square feet for two story homes.

- E. Streets/Sidewalks:
- (1). Streets within Subarea B shall have a minimum right-of-way width of 50 feet and a minimum pavement width of 28 feet measured from face-of-curb to face-of-curb.
 - (2). Four foot wide concrete sidewalks shall be installed in front of all homes. Sidewalks do not have to be installed along open space areas except as shown on the Development Plan.
- F. Open Space/Street Trees:
- (1). Open space shall be as shown on the Preliminary Development Plan, subject to adjustments resulting from final engineering.
 - (2). Street trees shall be 3" to 3.5" caliper at planting and planted 35' on center.

III. **SUBAREA C (45.3 ACRES)**

- A. Permitted Uses: Subarea C consists of 45.3 acres containing approximately 140 homes. All homes shall have a two-car garage.
- B. Density: The maximum number of homes in Subarea C shall be 140 for a total maximum density of approximately 3.1 dwelling units per acre.
- C. Lot Sizes: Lots shall have a minimum width of 70' at the building line and a minimum depth of 120'. Lots contiguous to Subarea L shall have a minimum width of 80' at the building line and a minimum depth of 120'.
- D. House Sizes: House sizes shall range in size from a minimum square footage of 1,800' for all homes, up to and including 3,500 square foot homes. 80% of all homes shall exceed 2,000 square feet in size.
- E. Exterior Materials: All home exteriors shall have traditional beaded lap profile vinyl siding with .044 gauge or greater and/or natural materials. All homes shall have brick or stone plinths. All chimneys within Subarea C shall be brick or stone. 50% of the homes within Subarea C [i.e. 70 homes (140 + 50%)] shall have brick or stone on its front facade ranging from 15% to 100% of the front building elevation (windows and doors, including garage doors, shall be excluded from the calculation) an example of the brick options are shown on Exhibit 1. Most windows on the front of each home will have shutters.
- F. Roof:
- (1). The roof of all homes shall have accents such as dormers and small gables. The pitch of the main roof shall be a minimum of

6/12. Roof accents shall have roof pitches ranging from 4/12 to 12/12.

(2). The roof material will be dimensional architectural shingles.

G. Streets/Sidewalks:

(1). Streets shall have a minimum right-of-way width of 50 feet and a minimum pavement width of 28 feet measured from face-of-curb to face-of-curb.

(2). Four foot (4') wide concrete sidewalks shall be installed in front of all homes. Sidewalks do not have to be installed along open space areas except as shown on the Development Plan.

(3). All homes shall have brick paver walks from the driveway to the front door of the house.

H. Open Space/Street Trees:

(1). Open space shall be as shown on the Preliminary Development Plan, subject to adjustments resulting from final engineering.

(2). Street trees shall be 3" to 3.5" caliper at planting and planted 35' on center.

IV. SUBAREA D (52.7 ACRES)

A. Permitted Uses: Within Subarea D, single-family homes shall be built on a mixture of 50 and 60 foot wide single-family lots. The 50' wide lots shall front on White Road and Buckeye Parkway. The 60' wide lots shall be along the golf course and the east perimeter of the Subarea. Thirty-four of the permitted 60' lots shall back onto the golf course. All homes shall have front porches. Front porches shall range in size from 16 square feet to 100+ square feet.

B. Density: The maximum number of homes in Subarea D shall be 184 for a total maximum density of approximately 3.48 dwelling units per acre.

C. Lot Sizes: Of the 184 lots in Subarea D, 100 shall have a minimum lot width of 50' to 60' and 84 shall have a minimum lot width of 60' or greater. Lot locations shall be as generally depicted on the Preliminary Development Plan, subject to refinements resulting from final engineering.

V. SUBAREA E (115 Acres)

A. Permitted Uses: Subarea E, also sometimes referred to as the "Traditional Neighborhood Development" contains four district housing types:

(1) Carriage Homes: Single-family homes with two car attached garages. Garages are accessed from alleys at the rear of the homes. Streetscapes are pedestrian oriented with reduced setbacks and front porches closer

to sidewalks. Driveways and garage doors are eliminated from street views. All homes shall have porches. Front porches shall range in size from 16 square feet to 100+ square feet.

- (2.) Village Homes: Single-family homes with two car attached garages are accessed from the front of the homes. Garages are even with or behind the front porch facade of the home. All homes have small porches.
- (3.) Town Homes: Two-family homes, each home has a two car detached garage. Garages are accessed from alleys at the rear of the homes.
- (4.) Cottage Homes: Single-family homes, each home has a two car detached garage. Garages are accessed from alleys at the rear of the homes. Garages shall have a common wall on one side.

B. Density: The maximum number of homes in Subarea E shall not exceed ~~531~~ **524** for a total maximum density of approximately 4.6 units per acre. The breakdown of the number of housing types follow:

- (1) Carriage Homes approximately ~~333~~ **323** lots
- (2) Village Homes approximately ~~140~~ **143** lots
- (3) Town Homes approximately 42 lots
- (4) Cottage Homes approximately 16 lots

C. Exterior Materials: All homes will have traditional vinyl siding and shake accent areas with .044 gauge or greater. All homes will have brick or stone option for the front facade. Most windows on the front of each home will have shutters. All exposes courses of the foundation of all homes shall be split face block; brick; stone; poured concrete or, any other material that stimulates the appearance of brick or stone. A minimum of 50% of the homes fronting on Buckeye Parkway and one Village greens shall have brick or stone accents as shown on the building elevations submitted as Exhibit 3.

D. Lot Sizes:

- (1). Carriage Home Lots 47'x70' (typical)
- (2). Village Home Lots 50'x120' (typical)
- (3). Town Home Lots 62'x100' (typical)
(28.5' minimum up to 33.5' per unit)
- (4). Cottage Home Lots 31'x100' (typical)
- (5). All lots along the north boundary of Subarea E, east of the east right-of-way line of Berry Hill Drive, shall be a minimum of 70' wide at the building line and a minimum of 120' feet in depth.

(6). Village home lots along I-71 in Subarea "E" shall be 50' x 106' (minimum) and a 12' (minimum) building line shall apply. The building may be set back further away from the building line, as needed, to achieve desired driveway lengths.

E. House Sizes: 80% of all homes in Subarea E shall exceed 1,400 square feet in size.

Carriage Homes	house size range: 1,200 - 2,300 s.f.
Village Homes	house size range: 1,200 - 3,300 s.f.
Town Homes	house size: minimum of 1,760 s.f.
Cottage Homes	house size range: 1,650 - 1,894 s.f.

F. Roof:

(1). The roof of all homes shall have accents such as dormers and small gables. The pitch of the main roof shall be a minimum of 6/12. Roof accents shall have roof pitches ranging from 4/12 to 12/12.

(2). The roof material will be dimensional architectural shingles.

G. Streets/Alley/Sidewalks:

(1). Streets shall have a minimum right-of-way width of 50 feet and a minimum pavement width of 28 feet measured from face-to-curb to face-to-curb.

(2). Alleys shall be private and shall have a minimum right-of-way width of 16 feet and a minimum pavement width of 12 feet. All alleys shall be constructed in accordance with current City of Columbus specifications (rolled concrete is permitted) or as otherwise agreed to by the City with 2" asphalt surface (alley detail to be approved as part of the development plan process).

(3). Four feet (4') wide concrete sidewalks shall be installed in front of all homes. Sidewalks along open space areas will be addressed as part of the development plan process.

H. Open Space/Street Trees:

(1). Open space shall be as shown on the Preliminary Development Plan, subject to adjustments resulting from final engineering.

(2). Street trees shall be 3" to 3.5" caliper at planting and planted 35' on center.

VI. SUBAREAS F (31.6 ACRES), G (23.1 ACRES), I (13.4 ACRES) AND J (22.9 ACRES)

- A. Permitted Uses: Within Subareas F, G, I and J, attached single-family/cluster home condominiums shall be permitted at the densities set forth below and public uses such as a fire station/police sub-station.
- B. Density: The maximum number of dwelling units shall not exceed:
 - (1).
- C. House Sizes: Unit size shall be established as part of the development plan approval process.
- D. Exterior Materials: The exterior materials of the buildings shall be established as part of the development plan process.
- E. Streets/Sidewalks:
 - (1). Streets shall be private with a minimum pavement width of 26 feet.
 - (2). Sidewalks shall be as shown on the development plan.
- F. Open Space: Open space will be established as part of the development plan approval process.

VII. SUBAREA H (4.9± ACRES)

- A. Permitted Uses: Within Subarea H detached single-family homes or attached single-family/cluster homes condominiums shall be permitted.
- B. Density: The maximum number of dwelling units shall not exceed 20 dwelling units (approximately 4 dwelling units per acre).
- C. Miscellaneous: Development standards not set forth above shall be established as part of the development plan approval process.

VIII. EBERHARD PARCEL (3.7± ACRES)

- A. Permitted Uses: Single-family residential homes and one general office use in a separate building of no greater than 4,500 square feet shall be permitted on the Eberhard Parcel. The existing office building on the Eberhard Parcel shall be considered the permitted general office use building. Said building may be expanded, remodeled and/or demolished and rebuilt as a permitted building so long as the total building size does not exceed the 4,500 square feet limitation.

- B. Residential Density: A maximum of three (3) single-family lots may be established on the Eberhard Parcel.
- C. Lot Size: No lot in the Eberhard Parcel shall be less than .5 acres in size.
- D. House Size: The minimum house size shall be 2,000 square feet.
- E. Exterior Materials. All homes will be traditional in architecture, i.e. Colonial, Georgian, County French and Country English. A design review manual will be in place prior to any final platting of this Subarea. The Estate Lot Review Board which, in the review of homes on the Eberhard Parcel, shall include a member of the Ron Eberhard family, will review and approve all home and landscape plans for this Subarea. Four sided architecture will be encouraged with brick or stone foundations on all sides and common window fenestration. Natural materials including wood, brick, stone and stucco will be encouraged with the use of hardy plank siding or upgraded vinyl siding where appropriate. The roof material will be dimensional architectural shingles.
- F. Streets/Sidewalks:
 - (1). Streets: Lots may be platted with frontages on private streets.
 - (2). Sidewalks: Not applicable.
 - (3). The Eberhard Parcel shall not have direct access onto Buckeye Parkway.
- G. Street Trees: Not applicable.

IX. NOCERO PARCEL (10± ACRES)

- A. Permitted Uses: Single-family residential homes.
- B. Residential Density: A maximum of four (4) single-family lots may be established on the Nocero Parcel.
- C. Lot Size: No lot shall be less than 70' wide at the building line and 120' in depth.
- D. House Size: The minimum house size shall be 2,000 square feet.
- E. Exterior Materials: Exterior materials of homes shall be those materials used in the existing Creekside Subdivision.

X. SUBAREA K (7.9 ACRES)

- A. Permitted Uses: A community center, with swimming pool and tennis courts as generally depicted on Exhibit 4 hereto. The community center

will be open to all persons living in the Pinnacle Club. The Community Center will be designed and constructed to compliment the design of the golf course club house.

XI. SUBAREA L (200.6± ACRES)

- A. Permitted Uses: A golf course with driving range and club house, generally as depicted on the Preliminary Development Plan and all other uses ancillary to a golf course and club house, shall be the permitted use of Subarea L.

XII. GENERAL STANDARDS

- A. Connectivity: Sidewalks required within Subareas and bike paths along Buckeye Parkway and Pinnacle Club Drive shall be designed to create connectivity throughout the Property.
- B. Fences:
- (1). Public Roadways: Fences along Buckeye Parkway, White Road, Jackson Pike and Pinnacle Club Drive shall be of uniform color and design. Fences shall be maintained by an association of home owners and/or the golf course owner.
 - (2). Lots: All fences within a particular Subarea shall be of uniform height, color and design. Fences shall not be permitted along lot lines.
- C. Architectural Review Boards: Subareas A1 and A2 (the "Estate Lots") and Subarea H shall be subject to an architectural review board made up initially of four members: Susanne H. Hirth, Joseph Ciminello, a representative of the City with a single-family architectural background, and a representative of M/I Homes (the "Estate Lots Review Board") to review and approve exterior building elevations and landscaping in accordance with the design manual to be submitted with the development plan applications for those Subareas. The membership of the Estate Lots Review Board shall increase as lots are sold to home builders to include representatives of the home builders. An arbitration procedure will be established in the design manual whereby, in the event of a split vote, a designated single-family architect will resolve the impasse.
- D. Landscaping:
- (1). Entrance features to the Property are shown conceptually on Exhibit 5 with detail submittal as part of the development plan application.

- (2). Landscaping between Interstate 71 and homes or condominiums shall be approved as part of the development plan process.
 - (3). Typical landscaping for all homes and condominiums shall be approved as part of the development plan process.
- E. Intersections: Section 1101.05(a)(4) of the Grove City Municipal Ordinances requires that intersections be at least 200 feet apart. Any street intersections involving Buckeye Parkway, White Road, or Jackson Pike shall be designed with landscaped medians as traffic control devices therefore permitting intersections within the 200' limit of Section 1101.05(a)(4). Moreover, Section 1101.05(a)(4) shall not apply to intersections within individual Subareas. Said intersections to be approved as part of the development plan process.
- F. Setbacks: A schedule of building setbacks for Subareas A₁, A₂, A₃, B, C, D and E is set forth in Exhibit 6.
- G. Homeowners' Associations: Subareas A₃, B, C, D, E, F, G, H, I and J shall each have a separate condominium or homeowners' association which shall be responsible for the maintenance of the open space and entrance features located within the Subarea. Said Subareas shall be a part of a master association which shall be responsible for the maintenance of the entrance features to the Property and the landscaping along Buckeye Parkway, White Road and Jackson Pike.
- H. Miscellaneous:
- (1). Street Lights: Designs will be submitted as part of the development plan approval.
 - (2). Mailboxes: Designs will be submitted as part of the development plan approval.
 - (3). Pools and Sheds: Above ground swimming pools and sheds shall be prohibited throughout the Property.

EXHIBITS

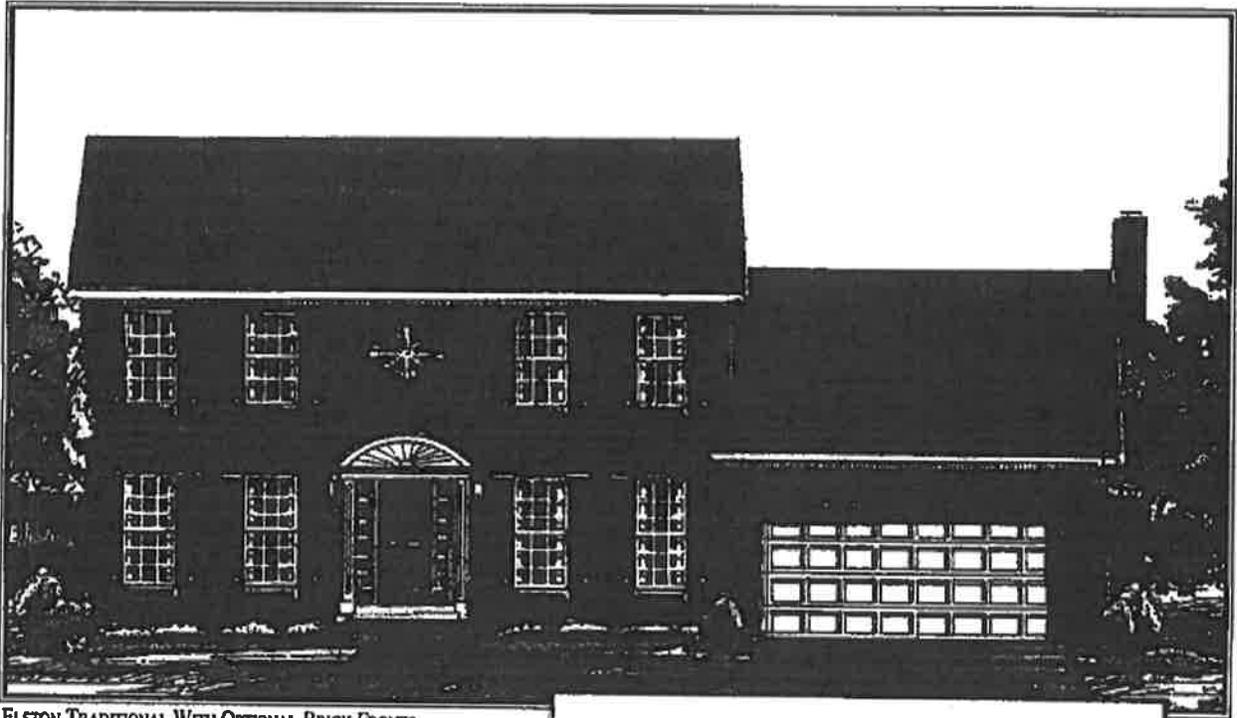
- Exhibit 1** – Building Elevations (Example of brick option for Subarea C) – *NO CHANGE*
- Exhibit 2** – Building Elevations (Example of brick option for Subarea D) “
- Exhibit 3** – Building Elevations (Example of brick option for Subarea E) “
- Exhibit 4** – Conceptual drawing of community center, swimming pool and tennis courts. “
- Exhibit 5** – Conceptual drawing of entrance feature “
- Exhibit 6** – Schedule of building setbacks. “
- Exhibit 7** – Site Plan Detail for Subarea A₃

**THE PINNACLE CLUB
OF GROVE CITY**

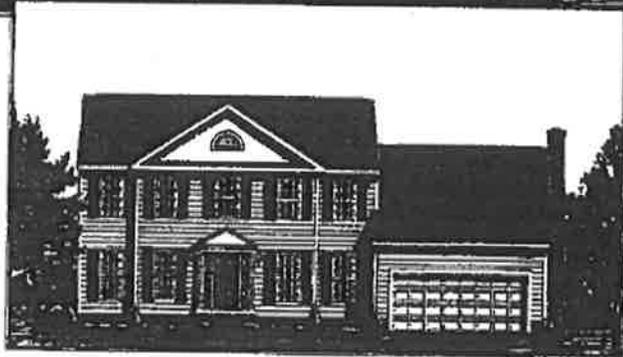
**EXAMPLE OF BRICK OPTIONS FOR SUBAREA C
EXHIBIT 1**

FOUNDER'S COLLECTION

Elston



ELSTON TRADITIONAL WITH OPTIONAL BRICK FRONTS



ELSTON GEORGIAN



M/I HOMES

www.mihomes.com

Home Is a Two-Letter Word... M/I.

FOUNDER'S COLLECTION

Everett



EVERETT CLASSIC II



EVERETT



M/I HOMES

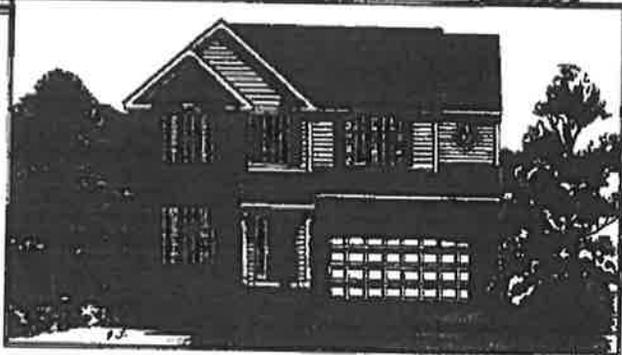
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FOUNDER'S COLLECTION

Kenton



WITH OPTIONAL FULL PORCH



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FOUNDER'S COLLECTION

Larson

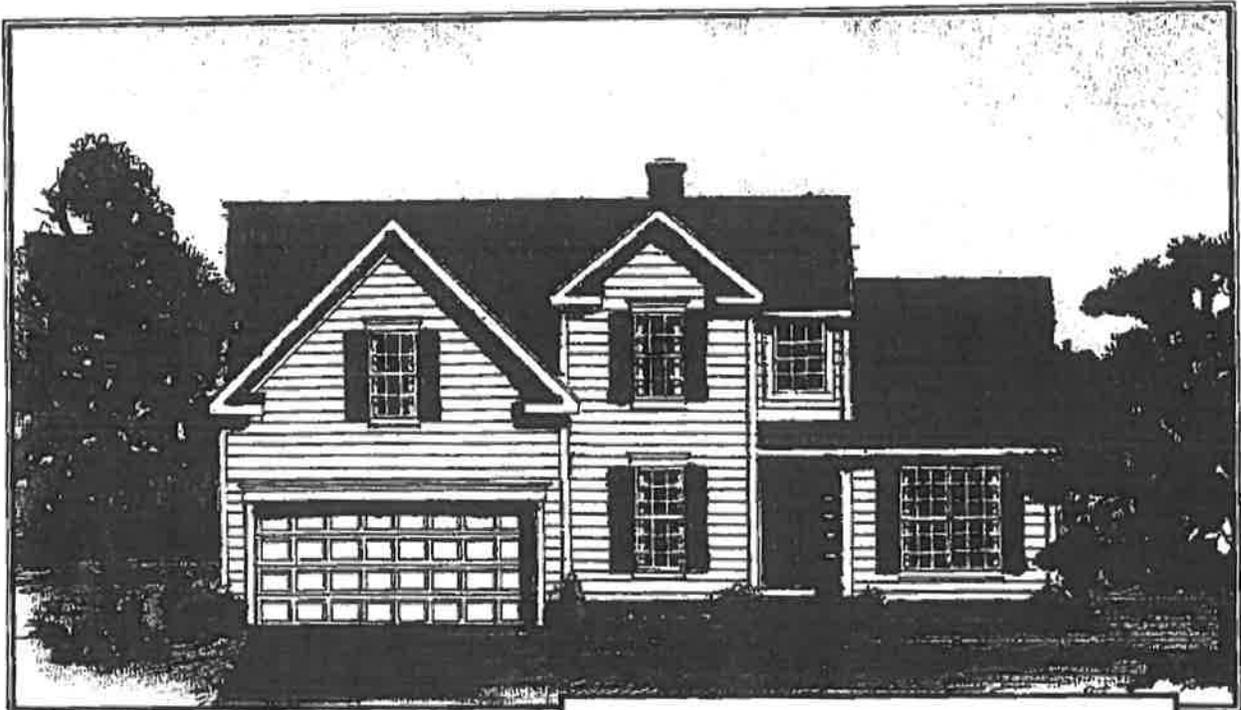


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FOUNDER'S COLLECTION

Pendleton



SHOWN WITH OPTIONAL BONUS ROOM

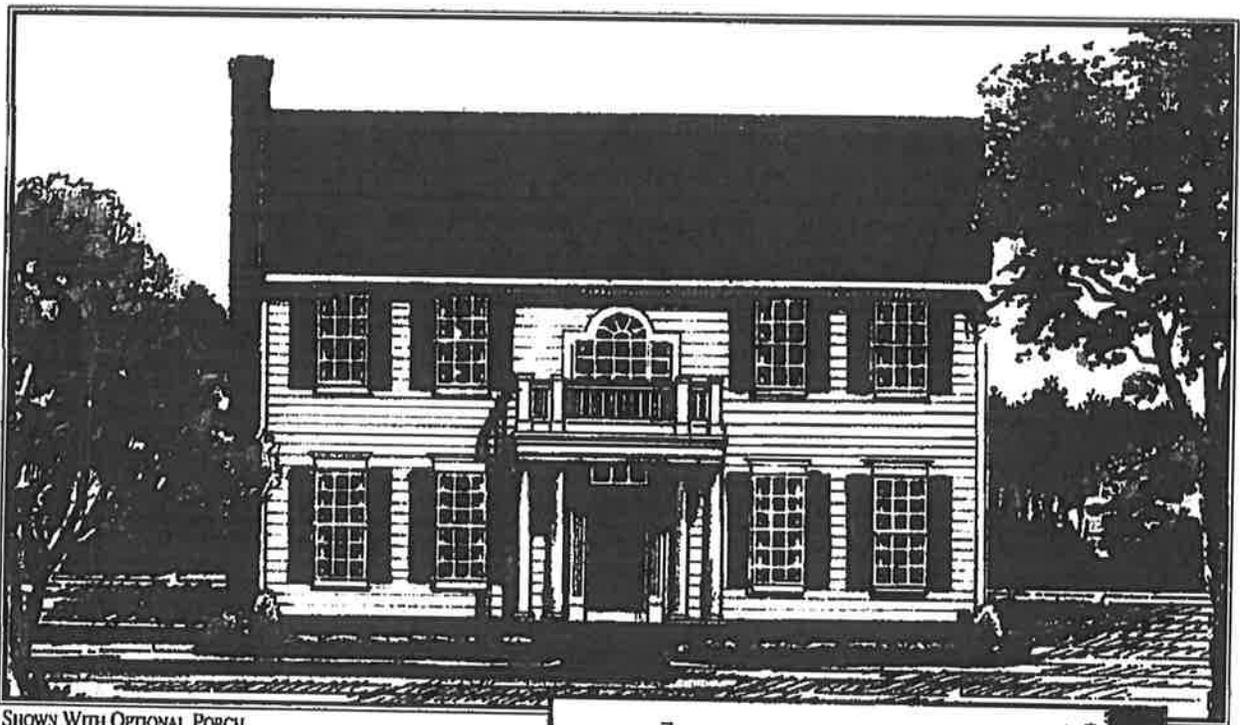


SHOWN WITH BRICK FRONT

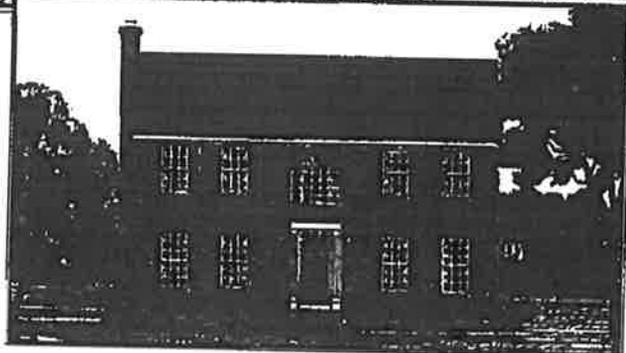

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FOUNDER'S COLLECTION

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FOUNDER'S COLLECTION

Longmeade



WITH OPTIONAL FULL PORCH AND OPTIONAL BRICK FRONTS



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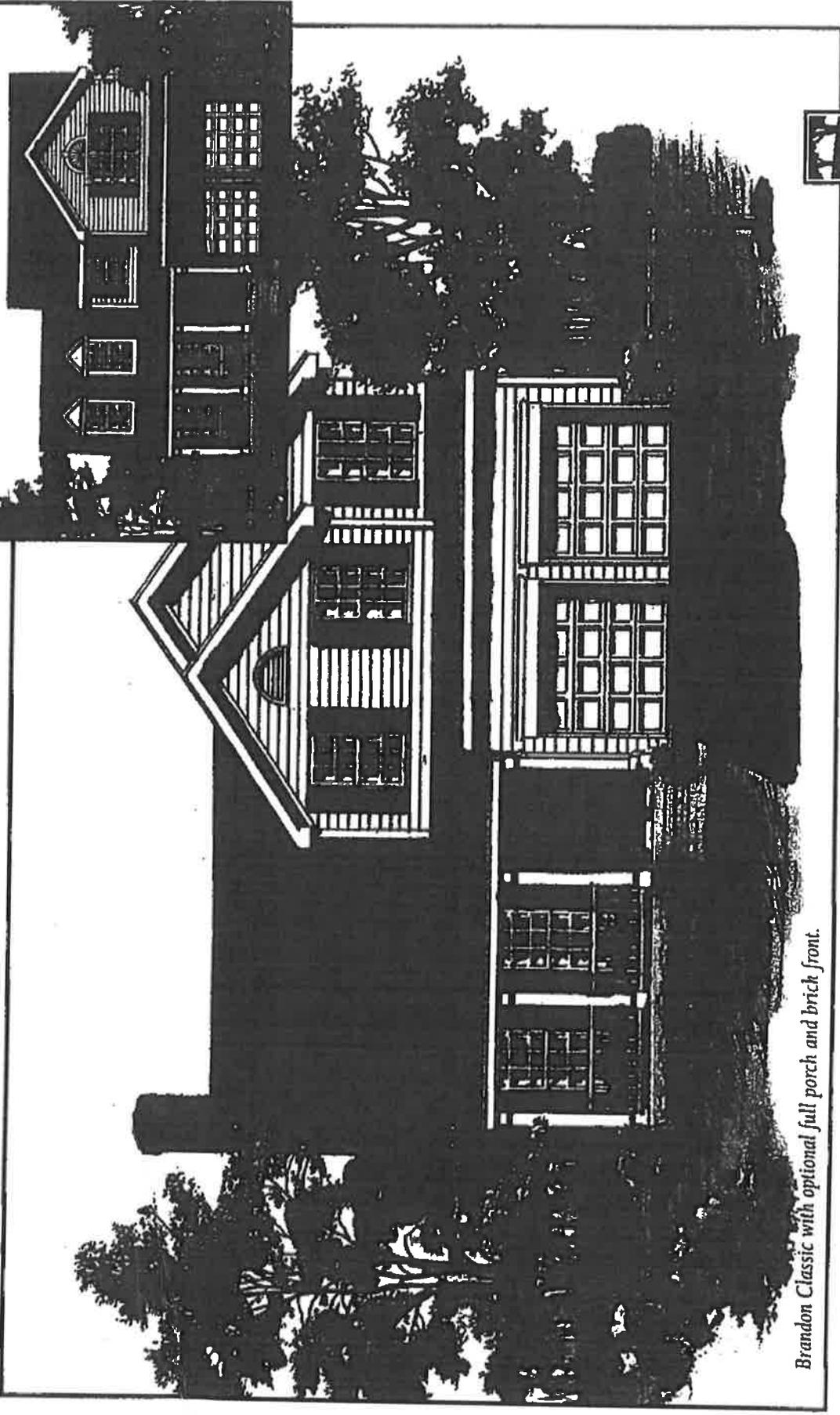
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Home Is a Two-Letter Word... M/I.

**THE PINNACLE CLUB
OF GROVE CITY**

**EXAMPLE OF BRICK OPTIONS FOR SUBAREA D
EXHIBIT 2**

Brandon Traditional with optional full porch, brick fronts and dormers.

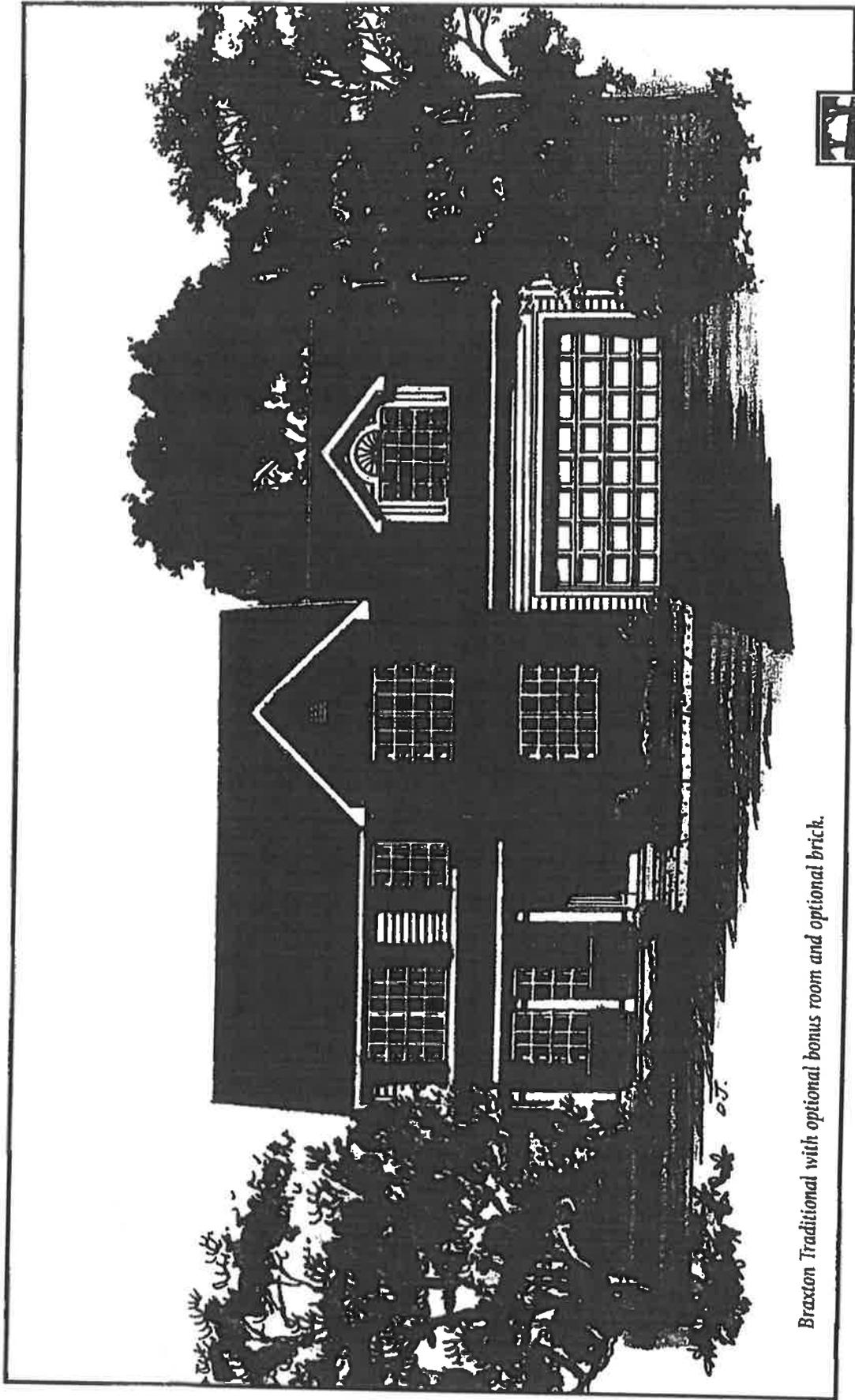


Brandon Classic with optional full porch and brick front.



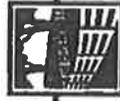
THE BRANDON

THE PRESERVE
— NEW ALBANY SCHOOLS



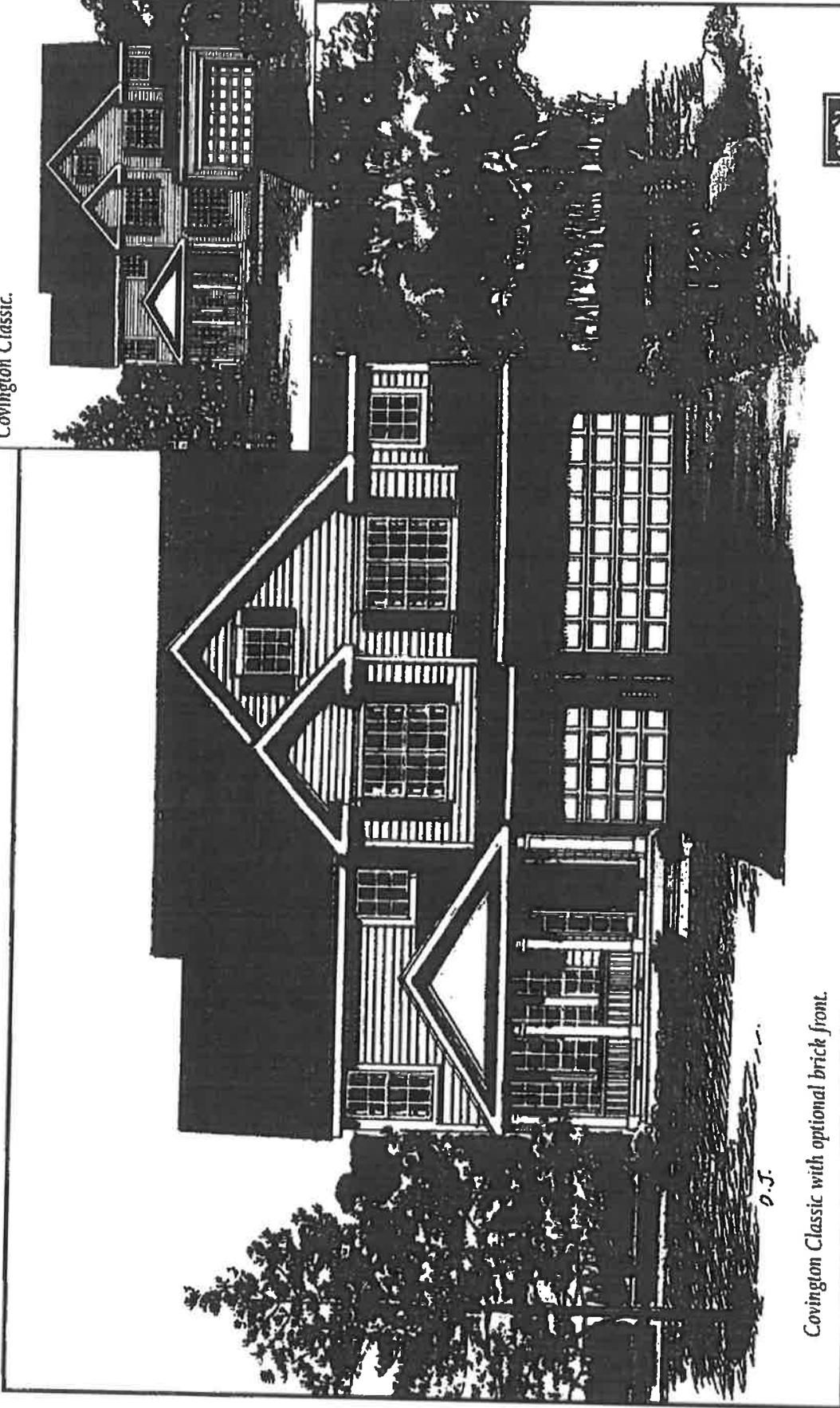
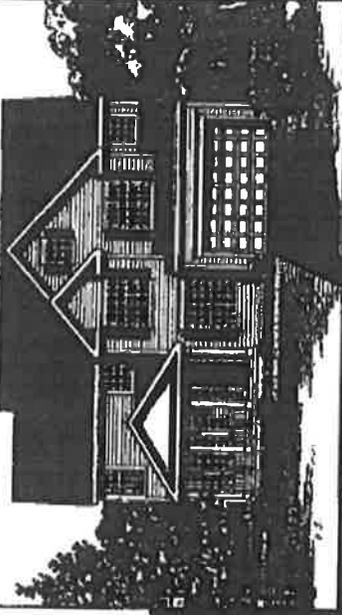
Braxton Traditional with optional bonus room and optional brick.

THE BRAXTON



THE PRESERVE
— NEW ALBANY SCHOOLS —

Covington Classic.

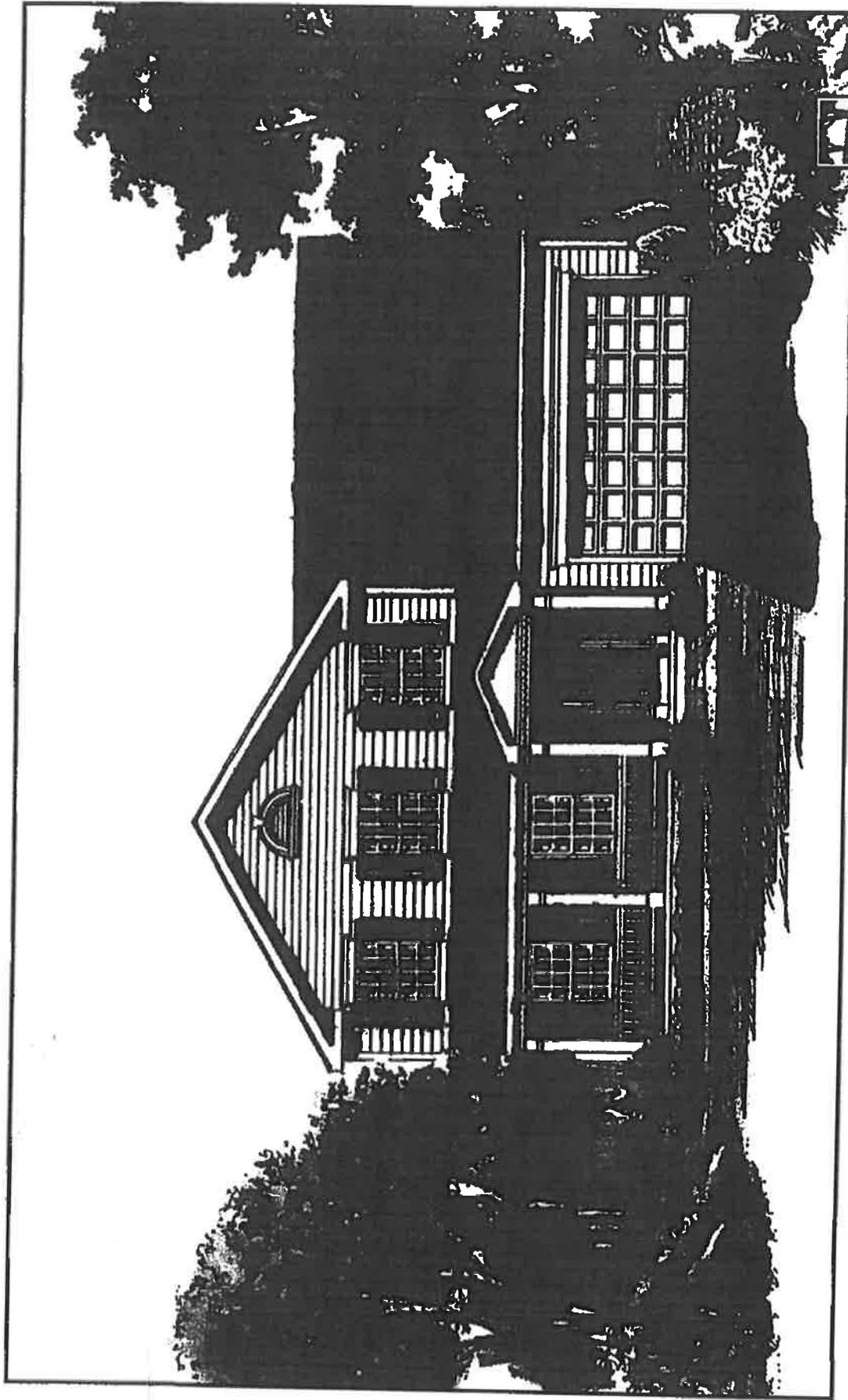


Covington Classic with optional brick front.



THE PRESERVE
—NEW ALBANY SCHOOLS—

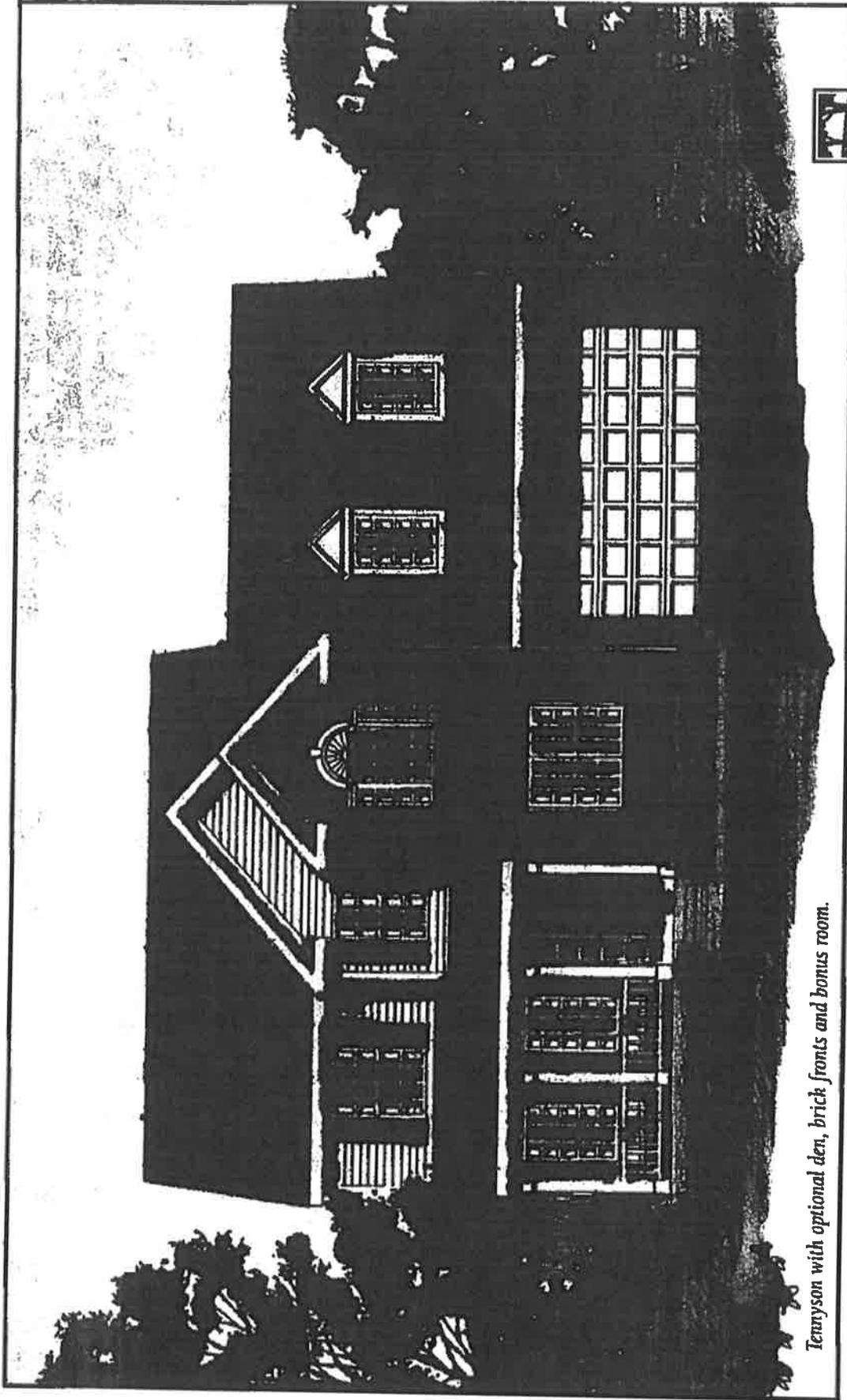
THE COVINGTON



THE LANSING



THE PRESERVE
NEW ALBANY SCHOOLS



Tennyson with optional den, brick fronts and bonus room.

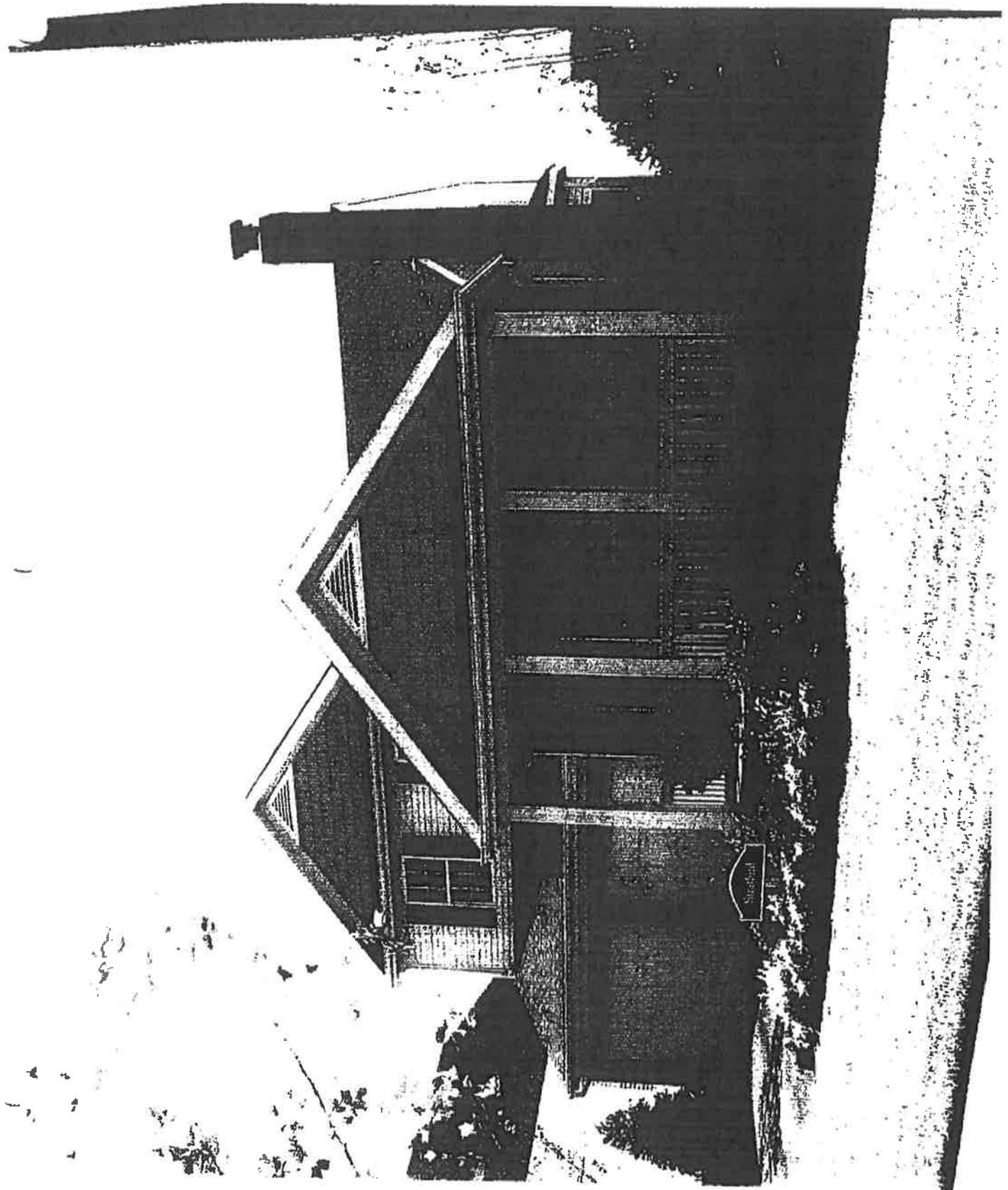


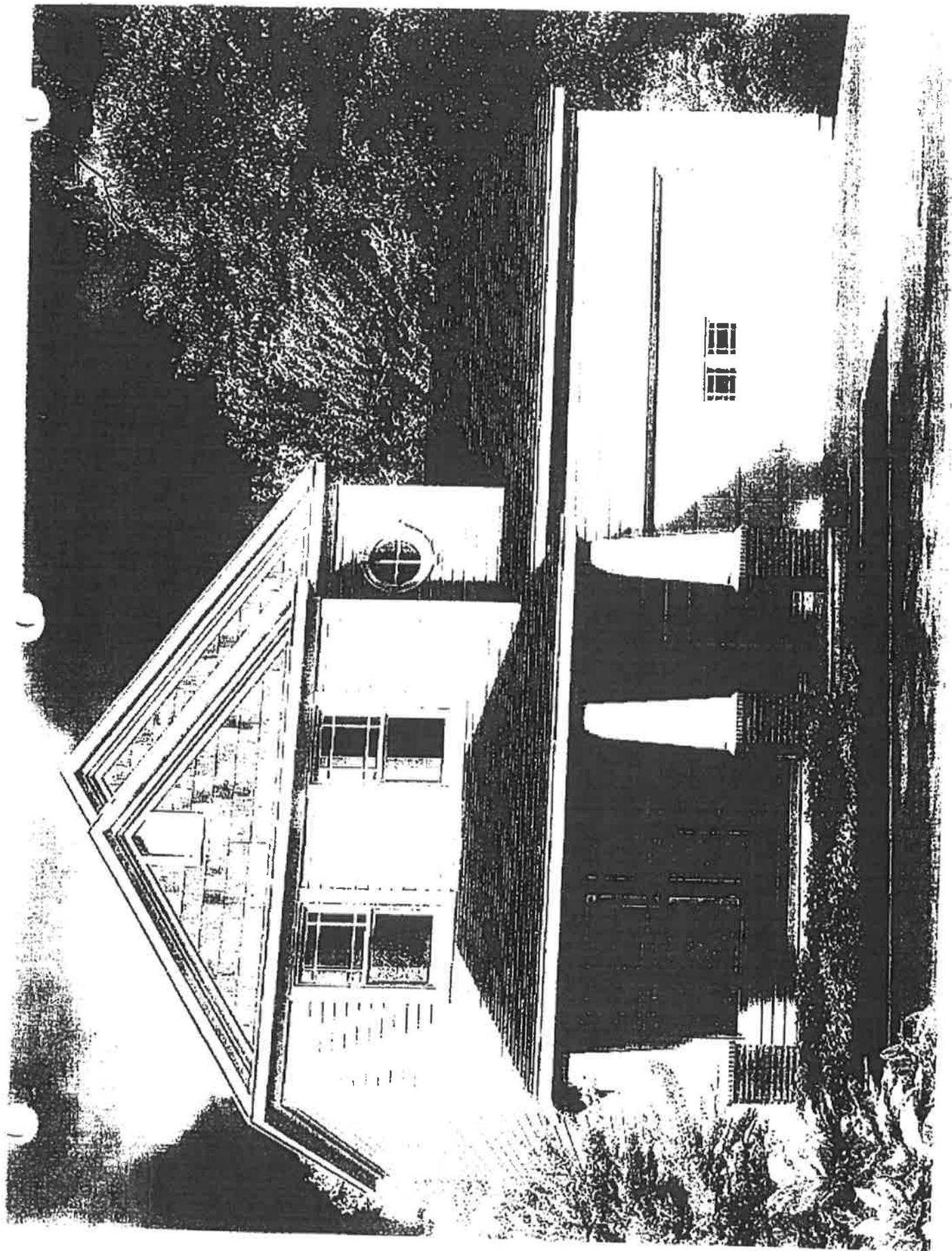
THE PRESERVE
— NEW ALBANY SCHOOLS —

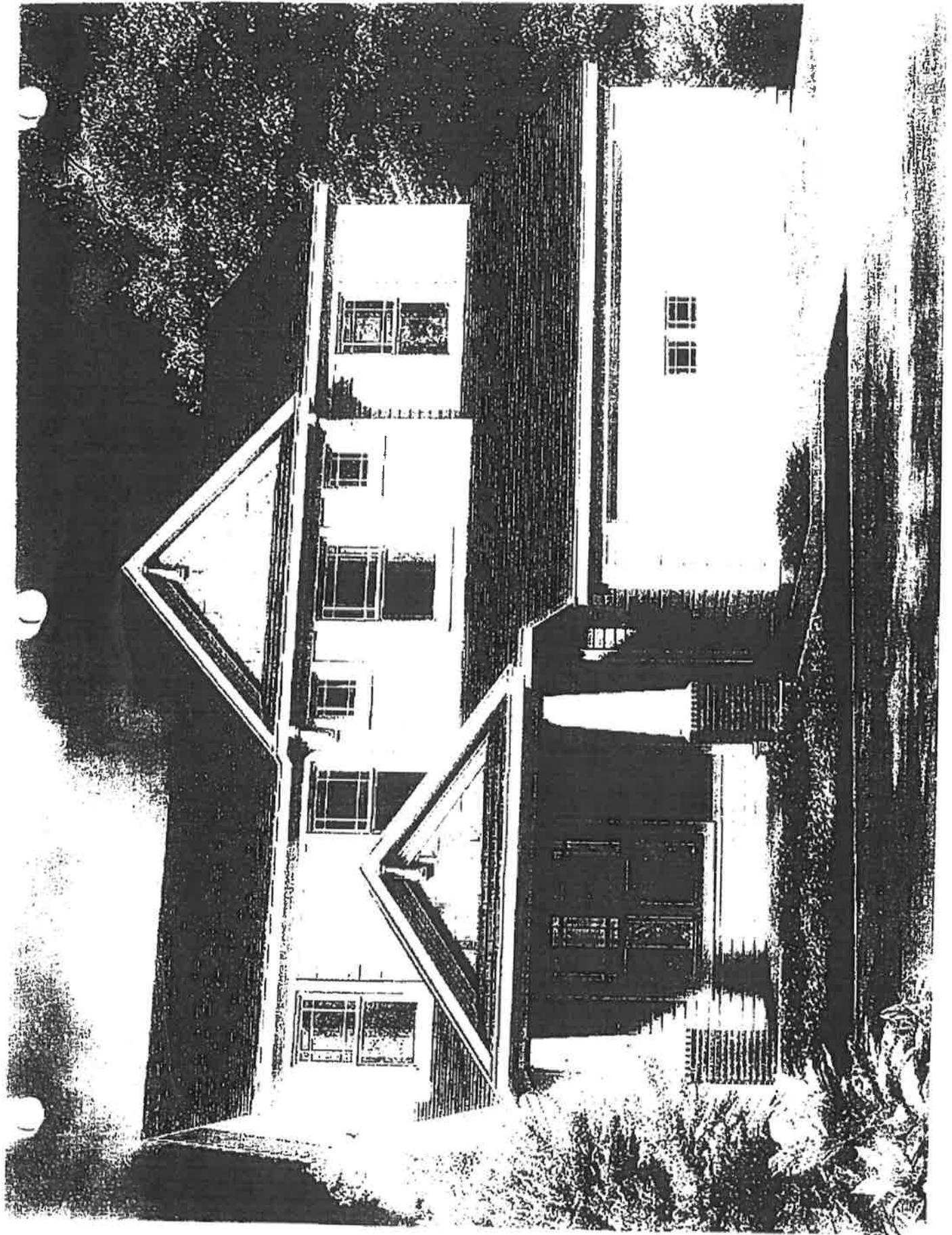
THE TENNYSON

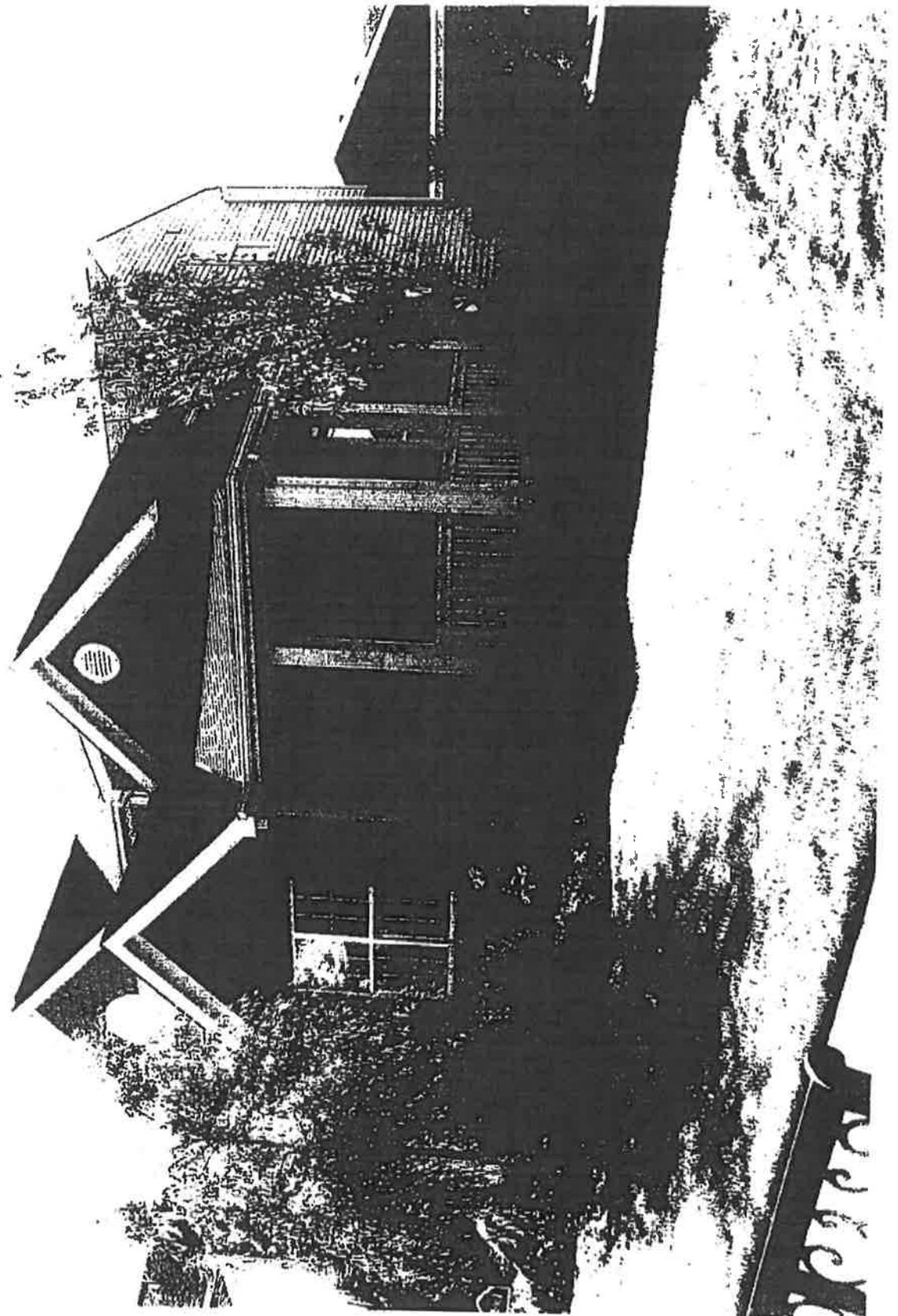
**THE PINNACLE CLUB
OF GROVE CITY**

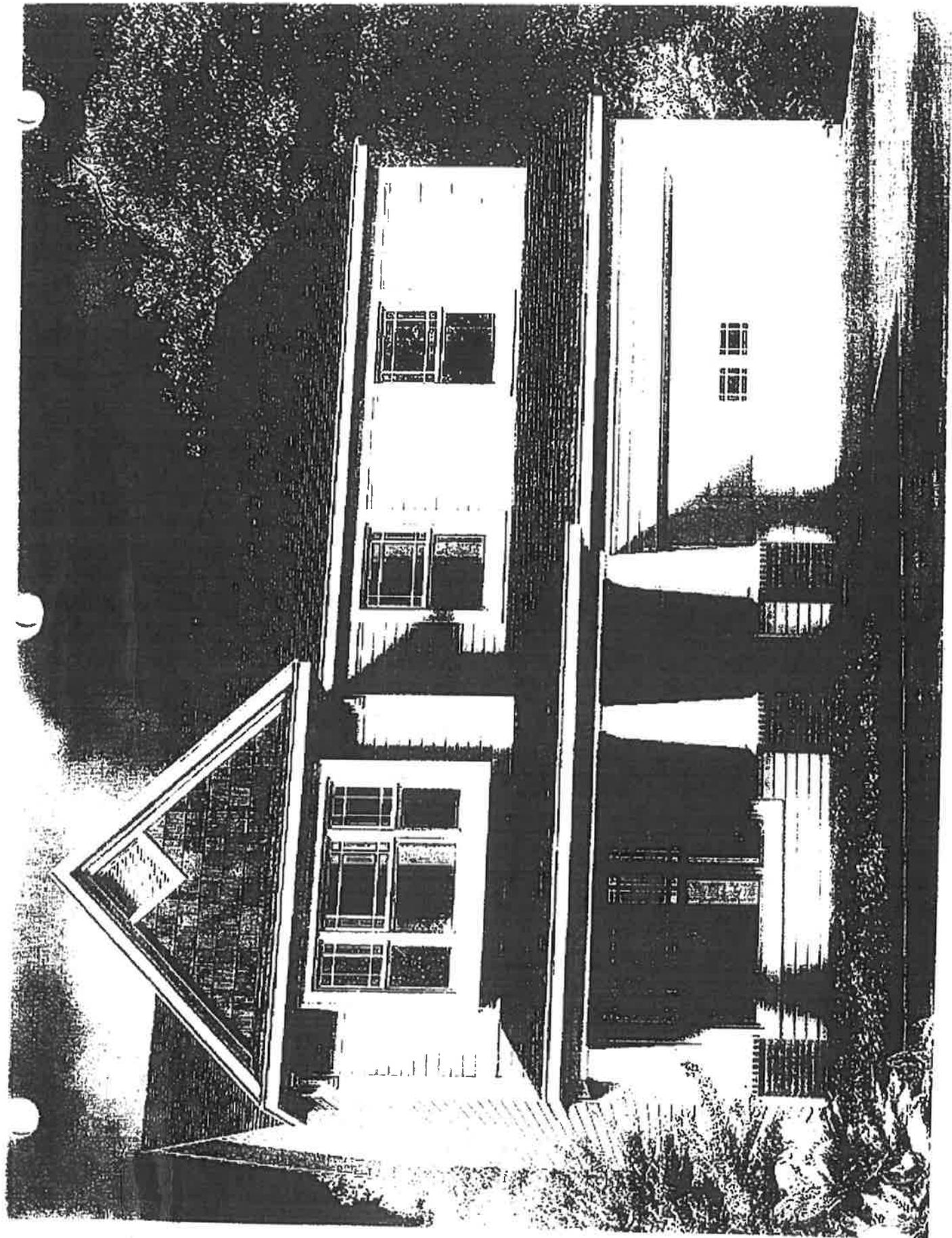
**EXAMPLE OF BRICK OPTIONS FOR SUBAREA E
EXHIBIT 3**



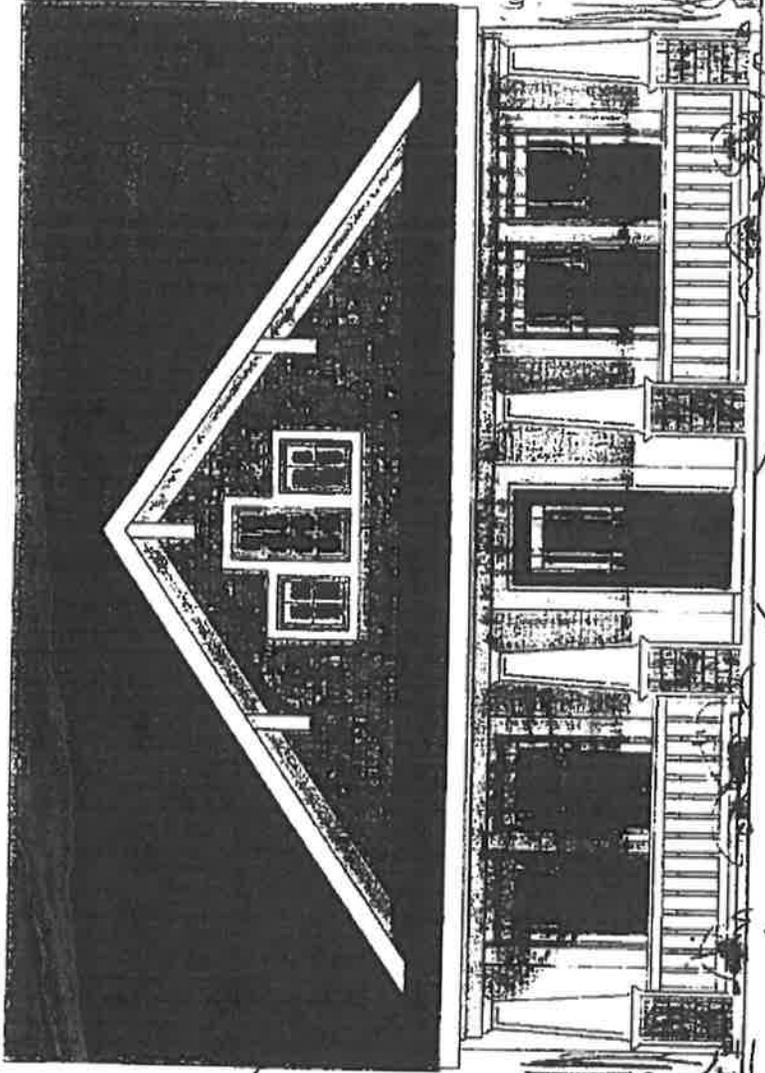








'Langford'

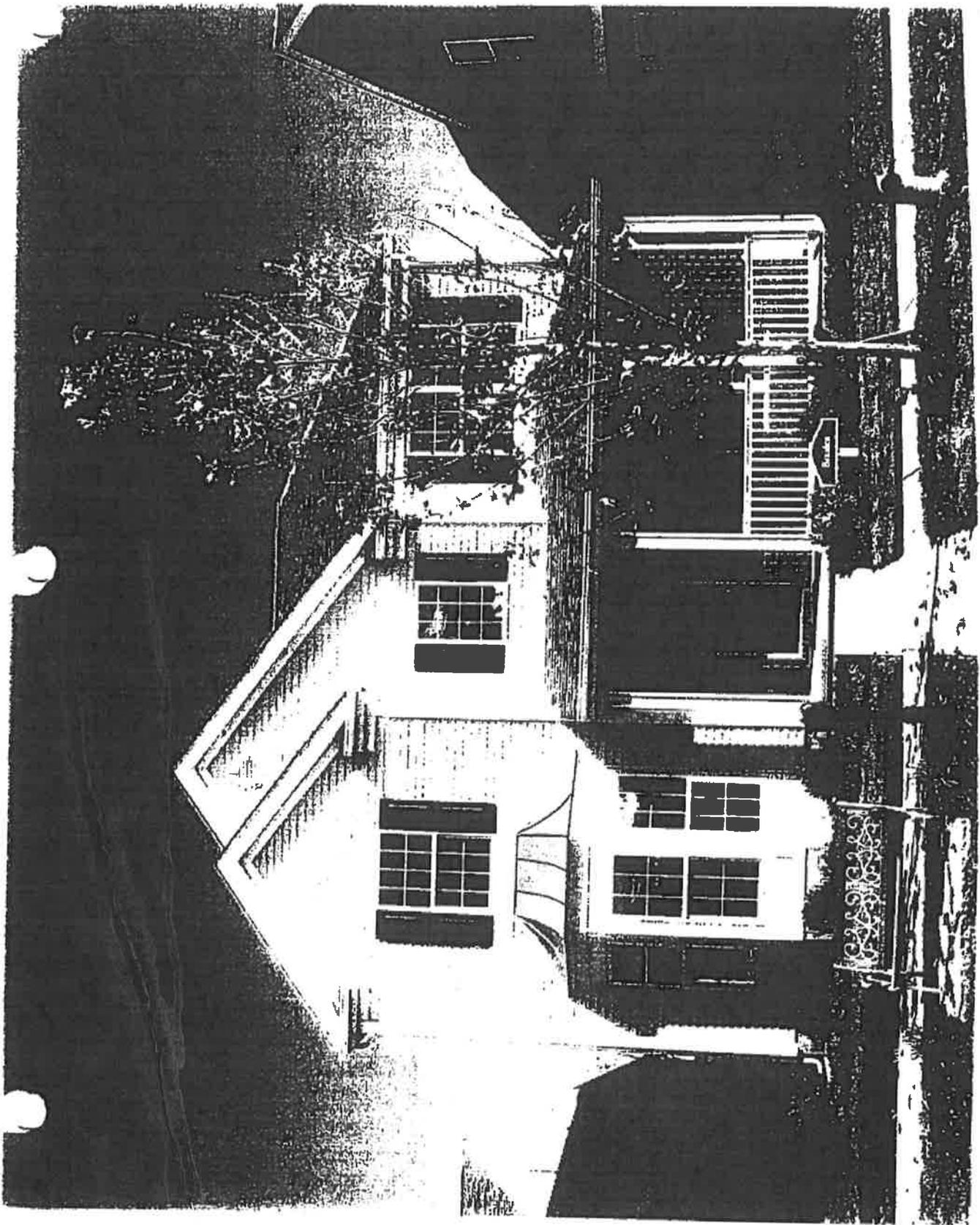


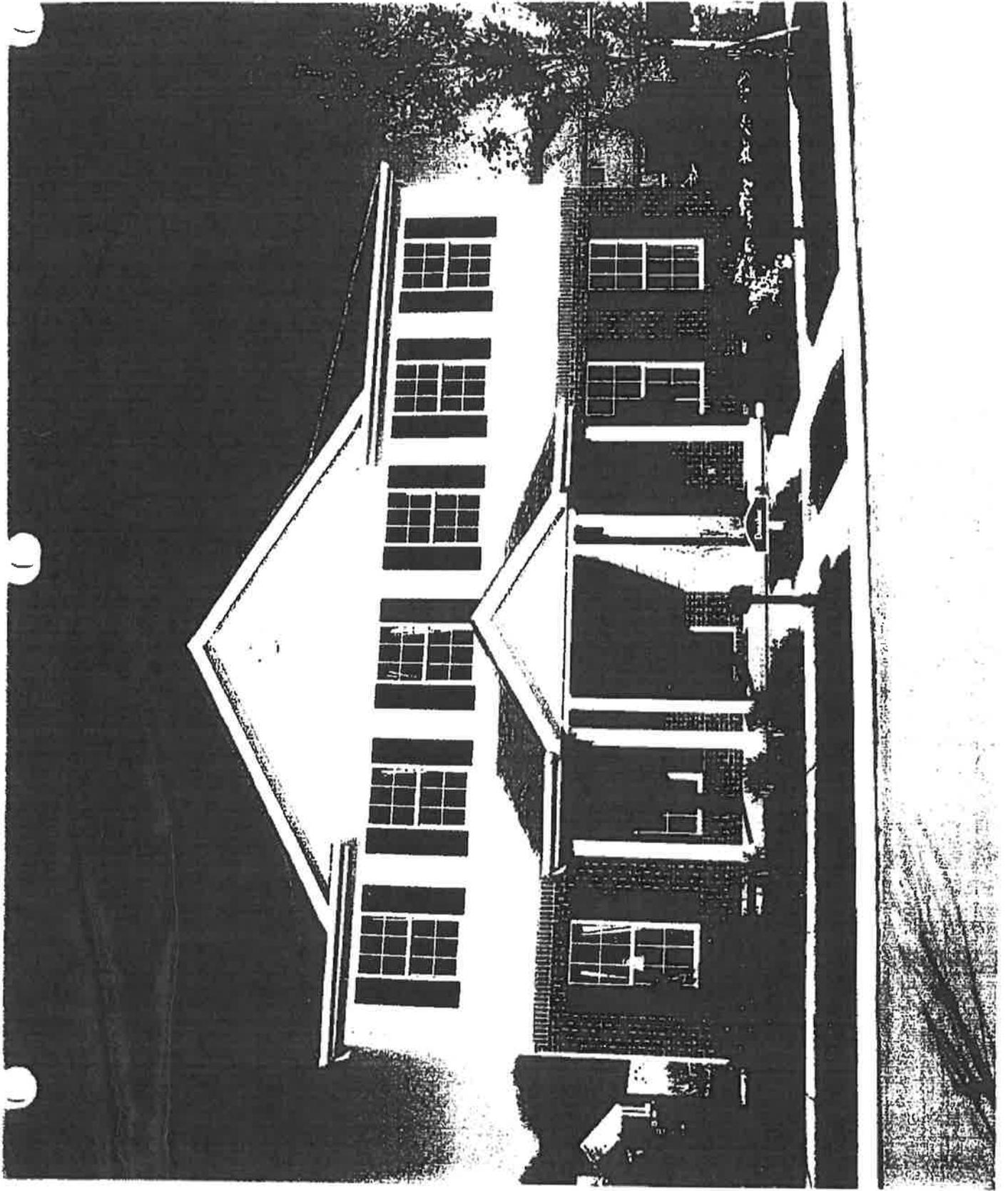
'CARRIAGE HOMES' Arts & Crafts Collection

'Wakefield'



'CARRIAGE HOMES' Arts & Crafts Collection





**THE PINNACLE CLUB
OF GROVE CITY**

**CONCEPTUAL DRAWING OF COMMUNITY CENTER,
SWIMMING POOL AND TENNIS COURTS**

EXHIBIT 4

**THE PINNACLE CLUB
OF GROVE CITY**

**CONCEPTUAL DRAWING OF ENTRANCE FEATURE
EXHIBIT 5**

**THE PINNACLE CLUB
OF GROVE CITY**

**RESIDENTIAL FRONT YARD SETBACKS
EXHIBIT 6**

<u>Sub Area</u>	<u>Setback</u>
B.	25'
C.	25'
D.	25'
E.	
-Carriage Homes	12'
-Town Homes	12'
-Village Homes	12'

NEW SECTIONS

Subarea	Subarea A1	Subarea A2	Subarea A3 Attached	Subarea A3 Detached	Subarea B	Subarea C	Subarea D	Subarea E Village Home	Subarea E Carriage Home	Subarea E Cottage Home	Subarea E Town Home
Minimum Frontyard	25'	25'	25'	25'	25'	25'	25'	25'	12'	12'	12'
Frontyard Stoop or Porch Encroachment	N/A	N/A	N/A	N/A	N/A	N/A	N/A	8'	8'	8'	8'
Sidewalk Setback (Does not include garages)	5'	5'	5' Detached 0' attached	3'	6'	6'	5'	5'	5'	4'	5' Detached 0' Attached
Sum of Sidewalk Setback (Total)	10'	10'	5'	6'	12'	12'	10'	10'	10'	8'	5'
Minimum Rearyard Setback for Principal Dwelling	30% Lot area	30% Lot area	30% Lot area	30% Lot area or 10' next to open space	15% Lot area	15% Lot area	15% Lot area	24'	6'	20'	20'
Minimum Rearyard Setback Outbuilding or Attached Garage	N/A	N/A	N/A	N/A	N/A	N/A	N/A	24'	6'	6'	6'

*The minimum distance between adjacent structures shall be 16 feet

**Front Porched may encroach 8' into the building setback

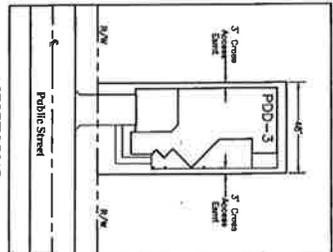
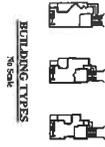
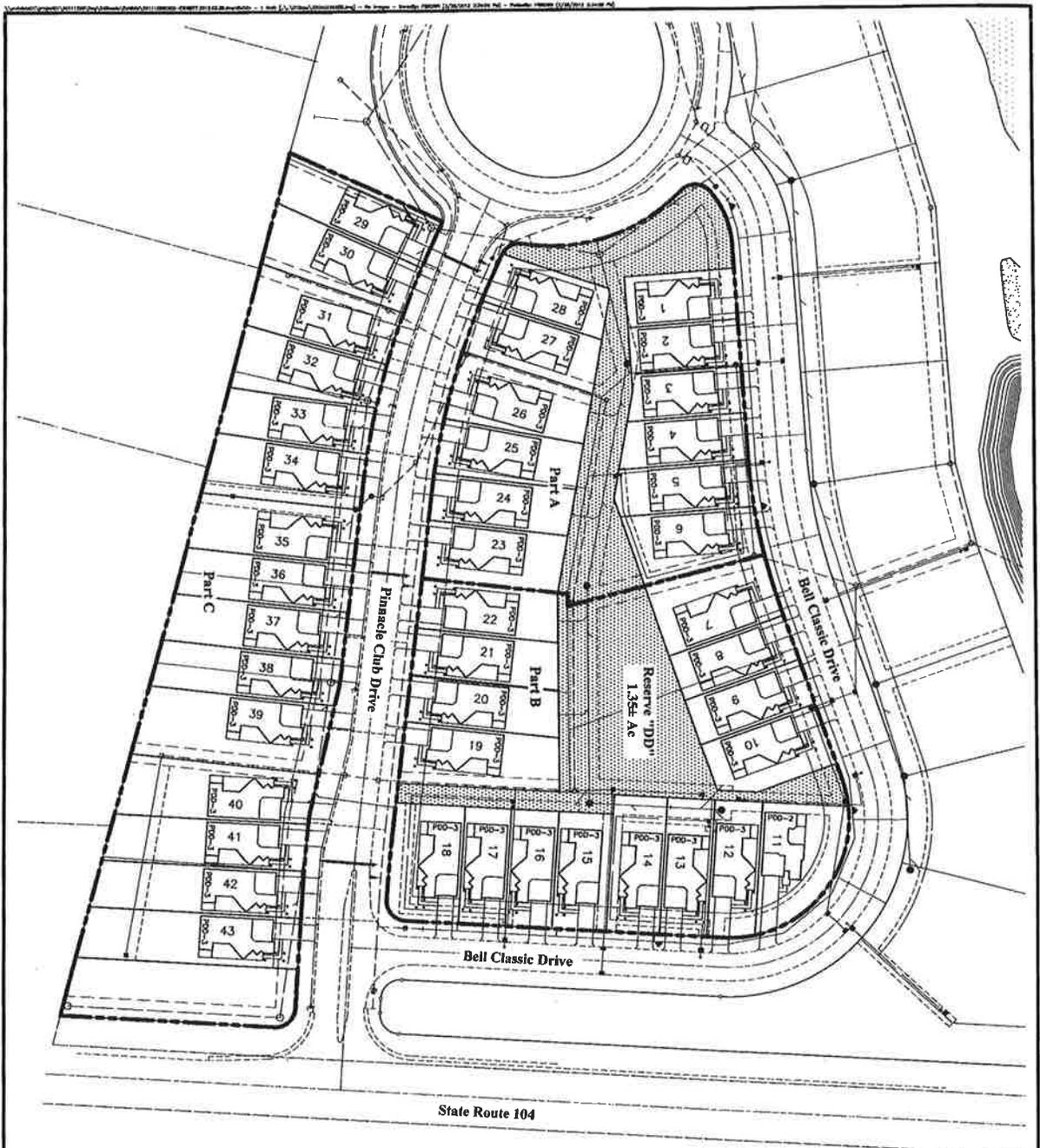
***Chimneys and Bay Windows may encroach 2' into sideyard setback

****The minimum distance between adjacent structures shall be 8 feet

*****Chimneys and Bay Windows may encroach 1' into sideyard setback for Cottage Homes. Garages shall have 0' Setback on one side.

10/24/2023

10/24/2023



**PRELIMINARY
NOT TO BE USED
FOR CONSTRUCTION**

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EXHIBIT 7

	CONCEPTUAL SITE PLAN FOR THE PINNACLE CLUB SECTION 3 - PARTS A, B & C SITE PLAN EXHIBIT	EPCON COMMUNITIES & CIMINELLO LANDSCAPING	REVISIONS NO. DATE BY REVISION
	DATE: 08/11/12 DRAWN BY: J. H. H.	PROJECT NO.: 2011128	SCALE: 1/8" = 1'-0" DATE: 11/12/12

Date: 05/10/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan Comm
Approved: _____
Emergency: 30 Days: X
Current Expense: _____

No.: C-45-16
1st Reading: 05/16/16
Public Notice: 5/19/16
2nd Reading: 06/06/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-45-16

AN ORDINANCE TO ACCEPT THE PLAT OF CLAYBROOKE CROSSING, SECTION 6, PART 2

WHEREAS, Claybrooke Crossing, Section 6, Part 2, a subdivision containing lots 177 to 189, and 201 to 206, all inclusive, has been submitted to Council for their consideration.

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

SECTION 1. The Plat of Claybrooke Crossing, Section 1, Part 2, situated in the State of Ohio, County of Franklin, Township of Jackson, City of Grove City and being part of Virginia Military Survey No. 1383, containing 12.502 acres of land, more or less. Said 12.502 acres being part of that tract of land conveyed to Grand Communities, LTD, by deed, all being of record in the Recorder's Office, Franklin County, Ohio, is hereby accepted and this Council accepts for public use the street right of way that is within the boundaries of this subdivision.

SECTION 2. Easements, where indicated on the plat, are hereby accepted for operation and maintenance of public utility services including but not limited to water, sanitary sewers, electricity and telephone, and to companies providing cable television and cable signal transmission services and for storm water drainage systems for the construction, operation and maintenance of the facilities to provide such services and systems above and beneath the ground.

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

Roby Schottke, 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

Date: 05/10/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-46-16
1st Reading: 05/16/16
Public Notice: 5/19/16
2nd Reading: 06/06/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-46-16

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR OUTDOOR SALES FOR THE TAMARKIN COMPANY, D/B/A GETGO LOCATED AT 2165 STRINGTOWN ROAD

WHEREAS, The Tamarkin Company, d/b/a Getgo, applicant, has submitted a request for a Special Use Permit for Outdoor Sales located at 2165 Stringtown Road; and

WHEREAS, on May 03, 2016, the Planning Commission of the City of Grove City recommended the approval of a Special Use Permit at this location, as submitted.

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

SECTION 1. A Special Use Permit, under Section 1135.09b(12)A1j is hereby issued to The Tamarkin Company, d/b/a Getgo, located at 2165 Stringtown Road, as submitted.

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

Roby Schottke, 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: 05/10/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No. : C-47-16
1st Reading: 05/16/16
Public Notice: 5/19/16
2nd Reading: 06/06/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-47-16

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR AUTOMOBILE SERVICES FOR GROVE CITY TIRE SHOP LOCATED AT 3184 SOUTHWEST BLVD.

WHEREAS, Grove City Tire Shop, applicant, has submitted a request for a Special Use Permit for Automobile Services located at 3184 Southwest Boulevard; and

WHEREAS, on May 03, 2016, the Planning Commission of the City of Grove City recommended DENIAL of a Special Use Permit at this location, as submitted.

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

SECTION 1. A Special Use Permit, under Section 1135.09b(12)A1f is hereby issued to Circle K, located at 3043 London Groveport Road, as submitted.

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

Roby Schottke, 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: 05/10/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-48-16
1st Reading: 05/16/16
Public Notice: 5/19/16
2nd Reading: 06/06/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-48-16

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR OUTDOOR SALES FOR CIRCLE K LOCATED AT 3043 LONDON GROVEPORT ROAD

WHEREAS, Circle K, applicant, has submitted a request for a Special Use Permit for Outdoor Sales located at 3043 London Groveport Road; and

WHEREAS, on May 03, 2016, the Planning Commission of the City of Grove City recommended the approval of a Special Use Permit at this location, as submitted.

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

SECTION 1. A Special Use Permit, under Section 1135.09b(12)A1j is hereby issued to Circle K, located at 3043 London Groveport Road, as submitted.

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

Roby Schottke, 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: 04/13/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-19-16
1st Reading: 04/18/16
Public Notice: POSTPONE TO 6/6
2nd Reading: _____
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION NO. CR-19-16

A RESOLUTION TO APPROVE AN AMENDMENT TO SUBAREA E OF THE DEVELOPMENT PLAN FOR THE PINNACLE CLUB LOCATED SOUTH OF WHITE ROAD AS APPROVED BY RESOLUTION CR-24-04

WHEREAS, on March 15, 2004, Council approved a Development Plan for The Pinnacle Club of Grove City by Resolution No. CR-24-04; and

WHEREAS, Council approved Amendments to Subarea "A" of this Plan by CR-58-10, CR-22-11, CR-11-12, and CR-68-14; and

WHEREAS, Council approved an Amendment to Subarea "C" of this Plan by Res. CR-64-05; and

WHEREAS, Council approved Amendments to the Development Text by Res. CR-20-07; and

WHEREAS, Council approved Amendments to Subarea "E" of this Plan by Res. CR-28-06, CR-45-09, CR-41-12, and CR-28-14; and

WHEREAS, on April 05, 2016, the Planning Commission recommended approval of an amendment to Subarea E - The Greens to convert 11 Carriage lots to 10 Village Home lots of the Development Plan, with the following stipulations:

1. Amendments shall only apply to Subarea E;
2. The proposed Village Homes shall have a front setback of 25'.

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

SECTION 1. This Council hereby accepts the amendments to the Development Plan, approved by Resolution CR-24-04, for The Pinnacle Club of Grove City, contingent upon the stipulations set by Planning Commission.

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

Roby Schottke, President of Council

Richard L Stage, Mayor

Passed:

Date: 06/01/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Mr. Boso
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-35-16
1st Reading: 06/06/16
Public Notice: 0 / /16
2nd Reading: 0 / /16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION CR-35-16

A RESOLUTION TO AMEND THE DEVELOPMENT PLAN FOR AUTUMN GROVE SUBDIVISION AS APPROVED BY RESOLUTION CR-19-04 AND AUTHORIZE PAYMENT TO THE CITY FOR THE REQUIRED PUBLIC IMPROVEMENTS

WHEREAS, on March 01, 2004, Council approved the Development Plan for Autumn Grove Subdivision by Resolution CR-19-04 with a stipulation that required the developer to install an east-bound turn lane on Rensch Road; and

WHEREAS, the developer has agreed to deposit funds equivalent in amount to the estimated construction cost for completing the turn lane improvement; and

WHEREAS, the City's thoroughfare plan classifies Rensch Road as a Collector Street; and

WHEREAS, the turn lane will be installed in the future as part of a larger roadway project as the surrounding area continues to develop; and

WHEREAS, the City can use the contributed funds to leverage additional funding sources.

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

SECTION 1. Resolution CR-19-04 is hereby amended to allow the developer to make payment to the City in the amount of \$400,000.00, as stipulated for the required public improvements.

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

Roby Schottke, 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