

**GROVE CITY, OHIO COUNCIL
LEGISLATIVE AGENDA**

July 18, 2016

6:30 Caucus

7:00 – Reg. Meet.

Presentations: City Scene Magazine Winners

SERVICE: Mr. Berry

Resolution CR-44-16 Amend the Rules of Council and the Rules Governing the Agenda of Council.

LANDS: Mr. Bennett

Ordinance C-57-16 Approve a Special Use Permit for a Drive Thru for Gateway Retail located on Meadow Pond Court. First reading.

Ordinance C-58-16 Approve a Special Use Permit for Outdoor Seating for Gateway Retail located on Meadow Pond Court. First reading.

Ordinance C-59-16 Approve a Special Use Permit for Outdoor Seating for Gateway Retail (Starbucks) located on Meadow Pond Court. First reading.

Ordinance C-60-16 Approve a Special Use Permit for Outdoor Sales for Parkash & Prashar, LLC located at 3088 Broadway. First reading.

Ordinance C-61-16 Approve a Special Use Permit for Outdoor Sales for Meijer Gas Station located at 2859 London-Groveport Road. First reading.

Ordinance C-62-16 Approve the Rezoning of 2121 Sonora Drive from IND-1 to C-1. First reading.

Ordinance C-63-16 Approve the Rezoning of 4132 Broadway from PSO to PUD-R. First reading.

Ordinance C-64-16 Approve the Zoning Classification of PSO for 4178 Hoover Road Upon its Annexation to the City of Grove City. First reading.

Resolution CR-42-16 Amend Resolution CR-66-15 to Replace the Development Plan for Hickory Creek Estates located North of Orders and West of Haughn Roads.

Resolution CR-45-16 Approve an Amendment to Subarea A Development Standards Text of the Development Plan for the Pinnacle Club of Grove City located South of White Road as approved by Resolution CR-24-04.

Resolution CR-46-16 Approve the Development Plan for Marlane Retail Development located South of Stringtown and East of Marlane Drive.

ON FILE: Minutes of: 07/05 - Council Meeting; 7/05 - Planning Commission; 7/11 – Finance Committee

Date: 07/13/16
Introduced By: Mr. Berry
Committee: Service
Originated By: Mr. Bennett
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-44-16
1st Reading: 07/18/16
Public Notice:
2nd Reading:
Passed: _____ Rejected:
Codified: _____ Code No:
Passage Publication:

RESOLUTION NO. CR-44-16

A RESOLUTION TO AMEND THE RULES OF COUNCIL AND THE RULES GOVERNING THE AGENDA OF COUNCIL

WHEREAS, the Rules of Council and the rules covering the Agenda of Council were adopted by Resolution CR-44-63 and were amended by Resolutions CR-11-76, CR-28-87 and CR-64-91; and were adopted in subsequent years at the Council's Organizational Meeting; and

WHEREAS, Council conducted a thorough review of its Rules and desire to make certain updates and changes.

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

SECTION 1. The Rules of Council and the Rules Governing the Agenda of Council is hereby amended and adopted as shown in Exhibit A, attached hereto and made a part hereof.

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

Roby Schottke, 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

CR-44-16
Exhibit "A"

RULES GOVERNING AGENDA OF COUNCIL
As adopted by Resolution CR-44-63, amended by Resolution
CR-11-76, Resolution CR-28-87, and by Resolution CR-64-91

1. All matters submitted for consideration by the City Council at a regularly scheduled meeting must be first placed on the Agenda.
2. The agenda shall consist of the ordinance number (if a number has been given), the subject matter (by descriptive title only) and the name of the committee chair of each item.
3. The Clerk of Council shall have exclusive control of assimilating and preparing the agenda subject only to the rules and regulations as prescribed by the City Council.
4. All matters to be put on the agenda shall be delivered to the Clerk of Council in writing or electronically via e-mail and be signed by the interested proponent except members of the City Council, who may submit matters to the Clerk orally. Matters submitted electronically via e-mail shall be deemed signed by the individual sending the e-mail. All matters submitted by someone other than the Administration or Clerk of Council, must have a Council sponsor.
5. The Clerk of Council shall keep on file all written requests for agenda recognition until such requests have been addressed.
6. Matters submitted to be considered by the Council at its next regular meeting shall be given to the Clerk of Council no later than 12:00 noon, six working days before the next regularly scheduled meeting of Council.
7. The Clerk of Council shall prepare or cause to be prepared and deliver or cause to be delivered to the following officials, a copy of the agenda and all legislation at the place so designated prior to the end of the regular day of business on the Thursday prior to the next regular meeting of Council:
 1. Mayor City Hall
 2. Council City Hall
 3. Administrative Assistant City Hall
 4. Director of Law City Hall
 5. City Consulting Engineer Via E-Mail
 6. Service Director Via E-Mail
 7. Safety Director Via E-Mail
 8. Finance Director Via E-Mail
 9. Chief Building Inspector Official Via E-Mail
 10. Chief of Police Via E-Mail
 11. Development Director Via E-Mail
 12. Parks & Rec. Director Via E-Mail
 13. Information Systems Director Via E-Mail
8. The Clerk of Council shall have prepared a sufficient number of agenda's, complete with legislation for each representative of the press who will pick them up in the Clerk's office prior to the meeting and shall have copies of the cover agenda ready for the general public that will attend the regular council meeting.

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RULES OF COUNCIL

As adopted by Resolution No. CR-43-63
(amended by Resolution No. CR-10-76, Resolution No. CR-28-87,
and Resolution No. CR-64-91)

I. MEETINGS

1. REGULAR Meetings

Regular meetings of Council shall be held in the Council Chambers at 7:00 p.m. on the first and third Mondays of each month. Council may, by majority vote, change the day and/or hour determined by a like vote of the members present if constituting a quorum. In cases of emergency, the President of Council may cancel a meeting.

1.01 Caucus

Prior to each Regular meeting of Council, Council may hold a caucus session. The caucus session shall be an opportunity for Council to review and/or discuss the agenda prior to the Regular meeting. The general public shall be permitted to attend but shall not participate. In the event that the Regular meeting of Council is cancelled, the caucus session shall also be cancelled.

2. SPECIAL Meetings

Council shall hold such special meetings as may be found necessary, which may be called by the Clerk upon the request of three (3) members of Council or as the President of Council deems necessary.

Any such vote or request for the calling of a special meeting shall state the subject or subjects to be considered thereat and no other subject or subjects shall be considered except upon the approval of four (4) or more of the members of Council in attendance at such special meeting. Twenty-four (24) hours notice of such special meetings called by three members of Council or the President of Council shall be given to each member of Council and to the Mayor and any other persons involved in the action to be taken. ~~Members of Council may waive such notice by mutual agreement.~~

2.01 Notice

The Clerk shall maintain in a conspicuous place in City Hall an announcement of the time, date and place of the regular meeting of Council and, upon receipt thereof of notice of any special meeting of Council, shall post an announcement thereof in a conspicuous place in City Hall and shall give notice at least 24 hours before the time scheduled for such meeting to every newspaper of the time, date, place and purpose of such special meeting. The Clerk shall provide a copy of the agenda for any regular or special meeting to any person who appears at the Clerk's office and requests same and shall mail a copy of such agenda to any person requesting same and supplying the Clerk with a preaddressed, stamped envelope **or e-mail address**. The Clerk shall provide an electronic copy for free, or a hard copy of any ordinance or resolution to be considered as an item on any agenda to any person who requests same and who pays to the City the sum of \$0.05 per page of the ordinance or resolution requested.

2.02 Open Meetings

All meetings of Council shall be open to the public, as per the provisions of the City Charter. All official actions of the Council shall be taken in open session.

2.03 Minutes

Minutes of all regular and special meetings shall be open to the public for inspection, during business hours of the City, upon reasonable advance request to the Clerk to inspect the same.

2.04 Recordings

Meetings of Council shall be recorded electronically and placed on the City's website for public viewing. The recordings shall not constitute the official record of action for the meeting.

II. CLERK OF COUNCIL

3. Clerk

The Council shall ~~appoint~~ elect a Clerk who shall act as Clerk of Council/City Clerk and appoint such number of Deputy Clerks as Council may determine to be advisable. The Clerk shall be present at all Council meetings and shall record the proceedings in the official journal, compile the agenda and other duties as prescribed by the Ohio Revised Code, the Charter and ordinances of the City, and as determined by Council.

Deputy Clerks shall follow the duties as determined by the Clerk. A Deputy shall attend such meetings as may be required by the Clerk, and in the absence of the Clerk at a regular or special meeting of Council, shall assume the duties of the Clerk for that meeting alone.

In the event that the Clerk or Deputy cannot attend a regular or special meeting of Council, the Director of Law shall record the proceedings for that meeting alone, or the Clerk may obtain such service from a retired or other community Clerk/Deputy.

Job descriptions for the Clerk of Council and Deputy can be found in Appendix A of the Rules.

III. THE CHAIR Powers and Duties

4. Roll Call

The President of Council shall take the Chair at the hour appointed for Council to meet and immediately shall call the Council to order. The roll shall then be called by the Clerk, who shall enter into the Journal of each meeting the names of members present thereat. In the absence of a quorum at the time appointed for a meeting, the members present may, ~~by a majority vote~~, take a recess or recesses and cause the Clerk to procure the attendance of absent members.

5. Temporary Chair

The President of Council shall serve as Chair to preside over its sessions.

In case of the absence of the President of Council, the Clerk shall call the Council to order. The Clerk shall call the roll and if a quorum is found to be present, the Council shall proceed to elect, by a majority vote, a temporary Chair of the meeting until the appearance of the President of Council.

6. Substitute Chair

The Chair, i.e., President of Council or Temporary Chair, may call any other member to take their place in the Chair, such substitution not to continue beyond adjournment.

7. Appeals from Decisions of the Chair

The Chair shall preserve decorum and decide all questions of order, subject to appeal to Council. If any member transgresses the Rules of Council, the Chair shall, or any member may, call to order and in the latter instance, the Chair shall render a decision as to the point of order. In case of any appeal from a ruling of the Chair, the question shall be "Shall the decisions of the Chair stand as the decision of the Council". The Chair shall be sustained unless overruled by a majority vote of the members of Council present.

8. Chair's Power to Vote

Any member of Council who is serving as Chair shall have the same power to vote as other members.

IV. MEMBERS DUTIES AND PRIVILEGES

9. Seating Arrangement

The President of Council may, if it is deemed it advisable, arrange the seating of the members of Council in the Council Chamber, and all members shall occupy said seats so designated during the time of their term of office.

10. Addressing the Chair

Members when about to speak to a question or make a motion, shall address the Chair as "Mr./Madam President", who shall pronounce the name of the member entitled to the floor. Members addressing Council shall confine themselves to the question under debate and avoid personalities.

11. Limitation of Debate

No member shall be allowed to speak more than once upon any one subject until every member choosing to speak shall have spoken, and no more than twice upon the same subject, nor for a time longer than five (5) minutes, without leave of Council as expressed by a majority vote of the members present. No person other than members of Council and ~~duly elected officials~~ **Mayor** of the City may be heard or enter into the debate of question or other matter before Council during the regular or special session except with leave of Council as expressed by a majority vote of the members present, or by being allotted time and being placed on the agenda as provided in Rule 17(c) and (d).

The Chair shall be limited in debate in the same manner as Members of Council.

12. Voting

Every member present when a question is put shall vote on same, unless Council, shall, for special reasons, excuse them from voting. Said excuse shall be granted only if the members states reasons for the request before voting begins and the Council by majority vote of the members present accepts them. There shall be no debate upon this question.

Upon the opinion of the Director of Law or a Formal Opinion of the Ohio Ethics Commission, a Member shall be exempt from voting when such action may result in the violation of any State or Local law.

13. Roll Call

The roll call on each vote shall be rotated, so that the members whose name was called first on the last preceding roll call vote shall be called last; the members whose name was called second on preceding roll call vote shall be called first, etc., and each member shall cast a vote when their name is called.

14. Demand for Roll Call Vote

Any member may demand a roll call vote upon any question before Council at any time before the decision on said question is announced by the Chair.

15. Excusal from Attendance

No member shall be excused from attendance at a Council meeting, except upon request to and permission by the President of Council prior to such meeting or by a vote of a majority of the members present. Refer to ORC 731.45 for being unexcused for two (2) months.

16. Excusal During Meeting

No member shall be excused while Council is in session except upon permission of the Chair.

V. ORDER OF BUSINESS

17. Order of Business

The order of business at meetings of Council shall be as follows:

- A. Roll call, to determine presence of a quorum.
- B. Reading of the Journal of the preceding meeting unless such reading shall be dispensed with by consent of a majority of the members present. If no objection is made to the Journal, the same shall be approved.
- C. Consideration of agenda:
 1. Assignment by chair of each item on the agenda to respective committee chair.
 2. Each item **shall be heard in the order** as printed on the agenda.
 - a. Upon motion of any Council member, the order of business at any meeting may be altered by affirmative vote of a majority of the members present.
 3. **Each Agenda Item** shall be given its reading, public hearing and opened for discussion by the Council, Administration and the general public. There shall be 3 opponents & 3 proponents permitted to speak on each item, for no more than three minutes.
 - ~~3. Reconvene Council.~~
 - ~~4. Upon motion of any Council member, the order of business at any meeting may be altered by affirmative vote of a majority of the members present.~~
- D. After completion of the agenda items, the Chair shall request that any business to be brought to the attention of Council by anyone present in the Council Chambers be done so at that time. This is the time for any open discussion from the floor. Comments shall be limited in time to three minutes unless otherwise allowed by a majority vote of the members present.
- E. Reports and communications from the Mayor and other city officials, the Clerk and the Council.
- F. Adjournment.

VI. COMMITTEES

18. Appointment of Committees.

The following Standing Committees are hereby authorized:

- (a) Land Usage and Zoning Committee
- (b) Safety Committee
- (c) Service Committee
- (d) Finance Committee

Appointment of a member to chair each committee shall be made by the President of Council at the Organizational Meeting subject to approval by a majority vote of Council.

The President of Council may appoint such Special Committees as deemed necessary provided that matters referred to or pending before a Standing Committee may not, without consent of its members, be referred to or considered by a special committee.

19. Temporary Chair

A Temporary Chair appointed by the President of Council shall preside when Council resolves itself into the Committee of the Whole. These Rules of Council shall govern the Committee of the Whole. All questions shall be decided by a majority vote of those members present. When this Committee arises, any measure, together with any amendments thereto, reported out, shall receive the immediate consideration of Council unless otherwise ordered and placed upon the calendar or agenda.

20. Meetings

Committees shall meet on call of the Chair of the Committee.

21. Quorum

A majority of members of Council shall constitute a quorum.

22. Temporary Committee Chair

In the absence of the Chair, the member named next shall act as Temporary Chair.

23. Secretary to Committees

The Clerk or Clerk's designee shall act as secretary to each Committee and shall keep a record of attendance and business transacted at meetings thereof.

VII. MOTIONS

24. Motions

When a motion is made, it shall be stated by the Chair before debate. A motion shall not be withdrawn by the mover without the consent of Council. Unless otherwise required by law, a motion shall be deemed passed if it receives the affirmative vote of a majority of the members present ~~including the Chair if entitled to vote therein.~~

25. Order of Precedence

When a question is before Council, no motion shall be entertained except the following:

- a. To adjourn
- b. To lay on the table
- c. The previous question
- d. To postpone to a time certain
- e. To refer
- f. To amend
- g. To postpone indefinitely

Said motions shall have precedence in the foregoing order.

26. Motion to Adjourn

Motion to adjourn shall be in order at any time, except as follows:

- a. When repeated without intervening business or discussion.
- b. When made while another member is speaking.
- c. When the previous question has been ordered.
- d. While a vote is being taken.

27. Motion to Lay on the Table

A motion to lay on the table shall preclude all amendments or debate of the subject under consideration. If the motion prevails, the consideration of the subject may be resumed only upon motion of a member voting with the majority and with the consent of the majority of the members present.

28. Previous Question

The previous question shall be stated in these words: "Shall debate now close?" The motion shall pass if a majority of the members present shall favor it. If the said motion is ordered, there shall be no further amendment or debate, but the question shall be put immediately.

29. Motion to Postpone

Motions to postpone may be amended as to time, excepting a motion to postpone indefinitely. If a motion to postpone indefinitely is carried, the principal question shall be declared lost.

30. Motion to Amend

A motion to amend shall be susceptible of but one amendment. An amendment once rejected may not be moved again in the same form.

31. Motion to Suspend Rules

A motion to suspend the Rules of Five Day Notice (Sec. 36-F) must receive the affirmative vote of four-fifth (4/5) of the members elected to Council and shall be open to debate. All other rules may be suspended by a majority of the members present without debate.

32. Motion to Reconsider

A motion to reconsider a proposal that has been acted upon favorably must be made before adjournment of the session of Council at which the vote was taken. A motion to reconsider any **proposal that has been acted upon unfavorably** ~~other action taken~~ by Council may be made no later than the next regular meeting after the vote of Council thereon. In either case, such motion may be made only by a member who voted with the prevailing side. The concurrence of a majority of the members present shall be sufficient for reconsideration of a vote. If a motion to reconsider is lost, it shall not be entertained again.

VIII MISCELLANEOUS

33. Procedures in Absence of Rules

In the absence of a rule to govern a point of procedure, reference shall be had to the practice set forth in Robert's Rules of Order, or if it cannot there be found, then to approved practice in other parliamentary bodies. The Clerk and/or Law Director shall be the Parliamentarian.

34. Decorum in Council Chambers

The Chair shall maintain decorum in Council Chambers during the session.

35. Rules on Reading and Suspension of Rules

Ordinances: Every action of the Council establishing any offense and providing for the imposition of any penalty, or providing for the levy of any tax or assessment or for the expenditure of any public funds or for the contracting of any indebtedness, as well as all actions required by Charter shall be taken by ordinance. Each ordinance shall contain but one subject which shall be clearly set forth in its title.

a. Establishing any offense.

~~b. Providing for the imposition of any penalty.~~

~~c. Providing for the levy of any tax or assessment.~~

~~d. Providing for the expenditure of any public funds.~~

~~e. Contracting any indebtedness.~~

f. General Ordinances shall be introduced in writing and shall conform to the following procedures:

A. Council may reject such ordinances at the time of its first introduction.

B. Those ordinances not rejected shall be given a first reading at length.

C. Seven days shall lapse between the first reading and any further action by Council.

D. This waiting period may be waived by 4/5 of the elected members of Council in an emergency.

E. If the waiting period is waived, Council shall immediately vote on whether or not the ordinance shall be adopted, **with or without amendments, or rejected.**

F. During the waiting period and not less than five days before a second reading, the Clerk shall cause to be published in a newspaper of general circulation, a summary of the contents of the proposed ordinances, together with a notice of the time and place of the Council meeting at which it will be next considered, inviting interested citizens to be present and to express their opinions thereon.

G. Council must convene at the time and place so advertised in the public notice described in (F) above and shall give a second reading. This reading may be by title only.

H. Should any person be present who desires to be heard for or against the adoption of the

ordinance, such person shall address the respective committee to which the ordinance has been referred to upon leave of the Chair of the respective committee.

- I. Written arguments and briefs for or against the ordinance may be filed with the Clerk at the hearing or thereafter, within twenty-four hours. Such time may be extended by a majority vote of Council.
- J. After the hearing and the report of the Committee, Council shall vote on the ordinance. However, Council need not vote at this particular meeting. Final action may be postponed to such time as Council desires.
- K. A favorable vote of three (3) members of Council shall be necessary to adopt any ordinance.
- L. Final passage shall be attested by the President of Council and the Clerk and shall be **presented to signed by the Mayor for his signature.**
- M. After passage, public notice shall be given by publication, by summary only, one time, in a newspaper of general circulation in the City. Such summary shall consist of a brief statement of the purpose and effect of the ordinance. A copy of the full text of the ordinance shall be posted for not less than ten (10) days after passage in a public place in City Hall.
- N. All ordinances except as below described shall take effect thirty (30) days after being signed by the Mayor.
 - (1) Ordinances raising revenue, making appropriations for current expenses, and those declared to be an emergency by 4/5 vote of Council shall go into effect upon passage, approval of the Mayor, attestation and publication by the Clerk. Posting of Ordinances and publication by summary in a newspaper of general circulation shall be deemed publication.
- O. **The Annual** Appropriation Ordinances ~~are~~ **is** exempt from the above procedure and shall conform to the following procedures:
 - (1) The annual appropriation ordinance shall be prepared by the Mayor and the Director of Finance and shall be forwarded to Council not later than December 7th.
 - (2) Council shall cause five (5) days public notice to be given of the meeting at which it proposes to consider and adopt the ordinance.
 - (3) The appropriation ordinance shall be adopted not later than December 24th and shall take effect on January 1 whether or not such action has been taken by Council.
 - (4) Copies of the appropriation ordinance shall be supplied to the head of each department, to such County, State and Federal officials as is required by law.
 - (5) ~~Current expense ordinances are ordinances for the daily operation of the City and shall go into immediate effect.~~

Resolutions: Action by Council which is not required by Charter to be by ordinance, and which is not of general public application or interest, may be taken by resolution. Such a resolution shall be introduced in writing, by a member of Council, and may be adopted by voice vote of a majority of a quorum.

36. Amending Rules

A majority vote is required to alter, amend, rescind or supplement these rules. Any proposed alterations, or amendments or supplements shall be submitted in writing at a regular meeting and placed on the agenda or calendar for the next regular meeting with the order of new business. By unanimous recorded vote of all members elected to Council, such proposed alterations, amendments or supplements may be adopted at the meeting at which the same are submitted.

37. Quorum

A majority of all members elected to Council shall constitute a quorum.

38. Director of Law

The Director of Law shall, when requested by a member of Council, give a verbal opinion on any question of law concerning City affairs in open council, but they may deem the matter of importance and take a reasonable time to submit their opinion in writing. They shall not be required to draw any ordinances or resolution except upon a majority vote of the members.

39. Resignation

The resignation of a member of the Council shall not take effect until the same has been accepted by a majority vote of members of Council, exclusive of the member tendering the resignation.

40. Community Organization Liaison

A Community organization who desires a Council Member to be a liaison, shall submit a written request to the Clerk and the President shall appoint a member.

Date: 07/13/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-57-16
1st Reading: 07/18/16
Public Notice: 7/20/16
2nd Reading: 08/01/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-57-16

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR A DRIVE THRU FOR GATEWAY RETAIL LOCATED ON MEADOW POND COURT

WHEREAS, Gateway Retail, applicant, has submitted a request for a Special Use Permit for a Drive Thru window located at the southwest corner of Meadow Pond Court and North Meadows Drive; and

WHEREAS, on July 05, 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 for a drive thru is hereby issued to Gateway Retail, located on Meadow Pond Court, 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: 07/13/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No. : C-58-16
1st Reading: 07/18/16
Public Notice: 7/20/16
2nd Reading: 08/01/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-58-16

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR OUTDOOR SEATING FOR GATEWAY RETAIL LOCATED ON MEADOW POND COURT

WHEREAS, Gateway Retail, applicant, has submitted a request for a Special Use Permit for Outdoor Seating on the west end of the building located at the southwest corner of Meadow Pond Court and North Meadows Drive; and

WHEREAS, on July 05, 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)A1s for outdoor seating at the west end of the buildings is hereby issued to Gateway Retail, located on Meadow Pond Court, 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: 07/13/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No. : C-59-16
1st Reading: 07/18/16
Public Notice: 7/20/16
2nd Reading: 08/01/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-59-16

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR OUTDOOR SEATING FOR GATEWAY RETAIL LOCATED ON MEADOW POND COURT

WHEREAS, Gateway Retail, applicant, has submitted a request for a Special Use Permit for Outdoor Seating on the southeast end of the building located at the southwest corner of Meadow Pond Court and North Meadows Drive; and

WHEREAS, on July 05, 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)A1s for outdoor seating at the southeast end of the buildings is hereby issued to Gateway Retail, located on Meadow Pond Court, 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: 07/13/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-60-16
1st Reading: 07/18/16
Public Notice: 7/20/16
2nd Reading: 08/01/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-60-16

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR OUTDOOR SALES FOR PARKASH & PRASHAR, LLC LOCATED AT 3088 BROADWAY

WHEREAS, Parkash & Prashar, LLC – Shell Station, applicant, has submitted a request for a Special Use Permit for Outdoor Sales located at 3088 Broadway; and

WHEREAS, on July 05, 2016, the Planning Commission of the City of Grove City recommended the approval of a Special Use Permit at this location, with the following stipulation:

1. The ice merchandiser and propane cages shall be placed on the sidewalk along either the north or south sides of the buildings.

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)A1r for outdoor sales is hereby issued to Parkash & Prashar, LLC located at 3088 Broadway, contingent upon the stipulations set by Planning Commission.

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: 07/13/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-61-16
1st Reading: 07/18/16
Public Notice: 7/20/16
2nd Reading: 08/01/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-61-16

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR OUTDOOR SALES FOR MEIJER GAS STATION LOCATED AT 2859 LONDON-GROVEPORT ROAD

WHEREAS, Meijer Gas Station #234, applicant, has submitted a request for a Special Use Permit for Outdoor Sales located at 2859 London-Groveport Road; and

WHEREAS, on July 05, 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)A1r for outdoor sales is hereby issued to Meijer Gas Station #234 located at 2859 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: 07/13/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-62-16
1st Reading: 07/18/16
Public Notice: 07/20/16
2nd Reading: 09/06/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-62-16

AN ORDINANCE FOR THE REZONING OF 2121 SONORA DRIVE FROM IND-1 TO C-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 approved the rezoning on July 05, 2016; 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 IND-1 to C-1:

Situated in the State of Ohio, County of Franklin, City of Grove City and *being Lot #11 of a subdivision, as recorded in Official Records, Plat Book 17, page 284, Recorder's Office, Franklin County, Ohio*, 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.

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

EXHIBIT "A"

DESCRIPTION OF APPROXIMATELY 1.955 +/- ACRES
ON SONORA DRIVE AND MCDOWELL ROAD
(LOT 11 OF ALLEN E. MCDOWELL'S
LITTLE FARMS AMENDED PLAT)
PLAT BOOK 17, PAGE 284,
JACKSON TOWNSHIP, FRANKLIN COUNTY, OHIO
TO BE ANNEXED TO THE CITY OF GROVE CITY, OHIO

Situated in the State of Ohio, County of Franklin, and Township of Jackson and being Lot Number 11 of Allen E. McDowell's Little Farms Amended Plat, Plat Book 17, page 284, and a portion of Sonora Drive and McDowell Road, and being more particularly described as follows:

Beginning at a point in the existing Grove City Corporation Line as established by Grove City Ordinance C-14-65 of record in Miscellaneous Record Volume 138, page 155, said point also being the southeast corner of a 3.722 acre tract annexed to the City of Grove City by Grove City Ordinance C-115-88, of record in Official Record Volume 12813, page D-12, and said point being the intersection of the northerly line of Sonora Drive with the easterly line of McDowell Road;

Thence, southerly along the east line of McDowell Road and along the aforesaid Grove City Corporation Line a distance of approximately 415.32 feet to a point in the easterly line of McDowell Road;

Thence, westerly approximately 181.69 feet acrossing McDowell Road and following the southerly line of Lot 11 of Allen E. McDowell's Little Farms Amended Plat to the southwest corner of said Lot 11;

Thence, northerly along the westerly line of Lot 11 approximately 366.31 feet to the northwest corner of Lot 11 and in the southerly line of Sonora Drive;

Thence, westerly along the southerly line of Sonora Drive and the northerly line of Lots 12 and 13 a distance of approximately 205.9 feet to a point in the southerly line of Sonora Drive and said point also being the northwest corner of Lot 13;

Thence, northerly across Sonora Drive to a point in the northerly line of Sonora Drive a distance of approximately 50 feet and said point also being the southeast corner of Lot 7 and also being the southwest corner of the aforesaid 3.722 acre tract annexed to the City of Grove City by the aforesaid Grove City Ordinance C-115-88;

Thence, in an easterly direction along the northerly line of Sonora Drive and along the existing Grove City Corporation Line as established by Grove City Ordinance C-115-88 approximately 392.00 feet to the point of beginning, containing 1.955 acres, more or less.

RECEIVED

JUN 18 2016

GC PLANNING COMMISSION

C-62-16

SD-2

040-007209
SONORA DRIVE
SOUTH PARK
PT LT 8=1.561 ACRES

MCDOWELL RD

SONORA DR

SONORA DR

040-009173
2121 SONORA DR
ALLEN RD MCDOWELLS
LITTLE FARMS 11

IND-1

MCDOWELL RD

160-000440
ALLEN RD
MCDOWELLS LITTLE FARMS
LOT 12

160-000441
ALLEN RD
MCDOWELLS LITTLE FARMS
LOT 13

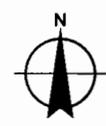
160-000456
EDWARDS RD
MCDOWELLS LITTLE FARMS
LOT 28

160-000457
EDWARDS RD
MCDOWELLS LITTLE FARMS
LOT 29

Disclaimer

2121 Sonora Dr

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.



1 inch = 60 feet
Feet
0 10 20 40

Date: 07/13/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-63-16
1st Reading: 07/18/16
Public Notice: 07/20/16
2nd Reading: 09/06/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-63-16

AN ORDINANCE FOR THE REZONING OF 4132 BROADWAY FROM PSO TO PUD-R

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 approved the rezoning on July 05, 2016; 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 PSO to PUD-R:

Situated in the State of Ohio, County of Franklin, City of Grove City and part of Virginia Military Survey No. 1383 *as recorded in Official Records, Recorder's Office, Franklin County, Ohio*, 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.

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

EXHIBIT A

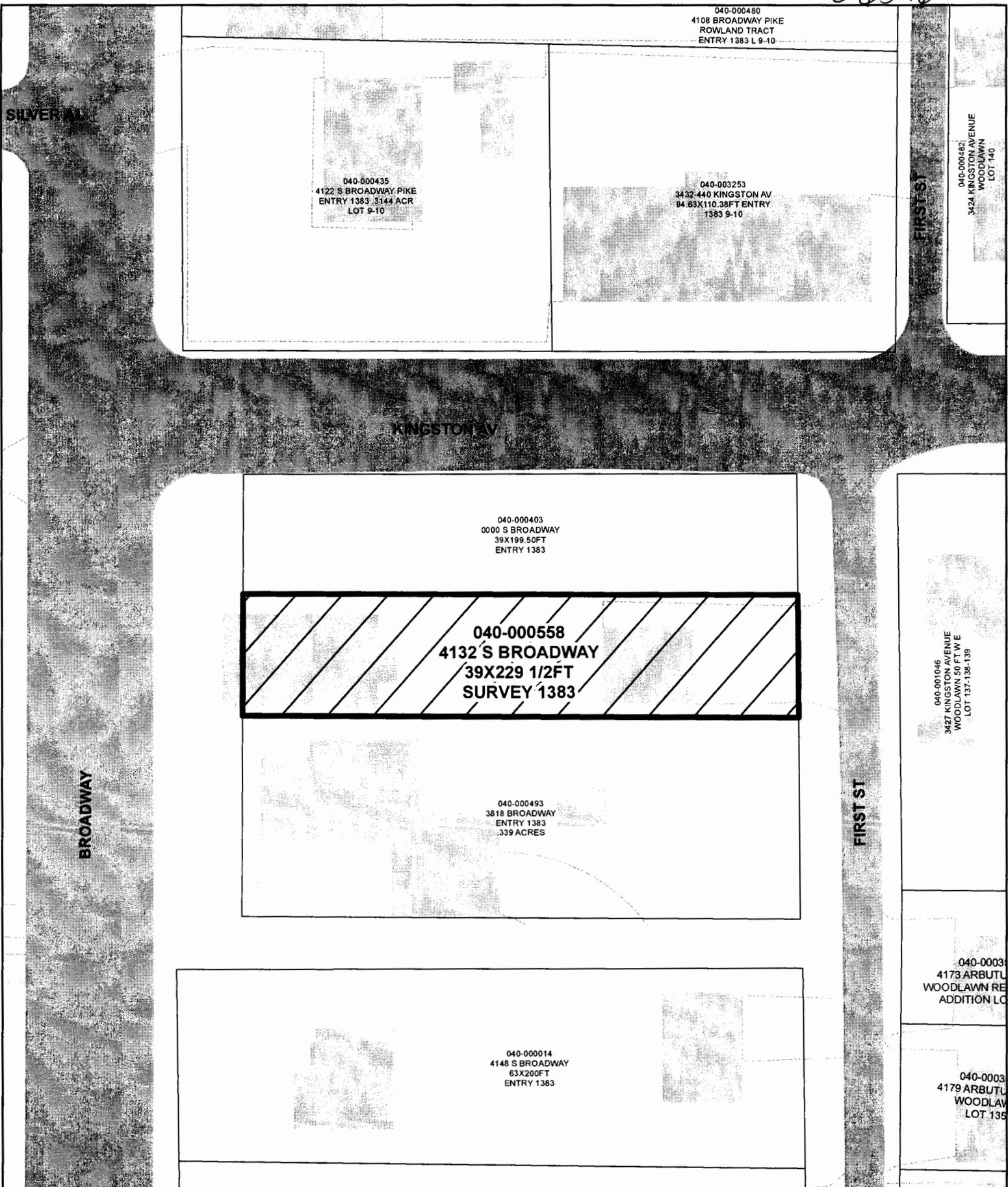
Situated in the County of Franklin, in the State of Ohio and in the City of Grove City:

Being a part of Survey No. 1383, Virginia Military Lands more particularly bounded and described as follows:

Beginning at an iron pin in the center of the Columbus and Harrisburg Pike at the southwest corner of a tract of land conveyed by Adam G. Grant and Ega, his wife, to Christian Schwenkel and Barbara Schwenkel by deed dated January 1, 1898 of record in D.B. 301, page 454, Recorder's Office, Franklin County, Ohio, thence S. 55 deg. 48' East 229.50 feet to an iron pin at the southwest corner of said Schwenkel land; thence S. 35 deg. West 39 feet to an iron pin; thence N. 55 deg. 48' W. 229.50 feet to an iron pin in the center of the Columbus and Harrisburg Pike; thence along the center of said Pike N. 35 deg. E. 39 feet to the place of beginning.

NOT A CERTIFIED COPY

C-6316



Disclaimer

4132 Broadway

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.



1 inch = 40 feet



Date: 07/14/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: X
Current Expense: _____

No. : C-64-16
1st Reading: 07/18/16
Public Notice: 07/20/16
2nd Reading: 09/06/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-64-16

AN ORDINANCE APPROVE A PSO ZONING CLASSIFICATION
FOR 0.654+ ACRES LOCATED AT 4178 HOOVER ROAD
UPON ITS ANNEXATION TO THE CITY OF GROVE CITY

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 zoning classification of certain premises, upon its annexation to the City, hereinafter described; and

WHEREAS, the Planning Commission approved the PSO Zoning Classification request on July 05, 2016; and

WHEREAS, a copy of the annexation, together with a map and zoning classification request and the recommendation 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 shall be given a zoning classification of PSO - Professional Services, upon its annexation to the City of Grove City, Ohio:

Situated in the State of Ohio, County of Franklin, City of Grove City and being Lot #5 of Lewis E. Keller Subdivision, Plat Book 23, Page 46, 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.

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

EXHIBIT A

Situated in the State of Ohio, County of Franklin, City of Grove City, and described as follows:

Being **Lot Number Five (5) of LEWIS E. KELLER SUBDIVISION**, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 23, page 46, Recorder's Office, Franklin County, Ohio.

EXCEPTING THE FOLLOWING 0.023 ACRE TRACT:

Situated in the State of Ohio, County of Franklin, City of Grove City, being located in Lot 5 of LEWIS E. KELLER SUBDIVISION, of record in Plat Book 23, page 46 and being a strip of land ten (10.00) feet in width along the easterly right-of-way line of Hoover Road, across said Lot 5 as conveyed to Terry E. Dawson by deed of record in Instrument Number 200107110157302, (All references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly bounded and described as follow:

Beginning at an iron pin set in the easterly right-of-way line of Hoover Road at the northwesterly corner of said Lot 5,

Thence South 82 degrees 37' 19" East, along the northerly line of said Lot 5, a distance of ten (10.00) feet to an iron pin set;

Thence South 07 degrees 22' 41" West, crossing said Lot 5 and being ten (10.00) feet easterly from and parallel with the easterly right-of-way line of said Hoover Road, a distance of 100.26 feet to an iron pin set in the line between Lots 5 and 6 of said subdivision;

Thence North 82 degrees 37' 19" West, being along said lot line between Lots 5 and 6, a distance of ten (10.00) feet to an iron pin set at the southwesterly corner of said Lot 5;

Thence North 07 degrees 22' 41" East, being along the easterly right-of-way line of said Hoover Road, a distance of 100.26 feet to the place of beginning containing 0.023 acre of land, more or less subject, however to all legal rights-of-ways and/or easements, if any, of previous record.

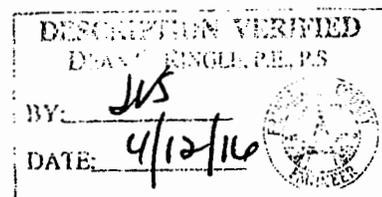
The bearing for this description are based on the same meridian as those bearings in Instrument Number 200001070005432 in which the centerline of Hoover Road has a bearing of North 07 degrees 22' 41" East, Recorder's Office, Franklin County, Ohio.

*M-94-RS
Proof
(160)
1146*

Iron pins set are thirteen-sixteenth (13/16) inch inside diameter, iron pipes with a cap inscribed EMH&T, INC.

Tax Parcel Number: 160-001146-00

Address of Property: 4178 Hoover Road, Grove City, Ohio 43123



576997

ANNEXATION PLAT

PROPOSED ANNEXATION OF LOT 5 LEWIS E KELLER SUBDIVISION (P.B. 23, PG.46)
FROM JACKSON TOWNSHIP TO THE CITY OF GROVE CITY

LEGEND

-  EXISTING CITY OF GROVE CITY CORPORATION LINE
-  PROPOSED CITY OF GROVE CITY CORPORATION LINE
-  AREA PROPOSED FOR ANNEXATION

ADDRESS OF SUBJECT PROPERTY:
4178 HOOVER ROAD, GROVE CITY, OH 43123

FRANKLIN COUNTY PARCEL # 160-001146-00

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

TOTAL PERIMETER OF ANNEXATION IS 770'± OF WHICH 770'± IS CONTIGUOUS WITH THE CITY OF GROVE CITY, RESULTING IN 100% OF PERIMETER CONTIGUITY.

Existing City of Grove City corp. line
Ordinance no.C-03-01
Inst.2001022000.33325

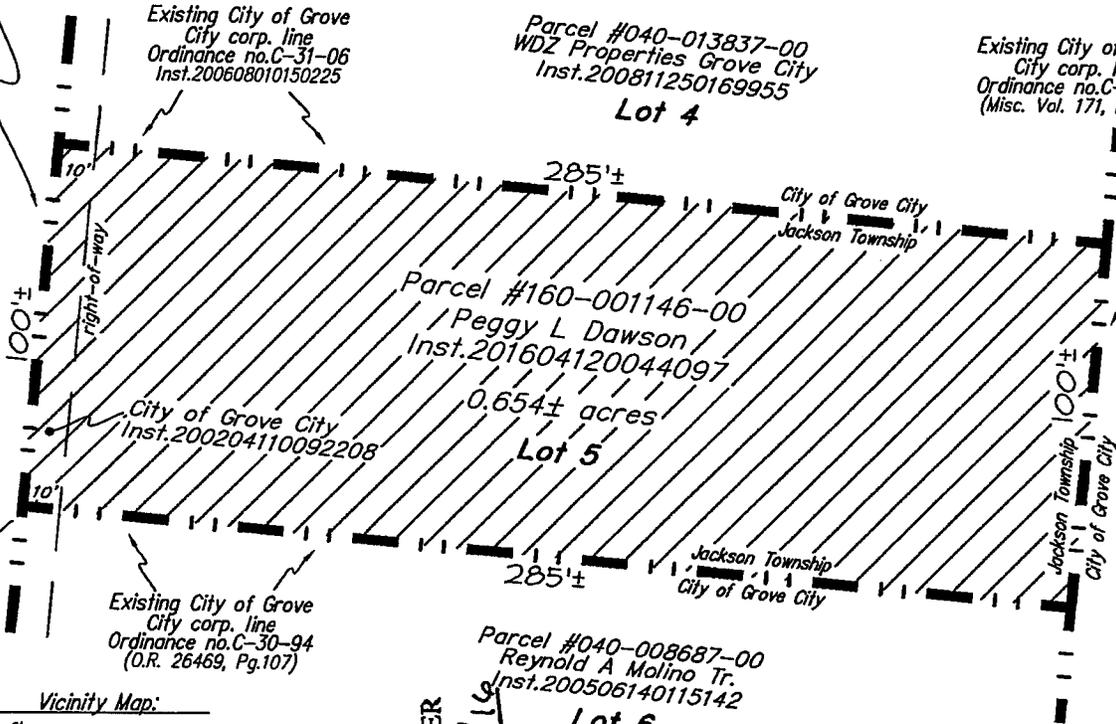
Existing City of Grove City corp. line
Ordinance no.C-31-06
Inst.200608010150225

Parcel #040-013837-00
WDZ Properties Grove City
Inst.200811250169955
Lot 4

Existing City of Grove City corp. line
Ordinance no.C-15-79
(Misc. Vol. 171, Pg.881)

HOOVER ROAD
(public right-of-way)

Point of Beginning



Parcel #040-005556
Capitoline, LLC
Inst.200807020102175

Existing City of Grove City corp. line
Ordinance no.C-30-94
(O.R. 26469, Pg.107)

Parcel #040-008687-00
Reynold A Malino Tr.
Inst.200506140115142
Lot 6

Vicinity Map:



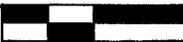
ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER

By BB Date 4/29/16



CAMPBELL & ASSOCIATES, INC.
Land Surveyors
(800)233-4117
www.campbellsurvey.com

NOTE: THIS MAP WAS PREPARED USING THE BEST AVAILABLE FRANKLIN COUNTY RECORDS AND WITHOUT THE BENEFIT OF A BOUNDARY SURVEY. ALL DIMENSIONS SHOWN HEREON ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF AS SHOWN ON THE RECORD PLAT.

0 50'

SCALE: 1"=50'

Matthew L. Campbell
MATTHEW L. CAMPBELL
CAMPBELL & ASSOCIATES, INC.

REG. NO. 8546

4-25-16
DATE

Job: C0135387

Date: 06-29-16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Mr. Berry
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-42-16
1st Reading: 07/05/16
Public Notice: _____
2nd Reading: _____
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

*Postponed
to 7/18*

RESOLUTION NO. CR-42-16

A RESOLUTION TO AMEND RES. CR-66-15 TO REPLACE THE DEVELOPMENT PLAN FOR HICKORY CREEK ESTATES LOCATED NORTH OF ORDERS AND WEST OF HAUGHN ROADS

WHEREAS, on October 06, 2015, the Planning Commission recommended approval of the Development Plan for Holton Park, with the following stipulations:

1. Williamsburg Court shall be renamed;
2. Additional traffic control measures shall be implemented along Hickory Creek Drive. The applicant shall work with Staff to ensure appropriate design.
3. The two (2) leisure paths around the storm water retention ponds shall be connected
4. Collapsible bollard details shall be removed from Sheet C800; and
5. No Parking signs shall be added to one side of all 28' wide streets.

WHEREAS, the Plan was forwarded to Council who requested amendments to the path on the sides of the ponds facing the residential areas; and

WHEREAS, a revised drawing was submitted to Council on January 04, 2016 that reflected the path changes, along with a change that stubs Williamsburg Court to the Southern Grove subdivision; and

WHEREAS, there is a desire to replace the approved Development Plan with one that returns Williamsburg Court to a cul-de-sac.

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

SECTION 1. This Council hereby amends Res. CR-66-15 to replace the Development Plan for Hickory Creek Estates with the plan dated Sept., 2015, contingent upon the stipulations set by Planning Commission, and the following stipulation:

1. This Council does not require a path on the sides of the ponds that face a residential area.

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.

Roby Schottke, President of Council

Richard L. Stage, Mayor

Passed:

Date: 07/14/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No. : CR-45-16
1st Reading: 07/18/16
Public Notice:
2nd Reading:
Passed: _____ Rejected:
Codified: _____ Code No:
Passage Publication:

RESOLUTION NO. CR-45-16

A RESOLUTION TO APPROVE AN AMENDMENT TO SUBAREA A OF THE DEVELOPMENT PLAN FOR THE PINNACLE CLUB OF GROVE CITY 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, on August 15, 2005, Council approved an Amendment to Subarea "C" of this Plan by Res. CR-64-05 and on May 1, 2006, Council approved an Amendment to Subarea "E" of this Plan by Res. CR-28-06, and on May 7, 2007, Council approved Amendments to the Development Text by Res. CR-20-07; Council approved Amendments to Subarea "E" by Res. CR-45-09, Res. CR-41-12, Res. CR-28-14 and CR-68-14; and

WHEREAS, on July 05, 2016, the Planning Commission recommended approval of an amendment to Subarea A -of the Development Standards Text, 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 accepts the amendment to the Development Plan Standards Text, approved by Resolution CR-24-04, for The Pinnacle Club of Grove City, as submitted and shown in Exhibit "A" attached hereto and made a part hereof.

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

Roby Schottke, 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

CR-45-16
Exhibit A

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

Grove City, Ohio

PLANNED UNIT DEVELOPMENT – RESIDENTIAL (PUD-R)

Original Applicants:

Pinnacle Development Company
567 Lazelle Road
Westerville, OH 43081

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

Amendment Applicant:

Pinnacle Land Holdings LLC
1500 Pinnacle Club Drive
Grove City, OH 43123

DEVELOPMENT STANDARDS TEXT

Approved March 15, 2004
Revised August 15, 2005
Revised May 1, 2006
Revised May 7, 2007
Revised September 8, 2009
Revised November 16, 2010
Revised June 20, 2011
Revised January 22, 2013
Revised May 5, 2014
Revised November 3, 2014
Revised June 6, 2016

I. Project Introduction

This Development Standards Text (the "Text") establishes the development standards for many of the Subareas in the Pinnacle Club development identified on the Preliminary Development Plan, dated November 26, 2003, and approved by City Council on December 01, 2003, Resolution No. CR-86-03. This Text incorporates the development standards for these same Subareas contained in the Pinnacle Club Zoning Text; last revised ~~January 30, 2004~~ **June 6, 2016**. *

Except as otherwise specified herein, all Subareas shall be developed in accordance with the Development Plan containing thirty-eight (38) pages, dated January 19, 2004, hereby modified on June 6, 2016 and subject to minor changes due to final engineering (the "Plan").

INTRODUCTION TO FIRST AMENDMENT:

Pursuant to Resolution CR-20-07, resolved by City Council on May 7, 2007, This First Amendment of Pinnacle Club of Grove City 620+ Acres amends the Development Standards Text last revised, March 15, 2004 (the "Original Text") and approved as part of the rezoning of the "Property" (as that term is defined in the Original Text) by ordinance C-126-03, passed by City Council on February 2, 2004. This First Amendment amends only Section VI, Subarea E, of the Original Text by adding an additional type of home called "Cottage Homes". Additionally, the Original Text is being amended to reflect the actual acreage of Subarea E as 115.71 acres and to correct the number of homes permitted in Subarea E, per the approval of the Development Plan, as 573.

II. **Subarea A (65.7 acres)**. Subarea A consists of three areas: A₁ containing 39.1 acres, containing 78 lots; and, A₂ containing 16.2 acres, containing 44 lots and A₃ containing 10.4 acres containing no more than 44 single family and / or two-family lots. Homes within Subarea A₁ and A₂, also referred to herein as the "Estate Lots", will be built by custom builders including M/I Homes Showcase division.

A. Lot Size; House Size; Exterior Materials.

(1.) Lot Size: Subarea A₁ and A₂ contains 90' and 100' wide lots, measured at the building line, with a minimum lot width of 90' and a minimum lot depth of 120'. No lot in Subarea A 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 setback requirements set forth in Subarea Setback Chart on sheet 1.

(2.) House Sizes: The minimum house size in Subarea A₁ and A₂ shall be 2,400 square feet, excluding garage and basement areas. 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 unit lots, lots 1101 and 1005 as shown on Sheet 5B shall be a minimum of 2,034 square feet. A minimum of three detached units located on lots 1106 thru 1113 as shown on sheet 5B will have at least 2,034 square feet. Minimum square footages are to exclude garages and unfinished basements.

(3.) Exterior Materials: All homes will be traditional in architecture, i.e. Colonial, Georgian, County French and Country English. Four-sided architecture with brick or stone foundations on all sides and common window fenestration will be encouraged. 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.

B. Yard Dimensions; Building Height.

(1.) Front Yard. The front yard building setback shall be a minimum of 25 feet.

(2.) Rear Yard. The minimum required rear yard shall be ~~30%~~ **30 feet**, except Lot 884 which shall be reduced to 25 feet. The minimum required rear yard shall be reduced to 20 feet for lot 477. Units within Subarea A₃ that back to a Reserve (open space) shall have a minimum rear yard setback of 10'. *

(3.) Side Yard. The side yard setback shall be a minimum of 5 feet. The minimum distance between adjacent structures shall be 16 feet. Subarea A₃ shall have a 0 foot

side yard setback on the common lot line / attached wall and a minimum of 5 feet on the other side yard setback for all attached units. Detached units within Subarea A₃ side yard setback shall be a minimum of 3 feet per side (total of 6').

(4). Building Height. The maximum building height shall be 48 feet measured from the grade of the front elevation of the building.

C. Design Manual. Attached hereto as Exhibit A is the Design Review Manual for the Estate Lots of The Pinnacle Club of Grove City. The Design Review Manual will be enforced by architectural review board and addresses development standards over and above those minimum standards for the Estate Lots set forth in this Text. Within Subarea A₃ home mounted coach lights shall be installed in lieu of post mounted coach lights.

III. Subarea B. Subarea B shall be developed with single-family homes as an expansion of the existing M/I Home, Creekside Subdivision.

A. Lot Size; House Size; Exterior Materials.

(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, excluding garage and basement areas.

(3). Exterior Materials: Exterior materials of homes shall be brick, stone, stucco stone, wood, hardy plank and vinyl.

B. Yard Dimensions; Building Height.

(1.) Front Yard. The front yard building setback shall be a minimum of 25 feet.

(2). Rear Yard. The minimum required rear yard shall be 15%.

(3). Side Yard. The side yard setback shall be a minimum of 6 feet.

(4). Building Height. The maximum building height shall be 35 feet measured from the grade of the front elevation of the building.

C. Building Design.

(1). Basements. Homes shall have full or partial basements unless soil conditions prevent or make the installation of a basement impracticable. Evidence of adverse soil conditions shall be presented to the City's Chief Building Inspector for verification.

(2). Roof. The roof of all homes shall have accents such as dormers, front facing gables, and eave brackets. 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. The roof material will be dimensional architectural shingles.

(3). Garages. All homes shall have a two-car garage.

D. Miscellaneous.

(1). Lighting. Decorative street lighting will be installed. Interior street lighting will be on alternating sides of the street. All lighting shall be approved by the City Service Director.

(2). Pools. No above-ground swimming pools shall be erected or permitted.

(3). Mailboxes. Each single-family home will have the same style pole mounted mailbox, installed by builder as depicted on Exhibit C (NOTE: There is no Exhibit A or Exhibit B to this Text).

(4). Fences. Decorative wrought iron (or aluminum fences with the appearance of wrought iron) fencing will be permitted around in-ground pools. Decorative screening, approved by the architectural review committee, not exceeding 5' in height, around patios located immediately adjacent to dwellings, for the purpose of providing privacy shall be permitted. Notwithstanding anything in the Zoning Text to the Contrary, fences not exceeding 4' in height along rear yard lot lines may be permitted by the architectural review committee.

IV. **Subarea C.** Subarea C shall be developed with 142 single-family homes.

A. **Lot Size; House Size; Exterior Materials.**

(1). Lot sizes shall be a minimum of 70' width at the building line and 120' depth. Lots contiguous to the golf course shall have a minimum width of 80' at the building line.

(2). Homes shall be a minimum of 1,800 square feet for all homes, excluding garage and basement areas. Eighty percent (80%) of all homes shall exceed 2,000 square feet in size.

(3). **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. 71 homes (142 x 50%)] shall have brick or stone on its front façade 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 to the Zoning Text. Windows on the front of each home will have shutters or a 1" x 6" trim board around the perimeter of the window.

B. **Yard Dimensions; Building Height.**

(1.) **Front Yard.** The front yard building setback shall be a minimum of 25 feet. Porches may encroach into required front yard area.

(2.) **Rear Yard.** The minimum required rear yard shall be 15%.

(3.) **Side Yard.** The side yard setback shall be a minimum of 6 feet. Chimneys and bay windows may encroach into required side yard areas.

(4.) **Building Height.** The maximum building height shall be 35 feet measured from the grade of the front elevation of the building.

C. **Building Design.**

(1). Basements. Homes shall have full or partial basements unless soil conditions prevent or make the installation of a basement impracticable. Evidence of adverse soil conditions shall be presented to the City's Chief Building Inspector for verification.

(2). Roof. The roof of all homes shall have accents such as dormers, front facing gables and eave brackets. 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. The roof material will be dimensional architectural shingles.

(3). Garages. All homes shall have a two-car garage.

D. Miscellaneous.

(1). Lighting. Decorative street lighting will be installed. Interior street lighting will be on alternating side of the street. All lighting shall be approved by the City Service Director.

(2). Pools. No above ground swimming pools shall be erected or permitted.

(3). Mailboxes. Each single-family home will have the same style pole mounted mailbox, installed by builder as depicted on Exhibit C.

(4). Fences. Decorative wrought iron (or aluminum fences with the appearance of wrought iron) fencing will be permitted around in-ground pools. Decorative screening, approved by the architectural review committee, not exceeding 5' in height, around patios located immediately adjacent to dwellings, for the purpose of providing privacy shall be permitted. Notwithstanding anything in the Zoning Text to the Contrary, fences not exceeding 4' in height along rear yard lot lines may be permitted by the architectural review committee.

V. Subarea D. Subarea D shall be developed with single-family homes.

A. Lot Size; House Size; Exterior Materials.

(1). Lot sizes shall be a minimum of 60' width at the building line and 120' depth.

(2). Homes shall be a minimum of 1,400 square feet for all homes, excluding garage and basement areas. Eighty percent (80%) of all homes shall exceed 1,800 square feet in size, excluding garage and basement areas.

(3). Exterior Materials: Homes shall be traditional Colonial and Georgian architectural styles. All home exterior shall have traditional horizontal vinyl lap siding with a .044 gauge or greater and/or natural materials. All chimneys in Subarea D shall be brick. 50% of all homes shall have some brick or stone element on the front façade. An example of the brick options are shown on the building elevations submitted as Exhibit 2 of the Zoning Text. Windows on the front of each home will have shutters or a 1" x 6" trim board around the perimeter of the window.

B. Yard Dimensions; Building Height.

(1.) Front Yard. The front yard building setback shall be a minimum of 25 feet. Porches may encroach into required front yard area.

(2.) Rear Yard. The minimum required rear yard shall be 15%.

(3.) Side Yard. The side yard setback shall be a minimum of 5 feet. Chimneys and bay windows may encroach 2' into required side yard setback areas. The minimum distance between adjacent structures shall be 8 feet.

(4.) Building Height. The maximum building height shall be 35 feet measured from the grade of the front elevation of the building.

C. Building Design.

(1.) Basements. Homes shall have full or partial basements unless soil conditions prevent or make the installation of a basement impracticable. Evidence of adverse soil conditions shall be presented to the City's Chief Building Inspector for verification.

(2.) Roof. The roof of all homes shall have accents such as dormers, front facing gables and eave brackets. 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. The roof material will be dimensional architectural shingles.

(3). Garages. All homes shall have a two-car garage.

(4). Porches. All homes shall have front porches, which shall range in size from 16 square feet to 100+ square feet. Front porches may encroach into the front yard.

D. Miscellaneous.

(1). Lighting. Decorative street lighting will be installed. Interior street lighting will be on alternating side of the street. All lighting shall be approved by the City Service Director.

(2). Pools. No above-ground swimming pools shall be erected or permitted.

(3). Mailboxes. Each single-family home will have the same style pole mounted mailbox, installed by builder as depicted on Exhibit C.

(4). Fences. Decorative wrought iron (or aluminum fences with the appearance of wrought iron) fencing will be permitted around in-ground pools. Decorative screening, approved by the architectural review committee, not exceeding 5' in height, around patios located immediately adjacent to dwellings, for the purpose of providing privacy shall be permitted. Notwithstanding anything in the Zoning Text to the Contrary, fences not exceeding 4' in height along rear yard lot lines may be permitted by the architectural review committee.

VI. Subarea E. Subarea E, also sometimes referred to as the "Traditional Neighborhood Development", will have ~524 homes consisting of four district housing types:

(i). 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.

(ii). 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 façade of the home. All homes shall have porches.

(iii). Town Homes: Two-family homes, each home has a two car detached garage. Garages are accessed from alleys at the rear of the homes.

(iv). 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.

A. Lot Size; House Size; Exterior Materials.

(1). Lot sizes shall be:

(i). Carriage Home Lots 47' x 70' (minimum)

(ii). Village Home Lots 50' x 120' (minimum)

(iii). Town Home Lots 62' x 100' (minimum)

(28' minimum up to 34' per unit)

(iv). Cottage Home Lots 31' x 100' (minimum)

(v). 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' in depth.

(vi) Village home lots along I-71 in Subarea E shall be 50x106' (minimum) and a 20' minimum front setback line shall apply. Lot #1042 shall be a ranch style home and Lot #1041 shall be a 1 ½ story style home.

(2). 80% of all homes in Subarea E shall exceed 1,400 square feet in size. In measuring house size, garage and basement areas shall be excluded.

(i). Carriage Homes: house size range: 1,200 – 2,300 s.f.

(ii). Village Homes: house size range: 1,200 – 3q,300 s.f.

(iii). Town Homes: house size: minimum of 1,760 s.f. per side

(iv). Cottage Homes: house size range: 1,787- 1,894 s.f.

(3). 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 façade. Most windows on the front of each home will have shutters or a minimum 1" x 4" trim board. All exposed courses of the foundation of each home shall be any one of the following: split face block; brick; stone; or, any other material that simulates the appearance of brick or stone. A minimum of 50% of the homes fronting on Buckeye Parkway and the two Village greens shall have brick or stone accents as shown on the building elevations submitted as Exhibit 3 to the Zoning Text.

B. Yard Dimensions; Building Height.

- (1). Front Yard. See chart attached hereto as Exhibit B.
- (2). Rear Yard. See chart attached hereto as Exhibit B.
- (3). Side Yard. See chart attached hereto as Exhibit B.
- (4). Building Height. The maximum building height shall be 35 feet measured from the grade of the front elevation of the building.

C. Building Design.

- (1). Roof. The roof of all homes shall have accents such as dormers, front facing gables and eave brackets. 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. The roof material will be dimensional architectural shingles.
- (2). Garages. All homes shall have a two-car garage.
- (3). Porches. Porches may encroach up to 8 feet into the required front yard.

D. Miscellaneous.

- (1). Lighting. Decorative street lighting will be installed. Interior street lighting will be on alternating sides of the street. All lighting shall be approved by the City Service Director.

(2). Pools. No above-ground swimming pools shall be erected or permitted.

(3). Mailboxes. Each single-family home will have the same style pole mounted mailbox, installed by builder as depicted on Exhibit C.

(4). Fences. Decorative wrought iron (or aluminum fences with the appearance of wrought iron) fencing will be permitted around in-ground pools. Decorative screening not exceeding 6' in height around patios located immediately adjacent to dwellings, for the purpose of providing privacy and approved by the architectural review committee may be permitted. Notwithstanding anything in the Zoning Text to the contrary, fences not to exceed 4' in height along rear and side yard lot lines enclosing the rear yard may be permitted by the architectural review committee.

VII. Landscaping.

A. Entrance Features. The general massing and location of plants proposed as part of the entry features are shown on the Development Plan. The species of plants shall be approved by the Service Director or his designee. Sod shall be used at the entrance features. The location of the area of the entrance features to be sodded and seeded shall be approved by the Service Director or his designee.

B. Street Trees. Developer/Owner shall install the street trees within the entire development at the spacing and tree size set forth on the Development Plan. Developer/Owner, through the Homeowners' Associations, Condominium Associations and/or a Community Authority shall assume full responsibility for care, replacement and maintenance of the street trees. Trees shall be approved and tagged by the Service Director or his designee prior to planting. Developer/Owners' assumption of the street tree obligation contained in this Section VII B is in lieu of the owner or builder's obligation to pay the per lot Urban Forestry fee set forth in Section 1136.09(B) of the zoning code.

C. Miscellaneous.

(1). Grass. All residential lots shall be sodded and seeded in compliance with Section 1136.11 of the City Code.

(2). Service Structures. Service Structures shall be screened in compliance with Section 1136.08 of the City Code.

(3). Irrigation. Ford Boxes shall be installed in the median strip in Buckeye Parkway. The separation distance of the Ford Boxes shall be determined by the Service Director or his designee but shall not be less than 100' apart and no greater than 200' apart.

(4). Street Trees. Notwithstanding anything in the Zoning Text to the contrary, street trees shall be spaced as determined by the Urban Forester. The separation of trees shall not be less than 35' on center and no greater than 50' on center.

(5). Homeowners' Associations. Notwithstanding anything in the Zoning Text to the contrary, Subareas B, C, D, and E may be a part of a single master homeowners' association which shall be responsible for the maintenance of the entrance features to the Pinnacle Club development, the landscaping along Buckeye Parkway, White Road and Jackson Pike, and the open space and entrance features located within each of Subarea B, C, D and E.

Date: 07/14/16
Introduced By: Mr. Bennett
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-46-16
1st Reading: 07/18/16
Public Notice: _____
2nd Reading: _____
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION NO. CR-46-16

A RESOLUTION TO APPROVE THE DEVELOPMENT PLAN FOR MARLANE RETAIL DEVELOPMENT LOCATED SOUTH OF STRINGTOWN AND EAST OF MARLANE DRIVE

WHEREAS, on July 05, 2016, the Planning Commission recommended approval of the Development Plan for Marlane Retail Development with the following deviations and stipulations:

1. A 10' landscape area and supplemental landscaping according to the requirements of Section 1136.06 shall be installed between the Waffle House property and the site to be redeveloped;
2. If an agreement cannot be reached with Waffle House to eliminate the driveway and access easements, the existing pavement shall be replaced with grass pavers within the driveway and access easements, except at the proposed northern connection to the Waffle House parking lot;
3. The applicant shall work with City staff to delineate an appropriate landscape feature area at the northeast corner of the site;
4. An easement shall be recorded over the landscape feature to allow the City to maintain this feature;
5. A landscape peninsula shall be added to the western edge of the parking lot north of Building 1;
6. A 2" minimum caliper large or medium class free shall be planted in the peninsulas at the southern edge of the parking rows between Buildings 1 and 2;
7. A plant key shall be added to the landscaping plan that lists the exact plant varieties proposed on the site along with the size at installation and quantities to be planted for the entire project;
8. Details shall be submitted for landscaping proposed around the base of the monument sign;
9. A **deviation** shall be granted to allow the reduction in required parking spaces from 163 to 162 spaces;
10. "No Truck Parking" signage shall be installed at the site.

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 Marlane Retail Development, contingent upon the deviations and 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.

Roby Schottke, President of Council

Richard L. Stage, Mayor

Passed:
Effective:

Attest: _____