

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

April 05, 1999

Regular Meeting

The regular meeting of Council was called to order by Tami Kelly, Clerk of Council, at 8:05 p.m. in the Council Chamber, City Hall, 4035 Broadway.

After a moment of silent prayer and the Pledge of Allegiance, roll was called and the following members were present:

Vaughn Radi Steve Bennett Budd Eversman

1. Ms. Kelly opened the floor for nominations for a Temporary Chairman.

Mr. Eversman nominated Mr. Bennett. There being no additional nominations the floor was closed.

Mr. Eversman moved that Mr. Bennett be Temporary Chairman for the evenings meeting; seconded by Mr. Radi.

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Eversman	Yes

2. Mr. Bennett moved to excuse President Milovich and Mr. Fulton; seconded by Mr. Radi.

Mr. Bennett	Yes
Mr. Eversman	Yes
Mr. Radi	Yes

3. Mr. Bennett moved to dispense with the reading of the minutes for the previous meeting and approve as written; seconded by Mr. Radi.

Mr. Eversman	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

4. Mr. Bennett recognized Mayor Grossman, who, with the assistance of the Director of Safety, administered the Oath of Office to Greg Barber as a new police officer. The Mayor also gave a Proclamation to the Dispatchers for "Dispatcher's Week". A Proclamation was also given to the Library.

5. Mr. Bennett read the agenda items and they were approved by unanimous consent.

The Chair recognized Mr. Bennett, Chairman the Lands Committee, for discussion and voting of legislative agenda items under said committee.

1. Ordinance C-6-99 (Approve the rezoning of the southeast corner of Woodlawn and Dudley from R-2 to D-1) was given its second reading and public hearing.

Mr. Gene Beavers, property owner, was present to answer any questions. Mr. Bennett noted that Mr. Beavers would need to apply for a variance on the setback of the building. Mr. Beavers stated that he has already submitted his application to the Board of Zoning Appeals.

NOTE: Mr. Bennett acknowledged the presence of President Milovich at 8:20 p.m., who took charge of the meeting upon completion of the Lands Committee.

There being no additional questions or comments, Mr. Bennett moved it be approved; seconded by Mr. Radi.

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes

2. Ordinance C-9-99 (Approve a PUD-I Zoning Classification for a 231.783 acre parcel located north of S.R. 665 and west of I-71 upon its annexation) was given its second reading and Mr. Bennett moved it be postponed until July 19, 1999, at the petitioner's request; seconded by President Milovich.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Radi	Yes

3. Ordinance C-10-99 (Approve a Special Use Permit for CVS Pharmacy located on the northwest corner of Stringtown and McDowell Roads) was given its second reading and public hearing.

Mr. Frank Petruziello, Skilken & Assoc., was present. He showed the location of the window and explained that only prescription drugs will be available through the window. He said the window receives approximately 10 cars per hour and there is no "call button" for the window. He explained that is there as a convenience to the customers who are sick or have small children and don't want to get out of the car.

Mr. Bennett requested permission to abstain from voting due to an affiliation with the Knights of Columbus. President Milovich moved to excuse Mr. Bennett from voting; seconded by Mr. Eversman.

Mr. Eversman	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

Mr. Petruziello requested that Council waive the 30 day grace period since their original request was withdrawn by Planning Commission and delayed the timetable. It was explained

that an emergency measure requires 4/5 vote for passage and since one member is absent and one member must abstain from voting, Council would be unable to vote on an emergency measure. Mr. Petruziello was asked if he would like to postpone the issue until the next meeting of Council. Mr. Petruziello declined and asked that Council proceed with the vote in a normal fashion.

There being no additional questions or comments, Mr. Bennett moved it be approved; seconded by Mr. Radi.

Mr. Radi	Yes
Mr. Bennett	Abstain
Mr. Milovich	Yes
Mr. Eversman	Yes

4. Ordinance C-11-99 (Approve a Special Use Permit for a Special Event Music Concert, located at 3664 Grant Ave., for June 12, 1999 ONLY) was given its second reading and public hearing.

Mr. Scott Steinaker, representing Promo West, was present. He asked that the time be amended from 3:00 - 9:00 p.m. to 1:00 - 8:00 p.m. due to one of the artists needing to be at another show at 8:00 p.m. President Milovich asked if it would be appropriate to have a one hour break during the time allotted. Mr. Steinaker said there would be 40 minute breaks between every artist and there will be four (4) artists. It will not continuous music. Mr. Bennett asked if they understood that there needed to be cooperation with the Police Department for protection and keeping this from being a nuisance in the area. Mr. Clark reminded Promo West that there is a 21 day Code Requirement to have an approved plan in place by the Police Dept. Mr. Steinaker said they are working with Lt. Wise on that. Mr. Radi asked where the stage would be placed. Mr. Steinaker stated that it would be in the same place as it was for Capital Music, which was on the in-field of the race tract, point toward the grandstand. Mr. Eversman noted that with the passage of the Special Use Permit, it would allow the concert to commence longer than the 3 1/2 hours allowed by Code and, also, closer than 1500 yards from a residential district. Mr. Radi asked why the 1500 yards was initially enacted. Mr. Clark said that was the decision of Council, at the time the legislation was instituted. Mr. Bennett asked about the noise control. Mr. Steinaker said they have not implemented any decible level requirements, but, they could. With it being a country band concert, the level should be lower than a rock concert.

Ms. Alice Sweeley, resident, asked about the ingress/egress for the concert goers. Mayor Grossman stated that Beulah Park representatives have met with Lt. Wise and she believes that the intent is for all ingress/egress to be routed through Southwest Blvd.

There being no additional questions or comments, Mr. Bennett moved to amend the time of the concert from 3:00 - 9:00 to **1:00 - 8:00 p.m.**; seconded by Mr. Radi.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Radi	Yes

Mr. Bennett moved it be approved, as amended; seconded by President Milovich.

Mr. Milovich	Yes
Mr. Eversman	No
Mr. Radi	No
Mr. Bennett	Yes

5. Ordinance C-12-99 (Accept the annexation of 29.938 acres located on Haughn Road to the City) was given its first reading. Second reading and public hearing will be held 4/19/99.
6. Ordinance C-13-99 (Approve the rezoning of 13.35 acres located on the southeast corner of Broadway and Harrisburg Station Lane, from C-2 to PUD-R) was given its first reading. Second reading and public hearing will be held on May 17, 1999.
7. Resolution CR-17-99 (Approve the Final Development Plan for Suburban Propane Office Addition and Remodeling, located at 4371 Broadway) was given its reading & public hearing.

Mr. Tim Decker was present to answer any questions. Mr. Bennett reviewed the stipulations set forth by Planning Commission, which Mr. Decker agreed to. Mr. Bennett asked about the west elevation. Mr. Decker stated that the south and east sides are the same as the north and west.

There being no additional questions or comments, Mr. Bennett moved it be approved; seconded by President Milovich.

Mr. Eversman	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

8. Resolution CR-19-99 (Approve the Final Development Plan for CVS Pharmacy, located on the northwest corner of Stringtown and McDowell Roads) was given its reading and public hearing.

Mr. Frank Petruziello, Skilken, was present. Mr. Bennett reviewed all 16 stipulations set by Planning Commission. Mr. Petruziello explained each and showed those that had been changed on the revised plans. He agreed to all the stipulations.

Mr. Bennett asked that he be allowed to abstain from voting, due to his relationship with the Knights of Columbus. President Milovich moved to allow Mr. Bennett to abstain from voting; seconded by Mr. Eversman.

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes

There being no additional questions or comments, Mr. Bennett moved it be approved; seconded by Mr. Eversman.

Mr. Bennett	Abstain
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Radi	Yes

10. Resolution CR-23-99 (Set forth the Municipal Services that can be provided to a 3.8 acre parcel located on Rensch Rd. upon its annexation) was given its reading and public hearing and Mr. Bennett moved it be approved; seconded by Mr. Radi.

Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

11. Resolution CR-24-99 (Approve the Preliminary Development Plan for Heritage Place apartments, located on the southeast corner of Broadway and Harrisburg Station Lane) was given its reading and public hearing.

Mr. Bill Adams, representative, in part, of the principals of Casto Realty, explained that JORP has owned this site for eight (8) years and it is their nature to develop sites for retail use. There are currently some limitations for this site to be used for retail use, such as the creek that runs through the site. Current Federal regulations stipulate that only 500' of the creek can be impacted. There is a bill pending that would reduce this even further to 200'. In addition, the lot is very deep. If it were to be used for commercial purposes, only the frontage could be uses, leaving much of the property useless. President Milovich asked Mr. Adams to point out the creek, which he did. President Milovich asked how far the buildings were to the creek. Mr. Adams estimated 50'. President Milovich explained that this City is part of the Franklin County Greenways program and wants to make sure the guidelines under that program are followed. Mr. Adams stated that they plan to meet with the Urban Forester before submitting the Final Development Plan. He said they would also have the floodplain designated. This creek is unstudied, but, shown on FEMA panels. Mr. Eversman asked if the parking buildings are garages or carports. Mr. Adams said they were a blend of both. . He feels this project will enhance the area and provide the City with an opportunity to bring the downtown streetscape into this area of Broadway. Mr. Bennett reviewed the stipulations set by Planning Commission, which Mr. Adams stated would all be addressed in the Development Plan. Mr. Bennett commented that it would be nice to see some of the garages attached. Mr. Adams said that was a different product type. Mr. Eversman asked why all the parking buildings were not garages. Mr. Adams explained that garages are being used to screen the development from certain areas and where it is advantageous to have an open view, they prefer to use the open carports. The buildings have been designed with two (2) front doors, for those units along Broadway and Harrisburg Station Lane. President Milovich asked for more clarification of stipulation #3. Mr. Stage explained that the City owns property on the north and south sides of this lot. He provided Council with pictures of the property. Mr. Adams stated that they have already spoken with Mr. Dye, Chairman of the C.I.C., and basically have a gentleman's

agreement to purchase the ground from the City at the same, per unit price, as they are paying for the contiguous ground (approx. \$4,700/unit). The revised plan shows the inclusion of the City's property, which increases the units by 20, but, keeps the density the same. He said this will clean up the old pump house and equipment, allowing for the landscape to return to a more natural state. They presented possible exterior facades for the units. President Milovich asked about the bedroom makeup of the units. Mr. Adams said there were 72 one bedroom units, 60 two bedroom units and 42 two bedroom townhouses. Mr. Eversman asked about the price range. Mr. Adams said it would be approximately \$600. - \$800.00/mo. Mr. Stage commented that they are providing an extensive landscape package and the City is negotiating an Impact Fee for the number of units over the maximum of 8 per acre. Mr. Eversman asked about sidewalks. It was stated that there would be sidewalks the length of the property on Broadway and Harrisburg Station Lane. Mr. Clark explained that this is just a Preliminary plan and any decision by Council is not binding on the Development Plan.

There being no additional questions or comments, Mr. Bennett moved it be approved; seconded by President Milovich.

Mr. Eversman	Yes
Mr. Radi	No
Mr. Bennett	Yes
Mr. Milovich	Yes

12. Resolution CR-25-99 (Authorize the City Administrator to enter into an Agreement with Vivo Land Partners, LLE) was given its reading and Mr. Bennett moved it be postponed until 4/19/99; seconded by President Milovich.

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes

The Chair recognized Mr. Radi, Chairman the Safety Committee, for discussion and voting of legislative agenda items under said committee.

1. Resolution CR-26-99 (Permit Beulah Park to hold a Carnival from May 18 - 23, 1999) was given its reading and public hearing.

Mr. Mike Weiss, General Manager for Beulah Park, explained that they are trying to bring back the Grove City Fair and provide a family carnival, with as much community involvement as possible. He is asking for a six day event, to be held on the west end of their parking lot. Mr. Radi asked if this would be similar in size to previous events or will it be expanded. Mr. Weiss said last year was done at the last minute. They are using a different company this year and there will be more rides.

Ms. Alice Sweeley, commented that she is somewhat the unofficial representative for the west side area residents. She voiced concern over the location and asked if the 1500 yard requirement that applies to the concert, applies to this. She asked if the Parks & Recreation Department are going to

be involved and asked what the hours of operation would be. Mr. Weiss said he didn't feel there would be a noise problem. They have spoken with DARE, Parks & Rec., Big Bear and the Visitors & Convention Bureau, inviting them to set up booths. The hours of operation are Tu - Thurs., 3:00 - 10:00 p.m., Fri. - Sat., 12:00 - 11:00 p.m., and Sun., 12:00 - 8:00 p.m. Mrs. Sweeley commented that the 11:00 p.m. closing was adequate. She asked about ingress/egress. Mr. Weiss said they will use Southwest Blvd. only. Access on Park St. will be for emergency vehicles only. Mr. Radi asked about the 1500 yards and it was explained that it doesn't apply for this type of event. Mr. Eversman commented that a two (2) day license has already been granted by the Mayor for a carnival. Council is only being asked to extend the number of days by four (4), making the total days six (6). He asked Mr. Clark if that was correct and if they could hold their carnival for two (2) days without the approval of this resolution. Mr. Clark said yes.

There being no additional questions or comments, Mr. Radi moved it be approved; seconded by President Milovich.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Radi	Yes

The Chair recognized Mr. Eversman, Chairman the Finance Committee, for discussion and voting of legislative agenda items under said committee.

1. Ordinance C-14-99 (Appropriate \$4,296.00 from the General Recreation Fund for the Current Expense of Adult Travel) was given its first reading. Second reading and public hearing will be held on April 19, 1999.

The Chair asked that any new business to be brought before the attention of Council be done so at this time.

There being no new business, the Chair recognized members of Administration and Council for closing comments.

1. Mayor Grossman submitted the monthly Mayor's report and Mr. Bennett moved to accept same; seconded by Mr. Radi.

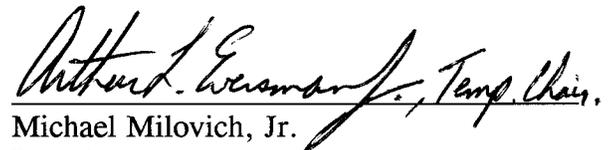
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

In closing, the Mayor announced that early bird registration for the pool begins April 14, 1999; she congratulated the Gantz volunteers on their Herb Symposium. There were 120 participants. She congratulated the volunteers of the Egg Hunt. There were 10,000 eggs stuffed and hidden. She also congratulated Mr. Dick Furr, Food Pantry, for his nomination through the Columbus Dispatch's Community Service Award.

2. Mr. Stage, Dev. Dir., provided Council with a sketch of the landscaping for the South Entrance of the City.
3. Mr. Babbert, Dir. of Parks & Rec., announced that his Department's Annual Report is out.
4. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 9:43 p.m.


Tami K. Kelly, CMC/AAE
Clerk of Council


Michael Milovich, Jr.
President