

CITY OF GROVE CITY, OHIO  
COUNCIL MINUTES

July 17, 2000

Regular Meeting

The regular meeting of Council was called to order by President Bennett at 8:00 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:

*Chris Fulton Vaughn Radi Steve Bennett Budd Eversman Maria Klemack*

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

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Eversman	Yes
Ms. Klemack	Yes

2. President Bennett recognized the Mayor who recognized this year's Garden Tour participants and thanked them for sharing their lovely gardens.

3. President Bennett read the agenda items and they were approved by unanimous consent.

**The Chair recognized Mr. Radi, chairman of the Lands & Zoning Committee, for discussion and voting of legislative agenda items under said committee.**

1. Ordinance C-2-00 (Approve a Special Use Permit for MAACO Auto Painting & Bodyworks located west of Broadway and South of Home Road) was given its second reading and, at the request of the petitioner, Mr. Radi moved it be postponed to August 21, 2000; seconded by President Bennett.

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Eversman	Yes
Ms. Klemack	Yes
Mr. Fulton	No

Mr. Stage commented that the Development Department would notify the petitioner that this is the last time.

2. Ordinance C-44-00 (Rezone 5.7± acres located west of Marlane Drive from SD-3 to PUD-I) was given its second reading and public hearing, and at the written request of the petitioner, Mr. Radi moved it and Ordinance C-45-00 (Rezone 3.7± acres located west of Marlane Drive from PUD-I to SD-3) be postponed to August 21, 2000; seconded by President Bennett.

Mr. Bennett	Yes
Mr. Eversman	Yes
Ms. Klemack	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

3. Ordinance C-54-00 (Amend Ordinance C-2-86 to Remove Land from Community Reinvestment Area No. 2) was given its second reading and at the request of Mr. Stage, City Administrator, Mr. Radi moved it be postponed to August 21, 2000; seconded by President Bennett.

Mr. Eversman	Yes
Ms. Klemack	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

4. Ordinance C-56-00 (Accept the Annexation of Lots 93 and 94 located on Casa Blvd.) was given its first reading. Second reading and public hearing will be held on August 7, 2000.
5. Ordinance C-57-00 (Accept the Annexation of 99.0± acres located on S.R. 665) was given its first reading. Second reading and public hearing will be held on August 7, 2000.

Mr. Joe Hull, attorney for petitioner, commented that this property is looking to annex into the City and keep the same zoning as it now has in the Township, which is PID.

6. Resolution CR-36-00 (Approve the Preliminary Development Plan for Quail Creek Condominiums located on Quail Creek Boulevard) was given its reading and public hearing.

Mr. Mark DiSabato, representing the petitioner, thanked Council for the postponements of this resolution. He explained that there was an agreement between the property owner to the west and the seller of this proposed ground that affected the development. This has been resolved and they are now ready to proceed. Mr. Radi reviewed the stipulations set by Planning Commission and Mr. DeSabato agreed to all. He noted that some of them have already been taken care of.

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

Ms. Klemack	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Eversman	Yes

7. Resolution CR-45-00 (Approve the Final Development Plan for Grant Run Estates, located on the South side of Borrer Road) was given its reading and public hearing.

Mr. Ron Goldman, attorney for petitioner, was present to answer any questions. Mr. Radi reviewed the stipulations set by Planning Commission, which Mr. Goldman agreed to for his

client. President Bennett voiced concern over the number of curb cuts on the Boulevard (Buckeye Parkway); the retention ponds under the power lines; and the potential for a northerly property to be almost landlocked. He suggested that lot #17 and either lot #33 or #34 be eliminated to allow for future development to the north. He said there should be some foresight given to the development of this parcel and if nothing transpires, these lots could be readdressed and put back in. Mr. Goldman explained that the limitation standards that are a part of the development plan have limited the number of lots along Buckeye Parkway and those that do exist will have a "turn-around" as part of the drive. As far as the retention ponds under the power lines, he said they have been in contact with the Power Co. and they have no problem with the ponds. However, they are willing to make them dry. They just feel they are more of an amenity wet and draw your attention away from the power line towers. He said they would, also, be willing to hold back on the construction of Lots #11 and 33, with the understanding that if no development occurs to the north that needs a street in these areas, that homes could be built on these lots. President Bennett also commented about all the corner lots along Buckeye Parkway and asked if they would be able to have curb cuts to this road. Mr. Stage commented that the limitation text stipulates that all those corner lots are prohibited from having access to Buckeye Parkway. Mr. Eversman questioned the 90' width of some of the lots along Buckeye Parkway. Mr. Goldman said he was mistaken. The lots along Buckeye Parkway are larger and are 90' wide at the building setback line. Mr. Jim Watkins, Crossman Communities, commented that they could take Lot #111 and move it back into the reserve a little bit, to allow for more width in this area. Mr. Eversman asked Mr. Stage if there was any objection to this from Administration. Mr. Stage said no. Mr. Eversman asked if this adjustment would provide 90' at the curb. Mr. Watkins said yes.

Mr. Eversman moved to amend Section 1 to include the additional stipulations: *1. All lots accessing Buckeye Parkway shall have a minimum width of 90' at the curb; and 2. Lot #17 and 33 or 34 shall not be developed until the adjacent properties Final Development Plan is approved;* seconded by Mr. Radi.

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Eversman	Yes
Ms. Klemack	Yes

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

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Eversman	Yes
Ms. Klemack	Yes
Mr. Fulton	Yes

Mr. Stage noted that this Development Plan has two exhibits attached to it: 1. Limitation Text and 2. Warranty Deed Declaration of Restrictions and Covenants. Mr. Goldman agreed that they were bound to these.

8. Resolution CR-47-00 (Approve the Final Development Plan for HHC Mechanical located at 3474 Park Street in the Historical Preservation Area) was given its reading and public hearing.

There being no representation, Mr. Radi moved it be postponed to August 7, 2000; seconded by Mr. Eversman.

Mr. Bennett	Yes
Mr. Eversman	Yes
Ms. Klemack	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

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

1. Ordinance C-25-00 (Amend Section 1136.06(d) of the Codified Ordinances titled Interior Vehicular Use Areas) was given its second reading and Mr. Eversman moved it be postponed to August 21, 2000; seconded by Mr. Radi.

Mr. Eversman	Yes
Ms. Klemack	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

2. Ordinance C-55-00 (Amend Various Sections of the Codified Ordinances pertaining to Signage within the Historical Preservation Area) was given its second reading and public hearing.

Ms. Klemack explained that this provides for cross-references to other sections of the Code relating to signage in the Historical Preservation Area.

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

Ms. Klemack	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Eversman	Yes

3. Resolution CR-48-00 (Authorize the Chief of Police and the Mayor to Apply for Funding from the DARE Grants Program) was given its reading and public hearing.

Ms. Klemack explained that this would allow the Mayor and Police Chief to apply for grant monies for our DARE Program.

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

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Eversman	Yes
Ms. Klemack	Yes

**Mr. Fulton, Chairman of the Service Committee, took the floor for discussion and voting of legislative agenda items under the Finance committee.**

1. Ordinance C-58-00 (Authorize the City Administrator to enter into a Contract with the City of Columbus for Sewer Services) was given its first reading. Second reading and public hearing will be held on August 7, 2000.
2. Ordinance C-59-00 (Authorize the City Administrator to enter into a Contract with the City of Columbus for Water Services) was given its first reading. Second reading and public hearing will be held on August 7, 2000.

**Mr. Eversman, Chairman of the Finance Committee, took the floor for discussion and voting of legislative agenda items under the Finance committee.**

1. Ordinance C-50-00 (Authorize the City Administrator to Enter into a Contract to Purchase Ground and to Appropriate \$80,000.00 from the General Fund for the Current Expense of Land Purchase) was given its second reading and public hearing.

Mr. Stage explained that this is a request of the Administration for planning. They anticipate a new restaurant in the area and also realigning Marlane Drive, at some point, to take out the dramatic curve. He said they would make sure that the Agreement to purchase the land has safeguards in it to make sure the property gets cleaned up and receives a "No Further Action" letter from the Environmental Protection Agency. He said the user of the Perkins site has agreed to dedicate land to the City for the realignment of Marlane, as well as being compensated for some of the subject property. Mr. Eversman commented that this would give Mr. Stage the authority to enter into an agreement and purchase the property, if he is satisfied with the cleanliness of the property and the amount of the financial participation by the incoming restaurant. Mr. Stage confirmed this and said one of the stipulations that they would have remediation before the City takes title or, at least, an agreement of remediation.

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

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Eversman	Yes
Ms. Klemack	Yes
Mr. Fulton	Yes

2. Ordinance C-60-00 (Appropriate \$42,099.49 from the Sewer Fund for the Current Expense of Reimbursing the City of Columbus for Tap Fees Collected) was given its first reading. Second reading and public hearing will be August 7, 2000.

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

1. Mr. Milo Cassady, Jossepi's Pizza, asked for consideration of doing away with the concrete divider that is planned for the next phase of the Hoover Road improvements. He believes that this divider will severely hurt business in the entire Center. He explained how customers traveling south on Hoover Road would have to either, turn before or after his shop and come back around to get in. He showed Council a map to help explain his position. He said with the reconstruction of the intersection, their business has been down about 30%. If the divider is put in, it will not allow them to rebound from the first phase and will hurt them even more. He introduced other business owners and tenants from both sides of the street (Harold & Scott Markum, G.C. Cleaners; Patty Ackers, ASK; Jamie Shepperd, D.J.'s Lounge; Diane Ripple, Headline Beauty Salon). He asked that a turn lane be put in or something be negotiated. He feels this will put them all out of business and then the City will have a vacant building that no one will rent space in.
2. Ms. Kathy Hatfield, Licensed Massage Therapist, said she is located in the Ohio Lion's State Office Building and has been at this location for four years. She said she can't recall any significant traffic problems in this area. She explained that she has out-of-town patients as well as in-town customers that come in on a regular basis. She strongly requested that the divider be reconsidered. It will be stiffeling for the small business owner.
3. Mr. Dick Shepherd, DJ's Lounge, also voiced concern and shared that with the reconstruction of this section, the "No Left Turn" sign has been taken down along Knapp road, which gives the only access to his parking lot. If that sign is put back up, he won't have any access to his parking lot. He said he believes the law requires that he be provided with access.

President Bennett asked Mr. Stage on some insight as to why a divider is planned for this area. Mr. Stage said the divider runs from Old Stringtown Road to Columbus/Stringtown Road. He wasn't involved in the original drawings, but, Brian Masey of EMH&T is present and can speak to the history. He asked the tenants if they had spoken with the property owner's of these areas. He stated that the property owners were notified of this because the City purchased right-of-way for this reconstruction. He said he is sympathetic to the businesses and suggested that they contact their property owner. Mr. Radi asked if the property owners were informed that there would be a divider. Mr. Stage said they should have been shown the drawings when attempting to purchase the right-of-way. However, he doesn't know. President Bennett commented that he understands the safety issue of stacking, but, feels this should be reviewed before construction of the divider begins. Mr. Stage said the divider has not been constructed yet and suggested that EMH&T review the plans to see if there can be a redesign. He cautioned that this may prompt the need to realign curb-cuts with property owners. He said they are sympathetic to the businesses, but, will need to deal with the property owners. Mr. Eversman said he understood about the realigning of curb cuts and suggested that this be reviewed and presented to the tenants. Mr. Stage commented that when Stringtown Road is reconstructed, they are going to be faced with the same problem.

4. Ms. Jamie Shepherd, DJ's Lounge, expressed the same concerns of other tenants. She said they have gone from \$500.00 days to \$45.00 days. This construction is killing them and the only reason the "No Left Turn" sign came down was because she had the police come out and do a traffic assessment. Otherwise, no one would be able to get to their establishment. Mr. Stage commented that they are sympathetic to the businesses. This is the same situation that occurred on north and south Broadway. The City has some infrastructure projects that need to be completed. This project is subsidized and it was necessary to wait for the grant monies to become available.

Council asked that EMH&T reevaluate the median and see if there can be something else done. Mr. Brian Massey, EMH&T, explained the reason behind the median. He said it was determined to be necessary for future development. He said the distance from the intersection and the first curb cut is very short and doesn't allow for proper stacking of vehicles, when someone is trying to turn left. He said they will look into all the concerns that have been raised and see if an alternative can be reached.

5. Mr. George Bavellas, one of the property owner's at 4360 Hoover Road, stated that putting in a median strip would definitely be devastating to the property and the tenants businesses. He asked that consideration be given to provide a cut in the median so left turns could be made. He said some of these tenants have been around for 30 years. He doesn't want to loose them. If their business goes down and they leave, the property will go down too. It won't be a place where anyone would want to open a business again. He said Council's consideration would be greatly appreciated and he would be happy to work with them.
6. Mr. Harold DeWeese, representing the American Legion and VFW, voiced concern with the Kennel, next to the cemetery, located on Grove City Road. He said the dogs bark so loud that they disturb the memorial services. The stench is so bad it is sickening. He said they feel this is a nuisance and would like something to be added to the ordinances, if there is nothing on the books now.

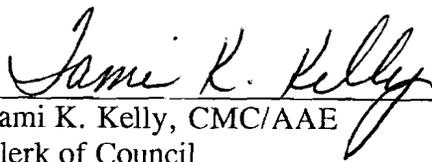
Mr. Stage commented that the cemetery belongs to a Board and no government agency.

President Bennett said they would look into this situation and see what could be done.

**The Chair recognized members of Administration and Council for closing comments.**

1. Mayor Grossman announced that many restaurants are anticipating locating here. They include Appleby's, Buffalo Café, and Ruby Tuesday's. She thanked the Garden Tour participants and announced the activities for the Homecoming Celebration on Friday, July 28, in the streets of the Town Center.
2. Council thanked the businesses owners around Hoover Road for voicing their concerns. Mr. Eversman said he lived through the Broadway reconstruction and understands their situation. He said he will look closely at an alternative.
3. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 9:20 p.m.



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Tami K. Kelly, CMC/AAE  
Clerk of Council



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Steven M. Bennett  
President