

CITY OF GROVE CITY, OHIO  
COUNCIL MINUTES

December 15, 1997

Regular Meeting

The regular meeting of Council was called to order by President Milovich 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:

*Vaughn Radi Steve Bennett Mike Milovich Budd Eversman Bruce Faris*

1. President Milovich, along with the other Council Members, honored Bruce Faris with a Resolution for his service as a Council Member for Ward 3. This being Mr. Faris' last *regular* meeting, the members recognized and thanked him for his service with an original Ray Kline piece of artwork. Mr. Faris thanked his family for their support during his tenure. He commended the Administration for having a vision for the City. He thanked Council and said they are a great team. They look out for the interest of Grove City; they are very sensitive to all the issues, the vision of Grove City and the residents. He is proud to have served with them. He said that with each ordinance, they see a little piece of the puzzle and the Administration has the box top - showing how they all fit together. He challenged the residents to see how their issue fits into the greater good for the city. Lastly, he challenged people to support the future, youth and schools so that we can go into the next millennium with the type of development we want.

President Milovich then administered the Oath of Office to: Steve Bennett, Budd Eversman and Vaughn Radi for their term of office as council members, beginning January 2, 1998.

2. President Milovich recognized Mayor Grossman who administered the Oath of Office to two (2) new Planning Commission members. Ms. Karen Evans and Mr. Warren Gard will begin at the first of the year. She then administered the Oath of Office to Mr. Paul McKnight, who will be filling a position on the Board of Zoning Appeals.
3. Mr. Radi moved to dispense with the reading of the minutes for the previous meeting and approve as written; seconded by Mr. Bennett.

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

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

1. Ordinance C-77-97 (Approve the Rezoning of 21.479 & 35.065 acres located on Seeds Road, south of S.R. 665, from IND-1 & Rural to OLR) was given its first reading. Second reading and public hearing will be held on January 19, 1998.

Mr. Faris commented that this is our first opportunity to zone a piece of property to the new "Office/Research/Laboratory" zoning classification.

2. Resolution CR-83-97 (Approve the Final Development Plan for Bulk X Distribution/Storage Facility located in the SouthPark Industrial Park) was given its reading and public hearing.

Mr. Tom Stanton, Vice President of Construction for Pizzuti Dev., was present. Mr. Faris reviewed the order and time limit for speaking this evening. He said Pizzuti will be given the opportunity to make their presentation; Council will ask their questions; and speakers who have signed up will be given five (5) minutes to speak; finally, Council will give their final comments.

Mr. Stanton explained that this first warehouse is approximately 166,000 square feet, located at the northeast corner of Gantz Rd. and Southpark Place. Entrance features are located on both the southeast and southwest corners. Parking is in the front and loading docks at the rear. Also, the green area, immediately to the east, is a Reserve being contributed to the City for green space. Mr. Radi asked if there was an anticipated user. Mr. Stanton said they have no anticipated user for this or any of the other buildings being presented tonight. Mr. Radi asked how many truck bays are involved. Mr. Stanton counted approximately 39 from the drawing. Mr. Faris asked Mr. Lathrop, Urban Forester, about the landscaping. He stated it exceeded our landscape requirements. Mr. Faris questioned the stipulation regarding landscaping from Planning Commission. Mr. Lathrop stated that Pizzuti has since submitted a revised plan that takes care of this.

Mr. Jerry Dodd, Marsh Run Ct., commented that even though this warehouse is across the street from his subdivision, he feels it impacts all of Grove City and this is his concern. In meetings with the Mayor, she has stated that the position is to get away from warehousing. After a little research, he said there is a way for Grove City to take another approach and get out of incentivizing warehouses. While speaking to a friend, who is the Development Director for Dublin, she commented that the reason Grove City is getting warehouses is because they have targeted them. He said that perhaps ten (10) years ago this is what Grove City needed, but, now we are at the critical mass and go beyond that. He feels that now is the time to go beyond and deincevitize warehousing. He gave Council a paper to show that they can take away abatements and put in place a package that will develop Grove City into something that everyone is looking forward to. Lastly, this proposed development has 39 truck bays, which will add 39 trucks. Although he has worked in the truck business for eight years, he feels that the truck traffic on Gantz Road has to be addressed. Because of these two issues, he believes Council should vote no.

Mr. Mark Grewell, Marsh Run Dr., stated that he grew up and went to school here. He and his wife deliberately chose to return here to raise their family, after living in Washington D.C. He is sad to say that may have been a mistake. He said his home is directly behind Lot 12\* owned by Pizzuti - the land that the Administration and Pizzuti are adamantly sure should be developed with bulk warehouses. He said this should come as no surprise since everywhere you look, the Administration is doing everything they can do to attract more warehouses, distribution centers and manufacturing. If you look in the Columbus Dispatch, Grove City Record, Grove City News, or Business First, you will see the Development Director touting the virtues and defending more warehousing for our City. Even if you look at the City's Web Page, you will find advertising for more warehousing in space that's available. He asked why not retail or business. There is two million plus square feet of warehouse space available now and we are going to add an additional million. Our community has become and will continue to be considered the tractor/trailer hub of Central Ohio. All at the design of our City Administration. He said we are nothing but a glorified truck stop. He shamed the City Administration for selling off the community to become a truck stop. Above all, he asked how this benefits the residents. How is the community better off with tax abated development. How will it look fifteen years from now when the tax abatements run out.

He has challenged the Administration to show him another community in Central Ohio that is developing industrial parks next to residential neighborhoods. The fact is, no one else is and doubts any other community would allow it. He asked that a survey be sent out to all residents asking them if they want to see more warehousing. He said this is more than an issue of he and his neighbors in Farmbrook and Ziner Farm. It is an issue about the community and the direction we are headed. The community and the undeveloped land in it deserves better than what has been seen in the last five years. When asking the Administration why they can't do anything about it, the response is the law says this and the developer has certain rights. He asked about his rights as a resident and the established homes surrounding this development. Zoning was brought about to protect the residents and this should never have been zoned Industrial next to two residential subdivisions. He asked Council to protect the residents, now and in the future, from developments like this. Profits, taxes coming into the City, should not supersede his home, family and community. He urged Council to vote no to the three Resolutions and to future warehousing.

Mr. Jim Swanson, Marsh Run Dr., stated that he doesn't like what is happening to Grove City. At the Planning Commission meeting where these plans were first submitted, they submitted over 400 letters and signatures to the Administration of people who were opposed to the direction of development of warehouses in Grove City. That may not seem like a lot, but, they were all collected in 1 1/2 hours after a football game, with little effort. There is already close to two million square feet of warehouse space. He cited a traffic study that stated there were only 5,000 cars a day traveling down Gantz Rd. A new study, just out, shows 8,000 cars per day and only 1% of those are trucks. He said this doesn't surprise him since most of the warehousing is empty. He feels there is a traffic problem and it needs to be managed. Despite what the Administration says, he agrees that warehouses have been targeted and quoted statements in papers from Mr. Hamons supporting warehousing - The City makes a major commitment every year, by upgrading the area utilities and road systems, to make access in and out much easier. It is this commitment to business and industry and the attraction of a tax abatement that keeps Grove City's industrial parks occupied and growing. He said when the plans were submitted in Planning Commission, Mr. Hamons was there to speak on behalf of the developer. He said we need to take a new direction in the City. He understands that Council is not voting on future warehousing, but the submitted plans and the land is already zoned. However, this is going to bring in something that the City does not need or want. No plans for further warehouses should be approved until the City has taken aggressive action, including the removal of tax incentives, in any area that could bring in warehouses. He said they are not opposed to development, they are opposed to more warehouses. He doesn't care how many trees are planted or diamonds are painted - they have had enough.

Ms. Diane Harris, Marsh Run Dr., spoke not only as a resident, but, also as a professional city planner. She has a masters in city planning and is on the faculty and staff at Ohio State University. She has been employed as a planner for almost 10 years. She works for a small consulting firm and the basic principals of that firm is citizen participation, negotiation, and community consensus building. However, she is here to voice support for the proposal. It is true to sound planning principals. SouthPark was conceived to be a bulk warehouse business park. It is being developed as such, and successfully so. In fact, the Farmbrook residential development was a compromise, as presented by Pizzuti, for the residents in the Parkridge development. This development has been successful and from a land planning standpoint, it makes sense to complete the development as originally conceived. The quality of the buildings, buffering and landscaping have been of the highest development. The storm water control is excellent and the other infrastructure, design of the street system, has been excellent - far better than is done in other parts of Franklin County. The fact is, although she hates to disagree with her neighbors too much, there is not excessive traffic on

Gantz Rd. she can't foresee that there will be when this is completed. If you have been to Dublin . . . , we do not have a traffic problem here. The road was designed for higher capacity and it is not at the capacity. Council turned down, earlier, an excellent alternative to this project. This leaves the developer with no other alternative, but to go ahead with the bulk warehouse as originally conceived. Furthermore, while some light has been made to the legal aspects relating to this, there are very important property rights and considerations. Oath's of Office were just taken tonight to support the Constitution of the United States. The Supreme Court of the United States, over the last ten years, has very strongly support property rights. The Pizzuti Corporation has property rights on their property.

Ms. Janet Bartlet, Brookpark Dr., voiced support for the projects. She feels Pizzuti has been very responsible in developing SouthPark. Living in the area, she drives through many times during the day and doesn't feel there are any traffic problems. She is a small business owner in the community and feels positive development is good for the community. What Pizzuti has submitted for not just these three developments, but, for all the other pieces they have submitted and followed through on, have far exceeded the Code and standards. She feels it is a great place to live next to and it's one of the best in the City. Not even Dublin has as nice of a development as Pizzuti has created here. In checking with Mr. Behlen, Director of Finance, bulk warehousing does generate a lot of funding for the school system. With the property sitting vacant, there is very little revenue generated for them. With the schools in the situation they are in, she feels it is important to support a developer that has been very responsible in creating an environment that does bring in business. In checking with Shannon Hamons, of the last 14 new companies in SouthPark and SouthPointe, it has been equally divided between manufacturing and distribution services. We are not just attracting distribution facilities and Pizzuti is not just looking for them. There are many more high-tech companies moving into the area and she feels this is a good mix of business. Finally, back in May 89 people sent letters stating they did not want a campus style development - they wanted bulk warehousing. She doesn't know of any letters from them disputing this since. She requested Council vote for the development.

Mr. John Bartlet, Brookpark Dr., suggested that we not over-challenge the developer, who has made many attempts to be a good neighbor to Grove City and SouthPark. Pizzuti has brought in good business, such as Tosoh & Horton. The buildings have some aesthetic appeal and are not just four walls like the Duke buildings, just down the street. Pizzuti has built ponds, improved landscaping, built mounds to hide the warehouses, have further off-set the buildings from the street, and above all - maintained everything they have put in. What it boils down to is, Pizzuti owns the land and, if pushed, can build what they want - within Code without any consideration for neighbors or community. The Farmbrook residents knew when they built/bought in the neighborhood that the acreage was zoned for light industry and should not be surprised as to the types of buildings proposed for construction. They really have no grounds to oppose. Relative to warehouses, he has not seen the truck traffic that was threatened with the last set of warehouses that went up.

Mr. Shannon Hamons, Dir. of Development, read a letter, directed primarily for the proposed Bulk XII and XIII, stating that the Administration supports the proposed development plans for Bulk X, XI, XII & XIII. SouthPark is one of the premier industrial parks in the United States and recently winning an award. Pizzuti and its associates have continually displayed the utmost professionalism, responsiveness and trustworthiness in completing all their development plans. He shared many reasons why these building should be approved by Council, such as: the plans meet and in some cases, exceed our Code requirements; Pizzuti has the right to develop the property within the ordinances as all property owners; they have displayed an unequalled willingness to meet the

numerous special requests of the Administration, Council and neighbors to minimize the impact on the surrounding area. He commented that tax abatements do not damage the schools ability to generate tax dollars. The top five (5) tax generators in the community will generate 2.5 million dollars that will stay in this community. In 1989, the land they are on generated \$8,500.00 divided between the city, county, township, and school district. The 2.5 million, would not be coming in without the abatements. He said their focus is shifting, but, this is a development that is ready to be completed. The goals are to get more commercial and office, but, feels we would be damaging our future by opposing the proposed bulk buildings. He feels it would preclude any developments, in the future, that we hope to have.

Mr. Faris asked Mr. Stanton to provide a chronology of events that have occurred since the "campus-style" plan was denied and how Pizzuti has addressed the concerns of Council, the Administration and the residents for the Bulk XII & XIII development. Mr. Stanton said after attempting to get the lot subdivided, they set out to find the best use for the property, based on the actions of City Council and the letter from residents stating that would rather have the land kept whole and a bulk warehouse placed on it. A series of meetings were set up with the Administration and had a number of conversations with some of the residents, trying to find out exactly what it is they were looking at. Plans were developed and submitted to Planning Commission. The vote was 2 - 2, with Mr. Holt being absent. The issue seemed to center around a fence that was requested at that time. Since then, a security fence has been added. At Mr. Milovich's urging, they have moved both buildings toward the south 20 feet. There is now 140 feet from the property line to the north building line. The landscaping has been increased dramatically on the north property line to buffer the Farmbrook residents. The east side of the mound will be brought up equal to the height of the west side. There will be deciduous trees planted behind the mound to give more height and screening. They have 131 trees over the Code requirements. They have tried to place them in areas to give screening. To address the security issue, they have fenced in around the west end of the truck dock, with an eight foot high fence in a U shaped fashion. Then from the southwest corner of Bulk XII, up around the west side and all the way down the north side, they have added an six foot chain link fence on the back side of the mound. The Farmbrook residents would never see it and it would address the security concerns. On the west side of the existing pond, there will be trees added. On the southwest corner, they have set aside a limited construction area and beyond that, there is a approximately four (4) acres of wooded area that they are prepared to deed over to the City to expand the Nature Preserve. This will guarantee an approximate 250' buffer for the residents in Ziner Farm. The lighting for the building has been altered to a series of light poles in the parking lots to achieve a softer light. This will be in lieu of traditional walpac lights. Walpac's would only be used in the loading dock area. They have tried to address as many issues as possible. All of this would be in addition to the Code minimum. Mr. Faris asked if he had received any resident's comments on Bulk X or XI. Mr. Stanton said they have had none, other than from Bob Lathrop on Bulk X, but, they do exceed the landscape code.

Mr. Bennett asked about the grey color of the buildings. Mr. Stanton stated that they have stayed with the earth tones to blend in with the skies, playing down the building and playing up the landscaping. He indicated that at the Administration's urging, they have changed the elevation a bit and brought a light band across the top and on the west side of Bulk XI, brought the light color down to break up the building a bit and give some character in that area. Mr. Bennett asked on a typical warehouse of this size, how much would be generated in tax dollars. Mr. Jim Russell spoke in generalities, citing the difficulty to answer the question. The flex facilities are not limited to single, bulk users. It allows them to target smaller users that may create a different economic impact for the community. There may be 150 jobs and 30 truck bays and the economic impact is

generated in income tax as well as personal property tax. In relating that to traffic, it will generate much less traffic than a retail/commercial building would bring and at the same time, maximizing the tax revenues. Overall, you must look at all aspects and balance the revenue streams. He indicated that three (3) communities are also pursuing warehousing - Obetz, Groveport and Canal Winchester.

Mr. Radi referenced two meetings with he and Mr. Milovich and he and Mr. Bennett where a clear request to seek out another type of business other than a bulk warehouse. Something like Tosoh or offices that would make less of an impact on the residents. He asked if anything has developed with that. Mr. Stanton started with the premise that it is zoned IND-1. He said Pizzuti has understood, for quite some time, the sensitivity of Lot 12. They have tried to find a user that may be of a higher use than would fit in the IND-1 classification. They continue to look for those types of users and they do not have any users for the proposed buildings. President Milovich asked what the industry's definition differences between a flex building and a warehouse. Mr. Stanton said a flex building is shorter, the clear height is 16 to 18 feet. The proposed buildings have a clear height of 24 feet and are shorter than bulk 7, 8 & 9 by four feet. They are middle of the road. The flex buildings have less cubeage and would be able to support light manufacturing, some minimal warehousing and offices. A two story office could be done in a 24 foot height. These are warehouses - just not the maximum height which would be 28 to 32 feet. President Milovich asked if there was an order in which these sites would be developed. Mr. Stanton said there was no clear order. It will depend upon the users and how they would fit in to a particular building. It has been their tradition to follow the numerical lines, but, that is not an absolute. Each building is unique, with depths and such. Mr. Faris commented that this was zoned for IND ten years ago. It's obvious that the majority of Grove City doesn't want any new warehouses, but, he doesn't see this as new warehousing. He looks as this as something the City planned on ten years ago. He doesn't feel the schools suffer from the tax abatement. The plans exceed Code.

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

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

*\*Editor's note: Lot 12 is the parcel being developed under Resolution CR-85-97.*

3. Resolution CR-84-97 (Approve the Final Development Plan for Bulk XI Distribution/Storage Facility located in the SouthPark Industrial Park) was given its reading and public hearing.

Mr. Faris read the stipulations set forth by Planning Commission and Mr. Stanton agreed to both. President Milovich commented that, unlike the adjacent building, the truck docks for this building have been moved to the rear. Mr. Stanton said yes. They tried to be sympathetic to the corner, since it is a major intersection in the Park. Mr. Bennett asked that the ingress and egress be pointed out. Mr. Stanton said they only have one curb cut for both cars and trucks, 300 feet from the intersection. The auto's will make an immediate left and trucks will continue on to the back of the building. This was designed so that truck drivers would not be backing up blindly and would reduce the impact of the existing trees.

Mr. Jerry Dodd, feels Council is looking for ways to deincentify warehousing. He predicts that in two years, personal inventory tax will be gone - due to the State Legislature. The schools will then be left with nothing and wants to know when the City is going to share the income tax with the schools. He feels we are only getting a 1/3 of a loaf with a warehouse and the very lowest development. Why can't we wait and get the full loaf. We need to get out of the warehouse business and pull the incentives. He also feels there should be a traffic light at Home and Gantz Roads. Many people complain and traffic backs up heavily. He asked why the Administration isn't resolving these traffic issue before additional development is approved. He feels this should be a no vote.

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

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

4. Resolution CR-85-97 (Approve the Final Development Plan for Bulk XII & XIII Distribution/Storage Facility located in the SouthPark Industrial Park) was given its reading and public hearing.

Mr. Eversman commented on the eight foot fence at the west end of the truck docks and the six foot along the north property line. He asked if there was a reason for the change. Mr. Stanton said there was a specific concern about children getting into the truck docks and playing so they placed an eight foot fence in this area. The other area concern was of securing and having access to Farmbrook. They felt a six foot fence would accommodate this. Mr. Eversman asked if the building was now 140' from the north property line. Mr. Stanton said yes. Mr. Eversman asked how far the parking area was from the property line and Mr. Stanton said 70 feet. Mr. Eversman noted that two Planning Commission members voted no and wondered if anyone knew why. Mr. Stanton said he thought one felt it just wasn't right and the other had concerns about security and fencing. The fencing issue was raised during the caucus of that meeting and at that time, they had said no to adding a fence. Mr. Eversman asked what the reason was for deeding over four acres to the City. Mr. Stanton said they walked the nature preserve and met with one of the neighbors. There was a concern expressed about loosing the buffer between Ziner Farm and this development. So, they agreed to not develop the area and, in fact, place a specific construction limit so that equipment would not get into the area and disrupt it. Mr. Eversman asked if it were possible to have a reserve on the north side. Mr. Stanton said it would be a significant cost impact. One of the ideas tossed around is a single warehouse. However, it would have to be deep enough, causing truck docks on both sides and didn't feel that the Farmbrook residents would want truck docks on the north side of the building. In contrast to subdividing the parcel, the warehousing provides a definite "known" factor of what will be seen from now on. Mr. Eversman asked if the fence could be put on the top of the mound and make it wood. Mr. Stanton said a wood fence turns color and deteriorates over time. They feel that if the issue is truly security, a chain link fence, disguised from the residents would be the best answer. Mr. Eversman voiced concern over the setback of parking not being 100' from the residents as well as having IND zoning contiguous to residential. Seeing the difficulty tonight, he feels that it would be very difficult to zone ground IND next to residential, in the future. He said he was uncomfortable voting on this tonight. Although he doesn't want to unduly put this off, there are some issues that have come up in the past few days that he

would like to research. He suggested postponement until the next Council meeting. Before a motion was made, Mr. Radi commented that although tax abatements seem to be a necessary evil, it is the way business is done today. As pointed out, the City, Township and School System have benefitted from this. In addition, Pizzuti has benefitted and he asked the Pizzuti Company to take on a greater responsibility. He said as far as warehouses go, these are beautiful. However, warehouses next to residential is not appropriate and would like them to take the forefront, leading Grove City to other kinds of development. He would like to see that done on this parcel. Mr. Jim Russell commented that they have tried to put together a plan that would have as little impact on the area as possible. They have also tried to take into account all the concerns expressed by the residents, Planning Commission, Administration and Council, which have been ever-changing. This will complete the project and they would like to see it decided. Mr. Eversman said this came to Council on December 1 and Pizzuti requested a postponement. He requested the same indulgence from Pizzuti and moved that this be postponed until January 5, 1998; seconded by Mr. Radi.

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

President Milovich asked Mr. Clark for the definition of side yard setback. Mr. Clark said the Code has defined yard as unoccupied space. The question then becomes what is occupied and the Code defines this as "the purpose for which a building or part of a building is used or intended to be used". Clearly, this tells him that the side yard setback is to a building and not a parking area. Mr. Stanton pointed out that this is the same definition they received many months ago and also noted that by reducing the parking on the north side, they have 90' of grass area before getting to pavement, on approximately 50% of the frontage. President Milovich stated that Bulk XII is 261' deep and Bulk XIII is 201' deep. He asked if there was an opportunity to pull more depth out of one of these buildings to achieve the 100' setback from pavement on the north side. Mr. Stanton said 250' is the shallowest depth they have to date. This is the absolute minimum they have tried to adhere to. Most of the users are desiring greater depths than that and feels it would be a significant economic hardship to reduce the width of these buildings any further. President Milovich asked if they feel that with Bulk XII being a width of 201', that they have already jeopardized the financial commission. Mr. Stanton said that was correct. Also, if you look at the total lot coverage, Bulk XII covers 39% and XIII covers 34%. These are rather small in comparison to the other buildings in the Park. President Milovich said earlier, Mr. Stanton indicated that Pizzuti would be willing to deed over approximately four (4) acres on the southwest corner of Lot 12 to the City to expand the Reserve. Under that comment, he asked Mr. Stanton if there would be a problem adding a stipulation to the Resolution stating same. Mr. Stanton said there was no problem, whatsoever. President Milovich moved that Section 1 be amended to include the following stipulation: "Approximately four acres at the southwest corner of Lot 12, shall be deeded over to the City as a Nature Preserve"; seconded by Mr. Bennett.

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

Mr. Clark wanted to make it clear that the City wasn't requiring this as a condition of approval, but, rather something that is voluntary on the part of Pizzuti. Mr. Stanton said that was correct and asked that the timing of the transfer be when the ground is broken for the development of this parcel.

President Milovich moved to amend the amendment to indicate that this is a "voluntary" deed to the City and will be done "at the time construction is started on the parcel"; seconded by Mr. Bennett.

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

President Milovich said it was indicated that on the sides of the buildings facing residents, it is Pizzuti's plan to not use walpac lighting, but, have pole lighting. He asked Mr. Stanton if this was correct and if he had a problem adding this as a stipulation. Mr. Stanton said that was correct and had no problem adding this as a stipulation. President Milovich then moved to add stipulation no. 2 under Section 1 of the Resolution that: "No walpac lighting shall be placed on the residential sides of the buildings. Appropriate lighting be obtained through pole street lighting, as voluntarily agreed to by Pizzuti"; seconded by Mr. Bennett.

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

Next, President Milovich stated that he had asked Mr. Lathrop to walk the site between the mound and the residential rear lot line, in pursuit of possibly adding some more trees to that location. He asked Mr. Lathrop if he was able to determine if there was an appropriate species that could be added between the bottom of the mound and the rear lot line. Mr. Lathrop said there is some 25 - 30 feet between the bottom of the mound and rear lot line and on the west side, there are four homes that have a mix of oak and honey locust whose crowns extend over far enough that would not permit anything being planted underneath. Then there are a couple of homes with trees spaced out a little wider. After that, there is a pretty wide gap all the way down and could plant any large size class tree, 35 - 50' apart. President Milovich asked Mr. Stanton if he was familiar with the area in question. Mr. Stanton said yes. President Milovich asked Mr. Lathrop about how many trees it would be. Mr. Lathrop said he wasn't sure. Mr. Stanton reviewed the drawings and said there was approximately 800 feet in length and the plan does have Red Maples spaced 35' apart, along the entire length, on the back side of the mound. He said he felt it would be more effective on this side so that the base of the tree would be a little higher and provide a little more screening. President Milovich asked if there was an opportunity to add additional trees in the questioned area. Mr. Stanton said if we are talking about absolute screening of the building, it would probably be more effective for the residents to add trees closer to their home, to continue the row that already exists. He said this will cut off the site lines faster than anything they do on their property. They have gone the extra mile and perhaps this is something the residents can do - placing trees exactly where they want them. President Milovich said part of his thought was to remove some of the trees on the south side of the property and move them to the north. Mr. Stanton said they suppose they

could do this. Mr. Lathrop said that would work and the Code accommodates it. President Milovich said there is a row of trees on the south side, between the parking lot and the nature preserve. His thought is to leave this row, up to the end of the first parking lot and transfer the rest, about 20 trees, to the north side. Mr. Stanton said they could move those 20 trees, spaced 35' apart and maybe stagger them with the ones they have shown behind the mound.

President Milovich moved to add stipulation #3 to Section 1 that: "Approximately 20 trees on the south property line be moved to the north side and spaced as reviewed by the Urban Forester"; seconded by Mr. Faris.

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

President Milovich then asked the Administration to take a look at putting in a crosswalk at Southwest Blvd. and Gantz Rd. and placing a light at Home and Gantz Rds. Mayor Grossman stated that the latest traffic study completed in this area does not reflect the warranting of a light at Southpark Place and Gantz, however, she will have legislation submitted for the January '98 agenda to construct a traffic light at Home and Gantz Rds. Mr. Bennett asked about trucks not following the predetermined routes and impeding traffic in certain residential areas and the need for signage in appropriate areas. He said he understood that Chief McKean had been working on this. Mayor Grossman said there has been an extensive survey completed and shared with the Safety Director. He has made a proposal and signage will be ordered in a timely fashion.

Mr. Jerry Dodd, again spoke about getting rid of the incentives for warehouses and asked Council to consider drafting such legislation. He said there is a way that this Ordinance can be voted down tonight. If Council votes yes, you are voting not to protect the residents. He feels there should be a full 100 feet from the residents property line from the parking lot and requests they vote no unless there is 100' of green space.

Ms. Kathy Pierce Mueller, Marsh Run Dr., urged Council to vote no. Not because it's incompatible, but, because it is wrong. When they built their home, they asked what would be built around them and was promptly handed a brochure and nowhere on it did it say it was conceptual. Being in the graphic design field, she knew it was not the whim of some designer. Someone requested what they wished to convey to the builders in the Farmbrook subdivision. Not being totally satisfied, they contacted Jim Brundage, manager with Pizzuti at the time, and he assured them that although it may not look exactly like the brochure, it would definitely be a campus-like setting. Even though this property is zoned IND-1, she feels that if Pizzuti were not directly trying to deceive the residents, they would not have waited until Farmbrook was developed before placing two (2) huge warehouses directly across the street. Furthermore, they would not have waited until Ziner Farm subdivision was nearly completed before adding more warehouses in an already saturated market. She asked why it is necessary to build more warehouse space when it is advertised on the Grove City Web Site that there is almost 2,000,000 square feet of space sitting vacant, awaiting occupancy. Surely there are other types of development interested in this tax abated property. Also, as pointed out by Mayor Grossman, there was an opportunity to have a campus-like setting and by urging Council to vote no on the proposed lot split "shot themselves in the foot". This may be true, but, with the potential development of Cintas Corporation, it was necessary. On November 12, 1997, they presented the Mayor over 400 signatures from residents

throughout the City, stating the desire to put a halt to the unprecedented development of warehouses throughout Grove City. While they understand that Pizzuti owns the ground, they question why they cannot work with the residents to come up with something that they can all live with and be proud of. She said while you may see them as a row of houses, full of unreasonable people making the job unpleasant, they see themselves as a row of homes, full of families they feel they have a right to protect. She, again, urged Council to vote no.

Mr. Mark Grewell, doesn't feel that traffic has been addressed very well. He is encouraged by what was presented this evening, but, still feels there is a traffic problem. As far as the development of State Route 665, he doesn't feel this was done properly either. He said Westerville, Worthington, Dublin, etc., do not develop this way and he feels it is time Grove City did the same. He said he doesn't deny that Pizzuti does a great job of landscaping, but, a 1,000 foot long warehouse behind his home is not the right thing to do - despite what "experts" say. This zoning is not appropriate or it would be done all around central Ohio.

Ms. Theresa Mills, Parkridge Ct., stated that she believes that Corporations always talk first and the longest - leaving residents with five (5) minutes. She believes in the Constitution of the United States that says "We the People" not "We the Corporation"; affords the freedom of speech and the freedom to gather petitions and signatures without the threat of intimidation; in a democracy and reminded each of them that the highest office is that of a citizen. She doesn't believe this will be ended tonight. The citizens can gather signatures for a Referendum Petition. She believes that Pizzuti will leave Grove City, and some of the Grove City employees, and go to their respective homes which are not in Grove City, and leave the residents to suffer with the consequences of Council's actions. She believes that Grove City is overrun by warehouses and more are not for the good of Grove City. The people of Grove City will take it into the next millennium and not faceless corporations. She believes in people and asked Council if they did.

President Milovich asked Mr. Clark to summarize exactly what is being voted on with the legislation presented. Mr. Clark commented that upon taking his position, he took an oath - as did Council (and ironically heard some tonight) - to uphold the U.S. Constitution, State of Ohio Constitution, and the Charter and Ordinances of the City of Grove City. He said he has heard zoning, and planning. However, the key issue and the only issue before Council is a Development Plan. It is an administrative function of Council. Not legislative, which would be zoning. They are simply following the administrative part of the Code that dictates to Council, that if the Development Plan meets the Code requirements, then it is incumbent upon Council to follow the law and approve the Plan. If Council chose not to for whatever reason, he feels the Courts of the State of Ohio would not look favorably on the decision and probably, would be a short-lived victory for the residents. It's unfortunate, but, this Council did not zone this ground. That was done ten years ago, as IND-1. The development meets the Code and he doesn't feel there is much choice left.

Mr. Eversman commented that this zoning is definitely not appropriate for contiguous residential, however, this is a mistake from the past that he would like to correct. But, he also acknowledges that Pizzuti has land rights that Council cannot violate. He feels this is the best plan presented so far, and Pizzuti has compromised. Mr. Faris also commented that the IND zoning next to "R" is wrong and doesn't want to see it happen again. But, the bottom line is the property is zoned IND. The development plan presented exceeds the Code and he feels like his hands are tied, even though he is a representative of the democracy for Ward 3. The majority of Grove City don't want to see more warehouses, but, wanting it doesn't make it so. There are many other factors to review. In his vote, he will uphold his charge in the Oath of Office.

There being no further questions or comments, Mr. Faris moved it be approved, as amended; seconded by Mr. Bennett.

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

5. Resolution CR-87-97 (Approve the Final Development Plan for Grove City Cabinet Company located at 6129 Enterprise Parkway) was given its reading and public hearing.

Mr. Andy Jacobs, owner, was present to answer any questions. Mr. Faris reviewed the stipulations set forth by Planning Commission and Mr. Jacobs agreed to all. Mr. Faris asked if a new landscape plan would be submitted, since it did not meet Code. Mr. Jacobs stated that he will be applying for a variance. If he plants the required trees, it will block his sign which can be viewed from the freeway. Mr. Faris commented that the Resolution makes it clear that he must comply with the landscape code if this variance is not granted.

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

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

6. Resolution CR-88-97 (Set Forth, as required by Section 709.031 of the Ohio Revised Code, the Municipal Services that can be furnished to a 19.62 acre Tract Located West of State Route 104 in Jackson Township upon its Annexation to the City of Grove City) was given its reading and public hearing and Mr. Faris moved it be approved; seconded by Mr. Radi.

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

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

1. Ordinance C-74-97 (Amend Section 1137.15(f)(2) & (3) of the Codified Ordinances titled "Radio & Television Antennas and/or Antenna Towers") was given its second reading and public hearing.

Mr. Radi explained that this makes some minor changes to coexist with the Landscaping Code.

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

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

2. Ordinance C-78-97 (Amend Part 13 of the Codified Ordinances titled "Building Code") was given its first reading. Second reading and public hearing will be held on January 05, 1998.

Mr. Lotz, Chief Building Official, commented that this will bring our fees up to standards with surrounding areas. It also provides for a bigger penalty for those working in the City without a permit.

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

1. Ordinance C-75-97 (Appropriate \$314.14 from the Senior Stage Fund for Current Expenses) was given its second reading and public hearing.

Mr. Bennett explained that this is a donated amount to be used for the Senior Center. There being no additional questions or comments, Mr. Bennett moved it be approved; seconded by Mr. Faris.

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

2. Ordinance C-76-97 (Appropriate \$3,443.00 from the Enforcement and Education Fund for Current Expenses) was given its second reading and public hearing.

Mr. Bennett explained that the City receives money from the Municipal Court to support law enforcement and education pursuant to State Law.

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

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

3. Ordinance C-79-97 (Amend Ord. C-7-97 to appropriate \$180,039.32 from the Seeds Road Fund for Current Expenses and declare an emergency) was given its first reading.

Mr. Behlen explained that the original appropriation exceeded the actual amount necessary to complete the Seeds Road project and it is necessary to make this correction before the end of the year.

There being no additional questions or comments, Mr. Bennett moved that the Rules of Council be suspended and the waiting period waived; seconded by Mr. Faris.

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

Mr. Bennett moved it be approved as an emergency; seconded by Mr. Faris.

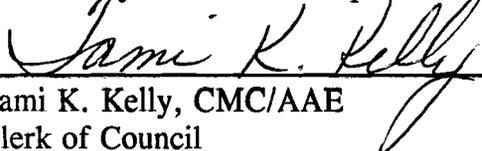
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes

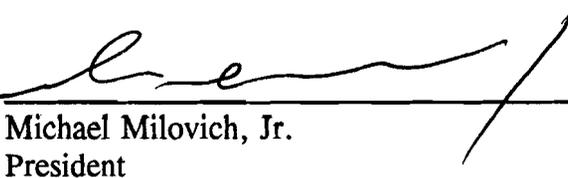
**President Milovich asked that any new business to be brought before the attention of Council be done so at this time.**

**There being no new business, President Milovich recognized members of Administration and Council for closing comments.**

1. Mayor Grossman shared, with great sadness, the tragedy at Grove City Christian School today, where a school teacher had perished and two children were injured. She also shared the passing of Ms. Eileen Simmons, who was the first woman to serve on Council. She was 99 years old. She announced that on Wednesday, December 17, 1997 at 7:15 p.m., it would be Grove City night at the State House for the light show.
2. Mr. Faris welcomed the new Planning Commission and Board of Zoning Appeals members. He thanked Council and Ms. Kelly for their support. He commented that in one way he is going to miss it, but in another - "wow".
3. Mr. Eversman commented that he was not happy in the way he had to vote for the bulk warehouses this evening.
4. The remaining Council Members bestowed best wishes to Mr. Faris and welcomed the new committee members. Mr. Bennett commented "Tis the season" and hopes we keep those in our prayers that have passed, are ill and less fortunate. President Milovich announced that Council will meet in Special Session on December 16 and 18, 1997 at 6:00 p.m. to review and vote on the budget for 1998.
5. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 10:50 p.m.

  
\_\_\_\_\_  
Tami K. Kelly, CMC/AAE  
Clerk of Council

  
\_\_\_\_\_  
Michael Milovich, Jr.  
President