

GROVE CITY, OHIO COUNCIL LEGISLATIVE AGENDA

June 04, 2018

6:30 - Caucus

7:00 - Reg. Meet.

Presentations:

LANDS: Mr. Schottke

Ordinance C-28-18 Approve the Rezoning of 1419 & 1399 Borror Road from SF-1 to PUD-R with Text. Second reading and public hearing.

Ordinance C-35-18 Approve a Special Use Permit for the Sale, Rental, Barter or Trade of Weapons for Shoot Point Blank located on Turnberry Court. Second reading and public hearing.

Resolution CR-17-18 Approve the Preliminary Development Plan for The Residences at Brown's Farm/The Cottages at Brown's Farm located at 5273 Haughn Road.

FINANCE: Mr. Davis

Ordinance C-33-18 Determine to Proceed with the Acquisition, Installation, Equipment, and Improvement of Certain Public Improvements in the City of Grove City, Ohio in Cooperation with the Columbus Regional Energy Special Improvement District. Second reading and public hearing.

Ordinance C-34-18 Levy Special Assessments for the purpose of Acquiring, Installing, Equipping and Improving certain public improvements in the City of Grove City, Ohio in Cooperation with Columbus Regional Energy Special Improvement District; and Authorizing the Mayor and City Administrator to enter into an Energy Project Cooperative Agreement and a Special Assessment Agreement. Second reading and public hearing.

Ordinance C-37-18 Appropriate \$707,100.00 from the General Fund for the Repair of Vehicles, Restoration of Service Building and Replacement of Content Damaged by Fire. First reading.

ON FILE: Minutes of: 5/21 Council Meeting

Date: 04/10/18
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-28-18
1st Reading: 04/16/18
Public Notice: 04/18/18
2nd Reading: 05/21/18 6/4/18
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-28-18

AN ORDINANCE FOR THE REZONING OF 1419 & 1399 BOROR ROAD FROM SF-1 to PUD-R WITH ZONING TEXT

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 April 3, 2018, with the following stipulations:

1. The maximum permitted density on the site shall be 2.2 dwelling units per acre;
2. General Site Development Standard V(d) (Open Space) shall be amended to remove the sentence "Subject to Council granting a variance to allow all open space being dedicated to the City as depicted on the City's Master Parks Plan to be counted toward the open space requirement";
3. General Site Development Standard V(i)(1) shall be removed from the proposed Zoning Text;
4. General Site Development Standard V(i)(3) shall be amended as follows:
"~~Three Four~~ trees shall be provided per residential unit ~~that meet the requirements of Section 1136.09.~~ One shade tree (2-inch caliper minimum) shall be provided between the sidewalk (or street if a sidewalk is not present) and the front of each residential home ~~to function as the street tree.~~ All other trees and plantings shall be arranged within the front, side or rear yard areas with emphasis on the front facades. ~~One ornamental tree shall be provided in an area around the dwelling selected by the developer and a third tree may be located in the extra space at the front or rear of the home.~~"
5. A new standard should be added to General Site Development Standard V(i) stating that "The owner, builder or developer shall be required to pay to the City's Community Environment Fund a fee in the sum of six (6) dollars per lineal foot of curb/street pavement frontage for the purpose of purchasing, planting and maintaining trees on public properties";
6. General Site Development Standard V(k)(2) (Signage) shall be amended to state "Any additional signage not included on the final development plan shall be reviewed and, if deemed appropriate for the site, approved by the Development Department;
7. The Zoning Text shall state that character fencing shall be installed along the project's property lines where adjacent to parcel 040-015527;
8. The Zoning Text shall state that homes on corner lots shall utilize side-loading garages.

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 SF-1 to PUD-R to SF-1:

Situated in the State of Ohio, County of Franklin, City of Grove City and being a part of Virginia Military Survey 6115 *and being part of Lot 6 of the partition of the Huffman Lands, and being a 23.026 acre tract of land now or formerly conveyed to Mildred A. Christian, Trustee, 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.

Passed:

Effective:

Attest:

I Certify that this ordinance
is correct as to form.

Steven R. Robinette, President of Council

Richard L. Stage, Mayor

Tami K. Kelly, MMC, Clerk of Council

Stephen J. Smith, Director of Law

RECEIVED

SEP 18 2015

Franklin County Engineer
Dean C. Ringle, P.E., P.S.

C-28-18

Exhibit A

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By 33 Date 9/18/15

Description of a 51.683 acre tract for annexation purposes

Situated in the State Ohio, County of Franklin, Township of Jackson, in Virginia Military Survey #6115, being a part of Lot 6 of the partition of the Huffman Lands (Plat Book 1, Pg. 260), and being a 23.026 acre tract of land now or formerly conveyed to Mildred A Christian, Trustee (Parcel 1 of O.R. 16047 J-08), and a 28.657 acre tract of land now or formerly conveyed to Timothy J Christian (First Parcel of Instr. 200411160262813), further bounded and described as follows:

Beginning for reference at a disk, known as FCGS 1324 (Franklin County Geodetic Survey), found in a monument box assembly at the center line intersection of Borror Road, a 60' public right-of-way (Road Record 4, Page 359), with west line of said Lot 6, also being on the north line of said Virginia Military Survey #6115;

thence with the center line of said Borror Road and north line of VMS #6115 N 75°03'05" E, 377.63 feet, to a mag nail found at the northeast corner of land conveyed to Mildred A Christian, Tr. (Instr. 201011100151228), said point being the TRUE PLACE OF BEGINNING for the parcel hereinafter described;

thence N 75°05'10" E, 255.04 feet continuing along said center line of Borror Road to a mag nail found at the northwest corner of land conveyed to Mildred A Christian, Tr. (Instr. 201011100151226);

thence S 05°31'37" W, 510.11 feet along the westerly line of said Mildred A Christian, Tr tract, passing over a rebar capped "C&A" found at 32.02', to a rebar capped "C&A" found at the southwesterly corner of said Christian tract;

thence S 85°50'44" E, 214.44 feet along said Christian tract to a rebar capped "C&A" found on the westerly line of land conveyed to Mark R and Leslie R Harbold (D.B. 3578, Pg. 416);

thence S 04°09'13" W, 2669.44' feet along said Harbold tract, passing over a rebar capped "6579" found at 679.74' referencing a northwesterly corner of land conveyed to Marilyn S Swackhammer (D.B. 3576, Pg. 633 and Instr. 201212130191702), also passing a rebar capped "C&A" at 1122.01', continuing along said Swackhammer tract to the northerly line of land conveyed to Lois L Hancock Ltd. (Parcel 3 of Instr. 199808050198537) and Jess H Hancock Ltd. (Instr. 199808050198533), reference 3/4" pipes found N 04°09'13" E, 5.00' and N 87°07'18" W, 5.00';

thence N 87°07'18" W, 577.96 feet along said Hancock tract to a rebar capped "C&A" found at an angle point therein;

thence S 73°02'42" W, 229.50 feet, continuing along said Hancock tract, to a 1/2" pipe found on the westerly line of Grant Run Estates, Section 3 (Plat Book 103, Pg. 35) and the existing City of Grove City corporation line (Ordinance No. C-70-75, Official Record 165-584);

thence N 03°45'19" E, 1638.39 feet along said corporation line, Grant Run Estates, Section 3 and Grant Run Estates Section 4, Part 1 (Plat Book 105, Pg. 5) to a 3/4" pipe found in the easterly line of Sublot 140 of Grant Run Estates Section 4, Part 2 (Plat Book 105, Pg. 9);

thence N 04°16'56" E, 1102.74 feet continuing along said corporation line, said Grant Run Estates and the westerly line of land conveyed to Michael H and Nancy L Gosztyla (Instr.200306270196007) to a 3/4" pipe found at the southwesterly corner of land conveyed to J. Joseph Parsley and Ann Marie Garland (Instr.201410070132556);

thence S 85°42'16" E, 356.70 feet, leaving said corporation line, along the southerly line of said Parsley and the southerly lines of lands conveyed to David and Kayla Spellman (Instr.200209200235280) and the aforesaid Mildred Christian tract, to a rebar capped "C&A" found;

thence N 04°15'51" E, 451.40 feet along said Christian tract to the TRUE PLACE OF BEGINNING, passing over a 3/4" pipe found at 419.88'.

Containing 51.683 acres of land, more or less, of which 0.175 acres is contained within the right-of-way of Borror Road, as surveyed under the direct supervision of Matthew L. Campbell, P.S. 8546 of Campbell and Associates, Inc. in August of 2015.

The basis of bearings for this description is N 04°16'56" E as shown for the easterly line of Grant Run Estates Section 4, Part 2. All capped rebars set are 5/8" in width and 30" in length with ID cap marked C&A.

Subject to all legal highways, easements, restrictions, covenants, agreements and reservations of record.

All documents referenced herein are Franklin County Recorder's records.

ABOVE DESCRIPTION IS FOR ANNEXATION PURPOSES ONLY.



DATE:	Nov 2015
BY:	mhc
SCALE:	1"= 250'

Revised: 1/27/2016
 altered frontage to meet
 Grove City zoning standards



**CAMPBELL &
ASSOCIATES, INC.**
Land Surveying
77 E Wilson Bridge Rd Ste 205
Columbus, Ohio 43085
(800) 233-4117
www.campbellsurvey.com

JOB NO.
C0130502BNDY
SHEET 1 OF 1



0 250' SCA/F: 1"=250'

L1	N 14°56'55" W S 14°56'55" E 80.00'	N 75°03'05" E S 75°03'05" W 35.00'	N 04°55'1" E S 04°55'1" W 130.28'
----	--	--	---

NEW PARCEL:
4.534 ACRES
197105 SQ. FT.
0.067 acres
2920 sq.ft.
in right-of-way

REMAINDER:
18.487 ACRES
805240 SQ. FT.
0.108 acres
4730 sq.ft.
in right-of-way

PARENT:
23.026 ACRES
1003013 SQ. FT.
0.175 acres
7642 sq.ft.
in right-of-way

- ① Mildred A Christian, Tr.
Inst-201011001051220
- ② David & Kayla Spillmon
Inst-200204020023528
- ③ J Joseph Parsley
Ann Marie Garland
Inst-2014100701032556
- ④ Michael H & Nancy L Go
Inst-200303082104900

STATE OF OHIO, COUNTY OF FRANKLIN,
TOWNSHIP OF JACKSON

Part of Virginia Military Survey 6115
Part of Lot 6 of Huffman Lands (Plat Book 1, Page 260)

BASIS OF BEARINGS	PERTINENT DOCUMENTS
1. <i>General</i>	1. <i>General</i>
2. <i>Specific</i>	2. <i>Specific</i>
3. <i>Other</i>	3. <i>Other</i>

THE BASIS OF BEARINGS FOR THIS
PROPERTY IS N 04°15'56" E FOR THE WEST
SURVEY LINE AS SHOWN ON THE PLAT
FOR GRANT RUN ESTATES SEC.4 PT.2.

NOTE: DIMENSIONS SHOWN HEREON ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF

NOTE: THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND NO SEARCH OF PUBLIC RECORDS WAS MADE FOR EASEMENTS, RIGHT-OF-WAYS & ETC.

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO AS DESCRIBED IN O.A.C. CHAPTER 4733.37

MATTHEW L. CAMPBELL
CAMPBELL & ASSOCIATES, INC.

REG. NO. 8546

MATTHEW L. CAMPBELL
CAMPBELL & ASSOCIATES, INC.

DATE _____

LEGEND

T.P.O.B.	- TRUE PLACE OF BEGINNING
P.O.B.	- PLACE OF BEGINNING
rec.	- RECORD DISTANCE OR ANGLE
calc.	- CALCULATED DISTANCE OR ANGLE
obs.	- OBSERVED DISTANCE OR ANGLE
	- MONUMENT FOUND, SIZE & TYPE AS INDICATED.
	- 5/8" REBAR, 30 INCHES IN LENGTH, WITH I.D. CAP C8 & A TO BE SET.



Trailview Run & Treetops @ Trailview Run

Zoning Text

Grove City, Ohio



CURRENT ZONING: SF-1 (SINGLE FAMILY)

PROPOSED ZONING: PUD-R (PLANNED UNIT DEVELOPMENT- RESIDENTIAL)

Property Owners:

Timothy J Christian
334 Founders Circle
Avon Lake, Ohio 44012

Diane S Peurach
4037 Waterwheel Lane
Bloomfield, Michigan 48302

Applicant:

Karl Billisits
Harmony Development Group
3650 Olentangy River Road
Suite 401
Columbus, Ohio 43214

Authorized Representative:

Tom Hart
Isaac Wiles
2 Miranova Drive, Suite 700
Columbus, Ohio 43215

I. PROPERTY

The property ("Property") consists of approximately 49.5± acres south of Borrer Road, east of the Grant Run Estates subdivision, approximately 3,400 feet north of London-Groveport Road, and approximately 3,200 feet west of SR 104 as further described on the attached legal description (Exhibit A) and Survey (Exhibit B).

II. INTRODUCTION

The proposed community will consist of a mixture of single family homes designed for families with children and free standing patio homes designed with a minimum of two bedrooms on the first floor and no more than 50% of the first floor area permitted on the second floor (if a second floor option is chosen by the customer). The Patio Homes are designed for the active adult consumer who desires single floor living and community lifestyle services such as lawn/landscape maintenance and snow removal.

The patio home lifestyle living is in high demand in the area. The community provides an enclave opportunity for this type of living in an area with access to parks and trails in close proximity to children and grandchildren living near by.

The style, size and types of homes are consistent with the adjacent community Grant Run Estates. The Single Family Homes minimum square home footage exceeds the requirements of Grant Run Estates and the Single Family lot size meets or exceeds the R1B standards. In addition the plan incorporates an open space buffer along the West property line of the property (As shown on the Preliminary and Final Development plans) to be restricted to a no disturbance zone or deeded to the Grant Run Lot owner immediately adjacent to the land.

III. GENERAL PROVISIONS

- a. The provisions outlined within these development standards shall apply to the 49.5 +/- acres of land as described in Exhibit A unless otherwise approved by Grove City Council. Other provisions of the Grove City Code shall apply to the extent that this Zoning Text and Development Standards do not address such matters.
- b. For the purposes of this Zoning and Development Standards Text, the terms and words contained within carry their customarily understood meanings. Words used in the present tense include the future and the plural includes the singular and the plural. The word "shall" is intended to be mandatory; "occupied" or "used" shall be considered as through followed by the words "or intended, arranged or designed to be used or occupied". In case of any difference of meaning or implicated between this text and the Codified Ordinances of Grove City, the Zoning Text shall control.
- c. All provisions of this Zoning and Development Standards Text are severable. If a court of competent jurisdiction determines that a word, phrase, clause, sentence, paragraph, subsection, section or other provision is invalid, the remaining provisions and application of those provisions to other persons or circumstances are not affected by that decision.
- d. Deviations from the standards, requirements, and uses set forth herein as well as the Zoning Code may be approved by City Council through the Development Plan process, as long as they are consistent and harmonious with the overall

intent of the development and do not diminish, detract or weaken the overall compatibility between the uses within or proximity of the property.

IV. PERMITTED AND ACCESSORY USE

- a. Trailview Run and The Treetops at Trailview Run will be a residential neighborhood that shall contain a mixture of detached single-family homes on public streets (Subarea A) and detached patio homes on a combination of public and private streets (Subarea B).
- b. Each home shall be on its own lot.
- c. The density of the site shall not exceed 2.5 dwelling units per acre.
- d. Accessory uses shall be regulated in accordance with the Grove City Zoning Code.

V. GENERAL SITE DEVELOPMENT STANDARDS:

- a. Entryway. A landscaped entry to the site will be located on Borror Road and shall incorporate design elements in keeping with the area. The fencing depicted on the Final Development Plan will match the fencing on the North Side of Borror Road; In addition, the existing Barn will remain and be incorporated into part of the entry feature.
- b. Streets. All Public Streets shall be a minimum of 28 feet in width (as measured from back to back of curb). All Private Streets shall be a minimum of 26 feet in width (as measured from back to back of curb), owned and maintained by the Patio Home Owners Association.
- c. Bike Path. An 8-foot wide asphalt path shall be constructed and dedicated for public use to provide recreational opportunity to the residents of the neighborhood as well as the larger community. The path will connect the 11+/- acre new city park at the southern end of the Property to the new Proposed Bike path planned with the Borror Road Widening.
- d. Open Space. Open space shall be provided as depicted on the Final Development Plan and shall meet the requirements of Section 1101.09(b); **Subject to Council granting a variance to allow all open space being dedicated to the City (as depicted on the City's Master Parks Plan) to be counted towards the open space requirement.** The open space will be owned and maintained by the Homeowners Association except for the area along Grant Run that will be dedicated to the City of Grove City. Open space be reserved for passive activities, and will include benches and other seating areas, along with connections generally from the north to the south through the open space system as well as amenities described in the Final Development Plan.
- e. Amenity. The developer shall construct a 20'x20' picnic shelter in the new park at the southern end of the site as well as a parking lot and bike paths depicted on the Final Development Plan within the Park.
- f. Site Lighting. Site lighting on the public streets shall meet the current requirements of Grove City Code and the lighting fixtures will match the fixtures in the adjacent community of Grant Run. The Private Street lighting will match

the fixtures in the Public Street area but will be owned and maintained by the Patio Home Owners Association.

- g. Fencing. Fencing shall be limited to entry feature fencing, courtyard privacy fencing and pool fencing. No other lawn or common areas shall be fenced.
- h. Retention Ponds. Retention Ponds shall comply and be constructed in accordance with Grove City's Stormwater Design Manual.
- i. Landscaping, Screening, Tree Survey and Tree Preservation
 - 1. Street Trees shall be provided per 1136.09. Tree Genus and species shall be subject to the review and approval of the City's Urban Forester. Street trees shall be provided in the Private Street Patio Home Area to the same spacing as the Public Street area as depicted on the Final Development Plan. In the case that trees die, street trees shall be installed by the HOA per the final development plan.
 - 2. Existing healthy trees with fifteen (15) feet of the sites perimeter (measured from the property line) and within the 100-year floodplain or Stream Corridor Protection Zone shall be preserved with the exception of utility and road crossings. All Ash Trees shall be removed as directed by the City's Urban Forester.
 - 3. Three trees shall be provided per residential unit that meet the requirements of Section 1136.09. One shade tree shall be provided between the street and the front of each residential home to function as the street tree. One ornamental tree shall be provided in an area around the dwelling selected by the developer and a third tree may be located in the extra space at the front or rear of the home.
 - 4. A tree survey was provided with the Final Development plan. All six inch (healthy) trees and larger shall be protected and preserved except for Ash trees that may be removed at the direction of the City's Urban Forester.
 - 5. Lots adjacent to properties to the west shall retain existing vegetation as a buffer. This buffer will be preserved by either deeding 20' of property to each lot owner to the west as shown on the exhibit, or restricted to a no disturb zone owned by the future lot owners in Trailview Run. This extra depth in lots provides adequate space to preserve existing tree rows that will provide significant buffering. A 20' No Disturb Zone shall also be dedicated at the rears of the lots on either side of the main entry as shown on the Development Plan.
- j. Parking
 - 1. Four parking spaces shall be provided for each dwelling unit with a minimum of two spaces in an attached of each home and two spaces in each driveway.
 - 2. Additional parking will be provided in the park (8 spaces as shown on the final development plan)
 - 3. On-Street parking will be restricted to one side of the street (Non-Fire Hydrant side of the street). "No Parking" signs shall be installed as directed by the Fire department.
 - 4. The parking or storage of boats, trailers, or recreational vehicles in a driveway within the subdivision shall be prohibited.
- k. Signage.

1. There shall be an entry feature sign on each side of the Borror Road entrance for this subdivision. The sign shall meet signage requirements and setbacks of Chapter 1145 and the landscaping requirements of Section 1136.09(a)(1).
 2. Any additional signage proposed on site shall meet the requirements of Chapter 1145 and landscaping requirements of Section 1136.09(a)(1).
- l. Utilities. All utilities shall be located underground except for pedestals for electricity, cable, phone, or similar utilities. Pedestals shall be located in rear.
 - m. No trash dumpsters shall be used except during construction, alteration, or repair of a home. Each resident shall be responsible for trash pickup and have individual trash containers.
 - n. Mailboxes shall meet standard postal service requirements or match the mailboxes within Grant Run if permitted by the postal service.

VI. ARCHITECTURAL DEVELOPMENT STANDARDS AND AREA REQUIREMENTS

- a. The following standards shall apply to the **Subarea A single family lots.**
 - Min lot width70'
 - Min. Lot size 8,400 sf
 - Max. building coverage 40%
 - Max. height 35'
 - Min. parking 4 spaces, including garages
 - Min. sideyard setback..... 7.5'
 - Min. sideyard setback adjacent R.O.W. .. 25'
 - Min. frontyard setback..... 25'
 - Min. rearyard setback..... 25'
 - Min. square footage..... 1,800 sf two story
1,600 sf one story
- b. The following standards shall apply to the **Subarea B Patio Homes.**
 - Min lot width..... 50'
 - Min. Lot depth 120'
 - Max. building coverage 55%
 - Max. height..... 35'
 - Min. parking 4 spaces, including garages
 - Min. setback between units 10'
 - Min. frontyard setback from curb..... See Exhibit
 - Min. rearyard setback..... 25'
 - Min. square footage..... 1,350 sf one and two story

VII. BUILDING ARCHITECTURE AND MATERIALS

All single family dwellings and Patio Homes shall meet the minimum requirements set forth in section 1143 Residential Building Standards. Building elevations shall be approved with the final development plan.

- a. The exterior of the buildings shall include any of the following. Deviations to these requirements shall be approved by City Council.
 1. LP Smart Side and Trim
 2. Fiber cement siding such as Hardy Plan
 3. Aluminum or vinyl soffits and fascia
 4. Cultured stone
 5. Brick
 6. Single hung, low e vinyl windows
 7. 25 year, dimensional architectural shingles
 8. Faux shutters
 9. Dormers (active and inactive)
 10. EIFS accents
 11. Vinyl siding premium/architectural grade with a minimum thickness of .044 mills
 12. Other materials used as minor accents subject to approval of City Council.
- b. Exterior Colors
 1. Siding colors. Natural earth tones and/or warm neutral colors, including white. High-Chroma colors are not permitted
 2. Trim colors. Natural earth tones and/or warm neutral colors, including white. Complementary or contrasting siding color. High-Chroma colors are not permitted.
 3. Roof Colors. Shingle colors shall be from the color range of natural materials; such as, but not limited to wood shakes, slate, etc.
- c. Basements. All homes in Subarea A shall have partial or full basements at buyer's selection, soil conditions permitting.
- d. Garages. All homes shall have a minimum attached two-car garage. Garage door openings shall not exceed 45% of the width of the house façade for a two-car garage or 50% of the width of the house façade for a three-car garage, including the garage.
- e. Diversity. No two homes of the same front elevation shall be constructed within two homes adjacent to, across from, or diagonal from each other. Houses with the same footprint may be allowed within this distance provided that such houses incorporate substantial differences in the front elevations such as material changes, configuration of the front porch, etc. The Development Department shall have the final approval as to whether a change is "substantial."
- f. Accessory Structures. No detached garages, sheds or other accessory structures shall be permitted.

VIII. PHASING

The property will property will be developed in three phases as depicted on the Final development Plan.

IX. HOME OWNERS ASSOCIATION AND PATIO HOME OWNERS ASSOCIATION

- b. The developer prior to occupancy by any residents will establish a homeowners association. Control of the association shall be turned over to the residents according to Ohio Law. Association responsibility shall include care for the entryway and all open spaces. All association responsibilities and obligations shall be set forth in the HOA declaration prepared and recorded by the developer prior to occupancy.
- c. The developer prior to occupancy by any residents will establish a patio homeowners association. Control of the association shall be turned over to the residents according to Ohio Law. The Patio Home Owners will be a member of the Home Owner Association for maintenance of the open spaces and entryway. The Patio Home Owners Association responsibility shall include private street maintenance; snow plowing, lawn and landscape maintenance, street lighting and other duties as agreed to by members. All association responsibilities and obligations shall be set forth in the PHOA declaration prepared and recorded by the developer prior to occupancy.

Date: 05/16/18
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan. Comm.
Approved:
Emergency: 30 Days:
Current Expense:

No.: C-35-18
1st Reading: 05/21/18
Public Notice: 5/23/18
2nd Reading: 06/04/18
Passed: Rejected:
Codified: Code No:
Passage Publication:

ORDINANCE C-35-18

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR THE SALE, RENTAL, BARTER OR TRADE OF WEAPONS FOR SHOOT POINT BLANK GUN RANGE AND SHOPS LOCATED ON TURNBERRY COURT

WHEREAS, Shoot Point Blank Gun Range and Shops, applicant, has submitted a request for a Special Use Permit for the Sale, Rental, Barter or Trade of Weapons located on Turnberry Court; and

WHEREAS, on May 08, 2018, the Planning Commission of the City of Grove City recommended the denial of a Special Use Permit at this location.

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)A1o is hereby issued to Shoot Point Blank Gun Range and Shops, located on Turnberry Court.

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

Steven R. Robinette, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance
is correct as to form.

Stephen J. Smith, Director of Law

Date: 04/10/18
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-17-18
1st Reading: 04/16/18
Public Notice: _____
2nd Reading: _____
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

*Postpone
to 5/17/18
6/4/18*

RESOLUTION NO. CR-17-18

A RESOLUTION TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN FOR THE RESIDENCES AT BROWN'S FARM/THE COTTAGES AT BROWN'S FARM LOCATED AT 5273 HAUGHN ROAD

WHEREAS, on April 03, 2018, the Planning Commission recommended approval of the preliminary development plan for Stringtown Road Apartments with the following stipulations:

1. The annexation items shall be filed with Franklin County;
2. The applicant shall work with the City regarding roadway improvements around the site's access points along Haughn Road, south of Orders Road;
3. The applicant shall investigate the feasibility of reconfiguring access points to Orders Road;
4. Appropriate screening shall be installed when adjacent to existing single-family residences.

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 Preliminary Development Plan for The Residences at Brown's Farm/The Cottages at Brown's Farm, located at 5273 Haughn Road, contingent upon the stipulations set by Planning Commission.

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

Steven R. Robinette, 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

Date: 05/14/18
Introduced By: Mr. Davis
Committee: Finance
Originated By: Mr. Smith
Sponsor: Mr. Davis
Emergency: 30 Days: X
Current Expense:

No.: C-33-18
1st Reading: 05/21/18
Public Notice: 05/22/18
2nd Reading: 06/04/18
Passed: Rejected:
Codified: Code No:
Passage Publication:

ORDINANCE C-33-18

AN ORDINANCE TO DETERMINE TO PROCEED WITH THE ACQUISITION, INSTALLATION, EQUIPMENT, AND IMPROVEMENT OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF GROVE CITY, OHIO IN COOPERATION WITH THE COLUMBUS REGIONAL ENERGY SPECIAL IMPROVEMENT DISTRICT

WHEREAS, the Council of the City of Grove City, Ohio duly adopted Resolution No. CR-18-18 on May 7, 2018 (the "Resolution of Necessity"), (i) declaring the necessity of acquiring, installing, equipping, and improving energy efficiency improvements, including, without limitation, LED lighting and controls, a building envelope, an HVAC system, building automation systems, and a high efficiency domestic hot water system resulting in the reduction of natural gas consumption, and related improvements (the "Project," as more fully described in the Petition referenced in this Resolution) located on real property owned by Trivium Grove City LLC (the "Owner") at 5775 N. Meadows Drive within the City (the "Property", as more fully described in Exhibit A to the Petition); (ii) providing for the acquisition, installation, equipment, and improvement of the Project by the Owner, as set forth in the Owner's *Petition for Special Assessments for Special Energy Improvement Projects and Affidavit* (the "Petition"), including by levying and collecting special assessments to be assessed upon the Property (the "Special Assessments") in an amount sufficient to pay the costs of the Project, which was estimated to be \$625,909.40 in the Petition, including other related costs of financing the Project, which may include, without limitation, the payment of principal of and interest on nonprofit corporate obligations issued to pay the costs of the Project and other interest, financing, credit enhancement, and issuance expenses and ongoing trustee fees and Columbus Regional Energy Special Improvement District ("District") administrative fees and expenses; and (iii) determining that the Project will be treated as a special energy improvement project to be undertaken cooperatively by the City and the District; and

WHEREAS, the claims for damages alleged to result from, and objections to, the Project have been waived by one hundred percent (100%) of the Owners, and following notice of the adoption of the Resolution of Necessity which was personally delivered by the Clerk of this Council to the Owner on May 7, 2018, no claims for damages alleged to result from, or objections to, the Project have been filed within the times prescribed by Ohio Revised Code Sections 727.15 and 727.18; and

WHEREAS, the Finance Director has prepared the estimated Special Assessments for the cost of the Project as required by Section 13 of the Resolution of Necessity, which amount of Special Assessments is determined to be \$623,140.40 rather than the estimated amount of \$625,909.40 stated in the Petition and the Resolution of Necessity.

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

SECTION 1. Each capitalized term not otherwise defined in this Ordinance or by reference to another document shall have the meaning assigned to it in the Resolution of Necessity.

SECTION 2. This Council declares that its intention is to proceed or to cooperate with the District to proceed with the acquisition, installation, equipment, and improvement of the Project described in the Petition

and the Resolution of Necessity. The Project shall be made in accordance with the provisions of the Resolution of Necessity and with the plans, specifications, profiles, and estimates of cost previously approved and now on file with the Finance Director and the Clerk of this Council.

SECTION 3. The Special Assessments to pay costs of the Project, which are estimated to be \$623,140.40 including any and all architectural, engineering, legal, insurance, consulting, energy auditing, planning, acquisition, installation, construction, surveying, testing, and inspection costs; the amount of any damages resulting from the Project and the interest on such damages; the costs incurred in connection with the preparation, levy and collection of the special assessments; the cost of purchasing and otherwise acquiring any real estate or interests in real estate; expenses of legal services; costs of labor and material; trustee fees and other financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued or incurred to provide a loan or to secure an advance of funds to the Owner or otherwise to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued or incurred, including any credit enhancement fees, trustee fees, program administration fees, financing servicing fees, and District administrative fees and expenses; an amount to reflect interest on unpaid Special Assessments which shall be treated as part of the cost of the Project for which the Special Assessments are made at an interest rate which shall be determined by the District or the Columbus-Franklin County Finance Authority as its conduit financing entity to be substantially equivalent to the fair market rate that would have been borne by notes or bonds if notes or bonds had been issued by the District, the Columbus-Franklin County Finance Authority, or another issuer of notes or bonds to pay the costs of the Project; together with all other necessary expenditures, shall be assessed against the Property in the manner and in the number of semi-annual installments provided in the Petition and the Resolution of Necessity. Each semi-annual Special Assessment payment represents the payment of a portion of any principal repayment and interest and administrative fees payable with respect to the Project. The Special Assessments shall be assessed against the Property commencing in tax year 2019 for collection in 2020 and shall continue through tax year 2028 for collection in 2029; provided, however, if the proceedings relating to the Special Assessments are completed at such time that the County Auditor of Franklin County, Ohio determines that collections shall not commence in 2019, then the collection schedule may be deferred by one year. In addition to the Special Assessments, the County Auditor of Franklin County, Ohio may impose a special assessment collection fee with respect to each semi-annual payment, which amount, if imposed, will be added to the Special Assessments by the County Auditor of Franklin County, Ohio.

SECTION 4. The estimated Special Assessments for costs of the Project prepared and filed in the office of the Clerk of this Council and in the office of the Finance Director, in accordance with the Resolution of Necessity, are adopted.

SECTION 5. In compliance with Ohio Revised Code Section 319.61, the Clerk of Council is directed to deliver a certified copy of this Ordinance to the County Auditor of Franklin County, Ohio within 15 days after the date of its passage.

SECTION 6. All contracts for the construction of the Project will be let in accordance with the Petition, the Program Plan, and the Supplemental Plan, and the costs of the Project shall be financed as provided in the Resolution of Necessity.

SECTION 7. This legislative authority hereby finds and determines that all formal actions taken relative to the adoption of this Ordinance were taken in an open meeting of this legislative authority, and that all deliberations of this legislative authority and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with applicable legal requirements, included Section 121.22 of the Ohio Revised Code.

SECTION 8. This Ordinance shall take effect at the earliest opportunity allowed by law.

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this
ordinance is correct as to form.

Stephen J. Smith, Director of Law

Date: 05/14/18
Introduced By: Mr. Davis
Committee: Finance
Originated By: Mr. Smith
Sponsor: Mr. Davis
Emergency: 30 Days: X
Current Expense:

No.: C-34-18
1st Reading: 05/21/18
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Codified: Code No:
Passage Publication:

ORDINANCE C-34-18

AN ORDINANCE TO LEVY SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING, INSTALLING, EQUIPPING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF GROVE CITY, OHIO IN COOPERATION WITH COLUMBUS REGIONAL ENERGY SPECIAL IMPROVEMENT DISTRICT; AND AUTHORIZING THE MAYOR AND THE CITY ADMINISTRATOR TO ENTER INTO AN ENERGY PROJECT COOPERATIVE AGREEMENT AND A SPECIAL ASSESSMENT AGREEMENT

WHEREAS, Trivium Grove City LLC (the "Owner") has submitted its Petition for Special Assessments for Special Energy Improvement Projects and Affidavit (the "Petition") in order to provide for the completion of a special energy improvement project on real property owned by the Owner in the City of Grove City, Ohio (the "City"); and

WHEREAS, this Council duly passed Resolution No. CR-18-18 on May 7, 2018 (the "Resolution of Necessity"), which approved the Petition and added the Owner's property, subject to the Petition, to the Columbus Regional Energy Special Improvement District (the "District") and declared the necessity of acquiring, installing, equipping, and improving energy efficiency improvements, including, without limitation, LED lighting and controls, a building envelope, an HVAC system, building automation systems, and a high efficiency domestic hot water system resulting in the reduction of natural gas consumption, and related improvements (the "Project"), as described in the Resolution of Necessity and as set forth in the Petition requesting those improvements; and

WHEREAS, this Council duly adopted Ordinance C-33-18 on June 04, 2018 and determined to proceed with the Project and adopted the estimated Special Assessments (as defined in the Resolution of Necessity) filed with the Clerk of this Council and the Finance Director pursuant to the Resolution of Necessity; and

WHEREAS, the City intends to enter into an Energy Project Cooperative Agreement (the "Energy Project Cooperative Agreement") with the District, the Owner, and the Columbus-Franklin County Finance Authority (the "Finance Authority") to provide for, among other things, (i) the making of the Project Advance (as defined in the Energy Project Cooperative Agreement) to pay costs of the Project, (ii) the disbursement of the Project Advance for the acquisition, installation, equipment, and improvement of the Project and the transfer of the Special Assessments by the City to the Finance Authority to pay principal and interest and other costs relating to the Project Advance; and

WHEREAS, to provide for the security for the Project Advance and for the administration of payments on the Project Advance and related matters, the City intends to enter into the Special Assessment Agreement with the County Treasurer of Franklin County, Ohio, the District, the Owner, and the Finance Authority; and

WHEREAS, the actual costs of the Project have been ascertained and have been certified to the City in the Petition and the Supplemental Plan for the Project.

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

SECTION 1. Each capitalized term not otherwise defined in this Ordinance or by reference to another document shall have the meaning assigned to it in the Resolution of Necessity.

SECTION 2. The list of Special Assessments to be levied and assessed on the Property (as further described on Exhibit A) in an amount sufficient to pay the costs of the Project, which is \$623,140.40, including other related financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued, including any credit enhancement fees, trustee fees, and District administrative fees and expenses, which costs were set forth in the Petition and previously reported to this Council and are now on file in the offices of the Clerk of Council and the Finance Director, is adopted and confirmed, and that the Special Assessments are levied and assessed on the Property. The interest portion of the Special Assessments, which shall accrue at the annual rate of 5.00%, together with amounts used to pay administrative expenses, has been determined by the District to be substantially equivalent to the fair market rate that would have been borne by notes or bonds been issued by the District.

The Special Assessments are assessed against the Property commencing in tax year 2019 for collection in 2020 and shall continue through tax year 2028 for collection in 2029; provided, however, if the proceedings relating to the Special Assessments are completed at such time that the County Auditor of Franklin County, Ohio determines that collections shall not commence in 2019, then the collection schedule may be deferred by one year. The semi-annual installment of the Special Assessments shall be collected in each calendar year equal to a maximum semi-annual amount of Special Assessments as shown in Exhibit A, attached hereto and incorporated into this Resolution.

All Special Assessments shall be certified by the Finance Director to the County Auditor pursuant to the Petition and Ohio Revised Code Chapter 727.33 to be placed on the tax list and duplicate and collected with and in the same manner as real property taxes are collected and as set forth in the Petition.

The Special Assessments shall be allocated among the parcels constituting the Property as set forth in the Petition and the List of Special Assessments attached hereto as Exhibit "A" and incorporated herein.

SECTION 3. This Council finds and determines that the Special Assessments are in proportion to the special benefits received by the Property as set forth in the Petition and are not in excess of any applicable statutory limitation.

SECTION 4. The Owner has waived its right to pay the Special Assessments in cash, and all Special Assessments and installments of the Special Assessments shall be certified by the Finance Director to the County Auditor of Franklin County, Ohio as provided by the Petition and Ohio Revised Code Section 727.33 to be placed by him or her on the tax list and duplicate and collected with and in the same manner as real property taxes are collected and as set forth in the Petition.

SECTION 5. The Special Assessments will be used by the City to pay the cost of the Project in cooperation with the District in any manner, including assigning the Special Assessments actually received by the City to the District or to another party the City deems appropriate, and the Special Assessments are appropriated for such purposes.

SECTION 6. The Finance Director shall keep the Special Assessments on file in the Office of the Finance Director.

SECTION 7. This Council hereby approves the Energy Project Cooperative Agreement, a copy of which is on file in the office of the Clerk of this Council. The Mayor, the City Administrator, or either of them individually shall sign and deliver, in the name and on behalf of the City, the Energy Project Cooperative Agreement, in substantially the form as is now on file with the Clerk of this Council. The Energy Project Cooperative Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the City and that are approved the Mayor, City Administrator, or either of them individually, on behalf of the City, all of which shall be conclusively evidenced by the signing of the Energy Project Cooperative Agreement or amendments to the Energy Project Cooperative Agreement.

SECTION 8. This Council hereby approves the Special Assessment Agreement a copy of which is on file in the office of the Clerk of this Council. The Mayor, the City Administrator, or either of them individually shall sign and deliver, in the name and on behalf of the City, the Special Assessment Agreement, in substantially the form as is now on file with the Clerk of this Council. The Special Assessment Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the City and that are approved by the Mayor, the City Administrator, or either of them individually, on behalf of the City, all of which shall be conclusively evidenced by the signing of the Special Assessment Agreement or amendments to the Special Assessment Agreement.

SECTION 9. The City is hereby authorized to enter into such other agreements that are not inconsistent with the Resolution of Necessity and this Ordinance and that are approved by the Mayor, the City Administrator, or either of them individually, on behalf of the City, all of which shall be conclusively evidenced by the signing of such agreements or any amendments to such agreements.

SECTION 10. In compliance with Ohio Revised Code Section 319.61, the Clerk of the this Council is directed to deliver a certified copy of this Resolution to the County Auditor of Franklin County, Ohio within 20 days after its passage.

SECTION 11. This legislative authority hereby finds and determines that all formal actions taken relative to the adoption of this Ordinance were taken in an open meeting of this legislative authority, and that all deliberations of this legislative authority and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with applicable legal requirements, included Section 121.22 of the Ohio Revised Code.

SECTION 12. This Ordinance shall take effect at the earliest opportunity allowed by law.

Steven R. Robinette, 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

EXHIBIT A

**LIST OF SPECIAL ASSESSMENTS AND
SCHEDULE OF SPECIAL ASSESSMENTS**

LIST OF SPECIAL ASSESSMENTS

<u>Name</u>	<u>Assessed Properties Description</u>	<u>Portion of Benefit and Special Assessment</u>	<u>Amount of Special Assessments</u>
Trivium Grove City LLC	040-015419-00	100%	\$623,140.40

SCHEDULE OF SPECIAL ASSESSMENTS
FOR FRANKLIN COUNTY PARCEL NOS.:

040-015419-00¹

The following schedule of Special Assessment charges shall be certified for collection in 20 semi-annual installments to be collected with first-half and second-half real property taxes in calendar years 2020 through 2029:

Special Assessment Payment Date ²	Special Assessment Installment Amount ³
January 31, 2020	\$31,157.02
July 31, 2020	31,157.02
January 31, 2021	31,157.02
July 31, 2021	31,157.02
January 31, 2022	31,157.02
July 31, 2022	31,157.02
January 31, 2023	31,157.02
July 31, 2023	31,157.02
January 31, 2024	31,157.02
July 31, 2024	31,157.02
January 31, 2025	31,157.02
July 31, 2025	31,157.02
January 31, 2026	31,157.02
July 31, 2026	31,157.02
January 31, 2027	31,157.02
July 31, 2027	31,157.02
January 31, 2028	31,157.02
July 31, 2028	31,157.02
January 31, 2029	31,157.02
July 31, 2029	31,157.02

¹ As identified in the records of the County Auditor of Franklin County, Ohio as of April 3, 2018.

² Pursuant to Ohio Revised Code Chapter 323, the Special Assessment Payment Dates identified above are subject to adjustment by the Franklin County Auditor under certain conditions.

³ Pursuant to Ohio Revised Code Section 727.36, the Franklin County Auditor may charge and collect a fee in addition to the amounts listed in the above schedule.

No.: C-37-18
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**AN ORDINANCE TO APPROPRIATE \$707,100.00 FROM THE GENERAL FUND
FOR THE REPAIR OF VEHICLES, RESTORATION OF SERVICE BUILDING
AND REPLACEMENT OF CONTENT DAMAGED BY FIRE**

Michael A. Turner, Director of Finance