

GROVE CITY, OHIO COUNCIL
LEGISLATIVE AGENDA

March 15, 2021

6:30 Caucus

7:00 p.m. Regular Meeting

Call to Order: President Houk

Roll Call: Clerk of Council

Approval of Minutes from 03/01

Welcome and Reading of Agenda: President Houk

LANDS: Mr. Schottke

Ordinance C-11-21 Rezone 3353 Grove City Road from Ind-1 (Light Industry) to C-2 (Retail Commercial). First reading.

Ordinance C-12-21 Approve a Special Use Permit for an Automotive Dealer for Gibby's Auto Exchange located at 3422 Mill Street. First reading.

Ordinance C-13-21 Approve a Special Use Permit for a Car Wash for Moo Moo Express Car Wash located at 2607 London-Groveport Road. First reading.

Resolution CR-14-21 Approve a Development Plan for Moo Moo Express Car Wash located at 2607 London-Groveport Road.

Resolution CR-15-21 Approve a Development Plan for Beulah Park – Sub-Area G located north of Curtis Avenue.

Resolution CR-16-21 Adopt the Park at Beulah Master Plan dated February 24, 2021.

SERVICE: Mr. Berry

Resolution CR-17-21 Authorize the City Administrator to enter into an Agreement and Cooperate with the Ohio Director of Transportation for the Resurfacing of State Route 104.

FINANCE: Mr. Holt

Resolution CR-18-21 Waive the Provisions of Section 139.05 titled Bidding Purchases & Procedures for the Replacement and Upsizing of a portion of the Hoover Road and Kingston Avenue Storm Sewer.

Call for New Business

Call for Dept. Reports & Closing Comments

Adjourn: President Houk

ON FILE: Minutes of: 03/01 Council; 03/02 Planning Commission

Date: 03/08/21
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-11-21
1st Reading: 03/15/21
Public Notice: 03/16/21
2nd Reading: 04/19/21
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-11-21

AN ORDINANCE FOR THE REZONING OF 3553 GROVE CITY ROAD FROM IND-1 TO C-2

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 March 02, 2021; and

WHEREAS, a copy of the ordinance, together with a map and plat and the report of the Planning Commission has been on file in the Clerk's office for thirty days for public inspection.

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

SECTION 1. The following described premises are rezoned from IND-1 (Light Industry) to C-2 (Retail Commercial):

Situated in the State of Ohio, County of Franklin, City of Grove City and being a part of Virginia Military Survey 1383 *and being part of Lot #9 conveyed to Orville and Debbra M. Alabaugh by deed, 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.

Christine Houk, President of Council

Passed:
Effective:

Richard L. Stage, Mayor

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance
is correct as to form.

Stephen J. Smith, Director of Law

C-11-21
Exhibit A
QUIT-CLAIM DEED

200802010016115
Pgs: 2 \$28.00 T20080007607
02/01/2008 12:51PM MLDEBBA ALAB
Robert G. Montgomery
Franklin County Recorder

Orville Alabaugh and Debbra M. Alabaugh, Members, Debcha Kennels, LTD.,
dated January 1, 2003, an Ohio Limited Liability Company, for zero consideration
paid, grant their entire interest to **Orville Alabaugh and Debbra M. Alabaugh as**
Trustees for the Orville Alabaugh and Debbra M. Alabaugh Trust, whose tax
mailing address is 175 North Sandusky Street, Tiffin, Ohio 44883, the following
described real property:

Situated in the State of Ohio, County of Franklin and Township of Jackson:

Being part of Lot Number Nine (9) of the Subdivision of Survey No. 1383
Virginia Military District, bounded and described as follows:

Beginning at an iron pin the Grove City Pike (formerly Breck Road) and in the
West line of the right of way of the B. & O. S. W. R.R.; thence with the center of
said Pike North 86 degrees 30' West 226.33 feet to an iron pin; thence South 3
degrees 30' West 385 feet to an iron pin in the West line of said right of way;
thence with said right of way North 33 degrees 57' east 446.60 feet to the place
of beginning containing one acre of land.

Subject to (i) Conditions, restrictions and easements of record, including but not
limited, to an Easement in favor of Ohio Bell Telephone Company Ameritech
Ohio of record as Instrument Number 199804150089548; (ii) legal highways and
zoning ordinances, and (iii) the lien of real estate taxes and assessments that are
now or hereinafter a lien upon the Premises.

Tax district number and parcel number: 040-003264-00

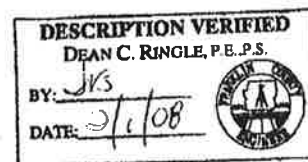
Street address of property: 3553 Grove City Rd., Grove City, OH 43123



TRANSFERRED

FEB 01 2008

JOSEPH W. TESTA
AUDITOR
FRANKLIN COUNTY, OHIO



C-11-21
Exhibit



Date: 03/09/21
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan. Comm.
Sponsor: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-12-21
1st Reading: 03/15/21
Public Notice: 03/16/21
2nd Reading: 04/05/21
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-12-21

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR AN AUTOMOTIVE DEALER FOR GIBBY'S AUTO EXCHANGE LOCATED AT 3422 MILL STREET

WHEREAS, Council approved Ord. C-02-20, a Special Use Permit for Gibby's Auto Exchange on 02/03/20, with a stipulation that the Special Use shall be effective for one (1) year from the date of approval; and

WHEREAS, Gibby's Auto Exchange, applicant, has submitted a request for a Special Use Permit for an Automotive Dealership located at 3422 Mill Street; and

WHEREAS, on March 02, 2021, the Planning Commission of the City of Grove City recommended the approval of a Special Use Permit at this location, with the following stipulation:

1. Outdoor storage of vehicles, vehicular parts, related supplies, tools and materials shall be prohibited.

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)Ae is hereby issued to Gibby's Auto Exchange, located at 3422 Mill Street, contingent upon the stipulation set by Planning Commission.

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

Christine Houk, 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: 03/09/21
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan. Comm.
Sponsor:
Emergency: 30 Days:
Current Expense:

No.: C-13-21
1st Reading: 03/15/21
Public Notice: 03/16/21
2nd Reading: 04/05/21
Passed: Rejected:
Codified: Code No:
Passage Publication:

ORDINANCE C-13-21

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR A CAR WASH FOR MOO MOO EXPRESS CAR WASH LOCATED AT 2607 LONDON-GROVEPORT ROAD

WHEREAS, Moo Moo Express Car Wash, applicant, has submitted a request for a Special Use Permit for a Car Wash located at 2607 London-Groveport Road; and

WHEREAS, on March 02, 2021, the Planning Commission of the City of Grove City recommended the approval of a Special Use Permit at this location, with the following stipulation:

1. Speakers projecting music or other noise shall not be used on the site.

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)Ai is hereby issued to Moo Moo Express Car Wash, located at 2607 London-Groveport Road, contingent upon the stipulation set by Planning Commission.

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

Christine Houk, 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: 03/09/21
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan. Comm.
Sponsor: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-14-21
1st Reading: 03/15/21
Public Notice: Postpone
2nd Reading: to 04/05/21
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION NO. CR-14-21

A RESOLUTION TO APPROVE THE DEVELOPMENT PLAN FOR MOO MOO EXPRESS CAR WASH LOCATED AT 2607 LONDON-GROVEPORT ROAD

WHEREAS, on March 02, 2020, the Planning Commission recommended approval of the Development Plan for Moo Moo Express Car Wash at 2607 London-Groveport Road, as submitted.

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

SECTION 1. This Council hereby approves the Development Plan for Moo Moo Express Car Wash at 2607 London-Groveport Road, as submitted.

SECTION 2. This approval shall be good for 12 months from the date passed, or as otherwise provided in Section 1101.07(b) of the Codified Ordinances of the City of Grove City, Ohio.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

Christine Houk, 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: 03/09/21
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan. Comm.
Sponsor:
Emergency: 30 Days:
Current Expense:

No.: CR-15-21
1st Reading: 03/15/21
Public Notice:
2nd Reading:
Passed: Rejected:
Codified: Code No:
Passage Publication:

RESOLUTION NO. CR-15-21

A RESOLUTION TO APPROVE THE DEVELOPMENT PLAN FOR BEULAH PARK – SUBAREA G LOCATED NORTH OF CURTIS AVENUE

WHEREAS, on Mach 02, 2020, the Planning Commission recommended approval of the Development Plan for Beulah Park – Subarea G, with the following stipulations:

1. Plans shall be revised to create better separation between Building 16 and the shared use path. Separation shall be achieved either through increasing the building setback from the path, or by installing appropriate landscaping; and
2. Sod shall be installed along public roadways.

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

SECTION 1. This Council hereby approves the Development Plan for Beulah Park – Subarea G, contingent upon the stipulations set by Planning Commission.

SECTION 2. This approval shall be good for 12 months from the date passed, or as otherwise provided in Section 1101.07(b) of the Codified Ordinances of the City of Grove City, Ohio.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

Christine Houk, President of Council

Richard L. Stage, Mayor

Tami K. Kelly, MMC, Clerk of Council

Stephen J. Smith, Director of Law

Passed:
Effective:

Attest:

I Certify that this resolution
is correct as to form.

Date: 03/09/21
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Mayor Stage
Sponsor: Mr. Berry
Emergency: 30 Days
Current Expense:

No.: CR-16-21
1st Reading: 03/15/21
Public Notice:
2nd Reading:
Passed: Rejected:
Codified: Code No:
Passage Publication:

RESOLUTION CR-16-21

A RESOLUTION TO ADOPT THE PARK AT BEULAH MASTER PLAN DATED FEBRUARY 24, 2021

WHEREAS, in 2019 the Department of Parks and Recreation engaged MKSK, LLC to develop a master plan for the parkland at Beulah Park, and

WHEREAS, the planning process included a public input meeting as well as an online survey to allow resident input into the development of the plan, and

WHEREAS, the plan was presented to the Grove City Park Board on July 16, 2019 and the board accepted the plan, and

WHEREAS, on August 05, 2019, the plan was presented to City Council but no formal action was taken to adopt the plan at that time, and

WHEREAS, the State of Ohio granted the City \$200,000.00 for an Amphitheater; and

WHEREAS, within the 2021 Appropriation Ordinance, \$1,000,000.00 was allocated for this Park; and

WHEREAS, The Park at Beulah Master Plan should be adopted by City Council in order to move forward with the final planning and development of the area.

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

SECTION 1. This Council hereby adopts The Park at Beulah Master Plan attached hereto and made a part hereof.

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

Christine Houk, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

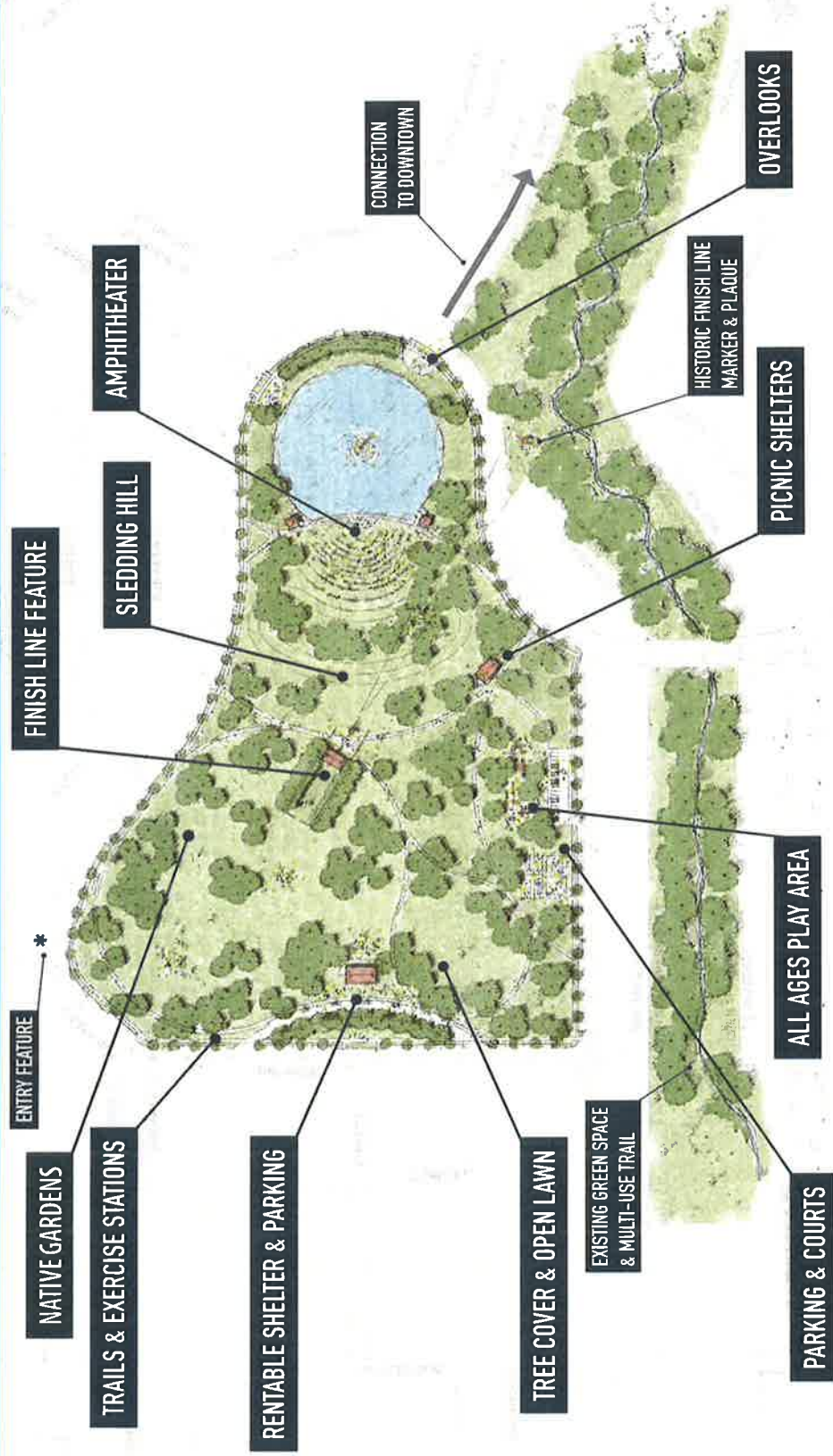
Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this

CR-16-21
Exhibit A

THE PARK AT BEULAH MASTER PLAN



Date: 03-15-21
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Mayor Stage
Sponsor : Mr. Schottke
Emergency: 30 Days: C
Current Expense:

REQUESTED
ADDITION

No.: C-14-21
1st Reading: 03/15/21
Public Notice: 03/16/21
2nd Reading: 04/05/21
Passed: Rejected:
Codified: Code No:
Passage Publication:

ORDINANCE C-14-21

AN ORDINANCE TO AMEND SECTION 1131.03 AND 1137.05 OF THE CODIFIED ORDINANCES TO DEFINE “PRIVACY FENCE” AND RESTRICT THEIR USE

WHEREAS, privacy fencing has become a challenging zoning issue that directly impacts the health, safety and welfare of the community; and

WHEREAS, numerous homeowner associations have home owner rules, deed restrictions and regulations inconsistent with the existing Code, creating confusion and lack of understanding of the fence Code; and

WHEREAS, the materials and form of fencing constructed within the City has an appreciable impact on property values and aesthetic quality of development within the City; and

WHEREAS, the current Code for fencing was adopted January 20, 1975 and Ordinance C-47-19 was adopted on October 7, 2019 to amend Section 1131.03 of the Codified Ordinances to define “Stockade or Palisade Fence” but did not restrict its use within the City; and

WHEREAS, there is a desire to enforce stricter standards in the City to ensure high quality development; safer fencing requirements and more appealing neighborhood aesthetics.

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

SECTION 1. Sections 1131.03 is hereby amended to add the following in alphabetical order with all numbering to be adjusted accordingly:

- (54) **“Privacy Fence” means a barrier designed to inhibit public view and provide seclusion and, when viewed at right angles, having more than 50% of its vertical surface area closed to light and air, constructed of wood conditioned for exterior use, vinyl, stone or masonry.**

SECTION 2. Section 1137.05(c) is hereby amended, in part, as follows:

(c) No fence on any lot, **except a privacy fence,** shall be erected more than ~~five~~ **four** feet (~~60~~ **48** inches) in height above the plane of the finished grade of a lot at the location of the fence on the lot ~~except screening or privacy fences.~~ The height of a ~~screening or privacy fence~~ shall not exceed the height of six feet (72 inches). ~~A screening or privacy fence shall be constructed of wood conditioned for exterior use or chain link with metal slabs of one color~~ **A privacy fence shall only be located in a rear yard of a property in a Residential District and shall not encroach on any No Build Zone, No Disturb Zone, Tree Preservation Zone or in any applicable setbacks. A privacy fence shall not exceed 36 feet in length, on each side, extending from the primary structure and shall not exceed 48 feet in length at the rear of the property parallel to the primary structure. Privacy fences shall not be used to enclose the entire perimeter of the property, unless required in Chapter 1136.**

SECTION 4. This ordinance shall take effect at the earliest opportunity allowed by law.

Christine A. Houk, 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: 03/09/2021
Introduced By: Mr. Berry
Committee: Service
Originated By: Mr. Boso
Approved: _____
Emergency: 30 Days: X
Current Expense: _____

No.: CR-17-21
1st Reading: 03-15-21
Public Notice:
2nd Reading:
Passed: _____ Rejected:
Codified: _____ Code No:
Passage Publication:

RESOLUTION CR-17-21

A RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT AND COOPERATE WITH THE OHIO DIRECTOR OF TRANSPORTATION FOR THE RESURFACING OF STATE ROUTE 104

WHEREAS, the State has identified the need for and proposes the improvement of a portion of the public highway which is described as follows:

This project proposes to resurface State Route 104 from the intersection of Stringtown Road and State Route 104 within the City limits, as part of the project PID106406, FRA-104-4.43

said portion of highway within the municipal corporation limits being hereinafter referred to as the improvement; and

WHEREAS, the Director of the Ohio Department of Transportation further desires cooperation from the City in the planning, design and construction of said improvement.

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

SECTION 1. The Director of Transportation hereby requests the cooperation of the City of Grove City, Ohio in the cost of the above-described improvement as follows:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction to the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by director.

ODOT agree to assume and bear the costs of preliminary engineering, right-of-way, and construction by administering Federal and state funds for this project.

Consent is hereby given by the City for the above improvement and the City further agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement, as determined by the State and the Federal Highway Administration.

SECTION 2. The City of Grove City agrees that all right-of-way requires for the described project will be acquired and/or made available in accordance with current State and Federal regulations. Right-of-way costs include eligible utility costs. ODOT agrees to be responsible for all utility accommodation, relocation and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION 3. Upon completion of the project, and unless otherwise agrees, the City of Grove City shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial resources, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions, and (4) hold said right-of-way inviolate for public highway purposes.

SECTION 4. This resolution shall take effect and be in force from and after the earliest period allowed by law.

Christine Houk, President of Council

Passed:

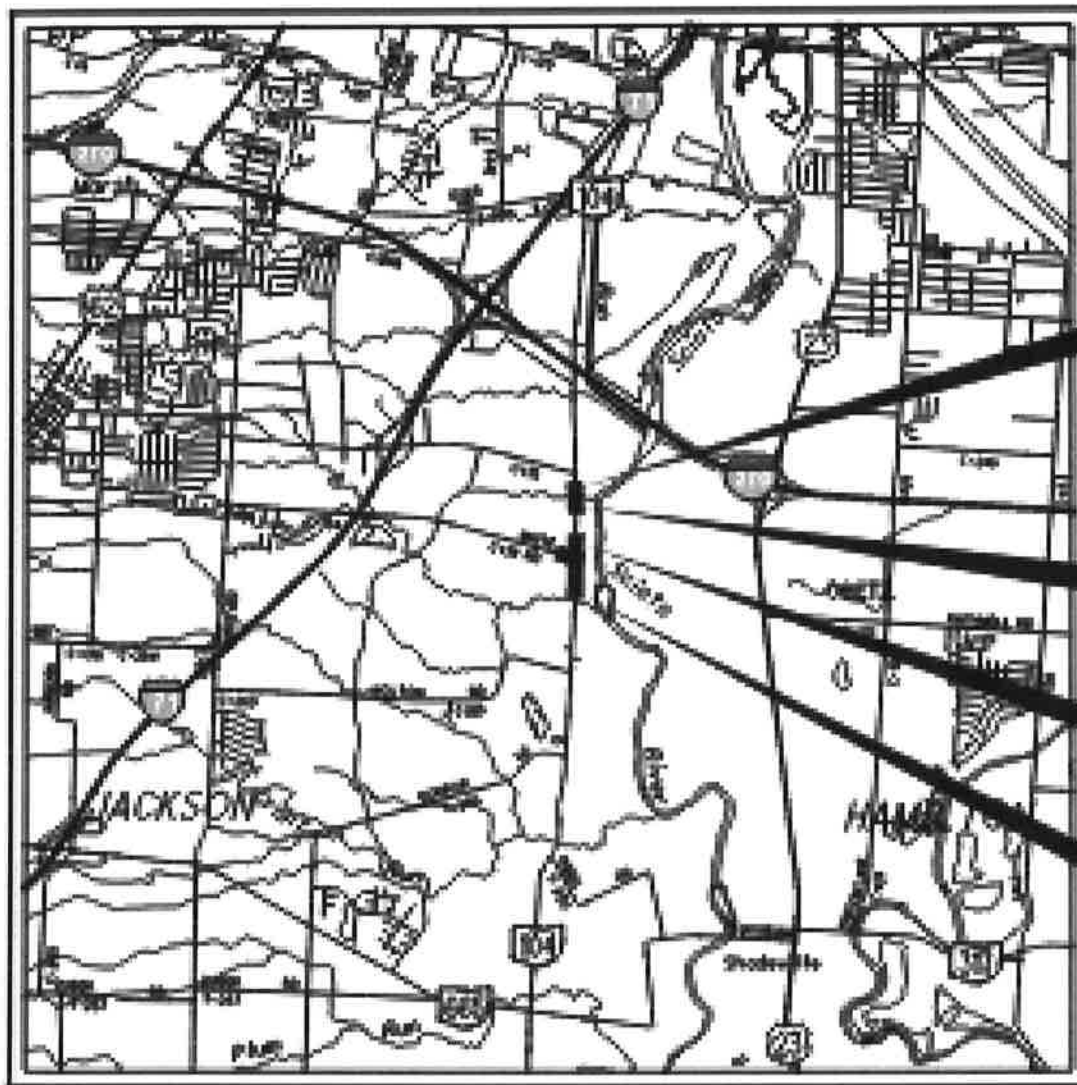
Richard L. Stage, Mayor

Effective:

Attest: _____
Tami K. Kelly, Clerk of Council

I Certify that this ordinance
is correct as to form.

Stephen j. Smith, Director of Law



END PROJECT
STA. 255+00.00
(S.L.M. 4.82)

RESUME PROJECT
STA. 253+75.00
(S.L.M. 4.79)

SUSPEND PROJECT
STA. 239+57.00
(S.L.M. 4.54)

BEGIN PROJECT
STA. 224+13.43
(S.L.M. 4.24)

LOCATION MAP

LATITUDE: 38°52'05" LONGITUDE: 83°01'39"

SCALE IN MILES



PORTION TO BE IMPROVED.....	—————
INTERSTATE HIGHWAY.....	—————
FEDERAL ROUTES.....	—————
STATE ROUTES.....	—————
COUNTY & TOWNSHIP ROADS.....	—————
OTHER ROADS.....	—————

Date: 03-09-21
Introduced By: Mr. Holt
Committee: Finance
Originated By: Mr. Boso
Approved: Mr. Berry
Emergency: 30 Days
Current Expense: _____

No.: CR-18-21
1st Reading: 03/15/21
Public Notice:
2nd Reading:
Passed: _____ Rejected:
Codified: _____ Code No:
Passage Publication:

RESOLUTION CR-18-21

A RESOLUTION TO WAIVE THE PROVISIONS OF SECTION 139.05 OF THE CODIFIED ORDINANCES FOR THE REPLACEMENT AND UPSIZING OF A PORTION OF THE HOOVER ROAD AND KINGSTON AVENUE STORM SEWER

WHEREAS, as part of a current development, the City is interested in replacing and upsizing a portion of the Hoover Road and Kingston Avenue storm sewer from a 21-inch line to a 42-inch line; and

WHEREAS, with development underway, it is more cost effective and less invasive to utilize the excavating contractor that will be working on the site; and

WHEREAS, the City has budgeted funds available to pay for this improvement; and

WHEREAS, it is in the best interest of the City to waive bidding for this project as the City is able to obtain a competitive price by utilizing the excavation contractor that will be on site thus alleviating the need for a formal bid process.

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

SECTION 1. The provisions of Section 139.05 titled Bidding Purchases and Procedures are hereby waived for the replacement and upsizing of a portion of the Hoover Road and Kingston Avenue storm sewer as shown in Exhibit A and it is in the best interests of the City.

SECTION 2. The resolution shall take effect at the earliest opportunity afforded by law.

Christine A. Houk, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this
resolution is correct as to form.

Stephen J. Smith, Director of Law

CR-18-21
Exhibit A

