

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

January 03, 2017

Regular Meeting

The regular meeting of Council was called to order by President Schottke at 7:00 p.m. in the Council Chambers, City Hall, 4035 Broadway.

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

Roby Schottke

Steve Bennett

Jeff Davis

1. Mr. Bennett moved to excuse Mr. Berry and Mayor Stage; seconded by Mr. Schottke.

Mr. Bennett	Yes
Mr. Schottke	Yes
Mr. Davis	Yes

2. Mr. Davis moved to dispense with the reading of the minutes from the previous meetings and approve as written; seconded by Mr. Bennett.

Mr. Schottke	Yes
Mr. Davis	Yes
Mr. Bennett	Yes

3. The Chair read the agenda items and they were approved by unanimous consent.

The Chair recognized Mr. Davis, Chairman of Finance, for discussion and voting under said Committee.

1. Ordinance C-01-17 (Appropriate \$776,850.00 from the Capital Improvement Fund for the Current Expense of the West Water Run Stream Restoration and Declare an Emergency) was given its first reading.

Mr. Davis explained that because there are only three (3) members of Council tonight, this ordinance cannot be considered as an emergency measure. Therefore was given a First reading. Council agreed through unanimous consent to remove the emergency language.

Mr. Boso, City Admin., explained that this appropriates grant monies the City received from the Ohio Public Works Commission. Bids were received last week on the project and they did come in lower than the Engineer's estimate. This money will be used to award that contract after the next meeting.

The second reading and public hearing will be held on 1/17/17.

2. Resolution CR-01-17 (Authorize the Use of the Pinnacle Tax Increment Financing Fund for Maintenance and Related Improvements to Buckeye Parkway) was given its reading and public hearing.

Mr. Boso, City Admin., explained that one of the requirements to use TIF funds needs to be a benefit to the TIF district. They believe improvements to Buckeye Parkway will benefit the TIF area. He clarified that it does not have to be an exclusive benefit to the Pinnacle District to be used. Mr. Davis said there has been some discussion about the use of TIF funds and it does come down to Council approval.

Mr. Schottke said he likes the idea of using the TIF funds as an alternative to General Fund dollars. He feels it shows good fiscal responsibility.

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

Mr. Davis	Yes
Mr. Bennett	Yes
Mr. Schottke	Yes

The Chair, Temp. Chairman of Safety, took the floor for discussion and voting under said Committee.

1. Ordinance C-02-17 (Repeal Section 505.18 of the Codified Ordinances titled Restrictions on the Sale of Dogs and Cats in Grove City as adopted by Ordinance C-17-16) was given its first reading. Second reading and public hearing will be held on 1/17/17.

The Chair recognized Mr. Bennett, Chairman of Lands, for discussion and voting under said Committee.

1. Ordinance C-96-16 (Amend Section 1145.15 of the Codified Ordinances titled Portable Signs) was given its second reading and public hearing.

Mr. Bennett explained that there have been amendments offered since the last meeting. He read each amendment.

Mr. Roger Burkett, said when he read it, he thought the dimensions referred to the total signage however the example on the screen shows dimensions for the sign panel only. Mr. Bennett read the language dimensions listed in Section (e) within the ordinance.

Mr. Davis said there has been a lot of work put into this and there were varying opinions. This brings all concerns together and works for all of them.

Mr. Bennett moved that Section 1145.10 be amended as follows: (e) A business may display one A-frame sign, **except in multi-tenant buildings. A commercial building with multiple tenants shall be permitted one (1) A-frame sign per frontage along a public sidewalk.** The A-frame sign shall be exempted from the requirements for permanent signage ~~and the total area of the A-frame sign shall not be included as part of permanent signage calculations.~~

~~(1) — Commercial properties containing multiple tenants or businesses shall be consolidated to a single A-frame sign.~~

(f) A-frame signs shall meet the following requirements:

(1) The sign shall be located directly in front of the **building containing the** business that the sign advertises.

(2) g. The sign frame shall be constructed of ~~weather-resistant material~~ **metal**, finished black and designed to be compatible and appropriate with other street furnishings located within the public right-of-way, ~~as outlined in the City's Right-of-Way Encroachment Agreement for the Town Center.~~ The frame shall provide stable contact with the sidewalk. A-frame signs shall not have wheels.

Seconded by Mr. Davis.

Mr. Bennett	Yes
Mr. Schottke	Yes
Mr. Davis	Yes

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

Mr. Schottke	Yes
Mr. Davis	Yes
Mr. Bennett	Yes

2. Ordinance C-97-16 (Approve a Special Use Permit for Automotive Services for JC Automotive located at 3184 Southwest Blvd.) was given its second reading and public hearing.

Ms. Kelly, Clerk of Council, explained a verbal conversation took place with the Development Department and the applicant has expressed their desire for this to be withdrawn. However, that request has not been submitted in writing.

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

Mr. Davis	Yes
Mr. Bennett	Yes
Mr. Schottke	Yes

3. Ordinance C-100-16 (Amend the Zoning Text for Parkway Crossing located North of White Road and West of Buckeye Parkway as adopted by Ord. C-02-02 and Amended by Ord. C-91-02, C-36-03 and C-18-05) was given its second reading and public hearing.

Mr. Don Plank, attorney for petitioner, was present. He explained they are seeking a modification to the 2002 Text for a Signature Office Building to be required as part of this development. He said his client desires to build a hotel. Half would be an extended stay and half would be a regular hotel. He shared a preliminary plan for the hotel. He said because of the two new hospitals, they are driving a need for an extended stay type of hotel. He said they shared this plan with the neighbors and will commit to pushing the building as close to the freeway as possible and to using the exteriors materials shown, as a minimum. He said they tried to make it look more like an office building.

Mr. Bennett voiced concern over this type of use next to the condominium complex. He is concerned about a 24 hour use of a hotel instead of an office use. Mr. Plank said they have shared all of this with the residents and will continue to be in touch with them throughout the process. He said they are committed to a maximum height of 45 feet, rather than the allowable 90'. He said this is a transition from the freeway, with a residential-type use into a residential use. He feels this is better than an office or retail use in that area. He said they have discussed a mound plus landscaping plus fencing - all of which they are amenable to. He said they will continue to keep the residents informed. Mr. Bennett asked about any future expansion. Mr. Plank said someone else owns the property to the south.

Mr. Schottke asked Mr. Rauch if the change would prevent an office from going on the site. Mr. Rauch said no - it only eliminates the word "signature" office space. An office could go on the site even with the charge.

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

Mr. Bennett	Yes
Mr. Schottke	Yes
Mr. Davis	Yes

4. Ordinance C-101-16 (Approve the Rezoning of 2928 London-Groveport Road from R-1 to C-2) was given its second reading and public hearing.

Mr. Butch Baur, representing Waffle House, said this is a single-family home site and a typical size for them. He said there have had many conversations about access and they have offered the best development plan they can provide. He said he hopes they approve this or it will probably be the end for them.

Mr. Schottke voiced concern over the bigger picture. He said he doesn't want to piece meal this and have another traffic access issue like we have on Stringtown Road. Mr. Baur said as properties develop to the west, the City would be able to require rear access as part of those development plans.

Mr. Keller, Consulting Engineer, showed a review they have done to create a rear access road. He shared three options and an alternative access road across the front but didn't recommend this because it limits stacking and traffic movement. He said as uses change, they try to anticipate traffic issues and explained the difference between residential traffic and commercial traffic for the area.

Mr. Bennett shared his concerns for the traffic flow and the right in/right out curb cut. He said he prefers Option 2 but it doesn't meet curb cut spacing requirements. He said if an access is provided, why is there a need for the curb cut to be right in/right out. Mr. Keller said there isn't a fix that will meet all the City's requirements. He cited Code requirements for access and traffic flow. He said they felt the right in/right out was the best option for this site.

Mr. Schottke asked if the Parcel (#1) at the corner of North Meadows Drive and SR665 could still be developed if these options would be done. Mr. Keller said they didn't evaluate it to that level or from a development standpoint, they looked at appropriate access and the comments made at the last Council meeting.

Mr. Baur said they have been in contact with Tire Discounter's attorney. They would not want to give up the parking spaces in Option #2. Mr. Bennett said the problem he has is that the Tire Discounters access is a parking lot. It is not built to street standards and won't hold up. Mr. Baur said he doesn't believe the Tire Discounter's connection point being that heavily traveled. People traveling from the freeway may not come eat with them.

Mr. Davis said he is empathetic and it's obvious that it is difficult to do this in isolation. He isn't sure there is a solution tonight even though there seems to be a desire to work with the Property Owner and Waffle House. Mr. Schottke said he understands there is a timing issue but he would like to have a comprehensive plan before rezoning another piece.

Mr. Boso, City Admin., stated that Planning Commission recommended disapproval of the rezoning. He said the discussion tonight indicates some of the reasons for that recommendation. He doesn't believe two more weeks will change anything. There are many questions and property negotiations that will take more time.

Mr. Josh Sheppard, resident, appealed to Council to do something for this property owner. He said he feels the City has some type of obligation here. The City gave the property owner \$26,000.00 to increase the road to four lanes and devalued the property. He said this is not right. This parcel is not best used as a residential piece any more. He said they have a ready, willing and able buyer.

Mr. Boso stated this doesn't have to be zoned to have this impact of traffic. What is before Council tonight is a C-2 zoning request which is the highest commercial zoning, and which is the highest traffic generator.

Council continued to discuss the question of rezoning.

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

Council continued to discuss the requested zoning change and the traffic impact this will have. Mr. Davis asked Mr. Boso if he was suggesting an alternative that might accommodate multiple uses, including Waffle House. Mr. Boso said if the rezoning is defeated it may cause the contiguous property owners to negotiate with each other to come up with a development it more desirable and acceptable in terms of traffic than what is presented.

The vote was called on the question:

Mr. Schottke	Yes
Mr. Davis	Yes
Mr. Bennett	Yes

5. Ordinance C-03-17 (Amend Section 1135.09(b) of the Codified Ordinances titled Permitted Uses; Nonresidential) was given its first reading. Second reading and public will be held 1/17/17.
6. Resolution CR-72-16 (Approve the Development Plan for Waffle House located at 2928 London-Groveport Road) was given its reading and public hearing.

Mr. Butch Baur, Representing Waffle House, provided an overview of their amended plan. It now shows a rear access, with a perpetual Agreement with Tire Discounters. They will maintain the access until the lot in between the properties is developed.

Mr. Schottke asked how they will direct people into their site from Tire Discounters. Mr. Baur said they cannot put off-site signage on Tire Discounters lot. He thinks this will be a local restaurant and people will figure it out.

Mr. Davis said this doesn't pass the smell test. He asked why Mr. Baur chose this site. Mr. Baur said because it had a curb cut. He said he doesn't want the right in/right out but is willing to work with it. Mr. Davis said this is an awkward development and doesn't necessarily want to one-off awkward plans. He said we are all staring at this and trying to figure it out.

Mr. Bennett asked for a comparison to the site on Broadway. Mr. Keller said the original proposal asked for a full access and they felt it did not meet safety concerns. He said if the Tire Discounters were being approved today, a full access may not be recommended as it was eight years ago. He said they did identify a need reduce the turn lane that is westbound to south toward Fed Ex on Seeds Road and do a turn lane into Tire Discounter's. He said this isn't the perfect solution, but it will help and should be a stipulation if this development plan is going to be approved.

Mr. Schottke said he does not want to be part of creating another Stringtown Road problem.

Mr. Davis said it is precisely the desire to want to help the property owner that Council is in this predicament. He said he is open to options but he has real trouble with this design.

Mr. Boso said if the access road is approved and this development plan is approved there needs to be access of any traffic coming both ways on the easement.

Mr. Bennett asked Mr. Smith, Dir. of Law, for assistance in formulating a stipulation to address all the necessary components needed in an Access Agreement. Mr. Smith said a stipulation could be made that requires the approval of the Law Director of the Access Agreement. Discussion took place over all the issues that need to be addressed in the Access Agreement.

Mr. Schottke moved to amend Section #1 to remove "as submitted" and include, *with the following stipulation: 1. Contingent upon a Cross Access Agreement, that would provide cross traffic access as shown in Option 1 or an alternative location north of that, which would connect to North Meadows Drive as approved by the Law Director;* seconded by Mr. Bennett.

Mr. Davis	Yes
Mr. Bennett	Yes
Mr. Schottke	Yes

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

Mr. Bennett	Yes
Mr. Schottke	Yes
Mr. Davis	Yes

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

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

1. President Schottke reminded everyone that resumes are due to the Clerk of Council by Monday, 1/9/17 for the appointment to the At-Large Council seat. He also announced that the next Council meeting would be held on Tuesday, 1/17/17 in observance of Martin Luther King Day.
2. After comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 8:53 p.m.


Tami K. Kelly, MMC
Clerk of Council


Roby Schottke
Chair