

ORDINANCE C-15-07

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR OUTDOOR SEATING FOR STARBUCKS LOCATED AT THE TURNBERRY RETAIL CENTER

WHEREAS, Mr. Puckett, applicant, on behalf of Starbucks, has submitted a request for a Special Use Permit for Outdoor Seating located at the Turnberry Retail Center; and

WHEREAS, on January 23, 2007, the Planning Commission of the City of Grove City recommended the approval of a Special Use Permit at this location, with the following stipulations:

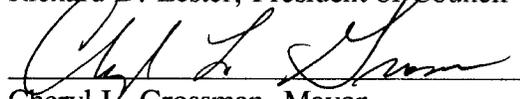
1. The seating may be increased to sat no more than 12 chairs;
2. Umbrellas shall match the forest green building awnings and be secured in 95 lb. bases;
3. No advertisements shall appear on umbrellas;
4. The applicant shall incorporate a trash receptacle (manufactured by DuMore) as part of this seating area.

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 1135.09(12)A1s, is hereby issued to Starbucks for Outdoor Seating located in the Turberry Retail Center, contingent upon the stipulations set by Planning Commission.

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

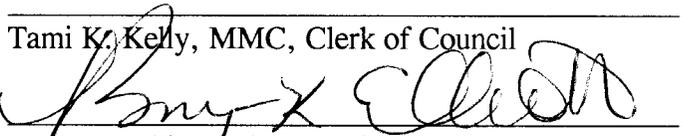

Richard D. Lester, President of Council

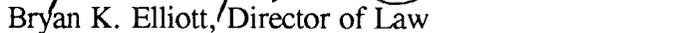

Cheryl L. Grossman, Mayor

Passed: 02-20-07

Effective: 03-22-07

Attest:


Tami K. Kelly, MMC, Clerk of Council


Bryan K. Elliott, Director of Law

I Certify that this ordinance is correct as to form.

EXHIBIT "A"
95.327 Acres
C-05-07

Situated in the State of Ohio, County of Franklin, City of Grove City, being located in Virginia Military Survey No. 1434, being all of Parcels 1,2 and 3 as conveyed to First Baptist Church of Grove City by deed of record in Instrument Number 200212270333608, all references refer to records of the Recorders Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Beginning at a Railroad Spike found in the centerline of Orders Road, also being the northerly line of said Virginia Military Survey No. 1434, said spike also being the northwesterly corner of that 3.436 acres tract as conveyed to Kathleen A. Faught by deed of record in Instrument Number 200206280159879 and being located North $87^{\circ}57'02''$ West a distance of 2075.50 feet from F.C.G.S. Monument Box Number 4480 at the centerline intersection of Old Orders Road and Hoover Road;

Thence South $03^{\circ}26'20''$ West along the westerly line of said 3.436 acres tract, (passing an iron pin set at 30.00 feet and a iron pipe found at 40.30 feet) a distance of 1037.31 feet to a Mag Nail in the top of a concrete corner post being the southwesterly corner of said 3.436 acres tract;

Thence South $87^{\circ}13'22''$ East, being along the southerly line of said 3.436 acres tract and that 6.104 acres tract as conveyed to David V. and Brenda J. Hellard by deed of record in Official Record 16834C09, a distance of 172.35 feet to a Mag Nail in the top of a concrete corner post;

Thence South $02^{\circ}41'37''$ West, being along the westerly line of said 6.104 acres tract, (passing an iron pin set at 911.49 feet and a concrete right of way monument found at 997.50 feet, 170 feet left of 305+35 I-71) a distance of 1567.52 feet to an iron pin set at the northeasterly corner of that 22.766 acres tract as conveyed to Mara Enterprises, Inc. by deed of record in Deed Volume 3190, Page 127;

Thence North $87^{\circ}31'03''$ West, being along the northerly line of said 22.766 acres tract and that 51.058 acres tract as conveyed to Haughn Road Properties L.L.C. by deed of record in Instrument Number 200211250300574, (passing an iron pin set at 516.10 feet) a distance of 1660.50 feet to a 1" iron pin found at a northwesterly corner of said 51.058 acres tract, said iron pin also being in the easterly line of that 10.604 acres tract as conveyed to Ronald A. and Camelia A. McClure by deed of record in Official Record 20864G17;

Thence North $02^{\circ}33'54''$ East, being along the easterly line of said 10.604 acres tract, a distance of 748.60 feet to a 1" iron pin found at the northeasterly corner of said 10.604 acres tract, also being the southeasterly corner of that 10.009 acres tract as conveyed to Steven R. and Deborah S. Ross by deed of record in Official Record 19893G12;

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GC PLANNING COMMISSION

95.327 Acres

Thence North 02 °37'54" East, being along the easterly line of said 10.009 acres tract and that 87.284 acres tract as conveyed to Joseph D. Brown by deed of record in Instrument Number 200001120008580, a distance of 1657.06 feet to a 1" iron pipe found at the southeasterly corner of "Haughn Heights" as shown in Plat Book 37, Page 67, said iron pin also being the southeasterly corner of that 0.528 acre tract as conveyed to Mark and Mellisa J. Jamison by deed of record in Instrument Number 200209230236089;

Thence North 03 °00'25" East being along the easterly line of said "Haughn Heights", (passing an iron pin set at 159.61 feet) a distance of 189.61 feet to a Railroad Spike set over a PK nail found in the centerline of Orders Road at the northeasterly corner of said "Haughn Heights", also being the northerly line of Virginia Military Survey No. 1434;

Thence, South 87 °54'35" East, being along the centerline of Orders Road and said V.M.S. 1434 line, a distance of 1504.15 feet to the Point of Beginning, containing 95.327 acre of land more or less, of which 1.036 acres are in the existing right of way of Orders Road, 3.403 acres are in the existing right of way of Interstate 71 and 0.134 acre is a triangular tract of land on the south side of Interstate 71, leaving a net usable acreage of 90.754 acres of land;

Subject, however, to all legal rights-of-ways and/or easements, if any, of previous record.

All iron pins set are ¾" ID X 30" long iron pipe with a plastic cap inscribed JR HILL PS 6919.

The bearings are based on the same meridian as the bearings shown upon the recorded plat of Margie's Cove Section 1, in Plat Book 105, Page 15, in which the centerline of Orders Road has a bearing of North 87 °57'02" West, of record in the Recorder's Office, Franklin County, Ohio.



James R. Hill Surveying

James R. Hill 12-04-06
James R. Hill PS 6919

