

RESOLUTION NO. CR-70-98

A RESOLUTION TO APPROVE THE FINAL DEVELOPMENT PLAN FOR BUCKEYE GROVE SHOPPING CENTER LOCATED ON THE NORTHWEST CORNER OF HOOVER RD & S.R. 665

WHEREAS, on July 28, 1998, the Planning Commission approved the final development plan for Buckeye Grove Shopping Center, without the PUD Text, with the following stipulations:

1. Stop signs be installed at the north and south ends of crosswalk area in front of the entrances to the Kroger store;
2. The fountains in the retention pond must be illuminated from below;
3. Engineering to be approved by City's Consulting Engineer;
4. Provide approval letter from Jackson Township Board of Trustees regarding the shared drive at West end of property;
5. A deceleration lane along S.R. 665 or alternate plan to be approved by City's Consulting Engineer for traffic entering shopping center;
6. Lighting for the filling station area to be the same type of down lighting used in the rest of the center;
7. Stop signs to be installed at the cross intersection at the main entrance from Hoover Road.

WHEREAS, on August 11, 1998, the Planning Commission approved PUD Text for this Development Plan, with the following stipulations:

1. One (1) monument sign permitted for entire center with a height not to exceed twenty feet (20'), of which said sign shall have brick and stucco along entire sides of signage with an architectural feature at top of sign;
2. Eliminate the right to have a pylon sign fifteen feet (15') in height on one of the outlots that is the gas station;
3. Graphics provision for release of outlots will be in accordance with Code;
4. Seasonal sales area for the shopping center portion shall have stacked goods no higher than ten feet (10') with a four foot (4') white picket fence installed surrounding this area on all four sides with the exception of a clearly defined entrance and exit.

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 final development plan for Buckeye Grove Shopping Center, located on the northwest corner of relocated Hoover Road and State Route 665, contingent upon the stipulations set by Planning Commission and with the PUD Text, attached hereto as Exhibit "A".

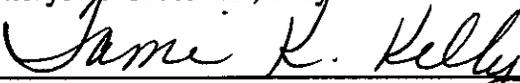
SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.



Michael Milovich, Jr., President of Council



Cheryl L. Grossman, Mayor



Tami K. Kelly, CMC/AE, Clerk of Council



Thomas R. Clark, Director of Law

Passed: 8-17-98
Effective: 8-17-98

Attest:

 I Certify that this resolution is correct as to form.

JACKSON TOWNSHIP
FRANKLIN COUNTY, OHIO

CR-70-98

Clerk-Treasurer
Alma Bennett**Board of Trustees**
David E. Burris
William F. Lotz, Sr.
Larry L. Thomas**Administrator**
Michael J. Lilly

August 14, 1998

Mr. Daniel H. Shoedinger
Vorys, Sater, Scymour and Pease, LLP
52 East Gay Street
P.O. Box 1008
Columbus, OH 43216-1008

**Subject: Rezoning of property located at Northeast and Northwest corners
of SR-665 and relocated Hoover Road in Grove City, Ohio.**

Dear Mr. Schoedinger

On behalf of the Board of Trustees, I am writing in response to our previous meeting and your letter of August 13, 1998 regarding the rezoning and development of the above referenced properties.

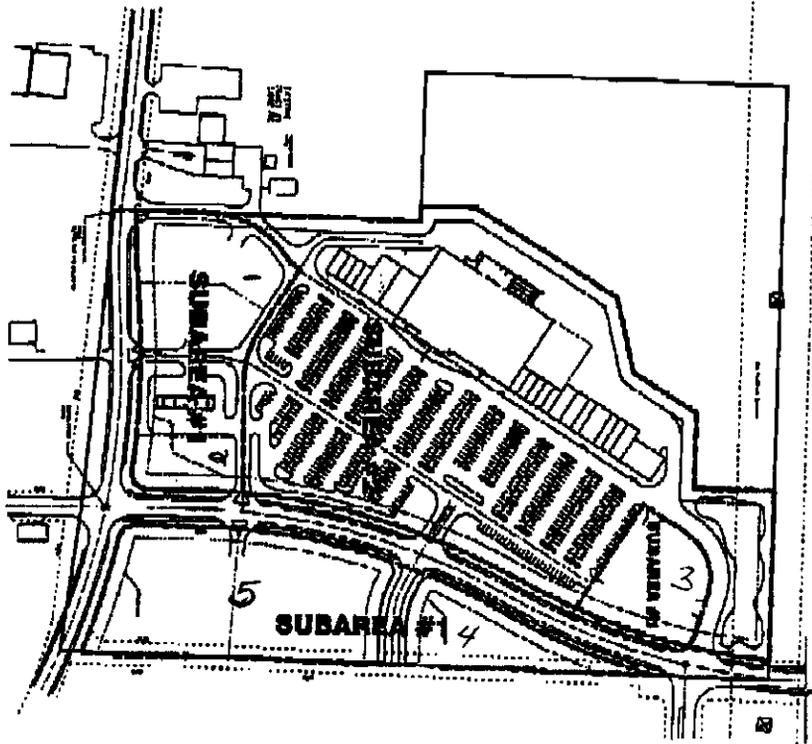
It is the unanimous decision of the Board of Trustees that the proposed rezoning and development by Skilken Properties for the Kroger's Shopping Center is an appropriate and beneficial use for the area, and the Jackson Township Board of Trustees supports your rezoning request before the city of Grove City. It is also the unanimous decision of the Board of Trustees to enter into an easement agreement with your clients for a common access driveway that will utilize approximately 18' feet of land along the eastern property line of our Fire Station #203 at 2650 London-Groveport Road.

It is the opinion of the Board of Trustees that the common access driveway and the other public safety improvements associated with the project are in the mutual best interest of both parties and will provide additional safety improvements to the citizens of our community. I must highlight the fact that these public improvements come at no cost to Jackson Township, and I express my appreciation to your clients for assuming this responsibility. The Board agrees to grant an easement in return for the following conditions as were discussed:

1. Construction of the common access driveway will occur along the eastern property line boundary between the Kroger Shopping Center and the Fire Station #203. The pavement width will be 36' feet with approximately 1/2 or 18' on either side of the property line;
2. Installation of a regular traffic signal at the intersection of the new common access driveway and installation of a new emergency interrupt traffic signal on SR-665 west of the Fire Station #203. Both traffic signals will be configured in such a manner, so that in an emergency, the Fire Department personnel at Fire Station #203 will be able to:

3756 Hoover Road, P.O. Box 517, Grove City, Ohio 43123
Phone: (614) 875-2742 Facsimile: (614) 871-8458

CR-70-98



SUBAREA PLAN

SITE

	<p>Development Plan</p>	<p>Buckeye Grove Shopping Center Grove City Ohio</p>
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SKILKEN
PROPERTY
INCORPORATED
AMHERST, OHIO
216.291.1100
216.291.1101

CR-70-98
PLANNED UNIT DEVELOPMENT - COMMERCIAL
PUD-C
TEXT

Dated: August 12, 1998

SUBAREA STANDARDS

The following Subarea Descriptions and Development Standards by subarea shall be made part of the PUD-C zoning as well as the plans attached as exhibits.

SUBAREA 1 - OUTLOTS - General

Typically found around major intersections, this area contains smaller outparcels that are more local service oriented and usually contain restaurant, banks, auto service/gas and other service related uses, but may contain freestanding uses on individual lots that require a highly visible orientation and immediate access. On the final development plan, the outlots are numbered 1 through 5. Each of those outlots may be split into two or more separate parcels.

SUBAREA 2 - RETAIL CENTER - General

This area contains a mix of retail/commercial uses in an integrated shopping environment.

SUBAREA 1 - OUTLOTS - Standards

Permitted Uses:

The following uses shall be permitted in Subarea 1:

1. Those uses listed in Section 1135.14(h) (presently in effect or as subsequently amended) of the Grove City Zoning Code, except as follows: (a) outlots 4 and 5 shall not be used for a restaurant with drive in window, a gasoline filling station, a drive-thru beverage carryout, auto repair, or installation of auto parts; and (b) outside storage and sales of product shall not be permitted on any outlot. Notwithstanding the foregoing, outlots 4 and 5 may be used for the sale, installation and repair of automobile appliances such as car phones and radios, and outside storage and sales of gasoline and other automotive-related products shall be permitted within ten feet of each pump island on an outlot approved for a special use as a filling station.
2. Those uses listed in Section 1135.09(12) (presently in effect or as subsequently amended) subject to special use permit approved by City Council will be considered as code requires, provided that at no time may more than one outlot be approved for a special use as a filling station.

Yard and Setback Requirements:

1. Yard and setback requirements shall be those required by Table 1135.14 III (presently in effect or as subsequently amended).
2. Building coverage shall be that required by Table 1135.14 III (presently in effect or as subsequently amended).

Parking and Loading:

1. Parking and loading facilities shall be regulated by Grove City Code (presently in effect or as subsequently amended).
2. Loading docks shall be screened from all public streets, except at access points, by landscaping, mounding, walls or other buildings to a height of the loading dock door.

Circulation:

1. Curb cuts onto public rights of way shall be substantially as provided for on the site plan.
2. A public right of way 50 feet in width shall be dedicated from Hoover Road to the east side of the property as shown on the site plan approved as part of the final development plan. Unless a street is constructed in that right of way prior to any development of outlot 4 or 5, the owner of outlot 4 or 5 will construct a street to Grove City specifications within that right of way at the time of the initial development on outlot 4 or 5.
3. Grove City will vacate the old Hoover Road right of way from State Route 665 north to relocated Hoover Road, provided that such vacation shall be subject to reserved easements for existing utilities in that right of way.
4. No curb cut shall be permitted from outlot 5 onto State Route 665.
5. At the time of the initial development of outlot 5, the owner of outlot 5 shall install an asphalt bike path 8' in width in the State Route 665 right of way from relocated Hoover Road to the east property line of outlot 5.

Waste and Refuse:

1. All waste and refuse shall be containerized and screened from view by a solid wall, or fence and landscaping on three sides with a gate.



Utilities:

1. All new utility lines including water supply, sanitary sewer service, electricity, telephone and gas, and their connections or feeder lines shall be placed underground. (This requirement does not apply to the relocation of existing utilities). Any cost sharing with the City shall be governed by the Grove City Code.

Landscaping:

1. All required shade trees shall be a minimum of 1 1/2" - 2" caliper at time of planting. All ornamental trees shall be a minimum of 1" caliper at time of planting. All required evergreen trees shall be a minimum of 8' in height at time of planting.
2. Required street trees are not required to be equally spaced, but may be grouped to provide landscape focal points. However, the required number of street trees shall not be reduced.
3. Except as herein stated, landscaping shall be regulated by the Grove City Code (presently in effect or as subsequently amended).
4. All parking lot islands on outlots shall have the number of trees required by the Grove City Code (presently in effect or a subsequently amended).



Signage and Graphics:

1. The signage shall comply with the Grove City signage code unless varied by the Board of Zoning Appeals.

Lighting:

Except as otherwise herein stated:

1. External lighting, except for decorative fixtures and building uplighting, within the subarea shall be cut off type fixtures. No "wall packs" shall be permitted.
2. All types of parking and other exterior lighting shall be on poles or wall mounted cutoff fixture.
3. Parking lot lighting shall be no higher than 35'.
4. All external lighting fixtures must be approved as part of the final development plan.



Architecture:

Height:

1. No structure in subarea 1 shall be more than 35' in height.

Building Materials:

1. Building materials for all facades (not including roofs) of buildings in this subarea shall be brick, stone, cultured stone or glass, individually or in any combination thereof. In addition, stucco, synthetic stucco, split face block, precast concrete and wood trim may be used as an accent material not to exceed thirty percent (30%) in area of that facade.
2. Each roof top mechanical shall be screened to the height of such mechanical from off-site views in a manner and with materials which are consistent with the architecture of the building on which it is located.

SUBAREA 2 - RETAIL CENTER - Standards

Permitted Uses:

The following uses shall be permitted in Subarea 2:

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1. Those uses listed in Section 1135.14(h) (presently in effect or as subsequently amended) of the Grove City Zoning Code.
 2. Outdoor sales and storage shall be limited to the following:
 - a. Sales on the sidewalk immediately in front of the building during two periods per year not to exceed 7 days each, provided that such sales may not block doors to any building and must be in accordance with Jackson Township fire regulations;
 - b. Sales and storage by the supermarket tenant on the sidewalks in front of its space at all times within the areas approved as part of the final development plan, provided that any salt products and vending machines located on the sidewalk shall be screened from view from Hoover Road; and
 - c. Sales and storage of seasonal (defined as no more than three (3) sales periods per year not to exceed a six (6) week time frame for each sale period) items by the supermarket tenant shall be permitted in that part of the parking lot designated as "Garden Center" on the final development plan, provided that a white picket fence, four feet (4') high, enclosing all four sides of the area (with clearly defined entrances and exits) is installed and maintained around such sales area while product is located in that
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area and provided that such outdoor sale area is maintained in a neat and clean condition and further provided that sales items stored and sold in such area shall not be stacked to a height greater than ten feet (10'), except that this shall not prevent the storage and sale in that area of individual items which are more than ten feet (10') high (for example, Christmas trees).

3. Those uses listed in Section 1135.09(12) (presently in effect or as subsequently amended) subject to special use permit approved by City Council will be considered as code requires.

Yard and Setback Requirements:

1. Yard and setback requirements shall be those required by Table 1135.14 III (presently in effect or as subsequently amended).
2. Building coverage shall be that required by Table 1135.14 III (presently in effect or as subsequently amended).

Parking and Loading:

1. Parking and loading facilities shall be regulated by Grove City Code (presently in effect or as subsequently amended).
2. Loading docks shall be screened from all public streets, except at access points, by landscaping, mounding, walls or other buildings to a height of the loading dock door.

Circulation:

1. Curb cuts onto public rights of way shall be as provided for on the site plan approved as part of the final development plan. These include a curb cut onto State Route 665 along the west property line of subarea 2 to be shared with the adjoining property owner.
2. At the time of the initial development on subarea 2, traffic signals mounted on mast arm poles to Grove City specifications will be installed at the intersection of Hoover Road with Quail Creek Boulevard and the north entrance to subarea 2 and at the shared curb cut onto State Route 665 referred to in the immediately preceding item 1. At the same time, an emergency traffic signal will be installed on State Route 665 immediately west of the Jackson Township Fire Station. A traffic signal will be installed at the intersection of Hoover Road with the middle entrance to subarea 2 and the right of way described in item 2 of "Circulation" under "Subarea 1 - Outlots - Standards" at such time as that intersection meets a warrant under the Ohio Manual of Uniform Traffic Control Devices. The owner of subarea 2 shall pay the cost of designing, purchasing and installing the traffic

signals described in this item 2, except that Grove City will pay one-half of the cost of designing, acquiring and installing the traffic signal described in the immediately preceding sentence and the first traffic signal described in the first sentence of this item 2.

3. At the time of the initial development of subarea 2, the owner of subarea 2 shall install an asphalt bike path 8' in width in the State Route 665 right of way from relocated Hoover Road to the west property line of subarea 2.

Waste and Refuse:

1. All waste and refuse shall be containerized and screened from view from off site by a combination of buildings and landscaped mounds.

Utilities:

1. All new utility lines including water supply, sanitary sewer service, electricity, telephone and gas, and their connections or feeder lines shall be placed underground. (This requirement does not apply to the relocation of existing utilities). Any cost sharing with the City shall be governed by the Grove City Code.

Landscaping:

1. All required shade trees shall be a minimum of 1 1/2" - 2" caliper at time of planting. All ornamental trees shall be a minimum of 1" caliper at time of planting. All required evergreen trees shall be a minimum of 8' in height at time of planting, except as otherwise provided in the next sentence. The landscape buffer along the north property line of subarea 2 and south along the west property line of subarea 2 to the fire station property shall not be required to meet code so long as it is approved by the Buckeye Ranch.
2. Required street trees are not required to be equally spaced, but may be grouped to provide landscape focal points. However, the required number of street trees shall not be reduced.
3. Internal parking lot landscaping shall be provided on the islands shown on the site plan. At least one tree shall be provided on 75% of those islands. However, the required number of internal parking lot trees shall not be reduced.
4. Except as herein stated, landscaping shall be regulated by the Grove City Code (presently in effect or as subsequently amended).
5. The final development plan will provide for a plaza area outside the main exit from the supermarket.

6. The area around the detention basin, as shown on the site plan, will be developed as an amenity with landscaping and benches.
7. The final development plan may provide for rows of up to 18 parking spaces without a landscaped island.

Signage and Graphics:

1. Three ground-mounted signs shall be permitted in subarea 2. One may be a pylon sign not exceeding 20' in height and having a graphic message area not exceeding 150 square feet per face for identification of one or more tenants and an additional 20 square feet per face for the name of the shopping center, provided that such sign must have brick side supports to the full height of the graphic message area and an architectural feature consistent with the architecture of the shopping center across the top of the sign. The other two shall be monument signs not exceeding 8' in height and having graphic message areas not exceeding 50 square feet per face for identification of one or more tenants and an additional 10 square feet per face for the name of the shopping center. The ground mounted signs in subarea 2 shall not include changeable message lettering.
2. Each building tenant may have building-mounted signage having a total number of square feet of graphic message area equal to 1.5 times the number of lineal feet of the front facade occupied by such tenant's space, up to a maximum of 400 square feet of graphic message area.
3. All building-mounted signage shall be externally illuminated, except the building-mounted signage for the three tenants which occupy the spaces which have architectural feature points on their facades. Those tenants' building-mounted signage may be internally illuminated, individual channel letter signage.
4. The externally illuminated, building-mounted signage shall have only one color, except as follows: logos may have 2 colors; and signs which have a background panel may have one additional color for the background panel.
5. Except as herein stated, the signage shall comply with the signage code unless varied by the Board of Zoning Appeals.

Lighting:

Except as otherwise herein stated:

1. External lighting, except for decorative fixtures and building uplighting, within the subarea shall be cut off type fixtures. No "wall packs" shall be permitted.
2. All types of parking and other exterior lighting shall be on poles or wall mounted cutoff fixture.

3. Parking lot lighting shall be no higher than 35'.
4. All external lighting fixtures must be approved as part of the final development plan.

Architecture:

1. The architectural concept for the front facade of the retail center shall be as shown on the approved final development plan.

Height:

1. No structure in subarea 2 shall be more than 35' in height, except that architectural feature points may be 50' in height.

Building Materials:

1. Building materials for the front and side facades (not including roofs) of buildings in this subarea shall be brick, stone, cultured stone or glass, individually or in any combination thereof. In addition, stucco, synthetic stucco, split face block and wood trim may be used as an accent material not to exceed thirty percent (30%) in area of that facade. Precast concrete products shall be permitted only on the rear facade.
2. Each roof top mechanical shall be screened to the height of such mechanical from off-site views in a manner and with materials which are consistent with the architecture of the building on which it is located.