



Legislation Details (With Text)

File #: 0820-2005 **Version:** 3

Type: Ordinance **Status:** Passed

File created: 4/25/2005 **In control:** Zoning Committee

On agenda: 10/17/2005 **Final action:** 10/20/2005

Title: To rezone 2700 BETHEL ROAD (43220), being 39.44± acres located on the north side of Bethel Road, 380± feet east of Sawmill Road, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District. (Rezoning # Z04-095)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD820-2005site.dah.pdf, 2. ORD820-2005lscp.dah.pdf, 3. ORD820-2005elev.dah.pdf, 4. ORD820-2005StfRpt.dah.pdf, 5. ORD820-2005zon.dah.pdf, 6. ORD820-2005gis.dah.pdf, 7. ORD820-2005prjdscl.dah.pdf, 8. City Council Data FormZ04-095.pdf, 9. ORD820-2005Labels.pdf

Date	Ver.	Action By	Action	Result
10/20/2005	3	ACTING CITY CLERK	Attest	
10/19/2005	3	MAYOR	Signed	
10/17/2005	1	Zoning Committee	Amended as submitted to the Clerk	Pass
10/17/2005	1	Zoning Committee	Waive the 2nd Reading	Pass
10/17/2005	3	Zoning Committee	Approved as Amended	Pass
10/17/2005	3	COUNCIL PRESIDENT	Signed	
10/6/2005	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
9/21/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
9/19/2005	1	Dev Zoning Drafter	Sent for Approval	
9/19/2005	1	Dev Zoning Reviewer	Reviewed and Approved	
9/19/2005	1	Dev Zoning Drafter	Sent for Approval	
7/8/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
6/29/2005	1	Dev Zoning Drafter	Sent for Approval	
6/29/2005	1	Dev Zoning Reviewer	Sent for Approval	
6/7/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
6/7/2005	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
6/7/2005	1	City Clerk's Office	Sent back for Clarification/Correction	
5/27/2005	1	Dev Zoning Reviewer	Reviewed and Approved	
5/27/2005	1	Dev Zoning Drafter	Sent for Approval	
5/5/2005	1	Dev Zoning Drafter	Sent for Approval	

Rezoning Application Z04-095

APPLICANT: Carriage Place; c/o Jeffrey L. Brown, Atty.; Smith and Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: Retail commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on March 10, 2005.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested CPD, Commercial Planned Development District would permit the partial redevelopment of a large-scale shopping center. The current CPD zoning district limits the main shopping center to 265,000 square feet. This rezoning request would permit the transfer of 17,450 square feet of unused permitted building space in the parking lot to the main shopping center and provide a variance to reduce the required number of parking spaces from 1,907 spaces to 1,684 spaces. The Transportation Division has determined that the 223-space reduction can be supported. The proposed development text, site plan, landscaping plan, and elevation drawings establish development standards addressing sidewalks, lighting, landscaping, outdoor display, screening, and building design that are more restrictive than the current zoning.

To rezone **2700 BETHEL ROAD (43220)**, being 39.44± acres located on the north side of Bethel Road, 380± feet east of Sawmill Road, **From:** CPD, Commercial Planned Development District, **To:** CPD, Commercial Planned Development District. (Rezoning # Z04-095)

WHEREAS, application #Z04-095 is on file with the Building Services Division of the Department of Development requesting rezoning of 39.44± acres from the CPD, Commercial Planned Development District to CPD, Commercial Planned Development District; and,

WHEREAS, the City Departments recommend approval because the requested CPD, Commercial Planned Development District would permit the partial redevelopment of a large-scale shopping center. The current CPD zoning district limits the main shopping center to 265,000 square feet. This rezoning request would permit the transfer of 17,450 square feet of unused permitted building space in the parking lot to the main shopping center and provide a variance to reduce the required number of parking spaces from 1,907 spaces to 1,684 spaces. The Transportation Division has determined that the 223-space reduction can be supported. The proposed development text, site plan, landscaping plan, and elevation drawings establish development standards addressing sidewalks, lighting, landscaping, outdoor display, screening, and building design that are more restrictive than the current zoning; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, Ordinance #691-89, passed March 27, 1989, rezoned 43.29± acres from the PUD-8, Planned Unit Development, CPD, Commercial Planned Development, and C-1, Commercial Districts to permit the development of the existing Carriage Place shopping center. That rezoning established specific use restrictions and development standards including a maximum build-out of 282,450 square feet for the main shopping center; and

WHEREAS, Ordinance #0002-98, passed January 12, 1999, rezoned the site again to the CPD district to permit an additional 10,000 square feet of outparcel development and all other requirements of the previous CPD zoning were otherwise left intact and unchanged; and

WHEREAS, The existing main shopping center consists of 247,856 square feet, 17,144 square feet less than allowed under the current CPD zoning; and

WHEREAS, The proposed CPD district acknowledge an existing 89 space parking deficiency for which there was no variance or waiver granted and provide a total parking variance of 223 spaces required by the proposal; and

WHEREAS, The requested CPD, Commercial Planned Development District would increase the maximum allowable size of the existing shopping center from 265,000 square feet to 282,450 square feet, now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

2700 BETHEL ROAD (43220), being 39.44± acres located on the north side of Bethel Road, 380± feet east of Sawmill Road, and being more particularly described as follows:

Exhibit A

PARCEL I

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS. QUARTER TOWNSHIP 4, TOWNSHIP 2, RANGE 19, UNITED STATES MILITARY LANDS, AND BEING ALL OUT OF THAT TRACT OF LAND AS CONVEYED TO CARRIAGE PLACE OF RECORD IN OFFICIAL RECORD 14865 D03 AND OFFICIAL RECORD 14859 I19. (ALL REFERENCE BEING TO THE RECORDS OF THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO) AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON SET IN THE SOUTHERLY RIGHT-OF-WAY LINE OF RESLER DRIVE OF RECORD IN PLAT BOOK 70, PAGE 70. BEING SOUTH 86° 57' 17" EAST, A DISTANCE OF 87.37 FEET AND SOUTH 03° 02' 43" WEST. A DISTANCE OF 39.72 FEET FROM THE CENTERLINE OF SAID RESLER DRIVE WITH SAWMILL ROAD;

THENCE WITH SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES:

NORTH 89° 36' 42" EAST, A DISTANCE OF 95.70 FEET TO AN IRON PIN SET;

SOUTH 86° 57' 17" EAST, A DISTANCE OF 84.38 FEET TO AN IRON PIN SET;

SOUTH 89° 49' 02" EAST, A DISTANCE OF 79.90 FEET TO AN IRON PIN SET;

SOUTH 86°57'17" EAST, A DISTANCE OP 748.90 FEET TO AN IRON PIN SET AT THE NORTHWESTERLY CORNER OF THAT 2.092 ACRE TRACT AS CONVEYED TO CARRIAGE PLACE OF RECORD IN OFFICIAL RECORD 16178 A08;

THENCE WITH THE PERIMETER OF SAID 2.092 ACRE TRACT, THE FOLLOWING COURSES:

SOUTH 02° 51' 08" WEST, A DISTANCE OF 332.73 FEET TO A MAG NAIL SET AT A SOUTHWESTERLY CORNER THEREOF;

SOUTH 87° 08' 52" EAST, A DISTANCE OF 274.31 FEET TO A MAG NAIL SET AT A SOUTHEASTERLY CORNER THEREOF;

NORTH 02° 51' 08" EAST, A DISTANCE OF 331.81 FEET TO AN IRON PIN SET IN THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID RESLER DRIVE;

THENCE WITH SAID SOUTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING COURSES:

SOUTH 86° 57' 17" EAST, A DISTANCE OF 174.18 FEET TO AN IRON PIN SET AT A POINT OF CURVATURE;

WITH A CURVE TO THE RIGHT-OF-WAY A CENTRAL ANGLE OF 89° 48' 25" AND A RADIUS OF 295.00 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 42° 03' 05" EAST, 416.49 FEET TO AN IRON PIN SET AT A POINT OF TANGENCY IN THE WESTERLY RIGHT-OF-WAY LINE OF PICKFORDE DRIVE;

THENCE SOUTH 02° 51' 08" WEST, WITH SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 503.22 FEET TO AN IRON PIN SET AT THE NORTHEASTERLY CORNER OF THAT 1.063 ACRE TRACT AS CONVEYED TO CARRIAGE PLACE OF RECORD IN OFFICIAL RECORD 16096 I02;

THENCE WITH A NORTHERLY LINE OF SAID 1.063 ACRE TRACT, WITH A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 68° 57' 38" AND A RADIUS OF 30.00 FEET, A CHORD BEARING AND DISTANCE OF NORTH 52° 40' 03" WEST,

33.97 FEET TO A MAG NAIL SET AT A POINT OF TANGENCY;

THENCE NORTH 87° 08' 52" WEST, PARTLY WITH A NORTHERLY LINE OF SAID 1.063 ACRE TRACT AND PARTLY WITH THE NORTHERLY LINE OF THAT 1.014 ACRE TRACT AS CONVEYED TO CARRIAGE PLACE OF RECORD IN OFFICIAL RECORD 19201 J03, A DISTANCE OF 350.00 FEET TO A MAG NAIL SET AT THE NORTHWESTERLY CORNER OF SAID 1.014 ACRE TRACT;

THENCE SOUTH 02° 51' 08" WEST, WITH THE WESTERLY LINE OF SAID 1.014 ACRE TRACT, A DISTANCE OF 240.00 FEET TO AN IRON PIN SET IN THE NORTHERLY RIGHT-OF-WAY LINE OF BETHEL ROAD;

THENCE NORTH 87° 08' 52" WEST, WITH SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 24.00 FEET TO AN IRON PIN SET AT THE SOUTHEASTERLY CORNER OF THAT 1.461 ACRE TRACT AS CONVEYED TO CARRIAGE PLACE OF RECORD IN INSTRUMENT NUMBER 199708070065814;

THENCE WITH A PORTION OF THE PERIMETER OF SAID 1.461 ACRE TRACT, THE FOLLOWING COURSES;

NORTH 02° 51' 08" EAST, A DISTANCE OF 312.00 FEET TO A MAG NAIL SET AT A NORTHEASTERLY CORNER THEREOF;

NORTH 87° 08' 52" WEST, A DISTANCE OF 204.00 FEET TO A MAG NAIL SET AT A NORTHWESTERLY CORNER THEREOF;

SOUTH 02° 51' 08" WEST, A DISTANCE OF 72.00 FEET TO A MAG NAIL SET AT THE NORTHEASTERLY CORNER OF THAT 1.210 ACRE TRACT AS CONVEYED TO CARRIAGE PLACE OF RECORD IN OFFICIAL RECORD 19201 H8;

THENCE WITH A PORTION OF THE PERIMETER OF SAID 1.210 ACRE TRACT, THE FOLLOWING COURSES:

NORTH 87° 08'52" WEST, A DISTANCE OF 200.00 FEET TO A MAG NAIL SET AT A POINT OF CURVATURE;

WITH A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 90° 00' 00" AND A RADIUS OF 20.00 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 47° 51' 08" WEST, 28.28 FEET TO A MAG NAIL SET AT A POINT OF TANGENCY;

SOUTH 02° 51' 08" WEST, A DISTANCE OF 220.00 FEET TO A MAG NAIL SET IN SAID NORTHERLY RIGHT-OF-WAY LINE;

THENCE NORTH 87° 08' 52" WEST WITH SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 85.00 FEET TO AN IRON PIN SET AT THE SOUTHEASTERLY CORNER OF THAT 1.747 ACRE TRACT AS CONVEYED TO CARRIAGE PLACE OF RECORD IN INSTRUMENT NUMBER 199802110031488;

THENCE WITH A PORTION OF THE PERIMETER OF SAID 1.747 ACRE TRACT, THE FOLLOWING COURSES:

NORTH 02° 51' 08" EAST, A DISTANCE OF 50.00 FEET TO A MAG NAIL SET:

SOUTH 87° 08' 52" EAST, A DISTANCE OF 20.00 FEET TO A MAG NAIL SET;

NORTH 02° 51' 08" EAST, A DISTANCE OF 166.77 FEET TO A MAG NAIL SET AT A NORTHEASTERLY CORNER THEREOF;

NORTH 72° 08' 52" WEST, A DISTANCE OF 310.66 FEET TO A MAG NAIL SET AT A NORTHWESTERLY CORNER THEREOF;

SOUTH 02° 51' 08" WEST, A DISTANCE OF 297.17 FEET TO AN IRON PIN SET IN SAID NORTHERLY RIGHT-OF-WAY LINE;

THENCE NORTH 87° 08' 52" WEST WITH SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 34.00 FEET TO AN

IRON PIN SET AT THE SOUTHEASTERLY CORNER OF THAT 0.916 ACRE TRACT AS CONVEYED TO CARRIAGE PLACE OF RECORD IN OFFICIAL RECORD 19201 H5;

THENCE WITH A PORTION OF THE PERIMETER OF SAID 0.916 ACRE TRACT, THE FOLLOWING COURSES:

NORTH 02° 51' 08" EAST, A DISTANCE OF 219.98 FEET TO A MAG NAIL SET AT A NORTHEASTERLY CORNER THEREOF;

NORTH 87° 08' 52" WEST, A DISTANCE OF 179.73 FEET TO A MAG NAIL SET IN THE EASTERLY LINE OF THAT 1.449 ACRE TRACT AS CONVEYED TO CARRIAGE PLACE OF RECORD IN OFFICIAL RECORD 16096 H20;

THENCE WITH A PORTION OF THE PERIMETER OF SAID 1.449 ACRE TRACT, THE FOLLOWING COURSES:

NORTH 03° 42' 15" EAST, A DISTANCE OF 116.00 FEET TO A MAG NAIL SET TO A NORTHEASTERLY CORNER THEREOF;

NORTH 71° 17' 40" WEST, A DISTANCE OF 181.15 FEET TO A MAG NAIL SET IN THE EASTERLY LINE OF THAT 1.115 ACRE TRACT AS CONVEYED TO STEVE L. CORDLE OF RECORD IN INSTRUMENT NUMBER 200005020085907;

THENCE WITH A PORTION OF THE PERIMETER OF SAID 1.115 ACRE TRACT, THE FOLLOWING COURSES:

NORTH 03° 42' 15" EAST, A DISTANCE OF 19.52 FEET TO A MAG NAIL SET;

NORTH 87° 08' 52" WEST, A DISTANCE OF 6.95 FEET TO A MAG NAIL SET AT THE SOUTHEASTERLY CORNER OF THAT 0.821 ACRE TRACT AS CONVEYED TO CARRIAGE PLACE OF RECORD IN OFFICIAL RECORD 19201 H2;

THENCE WITH A PORTION OF FEET PERIMETER OF SAID 0.821 ACRE TRACT, THE FOLLOWING COURSES:

NORTH 02° 51' 08" EAST, A DISTANCE OF 174.99 FEET TO AN IRON PIN SET AT THE NORTHEASTERLY CORNER THEREOF;

NORTH 86° 17' 45" WEST, A DISTANCE OF 201.43 FEET TO AN IRON PIN SET IN THE EASTERLY RIGHT-OF-WAY LINE OF SAID SAWMILL ROAD;

THENCE NORTH 03° 42' 15" EAST, WITH SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 64.90 FEET TO AN IRON PIN SET AT THE SOUTHWESTERLY CORNER OF THAT 0.713 ACRE TRACT AS CONVEYED TO CARRIAGE PLACE OF RECORD IN OFFICIAL RECORD 16096 H17;

THENCE WITH A PORTION OF THE PERIMETER OF SAID 0.713 ACRE TRACT, THE FOLLOWING COURSES:

SOUTH 86° 17' 45" EAST, A DISTANCE OF 200.92 FEET TO A MAG NAIL SET AT A SOUTHEASTERLY CORNER THEREOF;

NORTH 02° 51' 08" EAST, A DISTANCE OF 157.00 FEET TO A MAG NAIL SET AT A NORTHEASTERLY CORNER THEREOF;

NORTH 87° 08' 52" WEST, A DISTANCE OF 198.61 FEET TO AN IRON PIN SET IN THE EASTERLY RIGHT-OF-WAY LINE OF SAWMILL ROAD;

THENCE WITH SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING COURSES:

NORTH 03° 42' 15" EAST, A DISTANCE OF 182.84 FEET TO AN IRON PIN SET AT A POINT OF CURVATURE;

WITH A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 85° 53' 45" AND A RADIUS OF 30.00 FEET, A CHORD BEARING AND DISTANCE OF NORTH 46° 39' 29" EAST, 40.88 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING 26.955 ACRE OF LAND, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS NORTH 86° 57' 17" WEST FOR THE CENTERLINE OF RESLER

DRIVE OF RECORD IN PLAT BOOK 70, PAGE 70.

PARCEL II

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, BEING LOCATED IN QUARTER TOWNSHIP 4, TOWNSHIP 2, RANGE 19, UNITED STATES MILITARY LANDS AND BEING PART OF THE 39.447 ACRE TRACT OF LAND CONVEYED TO CARRIAGE PLACE, AN OHIO GENERAL PARTNERSHIP. BY DEEDS OF RECORD IN OFFICIAL RECORD 14865 D03 AND OFFICIAL RECORD 14859 I19, AND BEING ONE AND THE SAME AS THE 0.713 ACRE TRACT OF LAND CONVEYED BY CARRIAGE PLACE, AN OHIO GENERAL PARTNERSHIP, TO CENTRAL HOLDING CORPORATION, BY DEED OF RECORD IN OFFICIAL RECORD 16096 H02, AS RECONVEYED TO CARRIAGE PLACE, AN OHIO GENERAL PARTNERSHIP, BY DEED OF RECORD IN OFFICIAL RECORD 16096 H17, ALL REFERENCES BEING TO RECORDS IN THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF SAWMILL ROAD, THAT IS LOCATED NORTH 3° 42' 15" EAST, 707.90 FEET AND SOUTH 86° 17' 45" EAST, 60.00 FEET FROM THE INTERSECTION OF THE CENTERLINE OF SAWMILL ROAD WITH THE CENTERLINE OF BETHEL ROAD;

THENCE NORTH 3° 42' 15" EAST, ALONG SAID RIGHT-OF-WAY LINE OF SAWMILL ROAD, A DISTANCE OF 154.03 FEET TO A POINT;

THENCE SOUTH 87° 08' 52" EAST, A DISTANCE OF 198.61 FEET TO A POINT;

THENCE SOUTH 2° 51' 08" WEST, A DISTANCE OF 157.00 FEET TO A POINT;

THENCE NORTH 86° 17' 45" WEST, A DISTANCE OF 200.92 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.713 ACRES, MORE OR LESS.

BEARINGS CONTAINED HEREIN, ARE BASED ON THE SAME MERIDIAN AS BEARINGS ON PLAT OF RECORD IN PLAT BOOK 58, PAGE 19.

PARCEL III

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, QUARTER TOWNSHIP 4, TOWNSHIP 2, RANGE 19, UNITED STATES MILITARY LANDS, BEING 1.449 ACRES LOCATED WITHIN THAT PARCEL 2, LESS EXCEPTIONS, AS DESCRIBED IN A DEED TO LION-BETHEL LIMITED PARTNERSHIP (ONE-HALF INTEREST), OF RECORD IN OFFICIAL RECORDS VOLUME 9619, PAGE H11, AND AS DESCRIBED IN A DEED TO SAWMILL-BETHEL ASSOCIATES (ONE-HALF INTEREST) OF RECORD IN OFFICIAL RECORDS VOLUME 9599, PAGE F14 (ALL REFERENCES HEREIN BEING TO THE RECORDS LOCATED IN THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO), SAID 1.449 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND AT THE SOUTHWESTERLY CORNER OF THAT 1.115 ACRE TRACT OF LAND AS DESCRIBED IN A DEED TO OHIO STATE BANK. OF RECORD IN DEED BOOK 3799, PAGE 773, AND IN THE NORTHERLY RIGHT-OF-WAY LINE OF BETHEL ROAD (60 FEET FROM CENTERLINE), AS SHOWN AND DELINEATED UPON THE PLAT "DEDICATION PLAT OF SAWMILL ROAD, BETHEL ROAD, AND PICKFORDE DRIVE," OF RECORD IN PLAT BOOK 58, PAGES 20 AND 21;

THENCE NORTH 3° 35' 54" EAST, ALONG THE EASTERLY LINE OF SAID 1.115 ACRE TRACT, A DISTANCE OF 385.48 FEET TO AN IRON PIN SET;

THENCE THROUGH THE AFOREMENTIONED 36.84 ACRE TRACT THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. SOUTH 71° 24' 06" EAST, A DISTANCE OF 181.15 FEET TO AN IRON PIN SET;
2. SOUTH 3° 33' 54" WEST, A DISTANCE OF 336.00 FEET TO AN IRON PIN SET IN THE AFOREMENTIONED NORTHERLY RIGHT-OF-WAY LINE OF BETHEL ROAD;

THENCE NORTH 87° 15' 00" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 175.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.449 ACRES OF LAND.

BEARINGS HEREIN ARE BASED ON THOSE OF THE AFOREMENTIONED PLAT, OF RECORD IN PLAT BOOK 58 PAGES 20 AND 21.

IRON PINS SET CONSIST OF A 30" LONG IRON PIPE, 1" O.D. WITH A PLASTIC PLUG INSCRIBED "M-EAST BLDG CONSULTANTS."

PARCEL IV

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, BEING LOCATED IN QUARTER TOWNSHIP 4, TOWNSHIP 2, RANGE 19, UNITED STATES MILITARY LANDS, AND BEING PART OF THE 39.447 ACRE TRACT OF LAND CONVEYED TO CARRIAGE PLACE AN OHIO GENERAL PARTNERSHIP BY DEEDS OF RECORD IN OFFICIAL RECORD 14865 D03 AND OFFICIAL RECORD 14859 I19, AND BEING ONE AND THE SAME AS THE 1.063 ACRE TRACT OF LAND CONVEYED BY CARRIAGE PLACE, AN OHIO GENERAL PARTNERSHIP, TO CENTRAL HOLDING CORPORATION, BY DEED OF RECORD IN OFFICIAL RECORD 16096 I19, AS RECONVEYED TO CARRIAGE PLACE AN OHIO GENERAL PARTNERSHIP, BY DEED OF RECORD IN OFFICIAL RECORD 16096 I2, ALL REFERENCES BEING TO RECORDS IN THE RECORDER'S OFFICE, FRANKLIN COUNTY AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY RIGHT-OF-WAY LINE OF BETHEL ROAD (AS DEDICATED BY PLAT OF RECORD IN PLAT BOOK 58, PAGES 20 AND 21), THAT IS LOCATED NORTH 2° 51' 08" EAST, 60.00 FEET AND NORTH 87° 08' 52" WEST, 50.00 FEET FROM THE INTERSECTION OF THE CENTERLINE OF BETHEL ROAD WITH THE CENTERLINE OF PICKFORDE DRIVE (AS DEDICATED BY PLAT OF RECORD IN PLAT BOOK 70, PAGE 70);

THENCE NORTH 87° 08' 52" WEST, ALONG SAID RIGHT-OF-WAY LINE OF BETHEL ROAD (BEING 60 FEET NORTHERLY AS MEASURED AT RIGHT ANGLES AND PARALLEL WITH THE CENTERLINE OF BETHEL ROAD), A DISTANCE OF 174.00 FEET TO A POINT;

THENCE NORTH 2° 51' 08" EAST, A DISTANCE OF 240.00 FEET TO A POINT;

THENCE SOUTH 87° 08' 52" EAST, A DISTANCE OF 166.00 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT;

THENCE ALONG THE ARC OF SAID CURVE (SUB-DELTA = 68° 57' 38", RADIUS = 30.00 FEET), A CHORD BEARING AND DISTANCE OF SOUTH 52° 40' 03" EAST, 33.97 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF PICKFORDE DRIVE (60 FEET IN WIDTH);

THENCE SOUTH 2° 51' 08" WEST, ALONG SAID RIGHT-OF-WAY LINE OF PICKFORDE DRIVE, A DISTANCE OF 200.77 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT;

THENCE ALONG THE ARC OF SAID CURVE (DELTA = 90° 00' 00". RADIUS = 20.00 FEET), A CHORD BEARING A DISTANCE OF SOUTH 47° 51' 08" WEST, 28.28 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.063 ACRE, MORE OR LESS.

BEARINGS CONTAINED HEREIN ARE BASED ON THE SAME MERIDIAN AS BEARINGS ON PLAT OF RECORD IN PLAT BOOK 70, PAGE 70.

PARCEL V

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, BEING LOCATED IN SECTION 4, TOWNSHIP 2, RANGE 19, UNITED STATES MILITARY LANDS AND BEING PART OF THE 39.447 ACRE TRACT (PARCEL 1) CONVEYED TO CARRIAGE PLACE. BY DEEDS OF RECORD IN OFFICIAL RECORD 14859 I19 AND OFFICIAL RECORD 14865 D03, ALL REFERENCES BEING TO RECORDS IN THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF RESLER DRIVE (AS DEDICATED BY PLAT OF RECORD IN PLAT BOOK 70 PAGE 70 AND BEING 60 FEET IN WIDTH), THAT IS LOCATED SOUTH 86° 57' 17" EAST, 1095.98 FEET AND SOUTH 2° 51' 08" WEST, 30.00 FEET FROM THE INTERSECTION OF THE CENTERLINE OF RESLER DRIVE WITH THE CENTERLINE OF SAWMILL ROAD;

THENCE SOUTH 86° 57' 17" EAST, ALONG SAID RIGHT-OF-WAY LINE OF RESLER DRIVE. A DISTANCE OF 274.31 FEET TO A POINT;

THENCE SOUTH 2° 51' 08" WEST, A DISTANCE OF 331.81 FEET TO A POINT;

THENCE NORTH 87° 08' 52" WEST, A DISTANCE OF 274.31 FEET TO A POINT;

THENCE NORTH 2° 51' 08" EAST, A DISTANCE OF 332.73 FEET TO THE PLACE OF BEGINNING, CONTAINING 2.092 ACRES, MORE OR LESS.

BEARINGS CONTAINED HEREIN ARE BASED ON THE SAME MERIDIAN AS BEARINGS IN PLAT OF RECORD IN PLAT BOOK 70, PAGE 70.

PARCEL VI

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, BEING LOCATED IN QUARTER TOWNSHIP 4, TOWNSHIP 2, RANGE 19, UNITED STATES MILITARY LANDS AND BEING PART OF THE 39.447 ACRE TRACT OF LAND CONVEYED TO CARRIAGE PLACE BY DEEDS OF RECORD IN OFFICIAL RECORD 14865 D03 AND OFFICIAL RECORD 14859 I19, ALL REFERENCES BEING TO RECORDS IN THE RECORDER'S OFFICE. FRANKLIN COUNTY, OHIO AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN ANGLE POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF SAWMILL ROAD, SAID POINT BEING IN THE NORTHERLY LINE OF THE 1.108 ACRE TRACT CONVEYED TO OHIO STATE BANK, BY DEED OF RECORD IN DEED BOOK 3790, PAGE 773, SAID POINT ALSO BEING LOCATED NORTH 3° 42' 15" EAST, 465.00 FEET AND SOUTH 87° 08' 52" EAST, 60.00 FEET FROM THE INTERSECTION OF THE CENTERLINE OF SAWMILL ROAD WITH THE CENTERLINE OF BETHEL ROAD;

THENCE NORTH 3° 42' 15" EAST, ALONG SAID RIGHT-OF-WAY LINE OF SAWMILL ROAD, A DISTANCE OF 178.00 FEET TO A POINT;

THENCE SOUTH 86° 17' 45" EAST, A DISTANCE OF 201.43 FEET TO A POINT;

THENCE SOUTH 2° 51' 08" WEST, A DISTANCE OF 174.99 FEET TO A POINT IN THE NORTHERLY LINE OF THE OHIO STATE BANK 1.108 ACRE TRACT;

THENCE NORTH 87° 08' 52" WEST, ALONG SAID NORTHERLY LINE OF THE OHIO STATE BANK 1.108 ACRE TRACT, A DISTANCE OF 204.05 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.821 ACRES, MORE OR LESS.

BEARINGS CONTAINED HEREIN ARE BASED ON THE SAME MERIDIAN AS BEARINGS ON PLAT OF RECORD IN PLAT BOOK 58, PAGE 19.

PARCEL VII

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, BEING LOCATED IN QUARTER TOWNSHIP 4, TOWNSHIP 2, RANGE 19, UNITED STATES MILITARY LANDS AND BEING PART OF THE 39.447 ACRE TRACT OF LAND CONVEYED TO CARRIAGE PLACE BY DEEDS OF RECORD IN OFFICIAL RECORD 14865 D03 AND OFFICIAL RECORD 14859 I19, ALL REFERENCES BEING TO RECORDS IN THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING FOR REFERENCE AT THE INTERSECTION OF THE CENTERLINE OF BETHEL ROAD WITH THE CENTERLINE OF SAWMILL ROAD;

THENCE SOUTH 87° 08' 52" EAST, ALONG THE CENTERLINE OF BETHEL ROAD, A DISTANCE OF 446.90 FEET TO A POINT;

THENCE NORTH 2° 51' 08" EAST, A DISTANCE OF 60.00 FEET TO A POINT IN THE NORTHERLY RIGHT-OF-WAY LINE OF BETHEL ROAD AND BEING THE TRUE POINT OF BEGINNING AND THE SOUTHWESTERLY CORNER OF THE

TRACT HEREIN INTENDED TO BE DESCRIBED;

THENCE NORTH 3° 42' 15" EAST, A DISTANCE OF 220.00 FEET TO A POINT;

THENCE SOUTH 87° 08' 52" EAST, A DISTANCE OF 179.73 FEET TO A POINT;

THENCE SOUTH 2° 51' 08" WEST, A DISTANCE OF 219.98 FEET TO A POINT IN THE NORTHERLY RIGHT-OF-WAY LINE OF BETHEL ROAD;

THENCE NORTH 87° 08' 52" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 183.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.916 ACRES, MORE OR LESS.

BEARINGS CONTAINED HEREIN ARE BASED ON THE SAME MERIDIAN AS BEARINGS IN PLAT OF RECORD IN PLAT BOOK 70, PAGE 70.

PARCEL VIII

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS. BEING LOCATED IN QUARTER TOWNSHIP 4, TOWNSHIP 2, RANGE 19, UNITED STATES MILITARY LANDS BEING PART OF THE 39.447 ACRE TRACT OF LAND CONVEYED TO CARRIAGE PLACE. BY DEEDS OF RECORD IN OFFICIAL RECORD 14865 D03 AND OFFICIAL RECORD 14859 I19, ALL REFERENCES BEING TO RECORDS IN THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY RIGHT-OF-WAY LINE OF BETHEL ROAD (AS DEDICATED BY PLAT OF RECORD IN PLAT BOOK 58 PAGES 20 AND 21) THAT IS LOCATED NORTH 2° 51' 08" EAST 60.00 FEET AND NORTH 87° 08' 52" WEST, 941.00 FEET FROM THE INTERSECTION OF THE CENTERLINE OF BETHEL ROAD WITH THE CENTERLINE OF PICKFORDE DRIVE (AS DEDICATED BY PLAT OF RECORD IN PLAT BOOK 70, PAGE 70);

THENCE NORTH 87° 08' 52" WEST, ALONG SAID RIGHT-OF-WAY LINE OF BETHEL ROAD, A DISTANCE OF 280.07 FEET TO A POINT;

THENCE NORTH 2° 51' 08" EAST, A DISTANCE OF 297.17 FEET TO A POINT;

THENCE ~~NORTH~~SOUTH 72° 08' 52" EAST, A DISTANCE OF 310.66 FEET TO A POINT;

THENCE SOUTH 2° 51' 08" WEST, A DISTANCE OF 166.77 FEET TO A POINT;

THENCE NORTH 87° 08' 52" WEST, A DISTANCE OF 20.00 FEET TO A POINT;

THENCE SOUTH 2° 51' 08" WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.747 ACRES, MORE OR LESS.

BEARINGS CONTAINED HEREIN ARE BASED ON THE SAME MERIDIAN AS THE BEARING OF THE CENTERLINE OF SAWMILL ROAD (NORTH 3° 42' 15" EAST), OF RECORD IN PLAT BOOK 70, PAGE 70.

PARCEL IX

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, BEING LOCATED IN QUARTER TOWNSHIP 4, TOWNSHIP 2, RANGE 19, UNITED STATES MILITARY LANDS AND BEING PART OF THE 39.447 ACRE TRACT OF LAND (PARCEL 1) CONVEYED TO CARRIAGE PLACE, BY DEED OF RECORD IN OFFICIAL RECORD 14865 D03, ALL REFERENCES BEING TO RECORDS IN THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY RIGHT-OF-WAY LINE OF BETHEL ROAD (AS DEDICATED BY PLAT OF RECORD IN PLAT BOOK 58, PAGES 20 AND 21), THAT IS LOCATED NORTH 2° 51' 08" EAST, 60.00 FEET AND NORTH 87° 08' 52" WEST, 636.00 FEET FROM THE INTERSECTION OF THE CENTERLINE OF BETHEL ROAD WITH THE CENTERLINE OF PICKFORDE DRIVE (AS DEDICATED BY PLAT OF RECORD IN PLAT BOOK 70, PAGE 70);

THENCE NORTH 87° 08' 52" WEST, ALONG SAID RIGHT-OF-WAY LINE OF BETHEL ROAD (BEING 60 FEET

NORTHERLY, AS MEASURED AT RIGHT ANGLES AND PARALLEL WITH THE CENTERLINE OF BETHEL ROAD) A DISTANCE OF 220.00 FEET TO A POINT;

THENCE NORTH 2° 51' 08" EAST, A DISTANCE OF 220.00 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT;

THENCE ALONG THE ARC OF SAID CURVE (DELTA = 90° 00' 00". RADIUS = 20.00 FEET), A CHORD BEARING AND DISTANCE OF NORTH 47° 51' 08" EAST, 28.28 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 87° 08' 52" EAST, A DISTANCE OF 200.00 FEET TO A POINT;

THENCE SOUTH 2° 51' 08" WEST, A DISTANCE OF 240.00 FEET TO THE PLACE OF BEGINNING CONTAINING 1.210 ACRES, MORE OR LESS.

BEARINGS CONTAINED HEREIN ARE BASED ON THE SAME MERIDIAN AS BEARINGS ON PLAT OF RECORD IN PLAT BOOK 70, PAGE 70.

PARCEL X

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, BEING LOCATED IN QUARTER TOWNSHIP 4, TOWNSHIP 19, UNITED STATES MILITARY LANDS AND BEING PART OF THE 39.447 ACRE TRACT OF LAND CONVEYED TO CARRIAGE PLACE, BY DEEDS OF RECORD IN OFFICIAL RECORD 14865 D03 AND OFFICIAL RECORD 14859 I19, (ALL REFERENCES BEING TO RECORDS IN THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO), ALSO BEING THE ENTIRE 1.124 ACRES (TRACT II) CONVEYED TO CENTRAL HOLDING CORPORATION IN OFFICIAL RECORD 19201 I02 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A DRILL HOLE FOUND IN A CONCRETE CURB, BEING IN THE NORTHERLY RIGHT-OF-WAY LINE OF BETHEL ROAD (AS DEDICATED BY PLAT OF RECORD IN PLAT BOOK 58, PAGES 20 AND 21) THAT IS LOCATED NORTH 2° 51' 08" EAST, 60.00 FEET AND NORTH 87° 08' 52" WEST, 432.00 FEET FROM THE INTERSECTION OF THE CENTERLINE OF BETHEL ROAD WITH THE CENTERLINE OF PICKFORDE DRIVE (AS DEDICATED BY PLAT OF RECORD IN PLAT BOOK 70, PAGE 70);

THENCE WITH SAID RIGHT-OF-WAY LINE OF BETHEL ROAD (BEING 60 FEET NORTHERLY, AS MEASURED AT RIGHT ANGLES AND PARALLEL WITH THE CENTERLINE OF BETHEL ROAD), NORTH 87° 08' 52" WEST A DISTANCE OF 204.00 FEET TO AN IRON PIPE SET AT THE SOUTHEAST CORNER OF A 1.210 ACRE (TRACT 1) TRACT OF LAND CONVEYED TO CENTRAL HOLDING CORPORATION IN OFFICIAL RECORD 19201 I02;

THENCE WITH THE EAST LINE OF SAID 1.210 ACRE TRACT, NORTH 2° 50' 30" EAST (PASSING A PK NAIL FOUND AT 239.98 FEET, BEING THE NORTHEAST CORNER OF SAID 1.210 ACRE TRACT, CONTINUING WITH A NEW DIVISION LINE ACROSS AND THROUGH SAID 39.447 ACRE TRACT) A TOTAL DISTANCE OF 311.98 FEET TO PK NAIL SET;

THENCE CONTINUING WITH A NEW DIVISION LINE ACROSS AND THROUGH SAID 39.447

ACRE TRACT, SOUTH 87° 09' 53" EAST, A DISTANCE OF 204.00 FEET TO A PK SET;

THENCE CONTINUING WITH A NEW DIVISION LINE, SOUTH 2° 50' 30" WEST (PASSING A PK NAIL FOUND AT 72.00 FEET, BEING THE NORTHWEST CORNER OF AN ACCESS DRIVE, CONTINUING WITH THE WESTERN LINE OF SAID ACCESS DRIVE) A TOTAL DISTANCE OF 312.04 FEET TO THE POINT OF BEGINNING.

CONTAINING ALL OF SAID 1.124 ACRE TRACT AND 0.337 ACRES FROM SAID 39.447 ACRE TRACT FOR A TOTAL OF 1.461 ACRES, MORE OR LESS.

THE NORTH RIGHT-OF-WAY

LINE OF BETHEL ROAD WAS ASSIGNED A BEARING OF NORTH 87° 08' 52" WEST AS REFERENCED IN OFFICIAL RECORD 14859 I19 AND OFFICIAL RECORD 14865 D03.

THE ABOVE DESCRIPTION WAS PREPARED BY GEORGE W. SCHWEITZER, OHIO PROFESSIONAL SURVEYOR NO. 6736 OF GEO GRAPHICS, INC., LAND SURVEYING AND CIVIL ENGINEERING, COLUMBUS, OHIO, FROM AN

ACTUAL FIELD SURVEY OF THE PREMISES PERFORMED IN FEBRUARY, 1997.

PARCEL XI

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, BEING LOCATED IN QUARTER TOWNSHIP 4, TOWNSHIP 2, RANGE 19, UNITED STATES MILITARY LANDS AND BEING PART OF THE 39.447 ACRE TRACT OF LAND CONVEYED TO CARRIAGE PLACE BY DEEDS OF RECORD IN OFFICIAL RECORD 14865 D03 AND

RECORDS IN HE RECORDER'S OFFICE, FRANKLIN CNTY, OHIO, AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY RIGHT-OF-WAY LINE OF BETHEL ROAD (AS DEDICATED BY PLAT OF RECORD IN PLAT BOOK 58, PAGES 20 AND 21), THAT IS LOCATED NORTH 51° 08" EAST, 60.00 FEET AND NORTH 87° 08' 52" WEST, 224.00 FEET FROM THE INTERSECTION OF THE CENTERLINE OF BETHEL ROAD WITH THE CENTERLINE OF PICKFORDE DRIVE (AS DEDICATED BY PLAT OF RECORD IN PLAT BOOK 70, PAGE 70);

THENCE NORTH 87° 08' 52" WEST, ALONG SAID RIGHT-OF-WAY LINE OF BETHEL ROAD (BEING 60 FEET NORTHERLY, AS MEASURED AT RIGHT ANGLES AND PARALLEL WITH THE CENTERLINE OF BETHEL ROAD), A DISTANCE OF 184.00 FEET TO A POINT;

THENCE NORTH 2° 51' 08" EAST, A DISTANCE OF 240.00 FEET TO A POINT;

THENCE SOUTH 87° 08' 52" EAST, A DISTANCE OF 184.00 FEET TO A POINT;

THENCE SOUTH 2° 51' 08" WEST, A DISTANCE OF 240.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.014 ACRES, MORE OR LESS.

BEARINGS CONTAINED HEREIN ARE BASED ON THE SAME MERIDIAN AS BEARINGS ON PLAT OF RECORD IN PLAT BOOK 70, PGE 70.

To Rezone From: CPD, Commercial Planned Development District,

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on this property.

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "SITE PAN CARRIAGE PLACE," "LANDSCAPE PLAN," and "WAL-MART COLUMBUS, OHIO STORE #3812," dated September 9, 2005; and text titled, "CPD TEXT," dated September 8, 2005, all signed by Charles Fraas, agent/attorney for the applicant; said the text reading as follows:

CPD TEXT

PROPOSED DISTRICT: CPD, Commercial Planned District

PROPERTY ADDRESS: 2700 Bethel Road

OWNER: Carriage Place, an Ohio general partnership

APPLICANT: same as owner

DATE OF TEXT: 9/16/05

APPLICATION NUMBER: Z04-095

1. INTRODUCTION: The applicant wants to renovate the existing shopping to permit a new tenant to replace the two anchor tenants which no longer are in business .

2. PERMITTED USES:

1. Permitted uses shall be those permitted by Section 3356.03, C-4 of the Columbus City Code. However, no adult book store, adult

theatre, adult entertainment establishment, cabaret, nightclub, arcades (except in the movie theatre), dancehall or billboard shall be permitted on the subject site.

2. The Center Area and the Center Area Parking Lot shown on the Site Plan may not be developed with any building or buildings having a total of more than 282,450 square feet of floor area. However, no single use shall occupy more than 147,900 square feet. In addition, in the Center Area a movie theatre shall not have more than 2060 seats and the total aggregate square footage for restaurants shall not exceed 18,200 sq. ft.

3. The area designated as Outlot Area 1 on the Site Plan may not be developed with more than 4 outlots.

4. The area designated as Outlot Area 2 on the Site Plan may not be developed with more than 3 outlots.

5. The area designated as Outlot Area 3 on the Site Plan may not be developed with more than 2 outlots.

6. The total floor area of all buildings in Outlot Area 1, Outlot Area 2 and Outlot Area 3 shall not, in the aggregate, exceed 45,000 square feet, and no building on any such Outlot Area shall exceed 7,000 square feet in floor area.

7. No buildings shall be permitted on any part of the subject site except in the areas designated as the Center Area, Outlot Area 1, Outlot Area 2, and Outlot Area 3.

8. One cellular tower shall be permitted on the subject site. Maximum height and location of said tower is subject to Section 3309.142 of the Columbus City Code.

9. Maximum building height shall be 38 feet.

3. DEVELOPMENT STANDARDS: Except as otherwise noted herein, the applicable development standards of Chapter 3356 and 3361 shall apply. In addition, the following general and specific development standards shall apply.

A. Density, Lot, and/or Setback Commitments.

1. For all of the frontage along Sawmill and Bethel Roads, the setback for buildings and parking shall be a minimum of thirty (30) feet, except that where public and private roadways intersect with Sawmill Road or Bethel Road, an additional corner setback of sixty (60) feet, as measured along a line bisecting the angle formed by the intersection, shall apply.

2. For all of the frontage along Resler Drive and Pickforde Drive, the setback for the buildings and parking shall be a minimum of twenty (20) feet.

3. All landscaping, except grass and any ground cover and flowers, along Sawmill Road and Bethel Road shall have a minimum fifteen (15) feet setback.

B. Access, Loading, Parking, and/or Other Traffic Related Commitments.

1. A maximum of four (4) curbcuts onto Bethel Road may be provided. Two (2) of such curbcuts shall be full movement curbcuts, and two (2) shall be right-turn in, right-turn out only. A maximum of two (2) curbcuts onto Sawmill Road may be provided, with one such curbcut being a full movement curbcut, and the other curbcut being a right-turn in and right-turn out only curbcut. For the purpose hereof, curbcuts shall include intersections of dedicated streets as well as driveways.

2. The exact location, rights-of-way, and design of the above-described ingress and egress points shall be subject to review and approval by the Division of Transportation.

C. Buffering, Landscaping, Open Space, and/or Screening Commitments.

1. All parking and vehicular circulation areas adjacent to Sawmill Road, Bethel Road, Resler Drive and Pickforde Drive shall have headlight screening of thirty (30) inches minimum height along and parallel to such Sawmill Road, Bethel Road, Resler Drive and Pickforde Drive frontages as measured from the elevation of the nearest section of the adjacent parking or vehicular circulation area, except at curbcuts.

2. Landscaping shall be required in the setbacks along the Sawmill Road, Bethel Road, Resler Drive and Pickforde Drive frontages, except at curbcuts .

3. Lot coverage, including buildings, parking and service areas, shall not exceed 85% of the entire site.
4. For each loading area, opaque screening shall be provided between the loading area and Bethel Road and Sawmill Road. The screening shall be a minimum of seven (7) feet in height. Dumpsters shall be screened from view on all sides pursuant to C.C. 3342.09.
5. Landscaping shall be provided at the following ratio of lot coverage (both buildings and parking/loading) for all non-residential uses (in lieu of the landscaping required by Sections 3342.17 and 3342.11 of the Columbus City Code).
 - A. 0 to 20,000 square feet - 6" of trunk size plus 1" for every 4,000 square feet of coverage.
 - B. 20,000 to 100,000 - 10" of trunk size plus 1" for every 4,000 square feet of ground coverage over 20,000 square feet.
 - C. Over 100,000 square feet - 20" of trunk size plus 1" for every 6,500 square feet of coverage over 100,000 square feet.

Such tree planting material shall be used to provide plantings within parking areas, as part of frontage treatment, and to accent buildings. Commercial sites shall have at least 50% of the landscape ratio requirements provided within parking and service areas. Existing trees of 3" caliper or greater which are retained on a site may be used to offset 2/3 of the above requirements as long as such trees are not located in service areas.

6. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
7. All trees meet the following minimum size at the time of planting:
Shade trees 2 1/2" caliper; Ornamental trees 1 1/2" caliper; Evergreen trees 5 feet in height. Tree caliper is measured six (6) inches from the ground.
8. The carriage sculpture may be relocated to a planting area along the main entrance to the shopping center or may be donated to the City's Recreation and Parks Center located behind the shopping center.
9. The Subject Site shall be developed in accordance with the landscape plan titled "Landscape Plan". The landscape plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of Development Department or his designee upon submission of the appropriate data regarding the proposed adjustment.

D. Building Design and/or Interior-Exterior Treatment Commitments.

1. The building addition shall be developed in accordance with the submitted building elevations titled "Wal-Mart Columbus, Ohio Store #3812". The building elevations may be slightly adjusted to reflect engineering, architectural, topographical or other site data developed at the time development, engineering and architectural plans are completed. Any slight adjustment to the building elevations shall be reviewed and may be approved by the Director of Development Department or his designee upon submission of the appropriate data regarding the proposed adjustment.

E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.

1. All lighting on the subject property shall be cut-off type fixtures (down lighting), except the monument-type signs referred to in part 3F2.
2. All types of parking, pedestrian and other exterior lighting to be on poles shall be from the same or similar manufacturers' type and style in order to insure aesthetic compatibility.
3. No site lighting shall project upon Don Scott Airfield or the take-off and approach zones to said airport.
4. No lighting fixtures shall shine above the horizontal.
5. There are primarily three (3) types of lighting applicable to service the subject property:

- A. High Intensity - Parking lot lighting for shopping areas only.
- B. Street/Walkway-Pedestrian Lighting - Both for Bethel and Sawmill Roads and surrounding residential areas, where applicable.
- C. Walkway Accent Lighting - Low level lighting for walkways, sidewalk markers, etc.
6. All lighting poles will be either of wood or black, brown or bronze colored metal construction.
7. Parking Lot Lighting will be either sodium or mercury vapor and the pole height will not be greater than 30 feet.
8. Street/Walkway-Pedestrian Lighting will be incandescent lamp or sodium or mercury vapor with a pole height of 12 feet for residential areas and 16 feet for Sawmill Road and Bethel Road wherever applicable.
9. Walkway Accent Lighting will be incandescent lamp and all posts with light fixtures shall be no greater than 48 inches in height.
10. No searchlights shall be permitted.
11. Outdoor displays in front of a store shall be limited in area so that there is at least a five foot wide sidewalk adjacent to the outdoor displays. No outdoor display (other than cart corrals) or sales area shall be permitted in the parking lot.
12. Pallet storage areas shall be screened from Resler Drive by a masonry wall to the height of the pallet storage.
13. No outdoor storage containers other than dumpsters / trash compactor shall be permitted on the subject site.
14. The developer agrees to install street lighting along the north side of Resler Drive and east side of Pickforde Drive. Such lighting shall be from the same or similar manufacturers' type and style of certain lights located along Bethel Road frontage of the shopping center, subject to approval by the Columbus Division of Electricity.

F. Graphics and/or Signage Commitments.

1. All ground supported signage utilized shall reflect a uniform shape, except direction signs, and shall be set in a black, dark brown or bronze color frame with black, dark brown or bronze colored external signage supports, except that monument-type identification signs need not be uniform and need not be set in such frames and the poles for the pylon-type signs referred to in part II.B.4 shall be enclosed in stone columns.
2. Only internally illuminated signage will be used, except that monument-type identification signs may be illuminated otherwise.
3. All signage shall be subject to applicable building setbacks; and no sign shall be in a required front yard with the exception of any directional entry/exit signs which shall be ground type only.
4. The shopping center on the subject site shall have two 25-foot high pylon-type signs identifying the shopping center, with no tenant identification, one pylon-type sign each on Bethel and Sawmill Roads.
5. No ground-mounted graphics shall be permitted on any of the Outlots, although building-mounted graphics shall be permitted in those areas.
6. No billboards shall be permitted.
7. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

1. There is no parkland dedication requirement in this zoning.
2. The Subject Site shall be developed in accordance with the site plan titled, "Site Plan Carriage Place". The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of the Development Department or his designee upon submission of the appropriate data regarding the proposed adjustment. **Substantial deviation Any**

other change from this site plan shall require rezoning.

3. The developer shall install a sidewalk along the northside of Resler/Pickforde Drives from Sawmill Road to Bethel Road excluding access points. The developer will work with City of Columbus staff and the adjacent property owners on the final sidewalk layout and any related landscaping.

4. CPD Criteria

a) NATURAL ENVIRONMENT The site is developed with a shopping center and outlots.

b) EXISTING LAND USES To the north across Resler Drive: City Recreational Center/Park and multi-family development; to the east across Resler Drive: multi-family development; to the south across Bethel Road: a mixture of commercial and residential uses; and to the west: commercial development and a utility installation.

c) TRANSPORTATION AND CIRCULATION This site has access to Sawmill Road, Bethel Road, Resler Drive and Pickforde Drive

d) VISUAL FORM OF THE DEVELOPMENT See development text

e) VIEW AND VISIBILITY In the development of the subject property and the location of the buildings and access points consideration has been given to the visibility and safety of the motorists and pedestrians.

f) PROPOSED DEVELOPMENT Commercial

g) EMISSIONS No adverse affects from emissions shall result from the proposed development.

h) BEHAVIOR PATTERNS The proposed development will serve the existing residential population as well as the motorist who uses Bethel or Sawmill Roads to get to his/her place of employment.

5. Variance to reduce the parking requirement from 1,907 to 1,684.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.