



Legislation Details (With Text)

File #: 1920-2007 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 11/9/2007 **In control:** Zoning Committee

On agenda: 12/3/2007 **Final action:** 12/5/2007

Title: To rezone 5855 CENTRAL COLLEGE ROAD (43054), being 86.4± acres located on the south side of Central College Road, 1,000± feet east of Harlem Road, From: L-AR-O, Limited Apartment Residential/Office and R, Rural Districts, To: L-AR-O, Limited Apartment Residential/Office, L-AR-12, Limited Apartment Residential and PUD-4, Planned Unit Development Districts. (Rezoning # Z06-090). (AMENDED BY ORD. 1533-2011 PASSED 10/6/2011)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD # 1920-2007 Attachments.pdf, 2. ORD # 1920-2007 Mailing Labels.pdf, 3. ORD # 1920-2007 Data Form.pdf

Date	Ver.	Action By	Action	Result
12/5/2007	2	CITY CLERK	Attest	
12/4/2007	2	MAYOR	Signed	
12/3/2007	1	Zoning Committee	Amended as submitted to the Clerk	Pass
12/3/2007	2	COUNCIL PRESIDENT	Signed	
12/3/2007	1	Zoning Committee	Approved as Amended	Pass
11/26/2007	1	Columbus City Council	Read for the First Time	
11/16/2007	1	Dev Reviewer	Reviewed and Approved	
11/16/2007	1	Dev Drafter	Sent for Approval	
11/16/2007	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
11/16/2007	1	Dev Drafter	Sent to Clerk's Office for Council	
11/15/2007	1	Dev Zoning Reviewer	Reviewed and Approved	
11/15/2007	1	Dev Drafter	Sent for Approval	
11/9/2007	1	Dev Drafter	Sent for Approval	

Rezoning Application # Z06-090

APPLICANT: The New Albany Company, LLC; c/o Jeffrey L. Brown, Attorney; 37 West Broad Street, Suite 725; Columbus, Ohio 43215.

PROPOSED USE: Multi-family residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Disapproval (1-4) on October 11, 2007.

ROCKY FORK - BLACKLICK ACCORD IMPLEMENTATION PANEL: Approval

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 86.47± acre site encompasses four subareas. A 4.73 acre

parcel at the northwest portion of the site (subarea 1), along Central College Road, is proposed to be rezoned from R, Rural District to the L-AR-12, Limited Apartment Residential District. A 5.2 acre parcel on the west portion of the site (subarea 2), along Harlem Road, is proposed to be rezoned from R, Rural District to PUD-4, Planned Unit Development District. The remaining 76.5± acres (subareas 3 and 4), located in the eastern portion of the site, will remain zoned L-ARO, Limited Apartment Residential/Office District. There is a required 25-foot wide setback along the west property line. This rezoning proposes to remove the requirement for the internal property line setback between the two new properties and the property zoned L-ARO. The 25-foot wide setback would still be required adjacent to all properties not part of this request. The proposed rezoning would permit multi-family development in Subarea 1, two-family dwellings in Subarea 2, and remove the setbacks from the shared property lines in Subareas 3 and 4. The request is consistent and compatible with the development in the area.

To rezone **5855 CENTRAL COLLEGE ROAD (43054)**, being 86.4± acres located on the south side of Central College Road, 1,000± feet east of Harlem Road, **From:** L-AR-O, Limited Apartment Residential/Office and R, Rural Districts, **To:** L-AR-O, Limited Apartment Residential/Office, L-AR-12, Limited Apartment Residential and PUD-4, Planned Unit Development Districts. (Rezoning # Z06-090). **(AMENDED BY ORD. 1533-2011 PASSED 10/6/2011)**

WHEREAS, application #Z06-090 is on file with the Building Services Division of the Department of Development requesting rezoning of 86.4± acres From: L-AR-O, Limited Apartment Residential/Office and R, Rural Districts, To: L-AR-O, Limited Apartment Residential/Office, L-AR-12, Limited Apartment Residential and PUD-4, Planned Unit Development Districts; and

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

WHEREAS, the Rocky Fork - Blacklick Accord Implementation Panel recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the request is consistent and compatible with the development in the area 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:

5855 CENTRAL COLLEGE ROAD (43054), being 86.4± acres located on the south side of Central College Road, 1,000± feet east of Harlem Road, and being more particularly described as follows:

LEGAL DESCRIPTION

SUBAREA 1

4.7 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Farm Lot 14, Quarter Section 2, Township 2, Range 16 United States Military Lands, being part of that original 5 acre tract as conveyed to The New Albany Company LLC by deeds of record in Instrument Number 199709160093754 and Instrument Number 199811120289607 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning, for reference, at the centerline intersection of Harlem Road and Central College Road, being Franklin County Geodetic Survey Monument Number 5574;

Thence South 86° 09' 36" East, with the centerline of Central College Road, a distance of 944.32 feet to a point, being a northwesterly corner of that 3.419 acre tract as conveyed to the Board of Franklin County Commissioners by deed of record in Instrument Number 200309290311698;

Thence South 05° 42' 49" East, with a westerly line of said 3.419 acre tract, a distance of 50.70 feet to the northwesterly

corner of said original 5 acre tract, being the **TRUE POINT OF BEGINNING**;

Thence South 86° 09' 36" East, with a southerly line of said 3.419 acre tract, a distance of 235.56 feet to a northwesterly corner of that original 101.642 acre tract as conveyed to The New Albany Company, LLC by deeds of record in Official Record 16105D10, Official Record 12576B15, Official Record 21256E01 and Instrument Number 199811120289607;

Thence South 05° 44' 42" East, with the westerly line of said 101.642 acre tract, a distance of 886.74 feet to a northeasterly corner of that 28.528 acre tract as conveyed to Sugar Run at New Albany Park, Ltd. by deed of record in Instrument Number 200506010105555;

Thence North 86° 05' 32" West, with a northerly line of said 28.528 acre tract, a distance of 236.10 feet to a point thereof,

Thence North 05° 42' 49" West, with a westerly line of said 28.528 acre tract, a distance of 886.37 feet to the **TRUE POINT OF BEGINNING**, and containing 4.7 acres, more or less.

To Rezone From: R, Rural District,

To: L-AR-12, Limited Apartment Residential District.

SUBAREA 2

4.998 ACRES

Situate in the State of Ohio, County of Franklin, Township of Plain, United States Military Lands, and being all of the 5.000 acre tract conveyed to John D. Shockey and Marian L. Shockey by deeds of record in Official Record 21172 C15 and Instrument Number 200007140139416, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

BEGINNING FOR REFERENCE, at a Franklin County Geodetic Survey Monument Number 5574, at the centerline intersection of Central College Road and Harlem Road;

Thence South 05° 44' 14" East, a distance of 1566.07 feet, with the centerline of said Harlem Road, to a magnetic nail set at the common corner of said 5.000 acre tract and the 5 acre tract conveyed to Quest Community Church by deeds of record in Official Record 24432 D13 and Instrument Number 200506010105311, THE TRUE POINT OF BEGINNING;

Thence South 86° 11' 49" East, a distance of 1179.93 feet, with the line common to said 5.000 (Shockey) and 5 (Quest Community Church) acre tracts to a 3/4 inch iron pin found in the ~~easterly~~westerly line of the original 101.642 acre tract conveyed to The New Albany Company, LLC by deeds of record in Official Records 12756 B15 and 21256 E01 and Instrument Number 199811120289607;

Thence South 05° 44' 42" East, a distance of 187.12 feet, with the line common to said 5.000 and original 101.642 acre tracts, to an iron pin set in the common corner of said 5.000 acre tract and the 5.000 acre tract conveyed to Joel T. and Tina M. Gundlach by deed of record in Official Record 19929 J07;

Thence North 86° 11' 50" West, a distance of 1179.95 feet, with the line common to said 5.000 (Shockey) and 5.000 (Gundlach) acre tracts, to a magnetic nail set in the centerline of said Harlem Road;

Thence North 05° 44' 14" West, a distance of 187.12 feet, with the centerline of said Harlem Road and the west line of said 5.000 (Shockey) acre tract, to the TRUE POINT OF BEGINNING, containing 4.998 acres, more or less.

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

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

BASIS OF BEARINGS: Bearings are based on the Ohio State Plane Coordinate System per NAD83 (1986 adjustment), with a portion of Central College Road having a bearing of South 86° 09' 40" East. Control for bearings was derived from coordinates of monuments Frank 5574 and Frank 5113, as established by the Franklin County Engineering Department using Global Positioning

System procedures and equipment.

To Rezone From: R, Rural District,

To: PUD-4, Planned Unit Development District.

SUBAREA 3

39.268 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 14, Quarter Township 2, Township 2, Range 16, United States Military Lands, and being part of the original 101.642 acre tract conveyed to The New Albany Company LLC by deeds of record in Official Records 16105 D10, 12756 B15 and 21256 E01 and Instrument Number 199811120289607, (all references refer to the records of the Recorders Office, Franklin County, Ohio) being more particularly described as follows:

Beginning, for Reference, at the centerline intersection of Central College Road with New Albany Road West, of record in Plat Book 103, Page 32-33;

thence North 85° 59' 39" West, with the centerline of said Central College Road, a distance of 1543.82 feet to a point;

thence North 86° 09' 36" West, continuing with said centerline a distance of 468.12 feet to a point;

thence South 05° 44' 42" East, across the right-of-way of said Central College Road and with the westerly line of said original 101.642 acre tract and the easterly lines of that 3.0 acre tract as conveyed to The New Albany Company LLC by deeds of record in Instrument Numbers 199709160093754 and 199811120289607, that 28.528 acre tract as conveyed to Sugar Run at New Albany Park, Ltd. by deed of record in Instrument Number 200506010105555 and that 5 acre tract conveyed to Rocky Ridge Grace Brethren Church by deed of record in Official Record 24432D13, a distance of 1350.67 feet to a point, being the TRUE POINT OF BEGINNING;

thence across said original 101.642 acre tract, the following courses and distances:

North 53° 37' 57" East, a distance of 396.45 feet to a point;

South 78° 41' 48" East, a distance of 44.01 feet to a point;

South 75° 46' 16" East, a distance of 129.00 feet to a point;

South 51° 54' 17" East, a distance of 67.65 feet to a point;

South 61° 26' 57" East, a distance of 127.22 feet to a point;

South 60° 34' 18" East, a distance of 322.20 feet to a point;

South 80° 29' 31" East, a distance of 43.04 feet to a point;

North 86° 39' 35" East, a distance of 51.49 feet to a point;

North 79° 16' 08" East, a distance of 25.24 feet to a point;

North 67° 51' 02" East, a distance of 58.09 feet to a point;

North 84° 43' 17" East, a distance of 18.48 feet to a point;

South 75° 13' 42" East, a distance of 20.79 feet to a point;

South 33° 41' 24" East, a distance of 10.82 feet to a point;

South 11° 46' 06" East, a distance of 4.90 feet to a point;
South 05° 04' 47" West, a distance of 18.07 feet to a point;
South 25° 43' 28" West, a distance of 79.25 feet to a point;
South 15° 52' 39" West, a distance of 34.72 feet to a point;
South 02° 26' 12" East, a distance of 9.41 feet to a point;
South 17° 44' 41" East, a distance of 15.75 feet to a point;
South 39° 25' 40" East, a distance of 8.44 feet to a point;
South 46° 48' 09" East, a distance of 37.14 feet to a point;
South 52° 16' 27" East, a distance of 20.02 feet to a point;
South 60° 16' 32" East, a distance of 20.59 feet to a point;
South 67° 44' 34" East, a distance of 23.94 feet to a point;
South 02° 13' 01" West, a distance of 85.67 feet to a point;
South 16° 48' 55" East, a distance of 39.04 feet to a point;
South 64° 30' 35" East, a distance of 34.41 feet to a point;
North 51° 21' 42" East, a distance of 22.59 feet to a point;
North 61° 04' 01" East, a distance of 37.90 feet to a point;
South 69° 47' 50" East, a distance of 28.58 feet to a point;
South 40° 30' 18" East, a distance of 69.55 feet to a point;
South 23° 13' 20" East, a distance of 37.60 feet to a point;
South 62° 39' 16" East, a distance of 112.04 feet to a point;
South 40° 05' 37" East, a distance of 65.99 feet to a point;
South 17° 03' 06" East, a distance of 127.60 feet to a point;
South 22° 14' 49" East, a distance of 91.82 feet to a point;
South 15° 44' 20" East, a distance of 98.90 feet to a point;
South 17° 12' 53" West, a distance of 31.00 feet to a point;
South 53° 49' 11" West, a distance of 41.40 feet to a point;
North 87° 14' 05" West, a distance of 43.81 feet to a point;
North 75° 43' 01" West, a distance of 74.29 feet to a point;
South 50° 59' 05" West, a distance of 33.61 feet to a point;
South 23° 58' 47" West, a distance of 27.79 feet to a point;

South 20° 07' 01" East, a distance of 30.79 feet to a point;
South 59° 57' 32" East, a distance of 61.97 feet to a point;
South 15° 26' 27" East, a distance of 21.22 feet to a point;
South 38° 13' 54" West, a distance of 42.19 feet to a point;
North 76° 17' 41" West, a distance of 62.48 feet to a point;
South 75° 32' 33" West, a distance of 22.60 feet to a point;
South 48° 40' 23" West, a distance of 46.99 feet to a point; and

South 15° 05' 42" West, a distance of 111.30 feet to a point in the northerly limited access right-of-way line of Relocated State Route 161, being the northerly line of that 11.623 acre tract as conveyed to State of Ohio, Department of Transportation by deed of record in Official Record 27687B06;

thence with said northerly limited access right-of-way line, and the northerly lines of said 11.623 acre tract, that 55.176 acre tract conveyed to State of Ohio, Department of Transportation by deed of record in Official Record 25998D10 and that 0.191 acre tract conveyed to State of Ohio, Department of Transportation by deed of record in Official Record 26998C13, the following courses and distances:

South 89° 47' 03" West, a distance of 179.72 feet to a point;
South 83° 26' 35" West, a distance of 416.36 feet to a point;
South 85° 54' 32" West, a distance of 310.06 feet to a point;

North 89° 23' 12" West, a distance of 287.60 feet to a point in the easterly line of that 5.211 acre tract as conveyed to MH Murphy Development Company by deed of record in Instrument Number 200306030164723, at the southwesterly corner of said original 101.642 acre tract;

thence North 05° 44' 42" West, with the westerly line of said original 101.642 acre tract and the easterly lines of said 5.211 acre tract, that 5.211 acre tract as conveyed to MH Murphy Development Company by deed of record in Instrument Number 200308270271329, that 5.211 acre tract as conveyed to MH Murphy Development Company by deed of record in Instrument Number 200406210142808, that 3.971 acre tract as conveyed to Christopher K. and Rhonda J. Skaggs by deed of record in Official Record 8159E09, that 5 acre tract as conveyed to John T. and Tina M. Gundlach by deed of record in Official Record 19929J07, that 5 acre tract as conveyed to John D., John B., Marian L. and Barbara S. Shockey by deed of record in Official Record 21172C15 and said Rocky Ridge Grace Brethren Church tract, a distance of 1275.12 feet to the TRUE POINT OF BEGINNING, containing 39.268 acres, more or less, being 4.506 acres from PID 010-220118, 34.623 acres from PID 010-220117 and 0.139 acre from PID 010-220116.

This description was prepared from record information only and should be used for zoning purposes only.

To Rezone From: L-AR-O, Limited Apartment Residential/Office District,

To: L-AR-O, Limited Apartment Residential/Office District.

SUBAREA 4

36.987 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 14, Quarter Township 2, Township 2, Range 16, United States Military Lands, and being part of the original 101.642 acre tract conveyed to The New Albany Company LLC by deeds of record in Official Records 16105 D10, 12756 B15 and 21256 E01 and Instrument Number 199811120289607, (all references refer to the records of the Recorders Office, Franklin County, Ohio) being more particularly described as follows:

Beginning, for Reference, at the centerline intersection of Central College Road with New Albany Road West, of record in Plat Book 103, Page 32-33;

thence North 85° 59' 39" West, with the centerline of said Central College Road, a distance of 1147.64 feet to a point;

thence South 04° 00' 21" West, across the right-of-way of said Central College Road, a distance of 50.00 feet to a point in the southerly line of that 3.419 acre tract as conveyed to The Board of Franklin County Commissioners by deed of record in Instrument Number 200309290311698 and in the northerly line of the remainder of said original 101.642 acre tract, being the TRUE POINT OF BEGINNING;

thence across the remainder of said original 101.642 acre tract, the following courses and distances:

South 07° 03' 09" West, a distance of 251.19 feet to point;

South 38° 06' 21" West, a distance of 187.79 feet to a point;

South 36° 22' 03" East, a distance of 332.61 feet to a point;

North 53° 38' 27" East, a distance of 514.48 feet to a point;

South 38° 46' 01" East, a distance of 247.49 feet to a point of curvature;

with said curve to the right, having a central angle of 29° 19' 52", a radius of 205.00 feet an arc length of 104.94 feet and a chord bearing and distance of South 24° 06' 05" East, 103.80 feet to an iron pin set at a point of tangency;

South 09° 26' 09" East, a distance of 46.08 feet to a point;

North 80° 33' 51" East, a distance of 426.44 feet to an iron pin set in a curve in the westerly right-of-way line of said New Albany Road West;

thence with said curve to the left, having a central angle of 27° 54' 21", a radius of 1050.00 feet an arc length of 511.40 feet and a chord bearing and distance of South 23° 23' 20" East, 506.36 feet with said southwesterly right-of-way line, and said northeasterly line to a point;

thence across the remainder of said original 101.642 acre tract, the following courses and distances:

North 85° 27' 02" West, a distance of 19.07 feet to a point;

North 63° 22' 25" West, a distance of 32.58 feet to a point;

North 38° 29' 02" West, a distance of 67.91 feet to a point;

North 55° 38' 48" West, a distance of 36.02 feet to a point;

South 58° 01' 05" West, a distance of 18.45 feet to a point;

South 40° 15' 23" West, a distance of 49.25 feet to a point;

South 58° 50' 55" West, a distance of 37.03 feet to a point;

South 83° 34' 24" West, a distance of 55.91 feet to a point;

North 80° 14' 48" West, a distance of 48.43 feet to a point;

North 83° 40' 14" West, a distance of 42.51 feet to a point;

North 83° 29' 03" West, a distance of 30.28 feet to a point;

South 37° 29' 55" West, a distance of 38.36 feet to a point;
South 59° 29' 18" West, a distance of 45.95 feet to a point;
South 87° 06' 29" West, a distance of 100.64 feet to a point;
South 65° 02' 30" West, a distance of 81.74 feet to a point;
South 60° 35' 29" West, a distance of 90.89 feet to a point;
South 53° 03' 11" West, a distance of 52.15 feet to a point;
South 00° 00' 15" East, a distance of 26.09 feet to a point;
South 16° 56' 49" East, a distance of 50.86 feet to a point;
South 11° 36' 29" East, a distance of 56.15 feet to a point;
South 34° 45' 30" East, a distance of 46.96 feet to a point;
South 30° 29' 34" East, a distance of 55.64 feet to a point;
South 09° 47' 04" West, a distance of 20.75 feet to a point;
South 66° 25' 42" West, a distance of 54.67 feet to a point;
South 70° 50' 01" West, a distance of 51.55 feet to a point;
North 63° 27' 44" West, a distance of 25.25 feet to a point;
South 88° 15' 54" West, a distance of 23.30 feet to a point;
South 41° 21' 57" West, a distance of 23.55 feet to a point;
North 67° 44' 34" West, a distance of 23.94 feet to a point;
North 60° 16' 32" West, a distance of 20.59 feet to a point;
North 52° 16' 27" West, a distance of 20.02 feet to a point;
North 46° 48' 09" West, a distance of 37.14 feet to a point;
North 39° 25' 40" West, a distance of 8.44 feet to a point;
North 17° 44' 41" West, a distance of 15.75 feet to a point;
North 02° 26' 12" West, a distance of 9.41 feet to a point;
North 15° 52' 39" East, a distance of 34.72 feet to a point;
North 25° 43' 28" East, a distance of 79.25 feet to a point;
North 05° 04' 47" East, a distance of 18.07 feet to a point;
North 11° 46' 06" West, a distance of 4.90 feet to a point;
North 33° 41' 24" West, a distance of 10.82 feet to a point;
North 75° 13' 42" West, a distance of 20.79 feet to a point;

South 84° 43' 17" West, a distance of 18.48 feet to a point;

South 67° 51' 02" West, a distance of 58.09 feet to a point;

South 79° 16' 08" West, a distance of 25.24 feet to a point;

South 86° 39' 35" West, a distance of 51.49 feet to a point;

North 80° 29' 31" West, a distance of 43.04 feet to a point;

North 60° 34' 18" West, a distance of 322.20 feet to a point;

North 61° 26' 57" West, a distance of 127.22 feet to a point;

North 51° 54' 17" West, a distance of 67.65 feet to a point;

North 75° 46' 16" West, a distance of 129.00 feet to a point;

North 78° 41' 48" West, a distance of 44.01 feet to a point; and

South 53° 37' 57" West, a distance of 396.45 feet to an iron pin set in the line common to said original 101.642 acre tract and that 5 acre tract as conveyed to Rocky Ridge Grace Brethren Church by deed of record in Official Record 24432D13;

thence North 05° 44' 42" West, with the westerly line of said original 101.642 acre tract and the easterly lines of said 5 acre tract and the 28.528 acre tract conveyed to Sugar Run at New Albany Park, Ltd. by deed of record in Instrument Number 200506010105555, a distance of 1299.97 feet to a point at the common corner of said 3.0 and 28.528 acre tracts;

thence South 86° 09' 36" East, with said southerly right-of-way line, the southerly line of said 3.419 acre tract and the northerly lines of said 2.0 acre tract, 3.0 acre tract and the remainder of said original 101.642 acre tract, a distance of 459.61 feet to a point;

thence South 85° 59' 39" East, continuing with said southerly right-of-way line and the line common to the remainder of said original 101.642 acre tract and said 3.419 acre tract a distance of 396.10 feet to the TRUE POINT OF BEGINNING, containing 36.987 acres, more or less, being 9.764 acres out of PID 010-220118, 24.842 acres out of PID 010-220117 and 2.381 acres out of PID 010-220116.

This description was prepared from record information only and should be used for zoning purposes only.

To Rezone From: L-AR-O, Limited Apartment Residential/Office District,

To: L-AR-O, Limited Apartment Residential/Office District.

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the L-AR-12, Limited Apartment Residential and PUD-4, Planned Unit Development Districts and a Height District of Sixty (60) feet is hereby established on the L-AR-O, Limited Apartment Residential/Office Districts 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 L-AR-12, Limited Apartment Residential, PUD-4, Planned Unit Development and L-AR-O, Limited Apartment Residential/Office Districts and Application among the records of the Building Services Division as required by Sections 3370.03, 3311.09 and 3370.03, respectively, of the Columbus City Codes, said plans being titled, "**SUGAR RUN VILLAS @ HARLEM ROAD**" and "**DEVELOPMENT PLAN FOR: SHOCKEY/MONTESSORI TRACT**," signed on October 23, 2007 by Jeffrey L. Brown, attorney for the Applicant, and text titled, "**LIMITATION TEXT**," dated November 13, 2007 and signed by Jeffrey L. Brown, attorney for the Applicant, and the text reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT: L-AR-12, PUD-4, L-ARO
PROPERTY ADDRESS: 5855 Central College Road
OWNER: The New Albany Company, LLC et al.
APPLICANT: The New Albany Company, LLC
DATE OF TEXT: 11/13/07
APPLICATION NUMBER: Z06-090

INTRODUCTION: The applicant owns a large parcel of land south of Central College and east of Harlem Road which was rezoned to the L-ARO district in 1998. In the limitation text for Subareas 3 and 4 there is a 25 foot setback from the west property line of the subareas. The applicant now controls two additional properties which are adjacent to Subareas 3 and 4. There is no reason to have what is now an internal property line with a 25 foot setback. Subareas 3 and 4 are included in this zoning to remove the 25 foot setback where the applicant controls additional properties which it was to combine with properties that are part of Subareas 3 or 4. The applicant now owns two parcels - one on Harlem Road (Z06-071) and one on Central College Road (Z06-090) which it wants to zone. To simplify the process these two cases and Subareas 3 and 4 are being consolidated into one case.

SUBAREA 1

1. INTRODUCTION: The site is located south of Central College Road, east of Harlem Road, west of the wishbone. The site is currently zoned R, Rural, since it has not been zoned since its annexation to the City of Columbus. The applicant is seeking rezoning of the property to the L-AR-12 zoning district to permit 30 residential units.

2. PERMITTED USES: Those uses permitted in Section 3333.02, AR-12 of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated the applicable development standards are contained in Chapter 3333 of the Columbus City Code.

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

1. The building setback and the parking and maneuvering setback from Central College Road and along the perimeter of the subarea shall be as shown on the submitted subarea plan.
2. Maximum number of dwelling units shall be 30.
3. The maximum building height shall not exceed 35 feet.

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

1. This subarea shall not have direct access to Central College Road.
2. All streets shall be private with two-way traffic.

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

1. The developer shall install street trees 30 feet on center along with the New Albany style horse fence within the setback along Central College Road. In addition to the street trees, the developer shall install within Central College Road setback 4 deciduous trees per 100 feet of frontage. The trees shall be grouped to appear natural in character.
2. The developer shall install one (1) tree per 30 feet of length within perimeter yard of the site except in areas where existing trees are being maintained within that portion of the perimeter yard.
3. The developer shall install 8 additional trees, a mixture of deciduous; ornamental and evergreens within the setback along the northwest corner of the site as well as preserve the existing trees in that area subject to being able to remove dead and diseased trees.
4. All trees and landscaping shall be well maintained. Dead materials shall be replaced within six (6) months or the next planting season, whichever occurs first. Existing vegetation shall be maintained and preserved when reasonable.

5. All trees shall meet the following minimum size at the time of planting:

Deciduous 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.

6. Minimum size of shrubs at installation shall be 2 gallon.

7. All landscape plans shall be reviewed by a registered landscape designer or landscape architect prior to submission to the city for zoning clearance.

8. Mounding if used for screening shall have a maximum 3:1 slope with landscaping.

pD. Building Design and/or ~~Interior~~**Interior**-Exterior Treatment Commitments.

1. The building materials for the units shall be brick, brick veneer, stone, wood, stone veneer, vinyl siding, synthetic wood product or stucco, individually or in any combination thereof.

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

1. Light fixtures shall not exceed 20 feet except that tear drop bulb fixtures shall not exceed 18 feet in height.

2. All external outdoor lighting fixtures to be used shall from the same or similar manufacturer's type to insure compatibility.

3. Lights shall be either fully shielded, cut-off style fixtures, which shall be directed downwards to prevent glare and not shine above the horizontal plane or tear drop bulb-type.

4. All security, lighting shall be of "motion sensor" type.

5. All new or relocated utility lines shall be installed underground.

6. All waste and refuse shall be containerized and full screened from view by a solid wall or fence that is compatible with the buildings architecture.

F. Graphics and/or Signage Commitments.

1. 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. The developer shall comply with the City's parkland dedication ordinance.

2. A sidewalk or asphalt leisure path if approved by the City's Division of Transportation shall be installed along Central College Road at a minimum setback of 10 feet from the road unless the Division of Transportation requires a different location.

3. The developer shall meet the PAWG request by paying \$2,300 per unit to the City at the time of filing for zoning clearance. The payment shall apply to any building unit which have at least 50% of its square footage located in this subarea.

SUBAREA 2

1. INTRODUCTION: The site is located along the east side of Harlem Road, south of Central College Road, north of Warner Road. The site is currently zoned R. The applicant is seeking rezoning of the property to the PUD-4 zoning district to permit 12 residential units.

2. PERMITTED USES: Those uses permitted in Section 3333.02, AR-12 of the Columbus City Code and 2 dwelling unit buildings.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated the applicable development standards are contained in Chapter 3333 of the Columbus City Code.

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

1. The building setback and the parking and maneuvering setback from Harlem Road and along the perimeter of the subarea shall be as shown on the submitted subarea plan.
2. Maximum number of dwelling units shall be 12.

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

1. All circulation curbcuts and access points shall be subject to the review and approval of the City's Division of Transportation.
2. All streets shall be private with two-way traffic with a width of 24 feet. There shall be one lane in and one lane out at the intersection of Harlem Road and the private street. The posted speed for the private street shall not exceed 20 mph.
3. Access to Harlem Road shall not be installed until the developer has begun development in Subarea 3.

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

1. The developer shall install street trees 30 feet on center along with the New Albany style horse fence within the setback along Harlem Road. In addition to the street trees, the developer shall install within the Harlem Road setback 4 deciduous trees / 100 feet of frontage. The trees shall be grouped to appear natural in character. Along the private street, street trees shall be planted 40 feet on center on both sides of the street.

2. The developer shall install within the north perimeter yard of the site one (1) tree per 30 feet of length beginning at the building setback from Harlem Road and extending to the west side of the gas line easement except in areas where existing trees are being maintained within that portion of the perimeter yard. The developer shall install one (1) tree per 30 feet of length within the **south** perimeter yard of the site except in areas where existing trees are being maintained within that portion of the south perimeter yard or within the gas line easement. Additional landscaping along the south property line shall be installed beginning at the Harlem Road setback and extending eastward to the first garage. In this area there shall be 2 trees planted every 30 feet instead of one (1) tree. At least 50% of these trees along the section of the south property line shall be evergreens.

3. All trees and landscaping shall be well maintained. Dead materials shall be replaced within six (6) months or the next planting season, whichever occurs first. Existing vegetation shall be maintained and preserved when reasonable.

4. All trees shall meet the following minimum size at the time of planting:

Deciduous 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.

5. Minimum size of shrubs at installation shall be 2 gallon.

6. All landscape plans shall be reviewed by a registered landscape designer or landscape architect prior to submission to the city for zoning clearance.

7. Mounding if used for screening shall have a maximum 3:1 slope with landscaping.

8. The developer shall install a 4 board horse fence within the south perimeter yard beginning at the southwest corner of the first dwelling unit and extending eastward to the west line of the gas line easement. The trees that are required in Section 3C-2 above in that area of the horse fence along the south perimeter yard shall be grouped around the driveway bump outs (but not planted in the gas line easement). These grouped trees shall be evergreens. ~~The trees that are required in Section 3C-2 above in the area along the south perimeter yard between the east side of the gas line easement and south east corner of Subarea 2 shall be grouped within the perimeter yard around the ends of the multi-family units on the adjacent parcel. These grouped trees shall be evergreens.~~ **The developer shall install 24 evergreens in the portion of the south perimeter yard between the east side of the gas line easement and the east property line of Subarea 2 instead of complying with the tree requirement in Section 3C2 above for that portion of the perimeter yard. In addition to the evergreens the developer shall also install a minimum 3 foot high earth mound along the south property line between the east side of the gas line easement and the east property line of Subarea 2.**

9. The developer shall install a fence beginning at the western edge of the proposed pond along Harlem Road and extending eastward

along the north side of the pond and the north side of the driveway for a distance of ~~450~~**570** feet. The portion of the fence along the pond shall be 4 board horse fence with a mesh backing or a solid fence of the same height with no more than 4 inches between slats. ~~The balance of the fence shall be a 4 board horse fence located adjacent to the driveway.~~ **The balance of the fence shall be a 4 foot wood, shadowbox style fence. There is a tree line along the common property line between the subject site and the daycare facility to the north. The shadowbox style fence shall be located south of the said tree line and north of the driveway. An additional 5 evergreen trees shall be installed on the north side of the shadowbox style fence. These trees are in addition to any trees that are required under Section 3C2. The shadowbox style fence and landscaping along the fence shall be installed at the beginning of development in this Subarea.**

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

1. The building materials for the units shall be brick, brick veneer, stone, wood, stone veneer, vinyl siding, synthetic wood product or stucco, individually or in any combination thereof.
2. The dwelling units shall be one story in height.

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

1. Light fixtures shall not exceed 20 feet except that tear drop bulb fixtures shall not exceed 18 feet in height.
2. All external outdoor lighting fixtures to be used shall from the same or similar manufacturer's type to insure compatibility.
3. Lights shall be either fully shielded, cut-off style fixtures, which shall be directed downwards to prevent glare and not shine above the horizontal plane or tear drop bulb-type.
4. All security, lighting shall be of "motion sensor" type.
5. All new or relocated utility lines shall be installed underground.
6. All waste and refuse shall be containerized and full screened from view by a solid wall or fence that is compatible with the buildings architecture.

F. Graphics and/or Signage Commitments.

1. 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. The developer shall comply with the City's parkland dedication ordinance.
2. The developer shall install a sidewalk along its Harlem Road frontage at a minimum setback of 10 feet from the road unless the Division of Transportation requires a different location and along one side of the private street.
3. The developer shall meet the PAWG request by paying \$2,300 per unit to the City at the time of filing for zoning clearance. The payment shall apply to any building unit which has at least 50% of its square footage located in this subarea.

Subarea 3 **(L-ARO)**

Subarea 3 because of its location along the New Albany Expressway may be characterized by office and possible residential uses.

2. PERMITTED USES:

1. The following uses shall be permitted within Subarea 3. Those uses listed in Sections 3333.04 and .05 (ARO, Apartment District of the Columbus City)

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and therein, the applicable development standards of Chapter 3333 Apartment Districts shall apply to Subarea 3.

A. Density, Height, Lot and/or Setback commitments.

1. Setback from New Albany Expressway shall be 80' for parking, loading and maneuvering areas and 125' for all buildings.
2. Setback from all other publicly dedicated roads shall be 55' for all buildings and parking, loading, and maneuvering areas.
3. Setback from west and north property line of Subarea 3 shall be 25' for all buildings and parking, loading and maneuvering areas except where the property owner has acquired additional property which it wants to combine with part of this subarea to form a larger site than there shall be no required setback from the property lines of Subarea 3.
4. Lot coverage for building and paved areas shall not exceed eighty percent of the lot area.
5. Height district shall be 60'.
6. Maximum density for multi-family development shall be twelve (12) units per acre.

B. Access, Loading, Parking and/or other Traffic related commitments.

1. The proposed street alignments are schematic and subject to change.
2. The private street that connects Harlem Road to New Albany Road West shall incorporate traffic calming feature(s) so that the street design is not one straight line between the public roads.

C. Buffering, Landscaping, Open space and/or screening commitments.

1. Landscaping within the 80' parking and building setback along New Albany Expressway shall be rural in character and based on the following standard:
 - a. Existing trees shall be preserved.
 - b. There shall be a 3-4' high continuously uniform evergreen screen within the 80' New Albany Expressway parking setback. The evergreen screen shall be located along the edge of parking lots toward the Expressway right-of-way.
 - c. New trees shall be planted within the parking and building setback and in a hedge row manner approximately 60' behind the Expressway right-of-way per the following standards: 6 shade trees and 4 multi-stem ornamental trees shall be planted per 100 lineal feet.
2. Landscaping within all 55' parking and building setback shall be rural in character and based on the following standard:
 - a. Within the 55' parking and building setback there shall be a minimum 3' high continuously uniform earth mound except for areas of ingress and egress for roadways. The mound shall have 4:1 slope that will begin at the 80' parking and building setback line with a minimum crest at the top of the mound of 5' in width. From the crest, the mound shall slope upward or downward to meet existing grade at the right-of-way line. A fence may also be installed within said setback area.
 - b. Along the crest of the mound trees shall be planted in a hedge row manner per the following standards: 4 shade trees and 3 multi-stem ornamental trees shall be planted per 100 feet of mounding.
3. The mounding and landscaping requirements within the parking setback may be deleted if existing vegetation within the parking setback area screens the parking areas within the parcel from the adjacent public right-of-way. If gaps exist within existing trees, infill planting shall occur and meet the requirements of said parking and building setback area as required by Section C(2)(b).
4. A street tree row shall be established along all publicly dedicated rights-of-way (other than New Albany Expressway) containing one tree for every 30' of road frontage. Such trees shall be those specified in the Columbus Street Program guidelines from the City of Columbus Forester and located at a minimum 1 foot from edge of right-of-way unless the City of Columbus approves planting these trees within the right-of-way. Minimum tree size at installation shall be 2 ½" caliper.
5. One tree shall be planted for every six parking spaces. Trees shall be planted in islands at least five feet wide.
6. All loading docks shall be screened from off-site view to a minimum height of six (6) feet by either landscaping, fencing, walls or

buildings used individually or in combination thereof.

7. Along the west property line existing trees in good condition shall be preserved within the parking and building setback area. In the gaps in the existing trees along the west property line within the parking and building setback area evergreen shall be planted on the basis of one tree for every twenty (20) feet of open space. These new trees may be evenly spaced or grouped together.
8. The property owner shall grant a conservation easement to the City of Columbus along the banks of the Sugar Run Creek subject to retaining its right to cross the easement area with streets, utility lines and to install a leisure path. The easement shall be 200 feet in width with a minimum distance of 100 feet from centerline of the creek to any one side of the creek.
9. The landscaping requirements of this section may be satisfied or offset by the preservation of existing vegetation.
10. Unless otherwise specified minimum size of all trees shall be 2 ½" caliper for deciduous, ornamental trees and 5 feet high for evergreens.
11. The landscaping required in this section shall count toward satisfying the landscaping requirements of Chapter 3342 of the Columbus City Code.
12. All trees and landscaping shall be well maintained. Dead items, weather permitting shall be replaced within six months.

D. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. All external lighting in Subarea 3 for non-residential uses shall be cutoff type fixtures (down-lighting), and shall provide no light spillage to off-site parcels. However, landscaping at entry locations may be uplit or down lit, provided that landscaping lighting does not spill over into the public right-of-way. Residential uses may either cut-off type fixtures (down-lighting) or decorative type fixtures.
2. All external outdoor lighting fixtures within a given use group shall be from the same or similar manufacturer's type to insure compatibility.
3. Parking lot lighting standards for non-residential uses shall not exceed 28 feet in height; for residential uses, 18 feet in height.
4. All new or relocated utility lines shall be installed underground.
5. All waste and refuse shall be containerized and fully screened from view by a solid wall or fence that is consistent with the building's architecture.
6. Mechanical equipment or other utility hardware on the roof of a building shall be screened from view from ground by same materials utilized on building roof or exterior. Color shall also match building exterior or roof. Mechanical and all other equipment on the ground shall be fully screened from view from ground level by wall, fence or landscape material utilizing the same material or character of the building.

E. Graphics and Signage commitments.

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Codes, as it applies to the ARO, Apartment District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.
2. Entry features may be established within the subarea and may contain signage. Minimum setback for entry features shall be 5 feet from right-of-way line. In no case shall entry features interfere with maintaining safe clear sight distances at Intersections. Depending on the final form of the entry features, appropriate variances from the Columbus City Code may be required.
3. No signs shall be painted directly on the surface of any building, wall, or fence. No wall murals shall be allowed.
4. No flashing, traveling, animated or intermittently illuminated signs shall be used. No co-op signs, rotating signs, trailer type signs, tethered balloons, roof signs, banners and pennants shall be permitted.
5. All site signage shall be externally illuminated, internal illumination will be prohibited. Signage light source shall be directed toward the sign and shall not cause visibility problems for motorists or adjacent property owners.

F. Tree Preservation.

Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within the subarea. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction including the installation of snow fencing at the drip line.

G. Architectural Standards - Commercial - Office and Institutional .

1. Buildings shall be sided with the longest and/or predominant building facade parallel to a major street.
2. Buildings shall be designed to be seen from 360 degrees with the same caliber of finish on all facades/elevations. Additional buildings, whether attached or detached, shall be of similar design, materials and construction.
3. Building materials shall be limited to the following: brick, precast, natural and cultured stone, and E.I.F.S. (Exterior Insulated Finish Systems). Wood and metal shall be allowed as accent features. Each building façade shall be at a minimum 50 percent brick or precast. Synthetic materials shall be permitted above the ground story and allowed on the ground story only as accent features (i.e. engaged columns, pediments, cornices, etc.). Tinted glass shall be permitted, reflective or mirrored glass shall be prohibited. Prefabricated metal buildings, untreated masonry block structures, and buildings featuring an exterior finish entirely of glass are also prohibited.
4. Pitched, flat, or mansard roofs shall be permitted. All flat roofs shall be required to have a parapet and/or a means of screening all rooftop mechanical equipment. All rooftop screens must be consistent and harmonious to the building's façade and character.
5. Poured concrete exterior walls are prohibited.

H. Multi-family Architecture.

1. The maximum number of stories shall be three stories and the minimum number of stories shall be two stories. The maximum building height shall be 45 feet as measured per the Columbus Zoning Code.
2. Building materials shall be traditional and natural in appearance, such as brick, stone, wood, and glass. Vinyl and other manufactured materials are permitted as long as they are natural in appearance.
3. On each side of the building a majority of the windows shall be double hung.
4. Sloped or pitched roofs are encouraged. Flat roofs are allowed only with detailed or decorative cornices.

Subarea 4 (L-ARO)

Given the location of this subarea with access to the interchange it is suitable for residential uses.

2. PERMITTED USES: The following uses shall be permitted within Subarea 4: Those uses listed in Section 3333.04 and 3333.05 (ARO), Apartment District of the Columbus City Code.)

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and therein, the applicable development standards of Chapter 3333, Apartment Districts shall apply to Subarea 4.

A. Density, Height, Lot and/or Setback commitments.

1. Maximum density for multi-family development shall be twelve units per acre.
2. Setback from Central College Road shall be 55' for all buildings and parking, loading and maneuvering areas.
3. Setback from New Road shall be 55' for all buildings and parking, loading and maneuvering areas.
4. Setback from the west and south property lines of Subarea 4 shall be 25' for all buildings and parking, loading and maneuvering areas except where the property owner has acquired additional property which it wants to combine with parts of this subarea to form a larger site, then there shall be no required setback from the property lines of Subarea 4.

5. Setback from the property line adjacent to Subarea 5 shall be 25' for all buildings and parking, loading and maneuvering areas.
6. Setback from all other publicly dedicated streets shall be 25' for all buildings and parking, loading and maneuvering areas.
7. Lot coverage for building and paved areas shall not exceed eighty percent of the lot area.
8. Height district shall be 60 feet.

B. Access, Loading, Parking and/or other Traffic related commitments.

1. The proposed street alignments are schematic and subject to change.
2. Curb cuts along the Central College Road and New Road shall have a minimum 250 foot spacing from centerline to centerline with opposing curb cuts offset a minimum of 150 feet or aligned to avoid conflict. These spacing requirements shall not apply to right in / right out curb cuts.
3. The private street that connects Harlem Road to New Albany Road West shall incorporate traffic calming feature(s) so that the street design is not one straight line between the public roads.

C. Buffering, Landscaping, Open space and/or Screening commitments.

1. Landscaping within the 55' parking setback along Central College Road shall be rural in character and based on the following standard:
 - a. Within the 55' parking and building setback there shall be a minimum 3' high continuously uniform earth mound except for areas of ingress and egress for roadways. The mound shall have a 4:1 slope that will begin at the 55' parking and building setback line with a minimum crest at the top of the mound of 5' in width. From the crest, the mound shall slope upward or downward to met existing grade at the right-of-way line. A fence may also be installed within said setback area.
 - b. Along the crest of the mound trees shall be planted in a hedge row manner per the following standards: 4 shade trees and 3 multi-stem ornamental trees shall be planted per 100 feet of mounding.
2. The mounding and landscaping requirements within the parking setback may be deleted if existing vegetation within the parking setback area screens the parking areas within the parcel from the adjacent public right-of-way. If gaps exist within existing trees, infill plantings shall occur and meet the requirements of said parking and building setback area as required by Section C(1)(b).
3. A street tree row shall be established along Central College Road and New Road containing one tree for every 30' of road frontage. Such trees shall be those specified in the Columbus Street Program guidelines from the City of Columbus Forester and located a minimum 1 foot from edge of right-of-way unless the City of Columbus approves planting these trees within the right-of-way. Minimum tree size at installation shall be 2 ½'.
4. The property owner shall grant a conservation easement to the City of Columbus along the banks of the Sugar Run Creek subject to retaining its right to cross the easement area with streets, utility lines and to install a leisure path. The easement shall be 200 feet in width with a minimum distance of 100 feet from centerline of the creek to any one side of the creek.
5. One tree shall be planted for every six parking spaces. Trees shall be planted in islands at least five feet wide.
6. All loading docks shall be screened from off-site view to a minimum height of six (6) feet by either landscaping, fencing, walls or buildings used individually or in combination thereof.
7. Along the west property line of Subarea 4 existing trees in good condition shall be preserved within the parking setback area. In the gaps in existing trees along the west property line within the parking and building setback area evergreen shall be planted on the basis of one tree for every twenty (20) feet of open space. These new trees may be evenly spaced or grouped together.
8. The landscaping requirements of this section may be satisfied or offset by the preservation of existing vegetation.

9. Unless otherwise specified minimum size of all trees shall be 2 ½" caliper for deciduous, 6' high for evergreens and 1 ½" caliper for ornamental trees.

10. The landscaping required in this section shall count toward satisfying the landscaping requirements of Chapter 3342 of the Columbus City Code.

11. All trees and landscaping shall be well maintained. Dead items, weather permitting, shall be replaced within six months.

D Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. All external lighting in Subarea 4 for non-residential uses shall be cutoff type fixtures (down-lighting) and shall provide no light spillage to off-site parcels. However, landscaping at entry locations may be uplit or down lit, provided the landscaping, lighting does not spill over into the public right-of-way. Residential uses may use either cut-off type fixtures (down-lighting) or decorative type fixtures.

2. All external outdoor lighting fixtures within a given use group shall be from the same or similar manufacturer's type to insure compatibility.

3. Parking lot lighting standards for non-residential uses shall not exceed 20 feet in height and 18 feet in height for residential uses.

4. All new or relocated utility lines shall be installed undergrud.

5. All waste and refuse shall be containerized and fully screened from view by a solid wall or fence that is consistent with the building's architecture.

E. Graphics and Signage commitments.

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Codes, as it applies to the ARO, Apartment District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

2. Entry features may be established within the subarea and may contain signage. Minimum setback for entry features shall be 5 feet from right-of-way line. In no case, shall entry features interfere with maintaining safe clear sight distances at Intersections. Depending on the final form of the entry features, appropriate variances from the Columbus City Code may be required.

3. No signs shall be permitted directly on the surface of any building, wall, or fence. No wall murals ~~shall~~ **shall be allowed**.

4. No flashing, traveling, animated or intermittently illuminated signs shall be used. No co-op signs, rotating signs, trailer type signs, tethered balloons, roof signs, banners and pennants shall be permitted.

5. If site signage is illuminated, it shall be externally illuminated, internal illumination will be prohibited. Signage light source shall be directed toward the sign and shall not cause visibility problems for motorists or adjacent property owners.

F. Tree Preservation.

Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within this subarea. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

G. Architectural Standards - Commercial - Office and Institutional

1. Buildings shall be sided with the longest and/or more predominant building Facade parallel to a major street.

2. Buildings shall be designed to be seen from 360 degrees with the same caliber on finish on all facades/elevations. Additional buildings, whether attached or detached shall be of similar design, materials, and construction.

3. Building materials shall be limited to the following: brick, precast, natural and cultured stone, and E.I.F.S. (Exterior Insulated Finish Systems.) Wood and metal shall be allowed as accent features. Each building façade shall be at a minimum 50 percent brick

or precast. Synthetic materials shall be permitted above the ground story and allowed on the ground story only as accent features (i.e., engaged columns, pediments, cornices, etc). Tinted glass shall be permitted, reflective or mirrored glass shall be prohibited. Prefabricated metal buildings, untreated masonry block structures, and buildings featuring an exterior finish entirely of glass are also prohibited.

4. Pitched, flat, or mansard roofs shall be permitted. All flat roofs shall be required to have a parapet and/or means of screening all rooftop mechanical equipment. All rooftop screens must be consistent and harmonious to the building's façade and character.

5. Poured concrete exterior walls are prohibited.

H. Multi-family Architecture.

1. The maximum number of stories shall be three stories and the minimum number of stories shall be two stories. The maximum building height shall be 45 feet as measured per the Columbus Zoning Code.

2. Building materials shall be traditional and natural in appearance; such as brick, stone, wood, and glass. Vinyl and other manufactured materials are permitted as long as they are natural in appearance.

3. On each side of the building a majority of the windows shall be double hung.

4. Sloped or pitched roofs are encouraged. Flat roofs are allowed only with detailed or decorative cornices.

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