



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 0961-2003, Version: 1

HONORABLE MEMBERS OF COUNCIL:

The attached legislation is submitted for Council action.

APPLICANT: Triangle Properties, Inc.; c/o Robert E. Albright, Atty.; 600 South High Street; Columbus, Ohio 43215.

PROPOSED USE: Commercial and multi-family residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4 -0) on February 14, 2002.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested L-C-4, Limited Commercial and L-AR-12, Limited Apartment Residential Districts will allow retail development and the development of 1088 dwelling units at a density of 11.57 units per acre. The requested L-C-4, Limited Commercial District would allow for commercial development consistent with established zoning and development patterns in this area along East Broad Street. The L-C-4 and L-AR-12 texts include customary use restrictions and development standards including vehicular access commitments, building design commitments, street trees, landscaping, buffering and lighting standards.

To rezone **88 REYNOLDSBURG-NEW ALBANY ROAD (43068)** being 114.4± acres located at the southeast corner of Reynoldsburg-New Albany Road and East Broad Street, **From:** R, Rural District, **To:** L-C-4, Limited Commercial and L-AR-12, Limited Apartment Residential Districts.

WHEREAS, application #Z01-022 is on file with the Building Services Division of the Department of Development requesting rezoning of 114.14± acres from R, Rural District to L-C-4, Limited Commercial and L-AR-12, Limited Apartment Residential Districts;

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

WHEREAS, the City Departments recommend approval of said zoning change because the proposed L-C-4 limitation text includes a 60-foot height district, downlighting of a maximum of 22 feet in height, lowered to 14 feet in height within 100 feet of residentially zoned property and street trees along East Broad Street and Reynoldsburg-New Albany Road and the L-AR-12 limitation text restricts density to 1088 units, a 35-foot height district with a maximum building height of 60 feet, now, therefore;

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

Section 1. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

88 REYNOLDSBURG-NEW ALBANY ROAD (43068) being 110.49± acres located at the southeast corner of Reynoldsburg-New Albany Road and East Broad Street, and being more particularly described as follows:

DESCRIPTION OF 16.515 ACRES OF LAND LOCATED
EAST OF REYNOLDSBURG-NEW ALBANY ROAD AND
ON THE SOUTH SIDE OF EAST BROAD STREET,
IN THE CITY OF COLUMBUS,
STATE OF OHIO

TO REZONE FROM: THE R, RURAL ZONING DISTRICT
TO: L -C-4, LIMITED COMMERCIAL DISTRICT

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Quarter Township 3, Township 1, Range 16, United States Military Lands, containing 16.515 acres of land, more or less, said 16.515 acres being more particularly described as follows:

Beginning for reference, at the centerline intersection of East Broad Street (State Route 16- R/W Varies) and Reynoldsburg-New Albany Road (60' R/W); thence N81°46'42"E, with the centerline of said East Broad Street, a distance of 1314.85 feet to a point; thence S03°28'37"W, a distance of 71.31 feet to the true point of beginning in the southerly right-of-way of said East Broad Street;

Thence from said true point of beginning, N81°46'42"E, with the northerly right-of-way line of said East Broad Street, a distance of 1307.24 feet to a point in the westerly line of Pleasant View Heights, No. 2, the subdivision plat of same being shown of record in Plat Book 35, Page 118, Recorder's Office, Franklin County, Ohio;

Thence S08°19'43"E, with the westerly line of said Pleasant View Heights, No. 2, a distance of 789.69 feet to a point;

Thence S81°46'42"W, a distance of 535.00 feet to a point

Thence N08°13'18"W, a distance of 429.69 feet to a point;

Thence S81°46'42"W, a distance of 575.44 feet to a point of curvature;

Thence, with the arc of a curve to the left, having a radius of 300.00 feet, a central angle of 30°24'09" and a chord that bears S66°34'37"W, a chord distance of 157.33 feet to a point;

Thence N86°31'23"W, a distance of 126.84 feet to a point;

Thence N03°28'37"E, a distance of 383.50 feet to the true point of beginning and containing 16.515 acres of land, more or less.

To Rezone From: R, Rural District

To: L-C-4, Limited Commercial District

DESCRIPTION OF 93.974 ACRES OF LAND LOCATED
ON THE EAST SIDE OF REYNOLDSBURG-NEW ALBANY ROAD AND
SOUTH OF EAST BROAD STREET,
IN THE CITY OF COLUMBUS,
STATE OF OHIO

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Quarter Township 3, Township 1, Range 16, United States Military Lands, containing 93.974 acres of land, more or less, said 93.974 acres being more particularly described as follows:

Beginning for reference, at the centerline intersection of East Broad Street (State Route 16- R/W Varies) and Reynoldsburg-New Albany Road (60' R/W); thence S17°31'06"E, with the centerline of said Reynoldsburg-New Albany Road, a distance of 431.01 feet to the true point of beginning;

Thence, from said true point of beginning, S86°44'13"E, a distance of 1134.09 feet to a point;

Thence N03°28'37"E, a distance of 210.16 feet to a point;

Thence S86°31'23"E, a distance of 126.84 feet to a point on curve;

Thence, with the arc of a curve to the right, having a radius of 300.00 feet, a central angle of 30°24'09" and a chord that bears N66°34'37"E, a chord distance of 157.33 feet to a point;

Thence N81°46'42"E, a distance of 575.44 feet to a point;

Thence S08°13'18"E, a distance of 429.69 feet to a point;

Thence N81°46'42"E, a distance of 535.00 feet to a point;

Thence N08°19'43"W, a distance of 116.75 feet to a southwesterly corner of Pleasant View Heights No. 2, the subdivision plat of same being shown of record in Plat Book 35, Page 118, Recorder's Office, Franklin County, Ohio;

Thence S85°57'36"E, with a southerly line of said Pleasant View Heights No. 2, and with a southerly line of Pleasant View Heights, the subdivision plat of same being shown of record in Plat Book 19, Page 18, a distance of 498.81 feet to a point at the northwesterly corner of Kingswood Farm, Section 2, a subdivision of record in Plat Book 82, Page 19, both being of record in Recorder's Office, Franklin County, Ohio;

Thence S03°24'12"W, with a westerly line of said Kingswood Farm, Section 2, a distance of 1519.10 feet to a point in a northerly line of Timber Creek, Section 2, the subdivision plat of same being shown of record in Plat Book 60, Page 24, Recorder's Office, Franklin County, Ohio;

Thence N86°39'53"W, with the northerly line of said Timber Creek, Section 2, with the northerly line of Timber Creek, the subdivision plat of same being of record in Plat Book 54, Page 81 and with the northerly line of The Meadows of Reynoldsburg, Section 2, the subdivision plat of same being of record in Plat Book 64, Page 53, all being in the Recorder's Office, Franklin County, Ohio, a distance of 2543.70 feet to a point in the centerline of said Reynoldsburg-New Albany Road, DESCRIPTION OF 93.974 ACRES OF LAND LOCATED

ON THE EAST SIDE OF REYNOLDSBURG-NEW ALBANY ROAD AND SOUTH OF EAST BROAD STREET,-
(CONT'D) -

Thence N17°31'06"W, with the centerline of said Reynoldsburg-New Albany Road, a distance of 1420.34 feet to the true point of beginning and containing 93.974 acres of land, more or less.

To Rezone From: R, Rural District

TO: L-AR-12, Limited Apartment Residential District

ZONING DESCRIPTION
6.463 ACRES

Situated in the State of Ohio, County of Franklin, Township of Jefferson, located in Quarter Township 4, Township 1, Range 16, United States Military Lands and being out of that tract conveyed to Rockford Homes by deed of record in Instrument Number 200205160123268 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

Beginning at the southeasterly corner of said Rockford Homes tract, the northeasterly corner of that tract conveyed to Martha A. and Joseph J. Recchie Sr. by deed of record in Instrument Number 199908050199733, in the centerline of Waggoner Road;

thence North 85° 36' 05" West, partly with the northerly line of said Recchie tract, partly with the northerly line of that subdivision entitled "Waggoner Woods Section 1 Part 2" by deed of record in Plat Book 99, Pages 70-71, partly across said Rockford Homes tract, a distance of 1564.45 feet to a point;

thence North 04° 28' 13" East, with a westerly line of said Rockford Homes tract, a distance of 94.18 feet to a point;

thence across said Rockford Homes tract, the following courses and distances:

with the arc of a curve to the left, having a central angle of 04° 57' 40" and radius of 175.00 feet, having a chord bearing and distance of South 67° 52' 13" East, 15.15 feet to a point;

South 65° 23' 23" East, a distance of 16.07 feet to a point of curvature;

with the arc of a curve to the left, having a central angle of 76° 39' 27", and a radius of 20.00 feet, having a chord bearing and distance of North 76° 16' 53" East, 24.81 feet to a point of reverse curvature;

with the arc of a curve to the right, having a central angle of 56° 26' 46", and a radius of 175.00 feet, having a chord bearing and distance of North 66° 10' 32" East, 165.52 feet to a point;

South 85° 36' 05" East, a distance of 1033.14 feet to a point of curvature;

with the arc of a curve to the left, having a central angle 40° 14' 09" and a radius of 150.00 feet, a chord bearing and distance of North 74° 16' 51" East, and a radius of 103.19 feet to a point of tangency;

North 54° 09' 46" East, a distance of 51.97 feet to a point;

with the arc of curve to the right, having a central angle of 39° 32' 55" and a radius of 200.00 feet, having a chord bearing and distance of North 73° 56' 14" East, 135.33 feet to a point; and

South 86° 17' 19" East, a distance of 64.11 feet to a point in the centerline of Waggoner Road;
thence South 03° 26' 24" West, with said centerline, a distance of 287.17 feet to the True Point of Beginning and containing 6.463 of land, more or less.

This description was prepared from existing records and is for zoning purposes only.

To Rezone From: L-AR-12, Limited Apartment Residential District

TO: R-2, Residential District

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the L-AR-12, Limited Apartment Residential District and R-2, Residential 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-C-4, Limited Commercial and L-AR-12 Limited Apartment Residential Districts and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said plans being titled "**Master Plan East Ridge**", "**Exhibit A**" and "**Exhibit B**" signed by Mark DiSabato, dated February 21, 2002 and said text being titled, "**Limitation Overlay Text**," and signed by Jill S. Tangeman, dated April 4, 2002, and reading as follows:

LIMITATION OVERLAY TEXT

PROPOSED DISTRICTS: L-C-4; L-AR-12
PROPERTY INFORMATION: 110.5 +/- Acres located at the southeast corner of East Broad Street and Reynoldsburg-New Albany Road
OWNERS: Rhea Kaplan, Trustee u/d/t dated Sept. 7, 1979; J. Maynard Kaplan, Trustee u/d/t dated April 7, 1979; Michael Ornstein; Marcus Ornstein; Michael Ornstein, Trustee u/d/t dated July 13, 1992; and Marcus Ornstein, Trustee u/d/t dated July 13, 1992.
APPLICANT: Triangle Properties, Inc.
DATE OF TEXT: 04/19/02
APPLICATION NUMBER: Z01-022

1. INTRODUCTION: The subject area is being divided into subareas to reflect zoning classifications and standards that are thought to be appropriate for each subarea. The development will occur over a period of time and it will therefore be necessary from time to time to modify the development standards and to provide for additional uses that could not be foreseen but are compatible with the uses allowed in each subarea.

Any subarea may be the subject of a zoning application filed with the City of Columbus and nothing contained herein shall prevent the current or future owners of the proper from filing and processing a zoning application on any subarea.

The applicable development requirements contained in this text shall not apply to the subarea until the time of development of that subarea.

SUBAREA A **16.5 +/- Acres**

L-C-4

2. PERMITTED USES: The permitted uses shall be those uses permitted in the C-1, C-2, C-3, and C-4 Commercial Districts in the Columbus Zoning Code (Chapter 3355), except for the uses prohibited below:

A. The following uses shall be prohibited:

1. Armory;
2. Poultry killing (not to exclude a poultry shop where killing is not performed on site);
3. Stable;
4. Tinsmith;
5. Billboards;
6. Ice House;
7. Book Bindery;
8. Bus or Truck Terminal;
9. Dance Hall or Cabaret;
10. Used or New Vehicle Sales;
11. Vehicle Repairs;
12. Apartments above Commercial Buildings
13. Electric Substation;
14. Millinery.

3. DEVELOPMENT STANDARDS: Except as otherwise noted herein, the applicable development standards of Chapter 3355, C-4, Commercial District shall apply to Subarea A.

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

1. The building setback line shall be twenty five (25) feet from any road right-of-way, fifteen (15) feet from any side property line, and fifteen (15) feet from any rear property line, except as otherwise set forth herein in 3(A)(2) and 3(A)(3) below.
2. The building setback line shall be sixty (60) feet from East Broad Street. The building setback line shall be fifty (50) feet from Reynoldsburg-New Albany Road. The building setback line shall be twenty (20) feet from the east property line.
3. No building setback shall be required from any property line, other than a property line abutting a public street, that is created within and internal to a larger site for which a Certificate of Zoning Clearance has been issued and the parcel created by the property line continues to function as part of the overall site for which the Certificate of Zoning Clearance was issued.

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

1. The proposed street alignments are schematic and subject to change. Developer reserves the right to determine which streets will be public or private. Public streets shall be built in compliance with city standards and will be of sufficient width to allow for public safety vehicles to access all buildings on the site.
2. Off street parking shall be restricted to one side of the street and shall be in compliance with the provisions of Chapter 3342 of the Columbus Zoning Code.
3. No parking or maneuvering areas, except driveways, shall be constructed nearer than ten (10) feet from any side or rear property line or road right-of-way, except as follows:

- a. Internal aisles for vehicular circulation within parking lots to provide internal connection and circulation between adjacent parking lots are permitted.
- b. No parking or maneuvering setback shall be required from any property line, other than a property line abutting a public street, that is created within and internal to a larger site for which a Certificate of Zoning Clearance has been issued and the parcel created by the property line continues to function as part of the overall site for which the Certificate of Zoning Clearance was issued.

4. On-grade pedestrian connections between Subarea A and Subarea B will be provided where appropriate (no bridges or over-the-road connections). Sidewalks will also be provided adjacent to commercial building fronts in Subarea A.

5. The following road improvements shall be the responsibility of the developer pursuant to Exhibit A attached hereto and incorporated herein by reference:

- a. Reynoldsburg-New Albany Road shall have an additional northbound lane beginning from Site Drive C and continuing along the western border of the site.
- b. Upon City gaining approval to restripe the pavement on the bridge over Blacklick Creek, a fourth lane will be added from the segment of Reynoldsburg-New Albany Road defined in Section 6(a) above to Broad Street to provide a second northbound left turn lane. A half lane transition will be needed to marry the two segments of road. Developer will make a reasonable attempt to acquire right-of-way from Franks Nursery Sales Inc. Developer reserves the right to substitute a cash contribution based upon construction estimates obtained by the Developer to the City in lieu of actual construction of said lane.
- c. Site Drive C shall be constructed to allow for right turns from the site, but to restrict outbound left turns from the site.
 - d. Site Drive B shall have one eastbound lane and two westbound lanes.
- e. In the event that the main connector road running through the site from East Broad Street to Blacklick Crossing is a private roadway, then the Developer agrees to pay one-half (1/2) of the cost associated with the installation of a traffic signal at Site Drive B when such traffic signal is warranted. In the event that the main connector road running through the site from East Broad Street to Blacklick Crossing is a public roadway, then the Developer agrees to pay one-fourth (1/4) of the cost associated with the installation of a traffic signal at Site Drive B when such traffic signal is warranted. In the event that the main connector road is a public roadway, then the Developer agrees to dedicate the appropriate 60' right-of-way, according to the specifications of the City of Columbus Division of Traffic Engineering.
- f. East Broad Street shall have a right turn lane to serve Site Drive A.

- g. Bannockburn Boulevard shall be modified to provide separate southbound right, through and left turn lanes.
 - h. The existing traffic signal on Broad Street at Bannockburn shall be modified to accommodate Site Drive A and to facilitate interconnection with the Reynoldsburg-New Albany Road signal.
 - i. A four-lane northbound approach on Site Drive A at East Broad Street shall be provided to yield dual left turn lanes, a through lane and a right turn lane; Site A Drive shall be designed to accommodate two receiving lanes, if needed in the future.
 - j. East Broad Street shall be re-stripped to provide for a westbound turn lane to serve Site Drive A.
6. Developer will install sidewalks along roadway connecting site to single-family development to the east.
7. The Developer is willing to work in conjunction with the Public Safety Department in the potential purchase by the Public Safety Department of a portion of the site for a potential location for City of Columbus services.
8. Attached hereto and incorporated herein by reference as Exhibit B is the "Subarea A Concept Plan" which sets forth the design and organizing principles to be incorporated into the development of Subarea A. The Concept Plan is illustrative and includes the goals and objectives of the developer, but is not a development plan. The Concept Plan is to be used informational purposes only and is, therefore, non-binding.

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

1. The basic landscape design approach shall be to soften streetscape views of parcel parking lots and enhance site entries. Plants shall be arranged to highlight building entries, soften building masses, provide scale to site development, screen and organize parking and service areas, and define parcel edges. The following standards shall apply:
- a. Existing vegetation within and adjacent to parcels shall be preserved and incorporated into the landscape scheme where feasible.
 - b. All open areas on each developed parcel not occupied by buildings, structures, outside storage areas, parking areas, street right-of-way paved areas, driveways, walkways and off-street loading areas shall be suitably graded and drained and shall be landscaped with lawns, trees or shrubs.
 - c. All parking areas shall be screened to the minimum standards required in Chapter 3342 of the Columbus Zoning Code.
 - d. A street tree row shall be established along East Broad Street containing a minimum of one tree for every 40' of road frontage. Such trees shall be located a minimum 1 foot from the edge of right-of-way unless the City of

Columbus approves planting these trees within the right-of-way.

- e. Any surface parking lot excluding loading, unloading and storage area containing more than 6,000 sq. feet of area or 20 or more vehicular parking spaces shall provide interior landscaping per the requirements of Chapter 3342 of the Columbus Zoning Code in addition to perimeter landscaping.
- f. All loading docks shall be screened from view from adjacent public streets to a height of six (6) feet by either landscaping, fencing, wall or buildings used individually or in combination thereof.
- g. All waste and refuse shall be containerized and fully screened from view by either landscaping, fencing, wall or buildings used individually or in combination thereof.
- h. All rooftop mechanical units shall be screened from view using compatible materials as for facade when possible.
- i. The landscaping requirements of this section may be satisfied or offset by the preservation of existing vegetation where existing vegetation is 4" caliper or greater at an offset ratio of 2:1.
- j. Minimum size of all trees at installation shall be 2.5" caliper for deciduous, 5' high for evergreen and 1.5" caliper for ornamental.
- k. The landscaping required in this section shall count toward satisfying the landscaping requirements contained in Chapter 3342 of the Columbus Zoning Code.
- l. All landscape materials shall be maintained in a healthy fashion and dead materials shall be timely removed and replaced with landscape materials matching the size requirements contained in this text within six months or next planting season, whichever occurs first.
- m. Any surface parking lot adjacent to East Broad Street and/or Reynoldsburg-New Albany Road shall be screened with a minimum 3' high continuous planting hedge, fence, wall or earth mound, used individually or in any combination thereof.
- n. Developer will install a fence and will plant 2 1/2" caliper deciduous trees 20 feet on center along the east property line to screen commercial uses. Existing trees of greater than 4" caliper may be preserved as an offset on 2:1 ratio. The Developer will plant those trees which are to be planted as a result of this commitment in the backyards of the residents on Wickfield Drive that are adjacent to the Retail / Commercial site in order to better screen the commercial uses from the view of the residents. Such a commitment is subject to the approval of the City of Columbus and the approval of the residents on Wickfield Drive.
- o. Developer will be making a contribution of cash in the amount of \$6,600.00 in lieu of dedicating land for park use at the time of zoning clearance.

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

1. Vinyl, brick, stone veneer (including limestone and synthetic stone), architectural pre cast concrete, stucco and wood are acceptable siding materials for all commercial uses.
2. Variation in roof lines shall be used where possible to reduce the mass and add interest to large buildings. Roof features shall complement the character of adjoining buildings/developments where applicable.

E. Dumpsters, Lighting, Outdoor Display and/or Other Environmental Commitments.

1. Exterior lighting enhances the atmosphere and safety at public parking, walkways and entrances. Lighting shall be low key and shall be used to accent entrances and special features. Placement of fixtures shall coincide with major walkway areas. The following standards shall apply:

- a. All external lighting shall be cutoff type fixtures (down lighting) and shall provide no light spillage to off-site parcels provided, however, that building and landscaping may be uplit from a concealed source.
- b. All parking lot lighting shall be provided by black or bronze colored aluminum or steel cutoff type fixtures not to exceed 22 feet in height from ground to light source. Light poles within one hundred (100) feet of a residential structure shall not exceed 14 feet in height from ground to light source.
- c. Outdoor display areas shall be confined to the sidewalk area in front of that individual commercial building.

2. The main ditch running through the site shall be enclosed or remain as an open watercourse per Columbus "Open Watercourse" standards.

F. Graphics and Signage Commitments.

The applicant will submit a graphics application package to the Graphics Commission for approval.

SUBAREA B
94 +/- ACRES
L-AR-12

4. PERMITTED USES: Subarea B shall be a mix of multi-family uses. The permitted uses in Subarea B shall be those uses permitted in Sections 3333.02 and 3333.06 of the Columbus City Codes.

5. DEVELOPMENT STANDARDS: Except as otherwise noted herein, the applicable development standards of Chapter 3333 Apartment Districts of the Columbus City Codes shall apply to Subarea B.

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

1. The maximum number of units shall be 1088.

2. Setback from all road right-of-ways shall be 25' for all parking, loading and maneuvering, except as otherwise set forth herein in 5(A)(6) and 5(A)(7) below.
3. Building setback from Reynoldsburg-New Albany Road shall be 50'.
4. The height district shall be H-35, allowing for a mean 35-foot height limitation in accordance with the Columbus Zoning Code.
5. The building setback line for Subarea B for buildings and vehicular pavement shall be twenty five (25) feet from any road right-of-way, property line, adjacent parcel or adjacent subarea, except as otherwise set forth herein in 5(A)(6) and 5(A)(7) below.
6. The minimum setback line from East Broad Street shall be sixty (60) feet for buildings and thirty (30) feet for vehicular pavement. The minimum setback line from the single family development to the East and North shall be one hundred (100) feet for buildings and vehicular pavement. The minimum setback line from the single family development to the East and South shall be twenty five (25) feet for buildings and vehicular pavement and ten (10) feet for alleys.
7. No vehicular pavement setback shall be required where there is a shared access drive within a Subarea or between Subarea A and Subarea B so long as such setback is not in conflict with the standards in the Columbus Zoning Code.
8. A few units may be used as models for the purpose of the renting of units. Any model may be used as a rental/sales office during the development of the project and the construction of units therein.
9. No three-story buildings will be placed within one hundred seventy five (175) feet of the eastern property line. Only two-story buildings directly adjacent to the southern property line shall be allowed from a point located at the southeast corner of the property measured directly along the southern property line to six hundred (600) feet west of this point.

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

1. The proposed street alignments are schematic and subject to change.
2. All parking in Subarea B shall meet or exceed the standards established in Chapter 3342 of the Columbus City Code.
3. The Developer will dedicate the right-of-way necessary for the street connection between Kingsmeadow Lane and Instone Drive to the City of Reynoldsburg for right-of-way purposes only. Any land dedicated will not affect the number of units approved by the City of Columbus. Setbacks will be twenty-five feet (25') from the proposed connector right-of-way as set forth in the limitation text. The dedicated land will constitute right-of-way for purposes of lot splits. The Developer will retain a blanket easement in the dedicated area for utility and drainage purposes. Such a dedication would be subject to the approval of both the City of Columbus and the City of Reynoldsburg.

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

1. The Developer will make every attempt to integrate Subarea B into the overall parkland and

recreation trail plan as called for in the East Broad Street Study.

2. Landscaping along Reynoldsburg-New Albany Road shall be one tree for every forty feet. Deciduous trees will be a minimum 2.5" caliper at installation; ornamental trees will be a minimum 1.5" caliper at installation; and 25 evergreen trees will be a minimum of 5 feet at installation.

3. The Developer shall be making a contribution in cash in the amount of \$293,850.00 in lieu of dedicating land for park use at the time of zoning clearance.

4. Special screening shall occur between Subarea B and the single family development to the East and North in order to create a buffer between Subarea B and the single family residences. The landscape buffer shall include mostly existing trees, vegetation and natural features as well as spot plantings of some deciduous trees (minimum 2.5" caliper at installation), ornamental trees (minimum 1.5" caliper at installation) and evergreen trees (minimum of 5 feet at installation) as necessary to achieve an opacity of not less than seventy-five percent (75%).

5. The Developer will plant trees in the thirty-five foot (35') easement owned by the neighboring homeowners' association along the eastern property line in order to better screen the proposed development from the single-family residents to the east of the site. The Developer will landscape the thirty-five foot easement area with a combination of the following: 10 deciduous trees (minimum 2.5" caliper at installation), 5 ornamental trees (minimum 1.5" caliper at installation) and 25 evergreen trees (minimum of 5 feet at installation). Such a commitment to plant trees in the thirty-five foot easement area is subject to the approval of the City of Columbus and the neighboring homeowners' association.

6. The Developer will provide mounding and spot plantings in open areas along the southern property line in order to buffer the proposed development from the residents to the south.

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

1. Each apartment community may contain a clubhouse and/or pool and/or other appropriate recreation facilities to provide for the recreational needs of the residents of each community.

2. No building shall exceed sixty (60) feet in height. The main exterior building materials for all apartment dwellings shall be vinyl, brick, wood trim, stone veneer (including limestone and synthetic stone) used individually or in a combination thereof. At least twenty-five percent (25%) of the buildings will be constructed of material other than vinyl. The Developer shall have the option to build detached garages.

E. Dumpsters, Lighting, Outdoor Display and Other Environmental Commitments.

1. All external lighting except for building mounted fixtures in Subarea B shall be cutoff type fixtures (down-lighting) and shall provide no light spillage to off-site parcels. Lights shall have fully shielded, recessed lamps directed downward to prevent glare and shine above the horizontal plane. However, landscaping may be uplit or down lit provided that the lighting does not spill over into the public right-of-ways. For aesthetic compatibility, lights shall be the same or similar type and color. Lighting shall not exceed .1 foot-candle anywhere along a property line. No pole lighting standards shall exceed eighteen (18) feet in height from ground to light source.

2. All waste and refuse shall be containerized and fully screened on three sides from view by

landscaping, fencing, wall or buildings used individually or in combination thereof. Trash pick-up for the multi-family structures shall be public. Dumpsters will be built in compliance with the Columbus. Trash pick-up for the single-family units will be private.

F. Graphics and Signage Commitments.

The applicant will submit a graphics application package to the Graphics Commission for approval.

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