



City of Columbus

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

Legislation Text

File #: 1137-2007, Version: 2

Rezoning Application Z05-054

APPLICANT: Town & Country City, Inc et al; c/o Jeffrey L. Brown and Aaron L. Underhill, Attys.; Smith and Hale, LLP; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: Multi-family, office, open space and commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-1) on June 14, 2007.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This site was originally zoned in 1991 as part of a 1700+/- acre rezoning. A portion of the development was updated in 1998 and now the developers are ready to move forward with this project. This request updates the development standards and eliminates the L-M-2 zoning on both sides of State Route 161. This rezoning will create subareas with various office, residential, commercial and park/open space uses classified in this text as L-R, Limited Rural District. The requested PUD-8, Planned Unit Development, L-R, Limited Rural and CPD, Commercial Planned Development Districts would permit a mix of multi-family residential, office and retail commercial, and open space development consistent with the zoning and land use patterns of the area.

To rezone **2206 EAST DUBLIN-GRANVILLE ROAD (43054)**, being 324.1± acres located on the east side of Hamilton Road, 700± feet north of Menery Lane From: L-C-4, Limited Commercial; L-M-2, Limited Manufacturing; CPD, Commercial Planned Development; and PUD-8, Planned Unit Development Districts; To: PUD-8, Planned Unit Development; L-R, Limited Rural and CPD, Commercial Planned Development Districts.

WHEREAS, application #Z05-054 is on file with the Building Services Division of the Department of Development requesting rezoning of 324.1± acres from L-C-4, Limited Commercial; L-M-2, Limited Manufacturing and PUD-8, Planned Unit Development Districts to CPD, Commercial Planned Development, L-R, Limited Rural and and PUD-8, Planned Unit Development Districts; and

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

WHEREAS, the City Departments recommend approval because the requested PUD-8, Planned Unit Development, L-R, Limited Rural and CPD Commercial Planned Development Districts would permit a mix of multi-family residential, office commercial and open space development consistent with the zoning and land use patterns of 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:

2206 EAST DUBLIN-GRANVILLE ROAD (43054), being 324.1± acres located on the east side of Hamilton Road 700± feet north of Menery Lane, and being more particularly described as follows:

**ZONING
SUBAREA 3
26.94 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 2, Range 16, United States Military Lands, being a 26.94 acre tract out of that tract conveyed to Stephen L. Harper, Trustee of record in Instrument Number 200404290096691 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at Franklin County Geodetic Survey Monument Number 8816, marking the centerline intersection of Hamilton Road (State Route 317) with Dublin-Granville Road (Old State Route 161);

thence South 87° 06' 16" East, with the centerline of Old State Route 161, a distance of 127.75 feet to a point;

thence South 02° 53' 44" West, crossing said Old State Route 161, a distance of 30.00 feet to the *True Point of Beginning*;

thence South 87° 06' 16" East, with the southerly right-of-way line of Old State Route 161, a distance of 809.21 feet to a point;

thence crossing said Stephen L. Harper tract, the following courses:

South 03° 50' 57" West, a distance of 1134.84 feet to a point;

with the arc of a curve to the left, having a central angle of 62° 36' 25", a radius of 1050.00 feet, an arc length of 1147.33 feet, and a chord that bears South 57° 43' 56" West, a chord distance of 1091.10 feet to a point;

thence crossing said Stephen L. Harper tract with the easterly right-of-way line of Hamilton Road, the following courses:

North 03° 12' 32" East, a distance of 453.78 feet to a point;

North 03° 23' 04" East, a distance of 952.64 feet to a point;

North 05° 28' 01" East, a distance of 275.18 feet to a point;

North 46° 47' 56" East, a distance of 113.49 feet the *True Point of Beginning* and containing 26.94 acres of land, more or less.

This description is for zoning purposes only and not intended to be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

To Rezone From: L-C-4, Limited Commercial District,

To: PUD-8, Planned Unit Development District.

**ZONING
SUBAREA 4
44.65 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 2, Range 16, United States Military Lands, being a 44.65 acre tract out of that tract conveyed to Stephen L. Harper, Trustee of record in Instrument Number 200404290096691 and that tract conveyed to Town & Country City, Inc. of record in Deed Book 3513, Page 546 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at Franklin County Geodetic Survey Monument Number 8816, marking the centerline intersection of Hamilton Road (State Route 317) with Dublin-Granville Road (Old State Route 161);

thence South 87° 06' 16" East, with the centerline of Old State Route 161, a distance of 936.96 feet to a point;

thence South 02° 53' 44" West, crossing said Old State Route 161, a distance of 30.00 feet to the *True Point of Beginning*;

thence with the southerly right-of-way line of Old State Route 161, the following courses and distances:

South 87° 06' 16" East, a distance of 1104.85 feet to a point;

North 87° 12' 08" East, a distance of 283.90 feet to a point;

South 02° 48' 57" West, a distance of 1.46 feet to a point;

North 87° 06' 17" East, a distance of 407.17 feet to a point;

thence across said Stephen L. Harper and said Town & Country City, Inc. tracts, the following courses:

with the arc of a curve to the right, having a central angle of 79° 59' 03", a radius of 50.00 feet, an arc length of 69.80 feet, and a chord bearing of South 42° 48' 26" East, and a chord distance of 64.27 feet to a point;

South 02° 48' 55" East, a distance of 112.22 feet to a point;

with the arc of a curve to the right, having a central angle 32° 56' 44", a radius of 940.00 feet, an arch length of 540.51 feet, and a chord bearing of South 13° 39' 27" West, a chord distance of 533.09 feet to a point;

South 31° 53' 05" West, a distance of 169.24 feet to a point;

with the arc of a curve to the right, having a central angle of 52° 31' 26", a radius of 950.00 feet, an arc length of 870.88 feet, and a chord bearing of South 66° 38' 56" West, and a chord distance of 840.70 feet to a point;

North 87° 06' 16" West, a distance of 862.22 feet to a point;

with the arc of a curve to the left having a central angle of 03° 51' 36", a radius of 1050.00 feet, an arc length of 70.74 feet, and a chord that bears North 89° 02' 04" West, a chord distance of 70.72 feet to a point;

North 03° 50' 57" East, a distance of 1134.84 feet to the *True Point of Beginning*, and containing 44.65 acres of land, more or less.

This description is for zoning purposes only and not intended to be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

To Rezone From: L-C-4, Limited Commercial District,

To: CPD, Commercial Planned Development District.

**ZONING
SUBAREA 6
63.40 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 2, Range 16, United States Military Lands, being a 63.40 acre tract out of that 102.657 acre tract conveyed to Stephen L. Harper, Trustee of record in Instrument Number 200404290096691 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the centerline intersection of Relocated Hamilton Road with Relocated State Route 161, as shown on FRA-161-16.75 and LIC-161-0.00 on file at the Ohio Department of Transportation;

thence South 25° 00' 07" East, with the centerline of Hamilton Road, a distance of 537.76 feet to a point;

thence southwardly with the centerline of Hamilton Road, with the arc of a curve to the right having a radius of 2864.79 feet, a central angle of $00^{\circ} 46' 34''$, and a chord that bears South $24^{\circ} 36' 50''$ East, a chord distance of 38.80 feet (arc distance of 38.80 feet) to a point;

thence North $65^{\circ} 46' 27''$ East, crossing Hamilton Road, a distance of 141.20 feet to an angle point in the limited access right-of-way line of Relocated State Route Route 161, the *True Point of Beginning*;

thence with the southerly right-of-way line of Relocated State Route 161, the following courses:

North $47^{\circ} 10' 55''$ East, a distance of 499.66 feet to a point;

North $34^{\circ} 52' 30''$ East, a distance of 447.02 feet to a point;

North $60^{\circ} 52' 48''$ East, a distance of 501.29 feet to a point;

North $61^{\circ} 51' 28''$ East, a distance of 230.82 feet to a point;

thence across said 102.657 acre tract, the following courses:

South $28^{\circ} 09' 00''$ East, a distance of 298.88 feet to a point;

South $06^{\circ} 54' 39''$ East, a distance of 190.82 feet to a point;

southwardly, with the arc of a curve to the left having a radius of 498.00 feet, a central angle of $17^{\circ} 46' 59''$ and a chord that bears South $15^{\circ} 48' 09''$ East, a chord distance of 153.95 feet (arc distance of 154.57 feet) to a point;

southwardly, with the arc of a curve to the right having a radius of 532.00 feet, a central angle of $17^{\circ} 46' 59''$ and a chord that bears South $15^{\circ} 48' 09''$ East, a chord distance of 164.46 feet (arc distance of 165.12 feet) to a point;

South $06^{\circ} 54' 39''$ East, a distance of 651.82 feet to a point;

South $15^{\circ} 56' 09''$ West, a distance of 127.86 feet to a point;

southwardly, with the arc of a curve to the left having a radius of 98.00 feet, a central angle of $22^{\circ} 50' 48''$ and a chord that bears South $04^{\circ} 30' 45''$ West, a chord distance of 38.82 feet (arc distance of 39.08 feet) to a point;

South $06^{\circ} 54' 39''$ East, a distance of 509.76 feet to a point;

South $83^{\circ} 05' 21''$ West, a distance of 342.59 feet to a point;

southwardly, with the arc of a curve to the right having a radius of 252.50 feet, a central angle of $21^{\circ} 38' 43''$ and a chord that bears South $11^{\circ} 17' 07''$ West, a chord distance of 94.82 feet (arc distance of 95.39 feet) to a point;

southwardly, with the arc of a curve to the left having a radius of 372.50 feet, a central angle of $28^{\circ} 06' 03''$ and a chord that bears South $08^{\circ} 03' 27''$ West, a chord distance of 180.87 feet (arc distance of 182.69 feet) to a point in the northerly right-of-way line of Dublin-Granville Road;

thence with the northerly right-of-way line of Dublin-Granville Road, the following courses:

South $83^{\circ} 18' 08''$ West, a distance of 92.52 feet to a point;

South $86^{\circ} 59' 14''$ West, a distance of 17.12 feet to a point;

South $86^{\circ} 49' 57''$ West, a distance of 562.86 feet to a point;

North $03^{\circ} 34' 35''$ West, a distance of 1.60 feet to a point;

North $73^{\circ} 41' 36''$ West, a distance of 79.38 feet to a point;

North 81° 30' 19" West, a distance of 219.26 feet to a point;

thence with the easterly right-of-way line of Relocated Hamilton Road, the following courses:

North 05° 49' 33" West, a distance of 407.58 feet to a point;

North 12° 10' 08" West, a distance of 415.53 feet to a point; and

North 15° 25' 07" West, a distance of 521.88 feet to the *True Point of Beginning*, and containing 63.40 acres of land, more or less.

This description is for zoning purposes only and not intended to be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

To Rezone From: L-C-4, Limited Commercial and L-M-2, Limited Manufacturing Districts,

To: CPD District.

**ZONING
SUBAREA 7
40.09 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 2, Range 16, United States Military Lands, being part of the remainder of the original 42.811 acre tract conveyed to Stephen L. Harper, Trustee by deed of record in Instrument Number 200404290096691, all of the 1.536 acre tract conveyed to Stephen L. Harper, Trustee by deed of record in Instrument Number 200408190194828, and all of the 0.120 acre tract conveyed to Stephen L. Harper, Trustee by deed of record in Instrument Number 200410270247843 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning, for reference, at the centerline intersection of Relocated Hamilton Road with Relocated State Route 161, as shown on FRA-161-16.75 and LIC-161-0.00 on file at the Ohio Department of Transportation;

thence North 64° 59' 53" East, a distance of 185.02 feet, with the centerline of Relocated State Route 161, to a point;

thence North 25° 00' 07" West, a distance of 507.93 feet, crossing said Relocated State Route 161, to the TRUE POINT OF BEGINNING;

thence with the easterly right-of-way line of said Relocated Hamilton Road, the following courses and distances:

North 14° 06' 56" West, a distance of 128.00 feet, to a point;

North 17° 28' 25" West, a distance of 241.78 feet, to a point;

North 08° 59' 07" West, a distance of 79.96 feet, to a point;

with the arc of a curve to the right, having a central angle of 14° 04' 58", a radius of 585.00 feet, an arc length of 143.79 feet, and a chord that bears North 12° 37' 58" East, a chord distance of 143.43 feet, to a point;

North 11° 03' 35" East, a distance of 89.79 feet, to a point;

with the arc of a curve to the right, having a central angle of 20° 37' 37", a radius of 605.00 feet, an arc length of 217.80 feet, and a chord that bears North 38° 25' 33" East, a chord distance of 216.63 feet, to a point;

North 49° 18' 55" East, a distance of 7.30 feet, to a point;

North 48° 45' 15" East, a distance of 831.06 feet, to a point;

thence South 41° 14' 45" East, a distance of 343.87 feet, with a northeasterly line of said 1.536 acre tract, to a point;

thence South 04° 05' 45" West, a distance of 16.81 feet, with an easterly line of said 1.536 acre tract, to a point;

thence with the northerly line of said original 42.811 acre tract, the following courses and distances:

South 86° 00' 49" East, a distance of 420.43 feet, to a point;

South 85° 49' 27" East, a distance of 433.73 feet, to a point;

thence South 03° 10' 05" East, a distance of 629.84 feet, across said original 42.811 acre tract, to a point in the northerly right-of-way line of said Relocated State Route 161;

thence with the northerly right-of-way line of said Relocated State Route 161, the following courses and distances:

South 69° 34' 20" West, a distance of 401.28 feet, to a point;

South 72° 52' 53" West, a distance of 328.10 feet, to a point;

South 54° 01' 13" West, a distance of 159.63 feet, to a point;

South 87° 49' 36" West, a distance of 281.65 feet, to a point;

South 02° 04' 43" West, a distance of 32.00 feet, to a point;

North 83° 11' 54" West, a distance of 357.06 feet, to a point;

South 75° 58' 03" West, a distance of 364.59 feet, to the TRUE POINT OF BEGINNING, and containing 40.09 acres of land, more or less.

This description is for zoning purposes only and not intended to be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

To Rezone From: L-C-4, Limited Commercial and L-M-2, Limited Manufacturing Districts,

To: CPD, Commercial Planned Development District.

**ZONING
SUBAREA 8
24.03 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 2, Range 16, United States Military Lands, being a 24.03 acre tract out of that 102.657 acre tract conveyed to Stephen L. Harper, Trustee of record in Instrument Number 200404290096691 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the centerline intersection of Relocated Hamilton Road with Relocated State Route 161, as shown on FRA-161-16.75 and LIC-161-0.00 on file at the Ohio Department of Transportation;

thence South 25°00'07" East, with the centerline of Hamilton Road, a distance of 537.76 feet to a point;

thence southwardly with the centerline of Hamilton Road, with the arc of a curve to the right having a radius of 2864.79 feet, a central angle of 00°46'34", and a chord that bears South 24°36'50" East, a chord distance of 38.80 feet (arc distance of 38.80 feet) to a point;

thence North 65°46'27" East, crossing Hamilton Road, a distance of 141.20 feet to an angle point in the limited access right-of-way line of Relocated State Route 161;

thence with the southerly right-of-way line of Relocated State Route 161, the following courses:

North 47°10'55" East, a distance of 499.66 feet to a point;

North 34°52'30" East, a distance of 447.02 feet to a point;

North 60°52'48" East, a distance of 501.29 feet to a point;

North 61°51'28" East, a distance of 230.82 feet to the *True Point of Beginning*;

thence North 61°51'28" East, continuing with the southerly right-of-way line of Relocated State Route 161, a distance of 370.04 feet to a point;

thence across said 102.657 acre tract, the following courses:

South 10°38'50" East, a distance of 30.11 feet to a point;

southeastwardly, with the arc of a curve to the right having a radius of 85.00 feet, a central angle of 107°28'46" and a chord that bears South 64°24'37" East, a chord distance of 137.08 feet (arc distance of 159.45 feet) to a point;

South 10°40'14" East, a distance of 627.76 feet to a point;

southwestwardly, with the arc of a curve to the right having a radius of 105.00 feet, a central angle of 89°56'25" and a chord that bears South 34°17'58" West, a chord distance of 148.41 feet (arc distance of 164.82 feet) to a point;

South 79°16'11" West, a distance of 26.23 feet to a point;

South 10°43'49" East, a distance of 105.84 feet to a point;

southeastwardly, with the arc of a curve to the right having a radius of 590.00 feet, a central angle of 37°36'09" and a chord that bears South 29°43'09" East, a chord distance of 380.30 feet (arc distance of 387.21 feet) to a point;

South 10°55'04" East, a distance of 152.44 feet to a point;

southwardly, with the arc of a curve to the right having a radius of 1860.60 feet, a central angle of 11°43'25" and a chord that bears South 05°03'22" East, a chord distance of 380.04 feet (arc distance of 380.71 feet) to a point;

southwardly, with the arc of a curve to the left having a radius of 717.96 feet, a central angle of 16°18'13" and a chord that bears South 07°20'46" East, a chord distance of 203.61 feet (arc distance of 204.29 feet) to a point;

South 15°29'52" East, a distance of 126.80 feet to a point;

southwestwardly, with the arc of a curve to the right having a radius of 65.00 feet, a central angle of 94°46'03" and a chord that bears South 31°53'09" West, a chord distance of 95.67 feet (arc distance of 107.51 feet) to a point;

South 79°16'11" West, a distance of 20.41 feet to a point;

South 10°43'49" East, a distance of 267.37 feet to a point in the northerly right-of-way line of Dublin-Granville Road;

thence South 83°18'08" West, with the northerly right-of-way line of Dublin-Granville Road, a distance of 809.28 feet to a point;

thence across said 102.657 acre tract, the following courses:

northwardly, with the arc of a curve to the right having a radius of 372.50 feet, a central angle of 28°06'03" and a chord that bears North 08°03'27" East, a chord distance of 180.87 feet (arc distance of 182.69 feet) to a point;

northwardly, with the arc of a curve to the left having a radius of 252.50 feet, a central angle of 21°38'43" and a chord that bears North 11°17'07" East, a chord distance of 94.82 feet (arc distance of 95.39 feet) to a point;

North 83°05'21" East, a distance of 342.59 feet to a point;

North 06°54'39" West, a distance of 509.76 feet to a point;

northwardly, with the arc of a curve to the right having a radius of 98.00 feet, a central angle of 22°50'48" and a chord that bears North 04°30'45" East, a chord distance of 38.82 feet (arc distance of 39.08 feet) to a point;

North 15°56'09" East, a distance of 127.86 feet to a point;

North 06°54'39" West, a distance of 651.82 feet to a point;

northwardly, with the arc of a curve to the left having a radius of 532.00 feet, a central angle of 17°46'59" and a chord that bears North 15°48'09" West, a chord distance of 164.46 feet (arc distance of 165.12 feet) to a point;

northwardly, with the arc of a curve to the right having a radius of 498.00 feet, a central angle of 17°46'59" and a chord that bears North 15°48'09" West, a chord distance of 153.95 feet (arc distance of 154.57 feet) to a point;

North 06°54'39" West, a distance of 190.82 feet to a point;

North 28°09'00" West, a distance of 298.88 feet to the *True Point of Beginning*, and containing 24.03 acres of land, more or less.

This description is for zoning purposes only and not intended to be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

To Rezone From: L-M-2, Limited Manufacturing District,

To: CPD, Commercial Planned Development District.

**ZONING
SUBAREA 9-A
13.93 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 2, Range 16, United States Military Lands, being a 13.93 acre tract out of that 102.657 acre tract conveyed to Stephen L. Harper, Trustee of record in Instrument Number 200404290096691 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the centerline intersection of Relocated Hamilton Road with Relocated State Route 161, as shown on FRA-161-16.75 and LIC-161-0.00 on file at the Ohio Department of Transportation;

thence South 25°00'07" East, with the centerline of Hamilton Road, a distance of 537.76 feet to a point;

thence southwardly with the centerline of Hamilton Road, with the arc of a curve to the right having a radius of 2864.79 feet, a central angle of 00°46'34", and a chord that bears South 24°36'50" East, a chord distance of 38.80 feet (arc distance of 38.80 feet) to a point;

thence North 65°46'27" East, crossing Hamilton Road, a distance of 141.20 feet to an angle point in the limited access right-of-way line of Relocated State Route 161;

thence with the southerly right-of-way line of Relocated State Route 161, the following courses:

North 47°10'55" East, a distance of 499.66 feet to a point;

North 34°52'30" East, a distance of 447.02 feet to a point;

North 60°52'48" East, a distance of 501.29 feet to a point;

North 61°51'28" East, a distance of 600.86 feet to the *True Point of Beginning*;

thence North 61°51'28" East, continuing with the southerly right-of-way line of Relocated State Route 161, a distance of

233.50 feet to the northeasterly corner of said 102.657 acre tract;

thence with the easterly lines of said 102.657 acre tract, the following courses:

South 88°13'04" East, a distance of 102.72 feet to a point;

South 06°24'39" East, a distance of 247.66 feet to a point;

South 88°50'21" West, a distance of 99.00 feet to a point;

South 06°24'39" East, a distance of 627.00 feet to a point;

South 85°29'14" East, a distance of 68.01 feet to a point;

South 17°24'39" East, a distance of 353.00 feet to a point;

South 66°24'39" East, a distance of 165.00 feet to a point;

South 12°54'39" East, a distance of 581.00 feet to a point;

South 74°35'21" West, a distance of 115.50 feet to a point;

South 16°54'39" East, a distance of 679.97 feet to a point in the northerly right-of-way line of Dublin-Granville Road;

thence South 83°15'54" West, with the northerly right-of-way line of Dublin-Granville Road, a distance of 405.21 feet to a point;

thence across said 102.657 acre tract, the following courses:

North 10°43'49" West, a distance of 267.37 feet to a point;

North 79°16'11" East, a distance of 20.41 feet to a point;

northeastwardly, with the arc of a curve to the left having a radius of 65.00 feet, a central angle of 94°46'03" and a chord that bears North 31°53'09" East, a chord distance of 95.67 feet (arc distance of 107.51 feet) to a point;

North 15°29'52" West, a distance of 126.80 feet to a point;

northwardly, with the arc of a curve to the right having a radius of 717.96 feet, a central angle of 16°18'13" and a chord that bears North 07°20'46" West, a chord distance of 203.61 feet (arc distance of 204.29 feet) to a point;

northwardly, with the arc of a curve to the left having a radius of 1860.60 feet, a central angle of 11°43'25" and a chord that bears North 05°03'22" West, a chord distance of 380.04 feet (arc distance of 380.71 feet) to a point;

North 10°55'04" West, a distance of 152.44 feet to a point;

northwestwardly, with the arc of a curve to the left having a radius of 590.00 feet, a central angle of 37°36'09" and a chord that bears North 29°43'09" West, a chord distance of 380.30 feet (arc distance of 387.21 feet) to a point;

North 10°43'49" West, a distance of 105.84 feet to a point;

North 79°16'11" East, a distance of 26.23 feet to a point;

northeastwardly, with the arc of a curve to the left having a radius of 105.00 feet, a central angle of 89°56'25" and a chord that bears North 34°17'58" East, a chord distance of 148.41 feet (arc distance of 164.82 feet) to a point;

North 10°40'14" West, a distance of 627.76 feet to a point;

northwestwardly, with the arc of a curve to the left having a radius of 85.00 feet, a central angle of 107°28'46" and a chord that bears North 64°24'37" West, a chord distance of 137.08 feet (arc distance of 159.45 feet) to a point;

North 10°38'50" West, a distance of 30.11 feet to the *True Point of Beginning*, and containing 13.93 acres of land, more or less.

This description is for zoning purposes only and not intended to be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

To Rezone From: L-M-2, Limited Manufacturing District,

To: L-R, Limited Rural District.

**ZONING
SUBAREA 9-B
26.09 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 2, Range 16, United States Military Lands, being a 26.09 acre tract out of that tract conveyed to Town & Country City, Inc. of record in Deed Book 3513, Page 546 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at Franklin County Geodetic Survey Monument Number 8816, marking the centerline intersection of Hamilton Road (State Route 317) with Dublin-Granville Road (Old State Route 161);

thence South 87° 06' 16" East, with the centerline of Old State Route 161, a distance of 2040.32 feet to a point;

thence North 87° 12' 08" East, continuing with the centerline of Old State Route 161, a distance of 1813.77 feet to a point;

thence North 83° 05' 21" East, continuing with the centerline of Old State Route 161, a distance of 823.89 feet to a point;

thence North 06° 54' 39" West, crossing said Old State Route 161, a distance of 30.18 feet to the *True Point of Beginning*;

thence with the southerly right-of-way line of Old State Route 161, the following courses:

North 83° 05' 21" East, a distance of 11.08 feet to a point;

South 85° 36' 36" East, a distance of 50.95 feet to a point;

North 86° 07' 45" East, a distance of 140.72 feet to a point;

North 10° 24' 28" West, a distance of 14.95 feet to a point;

North 83° 25' 08" East, a distance of 163.75 feet to a point;

thence with the easterly perimeter of said Town & Country City, Inc. tract, the following courses:

South 05° 39' 39" East, a distance of 233.64 feet to a point;

North 83° 12' 02" East, a distance of 84.77 feet to a point;

South 05° 08' 37" East, a distance of 622.41 feet to a point;

South 87° 49' 36" East, a distance of 308.49 feet to a point;

South 03° 04' 34" West, a distance of 1567.94 feet to a point;

thence North 87° 34' 52" West, with the northerly line of Reserve C of that plat entitled "The Preserve East Section 2 Part 2" of record in Plat Book 102, Page 13, a distance of 357.24 feet to a point;

thence with the easterly line of "Albany Park Section 2 Part 2" of record in Plat Book 95, Pages 36 and 37, the following courses:

North 08° 50' 32" West, a distance of 1627.32 feet to a point;

North 10° 39' 09" West, a distance of 769.55 feet to the *True Point of Beginning* and containing 26.09 acres of land, more or less.

This description is for zoning purposes only and not intended to be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

To Rezone From: PUD-8, Planned Unit Development District,

To: L-R, Limited Rural District.

ZONINGSUBREA 9-D4.30 ACRES

Situated in te State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 2, Range 16, United States Military Lands, being part of the remainder of the original 42.811 acre tract conveyed to Stephen L. Harper, Trustee by deed of record in Instrument Nur 200404290096691 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning, for reference, at the centerline intersection of Relocated Hamilton Road with Relocated State Route 161, as shown on FRA-161-16.75 and LIC-161-0.00 on file at the Ohio Department of Transportation;

thence North 64° 59' 53" East, a distance of 2002.26 feet, with the centerline of said Relocated State Route 161, to a point;

thence North 25° 00' 07" West, a distance of 123.00 feet, crossing said Relocated State Route 161, to the TRUE POINT OF BEGINNING;

thence North 03° 10' 05" West, a distance of 629.84 feet, across said original 42.811 acre tract, to a point;

thence South 85° 49' 27" East, a distance of 360.44 feet, with a northerly line of said original 42.811 acre tract, to a point;

thence with the easterly lines of said original 42.811 acre tract, the following courses and distances:

South 49° 01' 51" East, a distance of 79.14 feet, to a point;

South 47° 58' 29" West, a distance of 102.12 feet, to a point;

South 02° 45' 39" West, a distance of 204.83 feet, to a point;

South 14° 58' 11" East, a distance of 120.89 feet, to a point in the northerly right-of-way line of said Relocated State Route 161;

thence with the northerly right-of-way line of said Relocated State Route 161, the following courses and distances:

South 56° 19' 55" West, a distance of 168.99 feet, to a point;

South 64° 59' 53" West, a distance of 100.00 feet, to a point;

South 75° 45' 22" West, a distance of 101.79 feet, to the TRUE POINT OF BEGINNING, and containing 4.30 acres of land, more or less.

This description is for zoning purposes only and not intended to be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

To Rezone From: L-M-2, Limited Manufacturing District,

To: L-R, Limited Rural District.

**ZONING
SUBAREA 10
8.5 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military Lands, being part of the original 89.603 acre tract conveyed to The New Albany Company LLC by deeds of record in Official Record 15680H04 and Instrument Number 199811120289607, all of the 0.190 acre tract conveyed to The New Albany Company LLC by deed of record in Instrument Number 200408190194830, and all of the 0.397 and 0.173 acre tracts

conveyed to The New Albany Company LLC by deed of record in Instrument Number 200410280249132, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Relocated State Route 161 and Hamilton Road;

Thence North 25° 00' 07" West, a distance of 99.61 feet, with the centerline of said Hamilton Road, to a point of curvature;

Thence with said curve to the right, having a central angle of 15° 45' 39", a radius of 2083.48 feet, an arc length of 573.12 feet, and a chord which bears North 17° 07' 18" West, a chord distance of 571.31 feet, continuing with the centerline of said Hamilton Road, to a point;

Thence South 80° 45' 32" West, a distance of 90.80 feet, across said Hamilton Road, to the intersection of the northerly right-of-way line of said Relocated State Route 161 and the westerly right-of-way line of said Hamilton Road;

Thence with said westerly right-of-way line, the following courses and distances:

North 00° 20' 45" East, a distance of 234.79 feet, to a point;

North 02° 07' 52" West, a distance of 277.65 feet, to a point of curvature;

With a curve to the right, having a central angle of 00° 53' 49", a radius of 2560.00 feet, an arc length of 40.08 feet, and a chord which bears North 01° 05' 58" East, a chord distance of 40.08 feet, to the TRUE POINT OF BEGINNING;

Thence across said original 89.603 acre tract, the following courses and distances:

South 86° 52' 13" West, a distance of 307.71 feet to a point;

North 31° 21' 59" West, a distance of 252.50 feet to a point;

South 88° 32' 18" West, a distance of 103.02 feet to a point;

North 10° 58' 44" East, a distance of 102.81 feet to a point;

North 40° 17' 51" West, a distance of 64.82 feet to a point;

North 12° 30' 00" West, a distance of 69.83 feet to a point;

North 01° 03' 40" East, a distance of 54.03 feet to a point;

North 46° 14' 17" East, a distance of 33.62 feet to a point;

North 03° 59' 11" East, a distance of 102.56 feet to a point in the northerly line of said original 89.603 acre tract;

Thence South 86° 00' 49" East, a distance of 745.17 feet, with said northerly line, to a point;

Thence with a curve to the left, having a central angle of 04° 26' 57", a radius of 2440.00 feet, an arc length of 189.47 feet, and a chord which bears South 12° 17' 31" West, a chord distance of 189.42 feet, with the easterly line of the remainder of said original 89.603 acre tract, to the northerly corner of said 0.190 acre tract;

Thence South 41° 14' 45" East, a distance of 134.04 feet, with the northeasterly line of said 0.190 acre tract, to a point in the westerly right-of-way line of said Hamilton Road;

Thence with said westerly right-of-way line, the following courses and distances:

South 48° 45' 15" West, a distance of 62521 feet, to a point;

South 43° 43' 17" West, a distance of 286.35 feet, to a point;

With a curve to the left, having a central angle of 00° 11' 30", a radius of 2560 feet, an arc length of 8.57 feet, and a chord which bears South 01° 38' 38" West, a chord distance of 8.57 feet, to the TRUE POINT OF BEGINNING, containing 8.5 acres of land, more or less.

This description is for zoning purposes only, and is not to be used for deed transfer.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

To Rezone From: CPD, Commercial Planned Development and L-M-2, Limited Manufacturing Districts,

To: CPD, Commercial Planned Development District.

**ZONING
SUBAREA 11
70.8 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military Lands, being part of the original 89.603 acre tract conveyed to The New Albany Company LLC by deeds of record in Official Record 15680H04 and Instrument Number 199811120289607, and part of the original 78.37 acre tract conveyed to The New Albany Company LLC by deeds of record in Official Record 12772J15 and Instrument Number 199811120289607, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Relocated State Route 161 and Hamilton Road;

Thence North 25°00'07" West, a distance of 99.61 feet, with the centerline of said Hamilton Road, to a point of curvature;

Thence with said curve to the right, having a central angle of 15°45'39", a radius of 2083.48 feet, an arc length of 573.12 feet, and a chord which bears North 17°07'18" West, a chord distance of 571.31 feet, continuing with the centerline of said Hamilton Road, to a point;

Thence South 80°45'32" West, a distance of 90.80 feet, across said Hamilton Road, to the intersection of the northerly limited access right-of-way line of said Relocated State Route 161 and the westerly right-of-way line of said Hamilton Road, the TRUE POINT OF BEGINNING;

Thence with said northerly limited access right-of-way line, the following courses and distances:

South 06°57'24" West, a distance of 152.57 feet, to a point;

South 60°54'22" West, a distance of 207.81 feet, to a point;

South 40°13'56" West, a distance of 229.05 feet, to a point;

South 35°05'47" West, a distance of 407.01 feet, to a point;

South 49°24'01" West, a distance of 249.18 feet, to a point;

South 63°16'47" West, a distance of 1330.71 feet, to a point in the westerly line of said original 78.37 acre tract;

Thence with said westerly line, the following courses and distances:

North 03°41'35" East, a distance of 2226.70 feet, to a point;

South 86°24'01" East, a distance of 750.94 feet, to a point;

North 03°28'31" East, a distance of 526.96 feet, to a point;

Thence South 86°00'49" East, a distance of 481.31 feet, with the northerly lines of said original 78.37 and 89.603 acre tracts, to a point;

Thence across said original 89.603 acre tract, the following courses and distances:

South 03°59'11" West, a distance of 102.56 feet, to a point;

South 46°14'17" West, a distance of 33.62 feet, to a point;

South 01°03'40" West, a distance of 54.03 feet, to a point;

South 12°30'00" East, a distance of 69.83 feet, to a point;

South 40°17'51" East, a distance of 64.82 feet, to a point;

South 10°58'44" West, a distance of 102.81 feet, to a point;

North 88°32'18" East, a distance of 103.02 feet, to a point;

South 31°21'59" East, a distance of 278.26 feet, to a point;

South 88°46'34" East, a distance of 42.79 feet, to a point;

South 00°59'10" East, a distance of 409.26 feet, to a point;

North 89°42'42" East, a distance of 66.89 feet, to a point;

South 52°02'40" East, a distance of 36.91 feet, to a point;

South 85°44'10" East, a distance of 29.52 feet, to a point;

South 15°01'39" East, a distance of 70.66 feet, to a point;

South 73°32'18" East, a distance of 16.94 feet, to a point;

South 86°24'01" East, a distance of 92.33 feet, to the TRUE POINT OF BEGINNING, containing 70.8 acres of land, more or less.

This description is for zoning purposes only, and is not to be used for deed transfer.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

To Rezone From: L-C-4, Limited Commercial and L-M-2, Limited Manufacturing Districts,

To: L-R, Limited Rural District.

**ZONING
SUBAREA 13
1.36 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 2, Range 16, United States Military Lands, being all of the remainder of the original 1.556 acre tract conveyed to Stephen L. Harper, Trustee by deed of record in Instrument Number 200404290096691 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning, for reference, at the centerline intersection of Relocated Hamilton Road with Relocated State Route 161, as

shown on FRA-161-16.75 and LIC-161-0.00 on file at the Ohio Department of Transportation;

thence with the centerline of Relocated Hamilton Road, the following courses and distances:

North 25° 00' 07" West, a distance of 99.37 feet, to a point;

with a curve to the right, having a central angle of 22° 46' 27", a radius of 2083.48 feet, an arc length of 828.15 feet, and a chord that bears North 13° 36' 53" West, a chord distance of 822.71 feet, to a point of compound curvature;

with a curve to the right, having a central angle of 50° 58' 54", a radius of 655.00 feet, an arc length of 582.82 feet, and a chord that bears North 23° 15' 48" East, a chord distance of 563.78 feet, to a point of tangency;

North 48° 45' 15" East, a distance of 374.40 feet, to a point;

thence North 41° 14' 45" West, a distance of 50.00 feet, across the right-of-way of said Relocated Hamilton Road, to the TRUE POINT OF BEGINNING;

thence South 48° 45' 15" West, a distance of 396.75 feet, with the westerly right-of-way line of said Relocated Hamilton Road, to a point;

thence North 41° 21' 54" West, a distance of 134.35 feet, with the southerly line of the remainder of said original 1.556 acre tract, to a point;

thence with a curve to the right, having a central angle of 04° 26' 42", a radius of 2440.00 feet, an arc length of 189.29 feet, and a chord that bears North 12° 17' 21" East, a chord distance of 189.24 feet, with the westerly line of said original 1.556 acre tract, to a point;

thence South 86° 00' 49" East, a distance of 347.66 feet, with the northerly line of said original 1.556 acre tract, to the TRUE POINT OF BEGINNING, and containing 1.36 acres of land, more or less.

This description is for zoning purposes only and not intended to be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC

To Rezone From: CPD, Commercial Planned Development and L-M-2, Limited Manufacturing Districts,

To: Commercial Planned Development District.

SECTION 2. That a Height District of (60) feet is hereby established on the CPD, Commercial Planned Development, L-R, Limited Rural and PUD-8, Planned Unit Development Districts on this property except as limited in the Sub-Area texts.

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development and PUD-8, Planned Unit Development Districts and Application among the records of the Building Services Division as required by Sections 3311.09, 3311.12, and Section 3370.03 of the Columbus City Codes; said plans and exhibits being titled, "~~ALBANY PARK~~", "**APPLICATION Z05-054 EXHIBITS A-F**", "**APPLICATION Z05-054 EXHIBITS G-L**", and "**APPLICATION Z05-054 EXHIBITS M-P**," all signed by Jeffrey L. Brown, attorney for the Applicant, and dated June 20, 2007 and "**ALBANY PARK**" signed by Jeffrey L. Brown, attorney for the Applicant, and dated July 16, 2007 and text titled, "**RESIDENTIAL AND COMMERCIAL PLANNED DEVELOPMENT TEXT**", all signed by Jeffrey L. Brown, attorney for the Applicant, and dated July 6~~23~~, 2007, and the text reading as follows:

**RESIDENTIAL AND COMMERCIAL
PLANNED DEVELOPMENT TEXT**

PROPOSED DISTRICT: PUD-8, CPD-Office, CPD-Commercial, L-R
PROPERTY ADDRESS: 5111 East Dublin-Granville Road
OWNER: Town and Country City, Inc. et al.

APPLICANT: Town and Country City, Inc.; The New Albany Company
DATE OF TEXT: ~~7/6/07~~7/23/07
APPLICATION NUMBER: Z05-054

INTRODUCTION: The majority of this site is found directly south of State Route 161, east of Hamilton Road, and north of the Preserve residential development. Part of the site is found in the northwest and northeast quadrants of the intersection of Hamilton Road and State Route 161. This site was originally zoned in 1991 as part of a 1700+/- acre rezoning. A portion of the development was updated in 1998 and now the developers are ready to move forward with this project. This request updates the development standards and eliminates the L-M-2 zoning on both sides of State Route 161. This rezoning will create subareas with various office, residential, commercial and park/open space uses (classified in this text as L-R, Limited Rural District).

1. SUBAREA 1: INTENTIONALLY DELETED

2. SUBAREA 2: INTENTIONALLY DELETED

3. SUBAREA 3: PUD-8

3A. LOCATION: Subarea 3 contains approximately 26.94 acres and shall be located on the western portion of the site, southeast of and adjacent to the intersection of existing Hamilton Road and Dublin-Granville Road.

3B. PERMITTED USES: Permitted uses for Subarea 3 are contained in Section 3333.02 (AR-12, Apartment Residential District) and Section 3332.033 (R-2, Residential) of the Columbus City Code unless otherwise indicated within this text.

3C. DEVELOPMENT STANDARDS: The applicable development standards are contained in Chapter 3333 (AR-12, Apartment Residential) if multi-family or attached single family townhomes are developed and Chapter 3332 (R-2, Residential) if single family lots are developed unless otherwise indicated within this text.

3D. DENSITY, HEIGHT, LOT AND/OR SETBACK COMMITMENTS:

1. Single family attached - townhomes

a. Fee simple lot development lots:
minimum width: 16'
minimum depth: 85'

b. Setbacks:
building line: (5' stoop encroachment)
dwelling unit; with garage facing street: 20 ft. from the street serving dwelling unit with garage not facing street: 12 ft. from the street reserve

c. Side yard setback:
minimum: 0' (attached units)
minimum building separation: 20'

d. Rear yard setback:
minimum: 15'

e. Building: (3 to 8 unit buildings)

f. Minimum net floor area for living quarters: 1,100 sq. ft.
minimum building width: 16'

g. Maximum building height: 45' (midpoint of roof)

2. The minimum building setback from all private streets shall be 42 feet from the centerline of the street. A minimum side yard building setback on corner lots shall be 34 feet from the centerline of all private streets. Stoops may encroach 5 feet within the

building setback of all private streets.

3. Parking restrictions shall be controlled by appropriate signage displayed within the development. Parking shall be limited to one side of the street if said street is less than 26' in width. No parking shall be permitted on either side of any street within 61' of street intersections. Fire hydrants shall be located on the side of the street where no parking is permitted. Enforcement by the condominium / homeowner association shall be established by the rules and regulations of the condominium / homeowner association. The final design / layout of all onsite parking is subject to review and approval of the transportation division.

4. Signage regulating parking shall be installed consistent with city signage requirements for private streets, and parking requirements shall be enforced through an agreement between the association of homeowners and a private towing company. Such agreement, together with the association's governing documents, shall be filed with the Division of Fire, Fire Prevention Bureau consistent with Columbus City Code 3320.15 (a) (10).

5. Parking is not allowed anywhere but in garages, on private streets as designated on the approved zoning clearance drawing, on streets as set forth above, and in driveways where applicable. In conjunction with the requirements above, the owner, developer, their successors and assigns (including the association of homeowners) must provide and maintain adequate and proper signage to designate all no parking zones.

6. The owner, developer and or the association of homeowners must establish and maintain an agreement(s) with private towing company(s), which agreements authorize the private towing company(s) to remove / tow any vehicles parking in restricted areas associated with private streets. There may be one or more such agreements with one or more towing company(s), for any times / lengths, terms, etc. as the association determines, so long as at least one such agreement shall always at all times be in force for the purposes of enforcement / removal / towing as required above. Towing agreements shall be filed with the Division of Fire, Fire Prevention Bureau upon execution of contract.

7. The owner, developer, or the association of homeowners, as applicable, shall designate the City of Columbus as an authorized agent for the sole and specific purposes of enforcement of parking restrictions and issuance of citations and or removal of vehicles parked in violation of posted parking restrictions on private streets.

8. Any right-of-way dedication from Subarea 3 shall be credited in the computation of permissible unit density within Subarea 3.

9. There shall be a twenty five (25) foot parking, maneuvering and building setback along the eastern property line of Subarea 3.

10. For structures and paved areas, lot coverage shall not exceed eighty percent (80%). Internal sidewalks and bikeways shall not be considered as part of lot coverage.

11. The height district shall be thirty five (35) feet as measured per Columbus City Code.

3E. ACCESS, LOADING, PARKING AND/OR OTHER TRAFFIC-RELATED COMMITMENTS:

1. All streets shall be private, unless otherwise noted hereon, and shall be at least 22 feet in width. Intersection details including turning radii and tapers will comply with the TND standards on public or private streets.

2. In the subarea there shall be a two car garage or a one car garage with a parking space in front of the garage a minimum of 9' x 18' which does not block the sidewalk or circulation aisle.

3. A sidewalk shall be installed along both sides of public and private streets. Sidewalks shall not be required on streets less than twenty-two (22) feet in width.

4. Pedestrian and vehicular access will be provided between Subarea 3 and Subarea 4. An access point shall be coordinated between the owners of Subarea 3 and Subarea 4.

5. No more than fifteen percent (15%) of the parking spaces provided for Subarea 3 may front on any single right-of-way. In areas where parking spaces do face public roadways, headlight screening will be installed with a minimum height of three (3) feet using mounding or hedge rows or a combination thereof.

3F. BUFFERING, LANDSCAPING, OPEN SPACE AND/OR SCREENING COMMITMENTS:

1. The developer shall install street trees along Hamilton Road, Dublin-Granville Road and future Hamilton Road relocation 40 feet on center. Trees may be grouped or spaced and shall be at least ten (10) feet from the right-of-way unless the City of Columbus approves planting these trees closer to the right-of-way or within the right-of-way.
2. If public or private streets are constructed within Subarea 3, the developer shall install street trees along such public or private streets 40 feet on center.
3. The developer shall install one tree per lot and three trees per corner lot. Due to the number of curb cuts within the subarea, street trees shall be installed at regular intervals to the greatest extent possible. If the required number of trees cannot be utilized specifically for street trees within the subarea, the developer shall use said trees within other areas of the subarea. Street trees shall be 2.5" caliper minimum and the species shall not be mixed on individual streets.
4. All trees and landscaping shall be well maintained, properly weeded and kept free of trash. Dead items shall be replaced within 6 months or the next planting season, whichever occurs first.
5. The developer shall install the following buffer treatment within the setback along its east property line: two rows of trees using a mix of deciduous and evergreen trees, twenty feet on center on a minimum 2 foot high mound. Open space to be owned and maintained by the owner, developer, or the association of homeowners.
6. Within parking lots, one (1) tree shall be provided for every ten (10) parking spaces.
7. Headlights of cars shall be screened from adjacent property and streets. Such screening may be accomplished by the use of shrubs, landscaped mounding, low brick or stone walls, topographical differences or a combination thereof. The height of screening shall be no less than thirty (30) inches. Such screening shall not obstruct the vision of cars entering or exiting the site.

3G. DUMPSTERS, LIGHTING, OUTDOOR DISPLAY AREAS AND/OR OTHER ENVIRONMENTAL COMMITMENTS:

1. Developer shall install decorative street lamps per Columbus City Code along the public street access to the PUD district. Coach lights on the individual homes will be provided in place of street lights for all private streets.
2. Concrete, sidewalks shall be provided by the developer on both sides of all private streets, except for single-loaded streets, which shall have sidewalks on the house side of the street only.

3H. GRAPHICS AND SIGNAGE COMMITMENTS:

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Code as it applies to the appropriate zoning district. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for approval.

3I. MISCELLANEOUS COMMITMENTS:

1. Homes may be used as model homes for the purpose of marketing and sales. A manufactured modular building or a model home may be used as a sales office during the development of the project and the construction of homes therein.

4. SUBAREA 4: CPD

4A. LOCATION: Subarea 4, contains approximately 44.65 acres and is located southwest of and adjacent to the intersection of E. Dublin-Granville Road and new Hamilton Road.

4B. PERMITTED USES: Permitted uses for subarea 4 are contained in Section 3356.02 (C-4, Commercial) and Section 3357.01 (C-5, Commercial) of the Columbus City Code unless otherwise indicated within this text.

1. The following uses are excluded from this subarea:
 - a. Billboards
 - b. Cabaret
 - c. Commercial radio transmitting or television station and appurtenances including cellular towers unless it is located on top of a

building. Notwithstanding the previous sentence, no full size regional cell towers will be located on the top of a building if such cell tower exceeds ten (10) feet above the height of the building.

- d. Dance hall
- e. Electric substation
- f. Funeral parlor
- g. Motor bus terminal
- h. Motion picture theater
- i. Nightclub
- j. Pawn shop
- k. Poolroom
- l. Private club
- m. Testing or experimental laboratory
- n. Free-standing automobile repair shops conducting engine repair provided, however, free-standing automobile repair shops which conduct routine maintenance shall be permitted.
- o. Gasoline service stations shall be prohibited within one hundred (100) feet of Subarea 3.

4C. DEVELOPMENT STANDARDS: The applicable development standards are contained in Chapter 3356 (C-4 Commercial) of the Columbus City Code unless otherwise indicated within this text.

4D. DENSITY, HEIGHT, LOT AND/OR SETBACK COMMITMENTS

- 1. The permitted maximum site density for the subject property shall not exceed the ratio of 12,000 gross square feet of building per net acre of the subarea except that office development shall not exceed the ratio of 18,000 gross square feet of building per net acre of the subarea. Net acreage shall be the gross acreage less the public right-of-way.
- 2. Setback from Hamilton Road shall be 50 feet for canopies, parking, maneuvering areas and buildings.
- 3. Setback from E. Dublin Granville Road shall be 50 feet for canopies, parking, maneuvering areas and buildings.
- 4. Setback from the western boundary line of Subarea 4 shall be 25 feet for canopies, parking, maneuvering areas and buildings.
- 5. Building setbacks shall not apply to landscape features such as, but not limited to, planters or walls six (6) feet high or less or ornamental fencing which may or may not contain signage.
- 6. The height district for the subject property shall be 35 feet, exclusive of architectural features, parapets, and roof elements necessary to meet architectural standards required by this CPD text, as measured per Columbus City Code.
- 7. Any outparcel which is less than two acres in size shall have side and rear yard setback of 10 feet for all buildings, parking and maneuvering areas, except for cross access areas.
- 8. For structures and paved areas lot coverage shall not exceed 80%. Internal sidewalks and bikeways shall not be considered as part of the lot coverage.

4E. ACCESS, LOADING, PARKING AND/OR OTHER TRAFFIC-RELATED COMMITMENTS:

- 1. Overnight parking of semi-tractor trailers, box trucks, commercial vehicles or recreational vehicles outside of loading areas shall be prohibited. Trucks located within loading areas shall not be permitted to leave engines running overnight.
- 2. Pedestrian and vehicular access will be provided between Subarea 3 and Subarea 4. Access points shall be coordinated between the owners of Subarea 3 and Subarea 4.
- 3. **The developer of Subarea 4 may either (1) wait to develop Subarea 4 until new Hamilton Road is constructed using Tax Increment Financing funds, or (2) proceed to develop Subarea 4 prior to the construction of new Hamilton Road provided the**

developer makes the short-term improvements needed to Dublin-Granville Road necessary to accommodate the developer's improvements. It is understood that the short-term improvements will be determined by an access study at the time of development. The access study shall include the intersection of Dublin-Granville Road and old Hamilton Road.

4F. BUFFERING, LANDSCAPING, OPEN SPACE AND/OR SCREENING COMMITMENTS:

1. Landscaping within the required parking setbacks along East Dublin-Granville Road and relocated Hamilton Road shall contain a 3-foot to 5-foot high continuously uniform shrubbery screen and/or mounding along with a white horse fence. The fencing shall consist of a 4-board fence (as shown in **Exhibit A**). Trees shall be planted in a row within this setback per the following standard: one deciduous shade tree per thirty (30) feet of frontage.

2. A street tree row shall be established along all publicly dedicated rights-of-way containing 1 tree for every 30 feet of road frontage. Trees may be grouped or spaced. Such trees shall be those specified in the Columbus Street Program guidelines from the City of Columbus Forester and shall be located a minimum of ten (10) feet from the edge of the right-of-way unless the City of Columbus approves planting these trees closer to the right-of-way or within the right-of-way. Minimum tree size at installation shall be 2 ½ caliper inches in all setback areas along East Dublin Granville Road and Hamilton Road that are not adjacent to public right of way, 3 deciduous shade trees, and 2 ornamental trees shall be required.

3. Within the Subarea, there shall be no less than one tree planted for every 10 parking spaces. Trees shall be planted in islands at least six (6) feet wide and eighteen (18) feet long. Notwithstanding the previous sentence, if parking landscape "diamonds" are used in the parking lot, the minimum size shall be seven (7) feet by seven (7) feet. At least 5% of the vehicular use area (i.e., parking lot excluding the perimeter circulation drive exterior to the parking lot) shall be landscaped or green space (or tree areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.

4. An internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk along a public street can access the adjacent buildings through their parking lots delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access drives.

5. Deciduous trees shall be planted along both sides of any internal access road that serves the outparcels in this subarea, in a number not less than one (1) tree per fifty (50) feet of access road(s).

6. Minimum tree size at installation shall be no less than 2 ½ inch caliper for street and/or shade trees, 6 feet in height for evergreen trees, 1 ½ inch caliper for ornamental trees, and two gallons for shrubs. Caliper shall be measured 6 inches above grade. Any mounding shall have a maximum 3:1 slope with landscaping.

7. All trees and landscaping shall be well maintained, properly weeded and kept free of trash. Dead items shall be replaced within 6 months or the next planting season, whichever occurs first.

8. The property owner or its assigns shall maintain the fencing and landscaping required in this section.

9. All parking spaces which are adjacent to E. Dublin Granville Road or the future relocated Hamilton Road shall have headlight screening parallel to the frontage with a minimum height of 30 inches as measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earth mounding, fence, or wall. The requirements of this paragraph may be included as part of the landscaping treatment required within the parking setback described in this subarea text so long as the total number of trees planted and the height of the screening meet the requirements of these two sections.

10. The developer shall install the following buffer treatment along its west property line: 6-foot wood fence, twenty five (25) foot parking, maneuvering and building setback, and a row of deciduous trees located 40 feet on center.

11. The landscaping requirements of this section, except for trees within the parking lot, may be satisfied or off-set by the preservation of existing vegetation. Tree plantings may be offset by using existing healthy trees four (4) inches in caliper or greater (1 tree for 1 tree). Green space may be offset by saving existing green areas rather than creating new green areas.

4G. BUILDING DESIGN AND/OR INTERIOR-EXTERIOR TREATMENT COMMITMENTS

THE FOLLOWING BUILDING DESIGN AND/OR INTERIOR-EXTERIOR TREATMENT COMMITMENTS SHALL

APPLY TO SUBAREAS 4, 6, 7 AND 10:

1. The architectural design for the subarea shall be consistent with the standards set forth in this text and shall be coordinated between the various uses and proposed building types. Architectural standards shall vary based on the size of tenants or users as set forth below. All architectural exhibits incorporated as part of this zoning text are representative of the types of buildings which will be constructed in this subarea but are not the only designs which are permitted under the architectural requirements set forth in this zoning text. For the purpose of clarification of the architectural terms used in this text, a list of such terms is listed in Exhibit O. To further help explain the types of architectural features that may be used on the buildings, such features, by way of example, are shown graphically on Exhibits B-M.

2. Tenants or Users With 25,000 - 50,000 Square Feet: All tenants or users in this subarea with 25,000 - 50,000 square feet of gross floor area that are not located on an outparcel shall be subject to the following architectural standards:

a. Building architecture shall conform to the styles shown in **Exhibits B, C, D, E, F, & G** for tenants or users that have 25,000 - 50,000 square feet of gross floor area.

b. For all buildings above 25,000 square feet building features and entries shall have the appearance of being 2 stories in height as per **Exhibits B, C, D, E, F, & G** with a minimum height of twenty five (25) feet and with parapets and heights comparable to and consistent with the parapets and heights shown on **Exhibits B, C, D, E, F, & G** with a minimum height of twenty five (25) feet.

c. Required architectural features shall include large storefronts, taking into account storeroom size; using roof elements such as dormers, cupolas, roof spires, and hip and gable roofs to emphasize and reduce the building scale at the building storefront; roof screens of all roof-mounted equipment and appurtenances; and fenestration, all of the above being comparable to and consistent with the features provided on the buildings shown on **Exhibits B, C, D, E, F, & G**.

d. Exterior Elevations: Each exterior elevation shall be predominately composed of brick masonry equal to or exceeding the coverage of brick found on the buildings shown on **Exhibits B, C, D, E, F, & G**, exclusive of glass areas. Brick masonry exterior walls shall be of a type brick that is consistent with the brick shown on the buildings shown on **Exhibits B, C, D, E, F, & G**, sized from standard to king size/jumbo. Utility brick (half a concrete block that is colored at the time of fabrication) shall be prohibited. Brick walls shall be detailed in a manner comparable to and consistent with the brick walls for the buildings shown on **Exhibits B, C, D, E, F, & G**. Jack arches shall be utilized above storefronts, windows, and blind arches in a manner comparable to and consistent with the buildings and architecture found on **Exhibits B, C, D, E, F, & G**. Belt lines (horizontal accent bands) shall be used to break up larger brick masonry walls which can be recessed or pulled from the field in a manner comparable to and consistent with the buildings and architecture shown on **Exhibits B, C, D, E, F, & G**. Soldier courses may be used above door and window openings or as part of a belt line (horizontal accent bands). Detail bricks shall be of an accent color that is complimentary to the field brick on the building. Other exterior elevation elements shall include the treatment of slope roof fascias and parapet cornices, in a manner comparable to and consistent with the buildings and architecture shown on **Exhibits B, C, D, E, F, & G**. The same palette of exterior finishes and color shall be used on all sides of a building, unless otherwise detailed in this zoning text.

e. Roof fascias shall be proportioned to the scale of the roof element with classical molding details such as crown molding. The parapets shall use cornices in a manner comparable to and consistent with the buildings and architecture shown on **Exhibits B, C, D, E, F, & G** with molded shapes made of durable material such as stone, cast stone, architectural pre-cast concrete, gypsum fiber reinforced concrete, or expanded insulation finish system (EIFS). The same material shall be used for roof fascias to match cornices, in a manner comparable to and consistent with the buildings and architecture shown on **Exhibits B, C, D, E, F, & G**.

f. Gutters and downspouts: Gutters shall be metal-type and shall be painted to match fascias. Downspouts shall be installed in a manner comparable to and consistent with the buildings and architecture shown on **Exhibits B, C, D, E, F, & G** and shall be painted to match gutters. Scuppers shall be used at the rear of the building if desired. Through wall scuppers may be permitted where parapet walls are used. Scupper boxes and downspouts at the rear of the building shall be painted to blend in with exterior building color or shall be manufactured with a pre-finished metal of a color which compliments the finished material to which it is affixed. Overflow drains may be an open scupper through a masonry parapet in a manner comparable to and consistent with the buildings and architecture shown on **Exhibits B, C, D, E, F, & G**. An open scupper shall be detailed to minimize its appearance on the building elevation.

g. All exterior doors other than entry/exits shall be made of a heavy gauge metal painted to blend in with the exterior brick masonry.

h. Retail tenants occupying the end of a building or on outparcels may be permitted to have pick-up unit(s) on the end of the building.

The pick-up unit(s) shall be detailed with applicable architectural standards and in a manner comparable to and consistent with the architecture of the balance of the subarea.

3. Tenants or users with 50,000 sq. ft. - 100,000 sq. ft.: All tenants or users in this subarea with 50,000 - 100,000 square feet of gross floor area that are not located on an outparcel shall be subject to the following architectural standards:

- a. Building architecture shall conform to the styles shown in **Exhibits H & I** for tenants or users that have 50,000 - 100,000 square feet of gross floor area.
- b. Building features and entries shall have the appearance of being 2 stories in height as per **Exhibits H& I** with parapets and heights comparable to and consistent with the parapets and heights shown on **Exhibits H & I**.
- c. Required architectural features shall include large storefronts, taking into account storeroom size; using roof elements such as dormers, cupolas, roof spires, and hip and gable roofs to emphasize and reduce the building scale at the building storefront; roof screens of all roof-mounted equipment and appurtenances; and fenestration, all of the above being comparable to and consistent with the features provided on the buildings shown on **Exhibits H & I**.
- d. Exterior Elevations: Each exterior elevation shall be predominately composed of brick masonry equal to or exceeding the coverage of brick found on the buildings shown on **Exhibits H & I**, exclusive of glass areas. Brick masonry exterior walls shall be of a type brick that is consistent with the brick shown on the buildings shown on **Exhibits H & I**, sized from standard to king size/jumbo. Utility brick (half a concrete block that is colored at the time of fabrication) shall be prohibited. Brick walls shall be detailed in a manner comparable to and consistent with the brick walls for the buildings shown on **Exhibits H & I**. Jack arches shall be utilized above storefronts, windows, and blind arches in a manner comparable to and consistent with the buildings and architecture found on **Exhibits H & I**. Belt lines (horizontal accent bands) shall be used to break up larger masonry walls which can be recessed or pulled from the field in a manner comparable to and consistent with the buildings and architecture shown on **Exhibits H & I**. Soldier courses may be used above door and window openings or as part of a belt line (horizontal accent band). Detail bricks shall be of an accent color that is complimentary to the field brick on the building. Other exterior elevation elements shall include the treatment of slope roof fascias and parapet cornices, in a manner comparable to and consistent with the buildings and architecture shown on **Exhibits H & I**. The same palette of exterior finishes and color shall be used on all sides of a building, unless otherwise detailed in this zoning text.
- e. Roof fascias shall be proportioned to the scale of the roof element with classical molding details such as crown molding. The parapets shall use cornices in a manner comparable to and consistent with the buildings and architecture shown on **Exhibits H & I** with molded shapes made of durable material such as stone, cast stone, architectural pre-cast concrete, gypsum fiber reinforced concrete, or expanded insulation finish system (EIFS). The same material shall be used for roof fascias to match cornices, in a manner comparable to and consistent with the buildings and architecture shown on **Exhibits H & I**.
- f. Gutters and downspouts: Gutters shall be metal-type and shall be painted to match fascias. Downspouts shall be installed in a manner comparable to and consistent with the buildings and architecture shown on **Exhibits H & I** and shall be painted to match gutters. Scuppers shall be used at the rear of the building if desired. Through wall scuppers may be permitted where parapet walls are used. Scupper boxes and downspouts at the rear of the building shall be painted to blend in with exterior building color or shall be manufactured with a pre-finished metal of a color which compliments the finished material to which it is affixed. Overflow drains may be an open scupper through a masonry parapet in a manner comparable to and consistent with the buildings and architecture shown on **Exhibits H & I**. An open scupper shall be detailed to minimize its appearance on the building elevation.
- g. All exterior doors other than entry/exits shall be made of a heavy gauge metal painted to blend in with the exterior brick masonry.
- h. Retail tenants occupying the end of a building or on outparcels may be permitted to have pick-up unit(s) on the end of the building. The pick-up unit(s) shall be detailed with applicable architectural standards and in a manner comparable to and consistent with the architecture of the balance of the subarea.

4. Tenants or Users with 100,000 sq.ft. or more: All tenants that utilize 100,000 sq.ft. or more of gross floor area shall conform to the following architectural standards:

- a. Building architecture shall conform to the styles shown in **Exhibits J, K & L**.
- b. Buildings shall have the appearance of being no less than the average heights maintained on **Exhibits J, K & L** with an average

parapet height no less than within 10 feet of the average parapet heights maintained on **Exhibits J, K & L**.

c. Required architectural features for buildings of this size and scale shall include roof elements or permanent canopies at building entrance, with glass storefronts at building entrance consistent with storefronts shown on **Exhibits J, K & L**. Building storefront elevations adjacent to the entrance which generally are solid walls may create architectural elements such as panels and blind arches to break down the overall scale of the building. All exterior walls adjacent to building entry shall maintain minimum roof parapet treatments consistent with parapets shown on **Exhibits J, K & L**.

d. Exterior Elevations: Each exterior elevation shall contain masonry surfaces equal to or exceeding the exterior masonry surface area of the exterior elevations, shown on **Exhibits J, K & L**. The masonry surface area is required to be brick masonry equal to or exceeding the masonry surface area shown on **Exhibits J, K & L**. Brick masonry walls shall be consistent with the masonry shown on **Exhibits J, K & L**, except for rear walls or side walls not visible from public right of ways or adjacent neighborhoods. Brick walls shall be detailed at a level comparable to or exceeding the level of masonry shown on **Exhibits J, K & L**. Belt lines (horizontal accent bands) may be used to break up larger masonry walls which can be recessed or pulled from the field. Soldier Courses may be used above door and window openings or as part of a belt line (horizontal accent band). Detail bricks shall be of an accent color or match the field brick. The same palette of exterior finishes and color shall be used on all sides of a building, unless otherwise detailed in this zoning text.

e. Roof fascias where implemented shall be proportioned to the scale of the roof element. Details of roof fascias shall be complimentary with the rest of the retail center standards.

f. Gutters shall be metal type and shall be painted to match fascias. Downspouts shall be painted to match gutters. Scuppers shall be used at the rear of the building if desired. Through-wall scuppers may be permitted where parapet walls are used. Scupper boxes and downspouts at the rear of the building shall be painted to blend in with the exterior masonry color or shall be manufactured with a pre-finished metal of a color which compliments the finished material to which it is affixed. Overflow drains may be an open scupper through a masonry parapet. An open scupper shall be detailed to minimize its appearance on the building elevation.

g. All exterior doors other than entry/exits shall be made of a heavy gauge metal painted to blend in with adjacent masonry materials.

h. Retail tenants occupying the end of the building may be permitted to have pick-up unit(s) on the end of the building. The pick-up unit(s) shall be detailed to include brick masonry details specified for exterior walls around the pick-up unit(s) window.

5. **Tenants or Users With Less Than 25,000 Square Feet:** All tenants or users that utilize less than 25,000 square feet of gross floor area and are not located on an outparcel shall be subject to the following architectural standards:

a. Building architecture shall match the style shown in **Exhibit M** for tenants or users that have less than 25,000 square feet of gross floor area and are not located on an outparcel.

b. Building features and entries shall have the appearance of being 1 to 1 ½ stories in height with parapets and roof heights comparable to and consistent with the parapets and roof heights shown on **Exhibit M**.

c. Required architectural features shall include the following elements scaled according to the size of the individual tenant or a group of smaller tenants that when grouped together still have less than 25,000 square feet of gross floor area: large storefronts, taking into account storeroom size, roof elements such as dormers, cupolas, roof spires, and hip and gable roofs to emphasize and reduce the building scale, roof screens of all roof-mounted equipment and appurtenances, and fenestration, in a manner comparable to and consistent with the buildings and architecture shown on **Exhibit M**.

d. Exterior Elevations: Each exterior elevation shall be predominately composed of brick masonry equal to or exceeding the coverage of brick found on the buildings shown on **Exhibit M**, exclusive of glass areas. Brick masonry exterior walls shall be of the type brick that is comparable to and consistent with the brick shown on the buildings shown on **Exhibit M**, sized from standard to king size. Utility brick (half a concrete block that is colored at the time of fabrication) shall be prohibited. Brick walls shall be detailed in a manner comparable to and consistent with the brick walls for the buildings shown on **Exhibit M**. Jack arches shall be utilized above storefronts, windows, and blind arches in a manner comparable to and consistent with the buildings and architecture shown on **Exhibit M**. Belt lines (horizontal accent bands) shall be used to break up larger masonry walls which can be recessed or pulled from the field in a manner comparable to and consistent with the buildings and architecture shown on **Exhibit M**. Soldier courses may be used above door and window openings or as part of a belt line (horizontal accent band). Detail bricks shall be of an accent color that is complimentary to the field brick on the building. Other exterior elevation elements shall include the treatment of

slope roof fascias and parapet cornices, in a manner comparable to and consistent with the buildings and architecture shown on **Exhibit M**. The same palette of exterior finishes and color shall be used on all sides of a building, unless otherwise detailed in this zoning text.

e. Roof fascias shall be proportioned to the scale of the roof element with classical molding details such as crown molding. The parapets shall use cornices in a manner comparable to and consistent with the buildings and architecture shown on **Exhibit M** with molded shapes made of durable material such as stone, cast stone, architectural pre-cast concrete, gypsum fiber reinforced concrete, or expanded insulation finish system (EIFS). The same material shall be used for roof fascias to match cornices, in a manner comparable to and consistent with the buildings and architecture shown on **Exhibit M**.

f. Gutters and downspouts: Gutters shall be metal-type and shall be painted to match fascias. Downspouts shall be installed in a manner comparable to and consistent with the buildings and architecture shown on **Exhibit M** and shall be painted to match gutters. Scuppers shall be used at the rear of the building if desired. Through-wall scuppers may be permitted where parapet walls are used. Scupper boxes and downspouts at the rear of the building shall be painted to blend in with exterior building color or shall be of a manufactured metal of a color which compliments the finished material to which it is affixed. Overflow drains may be an open scupper through a masonry parapet in a manner comparable to and consistent with the buildings and architecture shown on **Exhibit M**. An open scupper shall be detailed to minimize its appearance on the building elevation.

g. All exterior doors other than entry/exits shall be made of a heavy gauge metal painted to blend in with the exterior brick masonry.

h. No pick-up unit(s) shall be permitted for in-line retail tenants or users in this subarea other than on end caps or on outparcels.

6. Tenants or Users Located on an Outparcel: All tenants or users that are located on an outparcel shall be subject to the following architectural standards:

a. The architectural details, materials, and colors of all outparcel buildings in this subarea shall be compatible with the standards for the main retail center in the subarea as detailed below.

b. Buildings shall be designed to have a comparable level of finishes and detail on all sides. Architectural features shall include large storefronts, taking into account storeroom size. Roof elements such as dormers, cupolas, roof spires, and hip and gable roofs shall be encouraged to emphasize and reduce the building scale. All roof-mounted equipment and appurtenances shall be screened.

c. Exterior Elevations: Each exterior elevation shall be predominately composed of brick masonry equal to or exceeding the coverage of brick compatible with the main retail center in the subarea, when and if developed, exclusive of glass areas. Brick masonry exterior walls shall be of the type brick that is compatible with the standards for the main retail center in the subarea, sized from standard to king size. Utility brick (half a concrete block that is colored at the time of fabrication) shall be prohibited. Brick walls shall be detailed in a manner comparable to and consistent with the brick wall standards for the main retail center. Jack arches shall be utilized above storefronts, windows, and blind arches compatible with the standards for the main retail center in the subarea. Belt lines (horizontal accent bands) shall be used to break up larger masonry walls which can be recessed or pulled from the field compatible with the standards for the main retail center in the subarea. Soldier courses may be used above door and window openings or as part of a belt line (horizontal accent band). Detail bricks shall be of an accent color that is complimentary to the field brick on the building. Other exterior elevation elements shall include the treatment of slope roof fascias and parapet cornices, compatible with the standards for the main retail center in the subarea. The same palette of exterior finishes and color shall be used on all sides of a building, unless otherwise detailed in this zoning text.

d. Roof fascias shall be proportioned to the scale of the roof element with classical molding details such as crown molding. The parapets shall be compatible with the standards for the main retail center in the subarea with molded shapes made of durable material such as stone, cast stone, architectural pre-cast concrete, gypsum fiber reinforced concrete, or expanded insulation finish system (EIFS). The same material shall be used for roof fascias compatible with the standards for the main retail center in the subarea.

e. Gutters and downspouts: Gutters shall be metal-type and shall be painted to match fascias. Downspouts shall be installed compatible with the standards for the main retail center in the subarea and shall be painted to match gutters. Scuppers shall be used at the rear of the building if desired. Through wall scuppers may be permitted where parapet walls are used. Scupper boxes and downspouts at the rear of the building shall be painted to blend in with exterior building color or shall be manufactured with a pre-finished metal of a color which compliments the finished material to which it is affixed. Overflow drains may be an open scupper through a masonry parapet compatible with the standards for the main retail center in the subarea. An open scupper shall be detailed to minimize its appearance on the building elevation.

- f. All exterior doors other than entry/exits shall be made of a heavy gauge metal painted to blend in with the exterior brick masonry.
 - g. No outdoor playgrounds are permitted on outparcels in this subarea.
 - h. Pick-up unit(s) are permitted on outparcels but shall be designed to be located at or near the sides or rear of the building.
7. In the event office buildings are constructed within this subarea, the architectural design for those buildings shall be consistent with the standards set forth in this text and shall be coordinated between the various uses and proposed building types and the following standards will be applicable:
- a. The architectural design for the entire development shall be consistent and coordinated between the various uses and proposed building types.
 - b. The same exterior finishes shall be used on all sides of the building.
 - c. Building arrangements shall provide pedestrian connections between buildings and parking areas.
 - d. An area for bike parking shall be provided for such building(s).
 - e. Mechanical equipment or other utility hardware on the roof of a building shall be screened from view from any public roadway. Rooftop screens shall be consistent and harmonious with the building's façade and character. 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.

4H. DUMPSTERS, LIGHTING, OUTDOOR DISPLAY AREAS AND/OR OTHER ENVIRONMENTAL COMMITMENTS:

- 1. All external outdoor lighting shall be cut-off type fixtures (downlighting), and shall be designed in such a way to prevent off-site spillage. Lighting shall not direct light onto an adjacent property or street. The source of exterior illumination of a building or landscaping shall be concealed from view. Direct lighting fixtures for a ground sign shall be shielded with landscaping and be positioned in such a way as to prevent glare. External outdoor lighting fixtures will be similar, and wiring for such fixtures will be underground.
- 2. Maximum height of light poles including fixtures shall not exceed twenty eight (28) feet, except for on a frontage out-parcel the maximum height shall be eighteen (18) feet.
- 3. Emergency/safety egress lighting located outside the building(s) at all exterior exit doors shall be down-lit. Emergency/safety lights for all tenants shall be consistent in type and color.
- 4. Rear service area lighting shall be provided through the use of cut-off style down lighting with concealed light sources.
- 5. Lighting fixtures used to illuminate the area below a freestanding canopy shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy. However, indirect lighting may be used where a shielded source of light is beamed upward and then reflected down from the underside of the canopy.
- 6. An outdoor display area for convenient store / gas sales shall contain only those items normally and customarily sold by such store and such seasonal items/products including but not limited to firewood, mulch, flowers, and Christmas wreaths. Such display area shall be located adjacent to the building and is limited to fifty (50) square feet in area with a maximum height of three (3) feet. A five (5) foot wide pedestrian travel zone shall be maintained on a store sidewalk. Self-illuminated items such as ice/soda and vending machines are not permitted outside of a structure.
- 7. All new or relocated utility lines shall be installed underground.
- 8. All refuse shall be containerized. Such container and containment area shall be fully screened from view by a solid wall or fence that is compatible with the associated building's architecture and materials.

9. Mechanical equipment or other utility hardware on the roof of a building shall be screened from ground level by building materials, parapets or mansards compatible and consistent with the building roof or exterior. Color shall also match the building roof or exterior. Mechanical and all other equipment on the ground shall be fully screened from view at ground level with a wood fence or brick wall (matching the brick on the nearest building elevation) that screens the equipment.

10. Loading docks for retail tenants that have greater than 25,000 square feet of gross floor area shall be screened from off site view with a brick wall that screens the trucks using the docks. The brick on this wall shall match the brick on the exterior elevation of the building. A brick cap shall be required on top of this screening wall.

4I. GRAPHICS AND SIGNAGE COMMITMENTS:

1. A graphics plan shall be submitted to the Columbus Graphic Commission. All signage and graphics shall conform to such graphics plan as approved by the Columbus Graphic Commission.

4J. MISCELLANEOUS COMMITMENTS:

1. Miscellaneous:

- a. An "abandoned service station" is defined as a service station which has ceased operations or is closed to the public for at least six (6) months in any twelve (12) month period. The owner or lessee of the service station or related structures shall, within, seven (7) days of the beginning of the closure period referred to herein:
 - (a) Install wheel blocks, firmly attached, across the driveway entrance to the service station to prohibit unauthorized vehicle parking or abandonment of motor vehicles;
 - (b) Shall remove all signs and pumps;
 - (c) Shall board up all windows, garage doors and entrances to prevent the breakage of glass and the unauthorized entrance therein;
 - (d) Take appropriate action as required by the city of Columbus Fire Code to treat abandoned underground tanks and;
 - (e) Shall during the closure period cut all grass, remove all rubbish and weeds and continue such maintenance as may be necessary to prevent the building or structure from deteriorating into a state of disrepair.

4K. CPD CRITERIA:

- a. Existing land uses: To the north is future commercial; to the east is future commercial; to the west is future residential; and to the south is future residential.
- b. Transportation and circulation: Access to the site shall be via East Dublin-Granville Road and future relocated Hamilton Road.
- c. Visual form of the development: The site shall be developed in accordance with the zoning text.
- d. View and visibility: In the development of the subject property and the location of the buildings and access points consideration has been given to the visibility and safety of motorists and pedestrians.
- e. Proposed development: Commercial as permitted under this text.
- f. Emissions: No adverse affects from emissions shall result from the proposed development.
- g. Behavior patterns: The proposed development would serve the growing Columbus residential population as well as the motorists who use State Route 161, Hamilton Road and Dublin-Granville Road.

5. SUBAREA 5: INTENTIONALLY DELETED

5Z. SUBAREA 5Z: INTENTIONALLY DELETED

6. SUBAREA 6: CPD

6A. LOCATION: Subarea 6 contains approximately 63.40 acres and is located southeast of and adjacent to the intersection of State Route 161 and new Hamilton Road.

6B. PERMITTED USES: Permitted uses for Subarea 6 are contained in Sections 3356.02 (C-4, Commercial) and 3357.01 (C-5, Commercial) of the Columbus City Code unless otherwise indicated within this text.

1. The following uses are excluded from this subarea:

- a. automobile and light truck dealers, except in the area fronting the Route 161 bypass north of the northernmost Hamilton Road curb cut/access to the subarea.
- b. automotive accessories, parts and tire stores (this restriction does not prohibit any user who installs these products on motor vehicles within a building) , except in the area fronting the Route 161 bypass north of the northernmost Hamilton Road curb cut/access to the subarea.
- c. automotive sales, leasing and retail, except in the area fronting the Route 161 bypass north of the northernmost Hamilton Road curb cut/access to the subarea.
- d. Billboards
- e. Cabaret
- f. Commercial radio transmitting or television station and appurtenances including cellular towers unless it is located on top of a building. Notwithstanding the previous sentence, no full size regional cell towers will be located on the top of a building if such cell tower exceeds ten (10) feet above the height of the building.
- g. Dance hall
- h. Funeral parlor
- i. Motor bus terminal
- j. Motion picture theater
- k. motor vehicles accessories and parts dealers, except in the area fronting the Route 161 bypass north of the northernmost Hamilton Road curb cut/access to the subarea shown on the attached subarea plan
- l. Nightclub
- m. Pawn shop
- n. Poolroom
- o. Private club
- p. recreational vehicles dealers, except in the area fronting the Route 161 bypass north of the northernmost Hamilton Road curb cut/access to the subarea shown on the attached subarea plan
- q. Testing or experimental laboratory
- r. RV (recreational vehicle), sales, rental and leasing

6C. DEVELOPMENT STANDARDS: The applicable development standards are contained in Chapter 3356 (C-4 Commercial) and 3357 (C-5 Commercial) of the Columbus City Code unless otherwise indicated within this text.

6D. DENSITY, HEIGHT, LOT AND/OR SETBACK COMMITMENTS

1. The permitted maximum site density for the subject property shall not exceed the ratio of 12,000 gross square feet of building per net acre of the subarea except that office development shall not exceed the ratio of 18,000 gross square feet of building per net acre of the subarea. Net acreage shall be the gross acreage less the public right-of-way.
2. Setback from Hamilton Road shall be 50 feet for canopies, parking, maneuvering areas and buildings.
3. Setback from E. Dublin Granville Road shall be 50 feet for canopies, parking, maneuvering areas and buildings.
4. Setbacks from State Route 161 shall be 50 feet for canopies, parking, maneuvering areas and buildings.
5. Building setbacks shall not apply to landscape features such as, but not limited to, planters or walls six (6) feet high or less or ornamental fencing which may or may not contain signage.
6. The height district for the subject property shall be 60 feet, provided however, buildings within five hundred (500) feet of the Dublin-Granville Road right-of-way shall be subject to a 35 foot height district exclusive of architectural features, parapets, and roof elements necessary to meet architectural standards required by this CPD text. Notwithstanding the foregoing sentences, no building shall exceed a height of twenty-five feet (25') in the Visibility Preservation Area shown on Exhibit N.
7. Any outparcel which is less than two acres in size shall have side and rear yard setback of 10 feet for all buildings, parking and maneuvering areas, except for cross access areas.

8. For structures and paved areas lot coverage shall not exceed 80%. Internal sidewalks and bikeways shall not be considered as part of the lot coverage.

6E. ACCESS, LOADING, PARKING AND/OR OTHER TRAFFIC-RELATED COMMITMENTS:

1. Overnight parking of semi-tractor trailers, box trucks, commercial vehicles or recreational vehicles outside of loading areas shall be prohibited. Trucks located within loading areas shall not be permitted to leave engines running overnight.
2. Users in Subarea 6 shall be permitted rights of cross access to the access point(s) on Dublin-Granville Road from Subarea 8 and to the drive aisles within Subarea 8. Users within Subarea 8 shall be permitted rights of cross access to the access point on Hamilton Road within Subarea 6.
3. Pedestrian access will be provided between Subarea 6 and Subarea 8. An access point shall be coordinated between the owners of Subarea 6 and Subarea 8.

6F. BUFFERING, LANDSCAPING, OPEN SPACE AND/OR SCREENING COMMITMENTS:

1. Landscaping within the required parking setbacks along East Dublin-Granville Road and Hamilton Road shall contain a 3-foot to 5-foot high continuously uniform shrubbery screen and/or mounding along with a white horse fence. The fencing shall consist of a 4-board fence (as shown in **Exhibit A**). Trees shall be planted in a row within this setback per the following standards: one (1) deciduous shade tree per thirty (30) feet of frontage.
2. A street tree row shall be established along all publicly dedicated rights-of-way containing 1 tree for every 30 feet of road frontage. Trees may be grouped or spaced. Such trees shall be those specified in the Columbus Street Program guidelines from the City of Columbus Forester and shall be located a minimum of ten (10) feet from the edge of the right-of-way unless the City of Columbus approves planting these trees closer to the right-of-way or within the right-of-way. Minimum tree size at installation shall be 2 ½ caliper inches in all setback areas along East Dublin Granville Road and Hamilton Road that are not adjacent to public right of way, 3 deciduous shade trees, and 2 ornamental trees shall be required.
3. The parking setback area along S.R.-161 Expressway shall include tree planting at a rate of four (4) trees per one hundred (100) lineal feet of expressway frontage. The trees shall be placed randomly in a manner that appears natural in character. Existing healthy trees may be used in place of new trees.
4. Within the subarea, there shall be no less than one tree planted for every 10 parking spaces. Trees shall be planted in islands at least six (6) feet wide and eighteen (18) feet long. Notwithstanding the previous sentence, if parking landscape "diamonds" are used in the parking lot, the minimum size shall be seven (7) feet by seven (7) feet. At least 5% of the vehicular use area (i.e., parking lot excluding the perimeter circulation drive exterior to the parking lot) shall be landscaped or green space (or tree areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.
5. An internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk along a public street can access the adjacent buildings through their parking lots.
6. Deciduous trees shall be planted along both sides of any internal access road that serves the outparcels in this subarea, in a manner not less than one (1) tree per fifty (50) feet of access road.
7. Landscaping or green space shall be required within the subarea consistent with Section 3 above, and islands shall break up large expanses of pavement.
8. Minimum tree size at installation shall be no less than 2 ½ inch caliper for street and/or shade trees, 6 feet in height for evergreen trees, 1 ½ inch caliper for ornamental trees, and two gallons for shrubs. Caliper shall be measured 6 inches above grade. Any mounding shall have a maximum 3:1 slope with landscaping.
9. All trees and landscaping shall be well maintained, properly weeded and kept free of trash. Dead items shall be replaced within 6 months or the next planting season, whichever occurs first.
10. The property owner or its assigns shall maintain the fencing and landscaping required in this section.

11. All parking spaces which are adjacent to E. Dublin Granville Road or the future relocated Hamilton Road shall have headlight screening parallel to the frontage with a minimum height of 30 inches as measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earth mounding, fence, or wall. The requirements of this paragraph may be included as part of the landscaping treatment required within the parking setback described in this subarea text so long as the total number of trees planted and the height of the screening meet the requirements of these two sections.
12. The developer shall install the following buffer treatment along its west property line: 6-foot wood fence, 10-foot pavement setback, and a row of deciduous trees located 40 feet on center
13. The landscaping requirements of this section, except for trees within the parking lot, may be satisfied or off-set by the preservation of existing vegetation. Tree plantings may be offset by using existing healthy trees four (4) inches in caliper or greater (1 tree for 1 tree). Green space may be offset by saving existing green areas rather than creating new green areas.
14. The owner(s) of Subareas 6 and 8 shall have the right to continue to drain into the existing ponds and/or creeks located on the east side of Subarea 8 for purposes of storm water management and shall have the right to maintain, modify, and alter such ponds to allow for proper storm water management practices to be used and storm water management facilities to be utilized. This shall include the right to install such storm drainage facilities in or across Subarea 9-A as may be necessary for the proper storm water management of Subareas 6 and 8 with the exception of the existing delineated mitigation wetland. The owner(s) of Subareas 6 and/or 8 shall retain ownership and maintenance responsibilities of the ponds located in Subarea 8.
15. Any landscape/fencing buffer which may be required along the east side of Subarea 6 shall be located within Subarea 8.
16. At the time of development in Subarea 6, the developer shall install a four board fence, as shown in **Exhibit A** along the west side of Albany Park Drive, the north side of future Albany Lake Way and along the south side of the East Dublin-Granville Road frontage in front of the single family homes in the Albany Park subdivision (if the necessary permission is given by the Albany Park Homeowners Association in a timely manner). In addition to the fence the developer shall install along the above referenced street frontages one (1) street tree per thirty (30) feet of frontage if the necessary permission is given by the Albany Park Homeowners Association in a timely manner. Any existing trees along East Dublin-Granville Road shall count towards meeting these landscape requirements for that frontage area.
17. Automobile body shops shall screen all cars to be repaired within a building or behind a six foot high (6') solid wall or fence.

6G. BUILDING DESIGN AND/OR INTERIOR-EXTERIOR TREATMENT COMMITMENTS:

1. The applicable building design standards for Subarea 6 are contained in Section 4G of this zoning text.

6H. DUMPSTERS, LIGHTING, OUTDOOR DISPLAY AREAS AND/OR OTHER ENVIRONMENTAL COMMITMENTS:

1. All external outdoor lighting shall be cut-off type fixtures (downlighting), and shall be designed in such a way to prevent off-site spillage. Lighting shall not direct light onto an adjacent property or street. The source of exterior illumination of a building or landscaping shall be concealed from view. Direct lighting fixtures for a ground sign shall be shielded with landscaping and be positioned in such a way as to prevent glare. External outdoor lighting fixtures will be similar, and wiring for such fixtures will be underground.
2. Maximum height of light poles including fixtures shall not exceed twenty eight (28) feet, except for on a frontage out-parcel the maximum height shall be eighteen (18) feet.
3. Emergency/safety egress lighting located outside the building(s) at all exterior exit doors shall be down-lit. Emergency/safety lights for all tenants shall be consistent in type and color.
4. Rear service area lighting shall be provided through the use of cut-off style down lighting with concealed light sources.
5. Lighting fixtures used to illuminate the area below a freestanding canopy shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy. However, indirect lighting may be used where a shielded source of light is beamed upward and then reflected down from the underside of the canopy.

6. An outdoor display area for convenient store / gas sales shall contain only those items normally and customarily sold by such store and such seasonal items/products including but not limited to firewood, mulch, flowers, and Christmas wreaths. Such display area shall be located adjacent to the building and is limited to fifty (50) square feet in area with a maximum height of three (3) feet. A five (5) foot wide pedestrian travel zone shall be maintained on a store sidewalk. Self-illuminated items such as ice/soda and vending machines are not permitted outside of a structure.

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

8. All refuse shall be containerized. Such container and containment area shall be fully screened from view by a solid wall or fence that is compatible with the associated building's architecture and materials.

9. Mechanical equipment or other utility hardware on the roof of a building shall be screened from ground level by building materials, parapets or mansards compatible and consistent with the building roof or exterior. Color shall also match the building roof or exterior. Mechanical and all other equipment on the ground shall be fully screened from view at ground level with a wood fence or brick wall (matching the brick on the nearest building elevation) that screens the equipment.

10. Loading docks for retail tenants that have greater than 25,000 square feet of gross floor area shall be screened from off site view with a brick wall that screens the trucks using the docks. The brick on this wall shall match the brick on the exterior elevation of the building. A brick cap shall be required on top of this screening wall.

6I. GRAPHICS AND SIGNAGE COMMITMENTS:

1. A graphics plan shall be submitted to the Columbus Graphic Commission. All signage and graphics shall conform to such graphics plan as approved by the Columbus Graphic Commission.

6J. MISCELLANEOUS COMMITMENTS:

1. Miscellaneous:

a. An "abandoned service station" is defined as a service station which has ceased operations or is closed to the public for at least six (6) months in any twelve (12) month period. The owner or lessee of the service station or related structures shall, within, seven (7) days of the beginning of the closure period referred to herein:

(a) Install wheel blocks, firmly attached, across the driveway entrance to the service station to prohibit unauthorized vehicle parking or abandonment of motor vehicles;

(b) Shall remove all signs and pumps;

(c) Shall board up all windows, garage doors and entrances to prevent the breakage of glass and the unauthorized entrance therein;

(d) Take appropriate action as required by the city of Columbus Fire Code to treat abandoned underground tanks and;

(e) Shall during the closure period cut all grass, remove all rubbish and weeds and continue such maintenance as may be necessary to prevent the building or structure from deteriorating into a state of disrepair.

6K. CPD CRITERIA:

a. Existing land uses: To the north is future commercial; to the east is future office; to the west is future commercial and existing office; and to the south is future office commercial.

b. Transportation and circulation: Access to the site shall be via existing Hamilton Road and East Dublin-Granville Road.

c. Visual form of the development: The site shall be developed in accordance with the zoning text.

d. View and visibility: In the development of the subject property and the location of the buildings and access points consideration has been given to the visibility and safety of motorists and pedestrians.

e. Proposed development: Commercial as permitted under this text.

f. Emissions: No adverse affects from emissions shall result from the proposed development.

g. Behavior patterns: The proposed development would serve the growing Columbus residential population as well as the motorists

who use State Route 161, Hamilton Road and Dublin-Granville Road.

7. SUBAREA 7: CPD

7A. LOCATION: Subarea 7 contains approximately 40.09 acres and is located northeast of and adjacent to the intersection of State Route 161 and new Hamilton Road.

7B. PERMITTED USES: Permitted uses for Subarea 7 are contained in Sections 3356.02 (C-4, Commercial) and 3357.01 (C-5, Commercial) of the Columbus City Code unless otherwise indicated within this text.

1. The following uses are excluded from this subarea:

- a. Billboards
- b. Cabaret
- c. Commercial radio transmitting or television station and appurtenances including cellular towers unless it is located on top of a building. Notwithstanding the previous sentence, no full size regional cell towers will be located on the top of a building if such cell tower exceeds ten (10) feet above the height of the building.
- d. Dance hall
- e. Funeral parlor
- f. Motion picture theater
- g. Nightclub
- h. Pawn shop
- i. Poolroom
- j. Private club
- k. Testing or experimental laboratory

7C. DEVELOPMENT STANDARDS: The applicable development standards are contained in Chapter 3356 (C-4 Commercial) and Chapter 3357 (C-5, Commercial) as applicable, of the Columbus City Code unless otherwise indicated within this text.

7D. DENSITY, HEIGHT, LOT AND/OR SETBACK COMMITMENTS:

1. Density shall not exceed the ratio of eight thousand (8,000) gross square feet of building per net acre of site; except that office development shall not exceed the ratio of eighteen thousand (18,000) gross square feet of building per net acre of site. Net acreage shall be the gross acreage less the public right-of-way.

2. Setback from Hamilton Road shall be the Preservation Area's interior boundary as outlined in section 7F below. Outside of the Preservation Areas, where applicable, the setbacks from Hamilton Road and State Route 161 shall be thirty (30) feet for canopies, parking, and maneuvering areas and fifty (50) feet for buildings less than thirty-five (35) feet in height and seventy-five (75) feet for taller buildings.

3. Building setbacks shall not apply to landscape features such as, but not limited to, planters or walls six (6) feet high or less or ornamental fencing which may or may not contain signage. The final design of any "landscape features" which contain graphics may require Graphics Commission approval.

4. From all internal roadways that are not public roads, the building setback shall be twenty (20) feet and ten (10) feet for parking and maneuvering areas. From any internal public roads, the building setback shall be forty (40) feet and the parking setback shall be twenty (20) feet. This setback shall not apply to parking aisles or drive lanes internal to a parking lot area.

5. The height district shall be sixty (60) feet as measured per Columbus City Code.

6. The maximum lot coverage of buildings and parking lots shall not exceed seventy (70) percent. Landscaped areas within parking lots shall not be included in calculation of parking lot area. The land dedicated to the City of Columbus for parkland in Subarea 9-D directly east of Subarea 7 shall be included in the lot coverage calculation for this Subarea 7.

7E. ACCESS, LOADING, PARKING AND/OR OTHER TRAFFIC-RELATED COMMITMENTS:

1. Any public street should be of the size and use consistent with the Rocky Fork - Blacklick Accord standards. Streets within this area shall be two-way with on-street parking discouraged.

2. Driveway access points and aisles may be divided by property or sub-area lines without regard to minimum dimensions within any single property or sub-area, as long as the overall driveway or aisle dimensions meet minimum Code requirements, and easements, as applicable, are provided to insure the function of shared driveways and aisles.

3. Parking shall be provided pursuant to Chapter 3342, Off-Street Parking and Loading of the Columbus Zoning Code. To encourage shared parking and provide the most efficient design and layout of parking, parking lots may be designed without regard to internal property or sub-area lines. Cross access easements shall be provided as applicable to insure the designed function of the parking and internal vehicular circulation system. Developer will limit parking to the needs of the tenants and users of the development, and when reasonably possible, seek variance from Columbus City Code parking minimums.

4. A sidewalk/leisure path shall be installed along Hamilton Road; either on-site or within the right-of-way as approved by the City's Transportation Division. A pedestrian connection between buildings is encouraged. Pedestrian connections shall be established between the primary parking area for a building and the primary entry door of that building.

5. Overnight parking of semi-trucks in main parking areas, outside of loading areas, shall be prohibited.

7F. BUFFERING, LANDSCAPING, OPEN SPACE AND/OR SCREENING COMMITMENTS:

1. A street tree row shall be established along Hamilton Road with the planting of one (1) tree for every thirty (30) lineal feet of street frontage. Trees shall be approximately evenly spaced, unless tree grouping is more practical, and planted adjacent to the right-of-way, unless the City of Columbus requests otherwise. A street tree row shall be established along both sides of all internal access roadways with the planting of one (1) tree for every thirty (30) lineal feet. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester.

2. A four board fence, as specified in Exhibit A, shall be placed continuously along the Hamilton Road and S.R.-161 Expressway frontages with the exception of roadway access areas and any associated vision clearance triangle area.

3. The parking setback area along S.R.-161 Expressway shall include tree planting at a rate of four (4) trees per one hundred (100) lineal feet of expressway frontage. The trees shall be placed randomly in a manner that appears natural in character. Existing healthy trees five (5) inches in caliper and above may be used in place of new trees.

4. The essence of the character created by the natural environment of trees, topography, and the pond that exists along Hamilton Road and the S.R.-161 Expressway shall be maintained as described in this Section 7F. Preservation Areas A-E, described herein and delineated on Exhibit P, titled Albany Park Tree Preservation Plan ("Tree Preservation Plan") are established to preserve and maintain existing trees as outlined below. Preservation Areas "A", "B" and "C", and "E" as delineated on Exhibit P will be total non-disturbance preservation areas, meaning that all existing landscape, vegetation, trees and other growth will be left in their current state and remain untouched as the site is developed. Preservation Area "A" is +/- 1.58 acres and includes the pond adjacent to S.R. 161 which will be preserved in its current state (The total acreage of the existing pond is +/- 0.8 acres and +/- 0.68 acres of the pond is in Preservation Area "A." The remaining +/- 0.12 acres of the pond is located in the ODOT right-of-way and is not included in the acreage calculation for Preservation Area "A."). Preservation Area "B" contains +/- 0.12 acres, is fifty (50) feet in depth, measured from the S.R. 161 right-of-way line, and runs parallel to the S.R. 161 frontage between Preservation Areas "A" and "C" as illustrated in Exhibit P. Preservation Area "C" is +/- 2.56 acres on the southwest corner of the site. There will be a buffer fifty (50) foot in width that will extend from the outside edge of Preservation Area "C", as shown in Exhibit P and this buffer is +/- 0.80 acres making the total acreage for Preservation Area "C" +/- 3.36 acres. Preservation Area "E" is twenty (20) feet in width and is +/- 0.39 acres. Preservation Area "D", depicted on the attached Exhibit P, consists of +/- 1.18 acres and is fifty (50) feet in depth measured from the Hamilton Road right-of-way line and runs parallel to Hamilton Road. Within Preservation Area "D", fifty percent (50%) of mature, healthy trees five (5) inches in caliper and above shall be preserved. The location of the two curb cuts on Hamilton Road shown on Exhibit P are subject to change at the designation of the City of Columbus Transportation Department, and Preservation Area "D" will allow for these access points. Dead trees may be removed within Preservation Area "D" and "E". Adding fill, changing the grade, or disturbing the soil is not permitted in Preservation Area "D". Preservation Areas "B" & "D" will also be no build areas, however ground signage may be placed within Preservation Areas "B" and "D". A sign will be permitted in the area noted as "Sign Area" on the Tree Preservation Plan (Exhibit P). The requirement of the Preservation Areas (tree preservation and no build areas) is intended to

be a perpetual provision through any subsequent rezonings or variances. All trees preserved in Preservation Areas "A-E" shall be maintained in a healthy state according to locally accepted good horticultural practices and as approved by City Forester. In areas where existing mature, healthy trees have not been maintained along Hamilton Road, the landscaping shall consist of a single row of deciduous shade trees (4 trees/100 lineal feet) in a natural hedgerow (minimum 2 ½ inch caliper upon installation) and ornamental trees unless tree groupings are more practicable or tree groupings will make the landscaping appear more natural in character. Evergreen and/or deciduous shrubs and/or mounding may also be used. Mounding, if used for screening, shall maintain a maximum 3:1 slope along Hamilton Road. Utilities may be located in Preservation Areas "A-E" provided that care is taken to prevent the unnecessary destruction of any vegetation. Developer will create a balance of tree preservation that will allow those passing the site to experience the natural features of the site while retaining views of the retail behind the preservation areas.

5. Parking and vehicular display areas adjacent to Hamilton Road and the S.R.-161 Expressway shall be screened along its entire frontage length. Screening shall be in the form of an evergreen hedge, earth mounding, wall, or combination thereof, of no less than four (4) foot in height. The height of screening may be reduced as needed adjacent to curb cuts or to provide adequate vision clearance. Screening shall be augmented with a mixed planting of at least five (5) ornamental trees or deciduous shrubs per one hundred (100) lineal foot of screening.

6. In addition to the screening provision of 7F-5, interior landscaping of a parking lot area shall be provided to break up large expanses of pavement (Also see 7E-5). Parking lot interior landscaping shall consist of a tree for every ten (10) parking spaces and at least five (5) square feet of live vegetation for every one hundred (100) square feet of vehicular use area. Eighty (80) percent of the required trees herein shall be located within the parking lot's interior and drive lanes. A reasonable soil planting area shall be provided for each tree. Trees shall be planted in islands at least six (6) feet wide and eighteen (18) feet long. Notwithstanding the previous sentence, if parking landscape "diamonds" are used in the parking lot, the minimum size shall be seven (7) feet by seven (7) feet.

7. Orienting a building which is located immediately adjacent to the perimeter boundary line of the Subarea with its back side facing or being substantially visible from a public roadway shall be avoided. With respect to such building located immediately adjacent to the perimeter boundary line of Subarea 7, one's view of that portion of a building's back all visible from either Hamilton Road or the S.R.-161 Expressway shall be screened and obstructed by at least three (3) evergreen trees, two (2) medium-large sized deciduous shade trees, and seven (7) shrubs per one hundred (100) lineal feet of screening necessary. Multiple varieties of each type of plant material are encouraged. Mounding and fencing may be used to augment the plant screening. The maximum height of a fence is seven (7) feet.

8. Loading/service areas shall be screened from off-site view to a minimum height of six (6) feet by a fence, wall, building, and/or landscaping, used individually or in combination.

9. The minimum size of all plant material at installation shall be two and a half (2½) inch caliper for street trees, two (2) inch caliper for all other deciduous shade trees, six (6) feet high for evergreen trees, two (2) inch caliper for ornamental trees, and eighteen (18) inches high for shrubs. Tree caliper shall be measured twelve (12) inches above the ground for new trees and four (4) foot above the ground for existing trees. Credit is given for preserving an existing healthy tree 2 ½ inches in caliper or greater located outside a designated Preservation Area by allowing one tree preserved to count as one tree required under this section 7F, except for trees within the parking lot .

10. Earth mounding with a gentle slope and crest may be used provided it is landscaped with a mix of shrubs and trees and has a grade not exceeding a 3:1 slope.

11. All landscaping, trees, plant material, pond, site grades, and fencing provided under this section shall be maintained by the property owner, or its assigns, in a healthy and good condition per accepted horticultural practices and as approved by the City Forester. Best management tree preservation practices are to be used to preserve and protect trees intended to be protected during all phases of construction, including the installation of snow fencing at the drip line. Dead items shall be replaced within six (6) months.

12. All landscape designs are to be reviewed by a registered landscape designer or architect.

13. The preservation of open space shall be a goal during final site design. In addition to Preservation Areas, reasonable and good faith efforts will be made to preserve existing trees and tree rows of merit. Consideration will be given to laying out streets, lots, structures, and parking areas to avoid the unnecessary destruction of healthy, mature trees and wooded areas.

14. Automobile body shops shall screen all cars to be repaired within a building or behind a six foot high (6') solid wall or fence.

7G. BUILDING DESIGN AND/OR INTERIOR-EXTERIOR TREATMENT COMMITMENTS:

1. The applicable building design standards for Subarea 7 are contained in Section 4G of this zoning text. In Subarea 7, the design and materials of an addition, exterior alteration, or accessory building shall be compatible with the design and materials of the principal building.

7H. DUMPSTERS, LIGHTING, OUTDOOR DISPLAY AREAS AND/OR OTHER ENVIRONMENTAL COMMITMENTS:

1. All external outdoor lighting shall be cut-off type fixtures (downlighting), and shall be designed in such a way to prevent off-site spillage. Lighting shall not generate excessive light levels, cause glare, or direct light onto an adjacent property or street. The source of exterior illumination of a building or landscaping shall be concealed from view. Direct lighting fixtures for a ground sign shall be shielded with landscaping and be positioned in such a way as to prevent glare. External outdoor lighting fixtures will be similar, and wiring for such fixtures will be underground.

2. Maximum height of light poles including fixtures shall not exceed twenty eight (28) feet, except for on a frontage out-parcel the maximum height shall be eighteen (18) feet.

3. Rear service area lighting shall be provided through the use of cut-off style down lighting with concealed light sources to prevent a light source on a building's backside from being visible from off-site or any public way. The direct light source of a wall-mounted fixture shall not be detectable from off-site.

4. Lighting fixtures used to illuminate the area below a freestanding canopy shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy. However, indirect lighting may be used where a shielded source of light is beamed upward and then reflected down from the underside of the canopy.

5. An outdoor display area for convenient store / gas sales shall contain only those items normally and customarily sold by such store and such seasonal items/products including but not limited to firewood, mulch, flowers, and Christmas wreaths. Such display area shall be located adjacent to the building and is limited to fifty (50) square feet in area with a maximum height of three (3) feet. A five (5) foot wide pedestrian travel zone shall be maintained on a store sidewalk. Self-illuminated items such as ice/soda and vending machines are not permitted outside of a structure.

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

7. All refuse shall be containerized. Such container and containment area shall be fully screened from view by a solid wall or fence that is compatible with the associated building's architecture and materials.

8. Mechanical equipment or other utility hardware on the roof of a building shall be screened from ground level by building materials, parapets or mansards compatible and consistent with the building roof or exterior. Color shall also match the building roof or exterior. Mechanical and all other equipment on the ground shall be fully screened from view at ground level with a wood fence or brick wall (matching the brick on the nearest building elevation) that screens the equipment.

9. Loading docks for retail tenants that have greater than 25,000 square feet of gross floor area shall be screened from off site view with a brick wall that screens the trucks using the docks. The brick on this wall shall match the brick on the exterior elevation of the building. A brick cap shall be required on top of this screening wall.

7I. GRAPHICS AND SIGNAGE COMMITMENTS:

1. A graphics plan shall be submitted to the Columbus Graphic Commission. All signage and graphics shall conform to such graphics plan as approved by the Columbus Graphic Commission.

7J. MISCELLANEOUS COMMITMENTS:

1. Miscellaneous:

a. An "abandoned service station" is defined as a service station which has ceased operations or is closed to the public for at least six (6) months in any twelve (12) month period. The owner or lessee of the service station or related structures shall, within, seven (7) days of the beginning of the closure period referred to herein:

- (a) Install wheel blocks, firmly attached, across the driveway entrance to the service station to prohibit unauthorized vehicle parking or abandonment of motor vehicles;
- (b) Shall remove all signs and pumps;
- (c) Shall board up all windows, garage doors and entrances to prevent the breakage of glass and the unauthorized entrance therein;
- (d) Take appropriate action as required by the city of Columbus Fire Code to treat abandoned underground tanks and;
- (e) Shall during the closure period cut all grass, remove all rubbish and weeds and continue such maintenance as may be necessary to prevent the building or structure from deteriorating into a state of disrepair.

7K. CPD CRITERIA:

- a. Existing land uses: To the north is existing residential; to the east is future park/open space; to the west across Hamilton Road is future commercial; and to the south is future commercial and office.
- b. Transportation and circulation: Access to the site shall be via Hamilton Road.
- c. Visual form of the development: The site shall be developed in accordance with the zoning text.
- d. View and visibility: In the development of the subject property and the location of the buildings and access points consideration has been given to the visibility and safety of motorists and pedestrians.
- e. Proposed development: Commercial as permitted under this text.
- f. Emissions: No adverse affects from emissions shall result from the proposed development.
- g. Behavior patterns: The proposed development would serve the growing Columbus residential population as well as the motorists who use State Route 161.

8. SUBAREA 8: CPD

8A. LOCATION: Subarea 8 contains approximately 24.03 acres and is located east of Subarea 6 and north of and adjacent to East Dublin-Granville Road across from the Albany Park residential subdivision.

8B. PERMITTED USES: Permitted uses for Subarea 8 are contained in Sections 3353.03 (C-2, Commercial) of the Columbus City Code unless otherwise indicated within this text.

1. The following uses are excluded from this subarea:

- a. Religious facilities
- b. Schools (as defined in C.C.3303)
- c. Adult and child day care centers
- d. Monopole Telecommunication Antennas
- e. Dwelling units, as allowed under C.C. 3353.05
- f. Billboards
- g. Commercial radio transmitting or television station and appurtenances including cellular towers.

8C. DEVELOPMENT STANDARDS: The applicable development standards are contained in Chapter 3353 (C-2 Commercial) of the Columbus City Code unless otherwise indicated within this text.

8D. DENSITY, HEIGHT, LOT AND/OR SETBACK COMMITMENTS

- 1. The permitted maximum site density for the subject property shall not exceed the ratio of 12,000 gross square feet of building per net acre of the subarea except that office development shall not exceed the ratio of 18,000 gross square feet of building per net acre of the subarea. Net acreage shall be the gross acreage less the public right-of-way.
- 2. Setback from E. Dublin Granville Road shall be 50 feet for canopies, parking, **and** maneuvering areas and **75 feet for** buildings as of the time the Subarea improvements are built.
- 3. Building setbacks shall not apply to landscape features such as, but not limited to, planters or walls six (6) feet high or less or ornamental fencing which may or may not contain signage.
- 4. The height district for the subject property shall be 60 feet as measured per Columbus City Code.
- 5. For structures and paved areas lot coverage shall not exceed eighty percent (80%). Internal sidewalks and bikeways shall not be

considered for purposes of calculating lot coverage.

8E. ACCESS, LOADING, PARKING AND/OR OTHER TRAFFIC-RELATED COMMITMENTS:

1. An internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk along a public street can access all buildings through the parking lots in this subarea.
2. Overnight parking of semi-tractor trailers, box trucks, commercial vehicles or recreational vehicles outside of loading areas shall be prohibited. Trucks located within loading areas shall not be permitted to leave engines running overnight.
3. Users in Subarea 6 shall be permitted rights of cross access to the access point(s) on Dublin-Granville Road from Subarea 8 and to the drive aisles within Subarea 8. Users within Subarea 8 shall be permitted rights of cross access to the access point on Hamilton Road within Subarea 6.
4. Pedestrian access will be provided between Subarea 6 and Subarea 8. An access point shall be coordinated between the owners of Subarea 6 and Subarea 8.

8F. BUFFERING, LANDSCAPING, OPEN SPACE AND/OR SCREENING COMMITMENTS:

1. A street tree row shall be established along all publicly dedicated rights-of-way containing 1 tree for every 30 feet of road frontage. Trees may be grouped or spaced. Such trees shall be those specified in the Columbus Street Program guidelines from the City of Columbus Forester and shall be located a minimum of ten (10) feet from the edge of the right-of-way unless the City of Columbus approves planting these trees closer to the right-of-way or within the right-of-way. Minimum tree size at installation shall be 2 ½ caliper inches in all setback areas along East Dublin Granville Road that are not adjacent to public right of way, 3 deciduous shade trees, and 2 ornamental trees shall be required.
2. Within the subarea, there shall be no less than one tree planted for every 10 parking spaces. Trees shall be planted in islands at least six (6) feet wide and eighteen (18) feet long. Notwithstanding the previous sentence, if parking landscape "diamonds" are used in the parking lot, the minimum size shall be seven (7) feet by seven (7) feet. At least 5% of the vehicular use area (i.e., parking lot excluding the perimeter circulation drive exterior to the parking lot) shall be landscaped or green space (or tree areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.
3. Minimum tree size at installation shall be no less than 2 ½ inch caliper for street and/or shade trees, 6 feet in height for evergreen trees, 1 ½ inch caliper for ornamental trees, and two gallons for shrubs. Caliper shall be measured 6 inches above grade.
4. All trees and landscaping shall be well maintained, properly weeded and kept free of trash. Dead items shall be replaced within 6 months or the next planting season, whichever occurs first.
5. The property owner or its assigns shall maintain the fencing and landscaping required in this section.
6. All parking spaces which are adjacent to E. Dublin Granville Road shall have headlight screening parallel to the frontage with a minimum height of 30 inches as measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earth mounding, fence, or wall. The requirements of this paragraph may be included as part of the landscaping treatment required within the parking setback described in Section 8F7 below so long as the total number of trees planted and the height of the screening meet the requirements of these two sections.
7. Landscaping within the required parking setbacks along East Dublin-Granville Road contain a 3-foot to 5-foot high continuously uniform shrubbery screen and/or mounding along with a white horse fence. The fencing shall consist of a 4-board fence (as shown in **Exhibit A**). Trees shall be planted in a row within this setback per the following standard: one deciduous shade tree per thirty (30) feet of frontage.
8. The developer shall install the following buffer treatment along the portion of the west property line parallel to Hamilton Road that runs along the rear of retail buildings in Subarea 6: 6-foot wood fence, 10-foot pavement setback, and a row of deciduous trees located 40 feet on center.
9. The landscaping requirements of this section, except for trees within the parking lot, may be satisfied or off-set by the preservation of existing vegetation. Tree plantings may be offset by using existing healthy trees four (4) inches in caliper or greater (1 tree for 1

tree). Green space may be offset by saving existing green areas rather than creating new green areas.

10. Deciduous trees shall be planted along both sides of any internal access road that serves the outparcels in this subarea, in a number not less than one (1) tree per fifty (50) feet of access road(s).

11. The owner(s) of Subareas 6 and 8 shall have the right to continue to drain into the existing ponds and/or creeks located on the east side of Subarea 8 for purposes of storm water management and shall have the right to maintain, modify, and alter such ponds to allow for proper storm water management practices to be used and storm water management facilities to be utilized. This shall include the right to install such storm drainage facilities in and across Subarea 9-A as may be necessary for the proper storm water management of Subareas 6 and 8 with the exception of the existing delineated mitigation wetland. The owner(s) of Subareas 6 and/or 8 shall retain ownership and maintenance responsibilities of the ponds located in Subarea 8.

12. Any landscape/fencing buffer which may be required along the east side of Subarea 6 shall be located within Subarea 8.

8G. BUILDING DESIGN AND/OR EXTERIOR TREATMENT COMMITMENTS:

The architectural design for the entire development shall be consistent and coordinated between the various uses and proposed building types. The following architectural requirements shall be applied to the site.

1. The primary building material for the buildings shall be brick. The elevations will include window glass and other accent materials or designs on the entries, side walls and rear walls.
2. The same exterior finishes shall be used on all sides of the building.
3. The architectural design character shall be traditional (as opposed to modern) suburban neighborhood architecture with traditional architectural features, as described in this section 8G.
4. On a one-story building a residential appearing roof shall be required and structures that appear to have flat roofs shall specifically be prohibited. A residential appearing roof shall be defined as a roof structure with a minimum pitch of 6:12 and a maximum roof of 12:12. The height of the roof element shall not be less than 40% of the overall height of the building as measured from finish floor to top of roof. Once the roof element has reached the 40% level, then the roof may be flattened or depressed so long as the flattened or depressed portion of the roof is not visible from adjacent parking, service areas or roadways. The sloped roof noted above shall be finished with one of the following materials: dimensional asphalt shingles, wood shakes, slate, composite slate, tile, standing metal seam, ceramic slate, or copper.
5. A maximum of three building material types (excluding glass) shall be utilized for the exterior of any building including roof material. Minor accenting of structures through the use of a fourth building material shall be permitted.
6. Buildings of 2 story height or greater shall be permitted to have flat roofs.
7. No materials, supplies, equipment or products shall be stored or permitted to remain on any portion of the parcel outside the permitted structure.
8. All buildings shall be finished utilizing the same materials on all sides of the exterior.

8H. DUMPSTERS, LIGHTING, OUTDOOR DISPLAY AREAS AND/OR OTHER ENVIRONMENTAL COMMITMENTS:

1. All external outdoor lighting shall be cut off type fixtures (downlighting) and shall be designed in such a way to prevent off site spillage. However, buildings and landscaping may be illuminated with uplighting from a concealed source.
2. Accent lighting for building highlights is permitted using wall sconce type lights that shall be sized according to the scale of the building and illuminating architectural elements. The light source shall be screened from direct view or shall have lower lumen output to reduce glare and light spillage.
3. Emergency/safety egress lighting located outside the building(s) at all exterior exit doors shall be down-lit. Emergency/safety lights for all tenants shall be consistent in type and color.

4. Landscaping at entry locations may be uplit or downlit provided that landscaping lighting does not spill over into the public right-of-way.
5. Parking lot lighting standards shall not exceed twenty eight (28) feet in height ~~or the height of the parking lot lighting standards for the parking lot lights servicing the buildings shown on Exhibits B-M, whichever is higher.~~ Light poles in parking lots shall be placed in islands or medians.
6. All external outdoor lighting fixtures within a subarea shall be from the same or similar manufacturer's type to ensure compatibility.
7. Wiring within the subarea shall be underground.
8. Wall pack lighting along the rear elevation of any building shall be cut off type fixtures only.
9. Mechanical equipment or other utility hardware on the roof of a building shall be screened from ground level by building materials, parapets or mansards compatible and consistent with the building roof or exterior. Color shall also match the building roof or exterior. Mechanical and all other equipment on the ground shall be fully screened from view at ground level with a wood fence or brick wall (matching the brick on the nearest building elevation) that screens the equipment.
10. Loading docks shall be screened from off site view with a brick wall that screens the trucks using the docks. The brick on this wall shall match the brick on the exterior elevation of the building. A brick cap shall be required on top of this screening wall.
11. All refuse shall be containerized. Such container and containment area shall be fully screened from view by a solid wall or fence that is compatible with the associated building's architecture and materials.

8I. GRAPHICS AND SIGNAGE COMMITMENTS:

1. A graphics plan shall be submitted to the Columbus Graphic Commission. All signage and graphics shall conform to such graphics plan as approved by the Columbus Graphic Commission.

8J. MISCELLANEOUS COMMITMENTS:

N/A

8K. CPD CRITERIA:

- a. Existing land uses: To the north is future commercial; to the east is future park/open space; to the west is future commercial; and to the south is existing residential.
- b. Transportation and circulation: Access to the site shall be via East Dublin-Granville Road.
- c. Visual form of the development: The site shall be developed in accordance with the zoning text.
- d. View and visibility: In the development of the subject property and the location of the buildings and access points consideration has been given to the visibility and safety of motorists and pedestrians.
- e. Proposed development: Office as permitted under this text.
- f. Emissions: No adverse affects from emissions shall result from the proposed development.
- g. Behavior patterns: The proposed development would serve the growing Columbus population.

9. SUBAREA 9: L-R - LIMITED RURAL DISTRICT

9A. LOCATION: Subareas 9-A, 9-B and 9-D contain approximately 44.32 acres located on the easternmost portion of the site(s) north and south of State Route 161, adjacent to E. Dublin-Granville Road and east of Subareas 7 and 8. In addition to being zoned L-R, subareas 9-A, 9-B and 9-D shall be at a minimum maintained in a conservation easement. At its option, the City of Columbus may choose to have any portion of the land that makes up Subareas 9-A, 9-B and 9-D deeded to the City, with the only exception being a +/- 3.1 acre parcel containing an existing retention pond in the northwest corner of Subarea 9-B currently owned by Town & Country City, Inc. This +/- 3.1 acre parcel would remain in a conservation easement within Subarea 9-B and ownership rights would remain with Town & Country City, Inc. or its successors and assigns.

9B. PERMITTED USES: Permitted uses are parks, open space, and related uses. Utilities may cross this area. Access to stormwater ponds in Subareas 8 and 9-B for necessary maintenance practices.

9C. BUFFERING, LANDSCAPING, OPEN SPACE AND/OR SCREENING COMMITMENTS:

1. The land in Subarea 9-D directly to the east of Subarea 7 shall be conveyed to the City of Columbus in its natural state subject to the provisions of this text.
2. Other than for a city approved bike trail, for two stormwater quality inlets no wider than ten feet each for connecting the northern and southern stormwater ponds in Subarea 8 to the creek and utility crossings, an open space corridor of one hundred and fifty (150) feet continuously along the west side of the Rocky Fork Creek centerline shall remain in its natural state.
3. At the time of this zoning the City of Columbus does not have any plans for a bike trail system along the west side of Rocky Fork Creek in Subarea 9-D directly east of Subarea 7. However, in the event the City of Columbus decides to create a bike trail system along the west side of Rocky Fork Creek in Subarea 9-D, the developer shall construct a bike trail with the coordination and approval of the City's Recreation and Parks Department. If such bike trail is constructed, the developer shall also construct an additional bike trail connecting the development of Subarea 7 with the Rocky Fork Creek bike trail. Notwithstanding the foregoing, in the event that that the City of Columbus has not adopted a new trail system along the west side of Rocky Fork Creek for the land in Subarea 9-D within two (2) years of adoption of this ordinance, the obligations of this Section 9C3 shall expire.
4. At the time of development in Subarea 6, the developer shall install a four board fence, as shown in **Exhibit A** along the west side of Albany Park Drive, the north side of future Albany Lake Way and along the south side of the East Dublin-Granville Road frontage in front of the single family homes in the Albany Park subdivision (if the necessary permission is given by the Albany Park Homeowners Association in a timely manner). In addition to the fence the developer shall install along the above referenced street frontages one (1) street tree per thirty (30) feet of frontage if the necessary permission is given by the Albany Park Homeowners Association in a timely manner. Any existing trees along East Dublin-Granville Road shall count towards meeting these landscape requirements for that frontage area.
5. The owner(s) of Subareas 6 and 8 shall retain ownership and maintenance responsibilities for the stormwater ponds located in Subareas 8 and 9-B.
6. Subject to the approval of the City of Columbus, if a bike trail/walking path is constructed in Subarea 9-B, it shall be a minimum of two hundred (200) feet from the west boundary of Subarea 9-B where it abuts residential lots in the Albany Park neighborhood. A connection to the aforementioned bike trail/walking path shall be made to the Albany Park park area upon completion of the bike trail/walking path in Subarea 9-B.

10. SUBAREA 10: CPD

10A. LOCATION: Subarea 10 contains approximately 8.5 acres and is located northwest of the intersection of State Route 161 and new Hamilton Road.

10B. PERMITTED USES: Permitted uses for Subarea 10 are contained in Sections 3356.02 (C-4, Commercial) and 3357.01 (C-5, Commercial) of the Columbus City Code unless otherwise indicated within this text.

1. The following uses are excluded from this subarea:
 - a. Billboards
 - b. Cabaret
 - c. Commercial radio transmitting or television station and appurtenances including cellular towers unless it is located on top of a building. Notwithstanding the previous sentence, no full size regional cell towers will be located on the top of a building if such cell

tower exceeds ten (10) feet above the height of the building.

- d. Dance hall
- e. Funeral parlor
- f. Motion picture theater
- g. Nightclub
- h. Pawn shop
- i. Poolroom
- j. Private club
- k. Testing or experimental laboratory

10C. DEVELOPMENT STANDARDS: The applicable development standards are contained in Chapter 3356 (C-4 Commercial) for the C-4 uses and contained in Chapter 3357 (C-5 Commercial) for the C-5 uses of the Columbus City Code unless otherwise indicated within this text.

10D. DENSITY, HEIGHT, LOT AND/OR SETBACK COMMITMENTS:

1. Density shall not exceed the ratio of ten thousand (10,000) gross square feet of building per net acre of site; except that office development shall not exceed the ratio of eighteen thousand (18,000) gross square feet of building per net acre of site. Net acreage shall be the gross acreage less the public right-of-way.
2. Setback from Hamilton Road shall be thirty-five (35) feet for parking and maneuvering areas and seventy-five (75) feet for all buildings.
3. Building setbacks shall not apply to landscape features such as, but not limited to, planters or walls six (6) feet high or less or ornamental fencing which may or may not contain signage. The final design of any "landscape features" which contain graphics may require Graphics Commission approval.
4. The height district shall be thirty five (35) feet as measured per Columbus City Code.
5. A buffer that is a minimum of fifty (50) feet wide shall be provided along the western boundary of Subarea 10. No buildings, structures, or pavement shall be permitted to encroach into the buffer.
6. The maximum lot coverage of buildings and parking lots shall not exceed seventy (70) percent. Landscaped areas within parking lots shall not be included in calculation of parking lot area. Land area of the fifty (50) foot buffer area shall be included in the lot coverage calculation.

10E. ACCESS, LOADING, PARKING AND/OR OTHER TRAFFIC-RELATED COMMITMENTS:

1. Any public street shall be of the size and use consistent with the Rocky Fork - Blacklick Accord standards. Streets within this area shall be two-way with on-street parking discouraged.
2. All circulation, curbcuts, and access points shall be subject to the approval of the City's Transportation Division.
3. Driveway access points and aisles may be divided by property or subarea lines without regard to minimum dimensions within any single property or subarea, as long as the overall driveway or aisle dimensions meet minimum Code requirements, and easements, as applicable, are provided to insure the function of shared driveways and aisles. The developer and/or owner of Subarea 10 shall be required to provide an access easement in favor of the property contained within Subarea 13 for the purposes of allowing vehicular and pedestrian ingress and egress to and from Hamilton Road at the curbcut to be found within Subarea 10.
4. Parking shall be provided pursuant to Chapter 3342, Off-Street Parking and Loading of the Columbus Zoning Code. To encourage shared parking and provide the most efficient design and layout of parking, parking lots may be designed without regard to internal property or subarea lines. Cross access easements shall be provided as applicable to insure the designed function of the parking and internal vehicular circulation system. The developer and/or owner of Subarea 10 shall designate parking spaces within the subarea that, in addition to being used in conjunction with the permitted uses found in this subarea, may be used by visitors to the Preservation Area that is contemplated in Section 10F(4) of this text.
5. A sidewalk / leisure path shall be installed along Hamilton Road; either on-site or within the right-of-way as approved by the City's

Transportation Division. A pedestrian connection between buildings is encouraged. Pedestrian connections shall be established between the primary parking area for a building and the primary entry door of that building.

6. The developer shall provide the City of Columbus with an access easement through Subarea 10 for the purpose of providing the City and any permitted visitors with vehicular and pedestrian access to edge of the Preservation Area that is contemplated in Section 10F(4) of this text. The developer shall also provide a bikeraack within this subarea at a location near the Preservation Area for the use of these visitors.

7. Overnight parking of semi-trucks in main parking areas, outside of loading areas, shall be prohibited.

10F. BUFFERING, LANDSCAPING, OPEN SPACE AND/OR SCREENING COMMITMENTS:

1. A street tree row shall be established along Hamilton Road with the planting of one (1) tree for every thirty (30) lineal feet of street frontage. Trees shall be approximately evenly spaced, unless tree grouping is more practical, and planted adjacent to the right-of-way, unless the City of Columbus requests otherwise. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester.

2. A four board fence, as specified in Exhibit A, shall be placed continuously along the Hamilton Road and S.R.-161 Expressway frontages with the exception of roadway access areas and any associated vision clearance triangle area.

3. The parking setback area along Hamilton Road shall be maintained in live vegetation and shall include tree planting at a rate of four (4) trees per one hundred (100) lineal feet of street frontage. The trees shall be placed randomly in a manner that appears natural in character. A mix of deciduous, evergreen, and ornamental trees may be used. Credit is given for preserving an existing healthy tree 2 ½ inches in caliper or greater by allowing one tree preserved to count as one tree required under this section 10F, except for trees within the parking lot.

4. A Preservation Area adjacent to Subarea 10 consisting of 70.8± acres shall be created in conjunction with this rezoning in the location shown on the accompanying subarea map. Following the effective date of this rezoning the owner of the Preservation Area shall dedicate the Preservation Area to the City of Columbus for the purpose of maintaining its natural environment of trees, topography, and wetlands. The owner and/or the City shall place and maintain a conservation easement on the Preservation Area that serves to protect the existing character of the property and to prohibit development thereon except for the purpose of providing pervious walking trails and related improvements. Within the Preservation Area, all healthy trees of eight (8) inches in caliper or greater, shall be left undisturbed yet maintained as permitted by the U.S. Army Corps of Engineers. Dead and diseased trees may be removed. Adding fill, changing the grade, or disturbing the soil shall not be permitted within the Preservation Area. No building, parking lot, or signage shall be permitted within the Preservation Area. Installation of utilities is not precluded from crossing these areas. Pervious walking paths shall be permitted in the Preservation Area with the intent that the property may be used for educational, recreational, or other purposes that are consistent with the goal of preserving the existing state of the land. Provisions regarding Preservation Areas shall be perpetual through all subsequent rezonings or variances.

5. Parking and vehicular display areas adjacent to Hamilton Road and the S.R.-161 Expressway shall be screened along its entire frontage length within the parking setback. Screening shall be in the form of an evergreen hedge, earth mounding, wall, or combination thereof, of no less than four (4) foot in height. The height of screening may be reduced as needed adjacent to curb cuts or to provide adequate vision clearance. Screening shall be augmented with a mixed planting of at least five (5) ornamental trees or deciduous shrubs per one hundred (100) lineal foot of screening.

6. In addition to the screening provision of 10F-5, interior landscaping of a parking lot area shall be provided to break up large expanses of pavement (Also see 10E-5). Parking lot interior landscaping shall consist of a tree for every ten (10) parking spaces and at least five (5) square feet of live vegetation for every one hundred (100) square feet of vehicular use area. Eighty (80) percent of the required trees herein shall be located within the parking lot's interior. A soil planting area of at least twenty-five (25) square feet in area shall be provided for each tree. Trees shall be planted in islands at least six (6) feet wide and eighteen (18) feet long. Notwithstanding the previous sentence, if parking landscape "diamonds" are used in the parking lot, the minimum size shall be seven (7) feet by seven (7) feet.

7. Orienting a building with its back side facing or being substantially visible from a public roadway shall be avoided. One's view of that portion of a building's back wall visible from either Hamilton Road or the S.R.-161 Expressway shall be screened and obstructed by at least three (3) evergreen trees, two (2) medium-large sized deciduous shade trees, and seven (7) shrubs per one hundred (100) lineal feet of screening necessary. Multiple varieties of each type of plant material are encouraged. A limited amount of mounding

and fencing may be used to augment the plant screening. The maximum height of a fence is seven (7) feet.

8. Loading/service areas shall be screened from off-site view to a minimum height of six (6) feet by a fence, wall, building, and/or landscaping, used individually or in combination.

9. The minimum size of all plant material at installation shall be two and a half (2½) inch caliper for street trees, two (2) inch caliper for all other deciduous shade trees, six (6) feet high for evergreen trees, two (2) inch caliper for ornamental trees, and eighteen (18) inches high for shrubs. Tree caliper shall be measured twelve (12) inches above the ground for new trees and four (4) foot above the ground for existing trees.

10. Earth mounding with a gentle slope and wide crest may be used provided it is landscaped with a mix of shrubs and trees and has a grade not exceeding a 3:1 slope.

11. All landscaping, trees, plant material, pond, site grades, and fencing provided under this section shall be maintained by the property owner, or its assigns, in a healthy and good condition per accepted horticultural practices and as approved by the City Forester. Best management tree preservation practices are to be used to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line. Dead items shall be replaced within six (6) months.

12. All landscape designs are to be reviewed by a registered landscape designer or architect.

13. Automobile body shops shall screen all cars to be repaired within a building or behind a six foot high (6') solid wall or fence.

10G. BUILDING DESIGN AND/OR INTERIOR-EXTERIOR TREATMENT COMMITMENTS:

1. The applicable building design standards for Subarea 10 are contained in Section 4G of this zoning text. In Subarea 10 the design and materials of an addition, exterior alteration, or accessory building shall be compatible with the design and materials of the principal building.

10H. DUMPSTERS, LIGHTING, OUTDOOR DISPLAY AREAS AND/OR OTHER ENVIRONMENTAL COMMITMENTS:

1. All external outdoor lighting shall be cut-off type fixtures (downlighting), and shall be designed in such a way to prevent off-site spillage. Lighting shall not generate excessive light levels, cause glare, or direct light beyond the façade onto an adjacent property or street. The source of exterior illumination of a building or landscaping shall be concealed from view. Direct lighting fixtures for a ground sign shall be shielded with landscaping and be positioned in such a way as to prevent glare. External outdoor lighting fixtures will be similar, and wiring for such fixtures will be underground.

2. Maximum height of light poles including fixtures shall not exceed twenty eight (28) feet except for the outlots where the maximum height of the light poles shall not exceed eighteen (18) feet.

3. Rear service area lighting shall be provided through the use of cut-off style down lighting with concealed light sources to prevent a light source on a building's backside from being visible from off-site or any public way. The direct light source of a wall-mounted fixture shall not be detectable from off-site.

4. Lighting fixtures used to illuminate the area below a freestanding canopy shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy. However, indirect lighting may be used where a shielded source of light is beamed upward and then reflected down from the underside of the canopy.

5. An outdoor display area for convenient store / gas sales shall contain only those items normally and customarily sold by such store and such seasonal items/products as firewood, mulch, flowers, and Christmas wreaths. Such display area shall be located adjacent to the building and is limited to fifty (50) square feet in area with a maximum height of three (3) feet. A five (5) foot wide pedestrian travel zone shall be maintained on a store sidewalk. Self-illuminated items such as ice/soda and vending machines are not permitted outside of a structure.

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

7. All refuse shall be containerized. Such container and containment area shall be fully screened from view by a solid wall or fence

that is compatible with the associated building's architecture and materials.

8. Mechanical equipment or other utility hardware on the roof of a building shall be screened from ground level by building materials, parapets or mansards compatible and consistent with the building roof or exterior. Color shall also match the building roof or exterior. Mechanical and all other equipment on the ground shall be fully screened from view at ground level with a wood fence or brick wall (matching the brick on the nearest building elevation) that screens the equipment.

9. Loading docks for retail tenants that have greater than 25,000 square feet of gross floor area shall be screened from off site view with a brick wall that screens the trucks using the docks. The brick on this wall shall match the brick on the exterior elevation of the building. A brick cap shall be required on top of this screening wall.

10I. GRAPHICS AND SIGNAGE COMMITMENTS:

1. A graphics plan shall be submitted to the Columbus Graphic Commission. All signage and graphics shall conform to such graphics plan as approved by the Columbus Graphic Commission.

10J. MISCELLANEOUS COMMITMENTS:

1. Miscellaneous:

a. An "abandoned service station" is defined as a service station which has ceased operations or is closed to the public for at least six (6) months in any twelve (12) month period. The owner or lessee of the service station or related structures shall, within, seven (7) days of the beginning of the closure period referred to herein:

- (a) Install wheel blocks, firmly attached, across the driveway entrance to the service station to prohibit unauthorized vehicle parking or abandonment of motor vehicles;
- (b) Shall remove all signs and pumps;
- (c) Shall board up all windows, garage doors and entrances to prevent the breakage of glass and the unauthorized entrance therein;
- (d) Take appropriate action as required by the city of Columbus Fire Code to treat abandoned underground tanks and;
- (e) Shall during the closure period cut all grass, remove all rubbish and weeds and continue such maintenance as may be necessary to prevent the building or structure from deteriorating into a state of disrepair.

10K. CPD CRITERIA:

- a. Existing land uses: To the north is existing residential and future commercial; to the west is the future Preservation Area; to the east is future commercial; and to the south is future preservation area.
- b. Transportation and circulation: Access to the site shall be via Hamilton Road. There shall be cross access agreements between subarea 10 and subarea 13.
- c. Visual form of the development: The site shall be developed in accordance with the zoning text.
- d. View and visibility: In the development of the subject property and the location of the buildings and access points consideration has been given to the visibility and safety of motorists and pedestrians.
- e. Proposed development: Commercial as permitted under this text.
- f. Emissions: No adverse affects from emissions shall result from the proposed development.
- g. Behavior patterns: The proposed development would serve the growing Columbus residential population as well as the motorists who use State Route 161.

11. SUBAREA 11: L-R - LIMITED RURAL DISTRICT

11A. LOCATION: Subarea 11 (formerly subareas 11 and 12) contains approximately 70.8 acres and is located in the northwest quadrant of 161 Bypass and Hamilton Road.

11B. PERMITTED USES: Parks and conservation/open space.

11C. DEVELOPMENT STANDARDS: The applicable development standards are contained in Chapter 3332 (R, Rural Residential) of the Columbus City Code unless otherwise indicated within this text.

12. SUBAREA 12: INTENTIONALLY OMITTED.

13. SUBAREA 13: CPD

13A. LOCATION: Subarea 13 contains approximately 1.36 acres and is located northwest of and adjacent to the intersection of State Route 161 and new Hamilton Road.

13B. PERMITTED USES: Permitted uses for Subarea 13 are contained in Sections 3356.02 (C-4, Commercial) and 3357.01 (C-5, Commercial) of the Columbus City Code unless otherwise indicated within this text.

1. The following uses are excluded from this subarea:

- a. Billboards
- b. Cabaret
- c. Commercial radio transmitting or television station and appurtenances including cellular towers unless it is located on top of a building. Notwithstanding the previous sentence, no full size regional cell towers will be located on the top of a building if such cell tower exceeds ten (10) feet above the height of the building.
- d. Dance hall
- e. Funeral parlor
- f. Motion picture theater
- g. Nightclub
- h. Pawn shop
- i. Poolroom
- j. Private club
- k. Testing or experimental laboratory

13C. DEVELOPMENT STANDARDS: The applicable development standards are contained in Chapter 3356 (C-4 Commercial) of the Columbus City Code unless otherwise indicated within this text.

13D. DENSITY, HEIGHT, LOT AND/OR SETBACK COMMITMENTS:

1. Only one building, not to exceed five thousand (5,000) gross square feet is permitted in this subarea.
2. Setback from Hamilton Road shall be thirty-five (35) feet for parking and maneuvering areas and fifty (50) feet for all buildings.
3. Building setbacks shall not apply to landscape features such as, but not limited to, planters or walls six (6) feet high or less or ornamental fencing which may or may not contain signage. The final design of any "landscape features" which contain graphics may require Graphics Commission approval.
4. From all internal roadways, the building setback shall be twenty (20) feet and ten (10) feet for parking and maneuvering areas. This setback shall not apply to parking aisles or drive lanes internal to a parking lot area.
5. The height district shall be thirty five (35) feet as measured per Columbus City Code.
6. The maximum lot coverage of buildings and parking lots shall not exceed seventy (70) percent. Landscaped areas within parking lots shall not be included in calculation of parking lot area. Land area of Preservation Area 13-A, as shown on the "Tree Preservation Plan," shall be included in the lot coverage calculation.

13 E. ACCESS, LOADING, PARKING AND/OR OTHER TRAFFIC-RELATED COMMITMENTS:

1. Any public street should be of the size and use consistent with the Rocky Fork - Blacklick Accord standards. Streets within this area shall be two-way with on-street parking discouraged.
2. All circulation, curb-cuts, and access points shall be subject to the approval of the City's Transportation Division.
3. Driveway access points and aisles may be divided by property or sub-area lines without regard to minimum dimensions within any single property or sub-area, as long as the overall driveway or aisle dimensions meet minimum Code requirements, and easements, as applicable, are provided to insure the function of shared driveways and aisles. A thirty (30) foot wide easement, as shown on Exhibit P, shall be reserved across the rear northwestern corner of the parcel to allow a future road connection to the property north of this subarea.

4. Parking shall be provided pursuant to Chapter 3342, Off-Street Parking and Loading of the Columbus Zoning Code based upon reasonable projections of the uses including restaurants. To encourage shared parking and provide the most efficient design and layout of parking, parking lots may be designed without regard to internal property or sub-area lines. Cross access easements shall be provided as applicable to insure the designed function of the parking and internal vehicular circulation system.
5. A sidewalk/leisure path shall be installed along Hamilton Road; either on-site or within the right-of-way as approved by the City's Transportation Division. A pedestrian connection between buildings is encouraged. Pedestrian connections shall be established between the primary parking area for a building and the primary entry door of that building.
6. Overnight parking of semi-trucks in main parking areas, outside of loading areas, shall be prohibited.

13 F. BUFFERING, LANDSCAPING, OPEN SPACE AND/OR SCREENING COMMITMENTS:

1. A street tree row shall be established along Hamilton Road with the planting of one (1) tree for every thirty (30) lineal feet of street frontage. Trees shall be approximately evenly spaced, unless tree grouping is more practical, and planted adjacent to the right-of-way, unless the City of Columbus requests otherwise. A street tree row shall be established along both sides of all internal access roadways with the planting of one (1) tree for every thirty (30) lineal feet. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester.
2. A four board fence, as specified in Exhibit A, shall be placed continuously along the Hamilton Road and S.R.-161 Expressway frontages with the exception of roadway access areas and any associated vision clearance triangle area.
3. The parking setback area along Hamilton Road shall be maintained in live vegetation and shall include tree planting at a rate of four (4) trees per one hundred (100) lineal feet of street frontage. The trees shall be placed randomly in a manner that appears natural in character. A mix of deciduous, evergreen, and ornamental trees may be used. Credit is given for preserving an existing healthy tree 2 ½ inches in caliper or greater located outside the designated Preservation Area by allowing one tree preserved to count as one tree required under this section 13F, except for trees within the parking lot.
4. The essence of the character created by the natural environment of trees, topography that exists along Hamilton Road shall be maintained, as described in this Section 13F. Developer shall preserve the greater number of twenty five (25) mature, healthy trees 5" in caliper or larger or 50% of trees 5" in caliper or larger within Preservation Area "13-A". Preservation Area "13-A" is +/- 0.35 acres and is delineated on Exhibit P the "Tree Preservation Plan". Preservation Area "13-A" is thirty (30) feet in depth along the entire Hamilton Road frontage and twenty (20) feet in depth along the entire southern property line as shown on the Tree Preservation Plan. Special effort will be made for the trees being preserved to be as close to the right of way and along the southern boundary as practicable to retain the natural tree row. Ground vegetation, scrub bushes and trees may be cleared in the area surrounding the preserved trees except the existing grade shall be retained. The requirement of preserving the greater number of twenty five (25) mature, healthy trees 5" in caliper or larger or 50% of trees 5" in caliper or larger is intended to be a perpetual provision through any subsequent rezonings or variances. Utilities may cross Preservation Area "13-A". All trees preserved shall be maintained in a healthy state according to locally accepted good horticultural practices and as approved by City Forester. A tree survey showing the trees to be preserved will be submitted at the time this site is reviewed for zoning compliance. In the event the easement area described above in section 13-E-3 is required, Preservation Area "13-A" will accommodate that need. In areas where existing mature, healthy trees have not been maintained along Hamilton Road, the landscaping shall consist of a single row of deciduous shade trees (4 trees/100 lineal feet) in a natural hedgerow (minimum 2 ½ inch caliper upon installation) and ornamental trees unless tree groupings are more practicable or tree groupings will make the landscaping appear more natural in character. Evergreen and/or deciduous shrubs and/or mounding may also be used. Mounding, if used for screening, shall maintain a maximum 3:1 slope along Hamilton Road.
5. Parking and vehicular display areas adjacent to Hamilton Road shall be screened along its entire frontage length. Screening shall be in the form of an evergreen hedge, earth mounding, wall, or combination thereof, of no less than four (4) foot in height. The height of screening may be reduced as needed adjacent to curb cuts or to provide adequate vision clearance. Screening shall be augmented with a mixed planting of at least five (5) ornamental trees or deciduous shrubs per one hundred (100) lineal foot of screening.
6. In addition to the screening provision of 13F-5, interior landscaping of a parking lot area shall be provided to break up large expanses of pavement (Also see 13E-5). Parking lot interior landscaping shall consist of a tree for every ten (10) parking spaces and

at least five (5) square feet of live vegetation for every one hundred (100) square feet of vehicular use area. Eighty (80) percent of the required trees herein shall be located within the parking lot's interior and drive lanes. A reasonable soil planting area shall be provided for each tree. Trees shall be planted in islands at least six (6) feet wide and eighteen (18) feet long. Notwithstanding the previous sentence, if parking landscape "diamonds" are used in the parking lot, the minimum size shall be seven (7) feet by seven (7) feet.

7. Orienting a building which is located immediately adjacent to the perimeter boundary line of the Subarea with its back side facing or being substantially visible from a public roadway shall be avoided. With respect to such building located immediately adjacent to the perimeter boundary line of Subarea 13, one's view of that portion of a building's back wall visible from either Hamilton Road shall be screened and obstructed by at least three (3) evergreen trees, two (2) medium-large sized deciduous shade trees, and seven (7) shrubs per one hundred (100) lineal feet of screening necessary. Multiple varieties of each type of plant material are encouraged. A limited amount of mounding and fencing may be used to augment the plant screening. The maximum height of a fence is seven (7) feet.

8. Loading/service areas shall be screened from off-site view to a minimum height of six (6) feet by a fence, wall, building, and/or landscaping, used individually or in combination.

9. The minimum size of all plant material at installation shall be two and a half (2½) inch caliper for street trees, two (2) inch caliper for all other deciduous shade trees, six (6) feet high for evergreen trees, two (2) inch caliper for ornamental trees, and eighteen (18) inches high for shrubs. Tree caliper shall be measured twelve (12) inches above the ground for new trees and four (4) foot above the ground for existing trees.

10. Earth mounding with a gentle slope and wide crest may be used provided it is landscaped with a mix of shrubs and trees and has a grade not exceeding a 3:1 slope.

11. All landscaping, trees, plant material, pond, site grades, and fencing provided under this section shall be maintained by the property owner, or its assigns, in a healthy and good condition per accepted horticultural practices and as approved by the City Forester. Best management tree preservation practices are to be used to preserve and protect trees intended to be protected during all phases of construction, including the installation of snow fencing at the drip line. Dead items shall be replaced within six (6) months.

12. All landscape designs are to be reviewed by a registered landscape designer or architect.

13. The preservation of open space shall be a goal during final site design. In addition to Preservation Areas, reasonable and good faith efforts will be made to preserve existing trees and tree rows of merit. Consideration will be given to laying out streets, lots, structures, and parking areas to avoid the unnecessary destruction of healthy, mature trees and wooded areas.

14. Automobile body shops shall screen all cars to be repaired within a building or behind a six foot high (6') solid wall or fence.

13G. BUILDING DESIGN AND/OR INTERIOR-EXTERIOR TREATMENT COMMITMENTS:

1. The architectural design for the subarea shall be consistent with the standards set forth in this text and shall be coordinated between the various uses and proposed building types. Architectural standards shall vary based on the size of tenants or users as set forth below. Developer will encourage orienting backs of buildings away from public roads. All architectural exhibits incorporated as part of this zoning text are representative of the types of buildings which will be constructed in this subarea but are not the only designs which are permitted under the architectural requirements set forth in this zoning text.

2. Building features and entries shall have the appearance of being 2 stories in height as per **Exhibit M** with parapets and heights comparable to and consistent with the parapets and heights shown on **Exhibit M**.

3. Required architectural features shall include large storefronts, taking into account storeroom size; using roof elements such as dormers, cupolas, roof spires, and hip and gable roofs to emphasize and reduce the building scale at the building storefront; roof screens of all roof-mounted equipment and appurtenances; and fenestration, all of the above being comparable to and consistent with the features provided on the buildings shown on **Exhibit M**.

4. Exterior Elevations: Each exterior elevation shall be predominately composed of brick masonry equal to or exceeding the coverage of brick found on the buildings shown on **Exhibit M**, exclusive of glass areas. Brick masonry exterior walls shall be of a type brick that is consistent with the brick shown on the buildings shown on **Exhibit M**, sized from standard to king size/jumbo.

Utility brick (half a concrete block that is colored at the time of fabrication) shall be prohibited. Brick walls shall be detailed in a manner comparable to and consistent with the brick walls at Easton Market adjacent to the buildings shown on **Exhibit M**. Jack arches shall be utilized above storefronts, windows, and blind arches in a manner comparable to and consistent with the buildings and architecture found on **Exhibit M**. Belt line (horizontal accent bands) shall be used to break up larger masonry walls which can be recessed or pulled from the field in a manner comparable to and consistent with the buildings and architecture shown on **Exhibit M**. Soldier courses may be used above door and window openings or as part of a belt line (horizontal accent band). Detail bricks shall be of an accent color that is complimentary to the field brick on the building. Other exterior elevation elements shall include the treatment of slope roof fascias and parapet cornices, in a manner comparable to and consistent with the buildings and architecture shown on **Exhibit M**. The same palette of exterior finishes and color shall be used on all sides of a building, unless otherwise detailed in this zoning text.

5. Roof fascias shall be proportioned to the scale of the roof element with classical molding details such as crown molding. The parapets shall use cornices in a manner comparable to and consistent with the buildings and architecture shown on **Exhibit M** with molded shapes made of durable material such as stone, cast stone, architectural pre-cast concrete, gypsum fiber reinforced concrete, or expanded insulation finish system (EIFS). The design and materials of an addition, exterior alteration, or accessory building shall be compatible with the design and materials of the principal building. The same material shall be used for roof fascias to match cornices, in a manner comparable to and consistent with the buildings and architecture shown on **Exhibit M**.

6. Gutters and downspouts: Gutters shall be metal-type and shall be painted to match fascias. Downspouts shall be installed in a manner comparable to and consistent with the buildings and architecture shown on **Exhibit M** and shall be painted to match gutters. Scuppers shall be used at the rear of the building if desired. Through-wall scuppers may be permitted where parapet walls are used. Scupper boxes and downspouts at the rear of the building shall be painted to blend in with exterior building color or shall be manufactured with a pre-finished metal of a color which compliments the finished material to which it is affixed. Overflow drains required by Code may be an open scupper through a masonry parapet in a manner comparable to and consistent with the buildings and architecture shown on **Exhibit M**. An open scupper shall be detailed to minimize its appearance on the building elevation.

7. All exterior doors other than entry/exits shall be made of a heavy gauge metal painted to blend in with the exterior brick masonry.

8. Retail tenants occupying the end of a building or on outparcels may be permitted to have pick-up unit(s) on the end of the building. The pick-up unit(s) shall be detailed with applicable architectural standards and in a manner comparable to and consistent with the architecture of the balance of the subarea. Pick-up unit(s) are permitted but shall be designed to be located at or near the sides or rear of the building.

9. In the event an office building is constructed within this subarea, the architectural design for that building shall be consistent with the standards set forth in this text and shall be coordinated between the various uses and proposed building types and the following standards will be applicable:

a. The architectural design for the entire development shall be consistent and coordinated between the various uses and proposed building types.

b. The same exterior finishes shall be used on all sides of the building.

c. Building arrangements shall provide pedestrian connections between buildings and parking areas.

d. An area for bike parking shall be provided for such building(s).

e. Mechanical equipment or other utility hardware on the roof of a building shall be screened from view from any public roadway. Rooftop screens shall be consistent and harmonious with the building's façade and character. 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.

13 H. DUMPSTERS, LIGHTING, OUTDOOR DISPLAY AREAS AND/OR OTHER ENVIRONMENTAL COMMITMENTS:

1. All external outdoor lighting shall be cut-off type fixtures (downlighting), and shall be designed in such a way to prevent off-site spillage. Lighting shall not generate excessive light levels, cause glare, or direct light onto an adjacent property or street. The source of exterior illumination of a building or landscaping shall be concealed from view. Direct lighting fixtures for a ground sign shall be

shielded with landscaping and be positioned in such a way as to prevent glare. External outdoor lighting fixtures will be similar, and wiring for such fixtures will be underground.

2. Maximum height of light poles including fixtures shall not exceed twenty eight (28) feet, except for on a frontage out-parcel the maximum height shall be eighteen (18) feet.
3. Rear service area lighting shall be provided through the use of cut-off style down lighting with concealed light sources to prevent a light source on a building's backside from being visible from off-site or any public way. The direct light source of a wall-mounted fixture shall not be detectable from off-site.
4. Lighting fixtures used to illuminate the area below a freestanding canopy shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy. However, indirect lighting may be used where a shielded source of light is beamed upward and then reflected down from the underside of the canopy.
5. An outdoor display area for convenient store / gas sales shall contain only those items normally and customarily sold by such store and such seasonal items/products including but not limited to firewood, mulch, flowers, and Christmas wreaths. Such display area shall be located adjacent to the building and is limited to fifty (50) square feet in area with a maximum height of three (3) feet. A five (5) foot wide pedestrian travel zone shall be maintained on a store sidewalk. Self-illuminated items such as ice/soda and vending machines are not permitted outside of a structure.
6. All new or relocated utility lines shall be installed underground.
7. All refuse shall be containerized. Such container and containment area shall be fully screened from view by a solid wall or fence that is compatible with the associated building's architecture and materials.
8. Mechanical equipment or other utility hardware on the roof of a building shall be screened from ground level by building materials, parapets or mansards compatible and consistent with the building roof or exterior. Color shall also match the building roof or exterior. Mechanical and all other equipment on the ground shall be fully screened from view at ground level with a wood fence or brick wall (matching the brick on the nearest building elevation) that screens the equipment.
9. Loading docks shall be screened from off site view with a brick wall that screens the trucks using the docks. The brick on this wall shall match the brick on the exterior elevation of the building. A brick cap shall be required on top of this screening wall.

13 I. GRAPHICS AND SIGNAGE COMMITMENTS:

1. A graphics plan shall be submitted to the Columbus Graphic Commission. All signage and graphics shall conform to such graphics plan as approved by the Columbus Graphic Commission.

13 J. MISCELLANEOUS COMMITMENTS:

1. Miscellaneous:

- a. An "abandoned service station" is defined as a service station which has ceased operations or is closed to the public for at least six (6) months in any twelve (12) month period. The owner or lessee of the service station or related structures shall, within, seven (7) days of the beginning of the closure period referred to herein:
 - (a) Install wheel blocks, firmly attached, across the driveway entrance to the service station to prohibit unauthorized vehicle parking or abandonment of motor vehicles;
 - (b) Shall remove all signs and pumps;
 - (c) Shall board up all windows, garage doors and entrances to prevent the breakage of glass and the unauthorized entrance therein;
 - (d) Take appropriate action as required by the city of Columbus Fire Code to treat abandoned underground tanks and;
 - (e) Shall during the closure period cut all grass, remove all rubbish and weeds and continue such maintenance as may be necessary to prevent the building or structure from deteriorating into a state of disrepair.

13 K. CPD CRITERIA:

- a. Existing land uses: To the north is existing and future residential and; to the east is future commercial; to the west across is future commercial; and to the south is future commercial.
- b. Transportation and circulation: Access to the site shall be via Hamilton Road. There shall be cross access agreements

between subarea 13 and subarea 10.

- c. Visual form of the development: The site shall be developed in accordance with the zoning text.
- d. View and visibility: In the development of the subject property and the location of the buildings and access points consideration has been given to the visibility and safety of motorists and pedestrians.
- e. Proposed development: Commercial as permitted under this text.
- f. Emissions: No adverse affects from emissions shall result from the proposed development.
- g. Behavior patterns: The proposed development would serve the growing Columbus residential population as well as the motorists who use State Route 161.

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