

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
MAY 10, 2012**

1. **APPLICATION:** **Z10-013 (10335-00000-00221)**
 Location: **5822 NORTH HAMILTON ROAD (43054)**, being 116.26± acres located on the east side of Hamilton Road 670± feet north of Preserve Boulevard (545-175661).

 Existing Zoning: L-C-4, Limited Commercial, L-AR-12, Limited Apartment Residential and PUD-8, Planned Unit Development Districts.

 Request: L-ARO, Limited Apartment Residential Office, and CPD Commercial Planned Development Districts.

 Proposed Use: Multi-unit dwellings, office, and commercial development.
 Applicant(s): Town & Country City, Inc et al; 191 West Nationwide Blvd, Suite 200; Columbus, OH 43215.

 Property Owner(s): Same as Applicant.
 Planner: Dana Hitt, 645-2395, dahitt@columbus.gov.

BACKGROUND:

- The 116.26± acre site is zoned in the L-C-4, Limited Commercial; L-AR-12, Limited Apartment Residential and PUD-8, Planned Unit Development Districts and is undeveloped, consisting of agricultural and forested areas with some wetlands. The applicant requests the L-AR-O, Limited Apartment Residential and CPD Commercial Planned Development Districts to construct a mixed use development in the L-AR-O portion of the application consisting of multi-unit dwellings at a maximum density of 15.5 units per acre, offices and commercial Development. The commercial development in the L-AR-O portion is proposed via the concurrent Council Variance CV10-021, which is not part of this application but will be considered by City Council. The CPD portions of application are to allow commercial and office development in Subarea 5 and office development in sub-area 5Z.
- To the north and west is vacant land zoned in the CPD, Commercial Planned Development and the PUD-8, Planned Unit Development Districts as well as multi-unit dwellings zoned in the L-AR-12, Limited Apartment Residential District and commercial development zoned in the CPD, Commercial Planned Development and C-4, Commercial Districts. To the south are single-unit dwellings zoned in the PUD-4 and PUD-8, Planned Unit Development Districts as well as commercial development zoned in the CPD, Commercial Planned Development. To the east are single-unit dwellings zoned in the PUD-8, Planned Unit Development District.
- The site lies within Preserve District of *The Northland Plan Volume II (2002)*.
- The applicants are providing for street trees, limits on lot coverage, a 25 foot tree preservation zone along the south property line north which would then run north and parallel to a 50 foot easement along the single-unit dwellings to the south.
- The *Columbus Thoroughfare Plan* identifies Dublin-Granville Road as a C, Collector Hamilton Road and as a 4-2D arterial, requiring a minimum of 30 feet and 60 feet of

right-of-way from centerline respectively.

CITY DEPARTMENTS RECOMMENDATION: Approval.

Because sub-area 5Z, which abuts the residences to the east, will be developed with office uses and because the applicants are proposing a 25 foot tree preservation zone along the southern property line and easement as well as height and setback commitments, Staff recommends approval of the proposed rezoning which should protect the existing single-unit dwellings to the south and east. Due to these considerations the requested L-AR-O, Limited Apartment Residential and CPD Commercial Planned Development Districts would permit a mix of multi-unit residential, office and commercial uses consistent with the zoning and land use patterns of the area.

RESIDENTIAL AND COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICT: L-ARO Apartment Residential, CPD
PROPERTY ADDRESS: 5822 Hamilton Road
OWNER: Town and Country City, Inc. et al.
APPLICANT: Town and Country City, Inc. et al.
DATE OF TEXT: May 4, 2012
APPLICATION NUMBER: Z10-013

1. **INTRODUCTION:** This site is located south of Dublin-Granville Road, east of Hamilton Road, and north of the Preserve residential development. The land included in this rezoning was originally part of zoning case # Z05-054. The subject land was pulled out of Z05-054 prior to its approval by City Council on July 23, 2007. The numbering of the subareas in this application is consistent with those in Z05-054. This application will create subareas with various office, residential and commercial uses.
- 2.
3. **SUBAREA 1: L-ARO**
- 4.
5. **1. LOCATION:** Subarea 1 contains approximately 73.3 acres. Subarea 1 is bounded on the north by a relocated Hamilton Road, which for a long period of time has been planned to connect existing Hamilton Road on the west with the intersection of Hamilton Road and Dublin-Granville Road to the north. The site is bordered by an existing single-family residential community to the south known as The Preserve, and a second single-family residential community that is located to the east and is known as Albany Park. To the north of the subject site is the State Route 161 Expressway interchange at Hamilton Road, around which commercial and office development is anticipated in the future.
- 6.
7. **2. PERMITTED USES:** Permitted uses for Subarea 1 are contained in Section 3333.04 and 3333.05 (ARO, Apartment District of the City of Columbus) of the Columbus City Code and as part of CV-10-21 except that the following use is prohibited:
 - 8.
 9. a. Monopole Telecommunication Antennas
 - 10.
- 11.
12. **3. DEVELOPMENT STANDARDS:** The applicable development standards are contained in Chapter 3333 (AR, Apartment Residential) of the Columbus City Code unless otherwise indicated within this text.
- 13.
14. **A. DENSITY, HEIGHT, LOT AND/OR SETBACK COMMITMENTS:**
15. 1. The southern property line shall be divided into three sections: the Western Section, the Middle Section, and the Eastern Section as such are depicted on the site plan.
- 16.
17. 2. Within a portion of the Western Section of the southern property line of Subarea 1, there shall be a twenty-five foot setback for pavement and buildings adjacent to the commercially-zoned property which fronts onto Hamilton Road. Within the Middle Section of the southern boundary line of Subarea 1, there shall be a fifty (50) foot setback for pavement and buildings. Within the above mentioned twenty-five (25) and fifty (50) foot setbacks, all existing trees shall be preserved other than for utility extension allowed in this Section 3.A.2. New utilities shall not be trenched parallel to the southern boundary within twenty-five feet of the southern boundary line. Lateral utilities within twenty-five feet of the southern boundary line within the Western and Middle Sections are permitted by way of easements in existence at the time of adoption of this zoning which are adjacent to and/or within the setback areas. Trees deemed to be unhealthy by the Urban Forestry Division of the Columbus Recreation and Parks Department may be removed. The area north of the tree line within the twenty-five (25) and fifty (50) foot setbacks is permitted to be used as a typical grass lawn. Within the Middle Section, there shall be mound located within the fifty (50) foot setback on which evergreen trees shall be planted at a rate of ten (10) evergreen

trees per one hundred (100) lineal feet of mound. The mound shall be a minimum of three (3) feet in height. The evergreen trees shall be a minimum of six (6) feet in height at installation.

- 18.
19. 3. Along the Eastern Section of the southern property line of Subarea 1, there shall be a twenty-five (25) foot setback for pavement and buildings. Within the above mentioned twenty-five (25) foot setback, all existing trees shall be preserved other than for utility extension allowed in this Section 3.A.3. New utilities shall not be trenched parallel to the southern boundary within the 25 foot setback. Lateral utilities (perpendicular to the southern property line) are permitted within the 25 foot setback. Trees deemed to be unhealthy by the Urban Forestry Division of the Columbus Recreation and Parks Department may be removed. There is an existing 50-foot gas line easement along a portion of the Eastern Section of the southern boundary line. There shall be twenty-five (25) foot setback from the north boundary line of this gas line easement for pavement and buildings. Within the above-mentioned twenty-five (25) foot setback from the gas line, all existing trees shall be preserved other than for utility extension allowed in this Section 3.A.3. Trees deemed to be unhealthy by the Urban Forestry Division of the Columbus Recreational and Parks Department may be removed.
- 20.
21. 4. Lot coverage for building and paved areas shall not exceed eighty (80%) percent of the gross subarea.
- 22.
23. 5. Maximum density for multi-family development shall be fifteen and one-half (15.5) units per gross acre of the subarea.
- 24.
25. 6. The subarea shall have a 60-foot height district.
- 26.

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

1. Delineated wetlands within Subarea 1 shall be preserved as natural features throughout the site. The Preservation Areas (as noted on the site plan) are wetland buffer areas surrounding the delineated wetlands and shall be preserved in their natural state except for drainage to and from the delineated wetlands. The Preservation Areas minimum buffer depth is twenty-five feet with such buffer to be measured from the outside edge of the delineated wetland area. Portions of the Preservation Areas may be disturbed to allow for drainage of surface water to and from the wetlands provided that no structures or storm water basins are located within the Preservation Areas. Any delineated stream or water course connecting preservation/wetland areas within the Subarea shall be maintained and may only be piped or rerouted if permitted by federal or state regulations or law governing such activities. A twenty foot (20') wide area may be disturbed in the general location noted on the site plan labeled "Connectivity Area A" to allow for construction of utility, pedestrian and/or bikeway connectivity between the two portions of Subarea 1. A fifty foot (50') wide area may be disturbed in the general locations noted on the site plan labeled "Connectivity Area B" and "Connectivity Area C" to allow for construction of utility, vehicular and pedestrian and/or bikeway connectivity between the two portions of Subarea 1. Connectivity Area A, Connectivity Area B and Connectivity Area C may shift to accommodate final engineering provide that in no event shall the Connectivity Area A, Connectivity Area B or Connectivity Area C be located within twenty-five feet (25') of a delineated wetland. Any roadways within Connectivity Areas B, C and D shall not exceed twenty-four (24) feet in width and accessory pedestrian/bike path shall not exceed eight (8) feet in width. The developer shall use reasonable efforts to minimize the disturbance of land within the Connectivity Areas but outside the actual grading and construction areas. Any delineated stream or water course connecting preservation/wetland areas within the Subarea 1 shall be maintained and may only be crossed, piped or rerouted if permitted by federal or state regulations or law governing such activities.

2. The developer shall install street trees along the future Hamilton Road relocation, and any other public street 40 feet on center.

27. 3. Within a portion of the Western Section of the southern property line of Subarea 1, there shall be a twenty-five (25) foot setback for pavement and buildings adjacent to the commercially-zoned property which fronts onto Hamilton Road. Within the Middle Section of the southern property line of Subarea 1, there shall be a fifty (50) foot setback for pavement and buildings. Within the above mentioned twenty-five (25) and fifty (50) foot setbacks, all existing trees shall be preserved.

New utilities shall not be trenched parallel to the southern boundary within twenty-five (25) feet of the southern boundary unless such utilities are permitted by way of easements in existence at the time of adoption of this zoning which are adjacent to and/or within the setback areas. Lateral utilities (perpendicular to the southern property line) are permitted within 25 feet of the southern boundary line within the Western and Middle Sections. Trees deemed to be unhealthy by the Urban Forestry Division of the Columbus Recreation and Parks Department may be removed. The area north of the tree line within the twenty-five (25) and fifty (50) foot setbacks is permitted to be used as a typical grass lawn. Within the Middle Section, there shall be mound located within the fifty (50) foot setback on which evergreen trees shall be planted at a rate of ten (10) evergreen trees per one hundred (100) lineal feet of mound. The mound shall be a minimum of three (3) feet in height. The evergreen trees shall be a minimum of six (6) feet in height at installation.

28.

29.

4. Along the Eastern Section of the southern property line of Subarea 1, there shall be a twenty-five (50) foot setback for pavement and buildings. Within the above mentioned twenty five (25) foot setback, all existing trees shall be preserved. New utilities shall not be trenched parallel to the southern boundary within 25 feet of the southern boundary unless such utilities are permitted by way of easements in existence at the time of adoption of this zoning. Trees deemed to be unhealthy by the Urban Forestry Division of the Columbus Recreation and Parks Department may be removed. There is an existing 50-foot gas line easement located along a portion of the Eastern Section of the southern boundary line. There shall be twenty-five (25) foot setback from the northern boundary of this gas line easement for pavement and buildings. Within the above-mentioned twenty-five (25) foot setback from the gas line, all existing trees shall be preserved other than for utility extension allowed in this Section 3.A.3. Trees deemed to be unhealthy by the Urban Forestry Division of the Columbus Recreational and Parks Department may be removed.

5. All loading docks shall be screened from off-site view to a minimum height of six (6) feet by either landscaping, fencing, walls or buildings used individually or in combination thereof.

6. The developer shall install a 4-board white fence along the Relocated Hamilton Road as consistent with the fence shown on Exhibit "A". The fence may be installed in phases consistent with construction of phases of the development. Notwithstanding the foregoing, the fence shall not be required until the construction of Relocated Hamilton Road has been completed.

7. Parkland, green or open space requirements beyond what is included in this Subarea 1 shall be fulfilled by the open/green space L-R zoning classification labeled as Subareas 9-A, 9-B and 9-D in case Z05-054, approved by City Council on July 23, 2007.

C. DUMPSTERS, LIGHTING, OUTDOOR DISPLAY AREAS AND/OR OTHER ENVIRONMENTAL COMMITMENTS

1. Landscaping at entry locations may be uplit or downlit, provided that landscaping lighting does not spill over into the public right-of-way.

D. GRAPHICS AND SIGNAGE COMMITMENTS:

1. All signage and graphics shall conform to Title 33, Article 15 of the Columbus City Graphics Code. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for approval.

E. ARCHITECTURAL STANDARDS:

1. All apartment buildings of at least eight (8) units or more shall be at least two (2) stories in height but shall not exceed five (5) stories, subject to the following limitations:

- a. A building located within one hundred (100) feet of any property that is zoned for single-family residential uses shall not exceed two (2) stories or thirty-five (35) feet in height.
- b. Buildings with frontage along Relocated Hamilton Road shall be at least three (3) stories in height.

2. Building materials shall be traditional and natural in appearance such as brick, brick veneer, stone, stone veneer, synthetic stone, wood, vinyl siding, hardi-plank, glass or similar products.

F. TRANSPORTATION COMMITMENTS:

1 In the event that the developer submits a site compliance plan for this Subarea or a portion thereof prior to construction of Relocated Hamilton Road, at the interim curb cut to Hamilton Road referenced below in Item 3.F.5, the developer shall provide a northbound right turn lane with a length of 225 feet (includes taper) and the developer shall provide a southbound left turn lane with a length of 225 feet (includes taper). If the location of this interim curb cut is between 250 feet and 400 feet from the southern boundary of Subarea 1, the southbound left turn lane may be provided by restriping the existing two-way left turn lane on Hamilton Road.

2. Developer commits to the roadway improvements directly related to and caused by the development of Subarea 1 reflective of the building improvements being constructed in Subarea 1 or portions thereof identified to be the responsibility of the developer as defined in the City of Columbus 2012 Hamilton Road preliminary engineering study prepared by URS.

3. Developer shall dedicate right-of-way of 120' for Relocated Hamilton Road. The right-of-way dedication for Relocated Hamilton Road shall be consistent with the alignment shown in the City of Columbus 2012 Hamilton Road preliminary engineering study prepared by URS for this area. This right-of-way dedication shall be provided at no cost to the City of Columbus and shall be provided prior to the construction of Relocated Hamilton Road or prior to site compliance plan approval for a site compliance plan submitted for this Subarea, whichever comes first.

4. The access points to Hamilton Road shall be defined by the City of Columbus, - Department of Public Service, as part of the City of Columbus 2012 Hamilton Road preliminary engineering study prepared by URS, which includes the area of Relocated Hamilton Road adjacent to the site. The City of Columbus, Department of Public Service and the developer shall work together in determining the number, location and type of access points along Hamilton Road in conjunction with the study.

5. It is anticipated that development of Subarea 1 will be performed in phases. The developer and the City of Columbus, Department of Public Service, shall work together in determining the location of an interim curb cut and full access point to existing Hamilton Road for the development of the Subarea 1. The developer of the interim curb cut on existing Hamilton Road shall coordinate with the access points defined in the City of Columbus 2012 Hamilton Road preliminary engineering study. All costs to relocate driveways and access roadways on private property shall be the responsibility of the developer.

6. Development of Subarea 1 shall be limited to 300 multi-family dwelling units prior to the construction of Relocated Hamilton Road. Developer of Subarea 1 may construct over 300 multi-family dwelling units if developer submits a traffic study and such traffic study is approved by the City of Columbus, Department of Public Service. Such a traffic study would need to consider all site traffic as new traffic; no traffic volumes for existing developed areas within this Subarea may be counted as background traffic for such an analysis. The developer commits to the road way improvements, if any, directly related to and caused by the developed areas in this Subarea, as defined by such a traffic study approved by City of Columbus, Department of Public Service.

7. In the event that a traffic signal would be warranted and approved for installation at the intersection of Relocated Hamilton Road and a private street, the developer shall be responsible for the installation and maintenance costs of the signal facilities at this intersection. In the event that more than one landowner has access to any such traffic signal, such landowners shall be equally responsible such maintenance costs. Such maintenance commitment shall commence upon construction of building(s) and improvements which will utilize such traffic signal.

8. There shall be no direct access across the "Western Section (Southern Boundary)" of Subarea 1 (as identified on the Albany Park/Existing Conditions & Tree Preservation" document dated 5/3/12) to commercial property located

on the adjoining parcel south of Subarea 1 with frontage on N. Hamilton Rd.

G. MISCELLANEOUS COMMITMENTS:

1. **DEVELOPER:** It is anticipated that this Subarea may be developed in phases and may be developed by more than one developer. As such, the developer as noted in this text, shall be the party who submits a zoning compliance plan for development of a portion of the Subarea. The developer shall be responsible for the commitments of this text which are located within the portion of the subarea under review by the City of Columbus for zoning compliance and any adjacent right(s)-of way.

30. **5. SUBAREA 5: CPD**

31.

32. **5A. LOCATION:** Subarea 5 contains approximately 19.55 acres and is located southeast of the intersection of East Dublin Granville Road and new Hamilton Road.

33.

34. **5B. PERMITTED USES:** Permitted uses for Subarea 5 are contained in Sections 3356 and 3357 (C-4 and C-5 Commercial) of the Columbus City Code except the following uses are prohibited:

35.

36. a. automotive accessories, parts and tire stores (this restriction does not prohibit any user who installs these products on motor vehicles within a building)

37. b. Billboards

38. c. Cabaret

39. d. 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.

40. e. Dance hall

41. f. Funeral parlor

42. g. Motion picture theater

43. h. Motor vehicles accessories and parts dealers

44. j. Nightclub

45. j. Pawn shop

46. k. Poolroom

47. l. Private club

48. m. Recreational vehicles dealers

49. n. Testing or experimental laboratory

50. o. Truck, utility trailers and RV (recreational vehicle), sales, rental and leasing

51. p. Monopole Telecommunication Antennas

52.

53.

54. **5C. DEVELOPMENT STANDARDS:** The applicable development standards are contained in Chapters 3356 (C-4 Commercial) and 3357 (C-5 Commercial) of the Columbus City Code unless otherwise indicated within this text.

55.

56. **5D. 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.

2. Setback from relocated 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. 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.

5. The height district for the subject property shall be 60 feet as measured per Columbus City Code.
6. 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.
7. 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.
8. Any right-of-way dedication from Subarea 5 for the future Hamilton Road relocation or other public rights-of-way in or adjacent to Subarea 5 shall be credited in the computation of permissible density within Subarea 5.

5E. ACCESS, LOADING, PARKING AND/OR OTHER TRAFFIC-RELATED COMMITMENTS:

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

5F. 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 within this setback in a hedge row manner 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. 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 1 foot from the edge of the right-of-way unless the City of Columbus approves planting these trees within the right-of-way.
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 5 feet wide. 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).
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.
5. 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 roads.
6. The landscaping required in this section may be used to offset the parking lot landscaping requirements contained in Chapter 3312 of the Columbus City Code.
7. The property owner or its assigns shall maintain the fencing and landscaping required in this section.
8. Delineated wetlands within Subarea 5 shall be preserved as natural features throughout the site. The Preservation Areas (as noted on the site plan) are wetland buffer areas surrounding the delineated wetlands and shall be preserved in their natural state except for drainage to and from the delineated wetlands. The Preservation Areas minimum buffer depth is twenty-five feet with such buffer to be measured from the outside edge of the delineated wetland area. Portions of the Preservation Areas may be disturbed to allow for drainage of surface water to and from the wetlands provided that no structures or storm water basins are located within twenty-five (25) feet of a delineated wetland. Connectivity Area D may shift to accommodate final engineering provide that in no event shall the Connectivity Area D be located within twenty-five feet (25') of a delineated wetland. Any delineated stream or water course connecting preservation/wetland areas within the Subarea shall be maintained and may only be crossed, piped or rerouted if permitted by federal or state regulations or law governing such activities.
9. The developer shall install the following buffer treatment along its east property line: 6-foot wood fence, 10-foot

pavement setback, and a row of trees using a mixture of evergreen and deciduous trees located 40 feet on center on the east side of the fence.

10. The landscaping requirements of this section 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.

11. At the time of development in Subarea 6, Subarea 5 or Subarea 5Z whichever occurs earlier, the developer shall install a four board fence, as shown in **Exhibit A** along the west side of Albany Park Drive.

12. Any automotive body shop will screen a parking lot where damaged cars are kept with a six (6) foot board on board wood fence.

13. Parkland, green or open space requirements beyond what is included in this Subarea 5 shall be fulfilled by the open/green space L-R zoning classification labeled as Subareas 9-A, 9-B and 9-D in case Z05-054, approved by City Council on July 23, 2007.

5G. DUMPSTERS, LIGHTING, OUTDOOR DISPLAY AREAS AND/OR OTHER ENVIRONMENTAL COMMITMENTS:

1. Rear service area lighting shall be provided through the use of cut-off style down lighting with concealed light sources.

2. 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.

3. 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.

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

5. 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.

6. The screening of mechanical equipment or other utility hardware on the roof of a building shall be of building materials, parapets or mansards compatible and consistent with the building roof or exterior. Color shall also match the building roof or exterior. The screening of mechanical and all other equipment on the ground shall be a wood fence or brick wall (matching the brick on the nearest building elevation).

7. 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.

8. All trash compactors and dumpsters on outparcels shall be screened from off site view by brick walls and a gate. Wall height shall be sufficient to completely screen trash compactors and dumpsters but in no event shall the walls and gate be less than that required to screen the equipment.

5H. GRAPHICS AND SIGNAGE COMMITMENTS:

1. All signage and graphics shall conform to Article XV of the Columbus City Graphics Code as it applies to the appropriate zoning district or as approved in a graphics plan by the Columbus Graphic Commission.

2. Electronic reader boards shall be prohibited.

3. Free-standing signs shall be located between fifteen (15) and thirty (30) feet of the right-of-way unless otherwise approved by the Columbus Graphic Commission.

5I. TRANSPORTATION COMMITMENTS:

1. Developer shall dedicate right-of-way of 120' for Relocated Hamilton Road and 30' from centerline along Dublin-Granville Rd. The right-of-way dedication for Relocated Hamilton Road shall be consistent with the alignment shown in the City of Columbus 2012 Hamilton Road preliminary engineering study prepared by URS for this area. This right-of-way dedication shall be provided at no cost to the City of Columbus and shall be provided prior to the construction of Relocated Hamilton Road or prior to the site compliance plan approval for a site compliance plan submitted for this Subarea, whichever comes first.

2. Developer commits to the roadway improvements directly related to and caused by the development of Subarea 5 reflective of the building improvements being constructed in Subarea 5 or portions thereof identified to be the responsibility of the developer as defined in the City of Columbus 2012 Hamilton Road preliminary engineering study prepared by URS.

3. The access points to Hamilton Road shall be defined by the City of Columbus, Department of Public Service, as part of the City of Columbus 2012 Hamilton Road preliminary engineering study prepared by URS, which includes the area of Relocated Hamilton Road adjacent to the site. The City of Columbus, Department of Public Service and the developer shall work together in determining the number, location and type of access points along Relocated Hamilton Road in conjunction with the study.

4. The City of Columbus, Department of Public Service and the developer shall work together in determining the number, location and type of access points along Dublin-Granville Road. It is understood such determination shall be made in conjunction with review of the appropriate traffic data to be provided by the developer to determine if a westbound left turn lane or eastbound right turn lane would be warranted for any proposed access point. A sight distance analysis may be necessary for any proposed access point.

5. Development of greater than five (5) acres in this Subarea shall not be permitted until Relocated Hamilton Road is constructed. Developer shall be entitled to develop up to five (5) acres of this Subarea 5 provided developer submits a traffic study for the proposed use(s) and developer commits to the road way improvements, if any, directly related to and caused by the proposed use(s) identified to be the responsibility of the developer in the traffic study approved by City of Columbus, Department of Public Service.

6. A pedestrian/bicycle connection shall be provided through this Subarea 5 and/or Subarea 5Z to connect the terminus of Albany Lake Way with Relocated Hamilton Road. A public easement shall be provided for this pedestrian/bicycle connection. Albany Lake Way will not be further extended per the City of Columbus, Department of Public Service, and the developer may pursue the acquisition of the Albany Lake Way right-of-way in this subarea.

7. In the event that a traffic signal would be warranted and approved for installation at the intersection of Relocated Hamilton Road and a private street or the intersection of Dublin-Granville Road and a private street, the developer shall be responsible for the installation and maintenance costs of the signal facilities at this intersection. In the event that more than one landowner has access to any such traffic signal, such landowners shall be equally responsible such maintenance costs. Such maintenance commitment shall commence upon construction of building(s) and improvements which will utilize such traffic signal.

5J. MISCELLANEOUS COMMITMENTS:

- 57. 1. Variances:
- 58. a. No public street frontage shall be necessary to create a separate tax parcel with the subarea.
- 59.
- 2. **DEVELOPER:** It is anticipated that this Subarea may be developed in phases and may be developed by more than one developer. As such, the developer as noted in this text, shall be the party who submits a zoning compliance plan for development of a portion of the Subarea. The developer shall be responsible for the commitments of this text which are located within the portion of the subarea under review by the City of Columbus for zoning compliance and any adjacent right(s)-of way.
- 60.

5K. CPD CRITERIA:

- a. Existing land uses: To the north is future commercial; to the west is future commercial; to the east is future office; and to the south is future office.
- 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 effects from emissions shall result from the proposed development.

- 61. g. Behavior patterns: The proposed development would serve the growing Columbus residential population as well as the motorists who use State Route 161 and Hamilton Road.

62.

63.

64. 5Z. SUBAREA 5Z: CPD-OFFICE

65.

- 66. **5Z A. LOCATION:** Subarea 5Z contains approximately 23.39 acres and is located west of and contiguous to the existing Albany Park residential subdivision.

67.

- 68. **5Z B. PERMITTED USES:** Permitted uses for Subarea 5Z are contained in Sections 3353.03 (C-2, Commercial) of the Columbus City Code except the following uses prohibited:

69.

- 70. a. Religious facilities
- 71. b. Schools (as defined in C.C.3303)
- 72. c. Adult and child day care centers
- 73. d. Monopole Telecommunication Antennas
- 74. e. Dwelling units, as allowed under C.C. 3353.05

- 75. **5Z C. 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.

76.

77. 5Z D. 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.

2. Setback from E. Dublin Granville Road shall be 15 feet for canopies, parking, maneuvering areas and buildings.
3. Setback from relocated Hamilton Road shall be 15 feet for canopies, parking, maneuvering areas and buildings.
5. Setbacks from Subarea 1 shall be 15 feet for canopies, parking, maneuvering areas and buildings.
6. 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.
7. The height district for the subject property shall be 60 feet as measured per Columbus City Code.
8. For structures and paved areas lot coverage shall not exceed eighty-five percent (85%). Internal sidewalks and bikeways shall not be considered for purposes of calculating lot coverage.
9. Any right-of-way dedication from Subarea 5Z for the future Hamilton Road relocation or other public rights-of-way in or adjacent to Subarea 5Z shall be credited in the computation of permissible density within Subarea 5Z.

5Z E. ACCESS, LOADING, PARKING AND/OR OTHER TRAFFIC-RELATED COMMITMENTS:

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

5Z F. BUFFERING, LANDSCAPING, OPEN SPACE AND/OR SCREENING COMMITMENTS:

1. Delineated wetlands within Subarea 5Z shall be preserved as natural features throughout the site. The Preservation Areas (as noted on the site plan) are wetland buffer areas surrounding the delineated wetlands and shall be preserved in their natural state except for drainage to and from the delineated wetlands. The Preservation Areas minimum buffer depth is twenty-five feet with such buffer to be measured from the outside edge of the delineated wetland area. Portions of the Preservation Areas may be disturbed to allow for drainage of surface water to and from the wetlands provided that no structures or storm water basins are located within twenty-five (25) feet of a delineated wetland. A sixty foot (60') wide area may be disturbed in the general location noted on the site plan labeled "Connectivity Area D" to allow for construction of vehicular and pedestrian and/or bikeway connectivity between the two portions of Subarea 5Z. In no event shall the Connectivity Area A, Connectivity Area B or Connectivity Area C be located within twenty-five feet (25') of a delineated wetland. Any delineated stream or water course connecting preservation/wetland areas within the Subarea shall be maintained and may only be crossed, piped or rerouted if permitted by federal or state regulations or law governing such activities.
2. Any delineated stream or water course connecting preservation/wetland areas within the subarea shall be maintained and may only be piped or rerouted if permitted by federal or state regulations or law governing such activities.
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 5 feet wide. 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).
4. The landscaping required in this section may be used to offset the parking lot landscaping requirements contained in Chapter 3342 of the Columbus City Code.
5. 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.
6. All trees and landscaping shall be well maintained. Dead items shall be replaced within 6 months or the next planting season, whichever occurs first.
7. The property owner or its assigns shall maintain the fencing and landscaping required in this section.

8. All parking spaces which are adjacent to Albany Park Drive and E. Dublin Granville Road or 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 Section 5ZF so long as the total number of trees planted and the height of the screening meet the requirements of these two sections.

9. 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 within this setback in a hedge row manner per the following standard: one deciduous shade tree per thirty (30) feet of frontage.

10. The landscaping requirements of this section 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.

11. 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).

12. At the time of development in Subarea 6, Subarea 5 or Subarea 5Z, whichever occurs earlier, the developer shall install a four board fence, as shown in **Exhibit A** along the west side of Albany Park Drive. 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.

13. Parkland, green or open space requirements beyond what is included in this Subarea 5Z shall be fulfilled by the open/green space L-R zoning classification labeled as Subareas 9-A, 9-B and 9-D in case Z05-054, approved by City Council on July 23, 2007.

5Z G. BUILDING DESIGN AND/OR EXTERIOR TREATMENT COMMITMENTS:

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

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.

4. On a one-story building a mansard, hip, gable or gambrel roof shall be required and structures that appear to have flat roofs shall specifically be prohibited. Flat roofs are permitted inside the sloped portion to allow service of the rooftop mechanical equipment and other provided such equipment is screened by the sloped roofs. 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 primary building material types (excluding glass and accent materials) shall be utilized for the exterior of any building.

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.

5Z H. DUMPSTERS, LIGHTING, OUTDOOR DISPLAY AREAS AND/OR OTHER ENVIRONMENTAL COMMITMENTS:

1. Landscaping at entry locations may be uplit or downlit provided that landscaping lighting does not spill over into the public right-of-way.

2. The screening of mechanical equipment or other utility hardware on the roof of a building shall be of building materials, parapets or mansards compatible and consistent with the building roof or exterior. Color shall also match the building roof or exterior. The screening of mechanical and all other equipment on the ground shall be a wood fence or brick wall (matching the brick on the nearest building elevation).

3. 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.

4. All trash compactors and dumpsters on outparcels shall be screened from off site view by brick walls and a gate. Wall height shall be sufficient to completely screen trash compactors and dumpsters but in no event shall the walls and gate be less than that required to screen the equipment.

5Z I. GRAPHICS AND SIGNAGE COMMITMENTS:

1. All signage and graphics shall conform to Article 15 of the Columbus City Code as it applies to the appropriate zoning district or as approved in a graphic plan by the Columbus Graphic Commission.

5Z J. TRANSPORTATION COMMITMENTS:

1. Developer shall dedicate right-of-way of 120' for Relocated Hamilton Road and 30' from centerline along Dublin-Granville Rd. The right-of-way dedication for Relocated Hamilton Road shall be consistent with the alignment shown in the City of Columbus 2012 Hamilton Road preliminary engineering study prepared by URS for this area. This right-of-way dedication shall be provided at no cost to the City of Columbus and shall be provided prior to the construction of Relocated Hamilton Road or prior to the site compliance plan approval for a site compliance plan submitted for this Subarea, whichever comes first.

2. Developer commits to the roadway improvements directly related to and caused by the development of Subarea 5Z reflective of the building improvements being constructed in Subarea 5Z or portions thereof identified to be the responsibility of the developer as defined in the City of Columbus 2012 Hamilton Road preliminary engineering study prepared by URS.

3. The access points to Hamilton Road shall be defined by the City of Columbus, Department of Public Service as part of the City of Columbus 2012 Hamilton Road preliminary engineering study prepared by URS, which includes the area of Relocated Hamilton Road adjacent to the site. The City of Columbus, Department of Public Service and the Developer shall work together in determining the number, location and type of access points along Relocated Hamilton Road in conjunction with the study.

4. The City of Columbus, Department of Public Service and the Developer shall work together in determining the number, location and type of access points along Dublin-Granville Road. It is understood such determination shall be made in conjunction with review of the appropriate traffic data to be provided by developer to determine if a westbound left turn lane or eastbound right turn lane would be warranted for any proposed access point. A sight distance analysis may be necessary for any proposed access point.

5. Access to this Subarea to/from Albany Park Drive or Albany Lake Way shall not be permitted.

6. Development of greater than five (5) acres in this Subarea shall not be permitted until Relocated Hamilton Road is constructed. Developer shall be entitled to develop up to five (5) acres of this Subarea 5 provided developer

submits a traffic study for the proposed use(s) and developer commits to the road way improvements, if any, directly related to and caused by the proposed use(s) identified to be the responsibility of the developer in the traffic study approved by City of Columbus, Department of Public Service

7. A pedestrian/bicycle connection shall be provided through Subarea 5Z and/or Subarea 5 to connect the terminus of Albany Lake Way with Relocated Hamilton Road. A public easement shall be provided for this pedestrian/bicycle connection. Albany Lake Way will not be further extended per the City of Columbus, Department of Public Service, and the developer may pursue the acquisition of the Albany Lake Way right-of-way in this subarea.

8. In the event that a traffic signal would be warranted and approved for installation at the intersection of Relocated Hamilton Road and a private street or the intersection of Dublin-Granville Road and a private street, the developer shall be responsible for the installation and maintenance costs of the signal facilities at this intersection. In the event that more than one landowner has access to any such traffic signal, such landowners shall be equally responsible such maintenance costs. Such maintenance commitment shall commence upon construction of building(s) and improvements which will utilize such traffic signal.

5Z K. MISCELLANEOUS COMMITMENTS:

78. 1. Variances:

79. a. No public street frontage shall be necessary to create a separate tax parcel with the subarea.

80.

2. DEVELOPER: It is anticipated that this Subarea may be developed in phases and may be developed by more than one developer. As such, the developer as noted in this text, shall be the party who submits a zoning compliance plan for development of a portion of the Subarea. The developer shall be responsible for the commitments of this text which are located within the portion of the subarea under review by the City of Columbus for zoning compliance and any adjacent right(s)-of way.

5Z L. CPD CRITERIA:

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

b. Transportation and circulation: Access to the site shall be via East Dublin-Granville Road, and 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: Office as permitted under this text.

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

81. g. Behavior patterns: The proposed development would serve the growing Columbus population.



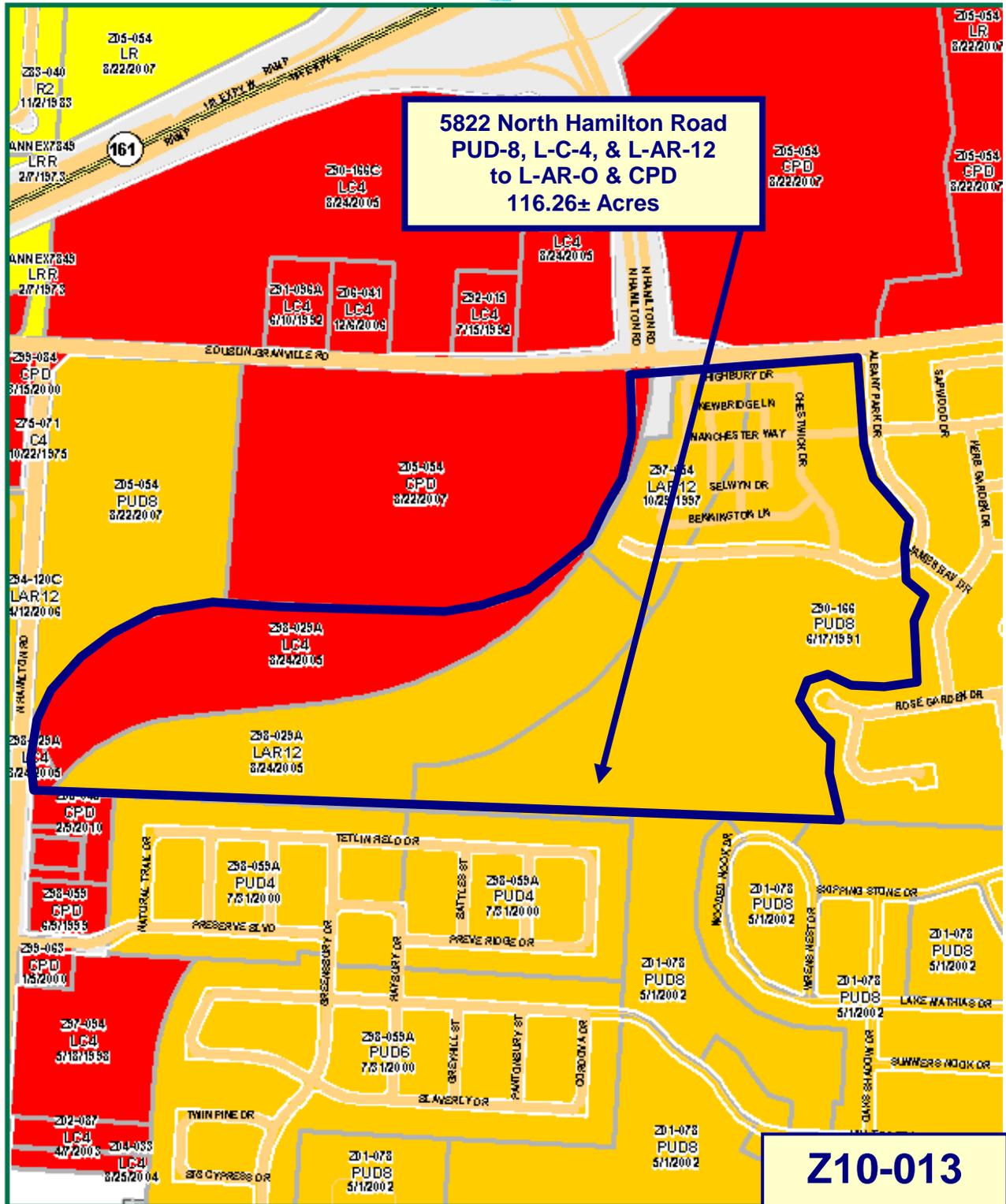
NOTES
 POSTS SHALL BE SOLID, STRAIGHT AND FREE FROM KNOTS, BRUISES, AND SHAKES, AND PEEL THEIR ENTIRE LENGTH. BOTH ENDS SHALL BE DOUBLE TRIMMED AND SAVED SQUARE
 FENCE BOARDS
 BOARDS SHALL BE 1" X 6" X 8' P.O.P.L.A.R. PRESSURE TREATED. THE BOARDS SHALL BE SOUND, STRAIGHT AND FREE OF KNOTS AND SHAKES

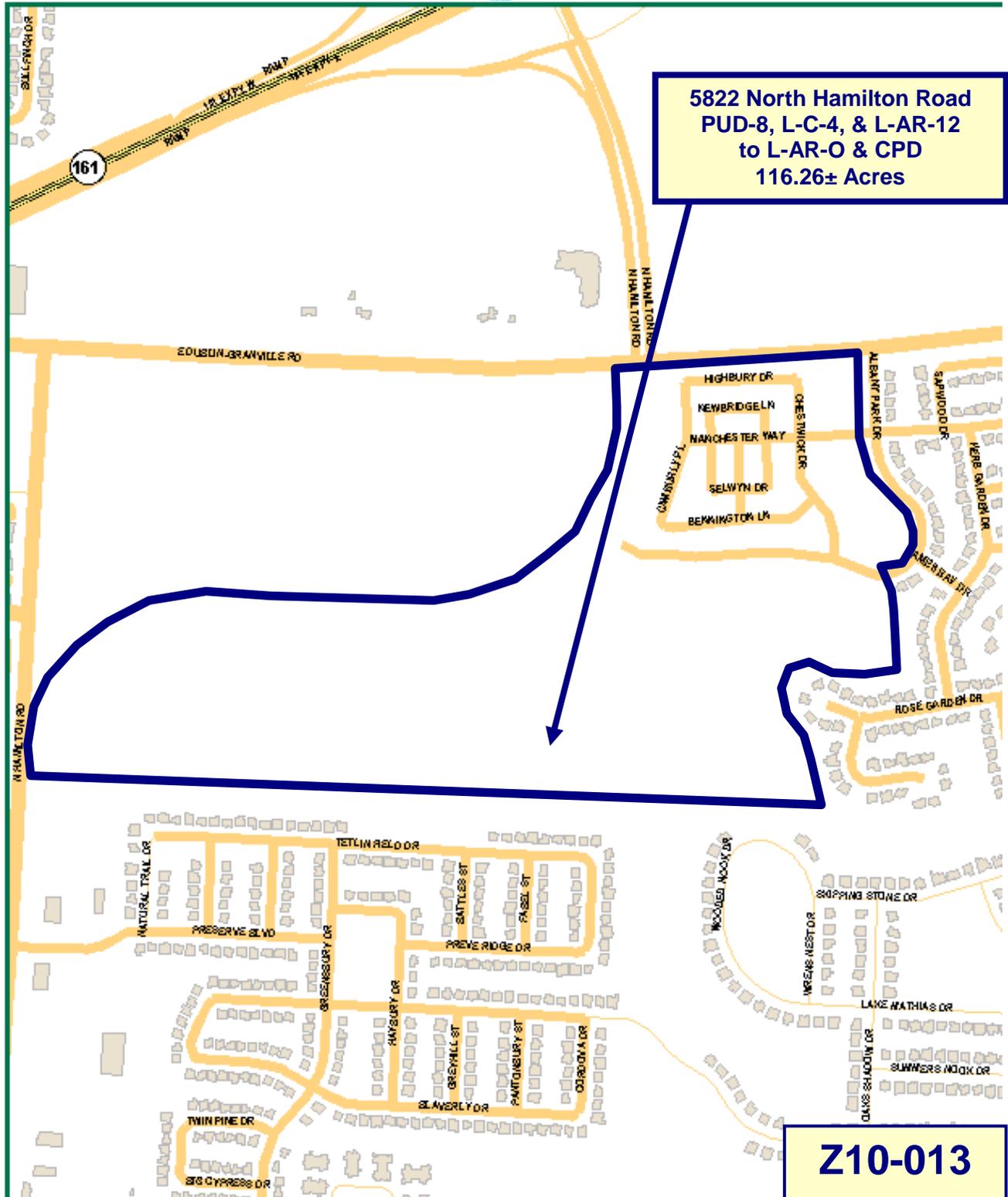
PAINT
 PAINT SHALL BE A SEMI GLOSS WHITE

FASTENERS
 ALL 1 1/2" X 4" PLAIN STEEL NAILS GALVANIZED

5 4 RAIL FENCE
 N.T.S.

ALBANY PARK—EXHIBIT A



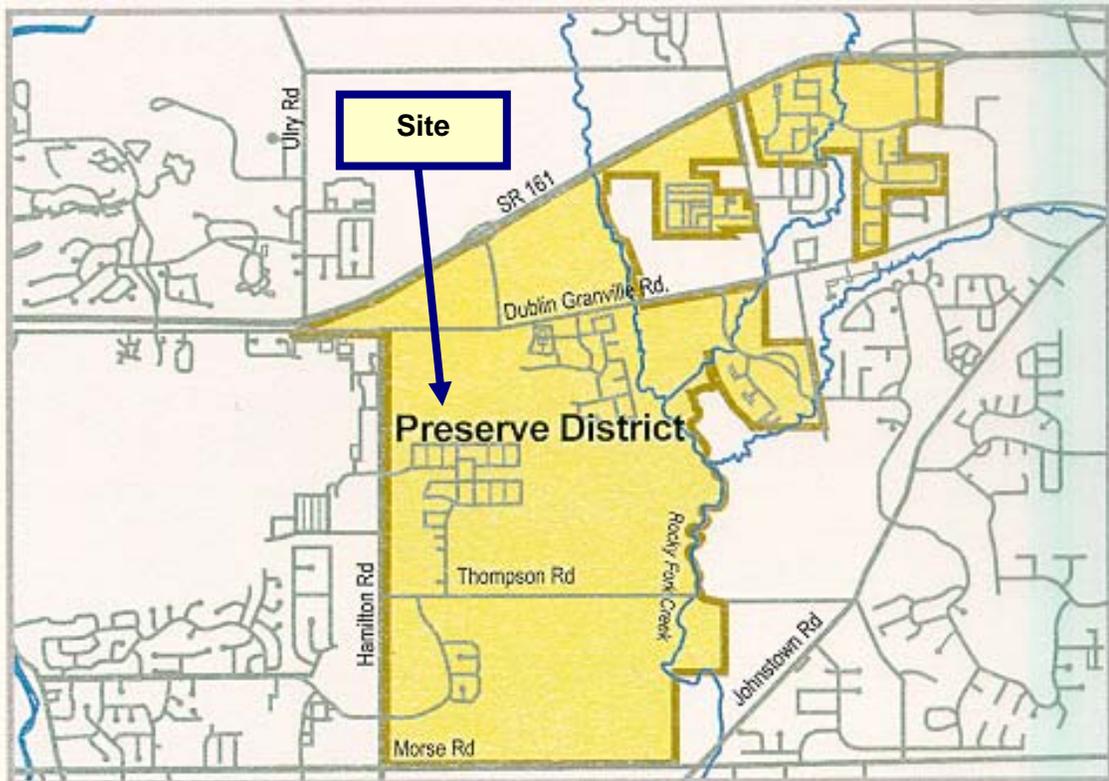


Preserve District

This district is located east of Hamilton Road, north of Morse Road and follows the Columbus city limits east to the village of New Albany. A significant portion of this district is undeveloped, however, almost the entire district has previously been annexed and zoned in the city of Columbus.

The largest single zoning in the district is the Preserve Master Plan, a nearly 1,000-acre development east of Hamilton Road. This plan will incorporate single and multi-family residences, provisions for open space, portions of a golf course, and some commercial uses. Hamilton Road will eventually be extended in the northwest corner of this district. There is commercial and multi-family zoning in place where this road will be located.

Zoning on several parcels near SR-161, north of Dublin-Granville Road, ranges from LM2, limited manufacturing, to LC4, limited commercial. Preliminary private sector plans for these parcels call for a mixed-use development with retail, single and multi-family residential, and office uses.



Preserve District

