

Columbus City Bulletin



Bulletin 21
May 24, 2003



Proceedings of City Council

Vol. LXXXVIII

Saturday, May 24, 2003

NO. 21

**PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO. 17
MONDAY, MAY 19, 2003 AT 5:00 P.M.**

Council met in regular session with President Matthew D. Habash in the chair. The roll being called, the following members were present: Maryellen O'Shaughnessy, Richard W. Sensenbrenner, Charleta B. Tavares, Patsy A. Thomas and President Matthew D. Habash.

There being a quorum present, Council adopted a motion to dispense with reading of the minutes of the previous session and to accept the journal as recorded.

Kevin L. Boyce and President Pro-Tem Michael C. Mentel were absent for this meeting.

DEFEATED LEGISLATION:

- 31X-99 To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with Project 25, and to declare an emergency. (05/19/03)
- 013X-03 To honor and recognize the United Way Columbus Community Safety Council. (05/19/03)
- 1942-93 To vacate that right-of-way known as Alum Industrial Drive North, Alum Industrial Drive West and Alum Industrial Drive South. (05/19/03)
- 0427-96 To amend Chapter 905 of the Columbus City Code, to regulate sidewalk and driveway entrance construction, maintenance and repair and to repeal the existing chapter title and sections being amended. (05/19/03)
- 1491-97 To grant a Variance from the provisions of Section 3333.02, AR-12, ARLD, AR-1, Apartment Residential District Use; and Section 3333.32, Accessory building; for the property located at 1646 NORTH FOURTH STREET (43201), to permit storage of antique vehicles in a 1,008 square foot storage building in the AR-4, Apartment Residential District. (05/19/03)
- 1505-99 To adopt the Westland Plan Update. (05/19/03)
- 1978-99 To authorize the Director of the Department of Public Service to execute those documents required to effectuate the transfer of a portion of Lafayette Street from the east line of Ludlow Street easterly to the west line of Front Street to the Bureau of Workers Compensation; to waive the competitive bidding provisions of Columbus City Codes; and to declare an emergency. (05/19/03)
- 2845-99 To rezone 4939 NORTH HIGH STREET (43214), being 0.71± acres located at the northwest corner of North High St. and Rathbone Ave., From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District. (05/19/03)
- 0056-00 To amend various Sections of the Columbus City Codes to establish a "Riverfront Event District" and set the District's guidelines regarding alcoholic beverages. (05/19/03)
- 0309-00 To accept the application of Joseph and Kathleen Moreno et al. for the annexation of certain territory containing 27.43± acres in Orange Township. (05/19/03)
- 2123-00 To accept the application (AN00-0022) of Mr. James Pearson for the annexation of certain territory containing 5.713± acres in Prairie Township. (05/19/03)
- 0179-01 To authorize and direct the Director of the Department of Trade and Development to enter into an Enterprise Zone Agreement with Drury Inns, Inc. in accordance with the Columbus Enterprise Zone Program and to provide a 100% abatement on the value of real property improvements for a term of ten (10) taxable years. (05/19/03)
- 0593-01 To grant a Variance from the provisions of Section 3355.02 C-4, Commercial District: for the property located at 1630 WEST MOUND STREET (43223), to permit two (2) apartments and a rooming house in the C-4, Commercial District. (05/19/03)

- 0861-01 To rezone 2035 POLARIS PARKWAY (43240), being 1.15± acres located on the east side of Polaris Parkway, 940± feet north of Orion Place, From: L-C-4, Limited Commercial District, To: CPD, Commercial Planned Development District. (05/19/03)
- 1538-01 To approve the Warehouse Special Improvement District of Columbus, Inc., Petition and Articles of Incorporation and the inclusion of the properties owned by the City of Columbus in said district, and to declare an emergency. (05/19/03)
- 1668-01 To supplement the Columbus City Codes, 1959, by amending C.C. 3303, 3351, 3353, and 3355 to: standardize the definition of dwelling unit among three different codes; augment the definition of hotel and motel; ensure consistent treatment of dwelling units in commercial districts; update terminology and make language and grammatical changes. (05/19/03)
- 2030-01 To rezone 6208 THOMPSON STREET (43235), being 10.26± acres located at the terminus of Thompson Road, 350± feet north of State Route 161, From: RR, Rural Residential and LRR. Limited Rural Residential Districts, To: PUD-4, Planned Unit Development District. (05/19/03)

- 0261-02 To amend Chapter 919 of the Columbus City Code, 1959, by amending existing Section 919.99 to increase the penalty for swimming and wading in a prohibited area from a minor misdemeanor, punishable by a maximum penalty of a one-hundred dollar (\$100.00) fine to a fourth-degree misdemeanor, punishable by a maximum penalty of thirty (30) days in jail and/or a two-hundred fifty-dollar (\$250.00) fine. (05/19/03)
- 0834-02 To rezone 88 REYNOLDSBURG-NEW ALBANY ROAD (43068), being 114.4± acres located at the southeast corner of Reynoldsburg-New Albany Road and East Broad Street, From: R, Rural District, To: L-C-4, Limited Commercial and L-AR-12, Limited Apartment Residential Districts. (05/19/03)
- 0854-02 To designate the Jonathan Noble House, 5030 Westerville Road, as Listed Property CR 58 in the Columbus Register of Historic Properties. (05/19/03)
- 1753-02 To rezone 44 WILLIAMS ROAD (43207), being 0.404± acres located in the north side of Williams Road, 200± feet east of South High Street, From: R-2, Residential District, To: L-C-4, Limited Commercial District. (05/19/03)
- 1811-02 To grant a Variance from the provisions of Sections 3355.02, C-4, Commercial District; 3342.26, Wheel Stop Device; 3342.28, Minimum number of Parking Spaces Required for property located at 3062 WEST BROAD STREET (43204), being 0.15± acres located on the north side of West Broad Street, 43± feet west of Westmoor Avenue. (05/19/03)
- 0235-03 To authorize the Director of Public Utilities to enter into a modification of the Sewer and Water Contracts with the City of Reynoldsburg, Ohio. (\$0) (05/19/03)
- 0240-03 To grant a Variance from the provisions of Sections 3332.03, R-1, Residential District; 3332.34, Residential Character; and 3342.08©, Driveway, for the property located at 5436 ROBERTS ROAD (43026), to permit limited motor vehicle sales in conjunction with an existing single-family dwelling in the R-1, Residential District. (05/19/03)
- 0321-03 To grant a Variance from the provisions of Sections 3332.035, R-3, Residential District Use, 3332.13, R-3 Area District Requirements; 3332.21, Building Lines; 3332.25, Maximum Side Yards Required; 3332.26, Minimum Side Yard Permitted; 3332.27, Rear Yard; 3342.17, Parking Lot Screening; and 3342.28, Minimum Number of Parking Spaces Required, for the property located at 490 TAYLOR AVENUE (43203), to allow the development to 29 multi-family dwelling units and a community center with reduced development standards in the R-3, Residential District. (05/19/03)
- 0607-03 To amend the Section of the Columbus City Code regarding alcoholic beverages to grant the Director of Recreation and Parks the authority to set policy and guidelines for the sale, service and/or consumption of alcoholic beverages at select park facilities in downtown parks and various Recreation and Parks' facilities. (05/19/03)

THE CITY BULLETIN
Official Publication of the City of Columbus

Published weekly under authority of the City Charter and direction of the City Clerk. The Office of Publication is the City Clerk's Office, 90 W. Broad Street, Columbus, Ohio 43215. The City Bulletin contains the official report of the proceedings of council. The Bulletin also contains all ordinances and resolutions acted upon by council, civil service notices and announcements of examinations, advertisements for bids and requests for professional services, and details pertaining to official actions of all city departments.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERKS OFFICE AS OF MONDAY, MAY 19, 2003

New Type: D2
To: 155 North Fifth Street Inc
6223-25 Sunderland Dr & Patio
Columbus Ohio 43229

New Type: D3, D3A
To: 1950 IN Fourth St Inc
1950-IN Fourth Street
Columbus Ohio 43201

New Type: D3, D3A
To: 1950 H N Fourth St Inc
1950-H N Fourth St
Columbus Ohio 43201

New Type: C1, C2
To: 1932 N Fourth St Inc
1932 N Fourth St
Columbus Ohio 43201

New Type: C1, C2
To: Chahine Petroleum LLC
5572 Alkire Rd
Columbus Ohio 43228

New Type: D3A
To: 16WM Inc
DBA Main Bar
16 W Main St 1st Fl & Bsmt
Columbus Ohio 43215

Transfer Type: D5
To: Jack & Jack Inc
DBA B Flat
115 Parsons Av 1st Fl
Columbus Ohio 43215
From: Henry Schwarz
DBA B Flat
115 Parsons Av 1st Fl
Columbus Ohio 43215

Transfer Type: D2, D2X, D3, D3A, D6
To: Winking Lizard Of Columbus Inc
DBA Winking Lizard Tavern
100 Hutchinson Av & Patios
Columbus Ohio 43235
From: Buckeye Restaurants Inc
DBA Dick Clarks American
Bandstand & Grill
100 Hutchinson Ave & Patios
Columbus Ohio 43235

Transfer Type: D5, D6
To: 660 North High Inc
DBA Happy Greek Restaurant
660 N High St 1st Fl & Bsmt
Columbus Ohio 43215
From: Wienerz Inc
DBA Dagwoodz
660 N High St 1st Fl & Bsmt
Columbus Ohio 43215

Transfer Type: D5
To: CMJ Ventures LLC An Ohio
Limited Liability Co
503 S Front St Suite 100 & Patio
Columbus Ohio 43215
From: Bicentennial Plaza Limited
DBA Bicentennial Plaza LTD
AKA 250 Civic Center Dr
111 W Rich St
Columbus Ohio 43215

Transfer Type: D1, D2, D3, D3A, D6
To: Jimmy V LLC
DBA Gil Hooleys
910-12 S High St
Columbus Ohio 43206
From: Dale Maloy
DBA Gil Hooleys
910-12 S High St
Columbus Ohio 43206

ORDINANCES

ORD NO. 0552-03

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District; 3332.15, R-4, Area District requirements; 3332.18(E), Basis of computing area; 3332.19, Fronting; 3332.21, Building lines; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard; of Columbus City Codes, for the property located at 110 BUTTLES AVENUE (43215), to permit a four-unit dwelling and a three-unit dwelling on one lot with reduced development standards in the R-4, Residential District.

WHEREAS, by application No. CVO2-065 the owner of property at 110 BUTTLES AVENUE (43215), is requesting a Council Variance to permit a four-unit dwelling and a three-unit dwelling with reduced development standards on one lot in the R-4, Residential District; and

WHEREAS, Section 3332.039, R-4, Residential District, permits no more than one dwelling containing a maximum of four units, while the applicant proposes to develop a four-unit dwelling and a three-unit dwelling on the same lot; and

WHEREAS, Section 3332.15, R-4, Area District requirements, permits no more than one dwelling containing a maximum of four units on a lot having a minimum of 10,000 square feet, while the applicant proposes to develop a four-unit dwelling and a three-unit dwelling on a lot containing 17,800 square feet; and

WHEREAS, Section 3332.18(E), Basis of computing area, requires a minimum lot size of 20,000 square feet of lot area for a multiple dwelling development, while the applicant proposes to develop a four-unit dwelling and a three-unit dwelling on the same lot containing 17,800 square feet; and

WHEREAS, Section 3332.19, Fronting, requires each dwelling or principal building to front upon a public street, while the proposed carriage house does not front a public street; and

WHEREAS, Section 3332.21, Building lines, requires a building setback of not less than twenty (25) feet, while the applicant proposes to construct a four-unit dwelling with a twenty-two and one half (22 1/2) foot building setback; and

WHEREAS, Section 3332.25, Maximum side yard required, requires the sum of the widths of the side yard shall equal or exceed twenty (20) percent of the width of the lot, while the applicant proposes a total side yard of six (6) feet; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a side yard of not less than five (5) feet, while the applicant proposes a three (3) foot side yard; and

WHEREAS, Section 3332.27, Rear yard, requires a rear yard of not less than 25% of the lot area, 4,450~ square feet in this case, while the applicant proposes to provide rear yard that comprises 16% of the lot area, 3,000i square feet in this case; and

WHEREAS, the Victorian Village Commission recommends approval; and

WHEREAS, the City Departments recommend approval and notes a hardship exists in that the Council variance process is the only means available to permit two separate dwellings with reduced development standards on the same lot because the R-4, Residential District; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at 110 BUTTLES AVENUE (43215), in using said property as desired; now, therefore:

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

Section 1. That a variance from the provisions of Sections 3332.039, R-4, Residential District use; 3332.15, R-4, Area District requirements; 3332.18(E), Basis of computing area, 3332.19, Fronting; 3332.21, Building lines; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.27, Rear Yard; of Columbus City Codes; for the property located at 110 BUTTLES AVENUE (43215), insofar as said sections prohibit a four-unit dwelling and a three-unit dwelling on a 17,800 square foot lot with the three-unit dwelling fronting on an alley rather than a street, with a building line reduced from 25 feet to 22 ½feet, three-foot side yards and a reduced rear yard of 16% of the lot area; said property being more particularly described as follows:

LEGAL DESCRIPTION

Situated in the State of Ohio, in the County of Franklin, and in the City of Columbus. Being all of lots Sixteen (16) and Seventeen (17) and the West one-half of Lot Eighteen (18) of HERMAN M. HUBBARD'S, HEIRS' SUBDIVISION of a part of Half Section Number 10, Township Number 5, Range 22, Refugee Lands, as the sames are numbered and delineated upon the recorded plat thereof, of record in Plat Book Number 3, page 426, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-006950

Property Address: Buttles Avenue, Columbus, Ohio, 43215.

Prior instrument reference: 200006090114628 of the Deed Records of Franklin County, Ohio.

Section 2. That the attached plans titled, "Site Plan", "Building 'A' Exterior Elevations", and "Building 'B'", signed by Jackson B. Reynolds Ill, attorney for the applicant, and dated January 27, 2003, are conceptual and illustrate the intended development. The Victorian Village Commission shall approve final development plans.

Section 3. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a four-unit dwelling and a three-unit dwelling on the same lot or those uses permitted in the R-4, Residential District.

Section 4. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed May 19, 2003, Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0709-03

Amending Ordinance 1704-96 to declare improvements to certain additional parcels of real property to be a public purpose, to describe additional public improvements to be made to benefit those parcels and other public improvements to be made in support of urban redevelopment, and to require the owners thereof to make service payments in lieu of taxes to be used to pay for the costs of such public improvements.

WHEREAS, pursuant to Section 5709.40, Ohio Revised Code, and Ordinance No.1704-96 of this Council, duly enacted on July 22, 1996, the City of Columbus, Ohio (the "City¹") determined that 100% of the increase in true value of certain parcels of real property (as described in Ordinance No. 1704-96 and henceforth referred to as the "Initial Property") to be a public purpose; and

WHEREAS, Ordinance No. 1704-96 provides that with respect to each separate parcel of the Initial Property, 100% of the increase in true value of the Initial Property (which increase in true value is referred to in Ordinance No. 1704-96 as the "Improvement" as defined in that Section 5709.40) shall be exempt from taxation, as and when the Improvement is made and an exemption therefor is claimed and allowed in the manner provided by law provided, however, that the Columbus City School District and the Gahanna-Jefferson City School District shall receive from the School Revenue Account, at the same time and in the same manner as real property tax payments all amounts each would otherwise receive as real property tax payments from the Improvement, absent the passage of Ordinance No. 1704-96; and

WHEREAS, Ordinance No. 1704-96 requires the owners from time to time of the Improvements to make annual service payments in lieu of taxes (the "TIF Payments"), which payments, less any amounts necessary to make the payments to the school districts referred to above, are to be deposited in the Easton Project Municipal Public Improvement Tax Increment Equivalent Fund established by Section 4 of Ordinance No. 1704-96 (the "TIF Fund") to be used to pay costs of certain public improvements that, once made, directly benefit the Initial Property; and

WHEREAS, the City desires to amend Ordinance No. 1704-96 for the purpose of subjecting additional parcels of real property to Ordinance No. 1704-96 (the "Additional Property" and, together with the Initial Property, the "Property") and identifying additional public improvements to be made by the City, which public improvements will benefit the Property; and

WHEREAS, the City is an "impacted city", as defined in Section 1728.01, Ohio Revised Code, and Section 32.01 of H.B. 675, enacted by the 124th General Assembly, signed by the Governor on December 13, 2002, and effective on March 14, 2003, provides that the legislative authority of an impacted city may include a determination in an ordinance adopted under Section 5709.40, Ohio Revised Code, that satisfactory provision has been made for the public improvements needs of the parcels of real property identified in the ordinance and may specify other public improvements made, to be made or in the process of being made in the city that do not directly benefit the parcels of real property identified in the ordinance but are in support of urban redevelopment within the meaning of Section 5709.41, Ohio Revised Code, and this Council desires to make those determinations under that Section 32.01; and

WHEREAS, this Council desires to (A) provide funding for certain public improvements described in this ordinance (the "Remote Public Improvements") in support of urban redevelopment, (B) fund all or a portion of such Remote Public Improvements by providing financing for up to \$5,000,000 of costs of such Remote Public Improvements, (C) provide financing for up to \$15,000,000 of costs of additional public improvements directly benefiting the Property, and (D) refund the City's outstanding \$30,050,000 Tax Increment Financing Bonds, Series 1999 dated June 1, 1999 (the "Series 1999 Bonds") in order to permit those additional financings after passage of this ordinance; and

WHEREAS, this Council also desires to amend that certain Tax Increment Financing Agreement dated as of December 17, 1996 as well as the Capital Improvements Project Acquisition and Reimbursement Agreement dated as of June 1, 1999, both entered into in connection with Ordinance No. 1704-96 and supporting the Series 1999 Bonds to better provide for the additional financings referred to above; and

WHEREAS, this Council finds and determines that notice of this proposed ordinance has been delivered to all school districts entitled to such notice pursuant to Section 5709.83, Ohio Revised Code; NOW, THEREFORE,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. Ordinance No. 1704-96 is hereby amended by supplementing the existing Exhibit A with Exhibit A-1 attached to this ordinance. Ordinance No. 1704-96 is further amended by expanding the definition of "Improvement" to include the increase in value of any parcel of the Additional Property identified on Exhibit A-1 that would first appear on the tax list and duplicate of real and public utility property after the effective date of this ordinance were it not for an exemption granted under the authority of this ordinance. "Improvement" as used in Ordinance No. 1704-96 and this ordinance does not and will not include any increase in assessed value of the Property for so long and to the extent that such increase in assessed value is exempt from real property taxation pursuant to Ohio Revised Code §3735.65 et seq. or §5709.61 et seq.

Section 2. Ordinance No. 1704-96 is hereby amended by substituting for the existing Exhibit B -- Public Improvements the Exhibit B-1 attached to this ordinance. This Council hereby determines that the public improvements identified generally in Exhibit B-1 hereto costing \$15,000,000 and made in connection with the Property directly benefit or once made will directly benefit the Property. This Council further hereby determines, as a result of enactment of Ordinance No. 1704-96 and this ordinance, and actions of the City taken and to be taken pursuant to the Ordinance No. 1704-96 and this ordinance and the agreements entered into pursuant to Section 4 of this ordinance, that satisfactory provision has been made for the public improvements needs of the Property. This Council further hereby determines that the Remote Public Improvements identified generally on Exhibit B-1 hereto will be in support of urban redevelopment within the meaning of Section 5709.41, Ohio Revised Code, and the cost of such public improvements may be paid from moneys in the TIF Fund or from proceeds of obligations of the City the debt service of which is to be paid from moneys in the TIF Fund. When this ordinance refers to costs of public improvements, those costs include all costs of permanent improvements as defined in Section 133.15(B), Ohio Revised Code, excluding any financing costs as defined in Section 133.01(K), Ohio Revised Code.

Section 3. This Council hereby determines that the TIF Payments will be used to pay debt service on bonds issued to (i) refund and defease the Series 1999 Bonds and (ii) to pay for certain public improvements benefiting the Property and the Remote Public Improvements, all as generally described in the preambles to and Section 2 of this ordinance and more particularly described in the agreements authorized by Section 4 hereof.

Section 4. This Council hereby authorizes the amendment of the Tax Increment Financing Agreement, dated as of December 17, 1996, between the City, Distribution Land Corp., and MORSO Holding Co., and the Capital Improvements Project Acquisition and Reimbursement Agreement (Easton Roadway Improvements), dated as of June 1, 1999, between the City and MORSO Holding Co., to reflect the changes made to Ordinance No. 1704-96 by this ordinance and to reflect and incorporate the financings contemplated under the bond issues referred to in Section 3 of this ordinance. The agreements shall be executed by the City Auditor, the Director of Finance, and the Director of Development for the City, or any of them acting individually, and shall be in such form and contain such provisions, not inconsistent with this ordinance, as may be approved by the official executing the agreements on behalf of the City, the execution of such agreements by such official shall be conclusive evidence of such approval.

Section 5. Ordinance No. 1704-96 shall remain in force and effect as originally passed and amended hereby. This ordinance on its passage shall become a part of Ordinance No. 1704-96, and all references to the TIF Ordinance shall include reference to this ordinance as well as Ordinance No. 1704-96. Any references to the term "Property" shall include the Initial Property as well as the Additional Property, and any references to the term "Public Improvements" shall include the public improvements described in Ordinance No. 1704-96 as well as the public improvements added by Exhibit B-1 to this ordinance.

Section 6. This Council hereby determines that it is in the best interests of the City, in lieu of passing a separate ordinance applicable to each parcel of Additional Property under Section 5709.40 of the Ohio Revised Code, to combine all of those separate ordinances into this ordinance. Consistent with this determination, this ordinance should be applied and interpreted to apply to the Improvement of each parcel of Additional Property as if applicable only to that parcel.

Section 7. Pursuant to Ohio Revised Code Section 5709.40, the Clerk of this Council is hereby directed to deliver a copy of this ordinance to the Director of the Department of Development of the State of Ohio within fifteen days after its passage.

Section 8. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed May 19, 2003, Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0710-03

To rezone 4939 NORTH HIGH STREET (43214), being 0.5± acres located at the northwest corner of North High Street and Rathbone Avenue From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District.

WHEREAS, application #Z02-1 08 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.5± acres from CPD, Commercial Planned District to CPD, Commercial Planned Development District; and

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

WHEREAS, the Clintonville Area Commission recommends approval of said zoning change;

WHEREAS, the City Departments recommend approval of said zoning change because the requested CPD, Commercial Planned Development District will permit the relocation of a COTA Park and Ride currently located on the opposite side of North High Street. The new Park and Ride will be the only use allowed on this site and provides development standards that meet the requirements of the new High Street: North of Morse Road - Planning Overlay (2003), 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:

4939 NORTH HIGH STREET (43214), being 0.5± acres located at the northwest corner of North High Street and Rathbone Avenue and being more particularly described as follows:

**ZONING DESCRIPTION
NORTH OF WEST RATHBONE AVENUE
AND WEST OF HIGH STREET
COLUMBUS, OHIO**

Situated in the State of Ohio, County of Franklin, City of Columbus, being all of Lots 7, 8, and 9 as shown and delineated upon the Plat "Delawanda Addition", a subdivision of record in Plat Book 12, Page 17, references herein being to records located in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at the intersection of the northerly right-of-way line of West Rathbone Avenue and westerly right-of-way line of High Street at the southeasterly corner of said Lot 9;

Thence South 89° 32' 51" West, along said northerly right-of-way line, a distance of 150.00 feet to a point at the southwest corner of Lot 9 and in the easterly line of a 20 alley as shown on said plat;

Thence North 00° 46' 09" West, along said easterly line and the westerly lines of said lots, a distance of 154.00 feet to a point at the northwesterly corner of Lot 7;

Thence North 89° 32' 51" East, along the northerly line of Lot. 7, a distance of 150.00 feet to a point in the westerly right-of-way line of High Street at the northeasterly corner of Lot 7;

Thence South 00° 46' 09" East, along said westerly right-of-way line, a distance of 154.00 feet to the place of beginning and containing 0.53 acre of land.

This description was prepared by M-E Companies, Inc.

To Rezone From: CPD, Commercial Planned Development District.

To: CPD, Commercial Planned Development District.

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

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "SITE PLAN E," and text titled, "COMMERCIAL PLANNED DEVELOPMENT TEXT DEVELOPMENT PLAN" both signed by Jackson B. Reynolds III, Attorney for the Applicant, both dated March 10, 2003, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT DEVELOPMENT PLAN

PROPOSED DISTRICT: CPD
PROPERTY ADDRESS: 4939 North High Street
OWNER: Jack Holstein Jr.
APPLICANT: COTA
DATE OF TEXT: 3/10/03
APPLICATION NUMBER: Z02-108

1. INTRODUCTION: The property was rezoned CPD in 1993 for a dentist office. The site had previously been a bank location and over the last two (2) years a rezoning has been pending to permit a check cashing operation to use the site.

2. PERMITTED USES: The only permitted use shall be a Central Ohio Transit Authority Park and Ride lot as shown on the site plan (includes a locking bike rack location).

3. DEVELOPMENT STANDARDS:

Unless otherwise indicated the applicable development standards are contained in Chapter 3356 C-4, Commercial of the Columbus City Code.

A. Density, Height, Lot and/or Setback commitments.
The parking setback from High Street and Rathbone Road shall be 25 feet and 10 feet, respectively.

B. Access, Loading, Parking and/or other Traffic related commitments.
There shall be no access to North High Street; access to the parking lot shall be from the existing curb cuts on Rathbone Avenue and the alley to the west.

C. Buffering, Landscaping, Open space and/or Screening commitments.
1. The east and south setback area shall contain a 3' high hedge to provide a headlight screening and street (shade) trees per the overlay plan.

2. Along the western property line (the alley) a 6' high wooden decorative fence will be constructed to provide screening for housing located within the Delawanda subdivision.
3. All trees shall meet the following minimum size at the time of planting: Shade trees 2.5" caliper, Ornamental trees 1.5" caliper, Evergreen trees 5 feet in height.
4. Landscaping shall be maintained in a healthy condition and dead material shall be replaced with new landscaping which meets the size requirements contained in the text within a reasonable time period, weather permitting.
5. The northern setback shall be screened with one shade tree and 3 evergreen bushes every 30' to provide a visual barrier required in the overlay plan.
6. A three (3) to four (4) foot high mound shall be installed along the North High Street right-of-way and it shall have a slope of no greater than a 4:1 ratio. The bushes included in (c)(1) shall be planted on top of or along the slope of the mound.
- D. Building design and/or Interior-Exterior treatment commitments: N/A
- E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.
 1. Lighting:
 - a. All external outdoor lighting shall be cut-off fixtures (down lighting) and shall be designed and placed to prevent spillage of light off the site and to prevent glare visible from the property lines and lighting shall not exceed .1 foot-candle along the property line of a residually used or zoned property.
 - b. All exterior lighting shall be from the same or a similar manufacturer's type and style to insure aesthetic compatibility.
 - c. All light poles and standards shall either be constructed of black, brown, or bronze colored metal.
 - d. Parking lot lighting shall be no higher than eighteen (18) feet.
 - e. The average horizontal illumination level on the ground shall not exceed two (2) foot candles.
- F. Graphics and Signage commitments.
 1. All other signage and graphics shall be as otherwise indicated in the City Graphics Code, Article 15, and Title 33 of the Columbus City Code as it applies to the C-4, Commercial District or as approved in a graphics plan.
 2. The only graphic permitted on the site shall be a monument style sign with a maximum height of six (6) and it shall be setback for any right-of-way a distance of fifteen (15) feet.
- G. Miscellaneous Commitments.

The development of the site will comply with the High Street north of Morse Road Overlay standard.
- H. Variances Requested.

No variances are requested.
4. CPD REQUIREMENTS:
 - a. NATURAL ENVIRONMENT: The subject site is developed with bank branch and parking that was subsequently used as a dentist office. There is currently a one-story brick building with the ancillary parking on the site.
 - b. EXISTING LAND USES: To the north is an AR-1 zoning district developed with apartments, to the west and south is single family housing and the east is the C-4 zoning district with a variety of commercial development along North High Street.
 - c. TRANSPORTATION AND CIRCULATION: Access is from Rathbone Avenue and the alley to the west.
 - d. VIEW AND VISIBILITY: In the development of the subject property and in the location of the access points consideration will be given to the visibility and safety of the motorist and pedestrian.
 - e. EMISSIONS: The emission of sound, odors, and dust will have minimum affect on adjacent properties.
 - f. BEHAVIOR PATTERNS: The site would service those that wish to use the COTA bus system as the site will provide parking on the west side of North High Street and complement the remaining park and ride lot on the east side of North High Street located southeast of the subject property.

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

Passed May 19, 2003, Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0711-03

To rezone 625 WEST TOWN STREET (43215), being 2.38± acres located on the southeast and southwest corners of west Town Street and Skidmore Street, From: C-4, Commercial, L-C-4, Limited Commercial and ARLD, Apartment Residential Districts, To: CPD, Commercial Planned Development District.

WHEREAS, application #Z03-023 is on file with the Building Services Division of the Department of Development requesting rezoning of 2.38± acres from C-4, Commercial, L-C-4, Limited Commercial and ARLD, Apartment Residential Districts to CPD, Commercial Planned Development District; and

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

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

WHEREAS, the City Departments recommend approval of said zoning change because the proposed development will allow the expansion of training services provided by Pilot Dogs, Inc., which has been located in this neighborhood since the early 1950s. The requested CPD district includes appropriate use restrictions and development standards, including screening, lighting and graphics restrictions that will allow development of facilities needed for current and future needs. The proposed expansion is consistent with development and zoning in this area. Floodplain issues will be addressed through the A-k exception process and will include an evacuation plan to protect employees and those in the training program, 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:

625 West Town Street (43215), being 2.38± acres located on the southeast and southwest corners of West Town Street and Skidmore Street, and being more particularly described as follows:

TRACT 1: Situated in the State of Ohio, County of Franklin, City of Columbus and bounded and described as follows:

Beginning at the intersection of the south right of way line of West Town Street and the west right of way line of South Skidmore Street;

Thence S 00° 01' 54" W along the west right of way line of South Skidmore Street a distance of 386.83 feet to the north right of way line of West Rich Street;

Thence N 89° 37' 51" W along the north right of way line of West Rich Street a distance of 115.38 feet to a point;

Thence N 00° 00' 57" E a distance of 134.36 feet to a point;

Thence N 89° 42' 00" W a distance of 115.42 feet to a point in the east right of way line of South Grubb Street;

Thence North along the east right of way line of South Grubb Street a distance of 251.17 feet to the south right of way line of West Town

Street; Thence S 89° 59' 16" E along the south right of way line of West Town Street a distance of 230.97 feet to the point of beginning.
 TRACT 2: Situated in the State of Ohio, County of Franklin, City of Columbus and bounded and described as follows:
 Beginning at the intersection of the south right of way line of West Town Street and the west right of way line of South Grubb Street;
 Thence South along the west right of way line of South Grubb Street a distance of 200.81 feet to the north right of way line of West Walnut

Street; Thence N 89° 51' 39" W along the north right of way line of West Walnut Street a distance of 116.0 feet to a point;
 Thence N 00° 01' 28" W a distance of 138.0 feet to a point;
 Thence S 89° 58' 47", W a distance of 115.5 feet to a point in the east right of way line of South Sandusky Street;
 Thence North along the east right of way line of South Sandusky Street a distance of 60.0 feet to the south right of way line of West Town

Street; Thence N 89D 59' 16" E along the south right of way line of West Town Street a distance of 234.42 feet to the point of beginning.
To Rezone From: C-4, Commercial, L-C-4, Limited Commercial and ARLD, Apartment Residential Districts
To: CPD, Commercial Planned Development District.

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

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "PROPOSED SITE PLAN," signed by Daniel H. Schoedinger, Attorney for the Applicant, and dated April 17, 2003 and text titled, "COMMERCIAL PLANNED DEVELOPMENT TEXT," signed by Daniel H. Schoedinger, Attorney for the Applicant, and dated April 29, 2002, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICT: Commercial Planned Development District
 PROPERTY ADDRESS: 625 West Town Street, Columbus, Ohio 43215
 OWNERS: Pilot Dogs, Inc. and Huntington National Bank, Trustee
 APPLICANT: Pilot Dogs, Inc.
 DATE OF TEXT: April 29, 2003
 APPLICATION NUMBER: Z03-023

I. INTRODUCTION: The property consists of approximately 2.38 acres (the "Subject Property"), which is located within, but not occupying all of, the area bounded by West Town Street, Skidmore Street, West Rich Street and Sandusky Street. The Subject Property is shown on the site plan entitled "Proposed Site Plan," signed and dated April 17, 2003 by Daniel H. Schoedinger, (the "Site Plan"). Although the Subject Property is divided into separate areas marked "A", "B", "C", "D" and "E" on the Site Plan, for purpose of references made elsewhere in this Text, the Subject Property is not divided into subareas for the purpose of this Text. Although the Site Plan shows certain buildings and other improvements, the commitment to those specific buildings and improvements is limited by the provisions of item II.F of this Text.

The requested zoning classification is consistent with existing city zoning in this area.
 The subject real property falls within the jurisdiction of the Franklinton Area Commission.

II. SECTION 3361.03(d) REPORT:

A. Natural environment: The Subject Property is essentially flat and contains no wetlands or streams. The only vegetation is street trees and landscaping which have been provided in connection with the existing development of the property. Storm water drainage for all of the property is provided by existing City storm sewers.

B. Existing land uses: The Subject Property is developed with a building shown and designated as the "Existing Building" on the Site Plan, located at the southeast corner of Town and Grubb Streets, which is currently used by Pilot Dogs (the "Existing Building"). That building contains administrative offices, training facilities, sleeping rooms for Pilot Dogs staff and recipients of guide dogs who stay at the facility while they receive training with their dogs, and common food preparation, dining and lounge/recreational facilities for those guide dogs recipients. Located immediately south of the Existing Building is a building used for training (the "Old Training Building"). A parking lot is located at the southwest corner of Town and Skidmore Streets. The remainder of the Subject Property is currently vacant, although some of it is used for outdoor training activities.

C. Transportation and circulation facilities: The Subject Property is located just off the Town and Rich Street exit from I-70. Town and Rich Streets are arterial streets making up a 1-way pair that run along the north and south sides of the Subject Property. All of the streets have sidewalks. West Broad Street, a short distance north of the Subject Property, is on bus lines with bus stops near the Subject Property.

D. Visual form of the environment: The Subject Property is located in an older part of the inner city. That area is developed with a mix of one-story industrial and commercial buildings, 2-story building with first floor commercial and second floor residential, older 1- and 2-family dwellings and a few low-rise multifamily structures. The proposed development of the Subject Property will be consistent with that development pattern.

E. View and visibility: Visibility at intersections is good for the urban environment in which the Subject Property is located and is compatible with the speed limits on the various streets in and surrounding the Subject Property. Visibility at intersections of driveways with public streets does not in all instances currently include, and is not in all instances anticipated to include, the 10 foot clear vision triangle.

F. Proposed development: It is anticipated that the Subject Property will be developed as a series of phases consisting of the following: (1) (a) the construction of a new administrative office building, generally as shown and designated as "New Administration Building" on the Site Plan, at the southwest corner of Town and Skidmore Streets, which will include kitchen and dining facilities for the guide dog recipients (the "New Administration Building"), (b) the remodeling of the Existing Building generally to include 13 sleeping rooms for guide dog recipients, two sleeping rooms for Pilot Dogs staff, related lounge/recreation space, and limited office space, and (c) the installation of parking generally as shown on the Site Plan in the portions of the Subject Property marked "A" and "B" on the Site Plan; (2)(a) the construction of a new building (the "New Training Building"), generally as shown and designated as "New Training Building" on the Site Plan, at the southeast corner of Town and Sandusky Streets, which will include space for the temporary holding of guide dogs being trained, training space for the guide dogs and the people who will receive them and garage space for up to 3 vehicles and (b) the installation of the surface parking and driveway generally as shown on the Site Plan in those parts of the Subject Property marked "C~" and "D" on the Site Plan, except that the parking shown along the south line of the area marked "C" shall be optional; (3)(a) the demolition of the Old Training Building, (b) the construction of an addition to the Existing Building generally as shown on the Site Plan as the "Future Addition" (the "Future Addition"), which is anticipated to include approximately 14 additional sleeping rooms and related facilities for the guide dog recipients, and (c) the installation of parking immediately south of the Future Addition generally as shown in that part of the Subject Property

marked "E" on the Site Plan; (4) remodeling, additions to and replacements of the foregoing facilities; and (5) other facilities not shown on the Site Plan. Because the final plans for the phases of development described in phases (1), (2) and (3) of the immediately preceding sentence have not been prepared and because the extent of future development or redevelopment of the Subject Property is not known, the Site Plan is made a part of this zoning for the purpose of showing generally the location of the buildings and other improvements anticipated for those phases (1), (2) and (3). The exact footprints of those buildings and other improvements may be different, in insubstantial ways, from those shown on the Site Plan. Phases (1), (2) and (3) described above may occur in different combinations and with different timings. Also, additional phases of development may occur on the Subject Property other than those shown on the Site Plan, and those phases may include redevelopment of areas shown on which buildings or parking areas are shown on the Site Plan. Because the Subject Property is in a fully-developed urban location, it is not anticipated that significant public infrastructure improvements will be made in connection with the development and redevelopment of the Subject Property.

G. Behavior patterns: The dogs being trained as guide dogs are kept at night in a kennel off site. Each morning they are brought to the Subject Property where they remain throughout the day for training either with guide dog trainers or with the individuals who will receive them. At the complete build out of all of the facilities shown on the Site Plan, Pilot Dogs anticipates that it will have approximately 40 employees, 2 or 3 of whom will work out of the off-site kennel. Most of those employees will work only during normal business hours. However, 1 or 2 employees will remain on site throughout the other hours for supervision of the guide dog recipients. The guide dog recipients will not be parking vehicles at the Subject Property during their stay at the Subject Property for training. Historically, approximately 80% of the recipients are from out of town, arriving in Columbus by public transportation, and are picked up at the airport or bus station by Pilot Dogs and brought to the Subject Property. The remainder of the recipients are driven to the Subject Property by family or friends, who do not remain at the Subject Property. The recipients stay at the Subject Property approximately 4 weeks during their training. Pilot Dogs keeps 2 or 3 vehicles at the Subject Property for transportation of guide dogs and recipients.

III. PERMITTED USES:

A. All uses permitted by Columbus City Codes Sections 3349.03, 3351.03, 3353.03, 3355.03, 3356.03, 3371.01, 3373.01, hotels and all other uses listed in the Columbus City Codes as being permitted in the I, C-1, C-2, C-3, C-4, P-1 or P-2 zoning district, except the following:

automotive sales, service and repair production of adult materials or adult entertainment billboards, book bindery bus or truck terminal, dance hall, ice house, plumbing shop, poultry killing (killing or dressing for sale at retail on the premises) skating rink, stable, tinsmith, transmission tower

B. Uses listed in the Columbus City Codes as special or conditional uses in I, C-1, C-2, C-3, C-4, P-1 or P-2 zoning district are special or conditional uses for the Subject Property.

C. Each use which is accessory to a principle use, building or structure may be located off of the parcel(s) on which such principle use, building or structure is located.

IV. DEVELOPMENT STANDARDS:

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

1. The height district shall be the thirty-five (35) foot height district.
2. The required minimum building setback and front yard shall be as follows:
 - a. 12 feet along Town Street between Skidmore Street and Grubb Street;
 - b. 5 feet along Town Street between Grubb Street and Sandusky Street;
 - c. 8 feet along Skidmore Street;
 - d. 2 feet along the east side of Grubb Street;
 - e. 10 feet along the west side of Grubb Street;
 - f. 15 feet along Sandusky Street; and
 - g. 10 feet along Rich Street.
3. The required minimum parking and maneuvering setback shall be as follows:
 - a. 7 feet along the east side along the east side of Grubb Street; and
 - b. 8 feet along West Town Street.

4. No setbacks from side or rear lot lines shall be required, and buildings and other structures shall be permitted to cross parcel boundaries, except that a 10 foot building setback shall be required along the south property line of the part of the Subject Property marked "D" on the Site Plan from Skidmore Street to the point at which that south property line turns south.

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

1. All existing curb cuts shall be permitted to remain. All new curb cuts shall be designed to the specifications of the Division of Transportation, except to the extent that clear vision triangles are eliminated in this Text.
2. No loading spaces shall be required for any of the buildings shown on the Site Plan. The required number of loading spaces for any use may be located off of the parcel(s) on which that use is located so long as such loading spaces are located on the Subject Property.
3. The clear vision triangle provided for in Section 3342.25, Columbus City Codes, is eliminated at the west side of one driveway from the Subject Property onto Town Street located between Grubb Street and Sandusky Street generally at the location shown on the Site Plan. The clear vision triangles provided for in Section 3342.25, Columbus City Codes, at all other driveways from the Subject Property onto public streets are eliminated, subject to the condition that the only obstruction permitted in each clear vision triangle eliminated by this sentence is a fence having an opacity of less than seventy-five percent (75%).
4. The required off-street parking for the facilities shown on the Site Plan shall be as follows:
 - a. 35 parking spaces for: (i) the New Administration Building having approximately 8,000 square feet of office, including kitchen and dining space primarily for the guide dog recipients and approximately 2,500 square feet of meeting room space for the operator of the Subject Property and community organizations; plus (ii) the Existing Building containing approximately 12,160 square feet of space and remodeled to include approximately 13 sleeping rooms for guide dog recipients to use temporarily while they are training with their guide dogs, related lounge/recreation areas, two staff sleeping rooms, and up to approximately 750 square feet of office space; plus (iii) the Old Training Building containing approximately 3,000 square feet of space used for training guide dogs with and without their recipients; plus (iv) approximately 33,400 of outdoor space used for training guide dogs with and without their recipients.
 - b. 8 parking spaces for the New Training Building having approximately 3,700 square feet of space used for training guide dogs with and without their recipients.
 - c. 12 parking spaces for the Future Addition having approximately 6,200 square feet of space containing approximately 14 sleeping rooms for the recipients of guide dogs and related food preparation, eating, lounge/recreation and office facilities.

The required off-street parking for all other buildings on the Subject Property shall be in accordance with Section 3342.28, Columbus City Codes.
5. The required off-street parking for any use located on any parcel(s) of the Subject Property may be located on any

other parcel(s) of the Subject Property.

6. Property lines may divide drive aisles, driveways and parking spaces, thereby permitting all or part of the maneuvering for parking spaces, access to parking spaces and driveways to be divided by property lines and to be located, and permitting parts of individual parking spaces to be located, on two or more parcels or on a parcel other than the parcel on which the parking space(s) thereby served are located, subject to the condition that an easement be provided for the use of any such offsite drive aisle, driveway or other maneuvering area.

7. Buffering, Landscaping, Open Space and/or Screening commitments.

a. A screening fence of not less than seventy-five percent (75%) opacity and not less than 5 feet high shall be installed, concurrently with or before the construction of the New Training Building, along the south property line of the part of the Subject Property marked "D" on the Site Plan, from a point approximately 15 feet east of the Skidmore Street right of way line to the point at which that property line turns south.

b. A screening fence of not less than seventy-five percent (75%) opacity and not less than 5 feet high shall be installed, concurrently with or before the installation of the parking lot on that part of the Subject Property marked "B" on the Site Plan, along the south property line of the part of the Subject Property marked "B" on the Site Plan, from a point approximately 7 feet east of the Grubb Street right of way line to the point at which that property line turns south.

8. Building design and/or Interior-Exterior treatment commitments. N/A

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

a. All lights, except pedestrian and accent lighting and lighting for signs, shall be fully shielded, recessed lamps directed downward to prevent glare and shine above the horizontal plane.

b. Light standards shall not exceed eighteen (18) feet in height.

c. For aesthetic compatibility, lights shall be from the same or similar type and color.

d. Lighting intensity of lights located on the subject property shall not exceed 0.1 foot-candle at ground level in the horizontal plane on any residentially used or zoned property adjacent to the subject property. Screening on the subject property may be utilized to so limit that intensity.

e. Each dumpster shall be screened as required by the Columbus City Codes.

10. Graphics and Signage commitments.

a. All graphics and signage shall comply with the Graphics Code, as the same applies in the C-4, Commercial District, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

11. Miscellaneous commitments.

a. Except as provided in this Text, the development standards applicable to the Subject Property shall be the development of standards applicable to the C-4, Commercial District. The variances from the zoning code provided for in this Text are as follows:

i. Variance from the provisions of Section 3342.28 to reduce the number of required off-street parking spaces to the numbers provided for in item IV.B.4 of this Text and to permit required off-street parking spaces to be located on parcels other than the parcels for which they provide parking, as provided for in item IV.B.5 of this Text;

ii. Variance from the provisions of Section 3356.05 to reduce the required minimum building setbacks along certain streets to the setbacks provided for in item IV.A.2 of this Text;

iii. Variance from the provisions of Section 3342.18 to reduce the required minimum parking and maneuvering setbacks along certain streets to the setbacks provided for in item IV.A.3 of this Text;

iv. Variance from the provisions of Section 3342.25 to reduce the size of required clear vision triangles as provided for in item IV.B.3 of this Text;

v. Variance from the provisions of Section 3342.08, 3342.15 and 3342.19 to permit property lines to divide drive aisles, driveways and parking spaces, as provided for in item IV.B.6 of this Text; and

vi. Variance from the provisions of Section 3342.29 to eliminate the requirement for off-street loading spaces for the buildings shown on the Site Plan as provided for in item IV.B.2 of this Text.

b. From time to time, one or more properties may be added to the Subject Property, with the effect described below, by rezoning only that additional property, regardless of whether that additional property is contiguous to the Subject Property and regardless of whether each property included in such a rezoning is contiguous to any other property included in the same application, provided that each rezoning of such additional property complies with the requirements of the next sentence. Any such rezoning must be to the CPD, Commercial Planned Development District, and must include a commercial planned development text (an "Addition Text") which (1) refers to this Text by case number, (2) states that each property so rezoned is subject to the provisions of this Text in the same manner and to the same extent as if that property had been part of the Subject Property at the time of this rezoning, and (4) sets forth the permitted uses in and development standards set forth in this Text. Any rezoning of additional property which satisfies the requirements of the preceding sentence shall be effective to make each additional property so rezoned part of the Subject Property for all purposes of this Text.

c. This Text is not intended to grant variance from the provisions of Chapter 3385. Accordingly, a variance from the provisions of Chapter 3385 or an administrative exemption in accordance with Section 3385.16 will be required before a Certificate of Zoning Clearance may be obtained for any building to be located within the regulatory floodplain.

The undersigned, being the owner of the subject property together with the applicant in the subject application, or their authorized representatives do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions, conditions, and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter and modify any more restrictive provision of the Columbus City Codes.

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

Passed as amended May 19, 2003, Matthew D. Habash, President of Council / Approved as amended May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0712-03

To rezone 487 MCNAUGHTEN ROAD (43213), being 5.0± acres located on the west side of McNaughten Road, 115± feet south of Alissa Lane, From: RRR, Restricted Rural Residential District, To: PUD-4, Planned Unit Development District.

WHEREAS, application #Z02-1 02 is on file with the Building Services Division of the Department of Development requesting rezoning of

5.0± acres from RRR, Restricted Rural Residential District to PUD-4, Planned Unit Development District; and

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

WHEREAS, the City Departments recommend approval of said zoning change because the requested PUD-4, Planned Unit Development District would permit eleven single-family lots at a density of 2.36 units per acre consistent with established zoning and development 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:

487 MCNAUGHTEN ROAD (43213), being 5.0± acres located on the west side of McNaughten Road, 115± feet south of Alissa Lane, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Section 15, Township 12 North, Range 21 East, Refugee Lands, and being out of that 51 acre tract of land described in a deed to David M. Postlewaite Et al (4), of record in Official Records Volume (O.R.V.) 01734 E1 1, (all references being to the Recorder's Office, Franklin County, Ohio) and more particularly described as follows:

BEGINNING FOR REFERENCE at the northeasterly corner of said 51 acre tract, at the northwesterly corner of McNaughten Estates, a subdivision of record in Plat Book 62, Page 39, in the centerline of McNaughten Road; thence South 04° 10' 54" West, along the easterly line of said 51 acre tract, the centerline of McNaughten Road, a distance of 375.95 feet to the True Point of Beginning;

Thence South 04° 10' 54" West, continuing along the easterly line of said 51 acre tract, the centerline of McNaughten Road, a distance of 441.00 feet to a spike set at the southeasterly corner of said 51 acre tract, the northeasterly corner of 31 acre tract described in a deed to The Central West Realty Company, of record in Deed Book 2637, Page 380;

Thence North 86° 00' 00" West, along the southerly line of said 51 acre tract, the northerly line of said 31 acre tract, a distance of 500.00 feet to an iron pin set;

Thence into said 51 acre tract, along the following new courses and distances:

1. North 04° 00' 00" East, perpendicular to the southerly line, a distance of 360.00 feet to an iron pin set;
2. North 46° 29' 52" East, a distance of 109.86 feet to an iron pin set;
3. South 86° 00' 00" East, parallel with the southerly line of said 51 acre tract, a distance of 427.18 feet to the True Point of

Beginning containing 5.000 acres of land, more or less.

Bearings are based on the southerly line of Laurel Canyon, a subdivision of record in Plat Book 31, Page 37, and given as South 86° 00' 00" East.

Iron pins set consist of a 1" (O.D.) iron pipe, 30 inches in length, with a plastic cap inscribed AM-E ENG S-6872".

This description was prepared by M-E Civil Engineering, Inc., and is based on a field survey performed in July, 1997, and from record information.

To Rezone From: RRR, Restricted Rural Residential District

To: PUD-4, Planned Unit Development District.

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the PUD-6, Planned Unit Development District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved PUD-4, Planned Unit Development District and Application among the records of the Building Services Division as required by Section 3311.09 of the Columbus City Codes; said plan being titled "Whitsong Preliminary Development Plan" signed by Jeffrey L. Brown, Attorney for the Applicant, and dated 4/10/03.

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

Passed May 19, 2003, Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0713-03

To rezone 5245 THOMPSON ROAD (43230), being 47.14± acres located on the south side of Thompson Road 1846± feet west of Chestnut Hill Drive, From: PUD-8, Planned Unit Development and CPD, Commercial Planned Development Districts, To: PUD-8, Planned Unit Development District.

WHEREAS, application #Z02-079 is on file with the Building Services Division of the Department of Development requesting rezoning of 47.14± acres from R, Rural District to PUD-6, Planned Unit Development District; and

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

WHEREAS, the City Departments recommend approval of said zoning change noting that the requested PUD-8, Planned Unit Development District would permit 257 single-family dwellings consistent with established zoning and development patterns of the area. Staff recognizes this proposal as a down zoning from the current CPD and PUD-8 districts that allow commercial development and more than 459 multi-family units, 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:

5245 THOMPSON ROAD (43230), being 47.14± acres located on the south side of Thompson Road, 1846± feet west of Chestnut Hill Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 3, Township 2, Range 16, United States Military Lands and being all of those tracts as conveyed to the New Albany Company, LP by deeds of record in Official Record 27569J18, Official Record 34489C17, Instrument Number 199708080066524, Instrument Number 199706180025405, and Official Record 1541 2H09, 16.409 acres out of that original 16.534 acre tract of record in Official Record 19398109, 13.744 acres out of that original 18.566 acre tract of record in Official Record 1 4795J01, and 0.435 acres out of that 19.177 acre tract of record in Official Record 1 4554B1 4 (all references refer 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 6667 in the centerline of Thompson Road, being South 86° 56' 02" East, 1791.56 feet, along said centerline, from Franklin County Geodetic Survey Monument Number 6666 at the centerline intersection of Hamilton Road and said Thompson Road, said monument also being the northwesterly corner of that tract as conveyed to Judith A. Davis by deed of record in Official Record 50152J08;

thence South 86° 49' 04" East, with the centerline of said Thompson Road, a distance of 546.52 feet to a mag nail set at the northeasterly corner of that 3.000 acre tract as conveyed to Daniel J. Galiardi by deed of record in Official Record 18002B02, being the True Point of Beginning;

thence South 86° 49' 04" East, continuing with the centerline of said Thompson Road, a distance of 1036.64 feet to a mag nail found at the northwesterly corner of that 0.041 acre tract as conveyed to the City of Columbus by deed of record in Official Record 27733G09;

thence South 00° 27' 15" East, with the westerly line of said 0.041 acre tract, a distance of 30.06 feet to an iron pin set at the southwesterly corner of said 0.041 acre tract, being in the southerly right-of-way line of said Thompson Road;

thence South 86° 49' 04" East, with the southerly line of said 0.041 acre tract, being said southerly right-of-way line, a distance of 60.12 feet to an iron pin found at the southeasterly corner of said 0.041 acre tract;

thence North 00° 27' 22" West, with the easterly line of said 0.041 acre tract, a distance of 30.06 feet to a mag nail found in the centerline of said Thompson Road, being the northeasterly corner of said 0.041 acre tract;

thence South 86° 49' 04" East, with the centerline of said Thompson Road, a distance of 10.35 feet to a mag nail set;

thence South 03° 10' 56" West, across said New Albany Company tracts, a distance of 1572.93 feet to an iron pin set in the northerly line of that 44.739 acre tract as conveyed to the New Albany Company by deed of record in Official Record 14548H06;

thence North 86° 54' 48" West, with the northerly line of said 44.739 acre tract, a distance of 968.78 feet to an iron pin found at the northeasterly corner of that 9.847 acre tract as conveyed to Homestead Preserve Phase II LLC by deed of record in Instrument Number 200204250103930, being the northwesterly corner of said 44.739 acre tract;

thence North 86° 49' 10" West, with the northerly line of said 9.847 acre tract, a distance of 428.74 feet to an iron pin found at the southeasterly corner of that 0.1 OS acre tract as conveyed to Stuart Williamson by deed of record in Instrument Number 200110220242141;

thence North 03° 51, 34" East, with the easterly line of said 0.1 OS acre tract, and the easterly lines of those tracts as conveyed to William K and Patricia L. Brock (0.110 acre), Timothy Devine (0.102 acre), Nick Jr. and Deborah A. Enich (0.102 acre), David T. and Lisa A. Siegesmund (0.102 acre), Peter J. and Jeanine T. Brown (0.102 acre), John G. and Toula J. Gost (0.102 acre), Thomas W. and Joy L. Perkins (0.103 acre), Michael B. Butler (0.103 acre), Michael and Marina Vlasoff (0.212 acre), and Steven D. and Elizabeth J. Morgan (0.237 acre) by deeds of record in Instrument Number 200110220242139, Instrument Number 200110220242138, Instrument Number 200110220242158, Instrument Number 200110220242157, Instrument Number 200110220242156, Instrument Number 200110220242155, Instrument Number 200110220242154, Instrument Number 200110220242152, Instrument Number 200110220242149, and Instrument Number 200110220242144, respectively, and also a portion of the easterly line of said Davis tract, (passing 5/8" rebars found at 61.65 feet, 126.59 feet, 186.68 feet, 246.65 feet, 306.61 feet, 366.64 feet, 426.55 feet, 486.65 feet, and 546.56 feet and an iron pin found at 831.77 feet) a distance of 1097.09 feet to an iron pin set at the southwesterly corner of said 3.000 acre Galiardi tract;

thence South 86° 48' 59" East, with the southerly line of said 3.000 acre tract, (passing an iron pin found at 198.26 feet) a distance of 271.78 feet to an iron pin found at the southeasterly corner of said 3.000 acre tract;

thence North 03° 51 47" East, with the easterly line of said 3.000 acre tract, (passing an iron pin found at 457.58) feet a distance of 477.58 feet to the True Point of Beginning, and containing 47.140 acres of land, more or less, of which 0.544 acre lies within the right-of-way of said Thompson Road, leaving a net acreage of 46.596 acres.

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

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

Bearings are based on the Ohio State Plane Coordinate System as per NAD83. Control for bearings was from coordinates of Franklin County Geodetic Survey Monument Numbers 6666 and 6667 established by the Franklin County Engineering Department using Global Positioning System procedures and equipment.

EVANS, MECHWART, HAMBLETON & TILTON, INC

**To Rezone From: PUD-8, Planned Unit Development
And CPD, Commercial Planned Development Districts
To: PUD-8: Planned Unit Development District.**

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the PUD-8, Planned Unit Development District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved PUD-8, Planned Unit Development District and Application among the records of the Building Services Division as required by Section 3311.09 of the Columbus City Codes; said plan being titled "PUD-8 PLAN FOR PRESERVE SUBAREA 11" and text titled "PUD TEXT," both signed by Jeffrey L. Brown, Attorney for the Applicant and dated May 19, 2003 and the text reading:

PUD TEXT

PROPOSED DISTRICTS:	PUD-8
PROPERTY ADDRESS:	5245 Thompson Road
OWNER:	The New Albany Company
APPLICANT:	Same as owner
DATE OF TEXT:	4/8/03
APPLICATION:	Z02-079

1. INTRODUCTION: The applicant wants to downzone the permitted uses in Sub-area C-2 and B-11 of the Preserve zoning to permit detached single family lots, and to add appropriate developments for detached single family lots in Sub-areas F-1 and F-2.

SUBAREA 11-47.6 ± ACRES (PUD-8)

Sub-area 11 is located west of the North/South Road, and south of Thompson Road.

2. PERMITTED USES: The maximum density in this sub-area shall be 257 units. The only permitted uses are detached single-family dwelling units on private streets.

3. DEVELOPMENT STANDARDS:

- A. Density, Height, Lot and/or Setback Requirements
 - 1. Each dwelling unit shall have a minimum net living area of 1250 sq. ft. with a two-car garage.
 - 2. There shall be an absolute height limit of 35 feet.
- B. Access, Loading, Parking and/or Traffic Related Commitments
 - 1. The proposed street alignments and access points are schematic and subject to change.
 - 2. Curb cuts along the North/South Road shall be a minimum 250-foot spacing from centerline to centerline. These spacing requirements shall not apply to right in/right out curb cuts.
 - 3. Along the east border of Sub-area 11, a collector shall be developed labeled "North/South Road". This collector shall have a 60-foot right-of-way and shall be extended southward from Thompson Road to the first street intersection for the single-family development as part of the development of said single-family site.
- C. Buffering, Landscaping, Open Space and/or Screening Commitments
 - 1. A street tree planting shall be established along the North/South Road. Deciduous trees are to be spaced at a maximum distance of thirty feet on center. Trees may be grouped, provided the quantity is equivalent to one (1) tree per thirty feet or fraction thereof.

This requirement may be waived in areas where existing vegetation occurs.

2. Landscaping within the 50 foot parking setback along the North/South Road shall be rural in character and based on the following standard:

Within the parking setback there shall be four (4) trees planted per 100 lineal feet in a hedgerow manner or grouped. Trees may be deciduous, ornamental, evergreen or any combination thereof.

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

4. The landscaping requirements may be deleted if existing vegetation that meets minimum quantity and caliper requirements occurs within the parking setback area. If gaps exist within existing trees, infill planting shall occur and meet the requirements of said parking setback area, Section 3C2.

5. Along the south property line, existing trees in good condition shall be preserved within the rear yard, except where road crossings and utility crossings are necessary.

6. The landscaping requirements of this section may be satisfied or offset by the preservation of existing vegetation that meets minimum quantity and caliper requirements.

7. Unless otherwise specified, minimum size of all plant material at installation shall be 2 1/2" caliper for deciduous shade trees, 6' high for evergreen, and 1 1/2" caliper for ornamental trees.

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

9. All trees and landscaping shall be well maintained. Dead items, weather permitting, shall be replaced within six months or the next available planting season, whichever occurs first.

10. Any residents located within the boundaries of The Preserve are entitled to full benefit of any parkland contained in The Preserve.

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

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

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

1. Unless otherwise required by the utility company, all new wiring within a development shall be underground.

F. Graphics and Signage Commitments

All signage and graphics shall conform to Article 15 of the Columbus City Graphics Code, as it applies to the R-2, Residential Districts. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

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

Passed as amended May 19, 2003, Matthew D. Habash, President of Council / Approved as amended May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0714-03

To rezone 3356 MORSE ROAD (43231), 5.65± acres located on the north side of Morse Road, 489± feet west of Trindel Way, From: CPD, Commercial Planned Development, To: CPD, Commercial Planned Development District.

WHEREAS, application #Z03-006 is on file with the Building Services Division of the Department of Development requesting rezoning of 5.65± acres from: CPD, Commercial Planned Development, to: CPD, Commercial Planned Development District; and

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

WHEREAS, the City Departments recommend approval of said zoning change because the applicant requests the CPD, Commercial Planned Development District to combine two existing CPD Districts into one consolidated zoning district. This application will split the site into two Sub-areas: one, a proposed autobody repair business, and the other, for unspecified commercial development. The submitted text and site plan contain appropriate development standards in consideration of adjacent residential uses and incorporates Northland Development Standards (1992). The site lies within the Morse Road Planning Overlay and within Sub-area 22 of the Northland Plan (2001), which recommends that intense commercial use can be appropriate if the development is sensitive to the scenic qualities 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:

3356 MORSE ROAD (43231), 5.65± acres located on the north side of Morse Road, 489± feet west of Trindel Way, From: CPD, Commercial Planned Development, To: CPD, Commercial Planned Development District, and being more particularly described as follows:

SUB-AREA A -1.529 Acres

Situated in the State of Ohio, County of Franklin, City of Columbus and located within Section 3, Township 2, Range 17, United States Military Lands and being a 1.529 acre tract out of that 7.633 acre tract described in a deed to PROPERTIES OF TODAY CORP., of record in Official Record 15789 Page A01, said tract more particularly described as follows:

Beginning at an iron pin found (cap: "R M FOSTER S-7729") at the southwesterly corner of a 1.134 acre tract described in a deed to EBERT & WOLF ENTERPRISES, LLC, of record in Instrument Number 200009270196580, in the northerly line of a 0.948 acre tract described in a deed to the CITY OF COLUMBUS of record in Instrument Number 199708070065490;

thence North 85 degrees 04 minutes 17 seconds West along the northerly line of said 0.948 acre tract, a distance of 222.00 feet to an iron pin set;

thence into said 7.633 acre tract, along the following three (3) new courses and distances:

North 04 degrees 56 minutes 30 seconds East, along a line 412.00 feet westerly of and parallel with easterly line of said 7.633 acre tract, a distance of 300.00 feet to an iron pin set;

South 85 degrees 04 minutes 17 seconds East along a line 300.00 feet northerly of and parallel with northerly line of said 0.948 acre tract, a distance of 222.00 feet to an iron pin set; South 04 degrees 56 minutes 30 seconds West, along a line 190.00 feet westerly of and parallel with easterly line of said 7.633 acre tract, passing the northwesterly corner of said 1.134 acre tract at a distance of 40.00 feet and thence with the westerly line of said 1.134 acre tract a total distance of 300.00 feet to the True Point of Beginning containing 1.529 acres of land, more or less.

This description is based on record information and a field survey performed in December 2002.

Bearings are based on the centerline of Morse Road as shown on the plat Parkridge Village Section 4, a subdivision of record in Plat Book 62, Pages 82 and 83, and shown as North 85 degrees 04 minutes 17 seconds West.

References described hereon refer to those found in the Recorder's Office, Franklin County, Ohio.

Iron pins set consist of a 5/8" rebar, thirty (30) inches in length, with a yellow plastic cap inscribed: 'ER M Foster S-7729.'

SUB-AREA B - 4.117Acres

Situated in the State of Ohio, County of Franklin, City of Columbus and located within Section 3, Township 2, Range 17, United States Military Lands and being the 4.117 acre tract remainder to that 7.633 acre tract described in a deed to PROPERTIES OF TODAY CORP., of record in Official Record 15789 Page A01, said tract more particularly described as follows:

Beginning for Reference at the southeasterly corner of a 1.134 acre tract described in a deed to EBERT & WOLF ENTERPRISES, LLC, of record in Instrument Number 200009270196580, the northeasterly corner of a 0.948 acre tract described in a deed to the CITY OF COLUMBUS of record in Instrument Number 199708070065490, in the easterly line of said 7.633 acre tract, the westerly line of a 3.975 acre tract described in a deed to George J. Evans of record in Official Records Volume 007153, Page 103; thence North 04 degrees 56 minutes 30 seconds East along the easterly line of said 7.633 acre tract, the easterly line of said 1.134 acre tract, the westerly line of said 3.975 acre tract, a distance of 260.00 feet to the northeasterly corner of said 1.134 acre tract, being the True Point of Beginning;

thence North 85 degrees 04 minutes 17 seconds West, along the northerly line of said 1.134 acre tract, a distance of 190.00 feet to an iron pin set;

thence North 04 degrees 56 minutes 30 seconds East along the easterly line of a 1.529 acre tract, a distance of 40.00 feet to an iron pin set;

thence North 85 degrees 04 minutes 17 seconds West along the northerly line of said 1.529 acre tract, a distance of 222.00 feet to an iron pin set;

thence South 04 degrees 56 minutes 30 seconds West along the westerly line of said 1.529 acre tract, a distance of 300.00 feet to a point in the northerly line of said 0.948 acre tract;

thence North 85 degrees 04 minutes 17 seconds West along the northerly line of said 0.948 acre tract, a distance of 103.79 feet to a point in the westerly line of said 7.633 acre tract, the easterly line of a 0.396 acre tract described in a deed to JOHN DETRICK of record in Instrument Number 200001190012669;

thence North 05 degrees 30 minutes 13 seconds East along the westerly line of said 7.633 acre tract, the easterly line of said 0.396 acre tract, passing the southeast corner of a 2.257 acre tract described in a deed to JAMES A. SPUREON AND MARGARET SPUREON, of record in Instrument Number 199705190027177, at a distance of 174.40 feet and thence with the easterly line of said 2.257 acre tract, a total distance of 575.15 feet to a point in the southerly line of a 10.979 acre tract described in a deed to PARKRIDGE APARTMENTS, LTD., of record in Deed Book 3201, Page 495;

thence South 85 degrees 12 minutes 06 seconds East along the northerly line of said 7.633 acre tract, the southerly line of said 10.979 acre tract, passing the southwesterly corner of Parkridge Village Section 4, a subdivision of record in Plat Book 62, Page 82-83, at a distance of 136.48 feet and thence with the southerly line of Parkridge Village, a total distance of 510.15 feet to the northeasterly corner of said 7.633 acre tract, in the westerly line of said 3.975 acre tract;

thence South 04 degrees 56 minutes 30 seconds West along the easterly line of said 7.633 acre tract, the westerly line of said 3.975 acre tract, a distance of 316.28 feet to the True Point of Beginning containing 4.117 acres of land, more or less.

This description is based on record information and a field survey performed in December 2002.

Bearings are based on the centerline of Morse Road as shown on the plat Parkridge Village Section 4, a subdivision of record in Plat Book 62, Pages 82 and 83, and shown as North 85 degrees 04 minutes 17 seconds West.

References described hereon refer to those found in the Recorder's Office, Franklin County, Ohio.

Iron pins set consist of a 5/8" rebar, thirty (30) inches in length, with a yellow plastic cap inscribed: "R M Foster S-7729."

To Rezone From: CPD, Commercial Planned Development District

To: CPD, Commercial Planned Development District.

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

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "CPD SUB AREA PLAN" and "SITE AND LANDSCAPING," building elevations being titled, "EXTERIOR ELEVATIONS SUB-AREA A," and text titled, "DEVELOPMENT TEXT," all signed by Donald Plank, Attorney for the Applicant, and dated April 15, 2003, and the text reading as follows:

DEVELOPMENT TEXT

CPD, COMMERCIAL PLANNED DEVELOPMENT 5.6± ACRES

EXISTING DISTRICT:	CPD, Commercial Planned Development
PROPOSED DISTRICT:	CPD, Commercial Planned Development
PROPERTY ADDRESS:	3356 Morse Road, Columbus, Ohio 43231
OWNER:	Properties of Today Corporation, do Donald Plank, Esq., Shuler Plank & Brahm, 145 East Rich Street, Columbus, OH 43215
APPLICANT:	Properties of Today Corporation, do Donald Plank, Esq., Shuler Plank & Brahm, 145 East Rich Street, Columbus, OH 43215
DATE OF TEXT:	April 15, 2003
APPLICATION #:	Z03- 006(03335-00000-00006)

INTRODUCTION: The site consists of 5.6± undeveloped acres located on the north side of Morse Road, beginning 51 9± feet west of Trindel Way. The eastern portion of the site is Sub-Area A2, as established in Ordinance 1715-00, passed July 24, 2000 (ZOO-028) and the western portion of the site is Sub-Area B, as established in Ordinance 1823-97, passed July 27, 1997 (Z97-038). Morse Road right of way dedication to the City of Columbus, totaling 80 feet from centerline was a requirement of Ordinance 1823-97, 50 the net acreage of this rezoning is net of prior Morse Road right of way dedication. Morse Road is a major east/west arterial being redeveloped in phases by the City of Columbus and Franklin County. All of the site is presently zoned CPD, Commercial Planned Development and permitted uses of both existing Sub-Areas include many C-4, Commercial uses.

By this rezoning application, the site is being divided into two (2) zoning areas consisting of Sub-Area A (1 .529j acres) and Sub-Area B (4.117+ acres), as depicted on the "Zoning Exhibit: CPD Sub Area Plan" submitted with this application. Applicant intends to develop Sub-Area A with an autobody collision repair business and further proposes commercial uses consistent with existing zoning for Sub-Area B. The following plans are referenced in this text and incorporated by reference: "Zoning Exhibit: CPD Sub Area Plan", "Site and Landscaping Plan - Sub-Area A" and "Exterior Elevations - Sub-Area A". All plans are dated April 15, 2003 and signed by Donald Plank, Attorney for Applicant, dated April 15, 2003

**SUB-AREA A -1.529± ACRE TRACT
CPD. COMMERCIAL PLANNED DEVELOPMENT DISTRICT
DEVELOPMENT TEXT**

1. **PERMITTED USES:** Permitted uses in Sub-Area A are those uses described in Columbus City Code Sections 3356.03, C-4, Permitted Uses, excepting therefrom adult bookstore, adult motion picture theater, adults only entertainment facility, production of adult materials or adult entertainment, animal kennels, armory, auto salesroom, auto service station, off-premise graphics, except for off-premise graphics which are approved as part of a graphics plan or Special Permit by the Graphics Commission, bowling alley, business college, cabaret, carryout, cellular tower, clothes pressing and cleaning (pick up only permitted), commercial laundry, commercial radio transmitting or television station and appurtenances, dance hall, drive-in, electric substation, funeral home, hardware store, ice house, laundromat, laboratory - testing or experimental, massage parlor, millinery, motion picture theater, motor vehicle sales or leasing, motor bus terminal, night club, plumbing supply, private club, pool room, poultry killing (killing or dressing for sale at retail on the premises), public parking garage for pay, tattoo and/or piercing parlor, trade school, skating rink, stable, storage garage, tinsmith, tire repair shop, trade school and wholesale plumbing supply.
2. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in this text or the plans titled "Zoning Exhibit: CPD Sub Area Plan", "Site and Landscaping Plan - Sub-Area A" and "Exterior Elevations Sub-Area A", all plans dated April 15, 2003, the applicable development standards are contained in Chapter 3356 (C-4, Commercial) of the Columbus City Code and the Morse Road Planning Overlay and Special Graphics Control Area.
 - A. **Density, Height, Lot and/or Setback Commitments**
 1. A minimum thirty (30) foot landscaped parking setback shall be established along Morse Road.
 2. A minimum ten (10) foot landscaped building and parking setback shall be established from and along the north, east, and west perimeter property lines. The perimeter building and parking setback lines/landscaping strips shall not be interpreted to prevent or preclude connection to adjacent parcel(s) with an aisle or driveway to provide for internal vehicular circulation between sites.
 3. Sub-Area A shall be designated an H-35 Height District.
 4. Total lot coverage for structures and paved areas shall not exceed 80%.
 5. There shall be a maximum of one (1) row of 90 degree parking in front of any building built in Sub-Area A.
 - B. **Access, Loading, Parking and/or Other Traffic Related Commitments**
 1. Size, ratio and type of parking and loading shall be regulated by the Columbus Zoning Code under Chapter 3342.
 2. All parking areas shall be designed and constructed to promote safety. Such designs shall provide for efficient circulation with respect to public streets, service roads, and adjacent uses.
 3. Parking areas shall be surfaced with either concrete or blacktop with drainage according to applicable City of Columbus requirements.
 4. Curb cuts and access points shall be designed and located to the specification of the City of Columbus Division of Transportation and other applicable governmental agency. There will be a single shared Morse Road curbcut for both Sub-Area A and B. Applicable easement(s) shall be granted between the owners of Sub-Areas A and B for the common use of the shared curbcut and access drive. It is expected that Sub-Area A will be split from Sub-Area B and property lines established corresponding to Sub-Area boundaries.
 5. An optional vehicular access point to the driveway on Sub-Area B shall be permitted generally in the northwest corner of Sub-Area A, if desired. This optional access point will be gated in the same materials as the perimeter fencing. The west perimeter landscaping strip may be crossed with a driveway from the internal driveway on Sub-Area B to Sub-Area A if this additional access point is developed.
 6. Major driving aisles and curb lanes shall be defined with raised-curb island dividers or medians. Raised areas shall be planted and maintained with trees or other landscaping to increase visibility of the island or divider.
 - C. **Buffering, Landscaping, Open Space and/or Screening Commitments**
 1. Landscaping shall be required as depicted on the Landscaping Plan titled "Landscape Plan, 3356 Morse Road, Sub-Area A" dated April 15, 2003. Perimeter tree planting shall be required within the north, east and west perimeter landscape strips, as depicted, and, where adjacent to another ten (10) foot wide landscaping corridor, the adjacent tree rows in each adjacent landscaping corridor shall be staggered.
 2. Street tree planting shall be required as depicted on the Landscaping Plan titled "Landscape Plan, 3356 Morse Road, Sub-Area A" dated April 15, 2003. Street trees shall be spaced 40 feet on center, subject to adjustment for driveway and sight distance requirements, and located at a uniform setback
 3. All parking areas adjacent to Morse Road shall have headlight screening parallel to the frontage with a minimum height of 36 inches measured from the elevation of the nearest section of the adjacent parking area, as depicted on the Landscaping Plan titled "Landscape Plan, 3356 Morse Road, Sub-Area A" dated April 15, 2003. Headlight screening shall meet specifications of the Morse Road Planning Overlay.
 4. All plant material shall meet the size specifications as itemized on the landscaping plan.
 5. Additional buffering consisting of an eight (8) foot tall board fence, as depicted and detailed on the Landscaping Plan titled "Landscape Plan, 3356 Morse Road, Sub-Area A", shall be required to screen parking and service areas located behind the front setback line of any building built in Sub-Area A. Gates to service areas will include eight (8) foot tall board fence material to match the perimeter fencing..
 6. The landscaping depicted on the landscape plan titled "Landscape Plan, 3356 Morse Road, Sub-Area A" dated April 15, 2003 and the requirements of items 1, 2, 3, 4 and 5 shall satisfy all landscaping requirements for Sub-Area A.
 7. All trees and landscaping shall be well maintained. Required landscaping that dies shall be replaced within six months.
 8. Drainage shall not adversely affect storm water drainage on adjacent and down stream properties, streets, and the storm drainage system.
 9. Interior Parking lot landscape islands and landscaping shall be as depicted on the Landscaping Plan titled "Landscape Plan, 3356 Morse Road, Sub-Area A" dated April 15, 2003.
 - D. **Building Design and/or Interior-Exterior Treatment Commitments**
 1. Building elevations shall be as depicted on the plan titled "Exterior Elevations - Sub-Area A", dated April 15, 2003 subject to slight adjustment with final design and engineering. The building elevations shall not be interpreted to preclude additional windows or doors and the use of colors different that those specified.
 2. Mechanical equipment or other utility hardware on the roof of a building shall be screened from view. Mechanical and other mechanical system equipment on the ground shall be fully screened from view by wall, fence and/or landscape material.
 3. Building illumination shall be permitted provided such light source is concealed. No colored light shall be used to light the exterior of any building.
 - E. **Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments**
 1. All external outdoor area lighting, including building and pole mounted, shall be cut-off fixtures (down lighting), except decorative lighting fixtures at pedestrian entrances. Accent lighting (up lighting) may be used on landscaping in the front of structures

and ground signs, provided the fixtures are screened with landscaping to prevent glare.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.
 3. Except for decorative lighting, light poles shall be the same color. Parking lot light poles shall not exceed 20 feet in height.
 4. All new wiring within the development shall be underground. Applicant shall not be required to place underground any existing wiring along Morse Road nor will applicant be required to place underground any wiring that the applicable utility will not grant permission to place underground.
 5. Trash dumpsters shall be fully screened by structures and/or landscaping to a minimum height of six feet. Such screening shall maintain at least a 90% opacity.
- F. Graphics and Signage Commitments
1. All signage shall conform to Chapters 3375 through 3383 of the Columbus City Code as they apply to C-4, Commercial District and the Morse Road Special Graphics Control Overlay. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.
 2. The ground sign shall be monument style. Signs shall be internally illuminated or silhouette lighted.
 3. Ground mounted illumination shall be concealed from view of the public right-of-way by a landscape screen of low shrubs or equivalent.
 4. Prohibited signs include: signs with flashing lights, co-op signs, rotating signs, trailer type signs, tethered balloons, roof signs, banners, and pennants.
 5. There shall only be one (1) free-standing sign permitted for all of Sub-Area A. The ground sign shall meet specifications of the Morse Road Special Graphics Control Area unless modified by application to the Columbus Graphics Commission.
 6. Street addresses shall be incorporated into the free-standing sign or prominently displayed on the building. Addresses shall be in Arabic numerals and be readable from the street.

G. Miscellaneous Commitments

1. The site shall be developed in accordance with the plans titled "Zoning Exhibit: CPD Sub Area Plan", "Site and Landscaping Plan - Sub-Area A" and "Exterior Elevations -Sub-Area A", all dated April 15, 2003 and signed April 15, 2003 by Donald Plank, Attorney for applicant. The development elements depicted on these plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the Plan shall be reviewed and approved by the Director of the Department of Trade and Development or his designee upon submission of the appropriate data regarding the proposed adjustment.
2. Sidewalks shall be constructed along Morse Road to City of Columbus specifications if sidewalks are not existing at the time of development or built as part of the Morse Road widening and improvement project.
3. A pedestrian sidewalk across the Morse Road setback shall be provided. A pedestrian walk is depicted on the referenced plans. The exact location is subject to change with final site engineering.

H. Other CPD Requirements

1. Natural Environment: The natural environment of Sub-Area A is flat.
2. Existing Land Use: The property is presently undeveloped.
3. Circulation: There will be a single curbcut on Morse Road for both Sub-Area A and B.
4. Visual Form of the Environment: The area surrounding Sub-Area A to the east and south is developed or zoned commercially. Sub-Area A abuts Sub-Area B to the north and west. Sub-area B is presently undeveloped.
5. Visibility: Sub-Area A fronts on Morse Road.
6. Proposed Development: Commercial development.
7. Behavior Patterns: The site is located on Morse Road, a major arterial under going widening. Vehicular access will be the principle means of access through a curb cut approved by the Division of Traffic Engineering and Parking. On-site vehicular and pedestrian circulation will be as approved through the plan review process.
8. Emissions: Development on Sub-Area A will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.
9. Variances: No variances are proposed with the use of the CPD. The CPD allows a variety of appropriate commercial uses.

I. Miscellaneous

1. Severability: Sub-Areas A and B are included together in this one application solely for the purpose of rezoning all of Sub-Area A-2 of Ordinance 1715-00 (Z00028) and Sub-Area B of Ordinance 1823-97 (Z97-038) in one ordinance under one rezoning application. At all times in the future, Sub-Areas A and B may be rezoned individually, in combination with each other or individually in combination with other abutting land not part of this application. It is expected that Sub-Area A will be split from Sub-Area B and property lines established corresponding to Sub-Area boundaries.
2. Forum for Variance: The Board of Zoning Adjustment shall hear requests for variances to code and site development standards, including specific standards contained in this ordinance, except matters under the jurisdiction of the Columbus Graphics Commission.

**SUB-AREA B - 4.117~ ACRE TRACT
CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT
DEVELOPMENT TEXT**

1. PERMITTED USES: Permitted uses in Sub-area B are those uses described in Columbus City Code Sections 3356.03, C-4 Permitted Uses, excepting therefrom adult bookstore, adult motion picture theater, adults only entertainment facility, production of adult materials or adult entertainment, animal kennels, armory, auto salesroom, auto service station, off-premise graphics, except for off-premise graphics which are approved as part of a graphics plan or Special Permit by the Graphics Commission, bowling alley, business college, cabaret, carryout, cellular tower, clothes pressing and cleaning (pick up only permitted), commercial laundry, commercial radio transmitting or television station and appurtenances, dance hall, drive-in, electric substation, funeral home, garage repair shop, hardware store, ice house, laundromat, laboratory - testing or experimental, massage parlor, millinery, motion picture theater, motor vehicle body shop, as a principle use, motor vehicle sales, service, maintenance or leasing, motor bus terminal, night club, plumbing supply, private club, pool room, poultry killing (killing or dressing for sale at retail on the premises), public parking garage for pay, tattoo and/or piercing parlor, trade school, skating rink, stable, storage garage, tinsmith, tire repair shop, trade school and wholesale plumbing supply.
2. DEVELOPMENT STANDARDS: Unless otherwise indicated in this text or the plans titled "Zoning Exhibit: CPD Sub Area Plan", "Site and Landscaping Plan -Sub-Area A" and "Exterior Elevations Sub-Area A", all plans dated April 15, 2003, the applicable development standards are

contained in Chapter 3356 (C-4, Commercial) of the Columbus City Code and the Morse Road Planning Overlay and Special Graphics Control Area.

- A. Density, Height, Lot and/or Setback Commitments
1. A minimum thirty (30) foot landscaped parking setback shall be established along Morse Road.
 2. A minimum ten (10) foot landscaped building, parking and maneuvering setback shall be established along the south and west line of Sub-Area B, and as depicted on the plan titled "Zoning Exhibit: CPD Sub Area Plan". The perimeter building and parking setback lines shall not be interpreted to prevent or preclude connection to Sub-Area A or other property with an aisle or driveway to provide for internal vehicular circulation between sites.
 3. A minimum thirty (30) foot building, parking and maneuvering setback shall be established along the east property line of Sub-Area B, as depicted on the plan titled "Zoning Exhibit: CPD Sub Area Plan".
 4. A minimum fifty (50) foot building, parking and maneuvering setback shall be established from and along the north property line.
 5. Sub-Area B shall be designated an H-35 Height District and building(s) shall not exceed forty (40) feet in height.
 6. Total lot coverage for structures and paved areas shall not exceed 80%.
- B. Access, Loading, Parking and/or other Traffic Related Commitments
1. Size, ratio and type of parking and loading shall be regulated by the Columbus Zoning Code under Chapter 3342.
 2. All parking areas shall be designed and constructed to promote safety. Such designs shall provide for efficient circulation with respect to public streets, service roads, and adjacent uses.
 3. Parking areas shall be surfaced with either concrete or blacktop with drainage according to applicable City of Columbus requirements.
 4. Curb cuts and access points shall be designed and located to the specification of the City of Columbus Division of Traffic Engineering or any other appropriate governmental agency. Sub-Area B shall share a single curbcut with Sub-Area A to provide access to/from Morse Road for both Sub-Area A and B. Applicable easement(s) shall be granted between the owners of Sub-Areas A and B for the common use of the shared curbcut and access drive.
 5. Major driving aisles and curb lanes shall be defined with raised-curb island dividers or medians. Raised areas shall be planted and maintained with trees or other landscaping to increase visibility of the island or divider.
- C. Buffering, Landscaping, Open Space and/or Screening Commitments
1. Within the required 30 foot parking setback along Morse Road, landscaping shall be required for a minimum of 50% of the frontage. Such landscaping shall be uniformly placed at a minimum distance of ten (10) feet from the right of way. The landscaping shall consist of deciduous shade trees (minimum 2-1/2 inch caliper upon installation), ornamental trees (minimum 1-1/2 inch caliper upon installation), evergreen trees (height 6 foot upon installation) and/or shrubs (minimum size 2 gallon). Landscaping required by this section that meets the specifications of C.3. shall be counted toward satisfying the headlight screening requirements of C.3.
 2. Street trees shall be spaced 40 feet on center, subject to adjustment for driveway and sight distance requirements, and located at the same uniform setback as established by actual planting of the street trees in Sub-Area A. Street trees shall be a minimum size of 2 1/2 inch caliper at installation.
 3. All parking areas adjacent to Morse Road shall have headlight screening parallel to the frontage with a minimum of height of 36 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall meet specifications of the Morse Road Overlay.
 4. Tree planting shall be required within the ten (10) foot wide landscaping corridors depicted on the plan titled "Zoning Exhibit: CPD Sub Area Plan".
 - a. Trees shall be planted at the rate of one (1) per 50 lineal feet where adjacent to another ten (10) foot wide landscaping corridor. Tree rows in each adjacent corridor shall be staggered.
 - b. The minimum fifty (50) foot building, parking and maneuvering setback along the north property line shall be maintained in a vegetative state. Existing trees and brush shall be preserved and shall remain undisturbed other than normal maintenance and removal of dead plant material, except if it is necessary to provide utility services through the setback area, for the placement of the required fence (See C.5.) or for the placement of additional trees and maintenance of the area. Grass or other plant material may be used for ground cover. This setback is a buffer area for the ditch adjacent to the north property line and also a buffer to residential uses abutting Sub-Area B to the north. Existing trees shall be augmented with additional tree planting to provide at least one (1) tree every ten (10) lineal feet within the north twenty (20) feet of the fifty (50) foot setback, which existing and new trees shall meet the following minimum criteria: deciduous shade trees (minimum 2-1/2 inch caliper upon installation), ornamental trees (minimum 1-1/2 inch caliper upon installation), and/or evergreen trees (height of 6 foot upon installation).
 5. There shall be a six (6) foot board on board fence installed along the north property line.
 6. A minimum thirty (30) foot building, parking, pavement and maneuvering setback along the east property line shall be maintained in a vegetative state.
 7. The landscaping required in items 1, 2, 3 and 4 may be used to offset the parking lot landscaping requirements contained in Chapter 3342 of the Columbus Zoning Code.
 8. All trees and landscaping shall be well maintained. Required landscaping that dies, other than plant material that consists of existing trees or brush in the north and east setbacks, shall be replaced within six months.
 9. Drainage shall not adversely affect storm water drainage on adjacent and down stream properties, streets, and the storm drainage system.
- D. Building Design and/or Interior-Exterior Treatment Commitments
1. Mechanical equipment or other utility hardware on the roof of a building shall be screened from view from the perimeter of the sub-area. Mechanical and other mechanical system equipment on the ground shall be fully screened from view by wall, fence and/or landscape material.
 2. Building illumination shall be permitted provided such light source is concealed. No colored light shall be used to light the exterior of any building.
- E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments
1. All external outdoor area lighting, including building and pole mounted, shall be cut-off fixtures (down lighting), except decorative lighting fixtures at pedestrian entrances. Accent lighting (up lighting) may be used on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.
 2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.
 3. Except for decorative lighting, light poles shall be the same color. Parking lot light poles shall not exceed 20 feet in height except that parking lot light poles within 100 feet of the north property line shall not exceed 18 feet in height..

4. All new wiring within the development shall be underground. Applicant shall not be required to place underground any existing wiring along Morse Road nor will applicant be required to place underground any wiring that the applicable utility will not grant permission to place underground.

5. Trash pick up shall be prohibited between the hours of 11 p.m. to 8 a.m.

6. Trash dumpsters shall be fully screened by structures and/or landscaping to a minimum height of six feet. Such screening shall maintain at least a 90% opacity.

F. Graphics and Signage Commitments

1. All signage shall conform to Chapters 3375 through 3383 of the Columbus City Code as they apply to C-4, Commercial District and the Morse Road Special Graphics Control Overlay. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

2. Signs shall be internally illuminated or silhouette lighted. There shall be no floodlighting of elevated signs.

3. Ground mounted illumination shall be concealed from view of the public right-of-way by a landscape screen of low shrubs or equivalent.

4. Prohibited signs include: signs with flashing lights, co-op signs, rotating signs, trailer type signs, tethered balloons, roof signs, banners, and pennants.

5. There shall only be one (1) free-standing sign permitted for all of Sub-Area B. The ground sign shall meet specification of the Morse Road Special Graphics Control Area, unless modified by application to the Columbus Graphics Commission.

6. Street addresses shall be incorporated into the free-standing sign or prominently displayed on the building. Addresses shall be in Arabic numerals and be readable from the street.

G. Miscellaneous Commitments

1. The site shall be developed in accordance with the plan titled "Zoning Exhibit: CPD Sub Area Plan", dated April 15, 2003 and signed April 15, 2003 by Donald Plank, Attorney for applicant. The development elements depicted on this plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the Plan shall be reviewed and approved by the Director of the Department of Trade and Development or his designee upon submission of the appropriate data regarding the proposed adjustment.

2. Sidewalks shall be constructed along Morse Road to City of Columbus specifications if sidewalks are not built as part of the Morse Road widening and improvement project.

H. Other CPD Requirements

1. Natural Environment: The natural environment of Sub-Area B is flat.

2. Existing Land Use: The property is presently undeveloped.

3. Circulation: There will be a single curbcut on Morse Road for both Sub-Area A and B.

4. Visual Form of the Environment: The area surrounding Sub-Area B to the east, south and west is developed or zoned commercially and to the north is single family residential property.

5. Visibility: Sub-Area B fronts on Morse Road.

6. Proposed Development: Commercial development.

7. Behavior Patterns: The site is located on Morse Road, a major arterial under going widening. Vehicular access via a shared curbcut with the adjacent Sub-Area A will be the principle means of access. On-site vehicular and pedestrian circulation will be as approved through the plan review process.

8. Emissions: Development on Sub-Area B will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

9. Variances: No variances are proposed with the use of the CPD. The CPD allows a variety of appropriate commercial uses.

I. Miscellaneous

1. Severability: Sub-Areas A and B are included together in this one application solely for the purpose of rezoning contiguous property under one application process. At all times in the future, Sub-Areas A and B may be rezoned individually, in combination with each other or individually in combination with other abutting land not part of this application.

2. Forum for Variance: The Board of Zoning Adjustment shall hear requests for variances to code and site development standards, including specific standards contained in this ordinance, except matters under the jurisdiction of the Columbus Graphics Commission.

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

Passed May 19, 2003, Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0715-03

To rezone 5396 ROBERTS ROAD (43026), being 4.33± acres located on the north side of Roberts Road, 201± feet east of Hilliard-Rome Road, From: R-1, Residential and R, Rural Districts, To: L-C-4, Limited Commercial District.

WHEREAS, application #Z03-007 is on file with the Building Services Division of the Department of Development requesting rezoning of 4.33± acres from R-1, Residential and R, Rural Districts, to L-C-4, Limited Commercial District; and

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

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-C-4, Limited Commercial District is consistent with the land use recommendations in the West Columbus Interim Development Concept (1991) and would permit controlled commercial development consistent with established zoning and development patterns of the area. The proposed limitation text includes customary use restrictions and buffering provisions along the north and east property lines, 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:

5396 ROBERTS ROAD (43026), being 4.33± acres located on the north side of Roberts Road, 201± feet east of Hilliard-Rome Road, and being more particularly described as follows:

5396 Roberts Road

Z03-007

Legal Description for Rezoning - 4.330 Acres

BEGINNING at the southwest corner of the lot herein to be described, said point being North 03°14'05" East a distance of 60.00 feet from the intersection of the centerline of Roberts Road and the westerly line of a 0.919 acre tract conveyed to Juergan S. Baumann and Lori A. Reinacher, as

recorded in Instrument Number 199708040061720;

Thence, continuing with said westerly line, and the westerly line of the tract herein described North 03°14'05" East a distance of 216.11 feet to an angle point in said line;

Thence, continuing with said line, North 00°36'32" East a distance of 169.41 feet to the northwest corner of the tract herein described;

Thence, with the north line of the tract herein described North 84°25'45" East a distance of 29.94 feet to an angle point in said line;

Thence continuing with said line North 84°33'50" East a distance of 384.23 feet to an angle point in said line;

Thence continuing with the northerly line of the tract herein described North 84°33'35" East a distance of 21.10 feet to the northeasterly corner of the tract herein described;

Thence, with the easterly line of the tract herein described South 05°05'37" East a distance of 36.04 feet to an angle point in said line;

Thence, continuing with the easterly line of the tract herein described South 03°31'15" East a distance of 412.08 feet to the southeasterly corner of the tract herein described;

Thence, with the southerly line of the tract herein described, said line also being the proposed right-of-way line for Roberts Road North 87°30'17" West a distance of 476.25 feet to the PLACE OF BEGINNING, containing 4.330 acres, more or less.

To Rezone From: R-1, Residential and R, Rural Districts,

To: L-C-4, Limited Commercial District

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the L-C-4, Limited Commercial District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-C-4, Limited Commercial District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said plan being titled "PERIMETER LANDSCAPE PLAN" and said text being titled, "DEVELOPMENT TEXT L-C-4, LIMITED COMMERCIAL 4.33± ACRES," signed by Donald Plank, Attorney for the Applicant, dated April 14, 2003, and reading as follows:

**DEVELOPMENT TEXT
L-C-4, LIMITED COMMERCIAL
4.33± ACRES**

EXISTING DISTRICTS:	R, Rural and R-1, Residential
PROPOSED DISTRICT:	L-C-4, Limited Commercial
PROPERTY ADDRESS:	5396 Roberts Road, Columbus, OH 43026
OWNER:	Harold F. Fuller, et. al. (6), do Donald Plank, Esq., Shuler Plank & Brahm, 145 East Rich Street, Columbus, OH 43215
APPLICANT:	Giltz and Associates, Inc. do Donald Plank, Esq., Shuler Plank & Brahm, 145 East Rich Street, Columbus, OH 43215
DATE OF TEXT:	April 14, 2003
APPLICATION #:	Z03-007

INTRODUCTION: The site consists of 5 tax parcels totaling 4.33± acres net of Roberts Road right of way dedication totaling 60 feet from centerline. Four of the parcels are developed with single family dwellings annexed to Columbus in 1972 and 1974. The site fronts on Roberts Road, a major east/west arterial scheduled for further widening and improvements and abuts commercial development to the south and west. The Interim Development Concept: 1991, designates this site as appropriate for commercial use. As a policy, the City of Columbus has encouraged the assemblage of multiple residential parcels on major arterials for redevelopment. The proposed rezoning is consistent with city policies and adopted land use recommendations. All existing dwellings will be razed in conjunction with the redevelopment of the site.

1. **PERMITTED USES:** Permitted uses are those uses described in Columbus City Code Section 3356.03, C-4, Permitted Uses except that no dwelling units located above any ground level commercial use shall be permitted. The following uses are specifically prohibited: adult bookstore, adult motion picture, theater, adults only entertainment facility, production of adult materials or adult entertainment, armory, cabaret, dance hall, electric substation, ice house, massage parlor, motion picture theater, motor bus terminal, night club, private club, off-premise graphics, except for off-premise graphics which are approved as part of a Graphics Plan or Special Permit by the Graphics Commission, public parking garage for pay, skating rink, and storage garage.

2. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in this text, the applicable development standards are contained in Chapter 3356 (C-4, Commercial) of the Columbus City Code.

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

1. A minimum ten (10) foot landscaped parking setback shall be established along Roberts Road starting at 60 feet from centerline. Roberts Road right of way totaling 60 feet from centerline will be deeded to the City of Columbus.

2. A minimum thirty (30) foot wide landscaped building and parking setback shall be established from and along the north and east perimeter property lines, as depicted on the plan titled "Perimeter Landscape Plan: 5396 Roberts Road" dated April 9, 2003 and signed April 14, 2003 by Donald Plank, Attorney for Applicant. The west setback depicted on the "Perimeter Landscape Plan" is optional.

3. Total lot coverage for structures and paved areas shall not exceed 80%.

4. Buildings will be a maximum of one (1) story.

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

1. Applicant has completed a Traffic Access Study ("Study"), (W-D Partners, 3/20/03) in conjunction with this rezoning proposal. Curb cuts shall be designed and located to the specification of the City of Columbus Division of Transportation consistent with the Study, however, alternative access, such as a shared access point on Roberts Road with property to the west may also be approved, subject to approval of the Division of Transportation. Applicant shall provide a 195+ foot east bound left turn on Roberts Road for the full turning movement curbcut for the site. The full turning curbcut shall be 3 lanes with a 36 foot section for right-in, right-out and left-out lanes. The Roberts Road street tree planting and parking lot tree islands depicted on the plan titled "Perimeter Landscape Plan" may be adjusted to reflect Division of Transportation approval of final engineering of the site.

2. Size, ratio and type of parking and loading shall be regulated by the Columbus Zoning Code under Chapter 3342.

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

1. Within the required 10 foot parking setback along Roberts Road, a street tree row shall be established. Street trees shall be planted at approximately 40 feet on center along the Roberts Road frontage.

2. Within the 30 foot north and east perimeter building and parking setback areas, fencing and landscaping shall be provided as depicted on the plan titled "Perimeter Landscape Plan" prepared by Blake Rafeld and Associates dated April 9, 2003 and signed by Donald Plank, Attorney for Applicant, dated April 14, 2003. Exact placement of plants is subject to minor adjustment based on field conditions. Comparable plant species may be substituted for specified plant material based on plant material availability.

3. The "Perimeter Landscape Plan" depicts a setback from the west property line. The west setback depicted on the "Perimeter Landscape Plan" is not required and is not a condition of the "Perimeter Landscape Plan" or development plan approval. The landscaped setback at the northwest corner of the property may be adjusted, where the north setback is not contiguous to residentially zoned property, if vehicular access IS provided to the west onto abutting commercial property to accommodate driveway connections among abutting commercial property.

4. Minimum size of plant material at time of installation shall be as follows: Deciduous Shade and Street Trees - 2 1/2" caliper, Evergreen trees - 5-6 feet and Ornamental Trees - 1 1/2" caliper.

5. All trees and landscaping shall be well maintained. Dead or diseased plant material shall be replaced within 3 months, weather permitting.

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

1. The primary exterior wall finish material, other than glass for window and door areas, shall be brick. Stucco or comparable (EIFS, DryVit) may be used as an accent material. There shall be no exposed smooth concrete block.

2. Mechanical equipment or other utility hardware on the roof of a building shall be screened from view from the property lines.

3. Building illumination shall be permitted provided such light source is concealed.

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

1. All external outdoor area lighting shall be fully shielded cut-off fixtures (down lighting), except decorative lighting fixtures at pedestrian entrances.

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

3. Light poles shall be the same color and material. Parking lot light poles shall not exceed 18 feet in height.

4. No parking lot light poles will be located closer than 26 feet to the north and east property lines.

5. All new wiring within the development shall be underground. Applicant shall not be required to place underground any above ground wiring existing at the time of zoning nor will applicant be required to place underground any wiring that the applicable utility will not grant permission to place underground.

F. Graphics and Signage Commitments

1. All signage shall conform to Chapters 3375 through 3383 of the Columbus City Code as they apply to C-4, Commercial District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous:

1. A pedestrian sidewalk across the Roberts Road setback shall be provided.

2. Forum for Variance: The Board of Zoning Adjustment shall hear requests for variances to code and site development standards, including specific standards contained in this ordinance.

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

Passed May 19, 2003, Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy

McSweeney, City Clerk

ORD NO. 0716-03

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with The Title Firm, Inc. as provide in Columbus City Council Resolution 144X-02 adopted July 22, 2002.

WHEREAS, the City desires to increase employment opportunities and encourage establishment of new jobs in the City in order to improve the overall economic climate of the City and its citizens; and

WHEREAS, Resolution 144X-02, adopted July 22, 2002, authorizing the Department of Development to establish the Columbus Downtown Office Incentive program; and

WHEREAS, The Department of Development has received a completed application for the Columbus Downtown Office Incentive program from The Title Firm, Inc.; and

WHEREAS, The Title Firm, Inc. estimates that it will create 12 employees at 399 East Main Street, in newly leased space, with a projected payroll of \$520,000 generating estimated City of Columbus income tax revenue of \$10,400 annually; NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized to enter into a Columbus Downtown Office Incentive Program agreement with The Title Firm, Inc. pursuant to Columbus City Council Resolution 144X-02, for an annual cash payment equal to 50% of the total income tax withholding paid to the City of Columbus for a five (5) year term based on the estimated addition of 12 jobs at 399 East Main Street.

Section 2. This employment at The Title Firm, Inc. is the result of relocating 12 new jobs in the Downtown as defined in Columbus City Code Title 33 Section 3359.03 downtown district boundary.

Section 3. As provide in the program guidelines the lease is for 10 years thus qualifying for a five (5) year term for the incentive. The term beginning in calendar year 2004, with the incentive payment made in the first quarter of each year for five years beginning in 2005 based on actual employment figures for the preceding year.

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

Passed May 19, 2003, Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0717-03

To authorize the acceptance of 5 deeds, for parcels of land to be included in the Land Bank inventory.

WHEREAS, Columbus Compact Corporation, is the owner of the said real estate; and

WHEREAS, by virtue of said deeds to the city of Columbus will be recorded in the Franklin County, Ohio, Recorder's Office; and

WHEREAS, the City desires to accept the deeds for said properties which will be held in the Land Bank Program and managed in accordance with the Land Reutilization Program's policies and procedures; now, therefore,

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

Section 1. That the City of Columbus hereby accepts the properties described herein as:

OWNER	PARCEL NUMBER	ADDRESS
Columbus Compact	010-001891	165-167 N Miami Avenue
	010-013080	232 N 18 th Street

010-035363	50 N 17 th Street
010-038104	986 E Main Street
010-045403	992 E Main Street

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.
 Passed May 19, 2003, Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0719-03

To accept the application (AN03-004) of Rockford Homes, Inc. for the annexation of certain territory containing 15.1 ± Acres in Jefferson Township.

WHEREAS, a petition for the annexation of certain territory in Jefferson Township was duly filed by Rockford Homes, Inc. on January 28, 2003; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated March 4, 2003; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on March 12, 2003; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the proposed annexation as applied for in the petition of Rockford Homes, Inc. being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio January 28, 2003 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated March 4, 2003, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Jefferson, located in Quarter Township 4, Township 1, Range 16, United States Military Lands and being described as follows:

Beginning in the existing City of Columbus Corporation Line as established by Ordinance No. 2426-97 and Ordinance No.2092-95 and in the southerly line of the 32.022 acre tract conveyed to M/I Schottenstein Homes by deed of record in Instrument No.200205160123268, at the northwesterly corner of Lot No.57 of "WAGGONER WOODS, SECTION 1, PART 2", a subdivision of record in Plat Book 99, Page 70;

Thence southerly, a distance of approximately 133 feet, along the westerly lines of said Ordinance No.2092-95 and "WAGGONER WOODS, SECTION 1, PART 2" and an easterly line of said 32.022 acre tract, to a point at the common corner of said 32.022 acre tract and the 15.00 acre tract conveyed to Joseph Recchie by deed of record in Instrument No. 199809160235405;

Thence westerly, a distance of approximately 1301 feet, along a line common to said 32.022 and 15.000 acre tracts, to a point in an easterly line of a 45.553 acre tract conveyed to M/I Schottenstein Homes by deed of record in Instrument No. 199804010076717,

The following three courses and distances along the lines common to said 32.022 and 45.553 acre tracts:

1. Thence northerly, a distance of approximately 133 feet, to a point;
2. Thence westerly, a distance of approximately 82 feet, to a point;
3. Thence northerly, a distance of approximately 317 feet, to a point on a curve in the southerly right-of-way line of the

CSX Transportation, Inc. railroad at a common corner of said 32.022 and 45.553 acre tracts;
 Thence easterly, a distance of approximately 958 feet, along said curve to the right, said southerly right-of-way line of CSX Transportation, Inc. railroad, the northerly line of said 32.022 acre tract and partly along the City of Columbus Corporation line as established by Ordinance No.0897-00, to a point of tangency;

Thence easterly, a distance of approximately 269 feet, continuing along the southerly right-of-way line of CSX Transportation, Inc. railroad, northerly line of said 32.022 acre tract and the City of Columbus Corporation line as established by Ordinance No.0897-00, to a point at the northwesterly corner of said Ordinance No.2426-97;

The following two courses and distances across said 32.022 acre tract:

1. Thence southerly, a distance of approximately 451 feet, along the westerly line of said Ordinance No.2426-97, to a point;
2. Thence easterly, a distance of approximately 200 feet, along the southerly line of said Ordinance No.2426-97, to the Point of Beginning, containing approximately 15.1 acres of land, more or less.

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed May 19, 2003, Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0720-03

To appropriate \$1,968.18 in the Special Purpose Fund for the Transportation Division Employee Award Program. (\$1,968.18)

WHEREAS, in 1993, the Transportation Division received \$5,000.00 from the Santa Maria Award for saving monies for the City of Columbus, and

WHEREAS, a Special Purpose Fund was established for these monies to be received and utilized to establish an employee awards and recognition program, and

WHEREAS, it is necessary to appropriate the current cash in the Special Purpose Fund to allow for the payment of expenditures in connection with the distribution of employee awards for 2003; now, therefore

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

Section 1. That the sum of \$1,968.18 is hereby authorized to be appropriated from the unappropriated balance of the Special Purpose Fund No.223 and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2003 to the Transportation Division, Dept./Div. No.59-09, OCA 593014, Project No.223100, Object Level One 02 the sum of

\$1,468.18 and Object Level One 05 the sum of \$500.00.

Section 2. That the monies appropriated in Section 1 shall be paid upon order of the Public Service Director; and that no order shall be drawn or paid except by voucher, the form of which shall be approved by the City Auditor.

Section 3. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed May 19, 2003, Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0721-03

To authorize the Public Service Director to execute an agreement with the Franklin County Engineer for the reconstruction of a portion of Lane Avenue for the Transportation Division and to authorize the expenditure of \$1,145,000.00 or so much thereof as may be needed from the 1995, 1999 Voted Streets and Highways Fund. (\$1,145,000.00)

WHEREAS, the Transportation Division needs to enter into an agreement(s) with the Franklin County Engineer to reconstruct a portion of Lane Avenue, and

WHEREAS, the first of two payments for the reconstruction of the intersection of Lane Avenue and Olentangy River Road adjacent to the bridge over the Olentangy River is now due to the Franklin County Engineer, and

WHEREAS, payment of the balance of the cost of this Lane Avenue project will be due to Franklin County upon completion of the project; now, therefore

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

SECTION 1. The Public Service Director is hereby authorized to enter into contract(s) with Franklin County to complete the reconstruction of Lane Avenue, Phase 1, the reconstruction of the intersection of Lane Avenue and Olentangy River Road adjacent to the bridge over the Olentangy River as necessary for the Transportation Division.

SECTION 2. That the expenditure of \$1,145,000.00 or so much thereof as may be needed be and hereby is authorized to be expended from the 1995, 1999 Voted Streets and Highways Fund, Fund 704, Department No.59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6631, OCA Code 644385, Project 590401 to pay the cost thereof.

SECTION 3. That the Public Service Director be and hereby is hereby authorized to issue payment to the Franklin County Engineer in the amount of \$1,145,000.00 or so much thereof as may be needed for on behalf of the Transportation Division for the above-described project.

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

Passed May 19, 2003, Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0722-03

To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation to grant consent and propose cooperation with the State of Ohio for a roadway microsurfacing project on SR 161 for the Transportation Division. (\$-0-)

The following is an ordinance enacted by the City of Columbus, Franklin County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

WHEREAS, the State of Ohio has identified the need for the SR 161 microsurfacing project from 0.30 miles east of Little Turtle Way to the Licking County line; now, therefore

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

SECTION 1 - Project Description

The State of Ohio has identified the need for the described project:

This project proposes to perform pavement preventive maintenance on various routes throughout District Six. Within the City of Columbus, the work consists of a double application of microsurfacing on SR 161 from 0.30 miles east of Little Turtle Way to the Licking County line

SECTION 2- Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above-described project.

SECTION 3- Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above-described project as follows:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director of Transportation of the State of Ohio.

The Ohio Department of Transportation shall assume and bear one hundred percent (100%) of the necessary costs of the highway improvement project.

In the event that the City requests certain features or appurtenances be included within the highway improvement project's design and construction, and which features and appurtenances are determined by the State and the Federal Highway Administration to be not necessary for the State's highway improvement project, the City shall, prior to the project being advertised for construction contract bidding purposes, provide appropriate documentation that its Council has appropriated, and its Auditor has certified as being available for such specific purposes, funds sufficient in amount to cover one hundred percent of the costs of incorporating such additional features or appurtenances within the State's project, including preliminary engineering, final design, right-of-way, construction and construction engineering expenses as may be directly related thereto.

SECTION 4- Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION 5- Maintenance

Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial resources, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions, and (4) hold said right-of-way inviolate for public highway purposes.

SECTION 6- Authority to Sign

The Public Service Director of said City is hereby empowered on behalf of the City of Columbus to enter into contracts with the

Director of Transportation necessary to complete the above-described project.

SECTION 7 - This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed May 19, 2003, Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0723-03

To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for a bridge reconstruction project on the 5R710 (Cleveland Avenue) structure over IR270 for the Transportation Division. (-\$0-)

The following is an ordinance enacted by the City of Columbus, Franklin County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

WHEREAS, the State of Ohio has identified the need for the SR710 (Cleveland Avenue) structure over IR270 bridge project; now, therefore BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1 - Project Description

WHEREAS, the State of Ohio has identified the need for the described project:

This project proposes to reconstruct the fascia beam and cross frames on the 5R710 (Cleveland Avenue) structure over IR270 due to collision damage; now, therefore

SECTION 2- Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above-described project.

SECTION 3- Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above-described project as follows:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director of Transportation of the State of Ohio.

The Ohio Department of Transportation shall assume and bear one hundred percent (100%) of the necessary costs of the highway improvement project.

In the event that the City requests certain features or appurtenances be included within the highway improvement project's design and construction, and which features and appurtenances are determined by the State and the Federal Highway Administration to be not necessary for the State's highway improvement project, the City shall, prior to the project being advertised for construction contract bidding purposes, provide appropriate documentation that its Council has appropriated, and its Auditor has certified as being available for such specific purposes, funds sufficient in amount to cover one hundred percent of the costs of incorporating such additional features or appurtenances within the State's project, including preliminary engineering, final design, right-of-way, construction and construction engineering expenses as may be directly related thereto.

SECTION 4- Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION 5- Maintenance

Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial resources, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions, and (4) hold said right-of-way inviolate for public highway purposes.

SECTION 6- Authority to Sign

The Public Service Director of said City is hereby empowered on behalf of the City of Columbus to enter into contracts with the Director of Transportation necessary to complete the above-described project.

SECTION 7 - This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed May 19, 2003, Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0766-03

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-015) of 5.826 ± Acres in Clinton Township to the city of Columbus as required by the Ohio Revised Code.

WHEREAS, a petition for the annexation of certain territory in Clinton Township was duly filed by Nittany Lions, LTD, et al. on May 6, 2003; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for 5.826± acres in Clinton Township upon the annexation of said area to the city of Columbus:

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

At the present time fire protection for the proposed annexation is as follows:

First response from: Station 25, 739 W. Third Avenue, 6 Personnel / 3 Paramedics.

Apparatus responding: Paramedic/Engine, and Medic.

Time: 2.5 minutes

Second response from: Station 7, 1425 Indianola Avenue, 6 Personnel / 3 Paramedics.

Apparatus responding: Paramedic/Engine, and Medic.

Time: 4.0 minutes.

Sanitation: Residential refuse collection services will be available upon annexation of the property.

Streets: Maintenance will be available for any additional right-of-way that may be included in this annexation request.

Water: This site can be served by an existing 20 inch main located in Kinnear Road.

Sewer:

Sanitary Sewer: This site can be served by an existing 21 inch sewer located on the north side of Kinnear Road. Mainline extension is the responsibility of the developer.

Storm Sewer: All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development.

All sanitary and storm sewers required shall be constructed privately by the owners/developers at their own cost and expense with no cost to the city.

Section 2. If this 5.826 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Clinton Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Clinton Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed as amended May 19, 2003, Matthew D. Habash, President of Council / Approved as amended May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0767-03

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-016) of 1.09± Acres in Washington Township to the city of Columbus as required by the Ohio Revised Code.

WHEREAS, a petition for the annexation of certain territory in Washington Township was duly filed by A. I. Limited, LLC, et al. on May 6, 2003; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for 1 .09i acres in Washington Township upon the annexation of said area to the city of Columbus:

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

At the present time fire protection for the proposed annexation is as follows:

First response from: Station 30, 3555 Fishinger Blvd., 6 Personnel / 3 Paramedics.

Apparatus responding: Paramedic/Engine, and Medic.

Time: 11 minutes.

Second response from: Station 11, 2200 Case Road, 11 Personnel / 6 Paramedics.

Apparatus responding: Paramedic/Engine, Medic Rescue, Battalion Chief, and EMS Supervisor.

Time: 10 minutes.

Sanitation: Residential refuse collection services will be available upon annexation of the property.

Streets: Maintenance will be available for any additional right-of-way that may be included in this annexation request.

Water: This site can be served by an existing 16 inch main located in Wilcox Road.

Sewer:

Sanitary Sewer: This site can be served by an existing 10 inch sewer adjacent to the east property line.

Storm Sewer: All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development.

All sanitary and storm sewers required shall be constructed privately by the owners/developers at their own cost and expense with no cost to the city.

Section 2. If this 1.09 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Washington Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Washington Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and

pedestrian paths and sidewalks.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed as amended May 19, 2003, Matthew D. Habash, President of Council / Approved as amended May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0784-03

To appropriate \$11,784,104.79 within the Federal State Highway Engineering Fund; to authorize the Public Service Director to enter into a contract with Trucco Construction Company, Inc., for construction of the Hard Road Phase B Widening project for the Transportation Division; to authorize the expenditure of \$11,784,104.79 from the Federal State Highway Engineering Fund. (\$11,784,104.79)

WHEREAS, bids were received and publicly opened and read on March 27, 2003, for the Hard Road Phase B Widening project; and WHEREAS, a satisfactory low bid has been received; and

WHEREAS, it is necessary to provide for construction costs and construction inspection; and

WHEREAS, it is necessary to appropriate funds for this purpose; now therefore

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

SECTION 1. That from the unappropriated monies in the Federal State Highway Engineering Fund, Fund 765, and from the monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2003, the sum of \$3,011,124.00 be and hereby is appropriated to the Transportation Division, Department No.59-09, Object Level One Code 06, Object Level Three Code 6631, OCA Code 640375 and Grant 593006.

SECTION 2. That from the unappropriated monies in the Federal State Highway Engineering Fund, Fund 765, and from the monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2003, the sum of \$8,772,980.79 be and hereby is appropriated to the Transportation Division, Department No.59-09, Object Level One Code 06, Object Level Three Code 6631, OCA Code 561001 and Grant 561001.

SECTION 3. That the monies appropriated in the forgoing Sections 1 and 2 shall be paid upon order of the Public Service Director and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 4. That the Public Service Director be and is hereby authorized to enter into a contract with Trucco Construction Co., Inc., 3046 Home Road, Powell, Ohio 43065 for construction of the Hard Road Phase B Widening project in the amount of \$10,698,604.79 for the Transportation Division in accordance with the specifications and plans on file with in the office of the City Engineer, which are hereby approved, and obtain and pay for necessary inspection costs up to a maximum of \$1,085,500.00.

SECTION 5. That for the purpose of paying the cost of the contract and inspection, the sum of \$11,784,104.79, or so much thereof as may be necessary, is hereby authorized to be expended from the Federal State Highway Engineering Fund, Fund 765, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6631, \$3,011,124.00 from OCA Code 640375, Grant 593006 and \$8,772,980.79 from OCA Code 561001, Grant 561001.

SECTION 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed as amended May 19, 2003, Matthew D. Habash, President of Council / Approved as amended May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0785-03

To authorize and direct the City Auditor to adjust appropriation levels within various city funds in order to align appropriations with current expenditure projections.

WHEREAS, costs are being shifted to various other funds due to a reduction in general fund appropriations; and

WHEREAS, it is necessary to adjust appropriation levels within these various funds in order to align appropriations with current expenditure projections; NOW, THEREFORE,

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

SECTION 1. That from unappropriated monies in the emergency human services fund, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2003 the sum of \$750,000 be and is hereby appropriated to the emergency human services fund, fund 232, Department of Development, Housing Division, Division No.44-10, as follows:

<u>Object level One</u>	<u>Object Level Three</u>	<u>OCA Code</u>	<u>Amount</u>
03	3337	441023	\$500,000
		TOTAL	\$500,000

SECTION 2. That said monies shall be paid upon order of the director of the Department of Development; and no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 3. That appropriations currently authorized in the recreation and parks operation and extension fund, fund 285 are hereby decreased by the following amounts:

<u>Object level One</u>	<u>Object Level Three</u>	<u>OCA Code</u>	<u>Amount</u>
01	1101	510107	\$81,451
		TOTAL	\$81,451

SECTION 4. That appropriations currently authorized in the health special revenue fund, fund 250 are hereby decreased by the following amounts:

<u>Object level One</u>	<u>Object Level Three</u>	<u>OCA Code</u>	<u>Amount</u>
01	1101	500207	\$74,529
		TOTAL	\$74,529

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed as amended May 19, 2003, Matthew D. Habash, President of Council / Approved as amended May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0786-03

To decrease appropriations in the General Fund of the City of Columbus for fiscal year 2003 by \$4,931,812, to authorize and direct the cancellation of \$1,000,000 within the general fund, Department of Finance. (\$5,931,812)

WHEREAS, the City faces continuing challenges in the general fund's financial position; and

WHEREAS, the City Auditor has reduced the estimate of available resources into the general fund by \$5,931,812; and

WHEREAS, a reduction in general fund appropriation in the amount of \$4,931,812 along with \$1,000,000 cancellation of a prior year encumbrance are necessary to bring expenditures in line with projected revenues; and

WHEREAS, such a reduction is fiscally prudent; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That appropriations currently authorized in the following departments/ divisions are hereby decreased by the following amounts;

Division	Div. No.	OL3	OCA	Total
City Council	2001	1101	200105	30,000
		1101	200105	8,000
City Auditor	2201	1101	220103	2,316
		5501	900365	65,465
Income tax	2202	1101	220202	5,509
Parking Violations	2303	1101	230301	3,145
City Attorney	2401	1101	240101	19,731
Real Estate	2404	1101	240390	1,789
Special Litigation	2405	1101	242436	426
Civil Service	2701	1101	270106	29,039
Safety Admin	3001	1101	300111	16,809
		5501	900076	600,000
Communications	3002	1101	301721	11,059
Police	3003	1101	300606	37,666
		1102	300606	300,000
Fire	3004	1101	301461	10,516
Mayor	4001	1101	400101	21,830
Community Relations	4002	1101	400026	6,636
EBOCO	4003	1101	400291	10,564
Education	4004	1101	404004	4,765
Development Admin	4401	1101	440307	19,511
		3336	440307	25,000
Economic Dev	4402	1101	440314	3,691
Neighborhood Services	4405	1101	440329	11,664
		3336	440330	10,000
		3337	440260	10,000
		2193	440332	42,000
Planning	4406	1101	440334	8,730
Housing	4410	1101	440284	627
		3337	440284	500,000
Finance	4501	1101	451104	26,870
		5501	904508	24,667
Human Resources	4601	1101	460188	691,273
Technology	4701	1101	470724	14,059
Telecommunications	4703	1101	289637	2,027
Health	5001	5501	900068	74,529
Recreation and Parks	5101	5501	900050	499,747
		1101	590018	283,865
Service Director	5901	1101	590103	88,105
		1101	590105	88,105
		1101	593566	16,201
		6651	591201	556,000
Fleet	5905	6651	591201	556,000
Facilities	5907	1101	280933	10,068
Transportation	5909	1101	599111	121,859
		1102	599111	900
		1104	599111	2,650
		1105	599111	2,000
		1121	599111	17,411
		1150	599111	46,080
		1160	599111	27,756
		1171	599111	2,970
		1173	599111	7,528
		2246	599111	91,956
		3331	599111	133
		3380	599111	6,337
		3340	599112	39,020
		1101	599113	125,037
1102	599113	600		
1104	599113	2,200		
1105	599113	2,000		

1121	599113	10,816
1150	599113	22,672
1160	599113	17,241
1171	599113	1,849
1173	599113	4,677
2201	599113	194
3331	599113	100
3380	599113	3,000
3333	599117	75,000
5532	599117	15,000
5534	599117	15,000
5539	599117	<u>75,000</u>
		5,050,253

SECTION 2. That the City Auditor is hereby authorized and directed to unencumber \$1,000,000 in the General Fund, Fund 010, Department of Finance, Department No.45-01, Object Level One 10, Object Level Three 5501, OCA 904508.

SECTION 3 That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed as amended May 19, 2003, Matthew D. Habash, President of Council / Approved as amended May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

RESOLUTIONS

RES NO. 112X-03

To proclaim NATIONAL EMERGENCYMEDICAL SERVICES WEEK as May 18-24,2003.

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, over 1500 members of the Columbus Division of Fire provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, Columbus citizens benefit daily from the knowledge and expertise of these highly trained and dedicated individuals; and

WHEREAS, statistics clearly show that access to quality Emergency Medical Services (EMS) dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the Columbus Division of Fire became one of the first in the country to implement an innovative EMS delivery system that reduces response times and saves lives; and

WHEREAS, the Columbus Division of Fire is the first major metropolitan city to have an ambulance stationed at every fire station throughout the city; and

WHEREAS, the Columbus Division of Fire stresses the importance of citizens being prepared for a medical emergency, in ways such as knowing when to "Make the Right Call", learning CPR, and keeping up-to-date medical records for all family members; and

WHEREAS, the city has just initiated a partnership with local nonprofit community hospital networks, the Division of Fire, the International Association of Firefighters and others, to increase access to AEDs, automatic external defibrillator devices, in certain public venues and buildings; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS

That this Council does hereby proclaim the week of May 18-24, 2003 as NATIONAL EMERGENCY MEDICAL SERVICES WEEK and convey our gratitude to all members of the Columbus Division of Fire for their outstanding contributions to the safety and well being of the citizens of Columbus.

Adopted May 19, 2003 Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

RES NO. 113X-03

To recognize Columbus' 9th Annual Asian Festival, to be celebrated on May 24 and 25, 2003, at Franklin Park.

WHEREAS, this gala Festival represents a united effort of the many diverse Asian groups within Central Ohio, to highlight the beauty of the Asian cultures and heritage through the arts, and a depth of tradition; and

WHEREAS, supporters include the Ohio Arts Council, the Greater Columbus Arts Council, the Columbia Gas of Ohio, Inc. and the Central Ohio community; and

WHEREAS, the Festival will feature some of the best and most authentic cultural traditions from many of our Ohio Asian communities, encompassing a performance arts series, visual arts, crafts, and a rare opportunity to purchase exquisite foods not available in local Asian Restaurants; and

WHEREAS, the artists and performers will represent the finest talents, many of whom are master recipients of the Ohio Arts Council Award in the Traditional Arts Apprenticeship program which includes but is not limited to, masters of Indian and Chinese dance and music, Japanese traditional Taiko drumming and origami; now, therefore

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

That this Council does recognize Columbus' 9th Annual Asian Festival, to be held at Franklin Park on May 24 and 25, 2003.

BE IT FURTHER RESOLVED, that this Council appreciates the multicultural diversity in its community and encourages our entire Columbus community to attend and enjoy the beauty and depth of our Asian culture and heritage.

Adopted May 19, 2003 Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

RES NO. 114X-03

To recognize and commend Quang and Tina Nguyen the owners of Saigon Palace for their eleven years of culinary service to the downtown community.

WHEREAS, at the end of May 2003 after eleven years of operation, Quang and Tina Nguyen will be closing their family owned Saigon Palace restaurant, and

WHEREAS, Quang Nguyen left Vietnam for Japan in 1971 and received an undergraduate degree at Yamagata University, and then came to the United States in 1981 and enrolled in the Ph.D. chemistry program at the University of Michigan in Ann Arbor, and

WHEREAS, Tina Nguyen left Vietnam for the United States in 1975 settling in California where she lived with her family and later met Quang her future husband, and

WHEREAS, in 1983 Quang accepted a job with Chemical Abstracts and moved to Columbus marrying Tina in California in 1984, both became U.S. citizens in 1987; and

WHEREAS, after working for Chemical Abstracts for nine years Quang and Tina opened Saigon Palace located at 114 North Front Street during the first week in April 1992, and

WHEREAS, in the ensuing eleven years, Tina and Quang through their attention to detail, hands on management and customer service prepared nearly 272,000 meals at Saigon Palace delighting their many patrons by serving a high quality consistent cuisine featuring Vietnamese flavors which emphasized fresh vegetables and herbs, and

WHEREAS, downtown Columbus needs to nurture the diversity and variety of dining experiences exemplified by restaurants like Saigon Place, and

WHEREAS, at the end of May Tina and Quang Nguyen will close Saigon Palace in order to devote more of their time and attention to their son Minh and daughter Mulien in these formative years leading up to their finishing high school and entering college, with Quang returning to a position with Chemical Abstracts; now therefore

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

That this Council does hereby recognize, commend and thank Quang and Tina Nguyen for their eleven years of culinary service to the downtown community through their Saigon Palace restaurant. May the future for the Nguyen family be a healthy, happy and prosperous one.

BE IT FURTHER RESOLVED,

That a copy of this resolution be presented to Quang and Tina Nguyen.

Adopted May 19, 2003 Matthew D. Habash, President of Council / Approved May 20, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

RES NO. 115X-03

To recognize and congratulate Mrs. James Saunders on her retirement.

WHEREAS, Mrs. James Saunders has selflessly served the J. Ashburn, Jr. Youth Center and surrounding Westside community for the last 30 years; and

WHEREAS, Mrs. Saunders has been instrumental to the vision of the youth center as they sought to provide a nurturing environment of caring adults who were committed to helping young people develop their various talents and gifts; and

WHEREAS, Mrs. Saunders now wishes to spend more time with her family and has chosen to move on from the J. Ashburn, Jr. Youth Center, but her legacy will forever live on and her dedication will serve as the example for all others to follow; now therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS

That this council does hereby recognize and congratulate Mrs. James Saunders for her many years of dedication and service to the J. Ashburn, Jr. Youth Center.

BIDS WANTED – PURCHASING OFFICE

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if a corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE:

Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article 1, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

WITHHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX: All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

LOCAL CREDIT: For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$20,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSAL CALL (614) 645-7599

BID OPENING DATE 05/29/03

BID FOR UTILITY BODIES

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on MAY 29, 2003 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Water

Bid for Utility Bodies Solicitation No. SA-000446 GRW in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director

(05/17/03; 05/24/03)

BID FOR COREL WORD PERFECT SOFTWARE LICENSES

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on MAY 29, 2003 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: MUNICIPAL COURT CLERK

Bid for COREL WORD PERFECT SOFTWARE LICENSES Solicitation No. SA000444 JY in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director

(05/17/03; 05/24/03)

BID FOR PURCHASE OF (8) CUBIC YARD FRONT LOADING REFUSE CONTAINERS

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on May 29, 2003 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Refuse Collection

Bid for Purchase of (8) Cubic Yard Front Loading Refuse Containers Solicitation No. SA00044BGB in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director

(05/17/03; 05/24/03)

BID FOR PURCHASE OF WATER METERS AND APPURTENANCES

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on May 29, 2003 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Water

Bid for Purchase of Water Meters and Appurtenances Solicitation No. SA000434BGB in accordance with specifications on file in the Purchasing Office.

Joel Taylor Finance Director

(05/17/03; 05/24/03)

BID OPENING DATE 06/05/03**BID FOR OFFICE CHAIRS**

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on June 5, 2003 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

There will be a Pre-Bid meeting May 27, 2003, at 10:00 a.m. Purchasing Office's Large Conference Room, 50 West Gay Street, First Floor, Columbus, Ohio 43215.

Envelopes must be plainly marked: Office of Purchasing

Bid for Office Chairs Solicitation No. SA000448HJB in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director

(05/17/03; 05/24/03; 05/31/03)

BID FOR PURCHASE OF TOWER ALTITUDE CONTROL VALVE REPLACEMENT

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on June 5, 2003 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Division of Water

Bid for Purchase of Water Tower Altitude Control Valve Replacement Solicitation No. SA000449BGB in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director

(05/24/03; 05/31/03)

BID FOR PURCHASE OF PUMP CONTROL VALVE

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on June 5, 2003 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Division of Water

Bid for Purchase of Pump Control Valve Solicitation No. SA000450BGB in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director

(05/24/03; 05/31/03)

BIDS WANTED – OTHER DIVISIONS

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if a corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE:

Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article 1, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

WITHHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX: All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

LOCAL CREDIT: For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$20,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSAL CALL THE LISTED DIVISION

BID FOR DEPOSIT OF PUBLIC MONEY

Notice is hereby given in accordance with Chapter 321 of the Columbus City Codes, 1959 to all banks, and building and loan or savings associations or companies situated in Franklin County, Ohio, whose application for deposit of public money has been approved by the Columbus Depository Commission that bids will be accepted by the City Treasurer for the deposit of inactive funds:

The City Treasurer will accept such bids by telephone (645-7727) or in person between the hours of 8:00 a.m. and 10:45 a.m. Monday through Friday. Such bids should specify the time span of the certificate of deposit, the rate of interest being offered, the amount of funds being bid upon, and the beginning and ending date for which said bid is applicable. By order of the Columbus Depository Commission.

THOMAS ISAACS, Chairman
HUGH J. DORRIAN, Secretary
JOEL S. TAYLOR, Member

BID OPENING DATE 05/29/03

BID FOR RESURFACING AND CURB RAMPS 2003, UIRF.

Sealed proposals will be received by the City of Columbus Transportation Division, 109 N. Front Street, 3rd Floor, Room 300, Columbus, Ohio 43215 until 3:00 P.M. local time, and publicly opened and read at 109 N. Front Street, 2nd Floor, Room 205 at 3:00 P.M. on May 29, 2003, for Resurfacing and Curb Ramps 2003, UIRF, 1535 DR. A. The work for which proposals are invited consists of planning, asphalt overlay, concrete wheelchair ramps; and such other work as may be necessary to complete the contract in accordance with the plans and specifications.

Copies of the Contract Documents and the plans are on file in the office of the Transportation Division Administrator, 109 N. Front Street, 3rd Fl., Columbus, OH 43215 and are available to prospective bidders at the non-refundable cost of \$10.00.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for Resurfacing and Curb Ramps 2003, UIRF.
PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

Each Proposal must contain the full name of the party or parties submitting the proposal and all persons interested therein. Each bidder must submit evidence of its experiences on projects of similar size and complexity.

All contractors and subcontractors involved with the project will, to the extent practicable use Ohio Products, materials, services, and labor in the implementation of their project. Additionally, contractor compliance with the equal employment opportunity requirements of Ohio Administrative Code Chapter 123, the Governor's Executive Order of 1972, and Governor's Executive Order 84-9 shall be required.

PREVAILING WAGE RATE

Bidders must comply with the prevailing wage rates on Public Improvements in Franklin County and the City of Columbus, Ohio as determined by the Ohio Bureau of Employment Services, Wage and Hour Division (614) 644-2239.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, 2002 edition, will be required to assure the faithful performance of the work.

SUBSURFACE DATA

Subsurface data was not obtained for project design purposes.

PRE-BID CONFERENCE

There will not be a pre-bid conference for this project.

CONTRACT COMPLETION

The contract completion time is 90 calendar days.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in the Bid Submittal Documents refer to the City of Columbus, Ohio, Construction and Materials Specifications, 2002 edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of Project Management, Transportation Division, 109 N. Front Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-7348, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614)645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with their bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interests of the City.

(05/17/03; 05/24/03)

BID OPENING DATE 06/03/03

HOOVER RESERVOIR MUDFLATS BOARDWALK DEVELOPMENT

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 11:00 a.m. on Tuesday, June 3, 2003, and publicly opened and read immediately thereafter for: HOOVER RESERVOIR MUDFLATS BOARDWALK DEVELOPMENT

The work for which proposals are invited consists of the construction of a wooden boardwalk and overlook, concrete work and other such work as may be necessary to complete the contract in accordance with the plans and specifications

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders at Recreation and Parks Department Office at 200 Greenlawn Avenue, Columbus, Ohio 43223 (614)645-5765 upon a non-refundable payment of \$25.00 per package.

Proposals must be submitted on the proper forms contained in the Project Manual/Specifications and the ENTIRE Project Manual/Specifications containing the Proposal must be submitted in a sealed envelope marked "Hoover Reservoir MudFlats Boardwalk Development."

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid, including all alternates submitted which increase the bid. A certified copy of the authority to act must accompany all bonds signed by an agent.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90W. Broad St., Room 301, Columbus, Ohio 43215 (614)645-8290, at the offices of The Construction Inspection Division, 1800 B. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215(614) 645-4764.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, and/or to advertise for new proposals, when it is in the best interests of the City.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

OSHA/IEPA/ADA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this requirement.

Jerry Saunders, President Recreation and Parks Commission

Wayne A. Roberts, Executive Director Recreation and Parks Department

(05/17/03; 05/24/03)

BID OPENING DATE 06/05/03

BID FOR MOUND STREET - SOUDER AVENUE INTERSECTION IMPROVEMENTS

Sealed proposals will be received by the City of Columbus Transportation Division, 109 N. Front Street, 3rd Floor, Room 300, Columbus, Ohio 43215 until 3:00 P.M. local time, and publicly opened and read at 109 N. Front Street, 2nd Floor, Room 205 at 3:00 P.M. on June 5, 2003, for Mound Street - Souder Avenue Intersection Improvements, 1802 DR. E. The work for which proposals are invited consists of concrete pavement, drainage and such other work as may be necessary to complete the contract in accordance with the plans and specifications.

Copies of the Contract Documents and the plans are on file in the office of the Transportation Division Administrator, 109 N. Front Street, 3rd Fl., Columbus, OH 43215 and are available to prospective bidders at the non-refundable cost of \$80.00 for full-sized plans and \$20.00 for half-sized plans. A prospective bidder must verify that their name is added to an electronic log sheet upon receiving a copy of contract documents and plans. Your addition to the log is verified when you receive a computer generated receipt. The City of Columbus will use this log sheet in order to advise prospective bidders of any addendums to the contract and/or plans. Failure to be entered onto the electronic log sheet will result in rejection of any proposal and failure to refer to any addendum in a proposal will be considered non-responsive.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted **IN THEIR ENTIRETY** in a sealed envelope marked Bid for Mound Street -Souder Avenue Intersection Improvements. **PROPOSAL GUARANTY**

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Bidders must comply with the prevailing wage rates on Public Improvements in Franklin County and the City of Columbus, Ohio as determined by the Ohio Bureau of Employment Services, Wage and Hour Division (614) 644-2239.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, 2002 edition, will be required to assure the faithful performance of the work.

SUBSURFACE DATA

Subsurface data was not obtained for project design purposes.

PRE-BID CONFERENCE

A pre-bid conference for this project will be held on 9:00 June 2 at 1800 E. 17th Avenue. Only bids from contractors that attend the Pre-Bid Conference will be accepted for this project.

CONTRACT COMPLETION

The city will issue a notice to proceed on or about July 15, 2003. All roadway pavement work is to be complete and open to traffic by November 14, 2003. All work is to be completed by June 1, 2004.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in the Bid Submittal Documents refer to the City of Columbus, Ohio, Construction and Materials Specifications, 2002 edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of the Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and 109 N. Front St. 3rd Floor, Columbus, Ohio 43215 (614) 645-5660, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614)645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with their bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interests of the City.

(05/24/03; 05/31/03)

BID FOR ALLEY SOUTH OF MOOBERRY

Sealed proposals will be received by the City of Columbus Transportation Division, 109 N. Front Street, 3rd Floor, Room 300, Columbus, Ohio 43215 until 3:00 P.M. local time, and publicly opened and read at 109 N. Front Street, 2nd Floor, Room 205 at 3:00 P.M. on June 5, 2003, for Alley South Of Mooberry, 1857 DR. E. The work for which proposals are invited consists of concrete pavement, drainage and such other work as may be necessary to complete the contract in accordance with the plans and specifications.

Copies of the Contract Documents and the plans are on file in the office of the Transportation Division Administrator, 109 N. Front Street, 3rd Fl., Columbus, OH 43215 and are available to prospective bidders at the non-refundable cost of \$15.00 for full-sized plans and \$5.00 for half-sized plans. A prospective bidder must verify that their name is added to an electronic log sheet upon receiving a copy of contract documents and plans. Your addition to the log is verified when you receive a computer generated receipt. The City of Columbus will use this log sheet in order to advise prospective bidders of any addendums to the contract and/or plans. Failure to be entered onto the electronic log sheet will result in rejection of any proposal and failure to refer to any addendum in a proposal will be considered non-responsive.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted **IN THEIR ENTIRETY** in a sealed envelope marked Bid for Alley South of Mooberry. **PROPOSAL GUARANTY**

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Bidders must comply with the prevailing wage rates on Public Improvements in Franklin County and the City of Columbus, Ohio as determined by the Ohio Bureau of Employment Services, Wage and Hour Division (614) 644-2239.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, 2002 edition, will be required to assure the faithful performance of the work.

SUBSURFACE DATA

Subsurface data was not obtained for project design purposes.

PRE-BID CONFERENCE

There will not be a pre-bid conference for this project.

CONTRACT COMPLETION

The contract completion time is 60 calendar days.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in the Bid Submittal Documents refer to the City of Columbus, Ohio, Construction and Materials Specifications, 2002 edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of the Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and 109 N. Front St. 3rd Floor, Columbus, Ohio 43215 (614) 645-5660, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614)645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with their bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interests of the City.

(05/24/03; 05/31/03)

BID OPENING DATE 06/11/03

**BULEN AVENUE / SYCAMORE STREET
SEWER REPLACEMENT PROJECT
CAPITAL IMPROVEMENT PROJECT NO. 650632**

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio at the office of the Director of Public Utilities, 910 Dublin Road, Room 4190, until 3:00 p.m. Local Time on June 11, 2003 and publicly opened and read at that hour and place for the following project: BULEN AVENUE / SYCAMORE STREET

SEWER REPLACEMENT PROJECT, CAPITAL IMPROVEMENT PROJECT NO. 650632

The City of Columbus's contact person for this project is Tanya Arsh, P.E. of the Sewerage and Drainage's Sewer System Engineering Section, (614)645-8073.

The work for which proposals are invited consists of the following: Removal of approximately 900 linear feet of existing 8," 10", 15", 18" and 36-inch sewers; Installation of approximately 1,150 LF of 30-inch, 300 LF of 18-inch, 400 LF of 15-inch and 100 LF of 8-inch sanitary sewer. Ancillary work includes storm sewer installation, manhole removal, bypass pumping, pavement repair, maintenance of traffic, installation of 22 curb ramps, and any such work as may be necessary to complete the contract in accordance with the plans and specifications. included. Copies of the Contract Documents and the plans (CC-12946) are on file at the Division of Sewerage and Drainage, Sewer System Engineering Section, Permit Office, Room No.3051, 910 Dublin Road, Columbus, Ohio 43215-9053. The first set is available to prospective bidders at no cost with the second and subsequent sets available at a cost of \$25.00 per set on a no-refund basis. No partial units will be released.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents. The Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked: BULEN AVENUE/SYCAMORE STREET SEWER REPLACEMENT PROJECT, CAPITAL IMPROVEMENT PROJECT NO. 650632

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. The bond must express the amount of the bond in dollars and cents in order to be considered responsive. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

CONTRACT PREVAILING WAGE DETERMINATION

As a condition of Federal financial participation in the construction cost of this Contract, the prevailing rates of wages as required by the Ohio Revised Code as shown by the following wage schedule are a part of this Contract. The Contractor to whom the award is made and all its subcontractors shall pay not less than the prevailing rate of wages for the classes of work called for by this public improvement in the locality where the Work is to be performed. These rates were obtained from the Ohio Dept of Commerce, Div. Of Labor and Worker Safety, Wage and Hour Bureau, and it is believed that they are the latest rates in effect. The City assumes no responsibility in the event of an error in listing the rates. The Bidder and/or Contractor shall verify the correctness thereof. The prevailing wage rates applicable to this project as determined by the Wage & Hour Bureau are included in the Specification. The Contractor shall submit to the City's Prevailing Wage Coordinator, Transportation Division, 1800 East 17th Avenue, Columbus, OH 43219, weekly certified payrolls of its labor forces and all subcontractor's labor forces for review of compliance to the prevailing wage rates. Payment of any partial or final payment estimate otherwise due to the Contractor will be withheld when the Prevailing Wage Coordinator finds the Contractor to be delinquent in the furnishing of payment information or to be out of compliance with the requirements for payment of prevailing wages

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-8290; at the offices of the Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182; and at the office of the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215 (614)645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the City.

SUBSURFACE DATA

Subsurface data was obtained for project design purposes. Copies of the report are available upon execution of the subsurface information release form.

CONTRACT COMPLETION

The work under this contract shall be completed in a manner acceptable to the City within 270 calendar days after the effective date of the Notice to Proceed.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

OHIO AND U.S. EPA MBE/WBE FAIR SHARE UTILIZATION REQUIREMENTS

This project is a candidate for receiving assistance from the Water Pollution Control Loan Fund. All responsive bidders shall complete the required Subcontractor Utilization and Certification forms provided within the Contract Proposal.

Determination of MBE/FBE Fair Share Utilization: All documentation submitted by bidders not assured of achieving the fair share goals will be reviewed by the Procedural Compliance Unit, Division of Environmental and Financial Assistance. Based on the feasibility of subcontracting, the availability of MBEs and WBEs in the area (generally a 100-mile radius), and the Contractor's history of compliance, the Procedural Compliance Unit will determine whether the Contractor has made a good faith effort to achieve the fair share goals. If the effort is not satisfactory, the Contractor will be required to provide additional or sufficient minority and women's business participation, within 15 days, to demonstrate a good faith effort to achieve the fair share goals.

Questions or inquiries with regard to this provision should be forwarded to the Ohio EPA, Procedural Compliance Unit, Division of Environmental and Financial Assistance, P.O. Box 1049, Columbus, Ohio 43216-1049, (614)644-2832.

SMALL BUSINESS IN RURAL AREA PROVISION (SBRA)

This procurement is subject to the EPA Policy of encouraging the participation of small businesses in rural areas (SBRAs). It is EPA Policy that recipients of EPA financial assistance awards utilize the services of small businesses in rural areas (SBRAs), to the maximum extent practicable. The objective is to assure that such small business entities are afforded the maximum practicable opportunity to participate as subcontractors, suppliers and otherwise in EPA-awarded financial assistance programs. This policy applies to all contracts and subcontracts for supplies, construction, and services under EPA grants or cooperative agreements. Small purchases are also subject to this policy.

VIOLATING FACILITIES

All prospective bidders shall be required to comply with all applicable standards, order, or requirements under Section 306 of the Clean Air Act, 42 USC 1857 (h), Section 508 of the Clean Water Act, 33 USC 1368, Executive Order 11738, and EPA regulations, 40 CFR Part 32, which prohibits the use under non-exempt Federal contracts, grants, or loans of facilities included on the EPA List of Violating Facilities.

(05/24/03; 05/31/03)

**BID FOR CIRCUIT 14115 EXTENSION
HAGUE AVENUE / FISHER ROAD FOR POLICE ACADEMY**

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio, at the office of the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, until 3:00p.m. local time, on June 11, 2003 and publicly opened and read at the hour and place for the associated Circuit 14115 Extension, Hague Avenue/Fisher Road for Police Academy. The work for which proposals are invited consists of setting poles and installing overhead conductor as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents and the plans are on file in the office of the Division of Electricity, 3568 Indianola Avenue, Columbus, Ohio 43214, upon payment of \$25.00 per set (non-refundable). Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for Circuit 14115 Extension, Hague Avenue/Fisher Road for Police Academy.

PROPOSAL GUARANTY

The Bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten percent (10%) of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the Bidder is called to the special requirements, which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to

submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of The Construction Inspection Division, 1800 East 17th Avenue, Columbus, Ohio 43219 (614) 645-3182.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive Bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 120 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the City.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

PRE-BID CONFERENCE

A pre-bid conference for this subject will be held on June 3, 2003 at 10:00 a.m. at 3568 Indianola Avenue, Columbus, Ohio 43214.
(05/24/03; 05/31/03)

BID OPENING DATE 06/12/03

BID FOR 2003 ON-CALL BRICK REPAIR

PLEASE NOTE THE BID LOCATION HAS CHANGED: Sealed proposals will be received by the City of Columbus Transportation Division, 109 N. Front Street, 3rd Floor, Room 300, Columbus, Ohio 43215 until 3:00 P.M. local time, and publicly opened and read at 109 N. Front Street 2nd Floor, Room 205 at 3:00 P.M. on June 12, 2003, for 2003 On-Call Brick Repair, 1538 DR. A. The work for which proposals are invited consists of localized brick pavement repair and such other work as may be necessary to complete the contract in accordance with the plans and specifications.

Copies of the Contract Documents and the plans are on file in the office of the Transportation Division Administrator, 109 N. Front Street, 3rd Fl., Columbus, OH 43215 and are available to prospective bidders at the non-refundable cost of \$10.00 per set. A prospective bidder must verify that their name is added to an electronic log sheet upon receiving a copy of contract documents and plans. Your addition to the log is verified when you receive a computer generated receipt. The City of Columbus will use this log sheet in order to advise prospective bidders of any addendums to the contract and/or plans. Failure to be entered onto the electronic log sheet will result in rejection of any proposal and failure to refer to any addendum in a proposal will be considered non-responsive.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for 2003 On-Call Brick Repair.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements, which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid. Bidders must comply with the prevailing wage rates on Public Improvements in Franklin County and the City of Columbus in the State of Ohio as determined by the Ohio Bureau of Employment Services, Wage and Hour Division (614-644-2239).

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, 2002 edition, will be required to assure the faithful performance of the work.

SUBSURFACE DATA (Not Applicable for this Project)

Subsurface data was/was not obtained for project design purposes. If obtained, copies of the report are available upon execution of the subsurface information release form.

PRE-BID CONFERENCE (Not Applicable for this Project)

CONTRACT COMPLETION

The contract completion time is 365 calendar days.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, 2002 edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of the Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and 109 N. Front St. 3rd Floor, Columbus, Ohio 43215 (614) 645-5660, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614)645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interests of the City.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

(05/24/03; 05/31/03)

BID OPENING DATE 06/17/03
**RENOVATION OF PLUMBING FOR THE COLUMBUS HEALTH DEPARTMENT,
245 ALLEN AVENUE, CARRIAGE HOUSE**

Sealed bids will be received by the Department of Public Service, Division of Facilities Management of the City of Columbus, Ohio at their office, located at 90 West Broad Street, basement, Room B 16, Columbus, Ohio 43215 until 3:00 p.m. local time, on Tuesday, June 17, 2003 and publicly opened and read at the hour and place for RENOVATION OF PLUMBING FOR THE COLUMBUS HEALTH DEPARTMENT, 245 ALLEN AVENUE, CARRIAGE HOUSE.

A pre-bid meeting will be held Thursday, June 5, 2003 at 10:00 a.m., at 245 Allen Avenue, Carriage House, Columbus, Ohio. The work for which bids are invited consist of renovation of underground sewer lines and fixtures.

Copies of the Contract Documents are available in the office of Facilities Management, 90 West Broad Street, Basement Level, Room B 16, Columbus, Ohio 43215 beginning Monday, June 2, 2003. The first set of contract documents are available to prospective bidders at no cost. Additional sets are available to prospective bidders at a non-refundable cost of \$25.00.

Proposals must be submitted on the proper forms contained in the Bid Documents and the Bid Documents containing the Proposals must be submitted IN THEIR ENTIRETY in a sealed envelopment marked: Bid for: for RENOVATION OF PLUMBING FOR THE COLUMBUS HEALTH DEPARTMENT, 245 ALLEN AVENUE, CARRIAGE HOUSE.

**FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL.
PROPOSAL GUARANTY**

The bidder is required to submit a Proposal Guaranty, consisting either of a Proposal Bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

OSHA/EPA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this contract.

CONSTRUCTION AND MATERIALS SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Material Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specification are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Materials Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, Room 301, Columbus, Ohio 43215, (614) 645-8290, at the office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219, (614) 645-3182, at the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, (614)645-6141.

CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

The City of Columbus encourages the participation of Minority and female owned business enterprises. Each bidder must identify any subcontractor(s) who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of work and anticipated cost.* This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors. Equal Business Opportunity Commission Office, 109 N. Front Street 4th Floor, Columbus, Ohio 43215, (614) 645-4764.

*While the participation of minority and female owned businesses is encouraged the level of minority or female participation will not be a condition of the bid award.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interest of the City. Also, the right is reserved by the Public Service Director to hold bids for a period of 120 days after the bid opening for evaluating both the proposals and the contractors. The award of the contract may be made at any time during that period.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under laws of any other state.

(05/24/03; 05/31/03)

**RENOVATION OF FILTRATION SYSTEM AND TWO (2) AIR HANDLING UNITS AT
THE POLICE ACADEMY, 2609 MCMNLEY AVENUE**

Sealed bids will be received by the Department of Public Service, Division of Facilities Management of the City of Columbus, Ohio at their office, located at 90 West Broad Street, basement, Room B 16, Columbus, Ohio 43215 until 3:00 p.m. local time, on Tuesday, June 17, 2003 and publicly opened and read at the hour and place for RENOVATION OF FILTRATION SYSTEM AND TWO (2) AIR HANDLING UNITS AT THE POLICE ACADEMY, 2609 MCMNLEY AVENUE.

A pre-bid meeting will be held Friday, June 6, 2003 at 9:00 a.m., at the Police Academy, 2609 McKinley Avenue, Columbus, Ohio. The work for which bids are invited consist of renovation of the filtration system and 2 air handling units.

Copies of the Contract Documents are available in the office of Facilities Management, 90 West Broad Street, Basement Level, Room B 16, Columbus, Ohio 43215 beginning Monday, June 2, 2003. The first set of contract documents are available to prospective bidders at no cost. Additional

sets are available to prospective bidders at a non-refundable cost of \$25.00.

Proposals must be submitted on the proper forms contained in the Bid Documents and the Bid Documents containing the Proposals must be submitted IN THEIR ENTIRETY in a sealed envelopment marked: Bid for: for RENOVATION OF FILTRATION SYSTEM AND TWO (2) AIR HANDLING UNITS AT THE POLICE ACADEMY, 2609 MCMNLEY AVENUE.

FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL.
PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting either of a Proposal Bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

OSHA/EPA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this contract.

CONSTRUCTION AND MATERIALS SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Material Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specification are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Materials Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, Room 301, Columbus, Ohio 43215, (614) 645-8290, at the office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219, (614) 645-3182, at the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, (614)645-6141.

CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

The City of Columbus encourages the participation of Minority and female owned business enterprises. Each bidder must identify any subcontractor(s) who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of work and anticipated cost.* This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors. Equal Business Opportunity Commission Office, 109 N. Front Street 4th Floor, Columbus, Ohio 43215, (614) 645-4764.

*While the participation of minority and female owned businesses is encouraged the level of minority or female participation will not be a condition of the bid award.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interest of the City. Also, the right is reserved by the Public Service Director to hold bids for a period of 120 days after the bid opening for evaluating both the proposals and the contractors. The award of the contract may be made at any time during that period.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under laws of any other state.

(05/24/03; 05/31/03)

BID OPENING DATE 06/19/03

BID FOR 1069 WOODLAND AVENUE, WATER AND SANITARY LINES

Sealed proposals Will be received by McDaniel's Construction Corp., Inc., 109 N. Front Street, 3rd Floor, Room 300, Columbus, Ohio 43215 until 3:00 P.M. local time, and publicly opened and read at 109 N. Front Street, 2nd Floor, Room 205 at 3:00 P.M. on June 19, 2003, for Storm and Waterline Installation, 1069 Woodland Avenue, Columbus, Ohio 43219. The work for which proposals are invited consists of installation of approximately 430 lf of 8" Ductile Iron Waterline, 136 lf 8" Sanitary Line and 245 lf of 12" Sanitary Line and such other work as may be necessary to complete the contract in accordance with the plans and specifications.

Copies of the Contract Documents and the plans are on file at the office of McDaniel's Construction Corp., Inc., at 1069 Woodland Avenue, Columbus, Ohio 43219 and are available to prospective bidders at the non-refundable cost of \$25.00 per set.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for 1069 Woodland Avenue, Water and Sanitary Lines.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the McDaniel's Construction Corp., Inc. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, 2002 edition, will be required to

assure the faithful performance of the work.

SUBSURFACE DATA (Not Applicable for this Project)

Subsurface data was/was not obtained for project design purposes. If obtained, copies of the report are available upon execution of the subsurface information release form.

PRE-BID CONFERENCE

June 5, 2003, 9:00 a.m. at 1069 Woodland Avenue

CONTRACT COMPLETION

The contract completion time is 60 calendar days.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, 2002 edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of the Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182 and 109 N. Front St., 3rd Floor, Columbus, Ohio 43215 (614) 645-5660, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Owner, McDaniel's Construction Corp., Inc., to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interests of the Owner.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

(05/24/03; 05/31/03)

BID OPENING DATE 07/16/03

**BIG WALNUT AUGMENTATION/RICKENBACKER INTERCEPTOR
PART I**

Sealed Proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio, at its office, 910 Dublin Road, Room 4105, until 3:00 p.m., Local Time, on Wednesday, July 16, 2003, and publicly opened and read at that hour and place for the construction of: Big Walnut Augmentation/Rickenbacker Interceptor, Part I

The City of Columbus' contact person for this project is Gary W. Gilbert, P.E., of the Sewerage and Drainages Division's Sewer System Engineering Section, telephone number 614/645-7436.

The Work for which Proposals are invited consists, in general, of the following:

1. Installation of 20,829± lineal feet of 168" sanitary sewer tunnel using precast concrete segmental tunnel lining.
2. Installation 225± lineal feet of 14'-8" x 14'-0" cast-in-place concrete box sanitary sewer by pipe-in-trench (open cut) construction method.
3. Installation of 7 access shafts/manhole structures.
4. Installation of 615± lineal feet of 30" and 36" sanitary sewer pipe by a combination of microtunneling or bore and jack method with pipe-in-trench (open cut) construction.
5. Installation of 21,054± lineal feet of Corrosion Protection Lining for 168" Sanitary Sewer and associated structures.
6. Installation of 278± lineal feet of 18" sanitary sewer pipe by a combination of bore and jack method with pipe-in-trench (open cut) construction.
7. Associated site work and restoration.

BASIS OF BIDS:

Bids shall be a Lump Sum as shown in the Proposal.

VIEWING BIDDING DOCUMENTS:

Copies of the Bidding Documents (CC-12846) will be on file after May 19, 2003, and may be examined at the following locations:

- 1) Division of Sewerage and Drainage, Sewer System Engineering Section, 910 Dublin Road, Columbus, Ohio 43215, (614) 645-7490.
- 2) URS Corporation, 277 West Nationwide Blvd., Columbus, Ohio 43215-2566, (614) 464-4500, Attention Karen Castle.
- 3) Plan Room, Builder's Exchange or Dodge Reports, 1175 Dublin Road, Columbus, Ohio 43215, (614)486-6575.
- 4) Plan Room, Builder's Exchange, 981 Keynote Circle, Cleveland, Ohio 44131, (216) 661-8300.
- 5) F.W. Dodge Corporation, 655 Eden Park Drive, Suite 515, Cincinnati, Ohio 45202, (513) 345-8200.
- 6) Dodge/SCAN, 1255 Euclid Avenue, #305 Cleveland, Ohio 44115, (216) 901-1589.
- 7) Minority Contractor's Assistance Program, 1000 E. Main Street, Columbus, Ohio 43205, (614) 252-8005, Fax: (614) 252-9667.
- 8) H.R. Gray & Associates, Inc., 1335 Dublin Road, Suite 100-B, Dublin Road, Columbus, Ohio 43215, (614)487-1335.

PURCHASING BIDDING DOCUMENTS:

Copies of the Bidding Documents may be purchased by prospective bidders through the office of URS Corporation (Attn: Karen Castle), 277 West Nationwide Blvd., Columbus, Ohio 43215-2566, upon payment of \$300.00 per set. No refunds will be made. Checks are to be made payable to URS Corporation.

SUBMITTING A PROPOSAL:

Proposals must be submitted on the Proposal forms contained in Volume I of the Project Manual and the said Volume of the Project Manual must be submitted IN ITS ENTIRETY in a sealed envelope marked: "BID FOR: Big Walnut Augmentation/Rickenbacker Interceptor, Part I, C.I.P. No. 491.1"

Bidding on this Project is strictly limited to Contractors proposing to comply with the entirety of the Contract Documents. Contractor's proposals that do not comply with the Contract Documents will be considered non-responsive.

PRE-BID CONFERENCE:

There will be a Pre-bid Conference held on Tuesday, June 10, 2003, at 1:00 p.m. eastern daylight savings time at the Hamilton Township Trustees Building, 6400 Lockbourne Road, Lockbourne, OH 43137, (614491-3963). Attendance is encouraged.

PROOF OF QUALIFICATIONS:

Bidders shall provide proof of qualifications to perform the Work as described in Paragraph 1.04 of the Instructions to Bidders (Section 00100).

PROPOSAL GUARANTY:

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal Bond (Bid Bond), in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the Bidders Grand Total (the sum of Pay Item Nos. 1 and 2) on the Bid Schedule. The Proposal Bond must express the amount of the bond in dollars and cents in order to be considered responsive. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

COMMENCEMENT AND COMPLETION:

Contract time of commencement and completion will be in accordance with the Contract.

CONTRACT PERFORMANCE AND PAYMENT BOND:

A Contract Performance and Payment Bond of 100 percent of the amount of the Contract Sum (Bidders Grand Total - the sum of Pay Item Nos. 1 and 2 on the Bid Schedule) with a surety or sureties licensed to conduct business in the State of Ohio will be required to assure the faithful performance of the Work.

LICENSING OF CORPORATIONS:

Particular attention is directed to the statutory requirements of the State of Ohio relative to licensing of entities incorporated under the laws of any other State.

OHIO WATER POLLUTION CONTROL LOAN FUND PROVISIONS:

Any Contract or Contracts awarded under this Advertisement may be funded in whole or in part by a loan from the Ohio Water Pollution Control Loan Fund (WPCLF). Neither the State of Ohio or United States nor any of their Departments, Agencies or employees is or will be a party to this Advertisement or any resulting Contract. Contracts funded by this source will be subject to the following provisions.

- 1) **RESPONSIBILITY FOR PAYMENT:** The City is responsible for making monthly progress payments in accordance with the Contract Documents, even when the Owner's failure to comply with the loan conditions delay or disqualify further payment from the WPCLF.
- 2) **OTHER PROVISIONS:** The successful Bidder also must comply with all the provisions of (a) All provisions of OSHA governing the work; Contract Work Hours and Safety Standards Act; (b) Title IV of the Civil Rights Act of 1964; and (c) Ohio EPA policy of encouraging the participation of Small Business in Rural Areas (SBRAs).
- 3) **NONDISCRIMINATION IN EMPLOYMENT:** Bidders will be required to comply with the President's Executive Order No. 11246, as amended. The requirements for Bidders and Contractors under this order are explained in the specifications and in 41 CFR 604.
- 4) **CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS:** Bidders will be required to comply with the President's Executive Order No. 12549. The requirements for Bidders and Contractors under this order are explained in the specifications and in 40 CFR Part 32.
- 5) **OHIO AND U.S. EPA MBEI/WBE FAIR SHARE UTILIZATION REQUIREMENTS:** This Project shall receive financial assistance from the Water Pollution Control Loan Fund. All responsive bidders shall complete the required Subcontractor Utilization and Certification forms provided within the Contract Proposal.

Determination of MBEI/WBE Fair Share Utilization: All documentation submitted by bidders not assured of achieving the fair share goals will be reviewed by the Procedural Compliance Unit, Division of Environmental and Financial Assistance. Based on the feasibility of subcontracting, the availability of MBEs and WBEs in the area (generally a 100-mile radius), and the contractor's history of compliance, the Procedural Compliance Unit will determine whether the contractor has made a good faith effort to achieve the fair share goals. If the effort is not satisfactory, the contractor will be required to provide additional or sufficient minority and women's business participation, within 15 days, to demonstrate a good faith effort to achieve the fair share goals.

Questions or inquiries with regard to this provision should be forwarded to the Ohio EPA, Procedural Compliance Unit, Division of Environmental and Financial Assistance, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2832.

- 6) **CONTRACT PREVAILING WAGE DETERMINATION:** As a condition of financial participation in the construction cost of this Contract, the prevailing rates of wages as determined by the Ohio Department of Commerce Division of Labor & Worker Safety Wage and Hour Bureau are a part of this Contract. The Contractor to whom the award is made and all its subcontractors shall pay not less than the prevailing rate of wages for the classes of work called for by this public improvement in the locality (Franklin County) where the Work is to be performed. These rates were obtained from the State and it is believed that they are in the latest rates in effect. The City assumes no responsibility in the event of an error in listing the rates. The Bidder and/or Contractor shall verify the correctness thereof. The prevailing wage rates applicable to this project are included in the Specification Section 00600. The Contractor shall submit to the City's Prevailing Wage Coordinator, Division of Construction Inspection, 1800 East 17th Avenue, Columbus, OH 43219, weekly certified payrolls of its labor forces and all subcontractor's labor forces for review of compliance to the prevailing wage rates. Payment of any partial or final payment estimate otherwise due to the Contractor will be withheld when the Prevailing Wage Coordinator finds the Contractor to be delinquent in the furnishing of payment information or to be out of compliance with the requirements for payment of prevailing wages.

- 7) **NON-SEGREGATED FACILITIES:** Bidders will be required to provide a "Certification of Non-segregated Facilities." The certification provides that the Bidder does not maintain or provide for its employees facilities which are segregated on a basis of race, creed, color, or national origin, whether such facilities are segregated by directive or on a de facto basis.

- 8) **SMALL BUSINESS IN RURAL AREA PROVISION (SBRA):** This procurement is subject to the EPA Policy of encouraging the participation of small businesses in rural areas (SBRAs). It is EPA Policy that recipients of EPA financial assistance awards utilize the services of small businesses in rural areas (SBRAs) to the maximum extent practicable. The objective is to assure that such small business entities are afforded the maximum practicable opportunity to participate as subcontractors, suppliers and otherwise in EPA-awarded financial assistance programs. This policy applies to all contracts and subcontracts for supplies, construction, and services under EPA grants or cooperative agreements. Small purchases are also subject to this policy.

- 9) **VIOLATING FACILITIES:** All prospective bidders shall be required to comply with all applicable standards, order, or requirements under Section 306 of the Clean Air Act, 42 USC 1857 (h), Section 508 of the Clean Water Act, 33 USC 1368, Executive Order 11738, and EPA regulations, 40 CFR Part 32, which prohibits the use under non-exempt Federal contracts, grants, or loans of facilities included on the EPA List of Violating Facilities.

EQUAL EMPLOYMENT OPPORTUNITY:

No bid will be deemed responsive unless the Bidder's certification and other EEO information required by the specifications is submitted with the Bid.

CONTRACT COMPLIANCE REQUIREMENTS:

Each responsive Bidder shall submit, with its Bid, a currently valid City of Columbus Contract Compliance Certification Number (CCCN) or a completed application for City certification. Each Bidder shall identify, using the forms in the Proposal, the subcontractors it proposes to use, with the proposed value of the work to be sublet to each entity to fulfill the Contract, if awarded. Each Bidder shall also provide current CCCNs of all subcontractors, or completed applications for certification.

BID CANCELLATION AND REJECTIONS:

The right is reserved, by the Director of Public Utilities of the City of Columbus, Ohio, to cancel this Advertisement for Bids, to reject any and/or all Bids, and to waive technicalities. The Director also has the right to hold Bids for a period of 180 days after the Bid opening, to make an award of the Contract at any time during that 180 day period. In addition, the Director reserves the right to advertise for new Proposals when such action is deemed by the Director to be in the best interests of the City.

REQUIRED NAMES AND ADDRESSES:

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE:

(1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provisions of this Equal Opportunity Clause.

(2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that the Contractor is an equal opportunity employer.

(3) It is the policy of the City of Columbus that business concerns owned and operated by minority and female persons shall have the maximum practicable opportunity to participate in the performance of contracts awarded by the City.

(4) The Contractor shall permit access to any relevant and pertinent reports and documents by the Executive Director for the sole purpose of verifying compliance with this Article, and with the regulations of the Contract Compliance Office. All such materials provided to the Executive Director by the Contractor shall be considered confidential.

(5) The Contractor will not obstruct or hinder the Executive Director or his deputies, staff and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.

(6) The Contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The Contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.

(7) The Contractor agrees to refrain from subcontracting any part of this contract or contract modification thereto to a Contractor not holding a valid certification number as provided for in Article I, Title 39.

(8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this contract.

WITHHOLDING OF INCOME TAX:

All Bidders are advised that in order for a contract to bind the City each contract must contain the provisions found in Section 361.35 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX:

All Bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with the City Auditor, is thereby incorporated into and made part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as part thereof.

LOCAL CREDIT:

For all contracts except professional service contracts: The Contractor shall be compliant with revisions to Chapter 329 in the Columbus City Code as authorized by City Council on 4/29/02 (Ord. 0081-02).

(05/17/03; 05/24/03)

**PROFESSIONAL SERVICES
REQUEST FOR PROPOSAL (RFP)
REQUEST FOR STATEMENT OF QUALIFICATIONS (RFSQ)**

**PROFESSIONAL SERVICES
REQUEST FOR PROPOSAL
COLUMBUS RECREATION AND PARKS DEPARTMENT**

Proposals will be received at the Columbus Recreation and Parks Department Administrative Annex, 200 Greenlawn Avenue, Columbus, OH 43223, until 5:00 P.M., June 13, 2003 for: Walnut Bluffs High Ropes Course Complex

Three (3) copies of each proposal are required for submittal.

Consultant shall provide architectural & engineering services for the preparation of program development, schematic plans, design development documents, construction documents and construction administration necessary for the design, construction and operation of a High Ropes Course Complex at the Walnut Bluffs Campground Area of Hoover Reservoir. The City of Columbus Recreation and Parks Department would enter into an agreement with the contractor and receive a percentage of the gross annual income. If at such time the contractor no longer operates the complex, the equipment becomes the property of the City of Columbus Recreation and Parks Department.

The format for procurement of these services will be per Section 329.14 of the Columbus City Code. Evaluation criteria shall include, but need not be limited to, the following: (1) the competence of the offeror to perform the required service as indicated by the technical training, education and experience of the offeror's personnel who would be assigned to perform the work; (2) the quality and feasibility of the offeror's technical proposal; (3) the ability of the offeror to perform the required service competently and expeditiously as indicated by the offeror's workload and the availability of necessary personnel, equipment and facilities; (4) past performance of the offeror as reflected by the evaluations of the City agency, other City agencies and other previous clients of the offeror with respect to such factors as quality of work, success in controlling costs, and success in meeting deadlines; and (5) the cost or pricing structure of the offeror's proposal.

Interested firms should apply to the Recreation and Parks Department with the following information:

1. Firm name, address, telephone number and contact person.
2. Year established.
3. Types of services for which it is qualified.
4. Names of principals in the firm with professional registrations.
5. Names and experience of key personnel assigned to this project.
6. Outside consultants, if any, who will be used on this project.
7. MBE/FBE participation in the project.
8. List of completed projects of similar nature with contact person for each.
9. City of Columbus Contract Compliance Certification Number or copy of completed application.
10. Estimate of all fees for the work along with billing rates for the key personnel involved.

RFP Information Packet for this project is available from 8 A.M. to 5 P.M., Monday through Friday, beginning Monday, May 19, 2003, at the Administrative Annex, 200 Greenlawn Avenue, Columbus, OH 43223.

All questions regarding the submittal should be directed to Elayna M. Grody, Recreation and Parks Department, 614-645-3304. E-mail: emgrody@columbus.gov

All consultants will be subject to the provisions of the City of Columbus, Contract Compliance Program regarding equal employment opportunity.

Jerry Saunders, President, Recreation and Parks Commission

Wayne A. Roberts, Executive Director Recreation and Parks Department

(05/17/03; 05/24/03)

**PROFESSIONAL SERVICES
REQUEST FOR STATEMENT OF QUALIFICATIONS
COLUMBUS RECREATION AND PARKS DEPARTMENT**

Statement of Qualifications will be received at the Columbus Recreation and Parks Department Administrative Annex, 200 Greenlawn Avenue, Columbus, OH 43223, until 5:00 P.M., Friday, June 6, 2003 for: Professional Consulting Services for Roof Renovations at Various Facilities

Five (5) copies of each statement are required for submittal.

Project to require Consultant to provide engineering, architectural, technical and testing services to investigate existing roof problems and conditions at various (12) recreation centers and other buildings managed by the Recreation and Parks Department. Consultant will prepare recommendations, cost estimates, bid plans and specifications and provide construction administration services.

Project budget: \$550,000.00. Includes architectural and engineering fees, testing, permit fees, and all construction costs.

The format for criteria for any contract awarded under this section of these services will be per Section 329.11 of the Columbus City Code. Evaluation criteria shall include, but need not be limited to, the following: (1) the competence of the offeror to perform the required service as indicated by the technical training, education and experience of the offeror's personnel who would be assigned to perform the work; (2) the quality and feasibility of the offeror's technical proposal; (3) the ability of the offeror to perform the required service competently and expeditiously as indicated by the offeror's workload and the availability of necessary personnel, equipment and facilities; and (4) past performance of the offeror as reflected by the evaluations of the City agency, other City agencies and other previous clients of the offeror with respect to such factors as quality of work, success in controlling costs, and success in meeting deadlines.

Interested firms should apply to the Recreation and Parks Department with the following information:

1. Firm name, address, telephone number and contact person.
2. Year established.
3. Types of services for which it is qualified.
4. Names of principals in the firm with professional registrations.
5. Names and experience of key personnel who would be assigned to this project.
6. Outside consultants, if any, who will be used on this project.
7. Anticipated MBE/FBE participation in the project.

8. List of completed projects of similar nature with contact person for each. Only firms with substantial roof renovation project experience should apply.
9. City of Columbus Contract Compliance Certification Number or copy of completed application.

RFSQ Information Packet for this project is available from 8 A.M. to 5 P.M., Monday through Friday, beginning Monday, May 19, 2003, at the Administrative Annex, 200 Greenlawn Avenue, Columbus, OH 43223.

All questions regarding the submittal should be directed to John Deeth, Recreation and Parks Department, 614-645-7665. E-mail: jhdeeth@columbus.gov.

All consultants will be subject to the provisions of the City of Columbus, Contract Compliance Program regarding equal employment opportunity.

Jerry Saunders, President, Recreation and Parks Commission

Wayne A. Roberts, Executive Director Recreation and Parks Department

(05/17/03; 05/24/03)

**NOTICE OF REQUEST FOR LETTER OF INTEREST
SPRING-SANDUSKY INTERCHANGE OVERALL TRAFFIC MANAGEMENT PLAN
GENERAL ENGINEERING SERVICES**

The Department of Public Service of the City of Columbus, Ohio is seeking Letters of Interest (LOI) for professional engineering services associated with the implementation of the Spring-Sandusky Interchange (SS I) Overall Traffic Management Plan (OTMP).

The requested engineering services are in support of designing traffic calming devices and conducting traffic monitoring. The City is developing the OTMP to mitigate traffic impacts created by the Spring-Sandusky Interchange on the adjacent historic neighborhoods.

Examples of work include preparing and presenting at public meetings; preparing construction documents (plans and specifications) for traffic calming improvements; and conducting monitoring studies of vehicular traffic (24-hour automated speed/volume counts and manual counts as needed.) A variety of traffic calming projects incorporating historically appropriate materials and techniques may be designed under this contract, including; speed humps, raised intersections, raised crosswalks, traffic circles, median islands, bulb-outs, on-street parking, chicanes and traffic control devices. Additional work may include utility relocation, storm drainage design, curb and sidewalk replacement/construction and new ADA curb ramp design.

The location of projects under this contract are in the area approximately bound by Fourth Street on the east, State Route 315 on the west, Eleventh Avenue on the north and Interstate-670 to the south.

The Letter of Interest shall be limited to ten (10) single-sided sheets stapled in the upper left-hand corner, with page numbers at the bottom center of each page. Tabbed inserts are prohibited. A one-page cover letter on company letterhead is allowable and will not be counted toward the number of sheets in the LOI. Failure to meet these requirements will result in rejection of the LOI. Interested firms shall submit ten (10) copies: Transportation Division, City of Columbus, 109 North Front Street, 3rd Floor, Columbus, Ohio 43215, ATTN: David Bush, Interim Contract Administrator

The Letter of Interest shall describe the firm's specific knowledge and experience in traffic calming design and traffic data collection; the project manager and staff resources, including subconsultants assigned to perform this work and their qualifications (including the number of registered Ohio professional engineers in the primary firm); and the firm's location. A minimum of three firms will be selected to submit a detailed technical proposal, from which one firm will be selected for the design contract.

Letters of Interest will be accepted at the above address until 12:00 pm on June 2, 2003.
(05/17/03; 05/24/03)

**COLUMBUS RECREATION AND PARKS DEPARTMENT
COLUMBUS, OHIO
REQUEST FOR PROPOSAL
BERLINER PARK SPECIAL EVENT PARKING CONTRACT**

The city of Columbus, Department of Recreation and Parks, is seeking proposals from qualified individuals or companies interested in collecting event-parking fees for athletic tournaments and special events.

ADVERTISEMENT FOR BERLINER PARK SPECIAL EVENT PARKING CONTRACT

Sealed proposals will be received by the Recreation and Parks Department of the City of Columbus, Ohio, at its office at 420 West Whittier Street, by June 13, 2003 and publicly opened and read immediately thereafter for:

BERLINER PARK SPECIAL EVENT PARKING

Copies of Bidder Information, Proposal Forms, and Contract Specifications can be obtained at: Recreation and Parks Sports Section Office, 420 West Whittier Street, Columbus, Ohio 43215

Proposals shall be submitted with proposal bond forms properly executed in accordance with directions contained in "Information to Bidders" section, together with the remaining executed proposal documents.

The proposals shall be accompanied by a proposal bond, on the form provided in the contract documents, with surety or sureties satisfactory to the Recreation and Parks Commission, or by a certified check on a solvent bank of the City of Columbus, Ohio. Such proposal bond or check shall be in the amount of \$500.00 (five hundred dollars and no cents). If the proposal bond is given by a surety company, proof of authority of the officer or agent signing the bond, together with a recent financial statement of the surety company, shall be attached. If a certified check is given, it shall be drawn payable to the order of Wayne A. Roberts, Executive Director of the Department of Recreation and Parks - Columbus, Ohio. The bond or check shall be forfeited if the bidder fails to enter into a contract with the City of Columbus, Ohio, and to furnish the required performance bond within ten (10) days after notice of the acceptance of their proposal, if the award is made to said bidder. The bonds or checks, with the exception of the highest three bidders, will be returned as soon as the bids are canvassed. The bonds or checks of these highest three bidders will be held until the execution of the contract and the furnishing of the required performance bond, after which they will be returned on demand.

A performance bond (contract bond) with a satisfactory surety will be required for the faithful performance of the work.

The bidder will be required to state in full detail, on their proposal, their experience in this class of work and bids from Bidders inexperienced in event parking will not be considered.

EQUAL OPPORTUNITY CLAUSE:

"Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Minority business enterprises and female business enterprises bidding on contracts shall also include a contract compliance number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract".

Proposals must be submitted on the Proposal Forms, contained in the Contract Documents and said Contract Documents containing the

Proposal must be submitted in their ENTIRETY in sealed envelopes marked "Proposal for Berliner Park Event Parking Contract" and addressed to: RECREATION AND PARKS COMMISSION, 420 WEST WHITTIER STREET, COLUMBUS, OHIO 43215

The Executive Director of Recreation and Parks has the right to reject any or all bids.
(05/24/03; 05/31/03)

**NOTICE OF REQUEST FOR LETTER OF INTEREST
2004 TRAFFIC CALMING PROGRAM
GENERAL ENGINEERING SERVICES**

The Department of Public Service of the City of Columbus, Ohio is seeking Letters of Interest (LOI) for professional engineering services associated with the 2004 Traffic Calming Program.

The overall purpose of this work is to provide engineering support to the Traffic Calming Program, which has been established to identify and address impacts of vehicular traffic on livability and neighborhood mobility.

Examples of work include preparing and presenting at public meetings; preparing construction documents (plans and specifications) for traffic calming improvements; and conducting monitoring studies of vehicular traffic (24-hour automated speed/volume counts and manual counts), if authorized. A variety of traffic calming projects incorporating neighborhood and historically appropriate materials and techniques may be designed under this contract. These projects include, but are not limited to, the construction of speed humps, raised intersections, raised crosswalks, traffic circles, median islands, bulb-outs, on-street parking, chicanes and traffic control devices. Additional work may include utility relocation, storm drainage design, curb and sidewalk replacement/construction and new ADA curb ramp design.

The location of projects under this contract varies throughout the City of Columbus.

The Letter of Interest shall be limited to ten (10) single-sided sheets stapled in the upper left-hand corner, with page numbers at the bottom center of each page. Tabbed inserts are prohibited. A one-page cover letter on company letterhead is allowable and will not be counted toward the number of sheets in the LOI. Failure to meet these requirements will result in rejection of the LOI. Interested firms shall submit ten (10) copies: Transportation Division, City of Columbus,

109 North Front Street, 3rd Floor, Columbus, Ohio 43215, ATTN: David Bush, Interim Contract Administrator

The Letter of Interest shall describe the firm's specific knowledge and experience in traffic calming design and traffic data collection; the project manager and staff resources, including subconsultants assigned to perform this work and their qualifications (including the number of registered Ohio professional engineers in the primary firm); and the firm's location. A minimum of three firms will be selected to submit a detailed technical proposal, from which one firm will be selected for the design contract.

Letters of Interest will be accepted at the above address until 12:00 pm on June 16, 2003.

(05/24/03; 05/31/03)

PUBLIC NOTICES

**CITY BULLETIN NOTICE
MEETING SCHEDULE
CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2003 are scheduled as follows:

- Monday, February 3, 2003
- Monday, May 12, 2003
- Monday, September 29, 2003

The location of these meetings will be City Hall, 90 West Broad Street, 2nd Floor, Mayor’s Conference Room. They will begin promptly at 10:00 am

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time or location of any meeting; or to hold additional meetings. To confirm the meeting date, time and locations or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator at (614) 645-8539.
(10/2002; 10/2003)

**OFFICIAL NOTICE
CIVIL SERVICE COMMISSION
COMPETITIVE EXAMINATION
ANNOUNCEMENTS
APPLY DAILY MONDAY THROUGH FRIDAY 8:00 A.M. TO 4:30 P.M.**

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is posted at the Commission offices located at 50 West Gay Street, 6th Floor, Columbus, Ohio. Please note that all visitors to the Beacon Building are required to produce a picture ID, authenticating their identity, in order to visit the applications area. Interested applicants should regularly check this location for examination announcements. Also, please visit our website at www.csc.columbus.gov.
(01/2003; 12/2003)

**BOARD OF REVIEW
OF GENERAL AND LIMITED
SIGN ERECTORS
MEETING SCHEDULE**

MEETING TIME: 1ST Tuesday of each month (except May & November) November through April 3:00 p.m. and May through October at 3:30, 757 Carolyn Avenue, Hearing Room E.

CUT-OFF TIME FOR APPLICATIONS: One week prior to the meeting

Questions: Dave Reiss: 645-7973

CUT-OFF DATES	MEETING DATES
January 28	February 4
February 25	March 4
March 25	April 1
May 6	May 13
May 27	June 3
June 24	July 1
July 29	August 5
August 26	September 2
September 24	October 7
November 4	November 11
November 26	December 2

(01/25/03; 12/27/03)

**BOARD OF REVIEW OF
WARM AIR & HYDRONICS CONTRACTORS
MEETING SCHEDULE
2003**

MEETING TIME: 2nd Tuesday of each month, 5:00 pm at 757 Carolyn Avenue, Hearing Room D.

CUT-OFF TIME FOR APPLICATIONS: One week prior to the meeting

Questions: Cheryl Roahrig: 645-3270

CUT-OFF DATES	MEETING DATES
February 6	February 11
March 4	March 11
April 1	April 8
May 6	May 13

June 3	June 10
July 1	July 8
August 5	August 12
September 2	September 9
October 7	October 14
November 4	November 11
December 2	December 9

(01/25/03; 12/27/03)

**BOARD OF REVIEW OF
ELECTRICAL CONTRACTORS
MEETING SCHEDULE
2003**

MEETING TIME: 2nd Wednesday of each month, 5:00 pm at 757 Carolyn Avenue, Hearing Room E.
CUT-OFF TIME FOR APPLICATIONS: One week prior to the meeting
Questions: Jerry Tudor: 645-6076

CUT-OFF DATES	MEETING DATES
February 7	February 12
March 5	March 12
April 2	April 9
May 7	May 14
June 4	June 11
July 2	July 9
August 6	August 13
September 3	September 10
October 1	October 8
November 5	November 12
December 3	December 10

(01/25/03; 12/27/03)

**BOARD OF REVIEW
OF REFRIGERATION CONTRACTORS
MEETING SCHEDULE**

MEETING TIME: 1ST Wednesday of each month at 5:00 pm at 757 Carolyn Avenue, Hearing Room H.
CUT-OFF TIME FOR APPLICATIONS: One week prior to the meeting
Questions: Cheryl Roahrig: 645-3270

CUT-OFF DATES	MEETING DATES
January 29	February 5
February 26	March 5
March 26	April 2
April 30	May 7
May 28	June 4
June 25	July 2
July 30	August 6
August 27	September 3
September 24	October 1
October 29	November 5
November 26	December 3

(01/25/03; 12/27/03)

**BOARD OF REVIEW OF
PLUMBING CONTRACTORS
2003 BOARD MEETING
SCHEDULE**

MEETING TIME: 3rd Wednesday of each month at 5:00 p.m.
CUT-OFF TIME FOR APPLICATIONS: 1 week prior to the meeting
QUESTIONS: Larry Caito: 645-6340

CUTOFF DATES	MEETING DATES
February 12	February 19
March 12	March 19
April 9	April 16
May 14	May 21

June 11	June 18
July 9	July 16
August 13	August 20
September 10	September 17
October 8	October 15
November 12	November 19
December 10	December 17

(01/25/03; 12/27/03)

**EXHIBIT A
NOTICE OF REGULAR MEETINGS
COLUMBUS RECREATION AND PARKS COMMISSION**

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercises certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.

Please take notice that meetings of the Recreation and Parks Commission will be held at 8:30 a.m. on the following dates and locations (unless otherwise posted):

- Wednesday, January 8, 2003- Operations Complex, 420 W Whittier Street
- Wednesday, February 12, 2003 – Operations Complex, 420 W Whittier Street
- Wednesday, March 12, 2003—Operations Complex, 420 W Whittier Street
- Wednesday, April 9, 2003—Operations Complex, 420 W Whittier Street
- Wednesday, May 14, 2003 – Walnut Hill Golf Course, 6001 E. Livingston Avenue
- Wednesday, June 11, 2003 – Goodale Shelterhouse, 120 W Goodale Boulevard
- Wednesday, July 9, 2003 – Gillie Recreation Center, 2100 Morse Road
- August Recess – No meeting
- Wednesday, September 10, 2003-Whetstone Park of Roses Shelterhouse, 4015 Olentangy Boulevard
- Wednesday, October 8, 2003- Davis Youth Complex (Franklin Park), 1755 E. Broad Street
- Wednesday, November 12, 2003 – Operations Complex, 420 W Whittier Street
- Wednesday, December 10, 2003 – Operations Complex, 420 W Whittier Street

In the event no proper business exists the meeting may be cancelled without further notice. For further information you may contact the Recreation and Parks Department, 90 West Broad Street, Room 115, Columbus, Ohio 43215 (Telephone: [614] 645-3300).

(02/01/03 thru 12/13/03)

**MEETING NOTICE
BOARD OF COMMISSION APPEALS**

The Board of Commission Appeals will hold a hearing on May 28, 2003, at 1:30 P.M. in the Community Training Center, 109 N. Front Street, Ground Floor. Copies of the agenda may be obtained by calling 645-8040. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. Interested parties may schedule an interpreter or receive additional information by calling Connie Torbeck at 645-8040 or TDD 645-6407.

(05/10/03; 05/17/03; 05/24/03)

**AGENDA
BOARD OF ZONING ADJUSTMENT
CITY OF COLUMBUS, OHIO
MAY 27, 2003**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on TUESDAY, MAY 27, 2003 at 6:00 P.M. in the First Floor Hearing Room of the Building Services Division, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Building Services Division, 757 Carolyn Avenue, 645-7314.

SPECIAL NOTE TO THE APPLICANT: It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

SIGN LANGUAGE INTERPRETER: An interpreter to "Sign" this meeting will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours prior to the scheduled meeting time. To schedule an interpreter, please contact the City of Columbus, Human Resources Department at 645-6373 or TDD 645-3293.

THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M.:

APPEAL:

1. 03312-00004
5959 LUCCT'S COURT
Westland Commission
R-2, Residential
To Appeal Zoning Code Violation Order No. 03470-00869 issued on 2/27/03 for:
 1. 3342.225, Parking or keeping inoperable vehicle.
- Code Enforcement Officer: Edgar Dillon
Code Enforcement Officer Phone: 645-0659

Appellant: Gerald & Shelia Rollins, 5959 Luccis Court, Columbus, Ohio 43228
 Owner: same as appellant
 Attorney/Agent: none

VARIANCE(S) AND/OR SPECIAL PERMIT(S):

2. ODS No.: 03310-00014
 Location: 2400 CREEKWAY DRIVE (43207), located at the dead-end of Creekway Drive.
 Area Comm./Civic: Council of Southside Organizations
 Existing Zoning: M-1, Manufacturing District
 Request: Variance(s) to Section(s):
 1. 3365.21, Height and area regulations.
 To reduce the required rear and side yard setbacks from 25 ft. to 0 ft. for storage and to allow an existing 8 ft. tall fence to remain.
 2. 3365.35, Storage.
 To permit the open storage of shipping containers and trailers within 100 ft. of any residential or apartment residential zoning district. (To permit storage at a 0 ft. setback.)
 3. 3342.15, Maneuvering.
 To permit maneuvering between the parking setback line and the street right-of-way.
 4. 3342.18, Parking setback line.
 To reduce the parking setback line from 25 ft. to 8 ft. (17 ft.).
 5. 3342.24, Surface.
 To permit the driveway to the parking lot and for the aisles and driveways in the storage yard to not be a hard surface and instead remain improved with gravel.

Proposal: To permit storage closer to a residential zoning district than allowable. To permit parking and maneuvering on other than an approved hard surface.

Applicant(s): Leslie S. Johnson; c/o Lane, Alton, & Horst, L.L.C., 175 S. Third St., Suite 700, Columbus, Ohio 43215
 Property Owner(s): Reserve-Creekway, Inc., 32400 Aurora Rd., Suite 4, Solon, Ohio 44139
 Case Planner: Dave Reiss, 645-7973

3. ODS No.: 03310-00015
 Location: 156 BLENHEIM ROAD (43214), located on the north side of Blenheim Road, 50± feet west of Foster Street.
 Area Comm./Civic: Clintonville Area Commission
 Existing Zoning: R-3, Residential District
 Request: Variance(s) to Section(s):
 1. 3332.26, Minimum side yard permitted
 To reduce the minimum side yard from 3 feet to 1 foot along the west side of a detached garage.
 2. 3342.08, Driveway
 To reduce the width of a residential driveway from 10 feet to 7.5± feet.

Proposal: To raze a 372 sq. ft. detached garage and build a larger 484 sq. ft. two-car detached garage. Also, to legitimize a nonconforming driveway that straddles a property line.

Applicant(s): Daniel R. & Nancy S. King, 156 Blenheim Rd., Columbus, OH 43214
 Property Owner(s): Applicants
 Case Planner: Denise Powers, 645-1788

4. ODS No.: 03310-00016
 Location: 895 DENNISON AVENUE (43215), located at the southwest corner of Dennison and West 1st Avenues.
 Area Comm./Civic: Victorian Village Commission
 Existing Zoning: R-4, Residential District
 Request: Variance(s) to Section(s):
 1. 3332.21, Building lines
 To reduce the building line from 7 feet to 6 feet along West 1st Avenue.
 2. 3332.27, Rear yard
 To reduce the rear yard from 25% of the total lot area to 18%.
 3. 3332.30, Vision clearance
 To increase the allowable height of a fence in the clear vision triangle at an intersection from 2-1/2 feet to not more than 6 feet above the centerline grade of Dennison and West 1st Avenues.

Proposal: To construct a two-car attached garage and to install a wrought iron fence.

Applicant(s): David J. & Constance C. Jackson, 895 Dennison Av., Columbus, OH 43215
 Property Owner(s): Applicants
 Case Planner: Denise Powers, 645-1788

5. ODS No.: 03310-00017
 Location: 6193-6199 CLEVELAND AVENUE (43229), located on the west side of Cleveland Ave., at the terminus of Corporate Exchange Dr.
 Area Comm./Civic: Northland Community Council
 Existing Zoning: LC-4, Limited Commercial District
 Request: Variance(s) to Section(s):
 1. 3342.28, Minimum number of parking spaces required
 To reduce the required number of additional parking spaces from 12 to 0.
 2. 3342.06, Aisle.
 To reduce the aisle widths at several locations in the parking lot from 20 ft. to 19.79 and as little as 14.23 ft. (.21 ft. to 5.77 ft.).

- Proposal: To construct an addition onto an existing restaurant.
 Applicant(s): Brian Crider; c/o M.S. Consultants, Inc., 2221 Schrock Road, Columbus, Ohio 43229
 Property Owner(s): Bob Evans Farms, 3776 S. High St., Columbus, Ohio 43207
 Case Planner: Dave Reiss, 645-7973
6. ODS No.: 03310-00018
 Location: 4694-4712 TRABUE ROAD & 1561-1575 WESTBELT DRIVE (43228), located at the northwest corner of Westbelt Dr. & Trabue Rd.
 Area Comm./Civic: None
 Existing Zoning: M-2, Manufacturing District
 Request: Variance(s) to Section(s):
 1. 3367.15, M-2 manufacturing district special provisions.
 To permit the establishment of parking spaces and maneuvering areas at a setback of 40 ft. from the right-of-way instead of 50 ft. (10 ft.).
- Proposal: To create additional parking spaces for office/warehouse uses.
 Applicant(s): D.H.J. Architects, 5940 N. High St., Worthington, Ohio 43085
 Property Owner(s): D.C.C.R., L.L.C., 9200 Memorial Dr., Plain City, Ohio 43064
 Case Planner: Dave Reiss, 645-7973

HOLDOVER CASE:

7. ODS No.: 03310-00013
 Location: 8816 CREVE COEUR LANE (43065), located on the east side of Creve Coeur Lane, 250± feet north of Smoky View Boulevard.
 Area Comm./Civic: Far Northwest Coalition
 Existing Zoning: R-2F, Residential District
 Request: Variance(s) to Section(s):
 1. 3332.21, Building lines
 To reduce the platted building line from 25 feet to not less than 22 feet along Creve Coeur Lane.
- Proposal: To construct a two-car attached garage.
 Applicant(s): Andrew J. Bates, 8816 Creve Coeur Lane, Powell, OH 43065
 Property Owner(s): Applicant
 Case Planner: Denise Powers, 645-1788

(05/17/03; 05/24/03)

**MEETING NOTICE
 GERMAN VILLAGE COMMISSION**

The regular meeting of the German Village Commission will be held on Tuesday, June 3, 2003, at 4:00 p.m. at the German Village Meeting Haus, 588 S. Third Street. Copies of the agenda may be obtained by calling 645-7964. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Neighborhood Services Division is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-7964 or TDD 645-6802.

(05/17/03; 05/24/03; 05/31/03)

**MEETING NOTICE
 BREWERY DISTRICT COMMISSION**

The regular meeting of the Brewery District Commission will be held on Thursday, June 5, 2003, at 6:15 p.m. in the Community Training Center, 109 N. Front Street, ground floor. Copies of the agenda may be obtained by calling 645-7964. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Neighborhood Services Division is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-7964 or TDD 645-6802.

(05/17/03; 05/24/03; 05/31/03)

**NOTICE OF PROPOSED IMPROVEMENT
 AND ESTIMATED ASSESSMENTS
 TO BE LEVIED THEREFORE**

As the result of petitions received in the Office of the City Clerk, City of Columbus, in August of 2002, where upon over 60 percent of the property owners of Berwick Phase I area, which includes; Burnaby Drive, Floribunda Drive, Halleck Place, Halleck Drive, Mitzi Drive, Peace Place, Rose View Drive, Schaaf Drive, Sonata Drive, Spartan Drive, Stafford Place, Talisman Court, Tiffany Court, Haddon Road from College Avenue to and including parcel number 010-101705, Kenview Road South from Halleck Place to and including parcel number 010-140920, Kenwick Road from Scottwood Road to Kenview Road South, Roosevelt Avenue from Scottwood Road to Sonata Drive, Scottwood Road from Haddon Road to James Road, and Sherbrooke Place from Scottwood Road to Stafford Place requested the installation of an underground street lighting system, you are hereby notified that the Council of the City of Columbus, Ohio by Resolution No. 033X-03, duly adopted at its meeting on March 10, 2003 and resolved that it is necessary to install underground ornamental street lighting in the Berwick Phase I area, as described above, under special assessment improvement procedure, in accordance with the plans, specifications, and estimate of cost of said improvement approved by the Administrator, Division of Electricity and the Director of Public Utilities and on file in the office of said Administrator, 3500 Indianola Avenue, and any additional information desired may be obtained from said office.

The aforesaid resolution also provided that the street lights shall be installed as shown on the plans designated as Drawing No.13E0188 of the files of the Administrator of the Division of Electricity of the Department of Public Utilities, and provide that the whole cost of said improvement less the City portion or \$163,000 shall be assessed per lot. Additional City funding in the amount of \$187,200.00 will be made available from Urban

Infrastructure Recovery, which has further reduced the estimated assessment cost per lot.

The estimated amount of the assessment proposed to be levied against each lot or parcel of land is on file in the City Clerk's Office and the amount or amounts proposed to be levied against the lots or parcels of land standing in your name are as follows:

TJ & JD CORN ETT, 2580 Burnaby Dr., Parcel #010-123627, in the amount of \$1,500.00; JE & AS LITTLE, 2598 Burnaby Dr., Parcel #010-123625, in the amount of \$1,500.00; HL & GM APPLIN, 2615 Burnaby Dr., Parcel #010-123636, in the amount of \$1,500.00; M HANSARD, 2727 Burnaby Dr., Parcel #010-123646, in the amount of \$1,500.00; FV & R PENN, 1489 Cottingham Ct., Parcel #010-101572, in the amount of \$1,500.00; RW SKIDMORE, 2574 Floribunda Dr., Parcel #010-106486, in the amount of \$1,500.00; C & ME JONES, 2658 Floribunda Dr., Parcel #010-106479, in the amount of \$1,500.00; AT EVANS & JB WILSON, 2663 Floribunda Dr., Parcel #010-106553, in the amount of \$1,500.00; D EDWARDS, 2694 Floribunda Dr., Parcel #010-106476, in the amount of \$1,500.00; PM VAZQUEZ, 2755 Floribunda Dr., Parcel #010-106544, in the amount of \$1,500.00; EM HIRSH & M GOLDMEIER, 2778 Floribunda Dr., Parcel #010-106537, in the amount of \$1,500.00; EG CONNER, 2788 Floribunda Dr., Parcel #010-106538, in the amount of \$1,500.00; L & K HILL, 2702 Halleck Dr., Parcel #010-140958, in the amount of \$1,500.00; MM MC GEE, 2760 Halleck Dr., Parcel #010-140962, in the amount of \$1,500.00; JA & DL EDWARDS, 2734 Kenview Rd., Parcel #010-141020, in the amount of \$1,500.00; BANK ONE NATIONAL ASSOCIATION, 2735 Kenview Rd., Parcel #010-140924, in the amount of \$1,500.00; GM FORE, 1614 Kenwick Rd., Parcel #010-106515, in the amount of \$1,500.00; MM CARTER, 1668 Kenwick Rd., Parcel #010-123498, in the amount of \$1,500.00; TE & BR BROWN, 1684 Kenwick Rd., Parcel #010-123500, in the amount of \$1,500.00; CG & MN GOUKE, 1788 Kenwick Rd., Parcel #010-141027, in the amount of \$1,500.00; RB & EG COOK, 2627 Mitzi Dr., Parcel #010-141004, in the amount of \$1,500.00; RL & CC JACKSON, 2699 Mitzi Dr., Parcel #010-140998, in the amount of \$1,500.00; JD & PK BACKUS, 2716 Mitzi Dr., Parcel #010-140989, in the amount of \$1,500.00; KM & TL WILLIAMS, 1562 Peace Pl., Parcel #010-123541, in the amount of \$1,500.00; C HUNTER, 2527 Schaaf Dr., Parcel #010-123530, in the amount of \$1,500.00; VL & L LENOIR, 2660 Schaaf Dr., Parcel #010-106573, in the amount of \$1,500.00; JL GREENWAY, 2709 Schaaf Dr., Parcel #010-106504, in the amount of \$1,500.00; F & T NEAL, 2761 Schaaf Dr., Parcel #010-106509, in the amount of \$1,500.00; MC & Y HAIRSTON, 2531 Scottwood Rd., Parcel #010-101682, in the amount of \$1,500.00; GM FORQUER, 2734 Scottwood Rd., Parcel #010-101546, in the amount of \$1,500.00; PJ WEIDNER, 2913 Scottwood Rd., Parcel #010-097874, in the amount of \$1,500.00; MJ KNODERER TR, 1446 Sherbrooke Pl., Parcel #010-101667, in the amount of \$1,500.00; VH PHILMORE AFDT, 2611 Sonata Dr., Parcel #010-123603, in the amount of \$1,500.00; C POPE, 2640 Sonata Dr., Parcel #010-123517, in the amount of \$1,500.00; SL COOPER, 2652 Sonata Dr., Parcel #010-123516, in the amount of \$1,500.00; SK SHAW, 2707 Talisman Ct., Parcel #010-106474, in the amount of \$1,500.00; TB HANDSHEY, 2787 Talisman Ct., Parcel #010-106522, in the amount of \$1,500.00; BJ BOWLES AFDT, 2788 Talisman Ct., Parcel #010-106463, in the amount of \$1,500.00; D REVELS, 1455 Wakefield Ct., Parcel #010-101608, in the amount of \$1,500.00

The owner of any lot or parcel so to be assessed who objects to the amount of apportionment of such assessment shall file an objection, in writing, with the City Clerk within two (2) weeks from the date of the service of this notice, and any owner who fails to do so shall be deemed to have waived any objection to such assessment to the extent of the amount estimated.

Attention is directed to section 727.18 of the Revised Code of Ohio, which provides as follows: "An owner of a lot or of land bounding or abutting upon the proposed improvement, claiming that he will sustain damages by reason of the improvement, shall, within two (2) weeks after service of this notice, file a claim, in writing, with the Clerk of legislative authority, setting forth the amount of the damages claimed and a general description of the property with respect to which it is claimed such injury will accrue. An owner who fails to file such claim, shall be barred from filing a claim or receiving damages."

Information regarding the street lighting plans, or petition process may be obtained by calling Linda Scothorn, Street Light Engineering Coordinator, with the Division of Electricity at 645-7295.
Timothy McSweeney, Columbus City Clerk
(05/17/03; 05/24/03)

MEETING NOTICE VICTORIAN VILLAGE COMMISSION

The regular meeting of the Victorian Village Commission will be held on Thursday, June 12, 2003, at 6:15 p.m. in the Community Training Center, 109 N. Front Street, ground floor. The Meeting will begin at 6:15 p.m.

A Copy of the agenda may be obtained by calling 645-7964. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Neighborhood Services Division is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-7964 or TDD 645-6802.
(05/24/03; 05/31/03; 06/07/03)

TABLE OF CHANGES IN YOUR 1959
COLUMBUS CITY CODE

Code	Ordinance	2002	Page	Subject
To supplement and amend various sections	1415-02	39	1801	To supplement and amend various sections in Title 13, "Refuse Collection Code", in order to allow for the streamlining of code enforcement through the centralization of enforcement staff in the Department of Development while still allowing for the regulation of refuse collection by the Department of Public Service.
To amend Chapter 1105	1447-02	39	1807	To amend Chapter 1105 of the Columbus City Codes, 1959, to modify the current method of assessing front footage fees for tapping into City of Columbus water lines.
To amend Chapters 1105 and 1147	1448-02	39	1808	To amend Chapters 1105 and 1147 of the Columbus City Codes, 1959 to eliminate unnecessary language regarding the grace period and penalty assessment dates of water and sewer bills.
To correct an inadvertent omission in Chapter 3372	1463-02	40	1844	To correct an inadvertent omission in Chapter 3372 (Urban Commercial Overlay) of the Columbus City Codes through a minor amendment to Section 3372.611 (Design Standards).
To amend the Columbus City Codes	1534-02	44	2017	To amend the Columbus City Codes, 1959, by the enactment of new sections in Chapter 3380, Standards For Areas of Special Graphics Control, in order to create the "Morse Road Special Graphics Control Area" for that portion of the Morse Road corridor from Interstate 71 to the centerline of Sunbury Road (map attached), and to repeal existing Sections 3380.101 and 3380.103.
To supplement the Columbus City Codes	1535-02	44	2019	To supplement the Columbus City Codes, 1959, by the enactment of new sections in Chapter 3372, Planning Overlay, in order to create the "Morse Road Planning Overlay" for that portion of the Morse Road corridor from Interstate 71 to the centerline of Sunbury Road (map attached).
To amend the Columbus City Codes	1715-02	48	2278	To amend the Columbus City Codes, 1959, as it relates to 2003 water rates for customers of the Division of Water.
To amend Chapter 1149 of the Columbus City Codes	1716-02	48	2281	To amend Chapter 1149 of the Columbus City Codes 1959, to enact new Stormwater fees effective January 1, 2003, and to repeal the existing Section being amended.
To amend Chapter 1147	1717-02	48	2281	To amend Chapter 1147, Section 1147.11 of the Columbus City Codes 1959, to enact new sanitary sewer service rates for the year beginning January 1, 2003, and to repeal the existing Section being amended.
To authorize an amendment	1718-02	48	2284	To authorize an amendment to Columbus City Codes, 1959, Title 21, Chapter 2133.03.
To supplement the Columbus City Codes	1877-02	51	2516	To supplement the Columbus City Codes, 1959, by amending sections of Chapter 3332 by deleting reference to lot area standards from the use sections in this chapter; and by making general language, grammatical and organizational changes; and to adjust definitions in Chapter 3303 to clarify the delegations of zoning powers.
To repeal and enact various sections of the Columbus City Codes	1878-02	51	2526	To repeal and enact various sections of the Columbus City Codes, 1959, in order change the name and scope of the Columbus traffic and transportation commission to the Columbus Transportation and Pedestrian Commission.
To enact Chapter 904 of the Columbus City Code	1879-02	51	2527	To enact Chapter 904 of the Columbus City Code to regulate the limited use or occupation of public sidewalk other real property within public right-of-way.
To repeal and reenact Columbus City Code Chapters 3351, 3353 and 3355.	0236-03	10	3004	To repeal and reenact Columbus City Code Chapters 3351, 3353, 3355, dealing with allowable uses in the C1, C-2, C-3 and C-4 Commercial Zoning Districts of the city of Columbus, in order to update these chapters; to separate C-4 commercial uses out from the C-3 commercial uses found in Chapter 3355 and to create a new chapter 3356 for the C-4 Commercial uses.
To amend section 4109.09 of the Columbus City Codes	0457-03	13	3186	To amend section 4109.09 of the Columbus City Codes, 1959, in order to require a permit to be obtained prior to the securing of any building and structure that has been declared unsafe as allowed by the Columbus building Code (Title 41); and to declare an emergency.
To repeal Ordinance 1425-01 and 533-02, both promulgating changes in Title 33	0545-03	16	3383	To repeal Ordinance 1425-01 and 533-02, both promulgating changes in Title 33, the Columbus Zoning Code, relating to the regulation of adult only entertainment establishments in order to bring the Columbus Zoning Code into compliance with a Federal Court ruling; to clarify City Council's power to pass Zoning Code changes; and to declare an emergency.
To supplement the Columbus City Codes, 1959, by creating a Section 3301.03 and 3303.00; and amending C.C. 3303, 3305, 3355, 3363, and 3339	0546-03	16	3383	To supplement the Columbus City Codes, 1959, by creating a Section 3301.03 and 3303.00; and amending C.C. 3303, 3305, 3355, 3363, and 3339, creating contemporary definitions for adult uses; relocating Adult entertainment establishments and Adult stores to the Manufacturing Districts; designating the separation requirements between adult uses themselves and between adult uses and other specified private and public uses of sensitivity; and making various general language and grammatical changes and corrections; and to declare an emergency.