

Columbus City Bulletin



**Bulletin 29
July 19, 2003**



Proceedings of City Council

Vol. LXXXVIII

Saturday, July 19, 2003

NO. 29

PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO. 27

MONDAY, JULY 14, 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: Kevin L. Boyce, President Pro-Tem Michael C. Mentel, 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.

PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO. 28

MONDAY, JULY 14, 2003 AT 6:30 P.M.

Council met in regular session with President Matthew D. Habash in the chair. The roll being called, the following members were present: Kevin L. Boyce, President Pro-Tem Michael C. Mentel, 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.

APPOINTMENTS:

- A0018-2003** Appointment of John J. Kulewicz, Vorys, Seymour, Pease, 52 East Gay Street, Columbus, Ohio 43216, to serve on the Columbus Zoo Board with a term expiration date of December 31, 2004. (Appointee's resume on file in the Mayor's office.)
- A0020-2003** Appointment of John A. Cooley, Clintonville Area Commission, 104 East Tulane Road, Columbus, Ohio 43202, to serve on the Transportation & Pedestrian Commission with a term expiration date of June 30, 2004. (Appointee's resume on file in the Mayor's office.)
- A0022-2003** Appointment of Cleve Ricksecker, Downtown Development Corp, 20 East Broad Street, Columbus, Ohio 43215, to serve on the Transportation & Pedestrian Commission with a term expiration date of June 30, 2004. (Appointee's resume on file in the Mayor's office.)
- A0023-2003** Appointment of Jonathan I Groner, MD, Children's Hospital, 700 Children's Drive, Columbus, Ohio 43205 to serve on the Transportation & Pedestrian Commission with a term expiration date of June 30, 2005. (Appointee's resume on file in the Mayor's office.)
- A0024-2003** Appointment of Ronald L. Barnes, COTA, 1600 McKinley Avenue, Columbus, Ohio 43222 to serve on the Transportation & Pedestrian Commission with a term expiration date of June 30, 2005. (Appointee's resume on file in the Mayor's office.)
- A0025-2003** Appointment of Lori Carter-Evans, Columbus Public Schools, 1072-A Irongate Lane, Columbus, Ohio 43213 to serve on the Transportation & Pedestrian Commission with a term expiration date of June 30, 2006. (Appointee's resume on file in the Mayor's office.)
- A0026-2003** Appointment of Ahmad Al-Akhrahs, PhD, MORPC, 285 East Main Street, Columbus, Ohio 43215 to serve on the Transportation & Pedestrian Commission with a term expiration date of June 30, 2006. (Appointee's resume on file in the Mayor's office.)
- A0027-2003** Appointment of Jeff Stephens, Central Ohio Bicycle Advocacy, 202 Sinsbury Drive, Worthington, Ohio 43085 to serve on the Transportation & Pedestrian Commission with a term expiration date of June 30, 2006. (Appointee's resume on file in the Mayor's office.)
- A0028-2003** Appointment of Lt. Karl L. Barth, Columbus Division of Police, 120 Marconi Blvd, Columbus, Ohio 43215 to serve on the Transportation & Pedestrian Commission with a term expiration date of June 30, 2004. (Appointee's resume on file in the Mayor's office.)

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 CLERK'S OFFICE AS OF WEDNESDY, JULY 9, 2003

New Type: C1, C2
To: United Smokes of America LLC
DBA United Smokes of America
3192 N. High St
Columbus Ohio 43202

New Type: D5A
To: Franklin Motel LLC
DBA Comfort Suites
1690 Clara St
Columbus Ohio 43211

New Type: C1
To: MI Bandara Supermarket LLC
1965 E Dublin-Granville Rd
Columbus, OH 43229

Transfer Type: D2, D2X, D3, D6
To: Delhi Darbar Restaurant Inc
DBA Delhi Darbar Restaurant
2321 N High St 1st Fl Bsmt & Patio
Columbus Ohio 43202
From: Casa Di Pasta Inc
2321 N High St 1st Fl Bsmt & Patio
Columbus, OH 43202

Transfer Type: D5, D6
To: Tobar Properties LLC
DBA Blackhorse Inn
1420 Presidential Dr & Patio
Columbus Ohio 43212
From: Jambil Inc
DBA Blackhorse Inn
1420 Presidential Dr & Patio
Columbus Ohio 43212

Transfer Type: C1, C2
To: 1971 Doren Avenue Inc
DBA New Doren Market
1971 Doren Av
Columbus Ohio 43223
From: N & S Market Inc
DBA New Doren Market
1971 Doren Av 1st Fl
Columbus Ohio 43223

Transfer Type: D2, D2X
To: Matt Damon Entertainment LLC
DBA Studio 35 Cinema
3055 Indianola Av
Columbus Ohio 43202
From: J M C Entertainment Inc
DBA Studio 35 Cinema
3055 Indianola Av
Columbus OH 43202

Transfer Type: D5, D6
To: Yong MI II LLC
1884 Tamarack Circle S & Patio
Columbus, OH 43229
From: VAGT Inc
DBA Shortys Sports Bar & Grill
1884 Tamarack Circle S & Patio
Columbus Ohio 43229

Transfer Type: D5, D6
To: Columbus Suites Sportservice LLC
200 W. Nationwide Blvd-Suites Only
Columbus Ohio 43215
From: Fenway LLC
DBA Senior Garcias
5727 Chantry Dr
Columbus Ohio 43232

ORDINANCES

ORD NO. 0796-2003

To grant a Variance from the provisions of Sections 3342.06 Aisle; 3342.09, Dumpster area; 3342.18, Parking Setback Line; 3372.521, Supplemental parking requirements; 3372.564 Parking; and 3372.567 Maximum floor area for the property located at 1892 INDIANOLA AVENUE (43201), to permit a seven-unit apartment house with reduced development standards in the ARA, Apartment Residential District (Council Variance CVO2-052), and to declare an emergency.

WHEREAS, by application #CVO2-052, the owner of property at 1892 INDIANOLA AVENUE (43201) is requesting a Variance to permit a seven-unit apartment house with reduced development standards in the ARA, Apartment Residential District; and

WHEREAS, Section 3342.06, Aisle, requires a minimum aisle width of thirteen (13) feet for parallel parking, while the applicant intends to provide an aisle eleven (11) feet wide for an eighteen foot segment of aisle; and

WHEREAS, Section 3342.09, Dumpster area, prohibits the location of a dumpster in any required yard or setback, while the applicant intends to place a dumpster in required front yard forward of the Seventeenth Avenue building setback line as shown on the site plan; and

WHEREAS, Section 3342.18, Parking setback line, requires a 25-foot parking setback in the AR-4, Apartment Residential District, while the applicant requests that the Seventeenth Avenue parking setback line be reduced from 25-feet to zero feet; and

WHEREAS, Section 3372.521, Supplemental parking requirements, prohibits parking in a required side yard and between a building and public street, while the applicant proposes to retain parking spaces in the required side yard located between the existing building and Seventeenth Avenue; and

WHEREAS, Section 3372.564 Parking, requires a maximum of twenty-eight (28) parking spaces for seven apartment units, while the applicant proposes to provide eleven (11) parking spaces; and

WHEREAS, Section 3372.567 Maximum floor area, requires a maximum total calculated floor area ratio of 0.6 on a lot, while the applicant proposes a maximum total calculated floor area ratio 0.91 (13,633 sq ft Floor Area/ 14,856 Total Area = 0.91); and

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval and note a hardship exists because the site is developed with a closed 54-occupant sorority/fraternity house and the applicant wishes to redevelop the existing building with reduced development standards as a seven-unit apartment house. The applicant is requesting variances to reduce aisle width for parallel parking, allow a dumpster forward of the building line, reduce the parking setback line on Seventeenth Avenue, allow parking and maneuvering in required side yard between a building and public street, reduce the number of required off-street parking spaces for residential uses, and increase the maximum total calculated floor area permitted on a lot. The variances requested to reduce development standards reflect existing site conditions. A hardship exists in that the applicant's proposal to convert a 54-occupant sorority/fraternity house to a seven-unit apartment house in the ARA, Apartment Residential District requires variances to reduce development standards

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 1892 INDIANOLA AVENUE (43201), in using said property as desired; now, therefore:

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that heating and electrical contractors are ready to begin work for the immediate preservation of the public peace, property, health and safety; now, therefore;
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That a Variance from the provisions of Sections 3342.06, Aisle; 3342.09, Dumpster area; 3342.18, Parking Setback Line; 3372.521, Supplemental parking requirements, 3372.564, Parking, and 3372.567 Maximum floor area, is hereby granted for the property located at 1892 INDIANOLA AVENUE (43201), in that said sections prohibit conversion of a former fraternity/sorority house to a seven-unit apartment house with an aisle eleven feet wide for a distance of eighteen feet, a dumpster in required front yard forward of the building setback line as shown on the site plan, a parking setback line reduced from twenty-five to zero feet on Seventeenth Avenue, parking and maneuvering between the existing building and Seventeenth Avenue in required side yard, a reduction of required parking spaces from 28 to 11 spaces for apartment house use, and a maximum calculated floor area ratio of 0.91; said property being more particularly described as follows:

Situated in the County of Franklin, State of Ohio and in the City of Columbus

Being Lots Numbered Forty-Eight (48) and Forty-Nine (49) of INDIANOLA FOREST ADDITION to said City, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book No.8, page 4-A, Recorder's Office, Franklin County, Ohio, and part of alley vacated by Ordinance No 22417, passed September 11, 1905.

Known as 1892 Indianola Avenue, Columbus, Ohio 43201. Parcel #010-024392.

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a lot developed with a seven-unit apartment house, or those uses permitted in the AR-4, Apartment Residential District

Section 3. That this ordinance is further conditioned on general compliance with drawings titled "REMODELING AT 1892 INDIANOLA AVE, COLUMBUS, OHIO (Exhibit A)", "REMODELING AT 1892 INDIANOLA AVE, COLUMBUS, OHIO (SHEET A8)", and "REMODELING AT 1892 INDIANOLA AVE, COLUMBUS, OHIO (SHEET A8B)", all signed by Fred Stewart-Magee, agent for applicant, and dated June 30, 2003.

Section 5. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

Section 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Passed as amended July 14, 2003, Matthew D. Habash, President of Council / Approved as amended July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 0980-2003

To authorize and direct the Finance Director to enter into one contract for an option to purchase Computers, Servers, Laptops, Peripherals, Accessories and Related Services, with Smart Solutions, and to authorize the expenditure of one dollar to establish the contract from the Purchasing / Contract Operation Fund, and to declare an emergency (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on February 6, 2003 and selected the lowest, responsive and responsible bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into one contract for an option to purchase Computers, Servers, Laptops, Peripherals, Accessories and Related Services, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into one contract for an option to purchase Computers, Servers, Laptops, Peripherals, Accessories and Related Services in accordance with Solicitation No. SA000246JY as follows:

Smart Solutions, Item(s): 1-21, Amount: \$1.00

No award is being made on items 22-63. Separate legislation is being processed for items awarded, but not listed

SECTION 2. That the expenditure of 2.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1001-2003

To rezone 2372 GANTZ ROAD (43123), being 9.2± acres located on the east side of Gantz Road, 460± feet south of Willow Run Road, From: PUD-6, Planned Unit Development District, To: R-2, Residential District (Rezoning #Z03-018).

WHEREAS, application #Z03-018 is on file with the Building Services Division of the Department of Development requesting rezoning of 9.2± acres from PUD-6, Planned Unit Development District, to R-2, Residential 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 R2, Residential District, with the commitments from the developer for similar lot widths abutting the surrounding SR, Suburban Residential lots, and if necessary, for partially funding the installation of traffic calming devices along Willow Run Road, would permit single-family residential development 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

2372 GANTZ ROAD (43123), being 9.2i acres located on the east side of Gantz Road, 460± feet south of Willow Run Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Townships of Franklin and Jackson and being part of Virginia Military Survey number 1454 and containing 9.20 acres of land more or less, and being particularly described as follows:

Beginning at a point in the easterly right-of-way of Gantz Road (50' RIW) said point being in the southerly line of said Lot 19 of M. Jeanette McDowell's Gantz Road Addition (Plat Book 17, page 332) and in the northerly line of a 2.01 acre tract described in a deed to Ronald G. and Dianne L. Claytor of record in Deed Book 3548, said point being the TRUE point of beginning:

Thence North 13 degrees 30' 03" East with the easterly right-of-way line of Gantz Road a distance of 101.91 feet to a point:

Thence South 76 degrees 20' 27" East parallel to end 60.00 feet southerly of (as measured at right angles) the northerly line of said Lot Number 19 a distance of 434.49 feet;

Thence North 13 degrees 30' 55", East, a distance of 337.66 feet to a point in the southerly line of Willow Run ReSubdivision of record in Plat Book 49, Page 101, and Willow Run Subdivision of record in Plat Book 38, Page 62;

Thence South 76 degrees 25' 06" East with the southerly line of said Willow Run ReSubdivision, and said Willow Run Subdivision a distance of 651.41 feet to the southeast corner of said Willow Run Subdivision, a said point being in the westerly line of Willow Creek Subdivision of record in Plat Book 48, Page 57 and 58;

Thence South 19 degrees 25' 00" West with the westerly line of said Willow Creek Subdivision a distance of 1279.97 feet to the northeast corner of said Lot Number 19;

Thence North 76 degrees 20' 27" West along the northerly line of said Lot 19, a distance of 40.00 feet to a point;

Thence South 19 degrees 38' 21" West 162.57 feet to a point on the northerly line of Lot 20 of said M. Jeanette McDowell's Gantz Road Addition;

Thence South 76 degrees 23' 19" East along the northerly line of said Lot 20, 40.00 feet to a point on a westerly line of said Willow Creek Subdivision;

Thence South 19 degrees 38' 00" West with the westerly line of said Willow Creek Subdivision, 166.58 feet to the southeasterly corner of said Lot 20;

Thence North 76 degrees 11' 00" West with the southerly line of said Lot 20 a distance of 517.29 feet to the southeast corner of a 2.01 acre tract as described in a deed to Ronald G. and Dianne L. Claytor in Deed Book 3548, Page 169;

Thence North 13 degrees 55' 00" East with the easterly line of said 2.01 acre tract, a distance of 164.44 feet to a point in the southerly line of said Lot Number 19;

Thence North 76 degrees 23' 19" West with the southerly line of said Lot Number 19, a distance of 505.90 feet to the TRUE point of beginning and containing 9.20 acres more or less.

**To Rezone From: from PU-6, Planned Unit Development District,
To: R-2, Residential District**

Section 2. That a Height District of Thirty-five (35) feet is hereby established in the R-2, Residential 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

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law
Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1043-2003

To authorize and direct the Director of Finance to establish a purchase order with Calvert Wire & Cable Inc., to purchase a Digital Cable Analyzer for testing data cable, to authorize the expenditure of \$4,840.00 from the Public Safety's Capital Improvement Fund, and to declare an emergency. (\$4,840.00).

WHEREAS, the responsibility of the 800 MHz Communications System will continue to be that of the Department of Public Safety, Division of Communications; and,

WHEREAS, the Division of Communications has a need to establish a purchase order with Calvert Wire & Cable Inc, to purchase a D5P4300 (FLUKE) Digital Cable Analyzer for testing data cable, for calibrating, and preventive maintenance on the Police and Fire Communications Systems for continued reliability; and,

WHEREAS, the Purchasing Section of the Department of Finance advertised and solicited competitive bids in accordance with the Columbus City Code, Section 329.06(a); and,

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Safety, Division of Communications in that it is immediately necessary to purchase a D514300 (FLUKE) Digital Cable Analyzer for testing data cable, for calibrating, and preventive maintenance on the Police and Fire Communications System, in order to preserve the public peace, health, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. To authorize and direct the Director of Finance, on behalf of the Communications Division, to establish a purchase order with Calvert Wire & Cable Inc., to purchase a D5P4300 (FLUKE) Digital Cable Analyzer for testing data cable, for calibrating, and preventive maintenance on the Police and Fire Communications System

Section 2. That this agreement is made in accordance with the provisions of Section 329.06(a) of the Columbus City Code.

Section 3. That for the purpose stated in Section 1 hereof, the expenditure of \$4,840.00 or so much thereof as may be needed, is hereby authorized from:

DIVISION	30-02
FUND	701
PROJECT NUMBER	320001
OCA CODE	642629
AMOUNT	\$4,840.00

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1050-2003

To authorize the Director of Public Utilities to enter into a professional engineering services agreement with MS Consultants, Inc., in connection with the Big Run Trunk Sewer, Hellbranch Area Project, and to authorize the transfer and expenditure of \$364,349.14 from the 1991 Voted Sanitary Bond Fund; to appropriate \$370,597.13 within the 1991 Voted Sanitary Bond Fund; to amend the 2002 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$364,349.14)

WHEREAS, the Division of Sewerage and Drainage has determined it necessary to procure the professional engineering services required to develop sanitary sewer infrastructure plan for the Big Run Trunk Sewer from its current terminus at Galloway Road and Sullivant Avenues west and north to Broad Street; and to develop alignment alternatives for the extension of the Clover-Groff Subtrunk; and

WHEREAS, the Division of Sewerage and Drainage had requested proposals from MS Consultants, Jones-Stuckey, and Burgess & Niple, for the professional engineering services required for the above project in accordance with the procurement provisions of Section 329.11 of the Columbus City Codes; and

WHEREAS, based upon an evaluation of these proposals utilizing predetermined criteria, a selection committee determined MS Consultants, Inc., to have submitted the best proposal for the required project services, to which the Director of the Department of Public Utilities concurred; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities in that it is immediately necessary to contract for the engineering services that are necessary to proceed with the sanitary infrastructure improvement planning for a rapidly developing area within the City of Columbus; to transfer and appropriate the required funds within the 1991 Voted Bond Fund; and to amend the 2002 Capital Improvements Budget, for the preservation of the public, health, peace, and safety, now, therefore,

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

Section 1. That from the unappropriated monies in Fund 664, 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 \$370,597.13 is hereby appropriated to the Division of Sewerage and Drainage 60-05; within Fund 664: Object Level Three 6676; Project Account 650510-Sewer Maintenance Facility; OCA No.650604.

Section 2. That the City Auditor is hereby authorized and directed to transfer \$364,349.14 from within the 1991 Sanitary Bond Fund No.664, for the Division of Sewerage and Drainage as follows

FROM:		
650510	Sewer Maintenance Facility	\$364,349.14
TO:		
650604	Big Run/Hellbranch Subtrunk	\$364,349.14

Section 3. That the Director of Public Utilities be, and hereby is, authorized to enter into a professional engineering services contract with MS Consultants, Inc., 2221 Schrock Road, Columbus, Ohio 43226, in connection with the Big Run Trunk Sewer/Hellbranch Area Project, in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage's Sewer System Engineering Section

Section 4. That the said engineering firm shall conduct the work to the satisfaction of the Director of Public Utilities, the Administrator of the Division of Sewerage and Drainage, and the Division of Sewerage and Drainage's Sewer System Engineering Manager.

Section 5. That the expenditure of \$364,349.14, or as much thereof as may be needed, be and the same hereby is authorized from the 1991 Voted Sanitary Bond Fund No.664; Division 60-05; Project 650604; Object Level Three No. 6676; OCA No.: 650604.

Section 6. That the 2002 Capital Improvements Budget Ordinance No.1674-02 is hereby amended as follows, in order to provide sufficient budget authority for the execution of a capital improvements project reimbursement agreement as referenced in the preamble hereto:

CURRENT:		
650604	Big Run / Hellbranch Subtrunk Project	\$ 992,644.40
AMENDED TO:		
650604	Big Run / Hellbranch Subtrunk Project	\$1,356,993.54

Section 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1060-2003

To authorize the Director of Public Utilities to enter into a contract with Decker Construction Company, for the Watershed Section Miscellaneous Facilities Improvements - Hoover Paving and Fencing, for the Division of Water, to authorize the expenditure of \$97,224.84 from the Waterworks Enlargement Voted 1991 Bonds Fund, to amend the 2002 C.I.B., and to declare an emergency. (\$97,224.84).

WHEREAS, the Director of Public Utilities did receive and open bids on May 14, 2003 for the Watershed Section Miscellaneous Facilities Improvements - Hoover Paving and Fencing for the Division of Water, Department of Public Utilities, and

WHEREAS, a satisfactory low bid has been received, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Water, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a Contract with Decker Construction Company, for the Watershed Section Miscellaneous Facilities Improvements - Hoover Paving and Fencing, for the Division of Water, for the preservation of public health, peace, property and safety now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. The Director of Public Utilities be and is hereby authorized to enter into a Contract with Decker Construction Company, in the amount of \$97,224.84 for the Watershed Section Miscellaneous Facilities Improvements - Hoover Paving and Fencing for the Division of Water, Department of Public Utilities, Contract No. 1045 on the basis of the lowest responsive and responsible bid received on May 14, 2003.

Section 2. That for the purpose of paying the cost thereof, the expenditure of \$97,224.84 is hereby authorized from Waterworks Enlargement Voted 1991 Bonds Fund, Fund No.606, Department of Public Utilities, Division of Water, Dept. / Div No.60-09, Object Level Three 6621, Project No. 690411, OCA Code 606411.

Section 3. The City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project; that the project has been completed and the monies are no longer required for said project except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 4. That Section 1, Public Utilities / Water 60-09 or Ordinance 1674-02 is hereby amended as follows:

<u>PROJECT NUMBER</u>	<u>PROJECT NAME</u>	<u>TOTAL BUDGET</u>	
690411	Watershed Section Miscellaneous Facilities – Improvements - Hoover Paving and Fencing.	\$97,225	*(1)*
690441	Alum Creek Pump Station Improvements	\$7,600	*(2)*

Section 5. That for reasons stated in the preamble, hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after approval if the Mayor neither approves nor vetoes the same.

	<u>2002 Original Budget</u>	<u>2002 Amended Budget</u>	<u>Comments</u>
(1)	\$ 0	\$97,225	Authority Increased
(2)	\$104,825	\$ 7,600	Authority Reduced

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1061-2003

To authorize and direct the Finance Director to modify the citywide contract for the option to purchase Various Forms of Asphalt Concrete, with Kokosing Materials, Inc., and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bids; and

WHEREAS, award of Item #10 (per mile Delivery cost) was inadvertently omitted from the ordinance; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to modify FL001066 for an option to purchase Various Forms of Asphalt Concrete to award Item #10 thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify FL001066 with Kokosing Materials, Inc. to award line item 10 (Delivery for items within one (1) mile of plant to job site).

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor

neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1062-2003

To authorize and direct the Finance Director to enter into two contracts for an option to purchase School Flashers, with Baldwin & Sours, Inc., and General Highway Products, Inc., to authorize the expenditure of two dollars to establish contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on December 12, 2002 and selected the lowest, responsive, responsible and best bidders; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into two contracts for an option to purchase School Flashers, thereby preserving the public health, peace, property, safety, and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into two contracts for an option to purchase School Flashers in accordance with Solicitation No. SA000352BGB as follows:

Baldwin & Sours, Inc.,	Item(s): 1B and 2B,	Amount: \$1.00
General Highway Products, Inc.,	Item (s): 3B,	Amount: \$1.00

SECTION 2. That the expenditure of \$2.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1063-2003

To authorize and direct the Finance Director to enter into a contract for an option to purchase Auto and Truck Radiator Repair, with Taliaferro Enterprise, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on March 6, 2003 and selected the lowest bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Auto and Truck Radiator Repair, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Auto and Truck Radiator Repair in accordance with Solicitation No. SA000412GRW as follows:

Taliaferro Enterprise, Awarded	Item(s): All items,	Amount: \$1.00
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SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1064-2003

To authorize and direct the Finance Director to enter into five contracts for an option to purchase Oils and Greases, with Four O Corporation dba Oil Distributing Company, Circleville Oil Company, The Holton Oil Company, Glockner Oil Company, and Columbus Oil Company, to authorize the expenditure of five dollars to establish contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$5.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on April 3, 2003 and selected the lowest bids; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into five contracts for an option to purchase Oils and Greases, thereby preserving the public health, peace, property, safety, and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into five contracts for an option to purchase Oils and Greases in accordance with Solicitation No. SA000421 GRW as follows:

Four O Corporation dba Oil Distributing Co.,	Item(s): 1, 2, 6, 7, 12 and 15,	Amount: \$1.00
Circleville Oil Company,	Item(s): 3, 4, 11, 14, 15A, 15B, 16, 17 and 18,	Amount \$1.00

The Holton Oil Company, Inc.,	Item: 5,	Amount \$1.00
Glockner Oil Company, Inc.,	Item: 8,	Amount \$1.00
Columbus Oil Company,	Item(s): 9 and 10,	Amount \$1.00

SECTION 2. That the expenditure of \$5.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1065-2003

To authorize and direct the Finance Director to enter into three contracts for an option to purchase Street Sweeper Parts, with Old Dominion Brush Company, Lactal Equipment, Inc. and Jack Doheny Supplies Ohio, Inc., to authorize the expenditure of three dollars to establish contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$3.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on April 3, 2003 and selected the lowest bids; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into three contracts for an option to purchase Street Sweeper Parts, thereby preserving the public health, peace, property, safety, and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into three contracts for an option to purchase Street Sweeper Parts in accordance with Solicitation No. SA000425GRW as follows:

Old Dominion Brush Company,	Item(s): 3,	Amount: \$1.00
Lactal Equipment Inc.,	Item(s): 1,	Amount: \$1.00
Jack Doheny Supplies Ohio, Inc.,	Item(s): 2,	Amount: \$1.00

SECTION 2. That the expenditure of \$3.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1066-2003

To authorize and direct the Finance Director to enter into a contract for an option to purchase MMO-MUG Materials, with Idexx Distribution, Inc., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on March 27, 2003 and selected the lowest bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase MMO-MUG Materials, thereby preserving the public health, peace, property, safety, and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase MMO-MUG Materials in accordance with Solicitation No. SA000422DRM as follows:

Idexx Distribution, Inc.,	Item(s): All Items
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SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1106-2003

To rezone 973 GALLOWAY ROAD (43119), being 21.86± acres located on the west side of Galloway Road at the terminus of Greenhaven Avenue, From R, Rural District, To: L-R-2, Limited Residential District

WHEREAS, application #Z03-012 is on file with the Building Services Division of the Department of Development requesting rezoning of 21.86+ acres from R, Rural District, to L-R-2, Limited Residential District; and

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

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

WHEREAS, the City Departments recommend approval of said zoning change because the requested LR-2, Limited Residential District to permit the development of a single-family subdivision is consistent with the Westland Area Plan (1994) and development patterns established to the

north and east The limitation text provides development standards that address maximum density, public street connections to the north and to Galloway Road, a stub street to the south, minimum net floor area for living quarters for two-story residences, two reserves, one of which will protect an existing wetland, and commitments to the Department of Recreation and Parks and Franklin County Engineer's office, 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

973 GALLOWAY ROAD (43119), being 21.86± acres located on the west side of Galloway Road at the terminus of Greenhaven Avenue and being more particularly described as follows

Situated in the State of Ohio, County of Franklin, City of Columbus being part of Virginia Military Survey No 1473 and being all of that 21.803 acre tract of land conveyed to Samuel M Baker of record in Deed Book 3061, Page 544 (all references used in this description refer to the records of Recorder's Office, Franklin County, Ohio), and being more particularly described as follows:

Beginning at the northeast corner of said 21.803 acre tract being located SOUTH 302093999 WEST a distance of 1113.75 feet from a Franklin County survey control monument no 2249 at the old centerline intersection of Galloway Road with the centerline of Hall Road said point being in the old centerline of Galloway Road

Thence SOUTH 3° 20' 39" WEST with the centerline of said Galloway Road a distance of 592.49 feet to the northeast corner of a 22.30 acre tract conveyed to Edna M. Sheets (et al) of record in Deed Book 3044, Page 231;

Thence NORTH 86° 10' 38" WEST with the north line of said 22.30 acre tract a distance of 1607.10 feet to the northwest corner of said 22.30 acre tract, being an easterly line of a 24.1772 acre tract of land conveyed to William C. Ruff and Richard W. Lamprecht of record in Instrument No 199812160325114;

Thence NORTH 3° 20' 39" EAST with the easterly line of said 24.1772 acre tract a distance of 592.49 feet to the northeast corner of said 24.1772 acre tract, the south line of a 31.805 are tract of land conveyed to Parkmead Corporation of record in Instrument No.200002170032684;

Thence SOUTH 86° 10'38" EAST with the south line of said 24.1772 acre tract a distance of 1607.10 feet to the true point of beginning and containing 21.859 acres, more or less.

The above description was prepared by Robert E. Blackburn of Geo Graphics Inc., Land Surveying and Civil Engineering, Columbus, Ohio, from information obtained from all available records

**To Rezone From: R, Rural District,
To: L-R-2, Limited Residential District**

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the L-R-2, Limited Residential 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-R-2, Limited Residential 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, "EXHIBIT FOR REZONING BAKER REAL ESTATE, GALLOWAY ROAD, 21.859 ACRES," and text titled, "LIMITATION TEXT," both signed by Robert Howarth, Attorney for the Applicant, and dated May16, 2003, and the text reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT: L-R-2, Limited Residential District
 PROPERTY ADDRESS: 973 Galloway Road, Columbus, Ohio (43119).
 OWNER: Samuel L. Baker; 3319 Livingston Avenue, Columbus, Ohio (43227).
 APPLICANT: Samuel L. Baker; do Robert Howarth, Atty.; 471 E. Broad Street, #2001; Columbus, OH (43215).
 DATE OF TEXT: May 16, 2003
 APPLICATION #: Z03-012

1. INTRODUCTION: The purpose of this application is to rezone 22± acres of land located in the City of Columbus The parcel is currently undeveloped and zoned in the R-Rural District. This application proposes zoning this parcel L-R-2. Residential development has occurred to the east and north and is planned to the south

2. PERMITTED USES: Allowable uses as set forth in Section 3332.003, Columbus City Code.

3. DEVELOPMENT STANDARDS: As required for the R-2, Residential District, unless otherwise set forth in this limitation text or on the site plan titled "EXHIBIT FOR REZONING, BAKER REAL ESTATE, GALLOWAY ROAD, 21.859 ACRES, CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO".

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

1. The maximum number of lots shall be 87 which represents a density of four (4) dwelling units per acre.
2. Two-story residences shall have a minimum of 1250 sq. feet of minimum net floor area for living quarters

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

1. Access points shall be located east to Galloway Road, north as an extension of Drayson Road, and a stub street to the south for future development, all subject to final approval by the City of Columbus Transportation Division
2. The entrance point on the east from Galloway Road shall consist of a 40 ft. radius.
3. There will be 50 feet of right-of-way dedicated from the centerline of Galloway Road

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

1. Reserve "A" shall consist of 1.492± acres of Open Space located at the northeast corner of the site to preserve an existing wetland area. Reserve "A" shall be owned and maintained by a homeowners association
2. Reserve "B" shall consist of 2.626± acres located along the western site boundary to provide Open Space and Detention Area. Reserve "B" shall be owned and maintained by a homeowners association
3. The developer shall install an evergreen tree every twenty-five feet along Galloway Road and Lots 1 and 87. Said evergreen trees shall be a minimum five (5) feet high at the time of planting
4. All trees and landscaping shall be well maintained Dead items shall be replaced within six (6) months or the next planting season, whichever occurs first

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

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

The developer shall install decorative street light fixtures

F. Graphics and Signage Commitments

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the R-2, Residential District and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration

G. Miscellaneous Commitments

1. The developer shall comply with the city's Parkland Dedication Ordinance (per C.C. 3318.11) by paying cash on the basis of \$20,000 per acre.
 2. The developer shall contribute \$5,000.00 to the Franklin County Engineer's Office for the signal at the intersection of Galloway and Hall Roads. This contribution will be due upon receipt of a driveway permit approval by the City of Columbus.
 3. The developer shall provide either a sidewalk or bike path between the eastern edge of the parcel and Galloway Road
 4. Site Plan Revision Allowance. The Property shall be developed in general conformance with the Site Plan; however, the Site Plan may be slightly adjusted to reflect engineering, topographical or other site data established at the time that development and engineering plans are completed. The Director of the Department of Development or the Director's designee may approve any slight adjustment to the Site Plan upon submission of the appropriate data regarding the proposed adjustment.
- Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law
 Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1107-2003

To grant a Variance from the provisions of Section 3361.03 D., Development plan, for the property located at 1929 SCHROCK ROAD (43229), to permit a fraternal organization in the CPD, Commercial Planned Development District (Council Variance # CVO3-012) and to declare to an emergency.

WHEREAS, by application No. CVO3-012, the owner of property at 1920 SCHROCK ROAD (43229), is requesting a Council variance to permit a fraternal organization in the CPD, Commercial Planned Development District; and

WHEREAS, the Loyal Order of Moose, a fraternal organization, headquartered in the United States and a recognized not-for-profit organization that primarily devoted to community service activities such as supporting retirement communities for senior members and a home and school for children in need with the focus of the organization on families and community service activities supported by members of the chapter; and

WHEREAS, Membership in the Order of the Moose is required to participate in fraternal activities, therefore in order to attain membership an individual must be sponsored by a member in good standing, submit an application and (greater than \$20) fee, undergo a thorough review of his or her qualifications. The leadership committee must review the candidate's membership application and only then may the candidate nomination be submitted to the full membership for a vote on approval of the candidate's application for inclusion in the fraternal organization. If approved the new member must undergo an initiation process be granted full membership in the organization. Those members using the family center must be in good standing with the organization to utilize the facilities; and

WHEREAS, the Moose Family Center offers a variety of activities including the serving of alcoholic beverages, however those beverages may not be purchased by non-members as only members are permitted the privilege of purchasing alcoholic beverages within the family center. In order to maintain the rolls of those in good standing and to conduct fraternal business the leadership committee of the lodge should meet at least twice a month and the full membership gather at least once a month to insure compliance with the requirements of the fraternal organization bylaws and the requirement comprising this council variance; and

WHEREAS, Section 3371.03 D., Development plan, reports the overall concept of a proposed development, which for this property specifically includes the prohibited use of private clubs, while the applicant proposes to convert a vacant tenant space into a fraternal organization; and

WHEREAS, City Departments recommend approval and note a hardship exists because the development plan for the CPD, Commercial Planned Development District specifically prohibits private club uses, including fraternal organizations, and a Council variance is able to specifically limit the type of private club to be permitted, whereas rezoning the property to allow private club uses would permit other uses found under the private club definition that may not be appropriate for the area; 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 1920 SCHROCK ROAD (43229), in using said property as desired; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to pass this ordinance as an emergency measure because of the need to allow for the commitment of construction of the subject space as the Lodge is without a meeting location at this time and it is important to initiate the construction to provide a facility to hold scheduled Lodge functions for the preservation of the public health, peace, property, safety, and welfare; now therefore

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

Section 1. Variance from the provisions of Section 3361.03, Development plan, is hereby granted for the property located at 1920 SCHROCK ROAD (43229), in that said development plan prohibits private club use, including fraternal organizations, in the CPD, Commercial Planned Development District; said property being more particularly described as follows:

1920 SCHROCK ROAD (43229), being 2.75± acres located on the north side of Schrock Road opposite the northern terminus of Sharon Woods Boulevard, and being more particularly described as follows

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Section 1, Township 2, Range 18, United States Military Lands, containing 2.752 acres of land, more or less, said 2.752 acres being part of Lot 915 of Sharon Woods Section 8, of record in Plat Book 45, Pages 82 and 83, Recorder's Office, Franklin County, Ohio, said 2.752 acres of land being more particularly described as follows:

Beginning, for reference, at a point in a curve at the centerline intersection of (New) Schrock Road and Sharon Woods Boulevard (70 feet in width) as said intersection is shown and delineated upon the recorded plat of said Sharon Woods Section 8; thence northeastwardly with the centerline of said (New) Schrock Road, the same being the arc of a curve to the left having a radius of 954.93 feet, a central angle of 4° 42' 04" and a chord that bears N 66° 56' 18" E, a chord distance of 78.33 feet to a point of compound curvature; thence northeastwardly, with the centerline of said (New) Schrock Road, the same being the arc of a curve to the left having a radius of 1909.86 feet, a central angle of 6° 00' 00" and a chord that bears N 61° 35' 16" E, a chord distance of 199.91 feet to the point of tangency; thence N 58° 35' 16" E, with the centerline of said (New) Schrock Road, a distance of 39.74 feet to a point in a northerly boundary of said Sharon Woods Section 8, the same being in the eastwardly extension of the southerly right-of-way line of Interstate Route 270; thence N 76° 24' 15" W, with the boundary of said Sharon Woods Section 8 and with the eastwardly extension of the southerly right-of-way line of said Interstate Route 270, a distance of 122.21 feet to the true point of beginning in the northerly line of said Lot 915 at the northernmost corner of the 0.248 acre tract of land referred to as PARCEL 12 WD 1 and appropriated for additional right-of-way purposes for (New) Schrock Road;

Thence from said true point of beginning, with a northwesterly boundary of said PARCEL 12-WD1, crossing part of said Lot 915, the

following two (2) courses and distances;

S 60° 35' 25" W, a distance of 176.99 feet to a point;

S 71° 37' 26" W, a distance of 293.16 feet to an angle point in the northerly right-of-way line of said (New) Schrock Road;

Thence N 88° 48' 30" W, with the southerly line of said Lot 915 and with the northerly right-of-way line of said (New) Schrock Road, a distance of 213.83 feet to the southwesterly corner of said Lot 915;

Thence northwardly and northeastwardly with the westerly and northwesterly boundary of said Lot 915, the following three (3) courses and distances:

1. N 1° 27' 30" E, a distance of 195.22 feet to a point;

2. N 59° 16' 30" E, a distance of 158.60 feet to a point;

3. N 75° 32' 30" E, a distance of 42.99 feet to a point in the southerly right-of-way line of said Interstate Route 270;

Thence S 76° 24' 15" E, with the northerly line of said Lot 915 and with the southerly right-of-way line of said Interstate Route 270, a distance of 476.60 feet to the true point of beginning and containing 2.752 acres of land, more or less.

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a fraternal organization, not to exceed 3705 square feet of space on the east end of the existing shopping center structure, or those uses permitted in the CPD, Commercial Planned Development District

Section 3. That this ordinance is further conditioned upon the location of the entry doors to the fraternal organization be on the east facade of the structure.

Section 4. That this ordinance is further conditioned upon the fraternal organization providing at least 150 parking spaces.

Section 5. That this ordinance is further conditioned upon the hours of operation for the fraternal organization be Monday through Thursday 11:00 AM-11:00 PM, and Friday through Saturday, 12:00 PM-1:00 AM. If the organization is open for a special event on Sunday, the hours of operation will be 11:00 AM-11:00 PM.

Section 6. That this ordinance is further conditioned upon no outdoor seating being permitted for the organization in conjunction with the purchase of food or alcohol. There may be limited outdoor events that are scheduled for fund raising purposes only, and may occur on Saturday 12:00 PM-11:00 PM, or Sunday, 11:00AM-10:00PM, and be limited to only four times per year.

Section 7. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed new use of the existing building

Section 8. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed as amended July 14, 2003, Matthew D. Habash, President of Council / Approved as amended July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1130-2003

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Autobody Repair Supplies, with NAPA Columbus Distribution Center, and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, vendor has agreed to extend FL000838 at current prices and conditions to and including May 31, 2004, and it is in the best interest of the City to exercise this option; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL(000838 for an option to purchase Autobody Repair Supplies thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify and extend FL000838 with NAPA Columbus Distribution Center to and including May 31, 2004.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1134-2003

To authorize and direct the Finance Director to enter into a contract for an option to purchase Giardia & Cryptosporidium Sample Analysis, with Environmental Associates Ltd., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on April 3, 2003 and selected the lowest bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Giardia & Cryptosporidium Sample Analysis, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Giardia & Cryptosporidium Sample Analysis in accordance with Solicitation No. SA000424DRM as follows:

Environmental Associates Ltd., Item(s): All Items

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor

neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1502-2003

To authorize and direct the Finance Director to enter into two contracts for an option to purchase Various Office Chairs, with Boise Cascade, and Thomas W. Ruff & Company, to authorize the expenditure of two dollars to establish contracts from the Purchasing/Contract Operation Fund. (\$2.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on November 18, 2001 and selected the lowest bids; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into two contracts for an option to purchase Various Office Chairs in accordance with Solicitation No. SA000113HJB as follows:

Boise Cascade	Item(s): 8	Amount: \$1.00
Thomas W. Ruff & Company	Item: 3	Amount: \$1.00

SECTION 2. That the expenditure of \$2.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

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

Passed as amended July 14, 2003, Matthew D. Habash, President of Council / Approved as amended July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1503-2003

To authorize and direct the Finance Director to modify and extend the city-wide contracts for the Rental of Construction Equipment with an Operator, with Travco Construction Company and Right Way Excavating, Inc. and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, vendors have agreed to extend FL000856 and FL000859 at current prices and conditions to and including August 31, 2004, and it is in the best interest of the City to exercise this option; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL000856 and FL000859 for the Rental of Construction Equipment with an Operator thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify and extend FL000856 with Travco Construction Company and FL000859 with Right Way Excavating, Inc. to and including August 31, 2004.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1504-2003

To authorize and direct the Finance Director to enter into a contract for an option to purchase Fairbanks Morse Pump Parts & Repair Service, with Fairbanks Morse Pump Service Group, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on April 17, 2003 and selected the lowest bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Fairbanks Morse Pump Parts & Repair Service, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Fairbanks Morse Pump Pars & Repair Service in accordance with Solicitation No. SA000429BGB as follows:

Fairbanks Morse Pump Service Group,	Item(s): All Items
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SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1511-2003

To authorize and direct the Finance Director to enter into seven contracts for an option to purchase Small Tools with Central Ohio Power Tool, Inc., National Diamond, Inc., Edeco Tool and Supply, Scott Cable Communications, Inc., Hertz Equipment Rental Corporation, Genuine Parts Company/NAPA, and Goss Supply Company, to authorize the expenditure of seven dollars to establish contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$7.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on February 6, 2003 and selected the lowest bids; and
WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into seven contracts for an option to purchase Small Tools, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into seven contracts for an option to purchase Small Tools in accordance with Solicitation No. SA000401BGB as follows:

Central Ohio Power Tool, Inc.

Primary Award: Items 7 Blackhawk, 8 Bosch, 9 Chicago Pneumatic, 23 Ingersoll-Ran, 40 Skill, Power Team, Houggen, Nordo and Clore Automotive.

Secondary Award: Item 28 Lincoln

National Diamond, Inc.

Primary Award: Item 33 National Diamond

Edeco Tool and Supply

Primary Award: Items 2 Allison, 4 Ames, 5 Arrow, 6 Black & Decker, 10 Clark, 13 Crosby, 14 Dayton, 15 DeWalt, 17 Enerpac, 18 Goldblatt, 19 Greenlee, 20 Hilti, 21 Humphrey, 22 Igloo, 24 Jurgeson, 25 Kennedy, 28 Lincoln, 31 Matco, 32 Milwaukee, 34 OTC, 35 Plews, 36 Porter-Cable, 39 Shop-Vac, 40 Skill, 41 Snap-On, 42 Stanley-Proto, 43 Star, 44 Thermos, 47 True Temper, 47 Weatherhead, 48 Walton, and add-on manufacturers, Bandit, Metabo Power Tool, Liftall, MK Morse and National Twist Drill

Secondary Award: Item 1 Allenmite, 3 American Power Pull, 7 Blackhawk, 8 Bosch, 11 Coffing, 12 Cooper Group, 23 Ingersoll-Rand, 27 Knaack, 29 Little Mule, 30 Marshalltown, 38 Safe-T-Way, and #46 Union Fork and Hoe

Scott Cable Communications, Inc.

Primary Award: Item 26 Klein Tools

Secondary Award: Items 5 Arrow, 6 Black and Decker, 10 Clark, 14 Dayton, 18 Goldblatt, 24 Jurgeson, 25 Kennedy, 27 Knaack Tools, 35 Plews, 41 Snap-On, and 42 Stanley-Proto

Hertz Equipment Rental Corporation

Primary Award: Items 8 Bosch, 11 Coffing, 27 Knaack, 29 Little Mule, 38 Safe-T-Way, 40 Skill, 45 True Temper, and add-on manufacturers Wright Tools, Rubbermaid, Rowl/Powers, Channel Lock, Vise Grip, Justrite and Baur Ladders

Secondary Award: Items 4 Ames, 13 Crosby, 15 DeWalt, 16 Eagle, 19 Greenlee, 26, Klein, 32 Milwaukee, 36 Porter-Cable, 37 Rigid, and 46 Union Fork & Hoe

Genuine Parts Company/NAPA

Primary Award: Add on NAPA Tools & Equipment

Goss Supply Company

Primary Award: Items 1 Allenmite, 3 American Power Pull, 12 Cooper Group, 16 Eagle, 30 Marshalltown, 37 Rigid, 46 Union Fork & Hoe, and add-on manufacturers, COA Canvas Tarps, Goss Tarps, R & M, Red Head, Simplex, Stabila Levels, Starrett, Unicord, and Waterloo.

Secondary Award: Items 9 Chicago Pneumatic, 17 Enerpac, 22 Igloo, 31 Matco, 39 Shop-Vac, and 48 Wilton

SECTION 2. That the expenditure of \$7.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1514-2003

To rezone 4466 MORSE ROAD (43230), being 1.05± acres located on the north side of Morse Road, 398± feet east of Sleaford Avenue, From: L-C-2, Limited Commercial District, To: CPD, Commercial Planned Development District

WHEREAS, application #Z02-095 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.05± acres from L-C-2, Limited Commercial District to CPD, Commercial Planned Development District;

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

WHEREAS, the City Departments recommend approval of said zoning change because The requested CPD, Commercial Planned Development District would permit carefully controlled office uses consistent with established zoning and development patterns of the area and now, therefore;

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to pass this ordinance as an emergency measure because of the need to proceed with building permit submittal for the preservation of the public health, peace, property, safety, and welfare; 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

4466 MORSE ROAD (43230), being 1.05± acres located on the north side of Morse Road, 398± feet east of Sleaford Avenue and being more particularly described as follows

DESCRIPTION OF 1.047 ACRE TRACT AT 4466 MORSE ROAD, COLUMBUS, OHIO

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 4, Township 2 North, Range 17 West, United States Military Lands, and being all of the residual of an original 1.267 (now 1.047 ac.) acre tract of land conveyed to D. Greg Masters by deed of record in Instrument 199711170145267, all references to Recorder's Office, Franklin County, Ohio, and bounded and described as follows

Beginning, for reference, at Franklin County Monument No.6616 found at the intersection of the centerline of Morse Road with the centerline of North Hamilton Road;

thence WEST along the centerline of Morse Road a distance of 2,507.09 feet to a point at the southwest corner of a 0.220 acre tract of land conveyed out of said original 1.267 acre tract to City of Gahanna for right-of-way purposes by deed of record in Instrument 199905180125357 and at the southeast corner of a 0.380 acre tract of land conveyed to City of Gahanna for right-of-way purposes by deed of record in Instrument 199908170208845, said 0.380 acre tract having been conveyed out of an original 5.574 acre tract of land conveyed to St. Luke Lutheran Church by affidavit of record in Official Record 20976, Page G 20;

thence N 0° 25' 20" W along the east line of said 0.380 acre tract and along the west line of said 0.220 acre tract a distance of 60.00 feet to a point in the north right-of-way line of Morse Road, at the northwest corner of said 0.220 acre tract, at the northeast corner of said 0.380 acre tract, in the east line of said original 5.574 acre tract, in the west line of said original 1.267 acre tract and at the true place of beginning for the tract herein intended to be described;

thence continuing N 0° 25' 20" W along the west line of said original 1.267 acre tract and along a portion of the east line of said original 5.574 acre tract a distance of 285.00 feet to a point at the northwest corner of said original 1.267 acre tract and at a southeast corner of a 22.204 acre tract of land conveyed to Chestnut Hill Apartments, Ltd. by deed of record in Official Record 33896, Page H 10,

thence EAST along the north line of said original 1.267 acre tract and along a portion of a south line of said 22.204 acre tract a distance of 160.00 feet to a point at the northeast corner of said original 1.267 acre tract and at the northwest corner of an original 1.822 acre tract of land conveyed to Chestnut Hill Apartments, Ltd. by deed of record in Official Record 34431, Page D 11,

thence S 0° 25' 20" E along the east line of said original 1.267 acre tract and along the west line of said original 1.822 acre tract a distance of 285.00 feet to a point in the north right-of-way line of Morse Road, at the northeast corner of said 0.220 acre tract and at the northwest corner of a 0.317 acre tract of land conveyed out of said 1.822 acre tract to City of Columbus, Ohio for right-of-way purposes by deed of record in Official Record 34957, Page B 16;

thence WEST along the north line of said 0.220 acre tract and along the north right-of-way line of Morse Road parallel to and 60.00 feet northerly by perpendicular measurement from the centerline of Morse Road a distance of 160.00 feet to the place of beginning; containing 1.047 acres of land more or less and being subject to all legal highways, easements and restrictions of record

**To Rezone From: L-C-2, Limited Commercial 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 plans being titled "CPD-SITE AND LANDSCAPING PLAN" and "MASTERS PROFESSIONAL BUILDING, 4466 MORSE ROAD, COLUMBUS, OH - ELEVATIONS" and said text titled, " DEVELOPMENT TEXT CPD, COMMERCIAL PLANNED DEVELOPMENT 1.05± Acres," signed by Donald T. Plank, Attorney for the Applicant, dated May30, 2003 and reading as follows:

**DEVELOPMENT TEXT
CPD, COMMERCIAL PLANNED DEVELOPMENT
1.05± Acres**

EXISTING DISTRICT:	L-C-2, LIMITED COMMERCIAL DISTRICT
PROPOSED DISTRICTS:	CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT
PROPERTY ADDRESS:	4466 MORSE ROAD, COLUMBUS, OH 43232
OWNER:	D. GREG MASTERS C/O DONALD PLANK, ESQ., SHULER PLANK & BRAHM, 145 EAST RICH STREET, COLUMBUS, OH 43215
APPLICANT:	D. GREG MASTERS C/O DONALD PLANK, ESQ., SHULER PLANK & BRAHM, 145 EAST RICH STREET, COLUMBUS, OH 43215
DATE OF TEXT:	MAY 30, 2003
APPLICATION NUMBER:	Z02-095

1. INTRODUCTION:

The subject site is 1.05± acres located on the north side of Morse Road 2,340± feet west of Hamilton Road By Ordinance 1300-98, passed June 1, 1998 (Z97-126), 1.27± acres was rezoned to the L-C-2, Limited Commercial District for office development In conjunction with Ordinance 1300-98, applicant deeded right of way for Morse Road totaling 60 feet from centerline, resulting in the current 1.05± acre site. Ordinance 1300-98 limits building size to 8,000 square feet. Applicant proposes to rezone the property to permit a 14,000 square foot office building with a 12,000 square foot footprint and 2,000 square foot lower level and more specific development standards than are presently required.

Since Ordinance 1300-98 was passed, Morse Road has undergone a major reconstruction and now consists of 5 lanes with curb, gutter, sidewalks and streetlights Morse Road is a 4-2D arterial on the Columbus Thoroughfare Plan. An office building is an appropriate land use on a major arterial right of way Other commercial uses exist in close proximity to the site The site is located within the Northland Planning Area and specifically in the Blendon District as identified in the Northland Plan - Volume II, which supports this development

A plan titled "CPD - Site and Landscaping Plan" dated November 6, 2002, signed May 30, 2003 by Donald Plank, Attorney for Applicant, hereinafter referred to as The Plan, is hereby incorporated by reference and made a part of this rezoning A building elevation plan titled "Masters Professional Building, 4466 Morse Road, Columbus, OH - Elevations" dated October 16, 2000, signed May 30, 2003 by Donald Plank, Attorney for Applicant, hereinafter referred to as The Elevation Plan, is hereby incorporated by reference and made a part of this rezoning

2. PERMITTED USES: The following uses shall be permitted:

All uses of Chapter 3353, C-2, Office Commercial District, except the following: Armory, Art Studio, Bank, Electric Substation, Photography Studio, Public or Private Hospital, Radio or Television Studio Apartments,

3. **DEVELOPMENT STANDARDS:** Except as specified herein, or as depicted on The Plan and The Elevation Plan, the applicable development standards shall be as specified in the C-2, Commercial District

- A. Density, Height, Lot and/or Setback Commitments.
1. Building: Building setbacks shall be as depicted on The Plan.
 2. Parking Setback: Parking and pavement setbacks shall be as depicted on The Plan
 3. The site shall be designated a H-35 Height District with further limitations on height of 16 feet to the mid-point of the gable, as measured in Section 3303.08, Columbus Zoning Code and an absolute height of 28 feet to the ridge of the roof, exclusive of ornamental architectural detailing, such as cupolas.
 4. Lot coverage for all building and pavement shall not exceed 80% of lot area.
 5. The building shall be one (1) story above grade and shall consist of a maximum building area of 14,000 total square feet. The maximum building footprint shall be 12,000 square feet. A lower level of up to 2,000 square feet shall be permitted.
 6. All existing building(s) shall be removed in conjunction with redevelopment of the site.
- B. Access, Loading, Parking and/or other Traffic Related Commitments.
1. The site shall be accessed via one (1) full turning movement curb cut located in alignment with the Franklin County Engineers Office curbcut (Tax District/Parcel 025-004415) on the south side of Morse Road. Curb cut design shall be approved according to the specifications of the City of Columbus Division of Transportation or other applicable governmental agency.
 2. A total of 48 on-site parking spaces shall be provided in accordance with The Plan. The 48 parking spaces shall satisfy all code required parking for all permitted uses of the building, including general and medical office use
 3. Parking and vehicle circulation areas shall be designed as depicted on The Plan.
 4. Major driving aisles and curb lanes shall be defined with raised island dividers or medians. Raised areas shall be planted with trees or other landscaping to increase visibility of the island or divider.
- C. Buffering, Landscaping, Open Space and/or Screening Commitments.
1. All parking/pavement setback areas depicted on The Plan shall be maintained in live vegetation, other than sidewalks, as depicted. New tree and shrubbery planting shall be placed as depicted and existing trees, as depicted, shall be preserved. If it is not possible to preserve existing trees, then new tree planting on a one (1) for one (1) basis of replacement of existing trees, as depicted on The Plan, shall be planted.
 2. A street tree row shall be established along Morse Road. The street tree row shall contain one (1) tree for every 40 feet of lineal frontage, exclusive of driveway area. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester. The trees shall be approximately evenly spaced and planted approximately five (5) to ten (10) feet from edge of right-of-way.
 3. Headlight screening to a height of 36", consisting of evergreen plant material and/or low fencing or wall shall be provided along the southern 125± feet of the west property line to screen headlights from view from the west and where otherwise indicated on The Plan. The height of headlight screening shall be measured at the elevation of the nearest section of the adjacent on-site parking area
 4. Tree planting shall be required within the site parking area as depicted on The Plan, with not less than a total of 25 inches of total trunk caliper provided
 5. Landscaping requirements of this section and as depicted on The Plan, shall be the applicable landscaping requirements for the site and shall supercede requirements of Chapter 3342.
 6. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six months.
 7. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches, Ornamental - 1 ½ inches, Evergreen - 5 feet.
- D. Building Design and/or Interior-Exterior Treatment Commitments
1. The building elevations shall be substantially as depicted on The Elevation Plan, subject to minor adjustments with final engineering and building design
 2. There shall be no roof mounted mechanical equipment. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or a fence or wall utilizing comparable and compatible materials as the building materials
 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
 4. Building materials shall be traditional and natural in appearance, using stone, brick, stucco/EIFS, wood, Hardi-Plank or comparable materials.
 5. Building(s) shall be finished on all sides/elevations with the same level and quality of finish
 6. The building shall have a pitched roof with a minimum slope of 7:12 on the primary roof
- E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments
1. All external outdoor lighting, except decorative lighting, such as at entrances to the building, shall be cut-off fixtures (down lighting). There may also be accent lighting (up lighting) on landscaping in the front of structures and a ground sign, provided the fixtures are screened 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 metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 18 feet in height, except that no light pole located north of the north wall of the building shall exceed 14 feet in height
 4. Parking lot lighting shall be located in landscaped islands to protect both lights and vehicles from possible damage.
 5. Building mounted lighting, except decorative lighting at building entrances, shall utilize cutoff style fixtures and be designed in such a way to minimize any light spillage offsite occurs
 6. All new or relocated utility lines shall be installed underground, unless the applicable utility company requires above ground installation.
 7. There shall be no parking lot lighting east of the east wall of the building
 8. Building mounted lighting on the east side of the building, if any, shall utilize fixtures and bulbs that are fully recessed in the soffit
- F. Graphics and Signage Commitments.
1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-2, Commercial District, except under the provisions of Section 3377.17(C)(2), Setback Regulations for Permanent On Premise Ground Signs (Special Area Setback Exceptions), a ground sign setback of not less than six (6) feet is hereby established and two (2) business identification panels for on-premise business occupants shall be permitted within the permitted ground sign graphic area. Any variance to the applicable requirements of the ~2, Commercial District, other than ground sign setback and the use of two (2) business identification panels for on-premise business occupants of the building shall be submitted to the Columbus Graphics Commission.
 2. Any ground sign shall be monument-style.

- G. Other CPD Requirements
1. Natural Environment The natural environment is flat
 2. Existing Land Use: The property is presently developed with a small office building
 3. Circulation: Access to and from the site will be from Morse Road
 4. Visual Form of the Environment: The area surrounding the site to the north and east is developed with multi-family residential uses. The site abuts Morse Road on the south side and a large church parking lot on the west side.
 5. Visibility: The site fronts on Morse Road.
 6. Proposed Development Commercial development consisting of an office building and site development as depicted on the plan titled "CPD - Site and Landscaping Plan" dated November 6, 2002 and the building elevation plan titled "Masters Professional Building, 4466 Morse Road, Columbus, OH - Elevations", both signed May 30, 2003, by Donald Plank, Attorney for Applicant
 7. Behavior Patterns: The site is located on Morse Road. Vehicular access will be from Morse Road Pedestrian access along Morse Road is presently provided for with a concrete sidewalk parallel Morse Road.
 8. Emissions: Development 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: Code required parking is reduced to 48 spaces for all uses of the 14,000 square foot building, including medical office use Under provisions of Section 3377. 17(C)(2) of the Columbus Graphics Code, ground sign setback is established at not less than six (6) feet and the ground sign is permitted to have two (2) business identification panels for on-premise business occupants within the permitted ground sign graphic area
- H. Miscellaneous
1. The on-premise dumpster shall be screened from view on three (3) sides with a six (6) foot high, opaque enclosure and with gates on the 4th side.
 2. The plan titled "CPD - Site and Landscaping Plan", signed by Donald T. Plank, Attorney for the Applicant, dated May 30, 2003 represents the intended development of the site, however, based on final engineering of the site, the applicant may make slight adjustments to the development plan subject to approval by the Director of the Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment
 3. The building elevation plan titled "Masters Professional Building, 4466 Morse Road, Columbus, OH - Elevations" signed by Donald T. Plank, Attorney for the Applicant, dated May 30, 2003 represents the intended elevations of the building, however, based on final engineering of the building, applicant may make slight adjustments to the elevations subject to approval by the Director of the Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment
 4. This rezoning is exempt from the Parkland Dedication Ordinance because the property is being rezoned from an existing commercial zoning district(L-C-2) to another commercial zoning district (CPD).
- Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.
Passed as amended July 14, 2003, Matthew D. Habash, President of Council / Approved as amended July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1515-2003

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase HP and Lexmark Printers, with Pomeroy Computer Resources, and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, vendor has agreed to extend contract number FL000392 at current prices and conditions to and including, and it is in the best interest of the City to exercise this option; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL000392 for an option to purchase HP and Lexmark Printers thereby preserving the public health, peace, property, safety, and welfare, now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify and extend FL000392 with Pomeroy Computer Resources to and including December 31, 2003.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1523-2003

To accept the application (AN03-008) of Dorothy A. Chick, et al. for the annexation of certain territory containing 5.95± Acres in Plain Township.

WHEREAS, a petition for the annexation of certain territory in Plain Township was duly filed by Dorothy A Chick, et al. on February 13, 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 April 29, 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 May 5, 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 Dorothy A Chick, et al. 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 February 13, 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 April 29, 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 Plain, being located in Section 14, Township 2, Range 16, United States

Military Lands, being part of that original 6.056-acre tract of land as described in a deed to Oakley R~ and Dorothy A. Chick, of record in Official Record 26758G02, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at the southeasterly corner of said 6.056-acre tract and at an angle point in the existing City of Columbus Corporation Line established by Ordinance Number 936-91, filed for record in Official Record 16933F18, and Ordinance Number 1764-01, filed for record in Instrument Number 200202120038713, Recorder's Office, Franklin County, Ohio;

Thence westerly, along said Corporation Line and the southerly line of said 6.056-acre tract, a distance of approximately 1153 feet to a point in the easterly right-of-way line of Harlem Road;

Thence northerly, along said right-of-way line, a distance of approximately 21 feet an angle point;

Thence northerly, continuing along said right-of-way line, a distance of approximately 115 feet an angle point;

Thence northerly, continuing along said right-of-way line, a distance of approximately 94 feet to a point in the northerly line of said 6.056-acre tract, the southerly line of the Linda J. Chandler 4.957-acre tract;

Thence easterly, along said northerly and southerly lines, a distance of approximately 194 feet to an angle point;

Thence southerly, continuing along said northerly and southerly lines, a distance of approximately 23 feet to an angle point;

Thence easterly, continuing along said northerly and southerly lines, a distance of approximately 67 feet to the northeasterly corner of said 6.056-acre tract and in the aforementioned Corporation Line;

Thence southerly, along said Corporation Line, a distance of approximately 225 feet to the place of beginning and containing 5.95 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 July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1553-2003

To amend the 2002 Capital Improvements Budget Ordinance 1674-02; to authorize the transfer of \$82,519.40 between projects within the Voted Street Lighting and Electricity Distribution Improvements Fund; to authorize the Finance Director to purchase materials from various vendors in accordance with the terms and conditions of universal term contracts and other miscellaneous materials for electricity distribution system improvements in accordance with provisions of the Columbus City Code; to authorize the expenditure of \$95,221.93 from the Voted Street Lighting and Electricity Distribution Improvements Fund; and to declare an emergency (\$95,221.93)

WHEREAS, the Division of Electricity wishes to extend an electrical circuit to provide service to the existing police academy, the new police academy and a Division of Water pump station; and

WHEREAS, it is necessary to purchase pole line hardware, wire and cable, wood poles, and other miscellaneous materials required to extend the electrical circuit; and

WHEREAS, the Purchasing Office has established universal term contracts for the option to obtain pole line hardware, wire and cable and wood poles; and

WHEREAS, any miscellaneous materials required that are not available on existing universal term contracts will be obtained in accordance with provisions of Columbus City Code Chapter 329 and Title 39; and

WHEREAS, a transfer of funds within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund is necessary to provide funding in the appropriate project; and

WHEREAS, it is necessary to amend the 2002 Capital Improvements Budget Ordinance 1674-02 to provide sufficient budget authority for the Distribution System Improvements project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Electricity, in that it is immediately necessary to purchase materials required for electricity distribution system improvements for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

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

SECTION 1. That Section 1 of the 2002 Capital Improvements Budget Ordinance 1674-02 is hereby amended as follows in order to provide sufficient budget authority for the purchase of materials required for electricity distribution system improvements:

DIVISION OF ELECTRICITY, DIVISION 60-07

FUND	PROJECT NUMBER	PROJECT NAME	CURRENT CIB AMOUNT	AMENDED CIB AMOUNT
553	670003	Street Lighting	1,142,018	1,103,225
553	670977	Facility Renovations	1,500,000	1,492,741
553	670607	Italian Village Sub.	489,468	453,000
553	670608	Distribution System Imp.	637,179	719,699

SECTION 2. That the City auditor is hereby authorized and directed to transfer funds within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund 553, Division No.60-07, as shown on attachment ORD 1553-2003funding.xls.

SECTION 3. That the Finance Director is hereby authorized to purchase materials necessary for electricity distribution improvements, up to an amount not to exceed \$95,221.93, in accordance with the terms and conditions of existing universal term contracts and if no universal term contract exists the purchases shall be made in accordance with the provisions of Chapter 329 and Title 39 of the Columbus City Codes, 1959.

SECTION 4. That to pay the cost of the aforesaid material purchases, the expenditure up to an amount not to exceed \$95,221.93 is hereby authorized from Division 60-07, Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund 553, Project 670608, OCA 670608, Object Level Three 6621.

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1555-2003

To authorize and direct the Finance Director to enter into three contracts for an option to purchase Vehicle Identification Materials, with 3M Company, Lowen Color Graphics, and Graphic Impressions, Inc., to authorize the expenditure of three dollars to establish contracts from the Purchasing / Contract Operation Fund, and to declare an emergency. (\$3.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on May 15, 2003 and selected the lowest, responsive, responsible and best bidders; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into three contracts for an option to purchase Vehicle Identification Materials, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into three contracts for an option to purchase Vehicle Identification Materials in accordance with Solicitation No. SA000442RFM as follows:

3M Company,	Item(s): 4A-4E,	Amount: \$1.00
Lowen Color Graphics,	Items(s): 1, 2, 3, and 10-15,	Amount: \$1.00
Graphic Impressions, Inc.,	Item(s): 5A, 5B, 6A, 6B, 7A, 7B, 8A-8D, 9A-9C, 16A and 16B,	Amount: \$1.00

SECTION 2. That the expenditure of \$3.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1566-2003

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Pager Services with Arch Wireless, to waive formal competitive bidding requirements and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, city agencies need pager services and market research through the bid process performed by Franklin County Ohio show that the City of Columbus' present contract for Pager Services with Arch Wireless is still the most economical; and

WHEREAS, vendor has agreed to extend CT-14942 at current prices and conditions to and including June 30, 2004, and it is in the best interest of the City to exercise this option; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend CT-14942 for an option to purchase Pager Services thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify and extend CT-14942 with Arch Wireless to and including June 30, 2004.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes. That in accordance with Section 329.27 of the Columbus City Code, this Council finds the best interest of the City is served by waiving, and does hereby waive Sections 329.06 (Formal Competitive Bidding) of the Columbus City Code.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1569-2003

To authorize the Finance Director to enter into a contract with DLT Solutions, for LANDesk2004 AutoCAD software, in accordance with the sole source provisions of the Columbus City Code, and against State of Ohio contract #533192-1, for the Division of Water, to authorize the expenditure of \$35,000.00 from the Water Works Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$35,000.00)

WHEREAS, the Division of Water, Design Engineering section needs to purchase LANDesk2004 AutoCAD software to become current with industry standards, and

WHEREAS, DLT Solutions is the sole provider of this software in the United States and the State of Ohio also has contract #533192-1 for this software, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Water, Department of Public Utilities, in that it is immediately necessary to authorize the Finance Director to enter into a contract, with DLT Solutions, for LANDesk 2004 AutoCAD software, based on sole source provisions of the Columbus City Code and against State of Ohio contract #533192-1, for the Design Engineering activity, for the immediate preservation of public health, peace, property and safety; now, therefore,

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

Section 1. That the Finance Director be and is hereby authorized to enter into a contract with DLT Solutions, for LANDesk 2004 AutoCAD software, in accordance with the sole source provisions of the Columbus City Code and against State of Ohio contract# 533192-1, for the Division of Water, Department of Public Utilities

Section 2. That it is in the best interest of the City to waive the provisions of Section 329.06 of the Columbus City Codes, 1959, and such provisions are hereby waived

Section 3. That the expenditure of \$35,000.00 or as much thereof as may be needed is hereby authorized from Water Works Enlargement Voted 1991 Bonds Fund No. 606, Department 60, Division 09, OCA Code 642900, Object Level One 06, Object Level Three 6649, Project No. 690290 to pay the cost thereof

Section 4. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the department administering said project; that the project has been completed and the monies are no longer required for said project except that no transfer shall be so made from a project account funded by monies from more than one source

Section 5. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1575-2003

To grant a Variance from the provisions of Sections 3363.01, M, Manufacturing districts; 3309.14, Height District; 3342.08 Driveway; 3342.15, Maneuvering; 3342.19, Parking space; 3342.25, Vision clearance and 3342.28, Minimum number of parking spaces required; 3372.609(A)(B) Setback requirements, of the Columbus City Codes for property located at 1000 SOUTH FRONT STREET (43206), to permit residential and park uses in the M, Manufacturing District. (Council Variance Application: CV03-003)

WHEREAS, by application # CV03-003, the owner of property at 1000 SOUTH FRONT STREET (43206), is requesting a Council variance to permit residential uses, public and/or private parkland/open space in the M, Manufacturing District; and

WHEREAS, Section 3363.01, M-Manufacturing district, prohibits residential and park uses, while the applicant proposes to permit public and/or private open space and various forms of multiple-family uses; and

WHEREAS, Section 3309.14, Height District, specifies in a 35-foot height district no building or structure shall be erected to a height in excess of thirty-five (35) feet, while the applicant proposes to develop forty-eight (48) foot high buildings; and

WHEREAS, Section 3342.08, Driveway, requires a minimum width of twenty (20) feet for commercial uses, while the applicant proposes a driveway that is a minimum of seventeen (17) feet in width; and

WHEREAS, Section 3342.15, Maneuvering, requires every parking space to have sufficient access and maneuvering area which may include an aisle, circulation area or improved alley, while the applicant proposes to permit property lines to intersect aisles and driveways and to permit required parking to be located on parcels other than the parcel for which the space serves; and

WHEREAS, Section 3342.19, Parking space, requires every parking space to have a minimum area of 9 feet by 18 feet with accessibility from an alley or maneuvering area, while the applicant proposes to permit property lines to intersect aisles and driveways and to permit required parking to be located on parcels other than the parcel for which the space serves; and

WHEREAS, Section 3342.25, Vision clearance, requires the size of required clear vision triangles to be 10 feet on each of the perpendicular sides, while the applicant proposes to reduce this to 2 feet on each of the two perpendicular sides along South Front Street; and

WHEREAS, Section 3342.28, Minimum Number of Parking Spaces Required, requires off-street parking at the required ratios for each use, while applicant proposes a 25% reduction in required off-street parking for all uses; and

WHEREAS, Section 3372.609(A), Setback requirements, requires a minimum building setback of zero (0) feet and a maximum building setback of ten (10) feet, while applicant proposes a maximum setback along West Deshler Avenue of fourteen (14) feet six (6) inches; and

WHEREAS, Section 3372.609(B), Setback requirements, requires a minimum parking lot setback of five (5) feet and that parking be located at the rear of the principal building, while applicant proposes to provide parking within principal structures and a parking setback of zero (0) feet for all parking located within garages; and

WHEREAS, the Brewery District Commission recommends approval; and

WHEREAS, the City recommends approval and notes a hardship exists because the existing M, Manufacturing Zoning is inappropriate as the area redevelops and that the suburban-oriented zoning code does not sufficiently provide for urban residential development as proposed; 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 1000 SOUTH FRONT STREET (43206), 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 3363.01, M, Manufacturing district; 3309.14, Height district; 3342.08, Driveway; 3342.15, Maneuvering; 3342.19, Parking space; 3342.25, Vision clearance and; 3342.28, Minimum number of parking spaces required, and 3372.609(A) and (B), Setback requirements, of the Columbus City Codes for property located at 1000 SOUTH FRONT STREET (43206), insofar as said sections prohibit a maximum of thirty-seven (37) dwelling-units and park uses in the M, Manufacturing District; forty-eight (48) foot high buildings, drive aisles reduced from a minimum width of twenty (20) feet to seventeen (17) feet, parking and maneuvering for parking crossing property lines instead of being on the same parcel as the use or parking spaces served, with parking setbacks reduced from 5 feet to 0 feet for parking in garages, parking provided within the principal structure rather than behind the principal structure, a clear vision triangle reduced from 10 feet on each perpendicular side to 2 feet on each perpendicular side along South Front Street, a 25% reduction in the amount of required parking, and increased building setbacks from a maximum of ten feet to fourteen (14) feet six (6) inches, said property being more particularly described as follows:

1.054 ACRES

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Half- Section 29, Township 5, Range 22, Refugee Lands and being all of Parcel II as conveyed to Columbus Jack Homes, LLC by deed of record in Instrument No. 200210310277059 and part of Front Street and Stewart Avenue as vacated with Ordinance Nos. 1849-75 and 518-59, respectively, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

BEGINNING at the point of intersection of the easterly right-of-way line of Front Street and northerly right-of-way line of Deshler Avenue. Said point also being the southwesterly corner of said Parcel II.

Thence North 24° 16' 10" West, a distance of 359.70 feet, along said easterly right-of-way line of Front Street, to a point;

Thence North 82° 08' 58" East, a distance of 183.32 feet, across said vacated Front Street and Stewart Avenue, to a point in the westerly right-of-way line of Wall Street;

Thence South 08° 03' 08" East, a distance of 344.51 feet, along said westerly right-of-way line of Wall Street and easterly lines of said vacated Stewart Avenue and Parcel II, to a point at the intersection of said westerly right-of-way line of Wall Street and aforesaid Deshler Avenue;

Thence South 81° 47' 25" West, a distance of 82.87 feet, along said northerly right-of-way line of Deshler Avenue, to the POINT OF BEGINNING. Containing 1.054 acres, more or less.

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a 37 dwelling-unit development or those uses permitted in the M, Manufacturing district.

Section 3. That this ordinance is conditioned on that an easement be provided for the use of any off-site drive aisle, driveway or other maneuvering area, evidence of which must be provided prior to zoning clearance being issued.

Section 4. That this ordinance is conditioned on at least two feet and 3 inches of driveway width be provided by easement for the driveway identified as "Variance 6" prior to zoning clearance being issued.

Section 5. That this ordinance is conditioned on the driveway connected to Front Street and having a reduced clear vision triangle be only for eastbound vehicular traffic.

Section 6. That this ordinance is conditioned on the Subject Site must be developed in general conformance with the "Site Plan", drawn by Jonathan Barnes dated January 22, 2003 and signed by Dan Schoedinger, Attorney for the Applicant. These Plans, while illustrative of the general location of buildings and parking, is schematic and may be adjusted to reflect engineering, topographical, or other site data developed at the time of development and engineering plans are completed. The Director of the Department of Development shall review and may approve adjustments upon submission of the appropriate data regarding the proposed adjustment. The Director may approve adjustments regarding the number and, placement of dwelling units per of building, the submitted elevations and parking layout. In no event may the number of dwelling units, location, design and number of vehicular access points, building and parking setbacks, and items regulated by the Zoning Code of the City of Columbus be altered without the appropriate legislative action being taken.

Section 7. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

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

Passed as amended July 14, 2003, Matthew D. Habash, President of Council / Approved as amended July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1598-2003

To rezone 2070 BETHEL ROAD (43220), being 16.99± acres located at the northeast corner of Bethel and Dierker Roads, the Crown Pointe Shopping Center, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District. (Rezoning # Z02-113) WHEREAS, application #Z02-1 13 is on file with the Building Services Division of the Department of Development requesting rezoning of 16.991 acres from CPD, Commercial Planned District to CPD, Commercial Planned Development District;

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 for the addition of gasoline sales to the existing grocer's store. The CPD text commits to the customary use restrictions and development standards including outdoor display controls, landscaping and rooftop mechanical screening, 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:

2070 BETHEL ROAD (43220), being 1 6.99± acres located at the northeast corner of Bethel and Dierker Roads, the Crown Pointe Shopping Center and being more particularly described as follows:

SUB-AREA A
0.387 Acres
Z02-1 13
2070 Bethel Road

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 4, Township 2 North, Range 19 West, United States Military Lands and being an area within a 16.236 acre tract of land conveyed to New Plan Realty Trust by deed of record in Instrument 199807240185386, Recorder's Office, Franklin County, Ohio and being more particularly described as follows;

Beginning, for reference, at a point at the east end of a curve connecting the east right-of-way of Dierker Road (60 feet wide) with the north right-of-way of Bethel Road (variable width) as said point is shown upon the plat of "Dedication Of Dierker Road, Bethel Road And Easements" as shown of record in Plat Book 62, Page 40 and being in the south line of said 16.236 acre tract;

Thence S 86° 28' 52" E along the north right-of-way line of Bethel Road and along a portion of the south line of said 16.236 acre tract a distance of 340.00 feet to a point;

Thence N 03° 31' 08" E perpendicular to the north right-of-way line of Bethel Road and perpendicular to the south line of said 16.236 acre tract and crossing a portion of said 16.236 acre tract a distance of 55.00 feet to a point at the true place of beginning for said lease area;

Thence continuing N 03° 31' 08" E crossing a portion of said 16.236 acre tract a distance of 113.00 feet to a point;

Thence S 86° 28' 52" E crossing a portion of said 16.236 acre tract a distance of 149.00 feet to a point;

Thence S 3° 31' 08" W crossing a portion of said 16.236 acre tract a distance of 113.00 feet to a point;

Thence N 86° 28' 52" W crossing a portion of said 16.236 acre tract a distance of 149.00 feet to the true place of beginning;

Containing 16,837 square feet (=0.387 acre)

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird + R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in January, 2003 and not from an actual field survey. Basis of bearings is the north line of Bethel Road being S 86° 28' 52" E, as shown upon the plat of "Dedication Of Dierker Road, Bethel Road And Easements", of record in Plat Book 60, Page 42 Recorder's Office, Franklin County, Ohio.

SUB-AREA B
15.849 Acres

Situate in the State of Ohio, County of Franklin, City of Columbus, being in Quarter Township 4, Township 2, Range 19, United States Military Lands and being all of the 1.319, 7.669 (Parcel II), 0.302 and 6.948 acres tracts conveyed to Gardner, Inc. by deeds of record in OR 30284J03, OR 29423F18, OR 29818F12 and OR 29297 E15, respectively, records of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning for reference at Franklin County Engineer's Monument Number 1173 at the intersection of the centerline of Bethel Road and the centerline of Dierker Road (south of Bethel Road), thence S 86 deg. 28' 52" E, a distance of 1.66 feet, along the centerline of Bethel Road to the point of

intersection of the centerline of Dierker Road (north of Bethel Road) as established by plat of record in Plat Book 62, Page 40; thence N 03 deg. 31' 08" E, a distance of 80.00 feet, along the centerline of Dierker Road to a point; thence S 86 deg. 28' 52" E, a distance of 30.00 feet, to an iron pin in the easterly right-of-way line of Dierker Road and the westerly line of the said 1.319 acre tract. Said iron pin being the POINT OF TRUE BEGINNING of the herein-described tract;

Thence the following two (2) courses and distances along the east right of way line of Dierker Road and the westerly line of said 1.319 and 7.669 acre tracts; (1) Thence N 03 deg. 31' 08" E, a distance of 309.69 feet, to an iron pin at a point of curvature, (2) Thence along a curve to the left having a radius of 805.00 feet, a central angle of 23 deg. 02' 09" the chord to which bears N 07 deg. 59' 57" W, a chord distance of 321.48 feet, to an iron pin at the common corner to said 7.669 acre tract and the 3rd Amendment to "BETHEL COMMONS CONDOMINIUMS"; Thence S 86 deg. 28' 52" E, a distance of 1180.25 feet, along the common line to said 7.669 acre tract and the 3rd and 2nd Amendments to said "BETHEL COMMONS CONDOMINIUMS", the common line to said 0.302 acre tract and the said 2nd Amendment and the common line to said 6.948 acre tract, and 2nd Amendment and "MCKITRICK ESTATES SECTION 7", of record in Plat Book 57, Page 34, to an iron pin at a common corner to said 6.948 acre tract, Section 7 and Lot Number 122 of MCKITRICK ESTATES SECTION 5, of record in Plat Book 55, Page 13; Thence S 49 deg. 45' 31" E, a distance of 131.08 feet, along the common line to said 6.948 acre tract and said Lot Number 122 to an iron pin in the westerly right of way line of McKitrick Boulevard (60 feet in width) at the common corner to said 6.948 acre tract and Lot Number 122; Thence the following three (3) courses and distances along the westerly right of way line of said McKitrick Boulevard and the easterly line of said 6.948 acre tract; (1) Thence S 40 deg. 36' 07" W, a distance of 43.72 feet, to a point of curvature (witnessed by an iron pin located 0.38 feet southwest of said point); (2) Thence along a curve to the left having a radius of 380.00 feet, a central angle of 37 deg. 04' 59" the chord to which bears S 22 deg. 03' 37" W, a chord distance of 241.67 feet, to an iron pin at a point of tangency; Thence S 03 deg. 31' 08" W a distance of 162.81 feet, to an iron pin at a common corner to the said 6.948 acre tract and the 0.750 acre tract (Parcel I) conveyed to Gardner, Inc. by deed of record in OR 29423F18; thence N 86 deg. 28' 52" W, a distance of 234.80 feet, along a common line to said 6.948 and 0.750 acre tracts to an iron pin at the northwesterly corner of said 0.750 acre tract; thence S 03 deg. 31' 08" W, a distance of 139.50 feet, continuing along a common line to said 6.948 and 0.750 acre tracts to an iron pin in the northerly right of way line of Bethel Road (60.00 feet as measured at right angles from the centerline) at a common corner to the said 0.750 and 6.948 acre tracts; thence N 86 deg. 28' 52" W, a distance of 863.11 feet, along the said northerly right of way line of Bethel Road and the southerly lines of the said 6.948, 0.302, 7.669 and 1.319 acre tracts to an iron pin at a point of curvature; thence continuing along said right of way line and the southerly line of said 0.302 acre tract with a curve to the right having a radius of 20.00 feet, a central angle of 90 deg. 00' 00" the chord to which bears N 41 deg. 28' 52" W, a chord distance of 28.28 feet, to the POINT OF TRUE BEGINNING, containing 16.236 acres, more or less.

The basis of bearings shown herein are based on the bearing of N 03° 31' 08" E for the centerline of Dierker Road as shown of record in P.B. 62, Pg. 40.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED AREA for SUB-AREA A:

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 4, Township 2 North, Range 19 West, United States Military Lands and being an area within a 16.236 acre tract of land conveyed to New Plan Realty Trust by deed of record in Instrument 199807240185386, Recorder's Office, Franklin County, Ohio and being more particularly described as follows;

Beginning, for reference, at a point at the east end of a curve connecting the east right-of-way of Dierker Road (60 feet wide) with the north right-of-way of Bethel Road (variable width) as said point is shown upon the plat of "Dedication Of Dierker Road, Bethel Road And Easements" as shown of record in Plat Book 62, Page 40 and being in the south line of said 16.236 acre tract;

Thence S 86° 28' 52" E along the north right-of-way line of Bethel Road and along a portion of the south line of said 16.236 acre tract a distance of 340.00 feet to a point;

Thence N 03° 31' 08" E perpendicular to the north right-of-way line of Bethel Road and perpendicular to the south line of said 16.236 acre tract and crossing a portion of said 16.236 acre tract a distance of 55.00 feet to a point at the true place of beginning for said lease area;

Thence continuing N 03° 31' 08" E crossing a portion of said 16.236 acre tract a distance of 113.00 feet to a point:

Thence S 86° 28' 52" E crossing a portion of said 16.236 acre tract a distance of 149.00 feet to a point.

Thence S 3° 31' 08" W crossing a portion of said 16.236 acre tract a distance of 113.00 feet to a point:

Thence N 86° 28' 52" W crossing a portion of said 16.236 acre tract a distance of 149.00 feet to the true place of beginning;

Containing 16,837 square feet (=0.387 acre)

SUB-AREA C

0.750± Acres

Z02-113

2070 Bethel Road

Situated in the State of Ohio, County of Franklin, City of Columbus:

Being located in Quarter Township 4, Township 2 North, Range 19, United States Military Lands and being 0.750 acres of the 8.00 acre tract conveyed to Crown Point Co., by deed of record in Deed Book 1773, page 796, all references being to records in Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at an iron pin in the northerly right of way line of Bethel Road, at the northeasterly corner of said Crown Point Co. 8.000 acre tract;

Thence along said right of way line of Bethel Road, North 86 degrees 28' 52" West (being 60.0 feet Northerly, as measured at right angles and parallel with the center line of Bethel Road), 214.80 feet to a point;

Thence North 3 degrees 31' 08" East, 139.50 to a point;

Thence South 86 degrees 28' 52" East, 234.80 feet to a point in the westerly right of way line of McKitrick Boulevard (as dedicated by plat of record in Plat Book 55, page 13, and being 60.0 feet in width):

Thence along said right of way line of McKitrick Boulevard, South 3 degrees 31' 08" West, 119.50 feet to a point of curvature of a curve to the right;

Thence along the arc of said curve (delta = 90 degrees 00' 00", Radius = 20.0 feet), a chord bearing and distance of South 48 degrees 31' 08" West, 28.8 feet to the place of beginning, containing 0.750 acres, more or less.

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

Together with and subject to a Mutual Non-Exclusive Right of Way and Easement for Ingress and parking Facilities to be used by the Owners, their Heirs, Successors and Assigns, of both subject premises, covered by said Easement, to be incorporated herein by reference. Said Ingress and Egress Easement and Parking Facilities to be used by Owners, Tenants, Invitees and Guests of said Two (2) Tracts in common with each other.

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, "FUEL FACILITY PLOT PLAN CROWN PLAZA SHOPPING CENTER 2090 BETHEL ROAD SHEETS 1 OF 2 AND 2 OF 2" and text titled, "DEVELOPMENT TEXT, CPD COMMERCIAL PLANNED DEVELOPMENT 17.00 + ACRES", signed by Donald Plank Attorney for the Applicant, dated May 19, 2003, and reading as follows:

To Rezone From: CPD, Commercial Planned Development District.
To: CPD, Commercial Planned Development District.

DEVELOPMENT TEXT
CPD, COMMERCIAL PLANNED DEVELOPMENT
17.00± ACRES

EXISTING DISTRICT: CPD, Commercial Planned Development
 PROPOSED DISTRICTS: CPD, Commercial Planned Development
 PROPERTY ADDRESS: 2070 Bethel Road, OH 43220
 OWNER: New Plan Realty Trust and 2000 Bethel LLC, C/O Donald Plank, Esq., Shuler Plank & Brahm, 145 East Rich Street, Columbus, OH 43215
 APPLICANT: Kroger Co. c/o Donald Plank, Esq., Shuler Plank & Brahm, 145 East Rich Street, Columbus, OH 43215
 DATE OF TEXT: May 19, 2003
 APPLICATION NUMBER: Z02- 113

INTRODUCTION:

The site is 17.00± acres located on the north side of Bethel Road between McKittrick Boulevard and Dierker Road. By Ordinance 1211-79, passed June 25, 1979 (Z79-029), the property was rezoned to the CPD, Commercial Planned Development District for commercial development. The existing CPD permits uses of the C-4 Commercial District with certain itemized prohibited uses, all of which are also prohibited by this rezoning. Ordinance 1211-79 further conditions site development with reference to a plan which depicts various commercial uses and accessory parking.

Applicant proposes to rezone the property to create three (3) Sub-Areas. The plan titled "Fuel Facility Plot Plan, Crown Plaza Shopping Center", Sheet 1 of 2 and Sheet 2 of 2 dated 05/19/2003, hereby incorporated by reference, depicts the site and three (3) sub-areas. All three (3) sub-areas are presently zoned CPD and are proposed to be rezoned to CPD by this application. Sub-Area A is 0.39± acres for a retail fuel center. Sub-Area A is presently part of the existing parking lot. Sub-Area B is 15.85± acres for retail and office commercial uses and accessory parking. Sub-Area C is 0.75 acres located at the northwest corner of Bethel Road and McKittrick Boulevard. Sub-Area C is developed and is a presently a separate parcel. All existing right of way for Bethel Road, McKittrick Boulevard and Dierker Road reflects right of way designations of the Columbus Thoroughfare Plan, so no right of way dedication is required. The only change to the existing CPD zoning is to create Sub-Area A as the Fuel Center area within the existing parking lot and to designate the existing outlot parcel as Sub-Area C.

SUB-AREA A
CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT (0.39± ACRES)
DEVELOPMENT TEXT

PERMITTED USES: The following uses shall be permitted in Sub-Area A:

- a) Motor vehicle fuel sales and convenience retail sales, in conjunction with motor vehicle fuel sales. except that the sale of mulch shall be specifically prohibited in Sub-Area A.
- b) Accessory parking for Sub-Area B.

DEVELOPMENT STANDARDS: Except as specified herein and as represented on the plan titled "Fuel Facility Plot Plan, Crown Plaza Shopping Center", Sheet 1 of 2 and Sheet 2 of 2 dated 05/19/2003. the applicable development standards shall be as specified in the C-4, Commercial District.

- A. Density, Height, Lot and/or Setback Commitments.
 Sub-Area A is located within an existing parking lot. No portion of Sub-Area A abuts a street. There shall be 10 required building, canopy or pavement setback within Sub-Area A.
 Sub-Area A shall be designated a H-35 Height District.
- B. Access, Loading, Parking and/or other Traffic Related Commitments.
 1. Vehicular access points and vehicular circulation patterns shall be as depicted on the plan titled "Fuel Facility Plot Plan, Crown Plaza Shopping Center". Sheet 1 of 2 and Sheet 2 of 2 dated 05/19/2003
 2. In conjunction with construction of the motor vehicle fuel sales use, the existing concrete island at the Bethel Road curbcut shall be lengthened approximately 26 feet and traffic control signage shall be placed. as depicted on the plan titled "Fuel Facility Plot Plan, Crown Plaza Shopping Center", Sheet 1 of 2 and Sheet 2 of 2 dated 05/19/2003. in accordance with plans approved by the Division of Transportation. Both the island extension and traffic control signage are on Sub-Area B. but are requirements in conjunction with development of Sub-Area Motor vehicle fuel sales.
- C. Buffering, Landscaping, Open Space and/or Screening Commitments
 1. Landscaping shall be provided in new landscape islands as depicted on the plan titled ""Fuel Facility Plot Plan, Crown Plaza Shopping Center", Sheet 1 of 2 and Sheet 2 of 2 dated 05/19/2003.
 2. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six months.
 3. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches, Ornamental – 1 ½ inches, Evergreen - 5 - 6 feet. The minimum size of shrubs shall be 2 gallon. Caliper shall be measured 6" above grade.
- D. Building Design and/or Interior-Exterior Treatment Commitments.
 1. The gas canopy columns and attendant's kiosk building shall be finished in brick. The brick shall be selected to be compatible in design and appearance with existing brick on the shopping center buildings. The canopy facades shall be finished in E.I.F.S or comparable material to match existing E.I.F.S. finish on the shopping center buildings.
 2. Canopy and attendant kiosk building elevations shall be finished on all sides/elevations with the same level and quality of finish.
- E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.
 1. All parking lot or ground mounted lighting shall use fully shielded cut-off fixtures (down lighting) except there may be accent lighting (up lighting) 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, all parking lot light poles shall substantially match the existing light poles in Sub-Area B. Parking lot light poles shall not exceed the height of the existing light poles in Sub-Area B.
 4. Building mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures and be designed in such a way to minimize any offsite light spillage.
 5. All new or relocated utility lines within Sub-Area A shall be installed underground unless the applicable utility company directs or requires otherwise.
 6. Canopy lighting over gasoline pump islands shall be recessed or fully-shielded to control glare and off-site light.
 7. Outdoor Display Areas shall be limited to a) a five (5) foot perimeter around the attendant's kiosk on the pump islands and adjacent to the ends of the pump islands. Any display adjacent to the ends of the pump islands shall be limited to an area of three (3) feet wide, three (3) feet long and four (4) feet high.
- F. Graphics and Signage Commitments
1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-5. Commercial District. Any variance to the applicable requirements of the C-5 district shall be submitted to the Columbus Graphics Commission.
 2. No sign shall be placed on the Bethel Road canopy face elevation.
 3. No signage related to the sale of motor vehicle fuels in Sub-Area A shall be placed on the existing Bethel Road shopping center ground sign located on Sub-Area B.
 4. There shall be no new ground sign(s) for the motor vehicle fuel sales use anywhere on the shopping center.
- G. Other CPD Requirements
1. Natural Environment: The natural environment of Sub-Area A is flat.
 2. Existing Land Use: The property is presently part of an existing parking lot.
 3. Circulation: Access to and from Sub-Area A will be via Sub-Area B.
 4. Visual Form of the Environment: The area surrounding Sub-Area A is developed with surface parking in all directions located in Sub-Area B.
 5. Visibility: Sub-Area A will be visible from Bethel Road and portions of McKittrick Boulevard and Dierker Road.
 6. Proposed Development: Commercial development consisting of motor vehicle fuel sales and attendant's building and convenience retail sales.
 7. Behavior Patterns: The site is located within a large existing accessory parking lot. Vehicular access will be via curbcuts from Bethel Road, McKittrick Boulevard and Dierker Road via sub-area B.
 8. Emissions: Development on Sub-Area A will conform to City of Columbus requirements as further control led by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.
 9. Variances: None
- H. Miscellaneous
- The hours of operation of the fuel center shall be no earlier than 6AM and no later than 12 midnight, seven (7) days a week.

**SUB-AREA B
CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT (15.85± ACRES)
DEVELOPMENT TEXT**

1. PERMITTED USES: The following uses shall be permitted in Sub-Area B:
All uses of Section 3356.03, C-4, Permitted Uses, except the following: Adult Book Store, Adult Motion Picture Theater, Adults Only Entertainment; Animal kennels; Armory; Assembly Hall; Automobile Sales room, new and used vehicle sales; Billboards; Book Bindery; Bowling Alley; Business College; Dance Hall; Drive-in theater; Electric Substation; Funeral Parlor; Hotel and Motel; Ice House; Massage parlor; Motor bus terminal; Newspaper Printing; Off-Premise Graphics, other than as permitted by the Graphics; Commission; Plumbing Shop; Private club; Skating Rink; Stables; Storage Garage; Trade School Veterinary Hospital
2. DEVELOPMENT STANDARDS:
Except as specified herein and as depicted on the plan titled ""Fuel Facility Plot Plan, Crown Plaza Shopping Center", Sheet 1 of 2 and Sheet 2 of 2 dated 05/19/2003, the applicable development standards shall be as specified in the C-4, Commercial District.
 - A. Density, Height, Lot and/or Setback Commitments.
 1. Building, parking and pavement setbacks shall be as depicted on the plan titled ""Fuel Facility Plot Plan, Crown Plaza Shopping Center", Sheet 1 of 2 and Sheet 2 of 2 dated 05/19/2003.
 2. Sub-Area B shall be designated a H-35 Height District.
 - B. Access, Loading, Parking and/or other Traffic Related Commitments.
 1. Curbcuts shall be as depicted on the plan titled "Fuel Facility Plot Plan, Crown Plaza Shopping Center", Sheet 1 of 2 and Sheet 2 of 2 dated 05/19/2003. All curbcuts are existing.
 2. The Bethel Road, McKittrick Boulevard and Dierker Road parking setbacks shall be maintained in live vegetation. All existing setbacks, landscaping, trees and shrubbery in the existing perimeter setbacks shall be maintained.
 3. All existing interior landscaping islands and landscaping internal to the parking lot shall be maintained, other than changes related to the creation of Sub-Area A. Existing landscaping shall satisfy all requirements of Chapter 3342 regarding internal parking lot landscaping.
 4. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six months.
 5. The minimum size of trees at the time of planting, if new planting to replace existing trees is needed and for new landscaping areas as indicated, shall be as follows: Deciduous - 2 ½ inches, Ornamental - 1 ½ inches, Evergreen - 5 - 6 feet. The minimum size of shrubs shall be 2 gallon. Caliper shall be measured 6" above grade.
 - C. Building Design and/or Interior Exterior Treatment Commitments
 1. Building illumination shall be permitted provided such light source is concealed. No colored light shall be used to light the exterior of any building.
 2. Primary building materials of existing buildings consist of brick, stone, EIFS and stucco. The same building materials shall be used for any new construction or remodeling.
 - D. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments
 1. All parking lot and ground mounted lighting shall use fully shielded cut-off fixtures (down lighting), except there may

be accent lighting (up lighting) 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, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in Sub-Area C shall not exceed a maximum of 28 feet in height.
4. Building mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures.
5. All new or relocated utility lines within Sub-Area C shall be installed underground unless the applicable utility company requires or directs otherwise.
6. All lighting shall be positioned as to not be directed toward any residential area.
7. Dumpsters shall be screened from view on all four (4) sides to a height of six (6) feet.

F. Graphics and Signage Commitments

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District.

Any variance to the applicable requirements of the C-4 district shall be submitted to the Columbus Graphics Commission.

G. Other CPD Requirements

1. Natural Environment: The natural environment of Sub-Area C is flat.
 2. Existing Land Use: The property is presently developed with a one-story commercial building.
 3. Circulation: Access to and from Sub-Area C will be via existing curbcuts located on Sub-Area B.
 4. Visual Form of the Environment: Property to the north and west is commercially developed in Sub-Area B. Sub-Area C abuts Bethel Road and McKittrick Boulevard to the east and south.
 5. Visibility: Sub-Area C is visible from Bethel Road and McKittrick Boulevard.
 6. Proposed Development: Sub-Area C is presently developed with a commercial building.
 7. Behavior Patterns: The site is an existing outlet at a large commercial development. Sub-Area C abuts Bethel Road and McKittrick Boulevard but has no direct access to either street. Vehicular access will be via existing curbcuts on Sub-Area B.
 8. Emissions: Development on Sub-Area C 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: Sub-Area C is an existing outlet. The parcel was split without any code required parking located on the parcel. Parking is presently provided by easement on Sub-Area B. Code required parking for Sub-Area B is reduced to zero (0) subject to use of parking by easement on Sub-Area B. Certain existing parking spaces are bisected by the existing west property line of Sub-Area C.
- H. Miscellaneous
N/A

GENERAL PROVISIONS APPLICABLE TO ALL SUBAREAS

SEVERABILITY:

Sub-Areas A, B and C 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, B and C may be rezoned individually, in combination with each other or individually in combination with other abutting land not part of this application at any time in the future.

FORUM FOR VARIANCE:

The Board of Zoning Adjustment shall be the body to hear any and all variance requests to site development standards, unless included in a council variance application, including any and all specific site development standards contained in this ordinance, other than as may be under the jurisdiction of the Columbus Graphics Commission.

Section 2. That a Height District of Thirtyfour (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 3370.03 of the Columbus City Codes; said text being titled, "DEVELOPMENT TEXT, COMMERCIAL PLANNED DEVELOPMENT TEXT 17± ACRES," and said plans being titled "FUEL FACILITY PLOT PLAN CROWN PLAZA SHOPPING CENTER 2090 BETHEL RD SHEET 1 OF 2 AND 2 OF 2" signed by Donald T. Plank, Attorney for the Applicant, dated May 19, 2003, and reading as follows:

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

Passed as amended July 14, 2003, Matthew D. Habash, President of Council / Approved as amended July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1599-2003

To amend the 2002 Capital Improvements Budget; to authorize the transfer of \$307,522.97 within the Voted Street Lighting and Electricity Distribution Improvements Fund; to authorize the Director of Public Utilities to enter into a contract with U.S. Utility Contractor Co., Inc. to install an overhead street lighting system in the Leawood Gardens and Willis Park area; to authorize payment to the Transportation Division for inspection services provided to the Division of Electricity for said project; to authorize the expenditure of \$307,522.97 from Voted Street Lighting and Electricity Distribution Improvements Fund; and to declare an emergency (\$307,522.97)

WHEREAS, bids were received and opened by the Director of Public Utilities on June 11, 2003 to install a street lighting system using wood poles and overhead lines in the Leawood Gardens and Willis Park area; and

WHEREAS, U.S. Utility Contractor Co., Inc. submitted the lowest responsive bid for the installation of said street lighting improvements; and

WHEREAS, it is necessary to transfer \$307,522.97 within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund and to expend same; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Electricity, in that it is immediately necessary to enter into a contract to install street lighting in the Leawood Gardens and Willis Park area for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

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

SECTION 1. That the Director of Public Utilities is hereby authorized to enter into a contract with US. Utility Contractor Company, Inc., in the amount of \$277,337.97, and to obtain and pay for the services of the Transportation Division for construction inspection services as may be required for the installation of street lighting improvements in the Leawood Gardens and Willis Park Area.

SECTION 2. That Section 1 of the 2002 Capital Improvements Budget Ordinance No.1674-02 is hereby amended as follows in order to provide sufficient budget authority for the installation of street lighting improvements in the Leawood Gardens and Willis Park Area:

DIVISION OF ELECTRICITY, DIVISION NO.60-07				
FUND	PROJECT NUMBER	PROJECT NAME	CURRENT CIB AMOUNT	AMENDED CIB AMOUNT
553	670614	Leawood Gardens and Willis Park	765	\$ 308,288
553	670977	Facilities Renovation	1,492,741	\$1,185,218

SECTION 3. That the City Auditor is hereby authorized to transfer \$307,522.97 within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund 553, Division No.60-07, from Project No. 670977, Facilities Renovations, OCA 670977, Object Level Three 6621 to Project No. 670614, Leawood Gardens and Willis Park Street Lighting, OCA 670614, Object Level Three 6625.

SECTION 4. That to pay the cost of the aforesaid contract and expenses, the expenditure of \$307,522.97, or so much thereof as may be needed, be and is hereby authorized from Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund 553, Division No.60-07, Project 670614, OCA 670614, Object Level Three 6625.

SECTION 5. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1603-2003

To authorize the Board of Health to accept a grant from the Ohio Department of Health in the amount of \$94,000; to authorize the appropriation of \$94,000 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$94,000)

WHEREAS, grant funds have been made available from the Ohio Department of Health for the Childhood Lead Poisoning Prevention Project; and,

WHEREAS, it is necessary to accept these funds from the Ohio Department of Health for the implementation of the Childhood Lead Poisoning Prevention Project; and,

WHEREAS, this ordinance is submitted as an emergency to allow the financial transaction to be posted in the City's accounting system as soon as possible Up to date financial posting promotes accurate accounting and financial management; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to accept this grant from the Ohio Department of Health and to appropriate these funds to the Health Department for the immediate preservation of the public health, peace, property, safety and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized and directed to accept the grant award totaling \$94,000 from the Ohio Department of Health for the Childhood Lead Poisoning Prevention Project for the period July 1, 2003 through June 30, 2004.

SECTION 2. That from the unappropriated monies in the Health Department Grants Fund, Fund No 251, and from all monies estimated to come into said Fund from any and all sources during the twelve months ending December 31, 2003, the sum of \$94,000 is hereby appropriated to the Health Department, Division No. 50-01 as follows:

Grant #	OCA	Object Level One	Amount	Description
503022	503022	01	\$90,000	Personnel
503022	503022	03	\$ 4,000	Services
Total Appropriation:			\$94,000	

SECTION 3. That the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Health Commission, 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 for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1605-2003

To amend the 2002 Capital Improvements Budget; to authorize the transfer of \$98,924.98 within the Voted Street Lighting and Electricity Distribution Improvements Fund; to authorize the Director of Public Utilities to enter into a contract with U.S. Utility Contractor Co., Inc. to install Circuit 14115 Extension Hague Avenue / Fisher Road for the Division of Electricity; to authorize the expenditure of \$104,363.92 from Voted Street Lighting and Electricity Distribution Improvements Fund and \$9,675.08 from Electricity Bond Fund; and to declare an emergency (\$114,039.00)

WHEREAS, bids were received and opened by the Director of Public Utilities on June 11, 2003 for Circuit 14115 Extension Hague Avenue / Fisher Road; and

WHEREAS, U.S. Utility Contractor Co., Inc. submitted the lowest responsive bid for the installation of said project; and

WHEREAS, it is necessary to appropriate and transfer funds within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund into the appropriate project for this expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Electricity, in that it is immediately necessary to enter into a contact for Circuit 14115 Extension for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

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

SECTION 1. That the Director of Public Utilities is hereby authorized to enter into a contract with US. Utility Contractor Co., Inc., in the amount of \$114,039.00, for Circuit 14115 Extension Hague Avenue / Fisher Road.

SECTION 2. That Section 1 of the 2002 Capital Improvements Budget Ordinance No.1674-02 is hereby increased as follows, to provide sufficient budget authority for the Distribution System Improvements Project

DIVISION OF ELECTRICITY, DIVISION NO. 60-07				
FUND	PROJECT NUMBER	PROJECT NAME	CURRENT CIB AMOUNT	AMENDED CIB AMOUNT
553	670608	Distribution System Improvements	719,699	818,624
553	670607	Italian Village	453,000	393,000
553	670977	Facilities Renovation	1,185,218	1,146,293

SECTION 3. That the City Auditor is hereby authorized and directed to transfer funds within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund No 553, Division No.60-07, as follows:

FROM:

PROJECT NUMBER	PROJECT NAME	OCA CODE	OBJECT LEVEL 3	AMOUNT
670977	Facilities Renovation	670977	6621	38,924.98
670607	Italian Village	670607	6621	60,000.00
TOTAL				98,924.98

TO:

PROJECT NUMBER	PROJECT NAME	OCA CODE	OBJECT LEVEL 3	AMOUNT
670608	Distribution System	670608	6621	98,924.98

SECTION 4. That to pay the cost of the aforesaid contract, the expenditure of \$104,363.92, or so much thereof as may be needed, be and is hereby authorized from Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund 553, Division No.60-07, Project 670608, OCA 670608, Object Level Three 6621 and the expenditure of \$9,675.08 is hereby authorized from Electricity Bond Fun 582, Division No.60-07, Project 670608, OCA 582608, Object Level Three 6621.

SECTION 5. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1611-2003

To rezone 3633 SOUTH HIGH STREET (43207), being 1.2± acres located on the west side of South High Street, 550± feet south of Highview Blvd, in the Great Southern Shopping Center, From: C-4, Commercial District, To: CPD, Commercial Planned Development District. WHEREAS, application #Z02- 112 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.2± acres from C-4, Commercial District to CPD, Commercial Planned Development District;

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

WHEREAS, the City Departments recommend approval of said zoning change because this application will permit the redevelopment of an abandoned service station on a 1.2± acre out lot within the Great Southern Shopping Center. City records indicate the existing structure was constructed as a legal use in 1955, before the 1972 establishment of the C-5, Commercial District. The application includes a site plan illustrating the layout of the proposed development and includes a reduced building setback line from South High Street. The applicant also filed a Council Variance (CV02-071) to establish the use, citing a timing hardship. The Council Variance requires this follow-up rezoning application, 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:

**DESCRIPTION OF 1.195 ACRE TRACT AT
3633 S. HIGH STREET
COLUMBUS, OHIO**

Situated in the State of Ohio, County of Franklin, City of Columbus, in Section 16, Township 4 North, Range 22 West, Congress Lands, and being all of a 1.195 acre tract of land conveyed to PDV MIDWEST REFINING, L.L.C. by deed of record in Official Record 35078, Page A 16, all references to Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point in the original centerline of South High Street-U.S. Route 23, at the southeast corner of said 1.195 acre tract and at a northeast corner of a 10.833 acre tract of land conveyed to Great Southern Owner, LLC by deed of record in Instrument 200207080167499, said point being N 17° 19' 30" E a distance of 1,790.64 feet from the intersection of the original centerline of South High Street and the centerline of Obetz Road; thence N 72° 40' 30" W along a north line of said 10.833 acre tract and along a south line of said 1.195 acre tract a distance of 99.00 feet to a mag nail found in the west right-of-way line of South High Street;

thence N 72° 13' 00" W along a north line of said 10.833 acre tract and along a south line of said 1.195 acre tract a distance of 120.35 feet to a mag nail set at a point of curvature of said 10.833 acre tract and said 1.195 acre tract;

thence northwesterly along a line between said 10.833 acre tract and said 1.195 acre tract and with a curve to the right, data of which is: radius = 30.00 feet and delta = 90° 00' 00", a chord distance of 42.43 feet bearing N 27° 13' 00" W to a mag nail set at a point of tangency;

thence N 17° 47' 00" E along an east line of said 10.833 acre tract and along the west line of said 1.195 acre tract a distance of 180.00 feet to a mag nail set at a corner of said 10.833 acre tract and at the northwest corner of said 1.195 acre tract;

thence S 72° 13' 00" E along a south line of said 10.833 acre tract and along the north line of said 1.195 acre tract a distance of 249.00 feet to a point in the original centerline of South High Street (passing a mag nail set in the west right-of-way line of South High Street at 150.00 feet);

thence S 17° 47' 00" W along the original centerline of South High Street and along an east line of said 1.195 acre tract a distance of 165.64 feet to an angle point;

thence S 17° 19' 30" W along the original centerline of South High Street and along an east line of said 1.195 acre tract a distance of 43.57 feet to the place of beginning;

containing 1.195 acre of land more or less and being subject to all easements and restrictions of record.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No.5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers &

Surveyors, Columbus, Ohio, from an actual field survey performed under his supervision in March, 2003. Basis of bearings is the original centerline of South High Street, being N 170 19' 30" E, as shown of record in Official Record 35078, Page A 16, Recorder's Office, Franklin County, Ohio.

**To Rezone From: C-4, Commercial 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 site plans being titled, "FUEL CENTER AND CAR WASH, 3633 SOUTH HIGH STREET, SHEET 1" and "FUEL CENTER AND CAR WASH, 3633 SOUTH HIGH STREET, SHEET 2" signed by Donald T. Plank, Attorney for the Applicant, dated May 15, 2003 and said text being titled, "DEVELOPMENT TEXT CPD, COMMERCIAL PLANNED DEVELOPMENT 1.2 ACRES," signed by Donald T. Plank, Attorney for the Applicant, dated May 15, 2003, and reading as follows:

DEVELOPMENT TEXT CPD, COMMERCIAL PLANNED DEVELOPMENT 1.20± Acres

EXISTING DISTRICT:	C4, COMMERCIAL DISTRICT
PROPOSED DISTRICT:	CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT
PROPERTY ADDRESS:	3633 SOUTH HIGH STREET, COLUMBUS, OH 43207
OWNER:	PDV MIDWEST REFINING LLC, C/O DONALD PLANK, ESQ., SHULER PLANK & BRAHM, 145 EAST RICH STREET, COLUMBUS, OH 43215
APPLICANT:	KROGER CO. C/O DONALD PLANK, ESQ., SHULER PLANK & BRAHM, 145 EAST RICH STREET, COLUMBUS, OH 43215
DATE OF TEXT:	MAY 15, 2003
APPLICATION NUMBER:	Z02-112

1. INTRODUCTION:

The subject site is 1.195+ acres located on the west side of South High Street, 500+ feet south of the intersection of Highview Boulevard and South High Street, between Highview Boulevard and Interstate 270. The site is an existing outlot in the Great Southern Shopping Center and was developed with a gasoline sales use in the C-4, Commercial District prior to the enactment of the C-5 legislation in 1972. Applicant proposes to rezone the site to the CPD district for redevelopment of the site for the sale of gasoline and a single bay car wash. There are large areas of commercial zoning in all directions from the site and the site fronts on a major arterial road. Existing South High Street right of way exceeds the designated right of way under the Columbus Thoroughfare Plan.

A plan titled "Fuel Center and Car Wash, 3633 South High Street" dated 05/15/2003, consisting of Sheets 1 of 2 and Sheet 2 of 2, hereinafter referred to as The Plan, is hereby incorporated by reference and made a part of this rezoning for development of the site for motor vehicle fuel sales and a single bay automatic car wash.

2. PERMITTED USES: The following uses shall be permitted:

a) All uses of Section 3356.03, C-4 Permitted Uses, except the following: Adult Book Store, Adult Motion Picture Theater, Adults Only Entertainment, Massage parlor, Off-Premise Graphics, other than as permitted by the Graphics Commission

- b) Retail sale of motor vehicle fuels
c) Car wash (Single Bay automatic)

3. DEVELOPMENT STANDARDS: Except as specified herein, or as depicted on The Plan, the applicable development standards shall be as specified in the C-4, Commercial District.

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

1. Building/Canopy Setback: Building/Canopy setbacks shall be forty-five (45) feet, as depicted on The Plan.

2. Parking Setback: Parking setback shall be as depicted on The Plan. A minimum parking setback often (10) feet shall be maintained along South High Street.

3. The site shall be designated a H-35 Height District.

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

1. Vehicular access points shall be as depicted on The Plan, subject to final engineering design of the site and plan approval by the Division of Transportation.

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

1. Parking setback areas and landscape islands shall be as depicted on The Plan and shall be maintained in live vegetation with landscaping the same as or comparable to the landscaping depicted on The Plan.

2. Landscaping requirements of this section and as depicted on The Plan, shall be the applicable landscaping requirements for the site and shall supercede any requirements of Chapter 3342.

3. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six months.

4. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches, Ornamental - 1 ½ inches, Evergreen - 5 feet.

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

N/A

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

1. All external outdoor lighting, except decorative lighting, shall be cut-off fixtures (down lighting).

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 not exceed a maximum of 24 feet in height except any existing parking lot light poles that exceed 24 feet in height shall be permitted to remain.

4. Canopy lighting shall be recessed or shielded

5. Outdoor merchandise display may be located in a five (5) foot perimeter area around the attendant's kiosk, on the pump islands and adjacent to the ends of the pump islands. Display area adjacent to the ends of the pump islands shall not extend more than three (3) feet from the end(s) of the pump islands.

F. Graphics and Signage Commitments.

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-S, Commercial District and in accordance with The Plan. There is an existing concrete foundation for a pylon sign that is located less than fifteen (15) feet from the right of way. The existing foundation may be used for the placement of a new sign. Any variance to the applicable requirements of the C-S, Commercial District, other than sign setback, based on placement of a new sign on the existing sign foundation, shall be submitted to the Columbus Graphics Commission.

G. Other CPD Requirements

1. Natural Environment: The natural environment is flat.
2. Existing Land Use: The property is presently developed with a gas station canopy and pavement.
3. Circulation: There is no direct vehicular access to South High Street. Vehicular access to and from South High Street to the site will be from existing off-site curbcuts and off-site access drives abutting the site to the north and south. The site will also be accessed from the west via an adjacent drive and parking area.
4. Visual Form of the Environment: The area surrounding the site in all directions is commercially zoned and developed. The east side of the site abuts South High Street.
5. Visibility: The site fronts on South High Street.
6. Proposed Development: Commercial development, including a motor vehicle fuel center, attendants kiosk and single bay car wash, as depicted on the plan titled ""Fuel Center and Car Wash, 3633 South High Street" dated 05/15/2003, consisting of Sheet 1 of 2 and Sheet 2 of 2.
7. Behavior Patterns: The site is located on South High Street. Vehicular access will be from existing curbcuts for the shopping center located immediately to the north and south of the site.
8. Emissions: Development 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: a) The required South High Street building setback line is reduced from 60 feet, based on the 120 foot right of way designation of the Columbus Thoroughfare Plan, to 45 feet, b) Stacking spaces for the car wash are reduced from 8 to 4 and c) Stacking spaces are permitted to not be entirely located on the site due to stacking spaces being partially located across the west property line,

H. Miscellaneous

1. The plan titled "Fuel Center and Car Wash, 3633 South High Street" dated 05/15/2003, consisting of Sheet 1 of 2 and Sheet 2 of 2, represents the intended development of the site for the fuel center and car wash use depicted thereon. However, based on final engineering of the site, applicant may make slight adjustments to the development plan, including a car wash that is smaller than depicted on The Plan. The site plan shall not be interpreted to require a car wash in conjunction with the fuel center, but that a car wash, subject to final engineering, is permitted in conjunction with the fuel center. It is anticipated that the fuel center will be built prior to the car wash.

2. The site may be split to provide separate parcels for the fuel sales and car wash uses. If the site is split, applicable easements shall be provided between the fuel center and car wash areas to insure function of the site as designed and depicted on The Plan.

3. 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 July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1615-2003

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$26,000.00 from the Storm Sewer Bonds Fund for costs in connection with the Big Run Erosion Control Project, and to declare an emergency. (\$26,000.00).

WHEREAS, the City of Columbus is engaged in the Big Run Erosion Control Project; and

WHEREAS, an emergency exists in the usual daily operation of the Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to authorize the City Attorney to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the aforesaid professional services necessary in connection with said project for the preservation of the public health, peace, property and safety; now, therefore

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

Section 1. That the City Attorney be, and hereby is, authorized and directed to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary in connection with the Big Run Erosion Control Project, #610961.

Section 2. That the expenditure of \$26,000.00, or so much thereof as may be necessary be and hereby is authorized as follows:

Project # 610961; Dept./Div.60-15; Fund#: 685; Object Level Three: 6601; OCA Code: 685001; Amount \$26,000.00

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1622-2003

To authorize the Director of Public Safety to enter into a contract with Mount Carmel Occupational Health for testing services for the Division of Fire's Health and Physical Fitness Program; to authorize the expenditure of \$300,000.00 from the General Fund; and to declare an emergency. (\$300,000.00)

WHEREAS, the City is required to provide Health and Physical Fitness Testing Services and related Education and Wellness Programs to the Division of Fire pursuant to the collective bargaining contract between the City and the International Association of Fire Fighters, Local 67; and

WHEREAS, it is in the City's best interest to procure professional services to assist with the implementation of the Health and Physical Fitness Program for the Division of Fire; and

WHEREAS, the City and Union representatives reviewed proposals submitted to the City, in response to a formal request for proposal, in accordance with well defined selection criteria and Chapter 329.12 of the Columbus City Codes; and

WHEREAS, a citywide evaluation committee recommended that the City enter into a contract with Mount Carmel Occupational Health to

provide Health and Physical Fitness Testing Services and related Education and Wellness Programs for the Division of Fire; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Fire, Department of Public Safety in that it is immediately necessary to enter into a contract with Mount Carmel Occupational Health, thereby preserving the public health, peace, property, safety and welfare; Now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of Public Safety is hereby authorized to enter into a contract between the City and Mount Carmel Occupational Health to provide Health and Physical Fitness Testing Services and related Education and Wellness Programs for the Division of Fire.

Section 2. That the expenditure of \$300,000.00 or so much thereof as may be necessary is hereby authorized to be expended from the General Fund 010, Department of Public Safety, Division of Fire 30-04, OCA 301499, OL3 Code 3336 to pay the cost thereof.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1623-2003

To authorize the Public Service Director to enter into a contract for the Facilities Management Division with Air Force One for the renovation of the air conditioning system in the computer room of the Central Safety Building, to authorize the expenditure of \$95,700.00 from the Police Division Capital Improvement Fund, and to declare an emergency (\$95,700.00)

WHEREAS, the current air conditioning system in the Central Safety Building no longer has the capacity to adequately cool the computer room, and

WHEREAS, formal bids were opened on April 8, 2003, and

WHEREAS, Air Force One is the lowest and most responsible and responsive bid, and

WHEREAS, an emergency exists in the usual daily operation of the Facilities Management Division, Public Service Department, in that it is immediately necessary to enter into contract with Air Force One to renovate the existing air conditioning system at the Central Safety Building thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

SECTION 1. That the Public Service Director is hereby authorized to enter into a contract with Air Force One to renovate the air conditioning system in the computer room at the Central Safety Building

SECTION 2. That the expenditure of \$95,700.00, or so much thereof in regard to the action authorized in Section 1, be and is hereby authorized and approved as follows:

FROM:

Division:	30-03
Fund:	701
OCA Code:	644476
Object Level One:	06
Object Level Three:	6620
Project:	330021
Title:	Police Facility Renovation
Amount	\$95,700.00

SECTION 3. That for the reason stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1626-2003

To authorize and direct the Finance Director to enter into seven contracts for an option to purchase OEM Truck Parts, with Franklin Tractor Sales, Inc., Sutphen Corporation, W.W. Williams Midwest Inc., Schodorf Truck Body & Equipment Company, Inc., Nortrax Great Lakes dba Tiger Machinery, Performance Parts Express, Ltd., and the McLean Company, to authorize the expenditure of seven dollars to establish contracts from the Purchasing / Contract Operation Fund, and to declare an emergency. (\$7.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on May 8, 2003 and selected the lowest bids; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into seven contracts for an option to purchase OEM Truck Parts, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into seven contracts for an option to purchase OEM Truck Parts in accordance with Solicitation No. SA000440GRW as follows:

Franklin Tractor Sales, Inc.,	Item(s): 1, 2 and 10,	Amount: \$1.00
Sutphen Corporation,	Item(s): 4 and 5,	Amount: \$1.00
W.W. Williams, Midwest, Inc.,	Item(s): 6, 7 and 14,	Amount: \$1.00
Schodorf Truck Body & Equipment Company, Inc.,	Item(s): 9,	Amount: \$1.00
Nortrax Great Lakes dba Tiger Machinery,	Item(s): 11,	Amount: \$1.00
Performance Parts Express, Ltd.,	Item(s): 17 and 21,	Amount: \$1.00
The McLean Company,	Item(s): 19,	Amount: \$1.00
No bids received for items 3, 8, 12, 13, 15, 16, 18, 20, 22 and 23.		

SECTION 2. That the expenditure of \$7.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1628-2003

To authorize and direct the Finance Director to enter into a contract for an option to purchase Storage Batteries, with Crown Battery Manufacturing Company, Inc., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on May 15, 2003 and selected the lowest bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Storage Batteries, thereby preserving the public health, peace, property, safety, and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Storage Batteries in accordance with Solicitation No. SA00044 1 GRW as follows:

Crown Battery Manufacturing Company, Inc., Item(s) 1-7, Amount: \$1.00.
No award is being made on item 8.

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1629-2003

To authorize and direct the Finance Director to enter into a contract for an option to purchase Pre-Cast Concrete Products, with Hydro Conduit Corporation, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on May 15, 2003 and selected the lowest bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Pre-Cast Concrete Products, thereby preserving the public health, peace, property, safety, and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Pre-Cast Concrete Products in accordance with Solicitation No. SA000435BGB as follows:

Hydro Conduit Corporation, Item(s): 8-20, Amount: \$1.00.
No award is being made for items 1-7.

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1643-2003

To authorize and direct the Director of the Department of Finance to issue a purchase order to Jeter Corporation on behalf of the Municipal Court Clerk for the purchase of year 2004 color-coded file folders and year, alpha and numeric labels, to authorize the expenditure of \$113,019.50 from the Court Clerk General Fund appropriations and to declare an emergency (\$113,019.50)

WHEREAS, the Municipal Court Clerk requires the purchase of year 2004 color-coded custom end tab file folders and various year, alpha and numeric labels for the Civil and Criminal / Traffic Divisions per the specifications addressed in Bid Proposal No. SO-001124FM, and

WHEREAS, it is necessary to authorize the Director of Finance to issue a purchase order for said purchase so as to continue the daily operation in the office of the Municipal Court Clerk, and

WHEREAS, Ordinance 1856-00 approved by Council on July 24, 2000 allowed for a four year agreement for 2001, 2002, 2003 and 2004 purchases on a year-for-year basis if agreeable by all parties and with Council approval, and

WHEREAS, this Ordinance will enable the final purchase from the four year agreement, and

WHEREAS, an emergency exists in the usual daily operation of the Court Clerk office that in order to meet manufacturing deadlines it is immediately necessary to issue said purchase order for the preservation of the public health, peace, safety and welfare; now, therefore

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

Section 1. That the Director of Finance be and is hereby authorized on behalf of the Municipal Court Clerk to issue a purchase order to Jeter Systems Corporation for the purchase of year 2004 color-coded file folders and various year, alpha and numeric labels.

Section 2. that the expenditure of \$113,019.50 or so much thereof as may be needed to pay the cost thereof is hereby authorized to be paid from the Municipal Court Clerk 2003 General Fund budget, Fund 010, Organization One 2601, OCA Code, Object Level One and Object Level Three as follows.

<u>OCA Code</u>	<u>Object Level One</u>	<u>Object Level Three</u>	<u>Amount</u>
260141	02	2211	\$18,705.50
260158	02	2211	\$94,314.00

Section 3. That for the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take affect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1648-2003

To authorize and direct the Finance Director to establish a purchase order for the repair of BT- 17234, a Sutphen Aerial Tower fire truck, to authorize and direct the expenditure of \$37,365.00 from the Fleet Maintenance Fund, to waive the competitive bidding requirements of the Columbus City Codes, and to declare an emergency (\$37,365.00)

WHEREAS, BT-1 7234, a Sutphen Aerial Tower fire truck, is in need of immediate repair, and

WHEREAS, Sutphen Corporation is the Central Ohio Sutphen authorized franchise dealership, and

WHEREAS, an emergency exists in the usual daily operation of the Fleet Management Division, Public Service Department, in that it is immediately necessary to establish a purchase order for the repair of BT-1 7235 for the Fire Division, thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

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

Section 1. That the Finance Director be and is hereby authorized and directed to issue a purchase order for the Fleet Management Division with Sutphen Corporation for the repair of BT- 17235, a 2001 Sutphen Aerial Tower HS 3569 fire truck.

Section 2. That the expenditure of \$37,365.00, or so much thereof as may be needed, is hereby authorized and directed to be expended from the Fleet Maintenance Fund, 513, Department No.59-05, Object Level One 03, Object Level Three 3373, OCA Code 591347 to pay the cost thereof

Section 3. That in accordance with Section 329.27 of the Columbus City Codes, City Council finds it to be in the best interest of the City of Columbus that the competitive bidding requirements of Section329.06 of the Columbus City Codes be and are hereby waived due to the vendor being sole source

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1649-2003

To authorize and direct the Finance Director to enter into contract with Roy Tailors Uniform Company of Columbus, Inc to purchase police uniforms for the Division of Police from an existing UTC, to authorize the expenditure of \$1,179,238.77 from the General Fund and the Government Grant Funds; and to declare an emergency (\$1,179,238.77)

WHEREAS, the Purchasing Office has an existing Universal Term Contract FL001055 for the purchase of uniforms; and

WHEREAS, the Division of Police has a continuing need for uniforms, and uniform parts for its members; and

WHEREAS, an emergency exists in the usual operation in the Division of Police, Department of Public Safety, in that it is immediately necessary to enter into a contract with Roy Tailors Uniform Company of Columbus, Inc for the preservation of the public, health, peace, property, safety, welfare; now therefore

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

Section 1. That the Finance Director be and is hereby authorized and directed to enter into contract with Roy Tailors Uniform Company of Columbus, Inc for the purchase of police uniforms for the Division of Police on the basis of UTC # FL001055.

Section 2. That the expenditure of \$1,179,238.77 or so much thereof as may be needed is hereby authorized as follows

<u>DEPT</u>	<u>FUND</u>	<u>OBJ LEVEL (1)</u>	<u>OBJ LEVEL (3)</u>	<u>OCA#</u>	<u>AMOUNT</u>
30-03	010	02	2221	300327	\$1,178,500.00
30-03	220	02	2221	331003	738.77

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1650-2003

To authorize the Public Service Director to enter into a contract for the Transportation Division with Strawser Paving Company, Inc. for the Traffic Calming - 2003 project, to provide for construction inspection, to authorize the expenditure of \$833,208.05 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$833,208.05)

WHEREAS, bids were received and tabulated on June 5, 2003 for the Traffic Calming -2003 project; and

WHEREAS, a satisfactory low bid has been received; and

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

WHEREAS, an emergency exists in the usual daily operation of the Transportation Division, Public Service Department, in that the contract for Traffic Calming 2003 project should be awarded immediately so that the work may proceed without delay, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

SECTION 1. That the Public Service Director be and is hereby authorized to enter into a contract for the Transportation Division with Strawser Paving Company, Inc., 1595 Frank Road, Columbus, Ohio 43223 for the Traffic Calming -2003 project in the amount of \$738,725.05 in accordance with the specifications and plans therefore on file in the office of the City Engineer, which are hereby approved; to obtain the necessary inspection costs and to pay up to a maximum of \$94,483.00 therefor.

SECTION 2. That for the purpose of paying the cost of the contract and inspection, the sum of \$833,208.05 or so much thereof as may be needed, is hereby authorized to be expended for the Traffic Calming -2003 project from Fund 704, the 1995, 1999 Voted Streets and Highways Fund, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6631, OCA Code 644377, Project 590105.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1651-2003

To authorize the Public Service Director to submit applications for the Local Transportation Improvement Program and State Capital Improvement Program and to execute project agreement forms for approved projects for the Transportation Division on behalf of the City of Columbus. (\$-0-)

WHEREAS, the Ohio Public Works Commission requires that the City of Columbus designate and authorize officials to submit applications and execute project agreements for Local Transportation Improvement and State Capital Improvement Programs; and

WHEREAS, the Transportation Division plans on submitting applications for the following projects:

FRA-CR3-9.82 (Norton Road) - Broad Street to Hall Road
Morse Road Phase I - Indianola Avenue to Karl Road
McKinley Avenue - Central Ave. to Souder Avenue; and

WHEREAS, approved applications will require execution within 45 days of notification by the Ohio Public Works Commission; now, therefore

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

SECTION 1. That the Public Service Director be and is hereby authorized to submit applications and execute project agreements with the Ohio Public Works Commission on behalf of the City of Columbus Transportation Division for the Local Transportation Improvement Program and State Capital Improvement Program projects.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1652-2003

To authorize the transfer of \$3,600.01 between projects within the 1995, 1999 Voted Refuse Collection Fund; to authorize the Finance Director to establish a purchase order for the purchase of thirty (30) eight (8) cubic yard refuse collection containers for the Refuse Collection Division per the terms and conditions of a pending universal term contract; to authorize the expenditure of \$24,930.00 from the 1995, 1999 Voted Refuse Collection Fund for this purpose; to amend the 2002 Capital Improvements Budget, and to declare an emergency. (\$24,930.00)

WHEREAS, the Refuse Collection Division is in need of eight (8) cubic yard containers; and

WHEREAS, the Purchasing Office opened formal competitive bids for eight cubic yard containers on May 29, 2003; and

WHEREAS, Purchasing is in the process of establishing a multi-year universal term contract for their purchase; and

WHEREAS, an emergency exists in the usual daily operations of the Refuse Collection Division, Public Service Department, in that it is immediately necessary to authorize the purchase of said eight cubic yard containers, thereby preserving the public health, peace, property, safety and welfare, now, therefore,

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

SECTION 1. That the transfer of monies between projects within Fund 703, 1995, 1999 Voted Refuse Collection Fund, be and hereby is authorized as follows:

TRANSFER FROM:

Division: 59-02
Project No.: 520002
Project Name: Facility Expansion Land Acquisition
Object Level One: 06
Object Level Three: 6601
OCA Code: 644419
Amount: \$3,600.01

TRANSFER TO:

Division: 59-02
Project No.: 520001
Project Name: Mechanized Collection System
Object Level One: 06
Object Level Three: 6651
OCA Code: 644419
Amount: \$3,600.01

SECTION 2. That the Finance Director be and hereby is authorized to establish a purchase order for \$24,930.00 for the purchase of thirty (30) eight (8) cubic yard refuse containers for the Refuse Collection Division from Capital Refuse Consultants per the terms and conditions of a universal term contract being established by the Purchasing Office for this purpose.

SECTION 3. That the expenditure of \$24,930.00 be and hereby is authorized from Fund 703, 1995, 1999 Voted Refuse Collection Fund, Department No.59-02, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6651, OCA Code 644419, Project 520001 to pay the cost of said containers.

SECTION 4. That the 2002 Capital Improvements Budget be and hereby is amended as follows:

Service/Refuse Collection 59-02		
<u>project</u>	<u>current CIB</u>	<u>CIB as amended</u>
mechanized collection system	\$5,027,266	\$5,030,866

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force form and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1655-2003

To rezone 5100 EBRIGHT ROAD (43110), being 333.5± acres bounded by Winchester Pike and Bachman Road to the US Route 33 and Bixby Road to the south, and Ebright Road to the west, From: R-Rural, TC, Town Center, NC, Neighborhood Center, NG, Neighborhood General and NE, Neighborhood Edge Districts, To: TC, Town Center, NC, Neighborhood Center, NG, Neighborhood General, and NE, Neighborhood Edge Districts (Z03-025).

WHEREAS, application #Z03-025 is on file with the Building Services Division of the Department of Development requesting rezoning of 333.5± acres from R-Rural, TC, Town Center, NC, Neighborhood Center, NG, Neighborhood General and NE, Neighborhood Edge Districts, to TC, Town Center, NC, Neighborhood Center, NG, Neighborhood General, and NE, Neighborhood Edge Districts; 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 land use is appropriate within the context of the Southeast Area Plan (2000). This request eliminates a residual R, Rural District east of Ebright Road and makes minor adjustments to existing TND zoning district boundaries. The total number of dwelling units allowed is increased from 2700 to 2805 units. Final determination of access points allowed to Ebright Road and street/alley design for refuse collection will be resolved at the time of regulating plan review The applicant acquired additional land suitable for use with TND open space and will deed this acreage to the Recreation and Parks Department, 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

To rezone 5100 EBRIGHT ROAD (43110), being 333.5± acres bounded by Winchester Pike and Bachman Road to the north, US Route 33 and Bixby Road to the south, and Ebright Road to the west, and being more particularly described as follows:

ZONING SUBAREA - NEIGHBORHOOD CENTER, 37.1 ACRES

Situated in the State of Ohio, County of Franklin, Township of Madison, Section 10, Township 11, Range 21, Congress Lands and containing 37.1 acres of land, more or less, said 37.1 acres being more particularly bounded and described as follows:

Beginning, for reference, at a point marking the intersection of the easterly right-of-way of Ebright Road with the southerly right-of-way of Winchester Pike;

thence South 52° 35' 51" East, a distance of 320.49 feet to a point;
 thence South 49° 55' 17" East, a distance of 451.59 feet to a point;
 thence South 49° 45' 40" East, a distance of 412.32 feet to a point;
 thence South 39° 41' 23" West, a distance of 262.60 feet to a point;
 thence North 49° 35' 10" West, a distance of 256.97 feet to a point;
 thence South 40° 20' 13" West, a distance of 12.20 feet to a point;
 thence southwesterly, with the arc of a curve to the right, having a radius of 375.00 feet, a central angle of 36° 40' 29", and a chord that bears South 21° 59' 59" West, a chord distance of 235.96 feet to a point;
 thence South 03° 39' 44," West, a distance of 1454.61 feet to a point;
 thence North 86° 19' 33," West, a distance of 641.25 feet to a point;
 thence North 03° 12' 07" East, a distance of 300.43 feet to a point;
 thence North 03° 10' 42" East, a distance of 586.27 feet to a point;
 thence North 01° 27' 52" East, a distance of 648.59 feet to a point;
 thence North 04° 57' 42" East, a distance of 401.26 feet to a point;
 thence North 09° 26' 29" East, a distance of 300.74 feet to a point;
 thence North 33° 07' 10" East, a distance of 233.72 feet to the true point of beginning and containing 37. 1 acres of land, more or less.
 This description was prepared from existing records and is for zoning purposes

ZONING SUBAREA - NEIGHBORHOOD GENERAL, 92.6 ACRES

Situated in the State of Ohio, County of Franklin, Township of Madison, Section 10 and 15, Township 11, Range 21, Congress Lands containing 92.6 acres of land, more or less, said 92.6 acres being more particularly bounded and described as follows:

Beginning, for reference, at a point marking the intersection of the easterly right-of-way of Ebright Road with the southerly right-of-way of Winchester Pike;

thence from said reference point of beginning, South 52° 35' 51" East, a distance of 320.49 feet to a point;
 thence South 49° 55' 17" East, a distance of 451.59 feet to a point;
 thence South 49° 45' 40" East, a distance of 412.35 feet to the True Point of Beginning;
 thence from said true point of beginning, South 49° 45' 40" East, a distance of 621.81 feet to a point;
 thence South 40° 20' 13" West, a distance of 206.91 feet to a point;

thence southwesterly, with the arc of a curve to the right, having a radius of 200.00 feet, a central angle of 52° 15' 16", and a chord that bears South 66° 27' 51" West, a chord distance of 176.15 feet to a point;
 thence North 87° 24' 40" West, a distance of 119.31 feet to a point;
 thence South 03° 40' 27" West, a distance of 1596.25 feet to a point;
 thence South 87° 47' 55" East, a distance of 1067.87 feet to a point;
 thence South 02° 10' 30" West, a distance of 39.75 feet to a point;
 southwesterly, with the arc of a curve to the right, having a radius of 600.00 feet, a central angle of 40° 42' 40", and a chord that bears South 22° 31' 49" West, a chord distance of 417.41 feet to a point;
 thence South 42° 53' 8" West, a distance of 979.99 feet to a point;
 southwesterly, with the arc of a curve to the right, having a radius of 1076.00 feet, a central angle of 50° 45' 50", and a chord that bears South 68° 16' 49" West, a chord distance of 922.46 feet to a point;
 thence North 86° 20' 16" West, a distance of 229.77 feet to a point;
 thence North 03° 39' 44" East, a distance of 211.34 feet to a point;
 thence northwesterly, with the arc of a curve to the left, having a radius of 189.00 feet, a central angle of 20° 29' 26", and a chord that bears North 06° 34' 59" West, a chord distance of 67.23 feet to a point;
 thence North 87° 06' 54" West, a distance of 66.35 feet to a point;
 thence North 02° 52' 19" East, a distance of 32.84 feet to a point;
 thence North 30° 44' 33" West, a distance of 33.03 feet to a point;
 thence North 49° 59' 02" West, a distance of 84.04 feet to a point;
 thence North 02° 54' 44" East, a distance of 325.03 feet to a point;
 thence northwesterly, with the arc of a curve to the right having a radius of 155.00 feet, a central angle of 91° 20' 21" and a chord that bears North 42° 45' 27" West, a chord distance of 221.75 feet to a point;
 thence North 03° 38' 26" West, a distance of 314.06 feet to a point;
 thence North 86° 43' 36" West, a distance of 45.53 feet to a point;
 thence North 02° 41' 53" East, a distance of 96.00 feet to a point;
 thence South 86° 43' 36" East, a distance of 36.77 feet to a point;
 thence North 01° 53' 09" East, a distance of 275.73 feet to a point;
 thence North 18° 25' 14" West, a distance of 99.94 feet to a point;
 thence North 02° 39' 36" East, a distance of 390.72 feet to a point;
 thence South 86° 19' 33" East, a distance of 641.25 feet to a point;
 thence North 03° 39' 44" East, a distance of 1454.61 feet to a point;
 thence southwesterly, with the arc of a curve to the right having a radius of 375.00 feet, a central angle of 36° 40' 29" and a chord that bears North 21° 59' 59" East, a chord distance of 235.96 feet to a point;
 thence North 40° 20' 13" East, a distance of 12.20 feet to a point;
 thence South 49° 35' 10" East, a distance of 256.97 feet to a point;
 thence North 39° 41' 23" East, a distance of 262.60 feet to the true point of beginning and containing 92.6 acres of land, more or less.
 This description was prepared from existing records and is for zoning purposes

ZONING SUBAREA - NEIGHBORHOOD EDGE, 63.6 ACRES

Situated in the State of Ohio, County of Franklin, Township of Madison, Section 15, Township 11, Range 21, Congress Lands and containing 63.6 acres of land, more or less, said 63.6 acres being more particularly bounded and described as follows:
 Beginning at a point marking the intersection of the easterly right-of-way of Ebright Road with the northerly right-of-way of U.S. Route 33;

thence North 02° 37' 36" East, a distance of 366.64 feet to a point;
 thence South 87° 07' 41" East, a distance of 204.19 feet to a point;
 thence South 02° 52' 19" West, a distance of 15.32 feet to a point;
 thence South 87° 06' 54" East, a distance of 66.35 feet to a point;
 thence southeasterly, with the arc of a curve to the right having a radius of 189.00 feet, a central angle of 20° 29' 26" and a chord that bears South 06° 34' 59" East, a chord distance of 67.23 feet to a point;
 thence South 03° 39' 44" West, a distance of 211.34 feet to a point;
 thence South 86° 20' 16" East, a distance of 229.77 feet to a point;
 thence northeasterly, with the arc of a curve to the left having a radius of 1076.00 feet, a central angle of 50° 45' 50" and a chord that bears North 68° 16' 49" East, a chord distance of 922.46 feet to a point;
 thence North 42° 53' 18" East, a distance of 979.99 feet to a point;
 thence northeasterly, with the arc of a curve to the left having a radius of 600.00 feet, a central angle of 40° 42' 40" and a chord that bears North 22° 31' 49" East, a chord distance of 417.41 feet to a point;
 thence North 02° 10' 30" East, a distance of 39.75 feet to a point;
 thence North 87° 47' 55" West, a distance of 1067.87 feet to a point;
 thence North 03° 40' 27" East, a distance of 1596.25 feet to a point;
 thence South 87° 24' 40" East, a distance of 119.31 feet to a point;
 thence northeasterly, with the arc of a curve to the left having a radius of 200.00 feet, a central angle of 52° 15' 16" and a chord that bears North 66° 27' 51" East, a chord distance of 176.15 feet to a point;
 thence North 40° 20' 13" East, a distance of 206.91 feet to a point;
 thence South 49° 45' 40" East, a distance of 158.75 feet to a point;
 thence South 40° 10' 39" West, a distance of 370.63 feet to a point;
 thence North 87° 19' 32" West, a distance of 173.23 feet to a point;
 thence South 03° 41' 31" West, a distance of 1315.14 feet to a point;
 thence South 88° 02' 50" East, a distance of 1350.43 feet to a point;
 thence South 03° 20' 50" West, a distance of 1435.01 feet to a point;
 thence South 86° 45' 13" East, a distance of 322.13 feet to a point;
 thence South 03° 14' 39" West, a distance of 177.11 feet to a point;
 thence South 86° 31' 22" East, a distance of 106.28 feet to a point;
 thence South 03° 21' 42" West, a distance of 84.97 feet to a point;

thence South 86° 38' 15" East, a distance of 150.00 feet to a point;
 thence North 03° 21' 58" East, a distance of 262.49 feet to a point;
 thence South 86° 49' 22" East, a distance of 508.53 feet to a point;
 thence South 04° 30' 53" West, a distance of 825.40 feet to a point;
 thence North 87° 00' 56" West, a distance of 140.26 feet to a point;
 thence North 03° 15' 41" East, a distance of 574.07 feet to a point;
 thence North 86° 31' 54" West, a distance of 37.38 feet to a point;
 thence southwesterly, with the arc of a curve to the left having a radius of 276.00 feet, a central angle of 50° 34' 57", and a chord that bears
 South 68° 10' 38" West, a chord distance of 235.83 feet to a point;
 thence South 42° 53' 09" West, a distance of 342.02 feet to a point;
 thence North 47° 06' 51" West, a distance of 896.98 feet to a point;
 thence North 42° 53' 09" East, a distance of 145.27 feet to a point;
 thence North 03° 34' 29" East, a distance of 515.62 feet to a point;
 thence North 86° 25' 31" West, a distance of 30.97 feet to a point;
 thence southwesterly, with the arc of a curve to the left having a radius of 484.00 feet, a central angle of 50° 41' 30" and a chord that bears
 South 68° 13' 49" West, a chord distance of 414.38 feet to a point;
 thence South 42° 53' 09" West, a distance of 428.10 feet to a point;
 thence South 47° 06' 51" East, a distance of 264.00 feet to a point;
 thence South 42° 53' 09" West, a distance of 542.00 feet to a point;
 thence South 47° 06' 51" East, a distance of 324.00 feet to a point;
 thence South 42° 53' 09" West, a distance of 576.56 feet to a point;
 thence South 47° 06' 51" East, a distance of 795.00 feet to a point;
 thence South 42° 53' 09" West, a distance of 198.26 feet to a point;
 thence North 45° 47' 34" West, a distance of 101.46 feet to a point;
 thence North 47° 44' 23" West, a distance of 844.42 feet to a point;
 thence North 03° 03' 49" East, a distance of 701.31 feet to a point;
 thence North 85° 46' 07" West, a distance of 997.76 feet to a point;
 thence North 51° 31' 40" West, a distance of 240.17 feet to the point of beginning and containing 63.6 acres of land, more or less.
 This description was prepared from existing records and is for zoning purposes

ZONING SUBAREA - NEIGHBORHOOD GENERAL, 45.4 ACRES

Situated in the State of Ohio, County of Franklin, Township of Madison, Section 14 and 15, Township 11, Range 21, Congress Lands and containing 45.4 acres of land, more or less, said 45.4 acres being more particularly bounded and described as follows:

Beginning, for reference, at a point marking the intersection of the southerly right-of-way of Bachman Road with the westerly line of that 5.432 acre tract conveyed to James E. Hummel and Jill M. Hummel;
 thence South 04° 30' 53" West, a distance of 825.40 feet to a point;
 thence North 87° 00' 56" West, a distance of 140.26 feet to the true point of beginning;
 thence South 03° 15' 41" West, a distance of 89.02 feet to a point;
 thence North 86° 40' 30" West, a distance of 214.74 feet to a point;
 thence northwesterly, with the arc of a curve to the right having a radius of 312.00 feet, a central angle of 35° 00' 23" and a chord that bears
 North 69° 10' 19" West, a chord distance of 187.67 feet to a point;
 thence South 42° 53' 09" West, a distance of 138.30 feet to a point;
 thence North 47° 11' 33" West, a distance of 498.00 feet to a point;
 thence South 42° 53' 09" West, a distance of 154.00 feet to a point;
 thence South 47° 06' 51" East, a distance of 360.94 feet to a point;
 thence southwesterly, with the arc of a curve to the left having a radius of 540.00 feet, a central angle of 33° 34' 35" and a chord that bears
 South 20° 06' 47" West, a chord distance of 311.94 feet to a point;
 thence South 03° 19' 30" West, a distance of 106.25 feet to a point;
 thence northwesterly, with the arc of a curve to the right having a radius of 400.00 feet, a central angle of 17° 28' 33" and a chord that bears
 North 55° 51' 07" West, a chord distance of 121.53 feet to a point;
 thence North 47° 06' 51" West, a distance of 189.24 feet to a point;
 thence South 42° 53' 09" West, a distance of 576.56 feet to a point;
 thence North 47° 06' 51" West, a distance of 795.00 feet to a point;
 thence North 42° 53' 09" East, a distance of 576.56 feet to a point;
 thence North 47° 06' 51" West, a distance of 324.00 feet to a point;
 thence North 42° 53' 09" East, a distance of 542.00 feet to a point;
 thence North 47° 06' 51" West, a distance of 264.00 feet to a point;
 thence North 42° 53' 09" East, a distance of 428.10 feet to a point;
 thence northeasterly, with the arc of a curve to the right having a radius of 484.00 feet, a central angle of 50° 41' 30" and a chord that bears
 North 68° 13' 49" East, a chord distance of 414.38 feet to a point;
 thence South 86° 25' 31" East, a distance of 30.97 feet to a point;
 thence South 03° 34' 29" West, a distance of 515.62 feet to a point;
 thence South 42° 53' 09" West, a distance of 145.27 feet to a point;
 thence South 47° 06' 51" East, a distance of 896.98 feet to a point;
 thence North 42° 53' 09" East, a distance of 324.02 feet to a point;
 thence northeasterly, with the arc of a curve to the right having a radius of 276.00 feet, a central angle of 50° 34' 57" and a chord that bears
 North 68° 10' 38" West, a chord distance of 235.83 feet to a point;
 thence South 86° 31' 54" West, a distance of 37.38 feet to a point;
 thence South 03° 15' 41" West, a distance of 574.07 feet to the true point of beginning and containing 45.4 acres of land, more or less.
 This description was prepared from existing records and is for zoning purposes

ZONING SUBAREA - NEIGHBORHOOD CENTER, 84.1 ACRES

Situated in the State of Ohio, County of Franklin, Township of Madison, Section 14, and 15, Township 11, Range 21, and containing 84.1 acres of land, more or less, said 84.1 acres being more particularly bounded and described as follows

Beginning, at a point marking the intersection of the southerly right-of-way line of Bachman Road with the easterly line of that tract as conveyed to James and Jill Hummel;

thence South 87° 03' 26" East, a distance of 1123.17 feet to a point;
 hence South 02° 56' 49" West, a distance of 188.44 feet to a point;
 thence South 86° 48' 37" East, a distance of 206.43 feet to a point;
 thence South 02° 52' 50" West, a distance of 1885.89 feet to a point;
 thence North 86° 56' 15" West, a distance of 293.35 feet to a point;
 thence North 56° 53' 49" West, a distance of 604.86 feet to a point;
 thence northeasterly, with the arc of a curve to the left having a radius of 800.00 feet, a central angle of 06° 37' 39" and a chord that bears North 22° 33' 38" East, a chord distance of 92.48 feet to a point;
 thence North 86° 40' 30" West, a distance of 281.31 feet to a point;
 thence North 03° 19' 30" East, a distance of 111.98 feet to a point;
 thence North 86° 51' 25" West, a distance of 1631.56 feet to a point;
 thence South 03° 03' 58" West, a distance of 728.58 feet to a point;
 thence North 44° 48' 38" West, a distance of 431.87 feet to a point;
 thence North 55° 41' 50" West, a distance of 204.04 feet to a point;
 thence North 45° 40' 59" West, a distance of 134.19 feet to a point;
 thence North 42° 53' 09" East, a distance of 774.83 feet to a point;
 thence South 47° 06' 51" East, a distance of 186.24 feet to a point;
 thence southeasterly, with the arc of a curve to the left having a radius of 400.00 feet, a central angle of 17° 28' 33" and a chord that bears South 55° 51' 07" East, a chord distance of 121.53 feet to a point;
 thence North 03° 19' 30" East, a distance of 106.25 feet to a point;
 thence northeasterly, with the arc of a curve to the right having a radius of 540.00 feet, a central angle of 33° 34' 35" and a chord that bears North 20° 06' 47" East, a chord distance of 311.94 feet to a point;
 thence North 47° 06' 51" West, a distance of 360.94 feet to a point;
 thence North 42° 53' 09" East, a distance of 154.00 feet to a point;
 thence South 47° 11' 33" East, a distance of 498.00 feet to a point;
 thence North 42° 53' 09" East, a distance of 138.30 feet to a point;
 thence easterly, with the arc of a curve to the left having a radius of 312.00 feet, a central angle of 35° 00' 23" and a chord that bears South 69° 10' 19" East, a chord distance of 187.67 feet to a point;
 thence South 86° 40' 30" East, a distance of 214.74 feet to a point;
 thence North 03° 15' 41" East, a distance of 89.02 feet to a point;
 thence South 87° 00' 56" East, a distance of 416.33 feet to a point;
 thence North 04° 26' 32" East, a distance of 825.57 feet to the point of beginning and containing 84.1 acres of land, more or less.
 This description was prepared from existing record and is for zoning purposes

ZONING SUBAREA - TOWN CENTER, 10.7 ACRES

Situated in the State of Ohio, County of Franklin, Township of Madison, Section 15, Township 11, Range 21, Congress Lands and containing 10.7 acres of land, more or less, said 10.7 acres being more particularly bounded and described as follows:

Beginning, at a point in the northerly right-of-way line of Bixby Road, the southeasterly corner of that tract as conveyed to Richard Barr by deed of record in Instrument Number 200106070128057;

thence North 02° 50' 49" East, a distance of 893.60 feet to a point;
 thence South 86° 51' 25" East, a distance of 323.79 feet to a point;
 thence South 03° 19' 30" West, a distance of 111.98 feet to a point;
 thence South 86° 40' 30" East, a distance of 281.31 feet to a point;
 thence southwesterly, with the arc of a curve to the right, having a radius of 800.00 feet, a central angle of 06° 37' 39", and a chord that bears South 22° 33' 38" West, a chord distance of 92.48 feet to a point;
 thence South 56° 53' 49" East, a distance of 159.43 feet to a point;
 thence South 33° 09' 37" West, a distance of 151.31 feet to a point;
 thence South 54° 50' 17" East, a distance of 70.03 feet to a point;
 thence South 35° 09' 43" West, a distance of 437.30 feet to a point;
 thence North 54° 50' 17" West, a distance of 224.15 feet to a point;
 hence South 35° 09' 43" West, a distance of 288.37 feet to a point;
 thence North 63° 18' 57" West, a distance of 126.95 feet to the point of beginning and containing 10.7 acres of land, more or less.
 This description was prepared from existing records and is for zoning purposes

**To Rezone From: R-Rural, TC, Town Center, NC, Neighborhood Center, NG, Neighborhood General and NE, Neighborhood Edge Districts.
 To: TC, Town Center, NC, Neighborhood Center, NG, Neighborhood General and NE, Neighborhood Edge Districts**

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the TC, Town Center, NC, Neighborhood Center, NG, Neighborhood General and NE, Neighborhood Edge Districts on this property

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved TC, Town Center, NC, Neighborhood Center, NG, Neighborhood General and NE, Neighborhood Edge Districts and Application among the records of the Building Services Division as required by Section 3320.13 of the Columbus City Codes; said plans being titled "NATURAL RESOURCES PLAN", "DISTRICT PLAN", "REGIONAL CONTEXT PLAN", "CIVIC SPACE, THOROUGHFARE AND BICYCLE PLAN" and text titled "TRADITIONAL NEIGHBORHOOD DEVELOPMENT PRINCIPALS", all signed by William R. Westbrook and dated June 18, 2003, and text reading as follows:

Traditional Neighborhood Development Principles

The community that this rezoning will create is an integrated, substantially self-sufficient neighborhood(s) where its constituents may live, work, play and shop within its own boundaries. The Community will achieve each of the Traditional Neighborhood Development principles, as follows:

A. This community encompasses two distinct transit-supportive mixed-use neighborhoods. The mix of uses includes single-family residential, multi-family residential, parks/greens, shopping opportunities all of which are within reasonable walking distance of each other. The applicant has discussed the development plan with the Central Ohio Transit Authority (COTA). COTA is very interested in the possibility of placing a Suburban Transit Center near Bixby Road to take advantage of the access to the proposed interchange at Bixby Road and SR. 33.

B. The neighborhood/town centers of both neighborhoods will be reasonably accessible by all pedestrians, each located about one half mile from the Neighborhood Edge

C. The residential neighborhood(s) will offer a wide range of attached and detached homes offered for sale and for rent

D. A variety of business types are intended, subject to market conditions, with retail, small professional/office, religious and child/elderly care uses are possible.

E. At least five (5) sites are proposed for civic buildings. In the Neighborhood Center and Town Center Districts: The buildings developed on these sites should serve as symbols of the community, this enhancing community identity

F. Several parks and greens are dispersed throughout both the neighborhoods to give residents, visitors and workers access to civic space.

G. The internal network of thoroughfares are intended to reduce the required trips on existing arterial roadways and to provide a pleasant environment for the pedestrian and cyclists A large variety of thoroughfares are proposed such as streets fronting on civic spaces (CL-42-22), boulevards (BV-7640), streets with parking on one side only (ST48-22), streets with parallel parking on both sides (CS-62-36) and lanes (LA-16-12). The design of these thoroughfares and their relationship to civic spaces and frontage types should contribute to an interesting pedestrian experience

H. Buildings of all types will front the public/private thoroughfares and/or civic spaces. These buildings should effectively screen proposed parking areas.

The blocks are intended to shorten as the intensity of use progresses from the Neighborhood Edge to the Town Center

Section 4. That this ordinance is conditioned or commitments made by applicant in a letter to Mareen Lorenze, Recreation and Parks Department, dated April 29, 2002 as enclosed herein (Letter attached to ordinance).

Section 5. Pursuant to R.C. 4511.65(D) and C.C.C. 2113.02(D) City Council determines by this legislation that Winchester Pike from the southeastern intersection of the right of ways of Ebright Road and Winchester Pike to a point approximately 1,650 feet located south and west of that intersection is outside of a business district and should be classified as a through highway outside of a business district as defined in R.C. 4511.01 (NN) and C.C.C. 2101.06, and the Director of Public Service is authorized and directed to have such prima facie speed limit of 35 m.p.h. required by R.C. 4511.21 and C.C.C. 2133.03(d) posted accordingly.

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

Passed as amended July 14, 2003, Matthew D. Habash, President of Council / Approved as amended July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1656-2003

To authorize the Public Service Director to enter into contract for the Transportation Division with Decker Construction Company for construction of the Urban Infrastructure #4 Group No.5 Project; to authorize the expenditure of \$853,161.50 from the Voted 1995, Voted 1999 Streets and Highways Fund; and to declare an emergency (\$853,161.50)

WHEREAS, bids were received and tabulated on June 12, 2003, for the Urban Infrastructure #4 Group No.5 Project; and

WHEREAS, a satisfactory bid has been received; and

WHEREAS, the Transportation Division recommends acceptance of the lowest responsive, responsible, and best bid submitted by Decker Construction Company, and

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

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should be let immediately so that the work may proceed without delay, thereby preserving the public health, peace, safety and welfare; now, therefore BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Public Service Director be and is hereby authorized to enter into a contract for the Transportation Division with Decker Construction Company, 3040 McKinley Avenue, Columbus, Ohio 43204, for the construction of the Urban Infrastructure #4 Group No.5 Project in the amount of \$757,058.50 in accordance with the specifications and plans on file in the office of the Director of Public Service, which are hereby approved; to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$96,103.00.

SECTION 2. That for the purpose of paying the cost of the contract and inspection, the sum of \$853,161.50, or so much thereof as may be needed, is hereby authorized to be expended from 1995, 1999 Voted Streets and Highways Fund, no. 704, for the Transportation Division, Dept/Div. 59-09, OCA Code 644385, Object Level Three 6631 and project 440005.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1660-2003

To authorize and direct the Finance Director to sell to Detective Donovan Maccabee for the sum of \$1.00 a police canine with the registered name of "Robbie" which has no further value to the Division of Police and to waive provisions of the City Code-Sale of City Owned Personal Property. (\$1.00)

WHEREAS, canine "Robbie" has been a faithful working police dog with the Division of Police since 2000; and

WHEREAS, canine "Robbie" retirement from active police service is due to his inability to be trained for another handler; and

WHEREAS, no City of Columbus Government Agency except Police use canines; and

WHEREAS, it is in the best interest of the City that City Code 329.26 Sale of City-owned personal property be waived; and

WHEREAS, canine "Robbie" has been trained in police tactics, it would be in the City's best interest to provide the dog a good home during retirement in a public safety environment; and

WHEREAS, Detective Donovan Maccabee "Robbie's" handler prior to his transfer is able and willing to provide accommodations for this canine at his personal residence; and

WHEREAS, the City should allow this canine to be purchased by Detective Maccabee for the sum of \$1.00; now therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Finance Director be and is hereby authorized and directed to sell a police canine with the registered name of "Robbie" (asset 25081) to Detective Donovan Maccabee for the sum of \$1.00.

Section 2. That the Council of the City of Columbus finds it is in the best interests of the City that City Code 329.26 Sale of City-owned

personal property, be and is hereby waived to permit the sale of this specific police dog to Detective Donovan Maccabee

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

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1661-2003

To accept Memorandum of Understanding #2003-01 executed between representatives of the City of Columbus and American Federation of State, County and Municipal Employees (AFSCME), Ohio Council 8, Local 1632, which amends the Collective Bargaining Contract, April 1, 2002 through March 31, 2005; and to declare an emergency.

WHEREAS, representatives of the City and American Federation of State, County and Municipal Employees (AFSCME), Local 1632, entered into Memorandum of Understanding #2003-01, a copy of which is attached hereto as Exhibit 1, to amend Appendix A of the Collective Bargaining Contract between the City and AFSCME, Ohio Council 8, Local 1632, April 1, 2002 through March 31, 2005; and

WHEREAS, it is immediately necessary to amend the Collective Bargaining Contract between the City and AFSCME, Ohio Council 8, Local 1632; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus requiring City Council's acceptance of Memorandum of Understanding #2003-01 executed between authorized City and AFSCME representatives thereby immediately preserving the public peace, property, health, safety, and welfare; Now, Therefore

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

Section 1. That Memorandum of Understanding #2003-01 amends the Collective Bargaining Contract between the City and AFSCME, Ohio Council 8, Local 1632, April 1, 2002 through March 31, 2005.

Section 2. That City Council, in the best interest of the City, hereby recognizes and accepts Memorandum of Understanding #2003-01, marked as Exhibit 1, a copy of which is attached hereto, executed between representatives of the City and AFSCME, Ohio Council 8, Local 1632, to be effective with the beginning of the payperiod following passage by City Council.

Section 3. For the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten (10) days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1662-2003

To authorize the Director of the Recreation and Parks Department to execute an Amended and Restated Lease Agreement and any ancillary documents by, among and between the City of Columbus, the Board of County Commissioners of Franklin County Ohio, and the Columbus Zoological Park Association to consolidate certain prior lease agreements, extend their terms and add certain newly acquired parcels to the premises of the Columbus Zoo and to declare an emergency.

WHEREAS, the City of Columbus, Ohio owns certain real property, located at 9990 Riverside Drive, Powell, Ohio, commonly known as the Columbus Zoo; and

WHEREAS, the City and the Franklin County Board of Commissioners own as tenants in common, 100% of certain real property located in the vicinity of the Zoo; and

WHEREAS, the City and Franklin County, collectively, through several lease agreements, dating back from 1989 to the present, have leased the aforementioned owned real property to the Columbus Zoological Park Association; and

WHEREAS, City of Columbus, the Board of County Commissioners of Franklin County Ohio, and the Columbus Zoological Park Association now desire to amend and restate the prior lease agreements to consolidate them, extend their term, add the most recently acquired parcels, as well as make other necessary certain changes to the lease, all with the intention of allowing the Columbus Zoo to refinance a portion of its borrowings in order to facilitate the expansion of the Columbus Zoo; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to authorize the Director of the Recreation and Parks Department to execute an Amended and Restated Lease Agreement and any ancillary documents, by, among and between the City of Columbus, the Board of County Commissioners of Franklin County Ohio, and the Columbus Zoological Park Association necessary to consolidate prior and recent lease agreements, extend their lease term, and to expand the Columbus Zoo premises for the immediate preservation of the public health, peace, property and safety; now, therefore,

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

Section 1. That the Director of the Recreation and Parks Department be and hereby is authorized to execute an amended and restated lease agreement and any ancillary documents, as approved by the Department of Law, Real Estate Division, by, among and between the City of Columbus ("Lessor"), the Board of County Commissioners of Franklin County Ohio ("Lessor"), and the Columbus Zoological Park Association ("Lessee") for the purpose expanding the Zoo premises.

Section 2. That the term of the lease shall be amended to extend through December 31, 2023.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1667-2003

To authorize the transfer of funds between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the Finance Director to establish purchase orders with various vendors for the purchase of traffic signals per the terms and conditions of pending universal term contracts for the Transportation Division; to authorize the expenditure of \$71,973.00 from the 1995, 1999 Voted Streets and Highways Fund and to declare an emergency. (\$71,973.00)

WHEREAS, the Purchasing Office has solicited bids and established universal term contracts for the purchase of various traffic signal commodities, and

WHEREAS, the Transportation Division has need to procure these items in a timely manner so as not to delay scheduled signal installations, and

WHEREAS, it is necessary to transfer monies between projects to fund the purchase of said signal commodities, and

WHEREAS, an emergency exists in the usual daily operation of the Transportation Division, Public Service Department, in that it is immediately necessary to establish purchase orders for this purpose, thereby preserving the public health, peace, property, safety and welfare, now, therefore,

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

SECTION 1. That the transfer of monies between projects within the 1995, 1999 Voted Streets and Highways Fund be and hereby is authorized as follows:

Transfer From:

<u>Project No.</u>	<u>Project</u>	<u>O.L. 01/03 Codes</u>	<u>OCA Code</u>	<u>Amount</u>
530282	Resurfacing	06/6600	644385	\$71,973.00
				Total Transfer From: \$71,973.00

Transfer To:

<u>Project No.</u>	<u>Project</u>	<u>O.L. 01/03 Codes</u>	<u>OCA Code</u>	<u>Amount</u>
540007	Signal Installation	06/6600	644377	\$71,973.00
				Total Transfer To: \$71,973.00

SECTION 2. That the Finance Director be and hereby is authorized to establish purchase orders for the purchase of traffic signal commodities per the terms and conditions of pending universal term contracts for the Transportation Division as follows:

<u>commodity</u>	<u>vendor</u>	<u>amount</u>
8" and 12" LED 3-section signal heads (item #3,4)	Path Master, Inc.	\$63,500.00
circular LED modules and green arrows (item #5-10, 12)	Dialight, Inc.	\$ 4,535.00
LED yellow arrows and single wire entrances (item #11, 13, 14)	Traffic Control Products, Inc.	\$ 3,938.00
		Total \$71,973.00

SECTION 3. That the expenditure of \$71,973.00 be and hereby is authorized 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 6622, OCA Code 644377, Project 540007 to pay the cost thereof.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1668-2003

To authorize the Public Service Director to into contracts with the Franklin County Engineer for the City's local share contribution in the construction of New Albany Road West and Central College Road project, to reimburse the Franklin County Engineer for costs incurred during the construction thereof, to authorize the expenditure of \$500,000.00 from the 1995, 1999 Voted Streets and Highways Fund for the Transportation Division and to declare an emergency. (\$500,000.00)

WHEREAS, the Director of the City of Columbus Development Department has endorsed the Franklin County's New Albany Road West and Central College Road project and the Transportation Division has deemed this project necessary and desires to enter into an agreement with the Franklin County Engineer to have him construct this project, and

WHEREAS, the limits of this project are New Albany Road West from Central College Road to New Albany Road and widening Central College Road west from the existing widened section of New Albany Road East to the Columbus Corporation boundary, and

WHEREAS, the City will be responsible for reviewing and approving construction plans and contractor bids for this project, and

WHEREAS, upon its completion the City will be responsible for maintaining the portion of this project that falls within the Columbus corporate limits, and

WHEREAS, an application for funding was submitted to the Ohio Public Works Commission by the Franklin County Engineer that was approved in January 2002 in an amount equal to thirty-four percent (34%) of the total project cost up to a maximum amount of \$2,200,000.00, and

WHEREAS, the local contribution committed by the City through the OPWC application for this project is \$500,000.00 and is now due to the Franklin County Engineer; now, therefore

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

SECTION 1. That the Public Service Director be and hereby is authorized on behalf of the City of Columbus to enter into contracts with the Franklin County Engineer necessary to complete construction of New Albany Road West and Central College Road project for the Transportation Division.

SECTION 2. That the Public Service Director be and hereby is authorized to issue payment to the Franklin County Engineer in the amount of \$500,000.00 for the costs related to this project.

SECTION 3. That the expenditure of \$500,000.00 be and hereby is authorized from Fund 704, 1995, 1999 Voted Streets and Highways Fund, Department No.59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6631, OCA Code 644385, Project 440005 for this purpose.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1670-2003

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 bridge reconstruction project on the Main Street over Scioto River structure for the Transportation Division; to repeal Ordinance No. 1795-00 passed July 31, 2000; and to declare an emergency.

WHEREAS, the City has identified the need for and proposes the improvement of a portion of public highway, which is described as follows:

The preliminary and final development for the replacement(reconstruction of the Main Street Bridge (FRA 62-14.11) over the Scioto River, with portions of said highway within the municipal corporation limits being hereinafter referred to as the improvement, and WHEREAS, the City desires cooperation from the Director of the Ohio Department of Transportation in the planning, design, and construction of said improvement, and

WHEREAS, Ordinance No.1795-00 passed July 31, 2000, was consent legislation for the replacement(rehabilitation of the Main Street Bridge, and

WHEREAS, the above ordinance outlined both the State and City's financial responsibilities, along with establishing the State as the lead agency for the project, and

WHEREAS, it is necessary to repeal Ordinance No.1795-00 to reflect recent increases in construction cost estimates as well as changes in the financial responsibilities of the State and the City, and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in order to expedite this bridge project, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

Section 1: That it is declared to be in the public interest that consent of the City is hereby given to the Director of the Ohio Department of Transportation to construct the above-referenced improvement in accordance with the plans, specifications, and estimates as approved by the Director of ODOT.

Section 2: That said Director of the Ohio Department of Transportation hereby requests cooperation, and the City hereby agrees to cooperate, in the cost of the above-described improvement as follows: ODOT shall contribute \$15,200,000.00 to the total cost of construction of the improvement and shall contribute the cost of all construction management, including inspections. The City shall assume and bear 100% of the total cost of the construction of the improvement above the amount to be contributed by ODOT; such amount is estimated to be approximately \$10,000,000.00. The City shall, prior to the project being advertised for construction contract bidding purposes, provide appropriate documentation to ODOT that its Council has committed and appropriated, and its Auditor has certified as being available for such specific purposes, funds sufficient in amount to cover 100% of the cost of construction above ODOT's contribution.

In the event that the City requests certain features or appurtenances be included within the improvement's design and construction, and which features or appurtenances are determined by the State and the Federal Highway Administration to be not necessary for the State's highway improvement, the City shall, prior to the project being advertised for construction contract bidding purposes, provide appropriate documentation to ODOT that its Council has committed and 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 improvement, including preliminary engineering, final design, right-of-way, construction and/or construction engineering expenses as may be directly related thereto.

Section 3: That the Director of Public Service of the City of Columbus be and is hereby authorized, on behalf of the City, to enter into agreements with the Director of the Ohio Department of Transportation necessary to complete the planning and construction of the improvement

Section 4: That, upon completion of said improvement, the Director of Public Service of the City of Columbus be and is hereby authorized, on behalf of the City, to enter into an agreement with the Franklin County Engineer wherein the City will agree to assume responsibility for the maintenance of those portions of the completed bridge within its jurisdiction, including, but not limited to, (a) major repairs (except painting) and replacement of the concrete-filled arch for a period of 75 years from the time of completion of the project, (b) major repairs and replacement of the tie-down anchorages for a period of 75 years from the time of completion of the project, and (c) all maintenance of the lighting, including replacement, for the life of the bridge The City will make ample financial and other provisions for such maintenance.

Section 5: That, upon completion of said improvement, the City agrees that ODOT will not be responsible for maintenance of the bridge, including, but not limited to, (a) major repairs (except painting) and replacement of the concrete-filled arch for a period of 75 years from the time of completion of the project, (b) major repairs and replacement of the tie-down anchorages for a period of 75 years from the time of completion of the project, and (c) all maintenance of the lighting, including replacement, for the life of the bridge ODOT will agree to conduct an annual inspection of the bridge in accordance with ORC 5501.47 as well as perform painting, repairs to the concrete wearing surface, and deck replacement for the bridge, at the discretion of the Director of Transportation.

Section 6: That upon completion of said improvement, the City will thereafter, for all portions within its jurisdiction and for which it is responsible, maintain the right-of-way and keep it free from obstruction in a manner satisfactory to the State of Ohio and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands, or other private installations within the right-of-way limits. The City will place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code. The City shall prohibit parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.

Section 7: The CITY agrees that all necessary right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The CITY also understands that right-of-way costs include eligible utility costs.

The CITY agrees that all utility accommodations, relocations and reimbursements will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 8: That Ordinance No.1795-00, passed July 31, 2000 granting consent and cooperation with the State of Ohio for the replacement / reconstruction of the Main Street Bridge, be and is hereby repealed.

Section 9: That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1672-2003

To grant a Variance from the provisions of Section 3361.02, Permitted Uses; for the property located at 1552 NORTH HIGH STREET (43201), to permit ground floor dwelling units, dwelling units above ground floor dwelling units and dwelling units above certain restricted commercial uses in the CPD, Commercial Planned Development District. This application was filed as a companion Variance to rezoning application Z03-004 (Council Variance CV03-004).

WHEREAS, by application #CV03-004, the owner of property at 1552 NORTH HIGH STREET (43201). is requesting a Council variance to permit ground floor dwelling units, dwelling units above ground floor dwelling units and dwelling units above certain restricted commercial uses in the CPD, Commercial Planned Development District; and

WHEREAS, by companion rezoning application #Z03-004 the applicant has established certain C-4, Commercial District uses in the CPD. Commercial Planned Development District, and the applicant further desires to permit ground floor dwelling units, dwelling units above ground floor dwelling units and dwelling units above certain restricted commercial uses in the CPD, Commercial Planned Development District; and

WHEREAS, Section 3356.03, C-4 Permitted Uses, permits dwelling units as allowed under C.C. 3356.05, while the applicant proposes to

develop ground floor dwelling units, dwelling units above ground floor dwelling units and dwelling units above Bowling Centers, Performing Arts, Spectator Sports, and Related Industries, and Theaters, Dance Companies and Dinner Theaters; and

WHEREAS, Section 3356.05, C-4 District Development Limitations, permits dwelling units be located above uses contained in the C-1, C-2, C-3, Commercial Districts and those uses specified in the C-4, Commercial District, while the applicant proposes to develop ground floor dwelling units, dwelling units above ground floor dwelling units and dwelling units above Bowling Centers, Performing Arts, Spectator Sports, and Related Industries, and Theaters, Dance Companies and Dinner Theaters: and

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, City Departments recommend approval and note a hardship exists because a variance is necessary to permit ground floor dwelling units and dwelling units above ground floor dwelling units and certain restricted commercial uses; and

ground floor dwelling units and dwelling units above ground floor dwelling units in the CPD, Commercial Planned Development 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 1552 NORTH HIGH STREET (43201), 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 Section 3361.02, Permitted Uses; of the Columbus City Codes is hereby granted for the property located at 1552 NORTH HIGH STREET (43201), insofar as the C-4, Commercial District uses permitted in said section by companion rezoning application #Z03-004 prohibit ground floor dwelling units, dwelling units above ground floor dwelling units and dwelling units above Bowling Centers, Performing Arts, Spectator Sports, and Related Industries, and Theaters, Dance Companies and Dinner Theaters in the CPD, Commercial Planned Development District; said property being more particularly described as follows:

ZONING DESCRIPTION OF A 1.207 ACRE PARCEL, City of Columbus, Franklin County, Ohio.

Situated in the State of Ohio, County of Franklin, City of Columbus, located on Lots 1 through 19, inclusive, of College Place Addition as recorded in Plat Book 4, page 175, being all of those Parcels numbered 1 through 6, inclusive, as conveyed to the Gateway Area Revitalization Initiative of record in Instrument Number 200204290106715, all references are to the Recorder's Office, Franklin County, Ohio, and described as follows:

Beginning at the intersection of the westerly right-of-way of High Street (66 feet) with the northerly right-of-way line of West Tenth Avenue (60 feet);

thence North 86° 44' 32" West, continuing with the said northerly right-of-way, a distance of 139.96 feet to a point at the intersection of said northerly right-of-way line with the easterly right-of-way line of the first alley west of High Street;

thence North 08° 15' 28" West, with said easterly right-of-way line, a distance of 383.41 feet to a point at the intersection of said easterly right-of-way line with the southerly right-of-way line of West Eleventh Avenue (60 feet);

thence South 86° 44' 32" East, with said southerly right-of-way line, a distance of 139.96 feet to a point at the intersection of said southerly right-of-way line with said westerly right-of-way line;

thence South 08° 15' 28" East, with said westerly right-of-way line, a distance of 383.41 feet to the True Point of Beginning, containing 1.207 acres, more or less.

The bearings contained herein are based on the bearing of North 080 15' 28" West for the centerline of a portion of High Street.

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

**To Rezone From: C-4, Commercial District.
To: CPD, Commercial Planned Development District.**

ZONING DESCRIPTION OF A 1.158 ACRE PARCEL, City of Columbus, Franklin County, Ohio.

Situated in the State of Ohio, County of Franklin, City of Columbus, located on Lots 2 and 3, of Henry T. Chittenden's Woodburn Addition as recorded in Plat Book 1, page 384, being all of those Parcels numbered 7 through 12, inclusive, as conveyed to the Gateway Area Revitalization Initiative of record in Instrument Number 200204290106715. All references are to the Recorder's Office, Franklin County, Ohio, and described as follows:

Beginning at the intersection of the easterly right-of-way of High Street (66 feet) with the northerly right-of-way line of East Eleventh Avenue (60 feet);

thence North 08° 15' 28" West, with said easterly right-of-way, a distance of 294.54 feet to a point at the intersection of said easterly right-of-way line with the southerly right-of-way line of Chittenden Avenue (60 feet):

thence South 86° 10' 28" East, with said southerly right-of-way line, a distance of 175.12 feet to a point at the intersection of said southerly right-of-way line with the westerly right-of-way line of Pearl Street (20 feet):

thence South 08° 15' 28" East, with said westerly right-of-way line, a distance of 294.54 feet to a point at the intersection of said westerly right-of-way line with said northerly right-of-way line;

thence North 86° 10' 28" East, with said northerly right-of-way line, a distance of 175.12 feet to the True Point of Beginning, containing 1.158 acres, more or less.

The bearings contained herein are based on the bearing of North 080 1528" West for the centerline of a portion of High Street.

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

ZONING DESCRIPTION OF A 1.583 ACRE PARCEL, City of Columbus, Franklin County, Ohio.

Situated in the State of Ohio, County of Franklin, City of Columbus, located on Lot 1, of Henry T. Chittenden's Woodburn Addition as recorded in Plat Book 1, page 384, Lots 1,2, and 3 of John R. Cook's Subdivision as recorded in Plat Book 3, Page 340, and Lots 1 through 8, inclusive, of Kelly, Fink, Dundon, and Bergin's Subdivision as recorded in Plat Book 4, Page 207, being all of those Parcels numbered 13 through 20, inclusive, as conveyed to the Gateway Area Revitalization Initiative of record in Instrument Number 200204290106715, all references are to the Recorder's Office, Franklin County, Ohio, and described as follows:

Beginning at the intersection of the easterly right-of-way of High Street (66 feet) with the southerly right-of-way line of East Eleventh Avenue (60 feet);

thence South 86° 10' 28" East, with said southerly right-of-way line, a distance of 175.12 feet to a point at the intersection of said southerly right-of-way line with the westerly right-of-way line of Pearl Street (width varies);
 thence southerly with said westerly right-of-way line, the following courses:
 South 08° 15' 28" East, a distance of 229.52 feet to a point;
 South 86° 46' 19" East a distance of 2.94 feet to a point;
 South 03° 15' 30" West, a distance of 185.71 feet to a point at the intersection of said westerly right-of-way line with the northerly right-of-way line of East Ninth Avenue (60 feet);
 thence North 86° 46' 19" West, with said northerly right-of-way line, a distance of 139.85 feet to a point at an intersection of said northerly right-of-way line with said easterly right-of-way line;
 thence North 08° 15' 28" West, with said easterly right-of-way line, a distance of 420.89 feet to the True Point of Beginning, containing 1.583 acres, more or less.
 The bearings contained herein are based on the bearing of North 08° 15' 28" West for the centerline of a portion of High Street.
 This description is for zoning purposes only and not to be used for property transfer.

ZONING DESCRIPTION OF A 1.436 ACRE PARCEL, City of Columbus, Franklin County, Ohio.

Situated in the State of Ohio, County of Franklin, City of Columbus, located on Lot 1, of Henry T. Chittenden's Woodburn Addition as recorded in Plat Book I, page 384, Lots 1 through 6, inclusive, of Amos and Palmer's Subdivision as recorded in Plat Book 3, Page 50, being all of those Parcels numbered 21 through 30 inclusive, as conveyed to the Gateway Area Revitalization Initiative of record in Instrument Number 200204290106715, all references are to the Recorder's Office, Franklin County, Ohio, and described as follows:
 Beginning at the intersection of the easterly right-of-way of Pearl Street (20 feet) with the southerly right-of-way line of East Eleventh Avenue (60 feet);
 thence South 86° 10' 28" East, with said southerly right-of-way line, a distance of 375.36 feet to a point at the intersection of said southerly right-of-way line with the westerly right-of-way of the first alley east of Pearl Street;
 thence South 03° 15' 30" West, with said westerly right-of-way line, a distance of 174.93 feet to a point at the intersection of said westerly right-of-way with the northerly right-of-way line of East Tenth Avenue (width varies);
 thence North 86° 10' 28" West, with said northerly right-of-way line, a distance of 339.65 feet to a point at the intersection of said northerly right-of-way line with said easterly right-of-way line;
 thence North 08° 15' 28" West, with said easterly right-of-way line, a distance of 178.88 feet to the True Point of Beginning, containing 1.436 acres, more or less.
 The bearings contained herein are based on the bearing of North 08° 15' 28" West for the centerline of a portion of High Street.
 This description is for zoning purposes only and not to be used for property transfer.

ZONING DESCRIPTION OF A 0.254 ACRE PARCEL, City of Columbus, Franklin County, Ohio.

Situated in the State of Ohio, County of Franklin, City of Columbus, located on Lots 7 and 8 of Amos and Palmer's Subdivision as recorded in Plat Book 3, Page 50, being all of that parcel as conveyed to Campus Partners for Community Urban Redevelopment of record in Instrument Number 200301160016527 all references are to the Recorder's Office, Franklin County, Ohio, and described as follows:
 Beginning, for reference, at the intersection of the easterly right-of-way line of the first alley east of Pearl Street with the southerly right-of-way line of East Eleventh Avenue (60 feet);
 thence South 86° 10' 28" East, with said southerly right-of-way line, a distance of 64.05 feet to a point;
 thence South 03° 50' 45" West, leaving said southerly right-of-way line, a distance of 174.92 feet to a point in the northerly right-of-way line of East Tenth Avenue;
 thence North 86° 10' 28" West, with said northerly right-of-way line, a distance of 62.26 feet to a point at the intersection of said northerly right-of-way line with said easterly right-of-way line;
 thence North 03° 15' 30" East, with said easterly right-of-way line, a distance of 174.93 feet to the True Point of Beginning, containing 0.254 acre, more or less.
 The bearings contained herein are based on the bearing of North 08° 15' 28" West for the centerline of a portion of High Street.
 This description is for zoning purposes only and not to be used for property transfer.

ZONING DESCRIPTION OF A 2.058 ACRE PARCEL, City of Columbus, Franklin County, Ohio.

Situated in the State of Ohio, County of Franklin, City of Columbus, located on Lot I, of Henry T. Chittenden's Woodburn Addition as recorded in Plat Book 1, page 384, Lots 6 through 15, inclusive, of Josephine Walsh, Administratrix's Subdivision as recorded in Complete Record 52, Page 467, Probate Court, Franklin county, Ohio, and Lots 9, 10, 11, 17, 18 and 19, of Kelly, Fink, Dundon, and Bergin's Subdivision as recorded in Plat Book 4, page 207, being all of that Parcel 31, as conveyed to the Gateway Area Revitalization Initiative of record in Instrument Number 200204290106715, all references are to the Recorder's Office, Franklin County, Ohio, and described as follows:
 Beginning at the intersection of the easterly right-of-way of Pearl Street (20 feet) with the northerly right-of-way line of East Ninth Avenue (60 feet);
 thence North 03° 15' 30" East, with said easterly right-of-way line, a distance of 204.99 feet to a point at the intersection of said easterly right-of-way line with the southerly right-of-way line of East Tenth Avenue (width varies);
 thence easterly with said southerly right-of-way line, the following courses; South 86° 10' 28" East, a distance of 257.76 feet to a point;
 North 03° 15' 30" East, a distance of 10.00 feet to a point;
 South 86° 10' 28" East, a distance of 391.83 feet to a point at the intersection of said southerly right-of-way line with the westerly right-of-way line of an alley;
 thence South 03° 15' 30" West, with said westerly right-of-way line, a distance of 26.61 feet to a point at the intersection of said westerly right-of-way line with the northerly right-of-way line to an alley;
 thence North 86° 10' 28" West, with said northerly right-of-way line, a distance of 219.79 feet to a point.
 thence South 03° 15' 30" West, leaving said northerly right-of-way line, a distance of 89.86 feet to a point; thence North 86° 10' 28" West a distance of 53.86 feet to a point;
 thence South 02° 53' 38" West, a distance of 94.60 feet to a point in the northerly right-of-way line of East Ninth Avenue (60 feet);
 thence North 86° 46' 19" West, with said northerly right-of-way line, a distance of 376.52 feet to the true Point of Beginning, containing 2.058 acres, more or less.
 The bearings contained herein are based on the bearing of North 08° 15' 28" West for the centerline of High Street. This description is for

zoning purposes only and not to be used for property transfer.

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for mixed-use C-4, Commercial District uses permitted by rezoning application #Z03-004, ground floor dwelling units dwelling units above ground floor dwelling units and dwelling units above certain restricted commercial uses. or those uses permitted in the CPD. Commercial Planned Development District on the property.

Section 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

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

Passed as amended July 14, 2003, Matthew D. Habash, President of Council / Approved as amended July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1673-2003

To rezone 1552 NORTH HIGH STREET (43201), being 7.70± acres located on the east side of North High Street between East Ninth Avenue and Chittenden Avenue, and on the west side of North High Street between West Tenth Avenue and West Eleventh Avenue, From: C-4, Commercial, P-1 and P-2, Parking, AR-4, Apartment Residential, and R-4, Residential Districts, To: CPD, Commercial Planned Development District (Z03-004). Filed with companion Council Variance request CVO3-004.

WHEREAS, application #Z03-004 is on file with the Building Services Division of the Department of Development requesting rezoning of 7.70± acres from C-4, Commercial, P-1 and P-2, Parking, AR-4, Apartment Residential, and R-4, Residential Districts, to CPD, Commercial Planned Development District; and

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

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

WHEREAS, the City Departments recommend Approval of said zoning change because the mixed commercial and residential uses as proposed are consistent with existing zoning and development patterns of the area and reflect the redevelopment goals of the City of Columbus for this segment of North High Street, including the City's relocation of Pearl Alley. The CPD text provides appropriate use restrictions and development standards that address building and maneuvering setbacks, traffic improvements, parking requirements, building height and design standards, buffering and landscaping. A companion Variance request (CV03-004) has been filed to permit ground floor dwelling units and dwelling units above otherwise restricted commercial uses such as performing arts, spectator sports and theaters.

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:

To rezone 1552 North High Street (43201), being 7.70± acres located on the east side of North High Street between East Ninth Avenue and Chittenden Avenue, and on the west side of North High Street between West Tenth Avenue and West Eleventh Avenue, and being more particularly described as follows:

ZONING DESCRIPTION OF A 1.207 ACRE PARCEL, City of Columbus, Franklin County, Ohio.

Situated in the State of Ohio, County of Franklin, City of Columbus, located on Lots 1 through 19, inclusive, of College Place Addition as recorded in Plat Book 4, page 175, being all of those Parcels numbered 1 through 6, inclusive, as conveyed to the Gateway Area Revitalization Initiative of record in Instrument Number 200204290106715, all references are to the Recorder's Office, Franklin County, Ohio, and described as follows:

Beginning at the intersection of the westerly right-of-way of High Street (66 feet) with the northerly right-of-way line of West Tenth Avenue (60 feet);

thence North 86° 44' 32" West, continuing with the said northerly right-of-way, a distance of 139.96 feet to a point at the intersection of said northerly right-of-way line with the easterly right-of-way line of the first alley west of High Street;

thence North 08° 15' 28" West, with said easterly right-of-way line, a distance of 383.41 feet to a point at the intersection of said easterly right-of-way line with the southerly right-of-way line of West Eleventh Avenue (60 feet);

thence South 86° 44' 32" East, with said southerly right-of-way line, a distance of 139.96 feet to a point at the intersection of said southerly right-of-way line with said westerly right-of-way line;

thence South 08° 15' 28" East, with said westerly right-of-way line, a distance of 383.41 feet to the True Point of Beginning, containing 1.207 acres, more or less.

The bearings contained herein are based on the bearing of North 08° 15' 28" West for the centerline of a portion of High Street.

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

**To Rezone From: C-4, Commercial District.
To: CPD, Commercial Planned Development District.**

ZONING DESCRIPTION OF A 1.158 ACRE PARCEL, City of Columbus, Franklin County, Ohio.

Situated in the State of Ohio, County of Franklin, City of Columbus, located on Lots 2 and 3, of Henry T. Chittenden's Woodburn Addition as recorded in Plat Book 1, page 384, being all of those Parcels numbered 7 through 12, inclusive, as conveyed to the Gateway Area Revitalization Initiative of record in Instrument Number 200204290106715, all references are to the Recorder's Office, Franklin County, Ohio, and described as follows:

Beginning at the intersection of the easterly right-of-way of High Street (66 feet) with the northerly right-of-way line of East Eleventh Avenue (60 feet);

thence North 08° 15' 28" West, with said easterly right-of-way, a distance of 294.54 feet to a point at the intersection of said easterly right-of-way line with the southerly right-of-way line of Chittenden Avenue (60 feet);

thence South 86° 10' 28" East, with said southerly right-of-way line, a distance of 175.12 feet to a point at the intersection of said southerly right-of-way line with the westerly right-of-way line of Pearl Street (20 feet);

thence South 08° 15' 28" East, with said westerly right-of-way line, a distance of 294.54 feet to a point at the intersection of said westerly right-of-way line with said northerly right-of-way line;

thence North 86° 10' 28" East, with said northerly right-of-way line, a distance of 175.12 feet to the True Point of Beginning, containing 1.158 acres, more or less.

The bearings contained herein are based on the bearing of North 08° 15' 28" West for the centerline of a portion of High Street.

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

To Rezone From: C-4, Commercial District.
To: CPD, Commercial Planned Development District.

ZONING DESCRIPTION OF A 1.583 ACRE PARCEL, City of Columbus, Franklin County, Ohio.

Situated in the State of Ohio, County of Franklin, City of Columbus, located on Lot 1, of Henry T. Chittenden's Woodburn Addition as recorded in Plat Book 1, page 384, Lots 1, 2, and 3 of John R. Cook's Subdivision as recorded in Plat Book 3, Page 340, and Lots 1 through 8, inclusive, of Kelly, Fink, Dundon, and Bergin's Subdivision as recorded in Plat Book 4, Page 207, being all of those Parcels numbered 13 through 20, inclusive, as conveyed to the Gateway Area Revitalization Initiative of record in Instrument Number 200204290106715, all references are to the Recorder's Office, Franklin County, Ohio, and described as follows:

Beginning at the intersection of the easterly right-of-way of High Street (66 feet) with the southerly right-of-way line of East Eleventh Avenue (60 feet);
 thence South 86° 10' 28" East, with said southerly right-of-way line, a distance of 175.12 feet to a point at the intersection of said southerly right-of-way line with the westerly right-of-way line of Pearl Street (width varies);
 thence southerly with said westerly right-of-way line, the following courses:
 South 08° 15' 28" East, a distance of 229.52 feet to a point; South 86° 46' 19" East, a distance of 2.94 feet to a point;
 South 03° 15' 30" West, a distance of 185.71 feet to a point at the intersection of said westerly right-of-way line with the northerly right-of-way line of East Ninth Avenue (60 feet);
 thence North 86° 46' 19" West, with said northerly right-of-way line, a distance of 139.85 feet to a point at an intersection of said northerly right-of-way line with said easterly right-of-way line;
 thence North 08° 15' 28" West, with said easterly right-of-way line, a distance of 420.89 feet to the True Point of Beginning, containing 1.583 acres, more or less.
 The bearings contained herein are based on the bearing of North 08° 15' 28" West for the centerline of a portion of High Street.
 This description is for zoning purposes only and not to be used for property transfer.

To Rezone From: C-4, Commercial District.
To: CPD, Commercial Planned Development District.

ZONING DESCRIPTION OF A 1.436 ACRE PARCEL, City of Columbus, Franklin County, Ohio.

Situated in the State of Ohio, County of Franklin, City of Columbus, located on Lot 1, of Henry T. Chittenden's Woodburn Addition as recorded in Plat Book 1, page 384, Lots 1 through 6, inclusive, of Amos and Palmer's Subdivision as recorded in Plat Book 3, Page 50, being all of those Parcels numbered 21 through 30, inclusive, as conveyed to the Gateway Area Revitalization Initiative of record in Instrument Number 200204290106715, all references are to the Recorder's Office, Franklin County, Ohio, and described as follows:

Beginning at the intersection of the easterly right-of-way of Pearl Street (20 feet) with the southerly right-of-way line of East Eleventh Avenue (60 feet);
 thence South 86° 10' 28" East, with said southerly right-of-way line, a distance of 375.36 feet to a point at the intersection of said southerly right-of-way line with the westerly right-of-way of the first alley east of Pearl Street;
 thence South 03° 15' 30" West, with said westerly right-of-way line, a distance of 174.93 feet to a point at the intersection of said westerly right-of-way with the northerly right-of-way line of East Tenth Avenue (width varies);
 thence North 86° 10' 28" West, with said northerly right-of-way line, a distance of 339.65 feet to a point at the intersection of said northerly right-of-way line with said easterly right-of-way line;
 thence North 08° 15' 28" West, with said easterly right-of-way line, a distance of 178.88 feet to the True Point of Beginning, containing 1.436 acres, more or less.
 The bearings contained herein are based on the bearing of North 08° 15' 28" West for the centerline of a portion of High Street.
 This description is for zoning purposes only and not to be used for property transfer.

To Rezone From: AR-4, Apartment Residential and P-2, Parking Districts.
To: CPD, Commercial Planned Development District.

ZONING DESCRIPTION OF A 0.254 ACRE PARCEL, City of Columbus, Franklin County, Ohio.

Situated in the State of Ohio, County of Franklin, City of Columbus, located on Lots 7 and 8 of Amos and Palmer's Subdivision as recorded in Plat Book 3, Page 50, being all of that parcel as conveyed to Campus Partners for Community Urban Redevelopment of record in Instrument Number 200301160016527, all references are to the Recorder's Office, Franklin County, Ohio, and described as follows:

Beginning, for reference, at the intersection of the easterly right-of-way line of the first alley east of Pearl Street with the southerly right-of-way line of East Eleventh Avenue (60 feet);
 thence South 86° 10' 28" East, with said southerly right-of-way line, a distance of 64.05 feet to a point;
 thence South 03° 50' 45" West, leaving said southerly right-of-way line, a distance of 174.92 feet to a point in the northerly right-of-way line of East Tenth Avenue;
 thence North 86° 10' 28" West, with said northerly right-of-way line, a distance of 62.26 feet to a point at the intersection of said northerly right-of-way line with said easterly right-of-way line;
 thence North 03° 15' 30" East, with said easterly right-of-way line, a distance of 174.93 feet to the True Point of Beginning, containing 0.254 acre, more or less.
 The bearings contained herein are based on the bearing of North 08° 15' 28" West for the centerline of a portion of High Street.
 This description is for zoning purposes only and not to be used for property transfer.

To Rezone From: AR-4, Apartment Residential District.
To: CPD, Commercial Planned Development District.

ZONING DESCRIPTION OF A 2.058 ACRE PARCEL, City of Columbus, Franklin County, Ohio.

Situated in the State of Ohio, County of Franklin, City of Columbus, located on Lot 1, of Henry T. Chittenden's Woodburn Addition as recorded in Plat Book 1, page 384, Lots 6 through 15, inclusive, of Josephine Walsh, Administratrix's Subdivision as recorded in Complete Record 52,

Page 467, Probate Court, Franklin county, Ohio, and Lots 9,10,11,17,18 and 19, of Kelly, Fink, Dundon, and Bergin's Subdivision as recorded in Plat Book 4, page 207, being all of that Parcel 31, as conveyed to the Gateway Area Revitalization Initiative of record in Instrument Number 200204290106715, all references are to the Recorder's Office, Franklin County, Ohio, and described as follows:

Beginning at the intersection of the easterly right-of-way of Pearl Street (20 feet) with the northerly right-of-way line of East Ninth Avenue (60 feet);

thence North 03° 15' 30" East, with said easterly right-of-way line, a distance of 204.99 feet to a point at the intersection of said easterly right-of-way line with the southerly right-of-way line of East Tenth Avenue (width varies);

thence easterly with said southerly right-of-way line, the following courses;

South 86° 10' 28" East, a distance of 257.76 feet to a point;

North 03° 15' 30" East, a distance of 10.00 feet to a point;

South 86° 10' 28" East, a distance of 391.83 feet to a point at the intersection of said southerly right-of-way line with the westerly right-of-way line of an alley;

thence South 03° 15' 30" West, with said westerly right-of-way line, a distance of 26.61 feet to a point at the intersection of said westerly right-of-way line with the northerly right-of-way line to an alley;

thence North 86° 10' 28" West, with said northerly right-of-way line, a distance of 219.79 feet to a point;

thence South 03° 15' 30" West, leaving said northerly right-of-way line, a distance of 89.86 feet to a point;

thence North 86° 10' 28" West a distance of 53.86 feet to a point;

thence South 02° 53' 38" West, a distance of 94.60 feet to a point in the northerly right-of-way line of East Ninth Avenue (60 feet);

thence North 86° 46' 19" West, with said northerly right-of-way line, a distance of 376.52 feet to the true Point of Beginning, containing 2.058 acres, more or less.

The bearings contained herein are based on the bearing of North 08° 15' 28" West for the centerline of High Street.

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

To Rezone From: R-4, Residential, C-4, Commercial, and P-2, Parking Districts.

To: CPD, Commercial Planned Development District.

Section 2. That a Height District of One-Hundred and Ten (110) feet is hereby established on Subareas A, B, C, D and E of 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, "CPD PLAN" signed by Jeffrey L. Brown, Attorney for the Applicant and dated April 30, 2003, and text titled "COMMERCIAL PLANNED DEVELOPMENT TEXT," signed by Jeffrey L. Brown, Attorney for the Applicant and dated June 30, 2003, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development
 PROPERTY ADDRESS: 1552 North High Street
 OWNER: Gateway Area Revitalization Initiative and Campus Partners for Community Urban Development
 APPLICANT: Gateway Area Revitalization Initiative
 DATE OF TEXT: 4/30/03
 APPLICATION NUMBER: Z03-004

1. INTRODUCTION:

The University Gateway Center is a proposed collection of buildings and other improvements on three blocks adjacent to the southeastern corner of The Ohio State University. The redevelopment is being undertaken in cooperation/partnership with the City of Columbus as the signature project to spearhead the revitalization of the surrounding neighborhoods. Emerging directly from the city's planning efforts and principles embodied in A Plan for High Street: Creating A 21st Century Main Street, the buildings total up to approximately 600,000 square feet of new urban, mixed-use development and are complemented by a 900 minimum space parking garage. The Plan and its companion document, University/High Street Development and Design Guidelines will provide guidance for both the project developer and the architectural review process administered by the University Area Review Board. These efforts, accompanied by a series of city-funded enhancements to the public realm will help assure that the project represents the appropriate urban, pedestrian-oriented character and exceptional urban design.

2. PERMITTED USES:

A. The proposed redevelopment site will consist of five subareas. Subarea A is on the west side of High Street between 10th Avenue and 11th Avenue; Subarea B is located on the east side of High Street between 11th Avenue and Chittenden Avenue; Subarea C is on the east side of High Street between 11th Avenue and 10th Avenue; Subarea D is on the east side of High Street between 10th Avenue and 9th Avenue; and Subarea E is on the east side of the proposed relocated Pearl Street between 11th Avenue and 9th Avenue.

B. The proposed development will include up to 600,000 square feet of building floor area, plus parking and a series of surface improvements. Retail, service, food and entertainment uses will occupy up to 275,000 square feet of building area; office uses will occupy up to 100,000 square feet area; and residential uses shall occupy up to 225,000 square feet of building area, and shall not include more than 225 dwelling units.

C. Those uses permitted in Section 3356.03, C-4 permitted Uses, of the Columbus City Code and first floor dwelling units, residential dwelling units above first floor dwelling units, and dwelling units above Bowling Centers, Performing Arts, Spectator Sports, and Related Industries, Theaters, Dance Companies and Dinner Theaters, as permitted by council variance. Non-auto-oriented carry-out and fast food uses are permitted. The following uses are excluded from the subject property: Automobile sales (new and used); Billboard (unless approved as part of a graphics plan); Book bindery; Bus or truck terminal; Car lot; Ice house Stable;

3. DEVELOPMENT STANDARDS:

Unless otherwise indicated in the written text or the submitted site plan the applicable development standards are contained in Chapter 3356, Regional Scale Commercial Development, of the Columbus City Code.

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

1. The building, parking and maneuvering setbacks from High Street, 9th Avenue, 10th Avenue, 11th Avenue, Chittenden Avenue and any alley shall be from 0 to 15 feet except for any area within 50 feet of the intersection(s) of High Street and any public street where said setbacks shall be 0 to 35 feet. No off-street parking shall front directly onto High Street.

2. The maximum building height for subareas A and C shall be 80 feet, and for subareas B and D shall be 65 feet. Roof top mechanical equipment and its associated screening, parapet walls, elevator penthouses and similar customary roof top equipment will not be considered in the determination of building heights. Specialized or distinctive architectural elements, as approved by the University Area Review Board, shall not be subject to these height limitations. Buildings in subarea E shall have a maximum height of 50 feet, with the height of parking structures measured from grade to the parking surface of the top level of the parking deck.

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

1. There shall be no required on-site parking for the five subareas; but parking for the five subareas shall be provided in Subarea E in a multi-story parking garage, which shall have a minimum of 900 parking spaces.
2. There shall be no parking required for outdoor dining/entertainment areas.
3. Subareas A thru D shall have at least two loading spaces per subarea. (Minimum dimensions 12 feet x 35 feet.)
4. Due to financing, ownership and real estate tax reasons the individual subareas may be divided into separate tax parcels without parking and/or loading spaces and without frontage on a public street.
5. The following traffic improvements shall be constructed as part of this overall development:
 - a. High Street will be widened from 9th Avenue to just north of Chittenden Avenue. Areas for dedicated on-street parking will be provided along the east and west sides of High Street subject to final design approval by the City of Columbus Division of Transportation.
 - b. Signalization, if warranted, will be added at East 9th Avenue and High Street with a left turn lane from southbound High Street.
 - c. East 9th Avenue will be widened from High Street east with a third lane which will provide a left turn lane into the proposed parking garage and for a west bound left turn at the intersection of High Street.
 - d. Signalization at West 10th Avenue and High Street will be replaced with new.
 - e. East 11th Avenue will be converted to two-way traffic and have existing signalization replaced with new.
 - f. A left turn lane will be added from northbound High Street to West 11th Avenue.
 - g. Chittenden Avenue will be converted to two-way traffic and have existing signalization replaced with new.
 - h. A left turn lane will be provided on southbound High Street to Chittenden Avenue.
 - i. The design of any traffic improvement or access point shall be subject to the review and approval of the City's Division of Transportation.
 - j. The sidewalk along High Street shall be widened to provide a width ranging from 12 to 22 feet on each side of High Street.
6. Due to the mixed nature of the proposed development it would be impossible to have each use on its own tax parcel with all its required parking and loading spaces. In addition, the significant mix of proposed uses within the project and their associated highly variable demand characteristics make it appropriate to consider the effect of a shared parking analysis on determining the required number of parking spaces. A mixed-use parking analysis was performed as part of the traffic improvement study and established the project's projected peak hour demand of 900 spaces. For the purpose of establishing the project's parking requirements the following parking ratios have been established:
 - a. Retail (includes restaurants and cafes); 3 spaces per 1,000 sq. ft.
 - b. Entertainment (includes movie theater, comedy club, dance club, etc.); 3 spaces per 1,000 sq. ft.
 - c. Office; 1.5 spaces per 1,000 sq. ft.
 - d. Dwelling Units; 1.5 spaces per dwelling unit
 - e. New on-street parking spaces provided as a result of the public improvements being provided in association with the project shall be credited as part of the project's required parking.

7. If the applicant wishes to provide fewer parking spaces than calculated by the above method, then the applicant shall prepare a shared parking analysis for the proposed project pursuant to the requirements of the Division of Transportation. This analysis shall provide a minimum parking requirement of one (1) space for each residential unit included within the project. The Division of Transportation shall review this shared parking analysis and if the division approves the study, then the applicant shall provide the number of parking spaces shown in the study. If the Division does not approve the study, then the applicant may file a variance request with the Board of Zoning Adjustment.

C. Buffering, Landscaping, Open Space and/or Screening commitments:

1. An entry feature, which may include hardscape, plant material or a combination thereof, shall be created on both the northeast and southeast corners of the intersection of High Street and 11th Avenue.
2. A landscaped pedestrian corridor, which may include hardscape, plant material and combination thereof, shall be created between Subareas C and D between High Street and Pearl Street.
3. There shall be no tree requirement for the parking spaces contained in the parking garage in Subarea E.
4. A landscape buffer shall be installed along the east side of the parking garage on Subarea E.
5. Unless otherwise specified, minimum size of trees at installation shall be 3-inch caliper for deciduous trees, 5 feet in height for evergreen trees and 2 1/2-inch caliper for ornamental trees.
6. All trees shall be well maintained. Dead items, weather permitting, shall be replaced within six months or the next available planting season, whichever occurs first.

D. Building Design and/or Interior-Exterior Treatment commitments:

1. Public Realm: The public realm will include large street trees, articulated sidewalks, spaces for outdoor cafes, and attractive three-dimensional awnings and signage. University Way will provide a pedestrian connection from the parking garage to High Street and become a popular community oriented destination for shopping, dining, evening entertainment, and informal social meeting and gathering.
2. Building Style: The buildings will be contemporary, using flat planes and taut building wrappers to create simple juxtaposing volumes that provide efficient, flexible plans appropriate to their respective uses. The retail base of each building will be highly transparent, allowing the energy and light of the stores to spill out and activate the streets. The upper stories will be articulated to reference the best architecture of the adjacent Short North while retaining a contemporary authenticity.
3. Building Materials: Each building will draw on a material palette comprised of varied colors of brick, cast stone, glass (particularly at street-level), exposed metal, and materials of similar quality.
4. Orientations / Massing of Structures: All buildings will be oriented to create strong, defined street walls to activate the public realm. A collection of five buildings on three blocks will have similar urban and architectural characteristics. They will have flat or gently pitched roofs and openings of vertical proportions. The overall scale of each building will be broken down to be compatible with the buildings to the south in the Short North. The buildings are contemplated to be straightforward in their construction and articulation.
 - a. Buildings in Subareas A and B will have three or four stories of apartments above a tall one-story retail

- base.
- b. Buildings in Subareas C and D will have one or two stories of retail and entertainment uses; and, in the case of Subarea C, will have an additional three stories of office space above.
 - c. Buildings in Subarea E will include three-story residential buildings that line the 9th Avenue and 11th Avenue edges of a five level parking structure; and thereby, mitigating undesirable views of and into the garage.
5. No materials, supplies, equipment or products shall be stored or permitted to remain on any portion of the parcel outside the permitted structure, except for outside dining and entertainment areas.
6. Mechanical equipment or other utility hardware on the roof of a building shall be screened from off-site street level view. Where appropriate, air-handling units may provide part of the required screening. Mechanical and all other equipment on the ground shall be fully screened from off-site street level view to the height of the equipment by a wall, fence or landscape material.
- E. Dumpsters, Lighting, Outdoor Display Areas and/or other Environmental commitments:
- 1. Outdoor lighting shall be cut-off fixtures (down lighting) unless another proposed lighting design is approved by the University Area Review Board.
 - 2. Light poles in the parking lots shall not exceed 18 feet in height.
- F. Graphics and Signage commitments:
- 1. The developer shall submit a master graphics plan for all five subareas or proceed with a separate graphics plan for each subarea.
 - 2. Graphic standards, except as modified by the graphics plan, shall apply as they pertain to a C-4, Commercial District.
- G. Miscellaneous commitments:
- 1. Natural Environment: The site is located on both the east and west side of a major arterial and occupied by a variety of buildings.
 - 2. Existing Land Uses: A combination of commercial, residential and university uses surround the site.
 - 3. Transportation and Circulation: The existing street system shall provide access to the proposed development as described in Section 3B.
 - 4. Views and Visibility: See Section D.
 - 5. Visual Form of the Environment: See Section D.
 - 6. Proposed Development: Mixed use of commercial, office, entertainment, parking and residential uses.
 - 7. Emission: No adverse affects shall result from the proposed development.
 - 8. Behavior Patterns: Other than as proposed herein, the proposed development shall make use of the existing pedestrian and vehicular patterns for the area.

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

Passed as amended July 14, 2003, Matthew D. Habash, President of Council / Approved as amended July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1678-2003

To authorize and direct the Finance Director to enter into two contracts for an option to purchase Rental of Parking Spaces, with Standard Parking, and Byers Realty LLC, to authorize the expenditure of two dollars to establish contracts from the Purchasing/Contract Operation Fund, to waive formal competitive bidding requirements and to declare an emergency. (\$2.00)

WHEREAS, the Purchasing Office informally solicited formal bids on June 5, 2003 and selected the lowest bids; and

WHEREAS, to take advantage of the volatility of the rental of parking spaces in the downtown core area demanded an informal bid process; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into two contracts for an option to purchase Rental of Parking Spaces, thereby preserving the public health, peace, property, safety, and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into two contracts for an option to purchase Rental of Parking Spaces in accordance with Solicitation No. SA000463JY as follows:

Standard Parking,	Item(s): 1 and 2,	Amount: \$1.00
Byers Realty LLC,	Item(s): 1 and 2,	Amount: \$1.00

SECTION 2. That the expenditure of \$2.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That in accordance with Section 329.27 of the Columbus City Code, this Council finds the best interest of the City is served by waiving, and does hereby waive Sections 329.06 (Formal Competitive Bidding) of the Columbus City Code.

SECTION 4. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1679-2003

To authorize and direct the Board of Health to enter into a contract with Columbus Neighborhood Health Center, Inc for the provision of basic medical examinations to determine eligibility for disability assistance, to waive the provisions of competitive bidding, to authorize the expenditure of \$248,777.50 from the Health Special Revenue Fund to pay the cost thereof, and to declare an emergency. (\$248,777.50)

WHEREAS, the Franklin County Department of Job and Family Services has a need to provide basic medical examinations to determine eligibility for disability assistance; and,

WHEREAS, there is a need to enter into a contract with Columbus Neighborhood Health Center, Inc to perform basic medical examinations for disability assistance eligibility for the period of July 1, 2003 through December 31, 2003; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into a contract with Columbus Neighborhood Health Center, Inc for the immediate preservation of the public health, peace, property, safety and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized and directed to enter into a contract with Columbus Neighborhood Health Center, Inc. to provide basic medical examinations to determine eligibility for disability assistance for the period of July 1, 2003 through December 31, 2003, in an amount not to exceed \$248,777.50.

SECTION 2. That the expenditure of \$248,777.50 is hereby authorized from the Health Special Revenue Fund, Fund No 250, Department of Health, Department No.50-01, Object Level One 03, Object Level Three 3337, OCA No.503219.

SECTION 3. That Section 329.13 and 329.14 of the Columbus City Code is hereby waived

SECTION 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1680-2003

To authorize and direct the Board of Health to enter into a revenue contract with Franklin County Department of Job and Family Services for the provision of basic medical examinations to determine eligibility for disability assistance in the amount of \$260,500, and to declare an emergency. (\$260,500)

WHEREAS, the Franklin County Department of Job and Family Services has a need to provide basic medical examinations to determine eligibility for disability assistance; and,

WHEREAS, the Franklin County Department of Job and Family Services has contracted with the Columbus Health Department to provide basic medical examinations for disability assistance eligibility for the period of July 1, 2003 through December 31, 2003; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into a revenue contract with the Franklin County Department of Job and Family Services for the immediate preservation of the public health, peace, property, safety and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized and directed to enter into a revenue contract with the Franklin County Department of Job and Family Services to provide basic medical examinations to determine eligibility for disability assistance for the period of July 1, 2003 through December 31, 2003, in an amount not to exceed \$260,500.

SECTION 2. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1688-2003

To rezone 6124 HARLEM ROAD (43054), being 13.12± acres located on the east side of Harlem Road, 240± feet north of State Route 161; From: R, Rural District, To: PUD-6, Planned Unit Development District.

WHEREAS, application #Z02-109 is on file with the Building Services Division of the Department of Development requesting rezoning of 13.12± 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 because The proposal is consistent with the zoning and development trends along Harlem Road. The requested PUD-6, Planned Unit Development District would permit carefully controlled residential development in compliance with the approval of the Rocky Fork/Blacklick Accord Panel; 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:

6124 HARLEM ROAD (43054), being 13.12± acres located on the east side of Harlem Road, 240± feet north of State Route 161, and being more particularly described as follows:

**DESCRIPTION OF 13.121 ACRES
NORTH OF STATE ROUTE 161
EAST OF HARLEM ROAD
COLUMBUS, OHIO
(FOR ZONING PURPOSES)**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 2, Township 2, Range 16, United States Military Lands, being part of that original 6.056 acre tract of land as described in a deed to Oakley Russell Chick and Dorothy Adele Chick, of record in Official Record 26758, Page 002, and part of that original 7.806 acre tract of land as described in a deed to Clarence M. and Esther L. Frye, of record in Deed Volume 2839, Page 522, all references herein being to the records of the Franklin County Recorder's Office, Columbus, Ohio, and being more particularly described as follows:

Beginning FOR REFERENCE at Franklin County Engineer Monument Number 5577, in the centerline of Harlem Road (width varies), at the southwest corner of said 6.056 acre tract and the northwest corner of said 7.806 acre tract, thence North 05° 57' 09" West, along the centerline of Harlem Road, a distance of 121.37 feet to a point, thence North 05° 44' 53" West, continuing along said centerline, a distance of 103.41 feet to the northwest corner of said 6.056 acre tract, thence North 87° 34' 57" East, along the northerly line of said 6.056 acre tract, a distance of 20.03 feet to the TRUE PLACE OF BEGINNING;

Thence along the northerly line of said 6.056 acre tract the following courses:

1. North 87° 34' 57" East, a distance of 194.41 feet to a point;
2. South 03° 39' 20" West, a distance of 23.00 feet to a point;
3. South 86° 11' 40" East, a distance of 967.12 feet to the northeast corner of said 6.056 acre tract;

Thence South 05° 48' 18" East, along the easterly lines of said 6.056 and said 7.806 acre tracts, a distance of 416.66 feet to point in the northerly right-of-way line of State Route 161;
 Thence South 73° 29' 49" West, along said right-of-way line, a distance of 281.91 feet to a point in the southerly line of said 7.806 acre tract;
 Thence along said southerly line the following courses:
 1. North 86° 12' 43" West, a distance of 694.53 feet to a point;
 2. South 89° 30' 37" West, a distance of 138.90 feet to a point in the easterly right-of-way-line of Harlem Road;
 Thence along said right-of-way line the following courses:
 1. North 09° 06' 03" West, a distance of 85.38 feet to a point;
 2. North 13° 55' 20" West, a distance of 224.86 feet to a point;
 3. North 25° 08' 05" West, a distance of 20.78 feet to a point;
 4. North 05° 57' 09" West, a distance of 106.34 feet to a point;
 5. North 05° 44' 53" West, a distance of 102.21 feet to the TRUE PLACE OF BEGINNING, containing 13.121 acres of land.

To Rezone From: R, Rural District
To: PUD-6, 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-6, 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 "ROCKY RIDGE" signed by Michael H. Murphy, Applicant and dated 4/5/03.

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

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1692-2003

An ordinance adopting the Crosswoods Central Park Economic Development Plan as a guide for future economic development and in support of a tax increment financing district

WHEREAS, the Planning Division of the Department of Development has studied the Crosswoods area and prepared the Crosswoods Central Park Economic Development Plan; and

WHEREAS, recommendations included in the Crosswoods Central Park Economic Development Plan address land use, housing and public infrastructure; now, therefore,

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

Section 1. That the Crosswoods Central Park Economic Development Plan is hereby adopted by adopted by this Council.

Section 2. That the Department of Development and all department and divisions of the City administration are hereby authorized and directed to use the Crosswoods Central Park Economic Development Plan to initiate projects that will implement the provisions of the plan, including the establishment of a tax increment financing district to provide financing for public infrastructure improvements

Section 3. That copies of the Crosswoods Central Park Economic Development Plan shall be kept on file in the Department of Development, Planning Division

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

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1693-2003

An ordinance adopting the Alum-Watkins Road Economic Development Plan as a guide for future economic development and in support of a tax increment financing district

WHEREAS, the Planning Division of the Department of Development has studied the Alum-Watkins Road planning area and prepared the Alum-Watkins Road Economic Development Plan; and

WHEREAS, recommendations included in the Alum-Watkins Road Economic Development Plan address land use, housing and public infrastructure; now, therefore,

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

Section 1. That the Alum-Watkins Road Economic Development Plan is hereby adopted by adopted by this Council.

Section 2. That the Department of Development and all department and divisions of the City administration are hereby authorized and directed to use the Alum-Watkins Road Economic Development Plan to initiate projects that will implement the provisions of the plan, including the establishment of a tax increment financing district to provide financing for public infrastructure improvements

Section 3. That copies of the Alum-Watkins Road Economic Development Plan shall be kept on file in the Department of Development, Planning Division

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

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1694-2003

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive agreement with Residential Financial Corporation 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, authorized 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 Residential Financial Corporation; and

WHEREAS, The Residential Financial Corporation estimates that it will create 48 new jobs at 401 North Front Street, with a projected payroll of \$2,400,000 generating estimated City of Columbus income tax revenue of \$48,000 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 the Columbus Downtown Office Incentive Program agreement with Residential Financial Corporation, pursuant to Columbus City Council Resolution 144X-02, for an annual cash payment equal to 50% of the total income tax withholding for the new positions in the City of Columbus for a one (1) year term based on the estimated addition of 48 jobs at 401 North Front Street.

Section 2. This employment at Residential Financial Corporation is the result of relocating 48 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 addition of 48 new positions qualifies Residential Financial Corporation for a one (1) year incentive term. The term beginning in calendar year 2004, with the incentive payment made in the first quarter of 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 July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1695-2003

To authorize the Director of Development to enter into an agreement with United Parcel Service for a tax abatement of sixty-five percent (65%) on new machinery & equipment for a period of seven (7) years in consideration of a proposed \$5,535,000 investment in real and personal property, the creation of 25 (twenty-five) new full-time jobs and the retention of 702 full-time positions.

WHEREAS, the Columbus City Council authorized the designation of the Enterprise Zone by legislation, Ordinance Number 779-85, dated April 22, 1985; and

WHEREAS, the Ohio Development Department approved this designation under State of Ohio enterprise law, by letter dated June 12, 1985; and

WHEREAS, United Parcel Service plans to invest \$4.8 million in real property improvements and new machinery & equipment to accommodate expansion; and

WHEREAS, the expansion will add approximately \$5,535,000 in investment within the City; and

WHEREAS, the expansion will create 25 (twenty-five) new full time jobs and retain 702 full time positions; and

WHEREAS, the City desires to enter into such a binding, formal agreement in order to foster economic growth; NOW, THEREFORE,

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

Section 1. That the Director of Development is hereby authorized to enter into an Enterprise Zone Agreement with United Parcel Service and to provide therewith an exemption of sixty-five percent (65%) on new machinery & equipment for a term of seven (7) taxable years in association with the project's proposed \$5,535,000 investment

Section 2. That this ordinance shall take effect and be in force from and after the earliest period permitted by law

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1696-2003

To authorize the Director of Development to enter into an agreement with Superior Production Partnership for a tax abatement of sixty percent (60%) on real property improvements, machinery & equipment, furniture & fixtures, and inventory for a period of seven (7) years in consideration of a proposed \$4.8 million investment in real and personal property and the creation 32 (thirty-two) new full-time jobs.

WHEREAS, the Columbus City Council authorized the designation of the Enterprise Zone by legislation, Ordinance Number 779-85, dated April 22, 1985; and

WHEREAS, the Ohio Development Department approved this designation under State of Ohio enterprise law, by letter dated June 12, 1985; and

WHEREAS, Superior Production Partnership plans to build a 32,000 square foot facility to accommodate relocation and expansion; and

WHEREAS, the relocation and expansion will add approximately \$4.8 million in investment within the City; and

WHEREAS, the expansion will create 32 (thirty-two) new full time jobs; and

WHEREAS, the City desires to enter into such a binding, formal agreement in order to foster economic growth; NOW, THEREFORE,

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

Section 1. That the Director of Development is hereby authorized to enter into an Enterprise Zone Agreement with Superior Production Partnership and to provide therewith an exemption of sixty percent (60%) on real property improvements, machinery & equipment, furniture & fixtures, and inventory for a term of seven (7) taxable years in association with the project's proposed \$4.8 million investment

Section 2. That this ordinance shall take effect and be in force from and after the earliest period permitted by law

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1698-2003

To authorize and direct the City Attorney to settle the property damage claim of the City of Columbus against Geraldine Evans, and authorize the title transfer of the totaled City of Columbus vehicle, a 1999 Ford Crown Victoria, Brass Tag # 17186, to Motorists Insurance, and to declare an emergency.

WHEREAS, there is a need to allow the City Attorney to settle the property damage claim of the City of Columbus against Geraldine Evans, and authorize the title transfer of the totaled City of Columbus vehicle, Brass Tag #17186, to Motorists Insurance; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Fire, Department of Public Safety in that it is immediately necessary to settle said claim, thereby preserving the public health, peace, property, safety and welfare; Now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. To authorize and direct the City Attorney to settle the property damage claim of the City of Columbus against Geraldine Evans, and authorize the title transfer of the totaled City of Columbus vehicle, a 1999 Ford Crown Victoria, Brass Tag #17186, to Motorists Insurance, by transferring title of said vehicle, in exchange for payment in the amount of Eleven Thousand Two Hundred Ten Dollars and 00/100 (\$11,210.00) as a reasonable settlement in the best interest of the City of Columbus.

Section 2. That the settlement is for the purpose of this ordinance and is not an admission of liability for the claim arising out of the incident as set forth herein.

Section 3. That for the purposes of effectuating this settlement, the City of Columbus Public Service Department, Fleet Management Division, is hereby authorized and directed to transfer salvage title to Motorists Insurance upon receipt of payment by the City of Columbus Auditor the sum of Eleven Thousand Two Hundred Ten Dollars and 00/100 (\$11,210.00).

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1701-2003

To authorize the Public Service Director to enter into a contract for the Transportation Division with Columbus Asphalt Paving, Inc. for construction of the Doren Avenue project, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, to authorize the expenditure of \$681,202.78 from the Voted 1995, Voted 1999 Streets and Highways Fund for the Transportation Division; to authorize the expenditure of \$235,540.80 from the Waterworks Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$916,743.58)

WHEREAS, bids were received and tabulated on June 19, 2003, for the Doren Avenue project; and

WHEREAS, a satisfactory bid has been received; and

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

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should be let immediately so that the work may proceed without delay, thereby preserving the public health, peace, safety and welfare; now, therefore BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Public Service Director be and is hereby authorized to enter into a contract with Columbus Asphalt Paving, Inc., 1196 Technology Drive, Gahanna, Ohio 43230, for the construction of the Doren Avenue project in the amount of \$818,463.58 for the Transportation Division in accordance with the specifications and plans on file in the office of the Director of Public Service, which are hereby approved; to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$98,280.00 therefore.

SECTION 2. That the City Auditor is hereby authorized and directed to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, Fund No.606, Department of Public Utilities, Division of Water, as follows:

From:
690006 Hoover Reservoir Erosion Control OCA Code 642900 \$235,540.80
To:
690026 Water Facilities Improvements OCA Code 642900 \$235,540.80

SECTION 3. That for the purpose of paying the cost of the contract and inspection, the sum of \$916,743.58, or so much thereof as may be necessary, is hereby authorized to be expended from the Voted 1995, Voted 1999 Streets and Highways Fund 704, the Waterworks Enlargement Voted 1991 Bonds Fund 606 as follows:

Fund:	Dept./Div.	Project:	OCA:	OL3:	Amount:
704	59-09	440005 Urban Infrastructure	644385	6631	\$681,202.78
606	60-09	690026 Water Facilities Improvements	642900	6629	\$235,540.80
Total:					\$916,743.58

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1708-2003

To authorize the Board of Health to modify and increase the contract with Pharmacy People, Inc for the provision of pharmacist services for the Tuberculosis Clinic; to authorize the expenditure of \$38,000.00 from the Health Special Revenue Fund to pay the cost thereof, and to declare an emergency (\$38,000.00)

WHEREAS, the Health Department currently has a contract with Pharmacy People, Inc which provides pharmacist services for clients of Tuberculosis Clinic; and,

WHEREAS, in order to maintain sufficient service levels through the remainder of the contract term, it will be necessary to modify and increase the contract; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to modify and increase the contract with Pharmacy People, Inc for the preservation of the public health, peace, property, safety and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized to extend and increase Contract EL002652 with Pharmacy People, Inc. for the continuation of pharmacist services through December 31, 2003.

SECTION 2. That the expenditure of \$38,000 is hereby authorized from the Health Special Revenue Fund, Fund No 250, Department of Health, Division No.50-01, Object Level One 03, Object Level Three 3351, OCA Code 501882.

SECTION 3. That this modification and increase is awarded in accordance with Section 329. 16 of the Columbus City Code.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this hereby declared to be an emergency measure and shall take effect and be in force from and after its approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1716-2003

An ordinance establishing a Tax Increment Finance incentive district and declaring improvements to certain parcels of real property to be a public purpose, describing the public infrastructure improvements to be made to benefit those parcels, requiring the owners thereof to make service payments in lieu of taxes, establishing a municipal public improvement tax increment equivalent fund for the deposit of such service payments, and protecting the Worthington School District against any loss of revenue.

WHEREAS, Section 5709.40 of the Ohio Revised Code ("Revised Code"), authorizes the a municipal corporation, by ordinance, to create and incentive district and to declare improvements to parcels of real property located within the incentive district to be a public purpose and exempt from taxation; and

WHEREAS, the real property shown on Exhibit A (parcel numbers) and on Exhibit A [1] (map) hereto is located in the State of Ohio, County of Franklin and City of Columbus (such property, together with any improvements now or hereafter constructed, developed or located thereon, is collectively hereinafter referred to as the "Property"); and

WHEREAS, the City finds the completion of certain public infrastructure improvements will facilitate development and has determined that it is necessary to pass this Ordinance declaring the development of the project area to be a public purpose under Section 5709.40 (C) of the Ohio Revised Code; and

WHEREAS, Exhibit B hereto describes the public improvements made, to be made, or which are in the process of being made by, or on behalf of the City that benefit or serve or, once made, will benefit or serve the Property (collectively, the "Public Improvements"); and

WHEREAS, owner(s) of portions of the Property and others are developing and/or have proposed developing certain improvements on the Property (collectively, the "Private Improvements"); and

WHEREAS, the Engineer has certified that the development of Private Improvements to the Property are consistent with its current zoning and plan of development, which is a written economic development plan encompassing the Private Improvements, and which was previously adopted by this Council, and that the Private Improvements shall, during construction and upon completion, place direct, additional demand on the Public Improvements, and that the Public Improvements are inadequate to support such development needs; and

WHEREAS, in accordance with Section 5709.42 of the Ohio Revised Code, the City has elected to direct and require the current and future owners of the Property and the Private Improvements to make annual service payments in lieu of taxes to the Franklin County Treasurer on or before the final dates for payment of real property taxes; and

WHEREAS, Section 5709.40, 5709.42 and 5709.43 of the Ohio Revised Code provide that this Council may declare improvements to a parcel of real property located in the City to be a public purpose, thereby exempting those improvements from real property taxation for a period of time, specify public infrastructure improvements to be made to benefit that parcel, provide for the making of service payments in lieu of taxes by the owner thereof, provide for the distribution of the applicable portion of those service payments to the Worthington School District and establish a municipal public improvement fund into which the remaining portion of such service payments shall be deposited; Now Therefore,

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

Section 1. That pursuant to and in accordance with Section 5709.40 of the Ohio Revised Code, this Council hereby finds and determines that the increase in assessed value of the Property subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "Improvement" as defined in Section 5709.40, Ohio Revised Code) resulting from development, is hereby declared to be a public purpose, and one hundred percent of such increase in assessed value shall be exempt from taxation for a period commencing with the tax year in which the Improvements first appear on the tax list and duplicate of real and public utility property and that begins after the effective date of this Ordinance, and ending with the earlier of thirty (30) years from such effective date or the date on which the City can no longer require semiannual service payments in lieu of taxes, all in accordance with the requirements of Sections 5709.40, 5709.42 and 5709.43, Ohio Revised Code. This ordinance does not apply to any property for any period of time it is otherwise exempt from taxation pursuant to Section 5709. 12 of the Revised Code.

Section 2. That the Public Infrastructure Improvements set forth in Exhibit B hereto and to be made by the City or on its behalf are hereby designated as "Public Infrastructure Improvements;" as defined in Section 5709.40, Ohio Revised Code, that benefit or serve, or that once made will benefit or serve, the Property

Section 3. That as provided in Section 5709.42, Ohio Revised Code, the owners from time to time of the Improvement are hereby required to, and shall make, annual service payments in lieu of taxes to the Franklin County Treasurer on or before the final dates for payment of real property taxes, which service payments shall be (a) distributed by the Franklin County Treasurer to the Worthington School District, or (b) deposited in the Crosswoods Project Municipal Public Improvement Tax Increment Equivalent Fund established in Section 4 hereof, all pursuant to Sections 5709.40 and 5709.42, Ohio Revised Code, and as provided in Section 4 of this Ordinance. This Council further hereby authorizes and directs the Mayor, the Clerk of Council, the Director of Law, the Director of Finance, or other appropriate officers of the City, to make such arrangements as are necessary and proper for collection from said owners of said service payments in lieu of taxes.

Section 4 That this Council hereby establishes pursuant to and in accordance with the provisions of Section 5709.43, Ohio Revised Code, the Crosswoods Municipal Public Improvement Tax Increment Equivalent Fund (the "Fund"). The Fund shall be in the custody of the City and shall receive from the payments in lieu of taxes all amounts not distributed to the Worthington School District Those annual service payments in lieu of taxes with respect to the Improvements on the Property, so deposited and distributed pursuant to law as provided in Section 5709.42, Ohio Revised Code, shall be used solely for the purposes authorized in Sections 5709.40, 5709.42 and 5709.43, Ohio Revised Code.

Any expenditures of service payments deposited in the Crosswoods Tax Equivalent Fund is subject to the expenditure restrictions and appropriation requirements of Sections 27 through 31 of the Charter of the City.

The Fund shall remain in existence so long as such service payments are collected and used for the aforesaid purposes, after which the Fund shall be dissolved in accordance with said Section 5709.43, (Ohio Revised Code. Pursuant to Sections 5709.40 and 5709.42, Ohio Revised Code, the Franklin County Treasurer shall distribute to the Worthington School District from those payments in lieu of real taxes provided for in Section 3 of this Ordinance, and at the same time and in the same manner as real Property tax payments, amounts equal to the amounts that the Worthington School District could otherwise receive as real property tax payments derived from the Improvement absent the passage of the Ordinance

Section 5. That this Council further hereby authorizes and directs the Mayor, the Clerk of Council, the Director of Development, or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance. The form of Tax Increment Financing and Economic Development Agreement between the City and the Developer (the "TIF Agreement") presently on file with the City Clerk, providing for, among other things, the payment of Service Payments, is hereby approved and authorized with the changes therein not inconsistent with this Ordinance and not substantially adverse to the City and which shall be approved by the Director of the City's Department of Development. The Director of the City's Department of Development, for and in the name of the City, is hereby authorized to execute one or more TIF Agreements in substantially that form with any one or more of the Owners (collectively, the "TIF Agreements"), provided that the approval of changes thereto by the Director of the City's Department of Development, and the character of those changes as not being substantially adverse to the City, shall be evidenced conclusively by the execution thereof by the Director of the City's Department of Development and provided further that the Agreement(s) shall provide for the Developer shall assume and pay, solely at its own costs and expense, the first \$60,000 of the cost of the Public Infrastructure Improvements. This Council further hereby authorizes and directs the City Auditor to make such arrangements as are

necessary and proper for collection of the Service Payments from the Owners.

Section 6. That pursuant to Section 5709.40(G), of the Ohio Revised Code, 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 15 days after its passage. On or before March 31 of each year that the exemption set forth in Section 1 hereof remains in effect, the Clerk or other authorized officer of this City shall prepare and submit to the Director of the Department of Development of the State of Ohio the status report required under Section 5709.40(G), Ohio Revised Code.

Section 7. That this Ordinance shall take effect and be in force from and after the earliest time permitted by law

Passed as amended July 14, 2003, Matthew D. Habash, President of Council / Approved as amended July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1718-2003

To grant a Variance from the provisions of Sections 3363.01, M-manufacturing districts; 3327.07, Certificate required; 3342.06, Aisle; 3342.08, Driveway; 3342.11, Landscaping; 3342.15, Maneuvering; 3342.18, Parking setback line; 3342.19, Parking space; 3342.25, Vision clearance and 3342.28, Minimum number of parking spaces required, 3372.609, Setback requirements 3372.615(A), Parking and circulation, of the Columbus City Codes for property located at 224 EAST FIRST AVENUE (43203), being 3.25± acres located at the northeast corner of North Fourth Street and East First Avenue, to permit residential and park uses with reduced development standards in the M, Manufacturing District

WHEREAS, by application No. CV02-067, the owner of property at 224 EAST FIRST AVENUE (43203), is requesting a Council Variance to permit multi-family residences and park uses in the M, manufacturing District; and

WHEREAS, Section 3363.01, M-manufacturing districts, prohibits residential and park use, while the applicant proposes to permit public / private open space, attached or detached single-family dwellings, 2-family, 3-family or 4-family dwellings, multiple dwelling development, apartment house, apartment complex or fee simple townhouse development with multiple attached dwelling units with property lines corresponding to common party walls, in any combination, separately or together, on separate parcels or on the same parcel or with one or more forms of residential use on the same parcel, and occupy the two contiguous buildings with multi-family dwellings; and

WHEREAS, Section 3327.07, Certificate required, requires that except for cases excluded by CC. 3116.23, no person shall construct, reconstruct, alter, change the exterior structure of or demolish any structure or architectural feature now or hereafter in Italian Village without first applying for a certificate of appropriateness therefor and obtaining either such certificate of appropriateness or a certificate that no architectural feature is involved, while the applicant proposes that if any Certificate of Appropriateness is issued by the conflicts with requirements of the National Park Service, and thereby prevent the property owner from obtaining federal tax credits for the restoration of those buildings, then those requirements of the certificate of appropriateness shall be subordinate to and overridden by the National Park Service requirements provided further that, if there are conflicting requirements with which the property owner proposes not to comply, the property owner must notify the Columbus Historic Preservation Office staff of the conflict and make a good faith effort to resolve the conflict in a manner that will be both satisfactory to the Columbus Historic Preservation Office staff and permit the property owner to obtain the federal tax credits sought by the property owner for the restoration of those buildings; and

WHEREAS, Section 3342.06, Aisle, requires a minimum width of seventeen (17) feet for parking spaces located at a 53 degree angle to the drive aisle, while the applicant proposes a fifteen (15) foot wide driveway to serve ten (10) parking spaces located at a fifty-three angle to the drive aisle / driveway; and

WHEREAS, Section 3342.08, Driveway, requires a minimum width of twenty (20) feet for commercial uses, while the applicant proposes to use the existing seventeen (17) foot wide driveway along the south side of the R&D Building; and

WHEREAS, Section 3342.11, Landscaping requires that one tree per every ten (10) parking spaces be provided in interior landscape islands within a parking lot with a minimum soil area of 16 square feet, while the applicant proposes to provide this landscaping around the perimeter of the parking lot; and

WHEREAS, Section 3342.15, Maneuvering, requires every parking space to have sufficient access and maneuvering area which may include an aisle, circulation area or improved alley, while the applicant proposes to permit property lines to divide drive aisles, driveways and loading and to be located on parcels other than the parcel on which the parking space served is located; and

WHEREAS, Section 3342.18, Parking setback line, requires parking to be setback a minimum of ten (10) feet, while the applicant proposes a zero (0) foot parking setback along East First Avenue for parking in the drop-off loop, a minimum five (5) foot setback elsewhere along East First Avenue, North Sixth Street and East Second Avenue; and

WHEREAS, Section 3342.19, Parking space, requires the minimum size of all parking spaces to be 9 feet by 18 feet, while the applicant proposes a minimum parking space size of 8 ½ feet by 18 feet; and

WHEREAS, Section 3342.25, Vision clearance requires the size of required clear vision triangles to be 10 feet on each of the perpendicular sides, while the applicant proposes to reduce this to zero (0) feet on each of the two perpendicular sides along North Sixth Street at the southeast corner of the R & D Building, to five (5) feet on each of the two perpendicular sides elsewhere along North Sixth Street and to five (5) feet on each of the two perpendicular sides along East Second Avenue; and

WHEREAS, Section 3342.28, Minimum Number of Parking Spaces Required, requires off-street parking at code required ratios for each use, while applicant proposes a 50% reduction in code required off-street parking for all uses; and

WHEREAS, Section 3372.609, Setback requirements, requires a minimum building setback of zero (0) feet and a maximum building setback of ten (10) feet, while applicant proposes a maximum setback along North Fourth Street that increases from thirteen (13) feet at the southwest corner of the Office Building to thirty-four (34) feet at the northwest corner of the Office Building and to a maximum of eleven and one half (11.5) feet along East First Avenue, and fifty-eight (58) feet along East First Avenue where a Public / Private Setback Zone is provided for more than 50% of the building frontage and to a maximum of 56 feet along North Sixth Street; and

WHEREAS, Section 3372.615(A), Parking and circulation, prohibits parking, stacking and circulation aisles between a street right-of-way line and a principal building, while applicant proposes parking lots on the north and east sides of the Office Building and in the drop-off loop on the south side of the Office Building, between a public street right-of-way and a principal building; and

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

WHEREAS, the City Departments recommend approval; and

WHEREAS, the Italian Village Area Commission recommends approval; 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 224 EAST FIRST AVENUE (43203), 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 3363.01, M-manufacturing districts; 3327.07, Certificate required; 3342.06, Aisle;

3342.08, Driveway; 3342.11, Landscaping; 3342.15, Maneuvering; 3342.18, Parking setback line; 3342.19, Parking space; 3342.25, Vision clearance and 3342.28, Minimum number of parking spaces required, 3372.609, Setback requirements 3372.615(A), Parking and circulation, of the Columbus City Codes for property located at 224 EAST FIRST AVENUE (43203), insofar as said sections prohibit residential and park uses in the M, Manufacturing District with the provision that if any Certificate of Appropriateness is issued by the Italian Village Area Commission that conflicts with the Standards of the National Park Service, the Standards of the National Park Service shall prevail, with a drive aisle for parking spaces located at a 53 degree angle reduced from minimum width of seventeen (17) feet to fifteen (15) feet, with a drive aisle reduced from a minimum width of twenty (20) feet for commercial uses to the seventeen (17) feet in width by utilizing an existing driveway along the south side of the R&D Building, with parking lot landscaping installed along the perimeter of parking lots rather than in the interior of a parking lot, with parking and maneuvering for parking crossing property lines instead of being on the same parcel as the use or parking spaces served, with reduced parking setbacks from 10 feet to zero (0) feet along East First Avenue in the drop-off loop and five (5) feet elsewhere along East First Avenue, North Sixth Street and East Second Avenue, with the minimum parking space size reduced from 9 feet by 18 feet to 8 1/2 feet by 18 feet, with clear vision triangles reduced from 10 feet on each perpendicular side to 0 feet on each perpendicular side along North Sixth Street at the southeast corner of the R & D Building and to 5 feet on each of the two perpendicular side elsewhere along North Sixth Street and to 5 feet on each of the two perpendicular sides along East Second Avenue, with a 50% reduction in the amount of Code required parking, with the building setbacks increased from the maximum of ten feet allowed to 13 feet at the southwest corner to 34 feet at the northwest corner, to a maximum of 11.5 feet along East First Avenue and to a maximum of 56 feet along North Sixth Street and 58 feet along East First Avenue where a Public-Private Setback Zone is provided for, and with parking lots between the building and the street, said property being more particularly described as follows:

3.254 Acres

Situated in the State of Ohio, County of Franklin, City of Columbus, in Half Section 4, Township 5, Range 22, Refugee Lands, and being part of the 3.473 Acre tract conveyed to Colpark Associates, L.P. in Instrument Number 200012080249092 records being of the Recorder's Office, Franklin County, Ohio unless otherwise noted and being more particularly described as follows:

Beginning at a P.K. nail set at the southwest corner of said 3.473 Acre tract, at the intersection of the east line of North Fourth Street (60 feet wide) and the north line of East First Avenue (60 feet wide);

Thence, along the east line of North Fourth Street and part of the west line of said 3.473 Acre tract, North 98 degrees 17 minutes 41 seconds West, 295.50 feet to a found iron pin at the southwest corner of Lot 4 of E. Sorin's Subdivision of Lot 59 of William Phelan's Mount Pleasant Addition as E. Sorin's Subdivision as numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, Page 286;

Thence, continuing along part of the west line of said 3.473 Acre tract and along the south line of said Lot 4 of Sorin's Subdivision of Lot 59, South 86 degrees 34 minutes 53 seconds East, 150.06 feet to a set railroad spike at the southeast corner of said Lot 4;

Thence, continuing along part of the west line of said 3.473 Acre tract, and along the east line of Lots 4, 5 and 6 of said Sorin's Subdivision of Lot 59 and the east line of Lot 3 of E. Sorin's Subdivision of Lot 60 of William Phelan's Mount Pleasant Addition as E. Sorin's Subdivision as numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, Page 286, North 98 degrees 17 minutes 41 seconds West, 295.85 feet to a set iron pin at the northwest corner of said 3.473 Acre tract, at the northeast corner of said Lot 3 of Sorin's Subdivision of Lot 60 and in the south line of East Second Avenue (60 feet wide);

Thence, along part of the north line of said 3.473 Acre tract and along the south line of said East Second Avenue, South 86 degrees 41 minutes 21 seconds East, 159.05 feet to a set iron pin at a point of curvature, at the northwest corner of a 0.683 acre tract conveyed to the City of Columbus, Ohio, in Instrument Number 200205130119175; Thence, across said 3.473 Acre tract and along the west line of said 0.683 Acre tract the following five (5) courses:

- 1.) along a curve to the right having a radius of 20.00 feet, a central angle of 76 degrees 48 minutes 57 seconds, South 48 degrees 16 minutes 53 seconds East, 24.85 feet to a set iron pin at a point of tangency;
- 2.) South 99 degrees 52 minutes 24 seconds East, 274.33 feet to a set iron pin at a point of curvature;
- 3.) along a curve to the right having a radius of 375.00 feet, a central angle of 13 degrees 17 minutes 31 seconds, South 93 degrees 13 minutes 39 seconds East, 86.80 feet to a set P.K. nail at a point of tangency;
- 4.) South 93 degrees 25 minutes 97 seconds West, 190.74 feet to a set iron pin at a point of curvature;
- 5.) along a curve to the right having a radius of 20.00 feet, a central angle 90 degrees 90 minutes 90 seconds, South 48 degrees 25 minutes 38 seconds West 28.28 feet to a set iron pin at a point of tangency at the southwest corner of said 0.683 Acre tract, in the south line of said 3.473 Acre tract and in the north line of East First Avenue; Thence, along part of the south line of said 3.473 Acre tract and the north line of East First Avenue, North 86 degrees 34 minutes 53 seconds West, 261.67 feet to the Point of Beginning, CONTAINING 3.254 ACRES, subject however to all legal easements, restrictions and rights of way of record and of records in the respective utility offices.

Iron pins set are 30" x 1" O.D. with orange plastic caps inscribed "P.S. #6579". Basis of bearings is the Ohio State Plane Coordinate System as shown on the Ohio Department of Transportation Plans for FRA-670-3.93. This description is based on a field survey by Myers Surveying Company, Inc. in June 1999 and July 2002. Construction

Section 2. That this ordinance is conditioned on the following:

1. If any certificate of appropriateness conflicts with requirements of the National Park Service, and thereby prevent the property owner from obtaining federal tax credits for the restoration of those buildings, then those requirements of the certificate of appropriateness shall be subordinate to and overridden by the National Park Service requirements provided further that, if there are conflicting requirements with which the property owner proposes not to comply, the property owner must notify the Columbus Historic Preservation Office staff of the conflict and make a good faith effort to resolve the conflict in a manner that will be both satisfactory to the Columbus Historic Preservation Office staff and permit the property owner to obtain the federal tax credits sought by the property owner for the restoration of those buildings;

2. If a conflict in development standards between the standards of the UCO and the standards contained in this ordinance, the standards of this ordinance shall take precedence and if a conflict arises between the architectural standards contained in the UCO and architectural approval by the Italian Village Commission the issuance of a Certificate of Appropriateness for any proposed construction will take precedence over the architectural standards contained in the UCO and the issuance of a Certificate of Appropriateness shall constitute approval under the UCO due to the potential for conflicts between the Italian Village Urban Commercial Overlay ~CO), standards contained in this ordinance and the architectural review of the Italian Village Commission.

3. New vehicular circulation areas being subject to the approval of the Division of Transportation. All parking lots being located to the side or rear of a building with the exception of the parking lots on the north and east sides of the Office Building and the drop-off loop on the south side of the building being substantially as shown on the Site Plan and if located to the side, shall not be in advance of the front wall of any adjacent building(s) on either side of the parking lot existing at the time of construction of the parking lot The drop-off loop shall be surfaced with decorative pavers and the installation of a small sign stating "Guest Parking Only" or a like message being installed at the entrance to the drop-off loop, should said drop-off loop be installed on the south side of the Office Building. Parking areas setbacks along all public streets being maintained in live vegetation except for driveway crossings. A uniform treatment to define and aesthetically treat the parking setback with architectural features and/or live plant material being established by the applicant Parking lots, with the exception of the parking area on the drop-off loop in front of the Office Building (if that drop-off loop is installed), being screened to a minimum of 36 inches high, as measured from the elevation of the nearest section of the adjacent parking area, and 75% opacity along all street frontages unless otherwise screened by buildings. Screening shall be accomplished with any combination

of architectural features and/or live plant material, provided that such screening shall not be required within 1 foot of the ground. Live plant materials shall be selected to achieve the height and opacity requirement within 3 years of installation. All parking lot lighting being cut-off fixtures (down lighting), unless otherwise approved by the Italian Village Commission. There may be accent lighting (up lighting) on landscaping, in public or private plaza or park and open space areas, at building entrances and for ground signs, provided the light fixtures are screened to prevent glare. Except for decorative lighting, all parking lot light poles on a site shall be the same color. Light poles in the parking lots shall not exceed a maximum of 22 feet in height.

4. All trees and landscaping shall be well maintained. Weather permitting, dead plant material shall be replaced within six months. The minimum size of trees at the time of planting shall be as follows: Deciduous: 2 ½ inches caliper, Ornamental: 1 ½ inches caliper, Evergreen: 6 feet. All metal tube fencing shall have the appearance of wrought iron fencing.

5. Any mechanical or utility hardware on the roof of a building shall be screened from view from ground level at the building by the same material utilized on the building roof or exterior. Color shall also match the building exterior or roof. Ground mounted mechanical or utility equipment shall be screened from view to the full height of the equipment by landscaping or any fence or wall utilizing comparable or compatible materials as the building materials.

6. That this ordinance is conditioned on buildings(s) being finished on all sides/elevations with the same level and quality of finish. This provision shall not, however, require any change to the existing exterior of the Office Building or the R & D Building. All buildings adjacent to East Second Avenue and East First Avenue having an entrance door and detailed facade, including windows and architectural detailing, facing these street frontages. This provision shall not, however, require any change to the existing exterior of the Office Building.

7. Building illumination shall be permitted provided such light source is concealed. No colored light other than in approved graphics shall be used to light the exterior of any building. All external lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility and to insure a uniform design theme. Building mounted lighting shall utilize cut-off fixtures, unless otherwise approved by the Italian Village Commission, and be designed in such a way to minimize any light spillage offsite and to prevent glare.

8. That this ordinance is conditioned on all new or relocated utility lines being installed underground, unless underground or relocation is not permitted by the applicable public utility.

9. All graphics conforming to the applicable provisions of Article 15 of the Columbus City Code except to the extent variances are granted by the Columbus Graphics Commission.

10. That this ordinance is conditioned on a bicycle parking area shall be provided on the subject property.

11. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for public / private open space, attached or detached single-family dwellings, 2-family, 3-family or 4-family dwellings, multiple dwelling development, apartment house, apartment complex or fee simple townhouse development with multiple attached dwelling units with property lines corresponding to common party walls, in any combination, separately or together, on separate parcels or on the same parcel or with one or more forms of residential use on the same parcel occupy the two contiguous buildings with multi-family dwellings or a permitted use in the M, manufacturing District

12. That this ordinance is conditioned on the southern portion of the Subject Site being developed in general conformance with the site plan titled "Zoning Exhibit", drawn by ME-Companies dated December 9, 2002 and signed by Dan Schoedinger, Attorney for the Applicant. These Plans, while illustrative of the general location of buildings and parking, is schematic and may be adjusted to reflect engineering, topographical, or other site data developed at the time of development and engineering plans are complete. The Director of the Department of Development shall review and may approve adjustments upon submission of the appropriate data regarding the proposed adjustment. The Director may approve adjustments regarding the number and placement of dwelling units per of building, the submitted elevations and parking layout. In no event may the number of dwelling units, location, design and number of vehicular access points on the southern portion of the Subject Site, building and parking setbacks, and items regulated by the Zoning Code of the City of Columbus be altered without the appropriate legislative action being taken.

Section 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

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

Passed as amended July 14, 2003, Matthew D. Habash, President of Council / Approved as amended July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1720-2003

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Virginia Homes, Ltd as provided 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 Virginia Homes, Ltd; and

WHEREAS, Virginia Homes, Ltd estimates that it will create 20 new jobs at 209 East State Street, with a projected payroll of \$1,900,000 generating estimated City of Columbus income tax revenue of \$38,000 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 Virginia Homes, Ltd, pursuant to Columbus City Council Resolution 144X-02, for an annual cash payment equal to 50% of the total income tax withholding for the new positions located in downtown Columbus for a term of five (5) years based on the estimated addition of 20 jobs at 209 East State Street.

Section 2. This employment at Virginia Homes, Ltd is the result of relocating 20 new jobs to the Downtown as defined in Columbus City Code Title 33 Section 3359.03 downtown district boundary.

Section 3. As provided in the program guidelines, the proposed purchase of 209 East State Street qualifies Virginia Homes, Ltd. for a five (5) year incentive term. The term beginning in calendar year 2004, with the incentive payment made in the first quarter of the following year based on actual City of Columbus income tax withholding paid by employees 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 July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1721-2003

To authorize and direct the Finance Director to enter into a Memorandum of Understanding with the State of Ohio for the provision of natural gas supplies through their natural gas purchasing cooperative and to declare an emergency.

WHEREAS, the City of Columbus requires natural gas daily for facility operations, and

WHEREAS, the natural gas supply chain is currently best maintained by purchasing natural gas through a purchasing cooperative managed by the State of Ohio, Department of Administrative Services, and

WHEREAS, the State of Ohio required notice of our continued participation by June 24, 2003, and

WHEREAS, an emergency exists in the usual daily operation of the agencies of the City of Columbus in that it was immediately necessary to enter into a Memorandum of Understanding with the State of Ohio to maintain the City's natural gas supply chain, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized to enter into a Memorandum of Understanding with The State of Ohio for the provision of natural gas supplies through their natural gas purchasing cooperative

SECTION 2. That the Memorandum of Understanding with the State of Ohio is issued in accordance with Section 327.27 of the Columbus City Codes.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1723-2003

To authorize and direct the City Auditor to contract for professional auditing services, and to authorize the expenditure of \$32,100.00. And to authorize the payment of the City's proportionate share of audit costs of certain of the City's subgrantee agencies (\$4,000.00) from the general fund, and to declare an emergency. (\$36,100)

Whereas, the City of Columbus performs numerous social services via third party contractors, and

Whereas, these services are funded by federal, state and city funds, and at times a combination thereof, and

Whereas, for the period ending June 30, 2003, there are 16 agencies administering 29 City contracts totaling in excess of \$8.9 million, and

Whereas, the City Auditor anticipates awarding a professional service contract for auditing services of subrecipients of the City's grants, and

Whereas, the ordinance will also include funds for the City to pay a proportionate share of audit costs of subgrantee agencies who select their own auditors, but in compliance with city and federal requirements, and

Whereas, the City does not now, nor has it ever, maintained the quantity of staff necessary to perform such audits, and

Whereas, these services are required annually and will be required annually in the future, and

Whereas, the City Auditor believes contracting for these services is most cost effective for the City, and

Whereas, it is necessary to contract for professional auditing services for the audits of 16 of the City's subgrantees having a total of 29 contracts, totaling more than \$8.9 million; now, therefore

Whereas, an emergency exists in the usual daily operation of the City Auditor's office, in that it is immediately necessary to enter into contract with Haran, Watson & Company, Inc, CPA's for the preservation of the public health, peace, property, safety and welfare; now, therefore,

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

Section 1. That the City Auditor be and hereby is authorized and directed to contract for professional auditing services pursuant to Section 329.11 of the Columbus City Code.

Section 2. That the expenditure of \$32, 100.00 or as much thereof as may be necessary, be authorized from General Fund 010, Department 22-01, Object Level 03, OCA 220129, for the purpose of engaging one (1) certified public accounting firm to perform such audits.

Section 3. That the City Auditor be authorized to pay the proportionate share of audit costs incurred by various other City subgrantee contractors who engage certified public accountants to perform such audits and that expenditures not to exceed \$4,000.00 be authorized from General Fund 010, Department 22-01, Object 03, OCA 220129.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1724-2003

To authorize and direct the City Auditor to transfer funds within the Department of Technology information services capital fund; to authorize the Director of the Department of Technology to purchase software for the ColumbusStat project; to authorize the Director of the Department of Technology to enter into contract with Accenture (\$250,000) and Oracle (\$500,000); to authorize the expenditure of up to \$750,000.00 from the Department of Technology information services capital fund; and to amend the CIB. (\$750,000.00)

WHEREAS, currently each city agency has their own method and software used by citizens, businesses and other agencies for entering requests for various city services such as trash, water and sewer complaints, potholes, snow removal, traffic lights, Council constituents concerns, Mayoral action items, and community concerns, and

WHEREAS, purchase of this software will connect each city agency into one central repository data bank, and

WHEREAS, centralization will eliminate redundancy and duplication of systems, software, and build intra/interdepartmental efficiencies in the current work order management environment, and

WHEREAS, this software purchase is compatible with current DoT standards and systems already in place, and

WHEREAS, the purchase of this software is in line with the goals of the Mayor's Covenant for customer service and peak performance, and

WHEREAS, funds for acquisition of the system are available within the Department of Technology information services capital fund, and

WHEREAS, the purpose clause associated with the network project funds is sufficiently broad as to allow for the transfer of funds for the ColumbusStat project, and

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

SECTION 1. That the City Auditor be and is hereby authorized and directed to transfer \$750,000 within the Department of Technology, department number 4702, fund number 752, from project number 470010 to project number 470015.

SECTION 2. That the Department of Technology, Cable 2002 capital improvements budget be amended as follows Network Equipment,

project number 470010, original budget \$750,000, amended budget \$0; ColumbusStat, project number 470015, original budget \$0, amended budget \$750,000.

SECTION 3. That the expenditure of \$750,000.00 or so much thereof as may be necessary is hereby authorized to be expended for the aforementioned project from Department/Division 4702, fund 752, project 470015, oca 470015, object level 1 - 06, object level 3 - 6655.

SECTION 4. That the Director of the Department of Technology is hereby authorized to establish contracts with Accenture (\$250,000) and Oracle (\$500,000) for consulting, application and CTI architecture solutions and associated services.

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

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1734-2003

To authorize and direct the Director of the Recreation and Parks Department to submit a grant application to the Ohio Department of Natural Resources, totaling \$84,750.00, for Improvements to Big Run Park, and to declare an emergency (\$84,750.00)

WHEREAS, the Ohio Department of Natural Resources, Division of Real Estate and Land Management, is accepting grant applications for funding under the Nature Works Program; and

WHEREAS, the Recreation and Parks Department wishes to apply for said funding for improvements at Big Run Park; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to apply for said grant for the preservation of public health, peace, property and safety; now, therefore

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

SECTION 1. That the Director of the Recreation and Parks Department be and he is hereby authorized and directed to submit a grant application in the amount of \$84,750.00 to the Ohio Department of Natural Resources, Division of Real Estate and Land Management, for improvements at Big Run Park

SECTION 2. That this ordinance authorizes an application only and is not a commitment to expend City funds A second ordinance to authorize the grant is required before the City will obligate its funds

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1735-2003

To authorize and direct the Board of Health to accept a grant from the Ohio Department of Health for the Breast & Cervical Cancer Program in the amount of \$191,885.00; to authorize the appropriation of \$191,885.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency (\$191,885.00)

WHEREAS, \$191,885 in grant funds have been made available through the Ohio Department of Health; and,

WHEREAS, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to accept this grant from the Ohio Department of Health and to appropriate these funds to the Health Department for the immediate preservation of the public health, peace, property, safety, and welfare; Now, therefore:

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

SECTION 1. That the Board of Health is hereby authorized and directed to accept a grant award of \$191,885.00 from the Ohio Department of Health for the Breast and Cervical Cancer grant program for the period June 30, 2003, through June 29, 2004.

SECTION 2. That from the monies in the Fund known as the Health Department Grants Fund, Fund No 251, and from all monies estimated to come into said fund from any and all sources during the twelve months ending December 31, 2003, the sum of \$191,885 is hereby appropriated to the Health Department, Division No.50-01, OCA 503023 as follows:

Object Level One	Purpose	Amount
01	Personnel Services	\$175,258
02	Materials & Supplies	6,600
03	Services-Operation & Maintenance	10,027
	Total for Grant No. 503023	\$ 191,885

SECTION 3. That the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Health Commissioner, 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 for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1737-2003

To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award through the Paul Coverdell National Forensic Sciences Improvement Act via the State of Ohio, Office of Criminal Justice Services, to authorize an appropriation of \$8,330.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs of the training for forensic lab personnel project and to declare an emergency (\$8,330.00)

WHEREAS, the City of Columbus Division of Police has been awarded funding through the Paul Coverdell National Forensic Sciences Improvement Act for training of forensic lab personnel; and

WHEREAS, advancing technology has created a need for up-to-date training for forensic lab personnel and city funds for training are limited; and

WHEREAS, an emergency exists in the daily operation of the Division of Police, Department of Public Safety, in that it is immediately

necessary to authorize the Mayor to accept a Paul Coverdell subgrant for the Division of Police Crime Lab and to authorize an appropriation for the training for forensic lab personnel project for the preservation of the public health, peace, property, safety and welfare, now therefore
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Mayor of the City of Columbus be and is hereby authorized and directed to accept a Paul Coverdell Subgrant for the Training of Forensic Lab Personnel.

Section 2. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purposes during the subgrant award period the sum of \$8,330.00 is appropriated as follows:

<u>DIV</u>	<u>FD</u>	<u>OBJ#1</u>	<u>OBJ#3</u>	<u>OCACD</u>	<u>GRANT</u>	<u>AMOUNT</u>
30-03		220 03	3330	333017	333017	\$3,550.00
30-03		22003	3331	333017	333017	4,780.00

Section 3. That the monies appropriated in the foregoing Section 2 shall be paid upon order of the Director of Public Safety; 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 for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1740-2003

To authorize the appropriation of \$6,284.00 within the Community Development Block Grant fund to the Department of Public Services in order to complete the Building Renovation Program, and to declare an emergency (\$6,284.00)

WHEREAS, funds were appropriated in fiscal year 2000 for building renovation projects of three city-owned public facilities, and

WHEREAS, two of the three projects are completed with the final phase of the project at 2300 W. Broad ready to begin, and

WHEREAS, the first two projects expended less than originally encumbered, and

WHEREAS, a portion of these funds is needed to complete the third project, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to appropriate the aforementioned funds, thereby preserving the public health, peace, property, safety and welfare; Now, therefore

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

SECTION 1. That from the unappropriated monies in the Community Development Block Grant fund, fund 248, subfund 001, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the year ending December 31, 2003, the sum of \$6,284.00 is hereby appropriated to Department 59-07, OCA 594671, Object Level One: 06, Object Level Three 6620.

SECTION 2. That for the reasons stated in the preamble which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1742-2003

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Fire Uniforms with Roy Tailors Uniform Company of Columbus, Inc., and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids and selected the lowest bid; and

WHEREAS, the vendor has agreed to extend contract number FL000519 at current prices and conditions to and including June 30, 2004, and it is in the best interest of the City to exercise this option; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend contract number FL000519 for an option to purchase Fire Uniforms thereby preserving the public health, peace, property, safety, and welfare, now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify and extend contract number FL000519 with Roy Tailors Uniform Company of Columbus, Inc. to and including June 30, 2004.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1744-2003

To authorize and direct the Finance Director to enter into a contract for an option to purchase Small Engine OEM Parts, with Baker Vehicle Systems, Inc., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on June 12, 2003 and selected the lowest bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products / services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Small Engine OEM Parts, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Small Engine OEM Parts in accordance with Solicitation No. SA000461GRW as follows:

Baker Vehicle Systems, Inc., Item(s): 3 only, Amount: \$1.00.
No bids were received for Items 1 and 2.

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1768-2003

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-018RF) of 12.545± Acres in Orange Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

WHEREAS, a petition for the annexation of certain territory in Orange Township was duly filed by Coughlin Land Company, LDT. on July 1, 2003; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Delaware; 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 within the Far North Plan planning area; and

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

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Delaware County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; 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 12.545± acres in Orange 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 33, 440 Lazelle Road, 10 Personnel, 3 Paramedics.

Apparatus responding: Paramedic/Engine, Medic, and Ladder.

Time: 4.0 minutes.

Second response from: Station 27, 7560 Smokey Row Road, 10 Personnel, 3 Paramedics.

Apparatus responding: Paramedic/Engine, Medic, and Ladder.

Time: 14.0 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 water main located at the intersection of Polaris Parkway and Old State Road approximately 1000 feet from the site. Extension to the site will be the responsibility of the developer.

Sewer:

Sanitary Sewer: This site is tributary to an existing 8 inch sewer stubbed to the eastern property line of the proposed annexation approximately 400 feet south of the centerline of Powell Road. Design densities are limited to 12 people per acre in this area.

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 owner / developers at their own cost and expense with no cost to the city.

Section 2. If this 12.545 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 Orange 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 Orange 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 for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 14, 2003, Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RESOLUTIONS

RES NO. 282X-2003

To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Big Walnut / Rickenbacker Sanitary Inceptor Sewer Project Part II (Outfall Augmentation), and to declare an emergency.

WHEREAS, the City of Columbus is engaged in the Big Walnut / Rickenbacker Sanitary Inceptor Sewer Project Part II (Outfall Augmentation); and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to declare the necessity and intent to appropriate fee simple title and lesser interests in and to the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare; now, therefore

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

Section 1. That this Council hereby declares the necessity and intent to appropriate fee simple title and lesser interests in and to the following described real estate necessary for the Big Walnut / Rickenbacker Sanitary Inceptor Sewer Project Part II (Outfall Augmentation), Project, # 650491, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit

P-3 85-S

Situate in the State of Ohio, County of Franklin, being a part of the northeast quarter of Section 25, Township 4 North, Range 22 West, Hamilton Township, Matthews Survey in Range XXII of Congress Lands East of the Scioto River, and a 0.258 acres permanent easement at an elevation of 707.00 feet North American Vertical Datum 1988) and below, the surface elevation being 735 feet and above, out of the 3.507 acres of land described in Official Record 25906 C 18, this and all further references being to the records of the Franklin County Recorder's Office, and conveyed to Robert L and Pamela Sue KENDALL, being more particularly described as follows;

Beginning for reference at a railroad spike called and found at the centerline intersection of Bixby Road(80 feet wide) and the centerline of the northbound lane of Alum Creek Drive;

thence, South 86° 12' 47" West, with the centerline of Bixby Road and the Grantor's southerly line, a distance of 89.89 feet to the southeasterly corner of a sixty feet wide permanent subsurface easement below elevation 707.00 feet, the TRUE POINT OF BEGINNING of the subsurface easement being described;

thence, South 86° 12' 47" West, continuing with the Grantor's southerly line and the center of Bixby Road, a distance of 60.37 feet to a point, the southwesterly corner of the said sixty feet wide permanent subsurface easement;

thence, North 02° 32' 14" East, with the westerly line of the said subsurface easement, a distance of 182.00 feet to a point in the Grantor's northerly line, the southerly line of the Sarah Lane Crabtree Trust, Tract Two, First Parcel of 54 acres, of record in Instrument Number 199906280163165, called the center of Big Walnut Creek, being the northwesterly corner of the said permanent subsurface easement;

thence, North 77° 05' 18" East, with the Grantor's northerly line and the said Crabtree Trust 54 acres southerly line, a distance of 62.25 feet to a point at the northeasterly corner of the said permanent subsurface easement;

thence, South 02° 32' 14" West, with the easterly line of the said permanent easement, a distance of 191 .93 feet to the TRUE POINT OF BEGINNING of the permanent subsurface easement being described The parcel, as described above, contains 0.258 acres, more or less, subject to all legal highways, including Alum Creek Drive and Bixby Road, together, which occupy 0.227 acres within the above described easement, leaving a balance of 0.03 1 acres to be acquired.

The basis for bearings in the above description is the direction from Franklin County Monument FCG59930 (Intersection of Shook Road with State Route 317) to Franklin County Monument FCGS 9927 (In Shook Road at the center quarter corner of Section 36) as bearing North 3° 37= 38@ East.

Roger M. Smith, P.S., P.E., Ohio Registered Surveyor, S-6899

T-3 85-S

Situate in the State of Ohio, County of Franklin, being a part of the northeast quarter of Section 25, Township 4 North, Range 22 West, Hamilton Township, Matthews Survey in Range XXII of Congress Lands East of the Scioto River, and a 0.031 acres temporary easement for sanitary sewer construction purposes out of the 3.507 acres of land described in Official Record 25906 C 18, this and all further references being to the records of the Franklin County Recorder's Office, and conveyed to Robert L. and Pamela Sue KENDALL, being more particularly described as follows;

Beginning for reference at a railroad spike called and found in the centerline intersection of Bixby Road (80 feet wide) and the centerline of the northbound lane of Alum Creek Drive;

thence, South 86° 12' 47" West, with the centerline of Bixby Road and the Grantor's southerly line, a distance of 150.26 feet to the southwest corner of a sixty feet wide permanent subsurface easement;

thence, North 02° 32' 14" East, leaving the Grantor's southerly line and with the westerly line of the said subsurface easement, a distance of 40.24 feet to a point in the northerly right of way line of said Bixby Road, being the TRUE POINT OF BEGINNING of the subsurface easement being described;

thence, North 02° 32' 14" East, with the westerly line of the said permanent sixty feet wide subsurface easement, a distance of 141.76 feet to a point in the Grantor's northerly line and the southerly line of the Sarah Lane Crabtree Trust, Tract Two, First Parcel of 54 acres, of record in Instrument Number 199906280163165, being the center of Big Walnut Creek, the northwesterly corner of the said permanent subsurface easement, and the northwesterly corner of the temporary easement being described herein;

thence, North 77° 05' 18" East, with the Grantor's northerly line and the said Crabtree Trust 54 acres southerly line, a distance of 9.91 feet to a point in the westerly right of way line of said Alum Creek Drive;

thence, South 02° 36' 14" West, with the said westerly right of way line of Alum Creek Drive, a distance of 143.36 feet to the intersection of the westerly right of way line of Alum Creek Drive and the northerly right of way line of Bixby Road;

thence, South 86° 12' 47" West, with the northerly right of way line of said Bixby Road, a distance of 9.44 feet to the TRUE POINT OF BEGINNING of the temporary easement for sanitary sewer construction purposes being described The parcel, as described above, contains 0.031 acres, more or less, subject to all legal highways and other easements, covenants and agreements of record

The basis for bearings in the above description is the direction from Franklin County Monument FCG59930 (Intersection of Shook Road with State Route 317) to Franklin County

Monument FCGS 9927 (In Shook Road at the center quarter corner of Section 36) as bearing North 3° 37= 38@ East. Roger M. Smith, P.S., P.E., Ohio Registered Surveyor, S-6899

Section 2. That the City Attorney be and hereby is authorized to cause a written notice of the adoption of this resolution to be served upon the owners, persons in possession of or persons having a real or possible interest of record in the above described premises in the manner provided by

law

Section 3. That for the reasons state in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same

Adopted July 14, 2003 Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 284X-2003

To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Norton Road-Broad to Hall Project, and to declare and emergency.

For full text, please click on link <http://www.columbuscitycouncil.org/bulletin/pdf/2003/284x-2003.pdf>
Adopted July 14, 2003 Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 286X-2003

To recognize and honor Majors Guy and Henrietta Klemanski who have both aptly served the Greater Columbus Area for the past 9 years. Whereas, In August of 1994, the Klemanski's were appointed as leaders for the Greater Columbus area and have been responsible for coordinating the work of five Worship and Service Centers, Greenwood Lake Camp, the Adult Rehabilitation Center, the Direct Housing Program, the Learning and Career Enhancement Centers, the Heart-to-Heart Program, the Christmas Cheer Program, Community Relations and Fundraising activities; and

Whereas, Majors Guy and Henrietta Klemanski both serve as Salvation Army Officers and have distinguished themselves as dynamic leaders that will truly be missed in Columbus They have an infectious enthusiasm about the work and ministry of The Salvation Army and the opportunity to serve 'OTHERS'; now therefore,

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

That this Council does hereby honor and congratulate Majors Guy and Henrietta Klemanski for the hard work and dedication they have invested in the Greater Columbus Area for the past 9 years.

Adopted July 14, 2003 Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 291X-2003

To honor and recognize St. Paul A.M.E. Church as the oldest congregation of African descent in the City of Columbus and celebrate the placement of the Ohio Historical Marker.

WHEREAS, St. Paul African Methodist Episcopal Church is the oldest congregation of African descent in the City of Columbus; and, WHEREAS, St. Paul A.M.E. Church, pastored by the Rev. Dr. Michael R. Bean, will be celebrating the dedication of a historical marker on Sunday, July 13, 2003, at 1:00pm, with various community leaders and local and state officials in attendance to celebrate this special occasion; and,

WHEREAS, through a program administered by the Ohio Historical Society, the marker will enable Ohioans to commemorate local history while learning about the state. The marker at St. Paul is only one of twelve statewide that will be erected celebrating the contributions of African-Americans to the growth of Ohio; and,

WHEREAS, the church was founded by Moses Freeman and 13 other members from the Town Street Church, which was originally located on the east side of Lazelle Street. Several buildings were erected to meet the needs of the growing congregation. The present edifice, located at 639 E. Long Street was completed in 1906; and,

WHEREAS, St. Paul has several outreach ministries including the Prison Ministry, Alzheimer Ministry, Karen's House, Community Development Corporation Health Concerns Committee, St. Paul's Tutorial and Enrichment Program (STEP), St. Paul Scholarship Program St. Paul Drama Ministry Jam 'N Jefferson Park Festival and Church without Walls.

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

That this Council does hereby honor and recognize St. Paul A.M.E. Church as the oldest congregation of African descent in Columbus, Ohio and celebrates the placement of the Ohio Historical Marker and declares Sunday July 13, 2003, as St. Paul A.M.E. Church Day in the City of Columbus. BE IT FURTHER RESOLVED:

That a copy of this Resolution be presented to Rev. Dr. Michael R. Bean and the Congregation of the St. Paul A.M.E. Church as a token of our esteem.

Adopted July 14, 2003 Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 292X-2003

Columbus City Council extends sincere condolences to the family and friends of John Allen Davis, Sr. on the occasion of his passing.

Mr. Davis graduated from Linden McKinley High School and decided to further his education at Sinclair Community College in Dayton Ohio and later attended LeMoyne Owen College in Memphis, Tennessee.

Mr. Davis was an employee of the City of Columbus Recreation & Parks Department. As a Recreation Leader in the Linden Recreation Center, he touched the lives of many young men and women.

Mr. Davis had a profound impact in the Linden community and was loved by all that knew him. He will be remembered for telling jokes, making people laugh and sacrificing his needs to give to others.

Clearly, the world is a richer place for Mr. Davis having been in it. He will be sorely missed.

Adopted July 14, 2003 Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 293X-2003

To recognize and commend Deputy Fire Chief Charles H Bardocz for his 26 years of distinguished service to the City of Columbus on his retirement from the Columbus Division of Fire on June 21, 2003.

WHEREAS, Deputy Chief Charles H. Bardocz was a member of the Whitehall Fire Department prior to joining the Columbus Division of

Fire; and

WHEREAS, Deputy Chief Charles H. Bardocz became a fire fighter on October 17, 1977 and has worked his way up through the ranks during his distinguished 26 year fire service career with the Columbus Division of Fire being promoted to the rank of Lieutenant in 1988, to Captain in 1991, a Battalion Chief in 1993 and Deputy Chief in April 2002; and

WHEREAS, Deputy Chief Charles H. Bardocz was a member of the Columbus Division of Fire's Bomb Squad and Haz-mat Team; and on the Division's 24-hour system, the Deputy Chief is the highest-ranking officer and is responsible for the fire and EMS services delivered to Columbus residents; and

WHEREAS, Deputy Chief Charles H. Bardocz also served as an instructor with the National Fire Academy Institute and as a PSSI Instructor with the Columbus Division of Fire; and

WHEREAS, Deputy Chief Charles H. Bardocz is an active member of the Adult Literacy Council and the Charity Newsies Organization; and

WHEREAS, Deputy Chief Charles H. Bardocz has had numerous accomplishments during his 26 year career with the Columbus Division of Fire such as being the recipient of the City Council Safety Award in November 2001, a Battalion Chiefs Commendation Award in 1991 and being named the Firefighter of the Month in June 1986; and

WHEREAS, Deputy Chief Charles H. Bardocz retired on June 21, 2003 after 26 years of commendable service to the citizens of Columbus with the Columbus Division of Fire; now; therefore

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

That this council does hereby recognize, commend and thank Deputy Chief Charles H. Bardocz for his 26 years of dedicated service to the City of Columbus on his retirement from the Columbus Division of Fire on June 21, 2003.

BE IT FURTHER RESOLVED,

That a copy of this Resolution be presented to Deputy Chief Charles H. Bardocz during his retirement dinner on July 18, 2003.

Adopted July 14, 2003 Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 294X-2003

To recognize and congratulate Patrick A. McLean for 11 years of dedicated service on the Greater Hilltop Area Commission.

WHEREAS, of the eleven years that Patrick A. McLean served on the Greater Hilltop Area Commission, five of those were as Chair; and WHEREAS, during his tenure, Mr. McLean helped to return credibility to the commission and always endeavored to bring about the most favorable solution possible with the best interests of the Greater Hilltop community in mind; and

WHEREAS, Patrick A. McLean was able to build consensus among the fourteen other members of the commission through his thoughtful, deliberate, inclusive and fair style of diplomacy and leadership; and

WHEREAS, Mr. McLean is a shining example of what a leader should be and those privileged to be counted among his friends consider themselves better people and fortunate for the association; and

WHEREAS, Patrick A. McLean is also credited by fellow members of the Hilltop leadership as a guiding force in helping to bring about the Hilltop Renaissance; and

WHEREAS, Mr. McLean has also given generously of his time and intellect to other organizations, including Friends of the Hilltop, the J. Ashburn, Jr. Youth Center, the Greater Hilltop Area League for the Arts and the Westside/Eastside Child Care Centers Association; now; therefore

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

That this council does hereby recognize and commend Patrick A. McLean for 11 years of dedicated service on the Greater Hilltop Area Commission.

BE IT FURTHER RESOLVED,

That a copy of this Resolution be presented to Patrick A. McLean with our esteem.

Adopted July 14, 2003 Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 295X-2003

To recognize United Church Front for hosting the second annual Stop The Violence March on Saturday, July 12, 2003.

WHEREAS, United Church Front, under the leadership of Pastor Jerry L. Pierce, Sr., is hosting the second annual Stop the Violence March on Saturday, July 12, 2003; and,

WHEREAS, Pastor Jerry L. Pierce, Sr., is the visionary and founder behind United Church Front and the Stop the Violence rally; and,

WHEREAS, United Church Front plans to be visible outside the church walls in our inner cities to offer support and resources to those in our community affected by violent acts; and,

WHEREAS, Violent acts places undue stress on families and the community-at-large and we commend this organization for aggressively taking a stand to walk with families affected by violence

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

That this Council does hereby recognize United Church Front for hosting the second annual Stop the Violence March on Saturday, July 12, 2003.

Adopted July 14, 2003 Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 297X-2003

To recognize Ozone Action Awareness Week July 20-27, 2003.

WHEREAS, The growth of Greater Columbus and the increase of cars on our roads impacts our air quality; and

WHEREAS, Repeated exposure to ozone pollution may cause severe health problems such as permanent lung damage, incite asthma attacks and chest pains; and

WHEREAS, Just last month, central Ohio had the unhealthiest air in the nation on June 23rd and June 24th, exceeding the one-hour ozone standard and in 2002 central Ohio exceeded the eight-hour ozone standard on 28 days; and

WHEREAS, A minimum of seven and possibly nine central Ohio counties will be designated non-attainment under the new, eight-hour ozone standard by the U.S. EPA; and

WHEREAS, If the central Ohio region does not reach and maintain attainment status for the ozone, transportation funding and business development may be affected; and

WHEREAS, It is in the region's best interest to support and promote efforts that improve the region's air quality and enhance the region's quality of life; and

WHEREAS, Ozone Action Week, which is sponsored by the Mid-Ohio Regional Planning Commission and takes place from July 20 through July 27, 2003, is an annual event that strives to educate the community about ozone pollution and its health effects, as well as encourage the public to partake in strategies that reduce ozone formation with the goal of improving the region's air quality and reaching attainment of the eight-hour ozone standard; now; therefore

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

That this council does hereby applaud the efforts of MORPC and its partners to raise awareness for Ozone Action Week in central Ohio and encourages increased participation by individuals, businesses and local governments in Ozone Action Week events.

BE IT FURTHER RESOLVED,

That a copy of this Resolution be presented to MORPC for Ozone Action Awareness Week.

Adopted July 14, 2003 Matthew D. Habash, President of Council / Approved July 16, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

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

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSALS CALL THE LISTED DIVISION
CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED DAILY AT:
<http://finance.ci.columbus.oh.us/purchasing/openbids/sabids.html>

BID OPENING DATE - July 23, 2003 3:00 pm

SA000479 - ROOT CONTROL SERVICES

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus at the office of the Director of Public Utilities, 910 Dublin Road, Room 4105, until 3:00 p.m., Local Time on Wednesday July 23, 2003, and publicly read at that hour and place for the following project: Root Control Services

The work for which proposals are invited consists of: applying a foam root control chemical registered with the EPA designed specifically to control sewer line tree root intrusions in sewer lines 8" to 36". Bidder shall be licensed and certified as a pesticide application business with the Ohio Department of Agriculture prior to bidding. Companies must have the capacity to treat 750,000 total linear feet. Copies of the Contract Documents are on file with the Division of Sewerage and Drainage, Fiscal Office, 910 Dublin Road, Room 4019, Columbus, OH 43215, and are available a no cost by contacting Joe Lombardi at (614) 645-6031.

Proposals must be submitted on the proper forms contained in the Bid Submittal Document and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked: ROOT CONTROL SERVICES

FURTHER INFORMATION

For information and questions concerning the detailed aspects of the project, contact Mark Chapman at (614) 645-1878. To receive a copy of the specifications, please contact the Division of Sewerage and Drainage, Fiscal Office at (614) 645-6031 or Jean Romine at (614) 645-5919.

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. Compliance with the provisions of Article I, Title 39, Columbus City Code, 1959 is a condition of this Contract. Failure to comply with this Article may result in cancellation of the Contract. Applications may be obtained by calling (614) 645-3666

BID CANCELLATIONS AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus 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.

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.

Submitted By: Director of Public Utilities

ORIGINAL PUBLISHING DATE: July 02, 2003

BID OPENING DATE - July 24, 2003 11:00 am

SA000472 - FIRE/MEDIUM DUTY MEDICS

SCOPE:

It is the intent of the City of Columbus, Division of Fire to obtain formal bids for the purchase of MEDIUM DUTY MEDIC VEHICLES. These units are used in the daily operations of the Division of Fire.

CLASSIFICATION:

Supplier will build/construct vehicles and deliver to them to the Division of Fire. This Solicitation includes a provision for liquidated damages.

ORIGINAL PUBLISHING DATE: June 25, 2003

SA000473 - TELECOMMUNICATIONS DEVICES FOR THE DEAF

1.0 SCOPE

1.1 The City of Columbus, Department of Safety, Division of Communication is seeking to purchase Telecommunication Devices for the Deaf. (TDD) The resulting contract will result in the initial purchase of approximately 31 devices, both Rack Mounted and Desktop Mounted. The contract will be for a period of two years with an option to extend for one additional year.

1.2 The Department of Safety is upgrading and enhancing its entire Computer Aided Dispatching (CAD) system. Due to the CADs software interface requirements, the contractor has specified a Zetron Model 3030 PSAP as the only acceptable device.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: July 10, 2003

SA000480 - FLEET/RETREADING TRUCK TIRES

1.1 Scope: It is the intent of the City of Columbus, Fleet Management Division to obtain formal bids to establish a universal term contract (UTC) for the purchase of Retread Truck Tires for use on the City's truck fleet through October 31, 2005.

1.2 Classification:

Supplier to pick up casings at Fleet Management designated facilities and return finished work within seven (7) days.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: June 28, 2003

SA000484 - REFUSE/ANUAL SIDE LOADERS

1.1 Scope: It is the intent of the City of Columbus, Refuse Collection Division, to obtain formal bids to establish a contract for the purchase of 17 cubic yard manual side loading refuse collection trucks for use in collecting residential refuse.

1.2 Classification: The manufacturer(s) must have a fully franchised dealer located in Franklin County, Ohio, (or a contiguous county) that is authorized to perform warranty service and sell O.E.M. parts.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: July 01, 2003

BID OPENING DATE - July 30, 2003 3:00 pm

SA000488 - BINNS BLVD STORMWATER PROJECT

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 4002, until 3:00 p.m., Local Time, on Wednesday, July 30, 2003, and publicly opened and read at that hour and place for the following project: BINNS BOULEVARD STORMWATER SYSTEM IMPROVEMENTS, C.I.P. NO. 731

The work for which proposals are invited consists of approximately 670 L.F. of new storm sewer, street improvements, 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 (CC-13080), 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 and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked: BINNS BOULEVARD STORMWATER SYSTEM

IMPROVEMENTS, C.I.P. NO. 731

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. 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 W. Broad Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-8290; at the offices of the Construction Inspection 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.

QUALIFICATION AND RESOURCE FACTORS FORM AND AFFIDAVIT OF BIDDER

Each responsive bidder shall submit with its bid, a completed Qualification and Resource Factors Form and a completed and notarized Affidavit of Bidder

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 all bids.

ORIGINAL PUBLISHING DATE: July 16, 2003

BID OPENING DATE - July 31, 2003 11:00 am

SA000481 - REFUSE/AUTOMATED SIDE LOADING TRUCKS

1.1 Scope: It is the intent of the City of Columbus, Refuse Collection Division, to obtain formal bids to establish a contract for the purchase of automated side loading refuse collection trucks for use in collecting residential refuse.

1.2 Classification: The manufacturer(s) must have a fully franchised dealer located in Franklin County, Ohio, (or a contiguous county) that is authorized to perform warranty service and sell O.E.M. parts.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: July 01, 2003

SA000483 - SIGN LANGUAGE INTERPRETER SERVICES - RFP

1.1 Scope: It is the intent of the City of Columbus, Department of Finance on behalf of the Department of Human Resources to obtain proposals to establish a universal term contract for Sign Language Interpreter Services through September, 2006. The contract will be established to provide sign language interpreter services for hearing impaired people when they interact with City personnel who are assisting them with, primarily, human services.

1.2 The contractor must be able to provide sign language interpreter services 24 hours a day, 7 days a week, on an emergency basis. Services are to be responded to within 2 hours or receiving a request. Sign language interpreter services will also be required for public meetings and events. Such services will be scheduled at least 48 hours prior to the event. Sign language interpreters must be RID certified or NAD certified at a level 3.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215.

ORIGINAL PUBLISHING DATE: July 02, 2003

SA000485 - REFUSE/REAR LOADING REFUSE TRUCKS

1.1 Scope: It is the intent of the City of Columbus, Refuse Collection Division, to obtain formal bids to establish a contract for the purchase of rear loading refuse collection trucks for use in collecting residential refuse.

1.2 Classification: The manufacturer(s) must have a fully franchised dealer located in Franklin County, Ohio, (or a contiguous county) that is authorized to perform warranty service and sell O.E.M. parts.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: July 01, 2003

BID OPENING DATE - August 20, 2003 3:00 pm

SA000487 - SOUTHERLY HEADWORKS RAW SEWAGE STATION

BIDS FOR:

Southerly Wastewater Treatment Plant, New Headworks - Raw Sewage Pump Building, Capital Improvements Project No. 650352, Contract S65, WPCLF No. CS392276-02

OWNER:

City of Columbus, Ohio, Division of Sewerage and Drainage, General Engineering Section, Cheryl Roberto, Interim Director of Public Utilities

DESIGN PROFESSIONAL

Malcolm Pirnie, Inc, 1900 Polaris Parkway, Suite 200, Columbus, Ohio 43240-2020, (614) 888-4953

BID OPENING:

Sealed Bids 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, August 20, 2003 at which time they will be publicly opened and read.

DESCRIPTION OF WORK:

The project consists of the following:

1. New Raw Sewage Pump Building, including the following items:
 - a. Four mechanically cleaned bar racks.
 - b. Four raw sewage pumps with variable frequency drive units and motors.
 - c. Sluice gates.
 - d. Four 48-inch diameter magnetic flow meters.
 - e. Belt conveyor.

- f. Elevator.
- g. Instrumentation and control systems.
- h. Plumbing, HVAC, and electrical systems.
- 2. New temporary site access road and widening of U.S. Route 23.
- 3. New extension of the 102" diameter Interconnector Sewer, miscellaneous associated chambers and multiple pipe barrel crossing of the Scioto River.
- 4. New Big Walnut Outfall Diversion Structure and 8' - 6" x 8' - 6" Big Walnut Outfall box conduit.
- 5. New portion of the 14' x 14' - 8" Big Walnut Augmentation/Rickenbacker Interceptor box conduit.
- 6. New Influent Junction Chamber.
- 7. New 18' x 14 plant influent sewer.
- 8. New portion of the 48" diameter main drain.
- 9. New 48" diameter pump discharge piping.
- 10. Miscellaneous buried odor control duct.

In determining the lowest Bid for purposes of awarding a contract in excess of \$20,000, a Bidder who provides a retirement or pension plan shall receive credit equal to 1 percent of the lowest bid submitted. The retirement or pension plan provided credit does not reduce the amount of the Contract. Providing a retirement or pension plan means that the employer pays directly, or through an agent, a portion of the premium for their employees (proposed to work on this Project) into a retirement or pension plan with a bona fide plan administrator. Note that simply providing additional wages directly to the employee such that the employee then must obtain their own retirement or pension plan on the open market, specifically does not meet the acceptable definition.

ORIGINAL PUBLISHING DATE: July 04, 2003

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

**NOTICE OF REQUEST FOR LETTER OF INTEREST
SIDEWALK INSTALLATION PROGRAM PHASE VI
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 Sidewalk Installation Program Phase VI.

The requested engineering services are in support of designing sidewalks and ADA compliant Curb Ramps in various locations throughout the City of Columbus. The City of Columbus places a high priority on providing safe access to pedestrians, particularly access to schools. The City established a multi-year program to fund sidewalk installation projects throughout the City to provide safer pedestrian access by filling in gaps in the existing pedestrian system. The locations are chosen by the City, and it is the job of the Consultant to provide construction plans in a timely manner. The intent of the project is to provide the Transportation Division with additional resources to prepare biddable construction plans for sidewalk and ADA compliant curb ramps at various locations in the City of Columbus on short notice. Traffic must be maintained through the Project locations at all times. Project Deliverables: Preliminary Plan and Construction Cost Estimate, LG&T Plans, F&OC Plans, Final Construction Cost Estimate and Construction Plans (copies and mylar originals). Project locations shall be determined and provided to the Consultant at a later date.

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 within the past three (3) years in sidewalk, ADA compliant curb ramps design and construction plans preparation; the project manager and staff; the firm's understanding of projects of this type; the number of registered professional civil engineers and surveyors registered in the state of Ohio in the office of the lead firm in which a majority of the work is to be performed; a listing of current ODOT Consultant Prequalifications; 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 July 31, 2003.
(07/19/03; 07/26/03)

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)

**AGENDA
BOARD OF ZONING ADJUSTMENT
CITY OF COLUMBUS, OHIO
JULY 22, 2003**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, JULY 22, 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.:

1. **ODS No.:** 03311-00003
Location: 3465-3481 GREAT WESTERN BOULEVARD (43204), located at the northeast corner of Wilson Rd. & W. Broad St. (Great Western Shopping Center).
Area Comm./Civic: Hilltop Area Commission
Existing Zoning: M, Manufacturing District
Request: Special Permit(s) to Section(s):
 1. 3389.03, Field, park or arcade.
 To establish an arcade use in conjunction with a restaurant and lounge.
Proposal: To establish up to 33 coin-/token-activated devices and attractions as an arcade use within a restaurant & lounge.
Applicant(s): Jordan Chin, L.L.C.; c/o Clark W. Wideman, Attorney, 4737 Nugent Dr., Columbus, Ohio 43220
Property Owner(s): Great Western Shopping Center Co., 191 Nationwide Blvd., Columbus, Ohio 43220
Case Planner: Dave Reiss, 645-7973

2. **ODS No.:** 03310-00031
Location: 815 GRANDVIEW AVENUE (43214), located on the east side of Richwood Ave., 129.7 ft. north of Dublin Rd.
Area Comm./Civic: None
Existing Zoning: M, Manufacturing District
Request: Variance(s) to Section(s):
 1. 3342.28, Minimum number of parking spaces required.

2. To reduce the required number of additional parking spaces from 49 to 0.
3342.06, Aisle.
To reduce the minimum aisle width in front of the building (west side) from 20 ft. to 18 ft. (2 ft.).
3. 3342.08, Driveway.
To reduce the minimum width of a driveway from 20 ft. to 14.5 ft. (5-1/2 ft.)
4. 3342.11, Landscaping.
To reduce the minimum parking setback landscaping requirements from 10 ft. to 0 ft.
5. 3342.15, Maneuvering.
To provide less than sufficient maneuvering area to access 5 handicapped parking spaces.
6. 3342.19, Parking space.
To reduce the length of 14 parking spaces on the north side of the building from 18 ft. to 10 ft. and to permit access to the same through other than a street, alley or maneuvering area (via a partial parking space outside the corporation limits).
7. 3342.26, Wheel stop device.
To not provide wheel stop devices on the north side of the building.
- Proposal:** To convert an office/warehouse into offices.
Applicant(s): Richard La Rowe; c/o W.D. Partners, 1201 Dublin Rd., Columbus, Ohio 43215
Property Owner(s): M.C.W. Investments II, L.L.C., 1201 Dublin Rd., Columbus, Ohio 43215
Case Planner: Dave Reiss, 645-7973
3. **ODS No.:** 03310-00032
Location: 367 WEST 8TH AVENUE (43201), located at the southwest corner of West 8th and Michigan Avenues.
Area Comm./Civic: University Area Commission and University Area Review Board
Existing Zoning: R-4, Residential District
Request: Variance(s) to Section(s):
1. 3332.27, Rear yard
To reduce the rear yard from a nonconforming 18% of the total lot area to not less than 4%.
2. 3372.541, Landscaped area and treatment
To reduce the required landscaped area behind the most rear portion of the building from 10% of the lot area to not less than 4%.
3. 3372.542, Maximum lot coverage
To increase the maximum lot coverage from 25% of the lot area to not more than 56%.
4. 3372.544, Maximum floor area
To increase the maximum total calculated floor area permitted from a 40% floor area ratio to 123%.
- Proposal:** To modify and expand the rear of the dwelling over a new foundation to enlarge the kitchen and create a second floor loft gallery/library.
Applicant(s): Marlinda S. Iyer, 367 W. 8th Av., Columbus, OH 43201
Property Owner(s): Interco II Limited, 367 W. 8th Av., Columbus, OH 43201
Case Planner: Denise Powers, 645-1788
4. **ODS No.:** 03310-00034A
Location: 471 SIEBERT STREET (43206), located on the south side of Siebert Street, 210± feet west of Parsons Avenue.
Area Comm./Civic: Council of Southside Organizations
Existing Zoning: R-4, Residential District
Request: Variance(s) to Section(s):
1. 3332.05, Area District lot width requirements
To reduce the width of a lot from 50 feet to 34± feet.
2. 3342.28, Minimum number of parking spaces required
To reduce the number of off-street parking spaces required from 2 to 0.
- Proposal:** To allow two parcels to be reconfigured to split a single-family dwelling fronting Seibert Street from a nonconforming retail use building, which is to be renovated and converted to a single-family dwelling with a three car detached garage, fronting Zimpfer Street.
Applicant(s): Jill D'Antignac, 471 Siebert St., Columbus, OH 43206
Property Owner(s): Applicant
Case Planner: Denise Powers, 645-1788
5. **ODS No.:** 03310-00034B
Location: 466 ZIMPFER STREET (43206), located on the north side of Zimpfer Street, 210± feet west of Parsons Avenue.
Area Comm./Civic: Council of Southside Organizations
Existing Zoning: R-4, Residential District
Request: Variance(s) to Section(s):
1. 3332.15, R-4 Area District requirements
To reduce the required lot area from 5,000 square feet to 4371± square feet.
2. 3332.19, Fronting
To create a new parcel that does not front upon a public street (Zimpfer Street is an alley).
- Proposal:** To allow two parcels to be reconfigured to split a single-family dwelling fronting Seibert Street from a nonconforming retail use building, which is to be renovated and converted to a single-family dwelling with a three car detached garage, fronting Zimpfer Street.
Applicant(s): Jill D'Antignac, 471 Siebert St., Columbus, OH 43206
Property Owner(s): Applicant
Case Planner: Denise Powers, 645-1788

6. **ODS No.:** 03310-00035
Location: 53-57 RUSSELL STREET (43215), located on the south side of Russell Street, 85± feet west of Kerr Street.
Area Comm./Civic: Italian Village Commission
Existing Zoning: R-4, 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 0 feet along the east and west sides of a detached garage.
Proposal: To construct a four-car detached garage in the rear yard.
Applicant(s): Glenn Skinner II, 8100 Olentangy River Rd., Columbus, OH 43235
Property Owner(s): Applicant
Case Planner: Denise Powers, 645-1788
7. **ODS No.:** 03310-00036
Location: 207 BRIGHTON ROAD (43202), located at the southwest corner of Brighton Road and Milton Avenue.
Area Comm./Civic: Clintonville Area Commission
Existing Zoning: R-3, Residential District
Request: Variance(s) to Section(s):
1. 3332.22, Building lines on corner lots; exceptions
To reduce the building line from 8 feet to zero along Milton Avenue.
Proposal: To raze a 460± sq. ft. garage situated at a nonconforming 0 ft. setback and rebuild a larger 720 sq. ft. detached garage at the same location.
Applicant(s): M. Scott Tedrick, AIA, Studio 501 Architects, 2781 Olentangy River Rd., Columbus, OH 43202
Property Owner(s): Sarah Bowers, 207 Brighton Rd., Columbus, OH 43202
Case Planner: Denise Powers, 645-1788
8. **ODS No.:** 03310-00037
Location: 7000 GREENSWARD ROAD (43054), located at the northwest corner of Greensward and Harlem Roads.
Area Comm./Civic: Northland Community Council
Existing Zoning: PUD-4, Planned Unit Development District
Request: Variance(s) to Section(s):
1. 3345.17, Private garages
To increase the maximum height of a detached private garage from 15 feet to 40 feet.
Proposal: To construct a detached garage.
Applicant(s): Todd Gannon, Acock Associates Architects, 383 N. Front St., Columbus, OH 43215
Property Owner(s): Richard J. Solove, 7000 Greensward Rd., Columbus, OH 43054
Case Planner: Denise Powers, 645-1788

THE FOLLOWING CASES WILL NOT BE HEARD BEFORE 7:00 P.M.:

9. **ODS No.:** 03310-00038
Location: 3528-3530 NORTH HIGH STREET (43214), located at the southeast corner of Dunedin Rd. & N. High St.
Area Comm./Civic: Clintonville Area Commission
Existing Zoning: C-4, 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 23 to 0.
2. 3342.19, Parking space.
To reduce the minimum dimensions of parallel parking spaces from 9 ft. by 22 ft. and angled parking spaces from 9 ft. by 18 ft. to as small as 1 ft. by 16 ft. parallel along Dunedin Rd. and to as little as 14 ft. in length at the last space next to the alley to the east. To reduce the overall length of all other spaces to 17 ft.
3. 3342.09, Dumpster area.
To provide a dumpster at a location without proper loading and maneuvering space and not screened.
Proposal: To convert first floor offices into a restaurant.
Applicant(s): Jeffrey L. Brown; c/o Smith & Hale, 37 W. Broad St., Suite 725, Columbus, Ohio 43215
Property Owner(s): Fairfax Properties, 2988 N. High St., Columbus, Ohio 43202
Case Planner: Dave Reiss, 645-7973
10. **ODS No.:** 03310-00040
Location: 5965 STILLPONDS PLACE (43228), located on the south side of Stillponds Place, 720± feet west of Cape Henry Drive.
Area Comm./Civic: Greater Feder Road Civic Association
Existing Zoning: SR, Suburban Residential District
Request: Variance(s) to Section(s):
1. 3332.38, Private garage
To increase the allowable lot area devoted to private garage from 720 square feet to 928 square feet.
Proposal: To construct a single-family dwelling with a three-car attached garage.
Applicant(s): Lucci's 3800, Inc., 5919 Lucci's Ct., Columbus, OH 43228
Property Owner(s): Applicant
Case Planner: Denise Powers, 645-1788

11. **ODS No.:** 03311-00002
Location: 3600 PARK MILL RUN DRIVE (43026), located at the terminii of Mill Run Dr., Spring Mill Dr., and Park Mill Run Dr., at that intersection.
Area Comm./Civic: None
Existing Zoning: CPD, Commercial Planned Development District
Request: Special Permit(s) to Section(s):
1. 3389.12, Portable building.
To permit the use of a trailer for the storage of used appliances.
Proposal: To use a semi trailer for the storage of used appliances.
Applicant(s): Lowe's Companies, Inc.; c/o Mike Timko; Woolpert, L.L.P., 4141 Rosslyn Dr., Cincinnati, Ohio 45209
Property Owner(s): Paul Ross; c/o U.S.P.G. Portfolio One L.L.C., 10210 N. Central Expressway, Suite 410, Dallas, Texas 75231
Case Planner: Dave Reiss, 645-7973

HOLDOVER CASES:

12. **ODS No.:** 02310-00090
Location: 101 PRICE AVENUE (43215), located on the south side of Price Avenue, 430± feet east of Dennison Avenue.
Area Comm./Civic: Victorian Village Commission
Existing Zoning: ARLD, Apartment Residential District
Request: Variance(s) to Section(s):
1. 3333.11, ARLD Area District requirements
To reduce the required lot area from 7,500 square feet to 4,150 square feet.
2. 3333.15, Basis of computing area
To increase the lot area allowed to be occupied by building from 50% of the lot area to 51.5%.
3. 3333.22, Maximum side yard required
To reduce the sum of the widths of each side yard from 20% of the width of the lot, or 10 feet, to 18% of the width of the lot, or 9 feet.
4. 3333.23, Minimum side yard permitted
To reduce the minimum side yard from 5 feet to 3 feet along the west side of a proposed building.
5. 3333.27, Vision clearance
To reduce clear vision for an abutting driveway from 12 feet to 11 feet as measured from the front property line.
6. 3342.28, Minimum number of parking spaces required
To reduce the number of off-street parking spaces required from 6 to 0.
Proposal: To construct a two-story three-family dwelling
Applicant(s): Adam Anderson, 8225 Copperfield Dr., Columbus, OH 43215
Property Owner(s): Applicant
Case Planner: Denise Powers, 645-1788
13. **ODS No.:** 03310-00014
Location: 2400 CREEKWAY DRIVE (43207), located at the terminus 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 a 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 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
14. **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
15. **ODS No.:** 03310-00026
Location: 1985 EAST MAIN STREET (43205), located on the south side of E. Main St., approximately 114 ft. west of Alum Creek Dr.
Area Comm./Civic: Near East Area Commission
Existing Zoning: M, Manufacturing District
Request: Variance(s) to Section(s):
1. 3342.15, Maneuvering.
To not provide sufficient maneuvering to eight (8) parking spaces behind the building (when obstructed by use of the loading space). Also, to not provide sufficient maneuvering to a loading space.
 2. 3342.13, Loading space.
To provide a loading space that is not accessible from a maneuvering area. To allow maneuvering in parking spaces and the alley to access the loading space.
 3. 3342.18, Parking setback line.
To construct a handicapped ramp and one parking space in front of the parking setback line. To reduce the required parking setback from 10 ft. to approximately 2 ft. (8 ft.).
 4. 3363.24, Building lines in an M-manufacturing district.
To reduce the required building setback line from 10 ft. to 0 ft. for a handicapped ramp.
 5. 3342.28, Minimum number of parking spaces required.
To reduce the required number of parking spaces from 32 to 30 (2 spaces).
- Proposal:** To construct a retail store.
Applicant(s): Family Dollar Stores; c/o Roger Aleshire, KAE Corporation, 2120 Prairieton Ave., Terre Haute, Indiana 47802
Property Owner(s): Jonathan R. Mandel, 4841 Tattersall Ct., Gahanna, Ohio 43230
Case Planner: Dave Reiss, 645-7973
16. **ODS No.:** 03310-00027
Location: 839 SUMMIT STREET (43215), located on the west side of Summit Street, 266± feet south of East 1st Avenue.
Area Comm./Civic: Italian Village Commission
Existing Zoning: R-4, Residential District
Request: Variance(s) to Section(s):
1. 3332.26, Minimum side yard permitted
To reduce the minimum side yards of a detached garage from 3 feet to 2 feet along the north and south sides.
 2. 3332.33, Private access and parking requirements
To not provide for private access to off-street parking facilities.
- Proposal:** To construct a two-car detached garage in the rear yard with access occurring across an abutting property to the west.
Applicant(s): Benjamin Goodman & Chris Zuelke, 839 Summit St., Columbus, OH 43215
Property Owner(s): Applicants
Case Planner: Denise Powers, 645-1788
17. **ODS No.:** 03311-00001
Location: 1313 WOODLAND AVENUE (A.K.A. 1877 WOODWARD AVENUE) (43219), located at the southwest corner of Woodward and Woodland Aves.
Area Comm./Civic: North Central Area Commission
Existing Zoning: M, Manufacturing District
Request: Special Permit(s) to Section(s):
1. 3389.07, Junk or salvage.
To permit the establishment of a concrete/asphalt recycling facility.
- Proposal:** To establish a recycling facility.
Applicant(s): James S. Gray; c/o Bricker & Eckler L.L.P., 100 S. Third St., Columbus, Ohio 43215
Property Owner(s): Gee Gee Equipment Co., 1221 E. Fifth Ave., Columbus, Ohio 43215
Case Planner: Dave Reiss, 645-7973

**ZONING COMMITTEE
AGENDA -FINAL
MONDAY, JULY 21, 2003 6:30 PM
CITY COUNCIL CHAMBERS**

- REGULAR MEETING NO. 30 OF CITY COUNCIL (ZONING), JULY 21, 2003 AT 6:30 P.M. IN COUNCIL CHAMBERS.
EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION
ZONING: MENDEL, CHR. BOYCE HABASH O'SHAUGHNESSY SENSENBRENNER TAVARES THOMAS
- 1710-2003 To rezone 4049 LIVINGSTON AVENUE (43227), being 0.50 ± acres located on the south side of Livingston Avenue, 100 ± feet east of Streible Road, From: C-3, Commercial District, To: CPD, Commercial Planned Development District. (Rezoning #Z03-027)
- 1712-2003 To grant a Variance from the provisions of Sections 3333.03, AR-3 Apartment Residential District use, 3333.255, Perimeter yard, and 3342.08, Driveway, for property located at 1231 BROOKWOOD PLACE (43209), to permit a housing for the elderly use within the L-AR-3, Limited Apartment Residential District and to provide a variance to the required perimeter yard (CV03-011).
- 1713-2003 To rezone 1231 BROOKWOOD PLACE (42209), being 5.7 ± acres located on the west side of College Avenue, 1050+ feet south of East Livingston Avenue, From L-AR-3, Limited Apartment Residential District and R-3, Residential District, To L-AR-3, Limited Apartment Residential District (Z03-029).

- 1794-2003** To grant a Variance from the provisions of Sections 3370.05, Permitted Uses, 3370.06, Standards, and 3374.03 Special Permit Uses, for the property located at 1291 LANE AVENUE (43221) to permit retail uses which are open to the general public to permit utility service to said property and to waive the special permit requirement for uses in the L-UCRPD, Limited University College Research Park District. (CV#03-018)
- 1069-2003** To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District use; 3332.15, Area District requirements; 3332.19, Fronting on a public street; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard; for the property located at 882 BRYDEN ROAD (43205), to conform an existing second single-family dwelling unit (a carriage house) on the rear of a lot developed with a single-family dwelling with reduced development standards in the R-4, Residential District. (Council Variance #CV03-014)
- 1782-2003** To rezone 4201 SOUTH HAMILTON ROAD (43232), being 130.84 acres located at the southwest corner of South Hamilton Road and Winchester Pike, From: C-4, Commercial, L-C-4, Limited Commercial, and R-1, Residential Districts, To: L-C-4, Limited Commercial and L-AR-12, Limited Apartment Residential Districts (Rezoning Z02-009).
- 1783-2003** To rezone 5240 WARNER ROAD (43081), being 11.89 ± acres located on the north side of Warner Road, 3300 ± feet west of Harlem Road, From: R, Rural District, To: CPD, Commercial Planned Development District. (Rezoning # Z02-042)

(07/12/03; 07/19/03)

**OFFICIAL NOTICE
BY ORDER OF THE DIRECTOR OF PUBLIC UTILITIES
HARDSHIP VARIANCE GRANTED: COLOMET, INC.
JULY 9, 2003**

Pursuant to Ordinance No. 1700-02 "To Enact An Ordinance By Initiative Petition Enacting A Two- Year Moratorium Prohibiting Extension Of Columbus City Sewer And Water Pipelines Into The Big Darby Watershed" ("the Darby Moratorium") and Director's Regulation 03-003, the Director of Public Utilities provided notice in the City Bulletin on June 14, 2003, that Colomet, Inc. (the "Applicant") has applied for a discretionary variance from the Big Darby Moratorium for 109.465 acres, west of Galloway Road and south of Hall Road. A Hearing on this application was held on June 25, 2003. At that time, the Director heard undisputed sworn testimony that:

- In June 1999, Applicant and the City of Columbus, through its City Engineer, petitioned the Franklin County Commissioners for annexation of the property to the City of Columbus.
- On October 4, 1999, Columbus City Council passed Ordinance No. 2295-99 offering municipal services to the property, including sewer and water.
- On October 6, 1999, Franklin County Commissioners held a hearing on the Applicant's petition for annexation. During this hearing, City of Columbus officials, including the Director for the Department of Public Safety, a Fire Battalion Chief, a stormwater engineer, a sanitary sewer design section representative, and an engineer from the Division of Water, appeared and testified in support of the petition for annexation.
- On October 26, 1999, Franklin County Commissioners denied Applicant's petition for annexation
- On November 5, 1999, Applicant appealed the Franklin County Commissioner's denial to the Franklin County Court of Common Pleas.
- On October 18, 2000, the Franklin County Court of Common Pleas reversed the Franklin County Commissioners' decision to deny Applicant's petition for annexation.
- The Franklin County Commissioners approved the Applicant's petition for annexation in December 2000.
- In January 2001, The Qualstan Corporation, the then contract vendee of the property, filed a rezoning application for the property with the City of Columbus.
- On April 16, 2001, Columbus City Council approved the Applicant's petition for annexation.
- The Qualstan Corporation's rezoning application was not acted upon because of the pending development of the Hellbranch Run Watershed Protection Overlay. During the development of the Overlay, Qualstan's principle passed away.
- On November 6, 2002, Dominion Homes filed a second rezoning application for the property with the City of Columbus.
- While pursuing annexation, rezoning and development of this property, Qualstan expended over \$200,000 in engineering, legal and other option fees.
- Dominion Homes and its co-venture partner Land Network invested over \$100,000 for the development of the property.
- Applicant, the optionee and its successors and assigns have been proceeding to provide for the development of the property for more than three years prior to the effective date of the moratorium.

Based upon the evidence provided at hearing, I hereby find that the Applicant has demonstrated that it will suffer an undue hardship if the Darby Moratorium is applied to its property. I therefore grant the Applicant a variance, subject to the following conditions:

- 1) Applicant will and comply in all respects with the Hellbranch Run Overlay;
- 2) Applicant will comply with all applicable laws and regulations administered by the Ohio Environmental Protection Agency.

(07/19/03)

**MEETING NOTICE
BREWERY DISTRICT COMMISSION**

The regular meeting of the Brewery District Commission will be held on Thursday, August 7, 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.

(07/19/03; 07/26/03; 08/02/03)

**MEETING NOTICE
GERMAN VILLAGE COMMISSION**

The regular meeting of the German Village Commission will be held on Tuesday, August 5, 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.

(07/19/03; 07/26/03; 08/02/03)

**ZONING COMMITTEE
AGENDA -FINAL
MONDAY, JULY 28, 2003 6:30 PM
CITY COUNCIL CHAMBERS**

REGULAR MEETING NO.32 OF CITY COUNCIL (ZONING), July 28, 2003 AT 6:30 P.M.IN COUNCIL CHAMBERS.
EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION
ZONING:MENTEL,CHR.BOYCE HABASH O'SHAUGHNESSY SENSENBRENNER TAVARES THOMAS

- 1829-2003** To rezone 5380 NORTH HAMILTON ROAD (43230),being 3.97 ± acres located on the east side of North Hamilton Road,500 ± feet north of Thompson Road,From:L-C-4,Limited Commercial and R, Rural Districts, To: CPD, Commercial Planned Development District (Z98-017).
- 1860-2003** To rezone 3811 MORSE ROAD (431219),being 1.56 ± acres located at the southeast corner of Morse Road and Morse Crossing, From: C-2, Commercial, To: L-C-4, Limited Commercial District (Z03-001).
- 1867-2003** To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District use; 3332.18 (D), Basis of computing area; 3332.21, Building lines; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3342.13 (b),3332.28,Side or rear yard obstruction; 3342.13 (b)Loading space; 3342.15, Maneuvering; 3342.17, Parking lot screening; and 3342.29 B, Minimum number of loading spaces required; for the property located at 933 EAST GAY STREET (43205), to permit a maintenance facility and parking lots for an adjacent property management office with reduced development standards in the R-2F, Residential District.(Council Variance #CV03-023)
- 1877-2003** To rezone 5300 NORTH HAMILTON ROAD (43230), being 5.9 ± acres located at the northeast corner of North Hamilton and Thompson Roads, From: L-C-4, Limited Commercial District, To: CPD, Commercial Planned Development District (Z98-058).
- (07/19/03; 07/26/03)**

TABLE OF CHANGES IN YOUR 1959
COLUMBUS CITY CODE

Code	Ordinance	2002	Page	Subject
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.
To create a Chapter 135, "Board of Health and the Health Commissioner"	1058-2003	24	3759	To create a Chapter 135, "Board of Health and the Health Commissioner" consisting of six (6) sections oddly numbered 135.01 through 135.99 of the Columbus City Codes, 1959, in order to maintain the authority of the Board of Health and the Health Commissioner to promulgate rules and regulations needed to ensure the public health, safety, and welfare.
To amend Chapter 1105 of the Columbus City Codes	1033-2003	25	3800	To amend Chapter 1105 of the Columbus City Codes, 1959, regarding terminology located within the Yard Restoration portion of the Code.
To amend Section 2903.01 of the Columbus City Code	0810-2003	26	3838	To amend Section 2903.01 of the Columbus City Code to provide for the necessary modification of inspection fees for weighing and measuring devices used commercially in the City of Columbus and to declare an emergency.
To amend sections, and to repeal sections of the Columbus City Codes	0868-2003	26	3839	To amend sections 501.09, 501.10, 501.14, 501.16, 505.06, 515.02, 517.04, 517.05, 523.06, 525.07, 525.21, 535.06, 540.04, 540.07, 545.03, 545.07, 549.03, 551.03, 551.10, 555.05, 559.12, 563.01, 573.06, 587.05, 587.08, 587.09, 587.13, 589.01, 589.10, 593.03, 593.06, 593.07, 593.21, 594.05, 594.22, 597.97, 2111.03, 2534.03 and to repeal sections 511.03, 519.04, 525.23, 537.07, 549.035, 557.01, 559.10, 563.03, 571.03, 587.04, 589.12, 594.16 of the Columbus City Codes, 1959, to increase various licensing fees.
To establish new Chapter 336 of the Columbus City Codes	1591-2003	27	3897	To establish new Chapter 336 of the Columbus City Codes, 1959, to be titled Disposition of Unclaimed Funds.
To enact new Sections 2133.01 and 2133.99 of the Columbus City Codes	1675-2003	27	3897	To enact new Sections 2133.01 and 2133.99 of the Columbus City Codes, 1959, to reflect recent changes in the Ohio Revised Code with respect to prohibited blood alcohol concentration levels while operating a motor vehicle, minimum penalties associated with such blood alcohol concentration levels as well as other traffic moving violation penalties; to repeal existing Sections 2133.01 and 2133.99; and to declare an emergency.