

Columbus City Bulletin



**Bulletin #15
April 10, 2010**

Proceedings of City Council

Saturday April 10, 2010



SIGNING OF LEGISLATION

(Legislation was signed by Council President Michael C. Mentel on the night of the Council meeting, Monday, *April 5, 2010*; by Mayor, Michael B. Coleman on Tuesday, *April 6, 2010*; and attested by the City Clerk, prior to Bulletin publishing.)

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, 614-645-7380. 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, public notices; and details pertaining to official actions of all city departments. If noted within ordinance text, supplemental and support documents are available upon request to the City Clerk's Office.

Council Journal (minutes)



City of Columbus

Journal - Final

Columbus City Council

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

ELECTRONIC READING OF MEETING DOCUMENTS AVAILABLE DURING COUNCIL OFFICE HOURS. CLOSED CAPTIONING IS AVAILABLE IN COUNCIL CHAMBERS. ANY OTHER SPECIAL NEEDS REQUESTS SHOULD BE DIRECTED TO THE CITY CLERK'S OFFICE AT 645-7380 BY FRIDAY PRIOR TO THE COUNCIL MEETING.

Monday, April 5, 2010

5:00 PM

Columbus City Council

Columbus City Council

Journal

April 05, 2010

REGULAR MEETING NO. 17 OF COLUMBUS CITY COUNCIL, APRIL 5, 2010 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Absent: 1 - Ms. Tavares

Present: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

READING AND DISPOSAL OF THE JOURNAL

A motion was made to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

C0009-2010

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF THURSDAY APRIL 1, 2010:

New Type: D3, D3A, D6

To: Northstar Café Easton LLC

DBA Northstar Cafe

4015 Townsfair Way

Columbus OH 43219

Permit # 6446725

Transfer Type: C1, C2

To: Welch of Ohio LLC

1635 Parsons Ave

Columbus OH 43207

From: Tasneem Inc

DBA Smoke Outlet

1635 Parsons Ave

Columbus OH 43207

Permit # 9498118

Transfer Type: D5J, D6

To: BL Restaurant Operations LLC

DBA Bar Louie

Easton Town Center

3970 Easton Station
Columbus OH 43219
From: Bar Louie Easton Inc
DBA Bar Louie
Easton Town Center
3970 Easton Station
Columbus OH 43219
Permit # 07521600015

Transfer Type: D1, D3
To: Antarez LTD
DBA La Patrona
2977 N High St
Columbus OH 43202
From: Bohemios LTD
DBA Bohemios
199-201 Chittenden Ave 1st Fl
Columbus OH 43201
Permit # 0230450

Transfer Type: C1, C2, D6
To: 1848 Beverage Warehouse Inc
DBA Beverage Warehouse
1848 E Main St
Columbus OH 43205
From: 1848 E Main Inc
DBA Beverage Warehouse
1848 E Main St
Columbus OH 43205
Permit # 2455340

Transfer Type: D5
To: Nazareth Restaurant LLC
2700 Northland Plaza
Columbus OH 43231
From: Delmattos Restaurant LLC
6042 E Main St
Columbus OH 43213
Permit # 6321270

Transfer Type: D5J, D6
To: Osheckys Live LLC
DBA Osheckys Live
6240 Busch Blvd
Columbus OH 43229
From: 6240 Busch Corp
DBA JoJoes Club & Grub
6240 Busch Blvd
Columbus OH 43229
Permit # 6589735

Transfer Type: C1, C2, D6

To: M & M Athletics LLC
 DBA Metro Beer & Wine Drive Thru
 1st Flr & Drive Thru Only
 987 Worthington Woods Loop Rd
 Columbus OH 43085
 From: Capital City Beverage Inc
 DBA Metro Beer & Wine Drive Thru
 1st Flr & Drive Thru Only
 987 Worthington Woods Loop Rd
 Columbus OH 43085
 Permit # 5379220

Stock Type: D1, D2, D3
 To: Café Shish Kebab LLC
 Café Shish Kebab
 1450 Bethel Rd & Patio
 Columbus OH 43220
 Permit # 1178323

Advertise: 04/10/2010
 Return: 04/20/2010

Read and Filed

RESOLUTIONS OF EXPRESSION

MENTEL

0039X-2010

To support passage of State Issue 2, which authorizes a change in the location of the Columbus casino project to the abandoned General Motors/Delphi automotive plant on Georgesville Road.

Sponsors: Michael C. Mentel, A. Troy Miller, Eileen Y. Paley, Charleta B. Tavares, Priscilla Tyson and Hearcel Craig

(TABLED TO 04/12/2010)

A motion was made by President Mentel, seconded by Craig, that this matter be Tabled to Certain Date. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

TYSON

0037X-2010

To encourage Columbus residents to complete and return their 2010 Census forms.

Sponsors: Priscilla Tyson, Charleta B. Tavares, Hearcel Craig, Andrew Ginther, A. Troy Miller, Eileen Y. Paley and Michael C. Mentel

A motion was made by Tyson, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

ADDITIONS OR CORRECTIONS TO THE AGENDA

THE FOLLOWING ORDINANCE WAS REMOVED FROM THE CONSENT PORTION OF THE AGENDA AND VOTED ON LATER IN THE MEETING

HOUSING: 0494-2010

FIRST READING OF 30-DAY LEGISLATION

A MOTION WAS MADE BY COUNCILMEMBER CRAIG, SECONDED BY COUNCILMEMBER TYSON TO WAIVE THE READING OF THE TITLES OF FIRST READING LEGISLATION. THE MOTION CARRIED THE FOLLOWING VOTE: AFFIRMATIVE: 6 NEGATIVE: 0

SAFETY: GINTHER CHAIR, PALEY CRAIG MENTEL

0444-2010 FR To authorize the payment of \$16,813.37 for vacation time and benefits which have accumulated in excess of the maximum amount established by salary ordinance for Fire Division personnel. (\$16,813.37)

Read for the First Time

ADMINISTRATION: A. TROY MILLER, CHR. PALEY TAVARES MENTEL

0187-2010 FR To authorize the Director of the Department of Technology to renew an existing contract with Lawson Software for annual maintenance and support services associated with the Central Payroll and Human Resources Information Management System; and to authorize the expenditure of \$130,691.93 from the Department of Technology's Information Services Fund. (\$130,691.93)

Read for the First Time

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

0397-2010 FR To authorize the Director of Finance and Management to establish a Blanket Purchase Order for the purchase of Screw Conveyor Parts from a Universal Term Contract with ML Separation and Conveying Inc for the Division of Sewerage and Drainage; and to authorize the expenditure of \$50,000.00 from the Sewerage System Operating Fund. (\$50,000.00)

Read for the First Time

0404-2010 FR To authorize the Director of Public Utilities to enter into a service agreement with Perkin Elmer LAS Inc. for laboratory equipment located at the Surveillance Laboratory within the Division of Sewerage and Drainage in accordance with the provisions of sole source procurement of the Columbus City Codes, and to authorize the expenditure of \$62,869.33 from the Sewerage System Operating Fund. (\$62,869.33)

Read for the First Time

0409-2010 FR To authorize the Director of Public Utilities to modify and increase the professional services agreement with EMH&T, Inc. for the consolidation of existing water tap information into a database; for the Division of Power and Water; to authorize a transfer and expenditure within the Water Build America Bonds Fund; and to amend the 2009 Capital Improvements Budget. (\$553,950.37)

Read for the First Time

0420-2010 FR To authorize the Director of Finance and Management to establish a Blanket Purchase Order with Siemens Water Technologies for the purchase of U.S. Filter/Envirex Parts from an established Universal Term Contract for the Division of Sewerage and Drainage; and to authorize the expenditure of

\$100,000.00 from the Sewerage System Operating Fund. (\$100,000.00)

Read for the First Time

- 0421-2010** FR To authorize the Director of Finance and Management to establish a Blanket Purchase Order for Sludge Grinder Equipment Repair Parts and Service from a Universal Term Contract with JWC Environmental; and to authorize the expenditure of \$100,000.00 from the Sewerage System Operating Fund. (\$100,000.00)

Read for the First Time

- 0424-2010** FR To authorize the Director of Finance and Management to establish a Blanket Purchase Order for the Schwing Pump Replacement Parts from a Universal Term Contract with Motion Industries for the Division of Sewerage and Drainage; and to authorize the expenditure of \$75,000.00 from the Sewerage System Operating Fund. (\$75,000.00)

Read for the First Time

- 0425-2010** FR To authorize the Director of Finance and Management to establish a Blanket Purchase Order with ITT Water and Wastewater USA for the purchase of Flygt Pump and Mixer Parts and Services from an established Universal Term Contract for the Division of Sewerage and Drainage; and to authorize the expenditure of \$25,000.00 from the Sewerage System Operating Fund. (\$25,000.00)

Read for the First Time

- 0427-2010** FR To authorize the Director of Finance and Management to establish a Blanket Purchase Order with Multiple Hearth Furnace Services for the purchase of Rabble Arms and Teeth from an established Universal Term Contract for the Division of Sewerage and Drainage; and to authorize the expenditure of \$50,000.00 from the Sewerage System Operating Fund. (\$50,000.00)

Read for the First Time

- 0431-2010** FR To authorize the Director of Public Utilities to enter into a planned modification of a contract with Duke's Root Control Inc. for Root Control Services for the Division of Sewerage and Drainage, and to authorize the expenditure of \$285,000.00 from the Sewerage System Operating Fund. (\$285,000.00)

Read for the First Time

- 0435-2010** FR To authorize the Director of Public Utilities to modify and increase the construction contract with Shelly & Sands, Inc. for additional improvements needed for the Champion Ave. 24" Water Main Project; to authorize a transfer and expenditure of \$9,891.42 within the Water Works Enlargement Voted Bonds Fund; for the Division of Power and Water; and to authorize an amendment to the 2009 Capital Improvements Budget.(\$9,891.42)

Read for the First Time

- 0439-2010** FR To authorize the Director of Public Utilities to modify and increase the professional services agreement with Stantec Consulting Services, Inc. for the General Engineering Services Agreement for the Division of Power and Water; to authorize a transfer and expenditure within the Water Build America Bonds Fund; and to amend the 2009 Capital Improvements Budget. (\$200,000.00)

Read for the First Time

0450-2010 FR To authorize the Director of Finance and Management to establish a blanket purchase order for the purchase of Lawn Maintenance Services for the Division of Sewerage and Drainage; and to authorize the expenditure of \$86,000.00 from the Sewerage System Operating Fund. (\$86,000.00)

Read for the First Time

0528-2010 FR To authorize and direct the Finance and Management Director to enter into two (2) contracts for the option to purchase Andritz D7LL Centrifuge Parts and Services with Andritz Separation, Inc., and Ashbrook Simon-Hartley Operations L.P., and to authorize the expenditure of \$2.00 to establish the contract from the Mail, Print Services and UTC Fund Account. (\$2.00)

Read for the First Time

0538-2010 FR To authorize and direct the Finance Management Director to enter into two (2) contracts for the option to purchase Small Electric Motors with Applied Industrial Technologies and GD Supply Inc., dba Johnstone Supply; and to authorize the expenditure of \$2.00 to establish the contracts from the Mail, Print Services and UTC Fund. (\$2.00)

Read for the First Time

HOUSING COMMITTEE: TAVARES, CHR. TYSON MILLER MENTEL

0480-2010 FR To authorize the Director of the Department of Development to make loans and grants for operation of the Affordable Housing Opportunity Program; and to authorize the expenditure of \$575,412 from the 2010 Community Development Block Grant Fund.(\$575,412.00)

Read for the First Time

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

0446-2010 FR To authorize the Director of Recreation and Parks to enter into contract with three community agencies to provide after school programming services; and to authorize the expenditure of \$61,500.00 from the Recreation and Parks Fund. (\$61,500.00)

Read for the First Time

ZONING: MILLER, CHR. CRAIG GINTHER PALEY TAVARES TYSON MENTEL

0531-2010 FR To rezone 5005 CENTRAL COLLEGE ROAD (43081), being 15.9± acres located at the southwest corner of Central College Road and Course Drive, From: NG, Neighborhood General District, To: NE, Neighborhood Edge District (Rezoning # Z09-038).

Read for the First Time

0532-2010 FR To grant a variance from the provisions of Sections 3320.15, Thoroughfare standards; and 3320.19 (B) 19 and 20, Private buildings, of the City codes, for the property located at 5005 CENTRAL COLLEGE ROAD (43081), to eliminate the garage setback requirements and vary the tree planting pattern requirements for a single-family residential development in the NE, Neighborhood Edge District (Council Variance # CV09-032).

Read for the First Time

CONSENT ACTIONS

RESOLUTIONS OF EXPRESSION:

MENTEL

- 0038X-2010 CA To express support for State Issue 1 for the renewal and continuation of the nationally acclaimed Ohio Third Frontier program.
Sponsors: Michael C. Mentel and Eileen Y. Paley

This Matter was Approved on the Consent Agenda.

**FINANCE & ECONOMIC DEVELOPMENT: GINTHER, CHR. MILLER, TYSON
MENTEL**

- 0310-2010 CA To authorize the Director of the Department of Finance and Management to execute Lease Amendment #2 with Directions for Youth and Families Group, Inc. to allow for credits against the purchase price for certain property improvements to be completed post closing and property transfer; and to declare an emergency.

This Matter was Approved on the Consent Agenda.

- 0487-2010 CA To authorize the Director of Finance and Management to establish a purchase order for an ongoing contract with Paradigm Properties of Ohio, LLC for the continuance of a Facilities Management Agreement for the Jerry Hammond Center; and to declare an emergency. (\$925,000)

This Matter was Approved on the Consent Agenda.

SAFETY: GINTHER, CHR. PALEY CRAIG MENTEL

- 0314-2010 CA To authorize and direct the Finance and Management Director to sell to the Ohio State Highway Patrol for the sum of \$1.00, a headspace gas chromatograph, which has no further value to the Division of Police; and to waive provisions of the Columbus City Codes - Sale of City Owned Personal Property. (\$1.00)

This Matter was Approved on the Consent Agenda.

- 0499-2010 CA To authorize and direct the Director of Finance and Management to issue a purchase order from an existing UTC with Ricart Properties, Inc. for the purchase of unmarked vehicles for the Division of Police, to authorize the expenditure of \$485,440.00 from the General Permanent Improvement Fund; and to declare an emergency. (\$485,440.00)

This Matter was Approved on the Consent Agenda.

- 0523-2010 CA To authorize an appropriation of \$4,596.00 from the unappropriated balance of the General Government Grant Fund for the Division of Police for the Third Grade Safety Belt Program; and to declare an emergency (\$4,596.00)

This Matter was Approved on the Consent Agenda.

**PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. PALEY TAVARES
MENTEL**

- 0071-2010 CA To authorize Director of Public Service to execute a professional engineering services contract modification with EMH&T, in connection with the River South Roadway Improvements - Phase 2 Project; to authorize the transfer of cash and appropriation within the Streets and Highways G.O. Bonds Fund; to authorize the transfer of this cash to the Fed-State Highway Engineering Fund; to authorize the appropriation and expenditure of \$56,392.80 from the Fed-State Highway Engineering Fund; to amend the 2009 Capital Improvements Budget; and to declare an emergency. (\$56,392.80)

This Matter was Approved on the Consent Agenda.

- 0126-2010 CA To authorize the Director of Public Service to enter into a revenue contract with the Solid Waste Authority of Central Ohio (SWACO) for the Division of Refuse Collection to administer the 2010 Solid Waste Inspection Anti-Dumping Enforcement Program; to authorize the appropriation of \$84,382.25 within the General Government Grant Fund; and to declare an emergency. (\$84,382.25)

This Matter was Approved on the Consent Agenda.**MINORITY AND BUSINESS DEVELOPMENT : CRAIG, CHR. MILLER TAVARES MENTEL**

- 0482-2010 CA To authorize and direct the Director of the Department of Development to enter into and administer a contract with the Somali Community Association of Ohio for the purpose of administering programs and services and to authorize the expenditure of \$50,000 from the General Fund. (\$50,000.00)

This Matter was Approved on the Consent Agenda.**ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL**

- 0157-2010 CA To authorize the Director of the Department of Technology to renew a contract with Emerson Network Power, Liebert Services, Inc. for annual maintenance and related services associated with the batteries Uninterrupted Power Supply (UPS) systems; in accordance with the sole source procurement provisions of the Columbus City Codes; to authorize the expenditure of \$56,923.00 from the Department of Technology Information Services Fund; and to declare an emergency. (\$56,923.00)

This Matter was Approved on the Consent Agenda.

- 0473-2010 CA To authorize and direct the Finance & Management Director to enter into one (1) UTC contract for the option to purchase Cisco Network Engineering Services with Insight Public Sector; to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency (\$1.00)

This Matter was Approved on the Consent Agenda.

- 0481-2010 CA To authorize and direct the Finance & Management Director to enter into one (1) UTC contract for the option to purchase Cisco Phones and Telephony Products with LOGOS Communications, Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.**UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL**

- 0179-2010 CA To authorize the Director of Public Utilities to execute a contract modification to the professional engineering services agreement with Stantec Consulting Services, Inc. for the Southerly Wastewater Treatment Plant Digester Rehabilitation project; to transfer within and expend \$300,000.00 in funds from the B.A.B.s (Build America Bonds) Fund for this expenditure; and to amend the 2009 Capital Improvements Budget to establish sufficient budget authority to cover the expenditure upon passage of the ordinance, for the Division of Sewerage and Drainage. (\$300,000.00).

This Matter was Approved on the Consent Agenda.

- 0203-2010 CA To authorize the Director of Finance and Management to establish blanket purchase orders for General Hardware, Tools, Plumbing, Electrical and Related Items from an established state term contract with MSC Industrial Supply for the Division of Power and Water and the Division of Sewerage and Drainage; and to authorize the expenditure of \$28,000.00 from the Water Operating Fund and \$35,000.00 from the Sewerage System Operating Fund. (\$63,000.00)

This Matter was Approved on the Consent Agenda.

- 0317-2010 CA To authorize the Director of Public Utilities to execute a planned contract modification of the construction administration - construction inspection services agreement with DLZ Ohio, Inc.; for the Long Street Water Line Cleaning and Lining Project; and to authorize the expenditure of \$215,916.17 from the Water Build America Bonds Fund for the Division of Power and Water. (\$215,916.17)

This Matter was Approved on the Consent Agenda.

- 0318-2010 CA To authorize the Director of Public Utilities to enter into an agreement with GSP/Oh Inc. for professional engineering services for the North Linden Area Water Line Improvements Project; to authorize the expenditure of \$169,000.00 from the Water Build America Bonds Fund; for the Division of Power and Water; and to amend the 2009 Capital Improvements Budget. (\$169,000.00)

This Matter was Approved on the Consent Agenda.

- 0337-2010 CA To authorize the Director of Public Utilities to enter into a planned modification with Madden Brothers Inc. for Yard Waste and Log Grinding Services for the Division of Sewerage and Drainage; and to authorize the expenditure of \$120,000.00 from the Sewerage System Operating Fund. (\$120,000.00)

This Matter was Approved on the Consent Agenda.

- 0346-2010 CA To authorize the Director of Public Utilities to execute a construction contract with American Suncraft Construction Company for the Recoating of Karl Road 2MG Hydropillar Tank Project; for the Division of Power and Water; to authorize a transfer and expenditure of \$726,951.50 within the Water Build America Bonds Fund; and to amend the 2009 Capital Improvements Budget. (\$726,951.50)

This Matter was Approved on the Consent Agenda.

- 0369-2010 CA To authorize the Director of Public Utilities to enter a construction contract with Badger Construction Company for the demolition of the former DOSD Surveillance Laboratory; to transfer within and expend \$82,800.00 in funds from the Build America Bond (B.A.B.s) Fund; and to amend the 2009 Capital Improvements Budget to establish sufficient budget authority to cover the expenditure upon passage of this ordinance for the Division of Sewerage and Drainage. (\$82,800.00)

This Matter was Approved on the Consent Agenda.

- 0378-2010 CA To authorize the Finance and Management Director to establish Blanket Purchase Orders with various companies for the purchase of water meters

and appurtenances for the Division of Power and Water, and to authorize the expenditure of \$570,000.00 from the Water Build America Bonds Fund. (\$570,000.00)

This Matter was Approved on the Consent Agenda.

0379-2010 CA To authorize the Director of Public Utilities to apply for, accept, and enter into up to five (5) Ohio Water Development Authority Local Government Agency Loan Program loan agreements, for the financing of five Division of Power and Water construction projects; and to designate a dedicated repayment source for the loans.

0396-2010 CA To authorize and direct the Finance and Management Director to enter into a contract for the option to purchase Vulcan Screening Press Parts with Vulcan Industries, Inc., and to authorize the expenditure of \$1.00 to establish the contract from the Mail, Print Services and UTC Fund. (\$1.00)

This Matter was Approved on the Consent Agenda.

0468-2010 CA To authorize the Director of Public Utilities to execute a contract with Utilicon Corporation for the Long Street Water Main Cleaning and Lining Project; for the Division of Power and Water; to authorize the appropriation and transfer of \$992,949.10 from the Water System Reserve Fund to the Ohio Water Development Authority (OWDA) Fund; to authorize the appropriation and expenditure of \$992,949.10 from the Ohio Water Development Authority (OWDA) Fund; to authorize an amendment to the 2009 Capital Improvements Budget; and to declare an emergency. (\$992,949.10)

This Matter was Approved on the Consent Agenda.

0483-2010 CA To authorize and direct the Finance & Management Director to enter into one (1) UTC contract for the option to purchase Zinc Orthophosphate with Shannon Chemical Corp., to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

0484-2010 CA To authorize and direct the Finance & Management Director to enter into one (1) UTC contract for the option to purchase Organic Emulsion Polymer with Polydyne Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

HEALTH AND HUMAN DEVELOPMENT COMMITTEE: TAVARES, CHR. TYSON GINTHER MENTEL

0436-2010 CA To authorize the Finance and Management Director to modify and extend a contract for the Facilities Management Division with Systems by Rich Consulting LLC for professional custodial service administration at the Health Department, 240 Parsons Avenue; to authorize the expenditure of \$20,000.00 from the Health Special Revenue Fund; and to declare an emergency. (\$20,000.00)

This Matter was Approved on the Consent Agenda.

0490-2010 CA To authorize and direct the Board of Health to enter into a contract with Access 2 Interpreters, LLC for interpretation and translation services; to

authorize the expenditure of \$158,000 from the Health Special Revenue Fund; and to declare an emergency. (\$158,000)

This Matter was Approved on the Consent Agenda.

- 0493-2010** CA To authorize and direct the Board of Health to enter into a contract with the Ohio Hispanic Coalition for promotoras services; to authorize the total expenditure of \$32,000 from the Health Special Revenue Fund; and to declare an emergency. (\$32,000)

This Matter was Approved on the Consent Agenda.

HOUSING:TAVARES, CHR. TYSON MILLER MENDEL

- 0488-2010** CA To authorize the Director of the Development Department to enter into a contract with the Affordable Housing Trust for Columbus and Franklin County to facilitate the production of affordable housing and enhance home ownership opportunities in Columbus; to authorize the appropriation and expenditure of 0.43% (presently estimated at \$923,000) of the combined rates of 5.1% of the Hotel/Motel Excise Tax; and to declare an emergency. (\$923,000)

This Matter was Approved on the Consent Agenda.

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENDEL

- 0030X-2010** CA To authorize the Director of the Recreation and Parks Department to designate the Hamilton Road Wetland as a Nature Preserve. (\$0.00)

This Matter was Adopted on the Consent Agenda.

- 0432-2010** CA To authorize and direct the Director of Recreation and Parks to grant consent to two organizations to apply for permission to sell alcoholic beverages at the following 2010 events: Waterfire and the NAGAAA Gay Softball World Series Opening Ceremonies.

This Matter was Approved on the Consent Agenda.

- 0434-2010** CA To establish an Auditor's certificate, and to authorize the expenditure of \$425,000.00 from the voted 1999/2004 Recreation and Parks Bond Fund for the reimbursement of staff time related to the administration of 2010 Capital Improvement Projects. (\$425,000.00)

This Matter was Approved on the Consent Agenda.

- 0522-2010** CA To authorize and direct the Finance and Management Director to enter into one (1) contract for the option to purchase Transportation Services from V.A.T., Inc.; to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Craig, seconded by Ginther, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mendel, Miller and Paley

EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION**FINANCE & ECONOMIC DEVELOPMENT: GINTHER, CHR. MILLER TYSON
MENTEL****0443-2010**

To authorize the Director of Development to enter into an Enterprise Zone Agreement with Wood Real Estate, LLC and Wood Operating Company, LLC for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a proposed \$4.2 million investment.

A motion was made by Ginther, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

SAFETY: GINTHER, CHR. PALEY CRAIG MENTEL**0352-2010**

To authorize and direct the Finance and Management Director to issue a purchase order to Vance Outdoors in the amount of \$269,548.00 for the purchase of body armor vests for the Fire Division; to authorize the expenditure of \$269,548.00 from the General Permanent Improvement Fund; and to declare an emergency. (\$269,548.00)

A motion was made by Ginther, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

0453-2010

To authorize and direct the Director of Public Safety to modify and increase the towing contract with Metropolitan Towing and Storage, Inc. for the Division of Police; to authorize the expenditure of \$2,141,809.00 from the General Fund; and to declare an emergency. (\$2,141,809.00)

A motion was made by Ginther, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

**PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. PALEY TAVARES
MENTEL****0491-2010**

To authorize the Director of Public Service to enter into contract with Shelly and Sands Inc, in connection with the River South - Phase 2 Project; to authorize the appropriation of funds within the State Issue II Street Projects Fund and the Fed-State Highway Engineering Fund; to authorize the transfer of appropriation from the State Issue II Street Projects Fund to the Fed-State Highway Engineering Fund; and to authorize the expenditure of \$10,409,728.40 from the Fed-State Highway Engineering Fund, the Elec B.A.B.s (Build America Bonds Fund for the Division of Power and Water (Power), the Water B.A.B.s (Build America Bonds) Fund for the Division of Power and Water (Water), to transfer funds within the Division of Sewerage and Drainage, Sanitary B.A.B.s (Build America Bonds) Fund, to amend the 2009 Capital Improvements Budget to establish sufficient budget authority, and the Recreation and Parks G.O. Bonds Fund (Department of Recreation and Parks); and to declare an emergency. (\$10,409,728.34)

A motion was made by Craig, seconded by Paley, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

**MINORITY AND BUSINESS DEVELOPMENT : CRAIG, CHR. MILLER TAVARES
MENTEL**

0033X-2010

To approve the plan for improvements and services to be provided by the Discovery Special Improvement District of Columbus, Inc.; and to approve the properties of the municipal corporation in said plan for improvements and services.

A motion was made by Craig, seconded by Ginther, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

0479-2010

To approve the Discovery Special Improvement District of Columbus, Inc., Petition and Articles of Incorporation and the inclusion of the properties owned by the City of Columbus in said district; and to declare an emergency.

A motion was made by Craig, seconded by Tyson, that this matter be Taken from the Table. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

A motion was made by Craig, seconded by Tyson, that this matter be Amended to 30 day. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

A motion was made by Craig, seconded by Tyson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

A motion was made by Craig, seconded by Tyson, that this matter be Approved as Amended. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

0485-2010

To amend the Management Compensation Plan, Ordinance No. 1150-2007, as amended, by enacting Section 5(E)-B057, the classification of Building and Zoning Services Director; and Section 5(E)-C352, Code Enforcement Division Administrator; and to declare an emergency.

A motion was made by Miller, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

0459-2010

To establish a new authorized strength ordinance for the new Department of Building and Zoning Services; to transfer all full-time and part-time other city sanctioned strength funded by the building services fund from the Development Administration and Building Services Divisions to the new department; to change name of the "Building Services Division" to the "Code Enforcement Division"; to eliminate reference to the Neighborhood Services

Division and the Office of Education; to increase the Civil Service Commission's general fund sanctioned full-time strength, to repeal ordinance 0229-2010; and to declare an emergency.

A motion was made by Miller, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

0506-2010

To authorize an appropriation of \$22,000.00 from the unappropriated balance of the Citywide Training Entrepreneurial Fund so as to allow the Department of Human Resources to enhance the trainings offered and training equipment at the Citywide Training and Development Center of Excellence; and to declare an emergency. (\$22,000.00)

A motion was made by Miller, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

JUDICIARY AND COURT ADMINISTRATION: PALEY, CHR. CRAIG TYSON

MENTEL

0507-2010

To authorize and direct the Administrative Judge of the Franklin County Municipal Court to accept and appropriate a reimbursement \$38,570.00 grant award from the American Recovery and Reinvestment Act of 2009 and Franklin County Board of Commissioners for the batter intervention program for indigent probationers; and to declare and emergency. (\$38,570.00)

A motion was made by Paley, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

UTILITIES: PALEY, CHR CRAIG GINTHER MENTEL

0292-2010

To authorize the Director of Public Utilities to enter into an engineering services agreement modification with CH2M Hill, Inc., for the Asset Management 2010 - Phase 2 (Mod. 1): Program Development Project; to authorize the transfer within and expenditure of \$950,000.00 in funds from the Sanitary B.A.B.s (Build America Bonds) Fund, for the Division of Sewerage and Drainage; to authorize the transfer within and expenditure of \$213,512.16 in funds from the Water Works Enlargement Voted Bonds Fund; to authorize the transfer within and expenditure of \$736,487.84 in funds from the Water B.A.B.s (Build America Bonds) Fund, and to amend the 2009 Capital Improvements Budget; for the Divisions of Sewerage and Drainage and Power and Water. (\$1,900,000.00)

A motion was made by Paley, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

0323-2010

To authorize the Director of Public Utilities to execute a construction contract with Adrian L. Wallick Company, in connection with the Southerly Wastewater Treatment Plant Multiple Hearth Incinerator Rehabilitation project; to authorize the transfer within and the expenditure of \$1,564,592.60

from the Sanitary B.A.B.s (Build America Bonds) Fund; and to amend the 2009 Capital Improvements Budget to establish sufficient budget authority to cover the expenditure upon passage of the ordinance for the Division of Sewerage and Drainage. (\$1,564,592.60)

A motion was made by Paley, seconded by Paley, that this matter be Approved. The motion carried by the following vote:

Absent: 2 - Ms. Tavares and Tyson

Affirmative: 5 - Ginther, Craig, President Mentel, Miller and Paley

0403-2010

To authorize the Director of Public Utilities to enter into an agreement with Burgess & Niple, Inc. for professional engineering services for the Hap Cremean Water Plant (HCWP) Treatment Improvements Project; to authorize a transfer and expenditure of \$4,259,792.00 within the Water Super Build America Bonds Fund; for the Division of Power and Water; and to amend the 2009 Capital Improvements Budget. (\$4,259,792.00)

A motion was made by Paley, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:

Absent: 2 - Ms. Tavares and Tyson

Affirmative: 5 - Ginther, Craig, President Mentel, Miller and Paley

0474-2010

To authorize and direct the Finance and Management Director to enter into a UTC contract for an option to purchase Hydrofluosilicic Acid with Pencoco Inc., to authorize the expenditure of one dollar to establish the contract from the Mail, Print Services and UTC Fund, to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$1.00)

A motion was made by Paley, seconded by Miller, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

HOUSING: TAVARES, CHR. TYSON MILLER MENTEL

0393-2010

To authorize the Director of the Department of Development to enter into an agreement with the Columbus Urban League for the administration of the Fair Housing Program; to authorize the expenditure of \$105,456.00 from the Community Development Block Grant fund; and to declare an emergency. (\$105,456.00)

A motion was made by Miller, seconded by Ginther, that this matter be Taken from the Table. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Abstained: 1 - Tyson

Affirmative: 5 - Ginther, Craig, President Mentel, Miller and Paley

(TABLED TO 04/12/2010)

A motion was made by Miller, seconded by Ginther, that this matter be Tabled to Certain Date. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Abstained: 1 - Tyson

Affirmative: 5 - Ginther, Craig, President Mentel, Miller and Paley

0457-2010

To authorize the Director of the Department of Development to enter into contract with the Community Shelter Board for the purpose of continuing the

city's support for homeless emergency shelters, Maryhaven Engagement Center, related homeless shelter services, and homelessness prevention and transition services; to authorize the expenditure of \$2,482,791.00 from the FY2010 General Fund; and to declare an emergency. (\$2,482,791.00)
(TABLED TO 04/12/2010)

A motion was made by Miller, seconded by Ginther, that this matter be Tabled to Certain Date. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Abstained: 1 - Tyson

Affirmative: 5 - Ginther, Craig, President Mentel, Miller and Paley

0494-2010

To authorize the Director of the Department of Development to enter into contract with the Community Shelter Board to support the Rebuilding Lives program; to authorize the expenditure of \$831,705.00 from the FY 2010 General Fund and \$71,029.00 from the FY 2010 Community Development Block Grant Fund; and to declare an emergency. (\$902,734.00)
(TABLED TO 04/12/2010)

A motion was made by Miller, seconded by Craig, that this matter be Tabled to Certain Date. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Abstained: 1 - Tyson

Affirmative: 5 - Ginther, Craig, President Mentel, Miller and Paley

RECESS

(RECESSED AT 6:26 PM)

A motion was made by Craig, seconded by Ginther, to Motion to Recess the Regular Meeting. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

RECONVENE

(RECONVENED AT 7:14 PM)

A motion was made by Craig, seconded by Ginther, to Motion to Reconvene the Regular Meeting. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

DEVELOPMENT: TYSON, CHR. GINTHER MILLER MENTEL

0413-2010

To authorize the Development Director to enter into contracts with various contractors for grass mowing and litter control services during the 2010 season; to authorize the expenditure of \$137,390.00 from the General Fund; to authorize the expenditure of \$140,000.00 from the Community Development Block Grant Fund; to authorize the expenditure of \$97,461.00 from the Recreation and Parks Operating Fund; and to declare an emergency. (\$374,851.00)

A motion was made by Tyson, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares
Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

0456-2010 To authorize the City Auditor to transfer all unencumbered balances and outstanding encumbrances within the Development Services Fund from the Department of Development to the Department of Building and Zoning Services; and to declare an emergency.

A motion was made by Tyson, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares
Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

0533-2010 To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN09-009) of 7.0 ± Acres in Jefferson Township to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency.

A motion was made by Tyson, seconded by Miller, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares
Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

0389-2010 To authorize the Director of Recreation and Parks to enter into contract with the Central Ohio Workforce Investment Corporation (COWIC) to provide summer youth programming from March 1, 2010 through December 1, 2010; and to authorize the expenditure of \$440,000.00 from the Recreation and Parks Operating Fund. (\$440,000.00)

A motion was made by Tyson, seconded by Miller, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares
Abstained: 1 - Ginther
Affirmative: 5 - Craig, Tyson, President Mentel, Miller and Paley

0489-2010 To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$2,609,950.00 from the Ohio Department of Education for the operation of the 2010 Summer Food Service Program; to appropriate these funds to the Recreation and Parks Grant Fund; and to declare an emergency. (\$2,609,950.00)

A motion was made by Tyson, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares
Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

0508-2010 To authorize and direct the Director of Recreation and Parks to enter into an agreement with The Central Ohio Workforce Investment Corporation (COWIC) for the Summer 2010 Work Experience Program(\$0.00)

A motion was made by Tyson, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares
Abstained: 1 - Ginther
Affirmative: 5 - Craig, Tyson, President Mentel, Miller and Paley

RULES & REFERENCE: MENTEL, CHR. GINTHER CRAIG PALEY

0237-2010 To amend Chapter 2131 by enacting new Section 2131.44 of the Columbus City Codes, 1959, to prohibit the use of a mobile communication device inside a motor vehicle to compose, send, or read a text message while driving.

Sponsors: Andrew Ginther

A motion was made by Ginther, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

0239-2010 To make minor changes in various sections of the Columbus Zoning Code, Title 33, in order to remove antiquated terms and synonyms for institutional facilities, to add two-unit dwellings to the existing lot of record exemption in order to assist with infill development, to add child day-care to the AR-2 apartment residential district as it does not already permit such use due to oversight, and to remove residential care separation requirements from the code as these have been preempted by federal case law arising from the federal Fair Housing Act and its amendments.

Sponsors: A. Troy Miller

A motion was made by Miller, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

0398-2010 To amend Section 4101.08 of the Columbus Building Code, Title 41, specifically removing the definition of "high rise building" as the definition is now contained in the latest version of the Ohio Building Code and is no longer needed in the Columbus Building Code.

Sponsors: Priscilla Tyson

A motion was made by Tyson, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

0455-2010 To enact, amend, and repeal various sections of the Columbus City Codes to eliminate the Division of Building Services within the Department of Development, to create the new Department of Building and Zoning Services, and to reflect the impact of the creation of this new department in all affected code sections of the Columbus City Codes, including moving codes related to platting and development related engineering functions into the currently unutilized Title 43; and to declare an emergency.

Sponsors: A. Troy Miller and Priscilla Tyson

A motion was made by Miller, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

ADJOURNMENT

(MEETING ADJOURNED AT 7:26 PM)

A motion was made by Craig, seconded by Ginther, to adjourn this Regular Meeting. The motion carried by the following vote:

Absent: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley



City of Columbus

Journal - Final

Zoning Committee

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

A. Troy Miller, Chair
All Members

Monday, April 5, 2010

6:30 PM

Zoning Committee

Zoning Committee

Journal

April 05, 2010

REGULAR MEETING NO. 18 OF CITY COUNCIL (ZONING), APRIL 5, 2010 AT 6:30 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Absent: Tavares

Present: Mentel: Ginther: Tyson: Craig: Paley and Chair Miller

READING AND DISPOSAL OF THE JOURNAL

A motion was made by Craig, seconded by Mentel, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

Absent: Tavares

Affirmative: Paley, Miller, Craig, Tyson, Ginther and Mentel

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: MILLER, CHR. CRAIG GINTHER PALEY TAVARES TYSON MENTEL

0333-2010

To rezone 6350 SAWMILL ROAD (43017), being 4.9± acres located at the southeast corner of West Dublin-Granville Road and Sawmill Road, From: C-3, Commercial, L-C-4, Limited Commercial and CPD, Commercial Planned Development Districts, To: CPD, Commercial Planned Development District (Rezoning # Z09-022).

A motion was made by Miller, seconded by Craig, that this matter be Amended to Emergency. The motion carried by the following vote:

Absent: Tavares

Affirmative: Paley, Miller, Craig, Tyson, Ginther and Mentel

A motion was made by Miller, seconded by Ginther, that this matter be Approved as Amended. The motion carried by the following vote:

Absent: Tavares

Affirmative: Paley, Miller, Craig, Tyson, Ginther and Mentel

0380-2010

To rezone 6265 EAST BROAD STREET (43213), being 1.1± acres located at the southeast corner of East Broad Street and McNaughten Road, From: C-2, Commercial District, To: CPD, Commercial Planned Development District (Rezoning # Z09-036).

A motion was made by Miller, seconded by Ginther, that this matter be Amended to Emergency. The motion carried by the following vote:

Absent: Tavares

Affirmative: Paley, Miller, Craig, Tyson, Ginther and Mentel

A motion was made by Miller, seconded by Ginther, that this matter be Approved as Amended. The motion carried by the following vote:

Absent: Tavares

Affirmative: Paley, Miller, Craig, Tyson, Ginther and Mentel

0416-2010

To amend Ordinance #1964-2005, passed on January 23, 2006 (CV04-044), for the property located 435 WEST TOWN STREET (43215), by amending Section 4 to extend a deadline for recording a public easement for pedestrian and vehicular access on Lucas Street between Town and Rich Streets. (CV04-044A)

A motion was made by Miller, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Absent: Tavares

Affirmative: Paley, Miller, Craig, Tyson, Ginther and Mentel

0478-2010

To rezone 2441 THIMBLEBERRY ROAD (43207), being 1.1± acres located at the southeast corner of Alum Creek Drive and Thimbleberry Road, From: ARLD, Apartment Residential District, To: L-C-4, Limited Commercial District. (Rezoning # Z08-032)

A motion was made by Miller, seconded by Ginther, that this matter be Amended to Emergency. The motion carried by the following vote:

Absent: Tavares

Affirmative: Paley, Miller, Craig, Tyson, Ginther and Mentel

A motion was made by Miller, seconded by Ginther, that this matter be Approved as Amended. The motion carried by the following vote:

Absent: Tavares

Affirmative: Paley, Miller, Craig, Tyson, Ginther and Mentel

0294-2010

To rezone 3614 LIFESTYLE BOULEVARD (43219), being 122.67± acres located on the north side of Lifestyle Boulevard, 650± feet west of Stelzer Road, From: PUD-8, Planned Unit Development District, To: L-AR-12, Limited Apartment Residential, and PUD-4, and PUD-8, Planned Unit Development Districts (Rezoning # Z08-043).

A motion was made by Miller, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Absent: Tavares

Affirmative: Paley, Miller, Craig, Tyson, Ginther and Mentel

ADJOURNMENT

(MEETING ADJOURNED AT 7:14 PM)

A motion was made by Craig, seconded by Ginther, to adjourn this Regular Meeting. The motion carried by the following vote:

Absent: Tavares

Affirmative: Paley, Miller, Craig, Tyson, Ginther and Mentel

Ordinances and Resolutions

**City of Columbus
City Bulletin Report**

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

Legislation Number: 0030X-2010

Drafting Date: 03/09/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

ExplanationThe Hamilton Road Wetland is a 71.67 acre parcel donated by the New Albany Company to the City of Columbus on December 30, 2008 to preserve this exceptional wooded wetland and blue heron rookery. There are approximately 50 nests of blue heron that locate here every spring and require protection to continue breeding. This location is one of the largest heron rookeries in Central Ohio. Thus, the Nature Preserve Advisory Council recommended unanimously that the Hamilton Road Wetland be designated a Nature Preserve on October 5, 2009. At the regular meeting of the Columbus Recreation and Parks Commission held February 17, 2010, the designation of the Hamilton Road Wetland property was approved as a Nature Preserve. Columbus City Council has designated four park properties as Nature Preserves to date. The last action was Ordinance No. 044X-2004.

These wetlands also perform a vital stormwater function within the watershed of Rocky Fork Creek, a sub-watershed of the Big Walnut Creek. The Friends of the Big Walnut Creek wrote a letter of support as did the New Albany Park Homeowners Association and the Preston Commons Homeowners Association, neighbors of this site. The letters cite the benefit to mental and physical health by maintaining open space. The site also has the potential to be a research area by local high schools and universities in the area.

This Nature Preserve is hereby dedicated to fulfill the following public purpose:

- 1) To protect and enhance the natural wetland and vernal pools, to reduce flooding, pollution, and sedimentation, and to preserve the unique ecological features in conjunction with their use as stormwater control.
- 2) To protect, improve and enhance wildlife habitat. In this case, creating the Hamilton Road Wetland Park Nature Preserve preserves the nesting site of approximately 50 nests of the Great Blue Heron. This is the largest rookery site found, thus far, in Central Ohio.
- 3) To protect and provide an area which can support and promote nature observation and conservation education programs and to encourage and promote wildlife and plant research.
- 4) To protect the habitat necessary to attract and promote sensitive wild plant and animal communities and the general wildlife ecology of the nature preserve areas.
- 5) To provide, preserve, and protect environmentally significant areas for present and future generations.

The site is on the northwest corner of St. Rt. 161 and Hamilton Road. The boundaries of the Hamilton Road Wetland Park shall be comprised of all city parkland north of St Rt 161 and west of Hamilton Road contained within the 71.67 acre tract: Parcel ID: 010-287873, 010-212436, and 010-212435.

The surrounding neighborhoods were contacted. All responses strongly supported the creation of the Hamilton Road Wetlands as a Nature Preserve. Neighborhoods looked favorably on knowing this area would remain a wooded wetland. The site is a mitigated wetland and has a Declaration of Restrictions filed over it for the Ohio Environmental Protection Agency's requirements.

TitleTo authorize the Director of the Recreation and Parks Department to designate the Hamilton Road Wetland as a Nature Preserve. (\$0.00)

WHEREAS, the Recreation and Parks Department of the City of Columbus recognizes the existence and importance of these natural areas and resources; and

WHEREAS, it is recognized that protecting water sources and improving water quality and preserving wetlands is a public benefit for drinking water and stormwater; and

WHEREAS, unique areas exist within the Columbus Recreation and Park system that deserve special protection by virtue of their natural areas and habitat provided to migratory birds; and

WHEREAS, the Recreation and Parks Department recognizes the need to preserve and protect these areas for the education and benefit of the people of Columbus; **NOW, THEREFORE**,

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

Section 1. That there is hereby created the Hamilton Road Wetland Park Nature Preserve. The boundaries of the Hamilton Road Wetland Park shall be comprised of all city parkland north of St Rt 161 and west of Hamilton Road contained within the 71.67 acre tract: Parcel ID: 010-287873, 010-212436, and 010-212435.

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

Legislation Number: 0033X-2010

Drafting Date: 03/16/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Explanation

BACKGROUND: In 2003 the Discovery District Development Corporation asked Capitol South Community Urban Redevelopment Corporation to initiate an effort to work with Discovery District property owners to create a Special Improvement District (SID) on the east side of downtown. Property owners were surveyed and overwhelmingly were in support of seeing a proposal to create a SID. The SID was created for a five year period and has been very successful. The SID property owners now wish to terminate the existing Plan for Improvements and Services a year early and reauthorize the Discovery Special Improvement District for an additional five year period, with slightly different boundaries, but still called the Discovery Special Improvement District (map attached). The property owners initiated a one-petition process to reauthorize the SID in which at least 60% of the property owners within the District signed that they are interested in reauthorizing the SID and they approve of the plan for improvement and services to be provided by the SID (plan for improvements and services attached).

Companion legislation 0479-2010 is being presented that approves the petition and Articles of Incorporation of the Discovery Special Improvement District and the inclusion of properties owned by the City of Columbus in the district.

This resolution is for the approval of the Plan for Improvement and Services to be provided by the Discovery Special Improvement District of Columbus, Inc. pursuant to Ohio Revised Code Chapter 1710. This legislation is also for the approval of the properties of the municipal corporation in said plan for improvements and services.

FISCAL IMPACT: No funding is required for this legislation.

Title

To approve the plan for improvements and services to be provided by the Discovery Special Improvement District of Columbus, Inc.; and to approve the properties of the municipal corporation in said plan for improvements and services.

Body

WHEREAS, the property owners located in the eastside of downtown have initiated a petition to create the Discovery Special Improvement District (SID) and have filed the petitions with the Columbus City Council along with the Articles of Incorporation for the Discovery Special Improvement District, Inc. a non-profit corporation to be responsible for the operation of the SID; and

WHEREAS, the petition to create the Discovery Special Improvement District, Inc. is a companion piece of legislation that will go before Council at the same time as this piece of legislation; and

WHEREAS, the Columbus City Council by the same ordinance is being asked to authorized that the properties of the municipal corporation abutting upon the streets described in the petition are included in the district; and

WHEREAS, this legislation is for the approval of the Plan for Improvements and Services to be provided by the Discovery Special Improvement District of Columbus, Inc. pursuant to Ohio Revised Code Chapter 1710; and

WHEREAS, the Clerk of Columbus City Council finds the property owners per the signed petition and the City per this resolution represents at least sixty percent (60%) of the front footage of the property located in the Discovery Special Improvement District per Section 1710; and

WHEREAS, it is the determination of the City Council that the SID is a valuable tool for economic development and a means of continuing to improve the downtown area; **NOW, THEREFORE**,

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

Section 1. That the property owners of the current Discovery Special Improvement District authorize the terminate the existing Plan for Improvement and Services a year early in order to increase assessments and expand the boundaries.

Section 2. That the attached Plan of Improvements and Services, including the estimate of cost of the improvements and services to be provided by the Discovery Special Improvement District of Columbus, Inc., now on file with the Clerk of Columbus City Council, and all of which are incorporated herein as "Attachment A," are hereby approved.

Section 3. That the Mayor or his designee is hereby authorized to designate in writing that the properties of the municipal corporation abutting upon the streets described in the petition are included in the Plan of Improvements and Services as required by the Ohio Revised Code, Chapter 1710.

Section 4. That the Clerk of Columbus City Council is hereby directed to post a copy of this Resolution in the Office of the Clerk of Columbus City Council as provided by the Ohio Revised Code, Chapter 1710.

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

Legislation Number: 0037X-2010

Drafting Date: 03/22/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To encourage Columbus residents to complete and return their 2010 Census forms.

WHEREAS, every ten years, the United States Census counts every resident of the United States, as mandated by Article I, Section 2 of the Constitution; and

WHEREAS, throughout the month of March, 2010 Census forms were mailed to residences across the nation, and residents have been asked to complete the ten short questions on the form and return it in a timely manner; and

WHEREAS, information collected by the United States Census Bureau is subject to strict confidentiality requirements under Title 13 of the U. S. Code, and no government or private authority, agency, or other entity can obtain personal identifiable data from the Census Bureau; and

WHEREAS, the federal government distributes over \$400 billion annually to state and local governments based on Census data, meaning that full community participation in the Census will help ensure that our city receives fair access to federal funds for hospitals, roads, public education, emergency service providers, child care and senior centers, and many other vital community resources and services; and

WHEREAS, the Census Bureau offers many services to the public, many of which - including detailed maps, demographic statistics, American FactFinder, education and training, and numerous economic facts and figures - are available online at www.census.gov; and

WHEREAS, the bureau will provide 2010 apportionment counts to the President by December 31, 2010, which includes the total population counts and the number of congressional representatives for each state; now, therefore

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

That this Council encourages the residents of Columbus and central Ohio to support their community by completing and returning their 2010 Census forms in a timely manner.

Legislation Number: 0038X-2010

Drafting Date: 03/26/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To express support for State Issue 1 for the renewal and continuation of the nationally acclaimed Ohio Third Frontier program.

Body

WHEREAS, the Ohio Third Frontier initiative was created to preserve and create jobs, enhance educational opportunities, and improve the quality of life and general well-being of residents and businesses throughout our state by expanding Ohio's research capabilities to promote product innovation, development and commercialization to create jobs; and

WHEREAS, the Ohio Third Frontier program has laid the foundation for the creation and growth of technology-based jobs and businesses, increased early stage capital investments, improved the environment for technology entrepreneurs, increased collaboration in research and development, and enhanced our economic competitiveness and diversity; and

WHEREAS, the Third Frontier program has already created more than 48,000 jobs since its inception; and

WHEREAS, the State of Ohio's Third Frontier initiative has delivered measurable results by investing \$681 million since 2002, which has yielded \$6.6 billion in economic activity; and

WHEREAS, Issue 1 will continue to foster job creation through the advancement of new products and services based on science and technology research and development, thus ensuring Ohio's ability to create and compete for jobs, today and in

the future; and

WHEREAS, the Ohio General Assembly deserves much appreciation for its strong bipartisan support of the Third Frontier program and its placement of the constitutional amendment on the ballot; and

WHEREAS, the Ohio Third Frontier Initiative is a grants program, supported by State of Ohio bonds, that will support technology-based businesses and research efforts; focusing on the State's strengths in technology and innovation to create high-wage jobs, new growth companies, and globally competitive products; and

WHEREAS, the city of Columbus has benefitted from the Ohio Third Frontier initiative and should continue to see positive results upon passage of Issue 1, as Ohio's most promising technologies will receive critical funding; now, therefore

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

That Columbus City Council does hereby support the passage of State Issue 1 to continue the investment in the Ohio Third Frontier for the promotion of job growth and capital investment in the State of Ohio.

Legislation Number: 0071-2010

Drafting Date: 01/05/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation1. BACKGROUND

The Division of Sewerage and Drainage has an existing contract with Evans, Mechwart, Hambleton & Tilton, Inc. (EMH&T) for the design of the River South Roadway Improvements - Phase 2 Project. The Division of Sewerage and Drainage was the contracting agent for this project, but the project design includes roadway elements which were funded by the Department of Public Service in the contract legislation. This legislation authorizes the Director of Public Service to modify and increase this contract.

The purpose of this project is to reconstruct 0.21 miles of Front Street between Mound Street and Rich Street; reconstruct 0.20 miles of Rich Street between Civic Center Drive and High Street; reconstruct 0.23 miles of Main Street between Second Street and High Street; and widen and resurface 0.11 miles of Main Street between Second Street and Civic Center Drive. Improvements within the project limits include upgraded sidewalks with pedestrian crossing upgrades at intersections, landscaping, storm sewers, water lines, street lighting, and traffic control devices.

A contract modification is necessary to include engineering services during construction and the cost of miscellaneous additional scope changes through the contract completion date, estimated to be October 2011. Engineering related services during construction are covered in Task A17 of the Design Contract but additional funds will be needed. It is necessary to modify the existing design contract with EMH&T because they have the knowledge from the development of the drawings to address future design issues that arise on site during construction.

The City received up to five million dollars of OPWC funding and five and a half million dollars of ARRA funding in 2009. Because of this funding, it was necessary to change the design drawings to ODOT format, provide environmental documentation, submit design exceptions, and to hold several meetings with ODOT. These activities were not included in the original contract and depleted base contract and contingency funds.

0.43 miles of an approximate 14 foot wide sidewalk will be added or reconstructed in this project on the east and west sides of Front Street. 0.42 miles of an approximate 17 foot wide sidewalk will be added or reconstructed in this project on the north and south sides of Rich Street. 0.58 miles of an approximate 17 foot wide sidewalk will be added or

reconstructed in this project on the north and south sides of Main Street. 60 ADA ramps will be added or reconstructed in this project. There are 4 bus stops and transit routes within the limits of this project.

This project complies with the recommendation of the Pedestrian Thoroughfare Plan, as the Division of Mobility Options reviewed walk widths for anticipated future activity.

Pedestrian generators and destinations impacting the proposed project include the Supreme Court House, Franklin County Court House, Lazarus Building, Front and Rich Street City Parking Garage, Columbia Gas Building, Bicentennial Building, Scioto Mile Park and other buildings within the Central Ohio Business District.

Environmental "Green" materials or processes associated with this project include 20 bioretention basins along Rich Street and 23 bioretention basins along Main Street.

The original contract amount for this project was \$1,935,175.16, the amount of this, the first modification to the contract, is \$56,392.80. The total contract amount including this modification is \$1,991,567.96

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against EMH&T.

2. CONTRACT COMPLIANCE

EMH&T's contract compliance number is 310685594 and expires 9/21/11.

3. Fiscal Impact

Monies in the amount of \$56,392.80 to pay for these costs are available within the Streets and Highways G.O. Bonds Fund for the Division of Design and Construction, due to cancellation of encumbrances from completed projects. These funds will be transferred to the Fed-State Highway Engineering Fund where they will be expended from the RiverSouth Phase 2 Grant. The Department of Recreation and Parks will be invoiced and provide reimbursement to the Division of Design and Construction in the amount of \$6,392.80 for their share of this modification, through an internal payment.

4. Emergency Justification

This project has been identified as a Federal stimulus package project. This modification is necessary to maintain the city's ability to fulfill the project scheduling requirements of the stimulus funding.

TitleTo authorize Director of Public Service to execute a professional engineering services contract modification with EMH&T, in connection with the River South Roadway Improvements - Phase 2 Project; to authorize the transfer of cash and appropriation within the Streets and Highways G.O. Bonds Fund; to authorize the transfer of this cash to the Fed-State Highway Engineering Fund; to authorize the appropriation and expenditure of \$56,392.80 from the Fed-State Highway Engineering Fund; to amend the 2009 Capital Improvements Budget; and to declare an emergency. (\$56,392.80)

BodyWHEREAS, the City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in the River South Roadway Improvements - Phase 2 Project; and

WHEREAS, the purpose of this project is to reconstruct 0.21 miles of Front Street between Mound Street and Rich Street; reconstruct 0.20 miles of Rich Street between Civic Center Drive and High Street; reconstruct 0.23 miles of Main Street between Second Street and High Street and widen and resurface 0.11 miles of Main Street between Second Street and Civic Center; and

WHEREAS, improvements contemplated by this project include upgraded sidewalks with pedestrian crossing upgrades at intersections, landscaping, storm sewers, water lines, street lighting, and traffic control devices; and

WHEREAS, City Auditor's Contract No. EL008182 was authorized by Ordinance No. 0539-2008, passed June 9, 2008, executed June 12, 2008 and approved by the City Attorney on June 19, 2008; and

WHEREAS, this legislation authorizes the first modification to this contract in the amount of \$56,392.80 which is necessary to include engineering services during construction and the cost of miscellaneous additional scope changes through the contract completion date estimated to be October 2011; and

WHEREAS, the Division of Design and construction will provide funding in the amount of \$56,392.80; invoice the Department of Recreation and Parks and be reimbursed through an internal payment by the Department of Recreation and Parks in the amount of \$6,392.80 for their portion of the design for festival lighting; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction, in that this project has been designated a Federal Stimulus Package project and it is immediately necessary to authorize the expenditure of the additional funds, required to complete design and provide engineering services during construction, to maintain the project schedule, thereby preserving the Federal funds and 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 the Department of Public Service be and is hereby authorized to modify and increase Contract No. EL008182 with EMH&T at 5500 New Albany Road, Columbus, Ohio 43054 in an amount not to exceed \$56,392.80, to include engineering services during construction and the cost of miscellaneous additional scope changes through the contract completion date.

Section 2. That the expenditure of \$56,392.80 be authorized to fund this modification as follows:

Dept-Div 59-12
Division of Design and Construction
Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount
765 / 598093-200000 / River South Phase 2 / 06-6682 / 598093 / \$56,392.80

Section 3. That the 2009 Capital Improvements Budget established within ordinance 0806-2009 be and hereby is amended due to encumbrance cancellations as follows:

Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount
704 / 530161-100000 / Roadway Improvements / \$1,243,077.00 (Carryover) / \$142,830.00 (Carryover) / \$1,385,907.00 (Carryover)

Section 4. That the 2009 Capital Improvements Budget established within ordinance 0806-2009 be and hereby is amended to provide sufficient authority for this project as follows:

Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount
704 / 530161-100000 / Roadway Improvements / \$1,385,907.00 (Carryover) / (\$56,393.00) (Carryover) / \$1,329,514.00 (Carryover)
704 / 530161-100049 / Roadway Improvements - River South Roadway Improvements - Phase 2 / \$0.00 (Carryover) / \$56,393.00 (Carryover) / \$56,393.00 (Carryover)

Section 5. That the Transfer of cash and appropriation within Streets and Highways G.O. Bonds Fund be authorized as follows:

From
Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
704 / 530161-100000 / Roadway Improvements / 06-6600 / 590046 / \$56,392.80

To
Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
704 / 530161-100049 / Roadway Improvements - River South Roadway Improvements - Phase 2 / 10-5501 / 746149 / \$56,392.80

Section 6. That the Transfer of monies between the following funds be authorized as follows:

Transfer from:

Fund / Project # / Project / O.L. 01-03 Codes / OCA Code

704 / 530161-100049 / Roadway Improvements - River South Roadway Improvements - Phase 2 / 10-5501 / 746149 / \$56,392.80

Transfer To:

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

765 / 598093-200000 / River South Phase 2 / 80-0886 / 598093 / \$56,392.80

Section 7. That the sum of \$56,392.80 be and hereby is appropriated from the unappropriated balance of Fund 765, the Fed-State Highway Engineering Fund, and from all monies estimated to come into said funds from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2010 as follows:

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

765 / 598093-200000 / River South Phase 2 / 06-6600 / 598093 / \$56,392.80

Section 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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.

Legislation Number: 0126-2010

Drafting Date: 01/12/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

The Division of Refuse Collection retains an existing solid waste inspector to handle solid waste investigations within the City of Columbus and assist in a countywide anti-dumping/anti-litter program. This ordinance authorizes the Director of Public Service to enter into a revenue contract for \$84,382.25 with the Solid Waste Authority of Central Ohio (SWACO) to administer this program for the period January 1 through December 31, 2010. This ordinance also appropriates these funds within the General Government Grant Fund and authorizes their expenditure.

2. FISCAL IMPACT

This contract will generate \$84,382.25 that will cover the solid waste inspector's salary, benefits, insurance, and some ancillary costs.

3. CONTRACT COMPLIANCE

The Solid Waste Authority of Central Ohio's (SWACO) contract compliance number is 311338559 and expires 4/4/10.

4. EMERGENCY DESIGNATION

Emergency action is requested to provide for the uninterrupted operation of the anti-dumping enforcement program in 2010.

TitleTo authorize the Director of Public Service to enter into a revenue contract with the Solid Waste Authority of Central Ohio (SWACO) for the Division of Refuse Collection to administer the 2010 Solid Waste Inspection Anti-Dumping Enforcement Program; to authorize the appropriation of \$84,382.25 within the General Government Grant Fund; and to declare an emergency. (\$84,382.25)

BodyWHEREAS, the Solid Waste Authority of Central Ohio(SWACO) desires to have the Division of Refuse Collection continue to perform services related to the solid waste inspection anti-dumping enforcement program for the period January 1 through December 31, 2010; and

WHEREAS, it is necessary to enter into a revenue contract for this purpose, appropriate these funds and authorize their expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Refuse Collection, in that it is immediately necessary to enter into contract, appropriate revenues and authorize expenditures as appropriate in order to provide for the uninterrupted operation of the program in 2010, 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 Service be and hereby is authorized to enter into a \$84,382.25 revenue contract with the Solid Waste Authority of Central Ohio(SWACO) to have the Division of Refuse Collection perform services related to the 2010 solid waste inspection anti-dumping enforcement program for the period January 1 through December 31, 2010.

Section 2. That from the unappropriated monies in the General Government Grant Fund, Fund 220, 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, 2010, the sum of \$84,382.25 be and hereby is appropriated to the Division of Refuse Collection as follows; Department No. 59-02, Grant and OCA Numbers to be established by the City Auditor

Object Level One/Object Level Three Codes / Description / Amount

01/1101 / wages and benefits / \$76,882.25

02/2201 / supplies / \$500.00

03/3301 / services / \$7,000.00

Total \$84,382.25

Section 3. That the monies in the foregoing Section 2 shall be paid upon order of the Director of Public Service 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 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.

Legislation Number: 0157-2010

Drafting Date: 01/19/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

ExplanationBACKGROUND:

The Department of Technology has a need to renew a contract with Emerson Network Power, Liebert Services, Inc., formerly known as Liebert Global Services, established by Ordinance No. 1160-2006, for annual maintenance and related services associated with the Uninterrupted Power Supply (UPS) systems, utilized by the Department of Technology. This contract covers services for computer and data centers at three separate locations, and allows for continuous operations when power fluctuations and failures occur. The original contract provided language that allows for modifications and renewals for additional coverage periods at the end of each year's coverage period, contingent upon the express written approval of all parties and the City's appropriation and authorization of funds.

Approval of this ordinance will make provisions for a annual maintenance service agreement, with a total cost of \$56,923.00. This amount is for all three locations with a coverage period of 4/19/2010 through 4/18/2011. Also, approval of this ordinance will allow the agreement to be established in accordance with the sole source provisions of the Columbus City Code, Section 329.07.

FISCAL IMPACT: For fiscal years 2007 and 2008, the amounts of \$31,216.10 and \$32,777.00, respectively were expended for maintenance support and related services with Emerson Network Power, Liebert Services, Inc., formerly known as Liebert Global Services, for the batteries UPS system. The total amount expended in fiscal year 2009, for three locations was \$58,221.89. Funding for this renewal is available within the Department of Technology's Information Services Fund 2010 budget. This annual maintenance total cost of \$56,923.00 will provide annual coverage for three locations, which will bring the annual maintenance contract aggregate total to \$216,828.99.

EMERGENCY:

Emergency legislation is requested in order to facilitate immediate payment and no interruption of service from the supplier.

CONTRACT COMPLIANCE NUMBER: 43-1798453 Expires: 02/19/2011

Title

To authorize the Director of the Department of Technology to renew a contract with Emerson Network Power, Liebert Services, Inc. for annual maintenance and related services associated with the batteries Uninterrupted Power Supply (UPS) systems; in accordance with the sole source procurement provisions of the Columbus City Codes; to authorize the expenditure of \$56,923.00 from the Department of Technology Information Services Fund; and to declare an emergency. (\$56,923.00)

Body

WHEREAS, approval of this ordinance will allow the Director of the Department of Technology to continue utilizing services provided by Emerson Network Power, Liebert Services, Inc., formerly known as Liebert Global Services, associated with an annual maintenance service agreement for the batteries Uninterrupted Power Supply (UPS) systems; and

WHEREAS, the UPS systems allows for continuous operations when power fluctuations and failures occur; and

WHEREAS, this renewal totaling \$56,923.00 will provide the cost for three locations with a coverage period from 4/19/2010 through 4/18/2011 for all three locations; and

WHEREAS, this agreement is being established in accordance with the sole source provisions of the Columbus City Code, Section 329.07; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize this contract modification and extension, to provide uninterrupted service associated with the UPS and provided by Network Associates, Inc., 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 the Department of Technology be and is hereby authorized to renew an annual contract with Emerson Network Power, Liebert Services, Inc., formerly known as Liebert Global Services, for maintenance and related services for the batteries Uninterrupted Power Supply (UPS) systems for three locations with coverage period of 4/19/2010 through 4/18/2011.

SECTION 2: That the expenditure of \$56,923.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Div.: 47-02|**Fund:** 514| **Subfund** 001|**OCA Code:** 470202|**Obj. Level 1:** 03|**Obj. Level 3:** 3372|**Amount:** \$56,923.00

SECTION 3: That the City Auditor is authorized to make any changes to revise the funding source for any contract or contract modifications associated with this ordinance.

SECTION 4: That this agreement is being established in accordance with the sole source provisions of the Columbus City Code, Section 329.07.

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.

Legislation Number: 0179-2010

Drafting Date: 01/22/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. **BACKGROUND:**

A. **Need.** This legislation authorizes the Director of Public Utilities to modify the professional engineering services agreement with Stantec Consulting Services, Inc. (formerly R.D. Zande and Associates, Inc.), for the Southerly Wastewater Treatment Plant Digester Rehabilitation project. The Stantec Consulting Services, Inc. modification amount requested under this ordinance is \$300,000.00. The contract total including this modification is \$9,914,369.44. The proposed contract modification provides funding for investigation, data evaluation and determination of the contributing causes for the operational difficulties experienced by the sludge digestion process and the recommended remedies for optimum process performance. The Division has determined that these services cannot be performed by City personnel at this time.

Amount of additional funds to be expended: \$300,000.00

Original Contract	\$1,213,977.00
Modification No. 1	\$ 83,954.75
Modification No. 2	\$ 89,506.25
Cancellation of Mod. 2's Remaining Balance	(\$ 1,100.81)
Modification No. 3	\$1,494,934.00
Modification No. 4	\$5,760,122.25
Modification No. 5	\$ 972,976.00
Proposed Modification No. 6	\$ 300,000.00
Anticipated future needs	\$ 0.00
CURRENT PROPOSED TOTAL	\$9,914,369.44

Reasons additional goods/services could not be foreseen:

The new Acid Phase Digestion process has not performed as anticipated or as otherwise seen in the industry. This proposed modification will investigate and determine the contributing causes for the operational deficiencies and recommend remedies to achieve optimum process performance.

Reason other procurement processes are not used:

Investigation and resolution of the operational difficulties encountered is most efficiently addressed by those most familiar with the digestion process, the project design and construction. It is not deemed either feasible or reasonable to suspend work with the entity currently under contract, and undertake continuation of the work under a new procurement. The lengthy process for initiating a new procurement, and for a new entity to gain understanding of the project, would likely cause an unacceptable project delay and additional cost.

How cost of modification was determined:

The cost of this contract modification is within the direct labor, overhead, and profit rates established within the original proposal. The estimate of the quantity of labor required to provide the scope of services for this modification is consistent with the anticipated level of work required for these tasks.

B. **Contract Compliance No.:** 11-2167170 | (Expires 12/17/2011 | MAJ

C. **Emergency Designation:** Emergency designation is not requested.

2. **FISCAL IMPACT:**

This ordinance authorizes the Director of Public Utilities to transfer within and expend \$300,000.00 in funds from the B.A.B.s (Build America Bonds) Fund for this expenditure; and to amend to the 2009 Capital Improvements Budget to establish sufficient budget authority to cover the expenditure upon passage of the ordinance.

Title

To authorize the Director of Public Utilities to execute a contract modification to the professional engineering services agreement with Stantec Consulting Services, Inc. for the Southerly Wastewater Treatment Plant Digester Rehabilitation project; to transfer within and expend \$300,000.00 in funds from the B.A.B.s (Build America Bonds) Fund for this expenditure; and to amend the 2009 Capital Improvements Budget to establish sufficient budget authority to cover the expenditure upon passage of the ordinance, for the Division of Sewerage and Drainage. (\$300,000.00).

Body

WHEREAS, the original contract No. EL900074 was authorized by Ordinance No. 2853-1998 as passed by Columbus City Council on November 16, 1998, for purposes of authorizing the Director of Public Utilities to enter into a contract for professional engineering services with R. D. Zande & Associates, Inc., now acquired by Stantec Consulting Services, Inc., and so referred to hereafter, for the Southerly Wastewater Treatment Plant Digester Rehabilitation project; and

WHEREAS, modification #1, EL000789 for \$83,954.75 was authorized by Ordinance 2195-2000, passed October 2, 2000, was executed October 30, 2000, and was approved November 3, 2000, and

WHEREAS, modification #2, EL001739 for \$89,506.25 was authorized by Ordinance 1830-2001, passed November 5, 2001, was executed November 28, 2001, and was approved December 4, 2001, and

WHEREAS, modification #3, EL002068 for \$1,494,934.00 was authorized by Ordinance 2151-2001, passed December 10, 2001 was executed January 24, 2002, and was approved January 25, 2002 and

WHEREAS, modification #4, EL005899 for \$5,760,122.25 was authorized by Ordinance 2181-2005, passed February 6, 2006 was executed March 8, 2006, and was approved March 23, 2006, and

WHEREAS, modification #5, EL009034 for \$972,976.00 was authorized by Ordinance 1886-2008, passed December 15, 2008, was executed January 21, 2009, and was approved January 22, 2009, and

WHEREAS, it is necessary to modify the subject contract in order to provide funding for investigation, data evaluation and determination of the contributing causes for the operational difficulties experienced by the sludge digestion process and the recommended remedies for optimum process performance, now needed for the project's Construction Contract

S66; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to modify the professional engineering services agreement with Stantec Consulting Services, Inc., for the Southerly Wastewater Treatment Plant Digester Rehabilitation project at the earliest practical date 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 Director of Public Utilities be, and hereby is, authorized to modify Contract No. EL900074 with Stantec Consulting Services, Inc., 1500 Lake Shore Drive, Columbus, Ohio 43204, for professional engineering services for the Southerly Wastewater Treatment Plant Digester Rehabilitation project, in accordance with the terms and conditions as shown in the contract modification on file in the office of the Division of Sewerage and Drainage.

Section 2. That the City Auditor is hereby authorized to transfer \$300,000.00 within the Department of Public Utilities, Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668, Object Level Three 6676, as follows:

From:

Project No. | Project Name | OCA Code | Change

650348-100002 | WWTS Instrumentation & Control System Upgrade | 652348 | (-\$300,000.00)

To:

Project No. | Project Name | OCA Code | Change

650353-100000 | Southerly Wastewater Treatment Plant Digester Rehabilitation | 668353 | (+\$300,000.00)

Section 3. That the City Auditor be and hereby is authorized to expend a total of \$300,000.00 from the Sanitary B.A.B.s (Build America Bonds) Fund into the Southerly Waste Water Treatment Plant (SWWTP) Digester Rehabilitation | Fund 668 | Div. 60-05 | Proj. 650353-100000 | OCA Code 668353 | Object Level Three 6676.

Section 4. That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows, to provide sufficient budget authority for the award of the agreement stated herein.

Project No. | Project Name | Current Authority | Revised Authority | (Change)

650348-100002 | WWTS Instrumentation & Control System Upgrade | \$6,368,982 | \$6,068,982 | (\$-300,000)

650353-100000 | SWWTP Digester Rehabilitation | \$0 | \$300,000 | (+\$300,000)

Section 5. That the City Auditor is hereby authorized to transfer any unencumbered balance in the project account to the unallocated balance 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 made from a project by monies from more than one source.

Section 6. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 7. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

Section 8. That the said firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

Section 9. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0203-2010

Drafting Date: 01/26/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This legislation authorizes the Director of Finance and Management to issue blanket purchase orders in accordance with the Ohio Department of Administrative Services (DAS) contract STS #7751100808 with MSC Industrial Supply for General Hardware, Tools, Plumbing, Electrical and Related Items as may be needed for the daily operation of various facilities within the Department of Public Utilities. The funding on this ordinance is for expenses that will occur during the 2010 budget year.

This contract was bid specifically to be a cooperative contract for use by other governmental agencies in accordance with Chapter 1545 of the Ohio Revised Code (ORC). Ordinance 582-87 authorizes the City of Columbus to participate in cooperative purchasing contracts. A copy of the State of Ohio contract is attached.

Supplier: MSC Industrial Supply, Contract Compliance #135526506, Expires 7/28/2011

FISCAL IMPACT: There is sufficient budget authority in the Water System Operating Fund and the Sewerage System Operating Fund for this expenditure.

Prior Year Expenditures from Water Operating Fund
2009 - \$31,000

Prior Year Expenditures from Sewerage System Operating Fund
2009 - \$20,000

The company is not debarred according to the Excluded Party Listing system of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

Title

To authorize the Director of Finance and Management to establish blanket purchase orders for General Hardware, Tools, Plumbing, Electrical and Related Items from an established state term contract with MSC Industrial Supply for the Division of Power and Water and the Division of Sewerage and Drainage; and to authorize the expenditure of \$28,000.00 from the Water Operating Fund and \$35,000.00 from the Sewerage System Operating Fund. (\$63,000.00)

Body

WHEREAS, the funding for this purchase will be for General Hardware, Tools, Plumbing, Electrical and Related Items to be used during the FY2010 budget year; and

WHEREAS, a DAS cooperative contract has been established with MSC Industrial Supply, by STS #7751100808 for use by other governmental entities and Ordinance 582-87 allows the City to participate in DAS cooperative contracts. and

WHEREAS, the Division of Power and Water and the Division of Sewerage and Drainage wish to establish blanket purchase orders in accordance with aforesaid State Term Contract to obtain the materials and supplies necessary to operate various facilities within the divisions; now, therefore

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

SECTION 1. That the Director of Finance and Management be and is hereby authorized to establish blanket purchase orders with MSC Industrial Supply in accordance with STS #7751100808 for the purchase of General Hardware, Tools,

Plumbing, Electrical and Related Items as may be necessary for the Division of Power and Water and the Division of Sewerage and Drainage.

SECTION 2. That the sum of \$63,000.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 1, is hereby authorized to be expended as follows:

Division of Sewerage and Drainage 60-05

Division: 60-05
Fund No. 650
OCA : 605063
Object Level: 2244
Amount: \$10,000

Division: 60-05
Fund No. 650
OCA : 605030
Object Level: 2244
Amount: \$10,000

Division: 60-05
Fund No. 650
OCA : 605089
Object Level: 2244
Amount: \$10,000

Division: 60-05
Fund No. 650
OCA : 605899
Object Level: 2244
Amount: \$5,000

Division of Power and Water 60-09

Division 60-09
Fund No. 600
OCA: 602425
Object Level: 2244
Amount: \$15,000

Division 60-09
Fund No. 600
OCA: 602540
Object Level: 2244
Amount: \$2,000

Division 60-09
Fund No. 600
OCA: 602649
Object Level: 2244
Amount: \$6,000

Division 60-09

Fund No. 600
OCA: 602722
Object Level: 2244
Amount: \$5,000

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

Legislation Number: 0237-2010

Drafting Date: 02/01/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this ordinance is to improve roadway safety for all vehicle operators, passengers, bicyclists, pedestrians, and other road users by prohibiting the use of mobile communication devices to compose, send, or read text messages while driving - a practice commonly referred to as texting while driving.

The ordinance also aims to prevent crashes related to texting while driving, and to reduce the fatalities, injuries, and property damage that often result. Moreover, the ordinance will likely have a positive impact on health care costs, health insurance and automobile insurance rates related to motor vehicle crashes.

This ordinance effectively prohibits the use of a mobile communication device to read, write or send text messages while driving, and likewise, the use any said device to send, read, create, play or interact with internet-based content.

The ordinance does provide an exception for persons using a phone or other mobile communication device to report a health or safety emergency, and it does not apply to any person using a mobile communications device in a vehicle while the vehicle is stopped and removed from the flow of traffic. The ordinance does not prohibit the use of mobile communication devices by passengers.

Any violation of the ordinance is a minor misdemeanor, punishable by a maximum fine of \$150.00.

TitleTo amend Chapter 2131 by enacting new Section 2131.44 of the Columbus City Codes, 1959, to prohibit the use of a mobile communication device inside a motor vehicle to compose, send, or read a text message while driving.

Body

WHEREAS, the National Highway Traffic Safety Administration (NHTSA) found that 80 percent of all motor vehicle accidents involve distracted drivers; and

WHEREAS, in 2008, nearly 6,000 people died in crashes involving a distracted or an inattentive driver, and more than half a million were injured; and

WHEREAS, according to the NHTSA, there are three main types of distraction: Visual - taking your eyes off the road; Manual - taking you hands of the wheel; and Cognitive - taking your mind off what you're doing; and

WHEREAS, while all distractions can endanger drivers' safety, texting while driving is considered to be especially dangerous because it involves all three types of distraction; and

WHEREAS, texting while driving has been shown to greatly increase the risk of accidents, especially among younger drivers; and

WHEREAS, the need exists to improve roadway safety for all vehicle operators, passengers, bicyclists, pedestrians, and other road users by prohibiting texting while driving; now, therefore

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

Section 1. That new Section 2131.44 of the Columbus City Codes, 1959, be and is hereby enacted to read as follows:

2131.44 Sending, reading or writing a text message or accessing the internet while driving.

(a) As used in this section:

(1) "Text message" means a message sent, stored or received via a mobile communication device. For purposes of this section, an e-mail message shall be considered a text message.

(2) "Mobile communication device" means any portable electronic device capable of transmitting or receiving data in the form of a text message or capable of accessing the internet, including but not limited to a wireless telephone, a text-messaging device, a personal digital assistant, or a personal computer.

(b) No person shall operate a motor vehicle while using a mobile communication device to:

(1) Compose, send or read a text message; or

(2) Send, read, create, play or interact with internet- based content.

(c) Notwithstanding the provisions of division (b), this section shall not be construed to prohibit the use of a mobile communication device inside a motor vehicle by:

(1) a driver using a mobile communication device to report a health or safety emergency; or

(2) a driver using a mobile communication device while the motor vehicle is parked, standing or stopped and is removed from the flow of traffic, in accordance with applicable laws or rules, or is stopped due to the inoperability of such vehicle; or

(3) a driver using a mobile communication device in the course of the driver's duties while operating an emergency or public safety vehicle.

(d) Whoever violates this section is guilty of a minor misdemeanor.

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

Legislation Number: 0239-2010

Drafting Date: 02/01/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance makes minor changes to the Columbus Zoning Code in an effort to streamline the application review process and to reduce problems and frequent questions that arise through the administration of the code. The changes include adding clarification that apartment complexes can contain two or more buildings as the current code defines that use as starting with three or more buildings, leaving a two-building apartment complex as undefined. Also being added are child day-care uses to the AR2 district. Child day-care was omitted due to an apparent oversight and is currently allowed in other, more intense, apartment-residential districts. This ordinance also removes antiquated terms and synonyms for institutional uses and facilities that are no longer used or may now be perceived as potentially offensive as well as expanding the lot-of-record exception in order to allow two-family dwellings on lots-of-records in the R-2F and R-4 districts in order to further assist with appropriate in-fill housing opportunities.

Changes also include clarification that medical offices are in-fact a permitted use in the AR-O district and repeal of outdated separation requirements for residential care facilities that have been preempted by case law arising from the federal Fair Housing Act and its amendments.

These code changes were reviewed by the Columbus Development Commission at their January 14, 2010, meeting and the Columbus Development Commission recommended the changes for approval.

FISCAL IMPACT: No funding is required for this legislation.

Title

To make minor changes in various sections of the Columbus Zoning Code, Title 33, in order to remove antiquated terms and synonyms for institutional facilities, to add two-unit dwellings to the existing lot of record exemption in order to assist with infill development, to add child day-care to the AR-2 apartment residential district as it does not already permit such use due to oversight, and to remove residential care separation requirements from the code as these have been preempted by federal case law arising from the federal Fair Housing Act and its amendments.

Body

WHEREAS, this ordinance clarifies that apartments complexes can contain two or more buildings as current code defines that use as starting with three or more buildings, leaving a two-building complex as undefined; and

WHEREAS, this ordinance adds child day-care to the AR2 uses as it was omitted due to an oversight and the use is currently allowed in other, more intense, apartment residential districts; and

WHEREAS, this ordinance removes antiquated terms and synonyms for institutional facilities that are no longer used or may now be perceived as potentially offensive; and

WHEREAS, this ordinance expands the lot-of-record exception in order to allow two-family dwellings on lots-of-records in the R-2F and R-4 districts to further assist with appropriate in-fill housing opportunities; and

WHEREAS, this ordinance clarifies that medical offices are permitted in the AR-O district; and

WHEREAS, this ordinance removes outdated separation requirements for residential care facilities that have been preempted by case law arising from the federal Fair Housing Act and its amendments; and

WHEREAS, these code changes were reviewed by the Columbus Development Commission at their January 14, 2010, meeting and the Columbus Development Commission recommended the changes for approval; now, therefore,

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

Section 1. That the existing section 3303.01 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3303.01 Letter A.

"Abutting" means bordering.

"Accessory" means a subordinate use, building or structure located on the same lot with and of a nature incidental to the principal use, building or structure.

"Accessory Parking" and "Non-accessory Parking."

1. "Accessory parking" means automobile parking as a subordinate use and of a nature incidental to but supportive of the principal use, building or structure. Accessory parking is characterized as a free service for employees and/or customers of the principal use, building or structure.

2. "Non-accessory parking" means automobile parking as a principal rather than a subordinate land use and is neither accessory nor code-required. Non-accessory parking is generally characterized as a commercial service.

"Activities, specified sexual." (See "Specified sexual activities.")

"Activity" means an individual tenant, business, or other commercial or noncommercial establishment or occupancy.

"Addition" means a part added to a building either by constructing so as to form one (1) architectural whole, or by joining, as by a passage, so that each is a necessary adjunct or appurtenance of the other or so that they constitute the same building.

"Administrator" when used without clarification means the director or his or her designee.

"Adult booth" means an area of an adult entertainment establishment or adult store separated from the rest of a building by

a divider, partition or wall and used to:

1. Demonstrate, play, or show adult material, or
2. View a live performance distinguished or characterized by an emphasis on the depiction, description, exposure, or representation of specified anatomical areas or the conduct or simulation of specified sexual activities.

"Adult entertainment establishment" means an auditorium, bar, cabaret, concert hall, nightclub, restaurant, theater or other similar commercial establishment that recurrently features or provides one or more of the following:

1. Persons who appear in the nude;
2. A live performance distinguished or characterized by an emphasis on the depiction, description, exposure, or representation of specified anatomical areas or the conduct or simulation of specified sexual activities; or
3. Audio or video displays, computer displays, films, motion pictures, slides or other visual representations or recordings characterized or distinguished by an emphasis on the depiction, description, exposure or representation of specified anatomical areas, or the conduct or simulation of specified sexual activities.

"Adult material" means items consisting of one or more of the following:

1. Digital or printed books, magazines, periodicals, audio, video displays, computer displays, films, motion pictures, slides, or other visual representations or recordings that are characterized or distinguished by an emphasis on the depiction, description, exposure, or representation of specified anatomical areas or the conduct or simulation of specified sexual activities, or
2. Devices, instruments, novelties or paraphernalia designed for use in connection with specified sexual activities, or that depict or describe specified anatomical areas.

"Adult store" means one or more of the following:

1. An establishment which has a majority of its shelf space or square footage devoted to the display, rental, sale, or viewing of adult material for any form of consideration.
2. An establishment with an adult booth.

"Aggregate Graphic Area." (See "Graphic area.")

"Alley" means a right-of-way not less than ten (10) feet wide but less than thirty-five (35) feet wide located at the rear or side of lots, dedicated to public use for travel or transportation and generally affording secondary access to abutting property.

"Alley line" means a lot line bordering on an alley.

"Alter" or "Alteration," and "Structural Alteration."

"Alter" or "alteration" means any change, rearrangement or modification in construction or in the exit facilities or the moving of partitions from one location or position to another.

"Structural alteration" means any change in the supporting members of a building such as bearing walls, columns, lintels, beams or girders or floor construction.

"Amusement park" means any premises offering three (3) or more amusement rides for hire on a per use basis or the charging of an admission fee for more than twenty-one (21) calendar days in a calendar year. An amusement ride is a ride or device, aquatic device, or a combination of devices that carries or conveys passengers on, along, around, over, or through a fixed restricted course within a defined area for the purpose of giving its passengers amusement pleasure, or excitement. "Amusement ride" includes carnival rides, bungee jumping, inflatable rides and fair rides. Amusement park does not include an approved special event allowed by C.C. Chapter 3390.

"Anatomical Areas, Specified" (See: "Specified anatomical areas.")

"Animal kennel" or "animal shelter" means any building, structure, or premises which is used, arranged, intended or designed to be used for the boarding and/or breeding of animals for more than a consecutive twenty-four (24) hour period and not located or operated in conjunction with the practice of a licensed veterinarian on the same parcel. Pet day care, pet grooming facilities, pet stores and pet supply stores, with no outside runs, shall not be considered an animal kennel.

"Animated Graphic" (See "Graphic.")

"Antenna" means any system of wires, poles, rods or similar devices for transmitting or receiving radio signals or television signals, or both, together with the structure used for the primary purpose of supporting same, including the foundation, guys, and all other components thereof.

"Apartment complex" means a residential development under one control and consisting of two ~~three (3)~~ or more apartment houses erected on a lot which has frontage on and access to a public street through an approved system of private drives.

"Apartment hotel" means a building arranged, intended or designed to be occupied by five (5) or more individuals or groups of individuals living independently but having a common heating system and a general dining room.

"Apartment house" means a building arranged, intended or designed to be occupied by five (5) or more individuals, groups

of individuals or families living independently of each other and with cooking facilities for the exclusive use of each of the individuals, groups of individuals, or families who occupy the premises. The number which an apartment house is designed to accommodate shall be determined by the number of separate dwelling units in such dwelling.

"Approved combustible material" means wood or any material not more combustible than wood, as specified in the most recent National Electrical Code; and approved plastics.

"Architectural decoration" means an element, design or motif, other than an architectural feature; installed, attached, painted or applied to the exterior of a building or structure for the purpose of ornamentation or artistic expression.

(Compare with "Architectural feature.")

"Architectural feature" means a window, door or other element of building design intended to be functional and any ornamentation associated therewith. (Compare with "Architectural decoration.")

"Architectural review commission" when used without clarification means the historic resources commission created by Chapter 3117, C.C., or an architectural review commission created by Title 31, C.C. and having jurisdiction over the application.

"Architectural review commission guidelines" means the document adopted by an architectural review commission that sets forth the architectural characteristics of a listed property or an architectural review commission area, or a specific property therein and provides design guidance for appropriate construction or alteration therein pursuant to the provisions of the pertinent chapter. Guidelines and standards are intended to be consistent with each other.

"Arterial street" means any street for which the primary function is to move vehicles from one section of the city or county and which is so designated on the city of Columbus thoroughfare plan and arterial construction type adopted by city council and used for express, moderate speed travel (usually thirty-five to fifty (35-50) miles per hour) within an urbanized area.

"Automatic changeable copy." (See "Changeable copy.")

Aviation Field. See "Landing field."

"Awning" means a hood or cover that projects from the wall of a building intended only for shelter or ornamentation.

"Fixed awning" means an awning constructed with a rigid frame which cannot be retracted, folded or collapsed.

"Illuminated awning" means a fixed awning covered with a translucent membrane and which is, in whole or part, illuminated by light passing through the membrane from within the structure; also known as an "electric awning."

"Retractable awning" means an awning, which can be, retracted, folded, or collapsed against the face of the supporting building.

"Canopy" means an awning, which is additionally supported by one (1) or more columns.

"Marquee" means a fixed awning or canopy, which requires additional loading for graphics.

Section 2. That the existing section 3333.02 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3333.02 AR-12, ARLD and AR-1 apartment residential district use.

Within an AR-12, ARLD or AR-1 apartment residential district no buildings or premises shall be used and no buildings shall be erected which are arranged, intended or designed to be used for other than one (1) or more of the following specified uses:

- (1) Apartment house, as defined in Chapter 3303, C.C., containing five (5) or more dwelling units;
- (2) Apartment complex, as defined in Chapter 3303, C.C. and located on a lot of no less than twenty thousand (20,000) square feet;
- (3) Dwelling containing no fewer than three (3) dwelling units and no more than four (4) dwelling units, as defined in Chapter 3303, C.C., and in accordance with R-4 standards;
- (4) Multiple dwelling development, as defined in Chapter 3303, C.C. and located on a lot of no less than twenty thousand (20,000) square feet;
- (5) Town house development, as defined in Chapter 3303, C.C., containing no more than eight (8) town houses in a row and no fewer than three (3) town houses in a row, and in accordance with town house development standards;
- (6) Church;
- (7) Kindergarten if in connection with a school, as defined in Chapter 3303, C.C., on school grounds or if in connection with a church on church grounds;
- (8) School, as defined in Chapter 3303, C.C.;
- (9) Public playground;
- (10) Public park;

- (11) Public library;
- (12) Public museum;
- (13) Public recreation building;
- (14) Water supply reservoir, well, water tower, or filter bed;
- (15) Public or parochial college or university (other than a trade or business institution);
- (16) In accordance with C.C. 3333.055 one (1) detached single-family dwelling or a single two (2) -family dwelling, as defined in Chapter 3303, C.C.

Section 3. That the existing section 3333.025 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3333.025 AR-2 apartment residential district use.

Within an AR-2 apartment residential district no buildings or premises shall be used and no buildings shall be erected which are arranged, intended or designed to be used for other than one (1) or more of the following specified uses:

- (1) Apartment house, as defined in Chapter 3303, C.C., containing five (5) or more dwelling units;
- (2) Apartment complex, as defined in Chapter 3303, C.C. and located on a lot of no less than twenty thousand (20,000) square feet;
- (3) Dwelling containing no fewer than three (3) dwelling units and no more than four(4) dwelling units, as defined in Chapter 3303, C.C., and in accordance with R-4 standards;
- (4) Multiple dwelling development, as defined in Chapter 3303, C.C. and located on a lot of no less than twenty thousand (20,000) square feet;
- (5) Town house development, as defined in Chapter 3303, C.C., containing no more than eight (8) town houses in a row and no fewer than three (3) town houses in a row, and in accordance with town house development standards;
- (6) Church;
- (7) Kindergarten if in connection with a school, as defined in Chapter 3303, C.C., on school grounds or if in connection with a church on church grounds;
- (8) School, as defined in Chapter 3303, C.C.;
- (9) Public playground;
- (10) Public park;
- (11) Public library;
- (12) Public museum;
- (13) Public recreation building;
- (14) Water supply reservoir, well, water tower, or filter bed;
- (15) Public or parochial college or university (other than a trade or business institution);
- (16) Apartment hotel;
- (17) College fraternity, sorority or club house;
- (18) Convent or monastery;
- (19) In accordance with C.C. 3333.055, one (1) detached single-family dwelling or a single two (2)--family dwelling, as defined in Chapter 3303, C.C.
- (20) Child day care center limited according to C.C. 3333.06 Child day care.

Section 4. That the existing section 3333.03 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3333.03 AR-3 apartment residential district use.

Within an AR-3 apartment residential district no buildings or premises shall be used and no buildings shall be erected which are arranged, intended or designed to be used for other than one (1) or more of the following specified uses:

- (1) Apartment house, as defined in Chapter 3303, C.C., containing five (5) or more dwelling units;
- (2) Apartment complex, as defined in Chapter 3303, C.C. and located on a lot of no less than twenty thousand (20,000) square feet;
- (3) Dwelling containing no fewer than three (3) dwelling units and no more than four (4) dwelling units, as defined in Chapter 3303, C.C., and in accordance with R-4 standards;
- (4) Multiple-dwelling development, as defined in Chapter 3303, C.C. and located on a lot of no less than twenty thousand (20,000) square feet;

- (5) Town house development, as defined in Chapter 3303, C.C., containing no more than eight (8) town houses in a row and no fewer than three (3) town houses in a row, and in accordance with town house development standards;
- (6) Church;
- (7) Kindergarten if in connection with a school, as defined in Chapter 3303, C.C., on school grounds or if in connection with a church on church grounds;
- (8) School, as defined in Chapter 3303, C.C.;
- (9) Public playground;
- (10) Public park;
- (11) Public library;
- (12) Public museum;
- (13) Public recreation building;
- (14) Water supply reservoir, well, water tower, or filter bed;
- (15) Public or parochial college or university (other than a trade or business institution);
- (16) Apartment hotel;
- (17) College fraternity, sorority or club house;
- (18) Convent or monastery;
- (19) Boarding home, community center building, home for the aging, nursing home, rest home, shared living facility, Y.M.C.A., Y.W.C.A., fraternal organization, or philanthropic institution, conditioned per C.C. ~~3307.06(B)~~ 3333.07;
- (20) Hospital, infirmary, or orphanage, ~~or sanitarium (other than for the insane, feeble minded, epileptics, drink or drug addicts)~~, provided no part of such building shall be located within fifty (50) feet of any lot line other than a street or alley line of the property occupied by such use;
- (21) Child day care center limited according to C.C. 3333.06;
- (22) In accordance with C.C. 3333.055, one (1) detached single-family dwelling or a single two (2)-family dwelling, as defined in Chapter 3303, C.C.

Section 5. That the existing section 3333.035 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3333.035 AR-4 apartment residential district use.

Within an AR-4 apartment residential district no buildings or premises shall be used and no buildings shall be erected which are arranged, intended or designed to be used for other than one (1) or more of the following specified uses:

- (1) Apartment house, as defined in Chapter 3303, C.C., containing five (5) or more dwelling units;
- (2) Apartment complex, as defined in Chapter 3303, C.C. and located on a lot of no less than twenty thousand (20,000) square feet;
- (3) Dwelling containing no fewer than three (3) dwelling units and no more than four (4) dwelling units, as defined in Chapter 3303, C.C., and in accordance with R-4 standards;
- (4) Multiple-dwelling development, as defined in Chapter 3303, C.C. and located on a lot of no less than twenty thousand (20,000) square feet;
- (5) Town house development, as defined in Chapter 3303, C.C., containing no more than eight (8) town houses in a row and no fewer than three (3) town houses in a row, and in accordance with town house development standards;
- (6) Church;
- (7) Kindergarten if in connection with a school, as defined in Chapter 3303, C.C., on school grounds or if in connection with a church on church grounds;
- (8) School, as defined in Chapter 3303, C.C.;
- (9) Public playground;
- (10) Public park;
- (11) Public library;
- (12) Public museum;
- (13) Public recreation building;
- (14) Water supply reservoir, well, water tower, or filter bed;
- (15) Public or parochial college or university (other than a trade or business institution);
- (16) Apartment hotel;
- (17) College fraternity, sorority or club house;
- (18) Convent or monastery;

- (19) Boarding home, community center building, home for the aging, nursing home, rest home, shared living facility, Y.M.C.A., Y.W.C.A., fraternal organization, or philanthropic institution, conditioned per C.C. ~~3307.06(B)~~ 3333.07;
- (20) Hospital, infirmary, or orphanage, ~~or sanitarium (other than for the insane, feeble minded, epileptics, drink or drug addicts)~~; provided no part of such building shall be located within ~~fifty (50)~~ 50 feet of any lot line other than a street or alley line of the property occupied by such use;
- (21) Child day care center limited according to C.C. 3333.06;
- (22) Rooming house, or the leasing or renting of rooms limited according to C.C. ~~3333.09~~ 3333.07;
- (23) College dormitory;
- (24) In accordance with C.C. 3333.055, one (1) detached single-family dwelling or a single two (2) -family dwelling, as defined in Chapter 3303, C.C.

Section 6. That the existing section 3333.04 of the Columbus City Codes, 1959, is hereby amended to read as follows

3333.04 Permitted uses in AR-O apartment office district.

Within an AR-O apartment office district no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used for other than one (1) or more of the following specified uses.

- (1) Apartment house containing five or more dwelling units, for five (5) or more families;
- (2) Dwelling containing no fewer than three (3) dwelling units and no more than four dwelling units, as defined in Chapter 3303, C.C., and in accordance with R-4 standards;
- (3) Art studio;
- (4) Bank;
- (5) Ecclesiastical, eleemosynary or philanthropic use;
- (6) Office building or offices, including medical offices;
- (7) Photography studio;
- (8) Radio or television studio;
- (9) Telephone exchange together with concealed electric substation necessary for such use;
- (10) Public or private clinic, hospital, infirmary, ~~or orphanage or sanitarium~~ provided no part of such building shall be located within fifty (50) feet of any lot line other than a street or alley line of the property occupied by such use and not for veterinarian purpose;
- (11) School, as defined in Chapter 3303, C.C.;
- (12) Public library;
- (13) Public museum;
- (14) Public recreation building;
- (15) Water supply reservoir, well, water tower, or filter bed;
- (16) Child day care center limited according to C.C. 3333.06;
- (17) Rooming house, shared living facility or the leasing or renting of rooms limited according to C.C. 3333.07;
- (18) In accordance with C.C. 3333.055, one (1) detached single-family dwelling or a single two (2) -family dwelling, as defined in Chapter 3303, C.C.

Section 7. That the existing section 3333.055 of the Columbus City Codes, 1959, is hereby amended to read as follows

3333.055 Exception for single- ~~Single-~~ or two-family dwelling.

Within an AR-12, ARLD, AR-1, AR-2, AR-3, AR-4 or AR-O area district on a lot that was separately owned and of record on January 14, 1959, the effective date of Ordinance 1540-58, or on a lot in a recorded subdivision of record on such date or platted between January 14, 1959, and July 16, 1986, the effective date of Ordinance 1506-86, either of the following shall be permitted as the sole use:

- (A) One (1) detached single-family dwelling, as defined in Chapter 3303, C.C.; or
- (B) One single ~~One (1)~~ two (2) -family dwelling, as defined in Chapter 3303, C.C., in compliance with C.C. 3332.14 area standards.

Such lots when so used are designated to be in the 35-foot height district by C.C. 3333.26.

Section 8. That the existing section 3333.07 of the Columbus City Codes, 1959, is hereby amended to read as follows

3333.07 Licensing and integration.

- A. Uses are subject to all city ordinances, rules and regulations including but not limited to Titles 41 and 43 of the city codes, entitled the Building Code, and may be subject to Title 45, the Housing Code.
- B. The term "residential care facility" as used in this section means a residential care facility licensed by the state of Ohio.
- C. Each owner of any use such as, but not limited to, a boarding home, home for the aging, nursing home, rest home, rooming house, residential care facility, or shared living facility regulated by a federal, state or local agency which requires it to be licensed or certified thereby shall prior to occupancy and continuously thereafter obtain and display said license or certificate together with any renewal thereof upon the premises and provide a copy of same to:
 - 1. The ~~neighborhood services division of the~~ department of development; and
 - 2. The board of health; upon issuance and thereafter upon each renewal. As soon as one (1) owner provides such copies any remaining co-owners of the same use are excused from so doing until the next submission is due.
- D. In the same manner each owner shall obtain a rooming house license if so required by Title 45, C.C.
- ~~E. In order to promote the benefits of normal residential surroundings for the beneficiaries of residential care facilities and in order to promote the goal of deinstitutionalization and to foster integration of said beneficiaries into the mainstream of society, no residential care facility shall be located within one thousand, three hundred twenty (1,320) feet of any other residential care facility.~~
- ~~Exception: Any residential care facility which is in conformity with the city codes prior to enactment of this section shall upon enactment become a non-conforming use.~~
- ~~F. The board of zoning adjustment may issue a special permit to allow a residential care facility to locate within one thousand, three hundred twenty (1,320) feet of another residential care facility upon a finding that:
 - 1. The future residents of said facility will benefit from normal residential surroundings; and
 - 2. The placement within one thousand, three hundred twenty (1,320) feet of another residential care facility does not hinder the goal of deinstitutionalization; and
 - 3. The placement of the residential care facility furthers the goal of integrating the future residents into the mainstream of society; and
 - 4. A hardship exists in that suitable housing is unavailable elsewhere in the community that meets the one thousand, three hundred twenty (1,320) foot spacing requirement.~~

Section 9. That the existing section 3332.16 of the Columbus City Codes, 1959, is hereby amended to read as follows

3332.16 Exception for single- or two-family dwelling.

In an R-rural, LRR, RRR, RR, SR, R-1, R-2, R-3, R-2F or R-4 area district, a detached single-family dwelling may be erected on any lot that was separately owned and of record on January 14, 1959, the effective date of Ordinance 1540-58, or on any lot in a recorded subdivision that was on record on such date notwithstanding the requirements of C.C. 3332.05 through 3332.15, inclusive. In addition to the above, in an R-2F or R-4 area district, a two-family dwelling may be erected on any lot that was separately owned and of record on January 14, 1959, the effective date of ordinance 1540-58, or on any lot in a recorded subdivision that was on record on such date notwithstanding the requirements of C.C. 3332.05 through 3332.15, inclusive.

Section 10. That existing sections 3303.01, 3333.02, 3333.025, 3333.03, 3333.035, 3333.04, 3333.05, 3333.055, 3333.07, and 3332.16 of the Columbus City Codes, 1959, are hereby repealed.

Section 11. That this ordinance shall take effect and be in force from and after the earliest period provided by law.

Legislation Number: 0292-2010

Drafting Date: 02/08/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

1. **BACKGROUND:**

A. **Need.** This legislation authorizes the Director of Public Utilities to enter into a professional design services agreement modification with CH2M Hill, Inc., for the Asset Management 2010 - Phase 2: Program Development Project for the Division of Sewerage and Drainage and the Division of Power and Water. The Division has determined that these design services cannot be performed by City personnel at this time and has planned for the procurement of these services on a routine basis.

The Consultant's emphasis throughout will be on the development of an asset management system, procedures, and a structured plan for future program development. The Consultant will be expected to concentrate on systems design and technology transfer, provide subject matter expertise, and possibly supplement staff in some cases.

The Department wants to proceed with the asset management program development in phases, with each phase (up to five) lasting approximately one year. The Consultant is now being asked to perform Phase 2 over a follow-on year, with up to three more one year phases anticipated. Completed in Phase 1 were:

- A department-wide asset management needs assessment was completed,
- A preparation of 10 business case evaluations (BCEs) and BCE Guidelines were established,
- Explicit levels of service (LOS), enhancement of DPU's computerized maintenance management system (CMMS) were developed,
- And an *Enterprise Asset Management (EAM) Philosophy and Framework*, and *EAM Roadmap* was prepared.

Phase 2 work will include continuing enhancements to CMMS, development of more detailed performance measures in support of identified LOS, preparation of significantly more BCEs, and numerous other of the 16 *Roadmap* Improvement Initiatives.

This modification (Mod #1) will increase the funding of the contract by an additional \$1,900,000.00 for the continual development of asset management procedures and a structured plan for future program development via facilitation and training.

1.1. Amount of additional funds to be expended: \$ 1,900,000.00

Original Contract Amount:	\$1,958,000.00
<u>Modification 1 (current)</u>	<u>\$1,900,000.00</u>
Total (Orig. + Mod 1)	\$3,858,000.00

1.2. Reasons additional goods/services could not be foreseen:

The modification was anticipated and explained in the original legislation. This is a continuation of the anticipated process.

1.3. Reason other procurement processes are not used:

The original contract selected CH2M Hill as the consulting firm to provide asset management services over a multi-year agreement.

1.4. How cost of modification was determined:

The original costs were determined by an RFP process with Phase 2 being slightly less, and future phases (up to 3 more) of equal or lesser value are anticipated and will be awarded by contract modifications, provided satisfactory performance of the Consultant. Decreasing contract values are anticipated as asset management concepts and knowledge are transferred from the Consultant to Department staff and asset management business practices become incorporated into the Department's standard operations.

MULTI-YEAR AGREEMENT:

This ordinance authorizes the expenditure of \$1,900,000.00 for the Asset Management 2010 - Phase 2 (Mod. 1): Program Development Project. The Department anticipates requesting additional appropriations to this

agreement for Phases 3, 4, and 5 for the fiscal years 2011, 2012, and 2013 respectively, through planned modifications duly authorized by City Council. Under the terms and conditions of this agreement, the City has the right to contract for additional services to fulfill emergency capital improvements related needs subject to the approval of a contract modification by City Council.

B. Procurement Information: The original method of selection for the chosen professional engineering services firm was completed via: The Division advertised a Request for Proposals (RFP's) for the subject services in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. The Division of Sewerage and Drainage received technical proposals on July 11, 2008 from two organizations. These proposals were reviewed and ranked by a Professional Engineering Services Selection Committee in order to determine the consultant best qualified to provide the services for this project. The committee ranked the proposals on quality and feasibility. After careful consideration, the committee provided its recommendation to the Director, and CH2M Hill, Inc. was selected to provide the engineering services.

C. Contract Compliance No.: 59-0918189 | Expires: 5/15/2010 | MAJ

D. Emergency Designation: Emergency designation is not requested at this time.

2. **FISCAL IMPACT:**

This ordinance authorizes the Director of Public Utilities to transfer funds within the Sanitary B.A.B.s (Build America Bonds) Fund, the Water Works Enlargement Voted Bonds Fund and the Water B.A.B.s (Build America Bonds) Fund, to expend a total of \$1,900,000, and to amend the 2009 Capital Improvements Budget.

Title

To authorize the Director of Public Utilities to enter into an engineering services agreement modification with CH2M Hill, Inc., for the Asset Management 2010 - Phase 2 (Mod. 1): Program Development Project; to authorize the transfer within and expenditure of \$950,000.00 in funds from the Sanitary B.A.B.s (Build America Bonds) Fund, for the Division of Sewerage and Drainage; to authorize the transfer within and expenditure of \$213,512.16 in funds from the Water Works Enlargement Voted Bonds Fund; to authorize the transfer within and expenditure of \$736,487.84 in funds from the Water B.A.B.s (Build America Bonds) Fund, and to amend the 2009 Capital Improvements Budget; for the Divisions of Sewerage and Drainage and Power and Water. (\$1,900,000.00)

Body

WHEREAS, Contract EL009027 was authorized by Ordinance No. 1729-2008, as passed by Columbus City Council on November 24, 2008, executed on January 8, 2009, and approved by the City Attorney January 23, 2009 for purposes of authorizing the Director of Public Utilities to enter into an engineering services agreement with CH2M Hill, Inc., for the Asset Management 2008 - Phase 1: Program Development Project; and

WHEREAS, the procurement was conducted in accordance with the Request For Proposals (RFP) process set forth in Section 329.14, Columbus City Codes, 1959: two proposals were received and the Division's Evaluation Committee recommendation and subsequent review by the Director resulted in the selection of CH2M Hill, Inc., between the firms; and

WHEREAS, the Divisions of Sewerage and Drainage and Power and Water, Department of Public Utilities, hereby requests this City Council to authorize the Director of Public Utilities to modify a professional engineering service agreement with CH2M Hill, Inc., in connection with the Asset Management 2010 - Phase 2 (Mod 1): Program Development Project; and

WHEREAS, it is necessary for this Council authorize the transfer within and expenditure of funds from the Sanitary B.A.B.s (Build America Bonds) Fund, for the Division of Sewerage and Drainage; and

WHEREAS, it is necessary for this Council authorize the transfer within and expenditure of funds from the Water Works

Enlargement Voted Bonds Fund and the Water B.A.B.s (Build America Bonds) Fund, for the Division of Power and Water; and

WHEREAS, it is necessary to authorize an amendment to the 2009 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditures; and

WHEREAS, the Divisions of Sewerage and Drainage and Power and Water, Department of Public Utilities, are requesting that this Council authorize the Director of Public Utilities to modify the professional engineering service agreement with CH2M Hill, Inc., in connection with the Asset Management 2010 - Phase 2: Program Development Project; 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 be, and hereby is, authorized to modify Contract EL009027 with CH2M Hill, Inc., 1103 Schrock Rd., Suite 400, Columbus, OH 43229-1179, for professional engineering services in connection with the Asset Management 2010 - Phase 2 (Mod. 1) : Program Development Project, in accordance with the terms and conditions as shown in the agreement on file in the offices of the Divisions of Sewerage and Drainage and Power and Water.

SECTION 2. That the City Auditor is hereby authorized to transfer \$950,000.00 within the Department of Public Utilities, Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668, Object Level Three 6676, as follows:

From:

Project No. | Project Name | OCA Code | Change

650360-100001 | WWTF Upgrade General Program | 664360 | (-\$950,000.00)

To:

Project No. | Project Name | OCA Code | Change

650728-100000 | Asset Management Phase II | 668728 | (+\$950,000.00)

SECTION 3. That the City Auditor is hereby authorized to increase the appropriation of Project No. 690236-100000 (carryover), in the amount of \$66,607.79, and that amount is hereby appropriated in Dept/Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Object Level Three 6676.

SECTION 4. That the City Auditor is hereby authorized to transfer \$213,512.16 within the Department of Public Utilities, Division of Power and Water, Dept/Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Object Level Three 6676, as follows:

Project No. | Project Name | OCA Code | Change

690236-100000 (carryover) | Water Main Rehab. | 642900 | -\$66,607.79

690394-100000 (carryover) | Water Meter Renewal | 606394 | -\$2,069.12

690474-100000 (carryover) | Morse Rd. 36" W.M. | 606474 | -\$144,835.25

690509-100000 (carryover) | Asset Mgmt. Program | 606509 | +\$213,512.16

SECTION 5. That the City Auditor is hereby authorized to transfer \$736,487.84 within the Department of Public Utilities, Division of Power and Water, Dept/Div. No. 60-09, Water B.A.B.s (Build America Bonds) Fund, Fund No. 609, Object Level Three 6676, as follows:

Project No. | Project Name | OCA Code | Change

690236-100014 (New funding) | Mt. Vernon/King Lincoln (Whitney) | 623614 | -\$95,318

690236-100019 (New funding) | Alton-Darby Rd. W.L. | 623619 | -\$278,797.23

690236-100028 (New funding) | Project #5 W.M. Repl. | 623628 | -\$19,752.59

690379-100000 (New funding) | DRWP Disinfection Imp's | 609379 | -\$0.34

690395-100000 (New funding) | Valve Renewal Prgm. | 609395 | -\$342,618.00

690473-100003 (New funding) | Smoky Row Booster Sta. | 694733 | -\$0.39
 690474-100000 (New funding) | Morse Rd. 36" W.M. | 609474 | -\$1.29
 690509-100000 (New funding) | Asset Mgmt. Program | 609509 | +\$736,487.84

SECTION 6. That for the purpose of paying the cost of the Asset Management Phase II professional engineering services agreement, the expenditure of \$950,000.00 or as much thereof as may be needed, is hereby authorized from the Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668 | Division 60-05 | Project No. 650728-100000 | OCA Code 668728 | Object Level Three 6676.

SECTION 7. That for the purpose of paying the cost of the Asset Management Phase II professional engineering services agreement, the expenditure of \$950,000.00 or as much thereof as may be needed, is hereby authorized from Division 60-09, Object Level Three 6676, as follows:

<u>Fund No.</u>	<u>Project No.</u>	<u>OCA</u>
606	690509-100000 (Carryover)	\$213,512.16
609	690509-100000 (New funding)	<u>\$736,487.84</u>
		\$950,000.00

SECTION 8. That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows,

<u>Fund No.</u>	<u>Proj. No.</u>	<u>Proj. Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>Change</u>
668	650360-100001	WWTF Upgrade General Program	\$4,388,000	\$3,438,000	-\$950,000
668	650728-100000	Asset Management Phase II	\$0	\$950,000	+\$950,000

SECTION 9. That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows,

<u>Fund No.</u>	<u>Proj. No.</u>	<u>Proj. Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>Change</u>
606	690236-100000 (carryover)	Water Main Rehab.	\$999,938	\$1,066,546	+\$66,608 (give authority to cancellation)
606	690236-100000 (carryover)	Water Main Rehab.	\$1,066,546	\$999,938	-\$66,608
606	690394-100000 (carryover)	Water Meter Renewal	\$2,070	\$0	-\$2,070
606	690474-100000 (carryover)	Morse Rd. 36" W.M.	\$0	\$144,836	+\$144,836 (give authority to cancellation)
606	690474-100000 (carryover)	Morse Rd. 36" W.M.	\$144,836	\$0	-\$144,836
606	690509-100000 (carryover)	Asset Mgmt. Program	\$0	\$213,514	+\$213,514
609	690236-100014 (New funding)	Mt. Vernon/King Lincoln (Whitney)	\$95,318	\$0	-\$95,318
609	690236-100019 (New funding)	Alton-Darby Rd. W.L.	\$410,000	\$131,202	-\$278,798
609	690236-100028 (New funding)	Project #5 W.M. Repl.	\$200,000	\$180,247	-\$19,753
609	690379-100000 (New funding)	DRWP Disinfection Imp's	\$1	\$0	-\$1
609	690395-100000 (New funding)	Valve Renewal Prgm.	\$1,990,000	\$1,647,382	-\$342,618
609	690473-100003 (New funding)	Smoky Row Booster Sta.	\$1	\$0	-\$1
609	690474-100000 (New funding)	Morse Rd. 36" W.M.	\$2	\$0	-\$2
609	690509-100000 (New funding)	Asset Mgmt. Program	\$0	\$736,491	+\$736,491

SECTION 10. That the City Auditor is hereby authorized to transfer any unencumbered balance in the project account to the unallocated balance 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 made from a project by monies from more than one source.

SECTION 11. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 12. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 13. That the said firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrators of the Divisions of Sewerage and Drainage and Power and Water.

SECTION 14. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0294-2010

Drafting Date: 02/09/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

REZONING APPLICATION # Z08-043

APPLICANT: The Preserve at Albany Woods LLC; c/o Daniel H. Schoedinger and Jill S. Tangeman, Attys.; 52 East Gay Street; Columbus, Ohio 43215.

PROPOSED USE: Single and multi-family residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on January 14, 2010.

NORTH EASTAREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 122.67± acre site was originally rezoned in the PUD-8, Planned Unit Development District as Sub-Area 3E of a 290± acre rezoning in 1997 (Z97-127). In 2003, a portion of the site was zoned to PUD-8, Planned Unit Development District for single-family residential development (Z03-021). The site is currently developed with two multi-family residential developments with 472 and 464 units each, a single-family development that allows 130 units, and a City park which collectively have exceeded the permitted density under the current PUD-8 District. The applicant requests the L-AR-12, Limited Apartment Residential, and PUD-4, and PUD-8, Planned Unit Development Districts. The intent of the rezoning is to allow a 15.29± acre portion of the site, which is undeveloped and currently zoned for single-family dwellings, to be developed with 208 multi-family dwellings, an increase of 100 units over the entire 122.67± acre site, while correcting the density issue to reflect the development that is already in place. The proposal would permit 1,188 single and multi-family dwelling units on 122.67± acres with 20± acres of open space and total gross density of 9.85± units per acre. The site is located within the boundaries of *The Northeast Area Plan* (2007), which recommends high and low density residential and park uses for the site. Since this rezoning is for an overall increase of 100 units for a total of 1,188 dwelling units on land that was originally zoned for 1,310 dwelling units by Z97-127, Staff believes that the increase is negligible and the request meets the intent of the Plan recommendations. The PUD notes and limitation text provide appropriate development standards to ensure compatibility with the surrounding residential developments. The requested increase in density can be supported with the proposed landscaping and screening between the single-family and new multi-family Sub-Areas, and the increase in amenities for a dog park and community garden with a gazebo. The request is consistent with the zoning and development patterns of the area.

Title

To rezone **3614 LIFESTYLE BOULEVARD (43219)**, being 122.67± acres located on the north side of Lifestyle Boulevard, 650± feet west of Stelzer Road, **From:** PUD-8, Planned Unit Development District, **To:** L-AR-12, Limited Apartment Residential, and PUD-4, and PUD-8, Planned Unit Development Districts (Rezoning # Z08-043).

Body

WHEREAS, application #Z08-043 is on file with the Building Services Division of the Department of Development requesting rezoning of 43.73± acres from PUD-8, Planned Unit Development District, to L-AR-12, Limited Apartment Residential, and PUD-4, and PUD-8, Planned Unit Development Districts; and

WHEREAS, the Columbus Public Health Healthy Places program reviews applications for active living features, and

recognizes that this development includes a walking path to increase the pedestrian environment and centrally located bike racks at community spaces; and

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

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

WHEREAS, the City Departments recommend approval of said zoning change because Staff believes that the increase in density is negligible and the request meets the intent of the Plan recommendations. The requested L-AR-12, Limited Apartment Residential, and PUD-4, and PUD-8, Planned Unit Development Districts would permit 1,188 single and multi-family dwelling units on 122.67± acres with 20± acres of open space and total gross density of 9.85± units per acre. The site is located within the boundaries of *The Northeast Area Plan* (2007), which recommends high and low density residential and park uses for the site. This rezoning is for an overall increase of 100 units for a total of 1,188 dwelling units on land that was originally rezoned for 1,310 dwelling units by Z97-127. The PUD notes and limitation text provide appropriate development standards to ensure compatibility with the surrounding residential developments. The requested increase in density can be supported with the proposed landscaping and screening between the single-family and new multi-family Sub-Areas, and the increase in amenities for a dog park and community garden with a gazebo. The request is consistent with the 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:

3614 LIFESTYLE BOULEVARD (43219), being 122.67± acres located on the north side of Lifestyle Boulevard, and being more particularly described as follows:

**SUB-AREA 1
41.603± ACRES**

SITUATED IN THE State of Ohio, COUNTY OF FRANKLIN, CITY OF COLUMBUS, being located in QUARTER TOWNSHIP 2, TOWNSHIP 1, RANGE 17, UNITED STATES MILITARY LANDS AND BEING ALL OF THOSE 37.399 AND 4.204 ACRE TRACTS AS CONVEYED TO RESIDENCES AT TOWNE CENTER ASSOCIATES, LTD. BY DEED OF RECORD IN Instrument Number 199812310337461, (ALL REFERENCES BEING TO RECORDS OF THE Recorder's Office, Franklin County, Ohio) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A P.K. NAIL SET IN THE CENTERLINE OF STELZER ROAD AT THE SOUTHEASTERLY CORNER OF THAT TRACT AS CONVEYED TO ABBOTT LABORATORIES BY DEED OF RECORD IN Instrument Number 199707080042060, SAID P.K. NAIL BEING SOUTH 03° 52' 47" WEST, A DISTANCE OF 462.22 FEET FROM F.C.G.S. MONUMENT NUMBER 8858;
THENCE SOUTH 03° 52' 47" WEST, BEING ALONG SAID CENTERLINE, A DISTANCE OF 528.12 FEET TO A P.K. NAIL SET AT THE NORTHEASTERLY CORNER OF THAT TRACT AS CONVEYED TO THOMAS K. MURRAY BY DEED OF RECORD IN Instrument Number 199911030277180, SAID P.K. NAIL BEING NORTH 03° 52' 47" EAST, A DISTANCE OF 557.73 FEET FROM F.C.G.S. MONUMENT NUMBER 6621;
THENCE NORTH 86° 32' 04" WEST, BEING ALONG THE NORTHERLY LINE OF SAID MURRAY TRACT, A DISTANCE OF 374.26 FEET TO AN IRON PIN SET AT THE NORTHWESTERLY CORNER OF SAID MURRAY TRACT;
THENCE SOUTH 03° 46' 47" WEST, BEING ALONG THE WESTERLY LINE OF SAID MURRAY TRACT, AND ALSO A PORTION OF THE WESTERLY LINE OF THAT TRACT AS CONVEYED TO RESIDENCES AT TOWNE CENTER ASSOCIATION, LTD. BY DEED OF RECORD IN Instrument Number 199908100203853, A DISTANCE OF 170.55 FEET TO AN IRON PIN SET AT A NORTHEASTERLY CORNER OF THAT 6.914 ACRE TRACT AS CONVEYED TO RESIDENCES AT TOWNE CENTER ASSOCIATION, LTD. BY DEED OF RECORD IN Instrument Number 199902260048933;
THENCE ALONG THE PERIMETER OF SAID 6.914 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES: THENCE NORTH 86° 25' 16" WEST, A DISTANCE OF 280.00 FEET TO AN IRON PIN SET;

SOUTH 03° 34' 44" WEST, A DISTANCE OF 434.36 FEET TO AN IRON PIN SET ON THE ARC OF A CURVE TO THE RIGHT; AND
SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE (DELTA = 24° 15' 29", RADIUS = 370.00 FEET), A CHORD BEARING AND DISTANCE OF SOUTH 81° 26' 59" WEST, 155.48 FEET TO AN IRON PIN SET AT A POINT OF TANGENCY;
THENCE NORTH 86° 25' 16" WEST, CONTINUING ALONG SAID 6.914 ACRE TRACT AND ALONG AN EASTERLY LINE OF THAT TRACT AS CONVEYED TO SYNERGY CAPITAL COMPANY, LTD. BY DEED OF RECORD IN Instrument Number 199905140123044, A DISTANCE OF 566.99 FEET TO AN IRON PIN SET;
THENCE ALONG THE PERIMETER OF SAID SYNERGY TRACT, THE FOLLOWING COURSES AND DISTANCES: NORTH 03° 34' 44" EAST, A DISTANCE OF 94.67 FEET TO AN IRON PIN SET; NORTH 86° 25' 16" WEST, A DISTANCE OF 207.00 FEET TO AN IRON PIN SET; NORTH 03° 34' 44" EAST, A DISTANCE OF 884.56 FEET TO AN IRON PIN SET; SOUTH 86° 25' 16" EAST, A DISTANCE OF 207.00 FEET TO AN IRON PIN SET; AND NORTH 03° 34' 44" EAST, A DISTANCE OF 243.90 FEET TO AN IRON PIN SET;
THENCE SOUTH 85° 47' 34" EAST, CONTINUING ALONG SAID SYNERGY TRACT AND ALONG THE SOUTHERLY LINE OF LOTS 1197 THROUGH 1199 OF THAT SUBDIVISION ENTITLED "SOMERSET 4" OF RECORD IN Plat Book 37, Page 98 THROUGH 101 (PASSING AN IRON PIN FOUND AT 116.56 FEET), A DISTANCE OF 406.56 FEET TO AN IRON PIN FOUND AT THE SOUTHEASTERLY CORNER OF SAID LOT 1197;
THENCE NORTH 04° 12' 26" EAST, BEING ALONG THE EASTERLY LINE OF LOTS 1192 THROUGH 1197 OF SAID SUBDIVISION, A DISTANCE OF 392.00 FEET TO AN IRON PIN FOUND AT THE SOUTHWESTERLY CORNER OF LOT 1189 OF SAID SUBDIVISION;
THENCE NORTH 50° 34' 36" EAST, BEING ALONG THE SOUTHEASTERLY LINE OF LOTS 1187 THROUGH 1189 OF SAID SUBDIVISION, A DISTANCE OF 380.09 FEET TO AN IRON PIN found AT THE SOUTHWESTERLY CORNER OF LOT 958 OF SAID SUBDIVISION;
THENCE SOUTH 85° 47' 34" EAST, BEING ALONG THE SOUTHERLY LINE OF LOTS 957 AND 958 OF SAID SUBDIVISION, A DISTANCE OF 135.00 FEET TO AN IRON PIN SET IN THE WESTERLY RIGHT-OF-WAY LINE OF LANGDON ROAD, BEING THE SOUTHEASTERLY CORNER OF SAID LOT 957;
THENCE SOUTH 78° 49' 16" EAST, A DISTANCE OF 50.38 FEET TO AN IRON PIN SET IN THE EASTERLY RIGHT-OF-WAY LINE OF SAID LANGDON ROAD, BEING THE SOUTHWESTERLY CORNER OF LOT 956 OF SAID SUBDIVISION;
THENCE SOUTH 86° 29' 04" EAST, BEING ALONG THE SOUTHERLY LINE OF LOTS 955 AND 956 OF SAID SUBDIVISION, A DISTANCE OF 119.25 FEET TO AN IRON PIN FOUND AT THE NORTHWESTERLY CORNER OF THAT TRACT AS CONVEYED TO GEORGE JR. AND JOANN DIXON BY DEED OF RECORD IN Deed Book 3377, Page 204;
THENCE SOUTH 03° 06' 49" WEST, BEING ALONG THE WESTERLY LINE OF SAID DIXON TRACT, AND ALSO THE WESTERLY LINE OF THOSE TRACT AS CONVEYED TO ABBOTT LABORATORIES BY DEEDS OF RECORD IN Official Record 30898 f13, Official Record 31764 d06, Official Record 30709 g16, Instrument Number 199707080042060 AND Instrument Number 199811250304422, A DISTANCE OF 695.53 FEET TO AN IRON PIN SET AT THE SOUTHWESTERLY CORNER OF SAID ABBOTT LABORATORIES TRACT (Instrument Number 199707080042060);
THENCE SOUTH 86° 25' 48" EAST, BEING ALONG THE SOUTHERLY LINE OF SAID ABBOTT LABORATORIES TRACT, A DISTANCE OF 378.00 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING 41.603 ACRES OF LAND, MORE OR LESS.
BEARINGS ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM AS PER NAD83. CONTROL FOR BEARINGS WAS FROM COORDINATES OF MONUMENTS 6621 AND 8858, HAVING A BEARING OF NORTH 03° 52' 47" EAST, ESTABLISHED BY THE FRANKLIN COUNTY ENGINEERING DEPARTMENT, USING GLOBAL POSITIONING SYSTEM PROCEDURES AND EQUIPMENT.

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

To: L-AR-12, Limited Apartment Residential District.

SUB-AREA 2

39.85± ACRES

Tract I

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 2, Township 2, Range 17, United States Military Lands, containing 8.731 acres of land, more or less, said 8.731 acres being part of that 32.850 acre tract of land described in Exhibit "A" in the deed to Triangle Properties, Inc., of record in Instrument No. 200109210218537, Recorder's Office, Franklin County, Ohio, said 8.731 acres being more particularly described as follows:

Beginning, for reference, at an iron pin found at the northeasterly corner of said 32.850 acre tract, the same being the northwesterly corner of Lot 982, as the same is numbered and delineated upon the recorded plat of Somerset No. 4, of record in Plat Book 37, Pages 98, 99, 100 and 101, said reference point of beginning also being in a southerly line of that 10.004 acre tract of land designated as Albany Club Condominiums First Amendment, of record in Condominium Plat Book 89, Page 1, both being of record in Recorder's Office, Franklin County, Ohio; thence, westwardly, with the northerly boundary of said 32.850 acre tract and with the southerly boundary of said 10.004 acre tract, the following three (3) courses and distances: 1.) N85°47'34"W, a distance of 137.15 feet to a point; 2.) S22°50'21"W, a distance of 93.33 feet to a point; 3.) S83°26'38"W, a distance of 272.66 feet to a 3/4-inch (I.D.) iron pipe set at the true point of beginning;

Thence, from said true point of beginning, S3°38'57"W, a distance of 322.66 feet to a 3/4-inch (I.D.) iron pipe set;

Thence S18°47'13"W, a distance of 387.99 feet to a 3/4-inch (I.D.) iron pipe set;

Thence N86°21'03"W, a distance of 511.01 feet to a 3/4-inch (I.D.) iron pipe set;

Thence N3°38'57"E, a distance of 406.13 feet to a 3/4-inch (I.D.) iron pipe set;

Thence S86°21'03"E, a distance of 88.44 feet to a 3/4-inch (I.D.) iron pipe set;

Thence N3°38'57"E, a distance of 92.18 feet to a 3/4-inch (I.D.) iron pipe set;

Thence N17°27'56"W, a distance of 57.38 feet to an iron pin found at an angle point in the northerly boundary of said 32.850 acre tract, the same being an angle point in the southerly boundary of Somerset No. 1, a subdivision of record in Plat Book 37, Pages 88 - 91, Recorder's Office, Franklin County, Ohio;

Thence N38°31'23"E, with the northerly boundary of said 32.850 acre tract and with the southerly boundary of said Somerset No. 1, a distance of 227.12 feet to an iron pin found at an angle point in the northerly boundary of said 32.850 acre tract, the same being an angle point in the southerly boundary of said 10.004 acre tract;

Thence, with the northerly boundary of said 32.850 acre tract and with the southerly boundary of said 10.004 acre tract, the following (2) two courses and distances:

1. S74°06'22"E, a distance of 298.02 feet to an iron pin found;

2. N83°26'38"E, a distance of 125.44 feet to the true point of beginning and containing 8.731 acres of land, more or less.

Subject to all rights-of-way, easements and restrictions, if any, of previous record.

We hereby state that the foregoing information was obtained from an actual field survey conducted by Bauer, Davidson & Merchant, Inc. in July of 2002.

Tract II

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 2, Township 2, Range 17, United States Military Lands, containing 24.119 acres of land, more or less, said 24.119 acres being part of that 32.850 acre tract of land described in Exhibit "A" in the deed to Triangle Properties, Inc., of record in Instrument No. 200109210218537, Recorder's Office, Franklin County, Ohio, said 24.119 acres being more particularly described as follows:

Beginning at an iron pin found at the northeasterly corner of said 32.850 acre tract, the same being the northwesterly corner of Lot 982, as the same is numbered and delineated upon the recorded plat of Somerset No. 4, of record in Plat Book 37, Pages 98, 99, 100 and 101, said reference point of beginning also being in a southerly line of that 10.004 acre tract of land designated as Albany Club Condominiums First Amendment, of record in Condominium Plat Book 98, Page 1, both being of record in Recorder's Office, Franklin County, Ohio;

Thence, southwardly, with the easterly boundary of said 32.850 acre tract and with the westerly boundary of said Somerset No. 4 Subdivision, the following five courses and distances:

1.) S4°12'26"W, a distance of 120.00 feet to an iron pin found in the northerly right-of-way line of Glenbar Drive;

2.) N85°47'34"W, a distance of 24.51 feet to an iron pin found;

3.) S4°12'26"W, a distance of 170.00 feet to an iron pin found;

4.) N85°47'34"W, a distance of 45.00 feet to an iron pin found;

5.) S4°12'26"W, a distance of 474.43 feet to an iron pin found at a southeasterly corner of said 32.850 acre tract, the same being the southwest corner of said Somerset No. 4 Subdivision, said iron pin being in a northerly line of that tract of

land as conveyed to Residences at Towne Center by deed of record in Instrument No. 199902260048933, Recorder's Office, Franklin County, Ohio;

Thence southwestwardly, with the easterly and southerly boundary of said 32.850 acre tract and with the northerly and westerly boundary of said Residences at Towne Center tract, the following four (4) courses and distances:

- 1.) N85°47'34"W, a distance of 116.56 feet to an iron pin found;
- 2.) S3°34'44"W, a distance of 243.90 feet to an iron pin found;
- 3.) N86°25'16"W, a distance of 207.00 feet to an iron pin found;
- 4.) S3°34'44"W, a distance of 74.16 feet to an iron pin found at a southeasterly corner of said 32.850 acre tract, the same being the northeasterly corner of that 29.359 acre tract of land described in Exhibit A in the deed to Triangle Properties, Inc., of record in Instrument No. 200109210218541, Recorder's Office, Franklin County, Ohio;

Thence, southwestwardly and westwardly, with the southeasterly and southerly boundary of said 32.850 acre tract and with the northwesterly and northerly boundary of said 29.359 acre tract, the following two (2) courses and distances;

- 1.) S76°57'42"W, a distance of 270.23 feet to an iron pin found;
- 2.) N86°11'35"W, a distance of 999.69 feet to an iron pin found at the southwestery corner of said 32.850 acre tract, the same being the northwesterly corner of said 29.539 acre tract, said iron pin also being in the easterly line of that 20.00 acre tract of land conveyed to the City of Columbus by deed of record in Instrument No. 199906040143056, Recorder's Office, Franklin County, Ohio.

Thence N3°52'41"E, with the westernmost line of said 32.850 acre tract and with the easterly line of said 20.00 acre tract, a distance of 591.74 feet to an iron pin found at a northwesterly corner of said 32.850 acre tract, the same being the northeasterly corner of said 20.00 acre tract,

Thence S85°47'34"E, with a northerly line of said 32.850 acre tract, a distance of 97.30 feet to an iron pin found at an internal corner of said 32.850 acre tract;

Thence N4°12'26"E, with a westerly line of said 32.850 acre tract, a distance of 120.00 feet to an iron pin found at an angle point in the westerly boundary of said 32.850 acre tract;

Thence N29°49'38"E, with a northwesterly line of said 32.850 acre tract, a distance of 55.58 feet to an iron pin found at an angle point in the westerly boundary of said 32.850 acre tract;

Thence N4°12'26"E, with a westerly line of said 32.851 acre tract, a distance of 120.00 feet to an iron pin found at a northwesterly corner of said 32.850 acre tract in the southerly line of Lot 361 as the same is numbered and delineated upon the recorded plat of Somerset No. 1, of record in Plat Book 37, Pages 88, 89, 90 and 91, Recorder's Office, Franklin County, Ohio;

Thence S85°47'34"E, with a northerly line of said 32.850 acre tract and with a southerly line of said Somerset No. 1, a distance of 551.44 feet to an iron pin found at an angle point in the northwesterly boundary of said 32.850 acre tract, the same being an angle point in the southeasterly boundary of Lot 353 of said Somerset No. 1, said iron pin also being an angle point in the westerly boundary of that 8.731 acre tract of land designed as Albany Club Condominiums Third Amendment, of record in Condominium Plat Book 107, Page 1, Recorder's Office, Franklin County, Ohio;

Thence in a counterclockwise manner with the boundary of said 8.731 acre tract, the following seven (7) courses and distances:

- 1.) S17°27'56"E, a distance of 57.38 feet to a ¾-inch (I.D.) iron pipe found;
- 2.) S3°38'57"W, a distance of 98.18 feet to a ¾-inch (I.D.) iron pipe found;
- 3.) N86°21'03"W, a distance of 88.44 feet to a ¾-inch (I.D.) iron pipe found;
- 4.) S3°38'57"W, a distance of 406.13 feet to a ¾-inch (I.D.) iron pipe found;
- 5.) S86°21'03"E, a distance of 511.01 feet to a ¾-inch (I.D.) iron pipe found;
- 6.) N18°47'13"E, a distance of 387.99 feet to a ¾-inch (I.D.) iron pipe found;
- 7.) N3°38'57"E, a distance of 322.66 feet to a ¾-inch (I.D.) iron pipe found at the northeasterly line of said 8.731 acre tract in a northerly line of said 32.850 acre tract, the same being in the southerly line of said 10.004 acre tract;

Thence eastwardly, with the northerly boundary of said 32.850 acre tract and with the southerly boundary of said 10.004 acre tract, the following three (3) courses and distances:

- 1.) N83°26'38"E, a distance of 272.66 feet to a ¾-inch (I.D.) iron pipe found;
- 2.) N22°50'21"E, a distance of 93.33 feet to a ¾-inch (I.D.) iron pipe found;
- 3.) S85°47'34"E, a distance of 137.15 feet to the point of beginning and containing 24.119 acres of land, more or less.

Subject to all rights-of-way, easements and restrictions, if any, of previous record.

We hereby state that the foregoing information was obtained from an actual field survey conducted by Bauer, Davidson & Merchant, Inc. in July of 2002.

The bearings shown on this map are based on the bearing of S03°57'06"W as given for the centerline of Stelzer Road,

based on the coordinates established for monuments 7778 and 8858, by the Franklin County Engineering Department.

Tract III

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 2, Township 1, Range 17, United States Military Lands, being part of that tract of land conveyed to City of Columbus, Ohio by deed of record in Instrument Number 199906040143056 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at the centerline intersection of Ash Hill Way with Ashley Meadow Drive as shown on "Preserve at Albany Woods Section 1" of record in Plat Book 105, Pages 37 to 39;

thence South 03° 52' 41" West, with the centerline of said Ashley Meadow Drive, a distance of 172.00 feet to a point, being the southerly terminus of said Ashley Meadow Drive, the northerly line of that tract conveyed to Agler Green Limited Partnership by deed of record in Instrument Number 200204010081623;

thence North 86° 07' 19" West, with said southerly terminus and the southerly line of Lot 31 of said "Preserve at Albany Woods Section 1", said northerly line, a distance of 141.00 feet to the southeasterly corner of said City of Columbus, Ohio tract;

thence North 03° 52' 41" East, with the easterly line of said City of Columbus, Ohio tract, the westerly line of said "Preserve at Albany Woods Section 1", the westerly line of that tract conveyed to The Preserve at Albany Woods, LLC by deed of record in Instrument Number 200406290150423 and partly with the westerly line Albany Club Condominiums Forth Amendment of record in Condominium Plat Book 110, Page 24, a distance of 922.66 feet to the TRUE POINT OF BEGINNING;

thence North 85° 47' 34" West, across said City of Columbus, Ohio tract, a distance of 585.66 feet to a point in the easterly right-of-way line of Gatewood Road of record in Plat Book 37, Pages 88 to 91;

thence North 04° 12' 26" East, with said easterly right-of-way line, a distance of 521.98 feet to the southwesterly corner of Lot 367 of "Somerset Section 1" of record in Plat Book 37, Pages 88 to 91,

thence South 85° 47' 34" East, with the southerly line of Lots 367 to 373 of said "Somerset Section 1", and the southerly line of that tract conveyed to Synergy Capital Company, LTD. by deed of record in Instrument Number 199905140123044, a distance of 582.66 feet to the northwesterly corner of said Albany Club Condominiums Forth Amendment;

thence South 03° 52' 41" West, with the westerly line of said Albany Club Condominiums Forth Amendment, a distance of 521.99 feet to the TRUE POINT OF BEGINNING, containing 7.0 acres, more or less.

This description was prepared from record information only and should be used for zoning purposes only.

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

To: L-AR-12, Limited Apartment Residential District.

SUB-AREA 3

13.2± ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 2, Township 1, Range 17, United States Military Lands, being part of Reserve "A", all of Reserves "B", "C" and "D", part of Reserve "E" and all of lots 1-44 of "Preserve at Albany Woods Section 1" a subdivision of record in Plat Book 105, Pages 37 to 39 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at the centerline intersection of Ash Hill Way ,with Ashley Meadow Drive as shown on said "Preserve at Albany Woods Section 1";

Thence North 03° 52' 41" East, with the centerline of said Ashley Meadow Drive, a distance of 109.00 feet to a point;

Thence South 86° 07' 19" East, across the right-of-way of said Ashley Meadow Drive, a distance of 26.00 feet to a point in an easterly right-of-way line of said Ashley Meadow Drive, at the northwesterly corner of said Reserve "C", at the southwesterly corner of lot 83 of said "Preserve at Albany Woods Section 1", being the TRUE POINT OF BEGINNING;

Thence South 86° 07' 19" East, with the northerly line of said Reserve "C", the southerly lines of lots 66-83 of said "Preserve at Albany Woods Section 1", across Round Rock Drive and said Reserve "A", a distance of 1094.64 feet to a point on an easterly line of said Reserve "A", and the westerly line of a tract conveyed to Residences at Towne Center Holdings, Ltd by deed of record in Instrument Number 200102090027107;

Thence with the perimeter of said "Preserve at Albany Woods Section 1", the following courses and distances:

South 03° 34' 44" West, a distance of 158.60 feet, to a point;

South 86° 25' 16" East, a distance of 207.00 feet, to a point;
South 03° 34' 44" West, a distance of 94.67 feet, to a point;
With a curve to the right, having a central angle of 36° 52' 12", a radius of 50.00 feet, an arc length of 32.18 feet, and a chord that bears North 67° 59' 10" West, a chord distance of 31.62 feet, to a point of reverse curvature;
With said curve to the left, having a central angle of 36° 52' 12", a radius of 50.00 feet, an arc length of 32.18 feet, and a chord that bears North 67° 59' 10" West, a chord distance of 31.62 feet, to a point of tangency;
North 86° 25' 16" West, a distance of 58.04 feet to a point;
South 03° 34' 44" West, a distance of 100.00 feet, to a point;
North 86° 25' 16" West, a distance of 47.11 feet, to a point;
South 43° 35' 27" West, a distance of 376.29 feet, to a point;
North 57° 10' 35" West, a distance of 208.82 feet to a point of curvature;
With said curve to the right, having a central angle of 43° 26' 27", a radius of 420.00 feet, an arc length of 318.44 feet, and a chord that bears North 35° 27' 22" West, a chord distance of 310.87 feet, to a point;
North 86° 07' 19" West, a distance of 685.02 feet, to a point;
North 03° 52' 41" East, a distance of 676.00 feet, to a point;
Thence South 85° 53' 05" East, with the northerly line of said lot 44 and across said Ashley Meadow Drive, a distance of 155.65 feet, to a point;
Thence South 41° 07' 19" East, with the northerly terminus of said Ashley Meadow Drive, a distance of 26.00 feet, to a point in the easterly right-of-way line of Ashley Meadow Drive;
Thence with a curve to the left, having a central angle of 45° 00' 00", a radius of 24.00 feet, an arc length of 18.85 feet, and a chord that bears South 26° 22' 41" West, a chord distance of 18.37 feet, with the easterly right-of-way line of said Ashley Meadow Drive, to a point of tangency;
Thence South 03° 52' 41" West, with the easterly right-of-way line of said Ashley Meadow Drive, a distance of 359.00 feet to the TRUE POINT OF BEGINNING and containing 13.2 acres, more or less.
This description was prepared from record information only and should be used for zoning purposes only.

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

To: PUD-4, Planned Unit Development District.

SUB-AREA 4
28± ACRES

Tract I

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 2, Township 1, Range 17, United States Military Lands, being part of "Preserve at Albany Woods Section 1" of record in Plat Book 105, Pages 37 to 39 and that tract as conveyed to The Preserve at Albany Woods LLC by deed of record in Instrument Number 200406290150423 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at the centerline intersection of Ash Hill Way, with Ashley Meadow Drive as shown on said "Preserve at Albany Woods Section 1";
thence North 03° 52' 41" East, with the centerline of said Ashley Meadow Drive, a distance of 109.00 feet to a point;
thence South 86° 07' 19" East, across the right-of-way of said Ashley Meadow Drive, a distance of 26.00 feet to a point in an easterly right-of-way line of said Ashley Meadow Drive, being the TRUE POINT OF BEGINNING;
thence North 03° 52' 41" East, with an easterly line of said Ashley Meadow Drive, a distance of 359.00 feet to point on the arc of a curve to the right;
thence continuing with said easterly right-of-way line, with the arc of said curve, having a central angle of 45° 00' 00", a radius of 24.00 feet, an arc length of 18.85 feet, a chord bearing and distance of North 26° 22' 41" East, 18.37 feet to a point;
thence North 41° 07' 19" West, with the northerly terminus of said Ashley Meadow Drive, a distance of 26.00 feet to a point;
thence North 85° 53' 05" West, with said northerly terminus, and with the northerly line of Lot 44 of said "Preserve at

Albany Woods Section 1" a distance of 155.65 feet to a point in an easterly line of that tract conveyed to City of Columbus, Ohio by deed of record in Instrument Number 199906040143056;
thence North 03° 52' 41" East, with a line common to said The Preserve at Albany Woods LLC and City of Columbus, Ohio tracts, a distance of 176.91 feet to a southwesterly corner of said Albany Club Condominiums Fourth Amendment; thence South 86° 11' 35" East, with the southerly line of said Albany Club Condominiums Fourth Amendment, a distance of 999.69 feet to a point;
thence North 76° 57' 42" East continuing with said southerly line, a distance of 270.23 feet to a southeasterly corner of "Albany Club Condominiums Fourth Amendment" of record in Condominium Plat Book 110, Page 24, a westerly line of Residences at Towne Center Holdings Ltd by deed of record in Instrument Number 200102090027107;
thence South 03° 34' 44" West, with a line common to said The Preserve at Albany Woods LLC and Residences at Towne Center Holdings Ltd tracts, a distance of 651.80 feet to a point;
thence North 86° 07' 19" West, across said "Preserve at Albany Woods Section 1" a distance of 1094.64 feet to the TRUE POINT OF BEGINNING;

This description was prepared from record information only and should be used for zoning purposes only.

Break 1 Tract II

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 2, Township 1, Range 17, United States Military Lands, being part of that tract of land conveyed to City of Columbus, Ohio by deed of record in Instrument Number 199906040143056 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at the centerline intersection of Ash Hill Way with Ashley Meadow Drive as shown on "Preserve at Albany Woods Section 1" of record in Plat Book 105, Pages 37 to 39;

thence South 03° 52' 41" West, with the centerline of said Ashley Meadow Drive, a distance of 172.00 feet to a point, being the southerly terminus of said Ashley Meadow Drive, the northerly line of that tract conveyed to Agler Green Limited Partnership by deed of record in Instrument Number 200204010081623;

thence North 86° 07' 19" West, with said southerly terminus and the southerly line of Lot 31 of said "Preserve at Albany Woods Section 1", said northerly line, a distance of 141.00 feet to the southeasterly corner of said City of Columbus tract, being the TRUE POINT OF BEGINNING;

thence North 86° 07' 19" West, continuing with said northerly line, a distance of 716.89 feet to a point on the arc of a curve in the easterly right-of-way line of Gatewood Road of record in Plat Book 37, Pages 88 to 91;

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

with the arc of said curve to the right having a central angle of 05° 41' 44", a radius of 600.00 feet, an arc length of 59.64 feet and a chord bearing and distance of North 22° 01' 59" East, 59.62 feet to a point of tangency;

North 24° 52' 51" East, a distance of 213.30 feet to a point of curvature to the left;

With the arc of said curve to the left having a central angle of 20° 40' 25", a radius of 502.62 feet, an arc length of 181.36 feet and a chord bearing and distance of North 14° 32' 39" East, 180.37 feet to a point of tangency;

North 04° 12' 26" East, a distance of 493.00 feet to a point;

thence South 85° 47' 34" East, across said City of Columbus, Ohio tract a distance of 585.66 feet to a point in the westerly line of Albany Club Condominiums Fourth Amendment of record in Condominium Plat Book 110, Page 24;

thence South 03° 52' 41" West, with said westerly line, the westerly line of that tract conveyed to The Preserve at Albany Woods, LLC by deed of record in Instrument Number 200406290150423 and the westerly line of said "Preserve at Albany Woods Section 1", a distance of 922.66 feet to the TRUE POINT OF BEGINNING, containing 13.3 acres, more or less.

This description was prepared from record information only and should be used for zoning purposes only.

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

To: PUD-8, Planned Unit Development District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the PUD-4 and Pud-8, Planned Unit Development and L-AR-12, Limited Apartment Residential 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 copies of the approved PUD-6, Planned Unit Development and L-AR-12, Limited Apartment Residential Districts and Application

among the records of the Building Services Division as required by Sections 3311.09 and 3370.03 of the Columbus City Codes; said plans being titled, "Z08-043 EXHIBITS A-O," and said text being titled, "PLANNED UNIT DEVELOPMENT AND LIMITATION TEXT," all dated January 26, 2010, and signed by Daniel H. Schoedinger, Attorney for the Applicant.

PLANNED UNIT DEVELOPMENT AND LIMITATION TEXT

Application No.: **Z08-043**

Property Address: **3614 Lifestyle Boulevard**

Applicant: **Preserve at Albany Woods, LLC**

Acreage: **122.67 +/-**

Existing Zoning: **PUD-8**

Proposed Zoning: **LAR-12; PUD-4; PUD-8**

Date: **January 26, 2010**

1. Introduction: The subject property was originally zoned as Sub-Area 3E under a 290+/- acre rezoning in 1997 to a PUD-8 for multi-family development. In 2003, a portion of Sub-Area 3E was rezoned to allow for a single family development. The subject property is now developed with two multi-family developments and a single family development, which collectively have more units than are permitted under that PUD-8 zoning. The subject property also includes a 20+/- acre park which was transferred to the City of Columbus (hereinafter referred to as the "Park"). The applicant is seeking to rezone the subject property to use the un-constructed portion of the single family development for a multi-family development. The subject property has been divided into four Sub-Areas so that appropriate zoning categories may be assigned to the existing developments on the subject property and to allow for the proposed new multi-family development. A Sub-Area Plan is attached as Exhibit A.

SUB-AREA 1 (LAR-12) - 41.603 +/- Acres:

- 2. Permitted Uses:** The permitted uses shall be those contained in Section 3333.02 (AR-12) of the Columbus City Code.
- 3. Development Standards:** Unless otherwise indicated in this Text, the applicable development standards are found in Chapter 3333 (AR-12) of the Columbus City Code.

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

1. Maximum number of multi-family dwelling units shall be 472 units.
2. Setback from widened Stelzer Road shall be 160 feet distance from the current centerline of Stelzer Road for all buildings and parking / maneuvering areas except for a reception building (less than 100 sq. ft. in size) which may have a 75 foot setback from Stelzer Road.

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

1. Unless otherwise approved by the Division of Planning and Operations, there shall be only one access point to Stelzer Road.
2. If a public street is constructed east of the Park for single family lots then the multi-family development in Sub-Area 1 shall have no driveway access to said public street except for a driveway which is within 1,000 feet of Stelzer Road.

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

1. Within the setback area along Stelzer Road one tree for every thirty feet of frontage shall be planted.
2. All parking lots adjacent to Stelzer Road shall have headlight screening of minimum thirty (30) inches height parallel to such road frontage as measured from the elevation of the nearest section of the adjacent parking area.
3. Landscaping shall be maintained in a healthy condition and dead material shall be replaced with new landscaping which meets the size requirements contained in this Text within a reasonable time period weather permitting
4. Minimum tree sizes at installation: street trees, 2 inch caliper, ornamental 1 inch caliper and evergreens five feet.

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

1. For those units which are shown on Exhibit H attached hereto, the following restrictions shall apply:
 - a. The structures shall conform to submitted building elevations, attached hereto as Exhibit G. These elevations may be slightly adjusted to reflect final architectural detailing. Any slight adjustment to these elevations shall be reviewed and approved by the Director, Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment. The general building elevations and building materials shall however conform to the building elevations.
 - b. The building layout shall correspond to that shown on Exhibit H to this Text. This plan may be slightly adjusted to reflect engineering, topographical, or other data developed at the time final development and engineering plans are completed. Any slight adjustment to this site plan shall be reviewed and approved by the Director, Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment. The general layout and site concept shall however conform to the site plan (Exhibit H).

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

1. Dumpsters shall be screened on three sides by a solid fence, wall, building and/or landscaping to a minimum height of six (6) feet with the fourth side being a gate.
2. The maximum height of the light poles shall be 18 feet.

F. Graphics and Signage Commitments.

N/A

G. Miscellaneous commitments.

1. The Park shown on Exhibit A hereto has already been transferred to the City of Columbus.
2. A sidewalk shall be installed along the west side of Stelzer Road unless the sidewalk is included in the Stelzer Road improvement plan

SUB-AREA 2 (LAR-12) - 39.85 +/- Acres:

4. **Permitted Uses:** The permitted uses shall be those contained in Section 3333.02 (AR-12) of the Columbus City Code.
5. **Development Standards:** Unless otherwise indicated in this Text, the applicable development standards are found in Chapter 3333 (AR-12) of the Columbus City Code.

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

1. Maximum number of multi-family dwelling units shall be 464.

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

1. Unless otherwise approved by the Division of Planning and Operations, there shall be only one access point to Stelzer Road.
2. There may be a public street connection north of the Park between Sub-Area 3C2 and this Sub-Area 2 only if single family lots are developed east of the Park.

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

1. As shown on Exhibit A hereto, there shall be a 50 foot buffer area adjacent to Lot Numbers 351 through 361 inclusive of the Sommerset Subdivision, Section 1 as the same is numbered and delineated on the recorded plat thereof, of record in the Recorder's Office, Franklin County, Ohio:

- a. All trees in excess of 5" caliper measured at a height of 2 feet above ground, which are located in the 25 northernmost feet of such buffer area shall be preserved.
 - b. For that portion of the 50 foot buffer area adjacent to Lots 357 through 361, inclusive, no underbrush located within the 25 northernmost feet of such buffer area shall be removed.
 - c. For that portion of the 50 foot buffer area adjacent to Lots 356 through 361 inclusive, beginning at a point 5 feet beyond the drip-line of all trees preserved in accordance with subparagraph (a) above, if there are any gaps in the lateral distance between these existing trees, then the developer shall planted white pine evergreens (minimum height of 5 feet at installation) spaced 10 feet apart center-to-center in the gap areas.
 - d. No mounding shall be constructed within this 50 foot buffer area. In the event the developer desires to erect a fence within this area, such fence shall be a cedar wood fence, finished side facing the single family lots within the buffer area 6 feet in height and located along a line which is 25 feet southerly from and parallel to the north and northwest boundary line of the Sub-Area. If installed, the property owner shall maintain the wood fence.
 - e. The 50 foot buffer shall only be required as indicated on the submitted plan for Sub-Area 3E when multi-family uses abut existing single-family lots.
2. The existing trees along the common property line between the Park and this Sub-Area 2 shall be maintained.
 3. Landscaping shall be maintained in a healthy condition and dead material shall be replaced with new landscaping which meets the size requirements contained in the text within a reasonable time period weather permitting
 4. Minimum tree sizes at installation: street trees, 2 inch caliper, ornamental 1 inch caliper and evergreens five feet.

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

1. The building elevations for the sides of the marked buildings as indicated on the Exhibit I attached hereto shall conform to submitted building elevations attached hereto as Exhibit J. These elevations may be slightly adjusted to reflect final architectural detailing. Any slight adjustment to these elevations shall be reviewed and approved by the Director, Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment. For the rest of the buildings the total building elevation area (the sum of all four building sides minus stairways) shall be at least twenty-five percent brick. The maximum height of any building shown on Exhibit I hereto shall not exceed two stories.
2. The building layout shall correspond to that shown on Exhibit I hereto of the submitted plan. This plan may be slightly adjusted to reflect engineering, topographical, or other site data. developed at the time final development and engineering plans are complete. Any slight adjustment to this site plan shall be reviewed and approved by the Director, Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment. The applicant reserves the right to eliminate the garages shown on Exhibit I hereto and replace them with parking spaces.

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

1. Dumpsters shall be screened on three sides by a solid fence, wall, building and/or landscaping to a minimum height of six (6) feet with the fourth side being a gate.
2. The maximum height of the light poles shall be 18 feet.

F. Graphics and Signage Commitments.

N/A

G. Miscellaneous commitments.

1. The Park area shown on Exhibit A hereto has already been transferred to the City of Columbus.
2. The Park shown on Exhibit A hereto shall be included in the calculation of density.

SUB-AREA 3 (PUD-4) - 13.2 +/- Acres (PUD Plan attached as Exhibit B):

6. Permitted Uses:

- A. Single family dwellings on platted lots with frontage on private streets only permitted.
- B. Detention / retention ponds.

7. **Development Standards:** Unless otherwise indicated in this Text, the applicable development standards are found in Chapter 3332 (AR-12) of the Columbus City Code.

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

1. Maximum number of single family dwelling units shall be 44.

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

1. Unless otherwise approved by the Division of Planning and Operations, there shall be only one access point to Lifestyle Boulevard.
2. A 5 foot wide, paved, public sidewalk/bike path system shall be installed from the east side of the Park to connect to the existing path on Lifestyle Boulevard to permit pedestrian travel to Stelzer Road.
3. Subject to the approval of plans by the Division of Planning and Operations, the developer shall install a hammer head turn around at the north end of Ashley Meadow Drive, partially in Sub-Area 3 and partially in Sub-Area 4, substantially as shown on Exhibit M hereto. After completion of construction of that hammer head, the land on which it is constructed shall be conveyed to the Preserve at Albany Woods Homeowners' Association. Inc.

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

1. The developer shall replace the existing 6' wood fence along those property lines of Sub-Area 3 identified as "EXISTING SUB-AREA 3 FENCE" on Exhibit D attached hereto with an Alside Augusta Solid Privacy fence, or a fence of similar material and appearance, approximately eight (8) feet high, which shall include a gate to the Park. The developer shall plant barberry bushes, approximately two (2) feet in height at time of planting, four (4) feet on center on the east and north sides of that replacement fence. Notwithstanding the foregoing, the developer shall not be required to replace the fence or install the bushes on the property of any owner who does not give the developer the right to do so.
2. The developer shall install an Alside Augusta Solid Privacy fence, or a fence of similar materials and appearance,

approximately eight (8) feet high in the location identified as "NEW FENCE" on Exhibit D hereto.

3. There shall be a pedestrian access way between the single family lots and the Park in accordance with the requirements of the Recreation and Parks Department.

4. The developer shall (a) maintain the ponds in Sub-Area 3 that are shown on Exhibit A hereto, (b) maintain, light and irrigate the landscaped entrance feature located in the area identified as "Entry Feature" on Exhibit M hereto, and (c) maintain the fountain in the pond in Sub-Area 3 located at the southwest corner of Round Rock Drive and Ash Hill Way that is shown on Exhibit A hereto.

5. The developer will relocate the existing mailboxes for Sub-Area 3 from the east side of Round Rock Drive to the north side of Ash Hill Way west of Round Rock Drive, install a canopy over those mailboxes and light that mailbox area.

6. The developer will install a curb and a minimum of ten (10) maple trees on the east side of Ashley Meadow Drive in the area identified as "NEW CURB" on Exhibit D hereto and, subject to the approval of plans by the Department of Public Utilities, relocate a catch basin currently located in Sub-Area 4 east of Ashley Meadow Drive to the new curb line on the east side of Ashley Meadow Drive.

7. The developer shall make the repairs to the existing streets in Sub-Area 3 at the locations and in the manner described on the site plan attached hereto as Exhibit E.

8. The developer will plant twenty-five (25) new trees in locations in the more open areas of the tree line on Sub-Area 3 located along the north side of Ash Hill Way as shown on the Central Reserve Tree Replacement Plan as shown on Exhibit O. The trees will be planted during the next recommended planting season for the respective species of trees planted.

9. Around the pond located at the southwest corner of Round Rock Drive and Ash Hill Way, the developer shall install a garden in accordance with Exhibit F attached hereto, a white, covered gazebo eight feet in diameter having substantially the appearance depicted on Exhibit K attached hereto made of Trex or similar white composite material and three (3) trees.

10. The developer shall install a white, 3-rail fence, approximately three (3) feet four (4) inches high, along the line identified as "APARTMENT 3-RAIL FENCE" on Exhibit D hereto.

11. Landscaping shall be maintained in a healthy condition and dead material shall be replaced with new landscaping which meets the size requirements contained in the text within a reasonable time period weather permitting.

12. Minimum tree sizes at installation: street trees, 2 inch caliper, ornamental 1 inch caliper and evergreens five feet.

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

N/A

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

1. Dumpsters shall be screened on three sides by a solid fence, wall, building and/or landscaping to a minimum height of six (6) feet with the fourth side being a solid gate.

2. The maximum height of the light poles shall be 18 feet.

F. Graphics and Signage Commitments.

N/A

G. Miscellaneous Requirement.

1. Slight adjustments to the hammer head turn around shown on Exhibit M, the fence replacement areas, new fence location, new curb area and 3-rail fence location shown on Exhibit D, the street repairs described on Exhibit E, the tree

locations shown on Exhibit O, the garden shown on Exhibit F and the appearance of the gazebo shown on Exhibit K shall be permitted to accommodate actual field conditions and availability of materials, subject to review and approval by the Director, Department of Development or his designee after submission of the appropriate information regarding the proposed adjustment. However, no such adjustment shall be approved which deviates from the general layout, general site concept, general scope of improvements and general appearance shown on the applicable Exhibit.

SUB-AREA 4 (PUD-8) - 28 +/- Acres (PUD Plan attached as Exhibit C):

8. Permitted Uses:

1. The permitted uses shall be those contained in Section 3333.02 (AR-12) of the Columbus City Code, except that rooftop communication devices shall be prohibited.
2. Detention/retention ponds.

9. **Development Standards:** Unless otherwise indicated in the text, the applicable development standards are found in Chapter 3333 (AR-12) of the Columbus City Code.

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

1. Maximum number of multi-family dwelling units shall be 208 with frontage on private streets only permitted.
2. The building and parking setbacks shall be as shown on Exhibit C hereto.

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

1. Subject to the approval of plans by the Division of Planning and Operations, the developer shall install a hammer head turn around at the north end of Ashley Meadow Drive, partially in Sub-Area 3 and partially in Sub-Area 4, substantially as shown on Exhibit M hereto. After completion of construction of that hammer head, the land on which it is constructed shall be conveyed to the Preserve at Albany Woods Homeowners' Association, Inc.

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

1. The developer shall replace the existing 6' wood fence along the portion of the common property line between the Park and the remainder of Sub-Area 4 that is designated as "EXISTING SUB-AREA 4 FENCE" on Exhibit D hereto with an Alside Augusta Solid Privacy fence, or a fence of similar material and appearance, approximately eight (8) feet high and install a continuation of the same fence north to the north property line of Sub-Area 4. The developer shall plant barberry bushes, approximately two (2) feet high at time of planting, four (4) feet on center on the east side of that replacement and continuation fence.
2. Landscaping shall be maintained in a healthy condition, and dead material shall be replaced with new landscaping which meets the size requirements contained in the text within three months weather permitting.
3. The developer shall install a landscaped mound in the area designated as "LANDSCAPE MOUND" on Exhibit M hereto, provided that, if required by the City of Columbus, access to Sub-Area 4 for emergency vehicles only may be provided at the north end of Ashley Meadow Drive. If such access is required by the City of Columbus, that landscaped mound may be broken to accommodate that access. That mound will be at least 5 feet in height and planted with an average of three evergreen trees and one street or ornamental tree for every 50 of the length of the mound. The trees may be evenly spaced or clumped.
4. Garages shall be located along portions of the building and parking setback in which the landscaped mound is to be installed. No parking or vehicle circulation area or building may be located between those garages and the west property line.

5. Minimum tree sizes at installation: street trees, 2 inch caliper, ornamental 1 inch caliper and evergreens five feet.
6. During development of the southern part of Sub-Area 4, the developer shall maintain a construction fence 10 feet north of the south property line along the existing tree line.
7. The swimming pool installed in Sub-Area 4 shall be enclosed with a metal tubing fence at least five (5) feet in height with a gate satisfying the requirements of the Department of Health.

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

1. Exterior façade materials of the buildings shall be one, or a combination of two or more, of the following: brick, stone, synthetic stone, vinyl and engineered wood and may also include wood stairs, railings, decks, balusters and decking in covered breezeways and wood balconies.
2. The buildings on Sub-Area 4 will have substantially the appearance depicted on Exhibit L, although the colors and siding detail may change. The doors on the garage buildings will be Clopay Value Series doors or doors of similar appearance and materials.

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

1. Dumpsters shall be screened on three sides by a solid decorative cedar or solid vinyl fence to a minimum height of six (6) feet with a minimum of four shrubs, a minimum of one and one-half feet high at time of planting, along each of those sides. Dumpsters shall be screened on the fourth side by a decorative cedar or vinyl gate with no shrubs.
2. All dumpsters shall be located at least 350 feet from Subarea 3.
3. The maximum height of the light poles shall be 18 feet.

F. Graphics and Signage Commitments.

1. Except as limited by the immediately following item 2, all signage and graphics shall conform to Article 15, Title 33 of the Columbus City Code as it applies to the AR-12, Apartment Residential zoning district. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.
2. Any sign identifying the development in Sub-Area 4 shall not exceed 8 feet in height.
3. Beginning three (3) months after the issuance of the certificate of occupancy for the last of the buildings to be constructed on Sub-Area 4, signage on Sub-Area 4 for identifying and advertising will be limited to the signage described on Exhibit N attached hereto.

G. Miscellaneous commitments.

1. The Park area shown on Exhibit A has already been transferred to the City of Columbus.
2. The Park shown on Exhibit A shall be included in the calculation of open space and density.
3. The developer shall install a dog park at substantially the location identified as "PROPOSED DOG PARK" on Exhibit M attached hereto, together with a paved walkway from the hammer head at the end of Ashley Meadow Drive to that dog park. That dog park shall consist of an area, surrounded on three sides by a chain link fence four (4) feet in height and on the fourth side by the fence required in Sub-Area 4 by Item C.1 above, and an entry area having gates on both sides. That dog park and access walk shall be conveyed to the Preserve at Albany Woods Homeowners' Association, Inc.
4. The developer shall install a bicycle rack in the area of the community building and swimming pool.

5. Slight adjustments to the hammer head turn around, landscaped mound and dog park shown on Exhibit M, the replacement and continuation fence areas shown on Exhibit D, the building appearances depicted on Exhibit L and the sign locations shown on Exhibit N shall be permitted to accommodate actual field conditions and availability of materials, subject to review and approval by the Director, Department of Development or his designee after submission of appropriate information regarding the proposed adjustment. However, no such adjustment shall be approved which deviates from the general layout, general site concept and general building appearances shown on the applicable Exhibit.

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

Legislation Number: 0310-2010

Drafting Date: 02/10/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: The City of Columbus, ("Landlord") through its Department of Finance and Management, entered into Lease Agreement with Directions for Youth and Families Group, Inc. ("Tenant") on June 21, 2006 for a three year lease of approximately 27,662 square feet of space located at 657 S. Ohio Avenue, Columbus, Ohio. The Lease Agreement was amended by Lease Amendment #1 to allow for an additional rental term of three years pursuant to Ordinance 0620-2009, approved by City Council on May 14, 2009.

The Lease contains an option to purchase the property for \$380,000 and allows for the application of credit toward the purchase price of the cost of certain property improvements, as approved by the Department of Finance and Management, and completed by the Tenant at the Tenant's expense prior to purchase of the property. Directions for Youth and Families Group, Inc. wishes to execute its purchase option but has requested that the City amend the Lease Agreement to permit credit against the purchase price for certain approved property improvements to be completed after the purchase and transfer of the property. The Director of the Department of Finance and Management believes that this change should be granted and benefits the City by enabling Directions for Youth and Families Group, Inc. immediately exercise its purchase option and begin construction of building improvements.

Under the amended agreement, Directions for Youth and Families Group, Inc. will purchase the property at the agreed upon price of \$380,000 and at closing, the City will allow the approved amount for certain property improvements to be deducted from the City's proceeds and held in escrow. Upon completion, to the City's satisfaction, of the approved property improvements, the escrowed amount will be released for payment to Directions for Youth and Families Group, Inc.

This legislation authorizes the Director of the Department of Finance and Management to enter into a Lease Amendment #2 to allow for certain City approved credits against the purchase price to be applied after the sale and transfer of the property. All other terms and conditions of the Lease will remain unchanged.

Emergency Justification: Emergency action is requested to allow for the immediate sale of the property and allow Directions for Youth and Families Group, Inc. to begin construction of the improvements without delay.

Title

To authorize the Director of the Department of Finance and Management to execute Lease Amendment #2 with Directions for Youth and Families Group, Inc. to allow for credits against the purchase price for certain property improvements to be completed post closing and property transfer; and to declare an emergency.

Body

WHEREAS, pursuant to Ordinance No. 2006-2005, the City of Columbus, ("Landlord") entered into a Lease Agreement with Directions for Youth and Families Group, Inc. ("Tenant"), dated June 21, 2005, for a term of three years, for the lease of approximately 27,662 square feet of space located at 657 S. Ohio Avenue, Columbus, Ohio; and

WHEREAS, the Lease was amended pursuant to Ordinance 0620-2009 to allow for an additional three year lease term; and

WHEREAS, the City and Tenant now desire to execute Lease Amendment #2 to allow credits toward the

purchase price following acquisition and transfer of ownership, rather than prior to acquisition as is currently required; and

WHEREAS, all others terms and conditions of the Lease Agreement will remain unchanged and in full force and effect; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management, in that it is immediately necessary to authorize the Director of Finance and Management to execute Lease Amendment #2 with Directions for Youth and Families Group, Inc. to allow for credits against the purchase price for certain property improvements to be completed post closing and property transfer, 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 the Department of Finance and Management be, and hereby is, authorized to execute Lease Amendment #2 to allow to allow for certain City approved credits against the purchase price to be applied to the purchase price after the sale and transfer of the property rather than prior to the sale and transfer, as is currently is required in the Lease.

SECTION 2. That the terms and conditions of Lease Amendment #2 shall be in a form approved by the City Attorney's Office, and shall include a provision to allow for the application of certain credits against the purchase price as approved by the Department of Finance and Management to be applied to the purchase price after the sale and transfer of the property rather than prior to the sale and transfer. All other terms, conditions, covenants and provisions of the original Lease Agreement remain unchanged and in full force and effect.

SECTION 3. That for the 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.

Legislation Number: 0314-2010

Drafting Date: 02/11/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Division of Police Crime Lab has a headspace gas chromatograph that was purchased in 2005 that is in good condition but no longer in use by lab personnel. This particular instrument is used to test for the presence of alcohol. These tests are now conducted by the Ohio State Highway Patrol for the City. Captain J. D. Brink from the Ohio State Highway Patrol's Crime Lab has an interest in acquiring this instrument. This equipment was advertised by Purchasing to see if any other city agency was interested in this equipment. Jami St. Clair, Crime Lab Supervisor, received no responses. Therefore, the Division of Police is requesting that the City sell this equipment to the Ohio State Highway Patrol for one dollar.

FISCAL IMPACT:

There is no need to replace this equipment for the Crime Lab. The City will receive one dollar of revenue from the sale of this headspace gas chromatograph.

Title

To authorize and direct the Finance and Management Director to sell to the Ohio State Highway Patrol for the sum of \$1.00, a headspace gas chromatograph, which has no further value to the Division of Police; and to waive provisions of the Columbus City Codes - Sale of City Owned Personal Property. (\$1.00)

Body

WHEREAS, the Division of Police Crime Lab has a headspace gas chromatograph that is no longer used by lab personnel; and

WHEREAS, the Ohio State Highway Patrol Crime Lab is in need of a headspace gas chromatograph; and

WHEREAS, the City's Purchasing advertised this equipment and no City of Columbus Government Agency inquired about it; and

WHEREAS, it is in the best interest of the City that City Code 329.30, Sale of City-Owned Property, be waived; and

WHEREAS, the Division of Police's Crime Lab and the Ohio State Highway Patrol Crime lab have a good working relationship, and it would be in the City's best interest to sell the gas chromatograph for one dollar to the Ohio State Highway Patrol; now, therefore

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to sell a headspace gas chromatograph to the Ohio State Highway Patrol 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 329.30, Sale of City-Owned Personal Property, be and is hereby waived to permit the sale of this gas chromatograph to the Ohio State Highway Patrol Crime Lab.

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

Legislation Number: 0317-2010

Drafting Date: 02/12/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to execute a planned contract modification to the Sewer System Engineering Section's Construction Administration and Construction Inspection Services Agreement with DLZ Ohio, Inc. This contract was originally procured to provide construction administration and construction inspection services for the sanitary and water system projects during the fiscal years of 2008-2010. The funds approved within this legislation will provide for payment of additional services that are needed to conclude ongoing construction projects.

This modification (Mod #5) will increase the contract by an additional \$215,916.17 for construction administration - construction inspection services for the Division of Power and Water's Long Street Water Line Cleaning and Lining Project. This construction project will provide general rehabilitation of 8,200 linear feet of 24-inch water main in Long Street. The water will be mechanically cleaned and a cement mortar lining will be applied to the interior of the pipe. The purpose of the project is to improve flow and water quality conditions as well as extend the useful life of the main. The

project is planned on Long St. from Fourth St. to Governors Place/Champion Ave.

1.1. Amount of additional funds to be expended: \$215,916.17

Original Contract Amount:	\$ 925,000.00
Modification 1	\$ 257,019.84
Modification 2	\$ 405,000.00
Modification 3	\$ 26,869.35
Modification 4	\$ 917,800.00
Modification 5 (current)	<u>\$ 215,916.17</u>
Total (Orig. + Mods 1 - 5)	\$2,747,605.36

1.2. Reasons additional goods/services could not be foreseen:

The modification was anticipated and explained in the original legislation. This is a continuation of the anticipated process.

1.3. Reason other procurement processes are not used:

The original contract selected three firms to provide construction administration services for projects in 2008, 2009, and 2010.

1.4. How cost of modification was determined:

A cost proposal was provided by DLZ Ohio, Inc. and reviewed by the Division of Power and Water and was deemed acceptable.

2. MULTI-YEAR CONTRACT:

This ordinance will authorize the expenditure of \$215,916.17 for the Long Street Water Line Cleaning and Lining Project. The Department anticipates requesting additional appropriations to this contract for 2010 fiscal year, through planned contract modifications duly authorized by City Council. Under the terms of this contract, the City has the right to contract for additional services to fulfill emergency capital improvements related needs subject to the approval of a contract modification by City Council. The rates schedules established within this contract will remain in force throughout the life of the contract.

3. FISCAL IMPACT:

The funding for this modification will come from the Water Build America Bonds Fund.

4. CONTRACT COMPLIANCE INFO: 31-1268980 | MBR | Expiration Date: 3/10/11

Title

To authorize the Director of Public Utilities to execute a planned contract modification of the construction administration - construction inspection services agreement with DLZ Ohio, Inc.; for the Long Street Water Line Cleaning and Lining Project; and to authorize the expenditure of \$215,916.17 from the Water Build America Bonds Fund for the Division of Power and Water. (\$215,916.17)

Body

WHEREAS, it is necessary to modify the construction administration and construction inspection services contract with DLZ Ohio, Inc., for the Division of Power and Water's Long Street Water Line Cleaning and Lining Project to provide additional monies to cover the cost of needed additions to the contract work in accordance with the Department's design requirements in an effort to ensure the continued operation of its water infrastructures; and

WHEREAS, the original contract number EL008289 for \$925,000.00, was authorized by Ordinance 0845-2008, passed June 9, 2008, was executed on June 30, 2008, and signed by the City Attorney on July 2, 2008; and

WHEREAS, modification #1 (Beulah Road Trunk Sewer Rehabilitation) to the original contract number EL009167 for \$257,019.84 was authorized by Ordinance No. 0093-2009, passed February 9, 2009, was executed March 26, 2009, and

signed by the City Attorney on March 27, 2009; and

WHEREAS, modification #2 {(1) General Construction Contract and (2) the 2009 Annual Lining Contract} to the original contract number EL009541 for \$405,000.00 was passed by City Council via Ordinance No. 0558-2009, passed June 1, 2009, was executed July 29, 2009, and signed by the City Attorney on July 29, 2009; and

WHEREAS, modification #3 (Stanton Area Sanitary Improvements) to the original contract number EL009759 for \$26,869.35 was passed by City Council via Ordinance No. 0976-2009, passed September 21, 2009, was executed October 27, 2009, and signed by the City Attorney on October 28, 2009; and

WHEREAS, modification #4 {(1) Livingston/Parsons Sewer Rehabilitation, (2) Main Street Water Line Cleaning and Lining Project, and (3) Brown Road Area Water Line Improvements Project} to the original contract was passed by City Council via Ordinance No. 1704-2009, passed February 8, 2010, and is currently in process in the amount of \$917,800.00; and

WHEREAS, it is necessary to authorize the expenditure of funds from the Water Build America Bonds Fund for purposes of providing sufficient funding for the project expenditure; and

WHEREAS, it has become necessary in the Department of Public Utilities, Division of Power and Water, to authorize the Director of Public Utilities to modify and increase the construction administration and construction inspection services contract with DLZ Ohio, Inc., for the Long Street Water Line Cleaning and Lining 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 Director of Public Utilities be and hereby is authorized to modify and increase the professional engineering services agreement with DLZ Ohio, Inc., 6121 Huntley Rd., Columbus, Ohio 43229, that will continue to provide construction administration and construction inspection services for sewer and water improvement projects in accordance with the terms and conditions of the contract on file in the office of the Division of Power and Water.

SECTION 2. That the City Auditor is hereby authorized to expend funds from the Water Build America Bonds Fund for the purpose of paying the cost of the construction administration and construction inspection services contract modification, or as much thereof as may be needed for the Division of Power and Water: Division 60-09 | Fund 609 | Project No. 690368-100000 | Object Level Three 6686 | OCA Code 609368 | Amount \$215,916.17.

SECTION 3. That the City Auditor is hereby authorized to transfer any unencumbered balance in the project account to the unallocated balance 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 made from a project by monies from more than one source.

SECTION 4. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 6. That the contracted firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Power and Water.

SECTION 7. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0318-2010

Drafting Date: 02/16/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into an agreement with GSP/Oh Inc. in the amount of \$169,000.00, for professional engineering services for the North Linden Area Water Line Improvements Project, Division of Power and Water Contract No. 1131.

The purpose of this project is to construct necessary improvements to the water distribution system in the North Linden Area. The improvements identified in the scope of work will replace mains that have high break histories and require frequent maintenance. This project includes thirteen individual sites located at Carolyn Avenue (2 sites), Gerbert Road, Northridge Road (2 sites), Ontario Street, Cross Street, Greenwich Street, Dresden Street, Coronet Drive, Cooke Road, Fayette Drive, and Walmar Drive, for a total of approximately 1,800 feet of 8-inch diameter water line and approximately 8,300 feet of 6-inch diameter water line.

2. BID INFORMATION: The selection of the firm providing the professional engineering services has been performed in accordance with the procedures set forth in Columbus City Code, Section 329.14, "Awarding professional service contracts through requests for proposals." Requests for Proposals (RFP's) were received on December 22, 2009 from GSP/Oh Inc., C.F. Bird + R.J. Bull, Inc., and Jones-Stuckey LTD, Inc.

An evaluation committee reviewed the proposals and scored them based on the criteria mentioned above. Based on the evaluation of the proposals submitted, the Director of Public Utilities requests award of the project to GSP/Oh Inc.

The Contract Compliance Number for GSP/Oh Inc. is 62-1736493 (expires 2/5/12, Majority). Additional information regarding each bidder, description of work, contract time frame and detailed amounts can be found on the attached Legislation Information Form.

3. FISCAL IMPACT: Funds for this expenditure are included in the Water Build America Bonds Fund. An amendment to the 2009 Capital Improvements Budget is also necessary.

Title

To authorize the Director of Public Utilities to enter into an agreement with GSP/Oh Inc. for professional engineering services for the North Linden Area Water Line Improvements Project; to authorize the expenditure of \$169,000.00 from the Water Build America Bonds Fund; for the Division of Power and Water; and to amend the 2009 Capital Improvements Budget. (\$169,000.00)

Body

WHEREAS, three technical proposals for professional engineering services for the North Linden Area Water Line Improvements Project were received on December 22, 2009; and

WHEREAS, GSP/Oh Inc. was the firm selected to perform the design services for this project based on criteria set forth in Columbus City Codes; and

WHEREAS, it is necessary to authorize an amendment to the 2009 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditure; and

WHEREAS, it has become necessary in the usual daily operation of the Division of Power and Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into an agreement for professional engineering services for the North Linden Area Water Line Improvements Project, for the preservation of the public health, peace, property and safety;

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

SECTION 1. That the Director of Public Utilities be and hereby is authorized to enter into an agreement for professional engineering services for the North Linden Area Water Line Improvements Project; with the best, responsive and

responsible bidder, GSP/Oh Inc., 155 East Broad Street, Suite 900, Columbus, Ohio 43215; in the amount of \$169,000.00; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water.

SECTION 2. That the 2009 Capital Improvements Budget is hereby amended as follows:

Fund No. | Project No. | Project Name | Current Authority | Revised Authority | change

606 | 690236-100029 (new funding) | Project No. 6 W.M. Replacement | \$200,000 | \$0 | -\$200,000 (authority not needed in Fund 606 but in Fund 609)

SECTION 3. That the expenditure of \$169,000.00 is hereby authorized for the North Linden Area Water Line Improvements Project within the Water Build America Bonds Fund, Fund No. 609, Division 60-09, Project No. 690236-100029 (new funding), OCA Code 623629, Object Level Three 6629.

SECTION 4. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

SECTION 5. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 6. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 7. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0323-2010

Drafting Date: 02/16/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. **BACKGROUND:**

A. **Need.** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Adrian L. Wallick Company, for the Southerly Wastewater Treatment Plant Multiple Hearth Incinerator Rehabilitation project for the Division of Sewerage and Drainage.

The Southerly plant utilizes two multiple hearth incinerators to burn dewatered municipal sludge. These incinerators normally process an average of 240 wet tons of sludge per day in order for the plant to maintain its sludge inventory at an acceptable level and operate at peak efficiency. Inspection of the incinerators has revealed failure of internal components and serious problems in the incinerators' exhaust ductwork relating to the deterioration of the outer metal shell of the ductwork.

Operating the incinerator without making the necessary rehabilitation work could result in major damage to the incinerator and associated equipment. Failure to make the necessary rehabilitation also places the plant personnel's safety in danger due to the extremely high temperatures that can be present on the outside surface of the metal ductwork.

Having the plant's incinerators out of service for extended periods of time severely impacts the plant's ability to process and dispose of the required amount of sludge on a daily basis.

This contract Work consists of providing the needed rehabilitation for Incinerators No. 3 and 4. The major work for this project consists of refractory work for hearth and wall repair of Multiple Hearth Incinerators No. 3 and 4 and associated replacement of the following: Venturi ductwork, circular by-pass stack, two expansion joints in exhaust

ductwork, incinerator roof plate, hearth repair and associated and/or damaged refractory.

An Alternate Bid Item 1 is also proposed which consists of removing the two existing fume incinerators and its associated equipment and patching and repairing the existing structures where the removal took place. This alternate item for \$346,636.00 was accepted.

An Alternate Bid Item 2 is also proposed which consists of removal of three existing burners in Hearth No.4 and replacing them with three new burners. This will include new burner boxes. This alternate item for \$15,274.00.00 was accepted.

The contract was advertised in the City Bulletin, and one bid was received on January 20, 2010, as follows:

1. Adrian L. Wallick Company | Majority Firm | \$1,202,682.60 (base bid without Alternate Bid Items)
\$1,564,592.60 (including Alternate Bid Items)

The Engineer's construction cost estimate was \$1,022,760.00, without the alternatives.

Award is recommended to the lowest Responsive and Responsible and Best Bidder.

B. Contract Compliance No.: 31-4425505 | (Expires 10/15/2011) | MAJ

C. Emergency Designation: Emergency designation is not requested.

2. **FISCAL IMPACT:**

This ordinance authorizes the Director of Public Utilities to transfer within and expend \$1,564,592.60 in funds from the Sanitary B.A.B.s (Build America Bonds) Fund for the subject project. This ordinance also amends the 2009 Capital Improvements Budget to establish sufficient budget authority to cover the expenditure upon passage of the ordinance.

Title

To authorize the Director of Public Utilities to execute a construction contract with Adrian L. Wallick Company, in connection with the Southerly Wastewater Treatment Plant Multiple Hearth Incinerator Rehabilitation project; to authorize the transfer within and the expenditure of \$1,564,592.60 from the Sanitary B.A.B.s (Build America Bonds) Fund; and to amend the 2009 Capital Improvements Budget to establish sufficient budget authority to cover the expenditure upon passage of the ordinance for the Division of Sewerage and Drainage. (\$1,564,592.60)

Body

WHEREAS, one competitive bid for construction of the Southerly Wastewater Treatment Plant Multiple Hearth Incinerator Rehabilitation project, Contract S78, was received and opened on January 20, 2010 in the offices of the Director of Public Utilities; and

WHEREAS, the Division of Sewerage and Drainage engineering personnel have determined it necessary to enter into a construction contract with Adrian L. Wallick Company, in order to provide for construction of Southerly Wastewater Treatment Plant Multiple Hearth Incinerator Rehabilitation project, Contract S78; and

WHEREAS, it is necessary to authorize the transfer of funds within the Sanitary B.A.B.s (Build America Bonds) Fund for purposes of providing sufficient funding for the aforementioned project expenditure; and

WHEREAS, it is necessary to authorize an amendment to the 2009 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Sanitary B.A.B.s (Build America Bonds) Fund; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to enter into a construction contract with Adrian L. Wallick Company for the Southerly Wastewater Treatment Plant Multiple Hearth Incinerator Rehabilitation project, at the earliest practical date 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 Director of Public Utilities be, and hereby is, authorized to enter into a contract with Adrian L. Wallick Company, 1013 Gahanna Parkway, Columbus, OH 43230, for construction of the Southerly Wastewater Treatment Plant Multiple Hearth Incinerator Rehabilitation project in accordance with the terms and conditions as shown on the contract on file in the office of the Division of Sewerage and Drainage.

Section 2. That the City Auditor is hereby authorized to transfer \$1,564,592.60 within the Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668, Division of Sewerage and Drainage, Division 60-05, Object Level , Object Level Three 6676 as follows:

From:

Project No. | Project Name | OCA Code | Change

650348-100002 | WWTFs Instrumentation & Control System Upgrade | 652348 | (-\$1,564,592.60)

TRANSFER TO:

To:

Project No. | Project Name | OCA Code | Change

650343-100001| Southerly Wastewater Treatment Plant Multiple Hearth Incinerator Rehabilitation, Contract S78 | 668343 | (+\$1,564,592.60)

SECTION 3. That the City Auditor be and hereby is authorized to expend a total of \$1,564,592.60 from the Sanitary B.A.B.s (Build America Bonds) Fund into the Southerly Wastewater Treatment Plant Multiple Hearth Incinerator Rehabilitation Project, Contract S78 | Fund 668 | Div. 60-05 | Project 650343-100001 | 668343 | Object Level Three 6676.

Section 4. That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows, to provide and create sufficient budget authority for the award of the agreement stated herein.

Transfer of Authority:

Project No. | Project Name | Current Authority | Revised Authority | (Change)

650348-100002 | WWTFs Instrumentation & Control System Upgrade | \$5,120,029 | \$3,555,436 | (-\$1,564,593)

650343-100001| Southerly Wastewater Treatment Plant Multiple Hearth Incinerator Rehabilitation, , Contract S78 | \$0 | \$1,564,593 | (+\$1,564,593)

Section 5. That the City Auditor is hereby authorized to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

Section 6. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 7. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

Legislation Number: 0333-2010

Drafting Date: 02/17/2010

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

Rezoning Application Z09-022

APPLICANT: Tansky Sawmill Toyota, Inc; c/o David L. Hodge, Attorney; 37 West Broad Street; Suite 725; Columbus, OH 43215.

PROPOSED USE: Adding a parcel and consolidating zoning standards on the entire site for an existing auto dealership.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0-1) on January 14, 2010.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is made up of multiple tax parcels and subject to five different zoning actions. This rezoning will update the development standards and uses for the site and place all the tax parcels under one zoning. The CPD Text and Plan provide for use restrictions, limitations on vehicular access, landscaping provisions as well as for the removal of the existing billboard. The proposed CPD is consistent with the development and zoning patterns of the area.

Title

To rezone **6350 SAWMILL ROAD (43017)**, being 4.9± acres located at the southeast corner of West Dublin-Granville Road and Sawmill Road, **From:** C-3, Commercial, L-C-4, Limited Commercial and CPD, Commercial Planned Development Districts, **To:** CPD, Commercial Planned Development District **and to declare an emergency.** (Rezoning # Z09-022).

Body

WHEREAS, application #Z09-022 is on file with the Building Services Division of the Department of Development requesting rezoning of 4.9± acres from the C-3, Commercial, L-C-4, Limited Commercial and CPD, Commercial Planned Development Districts, to the CPD, Commercial Planned Development District; and

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

WHEREAS, **an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; and**

WHEREAS, the City Departments recommend approval because the site is made up of multiple tax parcels and subject to five different zoning actions. The applicant wants to update the development standards and uses for the site and place all the tax parcels under one zoning. The CPD Text and Plan provide for use restrictions, limitations on vehicular access, landscaping provisions as well as for the removal of the existing billboard. The proposed CPD is consistent with the development and zoning 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:

6350 SAWMILL ROAD (43017), being 4.9± acres located at the southeast corner of State Route 161 and Sawmill Road, and being more particularly described as follows:

**PROPERTY DESCRIPTION
FEBRUARY 17, 2010**

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 all of that 0.6530 acre tract described in a deed to N & J Property Investments, LLC in Instrument 200906260092694 and all of that 0.388 acre tract described in a deed to Thomas J. Tansky in Instrument 200701250015249 and all the residual land in that 0.4122 acre tract described in a deed to Tansky's Sawmill Toyota, Inc. of record in O.R.V. 7821 B02 and all the residual land in that 3.072 acre tract described in a deed to Tansky's Sawmill Toyota, Inc. of record in O.R.V. 5354 D04 and being part of that 0.712 acre tract described in a deed to Thomas J. Tansky in Instrument 200701250015252 (all references in this description are to the records in the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at a monument box found with a 1" epoxy coated rebar, being the intersection of the centerline of construction north of Sawmill Road and the centerline of right-of-way south of Sawmill Road with the centerline of Dublin-Granville Road (S.R. 161) 120' right-of-way;

Thence South 54° 11' 20" East 732.05 feet, along the centerline of Dublin-Granville Road, to the northeasterly corner of said 0.712 acre tract and the northwesterly corner of that 0.706 acre tract described in a deed to BFS Retail & Commercial Operations, LLC in Instrument 200205170124209;

Thence South 26° 09' 13" West 60.86 feet, along the common line between said 0.712 and 0.706 acre tracts, to an iron pin set at the TRUE POINT OF BEGINNING;

Thence South 26° 09' 13" West 251.51 feet, continuing along said common line, to an iron pin set on a northerly line of that 3.996 acre tract described in a deed to Festival Center, LLC in Instrument 200211040278622 and the southeasterly corner of said 0.712 acre tract;

Thence North 54° 15' 47" West 63.08 feet, along the southerly line of said 0.712 acre tract, to a MAG nail set, a northwesterly corner of said 3.996 acre tract and an easterly corner of said 3.072 acre (original) tract;

Thence South 02° 32' 31" West 109.98 feet, along an easterly line of said 3.072 acre tract and a westerly line of said 3.996 acre tract, to an iron pin set at the northeasterly corner of that 1.571 acre tract described in a deed to Johnson Brothers Investment Company, Ltd. of record in O.R.V. 34495 119;

Thence North 76° 12' 39" West 383.08 feet, along the southerly line of said 3.072 acre tract and the northerly line of said 1.571 acre tract, passing a 3/4" hollow iron pin found at 382.34 feet, to the easterly right-of-way line of Sawmill Road;

Thence North 02° 40' 15" East 537.57 feet, along the easterly right-of-way line of Sawmill Road, being 60 feet easterly from (as measured at right angles) and parallel to the centerline and along westerly lines of said 3.072, 0.4122 and 0.6530 acre tracts, to an iron pin found capped "E.P. Ferris #8230";

Thence North 49° 30' 51" East 34.48 feet, along a line of said 0.6530 acre tract and a line of that 0.411 acre tract described in a deed to the City of Columbus of record in O.R.V. 22189 J06, to an iron pin found capped "E.P.Ferris #8230";

Thence South 54° 11' 20" East 501.40 feet, along the southerly right-of-way line of Dublin-Granville Road, passing an iron pin found capped "RAAB" at 191.40 feet at the northeasterly corner of said 0.6530 acre tract and passing an iron pin found capped "RAAB" at 296.40 feet at the northeasterly corner of said 0.388 acre tract, to an iron pin set on the westerly line of said 0.712 acre tract;

Thence South 54° 11' 20" East 100.00 feet, across said 0.712 acre tract, being 60 feet southerly from (as measured at

right angles) and parallel to the centerline of Dublin-Granville Road to the Point of Beginning, containing 4.930 acres of land, more or less, and being subject to any easements, restrictions or right-of-ways of previous record.

Bearings are used for the determination of angles only. For the purpose of this description, a bearing of South 54° 11' 20" East was used on the centerline of Dublin-Granville Road as called for in Instrument 200906260092694. The iron pins set are 5/8" rebar, 30" long with yellow plastic caps stamped "SITE ENG INC."

To Rezone From: C-3, Commercial, L-C-4, Limited Commercial and CPD, Commercial Planned Development Districts,

To: CPD, Commercial Planned Development District.

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

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "**TANSKY TOYOTA 6300 SAWMILL ROAD COLUMBUS, OH,**" signed by Jeffrey L. Brown, Attorney for the Applicant, and dated January 29, 2010, and text titled, "**CPD TEXT,**" signed by Jeffrey L. Brown, Attorney for the Applicant, and dated March 18, 2010, and the text reading as follows:

CPD TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development

PROPERTY ADDRESS: 6300 Sawmill Road

OWNER: Tansky Sawmill Toyota Inc. et al.

APPLICANT: Tansky Sawmill Toyota Inc.

DATE OF TEXT: 3/18/10

APPLICATION NUMBER: Z09-022

1. **INTRODUCTION:** The site is made up of multiple tax parcels and subject to five different zoning actions. The applicant wants to update the development standards and uses for the site and place all the tax parcels under one zoning.

2. **PERMITTED USES:** Those uses permitted in Chapter 3356 (C-4, Commercial) of the Columbus City Code excepting therefrom the following uses:

bowling alley
cabaret, dance hall
night club
pool room
private club
skating rink

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

A. Density, Lot and/or Setback Commitments.

1. Parking setback shall be 30 feet from Sawmill Road and West Dublin-Granville Road.

2. Building setback shall be 50 feet from Sawmill Road and West Dublin-Granville Road.

3. The northwest corner of the site is currently developed with a retail store. A permitted use may continue to use the

existing building and the existing parking spaces. The existing retail store may be expanded up to 19% of its existing square footage without complying with the requirements of the Regional Commercial overlay. Upon demolition of the existing retail building or the automobile dealership building, this site shall be subject to the development standards contained in this text as well as the Regional Commercial Overlay requirements. The rear and side parking requirement of Section 3372.809E shall not apply to the West Dublin-Granville Road frontage as long as the site is used for an automobile dealership or a new user occupies the automobile dealership building(s). If the automobile dealership building(s) are demolished then the rear and side parking requirement of Section 3372.809E shall apply to the site unless a variance request is approved by the Board of Zoning Adjustment.

4. The site is comprised of several different tax parcels which may not be held under the same ownership. If the use is the same, then that use may cross tax parcel lines and the development standards and zoning clearance shall apply to those tax parcels as if the tax parcels have been combined.

5. Lot coverage for structures and paved areas may not exceed 90% of the site excluding any sidewalks.

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

1. There shall be two access points to Sawmill Road and two access points to West Dublin-Granville Road. The site also has access to Martin Road.

2. Upon redevelopment of the southeast corner of Sawmill Road and West Dublin-Granville Road (parcel numbers 590-159007 or 590-159014) the first curbcut east of Sawmill Road on the south side of West Dublin-Granville Road shall be converted to a right in/right out curbcut.

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

1. Street trees shall be installed along the street frontages of Sawmill Road and West Dublin-Granville Road on the basis of 1 tree for every 30 feet of street frontage. Trees may be grouped or evenly spaced. Existing street trees may offset all or part of this requirement.

2. Motor vehicle sales, display and inventory areas shall be maintain perennial plantings or a minimum 24 inch high continuous hedge or shrub on any perimeter which faces or abuts a public street.

3. A "Sawmill style fence" (consisting of a 3 rail wood fence) shall be installed within the parking setback along the site's street frontages on Sawmill Road and West Dublin-Granville Road except at access points and where the stone wall is being installed.

4. Notwithstanding the landscaping requirements in this text, upon demolition of the existing retail building at the intersection, the developer shall install a 24 inch stone wall within the parking setback at the intersection of Sawmill Road and West Dublin-Granville Road as shown on the submitted CPD drawing.

5. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season whichever occurs first.

6. All trees shall meet the following minimum size at the time of planting: shade trees 2 ½ in caliper, ornamental trees 1 ½ in caliper and evergreen trees 5 ft. in height. Tree caliper is measured 6 inches from the ground.

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

N/A

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

1. All external outdoor lighting shall be cutoff fixtures from the same or similar manufacturer. All light poles and

standards shall be brown, black or bronze in color and shall not exceed 28 feet in height. No search lights shall be permitted on the site.

F. Graphics and/or Signage Commitments.

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

G. Miscellaneous Commitments.

1. The redevelopment of the site shall trigger the installation of sidewalks along the site's frontage on Sawmill Road and West Dublin-Granville Road.

2. Upon redevelopment of the site there shall be a pedestrian connection from the public sidewalk to the front of the building(s).

3. Upon redevelopment of the site a bike rack shall be installed on the site.

4. Within 60 days of the effective date of this zoning ordinance for Z09-022 the applicant shall remove the existing billboard from the site.

5. CPD Criteria

Natural Environment

The site is developed with a series of commercial buildings and parking areas.

Current Land Use

The site contains an automobile dealership and a retail store.

Circulation

The site has access to Sawmill Road, West Dublin-Granville Road and Martin Road.

Proposed Development

Commercial

Behavior Patterns

Existing development in the area has established the behavior pattern for pedestrian and motorists.

Emissions

It is anticipated that this development would not adversely effect adjacent uses in this regard.

II. Variances

1. The approval of this CPD includes a variance to the building setback (Section 3356.11) from 60 to 50 feet.

2. The approval of this CPD allows site to be developed even though the tax parcels are not combined. (Section 3356.09)

3. The approval of this CPD includes a variance to the requirement of locating parking spaces to the rear and side of the building along West Dublin-Granville Road (Section 3372.809E).

SECTION 4. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **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 10 days after its passage if the Mayor neither approves nor vetoes the same.**

Legislation Number: 0337-2010

Drafting Date: 02/18/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this legislation is to authorize the Director of Public Utilities to enter into a planned modification with Madden Brothers Inc. for the purposes of providing Yard Waste and Log Grinding Services for the Division of Sewerage and Drainage, Compost Facility.

The Division of Sewerage and Drainage, Compost Facility has a Universal Term Contract that provides the purchase of wood chips to be used as bulking agents for composting and to produce the product Com-Til. The services to be performed under this agreement call for Madden Brothers Inc. to provide equipment and operator to grind yard waste (shrubs, leaves, tree limbs, logs, etc). that are received by the Compost Facility. The finished product will be used as an alternative source for bulking agents. The contract language provided for a one (1) year agreement in effect to and including July 31, 2010. Furthermore, upon mutual agreement and approval by the Columbus City Council, this contract allows for two (2) extensions on a year to year basis and funds availability. This is the first of the two possible modifications, the new expiration date will be July 31, 2011.

SUPPLIER: Madden Brothers Inc. (34-1739227) Expires 3-30-11

FISCAL IMPACT: \$120,000.00 is needed and budgeted for this service.

\$100,000.00 was spent in 2009

\$100,000.00 was spent in 2008

\$150,000.00 was spent in 2007

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

Title

To authorize the Director of Public Utilities to enter into a planned modification with Madden Brothers Inc. for Yard Waste and Log Grinding Services for the Division of Sewerage and Drainage; and to authorize the expenditure of \$120,000.00 from the Sewerage System Operating Fund. (\$120,000.00)

Body

WHEREAS, the Division of Sewerage and Drainage, Compost Facility has a Universal Term Contract that provides the purchase of wood chips to be used as bulking agents for composting and to produce the product Com-Til; and

WHEREAS, the services to be performed under this agreement call for Madden Brothers Inc. to provide equipment and

operator to grind yard waste (shrubs, leaves, tree limbs, logs, etc.) that are received by the Compost Facility; and

WHEREAS, the finished product will be used as an alternative source for bulking agents; and

WHEREAS, the Director of Public Utilities received three (3) formal bids on March 11, 2009 and Madden Brothers was awarded the contract; and

WHEREAS, the original contract was for one (1) year through July 31, 2010 and upon mutual agreement and approval by the Columbus City Council, this contract can be extended for two (2) additional years on a year to year basis and funds availability; and

WHEREAS, the Division of Sewerage and Drainage wishes to extend the current contract for one (1) additional year with an expiration date of July 31, 2011, now, therefore,

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

Section 1. That the Director of Public Utilities be and is hereby authorized to enter into a planned modification with Madden Brothers Inc. for Yard Waste and Log Grinding Services for the Division of Sewerage and Drainage.

Section 2. That the original bid specifications allowed for a one (1) year agreement which will be effective to an including July 31, 2010. Furthermore, upon mutual agreement and approval by the Columbus City Council, this contract allows for two (2) extensions on a year to year basis and funds availability. That the Division of Sewerage and Drainage wishes to extend the contract for one (1) additional year with an new expiration date of July 31, 2011.

Section 3. That the expenditure of \$120,000.00 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650 as follows:

OCA 605899
Object Level 1: 03
Object Level 03: 3377

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

Legislation Number: 0346-2010

Drafting Date: 02/18/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with American Suncraft Construction Company, in the amount of \$726,951.50, for the Recoating of the Karl Road 2MG Hydropillar Tank, Division of Power and Water Contract Number 1155.

This project consists of overcoating the existing paint scheme on the tank exterior and removing and replacing the interior coating system on the Karl Road 2 million gallon hydropillar tank.

2. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened five bids on February 10, 2010. Bids were received from: American Suncraft Construction Company - \$726,951.50; Horizon Brothers Painting Corp. - \$867,680.00; D & M Painting Corp. - \$995,500.00; Jetco Ltd. - \$4,112,680.00 (math error on their extended total); and V & T Painting, LLC - \$1,592,085.00 (math error in their extended total).

The lowest bid was from American Suncraft Construction Company in the amount of \$726,951.50. Their Contract Compliance Number is 31-128624 (8/28/10, Majority). Additional information regarding each bidder, description of work, contract time frame and detailed amounts can be found on the attached Legislation Information Form.

3. FISCAL IMPACT: A transfer of funds within the Water Build America Bonds Fund will be necessary, as well as an amendment to the 2009 Capital Improvements Budget.

Title

To authorize the Director of Public Utilities to execute a construction contract with American Suncraft Construction Company for the Recoating of Karl Road 2MG Hydropillar Tank Project; for the Division of Power and Water; to authorize a transfer and expenditure of \$726,951.50 within the Water Build America Bonds Fund; and to amend the 2009 Capital Improvements Budget. (\$726,951.50)

Body

WHEREAS, five bids for the Recoating of Karl Road 2MG Hydropillar Tank Project were received and publicly opened in the offices of the Director of Public Utilities on February 10, 2010; and

WHEREAS, the lowest and best bid was from American Suncraft Construction Company in the amount of \$726,951.50; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction for the Recoating of Karl Road 2MG Hydropillar Tank Project; and

WHEREAS, it is necessary for this Council authorize the transfer within and expenditure of funds from the Water Build America Bonds Fund, for the Division of Power and Water, and

WHEREAS, it is necessary to authorize an amendment to the 2009 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, it has become necessary in the usual daily operation of the Division of Power and Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a construction contract with American Suncraft Construction Company for the Recoating of Karl Road 2MG Hydropillar Tank 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 Director of Public Utilities be and hereby is authorized to award and execute a construction contract for the Recoating of Karl Road 2MG Hydropillar Tank Project with the lowest and best bidder, American Suncraft Construction Company, 10836 Schiller Rd., Medway, Ohio 45341; in the amount of \$726,951.50; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water.

SECTION 2. That the City Auditor is hereby authorized to transfer \$726,951.50 within the Department of Public Utilities, Division of Power and Water, Water Build America Bonds Fund, Fund No. 609, Dept/Div. No. 60-09, Object Level Three 6621, as follows:

Fund No. | Project No. | Project Name | OCA Code | Change

609 | 690424-100000 (New funding) | Lazelle Rd. 2MG Storage Tank | 609424 | -\$726,951.50

609 | 690477-100001 (New funding) | Karl Rd. 2 MG Tank Painting | 694771 | +\$726,951.50

SECTION 3. That the 2009 Capital Improvements Budget is hereby amended as follows:

Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | Change

609 | 690424-100000 (New funding) | Lazelle Rd. 2MG Storage Tank | \$4,280,556 | \$3,553,604 | -\$726,952
609 | 690477-100001 (New funding) | Karl Rd. 2 MG Tank Painting | \$0 | \$726,952 | +\$726,952

SECTION 4. That the expenditure of \$726,951.50 is hereby authorized for the Recoating of Karl Road 2MG Hydropillar Tank Project within the Water Build America Bonds Fund, Fund No. 609, Division 60-09, Project No. 690477-100001, Object Level Three 6621, OCA Code 694771.

SECTION 5. That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Power and Water.

SECTION 6. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 7. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

SECTION 9. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0352-2010

Drafting Date: 02/22/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation**BACKGROUND** The Fire Division needs to purchase body armor for Firefighters. This ordinance authorizes and directs the Finance and Management Director to issue a purchase order to Vance Outdoors in the amount of \$269,548.00 from the General Permanent Improvement fund for this purchase in accordance with Solicitation SA003471.

Bid Information/Contract Compliance: Bids were solicited via the Purchasing Division via Solicitation SA003471, with the specifications requiring an exact vest and no alternates being accepted; bids were as follows:

Standard Law \$690.00/vest ~ non-responsive; bid an alternate vest
Vance Outdoors \$853.00/vest ~ bid exact vest as per specs
Roy Tailor \$909.00/vest ~ non-responsive; bid an alternate vest

The above solicitation specified an exact vest, with bids for alternates not being accepted. The vests bid by Standard Law, the low bidder, were alternate vests, and thus the bid was deemed non-responsive. The Division of Fire specified a product called the PACA vest. The Fire Division recommends the vest bid by Vance Outdoors, as the lowest, responsive, and responsible bidder as they bid the PACA vest.

The PACA vest specified in the bid specification was chosen by a committee for its superior comfortable fit and wearability. This vest was compared with the other vests offered and was unanimously chosen as the best for comfort, wearability, ease of use, and protection. The PACA vest was found to be the easiest to wear, put on, and take off. Also, it was the opinion of the committee that the PACA vest offered the best placement of ballistic plates which added to the ease in their use.

Contract Compliance: Vance's Outdoors #542072038 exp. 01/01/2012

Emergency Designation: This legislation is to be considered an emergency measure to allow for the immediate use of funds and immediate purchase of this equipment.

FISCAL IMPACT: Ordinance 0592-2009 passed April 20, 2009 reserved appropriation within the General Permanent Improvement Fund 748 for this purchase via AC029838 in the amount of \$270,000.00. This ordinance authorizes an expenditure of \$269,548.00 from the General Permanent Improvement Fund to procure safety vests for the Division of Fire. It has been several years since the Division of Fire purchased a significant number of vests. TitleTo authorize and direct the Finance and Management Director to issue a purchase order to Vance Outdoors in the amount of \$269,548.00 for the purchase of body armor vests for the Fire Division; to authorize the expenditure of \$269,548.00 from the General Permanent Improvement Fund; and to declare an emergency. (\$269,548.00) BodyWHEREAS, the Fire Division is in need of new body armor vests for use by Firefighters; and

WHEREAS, bids were solicited via the Purchasing Division per SA003471, and

WHEREAS, Vance Outdoors was the lowest, responsive, and responsible bidder; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, Division of Fire, in that it is immediately necessary to purchase said body armor vests 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 Finance and Management Director is hereby authorized to issue a purchase order to Vance Outdoors for the purchase of body armor vests for the Division of Fire in accordance with Solicitation SA003471.

SECTION 2. That the expenditure of \$269,548.00, or so much thereof as may be necessary, is hereby authorized to be expended from the Fire Division 30-04, via Permanent Improvement Fund 748 ~ funding has been reserved via AC029838 by Ordinance 0592-2009, passed April 20, 2009 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 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.

Legislation Number: 0369-2010

Drafting Date: 02/24/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

1. Background:

A. Need: This legislation authorizes the Director of Public Utilities to enter a contract with the Badger Construction Company for construction services for the demolition of the former DOSD Surveillance Laboratory Building Project Contract L5 (1102) located at 900 Dublin Road, Columbus, Ohio. This legislation authorizes the expenditure of \$82,800 from the Sanitary Build America Bond (B.A.B.) Fund (Fund 668).

The work consists of the demolition of the existing Surveillance Laboratory building, the HVAC building, and the GCMS

Lab; removal and or abatement of asbestos; removal of portions of the existing pavement and foundation; removal of existing utility services; removal and disposal of existing buried construction and demolition (C&D) debris; construction of perimeter chain link fence; stabilizing disturbed areas with gravel; and other such work as may be necessary to complete the contract in accordance with the plans and specifications.

Procurement Information: The selection of the firm to provide the required demolition services was performed in accordance with the procedures set forth in Title 3, Chapter 329 of Columbus City Code. The following companies submitted competitive bids for this project, CIP 650552-100002:

Badger Construction Co	55-0637084 MAJ	Morgantown, WV
O'Rourke Wrecking Co	31-1485331 MAJ	Cincinnati, OH
Seals Construction Inc	31-1659037 MAJ	Canal Winchester, OH
All Aspects Contracting (Requested)	26-4098851 FBE	Elyria, OH
Steve R. Rauch, Inc	31-0895773 MAJ	Dayton, OH
Watson General Contracting LLC	31-1429409 MAJ	Newark, OH
Darby Creek Excavating, Inc	31-1345111 MAJ	Circleville, OH
Dore & Associates Contracting, Inc	38-1366164 MAJ	Bay City, MI
Colvin Gravel Company, Inc	31-4441189 MAJ	Columbus, OH
S.G. Loewendick & Sons, Inc	38-1366164 MAJ	Grove City, OH
Evans Landscaping Inc	31-1175355 MAJ	Cincinnati, OH
B & B Wrecking Inc (Application filed)	74-3060207 MAJ	Cleveland, OH
Baumann Enterprises, Inc	34-1912001 MAJ	Garfield Heights, OH
Quality Asbestos & Demolition Svcs. LLC	26-2954232 Not Active	Bay City, MI

Badger Construction Co. was the firm selected as the lowest responsive and responsible best Bidder.

Award is recommended to the lowest Responsive and Responsible Best Bidder.

B. Contract Compliance No: 55-0637084 | Exp. 01/26/2012 | MAJ

C. Emergency Designation: Emergency designation is not required for this legislation. _

2. FISCAL IMPACT: This ordinance authorizes the Director of Public Utilities to transfer within and expend \$82,800.00 in funds from the Build America Bond (B.A.B.s) Fund for this product and to amend the 2009 Capital Improvements Budget to establish sufficient budget authority to cover the expenditure upon passage of this ordinance.

Title

To authorize the Director of Public Utilities to enter a construction contract with Badger Construction Company for the demolition of the former DOSD Surveillance Laboratory; to transfer within and expend \$82,800.00 in funds from the Build America Bond (B.A.B.s) Fund; and to amend the 2009 Capital Improvements Budget to establish sufficient budget authority to cover the expenditure upon passage of this ordinance for the Division of Sewerage and Drainage. (\$82,800.00)

Body

WHEREAS, the Demolition of the Former DOSD Surveillance Laboratory Project contract L5 (1102) consists of the demolition of Surveillance Laboratory building, the HVAC building, and the GCMS Lab, including asbestos removal; removal and/or abandonment of existing utility services; and

WHEREAS, it is necessary to authorize the transfer within funds from the Sanitary B.A.B. (Build America Bonds) Fund in the amount of \$82,800.00 for purposes of providing sufficient funding for the aforementioned project expenditure; and

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Sanitary B.A.B. (Build America Bonds) Fund; and

WHEREAS, it is necessary to authorize an amendment to the 2009 Capital Improvements Budget for the purpose of

providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to enter into a construction services contract with Badger Construction Company for the demolition of the former DOSD Surveillance Laboratory building located at 900 Dublin Road, Columbus, Ohio, at the earliest practical date in order to ensure the continued operation of this vital infrastructure 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 Director of Public Utilities be, and hereby is, authorized to enter into a contract with the Badger Construction Company, 51 Stockett Road, Morgantown, WV 26508 for demolition of the Former DOSD Surveillance Laboratory Contract L5 (1102) in accordance with the terms and conditions as shown on the contract on file in the office of the Division of Sewerage and Drainage.

SECTION 2. That the City Auditor is hereby authorized to transfer of \$82,800.00 within the Department of Public Utilities, Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668, Object Level Three 6676, as follows:

From:

Project No. | Project Name | OCA Code | Change

650348-100002 | WWTFs Instrumentation & Control System Upgrade | 652348 | (-\$82,800.00)

To:

Project No. | Project Name | OCA Code | Change

650552-100002 | Demolition of the DOSD Surveillance Laboratory | 668552 | (+\$82,800.00)

SECTION 3. That the City Auditor be and hereby is authorized to expend a total of \$82,800.00 from the Sanitary B.A.B.s (Build America Bonds) Fund into the Demolition of the DOSD Surveillance Laboratory Project | Fund 668 | Div. 60-05 | Proj. 650552-100002 | 668552-100002 | Object Level Three 6676.

SECTION 4. That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows, to provide sufficient budget authority for the Capital Improvement Projects listed herein:

Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | (Change)

668 | 650348-100002 | WWTFs Instrumentation & Control System Upgrade | \$3,555,436 | \$3,472,636 | (-\$82,800)

668 | 650552-100002 | Demolition of the DOSD Surveillance Laboratory | \$0 | \$82,800 | (+\$82,800)

SECTION 5. That the City Auditor is hereby authorized to transfer any unencumbered balance in the project account to the unallocated balance 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 made from a project by monies from more than one source.

SECTION 6. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 7. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

Legislation Number: 0378-2010

Drafting Date: 02/25/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

1. BACKGROUND: The Purchasing Office has established Universal Term Contracts for large water meters and appurtenances with the companies listed below. These contracts will expire March 31, 2011. The Division of Power & Water would like to establish Blanket Purchase Orders, based on these contracts, to purchase water meters and appurtenances in the amount of \$570,000.00. These items are needed for new customer installations and maintenance of existing meters.

<u>Vendor</u>	<u>UTC #</u>	<u>C.C. No.</u>	<u>Expires</u>	<u>MBE/FBE</u>	
Elster Amco Water		FL004526	59-1212543	10/14/11	Majority
Badger Meter, Inc.		FL004529	39-0143280	2/4/11	Majority
Hersey Meters Co.		FL004531	37-1388051	12/15/10	Majority
Neptune Equipment		FL004532	31-0591457	11/17/11	Majority

2. FISCAL IMPACT: Funds for this expenditure are included in the Water Build America Bonds Fund.

Title

To authorize the Finance and Management Director to establish Blanket Purchase Orders with various companies for the purchase of water meters and appurtenances for the Division of Power and Water, and to authorize the expenditure of \$570,000.00 from the Water Build America Bonds Fund. (\$570,000.00)

Body

WHEREAS, the Division of Power and Water needs to purchase water meters and appurtenances for new customer installations and for maintenance of existing customer's meters; and

WHEREAS, the Purchasing Office has established Universal Term Contracts with various companies; and

WHEREAS, it has become necessary in the usual daily operation of the Division of Power and Water, Department of Public Utilities to authorize the Finance and Management Director to establish Blanket Purchase Orders for water meters and appurtenances, 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 Finance and Management Director be and is hereby authorized to establish Blanket Purchase Orders for water meters and appurtenances from established Universal Term Contracts with Elster Amco Water, Badger Meter, Inc., Hersey Meters Co., and Neptune Equipment, in a total amount of \$570,000.00, for the Division of Power and Water, Department of Public Utilities.

SECTION 2. That the expenditure of \$570,000.00 is hereby authorized for water meters and appurtenances within the Water Build America Bonds Fund, Fund No. 609, Division 60-09, Project No. 690394-100000 (new funding), Object Level Three 6670, OCA Code 609394, as designated below:

<u>Vendor Name</u>	<u>Amount</u>
Elster Amco Water	\$ 100,000.00
Badger Meter, Inc.	\$ 100,000.00
Hersey Meters Co.	\$ 350,000.00
Neptune Equipment	<u>\$ 20,000.00</u>
	\$570,000.00

SECTION 3. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 4. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

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

Legislation Number: 0379-2010

Drafting Date: 02/26/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation 1. BACKGROUND

Need: The Ohio Water Development Authority (OWDA) requires this legislation which authorizes the Director of Public Utilities to apply for and execute five (5) OWDA Local Government Agency Loan Program loan agreements for the construction of five Water projects as identified in Section 1. under the direction of the Division of Power and Water. These Capital Improvements Projects are being financed through the OWDA Local Government Agency Loan Program. This loan program is administered by the OWDA. The loan program provides low interest rate loans for municipal water utility capital improvements. The loan applications are now being prepared for these projects. This authorizing legislation is a requirement for loan approval and must be submitted to the OWDA as a part of each loan application.

2. FISCAL IMPACT

Budgeted Amount: There is sufficient budget authority in the 2010 Water System Operating Fund for application fee expenditures. These loans will be paid off over a 20-year period from water system fees (dedicated source of repayment). Water rate increases have been projected and planned in anticipation of these projects and loans.

Title

To authorize the Director of Public Utilities to apply for, accept, and enter into up to five (5) Ohio Water Development Authority Local Government Agency Loan Program loan agreements, for the financing of five Division of Power and Water construction projects; and to designate a dedicated repayment source for the loans.

Body

WHEREAS, the Department of Public Utilities is scheduled to prepare loan applications for submittal to the Ohio Water Development Authority (OWDA) under the Local Government Agency Loan Program to finance, through below-market interest rate loans, the construction of up to five (5) Capital Improvements Projects under the Division of Power and Water, which financial assistance will be of help in reducing total project costs to the City's water customers; and

WHEREAS, prior to loan agreement approval by the OWDA, the loan application and loan agreement documents require the City to submit to the OWDA a certified copy of approved City Council legislation which authorizes the Director of the Public Utilities Department to apply for and subsequently execute the loan agreements, and to authorize a dedicated source of loan repayment for the loans; Now Therefore:

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

Section 1. That the Director of Public Utilities be, and hereby is, authorized to apply for, accept, and enter into up to five (5) Ohio Water Development Authority (OWDA) Local Government Agency Loan Program loan agreements, for the financing of up to five Division of Power and Water Capital Improvements Projects, as described below with the "not to exceed" construction project costs in parenthesis, as follows:

1. Canyon Drive Area Water Line Improvements Project, CIP No. 690236-100020; (\$ 2,475,000.00).
2. Dublin Rd. 12-Inch Water Main Improvements, CIP No. 690460; (\$ 3,300,000.00).
3. Idlewild Drive Area Water Main Improvements CIP No. 690236-100008; (\$ 1,100,000.00).
4. DRWP New Low Service Pumps; CIP No. 690494; (\$ 4,400,000.00).
5. Chatterton Rd. Water Main Improvements, CIP No. 690483; (\$ 4,950,000.00).

Section 2. That water rates are hereby authorized to be the dedicated source of repayment for the Ohio Water Development Authority Loan Agreements.

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

Legislation Number: 0380-2010

Drafting Date: 02/26/2010

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

Rezoning Application Z09-036

APPLICANT: Wellesley LLC; c/o David L. Hodge; Smith & Hale, LLC; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: Automobile services.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on January 14, 2010.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 1.1± acre site is zoned in the C-2, Commercial District and is the site of a former bank that is now vacant. The applicant requests the CPD, Commercial Planned Development District to permit the construction of an automotive maintenance facility, specifically a tire store, on the site. The requested CPD, Commercial Planned Development District would allow redevelopment of the site with customary use and lighting limitations as well as street trees. The proposed uses and site plan are consistent with the zoning and development patterns of the area.

Title

To rezone **6265 EAST BROAD STREET (43213)**, being 1.1± acres located at the southeast corner of East Broad Street and McNaughten Road, **From:** C-2, Commercial District, **To:** CPD, Commercial Planned Development District **and to declare an emergency** (Rezoning # Z09-036).

Body

WHEREAS, application #Z09-036 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.1± acres from the C-2, Commercial District, to the CPD, Commercial Planned Development

District; and

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

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; and

WHEREAS, the City Departments recommend approval because the 1.1± acre site is zoned in the C-2, Commercial District and is the site of a former bank that is now vacant. The applicant requests the CPD, Commercial Planned Development District to permit the construction of an automotive maintenance facility, specifically a tire store, on the site. The requested CPD, Commercial Planned Development District would allow redevelopment of the site with customary use and lighting limitations as well as street trees. The proposed uses and site plan are consistent with the 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:

6265 EAST BROAD STREET (43213), being 1.1± acres located at the southeast corner of East Broad Street and McNaughten Road, and being more particularly described as follows:

Legal Description

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, BEING LOCATED IN LOT 18, OF QUARTER TOWNSHIP 3, TOWNSHIP 1, RANGE 16, UNITED STATES MILITARY LANDS AND BEING PART OF THAT TRACT OF LAND CONVEYED TO EQUIVESTORS COMPANY, BE DEED OF RECORD IN DEED BOOK 3144, PAGE 63, ALL REFERENCES BEING TO RECORDS IN THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST BROAD STREET (STATE ROUTE 16), AT THE INTERSECTION OF SAID RIGHT-OF-WAY LINE WITH THE EASTERLY RIGHT-OF-WAY LINE OF MCNAUGHTEN ROAD, AS SAID MCNAUGHTEN ROAD RIGHT-OF-WAY WAS CONVEYED TO CITY OF COLUMBUS BY DEED OF RECORD IN DEEDBOOK 2830, PAGE 612;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF EAST BROAD STREET, NORTH 82° 17' 20" EAST, (BEING 33 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE CENTERLINE OF EAST BROAD STREET) 229.07 FEET TO A POINT IN THE WESTERLY LINE OF THE 0.852 ACRE TRACT CONVEYED TO R.G. AND J. BALFOUR BY DEED OF RECORD IN DEED BOOK 2246, PAGE 665;

THENCE ALONG SAID WESTERLY LINE OF THE 0.852 ACRE TRACT, SOUTH 1° 35' 35" WEST, 226.87 FEET TO A POINT;

THENCE ACROSS THE EQUIVESTORS COMPANY 2.53 ACRE TRACT, NORTH 85° 57' 25" WEST, 233.96 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF MCNAUGHTEN ROAD;

THENCE ALONG SAID RIGHT-OF-WAY LINE, NORTH 4° 02' 35" EAST, (BEING 50 FEET EASTERLY, AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE CENTERLINE OF MCNAUGHTEN ROAD), 180.0 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.072 ACRES, MORE OR LESS.

To Rezone From: C-2, Commercial District,

To: CPD, Commercial Planned Development District.

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

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plan and exhibit being titled, "**GRISMER TIRE CP 2.0 LAYOUT PLAN**" and "**ATTACHMENT,** " both signed by David L. Hodge, Attorney for the Applicant, and dated October 13, 2009, and text titled, "**COMMERCIAL PLANNED DEVELOPMENT,**" signed by David L. Hodge, Attorney for the Property Owner, and dated February 19, 2010, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT

EXISTING DISTRICT: C-2

PROPOSED DISTRICT: CPD

PROPERTY ADDRESS: 6265 East Broad Street

OWNER: Wellesley LLC

APPLICANT: Wellesley LLC

DATE OF TEXT: February 19, 2010

APPLICATION NUMBER: Z09 - 036

1. INTRODUCTION: This property is currently zoned C-2, Commercial and is developed with a vacant bank building with drive-thru bays along the east side of the building. The applicant proposes rezoning the property to the CPD, Commercial Planned Development district. The proposal is to reuse the existing building, to remove the drive-thru bays and to add automotive service bays. The site is 1.07+/- acres and is located at the southeast corner of East Broad Street and McNaughten Road.

2. PERMITTED USES: Those uses permitted by Columbus City Code Section 3356.03, except:

Automobile and Light Truck Dealers
Bars, Cabarets and Nightclubs
Blood and Organ Banks
Community Food Pantry
Missions/Temporary Shelters
Motorcycle, Boat, and Other Motor Vehicle Dealers
Pawn Brokers
Supermarkets
Hotels and Motels
Limousine and Taxi Service
Animal Shelter
Amusement Arcade
Halfway House
Veterinarians

3. DEVELOPMENT STANDARDS: Except as otherwise listed herein, the development standards established by the C-4 Commercial District shall apply.

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

1. The building setback shall be as follows: from the existing right-of-way a minimum of fifty (50) feet from McNaughten Road and a minimum of fifty-five (55) feet from East Broad Street.

2. The parking setback line shall be as follows: a minimum of ten (10) feet from McNaughten Road and zero from East

Broad Street, which condition occurs as a result of a right-of-way dedication commitment provided in B(2) below.

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

1. The access points are shown on the submitted site plan. Except as otherwise limited herein, these access points shall remain as depicted on the site plan and may function as full service access points, subject to the future limitations in B(4) and B(5) below.
2. Eleven (11) feet of right-of-way along East Broad Street shall be dedicated to the City of Columbus.
3. Nine (9) feet of right-of-way along McNaughten Road shall be dedicated to the City of Columbus.
4. Upon the completion of proposed roadway widening improvements on McNaughten Road the applicant agrees that the McNaughten Road access point may become a right-in / right-out access point.
5. Upon the construction of roadway widening improvements on East Broad Street, a future median shall restrict the left-in and left-out movements from the East Broad Street access point.

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

1. Street trees shall be planted along Broad Street and McNaughten Road at a ratio of one tree per thirty (30) feet of frontage. Trees may be planted in the right-of-way and may be grouped as long as the minimum number of trees is planted.
2. Landscaping shall be maintained in a healthy state. Dead items shall be replaced at the next planting season or within six (6) months, whichever occurs sooner. Unless otherwise specified, minimum size of all trees at installation shall be 2 1/2 inches in caliper for deciduous shade trees, five (5) feet high for evergreen trees and 1 1/2 inches in caliper for ornamental trees.

D. Building Design and/or Interior/Exterior Commitments:

Not applicable.

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

The light standards shall not exceed twenty-eight (28') feet in height and shall be cut-off style fixtures.

F. Graphics Commitments.

All signage and graphics shall be as permitted for the C-4 District. Any variances to those requirements shall be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous.

1. Site Plan: The subject site shall be developed in accordance with the submitted site plan. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of Development or his designee upon the submission of the appropriate data regarding the proposed adjustment.
2. A memorial monument to slain Columbus Police Officer Bryan Hurst shall be located on the property. This memorial monument shall be substantially similar in concept to the memorial plaque depicted on the attachment hereto.

H. CPD Requirements:

1. Natural Environmental and Existing Land Uses: The property is zoned commercially and has most recently been used as a bank with drive-thru bays. It is surrounded by office uses to the east and south. A pharmacy and retail center is located across McNaughten Road to the west. Retail and restaurant uses with drive-thru windows are located to the north
2. Existing Land Use: The property is currently developed and has most recently operated as a bank with drive- thru windows.
3. Transportation and Circulation: The curb cuts and internal circulation patterns are shown on the submitted site plan and otherwise limited as provided herein.
4. Visual Form of the Environment: Consideration has been given to the visibility and safety of the motorists and pedestrians in the development of the property.
5. Proposed Development: Automotive service.
6. Behavior Pattern: Existing development in the area has established behavior patterns for the motorists.
7. Emissions: No adverse effects from emissions shall result from the proposed development.

I. Variances:

1. The approval of this CPD includes a variance to Section 3356.11 to allow a setback from the existing right-of-way of East Broad Street of less than eighty (80') feet, which is the existing condition of the building currently located on this property and being reused by this applicant. (80 to 55 feet).
2. The approval of this CPD includes a variance to Section 3342.18 to allow a parking setback reduction from ten (10') to zero along East Broad Street

SECTION 4. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **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 10 days after its passage if the Mayor neither approves nor vetoes the same.**

Legislation Number: 0389-2010

Drafting Date: 03/01/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation To authorize the Director of Recreation and Parks to enter into contract with the Central Ohio Workforce Investment Corporation (COWIC) to provide summer youth programming from March 1, 2010 through December 1, 2010; to authorize the expenditure of \$440,000.00 from the Recreation and Parks Operating fund (285).

The 2010 Recreation and Parks budget includes funds to support the summer youth program in the City of Columbus. This program will be contracted to COWIC, which has directed this program for three years. The summer youth program will be funded through the Recreation and Parks operating fund in the amount of \$440,000.

FISCAL IMPACT: There has been an appropriation of \$440,000 in the 2010 Recreation and Parks Fund (285) for summer youth. No other funds will be used.

Compliance number 201175160 - through March 1, 2012.

Title To authorize the Director of Recreation and Parks to enter into contract with the Central Ohio Workforce

Investment Corporation (COWIC) to provide summer youth programming from March 1, 2010 through December 1, 2010; and to authorize the expenditure of \$440,000.00 from the Recreation and Parks Operating Fund. (\$440,000.00)

Body

WHEREAS, the Director of Recreation and Parks desires to continue support of summer youth programs by entering into contract with COWIC; and

WHEREAS, The Recreation and Parks 2009 budget includes appropriated funds of \$440,000.00 in the Summer Lunch Fund to support summer youth programs; and

WHEREAS, the contracts with COWIC will be from Recreation and Parks Operating Fund (285) OCA 510420 object level 03-3336; and

WHEREAS, these opportunities for youth are an essential component for their development of life skills and self-esteem, and as a complement to other City programs giving youth positive experiences; and

WHEREAS, it is necessary to enter into contract for these services at the soonest available date to maximize program effectiveness for the immediate preservation of public peace, property, health, safety and welfare; **NOW THEREFORE**,

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

Section 1. That the Director of Recreation and Parks is hereby authorized to enter into contracts with Central Ohio Workforce Investment Corporation (COWIC) for the purpose of funding the following summer youth program:

COWIC Summer Youth \$440,000.00 Recreation and Parks Fund (285) March 1-December 1, 2010

Section 2. That for the purposes stated in Section 1, the expenditure of \$440,000.00, or so much thereof as may be necessary, be and is hereby authorized to be expended from:

Recreation and Parks Department /Division 51-01 /Fund 285 (Summer Lunch Program) / OCA 510420 / Object level 03-3336.

Section 3. That these contracts are awarded pursuant to Section 329.15 of the Columbus City Codes, 1959 as amended.

Section 4. That the monies in the foregoing Section 3 shall be paid upon order of the Director of the Recreation and Parks Department 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 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this legislation.

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

Legislation Number: 0396-2010

Drafting Date: 03/01/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationBACKGROUND: For the option to establish a UTC contract to purchase Vulcan Screening Press Parts for the Division of Sewerage and Drainage, the sole user. The parts will be used for repairs on the four (4) Vulcan Screenings Press Systems at the Southerly Wastewater Treatment Plant. The term of the proposed option contract is two (2) years, expiring May 31, 2012, with the option to renew for one (1) additional year. The Purchasing Office opened bids on February 25, 2010.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003480). Twenty (20) bids were solicited: (M1A-0, F1-0, MBR-1). One bid was received.

The Purchasing Office is recommending award to the lowest, responsive, responsible and best bidder:

Vulcan Industries, Inc., MAJ, CC# 93-0721855 expires 8/05/2011, All Items, \$1.00
Total Estimated Annual Expenditure: \$25,000.00, Division of Sewerage and Drainage, the sole user

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund Account. City Agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance and Management Director to enter into a contract for the option to purchase Vulcan Screening Press Parts with Vulcan Industries, Inc., and to authorize the expenditure of \$1.00 to establish the contract from the Mail, Print Services and UTC Fund. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on February 25, 2010 and selected the lowest, responsive, responsible and best bidder; and

WHEREAS, this ordinance addresses Purchasing objective 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 and Management Director be and is hereby authorized and directed to enter into the following contract for the option to purchase Vulcan Screening Press Parts in accordance with Solicitation No. SA003480 for a term of approximately two (2) years, expiring May 31, 2012, with the option to renew for one (1) additional year, as follows:

Vulcan Industries, Inc., All Items, Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, 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.

Legislation Number: 0398-2010

Drafting Date: 03/02/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This code change removes the local definition of "high rise building" from the Columbus Building Code, Title 41, as the definition is no longer needed as it is now contained in the state mandate Ohio Building Code. Also, as currently drafted, the local definition conflicts with the definition contained in the state model code. The local definition currently contains a reference to an alternative measurement for determining high rise height, being above six stories, where the state code sets a height of seventy five feet, regardless of the number of stories contained therein. These code changes were reviewed by the Columbus Building Commission at their February 19, 2010, meeting and the Columbus Building Commission recommended the changes for approval.

FISCAL IMPACT: No funding is required for this legislation.

Title

To amend Section 4101.08 of the Columbus Building Code, Title 41, specifically removing the definition of "high rise building" as the definition is now contained in the latest version of the Ohio Building Code and is no longer needed in the Columbus Building Code.

Body

WHEREAS, this code change removes the local definition of "high rise building" from the Title 41, the Columbus Building Code; and

WHEREAS, the most recent version of the Ohio Building Code sets a height of seventy five feet, regardless of the number of stories contained therein; and

WHEREAS, the local definition is no longer needed as it is contained in the state code; and

WHEREAS, these code changes were reviewed by the Columbus Building Commission at their February 19, 2010, meeting and the Columbus Building Commission recommended the changes for approval; now, therefore

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

Section 1. That section 4101.08 of the Columbus City Codes, 1959, is hereby amended to read as follows:

4101.08 Letter H.

~~"High rise building" means a building of any use group having floors used for human occupancy located more than six (6) stories or seventy five (75) feet above the lowest level of fire department vehicle access.~~

"Home improvement" means the repair, replacement, remodeling, alteration, conversion, modernization, improvement, or addition to any land or building, or that portion thereof which is used or designed to be used as a private residence or dwelling place for not more than three (3) families; and shall include, but not be restricted to, the construction, replacement, or improvement of driveways, swimming pools, porches, garages, fallout shelters and other improvements to structures or upon land which is adjacent to a dwelling house. "Home improvement" shall not include (i) the construction of a new home building or work done by a contractor in compliance with a guarantee of completion of a new building project, or (ii) the sale of goods or materials by a seller who neither arranges to perform nor performs directly or indirectly any work or labor in connection with the installation of or application of the goods or materials.

"Home improvement contract" means an agreement for the performance of a home improvement or repair.

"Home improvement contractor" means any person who owns or operates a home improvement business or who undertakes or offers to undertake or agrees to undertake or agrees to perform any home improvement, whether or not such person is a prime contractor. "Home improvement contractor" includes any person who negotiates or offers to negotiate a

home improvement contract to be performed by another, unless such person is the employee or authorized representative of a single licensed home improvement contractor.

Section 2. That the prior existing section 4101.08 of the Columbus City Codes, 1959, is hereby repealed.

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

Legislation Number: 0403-2010

Drafting Date: 03/02/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into an agreement with Burgess & Niple, Inc., in the amount of \$4,259,792.00, for professional engineering services for the Hap Cremean Water Plant (HCWP) Treatment Improvements Project.

Modifications to the Hap Cremean Water Plant (HCWP) treatment process are necessary to comply with new rules promulgated by the Ohio Environmental Protection Agency set forth in the *Stage 2 Disinfection By-Product Rule* and the *Long Term 2 Enhanced Surface Water Treatment Rule*. This contract is for professional services for detailed design of treatment improvements selected from several pilot studies conducted in a previous contract at the Hap Cremean Water Plant. The new improvements will give the City the capability to remain in compliance with OEPA rules for drinking water.

Work to be performed under this agreement will be completed in two phases: Preliminary Engineering and Detailed Design. The agreement will need to be modified in order to provide for a third phase, Services During Construction.

Preliminary Engineering: Work under this phase will include the evaluation and analysis of four layout options, including the evaluation of two oxygen source alternatives (bulk liquid oxygen and ambient air for on-site generation of high purity oxygen gas), and two ozone feed injection alternatives (fine bubble diffusion and high efficiency injection). Elements of this phase of work will include various meetings and workshops; value engineering; survey and mapping of the project site; geotechnical investigations; design drawings (50 percent); and a Preliminary Design Report (PDR). The option analysis will include preliminary construction cost estimates; probable annual operating, maintenance, and repair costs; a present worth analysis; basis of design narrative; construction phasing, general operational descriptions, preliminary hydraulics analysis, and a preliminary schedule.

Detailed Design: Work under this phase will include the preparation of Detailed Construction Contract Documents in accordance with the approved Preliminary Design Report (PDR). Construction Contract Documents will include Construction Costs Estimate, Detailed Engineering Drawings, Specifications, and Bidding Documents.

2. BID INFORMATION: The selection of the firm providing the professional engineering services has been performed in accordance with the procedures set forth in Columbus City Code, Section 329.14, "Awarding professional service contracts through requests for proposals." Requests for Proposals (RFP's) were received on September 19, 2009 from Burgess & Niple, Inc. and CH2M Hill, Inc.

An evaluation committee reviewed the proposals and scored them based on the evaluation criteria specified in the RFP: quality and feasibility of the offeror's technical proposal, ability of the offeror to perform the required service competently and expeditiously, past performance, environmental innovation, and location of staff. Based on the evaluation of the proposals submitted, the Director of Public Utilities requests award of the project to Burgess & Niple, Inc.

The Contract Compliance Number for Burgess & Niple, Inc. is 31-0885550 (expires 12/10/10, Majority). Additional information regarding both bidders, description of work, contract time frame and detailed amounts can be found on the attached Legislation Information Form.

3. FUTURE CONTRACT MODIFICATIONS:

The agreement will need to be modified in order to provide professional engineering services for the Third Phase, Services During Construction.

4. FISCAL IMPACT: A transfer of funds within the Water Super Build America Bonds Fund will be necessary, as well as an amendment to the 2009 Capital Improvements Budget.

Title

To authorize the Director of Public Utilities to enter into an agreement with Burgess & Niple, Inc. for professional engineering services for the Hap Cremean Water Plant (HCWP) Treatment Improvements Project; to authorize a transfer and expenditure of \$4,259,792.00 within the Water Super Build America Bonds Fund; for the Division of Power and Water; and to amend the 2009 Capital Improvements Budget. (\$4,259,792.00)

Body

WHEREAS, two technical proposals for professional engineering services for the Hap Cremean Water Plant (HCWP) Treatment Improvements Project were received on September 19, 2009; and

WHEREAS, Burgess & Niple, Inc. was the firm selected to perform the design services for this project based on criteria set forth in Columbus City Codes; and

WHEREAS, the Division of Power and Water would like to enter into a professional engineering agreement with Burgess & Niple, Inc. for the Hap Cremean Water Plant (HCWP) Treatment Improvements Project, for the aforementioned reasons; and

WHEREAS, it is necessary for this Council authorize the transfer within and expenditure of funds from the Water Super Build America Bonds Fund, for the Division of Power and Water; and

WHEREAS, it is necessary to authorize an amendment to the 2009 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, it has become necessary in the usual daily operation of the Division of Power and Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into an agreement for professional engineering services for the Hap Cremean Water Plant (HCWP) Treatment Improvements Project, for the preservation of the public health, peace, property and safety;

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

SECTION 1. That the Director of Public Utilities be and hereby is authorized to enter into an agreement for professional engineering services for the Hap Cremean Water Plant (HCWP) Treatment Improvements Project; with the best, responsive and responsible bidder, Burgess & Niple, Inc., 5085 Reed Road, Columbus, Ohio 43220; in the amount of \$4,259,792.00; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water.

SECTION 2. That the City Auditor is hereby authorized to transfer \$4,259,792.00 within the Department of Public Utilities, Division of Power and Water, Water Super Build America Bonds Fund, Fund No. 610, Dept/Div. No. 60-09, Object Level Three 6686, as follows:

Fund No. | Project No. | Project Name | OCA Code | Change

610 | 690430-100000 (new funding) | HCWP Treatment Imp's | 610430 | -\$4,259,792

610 | 690430-100001 (new funding) | HCWP Treatment Imp's Detailed Design & Construction | 643001 | +\$4,259,792

SECTION 3. That the 2009 Capital Improvements Budget is hereby amended as follows:

Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | Change

610 | 690430-100000 (new funding) | HCWP Treatment Imp's | \$6,000,000 | \$1,740,208 | -\$4,259,792

610 | 690430-100001 (new funding) | HCWP Treatment Imp's Detailed Design & Construction | \$0 | \$4,259,792 | +\$4,259,792

SECTION 4. That the expenditure of \$4,259,792.00 is hereby authorized for the Hap Cremean Water Plant (HCWP) Treatment Improvements Project within the Water Super Build America Bonds Fund, Fund No. 610, Division 60-09, Project No. 690430-100001 (new funding), OCA Code 643001, Object Level Three 6686.

SECTION 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

SECTION 6. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 7. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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

Legislation Number: 0413-2010

Drafting Date: 03/05/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Director of the Department of Development to enter into contracts with various contractors for grass mowing and litter control services during the 2010 season. These services are needed to protect the health and safety of the citizens of Columbus.

Sixteen (*City-wide*) vendors submitted the required bid packet on 2/12/2010 and have been selected to participate in the weed abatement and solid waste removal program in 2010. This program is administered by the Department of Development, Building Services Division. These Sixteen vendors were not only selected on their competitive hourly rates, but the selection was also based on their completion of the bid packet and their past performance and experience in the program. Of the Sixteen vendors selected, one vendor is new to the program.

The eight (*Community-group*) associations and organizations do not formally submit a bid packet and are paid an equal hourly rate for their equipment and labor. Their hourly rates are based on the average hourly rates of the (*City-wide*) vendors that receive and award. The (*Community group*) organizations are also involved in cutting and maintaining street islands, medians and mini-parks throughout the City.

Emergency action is required so these services can be available at the beginning of the season.

FISCAL IMPACT: The 2010 Budget includes funding from the General Fund, Community Development Block Grant Fund, and Recreation and Parks Operating Fund for this service.

Title

To authorize the Development Director to enter into contracts with various contractors for grass mowing and litter control services during the 2010 season; to authorize the expenditure of \$137,390.00 from the General Fund; to authorize the expenditure of \$140,000.00 from the Community Development Block Grant Fund; to authorize the expenditure of

\$97,461.00 from the Recreation and Parks Operating Fund; and to declare an emergency. (\$374,851.00)

Body

Whereas, grass mowing and litter control is necessary to public health; and

Whereas, it is the responsibility of the Weed Abatement Program to clear public sites and private properties deemed in violation; and

Whereas, in order to carry out this responsibility it is necessary to contract for grass mowing and litter control services; and

Whereas, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to enter into contracts so these services can be available at the beginning of the season, all for the immediate preservation of the public peace, health, safety, and welfare; now, therefore,

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

Section 1. That the Director of the Department of Development is authorized to enter into contracts with the vendors listed below in accordance with Columbus City Code for grass mowing and litter control services.

Vendor Contract Comp# Expiration Date

A-1 Swimming Pools Supplies / 311133166 / 2/24/2011
Chapman's Lawn Care / 331152831 / 2/24/2011
Clintonville-Beechwood Community Resource Center / 310834578 / NPO
Columbus Industrial Mowing / 285346688 / 1/20/2011
Columbuscapes / 311273039 / 1/13/2011
Curb Appeal Lawn Care / 204826854 / 2/24/2011
Cut it Now Lawn Care & Hauling Service / 281661165 / 2/6/2011
Driving Park Civic Association / 311128785 / NPO
DMS Lawn Care / 331160349 / 1/28/2012
E J Lawn Service / 421723055 / 2/10/2011
Floyd Muncey Lawn Care & Snow Removal / 275766614 / 1/11/2012
Gladden Community House / 314379476 / NPO
Gilbert Hauling Inc. / 311403027 / 12/8/2010
Greater Linden Development Corp. / 311419862 / NPO
Higher Ground Commercial Maint. / 300803018 / 10/20/2011
Johns Industrial Landscaping / 281583383 / 2/19/2012
Marion Franklin Civic Association / 311250698 / NPO
Martha Walker Garden Club / 311013959 / NPO
Nowlin & Sons Lawn Care / 271864234 / 2/16/2012
Lyles Landscape & Maint / 311750874 / 2/10/2011
Pine Hills Civic Association / 311064163 / NPO
Quality Lawn Care Service / 263807233 / 1/6/2011
Shield Field Services LLC / 262962207 / 1/8/2012
Shining Company / 311303398 / 2/4/2012

Section 2. That the expenditure of \$137,390.00, or so much thereof as may be necessary, from the Department of Development, Building Services Division, Division 44-03, General Fund, Fund 010, Object Level One 03, Object Level Three 3354, OCA Code 499046 for the aforesaid purpose is hereby authorized.

- Section 3.** That the expenditure of \$140,000.00, or so much thereof as may be necessary, from the Department of Development, Building Services Division, Division 44-03, CDBG Fund, Fund 248, Object Level One 03, Object Level Three 3354, OCA Code 410027 for the aforesaid purpose is hereby authorized.
- Section 4.** That the expenditure of \$97,461.00, or so much thereof as may be necessary, from the Recreation and Parks Department, Division 51-01, Recreation and Parks Operating Fund, Fund 285, Object Level One 03, Object Level Three 3354, OCA Code 510487 for the aforesaid purpose is hereby authorized.
- Section 5.** That for the reasons stated in the preamble thereto, 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.

Legislation Number: 0416-2010

Drafting Date: 03/05/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

COUNCIL VARIANCE AMENDMENT: CV04-044A

Ordinance #1964-2005, passed January 23, 2006 (CV04-044), allowed renovation of buildings on multiple parcels to develop a maximum of 134 multi-family dwelling units in conjunction with restaurant, theater and office uses that are permitted in the M, Manufacturing District. One of the features of the approved project is the vacation of Lucas Street between Town and Rich Streets. During negotiations between Staff and the applicant, Staff requested language to ensure that if this project is not developed, the public would still have access to Lucas Street between Town and Rich Streets. The applicant has not been able to comply with this condition. This ordinance will extend the proposed deadline for recording a public easement for pedestrian and vehicular access on Lucas Street between Town and Rich Streets for another four years. No other provision of the ordinance will change.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

Title

To amend Ordinance #1964-2005, passed on January 23, 2006 (CV04-044), for the property located **435 WEST TOWN STREET (43215)**, by amending Section 4 to extend a deadline for recording a public easement for pedestrian and vehicular access on Lucas Street between Town and Rich Streets. (CV04-044A)

Body

WHEREAS, Ordinance #1964-2005, passed on January 23, 2006 (CV04-044), allowed the construction of 134 multi-family dwelling units in conjunction with restaurant, theater and office uses with reduced development standards **435 WEST TOWN STREET (43215)**, in the M, Manufacturing I District; and

WHEREAS, this ordinance will amend Ordinance #1964-2005 by extending the proposed deadline for recording a public easement for pedestrian and vehicular access on Lucas Street between Town and Rich Streets another four years; and

WHEREAS, all other development standards and commitments contained in Ordinance #1964-2005 are unchanged by this ordinance and will remain in effect, now, therefore:

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

SECTION 1. That the existing Section 4 of Ordinance #1964-2005, passed on January 23, 2005 (CV04-044), be hereby

repealed and replaced with a new Section 4 reading as follows:

SECTION 4. That this ordinance is further conditioned on the applicant recording a public easement for pedestrian and vehicular access on Lucas Street between Town and Rich Streets if a certificate of occupancy is not issued for either "401 West Town Street" or "425 West Town Street" and the parking lot on Lucas Street is not constructed per the "**PROPOSED SITE PLAN**", prepared by Wandel and Schnell Architects Inc., dated January 13, 2006 and signed by Jeffrey L. Brown, attorney for the applicant within four years of passage of this ordinance including the proposed entry gates shown on the north and south ends of Lucas Street on the aforementioned site plan.

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

Legislation Number: 0432-2010

Drafting Date: 03/09/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation This ordinance will grant permission to the following groups to apply for a temporary liquor permit authorizing the sale of alcoholic beverages at special events to be held during 2010:

- 1) Friends of the Lower Olentangy Watershed for Waterfire, May 21;
- 2) Columbus Softball Association for the NAGAAA Gay Softball World Series Opening Ceremonies, August 16.

These organizations wish to sell alcoholic beverages to eligible patrons on various city streets and city property to be used for the events. There were no reports of public intoxication at Waterfire last year. This is the first year for the NAGAAA Gay Softball World Series Opening Ceremonies, but it is being hosted by the Columbus Softball Association, a non-profit organization that has a successful track record of hosting events in Columbus.

The City of Columbus, acting by and through its Director of Recreation and Parks, is required to grant approval to the organizers of these events so they may obtain the required permits from the Ohio Department of Commerce, Division of Liquor Control.

This legislation allows streets to be the host site for charitable organizations to host events as community fundraising endeavors with proceeds going back to the community. This legislation has the support of charitable organizations that will benefit from its passage. Event coordinators will still need to secure street closure signatures from neighborhood property owners before closing streets.

Fiscal Impact:

N/A

Title To authorize and direct the Director of Recreation and Parks to grant consent to two organizations to apply for permission to sell alcoholic beverages at the following 2010 events: Waterfire and the NAGAAA Gay Softball World Series Opening Ceremonies.

Body

WHEREAS, the following special events will take place during 2010: Waterfire and the NAGAAA Gay Softball World Series Opening Ceremonies; and

WHEREAS, following precedent, the organizers of these events wish to sell alcoholic beverages at said events:

- 1) Friends of the Lower Olentangy Watershed for Waterfire, May 21;
- 2) Columbus Softball Association for the NAGAAA Gay Softball World Series Opening Ceremonies, August 16.

WHEREAS, to this end, permission from the City of Columbus is required as it is the property owner involved;
NOW, THEREFORE

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

SECTION 1. That the Director of Recreation and Parks be and is hereby authorized and directed to grant consent on behalf of the City of Columbus to the following organizations to apply for appropriate liquor permits to enable the non-profit groups to sell alcoholic beverages during the hours specified in said permits and at a specified locations during their 2010 special events:

- 1) Friends of the Lower Olentangy Watershed for Waterfire, May 21;
- 2) Columbus Softball Association for the NAGAAA Gay Softball World Series Opening Ceremonies, August 16.

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

Legislation Number: 0434-2010

Drafting Date: 03/09/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This ordinance authorizes the establishment of an auditor's certificate for \$425,000.00 for the reimbursement of staff time related to the administration of 2010 Capital Improvements Projects.

Fiscal Impact:

\$425,000.00 is required and budgeted in the Voted 1999/2004 Recreation and Parks Bond Fund to meet the financial obligations of these various expenditures.

Title

To establish an Auditor's certificate, and to authorize the expenditure of \$425,000.00 from the voted 1999/2004 Recreation and Parks Bond Fund for the reimbursement of staff time related to the administration of 2010 Capital Improvement Projects. (\$425,000.00)

Body

WHEREAS, staff time reimbursements related to services for Capital Improvements Administration are necessary; and

WHEREAS, funding is available for these reimbursements from unallocated balances within the Voted 1999/2004 Recreation and Parks Bond Fund; NOW, THEREFORE:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That reimbursement of staff time related to Capital Improvements Administration is necessary.

Section 2. That the expenditure of \$225,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Voted 1999/2004 Recreation and Parks Bond Fund, No. 746, Dept. 51-01, as follows, to pay the cost thereof.

Fund Type	Project No.	Project Title	Object Level 3	OCA Code	Amount
746	510035-100010	Facility Improvements	6620	728050	\$75,000.00
746	510035-100022	Facility Improvements	6620	728051	\$50,000.00
746	510035-100024	Facility Improvements	6620	728053	100,000.00

Section 3. That the expenditure of \$200,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Voted 1999/2004 Recreation and Parks Bond Fund, No. 702, Dept. 51-01, as follows, to pay the cost thereof.

Fund Type	Project No.	Project Title	Object Level 3	OCA Code	Amount
702	510316-100000	Greenway Improvements	6620	644526	\$200,000.00

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 the City Auditor is authorized to make any accounting changes to revise the funding source for all contract or contract modifications associated with this legislation.

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

Legislation Number: 0436-2010

Drafting Date: 03/09/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Finance and Management Director to modify and extend a contract with Systems by Rich Consulting LLC for professional custodial service administration at the Health Department, 240 Parsons Avenue. Systems by Rich Consulting LLC is retained by the City to ensure custodial contract compliance and continued uninterrupted oversight.

Systems by Rich Consulting LLC (AFA) was selected through an RFP process. The RFP was advertised in January 2006. Systems by Rich Consulting LLC was the only respondent. The original contract was authorized by Ordinance No. 0555-2006, passed April 3, 2006, with four one-year renewal options. City Council has authorized two previous renewals. Subsequently, the contract was renewed by ED040032 for a partial period of four months.

Systems by Rich Consulting LLC has been the service provider for the professional custodial service administration at the Health Department for the last four years. Therefore, it would not be in the best interest of the City to re-bid this contract. This ordinance will allow the Finance and Management Director to modify the contract with Systems by Rich Consulting LLC by \$20,000.00. The contract was for the period of October 20, 2009 through February 28, 2010. This ordinance authorizes the Finance and Management Director to extend the partial renewal contract for the period of March 1, 2010 through February 28, 2011. Prices already established in the contract were used to determine the cost of this modification.

Emergency action is requested so custodial service administration may continue without interruption.

Fiscal Impact: Funding will be provided from the Health Special Revenue Fund, Fund No. 250. The cost of this modification is \$20,000.00.

Systems by Rich Consulting LLC Contract Compliance Number 31-1756535 expiration date October 29, 2011.

To authorize the Finance and Management Director to modify and extend a contract for the Facilities Management Division with Systems by Rich Consulting LLC for professional custodial service administration at the Health Department, 240 Parsons Avenue; to authorize the expenditure of \$20,000.00 from the Health Special Revenue Fund; and to declare an emergency. (\$20,000.00)

Body

WHEREAS, the original contract was authorized by Ordinance 0555-2006, passed April 3, 2006 with four one-year renewal options; and

WHEREAS, it is necessary for the Finance and Management Director to modify said contract with Systems by Rich Consulting LLC for professional custodial service administration at the Health Department, 240 Parsons Avenue; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Facilities Management Division, in that it is immediately necessary to authorize the Finance and Management Director to modify a contract for professional custodial service administration at the Columbus Health Department, so that professional custodial service administration may continue without interruption 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 and Management Director is hereby authorized to modify a contract with Systems by Rich Consulting LLC for professional custodial service administration at the Health Department, 240 Parsons Avenue for the Facilities Management Division, for the period of March 1, 2010 through February 28, 2011.

SECTION 2. That the expenditure of \$20,000.00 or so much thereof as may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 50-01
Fund: 250
OCA Code: 500264
Object Level 1: 03
Object Level 3: 3396
Amount: \$20,000.00

SECTION 3. 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.

Legislation Number: 0443-2010

Drafting Date: 03/10/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The need exists to enter into an Enterprise Zone Agreement with Wood Real Estate, LLC and Wood Operating Company, LLC. The Ohio Enterprise Zone law O.R.C. Section 5709.62 (3) requires the City to enter into a Council-approved agreement between the City and participating companies.

Wood Real Estate, LLC is a commercial and residential real estate broker company that assisted in the revitalization of the historic Short North Arts District. Sandy Wood established Wood Real Estate, LLC and Wood Operating Company in the late 1980's and helped transform the Short North District into a vibrant community. Wood Real Estate, LLC is proposing to redevelop and expand a 1-story commercial building into a 4-story mixed use building consisting of 45,700 square feet.

The first floor will remain a restaurant (North Star), with an additional 9,600 square feet of renovations for covered parking. The second floor will consist of 10,200 square feet of office space with 2 rental units comprising 2,300 square feet of residential space. The 3rd and 4th floors will feature twelve rental units consisting of 12,000 square feet of residential space on each floor. The company plans to invest approximately \$4.2 million for this project and create 3 full-time permanent positions.

The Department of Development recommends a 75%/10-year Enterprise Zone tax abatement on real property improvements. The proposal is consistent with the Columbus Tax Incentive Policy under Central City projects.

The Columbus Public Schools have been advised of this project.

FISCAL IMPACT: No funding is required for this legislation.

Title

To authorize the Director of Development to enter into an Enterprise Zone Agreement with Wood Real Estate, LLC and Wood Operating Company, LLC for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a proposed \$4.2 million investment.

Body

WHEREAS, the Director of the Development Department of the State of Ohio determined that the Columbus Enterprise Zone as amended by the aforementioned Ordinances continued to contain the characteristics set forth in Section 5709.61(A) of the Ohio Revised Code and recertified said Zone in 1986, December 20, 1989, September 28, 1992, October 22, 1992, December 17, 1992, May 31, 1994, June 24, 1994, June 16, 1995, October 5, 1995, December 19, 1995, April 1, 1999, September 25, 2000, January 27, 2003 and most recently on August 19, 2003 as an "urban jobs and enterprise zone" under Chapter 5709 of the Ohio Revised Code; and

WHEREAS, Wood Real Estate, LLC plans to invest a total of \$4.2 million in real property improvements on parcel Number 010-0077892-00; and

WHEREAS, the project proposes to renovate a 1-story commercial building into a 4-story mixed use property comprising of 45,700 square feet of office and residential spaces; and

WHEREAS, Wood Real Estate, LLC will invest, redevelop and own property, while Wood Operating Company, LLC will create 3 new full-time permanent positions with an estimated annual payroll of \$111,300; and

WHEREAS, the City is encouraging this project because of plans to redevelop an urban commercial property in the central city; and

WHEREAS, the City desires to enter in 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 Wood Real Estate, LLC and Wood Operating Company, LLC to provide therewith an exemption of seventy-five percent (75%) on real property improvements for a term of ten (10) taxable years in association with the project's proposed \$4.2 million investment.

Section 2. That the City of Columbus Enterprise Zone Agreement is signed by Wood Real Estate, LLC and Wood Operating Company, LLC within ninety (90) days of passage of this ordinance, or this

ordinance and the abatements and credits authorized herein are null and void.

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

Legislation Number: 0453-2010

Drafting Date: 03/11/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The purpose of this legislation is to modify and increase the contract with Metropolitan Towing and Storage (MTS) for the third year of the towing contract EL008209, effective June 1, 2010 through May 31, 2011. In addition, this modification will make additional funding available to continue services for the last three months of the second year of the contract year, set to expire May 31, 2010. MTS tows most of the vehicles for the Division of Police Impound Lot, including city vehicles as well.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$2,141,809.00 in the 2010 General Fund operating budget for towing services for the Division of Police. The Division of Police encumbered or spent approximately \$2,090,000.00 in the 2009 General Fund operating budget for towing services. Police spent \$1.8 million for towing services in 2008. This contract is budgeted at \$2,141,809 in the 2010 General Fund Budget.

CONTRACT COMPLIANCE: 31-1035297, expires 11/17/2011.

Emergency Designation: Emergency legislation is necessary to that towing services can continue without interruption.

Title

To authorize and direct the Director of Public Safety to modify and increase the towing contract with Metropolitan Towing and Storage, Inc. for the Division of Police; to authorize the expenditure of \$2,141,809.00 from the General Fund; and to declare an emergency. (\$2,141,809.00)

Body

WHEREAS, the Division of Police needs to modify and extend the towing contract with Metropolitan Towing and Storage, Inc. for the third year of the contract, effective June 1, 2010; and

WHEREAS, additional funding is immediately needed to continue services for the last three months of the second year of the contract term, set to expire May 31, 2010; and

WHEREAS, funds are budgeted in the Division's 2010 General Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to modify and extend the contract for towing of vehicles from the city streets, thereby 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 the Director of Public Safety be and is hereby authorized and directed to increase funding to the second year of the contract in order to continue with services for the last three months of the contract year to expire May 31, 2010.

SECTION 2. That the Director of Public Safety be and is hereby authorized and directed to modify and extend the contract with Metropolitan Towing and Storage, Inc. for the purpose of towing vehicles from the city streets for the Division of Police, effective June 1, 2010.

SECTION 3. That the expenditure of \$2,141,809.00, or so much thereof as may be needed, be and the same is hereby

authorized as follows:

DIV 30-03 | FUND 010 | OBJECT LEV (1) 03 | OBJECT LEV (3) 3355 | OCA# 300368

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.

Legislation Number: 0455-2010

Drafting Date: 03/12/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

This ordinance creates the new Department of Building and Zoning Services and makes the needed code changes to ensure that the new department has all the necessary tools and resources it will need to begin delivering better customer service to the private development community. This new department will streamline the reporting structure and increase accountability by reporting directly to the Administration.

Through these changes, an efficient and effective department will emerge, allowing for an improved customer-centered department. These changes were developed over the last two years in conjunction with an operational review conducted by Zucker Systems Consulting and input from the Building Services Review Committee which represents of all facets of the building industry. The costs for the new department will continue to be sustained by the permit and review fees charged, allowing the new department to continue to be self-sufficient.

FISCAL IMPACT:

There is no direct fiscal impact associated with this reorganization and associated code changes, however, in the long term, the new department should create operational efficiencies and streamline existing functions. Any costs associated with these changes shall be the liability of the Development Services 240 Special Revenue Fund.

Title

To enact, amend, and repeal various sections of the Columbus City Codes to eliminate the Division of Building Services within the Department of Development, to create the new Department of Building and Zoning Services, and to reflect the impact of the creation of this new department in all affected code sections of the Columbus City Codes, including moving codes related to platting and development related engineering functions into the currently unutilized Title 43; and to declare an emergency.

Body

WHEREAS, this ordinance creates the new Department of Building and Zoning Services and makes the needed code changes to ensure that the new department has all the necessary tools and resources it will need to begin delivering better customer service to the private development community; and

WHEREAS, this new department will streamline the reporting structure and increase accountability by reporting directly to the Administration; and

WHEREAS, through these changes, an efficient and effective department will emerge, allowing for an improved customer-centered department; and

WHEREAS, these changes were developed over the last two years in conjunction with an operational review conducted by Zucker Systems Consulting and input from the Building Services Review Committee which represents of all

facets of the building industry; and

WHEREAS, the costs for the new department will continue to be sustained by the permit and review fees charged, allowing the new department to continue to be self-sufficient; and

WHEREAS, an emergency exists within the usual and daily operation of the City of Columbus that it is necessary for these code changes that are associated with the creation of the new Department of Building and Zoning to become effective immediately to allow for the correct and proper accounting of these organizational changes, including the creation of a new department, under the City of Columbus 2010 Operating Budget, for the preservation of the public health, safety, peace and welfare; **now, therefore**,

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

Section 1. That the existing Section 215.01 of the Columbus City Codes. 1959, is hereby amended to read as follows:

215.01 Department of development established.

There is established a department of development. The department of development shall consist of a director, one (1) department deputy director and the following divisions; economic development, planning, housing, and code enforcement ~~building services~~. Within the director's office there shall be a land redevelopment office and an administrative office. The department of development shall have as its primary duty the coordination, enforcement of codes ~~regulation~~, management, implementation and promotion of programs to encourage; business expansion and attraction, planned growth, creation of housing opportunities, a lively downtown, healthy, safe and revitalized neighborhoods and code enforcement. The department of development shall perform all other lawful functions as directed by the mayor or ordinance of council.

Section 2. That the existing Section 215.02 of the Columbus City Codes. 1959, is hereby amended to read as follows:

215.02 Duties of director and deputy directors.

The director of the department shall be appointed by the mayor and shall serve at the pleasure of the mayor with a salary fixed by ordinance of council. The director shall have all powers and duties connected with and incident to the appointment, regulation and government of the department of development. The deputy director shall serve in the absence of the director.

~~The director of the department shall have and exercise all powers, duties and functions given to a city planning commission, city platting commission and platting commissioner by Chapter 711 of the Ohio Revised Code and Sections 735.17 to 735.26, inclusive, of the Ohio Revised Code, notwithstanding the provisions in Section 713.03 of the Ohio Revised Code to the contrary.~~

Section 3. That the existing Section 215.07 of the Columbus City Codes. 1959, is hereby amended to read as follows:

215.07 Division of code enforcement ~~building services~~.

The division of code enforcement ~~building services~~ is established as a division of the department of development. The division shall have as its primary duties the facilitation of the enforcement of codes and sound growth and safeness of the city through appropriate building inspections and plans review, permitting, zoning, code enforcement, and other duties as may be authorized by the director or ordinance of council.

Section 4. That the Columbus City Codes, 1959, are hereby supplemented by the enactment of a new Chapter 216, entitled "Department of Building and Zoning Services" and consisting of two (2) sections oddly numbered 216.01 through 216.03 and reading as follows:

216.01 Department of building and zoning services established.

There is established a department of building and zoning services. The Department of Building and Zoning

Services shall consist of a director and one (1) department deputy director. The Department of Building and Zoning Services shall have as its primary duty the protection of public safety, health and welfare by regulation and management of programs to encourage planned and orderly growth and ensuring safe construction. The department of building and zoning services shall perform all other lawful functions as directed by the mayor or ordinance of council.

216.03 Duties of director and deputy directors.

The director of the department shall be appointed by the mayor and shall serve at the pleasure of the mayor with a salary fixed by ordinance of council. The director shall have all powers and duties connected with and incident to the appointment, regulation and government of the department of building and zoning services. The deputy director shall serve in the absence of the director.

The director of the department shall have and exercise all powers, duties and functions given to a city planning commission, city platting commission and platting commissioner by Chapter 711 of the Ohio Revised Code and Sections 735.17 to 735.26, inclusive, of the Ohio Revised Code, notwithstanding the provisions in Section 713.03 of the Ohio Revised Code to the contrary.

Section 5. That the existing Section 703.05 of the Columbus City Codes, 1959, is hereby amended to read as follows:

703.05 Letter D.

"Debris" means the scattered remains of something or the ruins of something.

"Department", unless otherwise specified, means the department of development.

"Dilapidated" means a general condition of decay or extensive disrepair.

"Director" when used without clarification means the director of the department of development or his or her designee.

"Division" when used without clarification means the code enforcement division of ~~neighborhood services~~ of the department of development.

"Dormitory sleeping room" means a room providing sleeping quarters for a number of persons.

"Dumpster" means a type of automated collection container that is made of metal or other material approved by the public service director and is collected primarily by front-loading waste collection vehicles.

"Dwelling" means any building or structure, which is occupied or intended for occupancy in whole or in part as a home, residence or sleeping place for one (1) or more persons.

"Dwelling unit" means one (1) or more habitable rooms forming a single habitable unit within a dwelling with facilities, which are used or intended to be used by one (1) or more persons for living, sleeping, cooking and eating.

Section 6. That the existing Section 902.00 of the Columbus City Codes, 1959, is hereby amended to read as follows:

902.00 Right to enforce.

The director of the public service department, the director of the department of safety, the director of the department of ~~trade and~~ development, the health commissioner, and their designees shall have the authority to enforce such sections of the Ohio Revised Code and the Columbus City Code Chapter 902.

Section 7. That the existing Section 905.14 of the Columbus City Codes, 1959, is hereby amended to read as follows:

905.14 Appeal procedure.

Any persons affected by any notice issued in connection with this chapter may request and shall be granted a hearing before the Property Maintenance Appeals Board on all matters set forth in such notice, provided that:

(A) Such person shall file a written petition requesting such appeal hearing with the ~~Neighborhood Services Division Office, of the~~ Department of Development, within fifteen (15) calendar days after the notice is served; and,

(B) The petition shall set forth the factual reasons why a particular violation or violations is being appealed.

Appeals shall be conducted and the notice of the board findings shall be completed as set forth in the Columbus Housing Code, Chapter 4509.03.

Section 8. That the title of "Planning and Platting", Title 31, Columbus City Codes, 1959, is hereby amended to

read as follows:

Title 31 - Planning and Platting and Historic Preservation Code

Section 9. That the existing Section 3101.07 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3101.07 Enforcement and appeal.

The director, or his or her designee, shall have the powers of a police officer for the purpose of enforcement of the provisions of this Planning and ~~Historic Preservation Platting~~ Historic Preservation Code and may institute any appropriate action or judicial proceeding to prevent the unlawful construction or alteration of any building or structure or the unlawful establishment, change or modification of any use; to restrain, correct or abate such violations; ~~or to prevent occupancy of the unlawful building or structure.~~ Strict liability shall be the standard for enforcement.

Appeals, unless otherwise specified in this code, of any notice of violation for an alleged violation of this code issued by the department shall be made in writing within fifteen (15) days of the date of service of the notice of violation, pursuant to the requirements prescribed in this code. Any person affected by a notice of violation in connection with this code may request and shall be granted a hearing before the Property Maintenance Appeals Board on all matters set forth in such notice of violation unless directed by this code otherwise.

Section 10. That the existing Section 3109.14 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3109.14 Functions and duties.

An area commission is an advisory body. No duty or function of an area commission shall invalidate any action of council. In general, an area commission shall:

- A. In the interests of local planning for local needs, identify and study the problems and requirements of the commission area in order to:
- (1) Create plans and policies which will serve as guidelines for future development of the area;
 - (2) Bring the problems and needs of the area to the attention of appropriate government agencies or residents; and
 - (3) Recommend solutions or legislation.
- B. Aid and promote communications within the commission area and between it and the rest of the city by means of:
- (1) Regular and special meetings of the commission which are open to the public;
 - (2) Public hearings on problems, issues, and proposals affecting the area;
 - (3) Public forums and surveys to provide an opportunity for area residents, businesses, and organizations to state their problems and concerns;
 - (4) Soliciting active cooperation of all segments of the area and city, including organizations, institutions, and government;
 - (5) Initiating proposals and supporting those introduced by individual citizens or area organizations, which will enhance the quality of life enjoyed by area residents and preserve the unique residential and commercial mix of the area; and
 - (6) Promoting and encouraging businesses whose functions, methods of operation, architectural appearance, and locations are consistent with the character and requirements of the area.
- C. Initiate, review and recommend criteria and programs for the preservation, development, and enhancement of the commission area, including, but not limited to, parks, recreational areas, sidewalks, streets and traffic, by means of:
- (1) Reviewing the proposed capital improvements budget and proposing new items and changes relating to the area;
 - (2) Making recommendations for restoration and preservation of the historical elements within the area; and
 - (3) Receiving and reviewing for recommendation, prior to adoption by governmental bodies, any new or revised comprehensive plan affecting the area.
- D. Recommend priorities for and review government services and operation of the various government departments in the commission area by means of:
- (1) Requesting and receiving from departments or agencies periodic reports concerning governmental services or practices in the area;

- (2) Meeting with administrative heads of any department or agency, or any of their subordinates, to obtain additional information deemed necessary for the commission to fulfill its functions;
- (3) Requesting and receiving from departments or agencies, prior to implementation, full reports on any proposed changes in service or practice in the area, and recommending approval or disapproval of the proposed changes;
- (4) Reviewing and evaluating pending legislation substantially affecting the area prior to its consideration by council; and
- (5) Regularly receiving for review, comment and recommendation ~~from the development regulation division~~ copies of applications and notices of all public hearings related to rezonings, special permits, variances, demolitions, and zoning appeals regarding property located wholly or partially within the area.

E. Recommend persons from the commission area for nomination to membership on city boards and commissions which make decisions or recommendations affecting the commission area.

Section 11. That the existing Section 3118.02 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3118.02 Purpose.

A nonjudicial appeal procedure is required from decisions of the various architectural review and historic preservation commissions established in Titles 31 ~~and 33~~ of the Columbus City Codes, 1959, in addition to the rehearing, mediation and alternate plan development processes provided to efficiently facilitate problem resolution regarding historic preservation and architectural review.

Section 12. That the existing Section 3118.07 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3118.07 Standards on appeal.

On appeal from any decision of a commission the board of commission appeals shall recognize the importance of:

- (A) The architectural characteristics, guidelines and standards for the district or listed property and standards of Chapters 3116 ~~through 3119 and 3118~~, C.C.; and
- (B) The standards for unusual and compelling circumstances and/or substantial economic hardship as the case requires.

Section 13. That the title of Article III of Title 31, Columbus City Codes, 1959, is hereby amended to read as follows:

Article III. ~~Platting and~~ Land Development

Section 14. That the existing section 3301.01 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3301.01 Purpose.

This Zoning Code, pursuant to the Columbus City Charter and Article ~~XVIII XVII~~, Section 3, of the Ohio Constitution which grants municipalities the legal authority to adopt land use and control measures, is enacted to preserve and promote the public health, safety and welfare by means of regulations and restrictions enacted pursuant to a comprehensive plan designed to, among other purposes, encourage the orderly growth and development of the city; provide for adequate light, air, open space and convenience of access; protect against fire and natural hazards; and maintain and enhance the value of buildings, structures and land throughout the city.

Section 15. That the existing section 3303.04 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3303.04 Letter D.

"Density" means a unit of measurement of the number of dwelling units per acre of land derived by dividing the total number of dwelling units within the particular project, development or subdivision for which an application is filed by the total number of acres contained in such project, development or subdivision excluding all dedicated public streets therein.

"Densely planted planting strip" means a landscaped screen consisting of shrubs, trees, or other plants that provides year round opacity of at least 75%.

"Department" when used without clarification means the department of building and zoning services development of the city.

Directional Sign. See "Sign."

"Director" when used without clarification means the director of the department of building and zoning services development or his or her designee.

Directory Sign. See "Sign."

"District," for the general purposes of the Zoning Code but not for purposes of architectural review, all properties of the same use, height and area classification which adjoin or are continuous without intervening property of another classification regardless of any street, alley, easement or reserve that may intervene.

~~"Division" when used without clarification means the building services division in the department of development.~~

"Dormitory" means a building arranged, intended, or designed to be occupied by unrelated persons as either individuals or groups who occupy common sleeping rooms and share related facilities such as bathrooms and washrooms. This type use differs from an "apartment house" in that separate cooking facilities are not available for each of the individuals, or groups of individuals, who occupy the building but common eating facilities and related cooking facilities may be provided in the building.

"Double duplex" means a separate or detached four (4) family residence, the first and second floors of which are each designed and arranged for use by two (2) families separated by a vertical division wall, each unit of which is heated independently of the others. Each dwelling unit shall have its own separate, private means of ingress.

Double-Faced Sign. See "Sign."

"Drive-in" or "drive-in business" means a use of an individual tract of land or lot on which all of the following exist:
The use is contained in a building with a gross floor area of less than ten thousand (10,000) square feet; and
The buildings and site are designed, developed, and operated as a business which is conducted primarily for convenience of customers arriving and departing from the place of business by automobile to purchase the products or receive services; and

The business includes a limited range of food and beverage items or services for sale, a high volume of sales, and sales transactions are usually completed within five (5) to fifteen (15) minutes.

A drive-in is distinguishable from other businesses allowed in the ~~C-1~~ through C-4 zones such as book stores, department stores, and supermarkets, where trade in the product or service is the primary purpose, and use of the automobile to patronize the business is incidental to purchasing the product or receiving the services. Products or services sold at a drive-in may be consumed or used either on or off the premises or lot. Drive-in includes a carry-out and fast-food business.

"Drive-in Theater" means a premises designed, intended to be used, or used to show films or provide other entertainment to patrons in their motor vehicles.

"Drive-up unit" means a structural element allowing a customer to participate in business transactions while remaining in a motor vehicle. The term includes "pickup unit."

"Dry cleaning establishment" means a use involving the cleaning or dyeing of fabrics, employing the services of more than three (3) persons, the use of mechanical appliances requiring more than a three (3) horsepower motor, and the use of volatile or explosive substances.

"Dwelling" means a building containing a minimum of one (1) but not more than four (4) dwelling units.

"Dwelling unit" means a single, self-contained unit providing independent living facilities for one (1) or more individuals and which contains eating, living, sanitary and sleeping areas and one (1) cooking facility, all for exclusive use by the occupants. This definition does not apply to units in dormitories, homeless shelters, hotels, motels or other buildings designed for transients.

Section 16. That the existing Section 3303.18 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3303.18 Letter R.

Real Estate Sign. See "Sign."

"Rear of a building", "Rear line of a building" and "rear yard line", respectively mean that portion, building line or yard line opposite to the front line of a building, whether or not affording service access to the building.

"Reconstruction" means the replacement or rebuilding of a building, premises or structure.

"Recreational vehicle" means a vehicle manufactured or modified to contain temporary living quarters for travel, recreation, or vacation purposes including, but not necessarily limited to, camper, travel trailer, truck camper, and motor home.

~~"Regulations", when referring to the name of a division of the city administration, means the Department of Development.~~

"Religious facility" means a building or structure in which worship, ceremonies, rituals and education pertaining to a particular system of beliefs are held.

"Residence" is the general term implying place exclusively used for human habitation and embracing both residential and apartment residential district classifications.

"Residential care facility" means a use of a dwelling unit or dwelling units within a building primarily for providing supervised room, board and care in a residential setting to residents thereof whose disabilities or status limit their ability to live independently, and secondarily for training, rehabilitation and nonclinical services. The term excludes use as a clinic, institution, hospital, nursing home, convalescent home, school, child day care center, nursery school, dormitory or other similar use. The term shall not be applied to owner-occupied premises with one (1) or two (2) roomers. However, for the purpose of licensing, the term is included within "rooming house" as defined in Section 4501.32.

"Residential complex" means a residential development with fifteen (15) or more dwelling units situated on the same tax parcel.

Residential Use. See "Use, residential."

"Residentially zoned district or use" means any area zoned for residential use as defined in this Zoning Code or any area where persons may reside.

"Restaurant" means an establishment that involves the preparation of food and drink, served to and consumed by patrons primarily within the building.

"Rest home" means a home that provides personal assistance for three (3) or more individuals who are dependent on the services of others by reason of age or physical or mental impairment but who do not require skilled nursing care. A rest home shall be licensed under Chapter 3721 of the Revised Code to provide only accommodations and personal assistance and may not admit individuals requiring skilled nursing care.

~~"Retail filling station" means a use involving the supplying to individual vehicles for their use only, of oil, grease, gasoline, or other fuel or power source, with other optional customary incidental service.~~

~~"Retail filling station" means a use involving the supplying to individual vehicles for their use only, of oil, grease or gasoline or other liquid fuel with other customary incidental service, the storage facilities of which use shall not be in excess of two (2) tank cars or total storage capacity of thirty thousand (30,000) gallons.~~

~~"Retail filling station" is the same as gasoline service station.~~

"Right-of-way line" means the limit of publicly owned land or easement encompassing a street or alley.

"Roof line" means in the case of a flat roof, the uppermost line of the roof of a building; in the case of a pitched roof, the lower edge of the eave; or in the case of an extended facade or parapet, the uppermost height of said facade or parapet.

Roof Sign. See "Sign."

"Rooming house" means a residential building, other than a hotel, in which part or parts are kept, used or held out to be a place where sleeping accommodations are offered for hire for three (3) or more persons.

"Row" is a group of attached residences, separated by vertical fire walls, in which each residence has its own front and rear yards, and has appropriated to it the entire building between the fire walls.

Section 17. That the existing Section 3305.04 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3305.04 Expiration or revocation of certificate of zoning clearance.

A certificate of zoning clearance shall automatically expire one (1) year after issuance if the use authorized by the certificate is not commenced within said one (1) year period, unless the work in preparation for the authorized use will take longer than one (1) year to complete. If the work will take longer than one (1) year to complete, the one (1) year period shall be extended to allow for completion of the work provided that the work is commenced within a reasonable period of time and diligently carried to completion. Whenever a building permit has been issued for work to be done in preparation for the authorized use, the certificate shall not expire so long as the building permit remains in effect.

Upon discovery that a certificate has been issued contrary to this Zoning Code, the ~~director regulations-~~
~~administrator~~ shall revoke such erroneous certificate.

If the certificate is revoked, the ~~director regulations administrator~~ shall post notice of the revocation on the premises covered by the certificate which notice shall state that further work as authorized by the certificate shall not proceed unless and until a new certificate is obtained.

Section 18. That the existing Section 3305.051 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3305.051 Fees-Refund.

(A) Unless specifically indicated in the fee schedule, department refund policy or this code, all fees are not refundable.

(B) In the event of a refund, a refund service fee, as indicated in the fee schedule or department refund policy, and any costs for services already provided, shall be deducted from the amount to be refunded.

(C) The eligibility, process, and any required refund fee shall be as indicted in the Department refund policy.

(D) The director may waive the refund fee if he or she finds that the refund is necessary because of an error on the part of a city employee. In the event any refund due is less than the required refund fee, no balance shall be due or returned.

~~A. All zoning fees as enumerated in the fee schedule and administrative services charges as may be adopted are non-refundable except as otherwise denoted in this section.~~

~~B. A refund shall require a refund fee to cover the cost of making the refund and/or costs incurred. This refund fee shall be deducted from any amount to be refunded.~~

~~C. An overpayment equal to or less than the refund fee shall be considered the refund fe and shall be added to the permit fee.~~

~~D. Any refund of a permit application fee submitted for land, which is later determined to be located outside the city is subject to a refund fee.~~

~~E. The director may waive the refund fee upon determination that the refund is necessary due to an error on the part of a city employee.~~

~~F. The director shall not refund a fee upon determination that the refund is necessary due to an error on the part of an applicant.~~

Section 19. That the existing Section 3305.06 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3305.06 Protection of complainant.

Any person may file a complaint with the department regulations administrator whenever a violation of this Zoning Code occurs or is alleged to have occurred. The director administrator shall keep the identity of a complainant confidential.

Section 20. That the existing Section 3305.07 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3305.07 Enforcement.

The director, ~~or his or her designee,~~ of the department of development and the director of the department of building and zoning services, or their designees, shall have the power to enforce all provisions of this Zoning Code and may institute any appropriate action or judicial proceeding to prevent the unlawful construction or alteration of any building or structure or the unlawful establishment, change or modification or any use; to restrain, correct or abate such violations; or to prevent occupancy of the unlawful building or structure. Strict liability shall be the standard for enforcement.

Section 21. That the existing Section 3307.08 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3307.08 Variances in general.

Requests for variances from this Zoning Code (except those to be considered by the graphics commission) shall be heard and decided by the city council or the board of zoning adjustment as permitted under the provisions of this chapter.

The ~~department development regulation division~~ shall submit recommendations within such time as provided by rule of the body hearing the request. The ~~department division~~ is authorized to request and receive reports from the various city departments ~~and divisions~~ as to their opinions concerning the effect of any variance on their operation and administration, and to correlate such reports into the ~~department's division's~~ recommendation concerning the variance request.

Section 22. That the existing Section 3307.11 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3307.11 Application for appeals, special permits or variances.

Any application for an appeal, special permit, or variance shall be submitted on a form provided for that purpose and filed ~~with the department in the office of the division~~. Any required fees shall be paid as provided by this Zoning Code or other ordinances of council. Applications may include more than one (1) lot or parcel of land, provided that all such lots or parcels are contiguous to each other and located within the city. For the purpose of this section, lots or parcels separated only by a public highway, street or alley are considered contiguous.

Section 23. That the existing Section 3310.01 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3310.01 Application for amendment.

Any person may apply to city council through the ~~department division~~ for an amendment of the Zoning Map as it relates to a particular property on a form provided for that purpose by the ~~department division~~ and filed in its office with the required fee in accordance with C.C. 3305.05. Such application shall be processed according to the provisions of this chapter. An application may include more than one (1) lot or parcel of land provided that all are contiguous to each other. For the purpose of complying with this section and computing the fee required, lots or parcels separated only by a public street or alley shall be considered as contiguous to each other. The development commission shall review applications for amendment of the Zoning Map and make recommendations thereon to council.

Section 24. That the existing Section 3310.05 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3310.05 Zoning Map amendment.

Each application for amendment of the Zoning Map shall comply with the requirements of this section.

(A) Each application shall be given by attesting to the truth and exactness of the information supplied therein and shall be accompanied by:

- (1) A plot plan or sketch of the subject lot and building, if any, and the immediate vicinity drawn to scale with dimensions;
- (2) A map showing the location of the property within the city;
- (3) A legal description of the subject property;
- (4) An affidavit of the applicant listing the names and addresses as shown on the county engineer's ownership maps, the county auditor's current tax list and the county treasurer's mailing list of all owners of:
 - (a) The property to be rezoned or redistricted;
 - (b) All contiguous property ignoring any intervening public right-of-way per C.C. 3310.01;
 - (c) All property within one hundred twenty-five (125) feet of the exterior boundaries of the property to be rezoned; and
 - (d) Any property within one hundred twenty-five (125) feet of the applicant's property in the event the applicant owns property contiguous to the subject property;
- (5) A statement of the applicant's interest in the proposed rezoning and of the present and proposed zoning classification of the subject premises; and
- (6) Such further information as is reasonable and necessary for proper consideration by the ~~department division~~, the development commission and the city council.

(B) The ~~director administrator~~ is authorized to request and receive reports from various city departments and divisions and other agencies concerned with such amendment as to its probable favorable or unfavorable effect upon their operation and administration, to correlate such reports, and to make a recommendation to the development commission and to city council for or against such amendment. The ~~director administrator~~ shall include in his or her report a statement of the ~~department's division's~~ position and justification for that position based on applicable planning principles and policies.

(C) Before the development commission makes a recommendation to city council concerning such amendment, the ~~department's division's~~ staff shall notify the applicant; all of the owners of the subject property; all of the owners of neighboring property as set out in the applicant's affidavit; and the concerned area commission, if any; of the time and place of the development commission meeting at which such amendment will be considered.

(D) Upon receipt of the development commission's recommendation for or against such amendment and the director's

administrator's report, city council shall take such further steps as it deems necessary and appropriate regarding hearings, notices and other matters pertaining to such amendment.

Section 25. That Columbus City Codes, 1959, are hereby supplemented with the enactment of a new section numbered 3310.11, reading as follows:

3310.11 Development commission-Membership-Terms.

The development commission, created as the successor to the city planning commission, shall consist of seven (7) regular members and three (3) alternate members who all shall be citizens of the City of Columbus and who shall, while members of the commission, hold no other salaried public office. The members shall be appointed by the mayor with the approval of council. The three (3) alternate members shall also be appointed by the mayor with the approval of council.

All commission members shall be paid for commission service in accordance with the master salary ordinance. Failure of a regular member to attend seventy-five (75) percent of all regularly scheduled meetings per year, or failure to attend two (2) regularly scheduled meetings in one (1) year without notifying the director or such staff person as designated by the director of that member's inability to attend and the need for an alternate member to take the regular member's place and without an excuse acceptable to a majority of the other members of the commission, shall be cause for the revocation of appointment by the mayor with the approval of council.

Terms of the members shall be three (3) years. The commission shall annually elect from among the regular membership a chairperson and such other officers as may be appropriate, who shall serve in such capacity for one (1) year or until such time as a successor is elected; such duly elected officers may be re-elected for consecutive terms. Members heretofore appointed to the development commission and approved are hereby ratified and confirmed as regular members of the development commission for the balance of the term to which they were originally appointed.

Each alternate member of the development commission shall be on call for all development commission meetings to take the place of a regular member when such regular member cannot attend a meeting. The alternate member shall have all of the powers and responsibilities of the regular member when serving in the place of such regular member.

Section 26. That Columbus City Codes, 1959, are hereby supplemented with the enactment of a new section numbered 3310.13, reading as follows:

3310.13 Functions of development commission.

The development commission shall have all of the powers, authority and duties granted to it by ordinances of council, and by Section 713.02 of the Ohio Revised Code, to the extent that the same are not in conflict with the Columbus City Codes, the Charter, or with ordinances or resolutions heretofore enacted by council. The development commission, in addition to the duties set forth above, shall serve as an advisory body to the Director, and the city council in matters related to the preparation, execution and administration of urban renewal development, rehabilitation and conservation plans.

Section 27. That Columbus City Codes, 1959, are hereby supplemented with the enactment of a new section numbered 3310.15, reading as follows:

3310.15 Duties of development commission relating to zoning.

The development commission shall:

- A. Hold hearings on all applications for rezonings;
- B. Consider all proposals and recommendations for amendments to the official zoning map;
- C. Submit to council the recommendations of the development commission, together with the reasons for such recommendations, in all matters pertaining to applications for rezoning;
- D. Have all of the powers conferred on a planning commission by Sections 713.06 to 713.10 inclusive, of the Ohio Revised Code;
- E. Delegate to the director such of its powers and duties as it deems necessary for the proper administration and enforcement of this Zoning Code; and
- F. Perform such other duties and functions as may be assigned to by this Zoning Code or other ordinances of council.

Section 28. That the existing Section 3311.09 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.09 Approved planned unit development districts registered.

Upon approval of the application for the planned unit development district by city council, or approval of the application to convert a proposed stage to a complete stage as provided in Section 3345.12, including acceptance of plats of dedication of public lands within the same area covered by the planned unit development district, the ~~director administrator~~ shall register a copy of the approved planned unit development district or approval application to convert a proposed stage to a completed stage among the records of the ~~development~~ department.

Section 29. That the existing Section 3311.12 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.12 Approved commercial planned development district register.

Upon approval of the application for the commercial planned development district by city council, the ~~director administrator~~ shall register a copy of the approved development plan as part of the records of the department.

Section 30. That the existing Section 3311.13 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.13 Subsequent review procedures for a certificate of zoning clearance for construction within a CPD.

The ~~director administrator~~ shall review any applications for a certificate of zoning clearance for any construction within any CPD, commercial planned development district, and shall direct that the certificate of zoning clearance shall be issued if the proposed construction complies with the approved and registered development plan.

If, however, the ~~director administrator~~ determines that the proposed construction does not comply with the approved and registered development plan he shall direct that the certificate of zoning clearance not be issued. The applicant may appeal the determination of the ~~director administrator~~ to the board of zoning adjustment as provided for in Chapter 3307 or make an application for an amendment to a previously established CPD, commercial planned development district, as provided for in Chapter 3310.

Section 31. That the existing Section 3311.16 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.16 Use permit required.

No building permit shall be issued, nor shall any building be constructed or enlarged, nor shall any equipment be installed, nor shall any building or premises be used for any use or purpose, listed in C.C. 3363.01 to 3363.17, 3365.01 to 3365.15 and 3367.01 to 3367.08, both inclusive, and Chapter 3369 unless and until a use permit for such use or purpose in such location shall have been granted or issued by the ~~director administrator~~.

Section 32. That the existing Section 3311.17 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.17 Application for use permit.

No use permit shall be granted until an application for the same shall have been filed with the ~~department division of building services~~. The application shall be filed in duplicate, together with such plans and specifications as the ~~director administrator~~ shall consider necessary and adequate to indicate that the use and installation in the particular location and as designed, arranged and to be operated shall be in compliance with this Zoning Code. Additional copies of the application may be required where the ~~director administrator~~ finds such to be necessary to effect an efficient clearance of said applications.

Section 33. That the existing Section 3311.18 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.18 Clearance.

Copies of said application, plans and specifications shall be submitted by the applicant to the ~~department division of building services~~, to the division of sewerage and drainage, and any other agency considered by the ~~director administrator~~ to be concerned with such use, installation, activity or process (each such agency to receive such plans as are pertinent to its functions).

Section 34. That the existing Section 3311.19 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.19 Approved technical institute.

Where an application for a use permit is for a use, the enlargement of an existing use, or the installation of equipment to an existing use as listed in C.C. 3363.09 to 3363.16, and 3365.09 to 3365.15, both inclusive, for more objectionable uses, the applicant, when deemed necessary by the ~~director administrator~~, shall submit, at the expense of the applicant, a copy of the aforesaid plans and specifications to a recognized technical institute approved by the ~~director administrator~~ as competent to analyze industrial layouts, developments, installations and processes and the abatement and control of such objectionable noise, vibration, heat, glare, dust, other particulate matter, odor, sewage waste, and/or any other condition as would be injurious, noxious, offensive, objectionable or detrimental to the surrounding neighborhood.

Section 35. That the existing Section 3311.20 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.20 Analysis, report and recommendations.

The approved technical institute stated in C.C. 3311.19 shall make an analysis and report on the proposed location and said plans and said specifications at the expense of the applicant and recommendations by the institute for or against approval of the plans and specifications by the ~~director administrator~~ or for modification thereof. The report and recommendations shall be submitted to the ~~director administrator~~.

Section 36. That the existing Section 3311.22 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.22 Action upon application.

Where the application for a use permit, together with the plans and specifications, has been submitted to the ~~department division~~, to any other municipal agency concerned therewith and to the aforesaid approved technical institute, and where the agencies and the approved technical institute have studied the same, have made the surveys, inspections, analysis, reports and recommendations as required by C.C. 3311.19 and C.C. 3311.20, then the ~~director administrator~~ shall take action thereon as to approval, disapproval or modification of the application. Where the applicant has complied with C.C. 3311.18 to 3311.20 and with this section and the plans, specifications and proposed use comply with the regulations and requirements of this Zoning Code, then the application shall be approved and a use permit shall be granted.

Section 37. That the existing Section 3311.23 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.23 Approval.

Where the director of development has approved the application for a use permit, then a use permit shall be as provided in C.C. 3311.26. Furthermore, where an application is for a permit or for a use or equipment or its enlargement, and complies with the restrictions and qualifications of C.C. 3311.28(a) and/or (b), then the ~~director administrator~~ may follow the procedure specified in C.C. 3311.28, and approve the application without requiring a resolution of approval by the director.

Section 38. That the existing Section 3311.24 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.24 Disapproval.

Where the ~~director administrator~~ has disapproved any application for a use permit, then no use permit shall be issued or granted for such use, activity, building, equipment, enlargement and/or extension thereof.

Section 39. That the existing Section 3311.25 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.25 Modification.

Where the ~~director administrator~~ has taken action to modify the application for a use permit and its accompanying plans

and specifications, then any use permit, building permit and any other permit thereafter issued or granted shall be revoked if the applicant or his agent shall violate, refuse to comply with, or fail to comply with at any time with the modifications.

Section 40. That the existing Section 3311.26 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.26 Granting of use permit.

Where an application for a use permit or for a certain use or extension thereof and/or a certain installation or enlargement thereof has been submitted to the department division, processed and approved, then the director administrator or an authorized staff member shall issue or grant a use permit therefor.

Section 41. That the existing Section 3311.28 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.28 Requirements.

(a) Less Objectionable Uses. Where an application for a use permit is for a use or equipment or their enlargement as listed in C.C. 3363.02 to 3363.08, 3365.02 to 3365.08 and 3367.02 to 3367.08, inclusive, for less objectionable uses, such application may be approved and a use permit for same may be granted by the director administrator without further clearance within M-2, M-1 and M-manufacturing districts, provided such use complies with the performance standards and other regulations as required in this Zoning Code; and, further, provided that within an M-2 or M-manufacturing district such use is located not less than twenty-five (25) feet from any residential and apartment residential districts.

(b) More Objectionable Uses. Where an application for a use permit is for a use or equipment or its enlargement as listed in C.C. 3363.09 to 3363.16 and 3365.09 to 3365.15, inclusive, for more objectionable uses, such application may be approved by the director administrator and a use permit may be granted ~~by him~~; provided, (1) the location of such use or equipment or its enlargement is conclusively shown to be both in an M-1 or M-manufacturing district and within not less than six hundred (600) feet from any residential and apartment residential districts, and, (2) the director administrator has received a report with a favorable recommendation concerning such location, use, equipment and/or enlargement from the aforesaid approved technical institute.

Furthermore, where an application for a use permit is for a use or equipment or its enlargement as listed in C.C. 3363.09 to 3363.16 and 3365.09 to 3365.15, inclusive, for more objectionable uses, and where a survey, analysis, report and recommendations concerning the proposed location, use, equipment and/or enlargement have been made by the aforesaid approved technical institute, then the director administrator may approve said application; provided the performance standards and other requirements of this Zoning Code are complied with.

(c) Atomic Energy Products and Uses. Where an application for a use permit is for a use or equipment or their enlargement as listed in C.C. 3363.17, such application may be approved by the director administrator and a use permit may be granted as provided by subsection (b) above, provided that a survey, analysis and report and recommendation on such use, equipment, enlargement and its location shall have been made, at the expense of the applicant, by a recognized technical institute approved by the director administrator as required by C.C. 3311.20; and provided, further, such use permit shall be conditional upon further inspections and requirements as provided in C.C. 3311.29.

(d) Excavation and Quarrying. Where an application for a use permit is for a use listed in Chapter 3369, such application may be approved and a use permit may be granted by the director administrator under the following conditions:

- (1) That the use or activity is to be conducted entirely within an EQ excavation and quarrying district;
- (2) That the applicant agrees to pay for such inspection as the director administrator and building inspector may require for appropriate enforcement of the regulations requirements of Chapter 3369 and C.C. 3311.23.

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Section 42. That the existing Section 3311.29 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.29 Atomic energy products.

Atomic energy products and uses permitted only in M-manufacturing districts, subject to the provisions of this Zoning Code are:

Manufacture, processing operations with, compounding, packaging, storage or treatment of the following classes

of materials or uses, subject to the restrictions of this section:

- Atomic energy materials;
- Fusionable materials;
- Uranium and other fissionable materials.

None of the above activities, operations or uses listed in this section shall be permitted or authorized, nor shall any building permit be issued therefor, unless and until the following have been complied with:

- (a) Submission by applicant of plans and specifications to the development commission in triplicate.
- (b) Submission of one (1) copy of said plans and specifications by the ~~director administrator~~ to a recognized technical institute approved by the ~~director administrator~~ as competent to analyze industrial layouts, developments and processes and the abatement and control of such objectionable noise, vibration, heat, glare, radioactivity, dust, other particulate matter, odor, sewage wastes and/or any other condition as would be injurious, noxious, offensive, objectionable or detrimental to the surrounding neighborhood.
- (c) Analysis and report by the aforesaid technical institute at the expense of the applicant. Said analysis and report shall include recommendations on:

The report and recommendations shall be submitted to the ~~director administrator~~.

- (1) Location, including recommended minimum distances from residential, apartment residential and commercial districts;
 - (2) Plans and specifications;
 - (3) Approval or disapproval of said plans by the ~~director administrator~~ or for modification thereof.
- (d) Approval, disapproval or modification of said plans and specifications by the ~~director administrator~~ after aforesaid report and recommendations by said approved institute.
 - (e) Approval or disapproval by the ~~director administrator~~ of the installation, when made, after an inspection by a representative of the ~~director administrator~~, together with a representative of said approved institute. In the event of disapproval of said installation, a report shall be made to the ~~director administrator~~ recommending such corrective measures as the inspectors consider necessary to abate, control or eliminate such conditions as they consider objectionable and requiring correction. The ~~director administrator~~ may further refuse to grant approval of said installation until said corrective measures have been made and approved by the ~~director administrator~~.

Section 43. That the existing Section 3311.31 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.31 Application for zoning clearance.

An application for a certificate of zoning clearance shall be submitted to the ~~director administrator~~ and shall contain the following information in addition to that required by C.C. Sections 3347.05, 3311.41, and 3311.17:

- (a) Four (4) copies of a current survey of the topography of the property with a maximum contour interval of two (2) feet. A smaller contour interval may be required to accurately delimit the floodway and floodway fringe boundaries.

- (b) Four (4) copies of a development plan which shall contain the following information:

The site survey and site plan shall be prepared under the supervision of a professional engineer registered in the state of Ohio. The site survey and site plan must be submitted on base maps of the same scale, which must be a minimum of one (1) inch equals two hundred (200) feet.

- (1) The location and quantity as to area covered and depths of all proposed fill and excavations;
- (2) The elevations of the lowest floor, including the basement, cellar or crawl space, or all proposed buildings;
- (3) Specifications for building construction and materials and floodproofing procedures as required by C.C. Chapters 4175 and 4175.041.

- (c) For development proposed within the floodway, the following additional information may be requested by the ~~director administrator~~ for review by an approved technical institute or other governmental agency as set forth in C.C. 3311.32:

- (1) A representative cross-section of the floodplain perpendicular to the direction of flow, showing the usual channel of the stream and the elevation of land areas adjoining each side of the channel of the stream and the elevation of land areas adjoining each side of the channel within the designated floodplain;
- (2) Photographs of the site topography looking both upstream and downstream from the development site which show the usual channel and adjacent areas within the floodplain;
- (3) The location and description of any floodway obstruction in the vicinity of the site.

Section 44. That the existing Section 3311.32 of the Columbus City Codes. 1959, is hereby amended to read as

follows:

3311.32 Review by an approved technical institute or governmental agency.

Where an application for a zoning clearance is for a new structure or an enlargement of an existing structure in the floodway, the ~~director administrator~~, when necessary, may submit a copy of the accompanying site plan and specifications to a technical institute or other governmental agency approved by the ~~director administrator~~ as competent to analyze and evaluate the impact of the proposed structures on the floodway. The technical institute or governmental agency shall make an analysis and report on the increase in the flood stage as a result of the proposed structures and means by which the impact of the structure could be minimized as set forth in Section 3385.08. Where there is a fee required by the aforementioned technical institute or governmental agency, the analysis and report shall be made at the expense of the applicant. The report and recommendations for or against approval of the site plans and specifications or for modifications thereof shall be submitted to the ~~director administrator~~.

4That the existing Section 331.33 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3311.33 Action on application.

The ~~director administrator~~ shall accept all properly prepared applications for zoning clearances. The ~~director administrator~~ shall investigate all complaints, give notice of violations, and enforce the provisions of Chapter 3385 and Sections 3311.31 through 3311.33. The ~~director administrator~~ shall request from the building inspector a review of site plans submitted with all applications to determine whether proposed structures comply with the provisions of C.C. Chapters 4175 and 4175.041. After having received the approval of the building inspector, and the recommendations of the technical institute when applicable, if the ~~director administrator~~ finds that the proposed work or construction meets the requirements of Chapter 3385 and Sections 3311.31 through 3311.33 and other zoning regulations for the district in which it is located, then he shall indicate his or her approval upon a certificate of zoning clearance.

Section 46. That the existing Section 3332.18 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3332.18 Basis of computing area.

Area shall be computed based on the following guidelines:

- (A) That portion of a corner lot in excess of seventy-two hundred (7,200) square feet and most distant from the intersecting street abutting the longest dimension of such corner lot shall be considered as an interior lot.
- (B) A lot shall be deemed to extend to the center of any alley adjoining the rear lot line or side lot line of such lot. A lot adjoining alleys on more than one (1) side shall be deemed to extend to the center of only one (1) such alley.
- (C) In an SR, R-1, R-2, R-3, R-2F, R-4 or MHD area district, if the depth of a lot is more than three (3) times the width of such lot, a depth of only three (3) times such width shall be used in computing density.
- (D) No dwelling hereafter erected shall occupy alone or together with any other building greater than fifty (50) percent of the lot area; nor shall any manufactured home hereafter erected occupy alone or together with any building greater than fifty (50) percent of the lot area.
- (E) A multiple-dwelling development, as defined in Chapter 3303, C.C., shall be allowed only in an R-4 area district and shall be on a single lot of twenty thousand (20,000) square feet or more in area and under one (1) control. The required minimum lot area per dwelling unit may be calculated utilizing the area of the entire development, including community open spaces, parking spaces, and drives other than public streets, which are within the same lot and accessible to all occupants of the entire development, as well as the private individual space accessible directly to an individual building, but excluding any area dedicated to an individual building, but excluding any area dedicated for public purposes. All street and alley arrangements shall be subject to approval by the ~~director building services administrator~~ after consultation with the director of public service and/or their designee.
- (F) No yard or other open space provided for any building for the purpose of complying with the provisions of these regulations shall again be considered as the yard or other open space for any other building; nor shall any yard or other open space provided for any manufactured home for such purpose again be considered as the yard or other open space for any other manufactured home or building.

Section 47. That the existing Section 3332.19 of the Columbus City Codes. 1959, is hereby amended to read as

follows:

3332.19 Fronting.

Each dwelling or principal building shall front upon a public street.

However, those dwellings containing three (3) or more dwelling units located in a multiple-dwelling development, as defined in Chapter 3303, C.C., may front upon a private street if such plan is approved by the ~~director building services administrator~~ after consultation with the director of public service and/or their designee. Such buildings shall be subject to all regulations pertaining to building lines of both fronting and side streets and corner lot requirements.

Section 48. That the existing Section 3332.195 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3332.195 Building design in a manufactured home development district.

Each dwelling, manufactured home or principal building in a manufactured home development district shall be designed to meet the following criteria:

1. Its minimum width shall be at least twenty (20) feet for at least fifty (50) percent of its length and its minimum length shall be at least twenty (20) feet for at least fifty (50) percent of its width.
2. It shall contain either a basement of at least two hundred eighty-eight (288) square feet, a garage of at least two hundred eighty-eight (288) square feet, or a permanently constructed storage building containing at least one hundred (100) square feet and attached to a permanent continuous foundation in accordance with Chapter 4177, C.C. Each garage or storage building shall be designed to be compatible with the principal building or manufactured home. The ~~director administrator~~ shall determine whether a design is compatible.
3. All roofs shall be double pitched at least three (3) feet vertical for twelve (12) feet horizontal or greater and covered with material that is residential in appearance, including, but not limited to, approved wood, asphalt, composition or fiberglass shingles but excluding corrugated aluminum, corrugated fiberglass or metal roofing.
4. The exterior siding shall have a dull finish, not a high-gloss finish, and shall be residential in appearance, including, but not limited to: brick, stone, stucco, clapboard, simulated clapboard such as conventional vinyl or metal siding, wood shingles, shakes, or similar material; but excluding smooth, ribbed or corrugated metal or plastic panels.
5. Each dwelling, principal building or manufactured home shall be designed so that it has a front entrance and front facade facing upon a public street.

Section 49. That the existing Section 3332.36 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3332.36 Child day care.

A child day care center may be an accessory use subject to the requirements of Ohio Revised Code Chapter 5104 and the following additional conditions:

- (a) A center shall be associated with a school or church and be established in a building occupied by the principal use; and
- (b) As part of the application for a certificate of zoning clearance, the center operator shall submit a transportation plan which describes in text and plan the manner of child loading and unloading, parking and traffic circulation. The ~~director building services administrator~~ shall consult with the director of public service and/or their designee concerning the safety of such plan and may modify or deny the application for safety reasons.

Section 50. That the existing Section 3333.06 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3333.06 Child day care.

A child day care center shall be subject to the requirements of Ohio Revised Code Chapter 5104 and the following conditions:

As part of the application for a certificate of zoning clearance for a child day care center as a principal use or as an accessory use, the center operator shall submit a transportation plan which describes in text and plan the manner of child

loading and unloading, parking and traffic circulation. The ~~director building services administrator~~ shall consult with the director of public service and/or their designee concerning the safety of such plan and may modify or deny the application for safety reasons.

Section 51. That the existing Section 3333.07 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3333.07 Licensing and integration.

A. Uses are subject to all city ordinances, rules and regulations including but not limited to Title 41 ~~Titles 41 and 43~~ of the city codes, entitled the Building Code, and may be subject to Title 45, the Housing Code.

B. The term "residential care facility" as used in this section means a residential care facility licensed by the state of Ohio.

C. Each owner of any use such as, but not limited to, a boarding home, home for the aging, nursing home, rest home, rooming house, residential care facility, or shared living facility regulated by a federal, state or local agency which requires it to be licensed or certified thereby shall prior to occupancy and continuously thereafter obtain and display said license or certificate together with any renewal thereof upon the premises and provide a copy of same to:

1. The ~~neighborhood services division of the~~ department of development; and
2. The board of health;

upon issuance and thereafter upon each renewal. As soon as one (1) owner provides such copies any remaining co-owners of the same use are excused from so doing until the next submission is due.

D. In the same manner each owner shall obtain a rooming house license if so required by Title 45, C.C.

E. In order to promote the benefits of normal residential surroundings for the beneficiaries of residential care facilities and in order to promote the goal of deinstitutionalization and to foster integration of said beneficiaries into the mainstream of society, no residential care facility shall be located within one thousand, three hundred twenty (1,320) feet of any other residential care facility.

Exception: Any residential care facility which is in conformity with the city codes prior to enactment of this section shall upon enactment become a non-conforming use.

F. The board of zoning adjustment may issue a special permit to allow a residential care facility to locate within one thousand, three hundred twenty (1,320) feet of another residential care facility upon a finding that:

1. The future residents of said facility will benefit from normal residential surroundings; and
2. The placement within one thousand, three hundred twenty (1,320) feet of another residential care facility does not hinder the goal of deinstitutionalization; and
3. The placement of the residential care facility furthers the goal of integrating the future residents into the mainstream of society; and
4. A hardship exists in that suitable housing is unavailable elsewhere in the community that meets the one thousand, three hundred twenty (1,320) foot spacing requirement.

Section 52. That the existing Section 3333.15 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3333.15 Basis of computing area.

Area shall be computed based on the following guidelines:

- (a) That portion of a corner lot in excess of seventy-two hundred (7,200) square feet and most distant from the intersecting street abutting the longest dimension of such corner lot shall be considered as an interior lot.
- (b) A lot shall be deemed to extend to the center of any alley adjoining the rear lot line or side line of such lot. A lot adjoining alleys on more than one (1) side shall be deemed to extend to the center of only one (1) such alley.
- (c) No residence building hereafter erected shall occupy alone or together with any other building greater than fifty (50) percent of the lot area.
- (d) A multiple-dwelling development or an apartment complex, as defined in Chapter 3303, C.C., shall be on a single lot of twenty thousand (20,000) square feet or more in area and under one (1) control. The required minimum lot area per dwelling unit may be calculated utilizing the area of the entire development or complex, including community open spaces, parking spaces, and drives other than public streets, which are within the same lot and accessible to all occupants of the entire development or complex, as well as the private individual space accessible directly to an individual building, but excluding any area dedicated for public purposes. All street and alley arrangements shall be subject to approval by the ~~director building services administrator~~ after consultation with the director of public service and/or their designee.

(e) No yard or other open space provided for any building for the purpose of complying with the provisions of these regulations shall again be considered as the yard or other open space for any other building.

Section 53. That the existing Section 3333.16 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3333.16 Fronting.

Each dwelling, apartment house or principal building shall front upon a public street.

However, those dwellings containing three (3) or more dwelling units located in a multiple-dwelling development, as defined in Chapter 3303, C.C., or apartment houses located in an apartment complex, as defined in Chapter 3303, C.C., may front upon a private street if such plan is approved by the ~~director building services administrator~~ with the director of public service and/or their designee. Such buildings shall be subject to all regulations pertaining to building lines of both fronting and side streets and corner lot requirements.

Section 54. That the existing Section 3333.33 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3333.33 Child day care as accessory use.

A child day care center may be an accessory use subject to the requirements of Ohio Revised Code Chapter 5104 and the following additional conditions:

- (a) A center shall be associated with a school or church and be established in a building occupied by the principal use; and
- (b) As part of the application for a certificate of zoning clearance, the center operator shall submit a transportation plan which describes in text and plan the manner of child loading and unloading, parking and traffic circulation. The ~~director building services administrator~~ shall consult with the director of public service and/or their designee concerning the safety of such plan and may modify or deny the application for safety reasons.

Section 55. That the existing Section 3333.39 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3333.39 Conflicting provisions.

Upon receipt of a proper application for clearance for town house development, the ~~director regulations administrator~~ shall first apply the standards of C.C. 3333.36 through C.C. 3333.41, inclusive, which shall take precedence over any conflicting provision of the standards contained in C.C. 3333.01 through 3333.35, inclusive, to determine compliance with the Zoning Code.

Section 56. That the existing Section 3333.41 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3333.41 Standards.

A certificate of zoning clearance for a town house development shall be issued if the ~~director administrator~~ finds that an otherwise proper application complies with the following standards:

- (a) Only new construction on a site of no less than one (1) acre, in an apartment residential district, comprising a subdivision of record shall be considered for town house development.
- (b) Density shall not exceed twelve (12) town houses per acre of land.
- (c) The maximum number of town houses permitted in any row shall be eight (8); the minimum shall be three (3). No detached dwelling unit shall be constructed in a town house development.
- (d) A town house together with accessory buildings, if any, shall occupy no more than fifty-five (55) percent of the lot area and at least twenty (20) percent of the lot area (in addition to the front setback area) shall be reserved for private open space.
- (e) The minimum width of a town house lot shall be fifteen (15) feet.
- (f) The minimum area of a town house lot shall be one thousand five hundred (1,500) square feet.
- (g) No minimum depth shall be required of a town house lot.
- (h) Each town house lot shall have a minimum of fifteen (15) feet of frontage on a dedicated public street except

that those lots which are separated from a street only by common space shall have a minimum of fifteen (15) feet of frontage on such common space.

- (i) A side yard, required only at each end of a row, shall be no less than seven and one-half (7½) feet wide.
- (j) A building line shall be established no less than twenty-five (25) feet from the front lot line irrespective of the orientation of the building.
- (k) A building line shall be established no less than ten (10) feet from the rear lot line or the centerline of an alley, as the case may be, irrespective of building orientation.
- (l) Unobstructed, permanent access of at least ten (10) feet in width shall be provided to both the front and rear of each town house lot and between rows of four (4) or more town houses for emergency use, fire protection and maintenance.
- (m) Hard-surfaced parking spaces of regulation size and of material approved by the director of public service and/or their designee shall be provided for each town house as follows:
Except that where two (2) parking spaces of regulation size are provided on the rear of each lot, and the street upon which the row fronts is not utilized in any manner for required parking: only two (2) parking spaces shall be required per town house.
 - (1) Two (2) spaces per unit shall be located on or adjacent to the lot to be served thereby.
 - (2) An additional one-half (½) space per unit shall be located no farther than two hundred (200) feet from the town house to be served thereby.
- (n) Parking spaces may be provided perpendicular to and immediately adjacent to the right-of-way only if such parking is:
In no event shall perpendicular parking be provided immediately adjacent to an arterial or a collector of any width; or to a local residential street which (1) provides access to more than one hundred twenty-five (125) dwelling units or (2) which encourages through traffic.
 - (1) Within common space adjacent to:
 - (A) A cul-de-sac or dead end street providing access to no more than sixty-two (62) dwelling units; or
 - (B) A local residential street providing access to no more than one hundred twenty-five (125) dwelling units, and discouraging through traffic thereon; or
 - (C) An alley or roadway provided each lot served thereby fronts upon a street; or
 - (2) Within the rear of a private lot adjacent to an alley or roadway provided each such lot fronts upon a street. Perpendicular parking provided pursuant to (1)(A) or (B) above, shall be no closer than one hundred (100) feet to the right-of-way line of any local street or collector, or two hundred (200) feet to the right-of-way line of any arterial. The conditions of this paragraph shall not apply to a wholly internal local street servicing the town house development.
- (o) Single or tandem parking spaces may be provided within the front setback of a lot which fronts upon:
 - (1) a cul-de-sac or dead-end street providing access to no more than sixty-two (62) dwelling units; or
 - (2) a local residential street providing access to no more than one hundred twenty-five (125) dwelling units, and discouraging through traffic thereon.
- (p) Adjacent to all parking spaces other than those in a garage or in a driveway serving no more than two (2) town houses, curbs shall be installed separating such parking spaces from any common area, sidewalk, bikeway, walkway, or setback in accordance with specifications on file in the department of public service offices for curbs installed within the public right-of-way.
- (q) No portion of a parking space shall overlap any portion of the sidewalk or shared-use path.
- (r) Continuous sidewalks or shared-use paths no less than four (4) feet in width and located no closer than three (3) feet to any curb, except for access to the street, shall be provided in accordance with city specifications on file in the department of public service offices except that such sidewalks may be located within twenty-five (25) feet of the right-of-way affording principal access to any town house where common space for parking is provided between the property line and the street.
- (s) Where four (4) or more perpendicular parking spaces are positioned immediately adjacent to the street and to each other, the public or common sidewalk or shared-use path shall be installed between such parking and the row it serves to promote safety and to discourage pedestrian traffic at the rear of parked vehicles.
- (t) Common open space exclusive of any common area devoted to parking, sidewalks, shared-use paths or vehicular circulation shall be provided at a rate of four hundred (400) square feet per town house.
- (u) All access to parking spaces and open spaces shall be held in common ownership by the homeowners' association or dedicated to the city when determined necessary by the ~~director~~ administrator.

Section 57. That the existing Section 3342.01 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3342.01 Purpose.

The purpose of this chapter is to regulate land use for parking, loading and maneuvering; to assure the provision of at least the minimum number of off-street parking spaces for each use; to enact standards for parking and loading; to assure maintenance of existing parking; and to prohibit inappropriate parking. These standards are designed to provide for the parking and loading needs of occupants, customers, visitors or others involved in the use or occupancy of any building or parking lot; to minimize parking on the public street and traffic congestion; and to limit noise pollution and wear and tear on the public streets; all to protect the public health, safety and general welfare.

This chapter regulates parking and loading that is designed for either principal or accessory uses. The standards in this chapter are those that will be reviewed by the ~~department division of building services~~ before issuing a certificate of zoning clearance. Other parking or parking lot requirements may be regulated by the department of public service and the division of sewerage and drainage.

Section 58. That the existing Section 3342.17 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3342.17 Parking lot screening.

For purposes of this section, "affected residential owner" shall mean any owner of residentially zoned property whose boundary lies within eighty (80) feet of the perimeter of a parking lot; and "parking lot" shall include any parking driveway thereto.

- a. Parking Lot Screening Required. Any portion of a parking lot located within eighty (80) feet of residentially zoned property shall be screened, as hereinafter set forth, on the perimeter affecting same. The portion of such perimeter, if any, lying between the street right-of-way line and the parking setback line shall be excluded from screening requirements.
- b. Screening Indicated on Site Plan. Screening required by this section shall be indicated on the original site plan filed to obtain a certificate of zoning clearance for any parking lot. Parking lot screening shall be provided to reduce headlight glare and to visually screen a parking lot from any residentially zoned property within eighty (80) feet thereof. Such parking lot screening shall be installed in accordance with the site plan and this section except when a limited waiver as set forth in subsection (d) hereof is in effect. For such express exceptions screening requirements shall be temporarily waived.
- c. Standards. Parking lot screening shall conform to the following standards:
 1. Screening shall consist of a fence, landscaped earth mound of suitable slope, wall, planting or combination thereof installed, repaired, replaced and maintained to a total height of no less than five (5) feet above the parking lot grade and to an opacity of not less than seventy-five (75) percent.
 2. Screening shall be installed and maintained in a neat and orderly manner.
 3. Screening shall be reasonably uniform in height and opacity along its entire length, provided, however, that screening is not required within one (1) foot of the ground.
 4. The percentage of opacity shall be determined by measurement of any square foot of the vertical surface of the screening from a point perpendicular thereto. Permissibly open area shall not be included in the opacity determination.
 5. When screening of live plants is installed, alone or in combination with other materials, the plants shall:
 - (a) Be selected for year-round dense foliage adequate to shade residences from headlight glare;
 - (b) Be selected to achieve the height and density specified in (b) above within three (3) years of installation;
 - (c) Be matured to a minimum height of three (3) feet at the time of installation; and
 - (d) Be maintained in a healthy, live state and replaced as needed to comply with the original site plan and the specifications and standards herein set forth.
- d. Limited Waiver Agreement. The requirements for installation of parking lot screening may be temporarily waived when all affected residential owners agree with the parking lot owner that such screening is neither necessary nor desirable. The ~~department division~~ shall recognize such agreement upon receipt of an appropriate affidavit.
- e. Affidavit. Any parking lot owner who has a limited waiver agreement with all affected residential owners shall notify the ~~department division~~ of such agreement by affidavit on a form prescribed by the ~~director administrator~~.
- f. Cancellation of Agreement. The limited waiver agreement, however, shall be cancelable upon thirty (30) days notice to the parking lot owner by any affected residential owner. Within thirty (30) days of receipt of such notice, the parking lot

owner shall install screening in conformity to this section, enter a new agreement with all affected residential owners, or apply for a variance. Any such parking lot owner failing to so act shall be in violation of the Zoning Code.

g. Exemptions. No screening shall be required for any parking lot not specifically provided for in this section or for a parking lot effectively screened to this section's standards and specifications by existing natural or artificial barriers. A parking lot need not be screened from the use it serves.

Section 59. That the existing Section 3342.21 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3342.21 Parking space for a small car.

Excess parking over and above the minimum required by this chapter may be designed to accommodate small cars. The design and placement of each space shall be reviewed and approved by the Department of Public Service ~~Division of Traffic Services~~ prior to approval by this department ~~Division~~.

Section 60. That the existing Section 3345.07 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3345.07 Contents of application for establishment of PUD.

An application or petition for a Zoning Map amendment to establish a planned unit development district at a particular location or to amend the regulations applicable to a previously established planned unit development district shall contain or be accompanied by:

- (a) A vicinity map showing dedicated streets, easements and lots and showing the location of the perimeter boundary of the area included in the application;
- (b) A topographic survey of all land within the proposed district showing five (5) -foot contours or less as required by the director administrator to delineate the character of land, in whole or part, within the proposed district;
- (c) A boundary survey and a boundary map with a point of reference to the intersection of two (2) public rights-of-way;
- (d) Except as otherwise allowed in subsection (i) herein, a site plan signed by the applicant(s) showing all the following information: the locations and boundaries of the density classification of each part of the planned unit development district as set forth in Section 3345.03; the locations of all land uses present and proposed, all information required in Section 3345.11 pertaining to lots; the location of proposed buildings, including the height and number of floors of any building over thirty-five (35) feet in height; as an alternate, building location required in this section for any lots proposed in the site plan, minimum building setbacks from district and proposed lot boundaries and from adjacent streets; location of all public lands to be dedicated; and building and housing types described to be located throughout all parts of the plan as listed in Section 3345.04, Permitted uses;
- (e) Except as otherwise allowed in subsection (i) herein or Section 3345.10, separate plans at appropriate smaller scale signed by the applicant(s) for each type of housing group or cluster to be built in the first stage, showing the information required in (d) above;
- (f) A statement of the proposed average density including the proposed average density for each proposed state total number of dwelling units to be contained in the planned unit development district and in each part thereof, where applicable, total tract size, and total land area of dedicated right-of-way;
- (g) The application may contain more detailed representations regarding the location or use of streets and buildings. If the application does contain such representations, they shall be binding on the applicant;
- (h) The application must be accompanied by an affidavit of the petitioner listing the names and addresses of all persons to receive notice as required by C.C. 3310.05(a);
- (i) Site plans submitted with the application for the planned unit development district to be developed later in proposed stages as provided in Section 335.12 need not show proposed locations of buildings nor any building requirement of Section 3345.07(e).

Preliminary site plans or schematic plans for housing groups or clusters that may be developed later in proposed stages may be included with the original application for the planned unit development district or in previously submitted stages as provided in Section 3345.12. However, in the application for conversion of a proposed stage to a completed stage within which reliminar site plans orshmatic plans had been submitted such plans shall be submitted in final form as provided in Section 3345.12. Conversion of proposed stages to completed stages as provided in Section 3345.12, shall require all other information on site plans otherwise exempted by this subsection at the time of submission of the

application to convert the proposed stage to a complete stage.

Section 61. That the existing Section 3345.08 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3345.08 Performance criteria.

- (a) All structures in this district including signs shall not exceed thirty-five (35) feet in height. Church steeples and bell towers as part of the construction of a church are exempted from this requirement.
- (b) Buffer Space. Yards and setbacks of the perimeter of a planned unit development district shall be in substantial compliance with yard and setback standards applicable in other zoning districts in which comparable land uses are commonly found. The ~~director administrator~~ may approve lesser yards or setbacks containing physical or natural barriers in lieu of such yard and setback standards.
- (c) Building Location. The location of buildings in relation to each other and to streets shall provide:
 - (1) Adequate light and ventilation to protect the health of the occupants and users thereof;
 - (2) Necessary access for fire equipment and other emergency vehicles;
 - (3) A reasonable degree of privacy for the residents and occupants of the development.
- (d) Traditional Yard. Whenever any nonresidential use is established in this district on a lot shown or proposed within the site plan which adjoins any other lot shown or proposed to be residentially developed within the site plan within the planned unit development district or any lot located in any R or AR district, a transitional yard shall be provided on such lot by the nonresidential use along such common boundary to a depth of ten (10) feet, and screening shall be provided within such yard which shall be sufficient to insulate visually the nonresidential use from the residential property, such transitional yard shall be landscaped and shall not contain any principal or accessory structures or any parking lot or driveway.

Section 62. That the existing Section 3345.10 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3345.10 Cluster design of housing groups.

- (a) Two (2) or more buildings containing dwelling units shall be termed a cluster if the buildings have design and architectural unity, and are located around a common point of activity, including parking lots, cul-de-sacs, open space, service area, plazas and recreational areas. Such activity must be of a scale and scope that the residents of the dwelling within the group are directly benefited and the central point of activity is designed integrally within the site plan for all buildings in the cluster. Buildings in the cluster are located close enough to one another, that as a group, all buildings taken together as a unit are separated from other such clusters by buffers or open space, including landscaping, streets, or parking areas.
- (b) Each cluster must abut and have access to a public street. Streets included in the interior of the cluster are considered private driveways with direct access to public streets. Public streets serving such clusters may terminate in a cul-de-sac no longer than six hundred (600) feet in length. Public streets may be designed and laid out in subdivisions and large developments on one (1) site in a super blockform, with more than one (1) cluster abutting and having access to the public street.
- (c) The design of each cluster, submitted as a site plan, shall be approved by the ~~director building services administrator~~, who may refer the site plan to the department of public service, division of fire, division of environmental health, recreation and parks, and the department of public utilities ~~division of sewerage and drainage and the division of water~~ for their review and recommendation.

Section 63. That the existing Section 3345.12 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3345.12 Partial development of planned unit development districts.

- (a) A planned unit development may be developed in stages. Plans for proposed stages need not include building locations, design of clusters, or location and design of driveways, parking areas, sidewalks or landscaping.
- (b) Proposed stages shall be identified on the site plan for the entire planned unit development district with a traverse boundary shown to include each proposed stage on the application, with each proposed stage clearly marked "proposed stage" on the face of the plan within the area included in each proposed stage.
- (c) In all proposed stages, location of streets, public lands, and lots shall be shown to scale. Lots shown in proposed stage

need not be separate lots of proposed ownership or record required in Section 3345.11; clusters included in proposed stages need only be shown as one (1) lot, however, when proposed stages are converted to a completed stage, all lots of proposed ownership or record shall be shown as provided in this chapter.

(d) Prior to beginning development of any portion of a rezoning application approved by council as a proposed stage, applicants shall submit all information required for complete stages. A stage shall be at least twenty (20) contiguous acres in size. The last proposed stage remaining in the area, which is less than twenty (20) acres in size, or any planned unit development district smaller than twenty (20) acres in size shall be considered in its entirety as one (1) stage. The ~~director administrator~~ shall review site plans submitted for converting proposed stages to completed stages and shall approve the site plans conforming with the information shown in the originally approved proposed stage. Approval of site plans of a proposed stage submitted to provide a complete stage shall be by the ~~director administrator~~; no certificate of zoning clearance shall be approved for any completed stage until all public lands have been dedicated and accepted.

(e) No certificate of zoning clearance shall be approved for any land included in any proposed stage. Applications including proposed stages shall contain a statement on the face of the site plan that no certificate of zoning clearance shall be granted until the conditions and procedures of Section 3345.12(d) have been complied with for such proposed stages.

Section 64. That the existing Section 3345.155 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3345.155 Child day care.

A child day care center may be an accessory use subject to the requirements of Ohio Revised Code Chapter 5104 and the following additional conditions:

- (a) A center shall be associated with a school or church and be established in a building occupied by the principal use or be constructed as an integral part of and accessory to a new apartment complex; and
- (b) As part of the application for a certificate of zoning clearance, the center operator shall submit a transportation plan which describes in text and plan the manner of child loading and unloading, parking and traffic circulation. The ~~director building services administrator~~ shall consult with the director of public service and/or their designee concerning the safety of such plan and may modify or deny the application for safety reasons.

Section 65. That the existing Section 3347.03 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3347.03 Contents of application.

An application or petition for a Zoning Map amendment to establish a planned community district at a particular location or to amend the regulations and comprehensive plan applicable to a previously established planned community district shall contain or be accompanied by a comprehensive plan consisting of:

- (a) A map showing the location of the property within the city;
- (b) A topographic survey of all land within the proposed district showing ten (10) foot contours or less as required by the ~~director administrator~~ to delineate the character of land, in whole or part, within the proposed district;
- (c) A boundary survey or legal description;
- (d) A map showing the existing land use and approximate location of buildings on the property and all adjoining property, including property across streets or highways;
- (e) A development plan which may consist of various maps, signed by the applicant(s) showing:
 - (1) The approximate proposed location of all streets, sewers, water mains and other utility transmission facilities. Such location may be shown in the form of corridors five hundred (500) feet or less in width,
 - (2) The approximate location and size in acres of any land to be devoted to non-residential use, including land to be devoted to schools or active recreation, but not including land to be devoted to residential parking or other uses accessory to residential uses,
 - (3) A statement of the maximum number of dwelling units to be contained in the proposed district;
- (f) If the proposed district is to be developed in stages, the development plan shall divide the proposed district into sections each constituting one (1) proposed stage of development, and shall number such stages in order of the proposed development. If development is all to commence at once, the entire development shall be deemed a single stage for the purposes of this section. For each stage the application shall contain:
 - (1) A statement of the maximum number of dwelling units to be contained in such stage,
 - (2) A statement of the maximum number of dwelling units of each of the following classes of buildings to be constructed in such stage:

- (A) Single-family dwellings,
- (B) Other residences in buildings less than five (5) stories in height,
- (C) Residences in buildings five (5) or more stories in height,
- (3) The proposed date for commencement of development of the stage;
- (g) If requested by the ~~director administrator~~ or by the city council, or if desired by the applicant, the application may contain more detailed representations regarding the location or use of streets and buildings. If the application does contain such representations they shall be binding on the applicant as provided in C.C. 3347.07(d);
- (h) The application must be accompanied by an affidavit of the petitioner listing the names and addresses of all persons to receive notice as required by C.C. 3310.05(a).

Section 66. That the existing Section 3347.04 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3347.04 Performance criteria.

- (a) Density. The overall residential density within any planned community district shall not exceed fourteen (14) units per gross acre of land in the district.
- (b) Height. In order to insure compatibility with surrounding neighborhoods, no building or structure in any planned community district shall exceed the heights specified as follows:
 - (1) In any part of the planned community district located within three hundred (300) feet horizontally of one (1) of the height districts set forth in C.C. 3309.14 or 3309.141, no building or structure shall exceed the height permitted in such district. For land located within three hundred (300) feet horizontally of two (2) or more height districts, the lowest height restrictions shall apply;
 - (2) In any part of the planned community district not subject to the previous paragraph, no building or structure shall exceed two hundred (200) feet in height.
- (c) Buffer Space.
 - (1) No building, structure or use shall be permitted in the land along the perimeter of any planned community district allowing any use or activity significantly detrimental to or incompatible with the uses permitted by zoning of property adjacent to the planned community district. Land along the perimeter that complies with yard and setback standards applicable in other zoning districts in which comparable land uses are commonly found shall be presumed to be in compliance with the above standards. In addition, the ~~director administrator~~ may approve lesser yards or setbacks containing appropriate physical or natural barriers such as, but not limited to, fences, screening or topography of steep gradient, if he finds they are in substantial compliance with the above standards; and
 - (2) All land within a planned community district is within ten (10) feet of any land in a district in which residences are permitted shall be devoted to lawns, landscaping, screening, fencing, shrubbery or other similar uses.
- (d) Building Location.

The location of buildings and structures in relation to each other and to streets shall provide:

- (1) Adequate light and ventilation to protect the health of the occupants and users thereof;
- (2) Necessary access for fire equipment and other emergency vehicles;
- (3) A reasonable degree of privacy for the residents and occupants of the development.

Site plans that comply with yard and setback standards applicable in other zoning districts in which comparable land uses are commonly found shall be presumed to be in compliance with the above standards. In addition, the ~~director administrator~~ may approve other site plans containing deviations if it is found ~~he finds~~ that they are in substantial compliance with the above standards.

Section 67. That the existing Section 3347.07 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3347.07 Permits for staged development.

Within a planned community district no buildings shall be erected, constructed, altered or enlarged, except upon the issuance of a certificate of zoning clearance by the ~~director administrator~~ for each particular stage in which the development is proposed. An application for a certificate of zoning clearance shall be submitted to the ~~director administrator~~ for approval, containing, in addition to all the information required by C.C. Sections 3347.03, 3311.41, 3311.17, the exact location of all utility easements. No such application shall be approved unless:

- (a) It is filed within four (4) years of the date of the Zoning Map amendment creating the planned community district, or

within four (4) years of the date which was indicated for development of the particular stage in the application filed prior to such amendment as required by C.C. Section 3347.03(f), whichever later occurs; failure to meet this qualification beyond the latest time allowed herein shall require the development commission to hold a hearing to ascertain the reasons for failure to meet this qualification and therewith the commission shall recommend an extension of time of stated duration or shall direct the ~~director administrator~~ to file an application for rezoning the property;

(b) The development conforms to the stage identified on development plans submitted pursuant to Section 3347.03(f) provided, however, that a different numbered stage may be substituted for the one required by the schedule contained on the development plan, if the substitution of the stage will not disrupt the development of the streets and utilities and will preserve development of the district in accord with the comprehensive plan filed by the applicant pursuant to C.C. Section 3347.03. Where a substitution is made the stage substituted shall assume the number and date of the commencement of the stage which has assumed its position on the schedule;

(c) The development proposed in the application meets all the requirements of C.C. Sections 3347.02 and 3347.04;

(d) The development proposed in the application is in full and substantial compliance with the representations made in the Zoning Map amendment creating the planned community district; provided, however, that if seventy-five (75) percent of the separate linear lengths of streets, sewer mains, and water mains in the stage are located within the corridors shown in the Zoning Map amendment creating the planned community district, such sewer mains, water mains, and streets shall be deemed to be in compliance in regard to location;

(e) At least five (5) percent of the maximum number of dwelling units proposed for the entire district pursuant to C.C. Section 3347.03(f) have been initiated and completed in the first two (2) stages; and

(f) The development of the proposed stage shall not cause the residential density of the portion of the district which will have been developed upon completion of the proposed stage to exceed seventeen and one-half (17-½) dwelling units per gross acre, and in no case shall the overall density of the planned community district exceed fourteen (14) units per gross acre upon completion of the project.

Section 68. That the existing Section 3347.115 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3347.115 Child day care.

A child day care center may be an accessory use subject to the requirements of Ohio Revised Code Chapter 5104 and the following additional conditions:

(a) A center shall be associated with a school or church and be established in a building occupied by the principal use; or be constructed as an integral part of a new apartment complex during its construction; and

(b) As part of the application for a certificate of zoning clearance, the center operator shall submit a transportation plan which describes in text and plan the manner of child loading and unloading, parking and traffic circulation. The ~~director building services administrator~~ shall consult with the director of public service and/or their designee concerning the safety of such plan and may modify or deny the application for safety reasons.

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Section 69. That the existing Section 3349.03 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3349.03 Permitted uses.

Within an I-institutional district, no building or premise shall be used and no building shall be erected, constructed, altered or enlarged which is arranged, intended or designed to be used for any use or purpose except:

- (a) Apothecary (limited to the sale of pharmaceuticals and medical supplies);
- (b) Church;
- (c) Clinic, dental or medical;
- (d) Electric substation;
- (e) Fire station;
- (f) Funeral home;
- (g) Gas regulator station;
- (h) Laboratory, dental or medical;
- (i) Library (public);
- (j) Museum (public);
- (k) Optician;
- (l) Police station;
- (m) Post office;
- (n) Telephone exchange;
- (o) Utility pumping station;
- (p) Offices, medical, dental, religious, education or charitable institution;
- (q) General hospital;
- (r) Home for the aging, nursing home, rest home;
- (s) Schools (public, parochial or private);
- (t) Public park;
- (u) Public playground;
- (v) Nursery school;
- (w) Housing for the elderly, with a density not to exceed one (1) dwelling unit per two thousand five hundred (2,500) square feet of lot area;
- (x) Child day care center subject to the requirements of Ohio Revised Code Chapter 5104 and the following additional conditions: As part of the application for a certificate of zoning clearance, the center operator shall submit a transportation plan which describes in text and plan the manner of child loading and unloading, parking and traffic circulation. The ~~director building services administrator~~ shall consult with the director of public service and/or their designee concerning the safety of such plan and may modify or deny the application for safety reasons.

Section 70. That the existing Section 3349.035 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3349.035 Licensing.

A. Uses are subject to all city ordinances, rules, and regulations including but not limited to Title 41 ~~Titles 41 and 43~~ of the city codes, entitled the Building Code, and may be subject to Title 45, the Housing Code.

B. Each owner of any use such as, but not limited to, a boarding home, home for the aging, nursing home, rest home, rooming house, residential care facility, or shared living facility regulated by a federal, state or local agency which requires it to be licensed or certified thereby shall prior to occupancy and continuously thereafter obtain and display said license or certificate together with any renewal thereof upon the promises and provide a copy of same to:

- 1. The ~~neighborhood services division of the~~ department of development; and
- 2. The board of health;

upon issuance and thereafter upon each renewal. As soon as one (1) owner provides such copies any remaining co-owners of the same use are excused until the next submission is due.

C. In the same manner each owner shall obtain a rooming house license if so required by Title 45, C.C.

Section 71. That the existing Section 3353.05 of the Columbus City Codes. 1959, is hereby amended to read as

follows:

3353.05 C-2 district development limitations.

A. Adult and child day care center shall provide a transportation plan submitted as part of the zoning clearance application. The plan shall include a description of the loading and unloading, parking and traffic circulation areas. The Director of the department of public services or designee shall review the transportation plan, and may approve, modify, or disapprove the plan for safety reasons.

B. Dwelling units only when located above uses permitted in this district.

C. Monopole telecommunication antennas require a special permit before being erected on any property or parcel listed on the Columbus Register of Historic Properties or that is included in an architectural review commission area.

D. The following standards for monopole telecommunication antennas apply:

1. A certificate of zoning clearance may be issued only after the following conditions have been met:

a. Affidavits have been submitted by the applicant and placed on file with the ~~director Administrator~~ attesting to the lack of any reasonable alternative, including collocation and concealment, to the construction of the monopole antenna as well as documentation of this finding;

b. Affidavits have been submitted by the applicant and placed on file with the ~~director Administrator~~ attesting to the owner's willingness to allow other entities to rent or lease space for additional antennas on the monopole antenna for commercially reasonable terms.

2. The base of all monopole telecommunication antenna sites and associated support structures shall be screened and buffered and may be enclosed by a security fence. The buffer shall contain hedges or other plants that provide a 5 foot high, 75 percent opaque screen. Existing vegetation and topography can be used as part of this screening.

3. At no time shall any monopole telecommunication antenna have affixed or attached to it in any way any lights, reflectors, signs, banners, graphics, or other illumination device, except as required by the Federal Aviation Administration or the Federal ~~Communications Communication~~ Commission. All exterior finishes shall be, unless otherwise required, neutral gray in color.

4. The base of all monopole telecommunication antenna sites and associated support structures shall be set back 200 percent of the total height of the antenna from all residentially zoned districts. All support structures shall meet district setbacks.

5. Monopole telecommunication antennas are exempt from C.C. 3342.28 and C.C. 3309.14 up to a maximum height of:

a. 100 feet if built for one (1) or more providers;

b. 150 feet if built for two (2) or more providers.

6. Within 180 days of the termination of use of the monopole telecommunication antenna, the monopole telecommunication antenna and all associated structures and buildings shall be removed from the site or will be declared a nuisance as per C.C. 4107.

E. A rooftop telecommunication installation for receiving or transmitting wireless telecommunications may be erected on any existing legal structure 50 feet or more in height provided that it is in accordance with C.C. 3309.142(C).

F. Veterinarians in this zoning district are limited to small animal practice and shall not provide long-term boarding, no kenneling, and no outside runs or stables. (Also see the C-4 district)

Section 72. That the existing Section 3356.11 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3356.11 C-4 district setback lines.

A. Building setback lines in the ~~C-4~~ district shall be measured from street right-of-way lines and the requirements shall not be less than specified setback and apply in descending order as follows:

1. That distance specified if the site is subject to an ordinance, overlay, plat, or variance.

2. That distance equal to one-half the right-of-way as denoted on the Columbus Thoroughfare Plan (CTP) if the site abuts a designated CTP street unless buildings exist on both abutting parcels at less than a 25 foot setback, then the setback would be no less than the distance equal to the average of the building setbacks on both abutting parcels (For corner lots with either or both lot frontages are less than 65 feet, the setback shall be as shown below for corner lots).

3. If the site does not abut a designated CTP street, the setback shall be no less than 25 feet, unless buildings exist on both abutting parcels at less than a 25 foot setback, then the setback would be no less than the distance equal to

the average of the building setbacks on both abutting parcels (For corner lots with either or both lot frontages are less than 65 feet, the setback shall be as shown below for corner lots).

4. For corner lots where none of the above apply and either or both lot frontages are less than 65 feet, the setback along the shortest frontage shall not be less than the setback of the nearest building on an abutting parcel if less than 25 feet or no less than 25 feet if no building exists and shall be no less than 10 feet along the longest street frontage.

In instances of conflict, the most restrictive building setback applies.

B. All structures except graphics shall be setback behind the building line unless otherwise permitted elsewhere on site by an overlay or other provisions of this Zoning Code.

C. Graphic setbacks shall be in compliance with provisions of Article XV of this Zoning Code, unless specified in an overlay or area of special graphics control.

Section 73. That the existing Section 3357.01 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3357.01 C-5 commercial district.

A. Because of the peculiar operational characteristics and traffic congestion connected with automobile service stations, carry-outs, car washes, drive-ins, and fast-food business, the C-5 commercial district is established primarily for the location of such uses. Once such a district has been established, the only uses permitted on the property shall be as follows:

1. Automobile service stations;
2. Carry-outs;
3. Car washes;
4. Drive-ins;
5. Establishments serving food or beverages to customers in their automobiles;
6. Fast-food business;
7. Billboards, subject to the provisions of Chapter 3378, C.C.

B. Prior to establishing a new use of the type listed in subsection (A) above the person desiring to do so shall:

1. First obtain a rezoning of the property to the C-5 commercial district. Such rezoning shall be applied for and processed in the same manner as any other rezoning; and
2. Obtain a zoning clearance and building permit in the same manner as for any other use.

C. For any permitted use in a C-5 commercial district, except automobile service stations that are governed by the provisions contained in C.C. Sections 3357.11 through 3357.18, the following physical characteristics of the property shall be applicable:

1. The minimum lot area shall be not less than fifteen thousand (15,000) square feet.
2. The minimum lot width at the front building line shall be not less than one hundred twenty (120) feet.

D. For any permitted use in a C-5 commercial district, except automobile service stations that are governed by the provisions contained in C.C. Sections 3357.11 through 3357.18, the yard line building line requirements in C.C. 3357.04 shall be applicable with the following additional provisions:

1. Whenever any portion of the property abuts property used or zoned for any type of residential use then there shall be a landscaped yard of not less than ten (10) feet in width provided along that portion of the property line abutting the property used or zoned for any type of residential purposes.
2. No portion of any building or structure shall be located or extend closer than twenty-five (25) feet to either a front or street side property line.

E. For any permitted uses in a C-5 commercial district, except automobile service stations that are governed by the provisions contained in C.C. Sections 3357.11 through 3357.18, the height of any building or structure shall not exceed twenty-five (25) feet.

F. In any C-5 commercial district, provisions shall be made for access, and off-street parking and loading facilities as required by C.C. Sections 3357.08 through 3357.10.

G. For any proposed new use or enlargement of an existing one in a C-5 commercial district, sufficient copies of the site plan for a zoning clearance shall be submitted to enable the ~~department division~~ to refer such site plans to various other city departments and divisions as appropriate for their review and recommendations.

H. In addition to all other development standards specified elsewhere in this Zoning Code or in other city codes, the following requirements shall be applicable:

1. The location of all curb cuts and traffic flow patterns shall required the approval and a permit from the

department of public service prior to any curb being cut or any driveway being installed.

2. Any use, such as a car wash, that could cause a drainage problem, shall require the approval of the division of sewerage and drainage, and such uses may be required to install storm sewers as required to alleviate the problem.

3. Any use, such as a fast-food business, that could cause a traffic congestion problem shall require approval of the department of public service, and such uses may be required to install frontage roads as required to alleviate the problem.

4. Any use, such as a fast-food business, that could create an excessive litter problem, may be required to install fences as determined by the department, and trash receptacles as may be required by the department of public health ~~division of health~~ and division of refuse collection, to alleviate the problem.

5. Other city departments and divisions whose operations or area of jurisdiction may be affected by the proposed use may recommend to the department of ~~development~~ additional requirements necessary to comply with various city codes applicable to the use and to protect and preserve the public health, safety, and welfare.

6. If, at the time of public hearings on the application for a rezoning to the C-5 commercial district, council has imposed any specific development standards or other requirements, then the site plans submitted for the zoning clearance shall show full compliance with all such standards and requirements.

Section 74. That the existing Section 3357.015 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3357.015 Telecommunication antennas.

A. Monopole telecommunication antennas are permitted uses in the C-5 commercial district except in the following locations, where a special permit is required:

1. Any property or parcel listed on the National Register of Historic Places, the Columbus Register of Historic Properties, or that is included in an architectural review commission area.

B. The following standards for monopole telecommunication antennas shall apply:

1. A certificate of zoning clearance shall be issued only after the following conditions have been met:

a. Affidavits have been submitted by the applicant and placed on file with the ~~director administrator~~ attesting to the lack of any reasonable alternative, including collocation and concealment, to the construction of the monopole antenna as well as documentation of this finding;

b. Affidavits have been submitted by the applicant and been placed on file with the ~~director administrator~~ attesting to the owner's willingness to allow other entities to rent or lease space for additional antennas on the monopole antenna for commercially reasonable terms.

2. The base of all monopole telecommunication antenna sites and associated support structures shall be screened and buffered and may be enclosed by a security fence. The buffer shall contain hedges or other plants that provide a five (5) foot high, seventy-five (75) percent opaque screen. Existing vegetation and topography can be used as part of this screening.

3. At no time shall any monopole telecommunication antenna have affixed or attached to it in any way any lights, reflectors, signs, banners, graphics, or other illumination device, except as required by the Federal Aviation Administration or the Federal Communications ~~Communication~~ Commission. All exterior finishes shall be, unless otherwise required, neutral grey in color.

4. The base of all monopole telecommunication antenna sites and associated support structures shall be set back two hundred (200) percent of the total height of the antenna from all residentially zoned districts. All support structures shall meet district setbacks.

5. Monopole telecommunication antennas shall be exempt from C.C. 3342.28 and C.C. 3309.14 up to a maximum height of:

a. One hundred (100) feet if built for one (1) or more providers;

b. One hundred fifty (150) feet if built for two (2) or more providers;

6. Within one hundred eighty (180) days of the termination of use of the monopole telecommunication antenna, the monopole telecommunication antenna and all associated structures and buildings shall be removed from the site or shall be declared a nuisance as per C.C. 4107.

C. A rooftop telecommunication installation for receiving or transmitting wireless telecommunications may be erected on any existing legal structure fifty (50) feet or more in height provided that it is in accordance with C.C. 3309.142(C).

Section 75. That the existing Section 3359.14 of the Columbus City Codes, 1959, is hereby amended to read as

follows:

3359.14 Property maintenance.

No owner of a property or structure shall by wilful action or wilful neglect, fail to provide sufficient and reasonable care, maintenance and upkeep to such property or structure, including the maintenance and upkeep to areas within the public right-of-way, that are, by virtue of other codes and ordinances, the responsibility of the property owner to maintain.

For the purposes of this section, maintenance and upkeep shall include, but not be limited to, keeping exterior surfaces free from debris, garbage, noxious weeds, or free from hazardous objects or conditions such as holes, broken concrete, broken glass, dead or dying trees or landscaping or any other condition that constitutes a violation of city code.

Maintenance shall also mean the continuing compliance with all the conditions and standards of the Zoning Code, including any special conditions of a permit or design review approval given by the downtown commission. ~~By resolution the downtown commission may present evidence of code violations to the regulation administrator who shall initiate appropriate action thereon.~~

Section 76. That the existing Section 3361.03 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3361.03 Development plan.

In addition to those materials required by Chapter 3310, an application to establish a commercial planned development district shall include a development plan containing the following items:

- A. A vicinity map showing the dedicated streets, easements and lots, and showing the location of the perimeter boundaries of the land areas included in the application;
- B. A topographical survey of all land included in the application and such other land adjoining the subject property as may be reasonably required by the ~~director administrator~~ showing five (5) foot contours or contours at an interval as may be required by the ~~director administrator~~ to delineate the character of the land included in the application and the adjoining land;
- C. A boundary survey and boundary map with a point of reference to the intersection of two (2) public rights-of-way;
- D. A report signed by the applicant describing the existing conditions in terms of the following categories and how an overall concept of the proposed development is integrated and designed to be compatible with the existing environment:
 - 1. Natural Environment. Topography, soils, wetland, drainage pattern, streams and vegetation,
 - 2. Existing Land Uses. Agricultural, residential, commercial, industrial and recreational,
 - 3. Transportation and Circulation Facilities. Streets, highways, pedestrian walkways, bicycle paths, transit stops and park and ride transit facilities,
 - 4. Visual Form of the Environment: Size, height, bulk, scale, density of the existing environment and the identity of the residential and nonresidential areas,
 - 5. View and Visibility. Visibility at intersections, access points, crosswalks, etc. and views along the streets,
 - 6. Proposed Development. Private and public, including structures and utilities,
 - 7. Behavior Patterns. The ways people typically use the existing environment for residential, working, shopping and recreation and how they commute between these various activities,
 - 8. Emissions. The levels of light, sounds, smells and dust.

In preparing this report, the applicant should discuss the design considerations contained in Section 3361.05 as they apply to this proposal. The report should include examples of these criteria depicted by such means as diagrams, sketches, photography, and like material supporting the proposals made in the text;

- E. A site plan that shall graphically demonstrate that the performance criteria in Section 3361.04, have or have not been treated or resolved and which may show as much of the following information as may be necessary to adequately describe the proposed development:
 - 1. Approximate location, size of structures, total square feet in buildings, height, and the use categories,
 - 2. Approximate size, location and use of other portions of the tract including landscaping, parking, loading, service, utilities, maintenance, various transportation terminals and other community facilities,
 - 3. The proposed vehicular and pedestrian circulation pattern, including access drives, parking arrangement, pedestrian walks, cycle paths, intersections, safety areas and related furnishings,
 - 4. Permanent signs larger than ten (10) square feet, including but not limited to identification signs, ingress/egress signs and billboards,

5. The approximate location and width of public and private utilities indicating the type, transformers, air conditioners, condenser ponds, retention basins, and other storm drainage facilities,
6. The approximate schedule of construction of structures, utilities and associated facilities and those structures, facilities and utilities located off-site which relate to on-site development,
7. Additional information may be included in the presentation and as such shall be included in the registered development plan.

Section 77. That the existing Section 3363.175 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3363.175 Telecommunication antennas.

A. Monopole telecommunication antennas are permitted uses in the M-manufacturing district except in the following locations, where a special permit is required:

1. Any property or parcel listed on the National Register of Historic Places, the Columbus Register of Historic Properties, or that is included in an architectural review commission area.

B. The following standards for monopole telecommunication antennas shall apply:

1. A certificate of zoning clearance shall be issued only after the following conditions have been met:
 - a. Affidavits have been submitted by the applicant and placed on file with the ~~director administrator~~ director attesting to the lack of any reasonable alternative, including collocation and concealment, to the construction of the monopole antenna as well as documentation of this finding.
 - b. Affidavits have been submitted by the applicant and placed on file with the ~~director administrator~~ director attesting to the owner's willingness to allow other entities to rent or lease space for additional antennas on the monopole antenna for commercially reasonable terms.
2. The base of all monopole telecommunication antenna sites and associated support structures within one hundred (100) feet of a nonmanufacturing district or a public right-of-way shall be screened and buffered and may be enclosed by a security fence. The buffer shall contain hedges or other plants that provide a five (5) foot high, seventy-five (75) percent opaque screen. Existing vegetation and topography can be used as part of this screening.
3. At no time shall any monopole telecommunication antenna have affixed or attached to it in any way any lights, reflectors, signs, banners, graphics, or other illumination device, except as required by the Federal Aviation Administration or the Federal ~~Communications~~ Communication Commission. All exterior finishes shall be, unless otherwise required, neutral grey in color.
4. The base of all monopole telecommunication antenna sites and associated support structures shall be set back two hundred (200) percent of the total height of the antenna from all residentially zoned districts. All support structures shall meet district setbacks.
5. Monopole telecommunication antennas shall be exempt from C.C. 3342.28 and C.C. 3309.14 up to a maximum height of:
 - a. One hundred (100) feet if built for one (1) or more providers;
 - b. One hundred fifty (150) feet if built for two (2) or more providers; and
 - c. Two hundred (200) feet if built for three (3) or more providers.
6. Within one hundred eighty (180) days of the termination of use of the monopole telecommunication antenna, the monopole telecommunication antenna and all associated structures and buildings shall be removed from the site or shall be declared a nuisance as per C.C. 4107.

C. A rooftop telecommunication installation for receiving or transmitting wireless telecommunications may be erected on any existing legal structure fifty (50) feet or more in height provided that it is in accordance with C.C. 3309.142(C).

Section 78. That the existing Section 3365.085 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3365.085 Telecommunication antennas.

A. Monopole telecommunication antennas are permitted uses in the M-1 manufacturing district except in the following locations, where a special permit is required:

1. Any property or parcel listed on the National Register of Historic Places, the Columbus Register of Historic Properties, or that is included in an architectural review commission area.

B. The following standards for monopole telecommunication antennas shall apply:

1. A certificate of zoning clearance shall be issued only after the following conditions have been met:
 - a. Affidavits have been submitted by the applicant and placed on file with the ~~director administrator~~ attesting to the lack of any reasonable alternative, including collocation and concealment, to the construction of the monopole antenna as well as documentation of this finding.
 - b. Affidavits have been submitted by the applicant and placed on file with the director ~~administrator~~ attesting to the owner's willingness to allow other entities to rent or lease space for additional antennas on the monopole antenna for commercially reasonable terms.
 2. The base of all monopole telecommunication antenna sites and associated support structures within one hundred (100) feet of a non-manufacturing district or a public right-of-way shall be screened and buffered and may be enclosed by a security fence. The buffer shall contain hedges or other plants that provide a five (5) foot high, seventy-five (75) percent opaque screen. Existing vegetation and topography can be used as part of this screening.
 3. At no time shall any monopole telecommunication antenna have affixed or attached to it in any way any lights, reflectors, signs, banners, graphics, or other illumination device, except as required by the Federal Aviation Administration or the Federal ~~Communications~~ ~~Communication~~ Commission. All exterior finishes shall be, unless otherwise required, neutral grey in color.
 4. The base of all monopole telecommunication antenna a sites and associated support structures shall be set back two hundred (200) percent of the total height of the antenna from all residentially zoned districts. All support structures shall meet district setbacks.
 5. Monopole telecommunication antennas shall be exempt from C.C. 3342.28 and C.C. 3509.14 up to a maximum height of:
 - a. One hundred (100) feet if built for one (1) or more providers;
 - b. One hundred fifty (150) feet if built for two (2) or more providers; and
 - c. Two-hundred (200) feet if built for three (3) or more providers.
 6. Within one hundred eighty (180) days of the termination of use of the monopole telecommunication antenna, the monopole telecommunication antenna and all associated structures and buildings shall be removed from the site or shall be declared a nuisance as per C.C. 4107.
- C. A rooftop telecommunication installation for receiving or transmitting wireless telecommunications may be erected on any existing legal structure fifty (50) feet or more in height provided that it is in accordance with C.C. 3309.142(C).

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Section 79. That the existing Section 3365.37 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3365.37 Child day care.

A child day care center may be an accessory use subject to the requirements of Ohio Revised Code Chapter 5104 and the following additional conditions:

- (a) A center shall be associated with and accessory to a less objectionable manufacturing use for employee convenience and be established in a building occupied by the principal use; and
- (b) As part of the application for a certificate of zoning clearance, the center operator shall submit a transportation plan which describes in text and plan the manner of child loading and unloading, parking and traffic circulation. The ~~director building services administrator~~ shall consult with the director of public service and/or their designee concerning the safety of such plan and may modify or deny the application for safety reasons.

Section 80. That the existing Section 3367.31 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3367.31 Child day care.

A child day care center may be an accessory use subject to the requirements of Ohio Revised Code Chapter 5104 and the following additional conditions:

- (a) A center shall be associated with and accessory to a less objectionable manufacturing use for employee convenience and be established in a building occupied by the principal use; and
- (b) As part of the application for a certificate of zoning clearance, the center operator shall submit a transportation plan which describes in text and plan the manner of child loading and unloading, parking and traffic circulation. The ~~director building services administrator~~ shall consult with the director of public service and/or their designee concerning the safety of such plan and may modify or deny the application for safety reasons.

Section 81. That the existing Section 3367.085 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3367.085 Telecommunication antennas.

A. Monopole telecommunication antennas are permitted uses in the M-2 manufacturing district except in the following locations, where a special permit is required:

1. Any property or parcel listed on the National Register of Historic Places, the Columbus Register of Historic Properties, or that is included in an architectural review commission area.

B. The following standards for monopole telecommunication antennas shall apply:

1. A certificate of zoning clearance shall be issued only after the following conditions have been met:
 - a. Affidavits have been submitted by the applicant and placed on file with the ~~director administrator~~ attesting to the lack of any reasonable alternative, including collocation and concealment, to the construction of the monopole antenna as well as documentation of this finding.
 - b. Affidavits have been submitted by the applicant and placed on file with the ~~director administrator~~ attesting to the owner's willingness to allow other entities to rent or lease space for additional antennas on the monopole antenna for commercially reasonable terms.
2. The base of all monopole telecommunication antenna sites and associated support structures within one hundred (100) feet of a nonmanufacturing district or a public right-of-way shall be screened and buffered and may be enclosed by a security fence. The buffer shall contain hedges or other plants that provide a five (5) foot high, seventy-five (75) percent opaque screen. Existing vegetation and topography can be used as part of this screening.
3. At no time shall any monopole telecommunication antenna have affixed or attached to it in any way any lights, reflectors, signs, banners, graphics, or other illumination device, except as required by the Federal Aviation Administration or the Federal ~~Communications~~ ~~Communication~~ Commission. All exterior finishes shall be, unless otherwise required, neutral grey in color.
4. The base of all monopole telecommunication antenna sites and associated support structures shall be set back two hundred (200) percent of the total height of the antenna from all residentially zoned districts. All support structures shall meet district setbacks.

5. Monopole telecommunication antennas shall be exempt from C.C. 3342.28 and C.C. 3309.14 up to a maximum height of:

- a. One hundred (100) feet if built for one (1) or more providers;
- b. One hundred fifty (150) feet if built for two (2) or more providers; and
- c. Two hundred (200) feet if built for three (3) or more providers.

6. Within one hundred eighty (180) days of the termination of use of the monopole telecommunication antenna, the monopole telecommunication antenna and all associated structures and buildings shall be removed from the site or shall be declared a nuisance as per C.C. 4107.

C. A rooftop telecommunication installation for receiving or transmitting wireless telecommunications may be erected on any existing legal structure fifty (50) feet or more in height provided that it is in accordance with C.C. 3309.142(C).

Section 82. That the existing Section 3370.02 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3370.02 Application.

Any person desiring the establishment of a limited overlay on any lot proposed to be rezoned for any permitted use may file an application, in conformity with all the provisions for amendments to the Zoning Code or map and the provisions of this chapter, with the ~~department division~~ on a form provided by it. Said application will be processed together with the application to rezone the subject property and will be reviewed in the same manner as a rezoning application by staff, the development commission and city council. A fee may be imposed by ordinance of council.

Section 83. That the existing Section 3372.03 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3372.03 Application.

A. Any person or organization desiring the establishment of a planning overlay may file an application in conformity with all the provisions for amendments to the Zoning Code and the provisions of this chapter with the ~~department regulations-division~~ on a form provided by it. Said application will be processed and reviewed by the staff, development commission and city council as a rezoning application. A fee may be imposed by ordinance of council.

The intended purpose of a planning overlay shall be clearly evident and relate to the underlying land use pattern in a reasonable way. Proposals should exhibit the following characteristics:

1. Implement recommendations contained in a council-approved plan passed by resolution;
2. Specify standards which establish, maintain or change the development character of an area;
3. Evidence advanced planning which supports and justifies the variations in existing standards or the imposition of additional standards.

B. The Director may request additional information when needed to properly review the application. In all cases the minimum standards of the underlying zoning classification shall govern unless the planning overlay approved by council specifically stipulates a variation to that standard.

Section 84. That the existing Section 3372.404 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3372.404 Applicability and extent.

The following requirements apply to all residentially or commercially used or zoned property as well as institutional uses that contain a residential component (including, but limited to, children's homes, nursing homes, etc.). The standards contained in the East Franklinton Overlay are in addition to the regulations of the underlying zoning districts. Where the provisions of this chapter conflict with those of the underlying zoning district or other provisions of this Zoning Code, the most restrictive provision applies.

- A. The placement, construction, or reconstruction of a principal building is subject to all standards and requirements of this chapter relevant to its use/zoning.
- B. For residentially used or zoned property, the expansion of a principal building is subject to all applicable standards and requirements of this chapter when the increase in the gross floor area is twenty-five (25) percent or more. An expansion is subject only to C.C. 3372. 406 (design standards) when the increase in the gross floor area is less than twenty-five (25) percent.
- C. For commercially used or zoned property, the expansion of a principal building is subject to all applicable

standards and requirements of this chapter when the increase in the gross floor area is fifty (50) percent or more. An expansion is subject only to C.C. 3372. 406 (design standards) when the increase in the gross floor area is less than fifty (50) percent.

D. The extension or expansion of a principal building towards a public street is subject to all standards and requirements of this chapter relevant to its use/zoning.

E. Exterior alteration of a primary building façade is subject to C.C. 3372. 406 (design standards). Secondary building façades and primary building façades set back from an abutting street a distance of more than thirty (30) feet are exempt from this requirement. For purposes of this requirement, the placement of window shutters, fabric canopies and awnings, and/or building-mounted signage is not considered to be an exterior alteration.

F. The standards and requirements of this chapter may be waived by the ~~development~~ director or designee for buildings listed on the Columbus Register of Historic Properties if they would result in an unacceptable modification of the original, historic appearance of the building as determined by the city of Columbus Historic Resources Commission.

G. Routine maintenance and in-kind replacement of materials are exempt from the standards and requirements of this chapter.

Section 85. That the existing Section 3372.507 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3372.507 Submission of calculations.

All calculations and documentation necessary to show conformance with applicable standards and guidelines of this subchapter shall be submitted to the ~~department division~~ with the permit application. When optional standards are available, the applicant shall indicate which option is used. When applicant determines the building line by using the average setback of adjacent buildings, the setback and building and porch footprint of said buildings shall be shown on the site plan. With the exception of single-family dwellings, all calculations and documentation necessary to show conformance with applicable standards and guidelines of this subchapter shall be certified as to their accuracy by an Ohio-registered architect or engineer.

Section 86. That the existing Section 3372.510 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3372.510 Exemption of parking space loss due to refuse storage requirement.

A. Any owner of property zoned apartment-residential and of residential use in the university area who provides a refuse storage receptacle or cubic yard container (dumpster) as required by Title 13 C.C. and thereby loses one (1) or more existing, required parking spaces will be exempt from the necessity of replacing such lost space if on or before January 1, 1995, the owner notifies the director by affidavit of his name, the property's address, the number of legal parking spaces lost due to compliance with C.C. 1303.12, and the number of legal parking spaces remaining. Said document shall be retained in the ~~department division~~ for future reference in a manner similar to board of zoning adjustment's variance retention files.

B. This exemption shall be valid only for so long as: a sufficient refuse storage receptacle or cubic yard container is provided on site; there is no new construction of habitable floor area of two hundred (200) square feet or more; and there is no change of use in or upon said premises.

Section 87. That the existing Section 3372.569 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3372.569 Refuse storage.

Adequate refuse storage facilities shall be provided for each dwelling unit on a lot. These standards shall apply in addition to or in place of requirements in Chapter 1303. When a standard in Chapter 1303 conflicts with a standard in this chapter, the standard in Chapter 3372 shall govern.

A. A refuse storage facility or dumpster shall be provided on-site and shall not be located in any front yard, required side yard, required landscaped area or required parking area.

B. An area large enough to accommodate the required refuse storage facility or dumpster and access thereto shall be designated for each lot. A concrete pad shall be provided for each dumpster.

C. Limited location waiver. The requirement for storing refuse on-site may be temporarily waived if, after consultation

with the refuse division administrator, the director determines the following conditions are met: After such waiver is obtained, the originally designated refuse storage area may be landscaped provided it retains the capability to serve as an area for a refuse storage facility in the future. The director may cancel such waiver at any time for good cause or at the request of either property owner. Within thirty (30) days of receipt of notice of cancellation, the owner of the property without a refuse storage facility on-site shall provide a refuse storage facility on-site in conformance with this subchapter.

1. That required storage facilities will be provided for occupants' use on a lot no more than thirty (30) feet from the subject lot;
 2. That there is sufficient storage capacity to accommodate both lots' requirements; and
 3. An affidavit of agreement executed by owners of both properties, serving as evidence of such arrangement, is submitted to the department ~~development regulation division~~.
- D. Screening of a dumpster is not required.

Section 88. That the existing Section 3374.04 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3374.04 Site development regulations.

Any use established or building erected, which is arranged, intended or designed to be used for a use permitted in the UCRPD and is located within one hundred (100) feet of the perimeter of the district or public right-of-way shall comply with the most restrictive standards required by a residential, commercial or industrial district of the Zoning Code which permits such use. Only those standards which can reasonably be applied shall be required, such as setback from public right-of-way, side yard and rear yard adjacent to neighboring property, landscaping and height.

Additional site development regulations requested by the applicant and recommended by the director ~~administrator~~ or the development commission may be included as part of the rezoning and implemented by a planning overlay. Only approved P-UCRPD standards or university-college research-park activities essential to such institution's purpose and mission shall justify a departure from the minimum standards referenced or contained in this chapter.

Section 89. That the existing Section 3374.05 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3374.05 Parking and loading.

Any use established or building erected, which is arranged, intended or designed to be used for a use permitted in the UCRPD shall be exempt from the minimum number of off-street parking spaces. However, uses located within one hundred (100) feet of the perimeter of the district shall comply with all other parking and loading standards contained in Chapter 3342 of the Zoning Code unless recommended for modification by the director ~~building services administrator~~ in consultation with the director of public service and/or their designee.

Section 90. That the existing Section 3375.20 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3375.20 Grand opening display standards.

One (1) or more promotional banners may be utilized as a grand opening display, subject to the following provisions:

- A. A grand opening display shall be utilized only on the site of the subject new use within the first six (6) months following either issuance by the department ~~division~~ of a final occupancy permit for said new use, or, where no occupancy permit is required, within the first six (6) months of issuance of any required installation permit for a permanent sign to identify said use.
- B. No more than one (1) such display shall be utilized by each new use.
- C. A miscellaneous permit, as required by C.C. 3375.11, shall be obtained by the business owner prior to installation.
- D. A grand opening display shall be displayed no more than thirty (30) continuous calendar days.
- E. The aggregate graphic area shall be no more than sixteen (16) square feet in a residential or institutional district, and shall be no more than thirty-two (32) square feet in a commercial or manufacturing district.
- F. A request for a grand opening display that exceeds the allowable display time or graphic area, or both, shall be heard and decided by the graphics commission.

Section 91. That the existing Section 3380.01 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3380.01 Areas of special graphics control.

Graphic standards and design specifications for each area of special graphics control, as provided for in C.C. 3375.03(D), shall be included within this chapter as they are established and adopted by city council.

A. Procedure. Creation of an area of special graphics control shall result only from a planning process for such area which culminates in a plan adopted by city council, and may include any planning overlay, historic, scenic or cultural area so designated. ~~The planning division of the department of trade and development shall coordinate preparation of the plan and provide an opportunity for review and comment to interested parties including owners of property within the area, concerned area commission, if any, and representatives of the sign industry and of area businesses. The planning division shall schedule a review conference with interested parties.~~

B. Plan. The plan shall clearly describe the planning area and explain its special or unique characteristics. The plan shall delineate the goals and objectives for the area and the necessity for special graphic standards and design specifications to address the area's uniqueness. Development guidelines shall be designed to meet its objectives and shall be used to codify its standards.

The graphics commission and the development commission shall each hold a public hearing on the plan prior to its submission to council.

C. Creation by Council. Prior to being filed with the city clerk, legislation to create an area of special graphics control shall be considered by the graphics commission and the development commission at regularly scheduled public hearings. The plan and the ordinance for adoption of the plan and creation of an area of special graphics control may be considered at the same public hearing. Notice shall be published in the city bulletin at least ten (10) days before any hearing and shall be sent in accordance with C.C. 3310.05(c). Additionally, representatives of the sign industry and of area businesses shall be notified.

The department shall forward both development and graphics commission's recommendations with the legislation to council. When approved by council at the conclusion of this procedure, the creation of the individual special graphics control area and establishment of standards and design specifications for graphics therein, shall be enacted into this chapter.

Section 92. That the existing Section 3381.20 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3381.20 Assignment and issuance to business concern.

A. A sign erector's license shall be issued in the name of the individual who successfully meets the qualifications and passes the examination required by this chapter. However, said individual, at the time of application, or at any time thereafter, may assign his or her license rights to one (1) business concern with whom he or she is associated with as a legal, full-time officer, proprietor, partner, or employee, and may designate that his or her license shall be issued in the name of said concern. In such event, said license shall be issued in the name of said business concern, which shall be known as the licensed-business, and no license shall be issued to the individual applicant in his own name during the period he or she is associated with said business concern. In such event, the license shall state on its face the name and position in the business concern of the individual who qualified for the license under the terms of this chapter. No individual may be named on more than one (1) license within a trade at the same time.

B. In the event the individual named on the license becomes disassociated from the licensed-business, the license shall become null and void at ninety (90) calendar days after such disassociation, except where another license-holder becomes associated with the business concern and the business concern so notifies the ~~department division~~ in writing. During this ninety (90) day period, the work on existing permits may be followed through to completion, but no new work shall be commenced. The license-holder shall notify the ~~department division~~ of any change of status. In such event, a new license, setting forth the name of the new individual, shall be issued to the licensed-business. A non-refundable fee, as prescribed in the fee schedule, shall be required for the issuance of this new license.

C. There shall be a ninety (90) calendar day waiting period on the transfer of assignment of a license from one company to another, unless it had been in the department-issued license of the licensee him or herself.

Exception: Upon presentation of satisfactory evidence of whichever of the following conditions having occurred that caused the termination of the currently licensed-business, the ninety (90) day period may be waived by the chief building official:

- (1) Closure of the licensed-business because of Chapter 7 bankruptcy;
- (2) Dissolution of the licensed-business that is a corporation, limited liability partnership (LLP), or a limited liability corporation (LLC) that was filed and recorded and in good standing with the Secretary of State of Ohio;

or

(3) Merger or consolidation of the licensed-business with a corporation, limited liability partnerships (LLP), or a limited liability corporations (LLC) that are filed and recorded and in good standing with the Secretary of State of Ohio.

The provisions of this exception may be implemented only once in any thirty-six (36) consecutive month period.

D. When a license is assigned to a business concern, all work carried on by the licensed-business shall be deemed to be carried on under the personal supervision of the individual named in the license, and any violation of the license terms shall be imputed to the individual named therein.

E. The license-holder shall be actively engaged in the business and shall be readily available for consultation with the department within two (2) business days after notification. No license-holder shall permit his or her license to be used in more than one (1) business at any time. It shall be cause for the revocation of the license issued to a business concern if it shall be shown that the license-holder is not, or is no longer, a legal, full-time officer, proprietor, partner or employee of said business concern.

No individual shall be entitled to be named in any license who has outstanding against him or her, as an individual or as a full-time officer, proprietor, partner, or employee of a business concern, any suspension or revocation of another license as a contractor; however, another qualified full-time officer, proprietor, partner, or employee may be substituted upon proper application therefor.

Section 93. That the existing Section 3382.04 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3382.04 Appeal.

The graphics commission shall hear an appeal upon application and within ninety (90) calendar days from the date the application is received by the ~~department division~~, unless the person appealing agrees to a later hearing. The graphics commission may reverse, affirm, or modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination, as in its opinion and consistent with this Graphics Code ought to be made, and to that end shall have the powers of the office from which the appeal is taken.

The commission shall not entertain any appeal filed more than thirty (30) calendar days after the date of the order, requirement, decision or determination appealed from or within such different time as may be specifically provided in this Graphics Code.

Section 94. That the existing Section 3384.08 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3384.08 Avigation easement.

The applicant for a variance, rezoning, change of use, or special use permit, prior to receiving final approval of the application, shall convey to the operating authority of the appropriate airport, an avigation easement granting the right to fly in the airspace above the subject property. Avigation easements may be obtained for all other new uses. Such easement shall be supplied in a form prescribed by the ~~director building services administrator~~ in conjunction with the operating authority of the appropriate airport and shall be recorded in the appropriate county recorder's office.

Section 95. That the existing Section 3384.09 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3384.09 Notice.

The ~~department division~~ shall provide a notice to an applicant for a development-related permit in the AEO-airport environs overlay district that the subject property is located, either partially or wholly, within the AEO-airport environs overlay district and may be subject to aircraft overflight.

Section 96. That the existing Section 3384.10 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3384.10 Development review.

The zoning compliance process for the city of Columbus shall apply to the AEO-airport environs overlay district with the following additional review:

Airport Authority Staff Review. The ~~department~~ division shall provide a copy of any application for a certificate of zoning clearance within the AEO-airport environs overlay district, including the development plan, within five (5) days of its submittal by the applicant, to the staff of the operating authority of the airport appropriate for the subject site and which shall provide a written recommendation to the ~~director~~ administrator within seven (7) days after receipt.

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Section 97. That the existing Section 3384.11 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3384.11 Development plan.

A development plan as identified herein shall be submitted with any application for a certificate of zoning clearance or application for rezoning in addition to other submittal requirements therefor and said plan shall include at a minimum technical substantiation, maps, plans, drawings, and such other information as is necessary to show:

- (a) Site/Ldn Contour Map. Zoning district boundaries shall be superimposed on a site plan of the development site to indicate FAA-approved noise contours for the subject property. All maps shall be drawn to a scale designated by the ~~director~~ administrator.
- (b) Location of Structures. Location of all existing and proposed buildings and structures shall be identified on the site/Ldn contour map.
- (c) Specification of Uses. Uses to occur within each building, structure or activity area shall be specified on the site/Ldn contour map.
- (d) Narrative Description. A narrative shall be provided describing the location of the site, its total acreage, existing character and use; the concept of the proposed development or use, such as proposed residential density, and the relation of the proposed development plan to the Columbus comprehensive plan and any applicable area plan.

Section 98. That the existing Section 3390.03 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3390.03 Authority to issue.

The ~~director~~ administrator is authorized to grant or extend temporary use permits for specified uses in accordance with the provisions of this chapter.

Section 99. That the existing Section 3390.04 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3390.04 Temporary use permit required.

No person shall use any building structure or premises or erect any building or structure for particular uses specified in this section except in compliance with a temporary use permit issued by the ~~director~~ administrator as provided in this chapter.

- (A) A real estate office is permitted in any residential subdivision actively under construction, as determined by the ~~director~~ administrator, for the purpose of selling lots in such subdivision. A model home may be used as a temporary sales office. A temporary use permit for such use may be issued for one (1) year. At the end of a year, a new permit may be issued if the ~~director~~ administrator determines that such subdivision is still actively under construction. A temporary use permit may be issued for a mobile home or portable building to be used as a temporary sales office to allow earlier sales for new developments pending completion of a furnished model home. Off-street parking requirements for the subject lot shall not be enforced during the term of either permit.
- (B) A mobile home for emergency housing for the victim of a fire or catastrophic loss is permitted on the lot where such loss occurred. A portable storage unit may be used in conjunction with such temporary housing. A temporary use permit for such use may be issued for ninety (90) days, renewable for an additional maximum term of ninety (90) days and may be subject to additional restrictions.
- (C) A temporary use of a building for seasonal celebrations such as a "haunted house" is permitted in any residential, commercial or industrial district for a period not to exceed thirty (30) days one (1) time each year.
- (D) A temporary structure or portable building is permitted on a Christmas tree sales lot in a commercial or manufacturing district. A temporary use permit may be issued for a period not to exceed sixty (60) days and shall provide that such structure or building shall be removed by the first day of January.

Section 100. That the existing Section 3390.06 of the Columbus City Codes. 1959, is hereby amended to read as follows:

3390.06 Application.

An application for a temporary use permit shall contain such information as the ~~director~~ administrator deems reasonably necessary for a determination of compliance or noncompliance with the Zoning Code and to assist enforcement thereafter. The applicant shall sign the application and each copy thereof, attesting to the truth and exactness of the information supplied and to his intent to terminate such use within the period set forth therein.

Section 101. That the title of "Part I, Building Code", Title 41, Columbus City Codes, 1959, is hereby amended to read as follows:

Title 41 - ~~Part I,~~ Building Code

Section 102. That the title of Chapter 4105 of the Columbus Building Code, Title 41, of the Columbus City Codes, 1959, is hereby amended to read as follows:

**Chapter 4105 - POWERS, DUTIES, AND ENFORCEMENT ~~DEVELOPMENT REGULATION~~
~~DIVISION; BUILDING INSPECTOR~~**

Section 103. That the existing Section 4101.01 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4101.01 Letter A.

~~"Administrator" when used without clarification means the building services division administrator or his or her designee.~~

"Aisle" means the clear width and length of an area which is provided for ingress or egress between rows of seats, or between rows of seats and a wall, or between desks, tables, counters, machines, or other equipment or materials, or between such articles or materials and a wall.

"Aisle longitudinal" means an aisle approximately at right angles to the rows of seats served.

"Aisle transverse" means an aisle approximately parallel to the rows of seats between which it passes.

"Alcove" means a recessed portion of a room with an unobstructed opening into said room.

"Alteration" as applied to one (1), two (2), and three (3) -family dwellings and related accessory buildings means a permanent change or modification in construction, fixtures and/or equipment which does not include an addition to the building or structure.

Approved.

(a) "Approved" material, device, or mode of construction refers to the approval by the building inspector as the result of investigation and test conducted by him or by reason of accepted principles or tests by national authorities, technical or scientific organizations.

(b) "Approved agency" means an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when such agency has been approved by the building inspector or the Ohio Board of Building Standards.

(c) "Approved testing agency" means an established, nationally recognized business entity identified, in writing, by the director of the department ~~of development~~ which is regularly engaged in the promulgation and administration of examinations for, but not limited to, the construction industry and its related craft(s) and trade(s), used to decide the knowledge and skill of applicants for consideration of licensing by the city of Columbus.

"Appurtenant structure" means a structure or device attached to the exterior of a building or erected on the roof thereof and designed to provide architectural ornamentation, to support service equipment or to be used in connection therewith, for advertising or display purposes, or for any other similar purpose. "Appurtenant structure" includes but is not necessarily limited to a cornice, parapet, architectural terra cotta, projecting and freestanding ornamentation, exterior fire escape, balcony, marquee, light fixture, chimney, or sign and its support structure.

Section 104. That the existing Section 4101.04 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4101.04 Letter D.

"Dance hall" means a building or part thereof the primary purpose of which is for dancing by a gathering of people.

"Department" when used without clarification means the department of building and zoning services ~~development~~.

"Departmental regulations" means printed interpretations of sections of this code prepared by the building inspector with the approval of the building commission. An appeal for change of or relief from the requirements of the departmental regulations may be made to the building commission, which shall have authority to change the same.

Departmental regulations shall be published in the City Bulletin and shall become effective sixty (60) days after approval and issuance of printed copies to all persons, firms, contractors, and organizations on a list of holders of this Building Code.

"Director" when used without clarification means the director of the department of building and zoning services ~~development~~ or his or her designee.

~~"Division" when used without clarification means the building services division of the department of development or his or her designee.~~

"Dome" means a roof formed by a series of arches or curved surfaces, every point of which is in a curved surface, receding from the supporting walls of the building and springing from a plane base either circular or polygonal and covering and meeting at a ridge or finial with no appreciable part of such roof flat or a plane surface.

"Dormer" means a minor architectural roof structure containing one (1) or more small vertical windows and situated upon a sloping roof.

"Dwelling" means any residence building or portion thereof, which is not an "apartment house," which contains one (1), two (2) or three (3) dwelling units, used, intended, or designed to be used, rented, leased, let or hired out to be occupied or which are occupied for living purposes by one (1) family each.

(a) "One (1) family dwelling" means a building containing one (1) dwelling unit with not more than five (5) lodgers or boarders.

(b) "Two (2) and three (3) family dwellings" means buildings containing two (2) or three (3) dwelling units with not more than five (5) lodgers or boarders per building.

"Dwelling unit" means a single unit providing complete, independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Section 105. That the existing Section 4103.13 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4103.13 Approval of unlabeled equipment.

Any equipment which is not labeled or cannot be accepted as meeting the requirements of this code may be approved as indicated in this section.

The Building Official may, after a review of all technical data and a thorough visual inspection of the equipment submitted, give his approval for use of said equipment with the city. However, if after said inspection the Building Official determines that said equipment does not meet his approval, the installer, owner, or manufacturer may, at his own expense, submit his equipment to a locally recognized testing agency for its evaluation. The agency must be acceptable to the building official. A copy of the evaluation shall be forwarded to the department ~~division in care of the Administrator~~.

Section 106. That the existing Section 4103.16 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4103.16 Directives.

In accordance with C.C. 121.05, the building official is authorized to make and adopt directives necessary for the proper administration of the Ohio Basic Building Code and the Columbus Building Code which are not in conflict therewith. The building official shall immediately file a certified copy of such directive with the city clerk for publication in The City Bulletin. Directives shall be presented to the building commission for review and approval. Each adopted directive shall be on file and available to the public at the department's ~~division's~~ offices. A fee to cover costs shall be charged for copies thereof.

Section 107. That the existing Section 4109.04 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4109.04 Posting of signs.

The building official shall cause to be posted at each entrance to such building a notice to read: "DO NOT ENTER UNSAFE TO OCCUPY. DEPARTMENT OF BUILDING AND ZONING SERVICES ~~BUILDING SERVICES DIVISION~~, CITY OF COLUMBUS, OHIO." Such notice shall remain posted until the required repairs are made or

demolition is completed. It shall be unlawful for any person to remove such notice without permission of the building official or for any person to enter the building, except for the purpose of making the required repairs or of demolishing same.

Section 108. That the existing Section 4109.07 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4109.07 Unsafe conditions; reports.

Any owner, manager, lessee, or occupant of a building who discovers or who has reason to believe that there exists, on the premises, a condition which may endanger other property or the life or limb of any person, and such condition cannot be immediately remedied so as to remove any danger therefrom, shall, within twenty-four (24) hours after such discovery, report the existence of such dangerous condition to the building official, who shall forthwith take such steps as may be necessary to protect the public safety and welfare. If the building official cannot be located, such report shall be made to the ~~development~~ director. No person who is an owner, manager, lessee, or occupant of a building on which premises such a dangerous condition exists and who knows or should know of such dangerous condition shall fail to make such report to either the building official or the director within twenty-four (24) hours after such knowledge is obtained and should have been obtained.

Section 109. That the existing Section 4109.073 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4109.073 Exterior walls and appurtenant structures.

The owner of any building shall maintain the building's exterior walls and appurtenance structures in a safe condition. For purposes of this section "owner" includes agent, person, or organization in control, possession or charge of the subject building.

In order to maintain a building's exterior walls and appurtenant structures in a safe condition, the following additional requirements shall apply to each building which is:

- (1) Twenty (20) years old or older; and
- (2) Located within ten (10) feet of a public right-of-way or open pedestrian walkway or plaza; hereinafter referred to as an "applicable building." For the purposes of this section an open pedestrian walkway does not include a private service walk affording no more than direct access to an entrance or exit of a building.

(a) Critical Observation Requirements. The owner of an applicable building shall conduct, supervise, or contract for a critical observation of its exterior walls and appurtenant structures as set forth below: Each critical observation shall include all building elevations, exterior walls and appurtenances regardless of their proximity to a public right-of-way; shall include a complete review of the last observation report; and shall be conducted in accordance with the most recent rules, regulations and guidelines promulgated by the ~~director~~ administrator.

- (1) For a building which attains applicability status before July 1, 1985, the initial critical observation shall be completed within the first twelve (12) months after said date with subsequent observations at least one (1) time every five (5) years thereafter;
- (2) For a building which attains applicability status before July 1, 1986, the initial critical observation shall be completed within the first twelve (12) months of the building's attaining applicability status with subsequent observations at least one (1) time every five (5) years thereafter;
- (3) For a building which attains applicability status after July 1, 1986, the initial critical observation shall be completed within thirty (30) days of the date on which such building becomes applicable with subsequent observations at least one (1) time every five (5) years thereafter.

(b) Critical Observation Report. The person who conducted or supervised such critical observation shall prepare a written report of such critical observation and the results thereof. Said report shall contain critical observation findings prescribed by the ~~director's regulations~~ administrator's rules and regulations. The extent of the critical observation and the results thereof shall be documented in sufficient detail so that a comparison of successive reports will indicate any change of condition of the building's exterior walls and appurtenant structures. The owner shall keep and maintain said report at the applicable building's site or produce said report at said site within forty-eight (48) hours of any request for same by

the building official or the chief of the bureau of fire prevention.

(c) Notice of Critical Observation. Upon completion and within thirty (30) days of the required critical observation, the owner of said building shall notify the building official by certified mail of the following information:

- (1) The location of the building;
- (2) The age of the building;
- (3) The date the building was critically observed;
- (4) The name, address and title of the person or firm who conducted the critical observation and issued the critical observation report;
- (5) The location of such report;
- (6) The condition of the building's exterior. If, in the course of the critical observation, unsafe or unacceptable conditions are discovered, such conditions must be identified in said notice and immediately communicated to the building official;
- (7) Any other information required by the rules and regulations of the director administrator.

(d) Imminently Hazardous and Unsafe Conditions.

Upon the discovery of any imminently hazardous condition relating to the exterior walls or appurtenant structures of an applicable building, the owner shall immediately begin repair, reinforcement or precautionary measures so as to abate the immediate hazard and within twenty-four (24) hours, notify the building official. Subsequently, he shall promptly employ an architect or a registered professional engineer who specializes in structural engineering to perform a critical observation and prepare a report. The building owner shall submit a complete copy of said report to the director administrator.

Any other conditions found to be in violation of this code shall be corrected within a reasonable time as determined by the building official and the rules and regulations and guidelines issued pursuant to this section by the director administrator.

(e) Exception.

This section shall not apply to one (1), two (2) or three (3) family residential dwelling or to any accessory structures related thereto.

Section 110. That the existing Section 4109.10 of the Columbus City Codes, 1959, is hereby amended to read as follows:

4109.10 Fire insurance claims.

All claims shall comply with the provisions of Chapter 4509.

~~(A) No insurance company doing business in the state shall pay a claim of a named insured for fire damage to a building or structure or portion thereof located within the city where the loss agreed to between the named insured or insureds and the company or companies is more than five thousand dollars (\$5,000.00) and equals or exceeds sixty (60) percent of the aggregate limits of liability on all fire policies covering the building or structure unless there is compliance with subsections (B) and (C) of this section.~~

~~(B) The insurance company or companies in accordance with Division (F) of Section 715.26 of the Ohio Revised Code shall transfer from the insurance proceeds to the director of trade and development in the aggregate two thousand dollars (\$2,000.00) for each fifteen thousand dollars (\$15,000.00), and each fraction of that amount, of a claim, or, if at the time of a proof of loss agreed to between the named insured or insureds and the insurance company or companies the named insured or insureds have submitted a contractor's signed estimate of the costs of removing, repairing, or securing the building or other structure, shall transfer from the insurance proceeds the amount specified in the estimate. Such transfer of proceeds shall be on a pro rata basis by all companies insuring the building or other structure.~~

~~(C) Upon receipt of proceeds by the director as authorized by this section, the director shall deposit same with the treasurer who shall place the proceeds in a separate fund to be used solely as security against the total cost of removing, repairing, or securing the building or structure incurred by the city pursuant to Section 715.261 of the Ohio Revised Code. When transferring the funds as required in this section, the insurance company shall provide the director with the name and address of the named insured or insureds, whereupon the director shall contact the named insured or insureds, certify that the proceeds have been received by the city and notify them that the following procedures will be followed:~~

~~The fund shall be returned to the named insured or insureds when repairs, or removal, or securing of the building or structure have been completed and approved by the director, if the city has not incurred any costs for such repairs, removal, or securing. If the city has incurred any costs for repairs, removal, or securing of the building or structure, such costs shall be paid from the fund and if excess funds remain, the city shall transfer the remaining funds to the named~~

~~insured or insureds. Nothing in this section shall be construed to limit the ability of the city to recover any deficiency under Section 715.261 of the Revised Code.~~

~~Nothing in this section shall be construed to prohibit the city and the named insured or insureds from entering into an agreement that permits the transfer of funds to the named insured or insureds if some other reasonable disposition of the damaged property has been negotiated.~~

Section 111. That the existing Section 4113.29 of the Columbus City Codes, 1959, is hereby amended to read as follows:

4113.29 Issuance of permit, plans and specifications.

The application, plans and specifications filed by an applicant for a permit shall be examined by the chief building official. Such plans shall be forwarded to other departments of the city for review if deemed necessary by the chief building official, to determine compliance with the laws and ordinances under their jurisdiction. If the chief building official is satisfied that the work described in the application for a permit and the plans filed therewith conform to the requirements of this Building Code and other pertinent laws and ordinances, he or she shall issue a permit therefor to the applicant.

The department shall in no case grant any permit for the construction, alteration, or use of any building, structure or premises in the flood plain, as determined by the flood profile and flood boundary and floodway map on file in the department without a copy of the appropriate certificate of zoning clearance issued to the applicant, stating that said building, structure or premises, as proposed to be constructed, altered, or used, would not be in violation of any regulation established by Chapter 3385 of the Zoning Code.

The department shall in no case grant any permit for the construction, alteration, or use of any building, structure or premises without first receiving a certificate of zoning clearance stating that the said building, structure or premises as proposed to be constructed, altered or used, would not be in violation of any regulation established by the department ~~division of planning or of any rule or regulation duly adopted by the director.~~

When the chief building official issues the permit he shall endorse in writing or stamp plans and specifications "APPROVED." Such approved plans and specifications from the chief building official shall be kept on the job during the time work is being carried on and all work shall be done in accordance with the approved plans, which shall not be changed without written authorization of the chief building official.

Section 112. That the existing Section 4113.77 of the Columbus City Codes, 1959, is hereby amended to read as follows:

4113.77 Moving permits.

(1) No person shall move any building or structure over eight (8) feet wide and over one thousand (1,000) cubic feet in area, without applying for and obtaining a permit from the building official for such purpose and paying the fee prescribed therefor in the fee schedule.

(2) All applications for moving permits shall be accompanied with plans of the building or structure to be moved together with the correct location and character of all other buildings or structures on the lot.

(3) The director of public service and/or their designee of the city shall, when any building or structure is proposed to be moved over, along or across any street or public place in the city, designate the streets or other public places to be used in the moving of such building or structure together with the time which such building or structure may remain upon the street or other public place and it shall be unlawful for any person to take a different route other than the one designated in such permit, or to allow a building or structure to remain in the streets or public places a longer time than so designated. The permit issued by the director of public service and/or their designee for the use of such streets and public places and the time it is allowed thereon shall be in writing and shall be submitted to the director ~~of trade and development for his approval.~~

(4) Before moving any building or structure upon a street or public place, such licensee shall notify the chief of the division of fire to that effect and such licensee shall daily report to the chief of the division of fire the location of the building or structure, until moved to its new location.

(5) No permit shall be granted for the moving of any building or structure, which has from any cause deteriorated more than fifty (50) percent of its original strength or value across or along any public street, avenue or alley, or from one (1) location to another within the city.

(6) No permit shall be granted for the moving of any building or structure to a location where it would be in violation of any of the provisions of this Building Code relating to its erection, location and occupancy of buildings or structures.

(7) In case a permit is required from both the building official and the director of public service and/or their designee, such permit shall not be valid and in force until obtained from both ~~departments divisions~~ and until all other preliminary requirements of this Building Code and department rules pertaining to house moving and occupancy of public property are complied with.

(8) No building or structure shall be permitted to be or remain in any street or alley, or part thereof, from thirty (30) minutes before sunset to thirty (30) minutes after sunrise unless the licensee moving such building shall adequately warn all persons using such street or alley of the obstruction so existing in such highway by the proper placing of an adequate number of red lights in such position as will reasonably serve such purpose.

(9) It shall be the duty of the director of public service and/or their designee to enforce all the provisions of this chapter relating to the moving of any building or structure along or across any street or public place and it shall be the duty of the building official to enforce the remaining provisions thereof.

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Section 113. That the existing Section 4114.911 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4114.911 Appeals.

The decision of the board of review of general and home improvement contractors concerning a demolition contractor registration application, or of the ~~Department's building services division's~~ license section concerning an application for a fire alarm and detection equipment and/or fire protection company registration or a general contractor registration, shall be appealed to the Columbus building commission pursuant to Chapter 4107. Such an appeal shall be limited to the record created during the proceeding before the applicable board of review or of the ~~Department's building services division's~~ license section. An appeal before the building commission pursuant to Chapter 4107 shall not be a trial de novo. Such an appeal to the Columbus building commission shall be filed within thirty-one (31) calendar days from the date of the board of review or the license section made its determination.

Section 114. That the existing Section 4116.01 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4116.01 Authority.

The ~~building services administrator~~ director shall have the responsibility and authority for managing and coordinating plan approval, permitting, and inspection of private development activities necessary for timely, consistent, and efficient provision of development services.

Section 115. That the existing Section 4116.03 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4116.03 Development services council established.

There is hereby established a development services council as an advisory body to provide advice to the director ~~development director and the building services administrator~~ regarding the implementation and enforcement of development services standards. The ~~director of development~~ shall determine the number of members and their term of office.

Section 116. That the existing Section 4116.09 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4116.09 Remediation.

Upon the written request of the applicant, the appropriate director or his or her designee may cause issuance of a credit or rebate of five (5) percent of the applicable fee for plat/plan review or permit for each day beyond the service standard it takes the city staff to approve the plat/plan or issue the permit, up to fifty (50) percent of the full fee amount. Refunds in excess of twenty thousand dollars (\$20,000.00) shall require city council approval. In lieu of a fee credit or rebate, the applicant may request in writing a hearing before the director ~~building services administrator~~ when a plan has not been approved within the service standard. The ~~director~~ building services administrator or his or her designee shall meet with appropriate plan reviewers and the project decision-maker within seventy-two (72) hours of receiving the request for

hearing and render a decision on plan disposition within forty-eight (48) hours of the hearing. The director of public service or his or her designee shall act in lieu of the ~~director building services administrator~~ in the case of roadway engineering plans and the public utilities director or his or her designee shall act in lieu of the ~~director building services administrator~~ in the case of water or sewer engineering plans.

Section 117. That the title of "Part II, Building Code", Title 43, Columbus City Codes, 1959, is hereby amended to read as follows:

Title 43 - ~~Part II, Building Code~~ Platting and Engineering Code

Section 118. That the Columbus City Codes, 1959, are hereby supplemented by the enactment of a new Chapter 4301, entitled "Purpose, Scope and Enforcement" and consisting of eight (8) sections oddly numbered 4301.01 through 4301.99 and reading as follows:

4301.01 Purpose.

This code is enacted to preserve and promote the public health, safety and welfare by means of regulations and restrictions enacted to encourage the orderly growth and development of the city; to provide for adequate light, air, open space and convenience of access; to protect against fire and natural hazards; and to maintain and enhance the value of buildings, structures and land throughout the city.

4301.03 Scope and application of provisions.

The provisions of this code shall be held to be minimum requirements adopted for the promotion of the public health, safety and welfare and shall be so interpreted and applied.

It is not intended by this code to repeal, abrogate, annul or in any way impair or interfere with other laws or ordinances or public or private restrictions placed upon property by covenant, deed or other agreement, except that where this code imposes higher or more restrictive standards the provisions of this code shall control.

4301.05 Severability.

The provisions of this code are considered to be severable; and if a court of competent jurisdiction holds a provision or part of a provision unconstitutional, that decision will not automatically invalidate the remainder of a provision or any other provision or part thereof.

4301.07 Fees and Refunds.

Fee shall be charged in accordance with the adopted fee schedule for the department.

- (A) Unless specifically indicated in the fee schedule, department refund policy or this code, all fees are not refundable.
- (B) In the event of a refund, a refund service fee, as indicated in the fee schedule or department refund policy, and any costs for services already provided, shall be deducted from the amount to be refunded.
- (C) The eligibility, process, and any required refund fee shall be as indicated in the Department refund policy.
- (D) The director may waive the refund fee if he or she finds that the refund is necessary because of an error on the part of a city employee. In the event any refund due is less than the required refund fee, no balance shall be due or returned.

4301.09 Expiration of application.

Any application for any platting and engineering related administrative action and held either at the request of applicant, or due to the need for additional information not submitted by the applicant after a written request by the city has been made, shall expire one (1) year from the date the initial application was accepted or six (6) months from the date the additional information was requested in writing, whichever is later. The applicant shall be notified in writing thirty (30) days prior to the expiration of any application. Any application delayed due to a legislated moratorium or other legislated initiative shall not be subject to the time limit until such time as the legislated moratorium or either legislated initiative expires. An application that so expires shall be deemed null and void and shall require a complete new application for reactivation, including the submittal of all fees required at the time the new application is made.

4301.11 Enforcement.

The director, or his or her designee, shall have the powers of a police officer for the purpose of enforcement of the provisions of this code and may institute any appropriate action or judicial proceeding to prevent the unlawful construction or alteration of any building or structure or the unlawful establishment, change or modification of any use; to restrain,

correct or abate such violations; or to prevent occupancy of the unlawful building or structure. Strict liability shall be the standard for enforcement.

4301.13 Violation.

A violation of this code exists when a person or owner:

- A. Fails to comply with relevant provisions of requirements of this code title; or
- B. Fails to comply with an order issued by the director or designee.

4301.99 Penalties.

A person, owner, or anyone in their employ who is found guilty of having committed or assisted in the commission of one or more of the violations listed in C.C. 3101.09, may be charged with a separate misdemeanor of the third degree for each day the violation exists in addition to and separate from other penalties provided for by this code. Separate penalties may be imposed for each offense.

Section 119. That the Columbus City Codes, 1959, are hereby supplemented by the enactment of a new Chapter 4303, entitled "Definitions" and consisting of one (1) section oddly numbered as 4303.01 and reading as follows:

4303.01 Definitions.

For purposes of Title 43, the Platting and Engineering Code, the following definitions shall apply:

"Department" when used without clarification means the department of building and zoning services.

"Director" when used without clarification means the director of the department of building and zoning services or his or her designee.

Section 120. That the Columbus City Codes, 1959, are hereby supplemented by the enactment of a new Chapter 4305, entitled "Land Development; Schools, Parks and Recreation Areas" and consisting of five (5) sections oddly numbered 4305.01 through 4305.09 and reading as follows:

4305.01 Jurisdiction of land development regulations.

No person, firm or corporation shall subdivide or develop land within the city or the territory located within three (3) miles of the corporate limits thereof, except in compliance with the existing subdivision regulations and the provisions of this chapter.

4305.03 Procedure on recommendations for park and recreation areas.

The department of recreation and parks shall submit recommendations for new public parks and recreation areas in undeveloped and partially developed areas within the city and three (3) miles beyond the corporate limits thereof in accordance with the base plan for the Columbus master plan entitled "A Report Upon Schools, Parks and Recreation," adopted by Ordinance No. 1518-54, and with particular respect to the acquiring of land for park and recreation purposes adjacent to new and proposed public school sites.

4305.05 Acquiring areas of new plats for schools, parks and recreation.

Upon receipt of any tentative, preliminary or proposed plat of a subdivision, the director shall forthwith inform the department of recreation and parks and the Columbus board of education (or other appropriate school authorities) of the location, extent and nature of such proposed subdivision. Within thirty (30) days from the date of the filing of the plat with the director, the Columbus board of education (or other appropriate school authority), or the department of recreation and parks shall acquire any land needed for school, park and recreation purposes or within such time shall file with the director a written agreement or option to acquire such land. If such written agreement or option is not filed with the director within thirty (30) days or within such further time the owner, subdivider or developer may agree to, the plat shall be approved, if otherwise satisfactory.

4305.07 Park and recreation areas adjacent to proposed schools.

Whenever the Columbus board of education (or other appropriate school authorities) shall have selected a new or proposed school site, the city shall consider acquisition of sufficient land adjacent to such school site for park and recreation purposes.

4305.09 Exemption when master plan discloses no school or recreation area.

The provisions and requirements of C.C. 3395.03 and 3395.05 shall not apply to the division of land included in the base plan for the Columbus master plan where such base plan discloses no proposed school, park or recreation areas.

Section 121. That the Columbus City Codes, 1959, are hereby supplemented by the enactment of a new Chapter 4307, entitled "Regulations for Land Development" and consisting of eighteen (18) sections oddly numbered 4307.01 through 4307.35 and reading as follows:

4307.01 Subdivision of land defined.

"Subdivision of land" means:

- (A) The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two or more parcels, sites, or lots, any one of which is less than five acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels of more than five acres not involving any new streets or easements of access dedicated for public use, or the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempt; or
- (B) The improvement of one (1) or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, or extension of any street or streets dedicated for public use.

4307.03 Street Definitions for the subdivision of land.

"Arterial street" means any street whose primary function is to move vehicles from one section of the city or county to another and which is so designated on the City of Columbus thoroughfare plan and arterial construction types adopted by city council.

"Collector Street" means a street whose function is to provide for traffic movement within a section of the city between local and arterial streets, and to provide direct access to abutting property.

"Local Street" means a local street is any street or roadway whose function is to provide direct access to abutting property and to provide for local traffic movement in a residential, industrial or commercial area.

"Expressway" is an arterial street with full or partial control of access and grade separation at a majority of its crossroads.

"Freeway" is an arterial street with full control of access and complete grade separation at all crossroads.

4307.05 Lot, plan and plat defined.

(A) "Lot" means a division of land intended for sale and described on a recorded subdivision plat or recorded survey map.

(B) "Plan" means a drawing of a proposed design or of work to be performed.

(C) "Plat" means a map of a subdivision described by accurate distances and bearings.

4307.07 Jurisdiction.

Each subdivision of land within the area embraced by the corporate boundaries of the city, or within three (3) miles of the corporate boundaries, shall be shown upon a plat and submitted to the director for approval or disapproval.

Each final plat which has been approved by the director, with endorsement shown thereon shall be recorded in the office of the Franklin County recorder, and no lots shall be sold from such plat until approved as hereinabove provided.

4307.09 Subdivision procedure.

The subdivider shall submit a preliminary subdivision plat to the department.

The preliminary subdivision plat should indicate, in dashed lines, the proposed layout of the entire area to be platted and in solid lines the layout of that part of the subdivision proposed for immediate development.

The preliminary subdivision plat shall also show general details and character of the proposed development according to the standards provided in this Code. If such preliminary subdivision plat conforms to such standards, and the subdivider and the department agree upon any revision, the plat shall be approved by the director.

Before improvements are installed and approved, or surety bond posted securing the city in an amount adequate to insure such improvements in that part of the subdivision to be immediately developed, the final record plat must be received and approved by the director.

4307.11 Subdivision standards in special flood hazard areas.

The following standards apply to affected portions of all subdivision proposals, including manufactured home subdivisions, and other proposed developments to be located entirely or partially in a Special Flood Hazard Area:

- A. All new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of the Columbus City Codes.
- B. All subdivision proposals shall be consistent with the need to minimize flood damage;
- C. All subdivision proposals shall locate and construct public utilities and facilities such as sewer, gas, electrical, and water systems to minimize flood damage;
- D. All subdivision proposals shall provide adequate drainage to reduce exposure to flood damage; and
- E. In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least fifty (50) lots or five (5) acres, whichever is less.

4307.13 Design standards.

(A) New subdivision streets shall conform to the principal existing streets in the adjacent area, or centerline projection made when adjoining land is not subdivided, when found necessary by the director; together with the continuation of all existing utility mains in adjoining areas. Offset streets shall be avoided. New streets of like alignment shall bear the names of existing streets.

(B) When a proposed subdivision adjoins or contains an arterial street or expressway, consideration should be given to alternative methods, including the dedication of a parallel street, for controlling access to said arterial street or expressway.

(C) Streets and alleys shall be constructed in accordance with the following widths:

- (1) The widths for arterial streets shall conform to the widths designated on the City of Columbus thoroughfare plan and arterial construction types adopted by city council and in effect at the time of final approval.
- (2) The minimum dedicated width for collector streets shall be sixty (60) feet.
- (3) The minimum dedicated width for local streets shall be fifty (50) feet except that upon a determination that a lesser right-of-way is appropriate for the area and function to be served the director may approve a narrower right-of-way of not less than twenty-nine (29) feet for a cul-de-sac or dead-end street which provides direct access to no more than sixty-two (62) dwelling units or for any other local street which provides access to no more than one hundred twenty-five (125) dwelling units and which discourages through traffic thereon. In making such determination the director shall seek and consider recommendations of the director of public service and/or their designee, and the fire chief.
- (4) Where it is desirable to subdivide a tract of land, which, because of its size or location, does not permit a layout directly related to a normal street arrangement there may be established one (1) or more "T" type turn-around or culs-de-sac, provided that proper access shall be given to all lots abutting the same. A cul-de-sac shall terminate in an open circular space having a minimum radius of fifty (50) feet. Except in unusual cases, no such cul-de-sac shall exceed six hundred (600) feet in length.
- (5) The minimum width of an alley in a commercial district shall be twenty (20) feet. The minimum width of an alley in a residential district where permitted, alley intersections shall have a minimum five-foot cutoff. In alleys where acute angles occur, a greater cutoff may be required.
- (6) Where alleys are not required, utility easements of not less than five (5) feet in width shall be provided on each side of all rear lot lines to provide access for the installation and maintenance of all utility lines, overhead or underground. Wider easements may be required along or across lots for main, storm or sanitary sewers or other utilities, or where a combination of utility lines is indicated.
- (7) ff-street parking provisions shall be provided in all subdivisions in accordance with all off-street parking regulations in the Columbus Zoning Code.
- (8) Where the design of a new subdivision requires that both power and telephone service be provided by underground cables, the owner or developer shall offer an easement for television cable and television cable equipment within the easement shown on the plat for power and telephone utilities. The easement shall be granted, at no expense to the television cable operator, if the cable operator installs the necessary television cable and television cable equipment in the utility trench during the time the trench is open for the installation of telephne and powercables; otherwise,the oner o developer may revoke the offer ofan easement.

4307.15 Residential blocks.

No residential blocks shall be longer than twelve hundred (1,200) feet between street lines, except all blocks fronting on arterial and collector streets shall be not less than fifteen hundred (1,500) feet between street lines unless

existing conditions require different dimensions.

The director may require a dedicated crosswalk near the center of blocks which are over eight hundred (800) feet in length, provided, however, that no crosswalk shall be required unless it leads to a school or dedicated park or recreational area. The right-of-way of such crosswalk shall be not less than ten (10) feet in width.

In plotting normal residential lots, the area of which shall be from five thousand (5,000) to twenty thousand (20,000) square feet, the recommended depth of blocks should not exceed three hundred fifty (350) feet.

4307.17 Lots.

(A) All side lot lines shall be at right angles or as near ninety (90) degrees as possible to straight street lines, or radial to curved street lines unless a variation of this standard would provide a better street and lot plan. Lots with double frontage shall be avoided.

(B) The minimum width of lots shall be fifty (50) feet at the front building line; provided that existing lots may be increased in size but shall not be decreased in size.

(C) A rectangular or irregular-shaped lot shall contain an area of not less than five thousand (5,000) square feet.

(D) A corner lot shall have extra width to permit the establishment of a front building line on both the front and side of the lot.

(E) Within ten (10) feet of a street intersection, intersecting property lines of a corner lot shall be curved to an arc with a radius of no less than ten (10) feet except that within twenty (20) feet of an arterial or collector street intersection, intersecting property lines of any corner lot shall be curved to an arc with a radius of no less than twenty (20) feet if the director finds that such intersection is likely to be dangerous to traffic movement. On commercial lots the chord of such arc may be substituted for the arc. Where a grade separation structure is proposed at any intersection, the lots and improvements in the subdivision shall be arranged to provide for such structure.

(F) The minimum depth of residential lots shall be one hundred twenty (120) feet.

(G) All lots must have a minimum of fifty (50) feet of frontage on a dedicated public street except lots located on culs-de-sac, curved streets or "T" turn-arounds which lots must have a minimum of thirty-five (35) feet of frontage on a dedicated street and at least fifty (50) feet of width at the front building line.

(H) The requirements of (b), (c), (f) and (g) above shall be subordinate to requirements concerning lot width, depth, area or frontage contained in the Zoning Code. Where the Zoning Code requires a greater width, depth, lot area or frontage than this section or permits a lesser width, depth, lot area or frontage than this section, then such minimum requirements of the Zoning Code shall govern.

4307.19 Planned unit, planned community, town house and condominium development.

A subdivision plat shall be required for each planned unit, planned community or town house development as provided in Title 33, C.C. The subdivision plat required for a planned unit development shall be identical to all registered site plans required by C.C. 3345.07. The subdivision plat required for a planned community development shall be identical to all registered site plans required by C.C. 3347.07. The subdivision plat for a town house development shall be identical to all registered site plans required by C.C. 3333.40.

Any subdivision plat filed with the city for a tract to be developed as condominium property shall be consistent with the declaration prepared and filed pursuant to Sections 5311.05 and 5311.06 of the Revised Code.

4307.21 Character of development; maintenance.

Where a subdivision contains water supply systems, park areas, street trees, paved areas or other physical facilities, which are not and cannot be satisfactorily maintained by any existing governmental agency or a public utility, provision shall be made by an agreement which shall become a part of the deed and be noted on the plat acceptable to the agency having jurisdiction over the location and improvements for the proper and continuous maintenance and supervision by the subdivider or legally constituted home owners association owning such facilities. A declaration of covenants, conditions, restrictions, easements and assessment liens running with the land providing for maintenance, repair, insurance and replacement in event of loss shall accompany the plat where necessary due to provisions for common space, common walls or common facilities.

4307.23 Parks, school sites, playgrounds and street trees.

The subdivider shall give consideration to suitable sites for schools, parks, playgrounds and other areas for public use and give consideration to the planting of street trees by the developer so as to conform with the recommendations of the director. Provisions for schools, parks, and playgrounds shall be indicated on the preliminary plan so that it may be

determined when and in what manner such areas shall be acquired by the appropriate governmental agency. Provisions for street trees shall be indicated on the preliminary plan as to variety and spacing in conformance with the master street tree plans as set by the department of recreation and parks.

4307.25 Access.

Within each subdivision through which a stream, channel or watercourse flows, access shall be provided thereto and delineated on the plat thereof for inspection and maintenance by the proper governmental agency or private body having jurisdiction to inspect and maintain streams, channels or watercourses. Common space shall be accessible for public service, safety and travel.

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4307.27 Improvements; requirements.

(A) Plans for the improvements required in this section shall be prepared and signed by a registered engineer holding a State of Ohio certificate of registration.

The improvements listed below shall be installed after approval of the final plat which is prepared for recording. In lieu of this immediate completion of the improvements the subdivider shall enter into an agreement with the director of public service and the director of public utilities and file a surety bond with him to secure to the city the actual construction of such improvements within a period not exceeding one (1) year, in accordance with the specifications, and inspection by the City of Columbus.

The owner of the tract may prepare and secure tentative approval of a subdivision plat for an entire area or a portion thereof. The improvements shall be installed or bond posted to cover such installations in all the subject area or that portion of the area for which a final plat is approved for recording. The owner may sell or lease, or offer for sale or lease, lots in that portion of the property for which trunk sewers, water lines, or other utilities have been provided, and where such utilities are so designed that they can be readily expanded or extended to serve the entire area, or a portion thereof.

The following improvements are to be installed: (a) All intersections of the subdivision streets and boundary lines shall be marked with permanent monuments. A permanent monument shall be deemed to be a one-half (½) inch or larger steel rod or pipe extending three (3) feet below the finished grade line. Where conditions prohibit the placing of monuments on the line, offset monuments will be permitted. Such offset monuments and distances shall be properly shown on the subdivision plat.

(B) Where a benchmark is nonexistent within a reasonable distance, the director of public service and/or their designee shall place a permanent benchmark, the elevation of which shall be based on sea level datum as determined by the U.S. Coast and Geodetic Survey and shall be accurately noted on the subdivision plat.

(C) All intersecting street lines shall have rounded corners, as specified in C.C. 3123.10(e) and all streets and alleys must be graded and improved by surfacing. Surfacing shall be in accordance with standard specifications of the city entitled "Construction and Material Specifications for the City of Columbus, Ohio," in force at the time of the improvement.

(D) The type of foundation and surfacing required shall be determined by the city engineer whose approval shall be evidenced on all such plans by stamp and signature. All grading, foundation and surfacing of streets and alleys and all construction of sidewalks shall be subject to the approval and supervision of the director of public service and/or designee. Sidewalks shall be constructed and in place at the time the buildings are completed.

(E) Where the public water supply is already reasonably accessible, the subdivider shall enter into an agreement with the administrator of the division of water of the city for the extension of the public water system, including the stand installation of valves and fire hydrants and the public water service shall be made available to each lot in that part of the subdivision to be immediately developed.

(F) When it is apparent that the public water supply cannot be extended for a period of years, the subdivider shall construct a private water supply system in such manner that an adequate supply of potable water will be available to every lot in that part of the subdivision to be immediately developed. The source, supply and distribution system shall comply with the requirements of the State Board of Health of Ohio, and be approved by the board of health of the city.

(G) There shall be no obligation on the part of the city to incorporate such private water system into any public system of water supply that may be built in the future.

(H) If the subdivision can be served by the extension of any existing public sanitary sewer, the subdivider shall enter into an agreement with the division of sewerage and drainage of the city for the extension thereof to each lot in that part of the subdivision to be immediately developed.

(I) Storm water disposal shall be subject to approval and supervision of the division of sewerage and drainage and the

department of public service.

4307.29 Sidewalk and bikeway requirements.

All subdivisions, site developments or sections thereof which, shall have installed in them sidewalks and bikeway facilities as specified in the Bicentennial Bikeways Plan to serve each lot or parcel therein. Such sidewalks and bikeway facilities shall be installed by the property owners abutting the street rights-of-way within the development and along the existing streets fronting the development, except as provided for in subsections (E), (F), (G) and (H) below, and they shall be constructed according to the requirements herein.

(A) Sidewalks and bikeways shall have a hard, improved surface constructed of materials and to standards established by the director of public service and/or their designee depending on type of street construction, anticipated permanence of sidewalk, and land uses being served. Such specifications shall be available for inspection in the department of public service offices.

(B) Sidewalks and bikeways shall be located in the right-of-way of the street or as close to the right-of-way line as possible, and shall extend across the entire dimension of each lot or parcel side adjacent to a public street.

(C) All sidewalks and bikeways required by this chapter shall be completed upon the occurrence of any one (1) of the following conditions:

- (1) Prior to final inspection by the department of the building, structure, or other improvement on the lot or parcel that the sidewalk serves.
- (2) In the case of vacant lots or parcels, whenever seventy-five (75) percent of the lots or parcels located on a given side of a dedicated street between two (2) consecutive intersecting streets (a block) have been serviced with a final inspection by the department.
- (3) Not later than the second anniversary after the date of acceptance of the improved streets by the city.

(D) Bikeways shall be located, configured and completed according to the Bicentennial Bikeways Plan and include separate shared-use paths, bike lanes and signed and marked shared bike routes.

(E) Notwithstanding the provisions stated earlier where a subdivision includes a dedicated street to provide access from an existing street to the subdivision, and such dedicated street bisects property and thereby creates parcels which are not a part of the subdivision but are adjacent to the dedicated street, then it shall be the responsibility of the developer or subdivider to install sidewalks and bikeway facilities within the dedicated street right-of-way or easement whenever sidewalks and bikeway facilities are required in the subdivision itself. Such sidewalks and bikeway facilities shall be installed along the dedicated street right-of-way or easement from the existing street to the first lots or parcels in the subdivision, and shall be completed prior to acceptance of the improved street by the city.

(F) Notwithstanding the foregoing provisions of this section, where the zoning code permits placement of continuous sidewalks in common space rather than in the public right-of-way, then the placement provisions of the zoning code shall govern.

(G) Sidewalk or Bikeway Fee in Lieu of Construction. It is the desire of the city to have required sidewalks and bike facilities built at the time of and congruent with development. However, there may be circumstances regarding safety, economic waste and geographical features that preclude such construction. The director of public service has the authority to approve construction exemptions and collect a fee in lieu of as set out in properly promulgated rules and regulations. In no instance will a private or public entity not build or pay a fee in lieu of sidewalk or bike facility construction.

4307.31 Preliminary plats.

(A) In the subdivision of land into building lots and in the dedication of streets, alleys, and areas for the public use, the owner or his agent shall submit eleven (11) black or blue line white prints of the preliminary sketch plat to the director. The same procedure is to be followed for a final plat. Plats of five (5) lots or less may be exempted from the above provision. The required application form for submitting preliminary and final plats may be obtained from the department. The fees for platting shall be those adopted in conformance with C.C. 3123.21 and 3305.05.

(B) The preliminary plat shall be drawn to a scale of not less than one hundred (100) feet to the inch, and it shall indicate:

- (1) The present location of all public and private boundaries, streets, watercourses, topography and other features within the area to be subdivided, and similar facts regarding existing conditions of land immediately adjacent thereto;
- (2) The proposed location and width of streets, alleys, lots, crosswalks and easements;
- (3) Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract and adjacent thereto;
- (4) The general location and size of the nearest water main and sewer or outlet;
- (5) The title under which the proposed subdivision is to be recorded, appropriate evidence of ownership of the

- tract to be subdivided, and the names of the subdivider and the engineer or surveyor platting the tract;
- (6) The name of each owner of a large tract or the title of each subdivision abutting the boundary of the proposed subdivision;
- (7) Contours with intervals of two (2) feet, more or less, referred to sea level datum as determined by the U.S. Coast and Geodetic Survey;
- (8) North point, scale and date;
- (9) The zoning classification of the property to be subdivided;
- (10) Reports and/or statements regarding the location and type of sanitary sewers or other disposal facilities to be provided;
- (11) Any park, planted area, playground or common open space proposed by the developer;
- (12) The front setback lines; and
- (13) Base flood elevation data.

(C) Persons presenting subdivision layouts and the required improvements for such layouts under control of any federal agency, shall submit such plans and show proof of intention to carry out the completed subdivision and required improvements in accordance with the subdivision standards of the city.

(D) All preliminary plats shall be reviewed for flood plain development to determine whether they will be reasonably safe from flooding.

(E) If a subdivision is proposed for any part of the flood plain it shall be reviewed to assure that:

- (1) Flood damage shall be minimized;
- (2) All public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
- (3) Adequate drainage is provided to reduce exposure to flood hazards.

4307.33 Final plat.

- (a) The final plat shall be drawn to a scale of not less than one hundred (100) feet to the inch.
- (b) The director may permit a variation in scale for plats of unusual size. If more than two (2) sheets are required for any such plat, an index sheet of the same dimensions shall be filed showing the entire subdivision on one (1) sheet with an indication of all the areas noted on any other sheet of the plat.
- (c) Drawings should be held to a minimum of twenty by thirty inches (20" × 30") and a maximum of thirty by forty inches (30" × 40") outside dimensions.
- (d) The final plat should contain and illustrate:
 - (1) The boundary lines of the area being subdivided with accurate distance and bearings; including section, township, corporation and county lines;
 - (2) The property lines of all proposed streets and alleys with their widths, names and bearings;
 - (3) The accurate boundary lines of all grounds for public use or common use, and the acreage of same;
 - (4) The line of departure of one street from another;
 - (5) All common boundary corners of all adjoining lands and adjacent streets and alleys with their widths and names;
 - (6) All lot lines with their bearings, identification system of lots, blocks and other areas;
 - (7) Easements for public use, services or utilities with their dimensions;
 - (8) All dimensions, linear and angular, boundary locations, lots, streets, alleys, easements and areas for public or private use expressed in decimals of a foot;
 - (9) Radii, arcs and chords, points of tangency, and central angles for all curvilinear streets, and radii for all rounded corners;
 - (10) The name of the subdivision and description of the property subdivided, showing its location and extent, points of compass, scale and plan, dedication of streets and alleys, and names of owners and subdivider, together with appropriate evidence of ownership of the subdivision;
 - (11) The front setback lines;
 - (12) Certification by land surveyor, registered in the state, to the effect that the plat represents a survey made by him, and that all the necessary survey monuments are correctly shown thereon;
 - (13) Base flood elevation data.

4307.35 Variation and exceptions.

Whenever a tract to be subdivided is of such unusual size or shape or is surrounded by such unusual conditions so that the strict application of these standards would result in hardships or injustices, the director may vary or modify the application of such standards so that the property may be developed in a reasonable manner which will not be detrimental

to the public welfare and interests of the city, but will be in keeping with the general intent of these standards.

In addition, the director may vary or modify the application of the standards of this chapter to reasonably effect the purposes set out in C.C. 3339.27 for town house development, in C.C. 3345.01 for planned unit development and in C.C. 3347.01 for planned community development according to standards set out in pertinent chapters of the Zoning Code.

A variance shall not be issued within any area designated as a floodway on the flood boundary and floodway map. Due consideration shall be given to all provisions for flood plain development.

Section 122. That the Columbus City Codes, 1959, are hereby supplemented by the enactment of a new Chapter 4309, entitled "Traffic Standards Code" and consisting of ten (10) sections oddly numbered 4309.01 through 4309.19 and reading as follows:

4309.01 Purpose.

This Traffic Standards Code is enacted to preserve and promote the public health, safety and welfare by means of regulations to provide for adequate transportation facilities to serve growth, development and redevelopment.

4309.03 Definitions.

"Horizon year" means the anticipated completion year of a proposed development assuming full build-out and occupancy or ten (10) years beyond the current year, whichever is later. Horizon years analyzed shall be stated in the memorandum of understanding. "Institute of Transportation Engineers or ITE" means the professional society of transportation engineers and planners professionally engaged in planning, designing, operating, managing, and maintaining surface transportation systems for the safe and efficient movement of people and goods on streets, highways, and transit systems.

"Major development" means a new development or expansion of an existing development expected to generate the following number of average trip ends at the peak hour of the land use or the peak hour of the roadway, whichever is more significant.

Four hundred (400) or more trip ends:

- Fast food restaurant;
- Service station;
- Supermarket;
- Convenience market;
- Shopping center.

Two hundred (200) or more trip ends:

All other uses.

Trip ends are calculated using the latest ITE trip generation methodology and definitions.

"Memorandum of understanding" means a memorandum submitted by the traffic impact study preparer, with which the city concurs, confirming topics, procedures, assumptions, data sources, report contents, timetable, horizon years, time periods analyzed, and other items to be addressed in the study.

"Nonmajor development" means a new development or expansion of an existing development that is expected to generate fewer average trip ends at the peak hour of the land use or the peak hour of the roadway than a major development.

"Roadway improvement area" means an area, to be defined in each memorandum of understanding, that at a minimum shall include:

(A) All site access points and major signalized or unsignalized intersections within an area bounded by the nearest arterial intersection or signalized intersection in all directions from the subject development site. Any modified area as determined by the department of public service, in consultation with the department, based on factors reasonably related to the study area, including, but not limited to:

- (1) Local or site-specific factors;
- (2) Development type or size;
- (3) Traffic conditions; and
- (4) Public goals and policies potentially affected by the proposed development.

"Traffic impact study or TIS" means a report determining and recommending necessary improvements to the nearby road system to maintain satisfactory levels of service and safety for a proposed development. A traffic impact study shall ascertain the level of specific improvements required to mitigate the impact of the proposed development and incorporate existing and potential development and redevelopment sites in the general vicinity of the subject development site. The traffic impact study area, and land use assumptions therein, shall be defined in each memorandum of understanding.

(A) As part of the traffic impact study, the following site and off-site development factors shall be identified and examined:

- (1) Impacts and transportation infrastructure needs required to maintain horizon year roadway level of service both with and without site development. These shall be assessed separately.
 - (2) The impact of all significant developments in the traffic impact study area that have been approved or are likely to occur by the horizon year. These shall be assessed separately from those of the proposed development.
 - (3) For each horizon year, off-site traffic volumes shall be estimated.
 - (4) Improvements necessary to accommodate the nonsite traffic in the horizon year at level of service "D" shall be determined.
 - (5) Development proposed to be located on the site under study shall be categorized by specific land use type consistent with classifications contained in the latest edition of Trip Generation, published by ITE.
- (B) If the proposed land use or density is inconsistent with the Columbus Comprehensive Plan or adopted area plan, a comparison of the traffic impacts of the proposed development and the impacts resulting from plan provisions shall be made using classifications contained in Trip Generation.
- (C) The traffic impact study shall determine for the transportation improvements required the rough proportionality of the improvements attributable to the traffic generated by the proposed development to total traffic.
- (D) A traffic impact study shall make recommendations that:
- (1) Address conclusions resulting from analyses of the proposed development's access needs and impacts on the transportation system;
 - (2) Address feasible transportation system improvements needed to satisfactorily accommodate site-generated and nonsite-generated traffic which will be identified separately;
 - (3) Reflect improvements currently planned or programmed by any public or private agency and may include information concerning relevant project scheduling changes;
 - (4) Address an implementation sequence that will provide maximum compatibility with the overall roadway system needed for network effectiveness;
 - (5) Are sensitive to:
 - (a) Timing of committed and scheduled network improvements;
 - (b) Anticipated time schedules of adjacent developments;
 - (c) Size and timing of individual phases of the proposed development;
 - (d) Logical sequencing of various transportation improvements;
 - (e) Amount of right-of-way needed and time required for acquisition;
 - (f) Local long-range priorities for transportation improvements and funding, including the Columbus Thoroughfare Plan;
 - (g) Cost effectiveness of implementing improvements at a given stage of development;
 - (h) Lead time necessary for additional design and construction; and
 - (i) Standards and policies of other public agencies and jurisdictions.
- (E) A traffic impact study shall contain:
- (1) A cover containing the development's name and location, applicant's name, preparer's name, and report date;
 - (2) A title page containing all information on the cover plus the applicant's address, telephone and fax numbers; preparer's address, telephone and fax numbers; and preparer's engineering registration seal;
 - (3) A table of contents which lists all major section headings by title and page number;
 - (4) A list of exhibits identifying all maps and tables by name and page number;
 - (5) An executive summary in the initial chapter presenting the study's purpose, issues, synopsis, conclusions, and recommendations;
 - (6) Text and exhibits to clearly present and describe conditions, conclusions and recommendations of the study;
 - (7) Additional materials as agreed upon in memorandum of understanding.

4309.05 Traffic impact study required.

- (A) A traffic impact study shall be required for:
- (1) Major developments involving a rezoning, preliminary subdivision plat, zoning variance, or special permit.
 - (2) Nonmajor developments when, based on engineering judgment and the guidelines presented in the current edition of the ITE's recommended practice report, circumstances specific to that project warrant the preparation of a traffic impact study. A request for a nonmajor development's traffic impact study shall be made within thirty (30) days of receipt by the department of public service of the application for a rezoning, preliminary subdivision plat approval, zoning variance, or special permit.
 - (3) Any development where the latest ITE Trip Generation report does not address the traffic impact of that proposed land use, unless waived by the director of the department of public service and/or their designee. This

traffic impact study shall demonstrate if the project is major or nonmajor in scope and if found to be major in scope, all requirements for major projects outlined in this chapter shall be followed.

(4) Any development where the development plan changes significantly between the time that a rezoning, preliminary subdivision plat, zoning variance, or a special permit is granted or approved and a subsequent rezoning, preliminary subdivision plat, zoning variance, or special permit is sought.

(B) The requirement for a traffic impact study may be waived by the director of public service and/or their designee if a developer presents data demonstrating the development's uniqueness and the traffic generation rate for the development is expected to be less than that commonly observed at other developments in the same land use category and which traffic generation rate is too low to require a traffic impact study.

4309.07 Development requirements.

(A) Favorable staff recommendations concerning approval of rezonings, and zoning variances, or staff approval of special permit applications and preliminary subdivision plats is contingent, in part, upon assumption by the developer of financial responsibility for the amount of roadway infrastructure roughly proportional to the development's contribution to total traffic in the area at the study's horizon year.

(B) The city may relax requirements imposed upon the developer when:

1. The city determines that the identified improvements are not in the best interests of the city due to physical and environmental limitations or if the city chooses to finance the improvements;
2. A determination is made by the director of public service and/or their designee that the enforcement of these requirements for roadway improvements would result in a gross inequity. The applicant shall bring the situation to the attention of the Department of Public Service to request such a determination be made.

(C) The contribution shall be quantified or otherwise determined using traffic projection studies or other methods as the city may reasonably require to be conducted by the applicant prior to approval of the development plan.

4309.09 Process.

The director of the department of public service and the director shall promulgate rules and regulations designed to guide in the preparation of a traffic impact study.

4309.11 Horizon year and time period.

(A) Each traffic impact study shall address traffic conditions in the horizon year.

(B) If the proposed development is to be implemented in phases each major phase shall be analyzed at the appropriate horizon year.

(C) For each defined horizon year, specific peak time periods related to the land use proposed shall be analyzed.

4309.13 Documentation, review and revision.

Each traffic impact study will be reviewed by a review team of staff members appointed by the director of public service and/or their designee. A traffic impact study which is judged incomplete by the aforementioned review team will be returned to the applicant for additional work.

4309.15 Qualifications of preparer.

(A) A traffic impact study shall be prepared by professionals with training and experience in traffic engineering under the supervision of a registered professional engineer with training and experience in traffic engineering including operations and safety analysis.

(B) The responsible registered engineer shall sign and seal the traffic impact study.

(C) The preparer shall not be a member of the traffic impact study review team. Neither shall the preparer be related to a review team member nor hold a financial interest in the project under study.

4309.17 Right-of-way requirement.

An applicant for a rezoning, zoning variance, special permit, or preliminary subdivision plat approval shall dedicate rights-of-way for roadways along and through subject properties as stipulated in the Columbus thoroughfare plan.

4309.19 Public record.

Each traffic impact study shall become part of the public record upon initial submittal to the city's study review team.

Section 123. That the Columbus City Codes, 1959, are hereby supplemented by the enactment of a new Chapter 4311, entitled "Blockwatch Program Facilitation" and consisting of three (3) sections oddly numbered 4311.01 through

4311.05 and reading as follows:

4311.01 Purpose.

This chapter creates a requirement for developers of residential communities in excess of fifty (50) units to work with the department of public safety to facilitate opportunities to establish neighborhood Blockwatch programs. The city intends to create opportunities for new neighborhoods throughout the city to launch Blockwatch programs. Blockwatch programs establish a formal network for citizens to exchange ideas and information with their neighbors and the police. Residents learn how to become the extended eyes and ears of the police, reporting on suspicious or unusual activity in their communities and forwarding that information to the proper authorities. Participants of a Blockwatch also learn the best techniques for securing their homes and property, along with the tips on personal safety for themselves and their families when shopping, traveling and engaging in other activities away from home.

break9

4311.03 Requirements.

Upon the submission of an application for approval of either a preliminary plat or a certificate of zoning, clearance for residential purposes in excess of fifty (50) units a developer must submit a work plan and timetable to the director of public safety. The work plan and time table shall address the responsibilities of a developer to distribute to the residents within the neighborhood a notice of a public meeting, to arrange for the use of a meeting facility in close proximity to where the Blockwatch is being proposed, to arrange with the division of police for a representative to attend the public meeting and explain the Blockwatch program in detail, to assist with the creation and costs associated for communicating among Blockwatch neighbors.

The following requirements will apply to the review, approval and construction of new residential projects:

- A. The mechanism to establish a neighborhood Blockwatch program must be provided by the owner of any tract of land that is to be developed with more than fifty (50) dwelling units of any type or combination of types. It is the responsibility of the owner to review the proposed residential development project with the director of public safety or designee prior to submitting an application for approval of either preliminary plat or a certificate of zoning clearance.
- B. An application for approval of a preliminary plat for a residential subdivision containing more than fifty (50) dwelling units must include the determination of the director of public safety, as required in part A of this section.
- C. An application for a certificate of zoning clearance for a residential development project containing more than fifty (50) dwelling units on the same lot must include the determination of the director of public safety director as required in part A of this section.

4311.05 Limits.

In no case shall a developer be held responsible for the failure of a Blockwatch program to be established or for its overall success in reducing, preventing or eliminating crime of a given neighborhood.

It is understood by the City of Columbus that the success of the Blockwatch and its longevity may vary by neighborhood.

Section 124. That the existing Section 4501.087 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4501.087 - Division.

"Division" when used without clarification means the code enforcement ~~neighborhood services~~ division of the department of development.

Section 125. That the existing Section 4509.03 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4509.03 Hearing.

A. Any person affected by any notice which has been issued in connection with the enforcement of any provision of the Columbus City Codes, except as otherwise specified, including but not limited to the Nuisance Abatement Code, the Health, Sanitation, and Safety Code, the Housing Code, or any rule or regulation adopted pursuant thereto, may request and shall be granted a hearing before the property maintenance appeals board on all matters set forth in such notice,

provided that:

1. Such person shall file a written petition for such appeal hearing with the department in the neighborhood services division office within fifteen (15) calendar days after the notice is served; and,
 2. The petition shall set forth the factual reasons why a particular violation or violations is being appealed.
- B. Upon the receipt of such petition, the director, acting as secretary to the board, shall set a time and place for such hearing and shall give the petitioner written notice thereof.
- C. At such hearing all parties shall have the right to appear and be heard in person, or by legal counsel, to present their case.
- D. The hearing shall be commenced not later than forty-five (45) calendar days after the day on which the petition is filed, except the board may continue the hearing by its own motion, or at the request of either party.

Section 126. That the existing Section 4509.05 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4509.05 Proceedings at hearings.

- (A) Within a reasonable time period following the conclusion of any hearing, the proceedings at such hearings, including the findings and the decision of the property maintenance appeals board, shall be summarized, reduced to writing, and entered as a matter of public record with the department in the division of neighborhood services office. The findings, decisions and orders of the board of housing appeals shall be final. Such record shall also include a copy of every notice or order issued in connection with the matter. (B) A copy of the written findings and decision of the property maintenance appeals board shall be provided to the petitioner.
- (C) The findings, decisions and orders of the property maintenance appeals board shall be final.

Section 127. That the existing Section 4509.06 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4509.06 - Emergency orders.

- (a) Whenever the director administrator finds that an emergency exists which requires immediate action to protect the public health and safety or the health and safety of any person, he may issue an order reciting the existence of such an emergency and requiring that such action as he deems necessary be taken to meet the emergency. Notwithstanding the other provisions of this Housing Code, such order shall be effective immediately and complied with immediately.
- (b) If necessary to protect the public health and safety or the health and safety of any person where an emergency exists in an occupied building, the director administrator shall order that the premises be vacated forthwith and further that they shall not be reoccupied until the conditions causing the emergency to exist have been abated and approved by the director administrator.
- (c) In cases where it reasonably appears that there is imminent danger to the public health and safety or the health and safety of any person unless the emergency condition is immediately corrected and if after reasonable attempts to notify the owner it appears that the owner will not or cannot immediately correct the condition, the director administrator may cause the immediate abatement, including building demolition, of such emergency condition. The director administrator shall further cause the cost of such abatement to be charged against the land on which the building exists as a municipal lien or to be recovered in a civil suit against the owner.

Section 128. That the existing Section 4525.06 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4525.06 Discontinuance of service or facility.

No owner or other person, except a public utility company or private supplier for nonpayment of a utility bill, shall remove, shut off, discontinue, interrupt or cause the removal, shut off, discontinuance or interruption of any service, facility, equipment or utility which is required under this Housing Code from any occupied dwelling except for such temporary interruption as may be necessary while actual repairs or alterations are in process or during emergencies when discontinuance is approved by the director Development Regulation Administrator. Failure or neglect by an owner who has responsibility for payment of a utility bill for any unit he does not occupy to pay such bill with a resulting shut off of the utility shall be construed as causing the shut off.

Section 129. That the existing Section 4705.01 of the Columbus City Codes. 1959, is hereby amended to read as follows:

4705.01 - Board makeup.

- A. The safe neighborhood review board shall be composed of nine (9) members as follows:
 - 1. The director, or his or her representative;
 - 2. The administrator of the code development ~~neighborhood services~~ division of the department, or his or her representative;
 - 3. The chief of the division of police, or his or her representative;
 - 4. The chief of the bureau of fire prevention of the division of fire, or his or her representative;
 - 5. The chief of the environmental health division of the department of public health, or his or her representative;
 - 6. The chief building official, or his or her representative;
 - 7. A public member appointed by the director who represents the historical preservation community;
 - 8. A public member appointed by the director who is a member of an area commission;
 - 9. A public member appointed by the director.
- B. The terms of appointment of all public members appointed by the director shall be three (3) years each, and they shall serve until a successor is appointed.
- C. The director shall serve as secretary of the board.
- D. The board shall adopt those rules necessary to conduct its affairs.

Section 130. That all fees, as indicated in the Combined Development Related Fee Schedule, adopted by Ordinance 1707-07, that applied when an application was made for review by the Department of Development shall now be applied when subject to review by the Department of Building and Zoning Services.

Section 131. That Chapter 3105, 3121, 3123, 3125, 3127 of the Columbus City Codes, 1959, are hereby repealed.

Section 132. That prior existing sections 215.01, 215.02, 215.07, 703.05, 902.00, 905.14, 3101.07, 3109.14, 3118.02, 3118.07, 3301.01, 3303.04, 3303.18, 3305.04, 3305.051, 3305.06, 3305.07, 3307.02, 3307.08, 3307.11, 3310.01, 3310.05, 3311.09, 3311.12, 3311.13, 3311.16, 3311.17, 3311.18, 3311.19, 3311.20, 3311.22, 3311.23, 3311.24, 3311.25, 3311.26, 3311.28, 3311.29, 3311.31, 3311.32, 3311.33, 3332.18, 3332.19, 3332.195, 3332.36, 3333.06, 3333.07, 3333.15, 3333.16, 3333.33, 3333.39, 3333.41, 3342.01, 3342.17, 3342.21, 3345.07, 3345.08, 3345.10, 3345.12, 3345.155, 3347.03, 3347.04, 3347.07, 3347.115, 3349.03, 3349.035, 3353.05, 3356.11, 3357.01, 3357.015, 3359.14, 3361.03, 3363.175, 3365.085, 3365.37, 3367.31, 3367.085, 3370.02, 3372.03, 3372.404, 3372.507, 3372.510, 3372.569, 3374.04, 3374.05, 3375.20, 3380.01, 3381.20, 3382.04, 3384.08, 3384.09, 3384.10, 3384.11, 3390.03, 3390.04, 3390.06, 4101.01, 4101.04, 4103.13, 4103.16, 4109.04, 4109.07, 4109.073, 4109.10, 4113.29, 4113.77, 4114.911, 4116.01, 4116.03, 4116.09, 4501.087, 4509.03, 4509.05, 4525.06, and 4705.01 of the Columbus City Codes, 1959, are hereby repealed.

Section 133. That the changes provided for by this ordinance shall become effective May 1, 2010.

Section 134. 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 or vetoes the same.

Legislation Number: 0456-2010

Drafting Date: 03/12/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: Ordinance 0455-2010 creates a new department of Building & Zoning Services with the objective of delivering better customer services to the building industry. As a part of that department creation, this legislation transfers all funding and outstanding encumbrance balances within the Development Services Fund 240 from the Department of Development to the Department of Building and Zoning Services.

FISCAL IMPACT: This legislation authorizes the City Auditor to transfer funding and outstanding encumbrances from the Department of Development to the Department of Building and Zoning Services. The amount transferred will be determined by the City Auditor and the transferred amount when combined with monies already encumbered or spent through April 30, 2010 will not exceed the 2010 Development Services Fund budget as established for the department. The authorized transfer will be between departments but will not be between object level ones.

Emergency action is requested so that the transfer of funds will be made on the effective date of the creation of the new department, May 1, 2010.

Title

To authorize the City Auditor to transfer all unencumbered balances and outstanding encumbrances within the Development Services Fund from the Department of Development to the Department of Building and Zoning Services; and to declare an emergency.

Body

WHEREAS, Ordinance 0455-2010 creates a new department of Building & Zoning Services with the objective of delivering better customer services to the building industry; and

WHEREAS, as a part of that department creation, this legislation transfers all funding and outstanding encumbrance balances within the Development Services Fund 240 from the Department of Development to the Department of Building and Zoning Services; and

WHEREAS, the amount transferred will be determined by the City Auditor and the transferred amount when combined with monies already encumbered or spent through April 30, 2010 will not exceed the 2010 Development Services Fund budget as established for the department; and

WHEREAS, emergency action is requested so that the transfer of funds will be made on the effective date of the creation of the new department, May 1, 2010; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to transfer funding, outstanding encumbrances, and petty cash funds from the Department of Development to the Department of Building and Zoning Services; all for the preservation of the public health, peace, property, safety and welfare; and **NOW THEREFORE,**

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 all remaining unencumbered balances and outstanding encumbrances within the Development Services Fund, Fund 240, Department 44-03, to Department 43-01.

Section 2. That the City Auditor is hereby authorized and directed to transfer \$3,050.00 in the imprest petty cash fund from the Department of Development, Building Services Division to the Department of Building and Zoning Services and that the petty cash funds shall be administered by the Director of Building and Zoning Services or an employee so designated by him/her, which shall keep an accurate accounting of such monies.

Section 3. That the Director of the Department of Building and Zoning Services is hereby authorized, as the successor upon reorganization, to administer all contracts and to act for and in behalf of the city and with all the powers and authority originally granted to the Director of Development with respect to all authority being transferred to the new department.

Section 4. That the transfers and authority included within this ordinance shall be made effective May 1, 2010.

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 passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0459-2010

Drafting Date: 03/12/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation**BACKGROUND:**

This ordinance amends the current authorized strength, as set forth in ordinance 0229-2010, by adding a new Department of Building and Zoning Services. The new department will be supported by revenues generated through the issuance of building permits and licenses, and as such, no general fund moneys are involved.

To staff the new department, all positions currently on the building services fund (also known as fund 240) in the Department of Development are being transferred. This includes the six (6) FT and one (1) PT other city sanctioned position in the Development Administration Division (44-01) and the one hundred seventeen (117) FT and five (5) PT other city sanctioned positions in the Building Services Division (44-03). Moneys were budgeted for all the aforementioned positions in the Development Department. Legislation is being concurrently submitted which establishes the new department and transfers said budget authority to cover the transferred positions to ensure that provision of services can commence on May 1, 2010.

In addition to the inter-departmental transfers, this ordinance authorizes increasing the other city sanctioned authorized strength of the new department by five (5) FT positions. This will allow the department to increase their actual strength more easily should it be needed to respond to the demands of a stabilizing building market. Since not budgeted, these additional positions will not be filled unless revenues are sufficient in the building services fund to support them.

This ordinance also eliminates references to the Neighborhood Services Division and The Office of Education, both of which were abolished in 2009.

Finally, this ordinance increases the general fund sanctioned FT strength in the Civil Service Commission by one (1). This is being done as a temporary measure to allow the Commission to fill an upcoming vacancy while the job is still occupied by the previous employee (who plans to retire in the upcoming weeks). This is necessary to provide the new employee with training on the CHRIS system.

FISCAL IMPACT:

All but the additional five (5) positions are currently budgeted in other divisions. Funding is being transferred from the division of origin to the new Department of Building and Zoning Services in companion legislation. The five (5) expansion positions will not be filled unless it is demonstrated that sufficient revenues have been generated to support them. The temporary increase in the Civil Service Commission's general fund strength will be absorbed by filling the eventual vacancy at a lower hourly rate than was paid prior.

TitleTo establish a new authorized strength ordinance for the new Department of Building and Zoning Services; to transfer all full-time and part-time other city sanctioned strength funded by the building services fund from the Development Administration and Building Services Divisions to the new department; to change name of the "Building Services Division" to the "Code Enforcement Division"; to eliminate reference to the Neighborhood Services Division and the Office of Education; to increase the Civil Service Commission's general fund sanctioned full-time strength, to repeal ordinance 0229-2010; and to declare an emergency.

Body**WHEREAS**, companion legislation is being submitted which creates the new Department of Building and Zoning Services; and

WHEREAS, it is necessary to amend the current authorized strength ordinance to include the aforementioned new

department; and

WHEREAS, this ordinance amends authorized strength ordinance 0229-2010 to include the new Department of Building and Zoning Services (43-01); and

WHEREAS, this ordinance amends authorized strength ordinance 0229-2010 to rename the Building Services Division (44-03) to Code Enforcement Division; and

WHEREAS, the Neighborhood Service Division (44-05) and the Office of Education (40-04) were abolished in 2009; and

WHEREAS, it is necessary to eliminate reference to the Neighborhood Service Division and the Office of Education in the authorized strength ordinance; and

WHEREAS, it is necessary to increase the Civil Service Commission's general fund sanctioned FT strength by one (1); and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to establish a new authorized strength ordinance to provide for the efficient operation of the city, and 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 pursuant to Section 14, of the City Charter, the maximum number of officers and employees authorized to be employed within the various Departments, Boards and Offices of the City and hereby fixed and established as follows:

- 1- Refer to attachment ord0459-2010currentstrength.xls
- 2- Refer to attachment ord0459-2010previousstrength.xls

The foregoing positions authorized include all positions within each department, division, board, office or commission, whether appointed or elected except the members of any board or commission authorized by charter or ordinance.

No Appointing Authority shall appoint full-time or part-time personnel in excess of the maximum permitted by this ordinance unless authorized by ordinance of City Council.

SECTION 2. Such of the positions within the Division of Fire as the Director of Public Safety and Fire Chief shall designate, shall be within the uniformed ranks and all other positions therein shall be deemed civilian positions, provided there shall not be in excess of five (5) Fire Assistant Chiefs and there shall not be in excess of four (4) Fire Deputy Chiefs; as a normal complement in excess of thirty-four (34) Fire Battalion Chiefs nor as a temporary complement in excess of thirty-five (35) Fire Battalion Chiefs at any one time; fifty-six (56) Fire Captains nor as a temporary complement in excess of fifty-nine (59) Fire Captains at any one time; one (1) Fire Chief; and one-hundred ninety six (196) Fire Lieutenants. The complements of fire captains and fire lieutenants are intended to be temporary, subject to review and change at any time.

Such of the positions within the Division of Police as the Director of Public Safety and the Police Chief shall designate, shall be within the uniformed ranks and all other positions therein shall be deemed civilian positions, provided there shall not be, as a normal complement, in excess of eighteen (18) Police Commanders nor as a temporary complement in excess of nineteen (19) Police Commanders at any one time; one (1) Police Chief; in excess of, as a normal complement six (6) Police Deputy Chiefs nor as a temporary complement in excess of seven (7) Police Deputy Chiefs at any one time; in excess of, as a normal complement, fifty-seven (57) Police Lieutenants nor as a temporary complement; in excess of fifty-nine (59) Police Lieutenants at any one time; in excess of, as a normal complement; two hundred twenty-five (225) Police Sergeants nor as a temporary complement in excess of two hundred twenty-nine (229) Police Sergeants at any one time.

SECTION 3. Temporary appointments are not subject to the authorized strength ordinance. Additionally, limited

appointments made to cover full-time and part-time employees on authorized leave (injury, disability or military leave) are not subject to the authorized strength ordinance.

SECTION 4. That Ordinance No. 0229-2010 and all other ordinances relative to the authorization of employees for any department, division, board or commission and all other ordinances in conflict herewith be and the same are hereby repealed.

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

Legislation Number: 0468-2010

Drafting Date: 03/15/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Utilicon Corporation, in the amount of \$992,949.10, for the Long Street Water Main Cleaning and Lining Project, Division of Power and Water Contract Number 1016. This legislation will also authorize the appropriation and expenditure of said funds from the Ohio Water Development Authority (OWDA) Fund.

This project provides for general rehabilitation of approximately 8,000 linear feet of 24-inch water main in Long Street. The water line will be mechanically cleaned and a cement mortar lining will be applied to the interior of the pipe. The purpose of the project is to improve flow and water quality conditions as well as extend the useful life of the main. The project is planned on Long Street, from Fourth Street, to Governors Place/Champion Avenue.

2. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened two bids on March 10, 2010. Bids were received from: Utilicon Corporation - \$992,949.10 and Terrace Construction Company - \$1,144,246.80.

The lowest bid was from Utilicon Corporation in the amount of \$992,949.10. Their Contract Compliance Number is 34-1263338 (expires 9/15/11, Majority). Additional information regarding both bidders, description of work, contract time frame and detailed amounts can be found on the attached Legislation Information Form.

3. FISCAL IMPACT: This Ordinance authorizes the City Auditor to appropriate and transfer funds from the Water System Reserve Fund to the Ohio Water Development Authority (OWDA) Fund in order to fund this proposed expenditure. This transaction is a temporary measure that is required until such time as the Division is able to execute a loan with the Ohio Water Development Authority (OWDA) and reimburse the Water System Reserve Fund. The loan is expected to be approved on Thursday, March 25, 2010. An amendment to the 2009 Capital Improvements Budget is also necessary.

4. EMERGENCY DESIGNATION: It is requested that this Ordinance be handled in an emergency manner as the project needs to be completed this construction season to avoid conflicts with other projects within the same construction area. Additionally, this project cannot be completed in the winter months due to temporary water mains being installed.

Title

To authorize the Director of Public Utilities to execute a contract with Utilicon Corporation for the Long Street Water Main Cleaning and Lining Project; for the Division of Power and Water; to authorize the appropriation and transfer of \$992,949.10 from the Water System Reserve Fund to the Ohio Water Development Authority (OWDA) Fund; to authorize the appropriation and expenditure of \$992,949.10 from the Ohio Water Development Authority (OWDA) Fund; to authorize an amendment to the 2009 Capital Improvements Budget; and to declare an emergency. (\$992,949.10)

Body

WHEREAS, two bids for the Long Street Water Main Cleaning and Lining Project were received and publicly opened in the offices of the Director of Public Utilities on March 10, 2010; and

WHEREAS, the lowest and best bid was from Utilicon Corporation in the amount of \$992,949.10; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction for the Long Street Water Main Cleaning and Lining Project; and

WHEREAS, it is immediately necessary to both appropriate funds from the Water System Reserve Fund and to authorize the transfer of said funds into the Ohio Water Development Authority (OWDA) Fund, in order to temporarily fund this expenditure, until such time as the City is able to execute a loan for the above stated purpose and reimburse the Water System Reserve Fund; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the construction of the Project described in this Ordinance (collectively, the "Project"); and

WHEREAS, the aggregate principal amount which the City will issue to finance this phase of the project is presently expected not to exceed \$992,949.10; and

WHEREAS, it is necessary to appropriate the proceeds from the aforementioned loan, to authorize the expenditure of funds required to award the subject contract, and to provide the requisite budget authority for said award; and

WHEREAS, it is necessary to authorize an amendment to the 2009 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Power and Water, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a construction contract with Utilicon Corporation for the Long Street Water Main Cleaning and Lining Project, to authorize the appropriation and transfer of funds from the Water System Reserve Fund to the Ohio Water Development Authority (OWDA) Fund, 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 Public Utilities be and hereby is authorized to award and execute a construction contract for the Long Street Water Main Cleaning and Lining Project with the lowest and best bidder, Utilicon Corporation, 888 E. 70th Street, Cleveland, Ohio 44103; in the amount of \$992,949.10; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water.

SECTION 2. That from the unappropriated monies in the Water System Reserve Fund 603, 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, 2010, the sum of \$992,949.10 is hereby appropriated to the Division of Power and Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

SECTION 3. That the City Auditor is hereby authorized to transfer \$992,949.10 to the Ohio Water Development Authority (OWDA) Fund, Fund No. 616, into the appropriate project accounts as specified within Section 4 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

SECTION 4. That for the purpose of paying the cost of the Ohio Water Development Authority (OWDA) Fund Eligible Items within the Long Street Water Main Cleaning and Lining Project, and funds from the unappropriated monies in Fund 616, the amount of \$992,949.10 is hereby appropriated and to be expended by the Division of Power and Water, Division 60-09, Fund No. 616, Object Level One 06, Object Level Three 6629, OCA Code 616368, Project No. 690368-100000.

SECTION 5. That the 2009 Capital Improvements Budget is hereby amended as follows:

Fund No. | Project No. | Project Name | Current Authority | Revised Authority | change

606 | 690368-100000 (new funding) | Long St. W.L. Cleaning | \$1,750,000 | \$0 | -\$1,750,000 (authority not needed in this fund)

616 | 690368-100000 (new funding) | Long St. W.L. Cleaning | \$0 | \$992,950 | +\$992,950

SECTION 6. That upon obtaining other funds for the purpose of funding water system capital improvement work, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount transferred under Section 3 above, and said funds are hereby deemed appropriated for such purpose.

SECTION 7. That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Power and Water.

SECTION 8. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 9. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 10. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

SECTION 11. 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.

Legislation Number: 0473-2010

Drafting Date: 03/15/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Cisco Network Engineering Services. Cisco Network Engineering Services are used to obtain Cisco certified assistance with new and continuing projects for the Department of Technology and other City agencies.

The term of the proposed option contract would be three (3) years. Contract is through June 30, 2013. The contract may be extended for one (1) additional one year subject to mutual agreement by both parties. The Purchasing Office opened formal bids on February 4, 2010.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA003479) Two hundred and eight (M1A:13, F1:7) bids were solicited; A total of four (4) bid proposals (M1A:0, F1:0) were received.

The lowest numeric bidder (Paragon Development Systems, Inc.) was determined to not be responsive to the experience requirements of the solicitation. The Purchasing Office is recommending award of a contract to the lowest, responsive, responsible and best bidder as follows:

Insight Public Sector, CC#363949000 (Expires 02/19/2012)

Total Estimated Annual Expenditure: \$200,000.00

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund.

Title

To authorize and direct the Finance & Management Director to enter into one (1) UTC contract for the option to purchase Cisco Network Engineering Services with Insight Public Sector; to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on February 4, 2010 and selected the lowest responsive, responsible and best bid. Four (4) bids were received; and

WHEREAS, this ordinance addresses Purchasing objective 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, Cisco Network Engineering Services is used to obtain Cisco certified assistance with new and continuing projects for the Department of Technology and other City agencies, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into one (1) contract for an option to purchase Cisco Network Engineering Services to ensure uninterrupted supply of 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 & Management Director be and is hereby authorized and directed to enter into the following contract for an option to purchase Cisco Network Engineering Services with Solicitation SA003479; contract is through June 30, 2013 and may be extended for one (1) additional one year subject to mutual agreement by both parties:

Insight Public Sector; Awarded all items; Amount \$1.00.

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, 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.

Legislation Number: 0474-2010

Drafting Date: 03/15/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Hydrofluosilicic Acid for the Division of Water, Department of Public Utilities. Hydrofluosilicic Acid is used in the City's water treatment process.

The term of the proposed option contract would be through March 31, 2011, with the option to extend for one additional year. The Purchasing Office opened formal bids on February 4, 2010.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003485). Forty one bidders were solicited (MBE:0, FBE:0) two (MBE:0, FBE:0) bids were received.

Two bids were received, both proposals were rejected by the City as current market conditions prohibit the bidders from complying with the City's specifications in their entirety. Upon approval by the Public Utilities Director, the Purchasing Office informally reconsidered both bids and entered into negotiations with the lowest numeric bidder. These successful negotiations resulted in an agreement in which the City agrees that the vendor will not be responsible for costs incurred by the City in the event of a market shortage. A contract will now be established with Pencco Inc., as the lowest and best bid received.

The Purchasing Office is recommending award of a contract to the lowest and best bid:

Pencco Inc. CC# 742333384, (Expires 2/13/11) Item #1.

Total Estimated Annual Expenditure: \$720,000.00

The company is not debarred according to the Excluded Parties Listing of the Federal Government and is not listed in the Auditor of State's database for Findings for Recovery.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund. The Division of Water will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance and Management Director to enter into a UTC contract for an option to purchase Hydrofluosilicic Acid with Pencco Inc., to authorize the expenditure of one dollar to establish the contract from the Mail, Print Services and UTC Fund, to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on February 4, 2010; and

WHEREAS, all bids were deemed non-responsive and the City conducted negotiations after considering all proposals on an informal basis; and

WHEREAS, after negotiations, Pencco Inc., was deemed the lowest and best bid received; 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, Hydrofluosilicic Acid is used in the City's water treatment process, this is being submitted for consideration as an emergency measure; 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 Hydrofluosilicic Acid, 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 and Management Director be and is hereby authorized and directed to enter into a UTC contract for an option to purchase Hydrofluosilicic Acid in accordance with Solicitation No. SA003193; the term of the contract is through March 31, 2011, with the option to extend for one additional year, considered informally, as follows: Penco Inc., item #1.

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, 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 Section 329.06 (Formal Competitive Bidding) of the Columbus City Codes.

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.

Legislation Number: 0478-2010

Drafting Date: 03/15/2010

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

Rezoning Application Z09-042

APPLICANT: DGJL LLC; c/o David L. Hodge, Atty.; Smith and Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: Commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on March 11, 2010.

FAR SOUTH COLUMBUS AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested L-C-4, Limited Commercial District will allow controlled retail and / or office development. The limitation text incorporates use restrictions, landscaping, and lighting controls. The applicant is providing a cross access easement to the south and committing to a site plan and elevations. Given the location on an arterial street across from a concrete fabrication facility and across Thimbleberry Road from a retail shopping center, Staff finds single-family residential land uses to be inappropriate and recommends deviation from the *South Alum Creek Neighborhood Plan* (2003). Due to the location of the site and the buffering provisions next to the residential uses, the proposed development is consistent with the zoning and development patterns of the area.

Title

To rezone **2441 THIMBLEBERRY ROAD (43207)**, being 1.1± acres located at the southeast corner of Alum Creek Drive and Thimbleberry Road, **From:** ARLD, Apartment Residential District, **To:** L-C-4, Limited Commercial District **and to declare an emergency.** (Rezoning # ~~Z08-032~~ **Z09-042**)

Body

WHEREAS, application #Z09-042 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.1± acres From: ARLD, Apartment Residential District, To: L-C-4, Limited Commercial District; and

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

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; and

WHEREAS, the Far South Columbus Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-C-4, Limited Commercial District will allow controlled retail and / or office development. The limitation text incorporates use restrictions, landscaping, and lighting controls. The applicant is providing a cross access easement to the south and committing to a site plan and elevations. Given the location on an arterial street across from a concrete fabrication facility and across Thimbleberry Road from a retail shopping center, Staff finds single-family residential land uses to be inappropriate and recommends deviation from the *South Alum Creek Neighborhood Plan* (2003). Due to the location of the site and the buffering provisions next to the residential uses, the proposed development is consistent with the 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:

2441 THIMBLEBERRY ROAD (43207), being 1.1± acres located at the southeast corner of Alum Creek Drive and Thimbleberry Road, and being more particularly described as follows:

Alum Creek Dr. rezoning description

SITUATED in the State of Ohio, County of Franklin, City of Columbus, and being a part of Section 18, Township 11, Range 21, Mathew's Survey of the Congress Lands, and being all of a 1.135 acre tract conveyed to Rebecca S. Shaeffer in Official Record 200810070149831, Franklin County Recorder's Office;

BEGINNING at point of intersection of the old centerline of Alum Creek Dr. (60' wide) and the north line of the Chesapeake and Ohio Railroad (100' wide);

THENCE North 03 degrees 54 minutes 21 seconds East, a distance of 470.89 feet, along the old centerline of the said Alum Creek Dr., to a point;

THENCE South 86 degrees 09 minutes 48 seconds East, a distance of 80.00 feet, to a point, being the southwest corner of the said 1.135 acre tract and the True Point of Beginning;

THENCE North 03 degrees 53 minutes 44 seconds East, a distance of 205.91 feet, along the new east right of way line of the said Alum Creek Dr. and the west line of the said 1.135 acre tract, to a point, being a northwest corner of the said 1.135 acre tract;

THENCE around a curve to the right, with a radius of 35.00 feet, an arc length of 54.97 feet, a delta of 89 degrees 59 minutes 39 seconds, a chord of 49.49 feet which bears North 48 degrees 53 minutes 33 seconds East, along the new east right of way line of the said Alum Creek Dr. and a line of the said 1.135 acre tract, to a point, being a northwest corner of the said 1.135 acre tract;

THENCE South 86 degrees 06 minutes 37 seconds East, a distance of 170.04 feet, along the north line of the said 1.135 acre tract and the south line of Thimbleberry Rd. (80' wide), to a point, being the northeast corner of the said 1.135 acre tract;

THENCE South 03 degrees 12 minutes 02 seconds West, a distance of 240.73 feet, along the east line of the said 1.135 acre tract, to a point;

THENCE North 86 degrees 09 minutes 48 seconds West, a distance of 207.95 feet, along the south line of the said 1.135 acre tract, to True Point of Beginning, having an area of 49,463 square feet or 1.135 acres to be rezoned.

To Rezone From: ARLD, Apartment Residential District,

To: L-C-4, Limited Commercial District

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

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-C-4, Limited Commercial District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said plan and elevation being titled, "**PROPOSED BUILDING FOR DOLLAR GENERAL SHEETS C-101 and C-102**," respectively, and said text being titled, "**LIMITATION TEXT**," all signed by David L. Hodge, Attorney for the Applicant, dated March 15, 2010, and reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT: L-C-4, Limited Commercial

PROPERTY ADDRESS: 2441 Thimbleberry Road

OWNER: Rebecca S. Shaeffer

APPLICANT: DGJL, LLC

DATE OF TEXT: March 15, 2010

APPLICATION NUMBER: Z09 - 042

1. **INTRODUCTION:** The site is located at the southeast corner of Alum Creek Drive and Thimbleberry Road.
2. **PERMITTED USES:** Discount department stores and those uses permitted in Chapter 3355 (C-3, Commercial) of the Columbus City Code excepting therefrom the following uses:

Assembly hall
Electric substation
Motion picture theater
Newspaper printing
Commercial radio transmitting
Funeral home
Butcher shop
Public fire stations
Armored Car
Investigation guard
Security Services

Parking lots
Parking garages
Crematories
Dwelling units

3. DEVELOPMENT STANDARDS: Unless otherwise indicated in the submitted site plan or in the text, the applicable development standards are contained in Chapter 3356 (C-4, Commercial) of the Columbus City Code.

A. Density, Lot and/or Setback Commitments.

1. Building and parking setbacks shall be 25 feet from the east property line.

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

1. There shall be two access points, one to Alum Creek Drive and one to Thimbleberry Road, as depicted on the site plan.

2. A pedestrian connection shall be provided from the building to the public sidewalk.

3. A cross-access easement shall be granted to the .4+/- acre property to the south if it develops individually. No cross-access easement shall be required should it develop in conjunction with any other parcel or parcels to the south. The cross-access easement may provide for joint maintenance.

4. A bike rack for employees and customers shall be provided.

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

1. Street trees shall be installed along the street frontages of Alum Creek Drive and Thimbleberry Road on the basis of 1 tree for every 30 feet of street frontage. Trees may be grouped or evenly spaced. Street trees shall be either Chanticleer Flowering Pear or Cleveland Select Flowering Pear and shall be a minimum 2.5 to 3 inch trunk size at breast height at installation.

2. All parking areas adjacent to public streets shall be screened from the public right of way to a minimum height of 36 inches by a mound, shrubbery, or fence, individually or by any combination thereof.

3. The developer shall install a 6 foot high board on board fence adjacent to the south and east property lines beginning at the southwest corner of the building and ending at the parking setback line at Thimbleberry Road. In addition to the fence the developer shall install a row of evergreen trees to the east of the building, 20 feet on center, between the fence and the building and ending at the parking setback line at Thimbleberry Road. These trees shall be a minimum 5 feet in height at installation.

4. Within the 25' building setback from the east property line, existing vegetation shall be preserved. This vegetation may be disturbed as necessary during construction, fence installation, additional tree planting, and utility installation. During construction this area shall be surrounded by snow fence.

5. Landscaping shall be maintained in a healthy state. Dead items shall be replaced at the next planting season or within six (6) months, whichever occurs sooner.

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

1. The building design shall be in accordance with the submitted elevation. The elevation may be slightly adjusted subject to review and approval by the Director of Development or his designee upon the submission of the appropriate information regarding the proposed adjustment.

2. All heating, ventilating, air conditioning and other building mechanical systems and equipment shall be fully screened

from view, however equipment requiring ventilation may be screened to an opacity of at least eighty percent (80%).

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

1. All external outdoor lighting shall be cutoff fixtures from the same or similar manufacturer, and shall be of the same design and color. Light poles shall not exceed 18 feet in height.
2. All lighting shall be downlighting and there shall be no off-site light spillage.

F. Graphics and/or Signage Commitments.

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

G. Miscellaneous Commitments.

1. The developer shall pay a park fee of \$440 at the time of submission for zoning clearance.
2. Retail store hours of operation shall be limited to 8:00 AM to 9:00 PM.
3. Refuse service hours shall be limited to 8:00 AM to 9:00 PM.
4. The fence line shall be kept clear of refuse.
5. Two outside trash receptacles shall be located along the front of the building.
6. The subject site shall be developed in accordance with the submitted site plan. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of Development or his designee upon the submission of the appropriate data regarding the proposed adjustment.
7. Security lighting shall be installed at the east building façade and at the door on the south building wall.

SECTION 4. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law. 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 10 days after its passage if the Mayor neither approves nor vetoes the same.~~

Legislation Number: 0479-2010

Drafting Date: 03/16/2010

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

BACKGROUND: In 2003 the Discovery District Development Corporation asked Capitol South Community Urban Redevelopment Corporation to initiate an effort to work with Discovery District property owners to create a Special Improvement District (SID) on the east side of downtown. Property owners were surveyed and overwhelmingly were in support of a proposal to create a SID. The SID was created for a five year period and has been very successful. The SID property owners now wish to terminate the existing plan a year early and reauthorize the Discovery Special Improvement District for an additional five year period, with slightly different boundaries, but still called the Discovery Special Improvement District (map attached).

In reauthorizing the Discovery SID, property owners initiated a one petition process in which at least 60% of the property

owners within the District signed that they are interested in forming a SID and they approve of the Plan for Improvements and Services to be provided by the SID (petition attached). This legislation is one of the first actions required by Chapter 1710 of the Ohio Revised Code.

City Council must then accept the petitions and the Articles of Incorporation of the Discovery Special Improvement District of Columbus, Inc., an Ohio not-for-profit corporation organized pursuant to Chapter 1710 of the Revised Code. City Council is also being asked to also approve the inclusion of City owned property as part of the Special Improvement District.

Emergency action is required to allow the Discovery Special Improvement District to adhere to the Ohio Revised Code, Chapter 1710 requirements on the creation of Special Improvement Districts.

FISCAL IMPACT: No funding is required for this legislation.

Title

To approve the Discovery Special Improvement District of Columbus, Inc., Petition and Articles of Incorporation and the inclusion of the properties owned by the City of Columbus in said district. ~~and to declare an emergency.~~

Body

WHEREAS, Chapter 1710 of the Revised Code, effective September 29, 1994 provides for the creation of Special Improvement Districts (SIDS), by non-profit corporations governed by trustees elected by the property owners for the provision of special services in a designated district; and

WHEREAS, the Discovery Special Improvement District is in the fourth year of the five year authorized Plan for Improvements and Services; and

WHEREAS, the SID property owners now wish to terminate the existing plan a year early and reauthorize the Discovery Special Improvement District for an additional five year period, with slightly different boundaries, but still called the Discovery Special Improvement District (map attached); and

WHEREAS, the property owners located on the east side of downtown have initiated a new petition to reauthorize the SID and have filed the petition with the Columbus City Council along with the Articles of Incorporation of the Discovery Special Improvement District of Columbus, Inc. an Ohio non-profit corporation, created pursuant to Chapter 1710.02 of the Revised Code; and

WHEREAS, Section 1710.02 (E) further excludes the property owned by the municipal corporation unless the municipal corporation specifically authorizes its property to be included in the district; and

WHEREAS, the Clerk of Columbus City Council finds that the property owners per the signed Petition, if authorized by this Council represents 60% of the front footage of the property located in the SID, all as provided by Section 1710.02 of the Revised Code; and

WHEREAS, emergency action is required to allow the Discovery Special Improvement District to adhere to the Ohio Revised Code, Chapter 1710 requirements on the creation of Special Improvement Districts; and

WHEREAS, it is the determination of the Columbus City Council that the SID is a valuable tool for continuing to further economic development and a means of continuing to revitalize the downtown area; ~~and~~ **NOW THEREFORE**,

~~**WHEREAS**, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to approve the Petition and the Articles of Incorporation for the Discovery Special Improvement District of Columbus, Inc., all for the immediate preservation of the public health, property, safety and welfare; **NOW, THEREFORE**,~~

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

- Section 1.** That the Petition for the creation of the Discovery Special Improvement District of Columbus, Inc. and the Articles of Incorporation of the Discovery Special Improvement District of Columbus, Inc., now on file with the Clerk of the Columbus City Council, and incorporated herein as Attachment A, are hereby approved.
- Section 2.** That the properties of the City of Columbus abutting upon the streets described in the Petition are hereby authorized to be included in the district.
- 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. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~

Legislation Number: 0481-2010

Drafting Date: 03/16/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Cisco Phones and Telephony Products UTC. This award is to establish a contract for refurbished Cisco VoIP phones. This contract provides a less expensive option to City agencies to purchase replacement phones within the VoIP system. The term of the proposed option contract would be one (1) year. Contract is through June 30, 2011. The contract may be extended for one (1) additional one year subject to mutual agreement by both parties. The Purchasing Office opened formal bids on October 15, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA003395). Seventy five (MBE:2, FBE:2) bids were solicited; A total of ten (10) bid proposals (MBE:0, FBE:0) were received.

Proposals were obtained for new and refurbished Cisco VoIP phones. All bid received for new phones were higher in cost than pricing the City currently has under contract using the Cisco Equipment Catalog contract. The Purchasing Office is recommending award of contracts to the lowest, responsive, responsible and best bidders as follows:

LOGOS Communications, Inc., CC#341631678 (Expires 10/22/2010)

Total Estimated Annual Expenditure: \$ 50,000.00

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund.

Title

To authorize and direct the Finance & Management Director to enter into one (1) UTC contract for the option to purchase Cisco Phones and Telephony Products with LOGOS Communications, Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 15, 2009 and selected the lowest, responsive, responsible and best bid. Ten (10) bids were received; and

WHEREAS, this ordinance addresses Purchasing objective 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, Cisco Phones and Telephony Products will be used as replacement VoIP phones for all City agencies, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into one (1) contract for an option to purchase Cisco Phones and Telephony Products to ensure uninterrupted supply of materials and 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 & Management Director be and is hereby authorized and directed to enter into the following contract for an option to purchase Cisco Phones and Telephony Products with Solicitation SA003395; contract is through June 30, 2011 and may be extended for one (1) additional one year subject to mutual agreement by both parties:

LOGOS Communications, Inc.; Awarded items 15 through 21 only; Amount \$1.00.

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, 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.

Legislation Number: 0482-2010

Drafting Date: 03/16/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

This legislation authorizes and directs the Director of Development to enter into contract with the Somali Community Association of Ohio, a non-profit organization dedicated to promoting self-sufficiency through employment, education, cultural and social support, and economic empowerment for Columbus' growing Somali population. The SCAO targets low-income Somali families who are new to the United States.

Columbus has the second largest Somali population in the country, and the Somali Community Association of Ohio has been providing much needed services to this growing community of refugees and immigrants since 2000. The SCAO provides information, referral, and outreach services, home management services, transportation, translation, employment assessments, on the job training, English as a Second Language programming, and numerous other services.

Councilmember Craig sponsored an amendment to the 2010 Operating Budget to expand said services.

This legislation authorizes and directs the Director of Development to enter into and administer a contract with the Somali Community Association of Ohio for the purpose of supporting these outreach efforts. This ordinance authorizes the use of \$50,000 of General Funds to contract with the Somali Community Association for that purpose.

FISCAL IMPACT: Funds for this contract are budgeted within the 2010 Operating Budget pursuant to a City Council amendment earlier this year.

Title

To authorize and direct the Director of the Department of Development to enter into and administer a contract with the Somali Community Association of Ohio for the purpose of administering programs and services and to authorize the expenditure of \$50,000 from the General Fund. (\$50,000.00)

Body

WHEREAS, the Somali Community Association of Ohio, a non-profit organization dedicated to promoting self-sufficiency through employment, education, cultural and social support and economic empowerment for Columbus' growing Somali population; and

WHEREAS, Columbus has the second largest Somali population in the country; and

WHEREAS, the SCAO targets low-income Somali families who are new to the United States, providing essential services to this growing immigrant population; and

WHEREAS, the SCAO provides information, referral, and outreach services, home management services, transportation, translation, employment assessments, on the job training, English as a Second Language programming, and numerous other services to Columbus' Somali population; and

WHEREAS, it is necessary to enter into contract with the Somali Community Association of Ohio at the earliest available date to maximize program effectiveness for the preservation of public peace, property, health, safety and welfare; 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 and directed to enter into an agreement with the Somali Community Association of Ohio for the purpose of supporting its role in providing outreach services to Columbus' growing Somali population.
- Section 2.** That the Director of the Department of Development is hereby authorized and directed to administer the contract with the Somali Community Association of Ohio and shall be responsible for monitoring the scope of services to ensure contract compliance.
- Section 3.** That the expenditure of \$50,000.00 or so much thereof as may be necessary, be and is hereby authorized to be expended from the Department of Development, Administration Division No. 44-02, Fund 010, Object Level One 03, Object Level Three 3337, OCA Code 499038.
- Section 4.** That this contract is awarded pursuant to Section 329.15 of the Columbus City Codes, 1959 as amended.
- Section 5.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0483-2010

Drafting Date: 03/16/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Zinc Orthophosphate for the Power and Water Division. Zinc Orthophosphate is used as a corrosion control agent in the City's water treatment process. The term of the proposed option contract will be three (3) years. Contract is through March 31, 2013, with the option to extend for one additional year. The Purchasing Office opened formal bids on February 4, 2010.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA003486). Forty two (MBE:0, FBE:0) bids were solicited; A total of five (5) bid proposals (MBE:0, FBE:0) were received.

The Purchasing Office is recommending award to the lowest, responsive, responsible and best bidder in compliance with the specifications.

Shannon Chemical Corp., CC#231856793 (expires 01/12/2011).

Total Estimated Annual Expenditure: \$ 820,000.00

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund. Power and Water will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance & Management Director to enter into one (1) UTC contract for the option to purchase Zinc Orthophosphate with Shannon Chemical Corp., to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 15, 2009 and selected the lowest, responsive, responsible and best bid. Five (5) bids were received; and

WHEREAS, this ordinance addresses Purchasing objective 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, Zinc Orthophosphate is used as a corrosion control agent in the City's water treatment process, this is being

submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into one (1) contract for an option to purchase Zinc Orthophosphate to ensure uninterrupted supply of materials and 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 & Management Director be and is hereby authorized and directed to enter into the following contract for an option to purchase Zinc Orthophosphate with Solicitation SA003486; contract is through March 31, 2013 and may be extended for one (1) additional one year subject to mutual agreement by both parties:

Shannon Chemical Corp.; Awarded all items; Amount \$1.00.

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, 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.

Legislation Number: 0484-2010

Drafting Date: 03/16/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Organic Emulsion Polymer for the Sewerage and Drainage Division. Organic Emulsion Polymer is used as a sludge conditioner in the sludge dewatering process at the City's wastewater treatment plants. The term of the proposed option contract will be three (3) years. Contract is through March 31, 2013, with the option to extend for one additional year. The Purchasing Office opened formal bids on March 11, 2010.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA003515). Thirty eight (MBE:0, FBE:1) bids were solicited; A total of three (3) bid proposals (MBE:0, FBE:0) were received.

The Purchasing Office is recommending award to the lowest, responsive, responsible and best bidder in compliance with the specifications.

Polydyne Inc., CC#341810283 (expires 02/16/2012).

Total Estimated Annual Expenditure: \$ 1,500,000.00.

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund. Sewerage and Drainage will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance & Management Director to enter into one (1) UTC contract for the option to purchase Organic Emulsion Polymer with Polydyne Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on March 11, 2010 and selected the lowest, responsive, responsible and best bid. Three (3) bids were received; and

WHEREAS, this ordinance addresses Purchasing objective 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, Organic Emulsion Polymer is used as a sludge conditioner in the sludge dewatering process at the City's wastewater treatment plants, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into one (1) contract for an option to purchase Organic Emulsion Polymer to ensure uninterrupted supply of materials and 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 & Management Director be and is hereby authorized and directed to enter into the following contract for an option to purchase Organic Emulsion Polymer with Solicitation SA003515; contract is through March 31, 2013 and may be extended for one (1) additional one year subject to mutual agreement by both parties:

Polydyne Inc.; Awarded all items; Amount \$1.00.

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, 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.

Legislation Number: 0485-2010

Drafting Date: 03/16/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

This ordinance amends the Management Compensation Plan by assigning pay grades to the new classifications of Building and Zoning Services Director and Code Enforcement Division Administrator. This legislation is contingent upon the passage of the City Code changes to create the Department of Building and Zoning Services and retitle the Division of Building Services to the Division of Code Enforcement within the current Department of Development.

Emergency action is proposed in order for placement efforts to begin.

Any hiring will be funded within the current appropriation.

Title

To amend the Management Compensation Plan, Ordinance No. 1150-2007, as amended, by enacting Section 5(E)-B057, the classification of Building and Zoning Services Director; and Section 5(E)-C352, Code Enforcement Division Administrator; and to declare an emergency.

Body

WHEREAS, it is necessary to assign pay grades to newly created classifications; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to amend the Management Compensation Plan, 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 Section 5 of Ordinance No. 1150-2007, as amended, is amended by enacting the following:

<u>Ord.</u> <u>Sec.</u>	<u>Class</u> <u>Code</u>	<u>Class Title</u>	<u>Grade</u>
5(E)-B057	0059	Building and Zoning Services Director	99
5(E)-C352	0154	Code Enforcement Division Administrator	96

SECTION 2. 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 full force from and after approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0487-2010

Drafting Date: 03/16/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

In December 2006, the City purchased 1111 East Broad Street (now the Jerry Hammond Center, "JHC") as authorized by Ordinance No. 1005-2006, and passed by City Council on June 8, 2006. Pursuant to the terms of the purchase agreement, the City assumed a Facility Management Agreement ("FMA") for the professional management of the building and grounds that had five years remaining on its term. Paradigm Properties of Ohio, LLC (Paradigm), per Ordinance 0479-2008, is the company currently providing building management services under the FMA. This legislation authorizes funding for the fourth year of the five year FMA contract.

The FMA sets the annual building management fee and details the duties of the management company in the oversight of the daily building operations and maintenance of the JHC, the payment of all operating expenses except utilities (paid directly by City), and establishes standards for procuring services, preparing RFP's and soliciting bids for outside maintenance and repair services, and requires certain accounting and reporting procedures for all expenditures of building operating funds. The terms of the FMA require the management company to establish and maintain a separate JHC building operating account from which all building services are paid. Per the terms of the FMA, each August the management company prepares and submits to the City an annual building operating budget projecting building operating expenses for the next contract year.

The 2010 funding for building operations, for the term May 1, 2010 through April 30, 2011, is \$925,000.00 which is the same funding level provided for the 2009-2010 term. The funding includes \$240,366 for payment of Paradigm Properties

of Ohio, LLC for building management, \$634,634 for payment of building operating expenses, and a contingency of \$50,000 for any unforeseen and unbudgeted building expenses. Any expenditure from the contingency amount will require prior City approval.

Paradigm's Contract Compliance Number is 311609350, expiration 3/25/2010. It is currently in the process of being renewed.

Fiscal Impact: This ordinance authorizes the expenditure of \$925,000 for 2010 - 2011 building operating expenses to Paradigm Properties of Ohio, LLC, and includes a \$50,000 contingency for unforeseen building expenses and repairs. The funds have been appropriated for this purpose and are available in the 1111 East Broad Street Operations Fund.

Emergency action is requested to ensure that daily building services to the JHC continue without interruption. Earlier action was not possible due to the necessity of finalizing and prioritizing some capital projects that will require attention in 2010 and 2011.

TitleTo authorize the Director of Finance and Management to establish a purchase order for an ongoing contract with Paradigm Properties of Ohio, LLC for the continuance of a Facilities Management Agreement for the Jerry Hammond Center; and to declare an emergency. (\$925,000)

Body

WHEREAS, it is necessary to authorize the expenditure of \$925,000.00 from the 1111 East Broad Street Operating Fund to provide payments to Paradigm Properties of Ohio, LLC for the third year of a four-year term building maintenance service contract for 1111 East Broad Street, known as the Jerry Hammond Center, for payment of operating expenses for the building, except utilities; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Real Estate Management Office, in that it is immediately necessary to authorize the expenditure of \$925,000.00 for the fourth year of a building maintenance services contract for 1111 East Broad Street, the Jerry Hammond Center, and to ensure consistent and accurate accounting, 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 and Management Director is authorized to establish a purchase order to make payments for the continuance of the Facilities Management with Paradigm Properties of Ohio, LLC, for the fourth year of a five year term.

SECTION 2. That the expenditure of \$925,000.00, or so much thereof as may be necessary, be and is hereby authorized and approved as follows:

Dept./Div.: 45-07
Fund: 294
Subfund: 001
OCA: 294001
Object Level 01: 03
Object Level 03: 3370
Amount: \$925,000.00

SECTION 3. 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 or vetoes the same.

Legislation Number: 0488-2010

Drafting Date: 03/16/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Affordable Housing Trust for Columbus and Franklin County (Housing Trust) combines public and private funding through a variety of sources to support the development of housing within the City. Both rental units and homeownership projects are developed.

In 2010 the City will commit its annual contribution of the hotel/motel tax receipts to the Housing Trust at an estimated \$923,000 or whatever greater or lesser sum of money may be received through the portion of the Hotel/Motel Excise Tax fund allocated to the Housing Trust. The amount is based on 0.43% in relation to the 5.1 % total city rate.

This legislation authorizes a contract with the Housing Trust and directs the appropriation and expenditure of funds.

This legislation is presented as an emergency because of the need to continue program services without interruption.

FISCAL IMPACT: This legislation authorizes and directs the appropriation and expenditure of 0.43% of the combined rates of 5.1% of the Hotel/Motel Excise Tax fund, presently estimated at \$923,000, and authorizes an agreement with the Housing Trust.

Title

To authorize the Director of the Development Department to enter into a contract with the Affordable Housing Trust for Columbus and Franklin County to facilitate the production of affordable housing and enhance home ownership opportunities in Columbus; to authorize the appropriation and expenditure of 0.43% (presently estimated at \$923,000) of the combined rates of 5.1% of the Hotel/Motel Excise Tax; and to declare an emergency. (\$923,000)

Body

WHEREAS, the Mayor commissioned a Columbus Housing Task Force (Task Force) in May 2000 to design the City's first housing trust fund and to recommend a structure whereby an Affordable Housing Trust for Columbus and Franklin County could facilitate the production of housing in Columbus; and

WHEREAS, the goal of the Housing Trust Fund is that 50% of the City's leveraged funding would go to benefit citizens who are at or below 60% of the median income; and

WHEREAS, Section 371.02(c) of the Columbus City Codes, 1959, specifies that up to 0.43 percent of the combined rates of 5.1 percent of the revenues of the Hotel/Motel Excise Tax are to be used to support the production of affordable housing and create home ownership opportunities within the city of Columbus through the Columbus Housing Trust; and

WHEREAS, the City has determined to adjust the annual distribution of hotel/motel tax receipts to allow for on-going contributions in the amount of 0.43% of the combined rates of 5.1% of the Hotel/Motel Excise Tax fund (presently estimated at \$923,000) to Affordable Housing Trust for Columbus and Franklin County for this effort; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to authorize the appropriation and expenditure of said funds to the Affordable Housing Trust for Columbus and Franklin County to continue delivery of program services without interruption, in order to preserve the public peace, health, safety, and welfare; and **NOW, THEREFORE**,

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

- Section 1.** That the Director of the Development Department is hereby authorized to enter into a contract with the Affordable Housing Trust for Columbus and Franklin County to support the production of housing in the City of Columbus.
- Section 2.** For the purpose of paying the costs thereof, the sum of 0.43% of the combined rates of 5.1% of the Hotel/Motel Excise Tax (presently estimated at \$923,000) is hereby deemed appropriated and authorized to be expended from the Department of Development, Department No. 44-01, the Hotel/Motel Excise Tax Fund 236, Object Level One 03, Object Level Three 3336, OCA Code 236002.
- Section 3.** Said contract shall provide for payment by the City for such services in accordance with Chapter 371.02(c) of Columbus City Codes, 1959.
- Section 4.** That in the 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.

Legislation Number: 0489-2010

Drafting Date: 03/16/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: This ordinance will enable the Director of Recreation and Parks to accept a grant from the Ohio Department of Education in the amount of \$2,609,950.00 and to appropriate these monies to the Recreation and Parks Grant Fund 286. These funds will provide for the operation of the 2010 Summer Food Service Program. This program will operate from June 7, 2010 through August 20, 2010. Through this program, we serve approximately 150,000 breakfast meals, 340,000 lunch meals and 25,000 snacks at 180 sites.

This is a United States Department of Agriculture (USDA) sponsored program offered to Columbus Recreation and Parks Department (CRPD) through the Ohio Department of Education (ODE). As a sponsoring agency, the Recreation and Parks Department Summer Food Coordinator solicits other agencies, focusing on areas of need in and around the city, to act as sites for providing food services and determines their eligibility in the program. Each site can provide two of three meals (breakfast and lunch, or lunch and snack) to children ages 1 - 18, or of school-aged eligibility.

Free breakfast, lunch and snacks are available to all those meeting income eligibility, which is the same as the free school lunch program. Sites may also offer additional programming to Columbus youth in which they may participate (see attached 2009 site list).

CRPD has an ongoing partnership with Children's Hunger Alliance (CHA) to assist in targeting areas of need and potential sites. CHA also assists in advertising the available sites to the public via media releases, PSA's on local radio stations, interviews on the government access channel (CH 3), and articles in The Columbus Dispatch and area newspapers.

Emergency legislation is being requested so the contract for food services can be bid and in place in time for the operation of the 2010 program. The grant application was approved by the State of Ohio on March 5, 2010.

Fiscal Impact: \$2,609,950.00 in grant funding will be used exclusively for the operation of the 2010 Summer Food Service Program. The fiscal impact of this ordinance will be to reduce the Recreation and Parks Grant Fund's unappropriated balance by \$2,609,950.00.

TitleTo authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$2,609,950.00 from

the Ohio Department of Education for the operation of the 2010 Summer Food Service Program; to appropriate these funds to the Recreation and Parks Grant Fund; and to declare an emergency. (\$2,609,950.00)

Body WHEREAS, the Ohio Department of Education has awarded the City of Columbus, Recreation and Parks Department, a grant in the amount of \$2,609,950.00 for the operation of the 2010 Summer Food Service Program; and

WHEREAS, it is necessary to appropriate said funds to the Recreation and Parks Department for expenditures in conjunction with the 2010 Summer Food Service Program; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to accept said grant funds and appropriate said funds as the program begins June 7, 2010; NOW, THEREFORE

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

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to accept a grant in the amount of \$2,609,950.00 from the Ohio Department of Education for the operation of the 2010 Summer Food Service Program.

SECTION 2. That from the unappropriated monies in the Recreation and Parks Grant Fund No. 286, 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, 2010, the sum of \$2,609,950.00 is appropriated to the Recreation and Parks Department, Department No. 51-01, Fund No. 286, as follows:

Grant Title	Fund No.	Object Level 3	OCA Code	Amount
2010 Summer Food Program		286 1112	511015	127,350.00
2010 Summer Food Program		286 1120	511015	7,650.00
2010 Summer Food Program		286 1160	511015	17,900.00
2010 Summer Food Program		286 1171	511015	1,850.00
2010 Summer Food Program		286 1173	511015	6,400.00
2010 Summer Food Program		286 2201	511015	6,000.00
2010 Summer Food Program		286 2140	511015	18,000.00
2010 Summer Food Program		286 2222	511015	2,500.00
2010 Summer Food Program		286 3295	511015	1,600.00
2010 Summer Food Program		286 3329	511015	18,000.00
2010 Summer Food Program		286 3337	511015	2,400,000.00
2010 Summer Food Program		286 3372	511015	1,200.00
2010 Summer Food Program		286 3408	511015	1,500.00
TOTAL APPROPRIATION				\$2,609,950.00

SECTION 3. That the monies in the foregoing Section 2 shall be paid upon order of the Director of Recreation and Parks, 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 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 10 days after passage if the Mayor neither approves nor vetoes the same.

Drafting Date: 03/16/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The purpose of this legislation is to authorize the Board of Health to enter into a contract for interpretation and translation services at the Health Department's facility located at 240 Parsons Ave as well as nearby health clinics. The Columbus Health Department has a need to provide language interpretation services for persons with limited English proficiency who receive services at the Health Department clinics. The Health Department has a need to make funds available to contract with Access 2 Interpreters, LLC. Access 2 Interpreters, LLC will provide live interpretation and translation services. The contract period is April 1, 2010 through March 31, 2011, for a contract amount not to exceed \$158,000. The contract compliance with Access 2 Interpreters, LLC expires July 28, 2010. Their contract compliance number is 760803722.

Emergency action is requested in order to avoid any delays in providing program services.

FISCAL IMPACT: Funding for this purchase is budgeted in the Health Special Revenue Fund, Fund 250.

Title

To authorize and direct the Board of Health to enter into a contract with Access 2 Interpreters, LLC for interpretation and translation services; to authorize the expenditure of \$158,000 from the Health Special Revenue Fund; and to declare an emergency. (\$158,000)

Body

WHEREAS, a need exists for language interpretation and translation services for persons with limited English proficiency who receive services at the Health Department clinics; and,

WHEREAS, bid SA002788 was bid on the City's vendor services website; and,

WHEREAS, an evaluation of all bids received was performed and it was determined that Access 2 Interpreters, LLC was the lowest responsive and responsible bidder; and,

WHEREAS, this ordinance is being submitted as an emergency measure so that timely procurement of needed services will allow the services to proceed without delay; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into this contract 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 to enter into contract for \$158,000.00 with Access 2 Interpreters, LLC to provide live interpretation and translation services.

SECTION 2. That the expenditure of \$158,000.00 is hereby authorized from the Health Special Revenue Fund, Fund No. 250, Division No. 50-01, OCA Code 502062, Object Level One 03, Object Level Three 3445.

SECTION 3. That the City Auditor is authorized to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial records.

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.

Legislation Number: 0491-2010

Drafting Date: 03/16/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation1. BACKGROUND

The City of Columbus, Department of Public Service, Division of Design and Construction, and the Department of Public Utilities Division of Sewerage and Drainage and Division of Power and Water are engaged in the River South - Phase 2 Project. This legislation authorizes the Director of Public Service to enter into a contract in an amount up to \$9,463,389.40 for the River South Roadway Improvements - Phase 2 Project and to pay construction inspection costs up to \$946,338.94.

The Notice to Proceed date is estimated to be April 19, 2010. The expected final completion date is October 7, 2010. The project was let by the Office of Support Services and was advertised in the City Bulletin. 4 bids were received on February 16, 2010 (4 majority, 0 minority) and tabulated on February 17, 2010 as follows:

<u>Company Name</u>	<u>Bid Amt</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Shelly and Sands Inc.	\$9,463,389.40	Columbus, OH	Majority
George J. Igel & Co. Inc.	\$9,910,996.41	Columbus, OH	Majority
Complete General Construction Co.	\$10,369,684.30	Columbus, OH	Majority
Trucco Construction Company, Inc.	\$11,495,356.10	Delaware, OH	Majority

Award is to be made to Shelly and Sands Inc. , as the lowest, best, most responsive and most responsible bidder.

The purpose of this project is to reconstruct 0.21 miles of Front Street between Mound Street and Rich Street; reconstruct 0.20 miles of Rich Street between Civic Center Drive and High Street; reconstruct 0.23 miles of Main Street between Second Street and High Street; and widen and resurface 0.11 miles of Main Street between Second Street and Civic Center Drive. Improvements within the project limits include upgraded sidewalks with pedestrian crossing upgrades at intersections, landscaping, storm sewers, water lines, street lighting, and traffic control devices.

0.43 miles of an approximate 14 foot wide sidewalk will be added or reconstructed in this project on the east and west sides of Front Street. 0.42 miles of an approximate 17 foot wide sidewalk will be added or reconstructed in this project on the north and south sides of Rich Street. 0.58 miles of an approximate 17 foot wide sidewalk will be added or reconstructed in this project on the north and south sides of Main Street. 60 ADA ramps will be added or reconstructed in this project. There are 4 bus stops and transit routes within the limits of this project.

This project complies with the recommendation of the Pedestrian Thoroughfare Plan, as the Division of Mobility Options reviewed walk widths for anticipated future activity.

Pedestrian generators and destinations impacting the proposed project include the Supreme Court House, Franklin County Court House, Lazarus Building, Front and Rich Street City Parking Garage, Columbia Gas Building, Bicentennial Building, Scioto Mile Park and other buildings within the Central Ohio Business District.

Environmental "Green" materials or processes associated with this project include 20 bioretention basins along Rich Street and 23 bioretention basins along Main Street.

This project has been awarded a grant in an amount up to \$3,745,000.00 and 20 year - 0% interest loan in an amount up to \$1,255,000.00 by the Ohio Public Works Commission.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Shelly and Sands Inc.

2. CONTRACT COMPLIANCE

Shelly and Sands Inc's contract compliance number is 314351261 and expires 2/26/12.

3. Fiscal Impact

There are several different sources of funding available for this project which has an estimated construction cost of \$10,409,728.46. The City received up to \$5,000,000.00 of OPWC funding in the form of a grant and loan from the Ohio Public Works Commission and \$5,500,000.00 in American Recovery and Reinvestment Act (ARRA) funding.

Expected reimbursement from the OPWC grant from estimated project costs is \$1,640,684.11. Monies to pay for the cost of this contract and inspection are available within the Elec B.A.B.s (Build America Bonds Fund for the Division of Power and Water (Power), the Water B.A.B.s (Build America Bonds) Fund for the Division of Power and Water (Water), to transfer within and expend \$1,077,751.85 in funds from the Division of Sewerage and Drainage, Sanitary B.A.B.s (Build America Bonds) Fund, to amend the 2009 Capital Improvements Budget to establish sufficient budget authority, and the Recreation and Parks G.O. Bonds Fund for the Department of Recreation and Parks and expenditures will be authorized from the individual Division Funds and from the Fed-State Highway Engineering Fund for the Division of Design and Construction.

4. Emergency Justification

This project has been identified as a Federal stimulus package project. Emergency action is necessary to maintain the city's ability to fulfill the project scheduling requirements of the stimulus funding.

TitleTo authorize the Director of Public Service to enter into contract with Shelly and Sands Inc, in connection with the River South - Phase 2 Project; to authorize the appropriation of funds within the State Issue II Street Projects Fund and the Fed-State Highway Engineering Fund; to authorize the transfer of appropriation from the State Issue II Street Projects Fund to the Fed-State Highway Engineering Fund; and to authorize the expenditure of \$10,409,728.40 from the Fed-State Highway Engineering Fund, the Elec B.A.B.s (Build America Bonds Fund for the Division of Power and Water (Power), the Water B.A.B.s (Build America Bonds) Fund for the Division of Power and Water (Water), to transfer funds within the Division of Sewerage and Drainage, Sanitary B.A.B.s (Build America Bonds) Fund, to amend the 2009 Capital Improvements Budget to establish sufficient budget authority, and the Recreation and Parks G.O. Bonds Fund (Department of Recreation and Parks); and to declare an emergency. (\$10,409,728.34)

Body**WHEREAS**, the City of Columbus, Department of Public Service, Division of Design and Construction, the Department of Public Utilities Division of Sewerage and Drainage and Division of Power and Water; and the Department of Recreation and Parks are engaged in the River South - Phase 2 Project; and

WHEREAS, the purpose of this project is to reconstruct 0.21 miles of Front Street between Mound Street and Rich Street; reconstruct 0.20 miles of Rich Street between Civic Center Drive and High Street; reconstruct 0.23 miles of Main Street between Second Street and High Street and widen and resurface 0.11 miles of Main Street between Second Street and Civic Center; and

WHEREAS, other improvements contemplated by this project include upgraded sidewalks with pedestrian crossing upgrades at intersections, landscaping, storm sewers, water lines, street lighting, and traffic control devices; and

WHEREAS, this legislation authorizes the Director of Public Service to enter into contract with Shelly and Sands, Inc. for the construction of the project and to provide funds for inspection of this project; and

WHEREAS, it is necessary to authorize an amendment to the 2009 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure: and

WHEREAS, it is necessary to authorize the transfer within funds from the Sanitary B.A.B. (Build America Bonds) Fund in the amount of \$1,077,751.85 for purposes of providing sufficient funding for the aforementioned project expenditure;

and

WHEREAS, the Department of Public Service, Division of Design and Construction has been awarded a grant in the amount of \$3,745,000.00 and also has been offered the opportunity to borrow a total of \$1,255,000.00 for the River South - Phase 2 project on Front Street between Mound Street and Rich Street; Rich Street between Civic Center Drive and High Street; Main Street between Second Street and High Street; and Main Street between Second Street and Civic Center Drive by means of a 20 year, 0% interest loan; and

WHEREAS, it has been determined that it is in the best interests of the City to borrow said funds, and

WHEREAS, it is necessary to declare the official intent to borrow these funds to comply with the Internal Revenue Service, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction, in that this project has been designated a Federal Stimulus Package project and it is immediately necessary to authorize the expenditure of the additional funds, required to complete design and provide engineering services during construction, to maintain the project schedule, thereby preserving the Federal funds and 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 the Department of Public Service be and is hereby authorized to enter into contract with Shelly and Sands, Inc., 1515 Harmon Avenue, Columbus, Ohio 43223 in an amount not to exceed \$9,463,389.40 for the construction of the River South - Phase 2 Project, and to pay construction inspection costs up to \$946,338.94.

Section 2. That the expenditure of \$10,409,728.34 be authorized to fund the construction and inspection of this project as follows:

Division of Design and Construction (Dept-Div 59-12)

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

765 / 598093-200000 / ARRA - River South Phase 2 / 06-6631 / 598093 / \$6,491,531.01

765 / 598093-200000 / ARRA - River South Phase 2 / 06-6687 / 598093 / \$649,153.10

Division of Power and Water (Water) (Dept-Div 60-09)

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

609 / 690236-100021 / River South Phase 2 / 06-6629 / 623621 / \$1,622,969.90

609 / 690236-100021 / River South Phase 2 / 06-6687 / 623621 / \$162,296.99

Division of Power and Water (Power) (Dept-Div 60-07)

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

559 / 670790-100000 / Front Street / 06-6625 / 559790 / \$277,827.28

559 / 670790-100000 / Front Street / 06-6687 / 559790 / \$27,782.73

Division of Sewerage and Drainage (Sanitary) (Dept-Div 60-05)

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

668 / 650404-100039 / River South Phase II / 06-6630 / 654439 / \$979,774.41

668 / 650404-100039 / River South Phase II / 06-6687 / 654439 / \$97,977.44

Department of Recreation and Parks(Dept-Div 51-01)

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

702 / 510017-100043 / Greenways / 06-6621 / 644526 / \$91,286.80

702 / 510017-100043 / Greenways / 06-6687 / 644526 / \$9,128.68

Section 3. That the City Auditor is hereby authorized to transfer \$1,077,751.85 within the Department of Public Utilities

Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668, Object Level Three 6630, as follows:

From:

Project No. | Project Name | OCA Code | Change

650348-100002 | WWTFs Instrumentation & Control System Upgrade | 652348 | (-\$1,077,751.85)

To:

Project No. | Project Name | OCA Code | Change

650404-100039 | River South Phase 2 | 654439 | (+\$1,077,751.85)

Section 4. That the 2009 Capital Improvements Budget established within ordinance 0806-2009 be and hereby is amended to provide sufficient authority for this project as follows:

Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | (Change)

668 / 650348-100002 / WWTFs Instrumentation & Control System Upgrade / \$3,387,074 / \$2,309,322 | (-\$1,077,752)

668 / 650404-100039 / River South Phase II / \$801,607 / \$1,879,359 / (+\$1,077,752)

Section 5. That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows in order to provide sufficient budget authority for this expenditure legislation:

CURRENT:

Fund 702; Project 510316-100000 /Greenways/ \$1,300,379 (carryover)

Fund 702; Project 510017-100043 /Park and Playground - RiverSouth Phase II / \$0 (carryover)

AMENDED TO:

Fund 702; Project 510316-100000 /Greenways/ \$1,199,963.00 (carryover)

Fund 702; Project 510017-100043 /Park and Playground - RiverSouth Phase II / \$100,416.00(carryover)

Section 6. That the City Auditor is hereby authorized to transfer \$100,415.48 within the Voted 1999/2004 Parks and Recreation Bond Fund No. 702, from project listed below:

FROM:

Project 510316-100000, OCA 644526, Obj Level 3 6600: \$100,415.48

TO:

Project Project 510017-100043, OCA 644526, Obj level 3 6600: \$100,415.48

Section 7. That the sum of \$1,640,684.11 be and hereby is appropriated from the unappropriated balance of Fund 764, the State Issue II Street Projects Fund, and from all monies estimated to come into said funds from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2010 as follows:

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

764 / 598086-100000 / River South Phase 2 / 10-5501 / 598086 / \$1,640,684.11

Section 8. That the Transfer of appropriation between the following funds be authorized as follows:

Transfer from:

Fund / Project # / Project / O.L. 01-03 Codes / OCA Code

764 / 598086-100000 / River South Phase 2 / 10-5501 / 598086 / \$1,640,684.11

Transfer To:

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

765 / 598093-200000 / River South Phase 2 / 80-0886 / 598093 / \$1,640,684.11

Section 9. That the sum of \$7,140,684.11 be and hereby is appropriated from the unappropriated balance of Fund 765, the Fed-State Highway Engineering Fund, and from all monies estimated to come into said funds from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2010 as follows:

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount
765 / 598093-200000 / River South Phase 2 / 06-6600 / 598093 / \$7,140,684.11

Section 10. That on behalf of the State of Ohio, the City of Columbus reasonably expects to reimburse Fund 765, the Fed-State Highway Engineering Fund, for the River South Phase 2 project on Front Street between Mound Street and Rich Street; Rich Street between Civic Center Drive and High Street; Main Street between Second Street and High Street; and Main Street between Second Street and Civic Center Drive in Appendix A of the project agreements with the proceeds of bonds to be issued by the State of Ohio.

Section 11. The maximum aggregate principal amount of bonds, other than for costs of issuance, expected to be issued by the State of Ohio for reimbursement to the local subdivision is \$1,255,000.00.

Section 12. That the City Clerk of the City of Columbus is hereby directed to make a copy of this ordinance available for the inspection and examination of all persons interested therein and to deliver a copy of this ordinance to the Ohio Public Works Commission.

Section 13. That the City of Columbus finds and determines that all formal actions of this City concerning and relating to the passage of this ordinance were taken in an open meeting of the City of Columbus and that all deliberations of this City and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 14. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

Section 15. 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.

Legislation Number: 0493-2010

Drafting Date: 03/16/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The purpose of this legislation is to authorize the Board of Health to enter into a contract for promotoras services at the Health Department's facility located at 240 Parsons Ave as well as nearby health clinics. Promotoras service is a specialized service which entails a variety of responsibilities including, distributing health education and information, making client referrals for health services, facilitating the transportation needs of the clients, answering and responding to phone calls, and assisting the clinic director/staff in meeting the communication needs of Spanish-speaking clients. The Columbus Health Department has a need to provide promotoras interpretation services for persons with limited English proficiency who receive services at the Health Department clinics. The Health Department has a need to make funds available to contract with the Ohio Hispanic Coalition in an amount not to exceed \$32,000. The contract period is April 1, 2010 through March 31, 2011. The Ohio Hispanic Coalition is a non profit and is not required to be contract compliant. Their contract compliance number is 311477946.

Emergency action is requested in order to avoid any delays in providing program services.

FISCAL IMPACT: Funding for this purchase is budgeted in the Health Special Revenue Fund, Fund 250.

TitleTo authorize and direct the Board of Health to enter into a contract with the Ohio Hispanic Coalition for promotoras services; to authorize the total expenditure of \$32,000 from the Health Special Revenue Fund; and to declare an emergency. (\$32,000)

Body

WHEREAS, a need exists for specialized promotoras services for persons with limited English proficiency who receive services at the Health Department clinics; and,

WHEREAS, the Ohio Hispanic Coalition developed a specialized promotoras language interpretation service which is more interactive and involved with clients than standard language interpretation; and,

WHEREAS, the award was made in accordance with Section 329.15 of the Columbus City Code; and,

WHEREAS, this ordinance is being submitted as an emergency measure so that timely procurement of needed services will allow the services to proceed without delay; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into this contract 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 to enter into contract for \$32,000.00 with the Ohio Hispanic Coalition to provide promotoras services.

SECTION 2. That the expenditure of \$32,000.00 is hereby authorized from the Health Special Revenue Fund, Fund No. 250, Division No. 50-01, OCA Code 502062, Object Level One 03, Object Level Three 3445.

SECTION 3. That the City Auditor is authorized to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial records.

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.

Legislation Number: 0499-2010

Drafting Date: 03/17/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The Department of Public Safety, Division of Police, needs to purchase thirty-two (32) Ford Fusions

for unmarked police vehicles to replace vehicles with high mileage and significant maintenance costs. The Division of Fleet Management, the Purchasing office, and the Safety Director's office have approved this purchase utilizing the City UTC which is held by Ricart Properties, Inc.

Bid Information: The Purchasing Office has set up a universal term contract with Ricart Properties, Inc. for the purchase of Ford Fusions under contract FL004540.

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

Contract Compliance: Ricart Properties, Inc.'s # is 311282546 expires 10/23/2010.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$485,440.00 the General Permanent Improvement funds for the purchase of thirty-two (32) Ford Fusions from Ricart Properties, Inc. There is no financial impact on the General Fund operating budget for this purchase. A total of \$3,000,000 was budgeted in the General Permanent Improvement Fund for the purchase of Safety vehicles. Of that, \$2,392,970.84 has already been encumbered for various vehicle purchases for the Division of Police. The Division last purchased new unmarked vehicles in March 2008 when thirty (30) Chevrolet Impalas were procured from a citywide contract.

Emergency Designation: Emergency legislation is requested so the vehicles can be ordered before the manufacturer's cut-off date.

Title

To authorize and direct the Director of Finance and Management to issue a purchase order from an existing UTC with Ricart Properties, Inc. for the purchase of unmarked vehicles for the Division of Police, to authorize the expenditure of \$485,440.00 from the General Permanent Improvement Fund; and to declare an emergency. (\$485,440.00)

Body

WHEREAS, the Department of Public Safety, Division of Police, needs to purchase unmarked vehicles to replace vehicles with high mileage and significant maintenance costs; and

WHEREAS, the city has an universal term contract with Ricart Properties, Inc. for the purchase of vehicles; and

WHEREAS, the funding source for this purchase will come from the General Permanent Improvement Fund; and

WHEREAS, an emergency exists in the usual daily operations of the Division of Police, Department of Public Safety, in that it is immediately necessary to authorize the Director of Finance and Management to issue a purchase order for the purchase of unmarked police vehicles prior to the manufacturer's cutoff date, 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 and Management Director be and is hereby authorized and directed to issue a purchase order to Ricart Properties, Inc. for the purchase of thirty-two Ford Fusions for the Division of Police on the basis of the City's universal term contract number FL004540.

SECTION 2. That the expenditure of \$485,440.00, or so much thereof as may be needed, be and same is hereby authorized as follows:

| DIV 30-03 | FUND 748 | OBJ LEV (01) 06 | OBJ LEVEL (03) 6650 | OCA 748035 | PROJECT 330035-100000

SECTION 3. 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.

Legislation Number: 0506-2010

Drafting Date: 03/18/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

It is necessary to appropriate \$22,000.00 from the unappropriated balance of the Citywide Training Entrepreneurial Fund, so as to allow the Department of Human Resources to enhance both the trainings offered and training equipment at the Citywide Training and Development Center of Excellence.

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 postings promote accurate accounting and financial management.

Fiscal Impact: The funds are currently available in the Citywide Training Entrepreneurial Fund. This ordinance appropriates the funds and allow for needed purchases to be made.

TitleTo authorize an appropriation of \$22,000.00 from the unappropriated balance of the Citywide Training Entrepreneurial Fund so as to allow the Department of Human Resources to enhance the trainings offered and training equipment at the Citywide Training and Development Center of Excellence; and to declare an emergency. (\$22,000.00)

Body

WHEREAS, an appropriation is needed to cover costs associated with Citywide Training Entrepreneurial Fund; and

WHEREAS, an emergency exist in the usual daily operations of the Citywide Training and Development Center of Excellence in that it is immediately necessary to appropriate the funds, thereby preserving the public peace, health, 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 Citywide Training Entrepreneurial Fund, Fund 298, 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, 2010, the sum of \$22,000 is appropriated to the Department of Human Resources as follows:

Division: 4601 | Fund 298 | OL1: 02 | OL3: 2244 | Amount: \$14,000.00

Division: 4601 | Fund 298 | OL1: 02 | OL3: 2213 | Amount: \$3,000.00

Division: 4601 | Fund 298 | OL1: 03 | OL3: 3410 | Amount: \$5,000.00

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

Section 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 is passage and approval by the Mayor, or ten days after passage if the mayor neither approves nor vetoes the same.

Legislation Number: 0507-2010

Drafting Date: 03/18/2010

Current Status: Passed

Explanation

BACKGROUND

This ordinance authorizes the Administrative Judge of the Franklin County Municipal Court to accept a reimbursement grant in the amount of \$38,570 from the American Recovery and Reinvestment Act of 2009 and Franklin County Board of Commissioners. The expenses will be paid by the Court's special revenue fund, probation fees, and the reimbursements will then be deposited into the same fund. This grant will fund a batter intervention program for indigent probationers.

FISCAL IMPACT

No general fund resources are needed as the expenses will be paid from the governmental grant fund.

Emergency legislation is requested to expedite funding for the new grant cycle as close to its commencement on April 1, 2010 as possible.

Title

To authorize and direct the Administrative Judge of the Franklin County Municipal Court to accept and appropriate a reimbursement \$38,570.00 grant award from the American Recovery and Reinvestment Act of 2009 and Franklin County Board of Commissioners for the batter intervention program for indigent probationers; and to declare and emergency. (\$38,570.00)

Body

WHEREAS, it is in the best interest of the City of Columbus to provide batter intervention in the American Recovery and Reinvestment Act of 2009 and Franklin County Municipal Court, Department of Probation Services; and

WHEREAS, a grant from the Franklin County Board of Commissioners in the amount of \$38,570 has been awarded to provide reimbursement of the a batter intervention program for indigent probationers; and

WHEREAS, an emergency exists in the usual daily operation of the city, in that it is immediately necessary to accept the aforementioned grant to continue probationary services in the area of victim assistance and to appropriate and transfer the necessary funds for the program 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 Administrative Judge of the Franklin County Municipal Court be and is hereby authorized to accept and appropriate a reimbursement grant in the amount of \$38,570 from the Franklin County Board of Commissioners.

SECTION 2. That the expenditure of \$38,570 or as much as may be necessary is hereby authorized from the Franklin County Municipal Court, department number 2501, general government grant fund, fund 220, grant number 251005 detail 200000, oca 251005, object level 1 - 3000

SECTION 3. That the monies appropriated in the foregoing Section 1 shall be paid upon the order of the Administrative Judge of the Franklin County Municipal Court and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 4. That the City Auditor is authorized to make any accounting changes necessary to ensure that these transactions are properly accounted for and recorded accurately on the city's financial records.

SECTION 5. 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.

Legislation Number: 0508-2010

Drafting Date: 03/18/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationBackground:

This ordinance will enable the Director of Recreation and Parks to enter into an agreement with the Central Ohio Workforce Investment Corporation (COWIC) for Summer 2010 work experience program.

(COWIC) will hire employees to work for the City of Columbus Recreation and Parks department for four, 8 week sessions.

(COWIC) will hire employees to work in the following sections of Recreation and Parks throughout the four sessions:

- 137 participants for Parks, Forestry and Warehouse
- 8 participants for Permits
- 2 participants for Human Resources

Total value of this program is anticipated to be \$550,692.00.

There will be no costs incurred by The City of Columbus, Recreation and Parks for these employees.

Fiscal Impact:

There is no fiscal impact. All costs associated with the hiring of the summer 2010 staff will be paid on behalf of the City of Columbus directly by (COWIC).

Title To authorize and direct the Director of Recreation and Parks to enter into an agreement with The Central Ohio Workforce Investment Corporation (COWIC) for the Summer 2010 Work Experience Program(\$0.00)

Body WHEREAS, the Central Ohio Workforce Investment Corporation (COWIC) has agreed to fund employment of summer staffing; now, therefore

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

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into an agreement with the Central Ohio Workforce Investment Corporation (COWIC) for Summer 2010 Recreation and Parks staffing.

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

Legislation Number: 0522-2010

Drafting Date: 03/22/2010

Current Status: Passed

Explanation

BACKGROUND: For the option to purchase Transportation Services for Recreation and Parks. Transportation Services is used for the rental of buses and drivers to transport children and adults participating in the School's Out programs and Recreation and Parks activities from various recreation facilities to various events and attractions around the Greater Columbus Area.

The term of the proposed option contract is from the date of execution by the City up to and including March 31, 2013 with the right to extend for two (2) additional one year periods, or portion thereof, subject to mutual agreement by both parties. The Purchasing Office opened formal bids on March 11, 2010.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003510). Five bids (5) were solicited; One (1) bid was received.

The Purchasing Office is recommending award of contract to the lowest, responsive, responsible and best bidder:

V.A.T. Inc. / All Items CC#311004545 (Expires 3-10-2012)

Total Estimated Annual Expenditure: \$27,000.00

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund. Recreation and Parks will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance and Management Director to enter into one (1) contract for the option to purchase Transportation Services from V.A.T., Inc.; to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on March 11, 2010 and selected the lowest, responsive, responsible and best bid; and

WHEREAS, this ordinance addresses Purchasing objective 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, because the Transportation Services is used for the rental of buses and drivers to transport children and adults participating in the School's Out programs and Recreation and Parks activities from various recreation facilities to various events and attractions around the Greater Columbus Area, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Community Recreation Division in that it is immediately necessary to enter into contract for an option to purchase Transportation 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 and Management Director be and is hereby authorized and directed to enter into the following contract for an option to purchase Transportation Services in accordance with SA003510 from the date of execution by the City up to and including March 31, 2013 with the right to extend for two (2) additional one year periods, or portion thereof, subject to mutual agreement by both parties:

V.A.T., Inc., All Items: Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 3349, OCA: 451130, 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.

Legislation Number: 0523-2010

Drafting Date: 03/22/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: An appropriation is needed for the Third Grade Safety Belt Program. The Division of Police participates in the program through an agreement with the State of Ohio Department of Public Safety to conduct safety belt education in primary schools in the City of Columbus. A special purpose grant account was established for the funds received for participating in the program. Expenditures from this fund, per the program guidelines, have been for traffic safety education, enforcement, training or materials.

FISCAL IMPACT: This ordinance authorizes an appropriation of \$4,596.00 currently available in the Third Grade Safety Belt Program grant account for program approved traffic safety related expenditures. All expenditures will be made from available program funds. Therefore, there will be no effect on the financial status of the General Fund.

EMERGENCY DESIGNATION: Emergency legislation is needed to make the appropriated funds available at the earliest possible time to complete the program activities and close the special purpose grant account in a timely manner.

Title

To authorize an appropriation of \$4,596.00 from the unappropriated balance of the General Government Grant Fund for the Division of Police for the Third Grade Safety Belt Program; and to declare an emergency (\$4,596.00)

Body

WHEREAS, the Columbus Division of Police participates in the Third Grade Safety Belt Program; and

WHEREAS, the State of Ohio Department of Public Safety has provided funds for the Division's participation and use in traffic safety activities; and

WHEREAS, an appropriation is needed to expend the funds available in the Third Grade Safety Belt account; and

WHEREAS, the earliest possible implementation of the funded acquisition and activities is needed to have the greatest impact for traffic safety and to allow for the timely completion and close out of the program; and

WHEREAS, and emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to appropriate funds for the Third Grade Safety Belt Program for the preservation of 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 General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose, the sum of \$4,596.00 is appropriated as follows:

<u>DIV</u>	<u>FD</u>	<u>Obj #1</u>	<u>Obj #3</u>	<u>GRANT</u>	<u>OCA</u>
30-03	220	02	2215	338096	302042

SECTION 2. That the monies appropriated in the foregoing Section 1 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 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.

Legislation Number: 0533-2010

Drafting Date: 03/23/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

AN09-009

BACKGROUND: This ordinance is being submitted to set forth the municipal services and zoning conditions the city of Columbus will provide upon annexation of a territory located in Jefferson Township. This ordinance is required by the Ohio Revised Code (ORC) as enacted by the General Assembly of the State of Ohio. An annexation petition has been filed with Franklin County for this property. A service ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Franklin County. Information regarding municipal services that would be available, should the subject site be annexed, has been compiled and is reflected in this ordinance. Should the petition be approved by the County Commissioners, a second City ordinance accepting the annexation will be required to complete the process. The time frames specified in the ORC require that this legislation be filed as emergency.

FISCAL IMPACT: The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. While provision of the stated services does represent cost to the city, annexation of land also has the potential to create revenue to the city.

Title

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN09-009) of 7.0 ± Acres in Jefferson Township to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Body

WHEREAS, a petition for the annexation of certain territory in Jefferson Township was duly filed by Robert L. & Lynn Althoff, Frank D. & Judy K. Carlo and Doris Althoff, Trustee on March 23, 2010; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on April 27, 2010; and

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

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

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

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; 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 Franklin 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 7.0 ± acres in Jefferson 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.

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

Transportation: Maintenance will be available for any additional right-of-way that may be included in this annexation request. If this annexation contains existing signalized intersections, those intersections and signals are subject to Transportation Division Policy, which appeared in the December 6, 2003 Columbus City Bulletin, and any subsequent updates thereto.

Water: The site will be served by an existing 16" water main located in East Broad Street.

Sewer:

Sanitary Sewer:

The properties involved in subject annexation can be served by an existing 8-inch sanitary sewer located in an easement at the north property line of parcel I.D. # 170-000224.

In the current form of multiple properties, a mainline extension would be required (to be completed at owner's expense), however, the public mainline to which the site is tributary was constructed as a capital improvement and would require a front footage fee assessment if tapped with a private service lateral (this is the more likely scenario if lots are to be combined and developed).

Storm Sewer:

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

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

Section 2. If this 7.0 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 Jefferson 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 Jefferson 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.

City RFPs, RFQs, and Bids

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED DAILY AT:

<http://vendorservices.columbus.gov/e-proc/venSolicitationsAll.asp?link=Open+Solicitations&cboType=B>

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

EQUAL OPPORTUNITY CLAUSE: 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 I, 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 \$10,000.00, 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 PROPOSALS CALL THE LISTED DIVISION

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - April 12, 2010 1:00 pm

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003522 - OCM-PS FOR SPACE PLANNING @ MUNI COURT

ADVERTISEMENT FOR BIDS

REQUEST FOR STATEMENTS OF QUALIFICATIONS (RFSQ)

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain Request for Statements of Qualifications (RFSQ) to establish a contract for the PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES FOR SPACE PROGRAMMING AND MASTER PLANNING.

1.2 Classification: The scope of work shall include space study and programming, master scheduling and owner's representation, renovation coordination, coordination among stakeholders, coordination among design professionals, and other consultation services for the long term facility needs of the City of Columbus Municipal Court Building, 375 South High Street, Columbus, Ohio. A pre-qualification meeting is scheduled for March 24, 2010 at 1:00 p.m. at the site (meet in Main Lobby). The budget estimate for this project is \$250,000.00.

RFSQ documents will be available beginning Monday, March 15, 2010. Contact Jennifer Henderson with the Office of Construction Management via email only (jrhenderson@columbus.gov) to obtain an electronic copy.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: April 07, 2010

BID OPENING DATE - April 14, 2010 3:00 pm

SA003536 - DUBLIN ROAD 12 INCH WATER MAIN IMP

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE: The City of Columbus Department of Public Utilities, Division of Power and Water is receiving proposals for the Dublin Road 12-Inch Water Main Improvements Project. The work for which proposals are invited consists of the construction of approximately 5,200 linear feet of 12-inch water line, appurtenances and other such work as may be necessary to complete the contract in accordance with the plans (C-1106) and specifications. All work shall be completed within 365 days from date of the Notice to Proceed.

CLASSIFICATIONS: There is not a Pre-Bid Conference for this bid. Prevailing wage rates apply. A 10% (ten percent) proposal guaranty (proposal bond or certified check) and a 100% (one hundred percent) performance and payment bond are required for this bid. Plans are available to prospective bidders after March 29, 2010. The Bid Date for the project is April 14, 2010.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: March 24, 2010

BID OPENING DATE - April 15, 2010 2:00 pm

SA003533 - OCM-RENOV OF AIR SUPPLY @ FS 7 & 19

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

ELECTRICAL RENOVATIONS FOR THE AIR SUPPLY UNIT FOR THE DIVISION OF FIRE AT FIRE STATIONS #7 AND #19, COLUMBUS, OHIO

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain formal bids to establish a contract for: ELECTRICAL RENOVATIONS FOR THE AIR SUPPLY UNIT, FOR THE DIVISION OF FIRE AT FIRE STATIONS #7 AND #19, COLUMBUS, OHIO for April 1 thru April 15, 2010.

1.2 Classification: Electrical renovation/installations for breathing air systems. This is a single prime project. There will be a pre-bid and site walk-thru on Thursday, April 1 at 9:00 a.m., starting at 1425 Indianola Avenue, Columbus, Ohio 43201. This is not a prevailing wage project. Project does require bonding and insurance.

Brief description- relocating the breathing air supply unit from 270 Greenlawn Avenue to 1425 Indianola Avenue and installing electrical equipment at 3601 N. High Street. This is a single prime project requiring predominately the electrical trade. Construction estimate is \$18,000.00.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

Printing- Drawings and specifications will be available March 30, 2010, at: City Hall, 90 West Broad Street, Room B-41, Columbus, Ohio 43215 (check-in with Security at the Front Street entrance.) The first set of contract documents are available to prospective bidders at no cost. Additional sets are available to prospective bidders at a non-refundable cost of \$25.00 for each set. Addendums will be issued accordingly.
ORIGINAL PUBLISHING DATE: April 07, 2010

SA003539 - ROADWAY IMP MINNESOTA/JOYCE/PARKWOOD

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus, Department of Public Service, is receiving proposals until 3:00 P.M., April 15, 2010, for ROADWAY IMPROVEMENTS - MINNESOTA AVENUE/JOYCE AVE. - PARKWOOD AVE. CIP NO. 530161-100076 and CIP NO. 610763, 1938 Drawer E. Proposals are being received at Department of Public Service, Office of Support Services, 90 W. Broad St., Room 301, Columbus, OH, 43215. The purpose of the project is full depth pavement replacement, curb and gutter, sidewalks, curb ramps, water line replacement, street lighting, drainage improvements, and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents. The Bid Submittal Documents are defined in the City of Columbus Construction and Material Specifications, 2002, as "the bound manual which includes the advertisement for bids, special provisions, the proposal forms, proposed guaranty, contract forms, supplemental specifications, standard drawings (if included), and other notices." The work under this contract shall be completed in a manner acceptable to the City by October 6, 2010.

1.2 Classification: Prevailing wage rates apply. The bidder is required to submit a proposal bond in the form provided in the Bid Submittal documents. The amount of the guaranty shall be expressed in dollars and cents or as a percentage of the bid amount, and shall not be less than ten (10) percent of the bid, including all alternates submitted which increases the bid. Each offeror shall submit with its bond an active City of Columbus Contract Compliance Certification Number, or a completed application for certification. Half sized plans can be purchased at 109 N. Front St, Room 301 for \$13.00 and full sized plans can be purchased for \$25.00. A pre-bid meeting will not be held for this project. All questions concerning the project are to be sent to capitalprojects@columbus.gov. The last day to submit questions is April 8, 2010 at 10:00 am. Responses will be posted on the Vendor Services web site as an addendum and an e-mail will be sent to each firm who purchased plans. Phone calls will not be accepted.

For additional information concerning this bid go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov/e-proc/>) and view this solicitation number in the "open solicitations" listing.

Additional information:

It is highly recommended that proposals are hand delivered and not mailed as US Mail is not delivered directly to this building.

ORIGINAL PUBLISHING DATE: March 30, 2010

SA003542 - BRIDGE CLEANING AND SEALING 2010

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus, Department of Public Service, is receiving proposals until 3:00 P.M., April 15, 2010, for BRIDGE CLEANING AND SEALING 2010, 1652 Drawer A. Proposals are being received at Department of Public Service, Office of Support Services, 90 W. Broad St., Room 301, Columbus, OH, 43215. The work for which proposals are invited consists of cleaning and sealing bridges at various locations in Columbus, and such other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents. The Bid Submittal Documents are defined in the City of Columbus Construction and Material Specifications, 2002, as "the bound manual which includes the advertisement for bids, special provisions, the proposal forms, proposed guaranty, contract forms, supplemental specifications, standard drawings (if included), and other notices." The work under this contract shall be completed in a manner acceptable to the City by July 20, 2010.

1.2 Classification: Prevailing wage rates apply. The bidder is required to submit a proposal bond in the form provided in the Bid Submittal documents. The amount of the guaranty shall be expressed in dollars and cents or as a percentage of the bid amount, and shall not be less than ten (10) percent of the bid, including all alternates submitted which increases the bid. Each offeror shall submit with its bond an active City of Columbus Contract Compliance Certification Number, or a completed application for certification. Plans can be purchased at 109 N. Front St, Room 301 for \$7.00. A pre-bid meeting will not be held for this project. All questions concerning the project are to be sent to capitalprojects@columbus.gov. The last day to submit questions is April 9, 2010 at 10:00 am. Responses will be posted on the Vendor Services web site as an addendum and an e-mail will be sent to each firm who purchased plans. Phone calls will not be accepted.

For additional information concerning this bid go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov/e-proc/>) and view this solicitation number in the "open solicitations" listing.

Additional information:

It is highly recommended that proposals are hand delivered and not mailed as US Mail is not delivered directly to this building.

ORIGINAL PUBLISHING DATE: April 02, 2010

BID OPENING DATE - April 20, 2010 1:00 pm

SA003543 - OCM-GEN'L MAINT @ MOODY HALL POLICE CTR

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

GENERAL MAINTENANCE FOR VARIOUS INTERIOR AND EXTERIOR BUILDING RENOVATIONS AND REPAIRS LOCATED AT THE MOODY HALL NEIGHBORHOOD POLICING CENTER, 248 EAST 11TH AVENUE
COLUMBUS, OHIO 43211

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain formal bids to establish a contract for : GENERAL MAINTENANCE FOR VARIOUS INTERIOR AND EXTERIOR BUILDING RENOVATIONS AND REPAIRS LOCATED AT THE MOODY HALL NEIGHBORHOOD POLICING CENTER, 248 EAST 11TH AVENUE, COLUMBUS, OHIO 43211.

Work to be completed within 90 calendar days upon notification of award of contract.

1.2 Classification: The scope of work will be but not limited to carpentry and painting services. The intent of this bid is to secure general contracting services for various projects.

Below are examples of work to be performed under this contract but are not limited to the following:

" Contractor shall be capable working from blueprints, drawings, written or oral instructions and follow all applicable building codes

" Construct, install, repair, renovate a variety of projects using the following materials: wood, metal, glass, drywall work and finishing, framing, wall preparation, patching and painting, tile work (various), door frames (metal and wood) and hardware, finish carpentry work.

" General contractor shall provide, coordinate and oversee sub-contractors (plumbing, HVAC, electrical, etc.) as needed to complete projects as directed by designee if necessary.

" Contractor shall be able to provide options for project work, set and keep schedules and coordinate all activities with sub-contractors and City designee.

" The contractor shall be required to provide cost estimates to the City upon request. The City retains the right to solicit cost estimates from other vendors. Contracts will be written accordingly.

There will be a pre-bid meeting on Friday April 9, 2010 at 10:00 a.m., at the City of Columbus City Hall located at 90 West Broad Street, Room B-07, Columbus, Ohio 43215. This is a prevailing wage project. A 10% proposal bond/100% performance bond required. All questions and concerns pertaining specifications shall be directed in writing to the City of Columbus Office of Construction Management Project Manager: John Hanson via fax (614-645-0254) or email (jjhanson@columbus.gov) prior to Wednesday, April 14, 2010 by 1:00 p.m. Addendums will be issued accordingly. The budget for this project is \$60,000.00.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: April 06, 2010

BID OPENING DATE - April 22, 2010 11:00 am

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003537 - LABORATORY WATER SAMPLE ANALYSIS

1.0 SCOPE AND CLASSIFICATION

1.1 Scope: The City of Columbus, Division of Power and Water is obtaining bids for professional laboratory services to test water and environmental samples for Giardia and Cryptosporidium. The Parsons Avenue Water Plant will submit samples to be evaluated using the USEPA 1992 "Consensus Method for Determining Groundwaters Under the Direct Influence of Surface Water Using Microscopic Particulate Analysis" (EPA 910/9-92-029). Approximately twelve (12) tests using this method will be completed annually on an as needed basis. The Water Quality Assurance Lab (WQAL) will submit water samples for Giardia and Cryptosporidium using USEPA Method 1623 for both raw and finished water. Under this contract the laboratory would be permitted to incorporate validated improvements to the methods and/or supplies during the course of the contract. Approximately 96 tests using these methods will be completed annually on an as needed basis. Additional microbiological testing, such as Aeromonas, viruses and algal identification may be required as needed. The contract will be in effect from the date of execution by the City through August 31, 2013.

1.2 Classification: The Parsons Avenue Water Plant Services included on this bid are: MPA analysis via the USEPA 1992 "Consensus Method for Determining Groundwaters Under the Direct Influence of Surface Water Using Microscopic Particulate Analysis" (EPA 910/9-92-029) and, if requested by the City, identification of Giardia and Cryptosporidium via immuno-fluorescent antibody (IFA) staining techniques. The Water Quality Assurance Lab Services included on this bid are: Method 1623 Giardia & Cryptosporidium analysis for raw water or finished water, additional aliquot analysis, additional filter analysis, matrix spike analysis and rental of sampling equipment as needed. The Water Quality Assurance Lab also requires additional microbiological analyses as needed. Delivery of test results and items will be made to 910 Dublin Road, Columbus, Ohio.
ORIGINAL PUBLISHING DATE: March 26, 2010

BID OPENING DATE - April 26, 2010 3:00 pm

SA003538 - Muni Ct - Foreign Language Interpreters

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of The Franklin County Municipal Court Judges to obtain formal bids to establish a new contract for Foreign Language Court Interpreters with special qualifications as stated in the bid specifications. The first year of the contract will be from 7/1/10-6/30/11

1.2 Classification: Bids are to be broken down by hourly rate for routine, immediate and emergency service. There will be a prebid meeting on April 7, 2010 at 3:00 p.m. in the Judges Conference Room, Franklin County Municipal Court, 375 S. High St., 10th Floor, Columbus, OH 43215.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: March 26, 2010

BID OPENING DATE - April 28, 2010 2:00 pm

SA003544 - OCM-RENOV OF MUNI CRT - PHASE 2

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS
MUNICIPAL COURT BUILDING RENOVATIONS PHASE II
18th FLOOR AND SECURITY RENOVATION PROJECT,
375 S. HIGH STREET, COLUMBUS, OHIO 43215

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain formal bids to establish a contract for MUNICIPAL COURT BUILDING RENOVATIONS PHASE II - 18th FLOOR AND SECURITY RENOVATION PROJECT, 375 S. HIGH STREET, COLUMBUS, OHIO 43215. Bids are due Wednesday, April 28, 2010 at 2 p.m. Work to be completed within 260 calendar days upon notification of award of contract. THE CITY OF COLUMBUS WILL NOT PROVIDE BID SETS FOR THIS PROJECT. PLANS AND SPECIFICATIONS CAN BE PURCHASED THROUGH KEY BLUEPRINT, INC. at the following locations:

Columbus, Ohio - 195 E. Livingston Avenue, Columbus, Ohio, 43215
Telephone (614) 228-3285 Fax (614) 228-0687

Dublin, Ohio - 6175 Shamrock Ct., Dublin, Ohio 43016 Telephone (614)
761-7999 Fax (614) 761-0179

Westerville, Ohio - 6180 Cleveland Avenue, Columbus, Ohio 43231 Telephone
(614) 899-6180 Fax (614) 899-6786

Cincinnati, Ohio - 411 Elliott Avenue, Cincinnati, Ohio 45215 Telephone (513)
821-2111 Fax (513) 821-6333

COST PER BID SET IS \$120.00. The fee is refundable if bid and specs are returned by May 26, 2010.

1.2 Classification: for MUNICIPAL COURT BUILDING RENOVATIONS PHASE II - 18th FLOOR AND SECURITY RENOVATION PROJECT, 375 S. HIGH STREET, COLUMBUS, OHIO 43215. This project includes but is not limited to the construction of office spaces, furniture, fixtures and equipment (FF&E), plumbing, electrical, mechanical, access control and CCTV surveillance equipment. A pre-bid meeting is scheduled for Wednesday, April 14, 2010 at 1:30 p.m. at the Municipal Court Building, 375 S. High Street, Courtroom 10A. A walk-thru of the building will follow the pre-bid meeting. A follow up walk-thru of the building is scheduled for Monday, April 19, 2010 at 1:30 p.m. Please meet at the 18th floor elevator lobby. These are the only dates and times for building walk-thrus; please plan accordingly.

1.3 This is a prevailing wage project. A 10% proposal bond and 100% performance bond shall be required. All questions and concerns pertaining to the plans and specifications shall be directed in writing to the Architect, Bird-Houk Collaborative, Attention: Matt Van Wienen via fax (614) 418-0614 or e-mail (VANWIENEN@bird-houk.com). All questions and clarification items shall be received by the Architect prior to Friday, April 23, 2010 by 12:00 p.m., the cut off date. Questions received after that time and date will not be addressed. Addendums will be issued accordingly. The budget estimate for this project including contingency is \$3.4 million.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: April 08, 2010

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003506 - CIP 650704 OSIS Augmentation & Relief

Capital Improvements Project No. 650704-100001
OSIS AUGMENTATION AND RELIEF SEWER (OARS), PHASE 1

SCOPE: The project consists of the construction of 20-foot diameter, 170-foot deep combined sewer tunnel, approximately 23,300 feet in length, access shafts, hydraulic drop structure, relief structure, overflow connection sewer, a screening facility and appurtenances as shown on the detailed drawings and as specified in the contract specifications.

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 4015, until 3:00 p.m. Local Time on Wednesday, April 28, 2010. They will be publicly opened and read thereafter in the basement Auditorium.

PROCUREMENT OF DOCUMENTS: Copies of the Bidding Document packet may be purchased from Atlas Blueprint and Supply at atlasblueprint.com and shall be available as of February 17, 2010. No refunds will be made.

PREBID CONFERENCE: There will be a pre-Bid conference held at the Sewer Maintenance and Operation Center (SMOC), Conference Room 0031, 1250 Fairwood Avenue, Columbus, OH 43206 on March 15, 2010 at 10:00 am. Following the pre-Bid conference, a tour will be given to allow Bidders to inspect the project areas and facilities. Bidders are strongly encouraged to attend and participate in the conference and project site tour. Bidders will be charged with knowing whatever was discussed in the pre-bid in preparing and submitting their bid. Transportation to the project site tour and all costs for parking will be the responsibility of the Bidder

CLASSIFICATION: Prevailing Wage Rates apply. A ten percent (10%) proposal bond is required for this bid, and a one hundred percent (100%) performance and payment bond will be required for the making of a contract.

For additional information concerning this bid, including procedures for obtaining a copy of the bidding documents and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>), and view this bid number in the "View Open Solicitations" listing under the "Solicitations" tab.

ORIGINAL PUBLISHING DATE: February 18, 2010

BID OPENING DATE - April 30, 2010 4:00 pm

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003529 - RFSQ - 2010 WATER DIST ENGINEERING CIP

SCOPE: The City of Columbus Department of Public Utilities, Division of Power and Water is receiving statement of qualifications (SOQ's) for the 2010 Water Distribution Engineering Capital Improvement Program. The work for which the SOQ's are invited consists of professional engineering design and surveying services for ten (10) water distribution projects.

CLASSIFICATIONS: There is not a Pre-Bid Conference for this request. Prevailing wage rates do not apply. There are no bonds required as part of this request.

For additional information concerning this request, including procedures for obtaining a copy of the request for statement of qualifications and how to submit for the SOQ, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: March 19, 2010

BID OPENING DATE - May 5, 2010 3:00 pm

SA003540 - DUBLIN AVE SUBSTATION 138KV SWITCH REPL

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE: 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, Columbus, Ohio 43215 until 3:00 p.m., local time, on May 5, 2010, and publicly opened and read at that hour in Department of Public Utilities Complex, 910 Dublin Road, 1st Floor Auditorium, Columbus, Ohio 43215 for the following project: DUBLIN AVENUE SUBSTATION 138KV SWITCH REPLACEMENT.

The work for which proposals are invited consists of field measuring existing 138KV switch mounting locations and purchasing new switches to replace existing switches. New switches shall be field checked for phase-to-ground and phase-to-phase clearances and such other work as may be necessary to complete the Contract in accordance with the Plans and Specifications. Bids shall be received from Contractors certified to work on 138KV equipment. All work shall be completed within 270 calendar days from the date of the Notice to Proceed.

CLASSIFICATION: There is no pre-bid conference for this bid. Prevailing wage rates apply. A 10% (ten percent) proposal bond and a 100% (one hundred percent) performance bond are required for this bid.

Plans are \$25.00 per set (non-refundable). Copies of the Contract Documents and the plans are on file in the office of the Division of Power and Water (Power), 3500 Indianola Avenue, Columbus, Ohio 43214 and available on or after April 5, 2010

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vender Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: March 31, 2010

SA003541 - CIP 650510-100032 Material Storage Addit

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE: Sealed proposals will be received by the City of Columbus, Director of Public Utilities office, 910 Dublin Road, Room 4002, Columbus, Ohio 43215 until 3:00 p.m., Local Time on Wednesday, May 5, 2010, and publicly read at that hour and place in Department of Public Utilities Complex, 910 Dublin Road, 1st Floor Auditorium, Columbus, Ohio 43215 for the following project: CIP PROJECT NO. 650510-100032, SEWER MAINTENANCE OPERATIONS CENTER (SMOC), CONTRACT F32, MATERIAL STORAGE ADDITION

The project consists of the addition of a Material Storage Building to the Sewer Maintenance Operations Center (SMOC), as follows:

1. Construction of a +/- 3,000 SF Material Storage Building at the southeast corner of the existing building
2. Site paving & Landscaping.

CLASSIFICATION: There is a Pre-Bid Conference for this bid. Prevailing wage rates apply. A 10% (ten percent) proposal bond and a 100% (one hundred percent) performance bond are required for this bid.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: April 08, 2010

SA003546 - EMERGENCY UNDERGROUND ELECTRIC REPAIRS

SCOPE: 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, First Floor Auditorium, Columbus, Ohio 43215 until 3:00 p.m., Local Time on Wednesday May 5, 2010 and publicly read at that hour in Department of Public Utilities Complex 910 Dublin Road, 1st Floor Auditorium, Columbus, OH 43215 for the following project: EMERGENCY UNDERGROUND ELECTRIC REPAIRS.

The work for which Proposals are invited consists of furnishing all labor, material and equipment necessary to perform emergency repairs to: all sizes of pvc and steel duct, manholes, vaults, pull boxes, conductors, light standards, and any other work including but not limited to trenching, and directional boring. And any other such other work as may be necessary to complete the contract in accordance with the plans and specifications. All work shall be completed in an expeditious time frame.

CLASSIFICATIONS: Prevailing wage rates apply. A 10% (ten percent) proposal bond and a 100% (One hundred percent) performance bond are required for this bid.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: April 08, 2010

Public Notices

The link to the **Columbus City Health Code** pdf shall constitute publication in the City Bulletin of changes to the Columbus City Health Department's Health Code. To go to the Columbus City Health Code, click [here](#) (pdf).

The Columbus City Code's "**Title 7 -- Health Code**" is separate from the Columbus City Health Code. Changes to "Title 7 -- Health Code" are published in the City Bulletin. To go to the Columbus City Code's "Title 7 -- Health Code," click [here](#) (html).

**City of Columbus
City Bulletin Report**

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

Legislation Number: PN0006-2010

Drafting Date: 12/18/2009

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: 2010 Recreation and Parks Committee Meeting Notice

Contact Name: Carl Williams

Contact Telephone Number: (614) 645-2932

Contact Email Address: CGWilliams@columbus.gov

Body

Council Member Priscilla R. Tyson will host a Recreation and Parks Committee / Development Committee Meeting on the dates listed below. Unless otherwise noted, the meetings will begin at 5:30 P.M. in City Council Chambers, located on the second floor of City Hall, 90 West Broad Street, Columbus, Ohio.

A valid picture ID is needed to enter City Hall.

Persons wishing to address the meeting must fill out a speaker slip. These speaker forms will be made available in Council Chambers from 5:30 until 6:00 P.M. on the day of the meeting.

Thursday, February 18, 2010

Thursday, March 18, 2010 (Arts & Culture Briefing)

Thursday, March 25, 2010 (Arts & Culture Briefing)

Thursday, April 15, 2010

Thursday, May 20, 2010

Thursday, June 17, 2010

Thursday, July 15, 2010

Thursday, September 16, 2010

Thursday, October 21, 2010

Thursday, November 18, 2010

Thursday, December 16, 2010 (Budget Hearing, 5:00 pm)

Agendas for these meetings will be posted on www.columbuscitycouncil.org/tyson as soon as possible.

Legislation Number: PN0010-2010

Drafting Date: 12/23/2009

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: 2010 German Village Commission Meeting Schedule

Contact Name: Randy Black

Contact Telephone Number: (614) 645-6821

Contact Email Address: rblack@columbus.gov

Body

German Village Commission 2010 Meeting Schedule

The German Village Commission has its Regular Meeting the 1st Tuesday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made

available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036 or TDD 645-6802.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (German Village Meeting Haus 588 S Third St.) 4:00pm
December 22, 2009	December 29, 2009	January 5, 2010
January 19, 2010	January 26, 2010	February 2, 2010
February 16, 2010	February 23, 2010	March 2, 2010
March 23, 2010	March 30, 2010	April 6, 2010
April 20, 2010	April 27, 2010	May 4, 2010
May 18, 2010	May 25, 2010	June 1, 2010
June 22, 2010	June 29, 2010	July 6, 2010
July 20, 2010	July 27, 2010	August 3, 2010
August 24, 2010	August 31, 2010	September 7, 2010
September 21, 2010	September 28, 2010	October 5, 2010
October 19, 2010	October 26, 2010	November 2, 2010
November 23, 2010	November 30, 2010	December 7, 2010
December 21, 2010	December 28, 2010	January 4, 2011
January 18, 2011	January 25, 2011	February 1, 2011

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
 Historic Preservation Office
 109 N. Front St. - Ground Floor
 Columbus OH 43215-9031

Legislation Number: PN0011-2010

Drafting Date: 12/23/2009

Version: 1

Title

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Notice/Advertisement Title: Brewery District 2010 Meeting Schedule

Contact Name: Randy F. Black

Contact Telephone Number: (614) 645-6821

Contact Email Address: rblack@columbus.gov

Body

Brewery District Commission 2010 Meeting Schedule

The Brewery District Commission has its Regular Meeting the 1st Thursday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule, please call 645-8036 or TDD 645-6802.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
December 24, 2009	December 30, 2009	January 7, 2010
January 21, 2010	January 28, 2010	February 4, 2010
February 18, 2010	February 25, 2010	March 4, 2010
March 18, 2010	March 25, 2010	April 1, 2010
April 22, 2010	April 29, 2010	May 6, 2010
May 20, 2010	May 27, 2010	June 3, 2010
June 17, 2010	June 24, 2010	July 1, 2010
July 22, 2010	July 29, 2010	August 5, 2010
August 19, 2010	August 26, 2010	September 2, 2010
September 23, 2010	September 30, 2010	October 7, 2010
October 21, 2010	October 28, 2010	November 4, 2010
November 18, 2010	November 24, 2010*	December 2, 2010
December 23, 2010	December 30, 2010	January 6, 2011
January 20, 2011	January 27, 2011	February 3, 2011

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0012-2010

Drafting Date: 12/23/2009

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Victorian Village Commission 2010 Meeting schedule

Contact Name: Randy Black

Contact Telephone Number: (614) 645-6821

Contact Email Address: rblack@columbus.gov

Victorian Village Commission 2010 Meeting Schedule

The Victorian Village Commission has its Regular Meeting the 2nd Thursday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036 or TDD 645-6802

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
December 31, 2009	January 7, 2010	January 14, 2010
January 28, 2010	February 4, 2010	February 11, 2010
February 25, 2010	March 4, 2010	March 11, 2010
March 25, 2010	April 1, 2010	April 8, 2010
April 29, 2010	May 6, 2010	May 13, 2010
May 27, 2010	June 3, 2010	June 10, 2010
June 24, 2010	July 1, 2010	July 8, 2010
July 29, 2010	August 5, 2010	August 12, 2010
August 26, 2010	September 2, 2010	September 9, 2010
September 30, 2010	October 7, 2010	October 14, 2010
October 28, 2010	November 4, 2010	November 11, 2010
November 25, 2010	December 2, 2010	December 9, 2010
December 30, 2010	January 6, 2011	January 13, 2011

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0013-2010

Drafting Date: 12/23/2009

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Italian Village Commission 2010 Meeting Schedule

Contact Name: Randy F. Black

Contact Telephone Number: (614) 645-6821

Contact Email Address: rblack@columbus.gov

Body

Italian Village Commission 2010 Meeting Schedule

The Italian Village Commission has its Regular Meeting the 3rd Tuesday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made

available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036 or TDD 645-6802.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
January 5, 2010	January 12, 2010	January 19, 2010
February 2, 2010	February 9, 2010	February 16, 2010
March 2, 2010	March 9, 2010	March 16, 2010
April 6, 2010	April 13, 2010	April 20, 2010
May 4, 2010	May 11, 2010	May 18, 2010
June 1, 2010	June 8, 2010	June 15, 2010
July 6, 2010	July 13, 2010	July 20, 2010
August 3, 2010	August 10, 2010	August 17, 2010
September 7, 2010	September 14, 2010	September 21, 2010
October 5, 2010	October 12, 2010	October 19, 2010
November 2, 2010	November 9, 2010	November 16, 2010
December 7, 2010	December 14, 2010	December 21, 2010
January 4, 2011	January 11, 2011	January 18, 2011
February 1, 2011	February 8, 2011	February 15, 2011

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
 Historic Preservation Office
 109 N. Front St. - Ground Floor
 Columbus OH 43215-9031

Legislation Number: PN0014-2010

Drafting Date: 12/23/2009

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Historic Resource Commission 2010 Meeting

Contact Name: Randy F Black

Contact Telephone Number: (614) 645-6821

Contact Email Address: rblack@columbus.gov

Body

Historic Resource Commission 2010 Meeting Schedule

The Historic Resource Commission has its Regular Meeting the 3rd Thursday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov.

A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036 or TDD 645-6802.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
January 7, 2010	January 14, 2010	January 21, 2010
February 4, 2010	February 11, 2010	February 18, 2010
March 4, 2010	March 11, 2010	March 18, 2010
April 1, 2010	April 8, 2010	April 15, 2010
May 6, 2010	May 13, 2010	May 20, 2010
June 3, 2010	June 10, 2010	June 17, 2010
July 1, 2010	July 8, 2010	July 15, 2010
August 5, 2010	August 12, 2010	August 19, 2010
September 2, 2010	September 9, 2010	September 16, 2010
October 7, 2010	October 14, 2010	October 21, 2010
November 4, 2010	November 11, 2010	November 18, 2010
December 2, 2010	December 9, 2010	December 16, 2010
January 6, 2011	January 13, 2011	January 20, 2011
February 3, 2011	February 10, 2011	February 17, 2011

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0015-2010

Drafting Date: 12/23/2009

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Board of Commission Appeals 2010 Meeting Schedule

Contact Name: Randy F Black

Contact Telephone Number: (614) 645-6821

Contact Email Address: rblack@columbus.gov

Body

Board of Commission Appeals 2010 Meeting Schedule

The Board of Commission Appeals has its Business Meeting the last Wednesday of every other month (as necessary and barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036 or TDD 645-6802.

Business Meeting Dates
(1st fl. Conf. Rm, 109 N. Front St.)
12:00pm

January 27, 2010
March 31, 2010
May 26, 2010
July 28, 2010
September 29, 2010
November 24, 2010
January 27, 2011

Legislation Number: PN0021-2010

Drafting Date: 12/30/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: 2010 Meeting Schedule - City of Columbus Records Commission

Contact Name: Toya Johnson

Contact Telephone Number: 645-7293

Contact Email Address: tjjohnson@columbus.gov

Body

**CITY BULLETIN NOTICE
MEETING SCHEDULE
CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2010 are scheduled as follows:

Monday, February 8, 2010

Monday, May 10, 2010

Monday, September 20, 2010

These meetings will take place at: City Hall, 90 West Broad Street, 2nd Floor, in the City Council Conference Room (226). 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 - (614) 645-7293.

Advertise: 01/02/2010 to 9/18/2010

Legislation Number: PN0023-2010

Drafting Date: 01/04/2010

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

**OFFICIAL NOTICE
CIVIL SERVICE COMMISSION
COMPETITIVE EXAMINATION ANNOUNCEMENTS**

Notice/Advertisement Title: Civil Service Commission Notice

Contact Name: Annette Bigham

Contact Telephone Number: 614.645.7531

Contact Email Address: eabigham@columbus.gov

Body

OFFICIAL NOTICE
CIVIL SERVICE COMMISSION
COMPETITIVE EXAMINATION ANNOUNCEMENTS

APPLY ON-LINE 24 HOURS A DAY, 7 DAYS A WEEK OR APPLY IN PERSON 9:00 A.M. TO 4:00 P.M.
MONDAY, WEDNESDAY, or THURSDAY.

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is located on our website at www.csc.columbus.gov and is also 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. Applicants interested in City jobs should check our website or visit the Commission offices.

Legislation Number: PN0044-2010

Drafting Date: 01/27/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus Parking Meter Advisory Team

Contact Name: Randall John Bowman

Contact Telephone Number: (614) 645-2464

Contact Email Address: rjbowman@columbus.gov

Body

The Columbus Parking Meter Advisory Team is scheduled to meet at 3:00 p.m. at 109 North Front Street, Ground Floor, Room 100, Columbus, Ohio on the following dates:

February 9, 2010

February 23, 2010

March 9, 2010

March 23, 2010

April 6, 2010

April 20, 2010

The Parking Meter Advisory Team first met on January 19, 2010. The task for the team is to provide advice to the Director of Public Service on potential changes to parking meter locations, operations, pricing, and enforcement in support of the City's short-term and long-term goals for parking meter receipts.

The meetings are open to the public.

Legislation Number: PN0060-2005

Drafting Date: 02/23/2005

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Published Columbus City Health Code

Contact Name: Roger Cloern

Contact Telephone Number: 654-6444

Contact Email Address: rogerc@columbus.gov

Body"The Columbus City Health Code is updated and maintained by the Columbus Health Department.

To view the most current City Health Code, please visit:

www.publichealth.columbus.gov

Legislation Number: PN0094-2010

Drafting Date: 03/29/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Property For Sale, Approximately 2,070 square foot building on 13,167 square feet of land, situated at 2682 Cleveland Avenue, Columbus, Ohio 43211

Contact Name: Real Estate Management Office

Contact Telephone Number: 614-645-5189

Contact Email Address: ralabarre@columbus.gov; jmdominguez@columbus.gov

Body

NOTICE - PROPERTY FOR SALE
APPROXIMATELY 2,070 square feet, .302 ACRES
2682 CLEVELAND AVENUE
COLUMBUS, OHIO 43211

BUILDING DESCRIPTION

This is a one-story, concrete block and brick building containing 2,070 square feet. The interior includes one large open room, a smaller room measuring approximately 15 feet by 18 feet, two bathrooms and a kitchen.

Pedestrian access to the building is by sidewalk from Cleveland Avenue, and off-street parking is provided to the rear of the property off Westerville Road.

SITE DESCRIPTION

The site is located just north of the intersection of Cleveland Avenue and Westerville Road. It is adjacent to a service station located at the aforementioned intersection, and directly south of National City Bank, in the Linden neighborhood. The site is generally rectangular in shape, with vehicular access from Westerville Road.

All utilities are present at the site.

The site has approximately 80 feet of frontage on Cleveland Avenue, and approximately 88 feet of frontage on Westerville Road, with a total area of .302 acres, or 13,155 square feet. Off street parking is provided for approximately 10 to 15 vehicles at the rear of the property.

Traffic counts from Mid-Ohio Regional Planning reflect that the average daily traffic count for this section of Cleveland Avenue is approximately 14,000 vehicles per day, and Westerville Road at approximately 7,500 vehicles per day.

The property is offered for sale, as-is, where-is.

ASKING PRICE

This property is offered for sale at **\$103,000**.

ZONING

The property is currently zoned C-4. This zoning is General Commercial, allowing a broad range of commercial uses.

REMARKS

Terrific location just north of the Westerville Road / Cleveland Avenue split. Open floor plan allows for wide range of uses including restaurant, meeting hall, real estate office, insurance office, general sales office, retail store.

This is also an outstanding redevelopment opportunity for fast food, drive through or any business that can take advantage of highway access to the property from both front and rear of the property.

CONTACT INFORMATION

Roger LaBarre, 614-645-5184

Jim Dominguez, 614-645-5188

Legislation Number: PN0095-2010

Drafting Date: 03/29/2010

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Property For Sale, Approximately 3,854 square foot building on approximately 11,880 square feet of land, and an adjacent undeveloped parcel containing 11,880 square feet, situated at 1551 Cleveland Avenue, Columbus, Ohio 43211

Contact Name: Real Estate Management Office

Contact Telephone Number: 614-645-5189

Contact Email Address: ralabarre@columbus.gov, jmdominguez@columbus.gov

Body

**NOTICE - PROPERTY FOR SALE
APPROXIMATELY 3,854 square feet, ±.54 ACRES
1551 CLEVELAND AVENUE
COLUMBUS, OHIO 43211**

BUILDING DESCRIPTION

The City of Columbus is inviting purchase offers for a subject site consisting of a vacant building containing approximately 3,854 square feet, situated on a parcel of land containing approximately .27 acres, and an adjacent undeveloped .27 acre parcel (Franklin County Auditor's Parcels 010-048327 and 010-048325), identified as 1551 Cleveland Avenue, Columbus Ohio.

The building is the old City of Columbus Fire Station 18, which was constructed in 1934. The first floor consists of a large drive-in bay, a large drive-through bay, a kitchen area, and bathroom. The second floor contains several rooms and a bathroom.

SITE DESCRIPTION

The site is located just north of 13th Avenue, within one mile of access to Interstate 71 via 17th Avenue. This is a two story brick building with full basement. In addition to the lot upon which the building sits, there is an adjacent lot containing 11,880 square feet (.273 acres) that is currently undeveloped. Access to the rear of these parcels is by means of an alley running between 13th and 14th Avenues.

All utilities are present at the site.

Both parcels together have approximately 176 feet of frontage on Cleveland Avenue, with a depth of approximately 135 feet. Traffic counts from Mid-Ohio Regional Planning reflect that the average daily traffic count for this section of Cleveland Avenue is approximately 18,000 vehicles per day.

The property is offered for sale, as-is, where-is.

ASKING PRICE

The property consisting of two parcels of land and building are offered for sale at a price of **\$129,000.**

ZONING

The property is currently zoned C-3. This zoning is General Commercial, Limited, allowing a broad range of commercial uses.

REMARKS

This property would be attractive as an auto repair shop, construction or trades location, restaurant/bar/drive through, with possible living quarters on the second floor. It also has excellent redevelopment possibilities which could fully utilize the adjacent vacant lot.

CONTACT INFORMATION

Roger LaBarre, 614-645-5184

Jim Dominguez, 614-645-5188

Legislation Number: PN0096-2010

Drafting Date: 03/29/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Property For Sale, Approximately 6,963 square foot building on approximately 10,890 square feet of land, situated at 1716 Parsons Avenue, Columbus, Ohio

Contact Name: Real Estate Management Office

Contact Telephone Number: 614-645-5189

Contact Email Address: ralabarre@columbus.gov, jmdominguez@columbus.gov

Body

**NOTICE - PROPERTY FOR SALE
APPROXIMATELY 6,963 square feet, .25 ACRES
1716 PARSONS AVENUE
COLUMBUS, OHIO 43207**

BUILDING DESCRIPTION

The **City of Columbus** is inviting purchase offers for a subject site consisting of a vacant building containing approximately 6,963 square feet, situated on a parcel of land containing approximately .25 acres, Franklin County Auditor's Parcel #010-066800, identified as 1716 Parsons Avenue, Columbus Ohio 43207.

This building is the old Fire Station 14, a two story brick building built in 1906. The building also features a full basement. The interior first floor includes two large drive-in bays, a large drive-through bay and an area for a kitchen. The second floor includes several large rooms, a large bathroom, and a room with a private bathroom, and several other rooms.

SITE DESCRIPTION

The property is situated at the southeast corner of Parsons Avenue and Hinman Avenue.

The site has approximately 90 feet of frontage on Parsons Avenue, and approximately 125 feet on Hinman Avenue. The site includes paved parking in the front, rear and south side of the lot. The south parking is within a fenced area. Traffic counts from Mid-Ohio Regional Planning is based on dated information from 1998, but reflected at that time that the average daily traffic count for this section of Parsons Avenue was approximately 9,000 vehicles per day.

All utilities are present at the site.

The property is offered for sale, as-is, where-is.

ASKING PRICE

The property is offered for sale at an asking price of **\$207,000**.

ZONING

The property is currently zoned C-4. This zoning is General Commercial, allowing a broad range of commercial uses.

REMARKS

This property would be attractive as an auto repair shop, construction or trades location, restaurant/bar/drive through, with the potential for an apartment on the second floor.

CONTACT INFORMATION

Roger LaBarre, 614-645-5184

Jim Dominguez, 614-645-5188

Legislation Number: PN0097-2010

Drafting Date: 03/29/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice of Sale/Advertisement Title: Property For Sale, Approximately 2,928 square foot building on approximately 19,602 square feet of land, situated at 2500 Sullivant Avenue, Columbus, Ohio 43223

Contact Name: Real Estate Management Office

Contact Telephone Number: 614-645-5189

Contact Email Address: ralabarre@columbus.gov, jmdominguez@columbus.gov

Body

**NOTICE - PROPERTY FOR SALE
APPROXIMATELY 2,928 square foot building on .45 ACRES
2500 SULLIVANT AVENUE
COLUMBUS, OHIO 43223**

BUILDING DESCRIPTION

The **City of Columbus** is inviting purchase offers for a subject site consisting of a vacant building containing approximately 2,928 square feet, situated on a parcel of land containing approximately .45 acres, Franklin County Auditor's Parcels 010-051278.

This is a one-story concrete block building formerly used as a medical facility. It contains approximately 2,928 square feet, with a storefront on Sullivant Avenue of approximately 31 feet. The building contains several exam rooms with sinks, a reception area, several offices and storage rooms.

SITE DESCRIPTION

The site contains approximately .45 acres situated at the northeast corner of Sullivant Avenue and Terrace Avenue. The site has approximately 150 feet of frontage on Sullivant Avenue, and approximately 130 feet on Terrace Avenue. The site includes a paved parking lot accommodating approximately 28 vehicles with access from Sullivant and from the alley behind the property. There is additional parking for another four cars behind the building. The site also includes a 30 foot lot adjacent to the building to the east that is not currently being utilized.

Traffic counts from Mid-Ohio Regional Planning reflect that the average daily traffic count for this section of Sullivant Avenue is approximately 17,000 vehicles per day.

All utilities are present at the site.

The property is offered for sale, as-is, where-is.

ASKING PRICE

This property is offered for sale at an asking price of **\$259,000**.

ZONING

The property is currently zoned C-4. This zoning is general commercial, allowing a broad range of commercial uses.

REMARKS

Well suited for a variety of commercial or medical uses. Great for doctor or dentist office, insurance or real estate offices.

191 West Nationwide Blvd.
Columbus, OH 43215

Attorney/Agent: Applicant, c/o Robert Schorr

Case Planner: Jamie Freise, 645-6350

E-mail: JFFreise@Columbus.gov<http://JFFreise@Columbus.gov#>
<<mailto:JFFreise@Columbus.gov><http://JFFreise@Columbus.gov#>>

Legislation Number: PN0100-2010

Drafting Date: 04/01/2010

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: City Council Zoning Agenda for 04/12/2010

Contact Name: Shezronne Zaccardi

Contact Telephone Number: 614-645-1695

Contact Email Address: sezaccardi@columbus.gov

Body

REGULAR MEETING NO. 20

CITY COUNCIL (ZONING)

APRIL 12, 2010

6:30 P.M.

COUNCIL CHAMBERS

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: MILLER, CHR. CRAIG GINTHER PALEY TAVARES TYSON MENTEL

0531-2010

To rezone 5005 CENTRAL COLLEGE ROAD (43081), being 15.9± acres located at the southwest corner of Central College Road and Course Drive, From: NG, Neighborhood General District, To: NE, Neighborhood Edge District (Rezoning # Z09-038).

0532-2010

To grant a variance from the provisions of Sections 3320.15, Thoroughfare standards; and 3320.19 (B) 19 and 20, Private buildings, of the City codes, for the property located at 5005 CENTRAL COLLEGE ROAD (43081), to eliminate the

garage setback requirements and vary the tree planting pattern requirements for a single-family residential development in the NE, Neighborhood Edge District (Council Variance # CV09-032).

Legislation Number: PN0101-2010

Drafting Date: 04/06/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus Art Commission Public Meetings for April 2010

Contact Name: Lori Baudro

Contact Telephone Number: (614) 645-6986

Contact Email Address: lsbaudro@columbus.gov

Body

Public Meeting -- Columbus Art Commission

The Columbus Art Commission is scheduled to hold two meetings in April 2010:

Ø Business Meeting

- 8:30 to 10:00 a.m. on Wednesday, April 14, 2010
At the Lincoln Theatre, 769 East Long Street

Ø Regular Commission Meeting (Hearing)

- 6:00 p.m. on Thursday, 22, 2010
At the Columbus Health Department, 240 Parsons Avenue, room 119C*

* Meeting may be canceled if there are no applications.

For more information and to confirm the meetings will take place, contact: Lori Baudro at (614) 645-6986 or lsbaudro@columbus.gov

A sign language interpreter will be made available provided the Planning Division has at least 48 hours notice before the meeting. Call 645-8036 to make arrangements.

Legislation Number: PN0103-2010

Drafting Date: 04/08/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: City Council Zoning Agenda for 04/19/2010

Contact Name: Shezronne Zaccardi

Contact Telephone Number: 614-645-1695

Contact Email Address: sezaccardi@columbus.gov

Body

REGULAR MEETING NO. 22

CITY COUNCIL (ZONING)

**APRIL 19, 2010
6:30 P.M.
COUNCIL CHAMBERS**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: MILLER, CHR. CRAIG GINTHER PALEY TAVARES TYSON MENTEL

0702-2009

To rezone 3100 COOPER ROAD (43081), being 21.18± acres located east of the intersection of Forest Hills Boulevard and Cooper Road, From: L-AR-12, Limited Apartment Residential District, To: L-AR-12, Limited Apartment Residential District (Rezoning # Z08-066).

(TABLED 12/14/09)