



New Albany Planning Commission Agenda
Monday, June 20, 2022 7:00pm

Members of the public must attend the meeting in-person to participate and provide comment at New Albany Village Hall at 99 West Main Street. The meeting will be streamed for viewing purposes only via the city website at <https://newalbanyohio.org/answers/streaming-meetings/>

I. Call To Order

II. Roll Call

III. Action of Minutes: May 2, 2022
May 16, 2022

IV. Additions or Corrections to Agenda

Swear in All Witnesses/Applicants/Staff whom plan to speak regarding an application on tonight's agenda. "Do you swear to tell the truth and nothing but the truth".

V. Hearing of Visitors for Items Not on Tonight's Agenda

VII. Cases:

VAR-59-2022 Variance

Variance to West Nine 2 Subarea C zoning text section 4(d) to allow a covered porch to be setback approximately 21.5 +/- feet from the rear property line where the zoning text requires a 30-foot setback at 7210 Ebrington Round (PID: 222-004754-00).

Applicant: f5 Design/Architecture c/o Todd Parker

Motion of Acceptance of staff reports and related documents into the record for VAR-59-2022.

Motion of approval for application VAR-59-2022 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

ZC-60-2022 Zoning Amendment

Rezoning of 25.12 +/- acres from Infill Planned Unit Development (I-PUD) to Infill Planned Unit Development (I-PUD) generally located east of the Bob Evans site, south of Smith's Mill Road and north of State Route 161 (portion of PID: 093-107046-00.000).

Applicant: Aaron Underhill, Esq.

Motion of Acceptance of staff reports and related documents into the record for - ZC-60-2022.

Motion of approval for application ZC-60-2022 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

FDP-62-2022 Final Development Plan

Final development plan application for a Moo Moo car wash development generally located south of US-62 within the Canini Trust Corp (PID: 222-000347-00).

Applicant: The Mannik & Smith Group, Inc. c/o Kyle Wrentmore

Motion of Acceptance of staff reports and related documents into the record for FDP-62-2022.

Motion of approval for application FDP-62-2022 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

VAR-63-2022 Variances

Variances to the building/site orientation and site and building signage requirements associated with a final development plan application for a Moo Moo car wash development generally located south of US-62 within the Canini Trust Corp (PID: 222-000617).

Applicant: The Mannik & Smith Group, Inc. c/o Kyle Wrentmore

Motion of Acceptance of staff reports and related documents into the record for VAR-63-2022.

Motion of approval for application VAR-63-2022 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

VIII. Other Business

- Engage New Albany Strategic Plan Hamlet Focus Area
- Planning and Zoning Code Updates
- Design Guidelines and Requirements Update

IX. Poll members for comment**X. Adjournment**

**NEW
ALBANY**
New Albany Planning Commission
May 2, 2022 DRAFT Minutes

Planning Commission met in regular session in the Council Chambers at Village Hall, 99 W. Main Street and was called to order by Planning Commission Chair Mr. Neil Kirby at 7:00 p.m.

Those answering roll call:

Mr. Neil Kirby, Chair	Present
Mr. David Wallace	Present
Mr. Hans Schell	Present
Ms. Sarah Briggs	Present
Mr. Bruce Larsen	Present
Mr. Matt Shull (Council liaison)	Present

Staff members present: Steven Mayer, Development Services Coordinator; Chris Christian, Planner; Benjamin Albrecht, Interim City Attorney; and Josie Taylor, Clerk.

Mr. Kirby asked if there were any additions or corrections to the Agenda.

Mr. Christian stated none from staff.

Mr. Kirby swore all who would be speaking before the Planning Commission (hereafter, "PC") this evening to tell the truth and nothing but the truth.

Mr. Kirby asked if there were any persons wishing to speak to the PC on items not on tonight's Agenda. (No response.)

VAR-50-2022 Variances

Variances to C.O. 1165.04(a)(1) and C.O. 1165.04(a)(2)(E) to allow a pool house to be 1,110 sq.ft. in size and located approximately 15 feet from the rear lot line where code allows a maximum area of 800 sq. ft. based on the size of the lot and requires a 30-foot rear yard setback at 7230 Southfield Road (PID: 222-004784).

Applicant: Guzzo and Garner Custom Builders.

Mr. Christian presented the staff report.

Mr. Kirby asked Mr. Christian to review the second scenario in the presentation and where that option would place the rear yard on the property.

Mr. Christian described how combining the lots would have resulted in three frontage areas for the combined lot and where that would place the rear yard per Code.

Mr. Mayer explained how combining these lots would create a corner lot and how the Code then defined where the rear yard would be located across the area of least dimension.

Mr. Larsen asked if under that same logic the house to the left's front yard would not be on the roundabout and that would then have an accessory structure in the front yard as well.

Mr. Christian stated that the home being constructed did not have a detached accessory structure.

Mr. Larsen asked if when attached then it was no longer an accessory structure.

Mr. Christian stated correct.

Mr. Larsen asked if in that scenario the front yard would be on the roundabout.

Mr. Christian stated correct.

Mr. Larsen asked if that meant there would be two (2) frontages.

Mr. Christian stated correct.

Mr. Tom Rubey, New Albany Company, stated there were requirements regarding the front doors on the individual lots in the roundabout area.

Mr. Kirby asked if, roughly speaking, they faced the roundabout.

Mr. Rubey stated they had to face the roundabout.

Mr. Kirby asked if the original house here, as it was not on a corner lot, was not under that requirement when it had been built.

Mr. Rubey stated only those on the roundabout had that requirement.

Mr. Christian continued the presentation.

Mr. Kirby asked if the applicant wished to provide comments.

Mr. Daniel Snyder, property owner, 7230 Southfield Road, described the use of the lot and the purpose of the purchased lot.

Mr. Rubey stated Mr. Snyder had been working with the New Albany Company on this prior to the purchase of the lot. Mr. Rubey stated the plan was to landscape around the perimeter with trees and hedges so there would be something at the build to line. Mr. Rubey stated he was happy to answer any questions.

Mr. Kirby asked if the lot line movement was something done in the City of New Albany or in Franklin County.

Mr. Rubey stated the process began in the City and then moved to Franklin County.

Mr. Kirby asked if the City had approved this.

Mr. Christian stated yes.

Mr. Kirby asked if that meant the remainder of Lot 31, about one quarter of an acre, was not combined and could be sold separately.

Mr. Mayer stated yes, it could.

Mr. Kirby asked if it could be built on with a home facing the roundabout.

Mr. Mayer stated yes.

Mr. Kirby stated that would require a lot of variances on that lot.

Mr. Rubey stated that was not the result they wanted and noted they could commit not to build on that lot.

Mr. Kirby asked how that could be enforced.

Mr. Rubey stated he did not know.

Mr. Mayer stated they could work with the law director on how to enforce that going forward.

Mr. Kirby asked what the buildable footprint would be on the lot. Mr. Kirby stated it was not a lot of space to build on.

Mr. Snyder stated there would be several issues with that and described several setback issues and requirements they had reviewed with their architect, Mr. Brian Jones.

Mr. Shull asked why the side lot line was where it was rather than closer to the road where it would remove any possibility to build.

Mr. Mayer stated that was so it would meet other Code requirements.

Mr. Kirby stated they could not touch the roundabout frontage or it would become a front yard.

Mr. Mayer stated exactly right. Mr. Mayer stated the lot met the minimum side yard requirements and this was the best layout for the homesite.

Mr. Schell asked if the applicant could elaborate on the landscaping plan.

Mr. Snyder stated they planned for a wall garden and where the roundabout was would be a green space.

Mr. Larsen asked what the other roundabout's looked like.

Mr. Rubey stated they had green hedges with brick piers and there were also two (2) other home sites with brick and evergreen trees.

Mr. Larsen stated there were homes there, which was the difference.

Mr. Rubey stated yes.

Mr. Schell asked if attached structures did not need to meet certain requirements.

Mr. Mayer stated yes.

Mr. Schell asked if a neighboring lot had been sold and asked if staff had heard from the owner.

Mr. Rubey stated Mr. Snyder had reached out to them but there had not been a response.

Mr. Snyder stated no response.

Mr. Schell asked where the tree line was and where it would go.

Mr. Snyder stated there would be screening around the pool house.

Mr. Schell asked if it was one (1) story.

Mr. Snyder stated one (1) story and would blend in.

Mr. Schell asked if it would have no connection to the house.

Mr. Snyder stated they preferred it did not.

Mr. Larsen stated that if it were attached the PC would not be hearing this.

Mr. Rubey stated that tactic was often used, but generally did not look well. Mr. Rubey stated here it would be silly.

Mr. Wallace stated the builders doing that were meeting the existing requirements.

Mr. Rubey stated yes.

Mr. Wallace asked if the problem here was that the owner decided to build a pool house on the property after building a pool on the property that did not fit.

Mr. Rubey stated no, that was not it. Mr. Rubey stated that resulted in a setback requirement for the accessory structure.

Mr. Wallace stated the pool house would not have fit on the original lot until the lot line had been changed.

Mr. Snyder stated that had not been his preference, but it had been recommended to him.

Mr. Wallace asked if it had been Mr. Snyder's decision to build the pool house.

Mr. Snyder stated yes.

Mr. Kirby asked who owned Lot 2 on the roundabout.

Mr. Rubey stated it had been sold to a builder to develop.

Mr. Kirby asked if it would face the roundabout.

Mr. Rubey stated yes.

Mr. Snyder stated the pool house would not be seen from the road.

Mr. Kirby stated there were a lot of criteria in granting variances and some of it was about how this would relate to the surroundings. Mr. Kirby stated one of the things considered by the PC was whether others had purchased the lots with knowledge of what would and would not happen based on their own zoning. Mr. Kirby said there was possibly a reasonable expectation that Lot 31 would have a home on it that faced the roundabout.

Mr. Rubey stated that was correct but it was not uncommon for buyers to purchase multiple lots.

Mr. Wallace asked if the lot line had been officially changed.

Mr. Mayer stated it had been submitted and approved by the City and had been submitted to Franklin County to be recorded and finalized.

Mr. Wallace asked what the process involved in the approval was.

Ms. Briggs asked if it was an automatic process.

Mr. Mayer stated the county mainly made sure it was legally recordable.

Mr. Wallace asked if once the City approved the lot line change then it would be a done deal.

Mr. Mayer stated yes.

Mr. Kirby stated unless the owner failed to file the papers.

Mr. Wallace asked how the zoning requirements would be affected after the lot line had been changed.

Mr. Mayer stated in this case they were affected via the variance request.

Mr. Wallace asked if once the lot line had been changed the requirements then just applied to a larger lot.

Mr. Mayer stated the setbacks would change based on how the lot lines were affected.

Mr. Wallace asked if once the lot line changed and was recorded, would the applicant have had to obtain a variance if the pool house was less than 1,110 feet and was also thirty (30) feet from the lot line.

Mr. Mayer stated no, the variance would not have been needed.

Mr. Wallace stated his concern was that this meant that approval by the City would then also mean that the PC could not change this unless a variance was required. Mr. Wallace stated it was problematic that the ability to change lot lines, which could change the character of the neighborhood, could be done without PC review.

Mr. Larsen stated this created an unbuildable lot and changed the character of the community and he agreed this was a problem.

Mr. Kirby stated this re-platted the corner.

Mr. Mayer stated lot line adjustments and re-platting did the same thing but there were different procedures for each.

Mr. Kirby asked for a definition of 'essential character.' Mr. Kirby stated this had taken a buildable lot and turned it into one that was no longer buildable.

Mr. Mayer stated it might have challenges but the lot was buildable with variances perhaps.

Mr. Kirby stated a lot of lots had covenants with minimum square footage requirements.

Mr. Rubey stated the objective was for it not to be buildable, for the record. Mr. Rubey stated they did not support a home there.

Mr. Kirby stated that was exactly his point, it reduced the lots in the community by one (1).

Mr. Rubey stated there was a distinction between when to replat and when to adjust a lot line.

Mr. Kirby asked if Lot 31 was a legal lot.

Mr. Mayer stated correct, it met minimum requirements for minimum frontage and area requirements. Mr. Mayer stated that because this was a PUD it had flexible requirements and was in a transitional area. Mr. Mayer stated this would be within character.

Mr. Kirby asked if this was not a PUD.

Mr. Mayer stated correct.

Mr. Kirby asked if the active zoning provided the preliminary plat or plan.

Mr. Mayer stated plan.

Mr. Kirby asked if that also gave them the lots.

Mr. Rubey stated lots were created with the preliminary and final plats.

Mr. Kirby asked if the first hearing set included the act of zoning and the preliminary plan.

Mr. Rubey stated those were often combined.

Mr. Wallace stated the second hearing was so the PC could tweak landscaping, entrances, etc. Mr. Wallace noted this was made moot in this case. Mr. Wallace asked what the screening and landscaping requirements were for accessory structures that did not require a variance.

Mr. Mayer stated there were no landscaping requirements for accessory structures here.

Mr. Wallace stated this created a second problem with the City's approval of the lot line change. Mr. Wallace stated this would have allowed an applicant to build an accessory structure on a very visible corner with no landscaping around it if a variance had not been needed.

Mr. Kirby stated he had less of a problem with that.

Mr. Kirby that the problem with the proposed landscaping for Lot 31 would make it look park-like and asked if there would be two entrances onto that lot.

Mr. Snyder stated there would only be one entrance.

Mr. Kirby asked if the vegetation on Ebrington Road would be continuous, without a break.

Mr. Snyder stated it would be continuous, without a break

Mr. Rubey stated it would be continuous, without a break.

Mr. Kirby stated okay, so the image he had was conceptual.

Mr. Schell asked if they had considered an 800 square foot pool house.

Mr. Snyder stated no, they believed they were in compliance.

Mr. Larsen asked if they had considered only purchasing the back corner of the lot and putting the pool house there as that would have allowed the other lot to be buildable.

Mr. Rubey stated that would not work.

Mr. Kirby stated that would not have been appropriate in this neighborhood.

Mr. Larsen stated his concern was that those who purchased lots in this area did so with the understanding that there was an intention that a house would be placed there.

Mr. Rubey stated the landscaping, architecture, and color palatte in the community would unify this and create an environment that was as good as, if not better, than what it would have otherwise been.

Mr. Wallace stated he believed if both lots had been purchased by a single owner prior to the house being built, that owner would likely have placed a single house on both lots which would have looked very different from this.

Ms. Briggs pointed out an area on the presentation and asked staff if that was where the back yard of a home was and who owned that property.

Mr. Snyder stated that was his neighbor's backyard.

Ms. Briggs stated that had been said to be under construction but when completed that would be their back yard.

Mr. Snyder stated that was correct.

Mr. Rubey noted there was a view corridor on that lot.

Ms. Briggs stated thank you. Ms. Briggs pointed out an area on the presentation and asked if there was a fence there now and would it be extended to the new lot line.

Mr. Rubey stated the plan was to have a pool fence and landscaping around the perimeter of the pool, not following the lot line.

Ms. Briggs stated okay.

Mr. Wallace asked if the fence would be inside the lot.

Mr. Rubey stated it would be inside the lot landscaping.

Mr. Schell said he struggled with this as it was all over 300 square feet.

Mr. Wallace stated it was about the ability to designate the landscaping so it would not look awful.

Mr. Schell stated what he meant was that if the pool house had been no more than 800 square feet there would not have been an issue.

Mr. Wallace stated yes, but then they would also have had no say in the landscaping.

Mr. Kirby stated that risk would always be present with a visible side yard.

Mr. Wallace agreed, but stated he believed there were not many of those.

Mr. Snyder asked about landscaping approval and the Architectural Review Committee.

Mr. Kirby stated they were not under the PC's purview. Mr. Kirby stated there were about three different levels involved in approvals in the Country Club area. Mr. Kirby stated a note indicated only one neighbor would be affected by the variance and that neighbor had signed off on the location. Mr. Kirby asked what had been signed off.

Mr. Rubey stated they had reached out to the neighbor but the neighbor had not communicated back.

Mr. Kirby asked that this correction be noted in the 'To Whom it May Concern' letter.

Mr. Rubey stated they had done their due diligence but had not heard from the property owner.

Mr. Wallace stated it should also be noted that the house was owned by the developer.

Mr. Snyder stated the builder had told him that.

Mr. Schell pointed out two (2) properties in the presentation and asked about their owners' views on this application.

Mr. Snyder stated he knew the one (1) moving into one of the properties and said he purchased knowing what Mr. Snyder was planning for his lots.

Mr. Schell stated it would be hard to answer to those neighbors about this application without hearing their views.

Mr. Rubey stated they had notified the neighbors as required.

Mr. Larsen asked which neighbors had been notified.

Mr. Christian stated all neighbors within 200 feet of the property lines had been notified.

Mr. Kirby asked if both lots had been included.

Mr. Christian stated Lot 31 had been included.

Mr. Larsen asked if that included Lot 2 and another lot he pointed out in the presentation.

Mr. Christian stated all of those were on his list of owners who had been notified.

Mr. Kirby stated that if had only been based on the original lot that would have been smaller than the new lot.

Mr. Larsen stated it should have included anyone within 200 feet of Lot 31 as the lot line change was still in process.

Mr. Mayer stated the 200 foot amount included both lots.

Mr. Shull asked if it was the essential character issue under Duncan that was creating a concern.

Mr. Kirby stated yes, but also items 8, 10, and 11 in the zoning code criteria.

Mr. Shull asked if the green space, as it was in character here, had any effect.

Mr. Kirby asked if the PC could put a condition on a property that was not under review.

Mr. Albrecht stated the parties could work together on Lot 31 and put a condition or deed restriction in place going forward.

Mr. Kirby asked if that was because they had the same owner.

Mr. Albrecht stated yes.

Mr. Shull stated that was what he had been getting at.

Mr. Kirby stated the essential character of the neighborhood would be considered, but noted the neighbors also had a say in that. Mr. Kirby said he really wanted to hear from the owners of Lots 1 and 2 about this. Mr. Kirby asked if the applicant wished to table or have a vote tonight.

Mr. Snyder asked if a vote was conducted and the vote was no, what would then happen.

Mr. Kirby stated it was a hard process to redo a vote.

Mr. Albrecht stated a new process would need to begin if the vote was no but if it was tabled then they could just return.

Mr. Snyder asked what was difficult about the new process with a no.

Mr. Kirby stated he would need to go to court.

Mr. Snyder asked if he could still use the lot.

Mr. Kirby stated yes.

Mr. Wallace stated he would just not be able to build the pool house.

Mr. Snyder stated unless it was smaller.

Mr. Albrecht stated he could use the lot and there were different options available.

Mr. Snyder asked if the questions here were about the character of the neighborhood and the size of the pool house.

Mr. Kirby stated that once they were past the essential character of the neighborhood issue, if the two (2) lots were effectively one (1), then it would be easier to deal with the square footage. Mr. Kirby stated there was also the issue of setbacks on the yard due to side and back yards abutting.

Mr. Mayer stated correct.

Mr. Kirby stated if this had been Mr. Snyder's side yard then he would not have needed a fifteen (15) foot variance.

Mr. Mayer stated right.

Mr. Kirby stated the neighbor most influenced by this had his side yard there.

Mr. Rubey asked what would stop Mr. Snyder from combining the lots and building the pool house and it would be a non-conforming existing condition.

Mr. Kirby stated he wondered why that had not been asked in the first place.

Mr. Mayer stated the Code did not permit something to be made non-conforming. Mr. Mayer noted corner lots could be difficult.

Mr. Rubey stated that if the lots were combined then the front, side, and rear yards changed and, if the requirements were met, then why could Mr. Snyder not build on that.

Mr. Mayer stated a variance would still be needed for what would become the side and rear yards due to the setbacks involved.

Mr. Rubey asked if the PC would be more amenable to that.

Mr. Kirby stated yes, he thought they might prefer that variance over this one as it would get rid of an unbuildable lot. Mr. Kirby noted the applicant should nail down his three most important neighbors regarding the landscaping and lot lines.

Mr. Mayer stated that would put the accessory structure in the front yard.

Mr. Kirby stated if one owned an island then there would be no back yard.

Mr. Mayer stated true, but past interpretation would give this multiple front yards and add variances.

Mr. Snyder stated he had been working on this since October and the design was from those who developed the community. Mr. Snyder stated he thought the only issue involved was the size variance and all neighbors were sent letters and none responded nor chose to appear tonight.

Mr. Kirby stated he was not adverse to Mr. Snyder enjoying his lot or pool but the PC was looking for the right way to do this.

Mr. Wallace stated the fact that the property could be used without a variance was his issue. Mr. Wallace stated this was only here due to the size of the pool house and the owner was aware of the size prior to his purchase.

Mr. Snyder stated that when he purchased the lot the New Albany Company contacted him regarding the importance of the lot and the pool house design was done in proportion to achieve the best look.

Mr. Wallace asked if both lots had been purchased at the same time.

Mr. Snyder stated no.

Mr. Wallace asked if the lot with the house on it had been purchased first.

Mr. Snyder stated yes.

Ms. Schell stated both precedent and consistency were important and the PC needed to be careful in granting variances.

Mr. Snyder stated this was very confusing and the property was unique.

Mr. Kirby stated all properties were unique according to their owners.

Mr. Shull asked if having something from neighbors okaying this would clear up the Duncan factors.

Mr. Snyder asked what the neighbors needed to be in agreement with.

Mr. Schell stated Mr. Snyder's design for the lots.

Mr. Snyder asked what would happen if they were not.

Mr. Wallace that the point Mr. Shull had was that if the neighbors in the cul-de-sac wrote a letter or came to the PC and stated they were in favor of the variance that could go a long way in getting an approval.

Mr. Kirby stated yes.

Mr. Snyder asked if the approval could be done pending that.

Mr. Kirby stated no, it was along the line of whether the neighbors would prefer to see the green space on the lot versus the house that would have been placed there instead.

Mr. Snyder stated the variance was not the greenery though. Mr. Snyder asked what would occur if he made the pool house 800 square feet or connected it to the house.

Mr. Kirby stated then the PC was done, but he would still need to work with the New Albany Company and the Architectural Review Committee.

Mr. Snyder made a comment.

Mr. Wallace asked Mr. Snyder to repeat the comment.

Mr. Snyder stated he had no questions.

Mr. Kirby stated it would be good to hear from the owners of lots 1, 2, and 30 as they were the most directly affected, particularly for the landscaping.

Mr. Mayer stated yes.

Mr. Rubey stated yes.

Mr. Kirby stated the applicant could, for example, offer it as an alternative to the neighbors as to having a house there or the greenery and ask which they would prefer and if the owner on Lot 30 would be fine with only a fifteen (15) foot setback.

Mr. Schell stated he believed it should not be too difficult to ask the neighbors about this.

Mr. Snyder stated he could send neighbors all of his the plans.

Mr. Schell stated they would likely be thrilled and then they could have a short conversation and obtain a written approval that would make it more comfortable for the PC.

Mr. Wallace stated not for him, but for others it might.

Mr. Albrecht stated Mr. Snyder could leave the lot vacant now, so he did not want to mislead Mr. Snyder about what he wanted to present as the lot could just be left without anything on it.

Mr. Snyder stated he could also just build a house there.

Mr. Wallace asked if the applicant would want this to be tabled.

Mr. Larsen asked if the notifications for the lots under construction were sent to the developer.

Mr. Christian stated he would need to check.

Mr. Kirby asked if these lots were being specifically built for an owner or were they spec homes.

Mr. Mayer stated the notifications were sent to the property owner of record at the time the letters were sent out.

Mr. Larsen stated that was probably the developer.

Mr. Snyder asked if he should submit the plans to the owner.

Mr. Schell stated the owner at this time.

Mr. Larsen stated the long term owner would be preferable.

Mr. Wallace stated if the developer or builder said okay then that was fine but if the owner whom the builder was building for also said it was okay that was even better.

Mr. Snyder asked if the lot line move was still okay.

Mr. Kirby stated that was up to him to file.

Mr. Snyder asked if would be better to move the lot line and have the neighbors approve it and then just get a variance.

Mr. Kirby stated he could not make that determination.

Mr. Rubey stated they could see if the City had recorded it and, if not, then leave it as it was now.

Mr. Snyder asked how the voting would work, as he felt his neighbors would approve it. Mr. Snyder asked if he would then need to return to the PC.

Mr. Kirby stated he could get a vote or he could choose to table.

Mr. Mayer stated they would need about two (2) weeks to properly notify neighbors but they could just do that so they could meet again about this in two (2) weeks' time.

Mr. Kirby asked how much time Mr. Snyder would prefer to table this for.

Mr. Snyder stated he preferred two (2) weeks.

Mr. Kirby stated then he would return for a vote.

Mr. Schell stated the return would likely be quick.

Mr. Shull stated it could be a confusing process but the Duncan factors and other criteria, particularly that regarding essential character, did involve the neighbors.

Moved by Mr. Kirby to accept the staff reports and related documents into the record, as corrected, for VAR-50-2022, seconded by Ms. Briggs. Upon roll call: Mr. Kirby, yea; Ms. Briggs, yea; Mr. Larsen, yea; Mr. Schell, yea; Mr. Wallace, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0 vote.

Moved by Mr. Larsen to table VAR-50-2022 for two (2) weeks, until the next scheduled meeting on May 16, 2022, seconded by Mr. Schell. Upon roll call: Mr. Larsen, yea; Mr. Schell, yea; Mr. Wallace, yea; Mr. Kirby, yea; Ms. Briggs, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0 vote.

Other Business

Mr. Kirby asked if there was any Other Business.

Mr. Christian stated no.

Poll Members for Comment

Mr. Wallace asked if there was a mechanism in place for getting an advisory opinion from the PC before lot lines were changed.

Mr. Mayer stated an informal review meeting might be possible in similar situations in the future.

Mr. Kirby stated this was a de facto replating.

Mr. Larsen stated he agreed and it changed neighbors' expectations.

Ms. Briggs asked if a developer got a mailing would the owner even know.

Mr. Albrecht stated sending a notification to the owner of record satisfied the requirement.

Mr. Larsen asked if more could be asked than what was required.

Mr. Albrecht stated that became a slippery slope as well as with an informal opinion.

Mr. Wallace asked what the thought process involved in a lot line change was.

Mr. Mayer stated that in this case it seemed to be which option resulted in the least of all evils.

Mr. Wallace stated he understood.

Mr. Mayer stated that based on their reviews they realized there would be variances regardless.

Mr. Wallace stated it seemed that the lot line change created the problem here.

Mr. Mayer stated the owner had been advised of this and the application met the Code requirements.

Mr. Schell asked if the applicant had thought it was a done deal.

Mr. Mayer stated they tell applicants they cannot promise anything.

Mr. Kirby adjourned the meeting at 8:40 p.m.

Submitted by Josie Taylor.

APPENDIX



COMMUNITY CONNECTS US

Planning Commission Staff Report
May 2, 2022 Meeting

7230 SOUTHFIELD DRIVE ACCESSORY STRUCTURE VARIANCES

LOCATION: 7230 Southfield Drive (PID: 222-004784).
APPLICANT: Guzzo & Garner Custom Builders
(A) Variance to CO 1165.04(a)(1) to allow an accessory structure to be 1,110 sq. ft. in size where code allows a maximum area of 800 sq. ft. based on the size of the lot.
(B) Variance to CO 1165.04(a)(2)(E) to allow an accessory structure to be located 15+/- feet from the rear property line where the code requires a 30-foot setback.
ZONING: West Nine I-PUD Zoning District
STRATEGIC PLAN: Residential
APPLICATION: VAR-50-2022

Review based on: Application materials received on April 21, 2022

Staff report prepared by Chris Christian, Planner

I. REQUEST AND BACKGROUND

The applicant requests the following variances associated with the construction of a new accessory structure on the property.

- (A) CO 1165.04(a)(1) to allow an accessory structure to be 1,110 sq. ft. in size where code allows a maximum area of 800 sq. ft. based on the size of the lot.
- (B) CO 1165.04(a)(2)(E) to allow an accessory structure to be located 15+/- feet from the rear property line where the code requires a 30-foot setback.

II. SITE DESCRIPTION & USE

The property is .50 acres in size and contains a single-family home as well as a swimming pool. The lot is located in the Ebrington subdivision. The applicant also owns the adjacent property to the west and has completed a lot line adjustment application which differs from how the lot lines are shown on the Franklin County Auditor's website at the time of writing this staff report. The new property lines are reflected correctly in the packet materials.

III. EVALUATION

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. The property owners within 200 feet of the property in question have been notified.

Criteria

The standard for granting of an area variance is set forth in the case of *Duncan v. Village of Middlefield*, 23 Ohio St.3d 83 (1986). The Board must examine the following factors when deciding whether to grant a landowner an area variance:

All of the factors should be considered and no single factor is dispositive. The key to whether an area variance should be granted to a property owner under the “practical difficulties” standard is whether the area zoning requirement, as applied to the property owner in question, is reasonable and practical.

1. *Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.*
2. *Whether the variance is substantial.*
3. *Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a “substantial detriment.”*
4. *Whether the variance would adversely affect the delivery of government services.*
5. *Whether the property owner purchased the property with knowledge of the zoning restriction.*
6. *Whether the problem can be solved by some manner other than the granting of a variance.*
7. *Whether the variance preserves the “spirit and intent” of the zoning requirement and whether “substantial justice” would be done by granting the variance.*

Plus, the following criteria as established in the zoning code (*Section 1113.06*):

8. *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
9. *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*
10. *That the special conditions and circumstances do not result from the action of the applicant.*
11. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
12. *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*

III. RECOMMENDATION

Considerations and Basis for Decision

- (A) CO 1165.04(a)(1) to allow an accessory structure to be 1,110- sq. ft. in size where code allows a maximum area of 800 sq. ft. based on the size of the lot.**
- (B) CO 1165.04(a)(2)(E) to allow an accessory structure to be located 15+/- feet from the rear property line where the code requires a 30-foot setback.**

The following should be considered in the commission’s decision:

1. Lots 31 and 32 in the Ebrington subdivision are under the common ownership. There is an existing house and swimming pool on lot 32. The applicant submitted a permit application to construct the subject accessory structure on lot 31. During the permit review process, staff identified the code deviations and a lot line adjustment application was completed. The applicant is requesting the variances in order to align the accessory structure with the existing pool on the property.
2. C.O. 1165.04(a)(1) permits different sizes of accessory structures based on the size of the lot they are located on.
 - The current code allows for an additional 400 square feet of space for every acre, starting at a maximum of 800 sq. ft. for lots less than one acre.
 - Lot 32 is .754 acres in size. In sum the two adjacent properties, under common ownership,

- are a total of 1 acre in size. If the two lots were combined, a variance would not be required.
- However, the properties cannot be combined because it would create other non-conformities on the lot. Because of that, in order to construct a 1,110 sq. ft. accessory structure, a variance is required.
3. C.O. 1165.04(a)(2)(e) states that accessory structures must be setback 30 feet from a rear property line and the applicant requests a variance to allow this structure to be located 15 feet away.
 4. There are special circumstances and conditions which are peculiar to the land that justify the variance requests given the ownership and location of lots 31 and 32 in relation to the roundabout. The property owner seeks to construct an accessory structure next to the pool either on one or both properties but a variance is needed due to the technical definitions of rear and side yards.
 5. The accessory structure cannot be located on its own lot per C.O. 1131.02 as an accessory structure cannot exist without a primary structure. For this reason, a lot line combination or adjustment is required. However, both options result in a variance(s) being required. For these reasons, it does not appear that the problem may be solved in another manner other than granting a variance request.
 - i. If the lots are combined:
 1. Due to the lot location on a roundabout, it would have three frontages.
 - a. The proposed accessory structure would be located in a front yard.
 - b. The new combined lot would have a new rear yard as defined by city code, making the current side lot line a rear lot line. As stated, there is an existing home on the lot and it would be encroaching into the required rear yard setback.
 2. A variance to C.O. 1165.04(a)(2)(A) to allow an accessory structure to be located in the front yard would be necessary.
 3. A variance to the zoning text would be necessary to allow an existing home to be located in the 30-foot rear yard setback.
 - ii. The lot line is adjusted (current scenario):
 1. The lot that the accessory structure is located on is only .754 acres in size therefore a 800 sq. ft. accessory structure is permitted to be developed
 2. As defined by city code, the rear lot line remains as currently identified and the proposed accessory structure is located within the rear yard setback.
 3. A variance to CO 1165.04(a)(1) is needed to allow the accessory structure to be 1,110 sq. ft. in size to be developed.
 4. A variance to C.O. 1165.04(a)(2)(E) is needed to allow the accessory structure to be located 15 feet from the rear property line.
 - iii. In order to avoid creating non-conformities with the existing home and pool and encourage good design, the applicant submitted a lot line adjustment application rather than a lot line combination as recommended by city staff.
 6. It does not appear that the essential character of the neighborhood would be altered if the variance is granted. The rear lot line of lot 32 runs along the side lot line of lot 30. There is an existing accessory structure on lot 30 that is located only 10 feet away from this same property line, which is closer than what is being proposed for the subject property. In order to provide screening and buffer lot 30, staff recommends that landscaping be added along the rear lot line where the encroachment into the setback is proposed, subject to staff approval.
 7. While the applicant needs variances to construct the desired accessory structure, the plan accomplishes good design which is a hallmark of residential development in New Albany and will not alter the character of the surrounding area. City code regulations, nor zoning texts, can contemplate every development scenario that may occur within a subdivision and a literal interpretation of these provisions deprives the applicant of rights commonly enjoyed by other

residentially zoned and used properties in the city.

8. The Ebrington subdivision contains large and small lots where large estate homes as well as cluster development is desired. These two lots are smaller, cluster lots therefore having larger structures located closer to property lines is more appropriate as it is consistent with the desired development pattern for this section of Ebrington. There are very limited instances where this type of development scenario may occur however the applicant has taken these unique site characteristics into account as part of development of the accessory structure to maintain the character of the Ebrington subdivision. Additionally, the proposed site layout achieves an appropriate design as it aligns with the existing pool on the site and it is located an appropriate distance from the primary structure.
9. It does not appear that the variance would adversely affect the delivery of government services, affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

IV. RECOMMENDATION

Staff recommends approval of the requested variance should the Planning Commission find that the application has sufficient basis for approval. While variances are proposed, a variance(s) will always be necessary to build a detached accessory structure at this site due to a literal interpretation of the zoning code, the common ownership and location of lots 31 and 32 in relation to the roundabout and the definition of side, rear and front yards found in city code. Taking all of these items into consideration, the applicant followed a permitting path as recommended by city staff that preserves the essential character of the Ebrington subdivision and maintains good design which is a hallmark of all residential development in New Albany. Plus, additional landscaping will provide a buffer for the neighboring property owner where the setback encroachment is proposed.

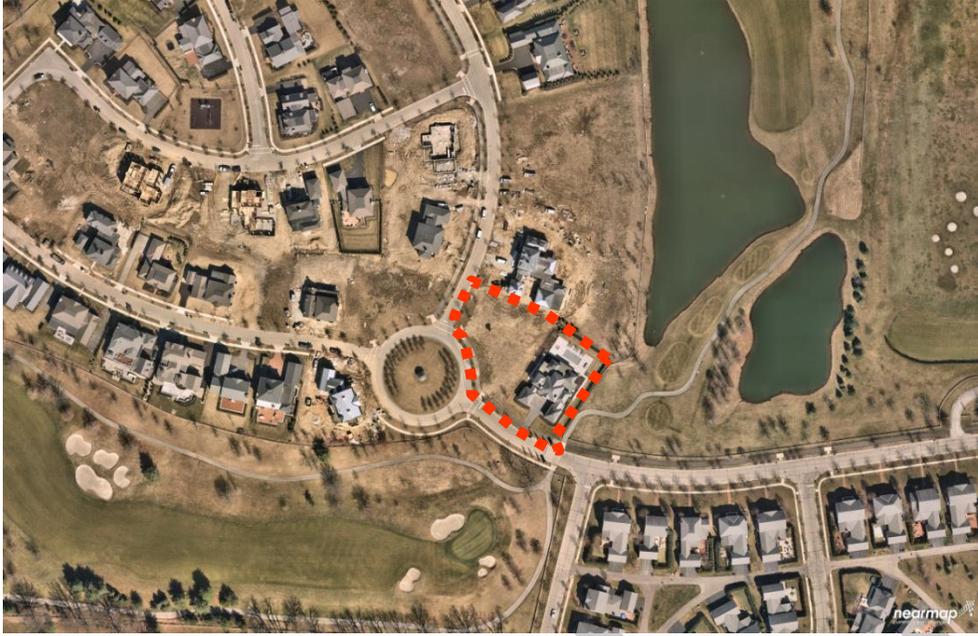
V. ACTION

Should the Planning Commission find that the application has sufficient basis for approval, the following motion would be appropriate.

Move to approve application VAR-50-2022 based on the findings in the staff report with the following condition of approval (conditions of approval may be added).

1. Landscaping must be added along the rear property line where setback encroachment is proposed, subject to staff approval.

Approximate Site Location:



Source: NearMap

DRAFT


New Albany Planning Commission
May 16, 2022 DRAFT Minutes

Planning Commission met in regular session in the Council Chambers at Village Hall, 99 W. Main Street and was called to order by Planning Commission Chair Mr. Neil Kirby at 7:00 p.m.

Those answering roll call:

Mr. Neil Kirby, Chair	Present
Mr. David Wallace	Present
Mr. Hans Schell	Present
Ms. Sarah Briggs	Present
Mr. Bruce Larsen	Present
Mr. Matt Shull (Council liaison)	Present

Staff members present: Steven Mayer, Development Services Coordinator; David Moser, Interim City Attorney; and Josie Taylor, Clerk.

Moved by Mr. Larsen to approve the April 4, 2022 meeting minutes as amended per Mr. Larsen's comment regarding the added condition on CU-33-2022 that a sidewalk shall be located by the side entrance, seconded by Ms. Briggs. Upon roll call: Mr. Larsen, yea; Ms. Briggs, yea; Mr. Schell, yea; Mr. Wallace, abstain; Mr. Kirby, yea. Yea, 4; Nay, 0; Abstain, 1. Motion passed by a 4-0-1 vote.

Mr. Kirby asked if there were any additions or corrections to the Agenda.

Mr. Mayer stated none from staff.

Mr. Kirby swore all who would be speaking before the Planning Commission (hereafter, "PC") this evening to tell the truth and nothing but the truth.

Mr. Kirby asked if there were any persons wishing to speak to the PC on items not on tonight's Agenda. (No response.)

VAR-41-2022 Variance

Variance to Hawksmoor I-PUD zoning text section III(5)(a) to allow a swimming pool to be located in a side yard at 4 Hawksmoor Road (PID: 222-003482).

Applicant: Capital City Pools, Inc.

Mr. Mayer presented the staff report and noted that the previously requested letters from neighbors were in the PC members' packets.

Mr. Kirby asked if there was a landscaping commitment included with this application.

Mr. Mayer stated that where no conditions of approval for additional landscaping but the applicant was proposing to put seven (7) to eight (8) foot tall arbor vitae around the pool. Mr. Mayer added there were three (3) layers of arbor vitae from the street.

Mr. Kirby stated okay.

Mr. Larsen stated it was proposed but there was no condition that required it be done.

Mr. Kirby stated they could add that condition.

Mr. Larsen stated it should at least be required around the pool.

Mr. Kirby asked if the Applicant wanted to provide comments.

Mr. Mike Romas, Landscape Architect, Capital City Pools, stated letters from neighbors had been provided to the PC and noted that the owners, Mr. and Mrs. Andrew Rumpke were present.

Mr. Rumpke thanked the PC for hearing this matter again. Mr. Rumpke discussed the project and its landscaping. Mr. Rumpke said they had the support of their neighbors and noted the Home Owners Association had approved this project and he wanted to be sure this process was done correctly.

Mr. Kirby asked if the Applicant had any conflict with the proposed condition for landscaping to be subject to staff approval.

Mr. Rumpke stated no.

Mr. Schell indicated an area on the presentation and asked if there would be an additional row of arbor vitae in that location.

Mr. Rumpke stated yes.

Mr. Schell asked if those were currently there.

Mr. Rumpke stated that was a hew hedge.

Mr. Romas stated that was a hew and indicated that on the street there was a boxwood that would be lower in height. Mr. Romas stated that after that there would be a taller evergreen hedge, and then there would be another tall row of landscaping.

Mr. Schell asked if the pool would not be seen from the street.

Mr. Romas said no.

Mr. Rumpke stated correct.

Mr. Schell stated he appreciated the extra steps they were taking.

Mr. Larsen stated he appreciated the Applicant had obtained comments from all neighbors.

Mr. Kirby asked if any members of the public had any comments or questions. (No response.)

Moved by Mr. Kirby to accept the staff reports and related documents into the record, including the letters submitted by the neighbors about this application, for VAR-41-2022, seconded by Mr. Schell. Upon roll call: Mr. Kirby, yea; Mr. Schell, yea; Mr. Wallace, yea; Ms. Briggs, yea; Mr. Larsen, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0 vote.

Moved by Mr. Schell to approve VAR-41-2022 based on the findings in the staff report with the conditions listed in the staff report and the additional condition that landscaping be subject to staff approval, seconded by Ms. Briggs. Upon roll call: Mr. Schell, yea; Ms. Briggs, yea; Mr. Larsen, yea; Mr. Wallace, no; Mr. Kirby, yea. Yea, 4; Nay, 1; Abstain, 0. Motion passed by a 4-1 vote.

Mr. Wallace stated he voted no because he did not believe the variance met the requirements of the Duncan factors and he thought the property was usable as purchased and the property's limitations were well known. Mr. Wallace stated a precedent should not be set for these types of variances.

Mr. Kirby noted that having the full set of letters from the neighbors was very powerful. Mr. Kirby asked staff if the comments from neighbors stating this was a one-off request could be put into the record in case of future requests.

Mr. Mayer stated absolutely, all the letters would be part of the permanent record.

Mr. Romas asked staff to return to a prior slide with the lot layout and asked if the space between this lot and the next, if purchased, could the owner build a pool there.

Mr. Kirby stated they would have a problem.

Mr. Wallace stated this was one of the reasons he normally voted against variances, as they could have unintended consequences.

VAR-50-2022 Variances

Variances to C.O. 1165.04(a)(1) and C.O. 1165.04(a)(2)(E) to allow a pool house to be 1,110 sq.ft. in size and located approximately 15 feet from the rear lot line where code allows a maximum area of 800 sq. ft. based on the size of the lot and requires a 30-foot rear yard setback at 7230 Southfield Road (PID: 222-004784).

Applicant: Guzzo and Garner Custom Builders.

Mr. Mayer presented the staff report.

Mr. Kirby asked if the Applicant wanted to provide additional comments.

Mr. Daniel Snyder, Applicant, stated the neighbor in who is currently in California had also sent a letter in support.

Mr. Mayer stated the letter was in the PC members' packets and had also been emailed to the PC members by staff.

Mr. Snyder stated he appreciated the PC's review of this application.

Mr. Larsen asked if there were letters from the owners of Lots 1 and 2 and were they in the packet as he had not seen them.

Mr. Mayer stated the letter from the neighbor in Lot 1 had been in the email to PC members and he had additional copies of it available at this time. Mr. Mayer stated the letter from the neighbor on Lot 2 was in the packet, at the end of the information, and additional copies of that letter were also available at this time.

Mr. Larsen asked which lot was Lot 1.

Mr. Mayer stated Lot 1 was the property at 7215 Ebrington Road and noted where in the packet it was located.

Mr. Larsen asked about the letter from the owners of Lot 2.

Mr. Mayer stated that was for house number 8413, where those owners were now.

Ms. Briggs asked if Lot 2 was the vacant lot.

Mr. Mayer stated that was correct and pointed out the lot on the presentation.

Mr. Kirby asked if the PC had letters from the neighbors on Lots 1, 2, 30 which was directly north, and also the lot due east of the Applicant's lot.

Mr. Mayer stated yes but there was no lot east, that was the golf course.

Ms. Briggs asked which was the lot for the Castleforte property at 3930 Ebrington Road.

Mr. Mayer stated that was Lot 28 and noted this was the lot to the north.

Mr. Snyder stated Lot 28's owner was moving in and had said he was fine with the view.

Mr. Mayer stated Lot 48 was the Deal property at 6988.

Mr. Kirby stated the original packet that had been reviewed showed a lot of landscaping on the lot and asked if that was a part of this plan.

Mr. Mayer stated that staff recommended that landscaping be installed between the accessory structure and the property to the north that would be consistent with past variances.

Mr. Wallace asked how that would compare with the image in the packet.

Mr. Tom Rubey, New Albany Company, stated the image in the packet was the one signed off on by the Architectural Review Committee.

Mr. Kirby asked if having an integrated landscape plan along the road frontage was a requirement that would not have a conflict.

Mr. Rubey stated correct.

Mr. Kirby asked if the plan was that the second lot would not have a dwelling built on it.

Mr. Rubey stated correct.

Mr. Kirby asked if a reasonable condition would be that no structure would be on that lot.

Mr. Schell asked if that would pass to any property owner in the future.

Ms. Briggs stated yes, in perpetuity.

Mr. Kirby asked if there was any objection to a requirement that the two lots always be under common ownership.

Mr. Snyder asked if this would combine the lots forever.

Mr. Kirby stated he believed a deed restriction would need to be put on both properties that they needed to be sold together and needed to be in common ownership.

Mr. Snyder stated he would be fine with that.

Mr. Larsen asked if the lot line movement had yet been submitted to the county.

Mr. Rubey stated no.

Mr. Larsen stated they could go either way then, with one (1) or two (2) lots.

Mr. Wallace asked if such a deed restriction on the two (2) lots requiring common ownership would be legally enforceable.

Mr. Moser stated yes.

Mr. Kirby asked if the PC could issue variances, for example, on which the owner would request that the lots be combined and on which the front of the lot would be the currently existing front.

Mr. Moser stated yes, and he believed there was some precedent for that and noted the approval would need to be very specific.

Mr. Kirby asked Mr. Mayer how many of the variances they were now looking at would no longer be needed if they had one combined lot where the front was determined.

Mr. Mayer stated that if the lots were combined they would need a variance for the pool in the front yard.

Mr. Kirby asked if the lot the house was currently on was determined to be the frontage on the combined lots, then could the PC keep that frontage after the lots were combined.

Mr. Mayer stated that in that case the second lot would become the rear yard.

Mr. Kirby asked if the PC could provide a variance so the current front lot line would still remain the front lot line of the combined lots.

Mr. Mayer stated that type of variance could be done but noted that would create other issues with the Code. Mr. Mayer stated the PC could consider that, but noted that the Code determined the front yard based on lot dimensions, not on the house, but the PC could provide such a variance so that the house was in the front.

Mr. Kirby stated the side yard would get very large and remain a side yard and the rear yard would remain the rear yard. Mr. Kirby asked if they would be okay with the rear yard setback.

Mr. Mayer stated yes.

Mr. Kirby stated then they would only need one (1) variance on a combined lot which fixed where the front of the lot was located.

Mr. Larson asked if the rear yard had a thirty (30) foot setback requirement.

Mr. Mayer stated he did not know if a variance could be provided for an interpretation. Mr. Mayer stated the combined lot would have three (3) frontages and Code indicated that a corner lot would have the rear lot line at the back of the frontage of least dimension. Mr. Mayer noted that the lots in this case had very unique circumstances.

Mr. Shull stated it might be best to continue with the variances requested in the application as the combined lots would also require the same number of variances.

Mr. Mayer stated there would be two (2) variances if the lots were to be combined.

Mr. Shull stated there were then the two (2) options available.

Mr. Kirby stated the precedent might be easier to deal with but the complexity would remain.

Mr. Shull noted that while the second lot could not be built on, could the applicant return and ask for another accessory structure.

Mr. Kirby stated the applicant had said there would not be structures on the other lot.

Mr. Schell asked if the lot was sold would there be restrictions in place to prevent something else being built.

Mr. Wallace noted the City's counsel could respond to that.

Mr. Moser stated a deed restriction for common ownership and no building on the second, small lot could be a condition if the applicant was in agreement with it.

Mr. Wallace stated he believed the applicant was fine with that, but if the lots were sold they would need to have those conditions continue in perpetuity for future owners so nothing else could be built on the second lot.

Mr. Snyder stated he wanted to be sure he was not restricted in his use of the lot.

Mr. Kirby stated he had used the word 'structures' in his notes and asked if there were any conflicts with using that word in the condition. Mr. Kirby said he believed a structure required a building permit.

Mr. Mayer explained that based on Code requirements the PC would need to hear a variance so that an accessory structure could be built on a lot that did not have a primary structure on it.

Mr. Kirby said okay. Mr. Kirby asked if any members of the public had any questions or comments. (No response.)

Mr. Larsen asked if there was still a variance on the pool house if the lots were kept separate.

Mr. Mayer stated yes, if the lots were still separate.

Mr. Wallace stated this application had some difficult issues and there was not a really good solution. Mr. Wallace noted the two (2) issues were (a) that no structure could be built on the smaller lot and (2) that the accessory structures going on the main lot would be fully landscaped so that it was in line with, and supported, the character of the neighborhood.

Mr. Shull stated he believed the PC was considering putting in a landscaping condition for the area between the house and the structure. Mr. Shull asked Mr. Rubey if the rest of the landscaping shown in the packet was already required.

Mr. Kirby stated it might be required.

Mr. Rubey stated correct.

Mr. Shull said then the only thing that had not been required was some sort of landscaping between the structure and Lot 30.

Mr. Kirby stated that was staff's first condition and said he had, as a second condition, integrated landscaping on all road frontages, subject to staff approval.

Mr. Shull stated okay.

Mr. Wallace stated he would change that to integrated landscaping as approved by the Architectural Review Committee and as described in the architectural site plan, subject to staff approval.

Mr. Kirby stated his third condition was that the smaller lot would have no structures as a deed restriction on it and the fourth condition was a deed restriction on both lots requiring common ownership.

Mr. Wallace said yes.

Moved by Mr. Kirby to accept the staff reports and related documents, particularly the letters of support from the neighbors, into the record, for VAR-50-2022, seconded by Mr. Larsen. Upon roll call: Mr. Kirby, yea; Mr. Larsen, yea; Ms. Briggs, yea; Mr. Schell, yea; Mr. Wallace, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0 vote.

Moved by Mr. Larsen to approve VAR-50-2022 with the condition of joint ownership of the lots as a deed restriction, no structures on the smaller lots, and a landscaping requirement

Mr. Wallace asked if he could make a friendly amendment to Mr. Larsen's motion.

Mr. Larsen stated yes.

Mr. Wallace stated that there would be the following conditions, including the first condition from the staff report:

1. Landscaping must be added along the rear property line where setback encroachment is proposed, subject to staff approval;
2. That there be integrated landscaping as approved by the Architectural Review Committee and described in the architectural site plan included in the staff report materials, as subject to staff approval;
3. A deed restriction that no primary or other structure will be on the remaining smaller lot;
4. A deed restriction that the two lots be required to have and maintain common ownership.

Mr. Rubey asked for clarification on whether they could distinguish between a building and a structure on the lot to be sure nothing that required a building permit or had a footer could be put there.

Mr. Kirby stated he believed the word structure would do that.

Mr. Brian Kent Jones, architect, stated there was a concern that brick piers or other landscaping accoutrements, such as a pergola, could be a structure but could not be a building.

Mr. Kirby stated that if it fell under the integrated landscaping plan then he was okay with it.

Mr. Mayer stated the words building and structure had two different meanings per Code.

Mr. Kirby stated his understanding had been that things that required footers, aside from landscaping, would be prohibited, so no pergolas would be allowed but piers would be okay. Mr. Kirby asked Mr. Larsen and Ms. Briggs if that was what they meant in those conditions.

Mr. Larsen stated he would be okay with a single pergola. Mr. Larsen asked if they changed it to buildings would that permit gazebos.

Mr. Mayer stated if no building was permitted then that would mean a primary structure could not be on the lot. Mr. Mayer said that would then require a variance from the PC before any structures could be on that lot.

Mr. Kirby asked if having the deed restricted to no buildings on the lot then meant that unless the lots were rezoned from residential no accessory structures could be put on the lot.

Mr. Mayer stated that would require either re-zoning or a variance.

Mr. Wallace asked for clarification of the two terms structure and building.

Mr. Mayer stated he believed a building was defined as an enclosed, four-sided structure with a roof over it. Mr. Mayer stated a building was a structure but a structure was not a building.

Mr. Wallace stated he got it. Mr. Wallace asked if this could be addressed by amending the third condition to say something to effect of 'no primary or other structure otherwise deed restricted on the smaller lot, other than structures associated with landscaping.'

Mr. Mayer stated staff's recommendation would be to say no building that was deed restricted and then the structures could be handled as a variance.

Moved by Mr. Larsen to approve VAR-50-2022 with the conditions in the staff report and the following additional conditions:

1. As set forth in the staff report, landscaping must be added along the rear property line where setback encroachment is proposed, subject to staff approval;
 2. That there be integrated landscaping as approved by the Architectural Review Committee and described in the architectural site plan included in the staff report materials, as subject to staff approval;
 3. A deed restriction that no primary or other building will be on the remaining smaller lot;
 4. A deed restriction that the two lots be required to have and maintain common ownership.
- seconded by Ms. Briggs. Upon roll call: Mr. Larsen, yea; Ms. Briggs, yea; Mr. Schell, yea; Mr. Wallace, abstain, yea; Mr. Kirby, abstain. Yea, 3; Nay, 0; Abstain, 2. Motion passed by a 3-0-2 vote.

Mr. Wallace stated he abstained as he did not want to be on record with either an approval or denial on this.

Mr. Kirby stated he abstained for the same reason as he also believed this was resolved as best it could.

Other Business

Mr. Kirby asked if there was any Other Business.

Mr. Mayer stated no.

Poll Members for Comment

Mr. Wallace stated he hoped the Applicant appreciated the work and was sure it would be nice.

Mr. Kirby thanked legal counsel.

Mr. Schell stated it had been a good job meeting the needs here.

Mr. Shull stated it was an outstanding job.

Mr. Mayer noted it was a complex case.

Mr. Kirby adjourned the meeting at 7:57 p.m.

Submitted by Josie Taylor.

APPENDIX



Planning Commission Staff Report May 16, 2022 Meeting

4 HAWKSMOOR DRIVE POOL LOCATION VARIANCE

LOCATION: 4 Hawksmoor Drive (PID: 222-003432).
APPLICANT: Capital City Pools, Inc.
REQUEST: (A) Variance to Hawksmoor zoning text section II(5)(a) to allow a swimming pool to be located in a side yard at 4 Hawksmoor Drive.
ZONING: Hawksmoor I-PUD Zoning District
STRATEGIC PLAN: Residential
APPLICATION: VAR-41-2022

Review based on: Application materials received March 17, 2022.

Staff report prepared by Chris Christian, Planner

I. REQUEST AND BACKGROUND

This application was reviewed and tabled by the Planning Commission during their April 18th meeting in order to give the applicant time to gather letters of support from neighboring property owners. Letters collected to date are included in the meeting packet.

The applicant requests a variance to Hawksmoor zoning text section II(5)(a) to allow a swimming pool to be located in a side yard at 4 Hawksmoor Drive.

II. SITE DESCRIPTION & USE

The property is .73 acres in size contains a newly built single-family home and is located in the Hawksmoor subdivision. The original platted lots 4 & 5 were combined by the property owner into this single lot in 2020.

III. EVALUATION

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. The property owners within 200 feet of the property in question have been notified.

Criteria

The standard for granting of an area variance is set forth in the case of *Duncan v. Village of Middlefield*, 23 Ohio St.3d 83 (1986). The Board must examine the following factors when deciding whether to grant a landowner an area variance:

All of the factors should be considered and no single factor is dispositive. The key to whether an area variance should be granted to a property owner under the “practical difficulties” standard is whether the area zoning requirement, as applied to the property owner in question, is reasonable and practical.

1. *Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.*
2. *Whether the variance is substantial.*
3. *Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a “substantial detriment.”*
4. *Whether the variance would adversely affect the delivery of government services.*
5. *Whether the property owner purchased the property with knowledge of the zoning restriction.*
6. *Whether the problem can be solved by some manner other than the granting of a variance.*
7. *Whether the variance preserves the “spirit and intent” of the zoning requirement and whether “substantial justice” would be done by granting the variance.*

Plus, the following criteria as established in the zoning code (*Section 1113.06*):

8. *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
9. *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*
10. *That the special conditions and circumstances do not result from the action of the applicant.*
11. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
12. *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*

III. RECOMMENDATION

Considerations and Basis for Decision

(A) Variance to Hawksmoor zoning text section II(5)(a) to allow a swimming pool to be located in a side yard at 4 Hawksmoor Drive.

The following should be considered in the commission’s decision:

1. The Hawksmoor zoning text states “all swimming pools/spas shall be located in the rear yard within the building line of sight and shall be completely enclosed by fencing and screened from adjoining properties.”
2. The applicant proposes to install a swimming pool in the side yard, therefore a variance is required.
3. The proposed pool is to be located in the side yard, setback further from the public street than the principle structure within a code compliant fence. Additionally, the applicant proposes to install a 7-8 foot tall evergreen landscape hedge around the entire pool area to provide screening. In addition to this screening, there is an existing 7 foot tall evergreen landscape hedge that runs along the site frontage nearest to the pool, providing more screening on top of what is proposed.
4. It does not appear that the essential character of the neighborhood would be altered if the variance request is granted. The applicant states that they will install arborvitae around the proposed pool area to provide screening for adjacent properties.
5. The variance meets the spirit and intent of the zoning text requirement which is to ensure that swimming pools/spas are screened from adjacent properties and public rights-of-way. While the applicant proposes to locate the swimming pool in a side yard, they are providing substantial landscape screening from adjacent properties and public rights-of-way thereby meeting the intent of the zoning text requirement.
6. The variance does not appear to be substantial. All other code requirements including setbacks

- from adjacent properties and pool fencing are being met. In addition, the base city code requirements for pools do not state that pools cannot be located in a side yard therefore the applicant is still meeting the base pool location zoning requirements found in city code.
7. It does not appear that this problem may be solved in another manner other than granting the variance request. The existing house was built in 2007. The lots within the Hawksmoor subdivision are small and in order to meet the setback and landscaping requirements the property owner used the neighboring lot that they purchased in 2020 to accommodate additional recreational amenities for their enjoyment.
 8. It does not appear that the variance would adversely affect the delivery of government services, affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

IV. RECOMMENDATION

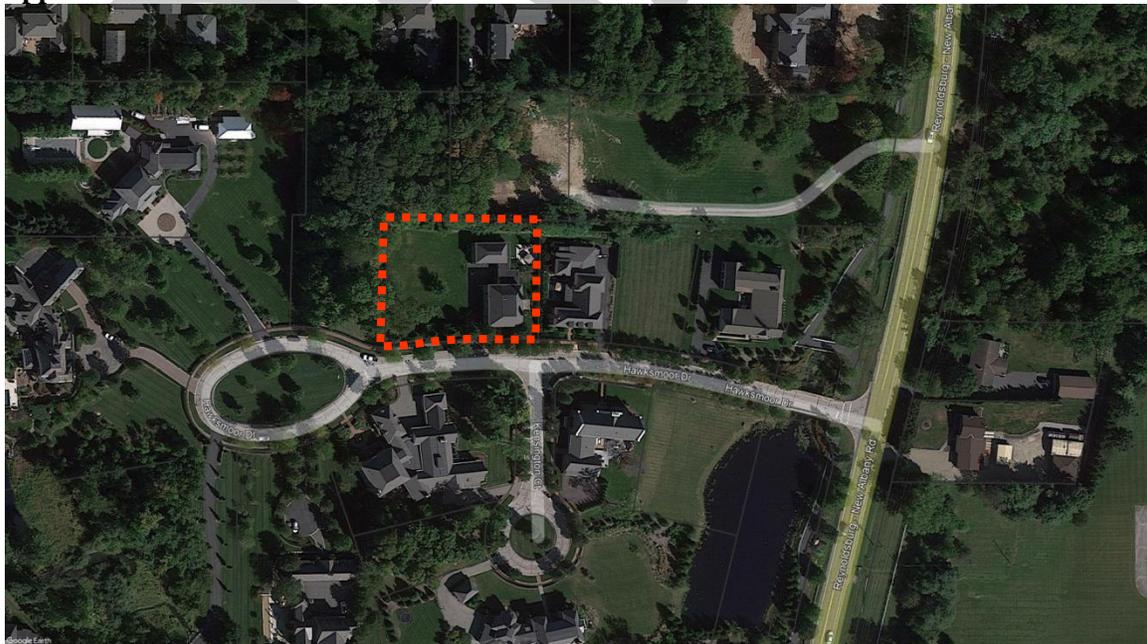
Staff recommends approval of the requested variance should the Planning Commission find that the application has sufficient basis for approval. While the applicant proposes to install a swimming pool in a side yard, they are proposing to install a 7-8-foot evergreen hedge around the perimeter of the entire pool area which meets the intent of the zoning requirement to screen these areas from adjacent properties and public rights-of-way. Additionally, there is an existing 7-foot-tall evergreen shrub row along the entire front of the lot, providing three layers of screening to ensure that the intent of the code requirement is substantially met. The proposed pool will be enclosed by a code compliant fence and is meeting all other code requirements.

V. ACTION

Should the Planning Commission find that the application has sufficient basis for approval, the following motion would be appropriate.

Move to approve application VAR-41-2022 based on the findings in the staff report (conditions of approval may be added).

Approximate Site Location:



Source: Google Earth



**Planning Commission Staff Report
May 16, 2022 Meeting**

**7230 SOUTHFIELD DRIVE
ACCESSORY STRUCTURE VARIANCES**

LOCATION: 7230 Southfield Drive (PID: 222-004784).
APPLICANT: Guzzo & Garner Custom Builders
(A) Variance to CO 1165.04(a)(1) to allow an accessory structure to be 1,110 sq. ft. in size where code allows a maximum area of 800 sq. ft. based on the size of the lot.
(B) Variance to CO 1165.04(a)(2)(E) to allow an accessory structure to be located 15+/- feet from the rear property line where the code requires a 30-foot setback.
ZONING: West Nine I-PUD Zoning District
STRATEGIC PLAN: Residential
APPLICATION: VAR-50-2022

Review based on: Application materials received on April 21, 2022

Staff report prepared by Chris Christian, Planner

II. REQUEST AND BACKGROUND

This application was reviewed and tabled by the Planning Commission during their May 2nd meeting in order to give the applicant time to gather letters of support from neighboring property owners. Letters collected to date are included in the meeting packet.

The applicant requests the following variances associated with the construction of a new accessory structure on the property.

- (A) CO 1165.04(a)(1) to allow an accessory structure to be 1,110 sq. ft. in size where code allows a maximum area of 800 sq. ft. based on the size of the lot.
- (B) CO 1165.04(a)(2)(E) to allow an accessory structure to be located 15+/- feet from the rear property line where the code requires a 30-foot setback.

V. SITE DESCRIPTION & USE

The property is .50 acres in size and contains a single-family home as well as a swimming pool. The lot is located in the Ebrington subdivision. The applicant also owns the adjacent property to the west and has completed a lot line adjustment application which differs from how the lot lines are shown on the Franklin County Auditor's website at the time of writing this staff report. The new property lines are reflected correctly in the packet materials.

VI. EVALUATION

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. The property owners within 200 feet of the property in question have been notified.

Criteria

The standard for granting of an area variance is set forth in the case of *Duncan v. Village of Middlefield*, 23 Ohio St.3d 83 (1986). The Board must examine the following factors when deciding whether to grant a landowner an area variance:

All of the factors should be considered and no single factor is dispositive. The key to whether an area variance should be granted to a property owner under the “practical difficulties” standard is whether the area zoning requirement, as applied to the property owner in question, is reasonable and practical.

13. *Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.*
14. *Whether the variance is substantial.*
15. *Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a “substantial detriment.”*
16. *Whether the variance would adversely affect the delivery of government services.*
17. *Whether the property owner purchased the property with knowledge of the zoning restriction.*
18. *Whether the problem can be solved by some manner other than the granting of a variance.*
19. *Whether the variance preserves the “spirit and intent” of the zoning requirement and whether “substantial justice” would be done by granting the variance.*

Plus, the following criteria as established in the zoning code (*Section 1113.06*):

20. *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
21. *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*
22. *That the special conditions and circumstances do not result from the action of the applicant.*
23. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
24. *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*

III. RECOMMENDATION

Considerations and Basis for Decision

(A) CO 1165.04(a)(1) to allow an accessory structure to be 1,110- sq. ft. in size where code allows a maximum area of 800 sq. ft. based on the size of the lot.

(B) CO 1165.04(a)(2)(E) to allow an accessory structure to be located 15+/- feet from the rear property line where the code requires a 30-foot setback.

The following should be considered in the commission’s decision:

9. Lots 31 and 32 in the Ebrington subdivision are under the common ownership. There is an existing house and swimming pool on lot 32. The applicant submitted a permit application to construct the subject accessory structure on lot 31. During the permit review process, staff identified the code deviations and a lot line adjustment application was completed. The applicant is requesting the variances in order to align the accessory structure with the existing pool on the property.
10. C.O. 1165.04(a)(1) permits different sizes of accessory structures based on the size of the lot they are located on.
 - o The current code allows for an additional 400 square feet of space for every acre, starting at

- o a maximum of 800 sq. ft. for lots less than one acre.
 - o Lot 32 is .754 acres in size. In sum the two adjacent properties, under common ownership, are a total of 1 acre in size. If the two lots were combined, a variance would not be required.
 - o However, the properties cannot be combined because it would create other non-conformities on the lot. Because of that, in order to construct a 1,110 sq. ft. accessory structure, a variance is required.
11. C.O. 1165.04(a)(2)(e) states that accessory structures must be setback 30 feet from a rear property line and the applicant requests a variance to allow this structure to be located 15 feet away.
 12. There are special circumstances and conditions which are peculiar to the land that justify the variance requests given the ownership and location of lots 31 and 32 in relation to the roundabout. The property owner seeks to construct an accessory structure next to the pool either on one or both properties but a variance is needed due to the technical definitions of rear and side yards.
 13. The accessory structure cannot be located on its own lot per C.O. 1131.02 as an accessory structure cannot exist without a primary structure. For this reason, a lot line combination or adjustment is required. However, both options result in a variance(s) being required. For these reasons, it does not appear that the problem may be solved in another manner other than granting a variance request.
 - i. If the lots are combined:
 1. Due to the lot location on a roundabout, it would have three frontages.
 - a. The proposed accessory structure would be located in a front yard.
 - b. The new combined lot would have a new rear yard as defined by city code, making the current side lot line a rear lot line. As stated, there is an existing home on the lot and it would be encroaching into the required rear yard setback.
 2. A variance to C.O. 1165.04(a)(2)(A) to allow an accessory structure to be located in the front yard would be necessary.
 3. A variance to the zoning text would be necessary to allow an existing home to be located in the 30-foot rear yard setback.
 - ii. The lot line is adjusted (current scenario):
 1. The lot that the accessory structure is located on is only .754 acres in size therefore a 800 sq. ft. accessory structure is permitted to be developed
 2. As defined by city code, the rear lot line remains as currently identified and the proposed accessory structure is located within the rear yard setback.
 3. A variance to CO 1165.04(a)(1) is needed to allow the accessory structure to be 1,110 sq. ft. in size to be developed.
 4. A variance to C.O. 1165.04(a)(2)(E) is needed to allow the accessory structure to be located 15 feet from the rear property line.
 - iii. In order to avoid creating non-conformities with the existing home and pool and encourage good design, the applicant submitted a lot line adjustment application rather than a lot line combination as recommended by city staff.
 14. It does not appear that the essential character of the neighborhood would be altered if the variance is granted. The rear lot line of lot 32 runs along the side lot line of lot 30. There is an existing accessory structure on lot 30 that is located only 10 feet away from this same property line, which is closer than what is being proposed for the subject property. In order to provide screening and buffer lot 30, staff recommends that landscaping be added along the rear lot line where the encroachment into the setback is proposed, subject to staff approval.
 15. While the applicant needs variances to construct the desired accessory structure, the plan accomplishes good design which is a hallmark of residential development in New Albany and will not alter the character of the surrounding area. City code regulations, nor zoning texts, can

contemplate every development scenario that may occur within a subdivision and a literal interpretation of these provisions deprives the applicant of rights commonly enjoyed by other residentially zoned and used properties in the city.

16. The Ebrington subdivision contains large and small lots where large estate homes as well as cluster development is desired. These two lots are smaller, cluster lots therefore having larger structures located closer to property lines is more appropriate as it is consistent with the desired development pattern for this section of Ebrington. There are very limited instances where this type of development scenario may occur however the applicant has taken these unique site characteristics into account as part of development of the accessory structure to maintain the character of the Ebrington subdivision. Additionally, the proposed site layout achieves an appropriate design as it aligns with the existing pool on the site and it is located an appropriate distance from the primary structure.
17. It does not appear that the variance would adversely affect the delivery of government services, affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

VII. RECOMMENDATION

Staff recommends approval of the requested variance should the Planning Commission find that the application has sufficient basis for approval. While variances are proposed, a variance(s) will always be necessary to build a detached accessory structure at this site due to a literal interpretation of the zoning code, the common ownership and location of lots 31 and 32 in relation to the roundabout and the definition of side, rear and front yards found in city code. Taking all of these items into consideration, the applicant followed a permitting path as recommended by city staff that preserves the essential character of the Ebrington subdivision and maintains good design which is a hallmark of all residential development in New Albany. Plus, additional landscaping will provide a buffer for the neighboring property owner where the setback encroachment is proposed.

V. ACTION

Should the Planning Commission find that the application has sufficient basis for approval, the following motion would be appropriate.

Move to approve application VAR-50-2022 based on the findings in the staff report with the following condition of approval (conditions of approval may be added).

1. Landscaping must be added along the rear property line where setback encroachment is proposed, subject to staff approval.

Approximate Site Location:



Source: NearMap

DRAFT



**Planning Commission Staff Report
June 20, 2022 Meeting**

**7210 EBRINGTON ROUND
REAR YARD SETBACK VARIANCE**

LOCATION: 7210 Ebrington Round (PID: 222-004754-00).
APPLICANT: Todd Parker, F5 Design/Architecture Inc.
REQUEST: Variance to West Nine 2 Subarea C zoning text section 4(d) to allow a covered porch to be setback approximately 21.5 +/- feet from the rear property line where the zoning text requires a 30-foot setback.
ZONING: West Nine I-PUD Zoning District
STRATEGIC PLAN: Residential
APPLICATION: VAR-59-2022

Review based on: Application materials received on May 18, 2022

Staff report prepared by Chris Christian, Planner

I. REQUEST AND BACKGROUND

The applicant requests a variance to construct an attached covered porch which would be setback approximately 21.5 feet away from the rear property line where the zoning text requires a 30 foot setback.

II. SITE DESCRIPTION & USE

The property is .51 acres in size and contains a single-family home. The lot is located in the Ebrington subdivision. The surrounding properties are located within the same subdivision and contain residential uses.

III. EVALUATION

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. The property owners within 200 feet of the property in question have been notified.

Criteria

The standard for granting of an area variance is set forth in the case of *Duncan v. Village of Middlefield*, 23 Ohio St.3d 83 (1986). The Board must examine the following factors when deciding whether to grant a landowner an area variance:

All of the factors should be considered and no single factor is dispositive. The key to whether an area variance should be granted to a property owner under the “practical difficulties” standard is whether the area zoning requirement, as applied to the property owner in question, is reasonable and practical.

- 1. Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.*
- 2. Whether the variance is substantial.*
- 3. Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a “substantial detriment.”*

4. *Whether the variance would adversely affect the delivery of government services.*
5. *Whether the property owner purchased the property with knowledge of the zoning restriction.*
6. *Whether the problem can be solved by some manner other than the granting of a variance.*
7. *Whether the variance preserves the “spirit and intent” of the zoning requirement and whether “substantial justice” would be done by granting the variance.*

Plus, the following criteria as established in the zoning code (*Section 1113.06*):

8. *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
9. *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*
10. *That the special conditions and circumstances do not result from the action of the applicant.*
11. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
12. *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*

III. RECOMMENDATION

Considerations and Basis for Decision

(A) Variance to West Nine 2 Subarea C zoning text section 4(d) to allow a covered porch to be setback approximately 21.5 +/- feet from the rear property line where the zoning text requires a 30-foot setback.

The following should be considered in the commission’s decision:

1. As part of the construction of a new home, the applicant proposes to construct an attached, covered porch at the rear of the home. Due to the angle of the house to the rear property line, a portion of the covered patio encroaches into the rear setback area. At its closest, the porch will be setback approximately 21.5 feet from the rear lot line therefore, a variance is required.
2. It appears the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance. C.O. 1165.04(b)(3)(c) states that covered porches are permitted to be located 10 feet away from rear property lines. Since this covered porch is attached the primary home, it is considered part of the house and must follow the 30-foot rear yard setback of the house. If the roof of the porch were simply not attached to the rear of the home, a variance would not be required.
3. There are special circumstances and conditions which are peculiar to the land that justify the variance request. The lot shape is triangular which has an implication on how the rear property line and associated setback line are determined for this property as outlined below.
 - The property has three frontages (along Hanby Loop, Ebrington Round, and Ebrington Road) based on C.O. 1105.02(u) which defines "frontage" or "lot frontage" as that portion of the lot that directly abuts the street, and has direct access thereto.
 - C.O. 1105.02(dd)(3) "Rear lot line" means “that lot line which is opposite and furthest removed from the front lot line. In such a lot where the side lot

lines meet to the rear of the lot, or where the rear lot line is less than ten (10) feet, the minimum rear yard shall be computed from the point of intersection of the side lot lines on an imaginary line that is at equal angles from each side lot line. In the case of a corner lot, the rear lot line is opposite and furthest removed from the front lot line of least dimension.” Based on this definition, the lot line that connects the two side lot lines and is also opposite to the front lot line of least dimension (Hanby Loop).

- The lot is triangular and based on the above code definitions, the rear yard setback is measured as a 30 radius off of each portion of the rear lot line. This interpretation is based on staff’s historical interpretation of code from the definition of “rear yard.” C.O. 1105.02(ccc)(2) states rear yard means “that portion of a lot extending across the rear of the lot between the side lot lines and being the required minimum horizontal distance between the rear lot line and the rear of the building or structure.” Staff has interpreted this to mean the rear yard is between and connects the side lot lots. The large angle and shape of the lot results in the radial component of the rear setback. If the lot was a perfect square, it would just be straight lines and a variance would not be required.
4. It does not appear that the variance request is substantial. While the porch encroaches into the required rear yard setback, only 19% of the total porch area is located within the required 30-foot setback which equates to about 71 sq. ft.
 5. It does not appear that the essential character of the neighborhood would be altered if the variance is granted. The Planning Commission approved a zoning text modification on May 16, 2016 (TM-19-2016) to allow the rear yard setbacks for lots 42 thru 55 in the same subdivision to be reduced from 30 feet to 15 feet. This reduction was permitted to allow for greater flexibility in design for the homes and associated recreational amenities and reduce the number of future variances within the subdivision. This smaller setback allows homes and recreational amenities to be located closer to the rear property lines compared to other lots in the subdivision. Lots 48 and 49, located immediately to the west and northwest of this subject property both have rear yard setbacks of 15 feet as a result of this approval. In order to provide screening and buffer lot 3, staff recommends that landscaping be added along the side and rear lot line where the encroachment into the setback is proposed, subject to staff approval.
 6. While the applicant needs a variance to construct the desired porch, the plan accomplishes good design which is a hallmark of residential development in New Albany and will not alter the character of the surrounding area.
 7. It does not appear that the variance would adversely affect the delivery of government services, affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

IV. RECOMMENDATION

Staff recommends approval of the requested variance should the Planning Commission find that the application has sufficient basis for approval. Due to the unique triangular shape of the lot, the large angle of the rear lot line and the front and rear yard definitions of city code; a radial component is added when measuring the rear lot setback for this property which results in the proposed encroachment. If the lot were of a normal shape, the setback would be straight lines, and a variance may not be required.

While the applicant proposes to encroach into the required rear yard setback it is a minimal encroachment, a total of 71 sq. ft. or 19% of the total area of the proposed patio which is not substantial. Additionally, it does not appear that the essential character of the surrounding area or Ebrington subdivision would be altered if the variance request is granted. If the proposed covered porch were simply not attached to the home, it could be located as close as 10 feet away from the PC 22 0620 7210 Ebrington Round Rear Yard Setback Variance VAR-59-2022

rear property line and a variance would not be required. An adjacent neighboring property owner could construct a recreational amenity as described above in their own rear yard, closer to this site and a variance would not be required.

V. ACTION

Should the Planning Commission find that the application has sufficient basis for approval, the following motion would be appropriate.

Move to approve application VAR-59-2022 based on the findings in the staff report with the following condition of approval (conditions of approval may be added).

1. Landscaping must be added along the rear and side property line abutting lot 3 where setback encroachment is proposed, subject to staff approval.

Approximate Site Location:



Source: NearMap



Community Development Planning Application

Project Information	Site Address <u>7210 Ebrington Round</u> Parcel Numbers <u>222-004754-00</u> Acres <u>.51</u> # of lots created _____																																																											
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Description of Request: <u>The request is for a rear yard setback encroachment of an attached covered porch</u> <u>Due to the "triangular" shape of the lot and the other site constraints, the rear yard setback as interpreted by the</u> <u>planning and zoning staff impacts the approved (by NACCC ARC) design of the home. The encroachment</u> <u>would be a maximum of 6'8" and a triangular portion of the porch which amounts to 71 s.f. (19% of the porch</u> <u>area.</u>																																																												
Contacts	Property Owner's Name: <u>Gary and Mollie Niederpruem</u> Address: <u>8413 Kiernan Drive</u> City, State, Zip: <u>New Albany, OH 43054</u> Phone number: <u>630.649.4912</u> Fax: _____ Email: <u>gary.niederpruem@vertiv.com</u>																																																											
	Applicant's Name: <u>Todd Parker, F5 Design/Architecture Inc.</u> Address: <u>PO Box 86</u> City, State, Zip: <u>New Albany, OH 43054</u> Phone number: <u>614.937.4894</u> Fax: _____ Email: <u>tparker@f5design.com</u>																																																											
Signature	Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.																																																											
	Signature of Owner _____ Date: _____ Signature of Applicant <u></u> Date: <u>18 May 2022</u>																																																											

City of New Albany
Development Department
Planning Commission
20 May 2022

Applicant – Todd Parker, F5 Design/Architecture Inc.

On behalf of Gary and Mollie Niederpruem

Address of subject Property: 7210 Ebrington Round

Type of Request: Variance for Rear porch encroachment into 30' Rear Yard Setback.

Applicant seeks the following variance to permit construction of an attached covered rear porch that would encroach into the rear yard setback on Lot 2 in the Ebrington Subdivision, 7210 Ebrington Round, New Albany, OH 43054.

The request is for a rear yard setback encroachment of an attached covered porch. Due to the “triangular” shape of the lot and other site constraints, the rear yard setback as interpreted by the planning and zoning staff impacts the approved (by NACCC ARC) design of the home. The encroachment would be a maximum of 6'-8" and a triangular portion of the porch with amounts to 71 s.f. (19% of the porch area).

The definition of the rear yard setback is as follows:

“Rear Yard” means that portion of ta lot extending across the rear of the lot between the side lot lines and being the required minimum horizontal distance between the rear lot line and the rear of the building or structure.

Due to the triangular nature of the shape of the lot the City Staff has presented the following information on the rear yard determination:

- The Lot has three frontages (along Hanby Loop, Ebrington Round, and Ebrington Road) based on C.O. 1105.02(u) which defines "frontage" or "lot frontage" as that portion of the lot that directly abuts the street, and has direct access thereto. "Lot frontage" shall be measured along the minimum building setback line for the district within which such lot is located.
- C.O. 1105.02(dd)(4) states "side lot line" means “the lot line running from the front lot line to the rear lot line. This line is also the line dividing two (2) interior lots.” So these are the two lot lines running from Hanby Loop and Ebrington Road.
- C.O. 1105.02(dd)(3) "Rear lot line" means “that lot line which is opposite and furthest removed from the front lot line. In such a lot where the side lot lines meet to the rear of the lot, or where the rear lot line is less than ten (10) feet, the minimum rear yard shall be computed from the point of intersection of the side lot lines on an imaginary line that is at equal angles from each side lot line. In the case of a corner lot, the rear lot line is opposite and furthest removed from the front lot line of least dimension.” Based on this definition, the lot line that connects the two side lot lines and is also opposite to the front lot line of least dimension (Hanby Loop).
- The radial setback is based on staff's historical interpretation of code from the definition of “rear yard.” C.O. 1105.02(ccc)(2) states rear yard means “that portion of a lot extending across the rear of the lot between the side lot lines and being the required minimum horizontal distance between the rear lot line and the rear of the building or structure.” We've interpreted this to mean the rear yard is between and connects the side

City of New Albany
Development Department
Planning Commission
20 May 2022

lot lines. The large angle and shape of the lot results in the radial component of the rear setback. If the lot was a perfect square, it would just be straight lines.

According to C.O. 1113.03 (e) A narrative/justification statement is needed explaining the following:

- (1) The use for which variance or appeal is sought.

The variance is being sought to allow the encroachment of the proposed covered rear porch into the 30 foot rear yard setback. The porch will encroach at its furthest point 6'-8" and the total area of this triangular shaped encroachment is 71 s.f.

- (2) Details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, as the case may be.

The variance should be approved as the nature of the structure is appropriately designed for the Community and approved by the NACCCARC. Additionally, the zoning text for Ebrington was revised so that two of the three adjacent lots have a 15 foot rear yard setback (lots 48 and 49). The shape of the lot and the Development setback of 45' Building to line on the Ebrington Road side exacerbate the restrictions of this lot, amongst other site factors such as, lack of street parking, numerous easements on the lot and other Architectural Requirements.

- (3) The Specific Reasons why the variance is justified according to this chapter.

The variance should be approved as the nature of the structure is appropriately designed for the Community and approved by the NACCCARC. The shape of the lot and orientation of the proposed home is unique that the rear yard convergence of several lots creates a more open feel than typical subdivision layouts. Additionally, the non conforming lot shape as platted and the definitions could create multiple interpretations of what a rear yard could be.

Other Factors to this variance:

1. *The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance*
The proposed use is harmonious with the overall community and will have a negligible effect on any general objective.

(b)

2. *The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*

The proposed porch structure will be harmonious with the main house and it will be similar to many other porch structures within the area.

3. *The use will not be hazardous to existing or future neighboring uses.*

The proposed use will not be hazardous in any way to the existing or future neighboring uses.

4. *The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal,*

water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

The Proposed use will not have any adverse effect on any public facilities or services.

5. The proposed use will not be detrimental to the economic welfare of the community.

The proposed use will not have any adverse effect on the economic welfare of the community.

6. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

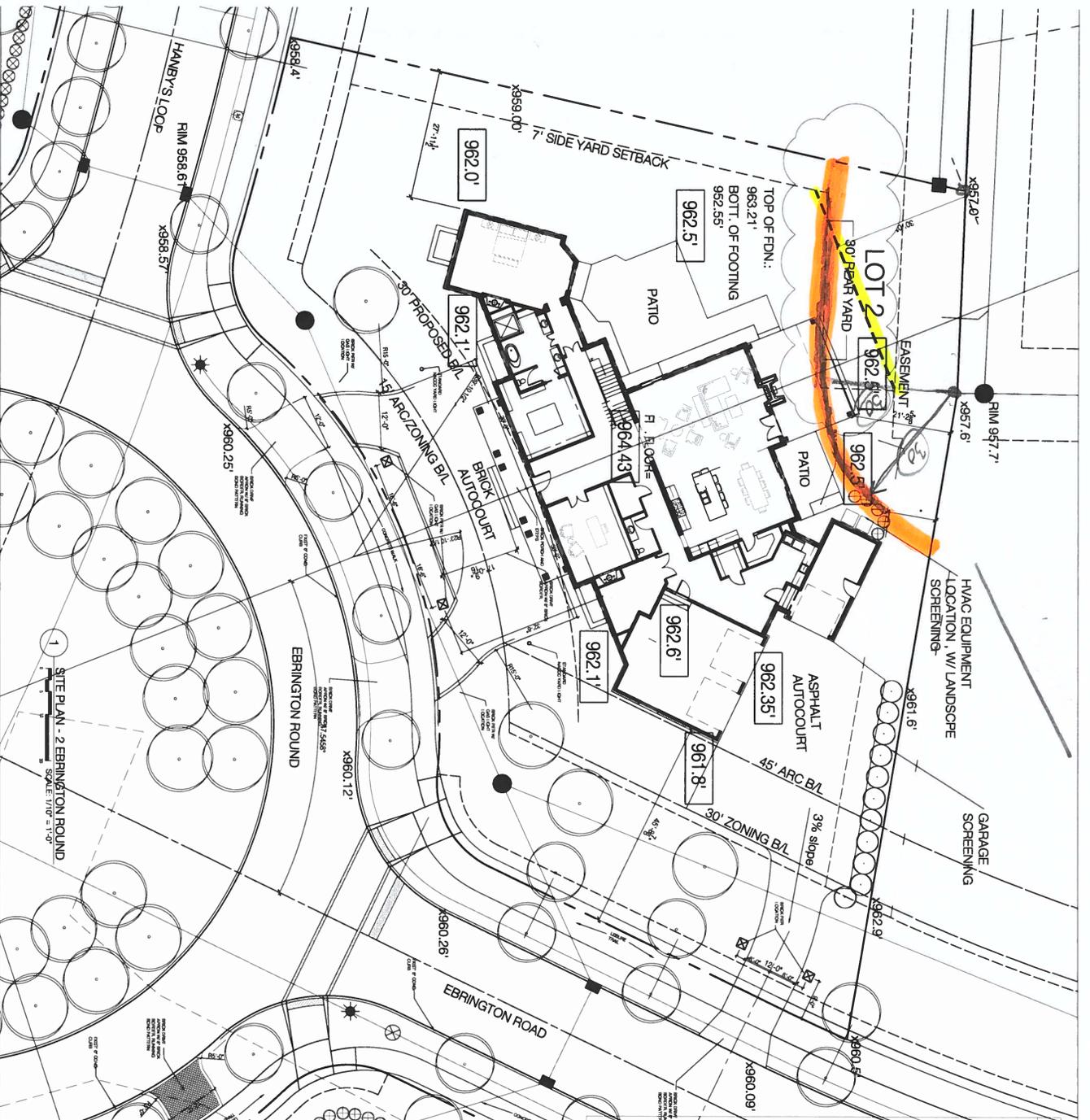
The proposed use will not involve any excessive traffic, noise, smoke, fumes, glare or odors.

7. Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.

The proposed use will not create any interference with traffic.

DUNCAN FACTORS -7210 Ebrington Round

- *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
 - **The shape of the lot and development requirements create peculiar setback conditions compared to other homes in the area.**
- *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*
 - **The literal interpretation of the zoning code would indeed deprive the Homeowner from executing this project and there is precedent in the same zoning district for 15' rear yard setbacks. In this case the corner of the porch in question would create roughly a 21'-6" setback.**
- *That the special conditions and circumstances do not result from the action of the applicant.*
 - **The special conditions and circumstances did not result from any actions of the homeowner.**
- *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
 - **It is not apparent that the granting of this variance will confer any special privilege that is denied by the zoning ordinance to other lands or structures in the same zoning district as there are numerous accessory structures within the district that have had variances.**
- *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*
 - **The granting of the variance will not have any effect of the health and safety or materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity whatsoever.**



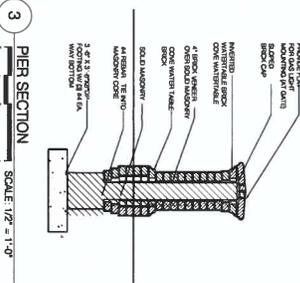
SITE PLAN - 2 EBRINGTON ROUND
SCALE: 1/16" = 1'-0"

GENERAL SITE NOTES

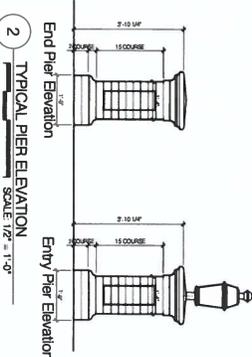
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GENERAL NOTES

- MATERIAL NOTES:**
- BRICK PIERNS TO BE CONSTRUCTED WITH OLD CAROLINA TRITON®
 - BRICK APRONS AND AUTOCOURTS TO BE CONSTRUCTED WITH OLD CAROLINA TRITON® BRICK FOR THE FIELD AND BESSEMER GRAY® AS THE 8" BORDER TYPICAL.



PIER SECTION
SCALE: 1/2" = 1'-0"



TYPICAL PIER ELEVATION
SCALE: 1/2" = 1'-0"

F5
 FIVE STAR ARCHITECTURE INC.
 7110 BANGOR ROAD
 NEW ALBANY, OHIO 43054
 PROJECT NAME
 The Niederpruem Residence
 7110 Bangor Road
 New Albany, Ohio 43054

PERMIT SET
 SEAL SIGNATURE OF DRUG
 STATE OF OHIO
 1000
 PAPER
 1394
 REGISTERED ARCHITECT

Drawings and specifications are the property of the architect. Their disclosure to other parties is limited to the project for which they were prepared. Without the written consent of the architect, no part of these drawings shall be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the architect.
 C-2022
 Builder
 SCALE: 1/16" = 1'-0"
 PROJECT NO.
 SITE PLAN
 26 APRIL 2022
L100

Buffer search results

Results 1 - 20 of 20

	Alt ID	Site Address	Owner 1	Owner 2
222N052GII 00100	222-004788-00	SOUTHFIELD RD	NEW ALBANY CO LLC	
222N052GII 00200	222-004785-00	EBRINGTON ROUND	CITY OF NEW ALBANY	
222N052GII 00300	222-004753-00	EBRINGTON RD	GLOYNE MICHAEL L	GLOYNE CINDY F
222N052GII 00400	222-004754-00	EBRINGTON RD	NIEDERPRUEM GARY J II	NIEDERPRUEM MOLLIE E
222N052GII 00500	222-004755-00	EBRINGTON RD	GRAND CONSTRUCTION LLC	
222N052GII 00600	222-004756-00	EBRINGTON RD	TUCKERMAN DEVELOPMENT COMPANY	
222N052GII 03300	222-004781-00	EBRINGTON RD	ISAACS MICHAEL A	ISAACS DANA
222N052GII 03400	222-004782-00	EBRINGTON RD	PETROFF RONALD R	PETROFF NATASHA
222N052GII 03500	222-004783-00	SOUTHFIELD RD	SNYDER DAN	
222N052GII 03600	222-004784-00	7230 SOUTHFIELD DR	SNYDER JENELLE D	
222N052GII 03700	222-004823-00	6991 HANBYS LP	BIDWELL DAN	BIDWELL ELIZABETH
222N052GII 03800	222-004824-00	6987 HANBYS LP	SINGER JAN E	SINGER DAVID M
222N052GII 06100	222-004837-00	7029 HANBYS LP	PLAZA JOSE ANTONIO	ORRANTIA MARTHA M
222N052GII 06200	222-004838-00	7025 HANBYS LP	ZUIKA ERIKS JANIS PAULS	ZUIKA ERIKS JANIS PAULS,...
222N052GII 06300	222-004839-00	7021 HANBYS LP	STANLEY JOELLEN	STANLEY MARK WILLARD
222N052GII 07200	222-004834-00	6980 HANBYS LP	SACCO GEORGE	SACCO ERICA
222N052GII 07300	222-004835-00	6984 HANBYS LP	GIRARDI DANIEL	GIRARDI SHANNON
222N052GII 07400	222-004836-00	6988 HANBYS LP	DEAL RYAN	DEAL ASHELY
222O075E 00101	222-002952-00	1 CLUB LN	NEW ALBANY CO LLC	
222O075H 02500	222-000479-00	5700 THOMPSON RD	NEW ALBANY CO LLC	

DO NOT DETACH

 <p>Instrument Number: 202108110141515 Recorded Date: 08/11/2021 10:56:53 AM</p>  <p>Daniel J. O'Connor Jr. Franklin County Recorder 373 South High Street, 18th Floor Columbus, OH 43215 (614) 525-3930 http://Recorder.FranklinCountyOhio.gov Recorder@FranklinCountyOhio.gov</p>	<p>Return To (Mail Envelope): STEWART TITLE AGENCY OF COLS LTD</p> <p style="text-align: right;">Mail Envelope</p>										
<p>Transaction Number: T20210099624 Document Type: DEED Document Page Count: 4</p>											
<p>Submitted By (Mail): STEWART TITLE AGENCY OF COLS LTD</p> <p style="text-align: right;">Mail</p>											
<p>First Grantor: NEW ALBANY CO LLC</p>	<p>First Grantee: GARY J NIEDERPRUEM , II</p>										
<p>Fees:</p> <table><tr><td>Document Recording Fee:</td><td>\$34.00</td></tr><tr><td>Additional Pages Fee:</td><td>\$16.00</td></tr><tr><td>Total Fees:</td><td>\$50.00</td></tr><tr><td>Amount Paid:</td><td>\$50.00</td></tr><tr><td>Amount Due:</td><td>\$0.00</td></tr></table>	Document Recording Fee:	\$34.00	Additional Pages Fee:	\$16.00	Total Fees:	\$50.00	Amount Paid:	\$50.00	Amount Due:	\$0.00	<p>Instrument Number: 202108110141515 Recorded Date: 08/11/2021 10:56:53 AM</p>
Document Recording Fee:	\$34.00										
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Total Fees:	\$50.00										
Amount Paid:	\$50.00										
Amount Due:	\$0.00										

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COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.

4

TRANSFERRED

AUG 10 2021

MICHAEL STINZIANO
AUDITOR
FRANKLIN COUNTY, OHIO

16808

Conveyance
Mandatory: 325.00
Permissive: 650.00 LS
MICHAEL STINZIANO FRANKLIN COUNTY AUDITOR

SURVIVORSHIP DEED

THE NEW ALBANY COMPANY LLC, a Delaware limited liability company (the "Grantor"), with its principal office located in Franklin County, Ohio, for valuable consideration paid, grants, with general warranty covenants, to **GARY J. NIEDERPRUEM II AND MOLLIE E. NIEDERPRUEM**, husband and wife, (collectively, the "Grantee"), whose tax mailing address is 8413 Kiernan Dr. New Albany OH 43054, for their joint lives, remainder to the survivor of them, the following described real property (the "Premises"):

Situated in the State of Ohio, County of Franklin and in the City of New Albany:

Being Lot Number Two (2) of New Albany Country Club Section 28, Part 1, (including a Resubdivision of all of Lot 14 of New Albany Country Club Section 25, Part 2, P.B. 114, Pages 96 and 97), as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 119, Pages 10-14, Recorder's Office, Franklin County, Ohio.

Auditor's Parcel Number: 222-004754-00

Property Address: 0 Ebrington Road, New Albany, Ohio 43054

Prior Instrument References: Official Record Volume 14554, Page B14, Official Record Volume 21256, Page E01, Affidavit in Aid of Title recorded in Instrument No. 199811120289607, Instrument No. 201008260110402, Instrument No. 200210180263224, Instrument No. 200210180263222, Instrument No. 200210180263228 and Instrument No. 201008260110397, all of the Recorder's Office, Franklin County, Ohio

1300779
Stewart Title Company
259 W. Schrock Road
Westerville, OH 43081

1081

Subject to covenants, easements, conditions and restrictions of record which do not unreasonably interfere with the use of the Premises as a single family residence, road rights-of-way, encroachments, overlaps, boundary line disputes and any matters which would be disclosed by an accurate survey and inspection of the Premises, all applicable zoning ordinances and regulations and all other restrictions and regulations imposed by governmental authorities, taxes for the year of closing and subsequent years, utility, drainage, cable television and similar easements, restrictions and reservations common to THE NEW ALBANY COUNTRY CLUB SECTION 28, PART 1, and all terms, covenants, conditions, restrictions, encumbrances, liens, obligations to pay assessments, fees and charges, rights and easements set forth in the Master CC&Rs (as hereinafter defined), in the Country Club Community CC&Rs (as hereinafter defined), and in the New Albany Community Authority Declaration (as hereinafter defined).

SECTION 1. COVENANTS AND RESTRICTIONS.

Grantee, by acceptance of this conveyance, covenants and agrees and shall be deemed to have covenanted and agreed, for Grantee and Grantee' successors, assigns, heirs and legal representatives: (i) to accept the conveyance of the Premises subject to the covenants, conditions, restrictions, easements, encumbrances, rights and all other matters set forth in the Declaration of Covenants, Conditions, Restrictions and Easements for The New Albany Communities, of record at Official Record 16185A01, Recorder's Office, Franklin County, Ohio, as the same may be amended from time to time (the "Master CC&Rs"); in the Declaration of Covenants, Conditions, Restrictions and Easements for The New Albany Country Club Community, of record at Official Record 16185C14, Recorder's Office, Franklin County, Ohio, as the same may be amended from time to time (the "Country Club Community CC&Rs"); and the Declaration of Covenants and Restrictions for The New Albany Community Authority, of record at Official Record 16999C04, Recorder's Office, Franklin County, Ohio, as the same may be amended from time to time (the "New Albany Community Authority Declaration"); and (ii) to be bound by and comply with the terms of the Master CC&Rs, the Country Club Community CC&Rs and the New Albany Community Authority Declaration. The Master CC&Rs, the Country Club Community CC&Rs, and the

New Albany Community Authority Declaration are incorporated herein by reference as if fully set forth herein in their entirety.

SECTION 2. BUILD REQUIREMENT.

(a) Grantee, by acceptance of this conveyance, covenants and agrees and shall be deemed to have covenanted and agreed for Grantee and Grantee's successors, assigns, heirs and legal representatives to commence construction of a single-family residence on the Premises in accordance with plans and specifications approved by Grantor under the terms of the Country Club Community CC&Rs on or before two (2) years following the execution date of this deed (the "Build Requirement Date"). Construction shall be deemed to have commenced upon the substantial completion of the foundation of the single-family residence. If construction of a single-family residence on the Premises has not commenced on or before the Build Requirement Date, Grantor shall have the irrevocable option to repurchase the Premises from the then current owner of the Premises for a purchase price equal to the purchase price paid by Grantor to Grantee for the Premises in conjunction with the conveyance of this deed. The option contained in this Section 2 may be exercised at any time following the second (2nd) anniversary of the execution date of this deed by delivery of written notice of exercise to the owner of the Premises. If Grantor exercises this option to repurchase, the closing of Grantor's repurchase shall take place within thirty (30) days after Grantor's exercise of this option at such location as Grantor shall designate.

(b) At such closing, Grantee or the then-current owner shall convey to Grantor good and marketable title in fee simple to the Premises by appropriate general warranty deed with release of dower, free and clear of all liens and encumbrances except those which affected title to the Premises when originally conveyed to Grantee. Taxes and association assessments shall be prorated as of the date of resale and possession shall pass to Grantor at such closing. The covenants and agreements of Grantee and the rights of Grantor described in this Section 2 shall run with the land and shall be binding upon the heirs, personal representatives, successors and assigns of Grantee.

SECTION 3. RIGHT OF REPURCHASE.

Grantee, by acceptance of this conveyance, covenants and agrees and shall be deemed to have covenanted and agreed that prior to listing the Premises with any broker or otherwise offering or agreeing to sell any direct or indirect interest in all or any portion of the Premises to any person or entity, Grantee shall notify Grantor in writing of Grantee's intention to market or sell such interest. Within a period of thirty (30) days from Grantor's receipt of such written notice, Grantor shall have the option to repurchase the Premises for an amount equal to the purchase price paid by Grantee to Grantor in consideration for the sale and conveyance of the Premises. If Grantor fails to exercise the option to repurchase within said thirty (30) day period by sending written notice thereof to Grantee, then Grantee shall be entitled to market and sell the Premises subject to all other matters set forth herein. If Grantor exercises the option to repurchase, the closing shall take place within thirty (30) days after Grantor's exercise of the option at such location as Grantor shall designate. The rights of Grantor and the obligations of Grantee under this Section 3 shall extinguish, terminate and be null and void upon the earlier of (i) the date that construction of a single-family residence on the Premises is commenced; (ii) any transfer or conveyance of title to the Premises in fee simple after full compliance with the terms of this Section 3, provided, however, that in the event of any conveyance of a portion of the Premises, or any conveyance of less than fee simple, Grantor's rights shall remain in effect as to remaining interest in and to the Premises; or (iii) Grantor's express written waiver of its rights contained in this Section 3.

[Remainder of this page intentionally left blank; Signature page to follow.]

IN WITNESS WHEREOF, Grantor has caused the execution and delivery hereof so as to be effective as of the 6 day of July, 2021.

GRANTOR:

THE NEW ALBANY COMPANY LLC,
a Delaware limited liability company

By: *Brent B. Bradbury*
Brent B. Bradbury, Treasurer

STATE OF OHIO
COUNTY OF FRANKLIN, ss:

The foregoing instrument was acknowledged before me this 6th day of July, 2021, by Brent B. Bradbury, the Treasurer of THE NEW ALBANY COMPANY LLC, a Delaware limited liability company, on behalf of said limited liability company. No oath or affirmation was administered to the signer with regard to the notarial act.

M. Iams
Notary Public



MARY PATRICIA IAMS
Attorney At Law
Notary Public, State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

[Signatures continue on following page.]

Accepted by Grantee:

Gary J. Niederpruem II
Gary J. Niederpruem II

Mollie E. Niederpruem
Mollie E. Niederpruem

STATE OF *Ohio*
COUNTY OF *Franklin* ss:

The foregoing instrument was acknowledged before me this *7th* day of *July*, 2021, by Gary J. Niederpruem II, who affirmed the foregoing signature to be his voluntary act and deed. No oath or affirmation was administered to the signer with regard to the notarial act.

[Signature]

Notary Public



Richard L. Dile, Jr.
Notary Public-State of Ohio
My Commission Expires
December 25, 2023

STATE OF *Ohio*
COUNTY OF *Franklin* ss:

The foregoing instrument was acknowledged before me this *7th* day of *July*, 2021, by Mollie E. Niederpruem, who affirmed the foregoing signature to be her voluntary act and deed. No oath or affirmation was administered to the signer with regard to the notarial act.

[Signature]

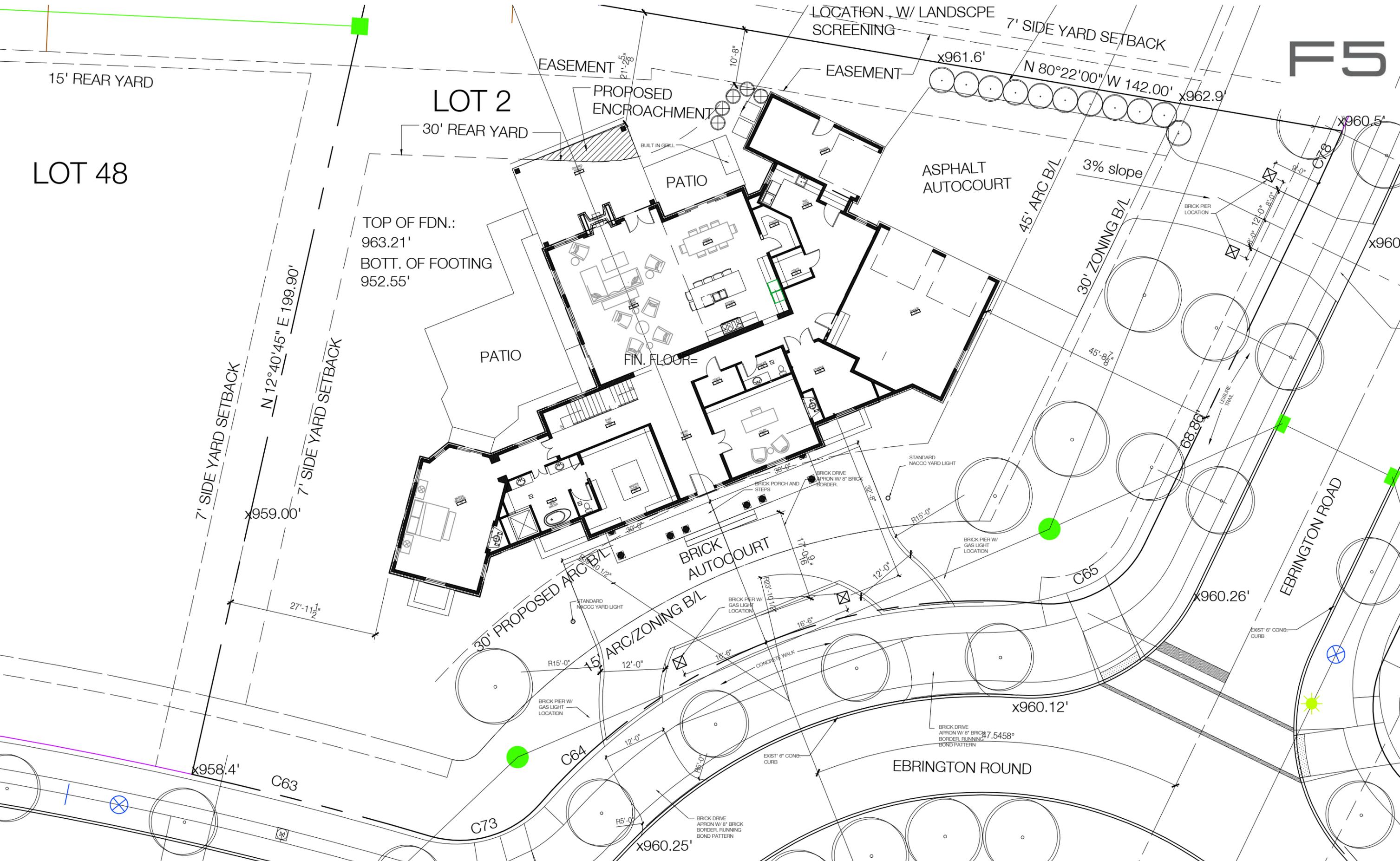
Notary Public



Richard L. Dile, Jr.
Notary Public-State of Ohio
My Commission Expires
December 25, 2023

This instrument prepared by:
The New Albany Company LLC
8000 Walton Parkway, Suite 120
New Albany, Ohio 43054
(614) 939-8000

F5

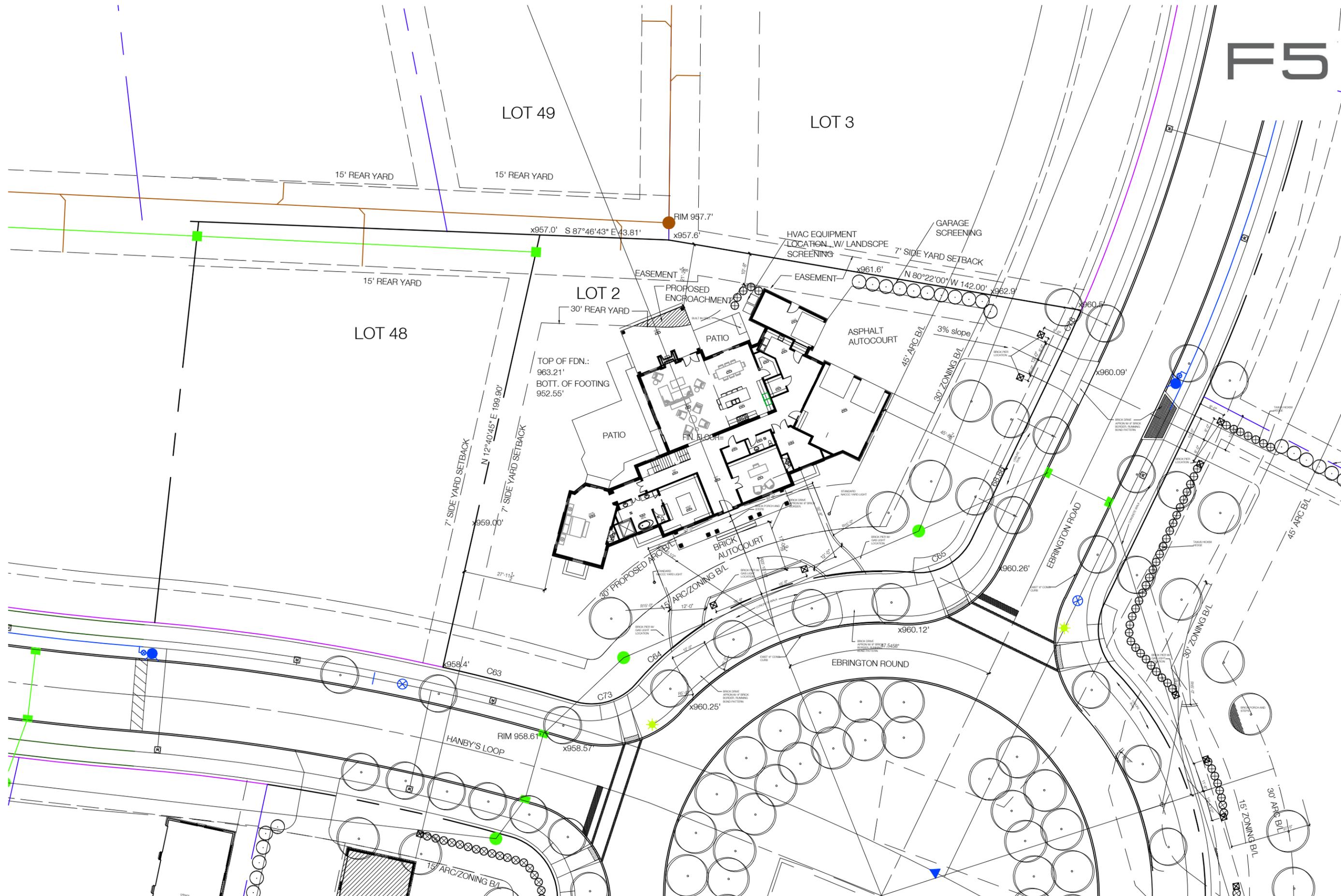


LOT 48

LOT 2

TOP OF FDN.:
963.21'
BOTT. OF FOOTING
952.55'

FIN. FLOOR





Rear Elevation AREA OF PORCH ENCROACHING



Front Elevation



Left Side Elevation



AREA OF PORCH
ENCROACHING

Right Side Elevation

1/8"=1'-0"



**Planning Commission Staff Report
June 20, 2022 Meeting**

**BEECH CROSSING WEST
ZONING AMENDMENT**

LOCATION: Generally located east of the Bob Evans site, south of Smith’s Mill Road and north of State Route 161 (portion of PID: 093-107046-00.000)
APPLICANT: MBJ Holdings LLC, c/o Aaron Underhill
REQUEST: Zoning Amendment
ZONING: Infill Planned Unit Development (I-PUD) to Infill Planned Unit Development (I-PUD)
STRATEGIC PLAN: Employment Center
APPLICATION: ZC-60-2022

Review based on: Application materials received May 20, 2022.

Staff report completed by Chris Christian, Planner.

I. REQUEST AND BACKGROUND

The applicant requests review and recommendation to rezone 25.120+/- acres of land from Infill Planned Unit Development (I-PUD) to Infill Planned Unit Development (I-PUD) for an area to be known as the “Beech Crossing West Zoning District”.

The proposed rezoning proposes to:

- Add warehousing and distribution uses as permitted uses on the property in addition to the other General Employment (GE) uses that are permitted under the existing zoning.
- Eliminate C-3 (retail, restaurant, personal service etc.) uses that were permitted on a limited portion of the property;
- Eliminate CF Community Facilities uses that were permitted on the entirety of the land;
- Reduce the setback along Smith’s Mill Road; and,
- Reduce the required eastern property line setback for this site.

II. SITE DESCRIPTION & USE

The overall 25.120 +/- acre site consists of one parcel and is located in Licking County. The site has frontage on Smiths Mill Road and is located north of SR 161, generally west of Beech Road, and east of the Lower.com site. Immediate neighboring zoning districts include the Columbus Southern Power Company GE Zoning District to the north, the Blacklick L-GE Subarea D Zoning District to the west, and the Beech Crossing Zoning District directly to the east of the site. The site is currently vacant.

III. PLAN REVIEW

Planning Commission’s review authority of the zoning amendment application is found under C.O. Chapters 1107.02 and 1159.09. Upon review of the proposed amendment to the zoning map, the Commission is to make recommendation to City Council. Staff’s review is based on city plans and studies, proposed zoning text, and the codified ordinances. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text.

Per Codified Ordinance Chapter 1111.06 in deciding on the change, the Planning Commission shall consider, among other things, the following elements of the case:

- (a) Adjacent land use.
- (b) The relationship of topography to the use intended or to its implications.
- (c) Access, traffic flow.
- (d) Adjacent zoning.
- (e) The correctness of the application for the type of change requested.
- (f) The relationship of the use requested to the public health, safety, or general welfare.
- (g) The relationship of the area requested to the area to be used.
- (h) The impact of the proposed use on the local school district(s).

In addition to these requirements, Codified Ordinance Chapter 1159.08 provides the basis of approval for a preliminary development plan in an I-PUD zoning district:

- (a) That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Zoning Code;
- (b) That the proposed development is in general conformity with the Strategic Plan or portion thereof as it may apply;
- (c) That the proposed development advances the general welfare of the Municipality;
- (d) That the benefits, improved arrangement and design of the proposed development justify the deviation from standard development requirements included in the Zoning Ordinance;
- (e) Various types of land or building proposed in the project;
- (f) Where applicable, the relationship of buildings and structures to each other and to such other facilities as are appropriate with regard to land area; proposed density of dwelling units may not violate any contractual agreement contained in any utility contract then in effect;
- (g) Traffic and circulation systems within the proposed project as well as its appropriateness to existing facilities in the surrounding area;
- (h) Building heights of all structures with regard to their visual impact on adjacent facilities;
- (i) Front, side and rear yard definitions and uses where they occur at the development periphery;
- (j) Gross commercial building area;
- (k) Area ratios and designation of the land surfaces to which they apply;
- (l) Spaces between buildings and open areas;
- (m) Width of streets in the project;
- (n) Setbacks from streets;
- (o) Off-street parking and loading standards;
- (p) The order in which development will likely proceed in complex, multi-use, multi-phase developments;
- (q) The potential impact of the proposed plan on the student population of the local school district(s);
- (r) The Ohio Environmental Protection Agency's 401 permit, and/or isolated wetland permit (if required);
- (s) The U.S. Army Corps of Engineers 404 permit, or nationwide permit (if required).

A. New Albany Strategic Plan

The Engage New Albany Strategic Plan lists the following development standards for the Employment Center future land use district:

1. No freeway/pole signs are allowed.
2. Heavy landscaping is necessary to buffer these uses from adjacent residential areas.
3. Plan office buildings within context of the area, not just the site, including building heights within development parcels.
4. Sites with multiple buildings should be well organized and clustered if possible.
5. All office developments are encouraged to employ shared parking or be designed to accommodate it.
6. All office developments should plan for regional stormwater management.
7. All associated mechanical operations should be concealed from the public right-of-way and screened architecturally or with landscape in an appealing manner.

8. Any periphery security should integrate with the existing landscape and maintain and enhance the character of the road corridor.
9. Combined curb cuts and cross-access easements are encouraged.
10. The use of materials, colors, and texture to break up large scale facades is required.

B. Use, Site and Layout

1. The proposed text rezones approximately 25.120+/- acres from Infill Planned Unit Development (I-PUD) to Infilled Planned Unit Development (I-PUD).
2. The following table provides an overview of the proposed zoning use changes compared to the existing Beech Crossing I-PUD zoning district text:

Use Category	Existing Zoning Text	Proposed Zoning Text
Community Facility (CF) Uses	Permitted on the entire property	Not permitted
C-3 Uses (Retail, Personal Service, Restaurant etc.)	Permitted on a limited portion of the property	Not permitted
Certain General Employment (GE) Uses	Permitted	Permitted
Warehousing and Distribution Uses	Not Permitted	Permitted

3. The proposed text carries over the existing list of prohibited uses including but not limited to: industrial product sales and services, mini-warehouses, off-premises signs, radio/television broadcast facilities, and sexually oriented business.
4. The text establishes the following setbacks which are consistent with those established in surrounding zoning districts:

Perimeter Boundary	Existing Zoning Text	Proposed Pavement & Building Setback
SR 161 (Southern)	125 foot building and pavement setback from the edge of right-of-way	125 foot building and pavement setback from the edge of right-of-way
Eastern Boundary	25 feet building and pavement setback	15 feet building and pavement setback
Western Boundary	25 feet building and pavement setback	25 feet building and pavement setback
Smith's Mill Road (Northern)	55 feet pavement and 100 feet for buildings from the edge of right-of-way	55 feet pavement and 100 feet for buildings from the edge of right-of-way

5. The text contains the same provision for elimination of setbacks for building and pavement when this zoning district and any adjacent parcel located outside of this zoning district come under common ownership, are zoned to allow compatible non-residential uses, and are combined into a single parcel.
6. Due to the proximity of this site to the SR 161 interchange and its location adjacent to commercially zoned and used land in the existing Licking County business park to the east and west, the site appears to be most appropriate for commercial development.

C. Access, Loading, Parking

1. The proposed text contains the same language from the existing Beech Crossing zoning text regarding the number of access points permitted along Smith's Mill Road (ZC-102-2019). The text permits the following curb cuts:
 - a. One full movement access point on the south side of Smith's Mill Road at its intersection with the Outparcel Access Road. This curb cut exists today.
 - b. Two other full movement access points along Smith's Mill Road, provided that they are adequately spaces from one another in order to preserve traffic safety.
 - c. Additional access points may be permitted if approved by the city based on a traffic analysis that is approved by the City Traffic Engineer.
2. The city engineer reviewed the application and determined that no additional right-of-way is needed.
3. Parking will be provided per code requirements (Chapter 1167) and will be evaluated at the time of development of the site.
4. City code requires an 8-foot-wide leisure trail to be installed along Smiths Mill Road

D. Architectural Standards

1. The proposed rezoning carries over the same architectural standards for General Employment uses as they exist in the Beech Crossing text today.
2. The proposed text maintains a maximum 65-foot building height limitation, consistent with other GE zoning texts in the New Albany Business Park.
3. The proposed text contains the same architectural requirements as surrounding business park zoning districts.
4. The City's Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to the inherent size and nature of these facilities careful attention must be paid to their design to ensure they are appropriately integrated into the rest of the business park. This zoning text contains specific design requirements for uses not governed by the DGRs, which will ensure the quality design of these buildings.
5. The proposed text contains a requirement for complete, four-sided screening of all roof-mounted equipment for sight and sound.
6. The proposed text requires all accessory structures, generators, storage tanks, trash receptacles or any other similar improvement to be located behind a building façade that that does not front onto a public road.

E. Parkland, Buffering, Landscaping, Open Space, Screening

1. Maximum lot coverage for this subarea is 80%. This matches the surrounding zoning districts.
2. The proposed zoning text contains the same landscaping, open space and screening standards as the existing Beech Crossing zoning district.
3. In addition to street trees, additional trees must be planted within the setback areas along both Smith's Mill Road and State Route 161 at a rate of 6 trees for every 100 feet of road frontage along the perimeter. The trees may be grouped or regularly spaced to create a more natural appearance.
4. Minimum tree sizes and heights for on-site trees match the standards in the surrounding business districts.
5. Four-board white horse fence will be required along both State Route 161 Smiths Mill Road.
6. A gas line easement burdens the southwestern portion of the zoning district along and near SR 161. The proposed zoning text takes this easement into account and states that the horse fence and street trees will be placed outside of the right-of-way and gas line easement.

F. Lighting & Signage

1. The proposed text retains the lighting and signage standards found in the existing Beech Crossing I-PUD zoning text.
2. All signage shall conform to the standards set forth in Codified Ordinance Section 1169.
3. All lighting shall be cut-off type fixtures and down cast to minimize light spilling beyond the boundaries of the site. The maximum height is 30 feet.
4. The zoning text requires landscape lighting details to be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1159.07(b)(3) and has no comments.

V. RECOMMENDATION

Basis for Approval:

The proposed rezoning is consistent with the principles of commercial development in the Engage New Albany strategic plan and the existing business park in Licking County. The text contains the same development standards as the surrounding zoning districts where General Employment (GE) uses are permitted as well as provisions landscape provisions that exist today in the Beech Crossing zoning district which will ensure a consistent development pattern in the immediate area.

1. The rezoning will result in a more comprehensive planned redevelopment of the area and will ensure compatibility between uses (1111.06(a)).
2. The IPUD rezoning application is an appropriate application for the request (1111.06(e)).
3. The overall effect of the development advances and benefits the general welfare of the community (1111.06(f)).
4. The proposed rezoning will allow for the development of businesses that will generate revenue for the school district while eliminating residential units having a positive impact on the school district (1111.06(h)).

Staff recommends approval provided that the Planning Commission finds the proposal meets sufficient basis for approval.

VI. ACTION

Suggested Motion for ZC-60-2022:

Move to recommend approval to City Council of Zoning Change application ZC-60-2022 (conditions of approval may be added).



Community Development Department
Planning Application

Case # ZC-60-2022
Board _____
Mtg. Date _____

Project Information	Site Address <u>Smiths Mill Road, New Albany, OH 43054</u>
	Parcel Numbers <u>A portion of 093-107046-00.000</u>
	Acres <u>25.120 +/- Acres</u> # of lots created _____
Contacts	<p>Choose Application Type Circle all Details that Apply</p> <p><input type="checkbox"/> Appeal</p> <p><input type="checkbox"/> Certificate of Appropriateness</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Development Plan Preliminary Final Comprehensive Amendment</p> <p><input type="checkbox"/> Plat Preliminary Final</p> <p><input type="checkbox"/> Lot Changes Combination Split Adjustment</p> <p><input type="checkbox"/> Minor Commercial Subdivision</p> <p><input type="checkbox"/> Vacation Easement Street</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Extension Request</p> <p><input checked="" type="checkbox"/> Zoning Amendment (rezoning) Text Modification</p>
	<p>Description of Request: <u>To rezone the subject property from I-PUD, Infill Planned Unit Development, to L-GE, Limited General Employment.</u></p>
Signature	<p>Property Owner's Name: <u>MBJ Holdings LLC, c/o Aaron L. Underhill, Esq.</u></p> <p>Address: <u>Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260</u></p> <p>City, State, Zip: <u>New Albany, Ohio 43054</u></p> <p>Phone number: <u>614.335.9320</u> Fax: <u>614.335.9329</u></p> <p>Email: <u>aaron@uhlfirm.com</u></p>
	<p>Applicant's Name: <u>MBJ Holdings LLC, c/o Aaron L. Underhill, Esq.</u></p> <p>Address: <u>Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260</u></p> <p>City, State, Zip: <u>New Albany, Ohio 43054</u></p> <p>Phone number: <u>614.335.9320</u> Fax: <u>614.335.9329</u></p> <p>Email: <u>aaron@uhlfirm.com</u></p>
	<p>Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.</p> <p>Signature of Owner By: <u><i>Aaron L. Underhill</i></u> Date: <u>5-20-2022</u></p> <p>Signature of Applicant By: <u><i>Aaron L. Underhill</i></u> Date: <u>5-20-2022</u></p> <p style="text-align: center;">Aaron L. Underhill, attorney for owner Aaron L. Underhill, attorney for applicant</p>

APPLICANT:

MBJ Holdings LLC
c/o Aaron L. Underhill
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, OH 43054

PROPERTY OWNER:

MBJ Holdings LLC
8000 Walton Parkway, Suite 120
New Albany, OH 43054

ATTORNEY:

Aaron L. Underhill, Esq.
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, OH 43054

SURROUNDING PROPERTY OWNERS:

Columbus Southern Power Company
Ohio Power Company
P.O. Box 16428
Columbus, OH 43216

AEP Ohio Transmission
Company, Inc.
1 Riverside Plaza
Columbus, OH 43215

Thirty-One Real Estate LLC
1010 Jackson Hole Dr., Suite 100
Blacklick, OH 43004

Distribution Land Company LLC
3 Limited Parkway
Columbus, OH 43230

Amgen, Inc.
2202 West Shore Blvd., Ste. 650-3A
Tampa, FL 33607

Richard and Edna Grindley
4541 Ravine Drive
Westerville, OH 43081

State of Ohio
1980 W. Broad St., 3rd Floor
Columbus, OH 43223

Thirty-One Real Estate LLC
3425 Morse Crossing
Columbus, OH 43219

Sajid Chaudhry
224 Florence Avenue
Granger, IN 46530

New Albany Duchess LLC
1935 James Parkway
Heath, OH 43056



Underhill & Hodge LLC
ATTORNEYS & COUNSELORS AT LAW

Aaron L. Underhill
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054

P: 614.335.9321
F: 614.335.9329
aaron@uhlfirm.com

May 20, 2022

Chris Christian
Development Service Manager
City of New Albany
99 West Main Street
New Albany, Ohio 43054

RE: School Impact of Zoning of 25.120+/- acres located to the east of Babbitt Road, south of and adjacent to Smith's Mill Road, to the north of and adjacent to S.R. 161 and to the west of and adjacent to Beech Road NW in New Albany, Ohio (the "Property")

Dear Chris:

This letter accompanies an application to rezone the Property from an I-PUD designation to a L-GE designation. The property consists of 25.120+/- acres located in the Licking Heights Local School District. The purpose of this letter is to analyze the impact of this zoning on this school district.

As this rezoning will not allow for residential development and instead adds only commercial uses, it will result in no new financial burdens on the school district and provide a new revenue source for them.

The obvious positive financial impact of developing the Property alleviates the need to undertake a detailed analysis of the impact the development would have on the local school district. In general terms, the rezoning will permit the development of the Property with non-residential uses, which will provide the school with a substantial financial benefit. This zoning will add significant value to the land and will provide the means to provide additional value by way of improvements.

The applicant is pleased to bring forth this application and looks forward to working with the City. Please let me know if you have any questions.

Sincerely,

Aaron L. Underhill
Attorney for the Applicant

ZONING DISTRICT

Information concerning specific Code requirements for rezoning submittal by MBJ Holdings, LLC

Per C.O. 1111.03(g), a statement as to how the proposed zoning amendment will impact adjacent and proximate properties.

Response: The proposed zoning amendment will have no impact on adjacent and proximate properties. Permitted uses in this new zoning district be the same as those permitted immediately prior to its approval with the addition of certain uses allowed under L-GE, Limited General Employment. This will result in only a slight difference between development which is permitted to occur under the present zoning versus this proposed zoning.

Per C.O. 1111.03(i), any deed restrictions, easements, covenants and encumbrances to be imposed to control the use, development and maintenance of the area to be rezoned.

Response: Upon the completion of the zoning for this property and prior to selling the property to any third party, the property will be made subject to The New Albany Business Park CCRs and will become part of The New Albany Business Park Association. In addition, a separate set of covenants, conditions, restrictions, and easements will be executed and recorded prior to development to provide easements for cross access, utilities, and other matters and to set forth maintenance responsibilities for property owners within this zoning district.

Per C.O. 1159.07(b)(2)(F) The schedule of site development, construction of structures and associated facilities. Such schedule shall include the proposed use or reuse of existing features such as topography, streets, easements and natural areas.

Response: Development of the site will begin based upon market conditions.

Per C.O. 1159.07(b)(2)(J) Verification that an application, if required, has been submitted to the Ohio Environmental Protection Agency in compliance with Section 401 of the Clean Water Act in which anyone who wishes to discharge dredged or fill material into waters of the United States must obtain a Water Quality Certification Permit from the Ohio Environmental Protection Agency. In the case of an isolated wetland either a general state or individual state isolated wetland permit must be obtained from the Ohio Environmental Protection Agency (Sections 6111.021. - 6111.024 of House Bill 231).

Response: No such applications/permits are required.

Per C.O. 1159.07(b)(2)(K) Verification that an application, if required, has been submitted to the U.S. Army Corps of Engineers, in compliance with Section 404 of the Clean Water Act in which anyone who wishes to discharge dredged or fill material into waters of the United States must obtain either a nationwide or individual permit from the U.S. Army Corps of Engineers.

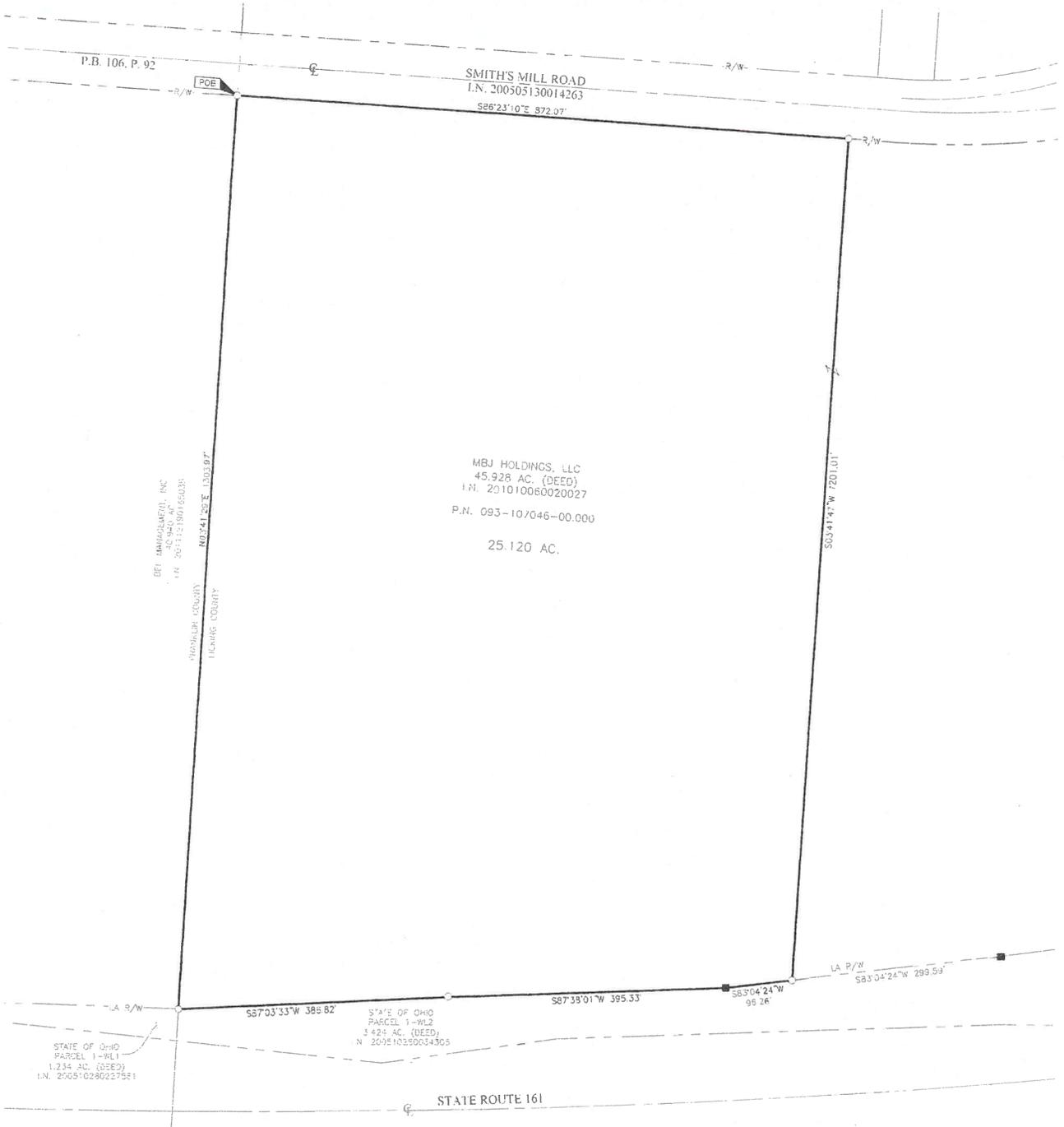
Response: No such applications/permits are required.

SURVEY OF ACREAGE PARCEL

HALF SECTION 15, QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 15

UNITED STATES MILITARY DISTRICT

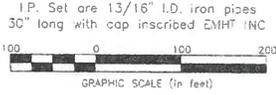
CITY OF NEW ALBANY, COUNTY OF LICKING, STATE OF OHIO



BASIS OF BEARINGS:
 The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected Franklin County Engineering Department monuments Frank 80 and Frank 180. The portion of the centerline of Beech Road, having a bearing of North 03°25'04" East, is designated the "basis of bearing" for this survey.

SURVEY NOTE:
 This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

- = 5/8" REBAR WITH ALUM. CAP STAMPED "ODOT" FND
 - = I.P. FND
 - = I.P. SET
 - = MAG. NAIL FND
 - = MAG. NAIL SET
 - ▲ = R.R. SPK FND
 - = P.K. NAIL FND
- I.P. Set are 13/16" I.D. iron pipes 30" long with cap inscribed EMHT INC



By: *Heather L. King* 11/13/20
 Heather L. King
 Professional Surveyor No. 8307
 hking@emht.com
 Date

EMHT Evan, Mechwart, Hamblen & Tilton, Inc. Engineers • Surveyors • Planners • Scientists 5800 New Albany Road, Columbus, OH 43054 Phone: 614.775.4500 Fax: 614.775.3648 emht.com		Date: November 10, 2020
		Scale: 1" = 20'
Job No: 2020-0131		Sheet: 1 of 1
REVISIONS		
MARK	DATE	DESCRIPTION

20200111 11:17:20 AM 11/13/2020 11:16:22 AM Sent from: 9999 on 11/17/2020 10:57 PM

25.120 ACRES

Situated in the State of Ohio, County of Licking, City of New Albany, located in Half Section 15, Quarter Township 3, Township 2, Range 15, United States Military District, being out of that 45.928 acre tract as conveyed to MJB Holdings, LLC by deed of record in Instrument Number 201010060020027 (all references, refer to the records of the Recorder's Office, Licking County, Ohio) and being described as follows:

BEGINNING at an iron pin set at the intersection of the southerly right-of-way line of Smith's Mill Road, as dedicated in Instrument Number 200502130014263 with the Licking/Franklin County line, being the common corner of said 45.928 acre tract and that 40.940 acre tract as conveyed to BEF Management, Inc., by deed of record in Instrument Number 201112190165035 (Franklin County);

Thence South 86° 23' 10" East, with the southerly right-of-way line of said Smith's Mill Road, the northerly line of said 45.928 acre tract, a distance of 872.07 feet to an iron pin set;

Thence South 03° 41' 47" West, across said 45.928 acre tract, a distance of 1201.01 feet to an iron pin set in northerly limited access right-of-way line of State Route 161, being the line common to said 45.928 acre tract and that 3.424 acre tract conveyed as Parcel 1-WL2 to State of Ohio by deed of record in Instrument Number 200510280034305;

Thence with said northerly limited access right-of-way line, the line common to said 45.928 and 3.424 acre tracts, the following courses and distances:

South 83° 04' 24" West, a distance of 96.26 feet to a 5/8 inch rebar with aluminum cap stamped "ODOT found;

South 87° 38' 01" West, a distance of 395.33 feet to an iron pin set; and

South 87° 03' 33" West, a distance of 386.82 feet to an iron pin set at the common corner of said 45.928 and 3.424 acre tracts, that 1.234 acre tract conveyed as Parcel 1-WL1 to State of Ohio by deed of record in Instrument Number 200510280227581, and said 40.940 acre tract, being in said County line;

Thence North 03° 41' 29" East, with the line common to said 45.928 acre and 40.940 acre tracts, said County line, a distance of 1303.98 feet to the POINT OF BEGINNING, containing 25.120 acres, more or less.

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

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

The bearings shown herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected Franklin County Engineering Department monuments Frank 80 and Frank 180. The portion of the centerline of Beech Road, having a bearing of North 03°25'04" East, is designated the "basis of bearing" for this survey.

This description is based on an actual field survey performed by or under the direct supervision of Heather L. King, Professional Surveyor Number 8307.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King 11/13/20
Heather L. King
Professional Surveyor No. 8307

BEECH CROSSING WEST ZONING DISTRICT

INFILL PLANNED UNIT DEVELOPMENT (I-PUD) TEXT

JUNE 7, 2022

A. INTRODUCTION: The Beech Crossing West Zoning District (hereinafter, the “Zoning District”) consists of 25.12+/- acres located to the south of and adjacent to Smith’s Mill Road, generally to the west of the Beech Road interchange on State Route 161. Prior to the approval of this rezoning, the property was part of the Beech Crossing Zoning District. This Zoning District will eliminate retail, restaurant, and service uses that were permitted on a limited portion of the property as well as CF, Community Facilities uses that were permitted on the entirety of the land, and will add warehousing and distribution uses as permitted uses on the property in addition to the other GE, General Employment uses that are permitted under the existing zoning.

B. DEVELOPMENT STANDARDS: Unless otherwise specified in the submitted drawings or in this written text, the development standards of Part Eleven of the Codified Ordinances of the City of New Albany shall apply to this subarea. Where there is a conflict between the provisions in this text and the Codified Ordinances, the provisions in this text shall govern. Basic development standards are compiled regarding proposed density, site issues, traffic, circulation, landscape and architecture. These component standards ensure consistency and quality throughout the development.

C. PERMITTED USES: Permitted and conditional uses shall include those set forth in the Codified Ordinances of the City of New Albany, GE General Employment District (Sections 1153.02 and 1153.03), provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses. The following uses shall be prohibited:

- (a) Industrial product sales (See Section 1153.03(a)(1))
- (b) Industrial service (See Section 1153.03(a)(2))
- (c) Mini-warehouses (See Section 1153.03(a)(4)(c))
- (d) Radio/television broadcast facilities (See Section 1153.03(c)(1))
- (e) Sexually-oriented businesses (See Section 1153.03(c)(3))
- (f) Off-premise signs (unless approved by the Planning Commission as a part of a master sign plan or final development plan)
- (g) Personal service (See Section 1153.03(b)(2) of the Codified Ordinances) and retail product sales and service (See Section 1153.03(b)(3) of the Codified Ordinances), except that such uses shall be allowed as accessory uses to a permitted use or as otherwise permitted and approved as a use permitted by Section II.A.3 below.
- (h) Wireless telecommunications facilities, except that such uses shall be permitted as an ancillary use as provided in Codified Ordinances Section 1179.04(c).

D. SETBACKS; LOT COVERAGE:

1. State Route 161: The minimum required pavement and building setback from the State Route 161 right-of-way shall be 125 feet.

2. Smith's Mill Road: There shall be minimum pavement setback of 55 feet and building setback of 100 feet as measured from the Smith's Mill Road right-of-way.
3. Western Perimeter Boundary: There shall be a minimum pavement and building setback of 25 feet and from the western perimeter boundary of this Zoning District.
4. Eastern Perimeter Boundary: There shall be a minimum pavement and building setback of 15 feet and from the eastern perimeter boundary of this Zoning District.
5. Elimination of Setbacks: In the event that a parcel located within this Zoning District and an adjacent parcel located within or outside of it (a) come under common ownership or control, (b) are zoned to allow compatible uses, and (c) are combined into a single parcel, then any minimum perimeter building or pavement setbacks set forth in this text shall no longer apply with respect to these parcels.
6. Lot Coverage: There shall be a maximum lot coverage of 80% in this Zoning District.

E. ARCHITECTURAL STANDARDS:

1. Building Height: The maximum building height for structures in this Zoning District shall be 65 feet, subject to Section 1165.03 of the Codified Ordinances.
2. Service and Loading Areas: Service areas and loading areas shall be screened in accordance with the Codified Ordinances.
3. Building Design:
 - a. Building designs shall not mix architectural elements or ornamentation from different styles.
 - b. Buildings shall be required to employ a comparable use of materials on all elevations.
 - c. The number, location, spacing, and shapes of windows and door openings shall be carefully considered. Primary entrances to buildings shall be made sufficiently prominent that they can be easily identified from a distance.
 - d. For office buildings and complexes, achieving a human or pedestrian scale is of less concern. When achieving such a scale is desired, it may be achieved by careful attention to width of facades, size and spacing of window and door openings, and floor to floor heights on exterior walls.
 - e. All elevations of a building that are visible from a public right-of-way shall receive similar treatment in terms of style, materials, and design so that such elevations are not of a lesser visual character than any other.
 - f. Use of elements such as shutters, cupolas, dormers, and roof balustrades shall be avoided in building designs that are not based on traditional American architectural

styles. Such elements may be employed only when they are common elements of a specific style, and this style shall be replicated in its entirety. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.

g. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed, located, or screened so as to minimize their visibility and visual impact from off-site. Solar energy systems shall be excluded from the requirements of this section.

h. Accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and construction as the nearest primary structure. Fenestration themes that employ windows, panels and piers that are consistent with the architectural vocabulary of the building are encouraged. Accessory structures, generators, storage tanks, trash receptacles or any other similar improvement must be located behind a building façade that does not front on a public right-of-way.

4. Building Form:

a. All building elevations shall be designed to be compatible with each other and to reflect a consistent design approach.

b. Gable or hip roofs shall be avoided unless a building design replicates a traditional American architectural style that employs such roof forms. In non-stylistic contemporary designs, low or flat roofs may be employed. Roof visibility shall be minimized.

5. Materials:

a. Exterior building materials shall be appropriate for contemporary suburban designs and shall avoid overly reflective surfaces. Traditional materials such as, but not limited to, wood, stone, brick, and concrete shall be permitted, and contemporary materials such as, but not limited to, aluminum, metal, glass, stucco, or cementitious fiberboard (e.g., hardiplank or equivalent) shall be permitted on buildings not employing traditional styles. Architectural precast concrete panels and/or poured-in-place concrete tilt-up panels shall be permitted. The use of reflective or mirrored glass shall be prohibited.

b. Prefabricated metal buildings and untreated masonry block structures are prohibited. Notwithstanding the foregoing, ancillary structures built and operated for the purpose of enclosing equipment and which are not occupied by tenants or persons on a regular basis may be constructed using pre-engineered metal.

c. Generally, the quantity of materials selected for a building shall be minimized.

d. Loading docks are not required to have the same degree of finish as a main entry unless they are visible from a public right-of-way.

e. Additional Standards for Uses Not Governed by DGRs: Buildings that are constructed to accommodate certain uses are not governed by the City's Design Guidelines and Requirements (DGRs). For example, buildings that are constructed for the operation of warehousing and/or distribution uses are not subject to the DGRs and can present

challenges in meeting the community standard for architectural design. Such buildings are necessarily large and typically include long walls that together form a square or rectangular box. The goal for the development of buildings that are not subject to the DGRs is to balance the practical needs of these buildings with the desire to provide exterior designs that are attractive and complimentary to the architecture that will be found elsewhere in this Zoning District.

Architecture by its nature is a subjective medium, meaning that the adoption of strict objective standards in all instances may not provide the best means for achieving appropriate design. In recognition of this fact, the standards set forth herein provide guidelines and suggestions for designing buildings that are not subject to the DGRs in an effort to set expectations for the quality of architecture that will be expected for these structures. On the other hand, these standards are meant to allow for some flexibility to encourage innovative design provided that the spirit and intent of these provisions are met.

In conjunction with an application for a certificate of appropriateness for each building or structure in this Zoning District that is not subject to or governed by the DGRs, the applicant shall be required to submit to the City illustrations of the proposed exterior design of the building or structure for review and approval by the Design Review Committee contemplated in Section 1157.08(a)(1)(D) of the City Code. In designing such buildings, the user or applicant shall take into account the following, which are intended to set a level of expectation for the quality of design:

- i. Architectural design for all portions of a building or structure that are visible from a public right-of-way (excluding public rights-of-way whose primary purpose is to accommodate truck traffic or service loading areas) shall meet the community standard in terms of quality while taking into account the unique nature of the use(s) that will be found therein.
- ii. Uninterrupted blank wall facades shall be prohibited to the extent that they are visible from a public right-of-way. Design variations on long exterior walls shall be employed in order to create visual interest. Examples of such design variations include, but are not limited to, the use of offsets, recesses and/or projections, banding, windows, and/or reveals; scoring of building facades; color changes; texture or material changes; and variety in building height.
- iii. The use of one or more architectural or design elements may be used to soften the aesthetics of the building, such as but not limited to canopies, porticos, overhangs, arches, outdoor patios, community spaces, or similar devices.
- iv. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.
- v. Landscaping and/or the use of existing vegetation shall be utilized where appropriate to enhance the aesthetics of the building and to lessen its visual impact when viewed from public rights-of-way.

f. Roof-Mounted Equipment: Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and to buffer sound generated by such equipment.

F. ACCESS, PARKING, SITE CIRCULATION, AND TRAFFIC COMMITMENTS:

1. Access Points: The following vehicular access points to and from this Zoning District along Smith's Mill Road are retained from the existing Beech Crossing Zoning District text (ZC-102-2019).

- (a) A full movement access point on the south side of Smith's Mill Road at its intersection with the Outparcel Access Road.
- (b) Two other full movement access points along Smith's Mill Road, provided that each other these access points is spaced adequately from other access points to preserve traffic safety. Additional access points along Smith's Mill Road may be permitted if approved by the City based on a review of a traffic analysis provided by the applicant and which has been approved and accepted by the City Traffic Engineer.

2. Parking and Loading: Parking and loading spaces shall be provided for each use per Chapter 1167 of the Codified Ordinances of the City of New Albany.

G. BUFFERING, LANDSCAPING AND OPEN SPACE: The following landscaping requirements shall apply to this Zoning District

1. Tree Preservation: Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

2. SR 161 Treatment: A gas line easement burdens the southeastern portion of the Zoning District along and near State Route 161, which is described in those instruments which are of record with the Office of the Recorder of Licking County, Ohio as Instrument Numbers 200806170014079 and 200906160013035 (the "Gas Line Easement"). A four-board white horse fence shall be required generally running parallel to State Route 161 along the perimeter of this Zoning District but outside of the right-of-way and Gas Line Easement. The landscaping plan for the Zoning District shall include plantings at the minimum rate of six (6) trees per 100 linear feet within the required minimum pavement setback from State Route 161 in all areas where existing trees are not preserved, except that as to portions of the State Route 161 frontage subject to the Gas Line Easement, such landscaping shall only be required to the extent it is permitted under the terms of the Gas Line Easement. Required trees may be grouped or spaced and existing trees may be used to meet the planting requirements. Trees planted pursuant to this paragraph shall be of species which are native to Central Ohio. No single species shall be used for more than one-third of the trees required by this paragraph unless otherwise approved as part of a final development plan. Minimum sizes for trees required to be planted pursuant to this paragraph shall be two (2) caliper inches.

3. Treatment along Smith's Mill Road: Within the minimum required pavement setback along Smith's Mill Road, landscaping shall be coordinated and consistent throughout and with the required landscaping for the zoning district to the east of this Zoning District. The following also shall be provided:

a. A four-board white horse fence shall be required along the street frontage.

b. A landscaped area shall be required behind the fence and within the required pavement setback. This buffer shall consist of deciduous shade trees planted at a rate equal to six (6) trees or more for every 100 lineal feet of street frontage. Such trees may be equally spaced or randomly grouped and shall be of species which are native to Central Ohio. No single species shall be used for more than one-third of the trees required by this paragraph. Minimum sizes for trees required to be planted pursuant to this paragraph shall be two (2) or three (3) caliper inches, provided that no more than 50% of these trees shall be two (2) inches in caliper.

4. Stormwater Basins: Wet and dry stormwater basins shall conform to the standards set forth in Section 1171.08 of the Codified Ordinances of the City of New Albany unless other design solutions are found to be appropriate. Other design solutions may be appropriate if the City Landscape Architect finds that an alternative design, shape, and appearance is appropriate in particular relationship to streetscape and other site design considerations. One or more stormwater basins located within the zoning district located to the east of and adjacent to this one may be shared to serve development within this Zoning District, or this Zoning District may include its own basin(s). Where shared stormwater basins are proposed, they shall be reviewed and approved by City staff and shall be memorialized in one or more easement agreements with other affected property owners which details maintenance and cost-sharing responsibilities of relevant parties.

5. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for deciduous trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

H. LIGHTING:

1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.
2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.
3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed thirty (30) feet in height.
4. No permanent colored lights or neon lights shall be used on the exterior of any building.

5. All new electrical utilities that are installed in this Zoning District shall be located underground.
6. All other lighting on the site shall be in accordance with City Code.
7. Street lighting must meet the City Standards and Specifications.

I. SIGNAGE: All signage shall conform to the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany.

J. UTILITIES: All new utilities installed solely to serve this Zoning District shall be installed underground.

K. SILO. An existing silo is located in this zoning district. The silo shall be allowed to remain on the site and replaced in the future in its current location and with its current dimensions, for the purpose of marketing the City and its business park(s).

L. GENERAL MATTERS:

1. **Development Review Procedure:** This I-PUD provides for the development and operation of uses and the application of development standards that are mostly compliant with the requirements of the GE, General Employment District under the City's Codified Ordinances, with limitations that apply to other properties with an L-GE, Limited General Employment District zoning classification in the City. Development proposals for the operation of any uses that are permitted under this zoning text but would not be permitted to be developed and operated in the GE, General Employment zoning classification of the City's Codified Ordinances will be subject to further review by the City's Planning Commission in accordance with relevant provisions of Chapter 1159 (Planned Unit Development) of the City's Codified Ordinances. In order to provide for similar procedural reviews of development proposals in this zoning district as apply to L-GE zoning classifications throughout the City, final development plan applications shall not be required to be filed with or reviewed by the Planning Commission in this zoning district. Development proposals for uses in this zoning district shall be reviewed by City staff in accordance with Chapter 1157 of the City's Codified Ordinances.
2. **Conditional Uses:** Any person owning or having an interest in property may file an application to use such property for one or more of the conditional uses provided for by City's Codified Ordinances Code or by this zoning text. Applications for conditional uses shall follow the procedure and comply with the requirements of Chapter 1115, Conditional Uses, of the Codified Ordinances of the City of New Albany.
3. **Appeals and Variances:**

- a. Appeals:
- i. Taking of Appeals: Appeals to the Board of Zoning Appeals concerning interpretation or administration of the text or the underlying zoning ordinance by the Zoning Officer or any other administrative official may be taken by any person aggrieved, including a tenant, or by a governmental officer, department, board, or bureau. Such appeal shall be taken within twenty days after the date of the decision by filing a notice of appeal specifying the grounds thereof with the officer from whom the appeal is taken and the Board of Zoning Appeals.
 - ii. Imminent Peril: An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Officer certifies to the Board of Zoning Appeals, after notice of appeal shall have been filed with him, that by reason of facts stated in the application a stay would, in his opinion, cause imminent peril to life or property. In such case, the proceeding shall not be stayed other than by a restraining order which may, on due cause shown, be granted by the Board of Zoning Appeals, after notice to the Zoning Officer or by judicial proceedings.
- b. Nature of Variance: On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable development standards of this text or the Zoning Ordinance unreasonable and, therefore, the procedure for variance from development standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change of the primary use of the land or structure permitted.
- c. Variance Process: The procedures and requirements of Chapter 1113, Variances of the Codified Ordinances of the City of New Albany shall be followed in cases of appeals. The Planning Commission shall hear requests for variances in this zoning district.



**Planning Commission Staff Report
June 20, 2022 Meeting**

**MOO MOO CARWASH
FINAL DEVELOPMENT PLAN**

LOCATION: 1.10+/- acre site within the Canini Trust Corp (PID: 222-000347)
APPLICANT: The Mannik & Smith Group, Inc. c/o Kyle Wrentmore
REQUEST: Final Development Plan
ZONING: Canini Trust Corp I-PUD: Subarea 8D
STRATEGIC PLAN: Retail
APPLICATION: FDP-62-2022

Review based on: Application materials received on March 10, 2022.

Staff report completed by Chris Christian, Planner

I. REQUEST AND BACKGROUND

The application is for a proposed Moo Moo carwash located south of US-62 within the Canini Trust Corp. The development includes an automated carwash and car vacuums on a 1.10-acre site.

The applicant is also applying for several variances related to this final development plan under application VAR-63-2022. Information and evaluation of the variance requests are under a separate staff report.

This site is part of the Canini Trust Corp I-PUD: Subarea 8D zoning district that was approved by the Planning Commission during their March 21, 2022 meeting (ZC-21-2022) and adopted by City Council (O-10-2022).

II. SITE DESCRIPTION & USE

The site is located on the southwest corner of US-62 and Forest Drive within the Canini Trust Corp zoning district. The site is 1.10+/- acres and is currently undeveloped and is bounded by US 62, Forest Drive and Woodcrest Way on all four sides.

III. EVALUATION

Staff's review is based on New Albany plans and studies, zoning text, zoning regulations. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text. Planning Commission's review authority is found under Chapter 1159.

The Commission should consider, at a minimum, the following (per Section 1159.08):

- (a) *That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Zoning Code;*
- (b) *That the proposed development is in general conformity with the Strategic Plan/Rocky Fork-Blacklick Accord or portion thereof as it may apply;*
- (c) *That the proposed development advances the general welfare of the Municipality;*

- (d) *That the benefits, improved arrangement and design of the proposed development justify the deviation from standard development requirements included in the Zoning Ordinance;*
- (e) *Various types of land or building proposed in the project;*
- (f) *Where applicable, the relationship of buildings and structures to each other and to such other facilities as are appropriate with regard to land area; proposed density may not violate any contractual agreement contained in any utility contract then in effect;*
- (g) *Traffic and circulation systems within the proposed project as well as its appropriateness to existing facilities in the surrounding area;*
- (h) *Building heights of all structures with regard to their visual impact on adjacent facilities;*
- (i) *Front, side and rear yard definitions and uses where they occur at the development periphery;*
- (j) *Gross commercial building area;*
- (k) *Area ratios and designation of the land surfaces to which they apply;*
- (l) *Spaces between buildings and open areas;*
- (m) *Width of streets in the project;*
- (n) *Setbacks from streets;*
- (o) *Off-street parking and loading standards;*
- (p) *The order in which development will likely proceed in complex, multi-use, multi-phase developments;*
- (q) *The potential impact of the proposed plan on the student population of the local school district(s);*
- (r) *The Ohio Environmental Protection Agency's 401 permit, and/or isolated wetland permit (if required);*
- (s) *The U.S. Army Corps of Engineers 404 permit, or nationwide permit (if required).*

It is also important to evaluate the PUD portion based on the purpose and intent. Per Section 1159.02, PUD's are intended to:

- a. *Ensure that future growth and development occurs in general accordance with the Strategic Plan;*
- b. *Minimize adverse impacts of development on the environment by preserving native vegetation, wetlands and protected animal species to the greatest extent possible*
- c. *Increase and promote the use of pedestrian paths, bicycle routes and other non-vehicular modes of transportation;*
- d. *Result in a desirable environment with more amenities than would be possible through the strict application of the minimum commitment to standards of a standard zoning district;*
- e. *Provide for an efficient use of land, and public resources, resulting in co-location of harmonious uses to share facilities and services and a logical network of utilities and streets, thereby lowering public and private development costs;*
- f. *Foster the safe, efficient and economic use of land, transportation, public facilities and services;*
- g. *Encourage concentrated land use patterns which decrease the length of automobile travel, encourage public transportation, allow trip consolidation and encourage pedestrian circulation between land uses;*
- h. *Enhance the appearance of the land through preservation of natural features, the provision of underground utilities, where possible, and the provision of recreation areas and open space in excess of existing standards;*
- i. *Avoid the inappropriate development of lands and provide for adequate drainage and reduction of flood damage;*
- j. *Ensure a more rational and compatible relationship between residential and non-residential uses for the mutual benefit of all;*
- k. *Provide an environment of stable character compatible with surrounding areas; and*
- l. *Provide for innovations in land development, especially for affordable housing and infill development.*

Engage New Albany Strategic Plan Recommendations

The Engage New Albany Strategic Plan lists the following development standards for the Neighborhood Retail future land use category:

1. Parking areas should promote pedestrians by including walkways and landscaping to enhance visual aspects of the development.
2. Combined curb cuts and cross access easements are encouraged.
3. Curb cuts on primary streets should be minimized and well-organized connections should be created within and between all retail establishments.
4. Retail building entrances should connect with the pedestrian network and promote connectivity through the site.
5. Integrate outdoor spaces for food related businesses.

A. Use, Site and Layout

1. The applicant proposes to develop a 3,751 sq. ft. Moo Moo carwash on a 1.10 acre site. The Canini Trust Corp: Subarea 8D zoning text permits drive-through automated car washes and related accessory uses including car vacuums which are also proposed for the site.
2. The proposed use is appropriate given the proximity of this site to State Route 161 and the surrounding commercial development surrounding this site. Some of the surrounding uses include Home2Suites, the Turkey Hill gas station, convenience store and car wash as well as Dairy Queen and Popeyes which is currently under construction.
3. Zoning text section III(E) states that the vehicular entry point into the carwash must be located at the rear of the building so that traffic exits the building through the building elevation facing US 62. As proposed, the circulation is revised so the entrance into the carwash will be located along the US-62 elevation and the exit along the Woodcrest way elevation and a variance to this requirement has been requested.
4. Zoning text section III(A)(4) requires that the total lot coverage, which includes areas of pavement and building, to not exceed 75% and this requirement is met as the lot coverage is 56%.
5. The zoning text section 8a.01 requires the following setbacks:

Road	Requirement	Proposed
US-62	75 building and pavement setback from the edge of right-of-way	75 foot pavement [meets code] 117 +/- building [meets code]
Forest Drive	15 foot building and pavement setback from the edge of right-of-way	30+/- foot pavement [meets code] 27+/- foot building [meets code]
Northern Boundary (adjacent to future development site)	0 foot building and pavement setback	5+/- foot pavement [meets code] 114+/- foot building [meets code]
Woodcrest Way	10 foot building and pavement from the edge of pavement	10+/- foot pavement [meets code] 38+/- foot building [meets code]

B. Access, Loading, Parking

1. Zoning text section III(C)(3) states that vehicular access to this site must be provided from Woodcrest Way and Forest Drive only. The site will be accessed from one full access along Woodcrest Way which is a private road. Queueing to enter the carwash will be provided around the perimeter of the site, with vacuums at the center of it. Once vehicles exit the carwash, they may either turn into the vacuum area or leave the site via the curb cut along Woodcrest Way. An exit only, escape lane is also proposed along

- Woodcrest Way in order to ensure there is an exit for vehicles that are too large to go through the drive through. This exit will be blocked off under normal day to day operations and not used as a normal exit or entrance into the site.
2. The zoning text section further states that at the time of a final development plan, a traffic analyses may be required at the discretion of the city traffic engineer. A traffic study was provided by the applicant and the city traffic engineer is supportive of the proposed site circulation pattern and curb cut locations.
 3. Zoning text section III(C)(4) states that a car wash shall provide at least two aisles to queue vehicles for entry into the carwash and a third aisle must be provided to allow customers and visitors to bypass the queuing aisles and exit the property. Further, the text requires two means of ingress/egress to be provided where vacuums are present on the site. The applicant is partially meeting these requirements as three drive aisles are present, one of which could be used by customers to bypass queuing cars and exit the property via the escape lane along Forest Drive. Due to the orientation of the site/building, which was largely dictated by the traffic study, the applicant is only providing one means of ingress/egress in the vacuum area of the site and a variance has been requested.
 4. Zoning text section III(C)(1) states that the Planning Commission shall review and approve the number of required parking spaces as part of this final development plan as city code does not provide standards for an automated car wash use.
 - a) A total of 15 vacuum spaces are being provided with an additional 3 standard parking spaces, including one handicap parking space. Based on the proposed use, it appears that the number of parking spaces for visitors is sufficient however, staff recommends that the Planning Commission confirm with the applicant where the employees will park on the site.
 5. Per C.O. 1167.03(a) the minimum parking space dimensions required are 9 feet wide and 19 feet long and the applicant is meeting this requirement.
 6. Per C.O. 1167.03(a) the minimum maneuvering lane width size is 22 feet for this development type and this is requirement is met.
 7. Per the approved final development plan for the Canini Trust Corp's Woodcrest Way private road network and the requirements of the zoning text, the applicant is required to install a 5 foot sidewalk along Woodcrest Way and Forest Drive and these requirement is met.

C. Architectural Standards

1. The purpose of the New Albany Design Guidelines and Requirements is to help ensure that the New Albany community enjoys the highest possible quality of architectural design.
2. The zoning text contains architectural standards and is also regulated by Section 6 of the Design Guidelines and Requirements (Commercial outside the Village Center).
3. The zoning text states that the maximum building height within this zoning district shall not exceed 35 feet. The proposed building height is approximately 25 +/- feet therefore this requirement is being met.
4. The applicant is proposing to use brick and fiber cement panels as the primary building materials which are permitted as well as asphalt roof shingles. The design of the building and use of materials is appropriate and complimentary to the other buildings in the immediate area.
5. Zoning text section III(D)(2) states that all visible elevations of a building shall receive similar treatment in style, materials and design so that no visible side is of a lesser visual character than any other. The applicant is accomplishing this requirement by utilizing four-sided architecture. The proposed car wash architecture is designed to resemble a historic American barn.
6. DGR Section 6(I)(A)(12) states that buildings shall have operable and active front doors along all public and private roads. However, the zoning text exempts carwash uses from

exempt meeting this requirement as long as a rear and side door is provided on the building and this requirement is met.

7. C.O. 1171.05(b) states that all trash and garbage container systems must be screened. The applicant proposes to install a dumpster enclosure thereby meeting this requirement.
8. There are no rooftop mechanical units proposed for the building.

D. Parkland, Buffering, Landscaping, Open Space, Screening

1. Codified Ordinance 1171.06(a)(3) requires one tree per 10 parking spaces. The applicant is providing parking spaces thereby requiring 2 trees and the applicant is meeting this requirement.
2. The zoning text section III(G)(4) requires that there be a minimum of eight (8) deciduous or ornamental trees per 100 lineal feet planted throughout the setback areas along US-62 and Forest Drive. The proposed site has approximately 194 feet of frontage along US-62, requiring 16 trees to be installed and the site has 247 feet of frontage along Forest Drive, requiring 20 trees to be installed. In order to meet these requirements, staff recommends a condition of approval that 18 additional buffer trees must be installed within the US-62 setback area.
3. C.O. 1171.04(a) requires that street trees must be planted along Forest Drive and US-62 at a rate of one tree for every 30 feet. There are 8 existing street trees along US-62 meeting the requirement along this roadway. The applicant is required to install 8 trees along Forest Drive and they are exceeding this requirement by providing 13.
4. C.O. 1171.06(2) requires a minimum of 5% interior parking lot landscaping on the site. The applicant is meeting and exceeding this requirement by providing 6% interior parking landscaping on the site.
5. Per zoning text section III(G)(3), parking lots shall be screened from US-62 with a minimum 30-inch-high evergreen landscape hedge or wall and this requirement is met.
6. The City Landscape Architect has reviewed the referenced plan in accordance with the landscaping requirements found in the New Albany Codified Ordinances and zoning text and provides in a memo attached to this staff report. Staff recommends all the City Landscape Architect's comments are met, subject to staff approval.

E. Lighting & Signage

1. The applicant submitted a photometric plan showing zero light spillage onto adjacent properties.
2. Zoning text section III(H)(3)(a) requires all parking lot and private driveway light poles to be cut-off and downcast, not exceed 18 feet in height, painted New Albany Green and the use the same fixture that has been used at Dairy Queen and throughout the Canini Trust Corp. These requirements are being met.

Wall Signs

C.O. 1169.16(d) permits one wall mounted sign per building frontage. One square foot of sign face is permitted per each lineal foot of the building, not to exceed 50 square feet in size. The applicant proposes to install two identical wall signs on the building, one on the front (US 62 frontage) and one on the rear (Woodcrest Way) elevations with the following dimensions.

Wall Signs

- a. Area: 50 square feet [does not meet code and a variance has been requested]
- b. Lettering height: 14 inches at the tallest [meets code]
- c. Location: one on the north and one on the south building elevations [meets code]
- d. Lighting: external, gooseneck [meets code]
- e. Relief: 1.5 inches [meets code]
- f. Color: red, white and black (total 3) [meets code]
- g. Materials: HDU panel [meets code]

- The sign will read "\$5 MooMoo Carwash Express and Vacuum" and feature the company logo
3. The applicant proposes to install three drive thru menu board sign at the front of the site which is permitted C.O. 1169.11(c) as long as they are screened from public rights-of-way which they are according to the landscape plan. The proposed menu board signs are digital and a variance has been requested. All other code requirements for this sign type are met.
 4. The applicant proposes to install a monument sign along the US-62 frontage of the site. The proposed monument sign meets all of the requirements of the Canini Trust Corp Master Sign Recommendations Plan however, a portion of the proposed sign is located in the right-of-way which is not permitted per C.O. 1169.05(a) and a variance has been requested.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the application and provided comments in a separate memo attached to this staff report. Staff recommends a condition of approval that the comments of the city engineer are addressed, subject to staff approval.

V. RECOMMENDATION

Staff recommends approval of the MooMoo Carwash final development plan provided that the Planning Commission finds the proposal meets sufficient basis for approval. The proposal is meeting many of the goals of the Engage New Albany Strategic Plan such as providing pedestrian access along roadways and into the site and utilizing high quality building materials by incorporating four-sided architecture. The city traffic engineer has reviewed the traffic study and is supportive of the general site circulation as it will not negatively impact traffic on adjacent roadways. The proposed development is in an appropriate location given the context of the surrounding area and will serve as an amenity for the New Albany Business Park. The proposed building is very well designed and is consistent with other retail buildings in the immediate area.

VI. ACTION

Suggested Motion for FDP-62-2022 (Conditions of approval may be added):

Move to approve FDP-62-2022 with the following conditions:

1. 18 additional trees must be planted within the US-62 building and pavement setback area.
2. The city landscape architect comments must be addressed, subject to staff approval.
3. The city engineer comments must be addressed, subject to staff approval.



**Planning Commission Staff Report
June 20, 2022 Meeting**

**MOO MOO CARWASH
VARIANCES**

LOCATION: 1.10+/- acre site within the Canini Trust Corp (PID: 222-000347)
APPLICANT: The Mannik & Smith Group, Inc. c/o Kyle Wrentmore
REQUEST:

- (A) Variance to zoning text section III(E) to allow the entry point of the carwash to be located at the front of the building where the text requires it be located at the rear of the building.
- (B) Variance to zoning text section III(C)(4) to allow one entry/exit point for a car vacuum area where the text requires two means of entry/exit.
- (C) Variance to C.O. 1169.16(d) to allow two wall signs to be 50 sq. ft. in size where code allows a maximum of 31 sq. ft. based on the frontage of the building.
- (D) Variance to C.O. 1169.05(A) to allow a monument sign to be located partially in the public right-of-way.
- (E) Variance to C.O. 1169.04 to allow digital menu board signs where code prohibits digital/electronic signs.

ZONING: Canini Trust Corp I-PUD: Subarea 8D
STRATEGIC PLAN: Retail
APPLICATION: VAR-63-2022

Review based on: Application materials received on March 10 and April 10, 2022.

Staff report completed by Chris Christian, Planner

I. REQUEST AND BACKGROUND

The applicant requests variances in conjunction with the final development plan (FDP-62-2022) for a Moo Moo carwash located south of US-62 within the Canini Trust Corp. The development includes an automated carwash and car vacuums on a 1.10-acre site.

The applicant requests the following variances:

- (A) Variance to zoning text section III(E) to allow the entry point of the carwash to be located at the front of the building where the text requires it be located at the rear of the building.
- (B) Variance to zoning text section III(C)(4) to allow one entry/exit point for a car vacuum area where the text requires two means of entry/exit.
- (C) Variance to C.O. 1169.16(d) to allow two wall signs to be 50 sq. ft. in size where code allows a maximum of 31 sq. ft. based on the frontage of the building.
- (D) Variance to C.O. 1169.05(A) to allow a monument sign to be located partially in the public right-of-way.
- (E) Variance to C.O. 1169.04 to allow digital menu board signs where code prohibits digital/electronic signs.

II. SITE DESCRIPTION & USE

The site is located on the southwest corner of US-62 and Forest Drive within the Canini Trust Corp zoning district. The site is 1.10+/- acres and is currently undeveloped and is bounded by US 62, Forest Drive and Woodcrest Way on all four sides.

III. EVALUATION

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. The property owners within 200 feet of the property in question have been notified.

Criteria

The standard for granting of an area variance is set forth in the case of *Duncan v. Village of Middlefield*, 23 Ohio St.3d 83 (1986). The Board must examine the following factors when deciding whether to grant a landowner an area variance:

All of the factors should be considered and no single factor is dispositive. The key to whether an area variance should be granted to a property owner under the “practical difficulties” standard is whether the area zoning requirement, as applied to the property owner in question, is reasonable and practical.

1. *Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.*
2. *Whether the variance is substantial.*
3. *Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a “substantial detriment.”*
4. *Whether the variance would adversely affect the delivery of government services.*
5. *Whether the property owner purchased the property with knowledge of the zoning restriction.*
6. *Whether the problem can be solved by some manner other than the granting of a variance.*
7. *Whether the variance preserves the “spirit and intent” of the zoning requirement and whether “substantial justice” would be done by granting the variance.*

Plus, the following criteria as established in the zoning code (*Section 1113.06*):

8. *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
9. *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*
10. *That the special conditions and circumstances do not result from the action of the applicant.*
11. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
12. *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*

III. RECOMMENDATION

Considerations and Basis for Decision

(A) Variance to zoning text section III(E) to allow the entry point of the carwash to be located at the front of the building where the text requires it be located at the rear of the building.

(B) Variance to zoning text section III(C)(4) to allow one entry/exit point for a car vacuum area where the text requires two means of entry/exit.

The following should be considered in the Commission's decision:

1. Section III(E) of the Canini Trust Corp Subarea 8D zoning text requires that the vehicular entry point into a building containing a car wash use shall be located in the rear of the building such that traffic will exit the building through the front. In simpler terms, the intent of this requirement is to ensure that the car wash entrance would be located in the rear of the site, opposite of US-62. As submitted, the entrance into the proposed car wash is located along the US-62 elevation of the building therefore, a variance is required.
2. Section III(C)(4) of the zoning text states that where automobile vacuum parking spaces are located, at least two means of ingress/egress shall be provided. As submitted, the applicant proposes to install only one entry/exit point from the vacuum area therefore a variance is required.
3. The applicant submitted a traffic study for the proposed development as required by the city traffic engineer per the requirements of the zoning text. The purpose of this requirement is to ensure that the proposed use will not have a negative impact on traffic for the adjacent roadways, particularly US-62. In order to accomplish this, the city traffic engineer provided the following direction to the applicant:
 - a. Locate the primary curb cut(s) into the site along Woodcrest Way which is a private roadway.
 - b. Prohibit regular traffic access along Forest Drive due to the proximity of US-62 based on the findings of the traffic study.
4. In order to meet these requirements, provide sufficient queuing on the site and eliminate any potential for a negative impact on US-62, and, the applicant flipped the orientation of the building as proposed which resulted in the proposed variance requests.
5. The variance request preserves the "spirit and intent" of the zoning requirement. The intent of the requirement is to ensure that the drive-thru functions of the proposed use are screened from primary roadways and in this case, US-62. While the applicant proposes to have this function of the building facing US-62, they are providing landscape screening in order to provide a visual buffer. The city landscape architect has reviewed the proposed landscape plan with these requirements in mind as part of the final development plan application (FDP-62-2022) and recommended some modifications in order to ensure the intent of this requirement is still met as part of the variance request.
6. The intent of the requirement for providing two means of ingress/egress for the vacuum area is to that additional connectivity will provide better traffic flow within the site and ease of access between the different functions of the site. While the applicant proposes to deviate from this original requirement, an additional ingress/egress access would not improve traffic flow on the site and would likely have a negative impact on it based on the city traffic engineer's review of site circulation. It appears that the original intent of the requirement is met while only providing one mean of access.
7. Additionally, while the orientation of the building is different than what is required, the visual impact of the structure will not change as it is designed with a 360-degree architectural approach with the same building materials and treatments being used on all side of the building. When the business is not operating, the public will not be able to perceive which side of the building is the front or rear.
8. If the variance requests are not granted, the applicant would be forced to reorient the site circulation pattern which may result in the curb cuts into the property to be located on Forest Drive. As stated, the city traffic engineer is not supportive of any permanent curb cuts along Forest Drive in order to preserve acceptable traffic control and access into the site which in turn has a direct impact on public roadways in the immediate area, namely US-62 which is a heaviest traveled road in the city. For these reasons, if the variance

requests are not granted, the essential character of the neighborhood may be altered and the adjoining property owners may suffer a substantial detriment.

(C) Variance to C.O. 1169.16(d) to allow two wall signs to be 50 sq. ft. in size where code allows a maximum of 31 sq. ft. based on the frontage of the building.

The following should be considered in the Commission's decision:

1. The applicant requests to allow two identical, MooMoo Car Wash wall signs to be 50 square feet in size where the zoning text allows a maximum area of 31 sq. ft. for all retail buildings.
2. The applicant proposes to install two identical wall signs, one on the US-62 elevation and one on the Woodcrest Way building elevation.
3. The variance appears to meet the spirit and intent of the zoning text which is to ensure that wall signs are appropriately scaled in relation to the building on which they are located. The proposed wall signs are appropriately integrated into the architecture of the building which will make these signs feel more like a part of overall building design.
4. It does not appear the essential character of the neighborhood would be substantially altered or adjoining properties suffer a "substantial detriment" by approving this variance. While the sign is larger than permitted, the design is unobtrusive. Additionally, there are no overly bright or jarring colors. Additionally, other sites within the Canini Trust Corp and the Walton-62 zoning districts have received variances to exceed the sign area limitations for the same reasons as described above.
5. It does not appear that the variance would adversely affect the delivery of government services, affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

(D) Variance to C.O. 1169.05(A) to allow a monument sign to be located approximately 8 feet in the public right-of-way.

The following should be considered in the Commission's decision:

1. C.O. 1169.05(a) states that signs may not be installed in any public easement, right-of-way, or no build zone, except publicly owned signs such as traffic control signs and directional signs. The applicant proposes to install their monument sign in the location required by the zoning text however it is partially located in the right-of-way therefore, a variance is required.
2. Staff is supportive of the variance request as it does not appear to be substantial. The zoning text requires developers to follow the Canini Trust Corp Master Sign Plan which was approved by the Planning Commission. Since then, many monument signs have been installed within this area, meeting the requirements of the sign plan. The plan includes requirements for size, color and location. The plan requires monument signs to be placed between the horse fence and leisure trail, both of which are existing along US-62 today. The variance is required in order for the sign to meet the location requirements and be consistent with other sign locations along US-62. While the sign is located within the right-of-way, it would not be obvious that this is the case unless you were looking at the lot lines on paper.
3. The special conditions and circumstances do not result from the action of the applicant. The sign requires monument signs to be placed between the horse fence and leisure trail, both of which are existing along US-62 today. These are located a consistent distance from the public street, but the right-of-way narrows, resulting in the need for this variance.
4. There appear to be special conditions and circumstances which are peculiar to this property that justify the variance request. While the sign plan accounts for size, color and location requirements, it does not take the varying right-of-way location along US-62 in account. In addition to the existing horse fence and leisure trail, there are also existing gas and water lines running along the frontage of the property, limiting where this sign

could be located. If the sign were to be relocated just outside of the right-of-way it would be installed above these utility lines which could not be supported. As proposed, the sign is not located above any utility lines and the city engineer is supportive of its location.

5. Staff recommends a condition of approval requiring a hold harmless agreement to be entered into which specifies that the applicant is responsible for maintenance, ownership and liability concerning the sign subject to the review and approval of the city law director and a right-of-way permit must be obtained.
6. With this condition of approval, it does not appear that the variance would adversely affect the delivery of government services, affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

(E) Variance to C.O. 1169.04 to allow digital menu board signs where code prohibits digital/electronic signs.

The following should be considered in the Commission's decision:

1. C.O. 1169.04 states that digital/electronic signs are a prohibited sign type. The applicant proposes to allow three pay stations for the car wash each of which include a small digital menu board therefore, a variance is required. The Planning Commission has approved digital menu board signs in the immediate area following the same general principles below. It appears that these same general principles and conditions of approval are applicable to this site and staff recommends approval of the variance with the conditions specified below. However, staff recommends that the Planning Commission weigh these same factors for this specific proposal when making a determination.
2. The city's codified ordinances state the purpose of the sign regulations are to are intended to provide design regulations for sign types so that they may fit harmoniously with structures and their surroundings. It is the intent of these regulations to prevent signs from becoming a distraction or obstruction to the safe flow of pedestrian and vehicular traffic, to prevent signs from becoming a nuisance factor to adjacent properties or uses, to protect and encourage a healthful economic and business environment in the community, and thereby protect the general health, safety, and welfare of the community. Accordingly, the city's sign code codified ordinance chapter 1169.04 lists flashing, animated, and electronic signs as prohibited sign types. Staff recommends a condition of approval requiring the menu board sign does not employ any animated or flashing features on the sign.
3. Additionally, in order to meet spirit and intent of a typical menu sign, staff recommends the menu must be static so it not used as a reader board with scrolling or frequent display changes.
4. To prevent the sign from becoming a nuisance factor to adjacent properties or uses at night staff recommends an automatic brightness dimmer is installed to ensure the sign is not overly bright. There will be landscaping installed in between the location of the proposed menu signs and US-62. This additional landscaping will provide buffering in order to limit the view of them from off-site.
5. It does not appear that the variance would adversely affect the delivery of government services, affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

II. RECOMMENDATION

Staff is supportive of the variances related to the site orientation and circulation due to the findings of the traffic study submitted with the final development plan which has been reviewed and approved by the city traffic engineer. The city staff goals for this private site layout are to (1) maximize the number of cars that can be queued on-site and (2) ensure the proper on-site circulation to maximize functionality of the drive-through. Additionally, to ensure there are no

off-site impacts, the applicant (1) removed a permanent curb cut along Forest Drive and (2) submitted a traffic study showing traffic generated from the site doesn't negatively impact the public streets. City staff and the developer agree the only way to accomplish all of the on-site and off-site goals is to flip the orientation of the building and have one entry/exit point from the vacuum area. Additionally, the wall sign size and monument sign location variances are appropriate as the signs are designed and located in similar locations as other signs within the same zoning district and therefore will complement the area.

The Planning Commission should evaluate the appropriateness of using a digital menu board sign at this site for this application. The board has approved digital menu board signs for other sites in the immediate area and it appears that the same standards of approval for those signs would apply in this case. The proposed electronic menu board sign may be appropriate if there are parameters in place to ensure the sign is unobtrusive as possible to ensure it doesn't become a nuisance or distraction. For this reason, staff recommends additional restrictions and regulations regarding the display and brightness of the sign are implemented to ensure it meets the purpose of the sign code regulations.

V. ACTION

Should the Planning Commission find that the application has sufficient basis for approval, the following motions would be appropriate (The Planning Commission can make one motion for all variances or separate motions for each variance request):

Move to approve application VAR-63-2022, subject to the following conditions:

1. A hold harmless agreement to be entered into which specifies that the applicant is responsible for maintenance, ownership and liability concerning the sign subject to the review and approval of the city law director and a right-of-way permit must be obtained. The electronic menu-board signs do not display any flashing, moving or animated graphics.
2. The menu must be static so it not used as a reader board with scrolling or frequent display changes.
3. An automatic brightness dimmer is installed to ensure the menu sign is not overly bright.

Approximate site Location:



Source: Google Earth

404.586-01
June 13, 2022

To: Christopher Christian
City Planner

From: Matt Ferris, P.E., P.S.
By: Jay M. Herskowitz, P.E., BCEE

Re: Moo Moo Carwash -
Final Development Plan

We reviewed the referenced submittal in accordance with Code Section 1159.07 (b)(3) FDP.
Our review comments are as follows:

1. A variance is proposed to allow the monument sign to be placed adjacent to existing sidewalk. In accordance with ODOT criteria we recommend that the sign be offset at least 2' from the edge of sidewalk.
2. In accordance with Code Section 1159.07 (3) Parts A. and D., please revise the cover sheet to show accurate distances and bearings from an established monument on the project to the three nearest established street lines or official monuments and show the location of boundary monuments (concrete 6"x6"x30" with an iron pipe cast in the center) at each corner, at each change of direction, at each intersection and at the beginning and end of curves.
3. Refer to Sheet C200. Revise the site drive so that it aligns centerline to centerline with the existing hotel curb cut. Please do the same in the Future Development area.
4. Provide site distance triangles at the curb cuts shown on Sheet L100. Please ensure that motorist view is not obstructed.
5. We will evaluate storm water management, water distribution, sanitary sewer collection and roadway construction related details once construction plans become available.

MEF/JMH

cc: Will Walther, Community Development
Dave Samuelson P.E., Traffic Engineer

Development Review

project name Express Moo Moo
 prepared for City of New Albany
 date June 13, 2022
 date received June 1, 2021

Planting Plan

- Overall planting pallet should be simplified to match current aesthetics.
 - Remove flowering perennials and shrubs including *Hemerocallis*, and *Weigela*.
 - Remove all ornamental grass.
 - Remove all *Euonymus alatus* due to invasive nature.
 - Remove all columnar tree species including *Ginkgo bilboa* 'Princeton Sentry', and *Zelkova serrata* 'Musashino'.
 - Remove *Acer rubrum* due to potential failure.
- Street trees should be one species of large deciduous shade tree, planted 30' O.C. Ornamental trees are not appropriate for this application. Tree planting along the future development site should have the same treatment. See diagram.
- Ensure proposed *Amelanchier* is multi-stem.
- Juniperus horizontalis* should only be used in the interior of the site. Remove all *Juniperus horizontalis* from all street-facing landscape beds. Black mulch is the desired aesthetic for plant beds. Refer diagram.
- Shrubs with green foliage are desired. Replace *Spiraea japonica* 'Goldmound' with a green leafed spirea and/or another species. All flowering shrubs should be kept to the site's interior. See diagram.
- To match precedent set by Dairy Queen Grill & Chill, the landscape bed facing Route 62 should have a consistent evergreen hedge to adequately screen parking. If ornamental trees are desired, match Dairy Queen species and locations. See diagram.
- Consider planting random large deciduous shade trees along frontage lawn to transition to a more rural condition while travelling northeast on Route 62. Consider *Quercus*, *Fagus* and *Acer*. See diagram.
- Resubmit planting plan to city's landscape architect for approval.

*NOTES:

The provided diagram is for clarification and design intent purposes only. The diagram should be used to help illustrate the above comments. It is the responsibility of the design consultants to incorporate the above comments as it relates to the site and to adhere to all City requirements and subsequent code. The diagram may not be to scale.

LANDSCAPE PLANT LIST

ABRV.	QUANTITY	SCIENTIFIC NAME	COMMON NAME	SIZE	REMARKS	TYPE
AC FR	4	ACER X FREEMANII	FREEMAN'S MAPLE	3" CALIPER	B&B	DECIDUOUS TREE
AR PN	5	ACER RUBRUM 'PNI 0268'	OCTOBER GLORY RED MAPLE	3" CALIPER	B&B	DECIDUOUS TREE
AL JA	9	AMELANCHIER LAEVIS 'JFS-ARB'	SPRING FLURRY SERVICEBERRY	6'-7' HEIGHT	B&B	ORNAMENTAL TREE
GB PS	5	GINKGO BILBOA 'PRINCETON SENTRY'	PRINCETON SENTRY GINKGO	3" CALIPER	B&B	DECIDUOUS TREE
ZS VG	3	ZELKOVA SERRATA X 'VILLAGE GREEN'	VILLAGE GREEN ZELKOVA	3" CALIPER	B&B	DECIDUOUS TREE
ZS MU	3	ZELKOVA SERRATA X 'MUSASHINO'	MUSASHINO ZELKOVA	3" CALIPER	B&B	DECIDUOUS TREE
TO NP	17	THUJA OCCIDENTALIS 'NORTH POLE'	NORTH POLE ARBORVITAE	5-6' HEIGHT	B&B	EVERGREEN TREE
BM JG	21	BUXUS MICROPHYLLA VAR. JAPONICA 'WINTER GEM'	WINTER GEM BOXWOOD	30" HEIGHT	CONTAINER	EVERGREEN SHRUB
CA KF	23	CALAMAGROSTIS X AGUTIFLORA 'KARL FOERSTER'	FOERSTER FEATHER REED GRASS	2' CALLON	CONTAINER	ORNAMENTAL GRASS
EA CO	26	EUONYMUS ALATUS 'COMPACTUS'	COMPACT BURNING BUSH	24" HEIGHT	CONTAINER	DECIDUOUS SHRUB
JH WI	12	JUNIPERUS HORIZONTALIS 'WILTONII'	CREeping JUNIPER	18" SPREAD	CONTAINER	EVERGREEN GROUNDCOVER
HE DL	52	HEMEROCALLIS 'BELA LUGOSI'	BELA LUGOSI DAYLILY	1' CALLON	CONTAINER	PERENNIAL
JC NC	26	JUNIPERUS CHINENSIS 'NICKS COMPACT'	NICKS COMPACT JUNIPER	24" HEIGHT	CONTAINER	DECIDUOUS SHRUB
SJ GO	9	SPIREA JAPONICA 'GOLDMOUND'	GOLDMOUND SPIREA	24" HEIGHT	CONTAINER	DECIDUOUS SHRUB
TA HI	43	TAXUS MEDIA 'HICKSII'	HICK'S YEW	30" HEIGHT	CONTAINER	EVERGREEN SHRUB
WA FL	11	WEIGELA FLORIDA	WINE AND ROSES WEIGELA	24-30" HEIGHT	CONTAINER	DECIDUOUS SHRUB

Permit # _____
 Board _____
 Mtg. Date _____



Community Development Planning Application

Project Information	Site Address <u>Johnstown Road and Forest Drive Outparcel</u> Parcel Numbers <u>220-000347-00</u> Acres <u>1.10</u> # of lots created <u>2</u>																																																											
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FINAL DEVELOPMENT PLANS FOR MOO MOO EXPRESS CAR WASH

FOREST DRIVE & WOODCREST WAY, NEW ALBANY, OHIO 43054

PROJECT DESCRIPTION

DEVELOPMENT OF AN EXISTING VACANT LOT INTO AN MOO MOO EXPRESS WASH FACILITY WITH ASSOCIATED PARKING, VACUUM AREAS, DRIVEWAYS, AND UTILITIES. THE SINGLE ENTRANCE TO THE FACILITY WILL BE ON WOODCREST WAY, AND A RIGHT-OUT ONLY EXIT LANE WILL BE PROVIDED TO FOREST DRIVE FOR VEHICLES THAT ARE UNABLE TO MOVE INTO THE CAR WASH TUNNEL. THE PROPOSED STORM SEWER SYSTEM WILL CONNECT TO THE EXISTING SHOPPES AT SMITH'S MILL DEVELOPMENT DETENTION BASINS VIA A STORM SEWER STUB PROVIDED TO THE LOT. THE PROPOSED SANITARY SEWER LEAD WILL CONNECT TO AN EXISTING SANITARY SEWER LINE WITHIN THE FOREST DRIVE RIGHT-OF-WAY. THE PROPOSED WATER SERVICE LEAD WILL ALSO CONNECT TO AN EXISTING WATER MAIN WITHIN THE FOREST DRIVE RIGHT-OF-WAY.

VARIANCE REQUESTS

VARIANCE REQUEST #1: 1169.05 (A) SIGNS MAY NOT BE INSTALLED IN ANY PUBLIC EASEMENT, RIGHT-OF-WAY, OR NO BUILD ZONE, EXCEPT PUBLICLY OWNED SIGNS, SUCH AS TRAFFIC CONTROL SIGNS AND DIRECTIONAL SIGNS.

CONDITION REQUIRING VARIANCE: AN EXISTING WATER MAIN AND GAS MAIN ARE LOCATED BETWEEN THE JOHNSTOWN ROAD RIGHT-OF-WAY AND EXISTING DEVELOPMENT'S FENCE.

VARIANCE REQUEST #2: 0-10-2022 III (E) THE VEHICULAR ENTRY POINT INTO A BUILDING CONTAINING A CAR WASH USE SHALL BE LOCATED IN THE REAR OF THE BUILDING SUCH THAT TRAFFIC WILL EXIT THE BUILDING THROUGH THE FRONT.

CONDITION REQUIRING VARIANCE: TO PROVIDE AN ENTRANCE/EXIT TO THE PROPERTY FROM WOODCREST WAY, THE INTERNAL VEHICLE CIRCULATION AND QUEUE REQUIRES THE ENTRY POINT INTO THE CAR WASH TUNNEL FACE JOHNSTOWN ROAD.

FLOOD ZONE

THE PROPERTY SHOWN HEREIN LIES WITHIN ZONE X, WHICH ARE AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOOD HAZARD ZONE, PER NFIP FLOOD INSURANCE RATE MAP 39049C0208K, EFFECTIVE JUNE 17, 2008.

NATURAL FEATURES

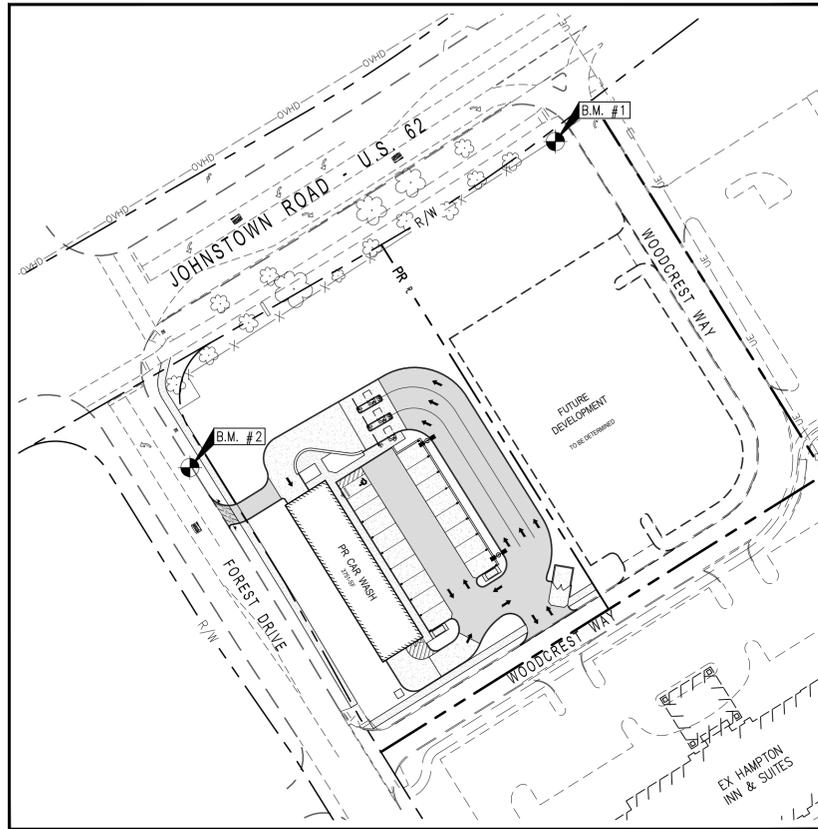
THE PROPERTY SHOWN HEREIN CONTAINS NO WETLANDS, WATER COURSES, OR OTHER SENSITIVE NATURAL FEATURES, AND IT IS CURRENTLY MAINTAINED AS A DOMESTIC LANDSCAPE OF LAWN GRASSES. THERE ARE NO EXISTING TREES ON THE LOT, WITH THE EXCEPTION OF THOSE ALONG THE JOHNSTOWN ROAD FRONTAGE, AND THESE EXISTING TREES WILL NOT BE REMOVED OR OTHERWISE ALTERED AS PART OF THE PROPOSED PROJECT.

BENCH MARKS

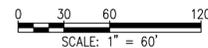
ALL BENCH MARKS AND ELEVATIONS SHOWN UPON THIS PLAN ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88). HORIZONTAL CONTROLS ARE TIED TO GPS OBSERVATIONS USING THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION VRS SYSTEM, BASED ON THE STATE PLANE COORDINATE SYSTEM, OHIO NORTH/SOUTH ZONE, NORTH AMERICAN DATUM OF 1983, ALSO KNOWN AS NAD83.

B.M. #1
DIRECTION ARROW ON FIRE HYDRANT FLANGE ELEVATION: 1085.32'

B.M. #2
DIRECTION ARROW ON FIRE HYDRANT FLANGE ELEVATION: 1079.74'



INDEX MAP



DESIGN CONSULTANT

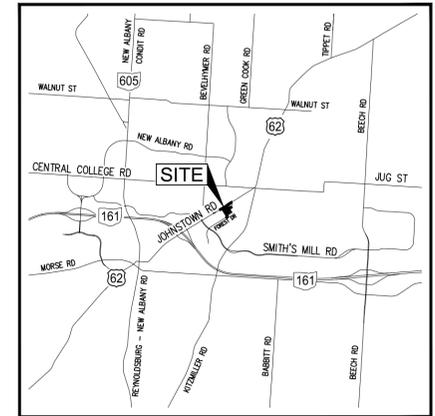
THE MANNIK & SMITH GROUP, INC.
1160 DUBLIN ROAD, SUITE 100
COLUMBUS, OHIO 43215
CONTACT: KYLE J. WRENTMORE
PHONE: (614) 441-4222
EMAIL: KWRENTMORE@MANNIKSMITHGROUP.COM

OWNER/DEVELOPER

EXPRESS WASH CONCEPTS
13375 NATIONAL ROAD, SUITE D
ETNA, OHIO 43068
CONTACT: JEFF GILGER
PHONE: (614) 751-9274
EMAIL: JEFF@EXPRESSWASHCONCEPTS.COM

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VICINITY MAP

NOT TO SCALE

ZONING REQUIREMENTS

	REQUIRED	MOO MOO EXPRESS WASH LOT	FUTURE DEVELOPMENT LOT
ZONING	I-PUD 8D	I-PUD 8D	I-PUD 8D
MIN. LOT AREA	0.75 AC	1.118 AC	1.085 AC
MIN. LOT FRONTAGE	100 FT	170.90 FT	139.90 FT
MIN. PAVEMENT & BUILDING SETBACKS			
JOHNSTOWN ROAD	75 FT	75 FT	75 FT
FOREST DRIVE	15 FT	15 FT	15 FT
WOODCREST WAY	10 FT	10 FT	10 FT
INTERIOR BOUNDARY	NONE	5 FT	5 FT
BLDG HEIGHT	35 FT MAX	33.1 FT	T.B.D.
BLDG FLOOR AREA	10,000 SF MAX	3,751 SF	T.B.D.
LOT COVERAGE	75% MAX	7.6%	T.B.D.
NUMBER OF BUILDINGS	---	1	T.B.D.
OPEN SPACE PROVIDED	---	0.481 AC	T.B.D.
VEHICLE PARKING REQUIREMENTS			
EMPLOYEE	---	2	T.B.D.
VACUUM	---	15	N/A
ACCESSIBLE	---	1	T.B.D.
TOTAL SPACES	---	18	T.B.D.
BICYCLE PARKING	---	NOT REQUIRED	T.B.D.

APPROVALS

SIGNATURES BELOW SIGNIFY CONCURRENCE WITH THE GENERAL PURPOSE AND LOCATION OF THE PROPOSED PROJECT. ALL TECHNICAL DETAILS REMAIN THE RESPONSIBILITY OF THE DESIGN ENGINEER PREPARING THE PLANS.

PLANNING COMMISSION CHAIR, CITY OF NEW ALBANY _____ DATE _____

PLANNING COMMISSION VICE CHAIR OR DESIGNEE, CITY OF NEW ALBANY _____ DATE _____

ENGINEER OF RECORD



CONTACT: MICHAEL J. MCAVOY, PE
ADDRESS: 1160 DUBLIN ROAD, SUITE 100
COLUMBUS, OH 43215
PHONE: (614) 441-4222
EMAIL: MMCAVOY@MANNIKSMITHGROUP.COM



2022-06-07
REGISTERED PROFESSIONAL ENGINEER DATE

DATE	BY	REVISION DESCRIPTION	PROJECT DATE
6/8/2022	KJW	SIDEWALK AND LANDSCAPE MODIFICATIONS PER CITY REVIEW	05/20/2022
			PROJECT NO. M3900009
			C000

W:\Projects\Projects\K\03900009\CAD\Drawings\Final Development Plans\03900009_C000_COVER & NOTES.dwg (Last saved: 6/7/2022 3:24 PM) by: Chiland, published: 6/7/2022 3:32 PM



GENERAL CONSTRUCTION NOTES

- 1. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE OSHA, FEDERAL, STATE AND LOCAL REGULATIONS...
2. THE CONTRACTOR SHALL NOTIFY THE ENGINEER SHOULD ANY DISCREPANCY REGARDING THE PROPOSED WORK OR UNFORESEEN CONDITIONS ARISE PRIOR TO PROCEEDING FURTHER WITH THE AFFECTED WORK.
3. WHERE CONFLICT ARISES BETWEEN ALL SPECIFICATIONS (BOOK OR PLAN BASED) INCLUDING CITY REQUIREMENTS, THE MORE STRINGENT SPECIFICATION SHALL PREVAIL.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS FOR THE PROJECT AND NOTIFYING THE OWNER AND ENGINEER OF ANY CONFLICTS OR DISCREPANCIES PRIOR TO CONSTRUCTION.
5. THE OWNER AT ITS DISCRETION RESERVES THE RIGHT TO MODIFY THE DETAILS AND STANDARDS OF CONSTRUCTION FOR ALL PRIVATE FACILITIES FROM THAT INDICATED ON THE APPROVED PLAN...
6. ANY DEFECTS DISCOVERED IN NEW CONSTRUCTION, WORKMANSHIP, EQUIPMENT, OR MATERIALS SHALL BE REPAIRED, OR CORRECTED BY APPROVED METHODS AS DIRECTED BY AND AT NO ADDITIONAL COST TO THE OWNER.
7. THE PRICE(S) QUOTED SHALL INCLUDE ALL ITEMS OF LABOR, MATERIALS, TOOLS, EQUIPMENT, INSURANCE AND OTHER COSTS NECESSARY TO FULLY COMPLETE THE WORK PURSUANT TO THE CONTRACT DOCUMENTS...
8. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR COMPLYING WITH ALL FEDERAL, STATE AND LOCAL SAFETY REQUIREMENTS INCLUDING THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970.
9. THE CONTRACTOR SHALL INDEMNIFY AND HOLD HARMLESS THE ENGINEER AND OWNER FOR ANY AND ALL INJURIES AND/OR DAMAGES TO PERSONNEL, EQUIPMENT, AND/OR EXISTING FACILITIES OCCURRING IN THE COURSE OF THE DEMOLITION AND CONSTRUCTION DESCRIBED IN THE PLANS AND SPECIFICATIONS.
10. ALL CONSTRUCTION WITHIN THE OHIO DOT RIGHT OF WAY SHALL COMPLY WITH ALL APPLICABLE ODOT STANDARDS.
11. WHEREVER UNSTABLE SOIL CONDITIONS ARE ENCOUNTERED THAT ARE NOT INDICATED ON THE PLANS, THE WORK SHALL BE DISCONTINUED UNTIL THE PROJECT ENGINEER AND OWNER APPROVE THE METHOD AND MATERIALS TO BE INCORPORATED INTO THE WORK.
12. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER OR ITS REPRESENTATIVE IF SUSPECTED HAZARDOUS MATERIAL OR ANY OTHER MATERIAL THAT MAY CREATE A HEALTH RISK IS DISCOVERED ON SITE.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING PLANT TICKETS FOR ALL MATERIALS DELIVERED TO THE SITE. PLANT TICKETS MUST SHOW NET QUANTITY OF DELIVERED MATERIAL.

MAINTENANCE OF TRAFFIC NOTES

- 1. ALL WORK WITHIN RIGHT OF WAY TO INCLUDE TRAFFIC CONTROL IN ACCORDANCE WITH THE OHIO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND PER ALL CITY REQUIREMENTS. ALL ROADS MUST REMAIN OPEN AT ALL TIMES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE TO INSTALL AND MAINTAIN TRAFFIC DEVICES FOR PROTECTION OF PEDESTRIANS AND VEHICLES CONSISTING OF DRUMS, BARRIERS, SIGNS, LIGHTS, FENCES AND UNIFORMED TRAFFIC CONTROLLERS IN ACCORDANCE WITH ODOT REGULATIONS AND/OR AS REQUIRED OR DIRECTED BY THE SITE ENGINEER OR CONSTRUCTION MANAGER OR LOCAL GOVERNING AUTHORITIES.
3. ANY ADDITIONAL TRAFFIC CONTROL REQUESTED BY THE CONTRACTOR WILL BE PROVIDED BY THE CONTRACTOR AT NO COST TO THE OWNER.

EXISTING CONDITIONS & DEMOLITION NOTES

- 1. DATA ON EXISTING UTILITIES HAS BEEN COMPILED FROM AVAILABLE INFORMATION INCLUDING UTILITY COMPANY AND MUNICIPAL RECORD MAPS AND FIELD SURVEY AND IS NOT GUARANTEED CORRECT OR COMPLETE. UTILITIES ARE SHOWN TO ALERT THE CONTRACTOR TO THEIR PRESENCE, AND THE CONTRACTOR IS SOLELY RESPONSIBLE FOR DETERMINING ACTUAL LOCATIONS AND ELEVATIONS OF ALL UTILITIES INCLUDING SERVICES.
2. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL LOCAL AND STATE PERMITS REQUIRED FOR DEMOLITION WORK.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING, CALCULATING, AND PRICING HIS OWN DEMOLITION QUANTITIES.
4. THE CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS IN THE FIELD AND CONTACT THE OWNER IF THERE ARE ANY QUESTIONS OR CONFLICTS REGARDING THE CONSTRUCTION DOCUMENTS AND/OR FIELD CONDITIONS SO THAT APPROPRIATE REVISIONS CAN BE MADE PRIOR TO CONSTRUCTION.
5. EXISTING CONDITIONS AS DEPICTED ON THESE PLANS ARE ILLUSTRATIVE IN NATURE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO EXAMINE THE SITE AND BE FAMILIAR WITH EXISTING CONDITIONS PRIOR TO BIDDING.
6. THE CONTRACTOR SHALL ARRANGE WITH THE OWNER AND CITY A CONVENIENT TIME TO PERFORM DEMOLITION WORK AND INSTALL TEMPORARY PROTECTED MEANS OF EGRESS/INGRESS FROM REQUIRED EXITS, INCLUDING TEMPORARY LIGHTING AND SAFETY DEVICES AS APPROPRIATE.
7. THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL AND DISPOSAL OF ALL RUBBISH, TRASH, DEBRIS, AND ORGANIC MATERIAL IN A LAWFUL MANNER.

- 8. CONTRACTOR SHALL PERFORM ALL CLEARING, GRUBBING, REMOVAL OF TREES, STUMPS, VEGETATION, AND DEBRIS NECESSARY TO PERFORM THE WORK INDICATED HEREIN.
9. SHOULD ANY UNCHARTED, OR INCORRECTLY CHARTED, EXISTING PIPING OR OTHER UTILITY BE UNCOVERED DURING EXCAVATION, CONSULT THE ENGINEER IMMEDIATELY BEFORE PROCEEDING FURTHER WITH THE WORK IN THIS AREA.
10. THE LIMITS OF CLEARING AND GRADING SHALL BE FIELD STAKED 48 HOURS (2 WORKING DAYS) PRIOR TO THE PRE CONSTRUCTION MEETING.
11. ALL UTILITY REMOVAL, RELOCATION, CUTTING, CAPPING, AND/OR ABATEMENT SHALL BE COORDINATED WITH THE APPROPRIATE UTILITY COMPANY LISTED ON THE PLANS.
12. MATERIALS NOTED ON THE PLANS TO BE SALVAGED TO THE OWNER SHALL BE STORED IN AREAS INDICATED ON THE PLANS, OR TO THE OWNERS SATISFACTION.
13. USE SUITABLE METHODS TO LIMIT DUST AND DIRT TO ADJACENT STRUCTURES OR PROPERTY.
14. THE CONTRACTOR SHALL PROTECT TREES, LANDSCAPING, SITE IMPROVEMENTS, AND OTHER ITEMS NOT SCHEDULED FOR CLEARING, OR THAT MIGHT BE DAMAGED BY CONSTRUCTION.
15. THE BUILDING PAD AREA IS DEFINED AS THE AREA TWENTY (20) FEET OUTSIDE OF THE PROPOSED BUILDING FOOTPRINT, INCLUDING ATTACHED WALKWAYS, CANOPIES, SIDEWALKS, LOADING DOCKS, UTILITY PADS, AND ANY OTHER SUCH APPURTENANCES.
16. ANY AND ALL DAMAGE TO EXISTING PAVEMENT WITHIN THE LAYDOWN AREA SHALL BE REPAIRED.
17. ALL UTILITIES NOT MARKED FOR REMOVAL OR RELOCATION SHALL REMAIN INTACT.
18. REMOVE EXISTING IMPROVEMENTS, BOTH ABOVE-GRADE AND BELOW-GRADE TO EXTENT INDICATED OR AS OTHERWISE REQUIRED TO PERMIT NEW CONSTRUCTION AS FOLLOWS:
A. REMOVE COMPLETELY ALL EXISTING WALLS, FLOORS, FOOTINGS, PIERS, SLABS, AND OTHER OBSTRUCTIONS WITHIN THE GROUND AREA TO BE OCCUPIED BY NEW BUILDINGS, UTILITY LINES OR EQUIPMENT FOR A DISTANCE OF 5' BEYOND PERIMETER OF NEW BUILDINGS OR WALLS.
B. EXISTING WELLS, CISTERNS OR CATCH BASINS NOT TO BE REUSED, THAT ARE WITHIN 5' OF THE NEW BUILDING WALLS, SHALL BE CLEANED OUT TO SOLID SUB-GRADE, THEN FILLED WITH SAND TO UNDERSIDE OF NEW FOOTING OR FLOOR SLAB.
C. IN AREAS TO BE SURFACED OR PLANTED, REMOVE ALL EXISTING WALLS, CURBS, PAVING AND OTHER OBSTRUCTIONS TO DEPTH OF 24" BELOW FINISHED GRADE.

LAYOUT AND PAVING NOTES

- 1. THE CONTRACTOR SHALL CONFINE HIS ACTIVITIES TO THE PROJECT SITE UNDER DEVELOPMENT, THE EXISTING RIGHT-OF-WAYS, AND CONSTRUCTION AND PERMANENT EASEMENTS, AND SHALL NOT TRESPASS UPON OTHER PROPERTY WITHOUT THE WRITTEN CONSENT OF THE OWNER.
2. THE CONTRACTOR SHALL MAKE HIS OWN PROVISIONS TO PROVIDE A SITE STAGING AREA AND JOB TRAILER (IF REQUIRED) FOR THE PROJECT IMPROVEMENTS.
3. THE CONTRACTOR SHALL REFERENCE ALL IRON PINS OR MONUMENTS. IF ANY PINS OR MONUMENTS ARE DESTROYED OR DAMAGED BY THE CONTRACTOR, THEY SHALL BE ACCURATELY REPLACED BY A REGISTERED SURVEYOR IN THE STATE OF OHIO AT THE COMPLETION OF THE PROJECT.
4. ALL SITE DIMENSIONS ARE REFERENCED TO THE FACE OF CURBS OR EDGE OF PAVING UNLESS OTHERWISE NOTED.
5. ALL CURB RAMPS, SIDEWALKS, AND PARKING AREAS REQUIRED FOR ACCESSIBILITY SHALL BE CONSTRUCTED IN FULL COMPLIANCE WITH THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT (ADA) OF 1990.
6. ALL PAVING MATERIALS FURNISHED AND WORK COMPLETED SHALL BE IN STRICT ACCORDANCE WITH ODOT CONSTRUCTION AND MATERIALS SPECIFICATIONS UNLESS OTHERWISE SPECIFIED.
7. ASPHALT SURFACE COURSE SHALL BE LAID WITH THE DIRECTION OF TRAFFIC FLOW IN ALL DRIVE LANES WITHIN PARKING FIELDS.
8. DO NOT PLACE MIX ON FROZEN OR WET SURFACES, OR WHEN PRECIPITATION IS OCCURRING.
9. DO NOT PLACE MIX WHEN AIR OR SURFACE TEMPERATURE IS BELOW:
1) BINDER COURSE AND WALKS - 40° F
2) WEARING COURSE, ROADWAYS AND PARKING AREAS - 50° F
10. ANY MATERIAL DELIVERED TO THE SPREADER HAVING A TEMPERATURE LOWER THAN 250° F SHALL NOT BE USED.
11. THE MINIMUM ROLLER WEIGHT FOR PAVEMENT SHALL BE TEN (10) TON.
12. ALL PAVEMENT MARKINGS, SIGNS, AND OTHER TRAFFIC CONTROL DEVICES SHALL CONFORM TO AASHTO AND THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.
13. CONTRACTOR SHALL FURNISH AND INSTALL ALL PAVEMENT MARKINGS AS SHOWN ON THE PLANS.
14. PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH ODOT CONSTRUCTION AND MATERIALS SPECIFICATIONS AND SHALL BE EITHER COLD LAID PLASTIC TAPE OR PAINTED AS DESIGNATED ON THE PLANS OR PAVEMENT MARKING DETAILS.
15. THE CONTRACTOR SHALL REMOVE EXISTING PAVEMENT MARKINGS IN A METHOD APPROVED BY CURRENT OHIO DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS.
16. DIRECTIONAL TRAFFIC ARROWS SHALL BE PAINTED WHITE UNLESS OTHERWISE NOTED.
17. A MINIMUM CLEARANCE OF 2 FEET SHALL BE MAINTAINED FROM THE FACE OF CURB AND ANY PART OF A LIGHT POLE OR TRAFFIC SIGN.

- 18. CONTRACTOR SHALL SAW-CUT IN A NEAT, STRAIGHT LINE FOR SMOOTH TRANSITIONS AT TIE-INS TO EXISTING EDGES OF PAVEMENT AND AT COLD JOINTS OF RECENTLY PAVED PAVEMENT.
19. JOINTS OR SCORE MARKS ARE TO BE SHARP AND CLEAN WITHOUT SHOWING EDGES OF JOINTING TOOL.
20. BASE AND ASPHALT THICKNESS SPECIFIED ARE THE MINIMUM REQUIRED.
21. ALL CONCRETE SHALL BE 6% (+/-1%) AIR ENTRAINED, 3/4" AGGREGATE AND CONFORM TO A 28 DAY STRENGTH OF 4,000 PSI MINIMUM AND SHALL HAVE A MAXIMUM W/C OF 0.50.
22. ALL CURB RADI ARE 4', UNLESS OTHERWISE NOTED.
23. ALL CONCRETE FOR CURBS SHALL BE AIR ENTRAINED TO BE 6% (+/-1%), MADE WITH SAND AND GRAVEL AGGREGATE AND SHALL CONFORM TO A TWENTY EIGHT (28) DAY STRENGTH OF 4,500 PSI MINIMUM, SHALL HAVE A MAXIMUM W/C OF 0.40 AND 130 LBS/LF.
24. CONTRACTOR SHALL INSTALL ALL CURBING IN A TRUE LINE AND PROPER GRADE IN ACCORDANCE WITH THE APPROVED SITE PLANS AND APPROPRIATE STATE DOT SPECIFICATIONS.
25. BUILDING FOOTPRINTS ARE SHOWN FOR INTENT ONLY.
26. SEE ARCHITECTURAL PLANS FOR FROST SLAB DETAILS AND SPECIFICATIONS.
27. CONTRACTOR TO INSTALL ALL UTILITY PIPING, SEWERS, CONDUIT PRIOR TO PAVING OPERATIONS.
28. ALL SIDEWALKS SHALL HAVE A LIGHT BROOM FINISH.
29. ALL CURBS SHALL BE FULL DEPTH CONCRETE CURB WITH 6" REVEAL, UNLESS OTHERWISE NOTED.
30. CONTRACTOR TO COORDINATE TRANSFORMER AND GENERATOR PAD DIMENSIONS AND SPECIFICATIONS WITH MEP PLANS AND ELECTRIC PROVIDER PRIOR TO CONSTRUCTION.

GENERAL GRADING & DRAINAGE NOTES

- 1. PROPOSED ELEVATIONS SHALL NOT BE CHANGED WITHOUT THE APPROVAL OF THE CITY ENGINEERING DEPARTMENT AND THE CONSTRUCTION MANAGER.
2. TOPSOIL SHALL BE STRIPPED AND STOCKPILED FOR USE IN FINAL LANDSCAPING.
3. CLEAN HARD FILL MATERIAL SHALL MEET THE REQUIREMENTS OF OAC 3745-4000-05 AND ALL REQUIREMENTS OF THE OHIO EPA.
4. MANHOLE RIMS AND CATCH BASIN GRATES SHALL BE SET TO ELEVATIONS SHOWN.
5. UNDERDRAINS MAY BE ADDED, IF DETERMINED NECESSARY BY THE ENGINEER OR CONSTRUCTION MANAGER.
6. THE CONTRACTOR SHALL PRESERVE EXISTING VEGETATION WHERE POSSIBLE AND/OR AS NOTED ON DRAWINGS.
7. THE CONTRACTOR SHALL COMPACT FILL IN 8" MAXIMUM LIFTS UNDER ALL PARKING, BUILDING, AND DRIVE AREAS TO 95% OF THE MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557 (MODIFIED PROCTOR TEST), OR AS DIRECTED BY THE GEOTECHNICAL ENGINEER.
8. THE CONTRACTOR SHALL BE ADVISED THAT ALL EXCAVATION IS CONSIDERED UNCLASSIFIED AND THAT IT SHALL BE RESPONSIBLE FOR ALL MEANS, METHODS, AND MATERIALS OF CONSTRUCTION TO COMPLETE CONSTRUCTION AS DESIGNED.
9. SITE GRADING SHALL BE PERFORMED TO PROVIDE POSITIVE DRAINAGE TO CATCH BASINS AND TO PRECLUDE THE PONDING OF WATER ON SITE.
10. THE CONTRACTOR SHALL VERIFY REQUIRED SPOT ELEVATIONS/GRADING IN THE VICINITY OF THE BUILDINGS WITH THE ARCHITECTURAL PLANS.
11. SPOT ELEVATIONS SHOWN DEPICT THE PROPOSED PAVEMENT OR GROUND SURFACE OR PAVEMENT ELEVATION AT FACE OF CURB, UNLESS OTHERWISE NOTED.
12. IT IS THE CONTRACTORS OBLIGATION AND RESPONSIBILITY TO CONFIRM/CONCUR WITH THE EXISTING GRADES SHOWN HEREIN.
13. THE CONTRACTOR MUST DOCUMENT EXISTING GRADE DISPUTES BY PROVISION OF A TOPOGRAPHIC SURVEY BY A STATE OF OHIO REGISTERED PROFESSIONAL SURVEYOR.
14. THE CONTRACTOR IS RESPONSIBLE FOR ALL SOIL IMPORT/EXPORT NECESSARY TO ACHIEVE THE PROPOSED GRADES.
15. ALL PROPOSED SLOPES 3:1 OR STEEPER AND ALL EARTHEN DRAINAGE WAYS SHALL RECEIVE JUTE OR EXCELSIOR MATTING AS PER ODOT 671 TYPE F.
16. ALL EXCAVATION UNDER OR NEAR EXISTING OR FUTURE PAVEMENT (INCLUDING SIDEWALKS), SUBJECT TO SETTLEMENT, WILL BE BACK FILLED WITH PREMIUM BACKFILL AS DEFINED HEREIN.
17. PAVEMENT EXCAVATION AND EMBANKMENT SHALL BE IN ACCORDANCE WITH ITEM 203.12 OF OHIO DEPARTMENT OF TRANSPORTATION SPECIFICATIONS.
18. THE CONTRACTOR SHALL PROVIDE ALL BENDS, FITTINGS, ADAPTERS, ETC. AS REQUIRED FOR PIPE CONNECTIONS TO BUILDING/CANOPY STUB-OUTS, INCLUDING ROOF/FOOTING DRAIN CONNECTIONS TO ROOF LEADERS AND TO STORM DRAINAGE SYSTEM.
19. UTILITY CONDUIT PIPE SHALL BE SCHEDULE 80 PVC AND/OR AS REQUIRED BY THE LOCAL UTILITY COMPANY.
20. ALL UTILITY CONSTRUCTION IS SUBJECT TO INSPECTION PRIOR TO APPROVAL FOR BACKFILL.
21. MANHOLE RIMS AND CATCH BASIN GRATES SHALL BE SET TO ELEVATIONS SHOWN.
22. THE CONTRACTOR MAY SUBSTITUTE MASONRY STRUCTURES FOR PRECAST STRUCTURES IF APPROVED BY THE CONSTRUCTION MANAGER AND IF ALLOWED BY THE CITY ENGINEERS.
23. THE SITE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONSTRUCTION OF WATER MAINS & SERVICES TO A POINT 5' OUTSIDE OF EACH BUILDING.
24. CONTRACTOR TO REFERENCE SITE ELECTRICAL PLAN FOR LOCATION OF ELECTRIC CONDUIT FOR ALL SITE ELECTRICAL WORK.
25. CONTRACTOR TO REFERENCE MEP SITE PLAN FOR ALL ELECTRICAL AND COMMUNICATION CONDUIT RUNS PRIOR TO START OF CONSTRUCTION.
26. ALL UTILITIES SHALL BE CONSTRUCTED, INSPECTED, AND TESTED IN ACCORDANCE WITH CITY STANDARDS AND REGULATIONS.
27. CONTRACTOR TO INSTALL SHORING AND/OR TEMPORARY STRUCTURES TO PROVIDE SUPPORT TO ANY AND ALL EXISTING AFFECTED UTILITIES PER UTILITY PROVIDER'S MINIMUM STANDARDS.

GENERAL UTILITY NOTES

- 1. THE CONTRACTOR SHALL COORDINATE ALL UTILITY CONNECTIONS, ELECTRICAL AND TELE-COMMUNICATIONS CONDUIT, AND GAS LINES SHOWN ON THESE PLANS WITH THE ARCHITECTURAL AND M.E.P. PLANS PRIOR TO THE START OF CONSTRUCTION.
2. IN THE EVENT OF CONFLICT OF ANY REQUIREMENTS OR PROVISIONS OF THE WORK INDICATED HEREON, THE SITE ENGINEER SHALL BE NOTIFIED FOR A DETERMINATION OF THE PLAN REQUIREMENTS AND INTENT THEREOF.
3. PROPER COORDINATION WITH THE RESPECTIVE UTILITY COMPANIES SHALL BE PERFORMED BY THE CONTRACTOR TO ENSURE THAT ALL UTILITY COMPANIES, THE LOCAL MUNICIPALITY, AND LOCAL COUNTY STANDARDS FOR MATERIALS AND CONSTRUCTION METHODS ARE MET.
4. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OF ALL PRODUCTS, MATERIALS AND PLAN SPECIFICATIONS TO THE OWNER AND LOCAL UTILITY COMPANIES AS REQUIRED FOR REVIEW AND APPROVAL PRIOR TO FABRICATION OR DELIVERY TO THE SITE.
5. THE CONTRACTOR SHALL VISIT THE SITE AND VERIFY THE ELEVATION AND LOCATION OF ALL UTILITIES BY VARIOUS MEANS PRIOR TO BEGINNING ANY EXCAVATION.
6. THE CONTRACTOR SHALL ARRANGE FOR AND COORDINATE WITH THE RESPECTIVE UTILITY COMPANIES FOR ALL SERVICE INSTALLATIONS AND CONNECTIONS AS WELL AS MAIN LINE AND SERVICE RELOCATIONS FOR ELECTRICAL, TELECOMMUNICATION, GAS, SANITARY, WATER, AND OTHER APPLICABLE UTILITIES.
7. CONTRACTOR TO COORDINATE TEMPORARY UTILITY OUTAGES WITH APPLICABLE UTILITY COMPANY AND CITY AND NOTIFY NEIGHBORING EFFECTED OWNERS NO LESS THAN 72 HOURS PRIOR TO PLANNED OUTAGE.
8. DO NOT INTERRUPT EXISTING UTILITIES SERVICING FACILITIES OCCUPIED AND USED BY THE OWNER OR OTHERS DURING OCCUPIED HOURS EXCEPT WHEN SUCH INTERRUPTIONS HAVE BEEN AUTHORIZED IN WRITING BY THE OWNER, LOCAL MUNICIPALITY AND/OR UTILITY COMPANY.
9. THE CONTRACTOR SHALL ABIDE BY ALL OSHA, FEDERAL, STATE AND LOCAL REGULATIONS WHEN OPERATING CRANES, BOOMS, HOSTS, ETC. IN CLOSE PROXIMITY TO OVERHEAD ELECTRIC LINES.
10. RELOCATION OF ANY UTILITY COMPANY FACILITIES TO BE DONE IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTILITY COMPANY AND LOCAL MUNICIPALITY.
11. ALL WATER MAINS, WATER SERVICES AND SANITARY SEWER LATERALS SHALL CONFORM TO APPLICABLE STATE, COUNTY AND LOCAL DEPARTMENTS, AND APPROPRIATE UTILITY COMPANY SPECIFICATIONS.
12. THE CONTRACTOR SHALL MAINTAIN ALL FLOWS AND UTILITY CONNECTIONS TO EXISTING BUILDINGS, ETC. WITHOUT INTERRUPTION UNLESS/JUNTIL AUTHORIZED TO DISCONNECT BY THE OWNER, UTILITY COMPANIES, AND GOVERNING AUTHORITIES.
13. ALL EXISTING PAVEMENT WHERE UTILITY PIPING IS TO BE INSTALLED SHALL BE SAW CUT AND REPLACED IN ACCORDANCE WITH THE PAVEMENT REPAIR REQUIREMENTS OF LOCAL MUNICIPALITY AND THE DETAILS CONTAINED HEREIN.
14. ALL PIPES SHALL BE LAID ON STRAIGHT ALIGNMENTS AND EVEN GRADES USING A PIPE LASER OR OTHER ACCURATE METHOD.
15. SANITARY LATERAL AND STORM SEWERS SHALL MAINTAIN 10-FOOT MIN. HORIZONTAL AND 1.5-FOOT MIN. VERTICAL SEPARATION DISTANCE FROM WATER LINES.
16. THE CONTRACTOR SHALL COMPACT PIPE BACKFILL IN MAX. 8" LOOSE LIFTS TO 95% OF THE MAXIMUM DRY DENSITY PER ASTM D1557, ACCORDING TO THE PIPE BEDDING DETAILS.
17. CONTRACTOR TO PROVIDE SLEEVES UNDER FOOTINGS OR THROUGH FOUNDATIONS FOR UTILITY CONNECTIONS.
18. CONTRACTOR SHALL PROVIDE ALL BENDS, FITTINGS, ADAPTERS, ETC. AS REQUIRED FOR PIPE CONNECTIONS TO BUILDING/CANOPY STUB-OUTS, INCLUDING ROOF/FOOTING DRAIN CONNECTIONS TO ROOF LEADERS AND TO STORM DRAINAGE SYSTEM.
19. UTILITY CONDUIT PIPE SHALL BE SCHEDULE 80 PVC AND/OR AS REQUIRED BY THE LOCAL UTILITY COMPANY.
20. ALL UTILITY CONSTRUCTION IS SUBJECT TO INSPECTION PRIOR TO APPROVAL FOR BACKFILL.
21. MANHOLE RIMS AND CATCH BASIN GRATES SHALL BE SET TO ELEVATIONS SHOWN.
22. THE CONTRACTOR MAY SUBSTITUTE MASONRY STRUCTURES FOR PRECAST STRUCTURES IF APPROVED BY THE CONSTRUCTION MANAGER AND IF ALLOWED BY THE CITY ENGINEERS.
23. THE SITE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONSTRUCTION OF WATER MAINS & SERVICES TO A POINT 5' OUTSIDE OF EACH BUILDING.
24. CONTRACTOR TO REFERENCE SITE ELECTRICAL PLAN FOR LOCATION OF ELECTRIC CONDUIT FOR ALL SITE ELECTRICAL WORK.
25. CONTRACTOR TO REFERENCE MEP SITE PLAN FOR ALL ELECTRICAL AND COMMUNICATION CONDUIT RUNS PRIOR TO START OF CONSTRUCTION.
26. ALL UTILITIES SHALL BE CONSTRUCTED, INSPECTED, AND TESTED IN ACCORDANCE WITH CITY STANDARDS AND REGULATIONS.
27. CONTRACTOR TO INSTALL SHORING AND/OR TEMPORARY STRUCTURES TO PROVIDE SUPPORT TO ANY AND ALL EXISTING AFFECTED UTILITIES PER UTILITY PROVIDER'S MINIMUM STANDARDS.

W:\Projects\Projects\K-03930000\CAD\SHETS\Final Development\Plan\A0300000_0000_COVER & NOTES.dwg Lantanae 6/7/2022 3:24 PM by Chiland, labeled 6/7/2022 3:32 PM

1160 DUBLIN ROAD SUITE 100 COLUMBUS, OH 43215 TEL: 614.441.4222 FAX: 888.688.7340 PROJECT DATE: 05/20/2022 PROJECT NO: M39009 DRAWN BY: RAHR CHECKED BY: NUMM
TECHNICAL SKILL: CREATIVE SPIRIT.
EXPRESS WASH CONCEPTS 13375 NATIONAL ROAD SW ETNA, OHIO 43068
FINAL DEVELOPMENT PLAN FOR MOO-MOO CAR WASH JOHNSTOWN ROAD AND FOREST DRIVE NEW ALBANY, OHIO 43054
GENERAL NOTES AND DETAILS
C001

SANITARY SEWER UTILITY NOTES

- THE LOCATION, SIZE, AND DEPTH OF THE EXISTING SANITARY LATERAL OR MAIN SHALL BE VERIFIED IN THE FIELD IN THE PRESENCE OF THE CITY INSPECTOR. THE SLOPE OF THE LATERAL TO THE BUILDING WILL THEN BE DETERMINED. THE CITY MUST APPROVE THE TYPE AND LOCATION OF ANY CONNECTION PRIOR TO INSTALLATION. THE EXISTING SANITARY LATERAL SHALL BE TELEVIEWED PRIOR TO INSTALLATION OF ANY SANITARY SEWER SYSTEM COMPONENTS. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER IF THE EXISTING LATERAL IS NOT FOUND TO BE IN GOOD CONDITION.
- SANITARY LATERAL SHALL BE A MINIMUM 6" DIAMETER OF PVC PIPE, ASTM D3034 SDR 26 WITH RUBBER GASKET JOINTS OR APPROVED EQUAL. LATERALS SHALL BE CONSTRUCTED WITH A MINIMUM 1% SLOPE, AND HAVE A MINIMUM OF 3 FT. COVER. PVC PIPE SHALL BE INSTALLED IN ACCORDANCE WITH THE DETAIL, ASTM D2321 AND MANUFACTURERS RECOMMENDED PROCEDURE.
- ROOF DRAINS, FOUNDATION DRAINS, AND OTHER CLEAN WATER CONNECTIONS TO THE SANITARY SEWER ARE PROHIBITED.
- MANHOLE SECTION AND CONSTRUCTION SHALL CONFORM TO ASTM C-478.
- THE CONTRACTOR SHALL TEST THE FOLLOWING:
 - FLEXIBLE PIPING FOR DEFLECTION THAT PREVENTS PASSAGE OF BALL OR CYLINDER OF SIZE NOT LESS THAN 95 PERCENT OF PIPING DIAMETER. DEFLECTION OF 5% SHALL NOT BE EXCEEDED.
 - THE CONTRACTOR SHALL TEST SANITARY SEWERAGE ACCORDING TO REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION. PERFORM AIR TESTS ON SANITARY SEWERAGE ACCORDING TO REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION IN ACCORDANCE WITH UNI-B-6.
 - TEST PLASTIC GRAVITY SEWER PIPING ACCORDING TO ASTM F 1417 AND CONCRETE GRAVITY SEWER PIPING ACCORDING TO ASTM C-924.
 - THE CONTRACTOR SHALL PERFORM HYDRAULIC TEST IN MANHOLES ACCORDING TO ASTM C-969.

WATER UTILITY NOTES

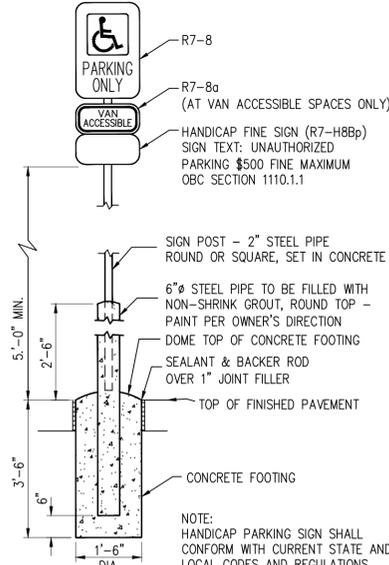
- ALL BACK FLOW PREVENTION DEVICES SHALL BE APPROVED BY THE CITY'S UTILITY DEPARTMENT.
- ALL FIRE SERVICE MAINS SHALL BE INSTALLED BY AN INDIVIDUAL WITH APPROPRIATE CERTIFICATION BY THE STATE OF OHIO.
- IN THOSE AREAS WHERE IT IS REQUIRED TO LOWER THE WATER LINE TO CLEAR AN OBSTACLE AND THE DEFLECTION WILL BE GREATER THAN 18", THE USE OF BENDS WILL BE REQUIRED TO CLEAR THE OBSTACLE AND BRING THE WATER MAIN UP TO THE STANDARD FIVE (5) FEET OF COVER.
- WATER MAIN SHALL BE MANUFACTURED AND TESTED IN ACCORDANCE WITH AWWA STANDARD C900 FOR POLYVINYL CHLORIDE (PVC) PRESSURE PIPE AND FABRICATED FITTINGS, 4-INCH, THROUGH 12-INCH, FOR WATER DISTRIBUTION, OR AWWA STANDARD C909 FOR MOLECULARLY ORIENTED POLYVINYL CHLORIDE (PVCO) PRESSURE PIPE, 4-INCH THROUGH 12-INCH, FOR WATER DISTRIBUTION AND CLEARLY MARKED AS SUCH. PVC WATER PIPE SHALL BE CERTIFIED TO NSF INTERNATIONAL STANDARD NO. 61.
- WATER METER AND BACKFLOW PREVENTER TO BE INSTALLED WITHIN THE BUILDING. REFERENCE BUILDING PLANS FOR DETAIL.
- MINIMUM DEPTH OF WATER MAIN COVER SHALL BE FIVE (5) FEET BELOW FINISH GRADE.
- A TEN FOOT MINIMUM HORIZONTAL SEPARATION (OUT-TO-OUT, CLEAR) WILL BE MAINTAINED BETWEEN THE WATER LINE AND SANITARY SEWER. AN 18 INCH MINIMUM VERTICAL SEPARATION (OUT-TO-OUT CLEAR) WILL BE MAINTAINED BETWEEN THE WATER LINE AND SANITARY SEWER AT ALL CROSSINGS.
- A TEN FOOT MINIMUM HORIZONTAL SEPARATION (OUT-TO-OUT CLEAR) WILL BE MAINTAINED BETWEEN THE WATER LINE AND STORM SEWER. AN 18 INCH MINIMUM VERTICAL SEPARATION (OUT-TO-OUT CLEAR) WILL BE MAINTAINED BETWEEN THE WATER LINE AND STORM SEWER AT ALL CROSSINGS. BOOSTER PUMPS ARE NOT PERMITTED ON SERVICE CONNECTIONS.

STORM SEWER UTILITY NOTES

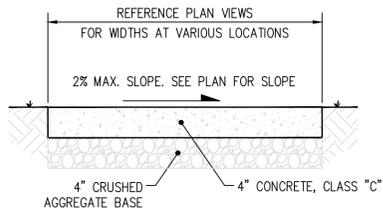
- CURB INLETS ARE TO BE ALIGNED WITH FACE OF CURBS.
- ALL CATCH BASINS/MANHOLES, UNLESS STATED OTHERWISE IN STRUCTURE SCHEDULE SHALL BE AS FOLLOWS OR APPROVED EQUAL:
 - CURB INLETS: EAST JORDAN IRON WORKS 7045 WITH TYPE M1 SINUSOIDAL GRATE AND 7050 T1 BACK. ALL CATCH BASINS SHOWN ADJACENT TO CURBS ARE TO BE CURB INLETS.
 - CATCH BASINS IN CONCRETE PAVEMENT: EAST JORDAN IRON WORKS 5110 WITH TYPE M3 HEAVY DUTY SINUSOIDAL GRATE.
 - CATCH BASINS IN ASPHALT PAVEMENT: EAST JORDAN IRON WORKS 5100 WITH TYPE M1 5105 GRATE.
- ALL STORM SEWER PIPES SHALL BE HDPE OR PVC UNLESS STATED OTHERWISE ON THE PLANS.
 - HIGH DENSITY POLYETHYLENE (HDPE) STORM SEWER PIPE SHALL HAVE A SMOOTH INTERIOR AND CORRUGATED EXTERIOR AND MEET THE REQUIREMENTS OF ONE OF THE FOLLOWING SPECIFICATIONS: AASHTO M252, TYPE S FOR 4-INCH THROUGH 10-INCH PIPE, AASHTO M294, TYPE S FOR 12-INCH THROUGH 36-INCH PIPE, ASTM F2306 FOR 12-INCH THROUGH 60-INCH PIPE, OR ASTM F2648 FOR 4-INCH THROUGH 60" PIPE. JOINTS SHALL BE SILT-TIGHT BELL AND SPIGOT CONNECTIONS. HDPE PIPE SHALL BE INSTALLED IN ACCORDANCE WITH THE DETAIL, ASTM D2321 AND MANUFACTURERS RECOMMENDED PROCEDURE.
 - POLY VINYL CHLORIDE (PVC) PIPE FOR STORM SHALL HAVE BUILT-IN RUBBER GASKET JOINTS. PVC PIPE SHALL CONFORM TO ASTM D3034 SDR35 WITH COMPRESSION JOINTS AND APPROPRIATE FITTINGS. PVC PIPE SHALL BE INSTALLED IN ACCORDANCE WITH THE DETAIL, ASTM D2321 AND MANUFACTURERS RECOMMENDED PROCEDURE.
 - RE-INFORCED CONCRETE PIPE (RCP) SHALL CONFORM TO THE REQUIREMENTS OF ASTM C-76; ALL RCP SHALL BE CLASS IV UNLESS OTHERWISE SHOWN. JOINTS SHALL CONFORM TO THE REQUIREMENTS OF ASTM C-443.
- ALL STORM SEWERS, INLET BASINS AND MANHOLES SHALL BE CLEANED PRIOR TO ACCEPTANCE.

SITE MAINTENANCE & RESTORATION NOTES

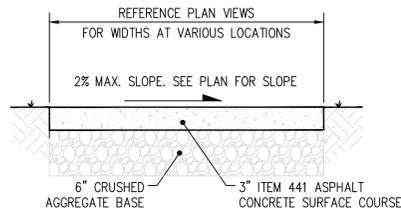
- THE CONTRACTOR SHALL PROVIDE AND MAINTAIN TEMPORARY EROSION, POLLUTION, AND DUST CONTROL MEASURES THROUGHOUT THE ENTIRE CONSTRUCTION PROJECT. REFERENCE THE SWPPP PLAN, NOTES AND DETAILS.
- IF MUD, SOIL, OR OTHER DEBRIS IS DEPOSITED ON ADJACENT STREETS, ROADS, OR OTHER PROPERTY, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF SUCH AT THE END OF EACH WORK DAY, OR AS REQUIRED DURING THE WORK DAY.
- ALL ROAD SURFACES, EASEMENTS, OR RIGHT-OF-WAY DISTURBED BY THE CONSTRUCTION OF ANY PART OF THESE IMPROVEMENTS ARE TO BE RESTORED ACCORDING TO CITY REQUIREMENTS. CONTRACTOR SHALL REPAIR ANY CURB DAMAGED DURING CONSTRUCTION ACTIVITIES.
- ALL DISTURBANCE INCURRED TO CITY OR STATE PROPERTY DUE TO CONSTRUCTION SHALL BE RESTORED TO ITS PREVIOUS CONDITION OR BETTER, TO THE SATISFACTION OF THE CITY, LOCAL, AND/OR STATE DOT.
- THE CONTRACTOR SHALL RESTORE ANY STRUCTURES, PIPE, UTILITY, PAVEMENT, CURBS, SIDEWALKS, LANDSCAPED AREAS, ETC. WITHIN THE SITE OR ADJOINING PROPERTIES DISTURBED DURING DEMOLITION OR CONSTRUCTION TO THEIR ORIGINAL CONDITION OR BETTER, AND TO THE SATISFACTION OF THE OWNER, LOCAL MUNICIPALITY, AND STATE.
- FINAL CLEANUP: THE CONTRACTOR SHALL CLEAN-UP ALL DEBRIS AND MATERIALS RESULTING FROM CONSTRUCTION AND SHALL RESTORE ALL SURFACES, STRUCTURES, DITCHES AND PROPERTY TO ITS ORIGINAL CONDITION TO THE SATISFACTION OF THE OWNER AND ALL APPLICABLE GOVERNMENTAL AND REGULATORY AGENCIES.
- THE CONTRACTOR SHALL PROVIDE AS-BUILT RECORDS OF ALL CONSTRUCTION (INCLUDING UNDERGROUND UTILITIES) TO THE OWNER FOLLOWING COMPLETION OF CONSTRUCTION ACTIVITIES.



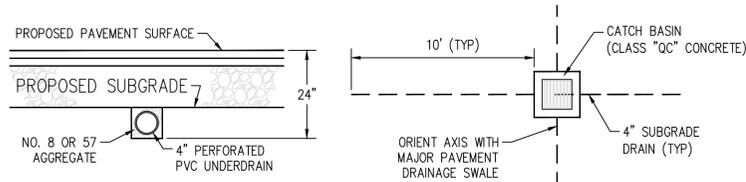
ADA ACCESSIBLE PARKING POST & SIGN
NOT TO SCALE



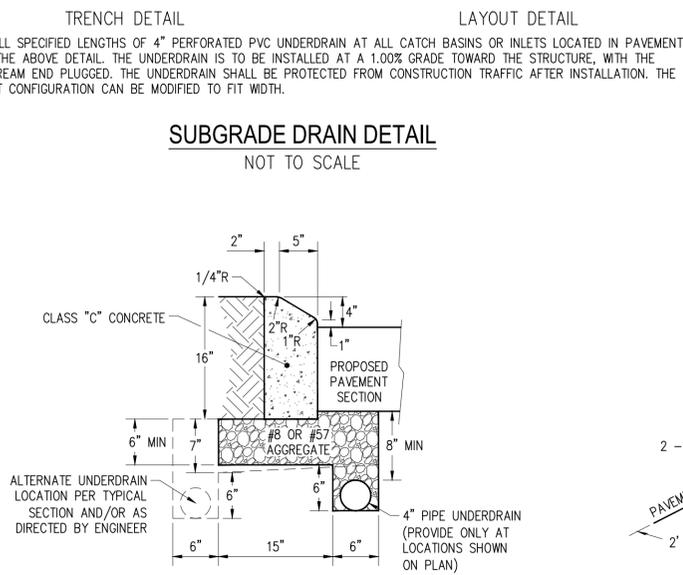
TYPICAL SIDEWALK SECTION
NOT TO SCALE



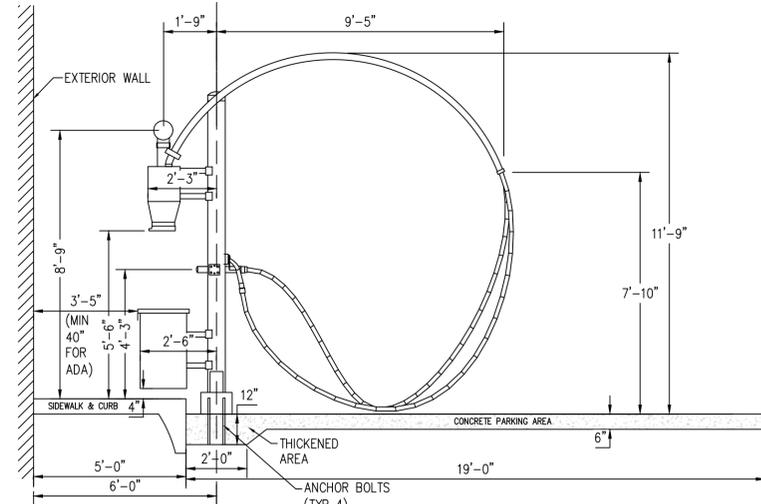
TYPICAL ASPHALT SIDEWALK SECTION
NOT TO SCALE



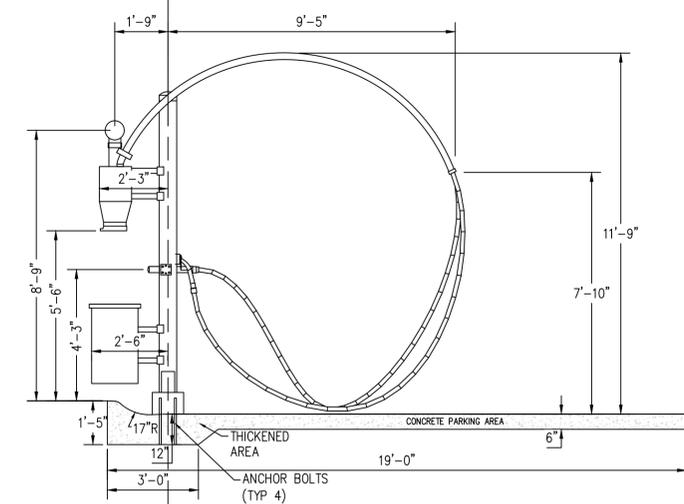
SUBGRADE DRAIN DETAIL
NOT TO SCALE



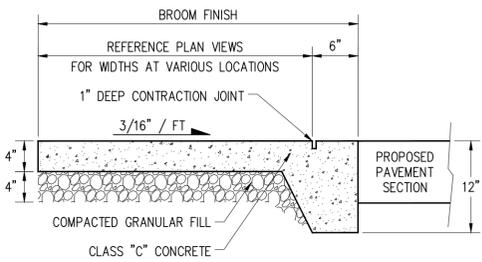
MOUNTABLE CONCRETE CURB
NOT TO SCALE



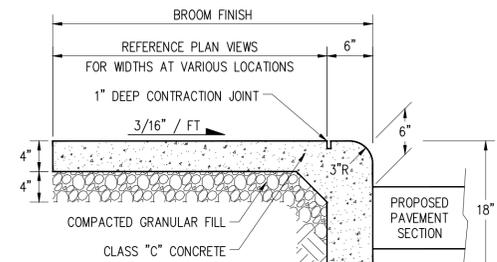
BUILDING SIDE SWEEPER ARM
NOT TO SCALE



ROLL CURB SWEEPER ARM
NOT TO SCALE



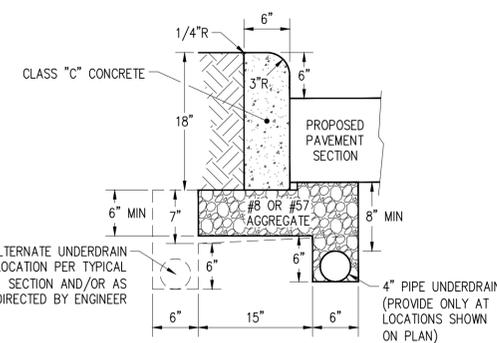
FLUSH WALK AND PAVEMENT
NOT TO SCALE



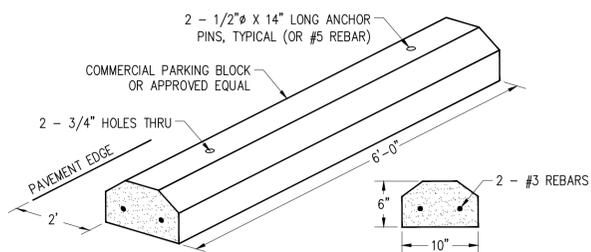
INTEGRAL WALK AND CURB
NOT TO SCALE

NOTE: SIDEWALK JOINTS SHALL BE EQUALLY SPACED UNLESS OTHERWISE DETAILED AS A PART OF THE BUILDING OR LANDSCAPE ARCHITECT PLANS.
OPTION: CONTRACTOR MAY POUR CURB AND WALK SEPARATELY. SEE DETAIL FOR 18\"/>

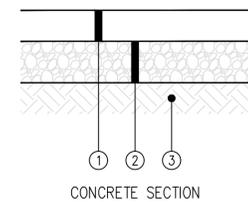
NOTE: SIDEWALK JOINTS SHALL BE EQUALLY SPACED UNLESS OTHERWISE DETAILED AS A PART OF THE BUILDING OR LANDSCAPE ARCHITECT PLANS.
OPTION: CONTRACTOR MAY POUR CURB AND WALK SEPARATELY. SEE DETAIL FOR 18\"/>



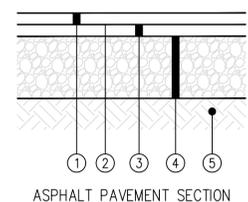
18\"/>



PARKING BLOCK DETAIL
NOT TO SCALE



CONCRETE SECTION



ASPHALT PAVEMENT SECTION

- ODOT ITEM 452, 6" NON-REINFORCED CONCRETE PAVEMENT
- ODOT ITEM 304, 8" CRUSHED AGGREGATE BASE
- ODOT ITEM 204, SUBGRADE COMPACTION
- ODOT ITEM 441, 1-1/2" ASPHALT CONCRETE, SURFACE COURSE, TYPE 1, (448) PG 64-22
- ODOT ITEM 407, TACKLESS TACK, SURFACE COURSE (0.075 GAL/SQ. YD.)
- ODOT ITEM 441, 1-1/2" ASPHALT CONCRETE, INTERMEDIATE COURSE, TYPE 2, (448) PG 64-22
- ODOT ITEM 304, 8" CRUSHED AGGREGATE BASE (2 EQUAL LAYERS)
- ODOT ITEM 204, SUBGRADE COMPACTION

ALL PAVEMENT MATERIALS SHALL CONFORM TO THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION CONSTRUCTION AND MATERIAL SPECIFICATIONS. PAVEMENT SECTIONS PROVIDED FOR REFERENCE ONLY. CONTRACTOR SHALL VERIFY SECTION THICKNESS TO BE USED WITH OWNER. THE MANNIK & SMITH GROUP DOES NOT WARRANT PAVEMENT DESIGN.

TYPICAL PAVEMENT SECTIONS
NOT TO SCALE

NO.	DATE	BY	DESCRIPTION
1	06/20/22	KWJ	SIDEWALK/LANDSCAPE MODIFICATIONS PER CITY REVIEW

1160 DUBLIN ROAD
SUITE 100
COLUMBUS, OH 43215
TEL: 614.441.4222
FAX: 614.441.4222

PROJECT NO: M330009
PROJECT DATE: 05/20/2022
DRAWN BY: RAHR
CHECKED BY: NUM

TECHNICAL SKILL.
CREATIVE SPIRIT.

Mannik Smith GROUP
www.MannikSmithGroup.com

PREPARED FOR

EXPRESS WASH CONCEPTS
13375 NATIONAL ROAD SW
ETNA, OHIO 43068

FINAL DEVELOPMENT PLAN FOR

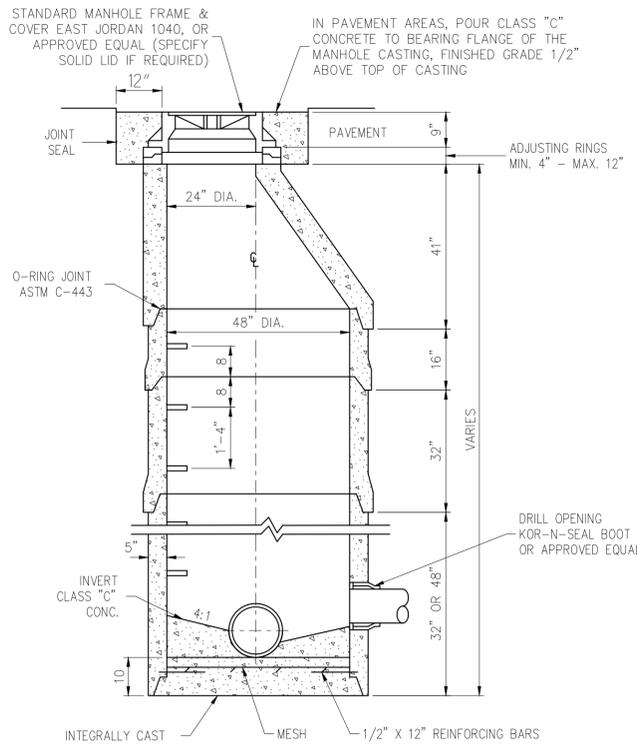
MOO-MOO CAR WASH

JOHNSTOWN ROAD AND FOREST DRIVE
NEW ALBANY, OHIO 43054

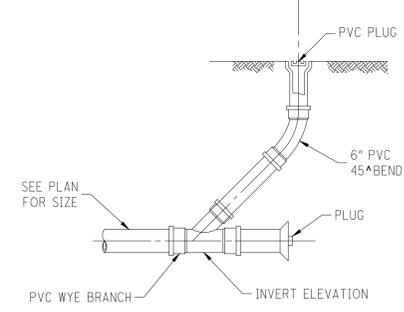
GENERAL NOTES AND DETAILS

C002

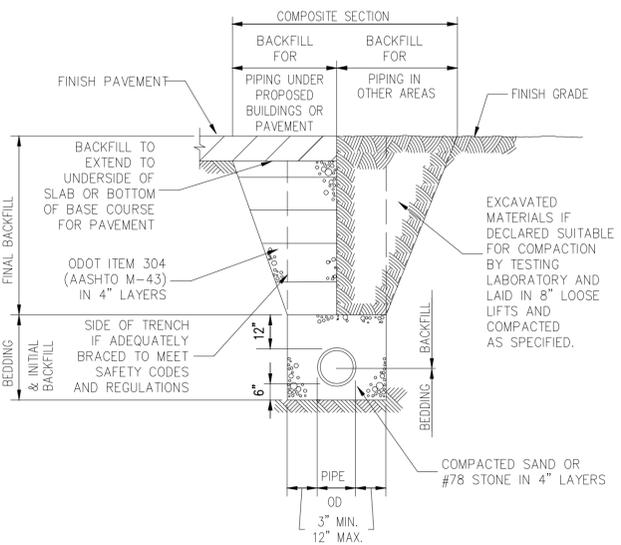
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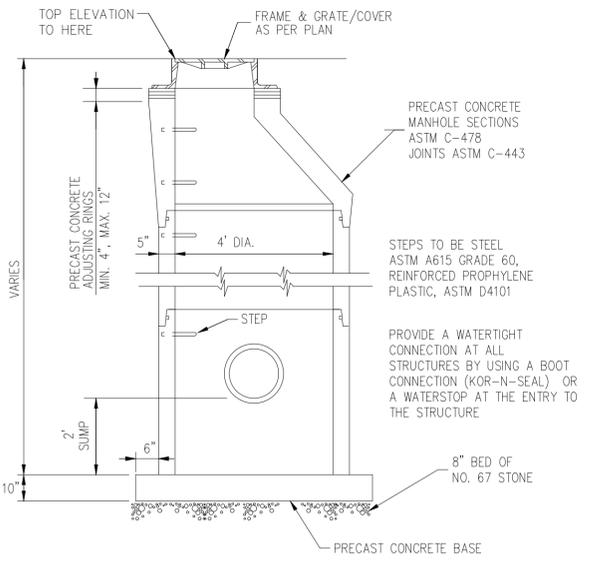
SANITARY SEWER MANHOLE DETAIL
48" DIAMETER "O" RING JOINT
ASTM C-478
TYPE 2 STANDARD MANHOLE
NOT TO SCALE



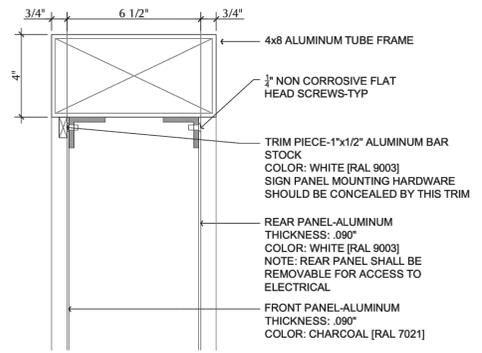
CLEANOUT DETAIL
NOT TO SCALE



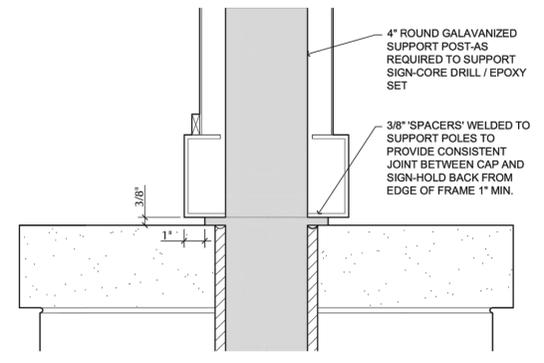
PIPE BEDDING & BACKFILL DETAIL
NOT TO SCALE



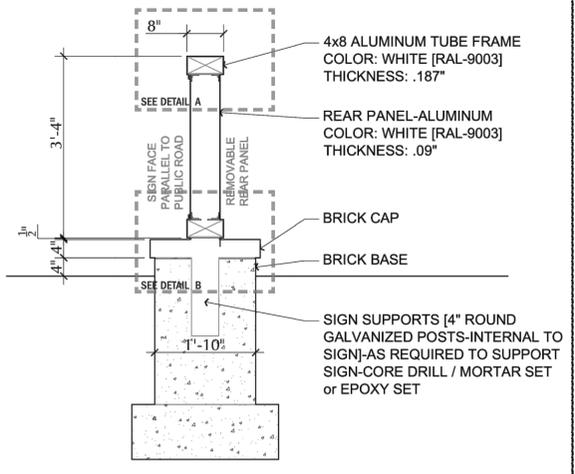
TYPICAL CATCH BASIN DETAIL
NOT TO SCALE



MONUMENT SIGN DETAIL A: PANEL ATTACHMENT
NOT TO SCALE



MONUMENT SIGN DETAIL B: MOUNTING
NOT TO SCALE

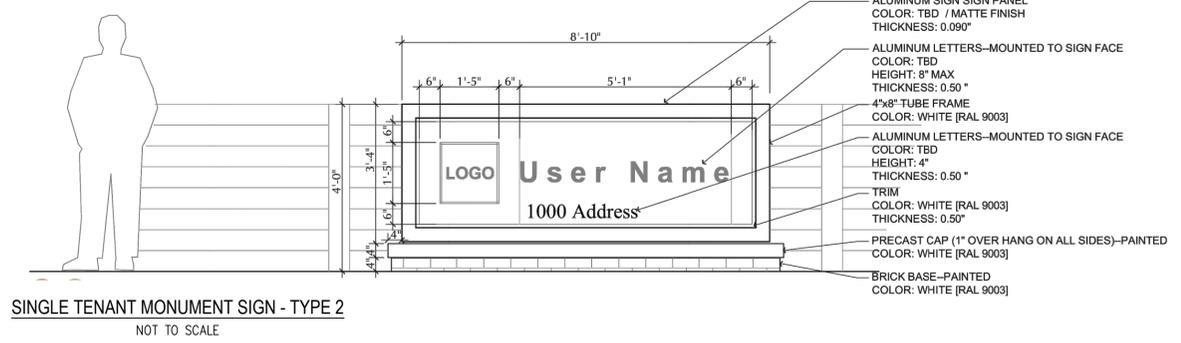


MONUMENT SIGN SECTION
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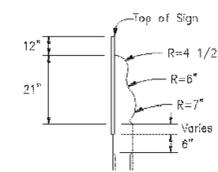
DO NOT ENTER SIGN
NOT TO SCALE

- NOTES:
1. SIGN TO MATCH MUTCD R5-1
2. MATERIALS MATCH THOSE WITHIN NOTE 1 OF REGULATORY & WARNING SIGNS ON WOOD POSTS STANDARD, THIS SHEET.

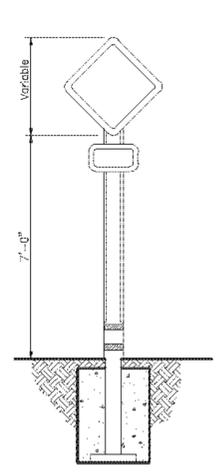
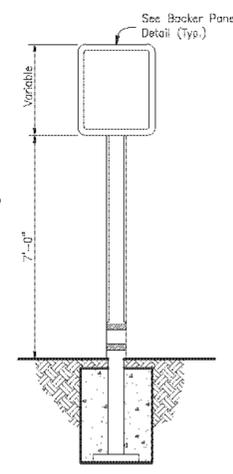
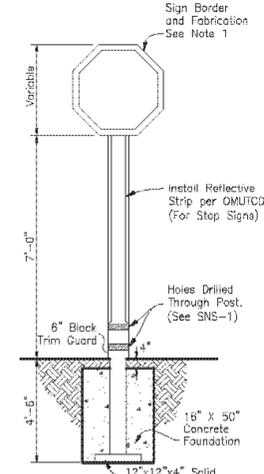
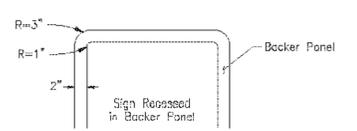


SINGLE TENANT MONUMENT SIGN - TYPE 2
NOT TO SCALE

DETAIL OF SIGN BACK PANEL



DETAIL OF BACKER PANEL



- Notes:**
1-Regulatory/warning on wood supports - Sign sheeting to be Type G, on aluminum blanks and meet O MUTCD standards. Signs to be attached to 1 1/4 inch thick synthetic backer panel (XTRIA or AZEK brand). Panel to be routed 1/4 inch for insertion of sign into backer panel.
2-Post Color: Ref. NO. PMS 5535 (Hi-Gloss)
3-Hardware - Stainless Steel
4-Post size per NA-SNS-1
5-Trim guard to be thermoplastic vinyl

City Engineer:
E. P. FERRIS
ASSOCIATES
INC.
Consulting Civil Engineers and Surveyors

REGULATORY & WARNING SIGNS ON WOOD POSTS STANDARD
CITY OF NEW ALBANY
STANDARD DRAWING
2/12/2020
STD. NO. NA-SNS-4
DESIGNED BY: BCS
REVIEWED BY: DLS

NO.	DATE	BY	DESCRIPTION
1	06/20/22	KW	SIDEWALK/LANDSCAPE MODIFICATIONS PER CITY REVIEW

1160 DUBLIN ROAD
SUITE 100
COLUMBUS, OH 43215
TEL: 614.441.4222
FAX: 688.688.7340

PROJECT NO: M39009
DRAWN BY: RAHR
CHECKED BY: NJM

TECHNICAL SKILL:
CREATIVE SPIRIT.

Mannik Smith GROUP
www.MannikSmithGroup.com

PREPARED FOR

EXPRESS
WASH CONCEPTS
13375 NATIONAL ROAD SW
ETNA, OHIO 43068

FINAL DEVELOPMENT PLAN FOR

MOO-MOO CAR WASH

JOHNSTOWN ROAD AND FOREST DRIVE
NEW ALBANY, OHIO 43054

GENERAL NOTES AND DETAILS

C003

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SITE NARRATIVE	
PLAN DESIGNER:	THE MANNIK & SMITH GROUP, INC. 1160 DUBLIN ROAD, SUITE 100 COLUMBUS, OHIO 43215 CONTACT: MICHAEL J MCAVOY, P.E. PHONE: (614) 441-4222 EMAIL: MMCAVOY@MANNIKSMITHGROUP.COM
OWNER/DEVELOPER:	EXPRESS WASH CONCEPTS 13375 NATIONAL ROAD, SUITE D ETNA, OHIO 43068 CONTACT: JEFF GILGER PHONE: (614) 751-9274
SITE CONTACT:	CONTACT: TO BE DETERMINED PHONE: EMAIL:
PROJECT DESCRIPTION:	THE PROJECT CONSISTS OF A 3,720± SF AUTOMATED CAR WASH FACILITY. THIS INCLUDES A SINGLE TUNNEL CAR WASH, DRIVE AND QUEUE AISLES, AND PARKING FOR VEHICLE VACUUM SERVICES.
ADJACENT AREAS:	THE SITE IS BOUNDED BY JOHNSTOWN ROAD TO THE NORTHWEST, FOREST DRIVE TO THE SOUTHWEST, AND WOODCREST WAY TO THE SOUTHEAST.
PROJECT SITE AREA:	SITE AREA: 1.112 AC TOTAL DISTURBED AREA: 0.86 AC PRE-DEVELOPED IMPERVIOUS AREA / % : 0.00 AC / 0.0 % POST-DEVELOPED IMPERVIOUS AREA / % : 0.56 AC / 50.6 %
RUNOFF COEFFICIENTS:	PRE-DEVELOPED: 0.30 POST-DEVELOPED: 0.81
EXISTING SITE CONDITIONS:	THE SITE THAT IS BEING DEVELOPED IS CURRENTLY AN INDUSTRIAL BUILDING WITH ASSOCIATED UTILITIES, DRIVEWAYS, AND PARKING.
SOILS:	BENNINGTON SILT LOAM (BeB), 0 TO 6 PERCENT SLOPES CENTERBURG SILT LOAM (CenBz), 2 TO 6 PERCENT SLOPES, ERODED PEWAMO SILTY CLAY LOAM (Pm), 0 TO 2 PERCENT SLOPES
RECEIVING STREAM/SURFACE WATER:	SHOPPES AT SMITH'S MILL EXISTING STORM SEWER SYSTEM AND DETENTION BASINS, ULTIMATELY DISCHARGING TO BLACKLICK CREEK.
EROSION AND SEDIMENT CONTROL MEASURES:	SEDIMENT FENCE AND INLET PROTECTION SHALL BE USED AS SHOWN ON THE PLAN. ALL EROSION AND SEDIMENT CONTROL PRACTICES ARE SUBJECT TO FIELD MODIFICATION AT THE DISCRETION OF THE CITY OF NEW ALBANY AND/OR OHIO EPA.
PERMANENT STABILIZATION:	THE SITE WILL BE STABILIZED BY USE OF SEEDING OR SODDING IN GRASS AREAS.
POST-CONSTRUCTION STORM WATER MANAGEMENT:	POST-CONSTRUCTION WATER QUALITY WILL BE PROVIDED THROUGH THE USE OF THE EXISTING DETENTION POND SYSTEM.
CONSTRUCTION SEQUENCE:	1. ESTABLISH A DESIGNATED CONSTRUCTION ENTRANCE/EXIT 2. INSTALL PERIMETER SEDIMENT FENCE 3. CLEAR THE EXISTING VEGETATION AND COMMENCE ROUGH GRADING 4. INSTALL PERMANENT STORM SEWER AND INLET PROTECTION 5. CONSTRUCT CURBS, PARKING, AND DRIVES 6. BACKFILL CURBS, FINE GRADE, AND STABILIZE 7. FINE GRADE AND STABILIZE DISTURBED AREAS 8. INSTALL REMAINING UTILITIES AND SEWERS 9. UPON PERMANENT STABILIZATION OF THE SITE, CONTACT THE CITY OF NEW ALBANY TO REQUEST A SITE ASSESSMENT PRIOR TO REMOVING TEMPORARY SEDIMENT CONTROL MEASURES 10. REMOVE SEDIMENT FENCE
OEPA NPDES PERMIT:	TO BE DETERMINED

EROSION CONTROL GENERAL NOTES

IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN THE SEDIMENTATION AND EROSION CONTROL FEATURES ON THIS PROJECT. ANY SEDIMENT OR DEBRIS WHICH HAS REDUCED THE EFFICIENCY OF A CONTROL SHALL BE REMOVED IMMEDIATELY. SHOULD A STRUCTURE OR FEATURE BECOME DAMAGED, THE CONTRACTOR SHALL REPAIR OR REPLACE AT NO ADDITIONAL COST TO THE OWNER.

NOT ALL EROSION CONTROL MEASURES SHOWN WILL BE IN USE AT THE SAME TIME. PHASING SHALL BE DETERMINED BY THE CONTRACTOR AND EROSION CONTROL DEVICES SHALL BE MODIFIED ACCORDINGLY.

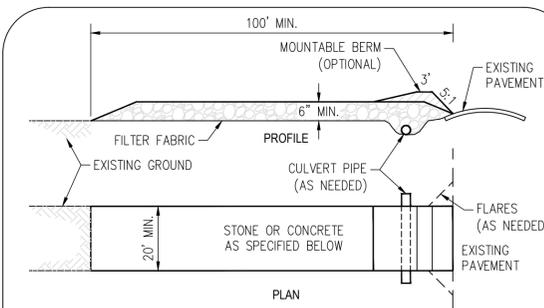
STREET CLEANING (ON AND AS-NEEDED BASIS) IS REQUIRED THROUGH THE DURATION OF THIS CONSTRUCTION PROJECT. THIS INCLUDES SWEEPING, POWER CLEANING, AND, IF NECESSARY, MANUAL REMOVAL OF DIRT OR MUD IN THE STREET GUTTERS.

THIS PLAN MUST BE POSTED ON-SITE. A COPY OF THE SWPPP PLAN AND THE APPROVED EPA STORMWATER PERMIT (WITH THE SITE-SPECIFIC NOI NUMBER) SHALL BE KEPT ON-SITE AT ALL TIMES.

DIRECT DISCHARGE OF SEDIMENT LADEN WATER TO THE CITY'S SEWER SYSTEM OR A RECEIVING STREAM IS A VIOLATION OF OHIO EPA AND CITY OF NEW ALBANY REGULATIONS. THE CONTRACTOR WILL BE HELD LIABLE FOR THE VIOLATION AND SUBSEQUENT FINES.

ALL INLETS RECEIVING FLOW FROM RUNOFF, PUMPING ACTIVITIES, OR OTHER DIRECT DISCHARGES SHALL BE FITTED WITH AN INLET PROTECTION DEVICE THAT IS PROPERLY SIZED AND SECURED TO REDUCE THE DISCHARGE OF SEDIMENT INTO THE STORM SEWER SYSTEM AND RECEIVING STREAM. INLET PROTECTION IS REQUIRED ON ALL INLETS RECEIVING DISCHARGE REGARDLESS OF WHETHER OR NOT THE INLET IS TRIBUTARY TO ANY DOWNSTREAM EROSION AND SEDIMENT CONTROLS.

ALL EROSION AND SEDIMENT CONTROL PRACTICES ARE SUBJECT TO FIELD MODIFICATION AT THE DISCRETION OF THE CITY OF NEW ALBANY AND/OR THE OHIO EPA.

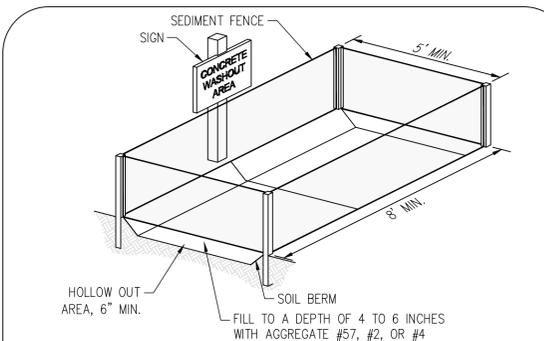


CONSTRUCTION SPECIFICATIONS:

1. STONE SIZE - USE 2" STONE OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH - A MINIMUM OF 100'
3. THICKNESS - NOT LESS THAN SIX (6) INCHES.
4. WIDTH - TWENTY (20) FEET MINIMUM BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS.
5. FILTER FABRIC - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING THE STONE.
6. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES SHALL BE PERMITTED. COST OF PIPE SHALL BE INCLUDED IN THE PRICE BID FOR THE STABILIZED CONSTRUCTION ENTRANCE.
7. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PROTECT THE PUBLIC RIGHT-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED, OR TRACKED ONTO PUBLIC RIGHT-OF-WAY MUST BE REMOVED IMMEDIATELY.
8. WASHING - WHEELS SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE INTO PUBLIC RIGHT-OF-WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

STABILIZED CONSTRUCTION ENTRANCE

NOT TO SCALE



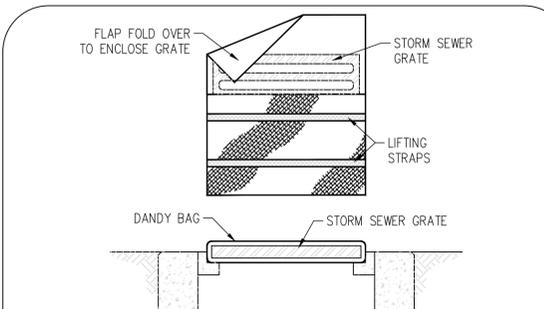
NOTES:

1. CONCRETE TRUCKS SHALL UTILIZE AREAS TO WASH OUT TRUCK CHUTES.
2. ACCUMULATED CONCRETE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF PROPERLY.

THE USE OF PORTABLE CONCRETE WASHOUT UNITS IS APPROVED.

CONCRETE WASHOUT AREA

NOT TO SCALE



INSTALLATION:

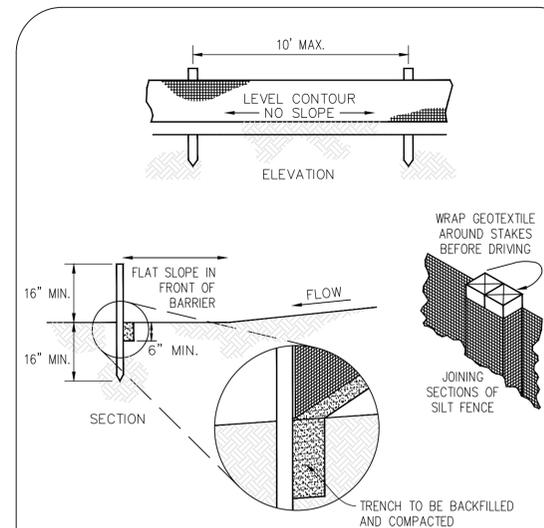
STAND GRATE ON END. PLACE DANDY BAG OVER GRATE. ROLL GRATE OVER SO THAT END IS UP. PULL UP SLACK. TUCK FLAP IN. BE SURE END OF GRATE IS COMPLETELY COVERED BY FLAP OR DANDY BAG WILL NOT FIT PROPERLY. HOLDING HANDLES, CAREFULLY PLACE DANDY BAG WITH GRATE INSERTED INTO CATCH BASIN FRAME SO THAT THE RED DOT ON THE TOP OF THE DANDY BAG IS VISIBLE.

MAINTENANCE:

WITH A STIFF BRISTLE BROOM OR SQUARE POINT SHOVEL, REMOVE SILT & OTHER DEBRIS OFF SURFACE AFTER EACH EVENT.

TO BE USED ON STRUCTURES: #
INLET PROTECTION - DANDY BAG

NOT TO SCALE



SPECIFICATIONS FOR SILT FENCE

1. SILT FENCE SHALL BE CONSTRUCTED BEFORE UPSLOPE LAND DISTURBANCE BEGINS.
2. ALL SILT FENCE SHALL BE PLACED AS CLOSE TO THE CONTOUR AS POSSIBLE SO THAT WATER WILL NOT CONCENTRATE AT LOW POINTS IN THE FENCE AND SO THAT SMALL SWALES OR DEPRESSIONS THAT MAY CARRY SMALL CONCENTRATED FLOWS TO THE SILT FENCE ARE DISSIPATED ALONG ITS LENGTH.
3. ENDS OF THE SILT FENCE SHALL BE BROUGHT UPSLOPE SLIGHTLY SO THAT WATER PONDED BY THE SILT FENCE WILL BE PREVENTED FROM FLOWING AROUND THE ENDS.
4. SILT FENCE SHALL BE PLACED ON THE FLATTEST AREA AVAILABLE.
5. WHERE POSSIBLE, VEGETATION SHALL BE PRESERVED FOR 5 FEET (OR AS MUCH AS POSSIBLE) UPSLOPE FROM THE SILT FENCE. IF VEGETATION IS REMOVED, IT SHALL BE REESTABLISHED WITHIN 7 DAYS FROM THE INSTALLATION OF THE SILT FENCE.
6. THE HEIGHT OF THE SILT FENCE SHALL BE A MINIMUM OF 16 INCHES ABOVE THE ORIGINAL GROUND SURFACE.
7. THE SILT FENCE SHALL BE PLACED IN AN EXCAVATED OR SLICED TRENCH CUT A MINIMUM OF 6 INCHES DEEP. THE TRENCH SHALL BE MADE WITH A TRENCHER, CABLE LAYING MACHINE, SLICING MACHINE, OR OTHER SUITABLE DEVICE THAT WILL ENSURE AN ADEQUATELY UNIFORM TRENCH DEPTH.
8. THE SILT FENCE SHALL BE PLACED WITH THE STAKES ON THE DOWNSLOPE SIDE OF THE GEOTEXTILE. A MINIMUM OF 8 INCHES OF GEOTEXTILE MUST BE BELOW THE GROUND SURFACE. EXCESS MATERIAL SHALL LAY ON THE BOTTOM OF THE 6-INCH DEEP TRENCH. THE TRENCH SHALL BE BACKFILLED AND COMPACTED ON BOTH SIDES OF THE FABRIC.
9. SEAMS BETWEEN SECTIONS OF SILT FENCE SHALL BE SPLICED TOGETHER ONLY AT A SUPPORT POST WITH A MINIMUM 6-IN. OVERLAP PRIOR TO DRIVING INTO THE GROUND.
10. MAINTENANCE-SILT FENCE SHALL ALLOW RUNOFF TO PASS ONLY AS DIFFUSE FLOW THROUGH THE GEOTEXTILE. IF RUNOFF OVERTOPS THE SILT FENCE, FLOWS UNDER THE FABRIC OR AROUND THE FENCE ENDS, OR IN ANY OTHER WAY ALLOWS A CONCENTRATED FLOW DISCHARGE, ONE OF THE FOLLOWING SHALL BE PERFORMED, AS APPROPRIATE: 1) THE LAYOUT OF THE SILT FENCE SHALL BE CHANGED, 2) ACCUMULATED SEDIMENT SHALL BE REMOVED, OR 3) OTHER PRACTICES SHALL BE INSTALLED.

SEDIMENT DEPOSITS SHALL BE ROUTINELY REMOVED WHEN THE DEPOSIT REACHES APPROXIMATELY ONE-HALF OF THE HEIGHT OF THE SILT FENCE.

SILT FENCES SHALL BE INSPECTED AFTER EACH RAINFALL AND AT LEAST DAILY DURING A PROLONGED RAINFALL. THE LOCATION OF EXISTING SILT FENCE SHALL BE REVIEWED DAILY TO ENSURE ITS PROPER LOCATION AND EFFECTIVENESS. IF DAMAGED, THE SILT FENCE SHALL BE REPAIRED IMMEDIATELY.

CRITERIA FOR SILT FENCE MATERIALS

1. FENCE POST - THE LENGTH SHALL BE A MINIMUM OF 32 INCHES. WOOD POSTS WILL BE 2-BY-2-IN. NOMINAL DIMENSIONED HARDWOOD OF SOUND QUALITY. THEY SHALL BE FREE OF KNOTS, SPLITS AND OTHER VISIBLE IMPERFECTIONS THAT WILL WEAKEN THE POSTS. THE MAXIMUM SPACING BETWEEN POSTS SHALL BE 10 FT. POSTS SHALL BE DRIVEN A MINIMUM 16 INCHES INTO THE GROUND, WHERE POSSIBLE. IF NOT POSSIBLE, THE POSTS SHALL BE ADEQUATELY SECURED TO PREVENT OVERTURNING OF THE FENCE DUE TO SEDIMENT/WATER LOADING.
2. SILT FENCE FABRIC - SEE CHART BELOW.

FABRIC PROPERTIES	VALUES	TEST METHOD
Minimum Tensile Strength	120 lbs. (535 N)	ASTM D 4632
Maximum Elongation at 60 lbs	50%	ASTM D 4632
Minimum Puncture Strength	50 lbs (220 N)	ASTM D 4833
Minimum Tear Strength	40 lbs (180 N)	ASTM D 4533
Apparent Opening Size	0.84 mm	ASTM D 4751
Minimum Permittivity	1X10 ⁻² sec.-1	ASTM D 4491
UV Exposure Strength Retention	70%	ASTM G 4355

* NOTE: THE USE OF STRAW WATTLES HAS PROVEN TO BE A VERSATILE AND EFFECTIVE ESC BMP, ESPECIALLY IN RESIDENTIAL SETTINGS. STRAW WATTLES MAY BE SUBSTITUTED FOR SILT FENCE IN LINEAR INSTALLATIONS.

SEDIMENT FENCE BARRIER

NOT TO SCALE

TEMPORARY AND PERMANENT SEEDING

THE LIMITS OF SEEDING AND MULCHING ARE ASSUMED TO BE 5'-0" OUTSIDE THE WORK LIMITS. ALL AREAS NOT DESIGNATED TO BE SEEDDED SHALL REMAIN UNDER NATURAL GROUND COVER. THOSE AREAS DISTURBED OUTSIDE THE SEEDING LIMITS SHALL BE SEEDDED AND MULCHED AT THE CONTRACTOR'S EXPENSE.

TEMPORARY SEEDING: ANY AREA WHICH WILL BE LEFT DORMANT (UNDISTURBED) FOR MORE THAN 21 DAYS SHALL BE SEEDDED WITHIN 7 DAYS OF TERMINATED WORK. DISTURBED AREAS WITHIN 50 FEET OF A STREAM, FIRST ORDER OR LARGER, SHALL BE STABILIZED WITHIN 2 DAYS OF INACTIVITY. TEMPORARY SEEDING CONSISTS OF SEEDBED PREPARATION AND APPLICATION OF SEED, FERTILIZER, AND WATER. SOIL TEST IS RECOMMENDED TO DETERMINE PROPER APPLICATION RATE OF FERTILIZER AND IF LIME IS NECESSARY.

FERTILIZER 12-12-12	12 LB / 1000 SQ. FT.
STRAW MULCH	2 TONS / ACRE
WATER	300 GAL. / 1000 SQ. FT.

TEMPORARY SEEDING			
SEEDING DATES	SPECIES	LB/1000 SQ. FT.	PER ACRE
MARCH 1 TO NOVEMBER 1	OATS	3	4 BUSHEL
	TALL FESCUE	1	40 LB
	ANNUAL RYEGRASS	1	40 LB
	PERENNIAL RYEGRASS	1	40 LB
	TALL FESCUE	1	40 LB
NOVEMBER 1 TO MARCH 1	ANNUAL RYEGRASS	1	40 LB
	USE MULCH ONLY, SODDING PRACTICES, OR DORMANT SEEDING		

NOTE: OTHER APPROVED SEED SPECIES MAY BE SUBSTITUTED

PERMANENT SEEDING: ANY AREA THAT IS AT FINAL GRADE SHALL BE SEEDDED WITHIN 7 DAYS OF TERMINATED WORK. PERMANENT SEEDING CONSISTS OF SEEDBED PREPARATION AND APPLICATION OF SEED, FERTILIZER, AND WATER. SOIL TEST IS RECOMMENDED TO DETERMINE PROPER APPLICATION RATE OF FERTILIZER AND IF LIME IS NECESSARY. IDEAL CONDITIONS FOR PERMANENT SEEDING IS MARCH 1-MAY 31 AND AUGUST 1-SEPTEMBER 30.

PERMANENT SEEDING			
SEED MIX	SEEDING RATE		NOTES
	LB / ACRE	LB/1000 SQ. FT.	
GENERAL USE			
CREeping RED RESCUE	20 - 40	1/2 - 1	
DOMESTIC RYEGRASS	10 - 20	1/4 - 1/2	
KENTUCKY BLUEGRASS	10 - 20	1/4 - 1/2	
TALL FESCUE	40	1	
DWARF FESCUE	40	1	

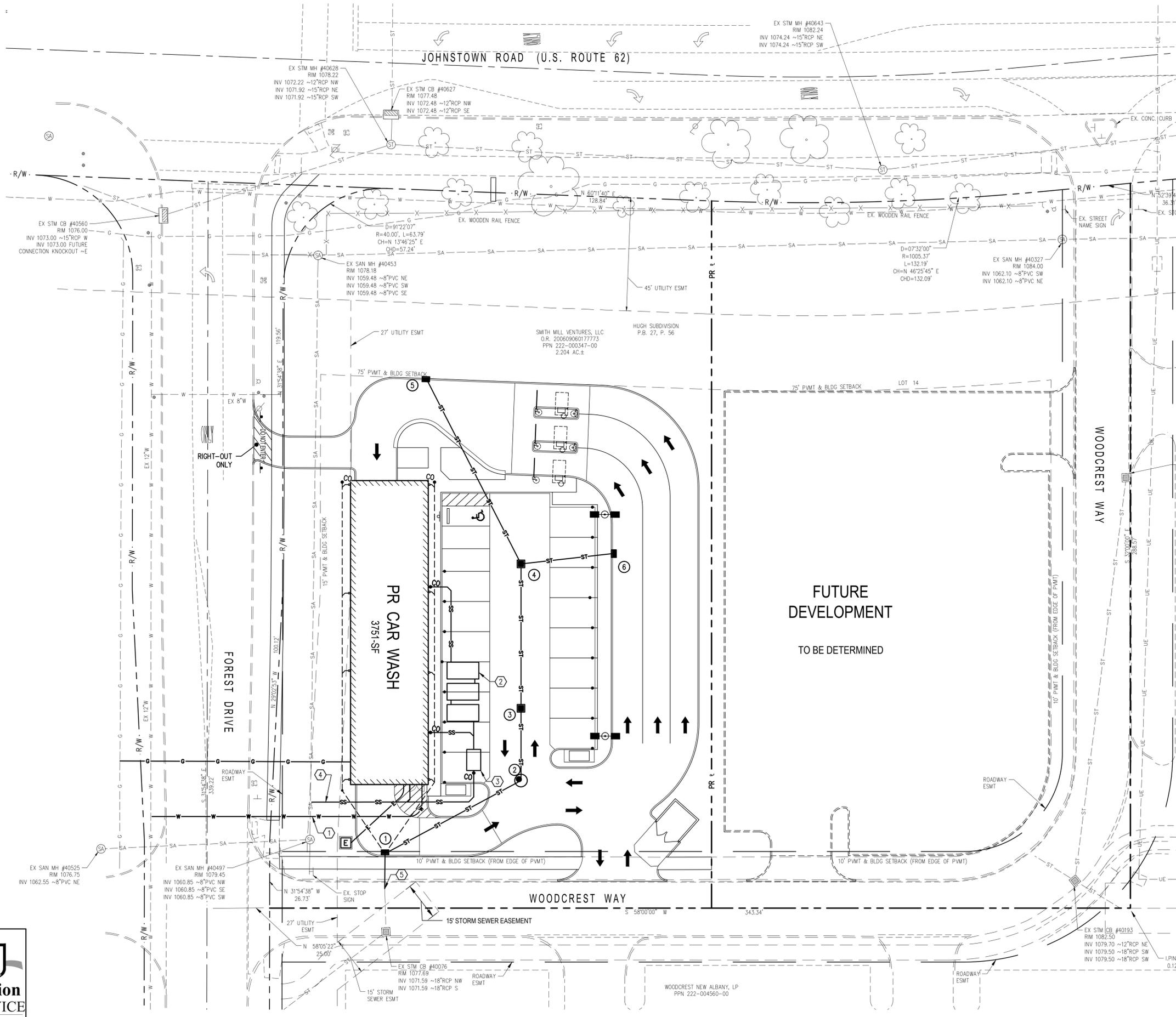
NOTE: OTHER APPROVED SEED SPECIES MAY BE SUBSTITUTED

POST-CONSTRUCTION INSPECTION & MAINTENANCE SCHEDULE

INSPECTION ITEM	MAINTENANCE PROCEDURE	FREQUENCY
INLET/OUTLET STRUCTURE	- REMOVE ACCUMULATED SEDIMENT AND DEBRIS FROM INLET AND OUTLET STRUCTURES - CHECK SLUMP IN OUTLET CONTROL STRUCTURE AND REMOVE DEBRIS	MONTHLY
STORM SEWER SYSTEM	- REMOVE DEBRIS FROM THE SEWER SYSTEM TO ENSURE POSITIVE FLOW TO THE POND.	SEMI-ANNUALLY

NOTES:

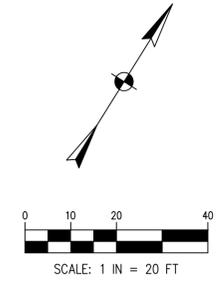
1. REGULAR INSPECTION AND MAINTENANCE OF THE STORM WATER MANAGEMENT SYSTEM FOR THIS SITE IS REQUIRED BY THE CITY OF NEW ALBANY.
2. THE STORM WATER MANAGEMENT SYSTEM CONSISTING OF ALL MANHOLES AND STORM SEWER PIPE ON THE SITE SHALL BE INSPECTED MONTHLY OR AFTER ANY RAINFALL EVEN GREATER THAN 1/2", WHICHEVER IS MORE FREQUENT.
3. AN INSPECTION LOG MUST BE KEPT ON SITE AND MADE AVAILABLE UPON REQUEST TO THE CITY OF NEW ALBANY. THE INSPECTION LOG SHALL ALSO LIST AND MAINTENANCE ACTIVITIES PERFORMED BY THE OWNER TO REMEDY ANY DEFICIENCIES NOTED DURING THE INSPECTIONS.
4. ALL MAINTENANCE AND INSPECTIONS SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS INCLUDING, BUT NOT LIMITED TO, CONFINED SPACE ENTRY.
5. A COPY OF THE APPROVED PLANS FOR THE STORM WATER MANAGEMENT SYSTEM SHALL BE KEPT AT THE SITE FOR REFERENCE DURING ANY INSPECTIONS OR MAINTENANCE ACTIVITIES.
6. ALL MAINTENANCE/INSPECTION LOGS SHALL INCLUDE THE COMPLETION DATE OF THE INSPECTION AND THE NOTATION OF DEFICIENCIES OBSERVED DURING THE INSPECTION. THE PROPERTY OWNER SHALL MAINTAIN COPIES OF COMPLETE DATED AND SIGNED INSPECTION CHECKLISTS IN A MAINTENANCE INSPECTION LOG, ALONG WITH RECORDED DATES AND DESCRIPTIONS OF MAINTENANCE ACTIVITIES PERFORMED BY THE PROPERTY OWNER TO REMEDY THE DEFICIENCIES OBSERVED DURING PRIOR INSPECTIONS. THE MAINTENANCE INSPECTION LOG SHALL BE KEPT ON THE PROPERTY AND SHALL BE MADE AVAILABLE TO THE CITY OF NEW ALBANY OR OTHER AGENCY UPON REQUEST.



LEGEND

	EX PROPERTY LINE
	RIGHT OF WAY LINE
	EX CONCRETE CURB
	EX CONCRETE CURB
	EX FENCE
	EX OVERHEAD ELECTRIC
	EX U/G ELECTRIC
	EX STORM LINE
	EX WATER LINE
	EX SANITARY LINE
	EX GAS LINE
	EX CATCH BASIN
	EX LIGHT POLE
	EX POWER POLE
	EX SEWER MANHOLE
	EX MAIL BOX
	EX FIRE HYDRANT
	EX WATER VALVE
	EX SIGN
	PR PROPERTY LINE
	PR STORM SEWER
	PR ROOF DRAIN
	PR WATER LEAD
	PR SANITARY LEAD
	PR GAS LEAD
	PR ELECTRIC LEAD
	PR CURB INLET
	PR CATCH BASIN
	PR STORM MANHOLE
	PR CLEANOUT

- CODED NOTES**
- ① PR 2" DOMESTIC WATER SERVICE
 - ② PR WATER RECLAMATION TANK (TYP OF 3)
 - ③ PR GREASE INTERCEPTOR
 - ④ PR 6" SANITARY LEAD
 - ⑤ CONNECT TO EXISTING 18" STORM STUB. ELEVATION AND LOCATION TO BE CONFIRMED PRIOR TO INSTALLATION BY CONTRACTOR



NO.	DATE	BY	DESCRIPTION
1	6/8/2022	KWJ	FINAL DEVELOPMENT PLAN FOR MOO-MOO CAR WASH

1600 DUBLIN ROAD SUITE 100 COLUMBUS, OH 43215 TEL: 614.441.4222 FAX: 688.488.7340	PROJECT NO: M990009 PROJECT DATE: 05/20/2022 DRAWN BY: RAHR CHECKED BY: MJM
---	--

TECHNICAL SKILL:
CREATIVE SPIRIT:

www.MannikSmithGroup.com

PREPARED FOR:
EXPRESS WASH CONCERNES
1335 NATIONAL ROAD SW
ETNA, OHIO 43086

FINAL DEVELOPMENT PLAN FOR
MOO-MOO CAR WASH
JOHNSTOWN ROAD AND FOREST DRIVE
NEW ALBANY, OHIO 43054

UTILITY PLAN

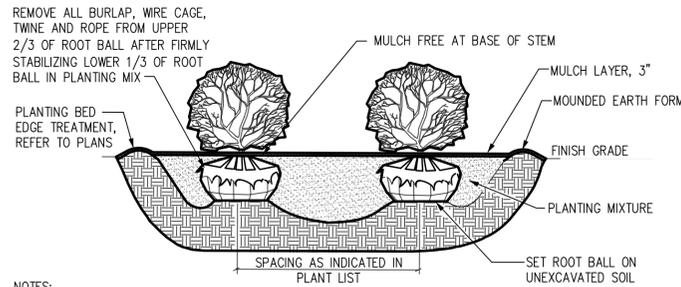
C400

811 or
1-800-362-2764
Call Before You Dig

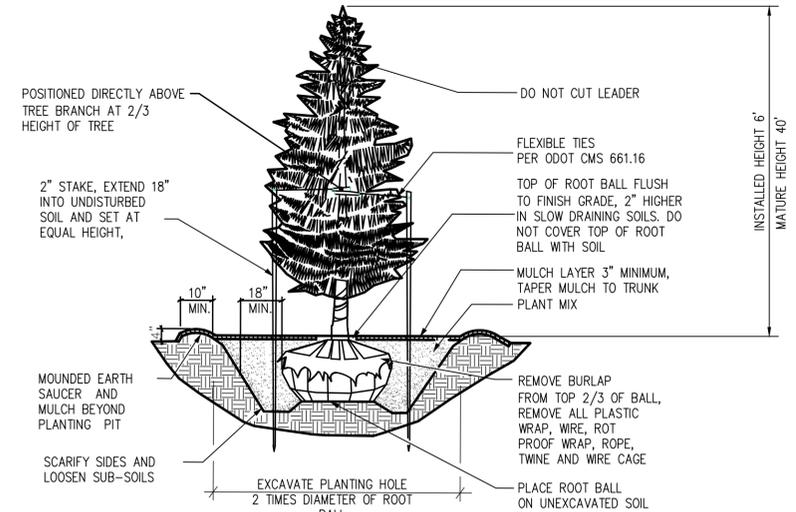
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LANDSCAPE CODE REQUIREMENTS

REQUIRED:	PROVIDED:
NEW ALBANY, OH - CODE OF ORDINANCES	
III(c)4. 8 TREES ARE REQUIRED PER 100 FEET OF FRONTAGE TO BE PLANTED WITHIN THE SETBACK AREAS ALONG BOTH FOREST DRIVE AND US-62. US-62: 194'/100' = 16 TREES REQUIRED. FOREST DRIVE: 247'/100' = 24 TREES REQUIRED.	13 PROPOSED TREES & 3 EXISTING TREES PROVIDED ALONG US-62 USING THESE SPECIES: AC FR, TO NP, ZS MU 24 TREES PROVIDED ALONG FOREST DRIVE USING THESE SPECIES: AL JA, AC FR, ZS VG, TO NP
CHAPTER 1171	
04(a). ONE STREET TREE IS REQUIRED TO BE INSTALLED ALONG FOREST DRIVE AND US-62 AT A RATE OF ONE TREE EVERY 30'.	194' ON US-62 = 7 TREES 13 TREES PROVIDED. 247' ON FOREST DRIVE = 9 TREES 24 TREES PROVIDED.
05(E). A MINIMUM OF ONE TREE FOR EVERY 5,000 SQ. FT. OF GROUND COVERAGE AND A TOTAL TREE PLANTING EQUAL TO 10" PLUS 1/2" IN TREE TRUNK SIZE FOR EVERY 2,000 SQ. FT. OVER 20,000' FEET IN GROUND COVERAGE. GROUND COVERAGE = 24,341 SQ. FT. MINIMUM TREES = 5 INCHES OF TREE TRUNK REQUIRED = 11.5"	9 TREES PROVIDED. 27" OF TREE TRUNK PROVIDED.
06(a)(2). 5% OF THE PARKING AREA MUST BE LANDSCAPED. PARKING AREA SQ FT: 20,590 5% OF PARKING AREA: 1,030 SQ. FT.	1,310 SQ. FT. OF LANDSCAPE AREA = 6% PROVIDED WITHIN PARKING AREA.
06.(a)(2). ONE TREE PER FOR EVERY 10 PARKING SPACES MUST BE PLANTED IN THE PARKING AREAS. 18 PARKING SPACES/10 = 2 TREES	4 TREES PROVIDED WITHIN PARKING AREAS.



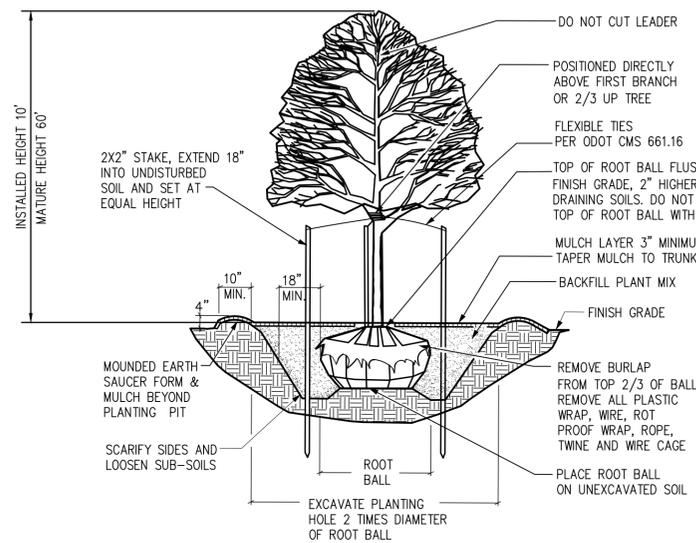
NOTES:
ALL SHRUBS PLANTED IN ROWS OR MASSES SHALL BE MATCHED IN SIZE AND FORM.
SHRUBS SHALL BEAR SAME RELATION TO FINISH GRADE AS THEY BORE TO EXISTING GRADE IN THE PREVIOUSLY PLANTED CONDITION.
MASS SHRUB PLANTING DETAIL (B&B OR CONTAINER)
NO SCALE



EVERGREEN TREE PLANTING DETAIL
NO SCALE

LANDSCAPE PLANTING NOTES

- THE CONTRACTOR SHALL PROVIDE A ONE YEAR WARRANTY ON ALL PLANTS AND VEGETATION PROPOSED ON THE LANDSCAPING PLAN. ANY TREES, SHRUBS, GROUND COVER OR OTHER VEGETATION PLANTED AS PART OF THIS PROJECT THAT DO NOT SURVIVE ONE YEAR FROM PLANTING SHALL BE REPLACED AT THE EXPENSE OF THE CONTRACTOR.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING AND COORDINATING WITH ALL PERTINENT UTILITY COMPANIES THREE WORKING DAYS IN ADVANCE OF ANY DIGGING. THE CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR ANY COST INCURRED DUE TO DAMAGE OF ANY UTILITIES.
- REFER TO THE LANDSCAPE PLAN FOR ADDITIONAL NOTES. LANDSCAPE IMPROVEMENTS SHALL CONFORM TO THE LATEST EDITION OF ODOT CONSTRUCTION SPECIFICATIONS.
- ALL PLANTING MATERIALS: SHALL BE PLANTED PER ODOT SPECIFICATIONS. EXISTING TREES TO REMAIN SHALL BE PRUNED TO REMOVE BROKEN, LOW HANGING AND OTHER UNDESIRABLE GROWTH TO ENSURE HEALTHY AND SYMMETRICAL NEW GROWTH.
- PLANTING BEDS. ONE MONTH BEFORE CULTIVATION AND AFTER DAYTIME TEMPERATURES HAVE WARMED TO 60° CONSISTENTLY, TREAT ALL PLANTING BEDS THAT ARE TO BE DEVELOPED IN AREAS OF EXISTING TURF WITH PRE-EMERGENT AND POST-EMERGENT TYPE HERBICIDES. USE A STATE-LICENSED PESTICIDE APPLICATOR TO APPLY THE HERBICIDE. REPEAT HERBICIDE APPLICATION TWO WEEKS LATER AND UNTIL ALL HERBACEOUS MATERIALS HAVE BEEN KILLED. BEFORE PLANTING, TOP DRESS ALL PLANTING BEDS WITH A MINIMUM OF 6 INCHES OF BACKFILL MIX, THEN CULTIVATE PLANTING AREA TO A DEPTH OF 6 INCHES USING A PLOW, DISC, OR ROTO-TILLER.
- BACKFILL MIX. FOR ALL PLANTINGS, USE BACKFILL MIX CONSISTING OF THE FOLLOWING:
A. ONE PART EXCAVATED SOIL.
B. ONE PART TOPSOIL.
C. ONE PART EPA RATED CLASS IV COMPOST.
D. A SLOW RELEASE COMMERCIAL FERTILIZER (0-20-20 OR EQUAL) ADDED AT A RATE OF 5 POUNDS PER CUBIC YARD TO THE BACKFILL MIX.
E. IF SOIL AREAS ARE OF HIGH PH (GREATER THAN 6.5), APPLY 1.25 POUNDS OF ELEMENTAL SULFUR PER CUBIC YARD OF BACKFILL MIX.
NOTE: CONTRACTOR SHALL SUPPLY A DETAILED SOIL ANALYSIS PRIOR TO ALL PLANT BED PREPARATION. ANALYSIS SHALL INDICATE SOIL PH, TEXTURE, MAJOR NUTRIENTS, SALTS, ETC. SOIL ANALYSIS SHALL BE FROM A REPUTABLE, INDEPENDENT LAB. SOIL AMENDMENTS SHALL BE INCORPORATED INTO BACKFILL/PLANT MIX AS RECOMMENDED BY THE INDEPENDENT LAB.
- MULCH. SMOOTH AND SHAPE THE BACKFILL MIX TO FORM A SHALLOW BASIN SLIGHTLY LARGER THAN THE PLANTING HOLE. MULCH ALL PLANTING AREAS WITH A LAYER OF FINELY SHREDDED HARDWOOD BARK OF UNIFORM TEXTURE & SIZE. PLANTS GROUPED IN MASSES SHALL HAVE THE ENTIRE CONTIGUOUS PLANTING BED OR ISLAND MULCHED. USE SHREDDED HARDWOOD BARK AGED MIN. ONE YEAR. RAKE AND SMOOTH THE ENTIRE AREA OF THE PLANTING BEDS, MULCH TO A DEPTH OF 3 INCHES. AFTER MULCHING AND BEFORE WATERING, ADD A SLOW RELEASE COMMERCIAL FERTILIZER (12-12-12 OR EQUAL), IN GRANULAR FORM, TO THE TOP OF THE MULCH AT A RATE OF 5 POUNDS PER 1000 SQUARE FEET. DO NOT ALLOW FERTILIZER TO CONTACT THE STEMS, BRANCHES, ROOTS OR LEAVES.
- PERIOD OF ESTABLISHMENT. BEFORE FINAL INSPECTION, PLACE ALL PLANTS AND CARE FOR THEM FOR A PERIOD OF ESTABLISHMENT. THE PERIOD OF ESTABLISHMENT BEGINS IMMEDIATELY UPON COMPLETION OF THE PLANTING OPERATIONS AND CONTINUES UNTIL OCTOBER 1. THE MINIMUM PERIOD OF ESTABLISHMENT IS ONE GROWING SEASON, JUNE 1 THROUGH OCTOBER 1. DURING THE PERIOD OF ESTABLISHMENT, FOLLOW STANDARD HORTICULTURAL PRACTICES TO ENSURE THE VIGOR AND GROWTH OF THE TRANSPLANTED MATERIAL. WATER, REMULCH, RESTAKE, GUY, AND CULTIVATE AS NECESSARY. PERFORM AT LEAST TWO WEEDING AND MOWING PROGRAMS (AROUND TREES, GUY STAKES, SHRUBS, AND BED EDGES) OF SUCH INTENSITY AS TO COMPLETELY RID THE PLANTED AND MULCHED AREAS OF WEEDS AND GRASSES. BEGIN THE FIRST PROGRAM ON OR ABOUT JUNE 15 AND THE SECOND APPROXIMATELY 8 WEEKS LATER. ON OR ABOUT AUGUST 15, THE ENGINEER WILL INSPECT THE PLANTING AND SUPPLY THE CONTRACTOR WITH A LIST OF MISSING AND DEAD PLANTS AND THOSE THAT HAVE DIED BACK BEYOND NORMAL PRUNING LINES. REPLANT AS REQUIRED ACCORDING TO THE SPECIFICATIONS OF THE ORIGINAL MATERIAL. REPLACEMENT PLANTS ARE SUBJECT TO A NEW PERIOD OF ESTABLISHMENT. IMMEDIATELY REPLACE PLANTS PLANTED INITIALLY IN THE FALL THAT HAVE DIED BEFORE THE SPRING PLANTING SEASON. CARE FOR THE REPLACEMENT PLANTS DURING THE NEW ESTABLISHMENT PERIOD.
- RESTORATION OF DISTURBED AREAS FOR NEW LAWN:
ALL DISTURBED AREAS NOT COVERED BY BUILDING, PAVEMENT OR LANDSCAPE PLANTING BEDS SHALL BE SHALL BE PREPARED FOR GRASS SEED AND SEEDED. LOOSEN RUTS AND WORK THE SOIL AREAS TO A MINIMUM OF 6" DEEP PRIOR TO FINE GRADING AND SEEDING WORK. AREAS TO RECEIVE GRASS SEED SHALL HAVE A MIN. 4" TOPSOIL PLACED, SEEDED AND A STRAW/MULCH BLANKET COVER PLACED OVER THE SEEDED AREAS PER ODOT SPECIFICATIONS. FERTILIZE WITH ONE POUND OF ACTUAL NITROGEN PER 1000 SQUARE FEET WITH A SLOW RELEASE COMMERCIAL STARTER FERTILIZER (LESCO 18-24-12 OR EQUAL).
- LANDSCAPE TREES, SHRUBS AND PERENNIAL WATERING:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR FURNISHING, DELIVERING, APPLYING, MEASURING AND SCHEDULING A SUFFICIENT AMOUNT OF WATER NECESSARY TO KEEP EACH PLANT IN A HEALTHY GROWING CONDITION THROUGHOUT THE PERIOD OF ESTABLISHMENT. THE CONTRACTOR SHALL APPLY 1" OF WATER PER WEEK TO ALL NEW PLANTS. THE CONTRACTOR SHALL INSTALL & MAINTAIN SUPPLEMENTAL DRIP WATERING TREE BAGS (SUCH AS 20 GALLON TREE GATOR WATER BAG) TO PROVIDE ADEQUATE, SLOW RELEASE OF WATER. WATER BAGS SHALL BE REMOVED AT THE END OF THE SECOND GROWING SEASON.
- TURF GROUNDCOVER (SODDING, SEEDING AND SEED MULCHING):
ALL SEEDING INSTALLATION SHALL CONFORM TO ODOT SPECIFICATIONS AND NOTE 9 ABOVE. SEED AT 6 LBS/1000 SF WITH THE FOLLOWING SEED MIXTURE (ODOT LAWN BLEND):
KENTUCKY 31 TALL FESCUE 40%
PERENNIAL RYE 30%
KENTUCKY BLUEGRASS 30%



DECIDUOUS TREE PLANTING DETAIL
NO SCALE

NO.	1	DATE	6/8/2022	BY	KWJ	DESCRIPTION	SIDEWALK LANDSCAPE MODIFICATIONS PER CITY REVIEW
	1660 DUBLIN ROAD SUITE 100 COLUMBUS, OH 43215 TEL: 614.441.4222 FAX: 688.488.7340						
PROJECT NO.	M990009	DRAWN BY:	NAF	CHECKED BY:	KWJ		
PREPARED FOR: 13975 NATIONAL ROAD SW, ETNA, OHIO 43086							
FINAL DEVELOPMENT PLAN FOR MOO-MOO CAR WASH							
JOHNSTOWN ROAD AND FOREST DRIVE NEW ALBANY, OHIO 43054							
LANDSCAPE NOTES AND DETAILS							
L101							

Digital Material Samples
Moo Moo Express Car Wash
5220 Forest Dr. New Albany, OH 43054

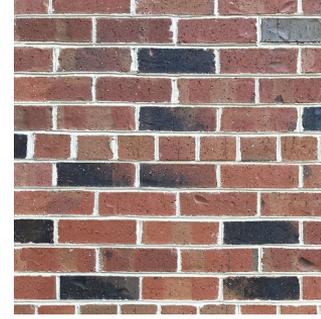




GAF Slateline Shingles
English Grey

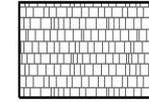
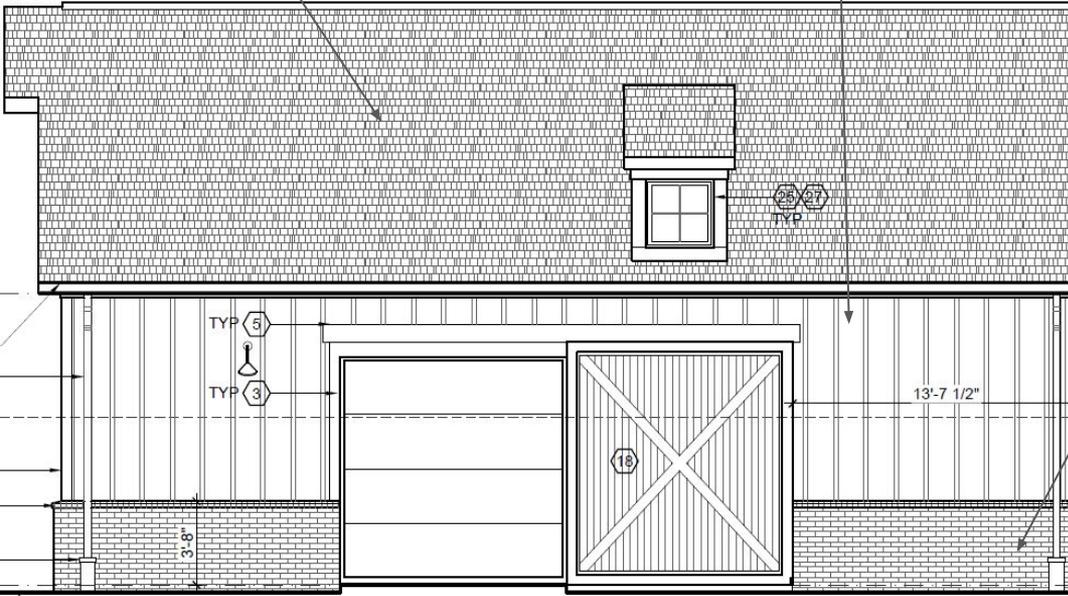


Siding: Hardie Board
Sherwin Williams
Dover White 6385



Cherokee Brick
Windsor

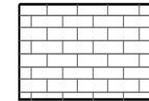
Trim: Sherwin
Williams Incredible
White SW7028



ASPHALT SHINGLES
GAF - SLATELINE
ENGLISH GREY SLATE



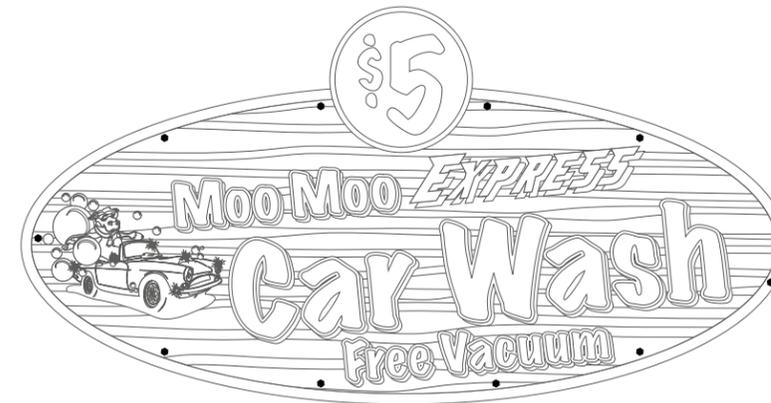
HARDIE BOARD & BATTEN SIDING
COLOR: SHERWIN WILLIAMS
6385 DOVER WHITE



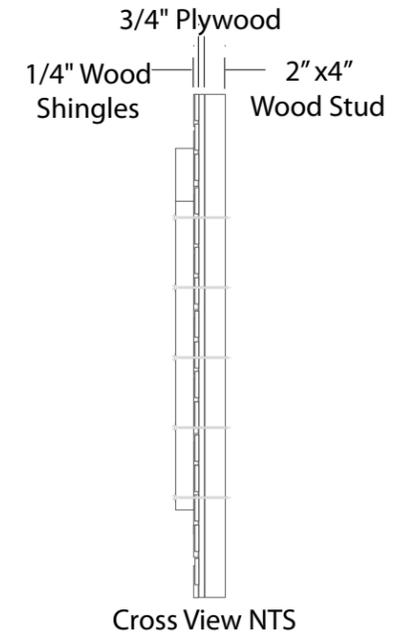
CHEROKEE WINDSOR SIMULATED

TRIM COLOR: SHERWIN WILLIAMS SW7028 - INCREDIBLE WHITE
SOFFIT / FASCIA COLOR: SHERWIN WILLIAMS SW7028 -
INCREDIBLE WHITE





QTY (10) per sign
4" x 1/4" Self Tapping Screws



(2) QTY Non-Illuminated Single Face Wall Sign scale: 3/4"=1'-0"

SIGN: Custom fabricated 1.5" HDU Panel painted Red Black and White

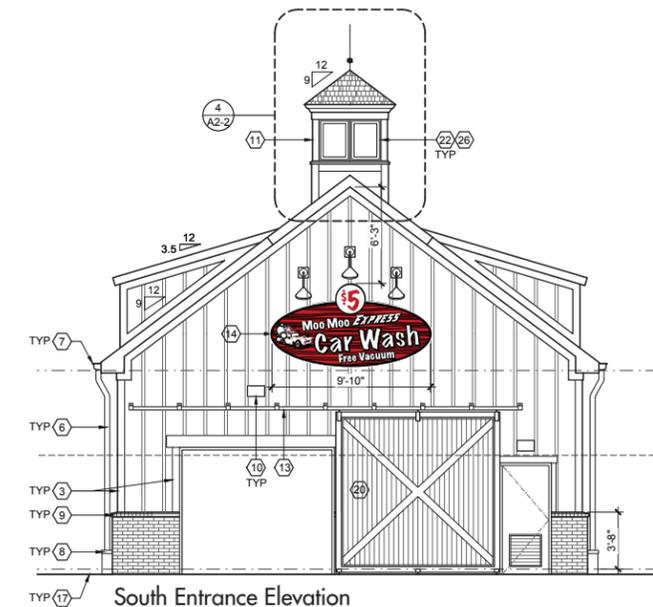
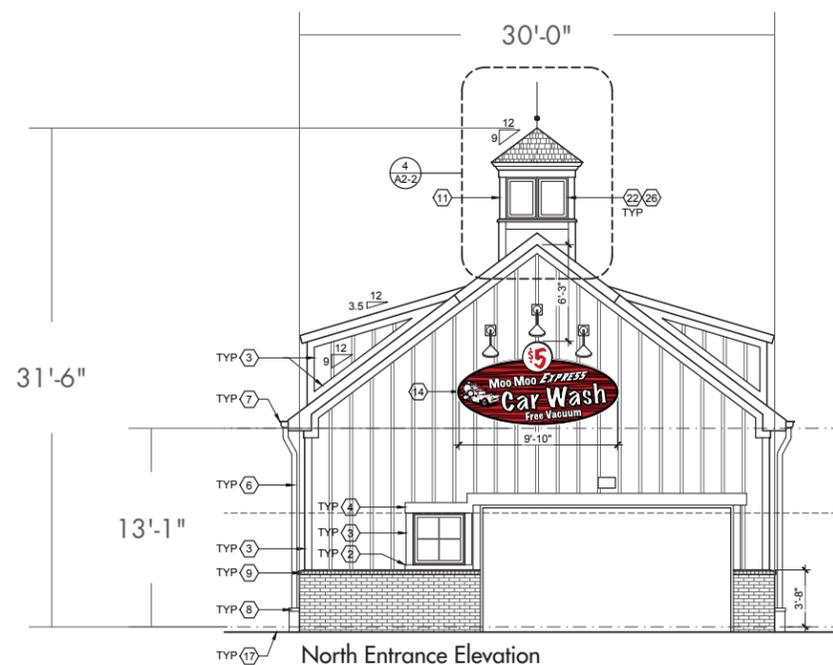
MOUNTING: Sign to be flush mounted to fascia.

LIGHTING: Externally illuminated by (3) gooseneck lights above sign.
Lighting by others.

■ SW 6328 FIREWEED

Distance from bottom of sign
to grade is 13'-9"

Elevations are from a different location
Correct elevations TBD

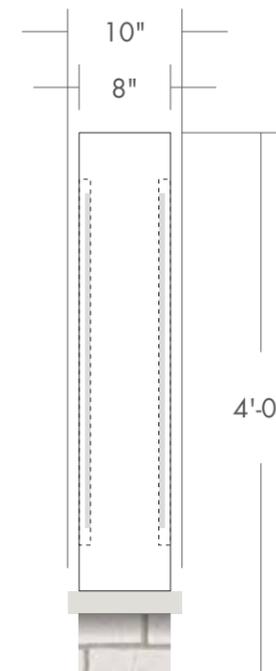


(1) QTY Non-Illuminated Double Face Monument Sign

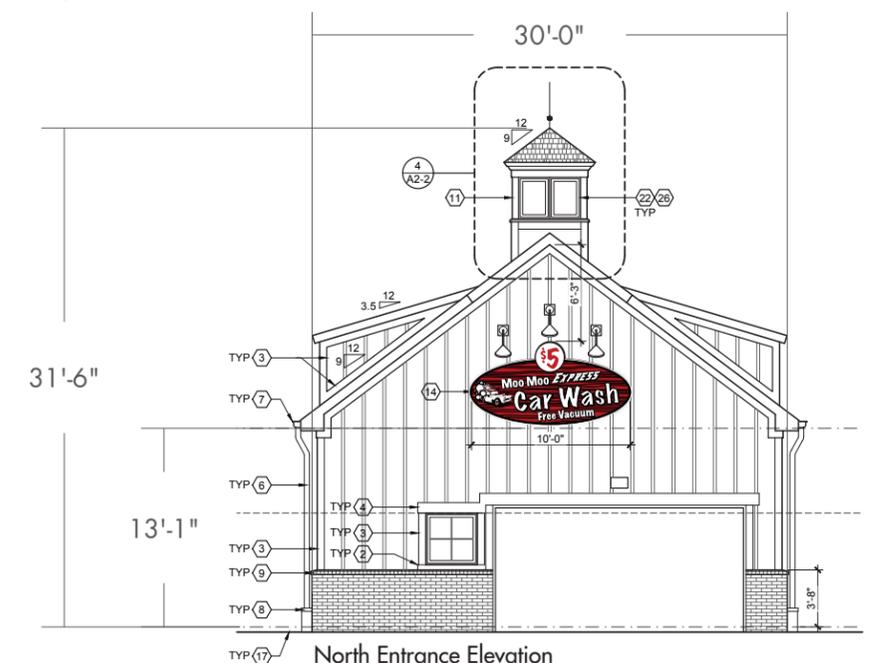
CABINET: 8" deep aluminum tube frame painted white with recessed red sign face area
 GRAPHICS: Painted aluminum graphics mounted to recessed red sign face area
 BASE: White brick masonry base with white cap

SW 6328 FIREWEED
 29.44 SQ FT

scale: 3/4"=1'-0"



Similar monument signs in the area:



Client: Moo Moo | New Albany Forest Dr
 Project: Exterior signage

Drawing Date: 06-03-22
 Drawing #: 22-308 SP: JN D: AW



This sign is intended to be installed in accordance of article 600 of the National Electric Code and or other applicable local codes. This includes proper grounding and bonding of the sign.

AS-DRAWN APPROVAL:

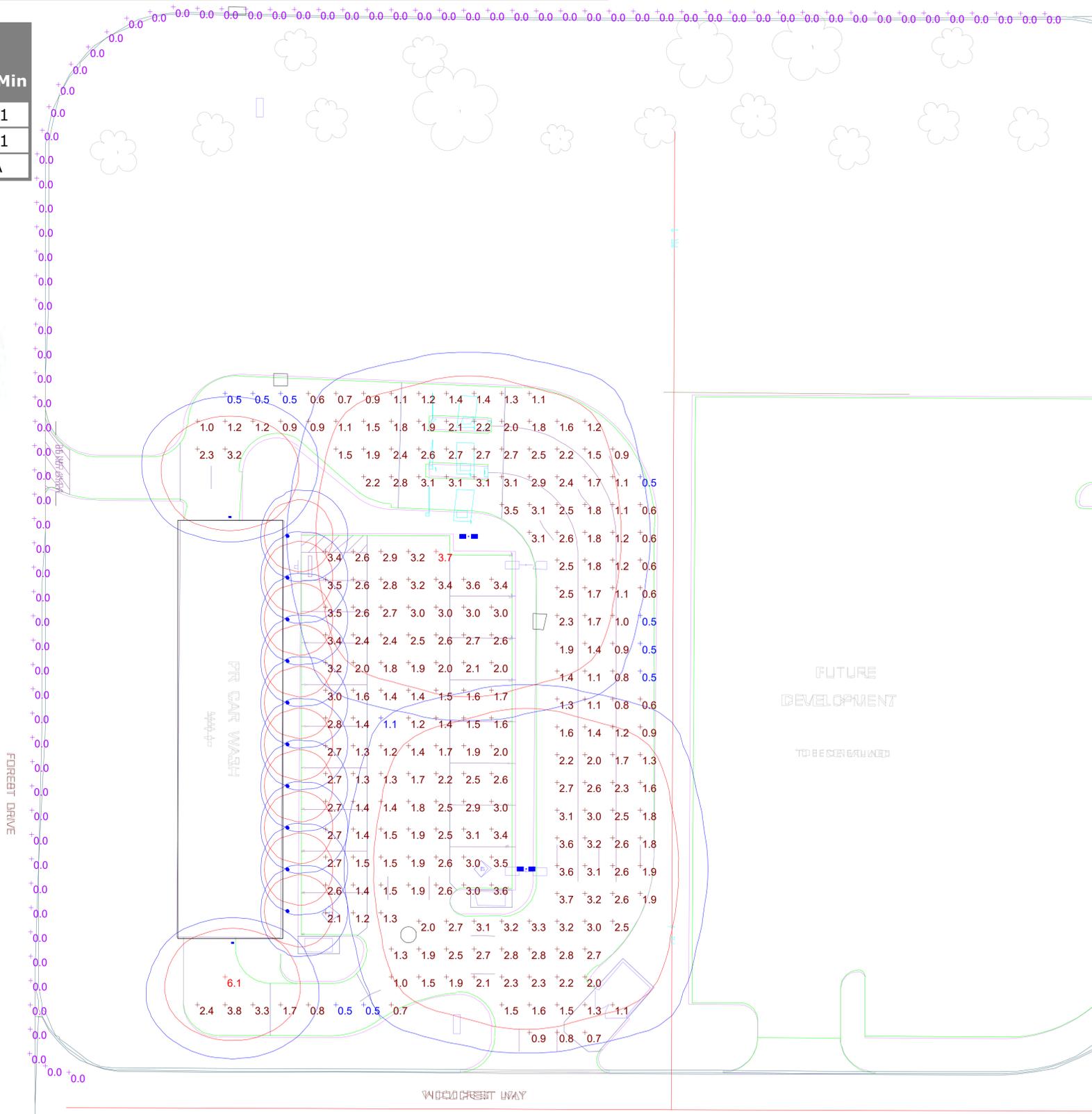
Client Signature: _____ Date: _____

Morrison will not begin production until client signature is received on proof. Your signature indicates responsibility for the accuracy of this proof and any adjustments after signature is received will incur additional costs and/or delays.

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Wattage
⊠	PL5-D	2	U.S.ARC LIGHTING	DSAP20-PLED-VSQ-M-36LED-700mA-40K	BELL STYLE LED FIXTURE MATCHING NEW ALBANY AREA STANDARD // FIXTURE & POLE WILL BE PAINTED NEW ALBANY GREEN (PMS #447)	36	285	157.6
⊠	WP1	2	Lithonia Lighting	ARC2 LED P4 40K	ARC2 LED WITH P4 - PERFORMANCE PACKAGE, 4000K	1	4124	29.4252
⊠	GN	10	Bock Lighting	RLM GOOSENECK	ANGLED REFLECTOR 12 WARM WHITE LEDS, LENS, WHITE REFLECTOR	1	900	17.607

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
#01 VACUUM & PARKING SPACES	+	2.3 fc	3.7 fc	1.1 fc	3.4:1	2.1:1
#02 DRIVING LANE	+	1.9 fc	6.1 fc	0.5 fc	12.2:1	3.8:1
#03 PROPERTY LINE // US 62 & FORREST DRIVE	+	0.0 fc	0.0 fc	0.0 fc	N/A	N/A

- Note**
1. AREA LIGHTS MOUNTED AT 17' AFG
 2. 15' POLE ON A 2' POLE BASE
 3. GOOSE NECK FXTS MOUNTED AT 9' AFG
 4. WALL PACKS MOUNTED AT 12' AFG



MOO MOO CAR WASH NEW ALBANY SITE LIGHTING LAYOUT



To: Planning Commission

From: Community Development Department

Re: Hamlet Development Standards, Codified Ordinance and Design Guidelines and Requirements Updates

Date: June 14, 2022

Throughout the Engage New Albany public outreach process, the planning team heard from the community about the need for more housing types for all life stages and the desire, especially from residents north of State Route 161, for more active and walkable destinations. In response, the Engage New Albany Strategic Plan, adopted in 2021, includes the hamlet development concept to introduce walkable retail and commercial uses that are integrated with residential area.

After an initial proposal in late 2021, New Albany city council directed city staff to further study the hamlet concept to determine the best application of it in New Albany. The planning team for this project included city staff as well as the city landscape and urban design consultants, MKSK. Beginning in January 2022, the planning team worked collaboratively to create multiple hamlet development scenarios which included different site layouts, land use compositions, densities and various other factors in order to determine the most ideal hamlet development pattern for New Albany.

Based on a review of relevant literature and several case studies of similar developments in other communities, the planning team developed a list of essential components for a hamlet development in New Albany. Together, these components contribute to the creation of a development with strong character and a sense of place that fits within the existing character of New Albany. The essential components of a New Albany hamlet include the following:

COMPONENTS OF A HAMLET

Based on a review of relevant literature and existing developments in other communities, the planning team developed a list of essential components for a hamlet development in New Albany. Together, these components will contribute to the creation a development with strong character and a sense of place that fits with the existing character of development in New Albany. The components of a New Albany hamlet include the following:



Compact, walkable neighborhood pattern - A key feature of hamlets is walkability, which is achieved through more compact development patterns, connected streets and pathways, and pedestrian-oriented design of blocks and buildings.



Central, organizing public space framed by streets and buildings - Public space is at the heart of a New Albany hamlet. This can take the form of an activated open space, plaza, or square. This space should be bordered by streets and buildings on at least a couple of sides to frame the public space and create a center of activity for the hamlet.



Active ground floor uses - A vibrant pedestrian experience in a hamlet is achieved through various means, including by creating an active first floor. In mixed-use buildings, the ground floor should be occupied by restaurants, shops, service businesses, and other similar uses that promote pedestrian activity throughout the day.



Prioritization of streets, sidewalks, and pedestrian/bike connections - A connected mobility network of streets, sidewalks, and leisure trails is an essential component to move people to, from, and within a hamlet.



Contains a mix of two or more uses - By incorporating more than one land use, a hamlet can become a community destination rather than simply a development. A mix of uses creates a multi-functional place where people can live, work, shop, explore, relax, and more.



Memorable architecture, public spaces, and placemaking elements - Components of the public realm, such as architecture, signage, public spaces, site furnishings, and public art should be utilized in a New Albany hamlet to create a strong sense of place.



Emphasizes a discipline of materiality - New Albany is known for its high-quality development and a hamlet should be no exception. A hamlet should utilize materials that are of a uniquely New Albany vernacular.



Integrated parking on-street and behind buildings - Parking should be intermixed with the rest of the built environment in a hamlet. Streetscape design can include on-street parking spaces, which provides a buffer between vehicular traffic and the pedestrian realm. Larger surface parking areas that are adequately screened and located behind buildings can blend seamlessly with the rest of a development.



Context sensitive design that leverages surroundings - A New Albany hamlet is not a cookie cutter development, but rather is a bespoke place with a character that is distinctly New Albany. By utilizing the surrounding context and natural features in the site design, a hamlet can become seamlessly embedded into the community.

Using these essential components, the planning team prepared a preferred development scenario and associated development standards as follows. These development standards build upon the original development standards found in the Engage New Albany Strategic Plan by adding

recommendations for residential density, commercial and residential space ratios, and building heights.

DEVELOPMENT STANDARDS

The planning team tested various development scenarios to arrive at a preferred site plan (see p. 17), which then informed the creation of the following development standards. These new standards deviate slightly from the original hamlet development standards included in the Engage New Albany Strategic Plan (found on p. 74) because the hamlet concept has been further studied and its application in New Albany better defined. The following standards outline important requirements for any proposed hamlet development.

1. The gross density of a hamlet development is not to exceed six (6) dwelling units per acre.
2. A hamlet development should be comprised of about 75% developed land to 25% parks and open space.
3. A hamlet development should include a ratio of approximately 200 square feet of commercial uses for every 1 dwelling unit to ensure a vibrant mixed-use development. Commercial uses include administrative, business, and professional offices; retail stores; restaurants; hotels; and personal services. Drive thru businesses should be limited within the site in order to preserve the pedestrian-oriented character of a hamlet.
4. Ground floor and commercial uses in a hamlet should be complementary in nature with other uses on-site to encourage activity throughout the day, rather than at peak times.
5. Buildings may not be taller than 55 feet in height around the civic green, at least 250 feet from Central College Road and SR 605/New Albany-Condit Road, nor taller than 40 feet at the perimeter.
6. Public streets within a hamlet should be lined by buildings, with exceptions for limited drives, public spaces, and properly screened parking.
7. Garages shall face the rear of lots. No garage doors may face primary streets.
8. Parking must be integrated throughout the site through on-street parking on public streets, surface parking located behind primary buildings, limited surface parking located beside primary buildings, and structured parking. Surface parking lots must be properly screened from the street.
9. Drive locations should be kept to a minimum and the placement of buildings should encourage pedestrian activity.
10. Anyone seeking to build a hamlet development must submit a parking model to demonstrate sufficient parking is provided for the mix of residents, employees, and visitors to the site; shared parking among complementary uses is strongly encouraged on the site and the installation of excess parking is discouraged. If the tenants of the hamlet significantly change or is the use mix changes, the developer must resubmit the parking model to city zoning staff for review.
11. A hamlet development proposal should submit an overall master plan for the area showing how it fits together appropriately in terms of connectivity, site layout, uses, and aesthetics.
12. A hamlet development is expected to go through the Planned Unit Development (PUD) rezoning process. The city's Architectural Review Board (ARB) should review final development plans.
13. A hamlet development proposal must reference the applicable chapters of the New Albany Design Guidelines & Requirements (DGRs).

The planning team proposes to add a hamlet focus area to the Engage New Albany strategic plan as an addendum. The focus area will include these essential components, development standards, and background. Based on these development standards, the planning team proposes to update the following sections of city code in order to provide requirements for hamlet development proposals in the future.

Chapter 1157 –ARD Architectural Review Overlay District

In order to be consistent with the proposed development standards, this section of code was updated to require Hamlet final development plans to be reviewed by the Architectural Review Board who will make a recommendation to the Planning Commission.

Chapter 1187 – Subdivision Regulations

City staff proposes to relocate parkland and open space requirements from this section of code to C.O. 1165 (General Development Standards). This change is designed to ensure that requirements for dedication of parkland and open space are triggered with hamlet developments.

Chapter 1165 – General Development Standards

Prior to this code update, there were no parkland and open space requirements specifically for hamlet developments. The code update requires hamlets to provide a combined parkland and open space amount of 25% as recommended in the proposed development standards. In addition, the code change provides clarity to existing sections of the parkland and open space code and contemplates different types of open space amenities that may be provided in a hamlet development including but not limited to plazas and courtyards.

New Albany Design Guidelines and Requirements Section: Residential Outside Village Center

Staff proposes to update this section of the Design Guidelines and Requirements in order to provide clarity on the requirements for single family and multi-family development products.

During the June 20th Planning Commission meeting, city staff as well as MKSK will be in attendance to present this focus area plan and associated code changes. Staff is asking the Planning Commission to make a formal recommendation of approval to City Council during the meeting.

Please feel free to contact city staff if you have any questions.

ENGAGE NEW ALBANY

You're part of the plan

NEW ALBANY HAMLET

Focus Area Plan

June 2022

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INTRODUCTION

PURPOSE & OVERVIEW

The concept of hamlets in New Albany originated from the Rocky Fork Blacklick Accord plans from 1996 and 2001. These plans contemplated the eventual build-out of the entire Plain Township area and the needs of residents north of SR 161. One of the recommendations to address the changing development patterns in this area was the creation of small hamlets at geographically spaced locations, with the goal of creating walkable, mixed-use environments connected to surrounding neighborhoods and integrated into an open space network. The original hamlet concept focused on a focal green space, residential development around the green, limited retail around the green, and some public parking.

The Engage New Albany Strategic Plan, adopted in 2021, revived the hamlet concept to accommodate the original vision and the present desires of residents. Through the Engage New Albany planning process, the community expressed the need for more housing types for all life stages and the desire, especially for residents north of SR 161, for more activity and walkable destinations in that part of the city. The Strategic Plan recommended two hamlets at defined locations in New Albany north of SR 161, including the immediate vicinity of SR 605/New Albany-Condit Road and Central College Road. In 2022, the Strategic Plan was updated to remove the hamlet concept at the "five points" intersection and this focus area was created to elaborate on the recommendation for a hamlet at the latter location.

The city of New Albany studied this concept further to determine the best application of the hamlet locally. This focus area summarizes the outcomes and recommendations that derived from additional evaluation and planning. This New Albany Hamlet Focus Area is the first revision to the Engage New Albany Strategic Plan.

PROCESS

The planning team for this work included select staff from the city of New Albany as well as a team from MKSK. Beginning in January 2022, the planning team collaborated to create multiple development scenarios for the hamlet site. These scenarios had different layouts, land use compositions, densities, and various other factors. The purpose of this development scenario exercise was to determine an appropriate development pattern for a New Albany hamlet. Using the agreed upon development framework (shown on p. 11), the planning team created a more detailed site plan (shown on p. 14 - 15), and a plan showing the preferred land uses on-site (see p. 17). Finally, using these agreed upon plans, the planning team created hamlet development standards (found on p. 18).

COMPONENTS OF A HAMLET

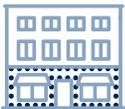
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DEVELOPMENT FRAMEWORK

PLAN COMPONENTS & USE

The recommendations put forth in this document build upon the recommendations in the Strategic Plan, which should be consulted for additional details and information.

The New Albany Hamlet Focus Area covers four topics:

- *Existing Conditions:* This outlines the current area conditions and context.
- *Future Land Use:* This identifies the desired application of the hamlet land use in New Albany, including an updated future land use map.
- *Future Development:* This illustrates the potential future development of the New Albany Hamlet.
- *Development Standards:* This outlines the requirements for a proposed hamlet development and site plan.

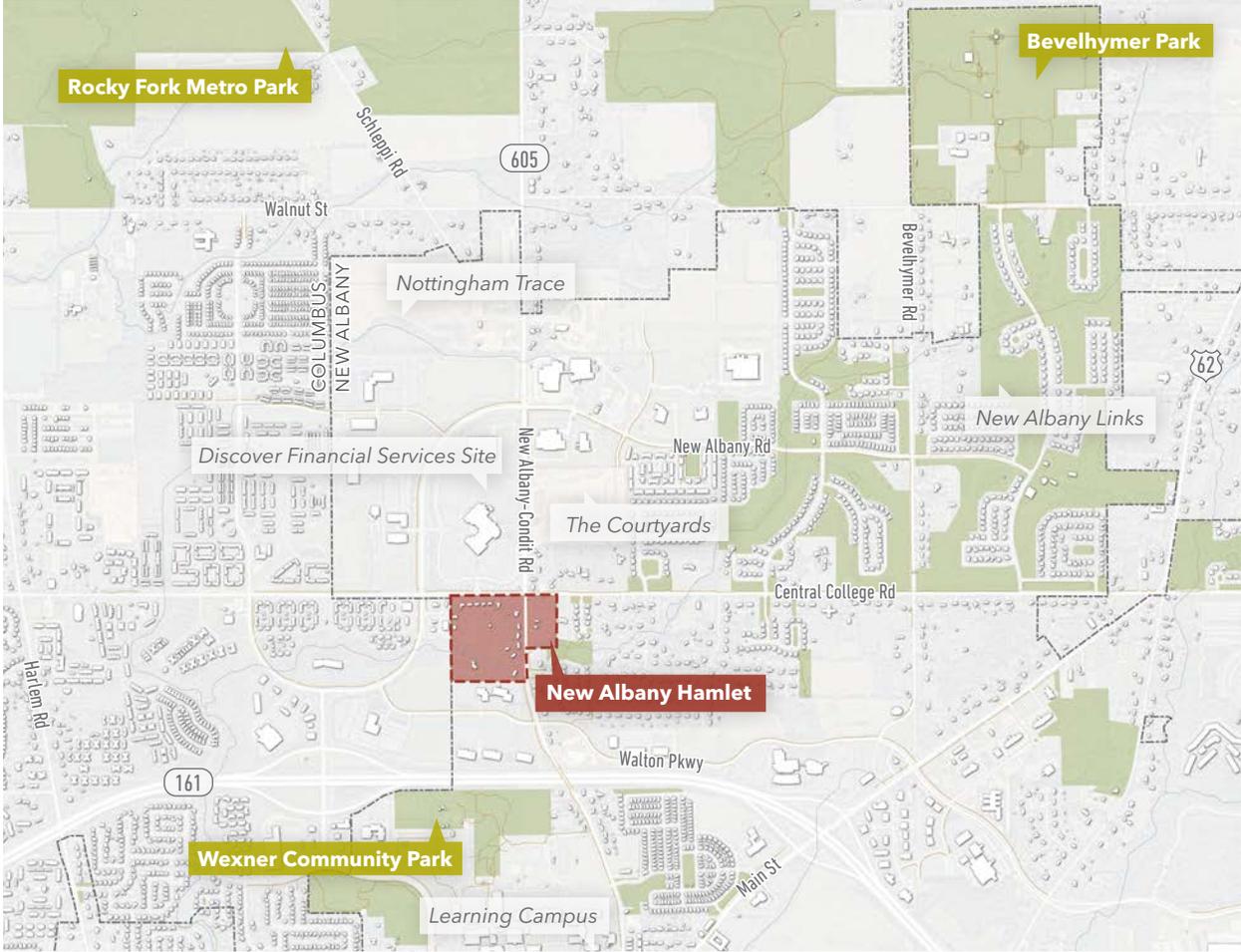
EXISTING CONDITIONS

The New Albany Hamlet site lies at the intersection of SR 605/New Albany-Condit Road and Central College Road. The site, which is roughly 33 acres, is comprised of parcels at the southwest and southeast corners of that intersection, as shown in the diagram on the following page. The site is bounded to the north by Central College Road, to the east by single family residential areas, to the south by commercial uses, and to the west by the city of New Albany boundary with the city of Columbus. Additionally, the Sugar Run corridor, which runs east and west, bisects the site along the south.

The portion of the site that sits west of SR 605/New Albany-Condit Road is within New Albany's International Business Park. More Business Park uses are located north and south of the site. The former Discover Financial Services site sits directly north of the hamlet site. This now vacant property presents a significant opportunity to develop a vibrant, more pedestrian-oriented node at this intersection.

To the west, which is located within the city of Columbus, single family and multifamily residential comprise much of the developed land. The rest remains undeveloped or agricultural land. To the east, in the city of New Albany, single family residential is the predominant use. A couple age-restricted communities, Nottingham Trace and The Courtyards at New Albany, have also been developed in the vicinity off of SR 605/New Albany-Condit Road recently.

The diagram on the following page (p. 7) illustrates the existing site conditions and context. This site was previously identified in the Engage New Albany Strategic Plan as a future mixed-use area (see Engage New Albany p. 195).



Legend

- New Albany Hamlet Focus Area
- City Boundary
- Buildings
- Open Space
- Leisure Trails
- Rivers & Streams

FUTURE LAND USE

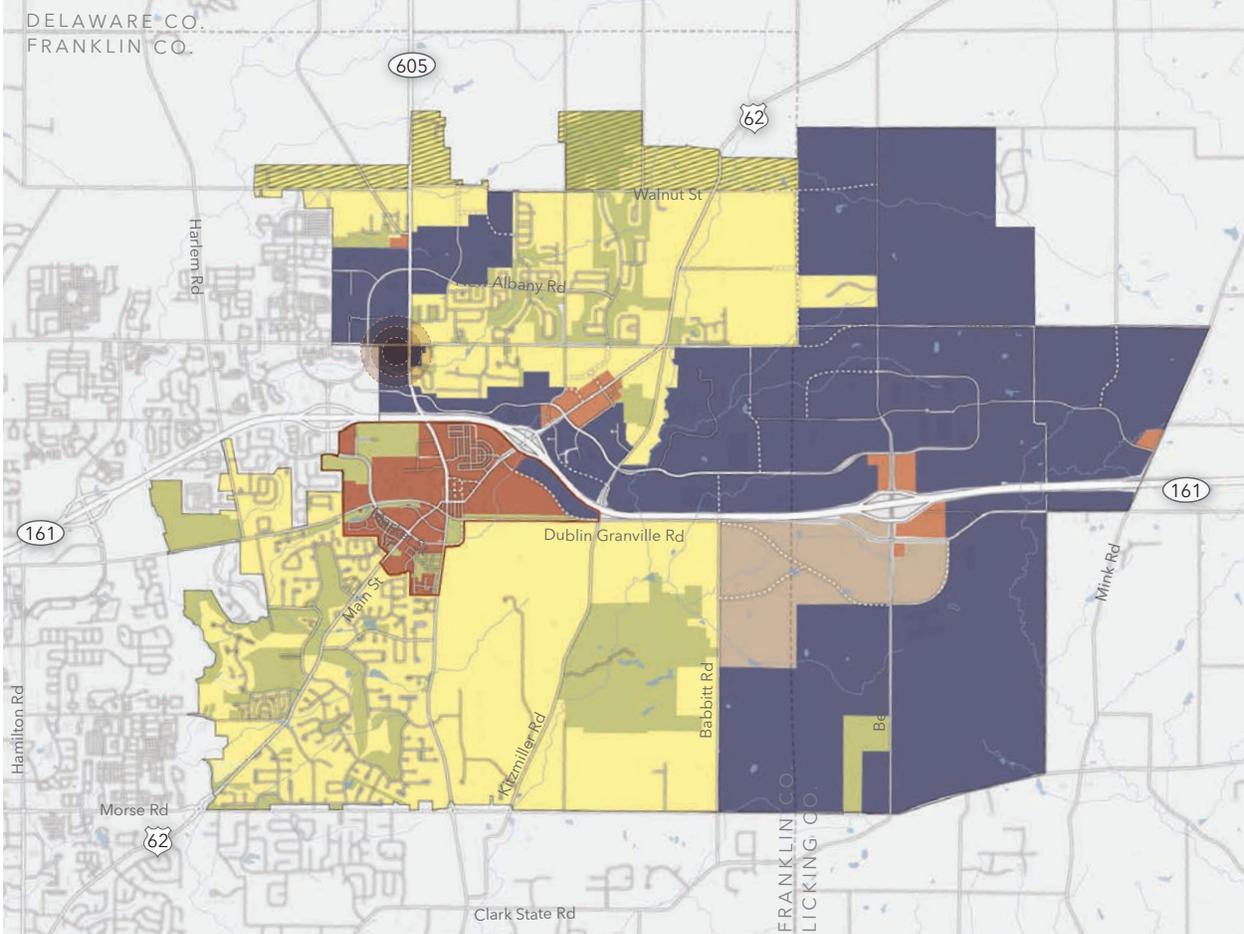
New Albany's future land use map (see following page 9) identifies desired future land use patterns for the city of New Albany and its future expansion areas, as well as the development strategies for each type of land use.

The future land use map on the following pages has been updated to show only one hamlet in the vicinity of the area around Central College Road and SR 605/New Albany-Condit Road. The original Engage New Albany future land use map depicted a second location in the vicinity of the "five points" intersection at US 62 and Central College Road. This second hamlet has been removed from the future land use map.

Hamlet development is strongly recommended for the area shown on the future land use map, but it is not required. If a hamlet is not developed, this area can be developed based on the underlying land use. The underlying land use at this location is Employment Center, which allows for large office buildings, like Discover Financial Services, Commercial Vehicle Group, PharmaForce, Inc., and others in the vicinity. If a hamlet is developed, it should meet the standards listed on p. 18. This plan also provides a development framework to guide the development of a hamlet at the recommended site.

The hamlet land use is a type of mixed-use development intended to introduce walkable retail and commercial uses that are integrated with residential uses. The concept differs from New Albany's retail and mixed-use districts in its scale, design, and pedestrian orientation. While this land use type does encourage a walkable mixed-use environment, it is intended to be complementary to other retail nodes in the city, like the Village Center, while still providing some amenities within easy access to residents who live north of SR 161.

For further explanation of the other land uses shown on the future land use map, please refer to the full Engage New Albany Strategic Plan (p. 53-53).



Legend

- Residential
- Village Center
- Retail
- Mixed Use
- Employment Center
- Parks and Green Space
- Metro Park Zone
- Village Center Boundary
- City Boundary
- New Albany Hamlet*

* Note: General hamlet location. See focus area for defined location.

FUTURE DEVELOPMENT

While the potential build-out of the New Albany hamlet is dependent on several factors, including a willing developer to realize the hamlet vision, this plan puts forth a proposed hamlet development scenario. The exact details of the final site plan may deviate from what is shown in this plan, but the overall vision and development framework laid out in the following pages are meant to serve as a guide for the development of this site. The development framework diagram on the following page (p. 11) illustrates the preferred site layout and framework elements. This framework was selected as the preferred option after testing a few different scenarios. When creating the development framework scenarios, the planning team considered a number of factors, including the surrounding context and uses, environmental constraints, potential street connections, block layout, and site accessibility.

Key drivers for the development of this site include the integration of natural features and open space, the creation of a network of streets and mobility connections, and the identification of appropriate land uses. The following pages outline the vision for a hamlet on this site, culminating in development standards to ensure that any proposed hamlet development meets the desires and needs of the community.



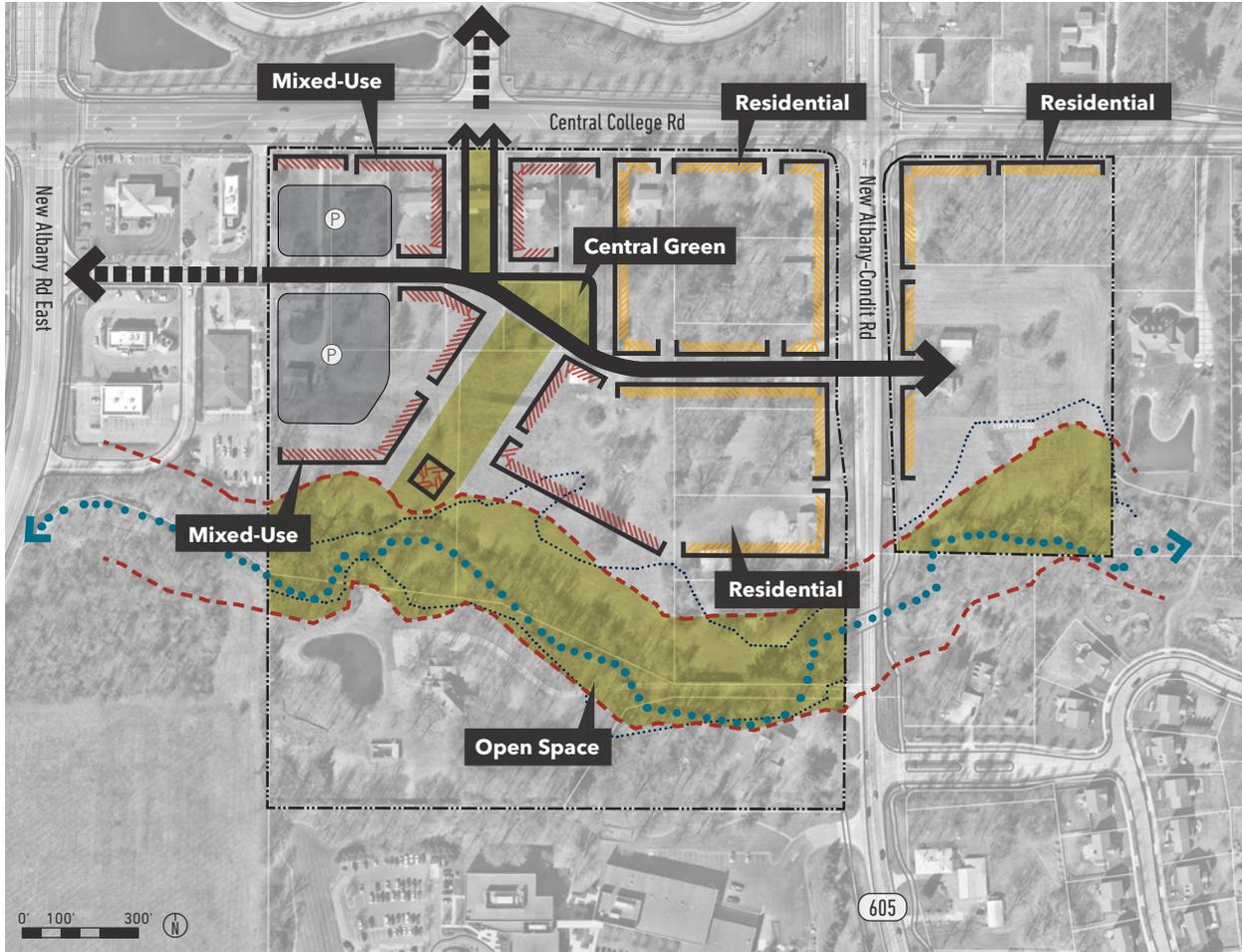
Example of a central green



Example of hamlet residential



Example of an amenitized bioswale



Natural Features & Open Spaces

The site has existing natural features, which should be incorporated into any future development. Sugar Run, which runs east and west on the southern portion of the site is a defining feature, providing important ecological benefits for the site and the broader region. As such, streams like one are protected by a Stream Corridor Protection Zone (SCPZ), which encompasses both the stream and its riparian buffer. This restriction lends itself to creating a linear public green space amenity along the stream corridor. This green space would be more passive and natural compared to other green space on-site. Preserving this space will also help to mitigate flooding and negative impacts from stormwater runoff.



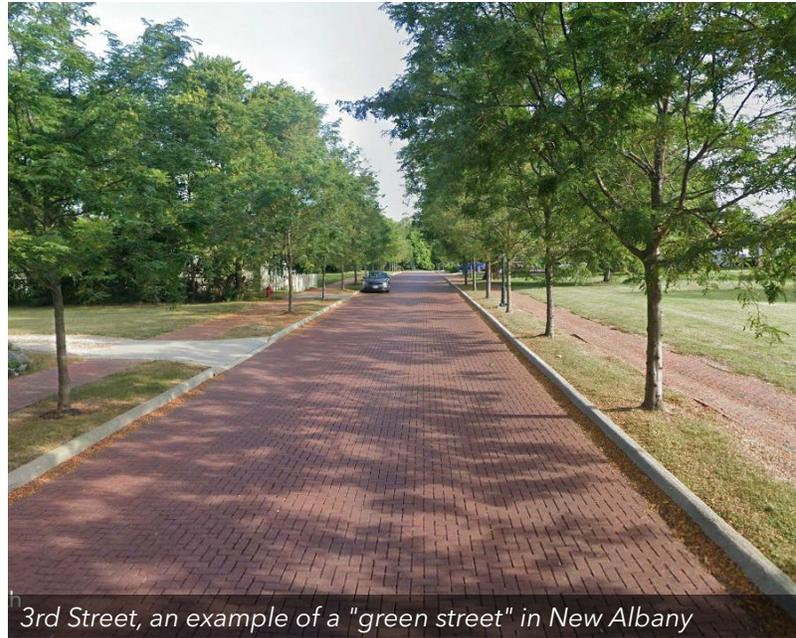
Other public green spaces on-site would include a central green at the heart of the mixed-use commercial core of the development. This green space serves as an organizing feature around which buildings can be oriented. Additionally, small green spaces should fill interstitial spaces in the residential portions of the site to provide amenities for residents. Finally, above-ground stormwater facilities may be needed on-site. To the extent possible, these stormwater facilities should be amenitized to be transformed into a public open space amenity through attractive plantings, boardwalks, and other landscape design features.

Streets & Connections

A roadway network needs to be created as part of any development of this site. This means the creation of new public streets that provide access to the site. The diagram on the following page shows one potential street layout, with a public street that bisects the site, connecting Central College Road and SR 605/New Albany-Condit Road. This street would be a good contender to be constructed as a "green street", using brick instead of asphalt as it is more permeable for stormwater and is longer lasting, contributing to more environmentally sustainable roadway design.

As development occurs in this area, bike and pedestrian facilities should also be incorporated into the planning and design. Leisure trails with a minimum width of 8' should be included on both sides of Central College Road and SR 605/New Albany-Condit Road. On-street bike facilities are also recommended for Central College Road and SR 605/New Albany-Condit Road. For these roadways, shared road markings and signs are recommended to match the designations found in the Bike New Albany Plan. Within the development, leisure trails should also be added along the Sugar Run stream corridor, connecting to the larger leisure trail network.

Creating these leisure trail connections would fill a critical gap in the system and would help to provide access to local and regional green spaces. Within the site, ample sidewalks should also be utilized to provide safe access to destinations within the development.



3rd Street, an example of a "green street" in New Albany



Example of a trail along a stream corridor

CASE STUDY

I'On Village | Mount Pleasant, SC

Situated along the Cooper River in Mount Pleasant, South Carolina, I'On Village is a mixed-use traditional neighborhood on 243 acres of land. I'On Square - the neighborhood's civic and commercial center contains more than 30,000 square feet of office and retail space. Surrounding the square are six residential boroughs with a diversity of Lowcountry housing styles and architecture.

Developed using traditional neighborhood design principles, I'On was built as a walkable community, with tree-lined streets, wide sidewalks, and a network of connected paths to support pedestrian traffic as the primary form of transportation. Although built for pedestrians, the streets can also accommodate vehicles, but are designed to slow traffic and create a safe environment for all roadway users. Only guests and visitors can park at the front of a lot, or on the street, all other vehicles are required to be parked at the rear of the lot, adequately screened from view.



I'On streetscape and active ground floor



Aerial view of I'On



I'On streetscape and active ground floor



Central civic green at I'On

A New Albany Hamlet

The preferred hamlet site plan shown here was derived from the framework diagram developed earlier in the process (see p. 11). This plan is more detailed, depicting building orientation, street layouts, open space size and character, building setbacks, streetscape elements, and parking areas. This plan was created to provide inspiration for the development of hamlet in New Albany, but does not represent an approved or final hamlet plan.





Land Uses & Buildings

The overall hamlet land use was described on p. 8. Within the site, a mix of uses is recommended to create the quality of place and the economic viability for this type of development. The recommended mix of land uses for a hamlet development include open space, detached single-family residential, attached single-family residential, mixed-use residential buildings with ground floor commercial, and commercial. The preferred site plan on the following page (p. 17) illustrates how these various uses can be organized within the site. Commercial frontage on Central College Road on the northwest portion of the site acts as a transition zone from the adjacent auto-oriented retail to the west. An inviting public street leads to a mixed-use core, which is organized around a focal green space, creating a hub of activity and vibrancy where the community can gather.

Attractive townhomes create frontage and contribute to a neighborhood-feel along Central College Road and SR 605/New Albany-Condit Road. Traditional single-family homes on the eastern portion of the site provide a buffer zone for the adjacent single-family neighborhoods to the east and south. An assisted living facility is situated on the southern portion of the site, overlooking the stream corridor. This would create housing for older adults to age-in-place in New Albany and would be connected by pathways to the hub of activity north of the stream.

Open space and green corridors are essential components of the hamlet development and should be integrated into the overall site vision. This is described in more detail on p. 10-12.

Finally, parking is integrated with the other land uses to enable the development without compromising the hamlet character.



Example of an activated ground floor



Example of an activated ground floor



Existing townhomes in New Albany at Richmond Square



Over-parking the development, or constructing too much parking, will detract from the quality of the place and is not the highest and best use of the land. Therefore, it is essential to develop a parking model that is appropriate for the mix of uses on-site and allows for shared parking between various uses.

Buildings in a hamlet should represent the quality and character that is distinctive of New Albany. The previous hamlet standards outlined in Engage New Albany allowed for two- to three-story buildings. After reviewing local examples of surrounding heights of both residential and commercial buildings in the area, these height standards have been updated to be expressed in feet to add more specificity and direction (see p. 18). These standards allow for variation in roof lines and other architectural details, such as dormers. More architectural and design guidelines for buildings can be found in New Albany's Design Guidelines & Requirements (DGRs).

Legend

- Focus Area Boundary
- Proposed Single Family Homes
- Proposed Townhomes
- Proposed Flats/Apartments
- Proposed Commercial
- Proposed Assisted Living
- Open Space/Green Corridors
- Stream Corridor Protection Zone
- Floodplain
- Utility Easement

DEVELOPMENT STANDARDS

The planning team tested various development scenarios to arrive at a preferred site plan (see p. 17), which then informed the creation of the following development standards. These new standards deviate slightly from the original hamlet development standards included in the Engage New Albany Strategic Plan (found on p. 74) because the hamlet concept has been further studied and its application in New Albany better defined. The following standards outline important requirements for any proposed hamlet development.

1. The gross density of a hamlet development is not to exceed six (6) dwelling units per acre.
2. A hamlet development should be comprised of about 75% developed land to 25% parks and open space.
3. A hamlet development should include a ratio of approximately 200 square feet of commercial uses for every 1 dwelling unit to ensure a vibrant mixed-use development. Commercial uses include administrative, business, and professional offices; retail stores; restaurants; hotels; and personal services. Drive thru businesses should be limited within the site in order to preserve the pedestrian-oriented character of a hamlet.
4. Ground floor and commercial uses in a hamlet should be complementary in nature with other uses on-site to encourage activity throughout the day, rather than at peak times.
5. Buildings may not be taller than 55 feet in height around the civic green, at least 250 feet from Central College Road and SR 605/New Albany-Condit Road, nor taller than 40 feet at the perimeter.
6. Public streets within a hamlet should be lined by buildings, with exceptions for limited drives, public spaces, and properly screened parking.
7. Garages shall face the rear of lots. No garage doors may face primary streets.
8. Parking must be integrated throughout the site through on-street parking on public streets, surface parking located behind primary buildings, limited surface parking located beside primary buildings, and structured parking. Surface parking lots must be properly screened from the street.
9. Drive locations should be kept to a minimum and the placement of buildings should encourage pedestrian activity.
10. Anyone seeking to build a hamlet development must submit a parking model to demonstrate sufficient parking is provided for the mix of residents, employees, and visitors to the site; shared parking among complementary uses is strongly encouraged on the site and the installation of excess parking is discouraged. If the tenants of the hamlet significantly change or is the use mix changes, the developer must resubmit the parking model to city zoning staff for review.
11. A hamlet development proposal should submit an overall master plan for the area showing how it fits together appropriately in terms of connectivity, site layout, uses, and aesthetics.
12. A hamlet development is expected to go through the Planned Unit Development (PUD) rezoning process. The city's Architectural Review Board (ARB) should review final development plans.
13. A hamlet development proposal must reference the applicable chapters of the New Albany Design Guidelines & Requirements (DGRs).

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PLACEHO RENDERING

Preserving the Character of New Albany's Roadways

Central College Road and SR 605 are important roadways that connect the whole community from east to west and north to south, respectively. The hamlet prioritizes and preserves New Albany's unique character, including at the edges along these two roadways. Along SR 605, townhomes are setback from the roadway to provide a peaceful atmosphere for residents and to preserve the scenic qualities of the corridor. The same priority and treatment is given to the south side of Central College Road.

OLDER FOR G FROM 605

PLACEHOLDER P OF MIXED-

Creating a Community Gathering Place

The hamlet's mixed-use, multi-functional core becomes a place for the whole community to gather and enjoy. The central green provides a public space for people to linger in between their trips to the adjacent businesses and for hamlet residents to frequent and mingle. A pavilion at the terminus of the central green overlooks a lush and naturalized green space, which leads to the serene Sugar Run corridor. Comfortable streets encourage strolling, cycling, and exploring within the hamlet and leisure trails connect to the core, providing easy access for all.

FOR RENDERING -USE CORE

**PLACEHOLDER
EYE REN**

The Vision for a New Albany Hamlet

A New Albany hamlet is a one-of-a-kind place in Central Ohio, while also blending seamlessly with the rest of the New Albany community. Through the vision and recommendations set forth in this plan, a hamlet can be a welcoming and exciting place for residents, workers, business owners, and visitors to enjoy.

ER FOR BIRDS DERING

CHAPTER 1157 ARD ARCHITECTURAL REVIEW OVERLAY DISTRICT¹

1157.01 ADOPTION.

There is hereby adopted and incorporated by reference, the New Albany Design Guidelines and Requirements, as if set out at length herein.

(Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.02 PURPOSE.

- (a) The City of New Albany contains numerous architectural and environmental assets that establish an environmental character. This environmental character is directly linked to the economic, social, historical and cultural health and well being of the community. The purpose of the Architectural Review District is to protect and preserve these assets, by regulating the architectural characteristics of structures and their surroundings, as well as the preservation and protection of buildings of architectural or historical significance throughout the City. The Architectural Review District has also been created to recognize, preserve and enhance the architectural and historical character of the community and to prevent intrusions and alterations within the established zoning districts which would be incompatible with their established character.
- (b) The Architectural Review District is an Overlay District. This means that the requirements of this chapter are requirements which must be met in addition to the established requirements and standards of the base district over which the Architectural Review District is placed.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.03 DEFINITIONS.

As used in this chapter, the following words shall be defined as:

- (a) "Applicant" means any person, persons, association, organization, partnership, unit of government, public body or corporation who applies for a certificate of appropriateness in order to undertake an environmental change within the District.
- (b) "Board" means the Architectural Review Board of the City of New Albany.
- (c) "Certificate of Appropriateness" means a certificate authorizing any environmental change within the Architectural Review District.
- (d) "Design Guidelines and Requirements" means the building, construction and design standards that apply to any environmental change within the City of New Albany. The Design Guidelines and Requirements shall have the force and effect of law.
- (e) "District" means the Architectural Review Overlay District.

¹Cross reference(s)—Historic Village District - see P. & Z. Ch. 1135

(f) "Environmental change" means new construction or alterations which change, modify, reconstruct, remove or demolish any exterior features of an existing structure.

(g) "Hamlet" or "Hamlet Area" means that area defined as a Hamlet in the Strategic Plan of the City of New Albany. ~~(Reserved)~~

(h) "Preserve" or "preservation" means the process, including maintenance, or treating of an existing building to arrest or slow future deterioration, stabilize the structure, and provide structural safety without changing or adversely affecting the character or appearance of the structure.

(i) "Owner" means the owner of record, and the term shall include the plural as well as the singular.

(j) "Village Center" or Village Center Area" means that area defined as the Village Center in the Village Center Strategic Plan of the City of New Albany.

(Ord. 10-98. Passed 8-4-98; Ord. 12-99. Passed 10-5-99; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.04 DISTRICT BOUNDARIES.

The Architectural Review District shall consist of all zoning districts in the City of New Albany and shall apply to all environmental changes: private, municipal, and to the extent municipal design review is not pre-empted by state or federal law, all other government environmental changes.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.05 ARCHITECTURAL REVIEW BOARD.

(a) The Architectural Review Board is hereby established and shall consist of seven (7) members, any two (2) of which may be members of the New Albany Planning Commission.

(b) All members shall be appointed by Council for terms of three (3) years. Initial term lengths shall be staggered so as to provide continuity of membership on the Board. Initially, two (2) persons shall be appointed to one-year terms, two (2) members shall be appointed to two-year terms, and three (3) members shall be appointed to three-year terms. Thereafter, all members shall be appointed to three-year terms.

(c) Except in special circumstances outlined in this paragraph, all members shall be residents of the City of New Albany. At least two (2) members of the Architectural Review Board shall be professionals in the following fields: architecture, landscape architecture, city planning, interior design, industrial design, engineering or other allied design professions. If no residents within the Municipality of New Albany who are members of these professions wish to serve on the Architectural Review Board, then applicants from the unincorporated area of Plain Township who are in these professions may be appointed. Each time a Township resident's term expires, Council shall advertise to determine if a municipal resident is qualified and desires to take the seat. Council shall select a qualified municipal resident for membership over a qualified Township resident.

(b) All members shall be appointed by Council for terms of three (3) years. Initial term lengths shall be staggered so as to provide continuity of membership on the Board. Initially, two (2) persons shall be appointed to one-year terms, two (2) members shall be appointed to two-year terms, and three (3) members shall be appointed to three-year terms. Thereafter, all members shall be appointed to three-year terms.

(c) Except in special circumstances outlined in this paragraph, all members shall be residents of the City of New Albany. At least two (2) members of the Architectural Review Board shall be professionals in the following fields: architecture, landscape architecture, city planning, interior design, industrial design, engineering or

other allied design professions. If no residents within the Municipality of New Albany who are members of these professions wish to serve on the Architectural Review Board, then applicants from the unincorporated area of Plain Township who are in these professions may be appointed. Each time a Township resident's term expires, Council shall advertise to determine if a municipal resident is qualified and desires to take the seat. Council shall select a qualified municipal resident for membership over a qualified Township resident.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.06 CERTIFICATE OF APPROPRIATENESS REQUIRED.

No environmental change shall be made to any property within the City of New Albany until a certificate of appropriateness (COA) has been properly applied for, and issued by staff or the Board. No building permit or zoning permit shall be issued for any major or minor environmental change now or hereafter in the Architectural Review District or subject to the architectural review process, unless a certificate of appropriateness has been issued. In cases where a standard is not required by the zoning text or code, then a "no permit required" certificate may be issued by staff.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.07 MAJOR AND MINOR ENVIRONMENTAL CHANGES.

Environmental changes are divided into two (2) categories as follows:

Major	Minor
<ul style="list-style-type: none"> • New construction • Alterations which change, modify, reconstruct, remove or demolish any exterior features of an existing structure that are not considered to be minor modifications • Demolition • Building additions • The addition of signage • Changes to nonconforming signs • New, relocated and expanded parking lots • Patios, porches and other defined outdoor areas used for dining or other commercial activities • Multiple minor changes may be defined as a major change, as determined by the Community Development Department • Similar changes as determined by the Community Development Department • Hamlet Area Final Development Plan 	<ul style="list-style-type: none"> • Addition or deletion of awnings or canopies • Replacement of windows and doors • Gutters • Skylights • Solar panels • Satellite dishes • Face changes to otherwise conforming signs • Changes to paint and siding colors • Changes in materials but not in appearance • Re-roofs • Landscape modifications • The construction of sports fields and associated bleachers, fences, dugouts and like facilities not requiring a commercial building permit, as approved by the Community Development Department • Modifications to off-street parking and loading areas • Accessory buildings • Fences • Walls • Decks • Porches • Patios (residential) • Swimming pools and spas • Similar changes as determined by the Community Development Department

(Ord. O-08-2011. Passed 5-17-11.)

1157.08 PROCEDURE FOR CERTIFICATE OF APPROPRIATENESS.

- (a) The application for a certificate of appropriateness shall be made on such forms as prescribed by the staff of the City of New Albany, along with such plans, drawings, specifications and other materials as may be needed by staff or the Board to make a determination.
- (1) The materials that may be required include but are not limited to:
- A. A dimensioned site plan showing existing conditions including all structures, pavement, curb-cut locations, natural features such as tree masses and riparian corridors, and rights-of-way.
 - B. A dimensioned site plan showing the proposed site change including structures, pavement, revised curb-cut locations and landscaping.
 - C. Illustration of all existing building elevations to scale.
 - D. Illustrations of all proposed building elevations to scale.
 - E. Samples of proposed building materials.
 - F. Color samples for proposed roof, siding, etc.
- (2) For review of signage, the following submittal requirements apply:
- A. Illustrations of all existing site signage including wall and ground.
 - B. Illustrations of proposed signage to scale.
 - C. A dimensioned site plan showing location of existing ground mounted signs.
 - D. A dimensioned site plan showing the proposed location of ground mounted signs.
 - E. Samples of proposed sign materials.
 - F. Color samples of proposed sign(s).
 - G. Proposed lighting plan for sign(s).
- (b) (1) Any major environmental change, or zoning change, to any property located within the Village Center Area, requires a certificate of appropriateness from the Architectural Review Board. Applicants shall file an application for a Certificate of Appropriateness at least thirty (30) days prior to the Architectural Review Board meeting.
- (2) In the case of a Certificate of Appropriateness application for a property in a Planned Unit Development (PUD) Zoning District within the Village Center Area, the Architectural Review Board shall review the proposal and make a recommendation to the Planning Commission at the time of rezoning or the preliminary development plan. After the preliminary development plan, any alterations, modifications or other environmental changes to the zoning requirements of a Planned Unit Development within the Village Center require a Certificate of Appropriateness issued by the Planning Commission.
- (3) In the case of a Certificate of Appropriateness application for a property in a Hamlet Area, the Architectural Review Board shall review the proposal and make a recommendation to the Planning Commission at the time of final development plan. After the final development plan, any alterations, modifications or other environmental changes to the zoning requirements for a Hamlet Area will be subject to the review and approval of the Planning Commission.

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- (c) Any major environmental change to a property located outside the Village Center Area, requires a certificate of appropriateness issued by the City Manager's designee.
 - (d) Any minor environmental change requires a Certificate of Appropriateness issued by the City Manager's designee.
 - (e) Any major or minor environmental change which requires a waiver to the requirements of this chapter requires a Certificate of Appropriateness to be issued by the Architectural Review Board.
 - (f) Upon review of the application for a certificate of appropriateness, the ARB or staff member shall determine whether the proposed environmental change promotes, preserves and enhances the architectural and historical Architectural Review District, set forth in Section 1157.02. As a part of its review, the ARB or staff member will ensure that, at a minimum, the proposed environmental change complies with the criteria set forth in Section 1157.08 and the design Guidelines and Requirements incorporated into this section by reference. Upon completion of its review, the ARB or staff member will issue or deny a certificate of appropriateness to the applicant.
 - (g) In determining the appropriateness of specific environmental change, the Board shall conduct a public meeting on the project and/or solicit input from staff members or other consultants to the Municipality.
- (Ord. 12-99. Passed 10-5-99; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.09 CRITERIA FOR EVALUATION OF APPLICATION FOR CERTIFICATION OF DESIGN APPROPRIATENESS.

In considering the appropriateness of any proposed environmental change, including landscaping or exterior signage, the Architectural Review Board or City staff member shall consider the following, as a part of its review:

- (a) The compliance of the application with the Design Guidelines and Requirements. The proposed environmental change is to comply with the Design Guidelines and Requirements of the City, incorporated by reference.
- (b) The visual and functional components of the building and its site, including but not limited to landscape design and plant materials, lighting, vehicular and pedestrian circulation, and signage.
- (c) The distinguishing original qualities or character of a building, structure, site and/or its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural or environmental features should be avoided when possible.
- (d) All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance inconsistent or inappropriate to the original integrity of the building shall be discouraged.
- (e) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be created with sensitivity.
- (f) The surface cleaning of masonry structures shall be undertaken with methods designed to minimize damage to historic building materials. Cleaning methods that will damage building materials should be avoided.
- (g) Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure would be unimpaired. Additions to the least significant and least visible of historic properties should be given priority over other designs.

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- (h) Where, prior to the effective date of the Design Guidelines and Requirements (September 20, 2007), certificates of appropriateness have been previously issued for 33.3% of the total number of approved homes within a residential PUD, a certificate of appropriateness which differs from the applicable Design Guidelines and Requirements may be issued for additional homes/new house elevations within such PUD. Provided however that any such additional homes/new house elevations which deviate from the Design Guidelines and Requirements shall utilize previously-approved architectural features consistent with those of homes already permitted within such PUD, and shall also comply with any architectural-feature provisions set forth in the applicable zoning text. In such cases:
- (1) The request for use of the same architectural features shall be made as part of the certificate of appropriateness application. The request should include a written description of the feature proposed with addresses and photos of the copied architectural features; however, additional information may be required for review. Several architectural features may be proposed for one house on a single request/application. Each request will be evaluated individually on a house-by-house basis.
 - (2) For the purposes of this division (h), "architectural feature" shall mean the elements of the house, not approved by a variance, that contribute to the house style, which may include the mixing of architectural features from different architectural styles. Examples of such architectural features include pediments, window styles and details, eave details, door details, porches, etc. However, shutters shall not be undersized for the windows with which they are associated.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. 01-2008. Passed 2-5-08; Ord. O-08-2011. Passed 5-17-11.)

1157.10 DEMOLITION OF STRUCTURES.

In cases where an applicant applies for a certificate of appropriateness to demolish a structure, the ARB or staff member shall grant the demolition and issue a certificate of appropriateness when at least one of the following conditions prevails.

- (a) The structure contains no features of architectural and historic significance to the character of the individual precinct within which it is located.
- (b) There exists no reasonable economic use for the structure as it exists or as it might be restored, and that there exists no feasible and prudent alternative to demolition.
- (c) Deterioration has progressed to the point where it is not economically feasible to restore the structure.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.11 MAINTENANCE.

Nothing in this chapter shall be construed to prevent ordinary maintenance or repair of any property within the Architectural Review District, nor shall anything in this chapter be construed to prevent any change, including the construction, reconstruction, alteration or demolition of any feature which in the view of the Zoning Inspector is required for the public safety because of an unsafe, insecure or dangerous condition.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.12 WAIVERS.

Any person or entity owning or having an interest in property that seeks to perform an environmental change may file an application to obtain a waiver from the requirements of this chapter in conformance with the criteria standards, and procedures set forth in Chapter 1113.

(Ord. O-08-2011. Passed 5-17-11.)

1157.13 APPEALS.

The Architectural Review Board shall hear and decide appeals from any decisions or interpretations made by City staff under this chapter. Any such appeal shall be in conformance with the criteria standards and procedures set forth in Chapter 1113.

(Ord. O-08-2011. Passed 5-17-11.)

1157.99 PENALTY.

- (a) Whoever constructs, reconstructs, alters, or modifies any exterior architectural or environmental feature now or hereafter within the Architectural Review District in violation of this chapter, shall be subject to the penalties specified in Section 1109.99.
- (b) Any individual or individual property owner that demolishes a structure within the Architectural Review District in violation of this chapter shall be subject to a fine of up to ten thousand dollars (\$10,000.00).
- (c) Any partnership, association, business entity, etc. that demolishes or causes the demolition of a structure within the Architectural Review District in violation of this chapter shall be subject to a fine of up to fifty thousand dollars (\$50,000.00).

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

CHAPTER 1165 GENERAL DEVELOPMENT STANDARDS¹

1165.01 DEFINITIONS.

- (a) "Accessory structure" shall be defined as a subordinate structure or surface, located on the same lot as a principal building/structure, which is incidental to the use of the principal building/structure. Accessory structure are categorized into two (2) groups: Detached Structures or Recreational Amenities.
- (b) "Architectural Features" are defined as cornices, canopies, eaves, pilasters, stairs, sills or other similar features.
- (c) "Building Service Features" are defined as egress window pits, mechanical pits, mechanical units and generators, and similar features.
- (d) "Deck" shall be defined as an accessory structure and is further defined as a horizontal platform supported by any combination of posts, beams, foundations, and/or joists with or without handrails, steps or terraces.
- (e) "Detached Structures" are defined as detached garages, enclosed, accessory buildings larger than two hundred (200) square feet, pool houses, and other structures not considered to be Recreational Amenities located in a residentially zoned district.
- (f) "Elevated surface" shall be defined as an artificial rise or elevation above the natural grade of the surrounding ground created with earth, rock, wood or other material.
- (g) "Recreational Amenities" are defined as buildings which are two hundred (200) square feet or less. any sized deck, patio, fireplaces, pergolas, gazebo and similar located in a residentially zoned district.
- (h) "Side Yard" shall be defined as the area measured from a side lot line to the required side yard setback line extending from the front lot line to the rear lot line.
- (i) "Open Sided Structure" shall be defined as a free-standing, unheated structure unenclosed except for a structural system supporting a roof, and screen panels which may be used to enclose the open spaces between structural elements. An open-sided structure includes but may not be limited to a gazebo, tent, pergola, canopy or trellis.
- (j) "Hamlet" or "Hamlet Area" means that area defined as a Hamlet in the Strategic Plan of the City of New Albany.

(Ord. O-27-2019 . Passed 9-17-19.)

¹Editor's note(s)—Ord. O-27-2019 , passed September 17, 2019, in effect repealed the former Chapter 1165, and enacted a new Chapter 1165 as set out herein. The former Chapter 1165 pertained to similar subject matter and derived from Ord. 20-90. Passed 6-19-90; Ord. 72-92. Passed 12-15-92; Ord. 29-2001. Passed 8-21-01; Ord. 27-2007. Passed 8-21-07; Ord. 06-2009. Passed 3-17-09; Ord. O-08-2011. Passed 5-17-11.

Cross reference(s)—Gasoline service station defined - see P. & Z. 1105.02;
Home occupation defined - see P. & Z. 1105.02

1165.02 BUILDING REQUIREMENTS.

- (a) Frontage Required. No building, structure, or improvement shall be constructed or altered unless its lot fronts on a publicly dedicated and improved street or thoroughfare within the Municipality.
 - (b) Front Yard Requirements. All front yard space shall be maintained in accordance with at least one (1) of the following provisions:
 - (1) Landscaped by lawns, shrubbery, trees or other plantings. Such planting shall be maintained in a neat and orderly state.
 - (2) In all districts, driveways may be located in front yards; if needed in rear yards, rear yard access is permitted off of alleys. In districts where single-family residences are not a permitted use, front yard setbacks may also be used for parking areas, consistent with the regulations of Chapter 1167.
 - (c) Corner Lots. Lots fronting on more than one street shall provide the required front yard on both streets.
 - (d) Architectural Features Encroachment. May project into a setback no more than three (3) feet with a minimum of two (2) feet maintained to any adjoining lot line.
 - (e) Building Service Features Encroachment. May project into a setback no more than five (5) feet with a minimum of two (2) feet maintained to any adjoining lot line.
 - (f) Rural Setbacks. All buildings should respect the setbacks of all rural designated roads established in the [VillageCity's Strategic Plan](#).
- (Ord. O-27-2019 . Passed 9-17-19.)

1165.03 HEIGHT.

Height regulations specified in the various zoning districts shall not apply to chimneys, tanks, cupolas, domes, spires, or similar structures attached provided that the height of all structures and buildings, including those mentioned above, shall not constitute a hazard to safe landing and take-off of aircraft from an established airport.

(Ord. O-27-2019 . Passed 9-17-19.)

1165.04 ACCESSORY USES OR STRUCTURES.

- (a) Detached Structures. Shall comply with the following requirements:
 - (1) Area. For lots less than one acre, a structure may have an area up to eight hundred (800) square feet; for lots between one (1) acre and two (2) acres, a structure may have an area up to one thousand two hundred (1,200) square feet, and for lots larger than two (2) acres may have an area up to one thousand six hundred (1,600) square feet.
 - (2) Location.
 - A. Shall not project beyond any front elevation of the primary structure or located within the front yard;
 - B. Shall be located at least ten (10) feet from the primary structure and any other detached accessory structures situated on the same lot; and
 - C. Shall not be located within an easement.
 - D. Shall be located ten (10) feet from any side lot line.

-
- E. Shall be located thirty (30) feet from any rear lot line.
- (3) Height. Shall not exceed the height of the primary structure and in no case shall exceed twenty-five (25) feet in height.
 - (4) Materials. All finished roof surfaces, except for flat roofs, shall be metal, seal-tab asphalt shingles, slate or wood shingles. All other finished surfaces must be complementary to the primary structure and be wood, brick, composite siding, or any combination thereof.
 - (5) Number. Only two detached accessory structures shall be permitted as regulated by this section. Recreational Amenities are exempt from the number limitation in this section.
 - (6) Lot Coverage. All detached structures shall follow the lot coverage requirements found in the property's PUD or residential zoning district. R-1 zoned districts shall have a maximum twenty percent (20%) lot coverage for accessory structures.
 - (7) No detached accessory structure shall be erected or constructed prior to the erection or construction of the principal or main building, except in conjunction with the same.
 - (8) Drainage Improvements. Additional drainage improvements and or direct connections to the storm sewer system may be required, subject to the approval of the City Manager or designee.
- (b) Recreational Amenities. Shall comply with the following requirements:
- (1) Materials. All finished roof surfaces, except for flat roofs, shall be metal, seal-tab asphalt shingles, and slate or wood shingles. All other finished surfaces must be wood, brick, stone, composite siding, screen, or any combination thereof.
 - (2) Lighting. Illumination of the open-sided structure exterior is prohibited. Illumination within the structure shall not exceed seventy (70) foot-candles measured at a horizontal plane three (3) feet above the finished floor.
 - (3) Location.
 - A. Shall not project beyond any front elevation of the primary structure or located within the front yard except an open, uncovered porch/paved terrace may project into the required front yard for distance of no greater than fourteen (14) feet.
 - B. Shall not be located within an easement.
 - C. Shall not be located nearer to any side or rear property line than ten (10) feet, except uncovered porch/paved terrace may be located up to five (5) feet away from any side or rear property line.
 - (4) Height. All Recreational Amenities are limited to one (1) story; and the height to the top of the highest roof ridge beam, or to the highest point of any other roof form, from the finished floor shall not exceed fifteen (15) feet.
 - (5) No recreational amenities shall be erected or constructed prior to the erection or construction of the principal or main building, except in conjunction with the same.
 - (6) Additional Restrictions for Recreational Amenities.
 - A. Deck Restrictions. Decks shall comply with the following requirements, in addition to the requirements above in Section 1165.04(b):
 1. The area below a deck which exceeds more than two (2) feet above grade at any point within six (6) feet of the deck's perimeter shall be screened;
 - (i) Second story decks, which are decks with a minimum of seven (7) feet of head-room from the ground to the deck, are exempt from this requirement.

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2. Decks which encroach into the required rear yard shall have no walls or roof planes, or permanently attached benches, seats, or other structures of any kind, weatherproof or not, except a guardrail which may be up to forty-two (42) inches in height above the top of the deck. The handgrip portion of the rail shall not be more than three and one-half (3½) inches in width, if the handgrip is flat.
 3. All decks shall be attached or contiguous to the principal structure or principal building;
- B. Open-Sided Structure Restrictions. An open-sided structure must meet the following minimum design criteria, in addition to the requirements above in Section 1165.04(b):
1. Measurement. The area of all open-sided structures shall be measured post-to-post.
 2. Grading. If the open-sided structure is built on a mound, deck, or other elevated surface, the height of this elevated surface at its highest point above grade shall be added to the height of the structure to determine the overall height of the open-sided structure measured.
 3. Lot Coverage. All open sided structures shall be subject to and included in the lot coverage requirements found in the property's PUD or residential zoning district. R-1 zoned districts shall have a maximum twenty percent (20%) lot coverage for accessory structures.
- C. Drainage Improvements. Additional drainage improvements and or direct connections to the storm sewer system may be required, subject to the approval of the City Manager or designee, if more than fifty percent (50%) of the rear yard buildable area is occupied by Recreational Amenities. For the purposes of this section rear yard buildable area is defined as the interior lot area bounded by the rear yard setback line, the side yard setback lines, and rear of the principle structure.

(Ord. O-27-2019 . Passed 9-17-19.)

1165.05 MINIMUM FLOOR AREA REQUIREMENTS.

No single-family residential dwelling shall have floor area of less than one thousand two hundred (1,200) square feet. No two-family dwelling shall have floor area of less than eight hundred fifty (850) square feet for each family. No multiple family dwelling shall have a floor area of less than eight hundred (800) square feet for each family.

(Ord. O-27-2019 . Passed 9-17-19.)

1165.06 CONNECTIVITY.

The following regulations shall apply to all new development. For the purposes of this section, "new development" shall be any construction involving the replacement of an existing primary structure, construction on a site currently without a primary building or when a commercial parking area is being repaved or constructed.

(a) Sidewalks.

1. Sidewalks are required along all public rights-of-way unless a leisure trail is required. The minimum sidewalk width shall be five (5) feet or greater as determined by the width of existing sidewalks.
2. Sidewalks shall be constructed per the [Village-City](#) standard and made of concrete, brick, stone, simulated stone, or simulated brick. The design and installation of sidewalk paving materials other than concrete shall be in accordance with manufacturer recommendations and are subject

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(Supp. No. 6, Update 2)

to Village-City Engineer and Community Development Department approval. Simulated materials shall correctly simulate appearance of brick or stone.

(b) Leisure Trails.

1. Leisure trails shall be constructed along streams and roads in accordance with the Village's-City's Strategic Plan or as otherwise required.
2. Leisure trails shall be asphalt and have a minimum width of eight (8) feet unless otherwise specified by the Community Development Department. All leisure trails shall be constructed per the Village-City standard.

(c) Fees In-Lieu of Sidewalk and Trail Construction. Where special circumstances exist for sidewalk and trail construction as required in divisions (a) and (b) of this section, a fee in-lieu may be considered according to the procedure in Section 1187.18.

- (d) Where there are open spaces between buildings, excluding single-family and town homes, pedestrian connections shall be established between rear parking areas and the sidewalk in front of the building.

(Ord. O-27-2019 . Passed 9-17-19.)

1165.07 HOME OCCUPATIONS.

Home occupations or professions shall be regulated as permitted, accessory, or conditional uses pursuant to Chapters 1129 through 1139. A home occupation shall comply with the following standards:

- (a) The use shall be clearly incidental and secondary to residential use of the dwelling and not more than fifteen (15) percent of dwelling unit floor area is devoted to the home occupation.
- (b) The home occupation shall not generate greater traffic volume than is normal for a residential neighborhood.
- (c) Not more than one person, other than immediate family residing at the premises, shall be employed in such occupation.
- (d) External indication of such home occupation shall be limited to one non-illuminated sign, not more than two (2) square feet, attached flat against the structure.
- (e) The sale of products, stock, or commodities shall be limited to those produced on the premises.
- (f) Any need for parking generated by conduct of the home occupation shall meet off-street parking requirements of this Zoning Code, and shall not be located in any front yard.
- (g) No equipment or process shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to normal sense off the lot, if the occupation is conducted in a single-family residence; or outside the dwelling unit if conducted in other than a single-family residence.
- (h) No home occupation shall be conducted from any accessory building on the lot.

In particular, a home occupation shall consist primarily of rendering specific personal services, such as those performed by a seamstress, member of the clergy, physician, dentist, lawyer, engineer, architect, accountant, artist, or private teacher. The home occupation shall be performed by the occupant of the premises and shall include employment of not more than one non-resident of the premises.

(Ord. O-27-2019 . Passed 9-17-19.)

1165.08 GASOLINE SERVICE STATION.

Gasoline service stations, or retail establishments selling gasoline as an ancillary activity, are listed as conditional and permitted uses in the C-1, C-2, and C-3 zoning districts. In addition to the requirements of the district in which the gasoline service station is located, and other provisions of this chapter, such establishments shall be subject to the following requirements:

- (a) Minimum Lot Size. Twenty thousand (20,000) square feet.
- (b) Minimum Building or Structure Size. The building shall have an enclosed area of not less than eight hundred (800) square feet if any service is offered on or from the premises other than the delivery of gasoline, diesel fuel or oil for use as vehicle fuel or lubrication. If a gasoline service station offers no service other than the delivery of gasoline, diesel fuel or oil into vehicles, the enclosed area of the building shall not be less than six hundred (600) square feet. No such limited gasoline service station may offer to provide lubrication, oil changes, repairs, or other equipment installation.
- (c) Minimum Frontage. The lot on which a gasoline service station is located shall have frontage of not less than one hundred fifty (150) feet along a dedicated and improved street designated as not less than minor arterial status on the New Albany Thoroughfare Plan. If a gasoline service station is located on the corner of two (2) or more intersection streets, it shall have one hundred fifty (150) feet of frontage on each intersecting streets.
- (d) Location. No gasoline service station shall be located on any lot within two hundred (200) feet of any zoning district where residences are permitted.
- (e) Setbacks. The pump island setback in a gasoline service station, which shall be the minimum location for pumps dispensing fuel or oil products, shall be forty (40) feet from any right-of-way of any street, and forty (40) feet from any adjoining property line. Any building located on such premises shall be located not less than fifty (50) feet from the right-of-way of any street.
- (f) Driveways and Parking Areas. Driveways and parking areas shall be paved and properly drained. The landscaping of areas along the perimeter of the lot is required, pursuant to Chapter 1171.
- (g) Parking. Gasoline service stations shall be subject to the parking and loading provisions of Chapter 1167. In addition, no inoperable or damaged motor vehicle shall be parked outside a gasoline service station building in excess of seventy-two (72) hours. Parking areas shall be located not closer than five (5) feet to the main building.
- (h) Outside Storage. Outside storage shall be in accordance with the following requirements:
 - (1) All vending machines, except ice machines and telephone booths, shall be located inside the main building.
 - (2) Only one (1) permanent or one (1) portable display rack for oil, antifreeze, or other automotive products shall be permitted on each pump island. No such rack shall be located closer than twenty-five (25) feet to the street right-of-way line or adjoining property line. All other displays or merchandise outside the main building is prohibited.
 - (3) All hydraulic hoists, oil pits, lubricants and greasing, and other repair equipment shall be enclosed completely within the main building.
- (i) Signs. All signs used in connection with gasoline service stations shall be in conformance with the regulations for general retail and commercial uses as specified in Chapter 1169.

(Ord. O-27-2019 . Passed 9-17-19.)

1165.09 MODEL HOME STANDARDS.

Residential model homes and temporary lot sales offices are newly-constructed homes or temporary structures placed in a newly-constructed subdivision and used by a homebuilder or developer to display home styles and lot availability in a subdivision to promote the sale of new housing units. The model home or sales office may be staffed and furnished.

- (a) When making its decision to approve, disapprove or approve with conditions an application for a residential model home, the Planning Commission shall consider that the model home:
 - (1) Is appropriately located within the community and sited so that it is easily accessible without creating a nuisance or hazard to nearby properties.
 - (2) Is integrated into the residential character of the neighborhood with external lighting in conformity with customary residential lighting.
 - (3) Is approved with a limited duration which shall be determined by the Planning Commission after consultation with the applicant. Extensions of time may be granted by the Planning Commission, but decisions must be based on the same criteria as outlined in this section.
 - (4) Is identified by no more than one sign which shall be in compliance with regulations governing signage.
 - (5) Shall not be used as a general real estate brokerage office where the sale of properties not owned or previously owned wholly or in part by the applicant occurs.
- (b) The Planning Commission shall also consider and may set conditions on the following as part of its decision to allow a residential model home:
 - (1) Hours of operation.
 - (2) Number and types of employees; and maximum number of employees to be on the site at any one (1) time.
 - (3) Provisions for parking for employees and customers.
 - (4) Size, lighting, content and location of signage (no internally lighted signage shall be permitted).
 - (5) Landscaping and screening.
 - (6) The use of temporary sales offices (i.e., manufactured homes, mobile homes or trailers) on the site of a newly constructed subdivision shall be discouraged.
- (c) In addition to the above-listed criteria for model homes, permission to occupy a temporary sales office for the purpose of home and lot sales within a newly constructed subdivision shall be granted only if the following conditions are met:
 - (1) Such facility is located on a main arterial roadway or highway.
 - (2) Such facility is substantially screened by the use of landscaping and/or mounding.
 - (3) Such facility shall not create a nuisance to surrounding properties.
 - (4) Such other conditions as the Planning Commission deems appropriate.
 - (5) Sales offices in trailers or mobile homes are permitted for a duration of twelve (12) months. Users of such facilities may apply to the Planning Commission for an extension of an additional twelve (12) months.

(Ord. O-27-2019 . Passed 9-17-19.)

1165.10 PARKLAND AND OPEN SPACE DEDICATION REQUIREMENTS

(a) Land Dedication . The following parkland and open space requirements shall be used to determine basic mandatory land dedication with each type of new development listed below. These requirements shall not apply to existing lots and/or homes that are being improved or reconstructed

<u>Development Type/Zoning</u>	<u>Parkland Dedication</u>	<u>Open Space Requirement</u>
<u>(1) Residential</u>	<u>2,400 square feet per dwelling unit</u>	<u>In residential developments of two (2) acres or more, a minimum of twenty percent (20%) of the gross developed land area shall be common open space.</u>
<u>(2) Commercial</u>	<u>Exempt from parkland and open space dedication requirements.</u>	
<u>(3) Hamlets</u>	<u>Combined twenty-five percent (25%) of the gross developed land area shall be dedicated as common parkland and open space requirement.</u>	

Such area shall constitute ground, location facilities/equipment (per requirements of division (c) of this section suitable for municipally-owned and operated parks, recreation facilities and open space as reviewed and approved by the Parks and Trails Advisory Board and the Planning Commission and approved by the Council. Although encouraged, such land dedication need not be located within the area of such proposed development. Where a developer owns multiple parcels of development ground within the Municipality, it shall be permissible for such developer to make a open space/parkland dedication for its current and future development. If such dedication is made, no open space/parklands shall be required in future development by such developer, its successors and assigns until such park dedication has been utilized through the development of dwelling units at the required a ratios of twenty four hundred (2,400) square feet of such park dedication per dwelling unit.

Wet and dry stormwater basins shall not be considered parkland or open space.

(b) Provisions of Private Recreation Facilities . If the resulting parkland or open space dedication is determined to be of insufficient size or inappropriately located, or if public ownership and operation of such recreational areas is not feasible, the Municipality may request that an applicant plan for the provision of privately financed and owned recreational facilities. A public access easement shall be provided to the Municipality. Such privately-owned parkland or open space shall be subject to the technical assessment provision of this section.

(c) Parkland and Open Space Technical Assessment: The following suitability and quality criteria shall be used to provide an assessment and recommendation relative to the appropriateness of proposed land dedication or area/facility, i.e., playground, park, recreational area/facility, and open space. The criteria to be used shall include, but not be limited to the following:

(1) Minimum size for each service level:

<u>Playgrounds</u>	<u>2 acres</u>
<u>Neighborhood Parks</u>	<u>5 acres</u>
<u>Playfields</u>	<u>10 acres</u>
<u>Community Parks</u>	<u>40 acres</u>

(2) Suitability of the following for the proposed use.

-
- A. Soils and geology.
 - B. Topography and drainage.
 - C. Location and impact of designated floodways and floodway fringe areas.
 - D. Extent of natural vegetation and tree cover. Preservation of wooded areas is a top priority.
 - E. The degree of access of proposed area to pedestrians and vehicles, where appropriate. Public accessibility is a top priority.
- (3) The proposed recreational facilities and site improvement to be made.
 - (4) A schedule indicating how actual construction of the proposed park/open space and improvements are to be phased in relationship with the overall project.
 - (5) How both ownership and maintenance of such areas is to be undertaken.
 - (6) Residential development as categorized in C.O. 1165.10(a)(1) must be within one thousand two hundred (1,200) feet of playground equipment and a Pocket Park or a larger size park for development categorized in C.O. 1165.

The Community Development Department will conduct a review of the proposed land dedication or private facility/area or open space and include a recommendation in the staff report.
 - (7) Types of open space permitted within Hamlet developments include, but are not limited to, one or more of the following amenities: courtyards, pocket plazas, tennis courts, plazas, greens, squares, or greenways. Where appropriate, open space areas may be constructed of permanent materials and be permanently integrated into the design of the development. Open spaces shall be designed, landscaped, and furnished to be consistent with the character of the development. Conservation easements, wetlands, and similar environmentally sensitive areas may count toward the required open space.
- (d) Fees In-Lieu of Parkland and Open Space Land Dedication: Mandatory land dedications may be waived when Council has adopted a motion establishing a priority for payment in lieu fees instead of accepting land dedications. Such in-lieu fees shall be designated for a specific community wide park, recreational or open space use. Such community wide use shall benefit the current and future residents.
- (1) Nothing in this section or any other section shall preclude the developer from transferring to the Municipality, land for public use, or expending in-lieu funds in excess of the mandatory requirements.
 - (2) The in-lieu fees shall be established by resolution of Council as based upon the average value per acre of the total gross site prior to construction or improvements. To calculate this estimate, the total value of the development, as determined by an appraisal, shall be divided by the total gross acreage of the development. The resulting figure shall be the averaged value of the development on a per-acre basis.
 - (3) The appraisal shall be conducted, completed and submitted to the Municipality prior to final plat approval. The appraisal shall be prepared by a certified appraiser approved by the Municipality and paid for by the applicant. The appraisal shall be reviewed and approved by Council.
 - (4) Should the VillageCity have concerns about the appraisal provided by the developer's appraiser, a separate appraiser may be retained by the VillageCity to provide the appraisal for the site.
- (e) Prohibition .
- (1) No building permits for construction or improvements of homes will not be issued by the Municipality for the subject site or subdivision subdivision until such land dedication or payment of fees in-lieu land dedications are conveyed to and accepted by Council and conveyed to the City.

~~(2) Applications for zoning and/or building permits for construction or improvements will not be accepted by the Municipality for the subject site or subdivision until such land dedication or payment of fees in-lieu land dedications are conveyed to and accepted by Council.~~

(f) Effective Period: The land dedication and payment of in-lieu fees required by this section shall be conveyed to the Municipality following approval by Council of the final plat and within sixty (60) days of such approval by Council.

(Ord. 77-91. Passed 10-15-91; Ord. 31-2007. Passed 8-21-07; Ord. 42-2007. Passed 12-18-08.)

CHAPTER 1187 SUBDIVISION REGULATIONS¹

1187.01 DEFINITIONS.

The following words and phrases when used in this chapter shall have the meaning here described.

- (a) "Easement" means a grant by property owner(s) to another party or parties for a specific use of a described portion of property.
- (b) "Improvements" means street pavements, with or without curbs and/or gutters, sidewalks, water mains, sanitary and storm sewers, stormwater management facilities, erosion and sedimentation measures, grading and shaping, street lights, landscaping, screening and buffering and other related matters normally associated with the development of land into development sites.
- (c) "Lot" means a division of land and described on a recorded subdivision plat or recorded deed by metes and bounds description.
- (d) "Minor commercial subdivision" means a commercially zoned parcel, with an approved Final Development Plan or equivalent plan, with public road frontage, which does not involve the opening, widening or extension of a public street and does not involve more than five (5) lots after the original tract has been completely subdivided.
- (e) "Plat" means a map of a subdivision described by accurate distances and bearings.
- (f) "Right-of-way" means the width between property lines of a street, roadway, easement.
- (g) "Subdivision" means the division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two (2) or more parcels, sites, or lots, any one of which is less than five (5) acres for the purpose, whether immediate or future, of the transfer of ownership provided, however, that the division or partition of land into parcels of more than five (5) acres not involving any new streets or easements of access, 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. The improvement of one 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, widening or extension of any street or streets, except for private streets serving industrial structures, the division or allocation of land as open spaces for common use by owners, occupants or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

(Ord. 77-91. Passed 10-15-91; Ord. 08-2007. Passed 2-20-07; Ord. 31-2007. Passed 8-21-07.)

¹Cross reference(s)—Plat and subdivision defined - see ORC 711.001;

Plat and contents - see ORC 711.01 et seq.;

Lot numbering and revision - see ORC 711.02, 711.06, 711.28 et seq.;

Plat acknowledgment and recording - see ORC 711.06;

Engineer to approve plats; inspection of streets and acceptance - see Ohio 711.08, 711.09;

Plat approval by planning authority; minimum lot area - see ORC 711.09;

Violations of rules and regulations - see ORC 711.102

1187.15 SUBDIVISION STANDARDS, PARKLAND DEDICATION.

- (a) ~~Land Dedication.~~ The basic mandatory land dedication with each plat shall be twenty four hundred (2,400) square feet per dwelling unit. Such area shall constitute ground, location facilities/equipment (per requirements of division (c) of this section suitable for municipally owned and operated parks, recreation facilities and open space as reviewed and approved by the Parks and Trails Advisory Board and the Planning Commission and approved by the Council. Although encouraged, such land dedication need not be located within the area of such plat. Where a developer owns multiple parcels of development ground within the Municipality, it shall be permissible for such developer to make a park dedication for its current and future development. If such dedication is made, no parks shall be required in future development by such developer, its successors and assigns until such park dedication has been utilized through the development of dwelling units at a ratio of twenty four hundred (2,400) square feet of such park dedication per dwelling unit.
- (b) ~~Provisions of Private Recreation Facilities.~~ If the resulting parkland dedication is determined to be of insufficient size or inappropriately located, or if public ownership and operation of such recreational areas is not feasible, the Municipality may request that an applicant plan for the provision of privately financed and owned recreational facilities. A public access easement shall be provided to the Municipality. Such privately owned open space shall be subject to the technical assessment provision of this section.
- (c) ~~Technical Assessment.~~ The following suitability and quality criteria shall be used to provide an assessment and recommendation relative to the appropriateness of proposed land dedication or area/facility, i.e., playground, park, recreational area/facility and open space. The criteria to be used shall include, but not be limited to the following:

(1) ~~Minimum size for each service level:~~

Playgrounds	2 acres
Neighborhood Parks	5 acres
Playfields	10 acres
Community Parks	40 acres

(2) ~~Suitability of the following for the proposed use.~~

- ~~A. Soils and geology.~~
- ~~B. Topography and drainage.~~
- ~~C. Location and impact of designated floodways and floodway fringe areas.~~
- ~~D. Extent of natural vegetation and tree cover. Preservation of wooded areas is a top priority.~~
- ~~E. The degree of access of proposed area to pedestrians and vehicles, where appropriate. Public accessibility is a top priority.~~

(3) ~~The proposed recreational facilities and site improvement to be made.~~

(4) ~~A schedule indicating how actual construction of the proposed park/open space and improvements are to be phased in relationship with the overall project.~~

(5) ~~How both ownership and maintenance of such areas is to be undertaken.~~

(6) ~~Residences must be within one thousand two hundred (1,200) feet of playground equipment and a Pocket Park or a larger size park.~~

The Community Development Department will conduct a review of the proposed land dedication or private facility/area or open space and include a recommendation in the staff report.

- ~~(d) Fees In Lieu of Land Dedication. Mandatory land dedications may be waived when Council has adopted a motion establishing a priority for payment in lieu fees instead of accepting land dedications. Such in lieu fees shall be designated for a specific community wide park, recreational or open space use. Such community wide use shall benefit the current and future residents.~~
- ~~(1) Nothing in this section or any other section shall preclude the subdivider from transferring to the Municipality, land for public use, or expending in lieu funds in excess of the mandatory requirements.~~
- ~~(2) The in lieu fees shall be established by resolution of Council as based upon the average value per acre of the total gross site prior to construction or improvements. To calculate this estimate, the total value of the development, as determined by an appraisal, shall be divided by the total gross acreage of the development. The resulting figure shall be the averaged value of the development on a per acre basis.~~
- ~~(3) The appraisal shall be conducted, completed and submitted to the Municipality prior to final plat approval. The appraisal shall be prepared by a certified appraiser approved by the Municipality and paid for by the applicant. The appraisal shall be reviewed and approved by Council.~~
- ~~(4) Should the Village have concerns about the appraisal provided by the developer's appraiser, a separate appraiser may be retained by the Village to provide the appraisal for the site.~~
- ~~(e) Prohibition.~~
- ~~(1) No permits for construction or improvements will not be issued by the Municipality for the subject subdivision until such land dedication or payment of fees in lieu land dedications are conveyed to and accepted by Council.~~
- ~~(2) Applications for zoning and/or building permits for construction or improvements will not be accepted by the Municipality for the subject site or subdivision until such land dedication or payment of fees in lieu land dedications are conveyed to and accepted by Council.~~
- ~~(f) Effective Period. The land dedication and payment of in lieu fees required by this section shall be conveyed to the Municipality following approval by Council of the final plat and within sixty (60) days of such approval by Council.~~

~~(Ord. 77-91. Passed 10-15-91; Ord. 31-2007. Passed 8-21-07; Ord. 42-2007. Passed 12-18-08.)~~

1187.16 SUBDIVISION STANDARDS, OPEN SPACE.

- ~~(a) In addition to the parkland dedication requirements in Section 1187.15, in residential developments of two (2) acres or more, a minimum of twenty percent (20%) of the gross developed land area shall be common open space. Wet and dry stormwater basins shall not be considered open space.~~
- ~~(b) Publicly and privately owned parks and open space must be accessible by roadway or public access easement.~~
- ~~(c) The technical assessment in Section 1187.15(c) shall apply to the evaluation of the suitability of the proposed open space.~~
- ~~(d) Fees in lieu dedication of land for open space shall be established by the same method as the parkland fees in lieu of dedication in Section 1187.15(d).~~

~~(Ord. 31-2007. Passed 8-21-07; Ord. 42-2007. Passed 12-18-08.)~~

1187.17 SUBDIVISION STANDARDS, GENERAL.

Features of any proposed subdivision not specifically set out or provided for herein, shall be at least equal to the generally accepted good practice existing at the time such subdivision is proposed. Conformity to the applicable standards of the Franklin County Subdivision Regulations, not in conflict herewith, promulgated by the Mid-Ohio Regional Planning Commission, of which this Municipality is a contributing member, shall be deemed satisfactory compliance with this section.

(Ord. 77-91. Passed 10-15-91; Ord. 31-2007. Passed 8-21-07.)

1187.18 FEE IN-LIEU OF SIDEWALK AND TRAIL CONSTRUCTION.

- (a) Council Approval Required . Council shall have the authority to approve applications for a fee in-lieu of sidewalk and/or trail construction.
- (b) Criteria for Approval . A fee payment in-lieu of sidewalk or trail may be permissible when a sidewalk or trail is found by Council to be not appropriate due to one of the following conditions:
 - (1) Sidewalk and/or trail construction is impracticable due to topographical conditions or site constraints;
 - (2) Sidewalks and/or trails do not exist in the area, there is not a likelihood for sidewalks and/or trails to be constructed in the near future, and that a fee in-lieu would better serve the community than a sidewalk or trail installed in the required location.
- (c) Calculation of Fees In-Lieu of Sidewalk or Trail Installation . The in-lieu fees shall be based upon the current cost of constructing sidewalks and/or trails in their required locations. The applicant shall provide a construction cost estimate, paid for by the applicant, to the Community Development Department a minimum of fifteen (15) working days prior to the council meeting at which the applicant desires his application to be heard. The submitted estimate shall be reviewed by the Village Engineer. The estimate shall be evaluated based on three (3) current quotes/estimates for construction materials and other information as needed. The estimate information shall then be reviewed and approved by Council.
- (d) Effective Period . The payment of in-lieu fees required by this section shall be conveyed to the Village of New Albany following approval by Council of the fee in-lieu and within sixty (60) days of receiving notice of such approval by Council.
- (e) Permits Issued . Permits for construction or improvements will not be issued by the Municipality for the subject development until payment of fees in-lieu sidewalk and/or dedications are conveyed to and accepted by the Village.

(Ord. 31-2007. Passed 8-21-07.)

1187.19 CONSTRUCTION DRAWINGS.

- (a) All construction drawings shall be on a horizontal scale of one inch to fifty (50) feet, and a vertical scale of one inch to five (5) feet. The sheet size shall be twenty-two (22) inches by thirty-six (36) inches. Sheet material shall be mylar with a minimum thickness of 0.03 mils.
- (b) Upon approval and acceptance of all improvements, the original construction drawings for the improvements shall be revised to reflect the actual construction. All drawings, including the master grade plan or reproductions thereof on mylar, shall become the property of the Municipality and shall be on file in the office of the Municipal Engineer.

(Ord. 77-91. Passed 10-15-91; Ord. 31-2007. Passed 8-21-07.)

1187.20 VARIANCES.

In cases where it is deemed that hardships, topography or other factual deterrent conditions prevail, variations and exceptions from the dimensional standards and improvement requirements, as set forth in these regulations, may be requested of the Planning Commission, but must be approved by Council.

(Ord. 77-91. Passed 10-15-91; Ord. 31-2007. Passed 8-21-07.)

1187.21 FEES.

Council shall have the authority to establish a schedule of fees for the filing, review and processing of applications. Council may periodically review the fee structure and make adjustments as deemed appropriate. Fees are non-refundable and shall be paid in full at the time of filing. Fees shall be set by separate ordinance.

(Ord. 31-2007. Passed 8-21-07.)

1187.22 MINOR COMMERCIAL SUBDIVISIONS.

- (a) Notwithstanding anything to the contrary, approval without a plat of a minor commercial subdivision may be granted by the Community Development Director or designee if the proposed minor subdivision of a parcel of land meets all of the following conditions:
 - (1) A final development plan according to Chapter 1159 or an equivalent plan has been approved by the Planning Commission;
 - (2) The proposed subdivision is located along an existing public road, has frontage along a public street and involves no opening, widening or extension of any street;
 - (3) No more than five (5) lots are created after the original parcel has been completely subdivided;
 - (4) The proposed subdivision is not contrary to other subdivision, zoning, and other applicable regulations; and
 - (5) The property has been surveyed and a survey drawing, legal description of the property and other information as may be pertinent or required for appropriate action are submitted with the application.
- (b) If approval is given under these provisions, the Community Development Director or designee shall, within ten (10) working days after submission, approve such proposed minor subdivision and, upon presentation of a conveyance for said parcel, shall stamp "Approved by New Albany; No Plat Required", and the authorized representative of the Commission shall sign the conveyance.
- (c) For the purpose of this section, "original parcel" means the parcel existing as of the effective date of this section of the Subdivision Regulations (February 20, 2007).

(Ord. 08-2007. Passed 2-20-07; Ord. 31-2007. Passed 8-21-07.)

1187.23 SUCCESSION IN GOVERNMENT.

All references herein to officers or departments existing under Village government shall also refer to those officials or departments succeeding to the same or similar function upon advancement to city status.

(Ord. 77-91. Passed 10-15-91; Ord. 08-2007. Passed 2-20-07; Ord. 31-2007. Passed 8-21-07.)



NEW ALBANY, OHIO

RESIDENTIAL OUTSIDE
VILLAGE CENTER

DESIGN GUIDELINES & REQUIREMENTS

SECTION 5

(AMENDED JUNE 2022)



High style designs incorporate specific architectural elements.



Buildings should be oriented toward primary streets and sidewalks.

I. Overview

This section applies to all residential development in New Albany that is outside of the Village Center. Standards for new residential buildings located outside the Village Center vary little from the standards used within that district. The goals in both areas are the same: creation of high-quality new buildings that enhance the character and livability of New Albany.

A. Site Characteristics

The siting of a building on a lot is an important design feature, as are elements such as orientation to the lot boundaries; setback from the public right-of-way; spaces between buildings; driveways and parking areas; landscaping and open space; and connections to other parts of the neighborhood and community.

A great deal of the attractiveness and high quality of the physical character of New Albany is due to careful design that blends all these elements into a harmonious composition. This arises from the fact that the spaces between and around buildings can be as important as the buildings themselves.

As in the choice of architectural style, traditional practice suggests workable ways in which both the man-made and the natural settings in New Albany can be treated to work hand-in-hand with the community's architecture.

New Albany's zoning requirements have a significant impact on site design. Refer to the New Albany Zoning Ordinance when beginning project planning, and always confer as early as possible with staff about a planned project.

In addition to zoning requirements, the following guidelines apply to site planning for all residential buildings outside the Village Center.

1. Asphalt, brick, stone, or simulated stone driveway pavers are appropriate surfaces for driveways and parking areas.

2. Parking areas and garage sites should be located at the rear of lots.

3. In addition to creating a setback, as defined in the Zoning Ordinance, a new building's site shall take account of precedent set by adjacent and/or nearby buildings, including the size, shape, and scale of spaces between the buildings. Consistency with traditional practice and with existing developed sites is the most appropriate.

4. Lot sizes may vary in size, and creation of appropriate green spaces between buildings is encouraged. Excessively large or excessively small spaces between buildings shall be avoided.

5. Buildings should face onto open spaces and natural corridors. A road is often best used to create an edge along these spaces.

6. For townhouses and apartment buildings, front setbacks should be appropriate to the setting, building type, architectural style and relationship to the surrounding buildings.



No garage doors face this street, enhancing the feel of a traditional streetscape.



Primary elevations should face public streets and open spaces.



Vernacular designs often include interesting elements and details.



These historic shutters are operable and made to fit the window opening.

II. Single-Family

A. Building Characteristics

Single-family homes are the most common residential building type in New Albany, and therefore have a significant impact on the visual quality of the community. The key to successful design of homes and accessory structures is a thorough understanding of traditional design practices as illustrated in the “American Architectural Precedent” section of these standards, as well as in A Field Guide to American Houses. This information, as well as the guidance provided by the “Guiding Principles” section and additional information sources outlined in Section 1, will provide a sound basis for creative design of new structures.

B. Design

1. Buildings shall be in one of the architectural styles described in the “American Architectural Precedent” section of these standards. The only permitted exception is in the case of individual lots of record existing prior to 1990. In such cases, any traditional American architectural style may be employed, provided that such architectural style is similar to that of an existing home within a radius of one-quarter of a mile. No such homes utilizing this exception shall be constructed without first obtaining a Certificate of Design Appropriateness pursuant to Codified Ordinances of New Albany. Properties utilizing this exemption shall not be required to comply with requirements of the Design Guidelines and Requirements which are inconsistent with the architectural style proposed.

2. Building designs shall not mix elements from different styles. Designs must be accurate renderings of traditional historical styles. The number, location, spacing, and shapes of window and door openings should be the same as those used in traditional historical styles.

3. Garages and outbuildings shall be clearly secondary in character, by means of a simplified design compatible with that of the primary structure. Garages may be attached or detached and must have single-bay doors no greater than ten feet in width. Side load garages on corner lots should be designed to minimize their visual impact. Side load garage doors facing a public street must be set back at least 20 feet from all portions of the front façade of the house.

4. Side or rear vehicular entry into garages is strongly encouraged. If garage doors face the primary street, the facade of the garage shall be set back a minimum of ten feet from all portions of the principal facade of the primary building.

5. Over-use of elements such as shutters, cupolas, and roof balustrades shall be avoided. Such elements may be employed only when they are common elements of specific architectural styles. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.

6. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed and located so as to minimize their visibility and visual impact.

C. Form

1. Building forms shall follow forms depicted in the “American Architectural Precedent” section and in A Field Guide to American Houses. Building forms shall be appropriate for the particular architectural style being employed, as shown in the examples given in the sources cited above.

2. Massing of building forms (the way in which forms are fit together to create a complete composition) shall be consistent with traditional practice as depicted in the cited sources.

3. Orientation of main building facades, those with the primary entrances, shall be toward the primary street on which the building is located.

4. All building elevations shall be designed in a manner consistent with the selected architectural style. Refer to Guiding Principle #1 regarding design of all elevations of a building. Random mixing of exterior materials shall be avoided.

5. Particular attention shall be paid to correct proportions of building walls; gable and roof surface slopes; window and door openings; and window sash and glass panes. Proportions illustrated in the “American Architectural Precedent” and in the book A Field Guide to American Houses shall be observed.



This building is oriented toward the street, with the wing containing a side-load garage secondary in character to the house



Here the large main mass predominates, with smaller forms used for the wings.



Historic entrances and windows were carefully proportioned and finely detailed.

D. Scale

1. New building designs shall exhibit the same sense of scale as was typical of the traditional architectural style selected for that building. Significant variance from traditional scale shall be avoided.

2. Building scale shall be controlled by careful attention to width of facades and to floor-to-floor heights on exterior walls. In general, the architectural styles selected as appropriate for New Albany are of modest or intimate scale rather than large or grand. In some cases, a larger scale for buildings designed in the Colonial Revival and Georgian Revival styles may be appropriate and will be considered on a case-by-case basis.

E. Height

1. Building height may vary between a minimum of 1.5 and a maximum of 2.5 stories. The number of stories is measured at the main entrance to the building. Walk-out basements do not count toward building height. All half-stories must have the appearance of being occupiable through the use of windows, dormers, or other architectural elements, unless otherwise appropriate for the proposed architectural style.

2. Entrances to the first floor of a building shall be a minimum of two feet above grade.

3. The height of garages, wings, dependencies, and detached structures shall not exceed the height of the roof peak of the main portion of the building.

F. Materials

1. The materials of which new buildings are constructed shall be appropriate for and typical of materials traditionally used in the architectural style in which the building is constructed. In general, wood siding and brick are preferred exterior materials. The use of alternate materials such as hardi-plank, vinyl, and other modern materials may be appropriate when they are used in the same way as traditional materials would have been used. This means that the shape, size, profile, and surface texture of alternate materials must exactly match historical practice when these elements were made of wood. Especially close attention must be paid to details such as cornerboards, window and door trim, soffits and eaves, and porch trim to ensure a correct match to traditional wood elements. Use of façade materials other than brick or wood requires review by the Architectural Review Board.

2. Exterior material selection shall be guided by examples given in the “American Architectural Precedent” section and in A Field Guide to American Houses.

3. Exposed concrete foundation walls are not permitted.
4. All exposed exterior chimneys shall be constructed of brick. Wood, artificial siding and stucco, as well as fireboxes that utilize cantilevered floor joist construction, are not permitted on chimneys.
5. Skylights must not be visible from the public right-of-way.
6. Historically, true divided-light wood window sash were the only ones available for multi-paned windows. Today most people prefer to simulate the divided-light look. However, great care must be taken to ensure that the divided-light look and the proportions of the window panes are correct. The only acceptable form of this window is one in which the glass panes have vertical proportions (height greater than width) and correctly-profiled muntins with an internal spacer that gives the appearance of a muntin extending through the glass. In addition, there must be an offset between the upper and lower sash to give the window a double-hung appearance. No snap-in or flat muntins will be approved. New windows must be made of wood and may have either vinyl or aluminum cladding on the exterior.
7. Another appropriate option is to use true wood or clad one-over-one windows. The window sash need not be operable if it correctly simulates a double-hung appearance.
8. When a window design has been selected for a building, the same design must be used on all elevations. Use of other window designs as “accent” windows must be appropriate for the architectural style of the building.



This historic true divided-light window illustrates correct vertical proportions for window panes.



Multi-family buildings often follow traditional architectural design practices.



This entrance serves multiple apartments and is clearly visible to pedestrians.

II. Multi-Family

This section applies to all non-single family, detached residential development.

A. Design

1. Buildings shall be in one of the architectural styles described in the “American Architectural Precedent” section of these standards. A building’s design must be derived from examples of traditional American architecture that was built in a scale appropriate to that of the proposed new building. High quality, simple designs are encouraged.

2. Building designs shall not mix elements from different styles. Designs must be accurate renderings of traditional historical styles. The number, location, spacing, and shapes of window and door openings shall be the same as those used in traditional historical styles.

3. Buildings that do not have individual entrances to residential units shall follow traditional practice by employing distinctive central entrances that facilitate pedestrian access.

4. Garages and outbuildings shall be clearly secondary in character, by means of a simplified design compatible with that of the primary structure. Garages may be attached or detached and must have single-bay doors no greater than ten feet in width.

5. Garage doors may not face toward the primary street.

6. Over-use of elements such as shutters, cupolas, and roof balustrades shall be avoided. Such elements may be employed only when they are common elements of specific architectural styles. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.

7. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed and located so as to minimize their visibility and visual impact.

B. Form

1. Building forms shall follow forms depicted in the “American Architectural Precedent” section and in A Field Guide to American Houses. Building forms shall be appropriate for the particular architectural

style being employed, as shown in the examples given in the sources cited above.

2. Massing of building forms (the way in which forms are fit together to create a complete composition) shall be consistent with traditional practice as depicted in the cited sources. Use of traditional “U,” “E,” and “H” shapes, which maximize admission of natural light to the building interior, is encouraged.

3. Orientation of main building facades, those with the primary entrances, shall be toward the primary street on which the building is located. When “U,” “E,” and “H” building shapes are used, entrances may also be on non-primary facades but must open onto courtyard areas that have sidewalks connected both to the internal system of walks and to walks along public streets.

4. All building elevations shall be designed in a manner consistent with the selected architectural style. Refer to Guiding Principle #1 regarding design of all elevations of a building. Random mixing of exterior materials shall be avoided.

5. Maximum building length should not exceed 160 feet unless otherwise found appropriate to the building design, context, scale and massing.

6. Particular attention shall be paid to correct proportions of building walls; gable and roof surface slopes; window and door openings; and window sash and glass panes. Proportions illustrated in the “American Architectural Precedent” and in the book *A Field Guide to American Houses* shall be observed.

C. Scale

1. New building designs shall exhibit the same sense of scale as was typical of the traditional architectural style selected for that building. Significant variance from traditional scale shall be avoided.

2. Building scale shall be controlled by careful attention to width of facades and to floor-to-floor heights on exterior walls. In general, the architectural styles selected as appropriate for New Albany are of modest or intimate scale rather than large or grand. In some cases, a larger scale for buildings designed in the Colonial Revival and



This U-shaped building has a landscaped courtyard to connect the building to the street.



Three story buildings are appropriate for townhouses and apartment buildings.



When a courtyard is located within the recessed wings of a building, the entire courtyard may be at least two feet above grade.

Georgian Revival styles may be appropriate and will be considered on a case-by-case basis.

D. Height and Length

1. Building height may vary between a minimum of 1.5 and a maximum of three stories. In general, a minimum height of two stories is most appropriate for townhouse and apartment building types and is encouraged. The number of stories is measured above grade at the primary entrance to the building. Walk-out basements do not count toward height. All half-stories must have the appearance of being occupiable through the use of windows, dormers, or other architectural elements, unless otherwise appropriate for the proposed architectural style.

2. Entrances to the first floor of a building shall be a minimum of two feet above grade. In cases where a building has courtyards recessed within wings of the building, the entire courtyard may be placed at least two feet above the surrounding grade and entrances may be located at the grade of the courtyard.

3. The height of garages, wings, ells, dependencies, and similar portions of a building shall not exceed the height of the roof peak of the main portion of the building.

E. Materials

1. The materials of which new buildings are constructed shall be appropriate for and typical of materials traditionally used in the architectural style in which the building is constructed. In general, wood siding and brick are preferred exterior materials. The use of alternate materials such as hardi-plank, vinyl, and other modern materials may be appropriate when they are used in the same way as traditional materials would have been used. This means that the shape, size, profile, and surface texture of alternate materials must exactly match historical practice when these elements were made of wood. Especially close attention must be paid to details such as cornerboards, window and door trim, soffits and eaves, and porch trim to ensure a correct match to traditional wood elements. Use of façade materials

other than brick or wood require approval by the Architectural Review Board.

2. Exterior material selection shall be guided by examples given in the “American Architectural Precedent” section and in A Field Guide to American Houses.

3. Exposed concrete foundation walls are not permitted.

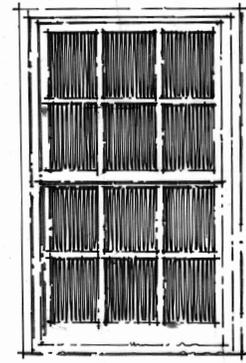
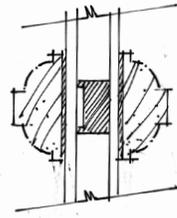
4. All exposed exterior chimneys shall be constructed of brick. Wood, artificial siding and stucco, as well as fireboxes that utilize cantilevered floor joist construction are not permitted on chimneys.

5. Skylights must not be visible from the public right-of-way.

6. Historically, true divided-light wood window sash were the only ones available for multi-paned windows. Today most people prefer to simulate the divided-light look. However, great care must be taken to ensure that the divided-light look and the proportions of the window panes are correct. The only acceptable form of this window is one in which the glass panes have vertical proportions (height greater than width) and correctly-profiled muntins with an internal spacer that gives the appearance of a muntin extending through the glass. In addition, there must be an offset between the upper and lower sash to give the window a double-hung appearance. No snap-in or flat muntins will be approved. New windows must be made of wood and may have either vinyl or aluminum cladding on the exterior.

7. Another appropriate option is to use true wood or clad one-over-one windows. The window sash need not be operable if it correctly simulates a double-hung appearance.

8. When a window design has been selected for a building, the same design must be used on all elevations. Use of other window designs as “accent” windows must be appropriate for the architectural style of the building.



Good quality new windows can simulate traditional through-the-glass muntins.



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PHOTO CREDITS & DRAWINGS

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VILLAGE OF NEW ALBANY

GUIDELINES TEXT BY:

NANCY RECCHIE & JEFF DARBEE,

BENJAMIN D. RICKEY & CO.

GRAPHIC DESIGN BY:

MARGO PUFFENBERGER,

MSI

