New Albany Planning Commission Agenda
Wednesday, January 17, 2024 7:00 p.m.

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 on minutes: December 18, 2023

IV. Additions or corrections to agenda
Administration of oath to all witnesses/applicants/staff who 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

VI. Cases:

FDP-87-2023 Final Development Plan
Final development plan review and approval of a 151 lot, age-restricted residential housing development on 63.5+/- acres for the subdivision known as the Courtyards at Haines Creek located at 8390 and 8306 Central College Road in Franklin County.
Applicant: EC New Vision Ohio LLC, c/o Aaron L. Underhill, Esq.

Motion of Acceptance of staff reports and related documents into the record for FDP-87-2023.

Motion of approval for application FDP-87-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

FPL-88-2023 Preliminary Plat
Preliminary plat for phase one of the Courtyards at Haines Creek located at 8390 and 8306 Central College Road in Franklin County.
Applicant: EC New Vision Ohio LLC, c/o Aaron Underhill, Esq.

Motion of acceptance of staff reports and related documents into the record for - FPL-88-2023.

Motion of approval for application FPL-88-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

FPL-91-2023 Preliminary Plat
Preliminary plat for phase two of the Courtyards at Haines Creek located at 8390 and 8306 Central College Road in Franklin County.

Applicant: EC New Vision Ohio LLC, c/o Aaron Underhill, Esq.

Motion of acceptance of staff reports and related documents into the record for - FPL-91-2023.

Motion of approval for application FPL-91-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

FPL-92-2023 Preliminary Plat
Preliminary plat for phase three of the Courtyards at Haines Creek located at 8390 and 8306 Central College Road in Franklin County.
Applicant: EC New Vision Ohio LLC, c/o Aaron Underhill, Esq.

Motion of acceptance of staff reports and related documents into the record for - FPL-92-2023.

Motion of approval for application FPL-92-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

VAR-89-2023 Variances
Variances to C.O. 1154.12(b)(3) to allow both outdoor storage and indoor storage of hazardous materials to encroach into the setback where code requires such material to be at least 200 feet from all property lines at 3195 Harrison Road (PID: 095-111732-00.000, 095-111564-00.000).
Applicant: Tuan Q. Luu with MDG Architecture Interiors on behalf of Rinchem Company LLC

Motion of acceptance of staff reports and related documents into the record for VAR-89-2023.

Motion of approval for application VAR-89-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

VAR-104-2023 Variances
Variances to the Reserve at New Albany PUD text and plat to allow a home extension to encroach into the rear setback and conservation easement, and to allow a paver patio to encroach into a conservation easement at 7823 Calverton Square (PID: 222-001816).
Applicant: The Columbus Architectural Studio on behalf of Thad and Susanne Perry

Motion of acceptance of staff reports and related documents into the record for VAR-104-2023.

Motion of approval for application VAR-104-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

ZC-125-2023 Rezoning
Rezoning 9.89+/- acres to allow for the continued use and operation of the existing garden center business and residential uses associated with Oakland Nursery LLC at 5211 and 5155 Johnstown Road (PID: 222-000297 and 220-001952).
Applicant: Oakland Nursery LLC, c/o Aaron L. Underhill, Esq.

Motion of acceptance of staff reports and related documents into the record for ZC-125-2023.

Motion of approval for application ZC-125-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

VAR-126-2023 Variances
Variance to the C.O. 1171.07 to allow 76.45+/- square yard of artificial turfgrass in the rear yard at 7113 Armscote End (PID: 222-004851).
Applicant: Marc Aubry, Greenscape Landscape Co.

Motion of acceptance of staff reports and related documents into the record for VAR-126-2023.

Motion of approval for application VAR-126-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

VII. Other business

VIII. Poll members for comment

IX. Adjournment

New Albany Planning Commission
DRAFT Meeting Minutes
Monday, December 4, 2023 7:00 p.m.

I. Call to order

The New Albany Planning Commission held a regular meeting on December 4, 2023 in the New Albany Village Hall. Chair Kirby called the meeting to order at 7:02 p.m.

II. Roll call

Those answering roll call:

Mr. Kirby	present
Mr. Wallace	present
Mr. Schell	present
Mr. Larsen	present
Ms. Briggs	present
Council Member Wiltrout	present

Staff members present: Law Director Albrecht, Development Engineer Albright, Planner II Christian, Planning Manager Mayer, Planner Nichols, Deputy Clerk Madriguera.

III. Action on minutes:

Chair Kirby stated that the schedule was marked none, but noted that November 20, 2023 meeting minutes had been distributed and asked if there were any corrections to the minutes.

Commissioner Wallace stated he had one correction. In the third sentence of the eighth paragraph of page ten, the word "commission" should have been the word "city." Deputy Clerk Madriguera noted the correction.

Chair Kirby asked if there were any further corrections. Hearing none, he moved for approval of the November 20, 2023 minutes as amended. Commissioner Wallace seconded the motion.

Chair Kirby asked if there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yes; Mr. Wallace yes; Mr. Schell yes; Mr. Larsen abstain; Ms. Briggs abstain. Having three yes votes, the motion passed and the November 20, 2023 meeting minutes were approved as amended.

IV. Additions or corrections to agenda

Chair Kirby asked whether there were any additions or corrections to the agenda.

Planner Nichols responded yes, the city had a request to table.

Planning Manager Mayer explained that the applicant for Haines Creek, which involved FDP-87-2023, FPL-88-2023, FPL-91-2023, and FPL-92-2023 had requested to table the applications until the January 17, 2024 meeting so that they could study further grading of the site. He stated that city staff was supportive of the tabling request.

Chair Kirby stated that when the commission reached those applications on the agenda, the tabling would be considered.

Chair Kirby administered the oath to all present who wished to address the commission. He further advised everyone that now would be a good time to silence all cell phones.

V. Hearing of visitors for items not on tonight's agenda

Chair Kirby, noting that the Haines Creek items would not be on tonight's agenda, asked if anyone was present who wished to address the commission for items not on the agenda.

Jim Rufo, 9175 Lee Hall Court. Mr. Rufo told the commission that he was present at the last meeting because he wanted to speak regarding Haines Creek, and he was likewise present at this meeting for the same reason he but understood that those applications were to be tabled at tonight's meeting. He stated that he only wanted to speak if the developer was present to hear his remarks. Because the developer was not present, he thanked the commission and stated he would return in January when the applications would be considered.

Joel Topolosky, on 6244 Calloway Square West in the Nottingham Trace community. Mr. Topolosky stated that he wanted to address the commission on two main topics. He wanted to find out more about the zoning at New Albany Condit Road and New Albany East. He also wanted to raise concerns he had with the infrastructure in his community, Nottingham Trace, which is one of the first age-restricted communities in the area. He explained that his concerns which included: lack of cross walks, stop signs and speed limit signs are not visible, an intersection that should be an east cross/west cross at Schleppi Road should be a four-way stop, and the speed limit on Schleppi Road between Walnut and the city limits. He explained that it is a county road and the limit is an unmarked 55mph. He and other residents have been reaching out to county and state officials in order to get a survey so that the limit can be reduced to 35 mph. He further explained that they were successful in getting a sign that says 25 mph ahead, but another sign was needed. The fact that there is no stop at the east/west cross would become significant when construction for the roundabout began and traffic was detoured through the Nottingham Trace community. He continued that the community center is too small to accommodate the number of residents, and this fact is evident when the homeowners' association (hoa) holds a meeting because it is very crowded. He stated that if the Fire Marshall had been there, the meeting would have been shut down. He continued that all of the homes planned for the community had not yet been completed. He stated that if the amount of homes planned for the development had been considered by the commission, two community centers would have been built. He stated that he has tried to get meetings with the commission members; he has met with the city's zoning officer and the building inspector and virtually nothing has happened; and he was also present to learn more about the community on tonight's agenda.

Chair Kirby confirmed with staff that the community is complete with sidewalks.

Planning Manager Mayer responded that sidewalks are either installed with the roads or on a house by house basis as the homes were completed. In this community he believed the sidewalks were being installed as the homes were brought on line. He continued that the leisure trails are installed as part of the parks and trails infrastructure.

Chair Kirby continued that the issue here was not the sidewalks, but getting across the street to the sidewalk. He asked whether a traffic study had been performed and whether the intersections warranted a four-way stop and whether a four-way stop was able to be installed. He also asked whether the city has square footage standards for community centers.

Planning Manager Mayer responded that he would be happy to check with the city engineer and follow up with Mr. Topolosky. He further responded that the city code does not require or regulate the construction of community centers. He explained that the city has parkland requirements but does not require the provision of amenities beyond that.

Chair Kirby thanked Planning Manager Mayer and noted that he understood that the city did not require or regulate community centers. Then he asked whether there could be a best practice based on d/u, or that it not be exceed limits of the Fire Marshall

Mr. Topolosky continued they were assuming it would be something less than two people per home. He also stated that being a 55+ community, the community center should be equipped with an AED, noting the existence of pickleball and other sports courts. He further stated that if it senior apartments an AED would be required. He further stated that it is a 55+ community and there was a prohibition on residents under the age of 19. This language had exempted the developer from building a playground. As a result, visiting grandchildren had no place to play. He stated that he was not suggesting there should be a full-size playground, but there should be something small to keep the kids from playing in the street.

Chair Kirby noted that it was Council's role to mandate such suggestions, but asked staff about the feasibility of including these suggestions as best practices for how to develop this housing product moving forward, and in particular, that crosswalks should be planned as part of the circulation plan similar to right of way.

Planning Manager Mayer responded that he would talk to the city's traffic engineer and gather additional information and present his findings to the commission.

Chair Kirby added that if this is a case of lessons learned, that he would like to integrate these lessons moving forward. He also stated that somewhere there must be a number for the appropriate square footage for community centers based upon programming.

Commissioner Wallace commented that he was unsure whether the commission should be in the business of mandating the size of community centers or the number of pickleball courts, particularly without a detailed analysis. The issues raised are the opinion of one resident and while they may be shared by other residents, many of these issues should be addressed by the hoa. The commission has consistently been committed to bringing the best possible product, and responding to Mr. Topolosky he said that the commission heard his concerns, but was leary about mandating such matters, and that they should be validated by research.

Commissioner Schell added provision of the AED and the playground were not issues for the commission, they were issues for the developer and hoa to address.

Chair Kirby stated the standard for parkland/open space per d/u either onsite or elsewhere in New Albany. He asked whether the community had met its parkland requirement.

Planning Manager Mayer answered yes, he believed this community had met their parkland and open space requirement on site. They city imposed minimum infrastructure

requirements to the parkland, but did not require the provision of a top lot playground. And further that the code left the provision of amenities open-ended for the developer.

Commissioner Schell confirmed that parkland was distinct from playground.

Council Member Wiltrout confirmed with Planning Manager Mayer that there is no prohibition of top lot playgrounds. She thanked Mr. Topolosky and that she would pass along the concerns to Council – especially the detour. She felt they could get ahead of the issue and recalled that she had met with him previously, that he had given her a tour of the community, and that some issues had been resolved. She thanked him again and said that these issues will be worked on as well.

Chair Kirby thanked Mr. Topolosky and stated that the next item on the agenda was cases.

Chair Kirby moved to table FDP-87-2023.

Commissioner Wallace called for a point of order. He asked whether the applications could be tabled with one motion, or whether the applications needed to be tabled separately.

Planning Manager Mayer responded that the applications could be tabled with one motion.

Chair Kirby moved to table FDP-87-2023, FPL-88-2023, FPL-91-2023, and FPL-92-2023. Commissioner Wallace seconded the motion.

Chair Kirby asked whether there was any discussion on the motion.

Law Director Albrecht asked whether January 17th was included in the motion.

Chair Kirby stated until the regular January meeting.

Commissioner Wallace accepted the amendment.

Chair Kirby asked whether there was any other discussion on the motion. Hearing none he asked to hear the roll.

Upon roll call: Mr. Kirby yes; Mr. Wallace yes; Mr. Schell yes; Mr. Larsen yes; Ms. Briggs yes. Having five yes votes, the motion passed and the applications were tabled until the January 17, 2024 meeting.

Ron Davies, 8200 Central College Road. Approached the lectern and stated that he did not realize the Hearing of visitors for items not on tonight's agenda portion of the meeting had closed.

Chair Kirby invited Mr. Davies to proceed.

Mr. Davies raised a question for future consideration. He continued that his understanding was that a traffic study was done on Central College Road in January or February of last year and he believed that the traffic study needed to be redone. The recent traffic patterns are substantially higher and faster, particularly at 6:30 a.m., 7:30 a.m. He also suggested the installation of a roundabout at the intersection of Central College, Kitsmiller and 62. He state that this was becoming a dangerous intersection. The frequency of auto violations had grown demonstrably. He stated that there was an

accident on Thanksgiving, and officers told him that they had ceased citing people. He noted that New Albany had recently received a Federal grant of $101 million dollars for infrastructure and other improvements and suggested that a roundabout be added to that template.

Chair Kirby thanked Mr. Davies and stated that his proposals needed to go to the city council first for consideration because the commission would not see anything until someone proposes to do something to it.

Council Member Wiltrout confirmed with Planning Manager Mayer that as development continues traffic review was ongoing. She stated that council is committed to making improvements and has met with residents and the residents have shared their desire to have a roundabout at that intersection.

Jeffrey Lynn Courtyards at Central College and SR 605. He stated that he would be remiss if he did not advise the commission that some of these intersections are getting extremely dangerous, for example the intersection of Walnut and Bevelhymer. He stated that he had witnessed three accidents there. This intersection is highly concerning and more so than the city council is aware of. He acknowledged that it is the Franklin County jurisdiction and has been in contact with those officials. He recognized that it was tricky due to the overlapping jurisdiction, but eventually he thought that a roundabout should be added there as well. He shared the concerns raised by the others at the meeting and stated that consideration needed to be given to safety, the school buses and children who bike.

Council Member Wiltrout agreed and responded that the city council certainly is aware of that intersection, and consideration of a roundabout was part of capital projects and she was prepared to vote for it the next evening with the budget. She asked whether New Albany had the right of ways at that intersection. She further stated that she had almost gotten into an accident at that intersection last summer. She wished there were bike paths to everywhere in the community but New Albany does not have the right of ways necessary; she stated that city council is aggressively looking at it. The bulk of the capital project funds were dedicated to ways to make it safer in his area of the city.

Mr. Lynn thanked Council Member Wiltrout and further responded that he was not sure what prevented a temporary fix for the intersection, he noted that a four-way stop or dangerous intersection ahead signage would be helpful, and that it is almost impossible to cross Walnut because the traffic was so fast.

Council Member Wiltrout responded that she understood and asked whether the city had the jurisdiction to change the stopping patterns at that intersection.

Planning Manager Mayer responded that the city traffic engineer has to evaluate the intersection for number of cars, accidents, traffic speed, and several data points. The improvements are dictated by those data points. He stated that the city engineer has done a conceptual design for a roundabout at that intersection to study the alignment and to see where future right of way is needed and it is being studied and considered for a future project.

Council Member Wiltrout continued that Mr. Lynn's suggestion was a good one – why can't we just put a stop sign there now, temporarily. At this point and it is unclear whether it is better to have one transition or two, but it was a good question.

Mr. Lynn stated that he hoped the installation of a roundabout was the solution.

Council Member Wiltrout stated she would do everything she could to help that along.

Planning Manager Mayer added that he would be happy to discuss it further and to coordinate a discussion with the traffic engineer as well and gave Mr. Lynn his card.

Chair Kirby stated that city council meets on the first and third Tuesdays of the month. He continued there are many constraints and factors involved in changing the speed limit and traffic patterns on roads, some of which were in place to prevent the establishment of speed traps.

Council Member Wiltrout agreed and reiterated that New Albany was prohibited from unilaterally changing the speed limit, but work on this issue was ongoing and underway.

Chair Kirby stated that the next item on the agenda was ZC-107-2023, and asked to hear from staff.

VI. Cases:

ZC-107-2023 Rezoning
Request to rezone 12.737 acres located at 7270 New Albany Condit Road in Franklin County from Infill Planned Development (I-PUD) to Limited General Employment (L-GE) for an area to be known as the North City Business Zoning District (PIDs: 222-005258 and 222-005259).
Applicant: The New Albany Company, LLC c/o Aaron L. Underhill, Esq.

Planner Nichols delivered the staff report.

Chair Kirby asked to hear from engineering.

Engineer Albright delivered the engineering report.

Applicant Aaron Underhill, 8000 Walton Parkway, attorney on behalf of the owner. He acknowledged that the commission had granted a conditional use on the NACOT site for the expansion of the Cornerstone Academy. He explained that this was a situation where the economy has driven a business decision. A couple of years ago it was thought that Cornerstone would relocate its middle and high school students to this site, however this site has become very attractive for other uses. Further, the school has decided to remain and purchase their temporary location and to improve some vacant land owned by the New Albany Company in order to meet their needs. This would be in exchange for the New Albany Company reacquiring the subject property. Thus, he was requesting to revert to the former zoning classification of L-GE. He stated that he agreed with all of the conditions but requested language that would permit less than a full traffic study, subject to the engineer's approval. He noted that this was a lesser use than a data center. He explained that they were willing to perform the full study if the engineer required it, however he was requesting flexibility because he suspected that the circumstances here warranted something less than a full study.

Chair Kirby asked what was developed directly west.

Mr. Underhill responded not directly west and he believed the next building was the Aetna building, and then American Regents, and to the north was the future neighborhood commercial use associated with Nottingham Trace, and to the northwest contained a park.

Engineer Albright stated that the green field to the west would soon be developed into a data center, and it was about to be permitted.

Chair Kirby stated that he presumed Mr. Underhill wanted to keep the parcels clearly separated.

Mr. Underhill responded yes.

Commissioner Wallace clarified the location of the data center. He also clarified the location of the future commercial development associated with Nottingham.

Mr. Underhill said yes and explained that the existing zoning of I-PUD for Nottingham allows for neighborhood oriented commercial uses. Those would be presented to the commission in a final development plan but they allowed for coffee shops, restaurants, dry cleaners, etc.

Commissioner Wallace asked where the park ended and the commercial development area began.

Mr. Underhill indicated the location on the site plan – a rectangular area with an access drive.

Commissioner Wallace asked for the timing of the installation of the leisure trail along SR 605.

Mr. Underhill responded that installation typically be with development. There is not a time as of yet but it will likely go in at the time of development.

Commissioner Wallace asked whether there was any reason to have it installed sooner, and further asked about access from the south for Nottingham residents who would like to bike or walk.

Planning Manager Mayer responded that in this case it was a limitation text. Generally, the code requires it to be installed at the time of development. He explained that it is usually installed in sections. He further explained that he did not know if there was a connection; he indicated some of the surrounding properties which are privately owned to the center line of the road which would limit trail installation and access.

Chair Kirby asked how much right of way was on the east side of 605, and further asked how many curb cuts there would be.

Planning Manager Mayer responded that they had been annexed into the city but were still privately owned to the center line of the road. He further explained that the amount of curb cuts is determined in conjunction with the engineering analysis.

Chair Kirby continued that reason he asked was given the 55-mph speed limit on 605, not having a curb cut would make sense. He further stated that one of the reasons that paths were not required early was because curb cuts and construction traffic can tear them up. If it is known now, that there will not be curb cuts on 605 then the paths can go in early.

Planner Nichols responded that the zoning text states the number, locations and spacing of curb cuts along public rights-of-way shall be determined and approved at the time a certificate of appropriateness is issued for a project in this zoning district, which is during the permitting process for L-GE. Because this is an L-GE it, it will not come back to the commission. When the traffic analysis is submitted, the number of curb cuts will be specified and approved.

Commissioner Larsen asked Mr. Underhill why he was seeking to waive the traffic impact study.

Mr. Underhill explained that his request would still be subject to staff approval, he was seeking flexibility in the language because he was not sure a full study was required in every instance. He stated that there is a difference between a data center with 20 employees and an office with hundreds of employees. He was not requesting to be able to waive it himself, he was requesting that the language be flexible to allow the traffic engineer to approve whether a full study was required.

Commissioner Larsen stated that he was hesitant to waive it considering the houses that will be developed in that area, and the existing traffic concerns.

Planning Manager Mayer added that it was something that was put into every zoning text. If stated that making the level of study subject to the discretion of the engineer was typical and would provide site-specific flexibility.

Commissioner Wallace pointed out that right now the Engineer Memo states that a traffic study will be required, and asked what kind of language should be included to make it sufficiently flexible.

Planner Nichols responded that the language in the staff report may be sufficient because it states the comments of the city engineer shall be addressed and incorporated into the zoning text as appropriate subject to staff approval.

Commissioner Wallace thanked Planner Nichols and responded that was a great point, and stated that the commission could add language to the first condition that the traffic study is subject to staff approval.

Chair Kirby asked Engineer Albright why the language in the Engineering Memo was mandatory.

Engineer Albright responded that as Planner Nichols had said, the memo was in would be subject to staff approval as stated in the staff report.

Chair Kirby continued, and asked, looking into the future whether a traffic study could be required in the event of redevelopment.

Planning Manager Mayer responded that he thought the city would be well within its rights to request a new traffic study in the event of future uses.

Commissioner Wallace asked Mr. Underhill whether he was comfortable with that language.

Mr. Underhill indicated he was comfortable with that language being added to the condition.

Commissioner Wallace asked for clarification regarding the stream corridor protection zone, the language stated that it was the intent that a similar protection zone would be provided by the property owners located north of the stream.

Planning Manager Mayer explained that the idea with the riparian corridor is that it is 100-feet and it is typically centered to provide 50-feet on both sides, the code allows it to shift but it should be within the range.

Mr. Underhill added that the idea was that 50 feet should be provided on both sides.

Chair Kirby stated that the commission has been picky about that in the past because the code does not have a minimum figure. He further asked staff if it was pinned down here.

Planning Manager Mayer responded yes, it is here. The staff report indicates that it has to be at least 50 feet southward from the center line of the stream.

Commissioner Wallace asked Planner Nichols about the third condition that required building color palettes to be as simple and unobtrusive as possible and that buildings should avoid overly bright or jarring colors. That language seemed somewhat vague and wondered how the commission could tighten the language up.

Planner Nichols responded that this language was suggested by staff because it has been recently incorporated in other recent L-GE rezoning applications.

Planning Manager Mayer added that architecture in and of itself is subjective and suggested the addition of a clause that would make it subject to the city architect's review.

Commissioner Wallace asked Mr. Underhill whether he was comfortable with amending condition three in that way.

Mr. Underhill responded yes, he was comfortable as long as it was modeled after previously imposed language.

Commissioner Wallace stated that he was trying to remember how the commission addressed the usage of solar panels in prior applications. Here he noted that the text exempts the solar panels from screening. He asked whether there should be some restriction placed on the visibility of solar panels from 605, understanding that they had to be positioned for southern-facing exposure.

Planning Manager Mayer responded that was a great question. Staff had made presentations to the boards regarding solar panels, and research to support code recommendations was ongoing. Currently there are no code requirements or restrictions regarding their usage. HOA's have language for residential. Leaving it silent here we are giving the developer full discretion which has been successful in the business park.

Mr. Underhill stated that in the L-GE text, the usage of solar panels is generally permitted. He continued that they would be subject to future legislation, they could not write themselves out of language that does not yet exist.

Law Director Albrecht agreed and stated that future legislation would apply. And that this text could include "as appropriate" to capture it.

Commissioner Wallace continued that the language [on page 3 of the zoning text, V. C.5] presently states that solar panels are excluded from requirements for screening. He suggested that maybe the commission could add language.

Mr. Underhill stated that language could be added stating unless subsequent changes to the codified ordinances otherwise permit.

Law Director Albrecht and the commission discussed possible wording in order to be clear that future codified ordinances regarding solar panels would apply – that the

exclusion from screening would be subject to any current or future code sections regarding solar panels. This would be added to the zoning text at V.C.5

Chair Kirby noted for a lot of facilities having visible solar is an incentive to future businesses.

Chair Kirby opened the public hearing.

Mr. Topolosky approached the lectern and said that the information to the north regarding the property to the north on SR 605 was vague. That is township property, not City of New Albany. He discussed issues regarding the construction of the roundabout at Walnut and 605. There was discussion regarding whether it should be one or two lanes. The rectangular property at Nottingham and 605 was listed as residential on the auditor's website, and was shown as 505 or 550 which he was not able to get a complete definition of, but he thought it had something to do with the adjacent tower. He further observed that that was the reason for the L-shaped pond. Further there was a minimum amount of acreage required. The question was whether they were trying to convert the property from residential to commercial.

Chair Kirby explained that the auditor's website does not match the municipality's classification of the property. He asked staff whether Nottingham was PUD.

Planner Nichols responded yes.

Chair Kirby explained that the auditor's classification was distinct from the city's zoning classification.

Planning Manager Mayer added that the auditor's website contains the classification of property and location of property for tax purposes but the city's zoning map contains the usage designations.

Mr. Topolosky stated that the road was owned by the county, so it was the county that would need to change the speed limit. He further pointed out the boundaries of New Albany and Plain Township.

Planning Manager Mayer explained that despite the location of the surrounding property, SR 605 is a county road and has not been annexed into New Albany, which was unusual but did happen from time to time. The county would have jurisdiction over 605.

Chair Kirby added that the state would have concurrent jurisdiction over 605 because it is a state highway.

Mr. Topolosky further explained that the path goes to Walnut and then it stops. There is no path along the rectangle.

Chair Kirby added a point of clarification that there is no path there, yet. The vision of the city and of the commission was to install paths to nowhere that would eventually connect and become paths to everywhere.

Planning Manager Mayer added that the path stopped because it was the boundary of the city.

Mr. Topolosky asked whether there was any provision in the design for more retention ponds.

Chair Kirby explained that when the application comes back for approval of the final development plan, it must include a plan for stormwater management.

Commissioner Wallace added that when development happens, it will not come back to the commission. He asked whether there is a way to get public notice and input on the location of the retention pond.

Planning Manager Mayer responded that because this is not a PUD there will not be notice to neighbors, but the plans are on the website and will be updated regularly on the website. He further invited anyone interested in the development to call the city. There are planners in the office who would be happy to explain what is going on.

Chair Kirby asked if there were other members of the public who wished to comment.

Hearing none, he asked if there were other comments from members of the commission.

Hearing none, Chair Kirby moved to accept the staff reports and related documents into the record for ZC-107-2023. Commissioner Briggs seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yes; Ms. Briggs yes; Mr. Wallace yes; Mr. Schell yes; Mr. Larsen yes. Having five yes votes, the motion passed and the staff reports and related documents were admitted to the record for ZC-107-2023.

Chair Kirby asked for a motion on the merits.

Commissioner Wallace moved to recommend approval of application ZC-107-2023 based on the findings in the staff report and subject to the three conditions in the staff report amended, and added to, as follows:

- In condition 1., the Engineer's comments with reference to the traffic study are subject to staff approval.

- The addition of Condition 4., The zoning text § V(C)5 the exclusion from screening is subject to future code sections governing solar panels.

- In condition 3., the language regarding the usage of colors that are overly bright is subject to the city architect review.

Commissioner Briggs seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Wallace yes; Ms. Briggs yes; Mr. Schell yes; Mr. Larsen yes; Mr. Kirby yes. Having five yes votes the motion passed and ZC-107-2023 was favorably recommended to Council with the conditions as specified by Commissioner Wallace.

Chair Kirby called a five-minute recess at 8:25 p.m.

Chair Kirby called the meeting to order at 8:30 p.m. He introduced the next case and asked to hear the staff report.

DRAFT

ZC-110-2023 Rezoning
Request to rezone 5.23 acres located on three parcels located at 6734 through 6800 Bevelhymer Road in Franklin County from Residential (R-1) to Infill Planned Development (I-PUD) for an area to be known as the Walton Farms Zoning District (PIDs: 222-000619, 222-000620, 222-000621).
Applicant: Stephen Butler

Planner Nichols delivered the staff report.

Chair Kirby asked for comments from engineering.

Engineer Albright delivered the engineering report.

Chair Kirby asked to hear from the applicant.

Applicant Stephen Butler, on behalf of the owner. He further stated that the owner was present in the audience. He stated that he has worked with staff over a number of months, and that he feels the application will be a benefit to the community. The neighborhood street would be placed in the rear on the east side. He explained the site plan and stated that most of the details were tied down and they fully intend to meet all engineering requirements and conditions imposed in the staff report.

Chair Kirby confirmed that Mr. Butler was okay with the five conditions in the staff report and asked if there were sidewalks on the eastern road.

Mr. Butler responded yes there would be a sidewalk there.

Chair Kirby asked about the access on the northern boundary, and whether at the moment the new road would end at the northern boundary.

Mr. Butler said yes, that was the proposal as the result of working with staff, but there would be access once the future road is constructed when that happened one of the curb cuts would be eliminated.

Chair Kirby continued that that led to his real question which was whether the northern edge going west, the future road (northern east-west road) was on any part of the subject property.

Planning Manager Mayer responded no. It would come in as part of future northern development. He explained that was why the road was shown stubbed. Presently there will be two curb cuts on Bevelhymer but if and when development occurs one of the curb cuts on Bevelhymer will be eliminated. There will be one access point from Bevelhymer and one access point from the northers east-west public street. This was derived from the general alignment plan in the Strategic Plan.

Chair Kirby stated he was leery about making a problem for a someone else. He wondered whether the northern road would be installed in the future, and noted that, as drawn the area to the north was residential. He asked why the road was not positioned on the subject property so it could be installed now.

Planning Manager Mayer responded that was a great question. And it came down to alignment and need. He continued that when staff looked at the alignment, it determined that a road to the north was not needed at this time, adding a stub to the future east-west road is sufficient. Roadways are installed in pieces. Based on staff review, it was determined that the northern road was not necessary today. He further stated that based

on the traffic study and the current proposed usage the best solution was to provide access via north/south rather than east/west. He also stated that the road way on the east maintains the character of Bevelhymer Road. Maintaining the character of Bevelhymer was an overarching concern. Here, the setbacks would be maintained and no widening would be required.

Chair Kirby asked whether a condition of approval that would require provision of at least some right of way if and when development occurs to the north.

Planning Manager Mayer responded that was a great question. He thought that a condition requiring provision of right of way was not necessary, but perhaps an additional easement and noted that easements had been used in other cases. It was typical in the business park for property owners to provide an easement outside of the right of way.

Council Member Wiltrout confirmed with Planning Manager Mayer that the city did not need any further right of way for this application.

Planning Manager Mayer answered that was correct.

Commissioner Wallace stated that when Planner Nichols presented she noted that the black line was the commercial development but that was not what the map showed. It seemed to that the orange space on the site map that seemed like they would want to drift up to the proposed north road stub. The other thing he thought was suggested was that this went against the Strategic Plan. He stated that it did not trouble him specifically at this point but it did trouble him philosophically.

Planning Manager Mayer agreed and explained that historically staff has kept to the goals in the Strategic Plan, and that is the reason why this particular slide was included in the presentation. In this case, staff found it reasonable to allow this use. Staff does not want to allow for retail creep but it makes sense to allow for some limited retail – doc in the box, low traffic and low intensity retail usage adjacent to the residential corridor, based on reasonableness and context.

Commissioner Wallace stated that obviously the Strategic Plan is a prediction, and things change. This did not trouble him because it made sense and there should be more access from the north, but it did deviate philosophically.

Chair Kirby noted the white dashed line road. The terminus of that for Bevelhymer allows for transition from less intense uses to more intense uses. It provides a step-down so residents are not living behind the Aldi. The road provides a border and stays the rural residential

Planning Manager Mayer responded that one of the things staff is examining the possibility of doing a focus area study in 2024 for the remaining triangle of land. Staff felt comfortable with this application but felt that more study was needed for the rest of the area.

Commissioner Schell thanked Planning Manager Mayer and stated that he appreciated the study because he was primarily concerned with that exact issue – the commission being presented with application after application that undermined the Strategic Plan.

Commissioner Larsen asked if Bevelhymer Road would remain a two-lane road.

Planning Manager Mayer explained that per the Strategic Plan, it should remain the rural typology and feel, so Bevelhymer will remain a two-lane road but additional access roads will be added to intersect with it so as to disperse traffic.

Commissioner Larsen continued that his concern was that is a very narrow road, the striping is right at the edge and it is already dangerous. It does not seem as though it could handle more traffic.

Planning Manager Mayer noted that was a great point, and explained the road will not be widened but it will be improved and a shoulder added.

Council Member Wiltrout asked about the uses. She understood some of the low-intensity uses named, but questioned inclusion of a swim-school as a low-intensity use. She stated that she had been in a swim school parking lot and it was quite intense.

Planning Manager Mayer responded that he would let the applicant speak to that and added that staff examining the number of cars and there were fewer vehicular trips.

Council Member Wiltrout continued that the swim-schools she had been to had classes scheduled every 30 minutes with six to eight kids in each class. There was constant turn over.

Planner Nichols agreed, she stated that the applicant could correct her if she is wrong but it was noted in conversations with the applicant that they anticipate the swim school's peak hours would be when the adjacent uses, like a medical office or daycare center, were closed.

Mr. Butler concurred and stated that the swim students would be in school during peak hours of the office buildings.

Council Member Wiltrout stated that not all of the kids going to swim school are school-aged.

Planning Manager Mayer added that parking requirements are established for uses, and if a swim school is planned, the applicant will have to meet parking requirements.

Mr. Butler answered that there is not a swim school planned at this time.

Planning Manager Mayer added that the commission will review parking when it considers the final development plan.

Chair Kirby asked whether the uses were governed by the parking requirements.

Planning Manager Mayer responded yes, parking would be reviewed and final development. The applicant needs to meet and continue to meet their parking standards. The commission would also look at shared parking for this area.

Commissioner Wallace asked whether, when final development comes, can they come in pieces or does it all have to come at once.

Planning Manager Mayer responded that they could come in pieces, they can phase however they would like.

Chair Kirby asked whether this was rezoning or preliminary development as well.

Planning Manager Mayer responded that this is preliminary and rezoning. He further stated that there would be a final development plan as well.

Commissioner Larsen asked about the road to the east, whether it was a future road.

Planning Manager Mayer responded that the applicant could install the road in phases but the right of way dedication must be complete at development. The final development plan will determine the phasing.

Commissioner Larsen stated that he would want to encourage traffic from away from Bevelhymer and he does not think two curb cuts are needed on Bevelhymer. He noted that traffic on Bevelhymer is already substantial. He continued that he would like a condition to that effect.

There was discussion about the access and traffic flow into the development, and the issues and considerations surrounding installing two curb cuts on Bevelhymer and the construction of the road to the east which would be stubbed to the north, and then removing one of the curb cuts on Bevelhymer when the future road to the north was constructed.

Commissioner Larsen reiterated his concern that he did not think two curb cuts on Bevelhymer Road were warranted.

Chair Kirby asked staff whether, if some right-of-way is dedicated to the northern road, how much leeway would they have to the north before they hit a setback limit.

Planning Manager Mayer stated that staff contemplated that and he believed there was a lesser set back in that area because it was a residential road. Planner Nichols added it was 25-feet. He continued that this meets code as currently drafted, but it will be finalized at final development when the placement of the building has been determined.

Chair Kirby stated, okay, they have got more than 25-feet now and continued that his objective was to present the minimum pain possible to the applicant tonight, and determine the best placement for the future road to the north was on a portion of his property.

Mr. Butler responded that the property to the north was a 50 to 60-foot sliver which would be sufficient for the right of way. He was not sure whether Chair Kirby was asking for additional right of way dedication there, and given the space and the code requirements, it made sense that the road would go into that strip.

Chair Kirby answered that they would start with an easement noting further that there was not 50 spare feet.

Applicant Ehab Eskander, the property owner. He stated that when they first started this project they were only looking to the Primrose School, and plans have evolved since then. The property to the north was a 50-foot sliver. They had already dedicated the property to the right. This is the easiest transitional use for this property. It didn't make sense for the northern road to be on this property. He explained that the second curb cut was needed for northern access and circulation, and he was hoping that if nothing else changes it can be put into effect.

Chair Kirby asked staff and the commission whether it was relatively certain the road to the north would be constructed or whether the commission should make provision for it, knowing that it cannot be forced. The track record for getting the roads is not perfect.

Commissioner Larsen stated that he thought provision should be made here.

Planning Manager Mayer stated that the commission's track record for getting roads was good, and he further stated that not requiring the road now allows for flexibility. The development patterns for the transitional area, the area to the north, or to the east is not yet known.

Chair Kirby stated that he trusted that concerns regarding drawing the line between commercial land use and rural residential were taken seriously. The road provides a clear boundary.

Council Member Wiltrout stated that it was still unclear whether the area to the east would be included.

Chair Kirby answered that that area gets strongly fought over but even if someone wants to fill it in, it is locked.

Planning Manager Mayer added that is something we will have to do a focus area plan on and those are good questions.

Chair Kirby added that this also may be a good update for the strategic plan. He asked for further questions.

Commissioner Wallace stated that street trees were 1 for every 30 feet but the text they had just approved required 4 per 100 which is 1 for 25, and wondered how much flexibility there was. He acknowledged that there were different areas and requirements.

Planning Manager Mayer responded stated that he thought the 4 per 100 was for additional buffer trees in addition to street trees, and that there are different standards for street trees and buffer trees. Staff will fact check this, but it is typical in the business park to have different standards for the street trees and buffer trees behind the horse fence.

Planner Nichols responded that the buffer here is 6 trees per 100-feet between the building and Bevelhymer.

Commissioner Wallace stated that the text did not mention the eastern road. He continued that he had some concerns about the text and thought the language could be tighter. He mentioned the tree distances, the calipers of the trees to be planted, and that there was no reference to where the measurement would be from. He noted that the prior approval was with an applicant who had a lot of experience drafting zoning text. Nonetheless he had some concerns about this language. He acknowledged that he did not have the opportunity to compare this text with text used by Canini and perhaps this text was similar.

Planner Nichols said yes, and responded that this text is similar to the Walton/ 62 text, the applicant used that text as a model.

Planning Manager Mayer responded that he was correct that there were differences and one of the goals here was to maintain the rural character of Bevelhymer Road. He also explained that this is a PUD text, so the applicant can propose a lesser standard with slightly smaller trees in a greater quantity.

Commissioner Wallace stated that there will be another opportunity to review these issues as part of the final development.

Planning Manager Mayer responded absolutely and further noted that if the zoning text is silent on a particular issue, the city code will apply.

Commissioner Larsen stated that he did not think the timing of the installation of the road to the east had been solidified.

Chair Kirby responded that the new road goes in on day one.

Mr. Butler agreed that it goes in on day one.

Commissioner Wallace stated that he thought it was the dedication that would happen on day one.

Planning Manager Mayer clarified that staff was looking for the dedication but would clarify with the applicant the construction phasing of the right of way.

Commissioner Larsen stated that a condition should be added so it is clear.

Commissioner Schell stated he was concerned about the parking and traffic that would accompany a swim school.

Mr. Butler responded that as of now, a swim school is not planned. He explained that when it was considered, he thought that shared parking would be available and also that the swim school would be used during the time when kids were not in school.

Council Member Wiltrout responded kids that are not yet in school will be using the swim school during the day, there would be overlapping use, and she worried that the parking lot would be overloaded.

Chair Kirby asked whether the applicant would agree to provide the projected usage of parking relevant during particular hours of the day.

Mr. Butler stated that the busiest time for the use of the swim school was in the evening and he further agreed to the condition.

Council Member Wiltrout asked staff to think about this mindfully. She noted that it could get granular but to consider the number of change-overs and use, the number of cars, and the timing.

Planning Manager Mayer responded yes and requested that it be added to the text that information needs to be provided for the commission's review at final development.

Commissioner Wallace noted for staff that the text provided that the ground mounted lighting shall be shielded by landscaping and he suggested that it be made subject to staff approval.

Planning Manager Mayer responded sure, absolutely.

Chair Kirby added that he is not a fan of up lighting, even for signs. He continued that even for signs, the lighting could end up in the eyes of oncoming traffic. It would be preferable to have lighting on the top that only washes down on the sign. Ground mounted lighting should light the subject only. He asked the applicant how fond of up lighting he was.

Mr. Eskander responded that he was not a fan of up lighting for signs, and further that signs would be backlit.

Commissioner Wallace stated the condition could provide that any up lighting is subject to staff approval.

Commissioner Wallace stated in the sign section, F2, the language provided that it should conform with 2013 standards. He asked whether anything had changed since then.

Planning Manager Mayer responded no, those were the current standards and were used by Turkey Hill and Dairy Queen. He further noted that maintaining consistency of signage standards over time eased wayfinding.

Chair Kirby asked whether downlighting was prohibited here, and noted that there were places where it was prohibited.

Planning Manager Mayer answered no, downlighting was permitted here. And further that lighting could certainly be reviewed by the commission at final development.

Commissioner Wallace and Chair Kirby stated that the condition could provide that all lighting is subject to staff approval.

Commissioner Larsen asked about language on page 7 in condition 5, regarding bicycle parking. There appeared to be missing text.

Planner Nichols explained that the text was not clear, and condition 5 sought to have the applicant update the text to clarify that bicycle parking was to be provided per building.

Chair Kirby asked if there were further questions from the commission. Hearing none, he opened the public hearing

Debbie Klein, 6856 Bevelhymer Road. She stated that she was born and raised here and she lives right next to the subject property. She has seen a lot of development and this one did not work for her. This space is a gateway and this development is being squeezed in. The road is minimal at best. She stated that Bevelhymer will not remain residential if more development is added. This land is a gateway from 62 to the residential area. One of the things she has always loved about New Albany Council is to keep residents first. This particular area is not even a ½ mile from Central College and this will add to our problems. Based on the rhetoric here tonight the people don't know with this one and we need to know that we know. She stated that she was supportive of much of the development, but not this one. The traffic from Intel is not helping us. We cannot minimize the fact of what is happening here. If we open this up it will flood like a creek with too much stream in it. She encouraged everyone to drive up and look at the property, there is not a lot of space here. This is too much right now and there is not enough space. She stated that she wanted them to do the spare road but that it was not going to happen because it's just too busy. She thanked the commission and asked them to remember that is a gateway to residential.

Commissioner Briggs thanked Ms. Klein for coming in, she noted that the hearing had been lengthy and that she [Ms. Klein] had waited for a long time. Then she and asked for the location of her home.

Ms. Klein explained where she lived.

Council Member Wiltrout added her thanks and explained that this is just the first step and it is a concept. Next it will be considered by Council. It will then return to the commission for consideration of the details in the final development plan. She stated that she did not want Ms. Klein to think that this was the end of the process, there was time.

Ms. Klein responded that she understood and added that the Aldi has added a lot of pressure to this area.

Jeff Lane 6850 Bevelhymer Road, just north of the flag lot. He asked the commission to push back on this development and to uphold the Strategic Plan. He stated that Bevelhymer Road is a drag race as it is. He further stated that there are easements on the northern property that were in place in the 1960s when the homes were built. He explained that he has an easement on the south end of his property. He stated that the area for the daycare is just a stone's throw from his home and he was not looking forward to the noise. He continued that he does not want future development to the north and he did not believe other residents wanted it either. Regarding the focus area study of the triangle area, he believed that the area should remain as it is. The Strategic Plan has maintained those areas as residential. He noted that he would reserve some comments for future discussions. He thanked the commission for the opportunity to speak.

Chair Kirby thanked Mr. Lane, and told him that Council is the ultimate arbiter of zoning.

Commissioner Briggs thanked him for coming in and waiting until almost 10:00 p.m. so that he could comment on this application.

Chair Kirby asked the applicant whether he had easements.

Mr. Eskander responded that he did not discover any easements that would impede them and that they did an Alta survey.

Chair Kirby responded that, any easement on your property is yours and is in favor of you.

Mr. Eskander responded correct.

Commissioner Larsen asked staff whether there was an easement north of the property.

Planning Manager Mayer answered that staff was not aware of any easements north of the property. He further asked whether Mr. Lane shared his driveway.

Mr. Lane responded no, he did not share a driveway and his research from the county and auditor indicated that the driveway was only the width of what a road would be so any kind of buffer would require an easement on his property. He further mentioned a gas easement.

Chair Kirby asked whether there were any other questions or comments. Hearing none, he moved to admit the staff reports and related documents into the record for ZC-110-2023. Commissioner Wallace seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yes; Mr. Wallace yes; Mr. Larsen yes; Ms. Briggs yes; Mr. Schell. Having five yes votes, the motion passed and the staff reports and related documents were admitted into the record for ZC-110-2023.

Chair Kirby asked whether there was a motion on the merits.

Chair Kirby moved for approval of zoning change ZC-110-2023 based on the findings in the staff report and subject to the conditions 1 – 4 as stated in the staff report and the following amendment to condition 5 and the following additional conditions:

- In condition 5., that the condition shall be updated require the zoning text to specify that the bicycle parking is per building.

And the following additional conditions:

- Condition 6., The installation of the new east road in the first phase.
- Condition 7., That parking usage and the timing of usage, and additional information as required as part of the final development plan, especially for parking with sensitivity to timing of usage.
- Condition 8., All lighting shall be subject to staff approval and review, with the goal of minimizing spill for up-lighting and that downlighting is permitted.

Commissioner Wallace confirmed that the applicant agreed with the conditions as stated.

Mr. Butler stated they had no objection.

Commissioner Wallace seconded the motion. Chair Kirby asked whether there was any discussion on the motion.

Deputy Clerk Madriguera asked that the condition 7 be read again for her benefit.

Chair Kirby recited Condition 7., that additional information will be required at final development especially pertaining to parking and the timing of parking lot uses with an eye to compatible uses. He asked whether there was any further discussion on the motion.

Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yes; Mr. Wallace yes; Ms. Briggs no; Mr. Schell yes; Mr. Larsen no. Having three yes votes, the motion passed subject to the conditions as stated above and ZC-110-2023 was favorably recommended to Council.

Commissioner Briggs explained that she voted no because she believes this area should not be rezoned. It should retain its residential zoning classification instead becoming I-PUD.

Commissioner Larsen explained that he voted no because rezoning would add to the existing traffic concerns at Bevelhymer Road, which should remain a rural road and should not have two curb cuts. He further explained that the applicant had not adequately addressed parking. And this application did not adequately maintain the character of the neighborhood.

Chair Kirby stated that Council should note that this almost did not pass and that it was a difficult case for him as well.

The commission wished the applicant good luck

Chair Kirby introduced the next case and asked to hear from staff.

***FPL-114-2023 Preliminary and Final Plat**

Preliminary and final plat for phase 5 of the Nottingham Trace subdivision which includes 42 lots on 9.001 +/- acres (PID: 222-005265).
Applicant: EMH&T c/o Curtis Prill

*In the process of drafting the Record of Action following the December 4, 2023 meeting, it was discovered that the correct case number is FPL-113-2023. The Record of Action issued on December 5, 2023 lists the correct case number, FPL-113-2023. However, because the movants used FPL-114-2023 at the meeting, the minutes will remain consistent with what was actually said at the December 4, 2023 meeting.

Planner II Christian delivered the staff reports for both Nottingham Trace applications with one presentation.

Chair Kirby asked if there were comments from engineering.

Development Engineer Albright delivered the engineering report.

Chair Kirby asked if the applicant had any comments.

Applicant Curtiss Prill stated he was available for questions and had nothing to add.

Commissioner Larsen asked for an overview of the density for all 6 phases.

Planner II Christian responded that the development was a total of 240 lots and on the overall acreage, it was about 2.4 du/acre. He added that the land was zoned to allow for the development of these last two phases.

Commissioner Larsen asked whether this was an 80/20 age-restricted development.

Planner II Christian responded yes, 80 % of the units must have 55+ residents and there is no restriction on the other units.

Commissioner Larsen noted that there could be a school impact.

Planning Manager Mayer answered yes, and explained that this was one of the first age-restricted areas and was first approved in 2015. Since then there have been 100% age-restricted developments, but in line with the Federal standards.

Chair Kirby asked whether there was any further discussion. Hearing none, he moved to accept the staff reports and related documents into the record for FPL-114-2023. Commissioner Briggs seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yea; Ms. Briggs yes; Mr. Wallace yes; Mr. Schell yes; Mr. Larsen yes.

Having five yes votes, the motion passed and the staff reports and related documents were admitted to the record.

Commissioner Schell moved for approval of FPL-114-2023 with the two conditions noted in the staff report. Commissioner Briggs seconded the motion.

DRAFT

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Schell yes; Ms. Briggs yes; Mr. Kirby yes; Mr. Wallace yes; Mr. Larsen yes. Having five yes votes the motion passed and the application was approved.

***FPL-115-2023 Preliminary and Final Plat**
Preliminary and final plat for phase 6 of the Nottingham Trace subdivision which includes 44 lots on 9.430 +/- acres (PID: 222-004443).
Applicant: EMH&T c/o Curtis Prill

*In the process of drafting the Record of Action following the December 4, 2023 meeting, it was discovered that the correct case number is FPL-114-2023. The Record of Action issued on December 5, 2023 lists the correct case number, FPL-114-2023. However, because the movants used FPL-115-2023 at the meeting, the minutes will remain consistent with what was actually said at the December 4, 2023 meeting.

Chair Kirby moved to accept the staff reports and related documents into the record for FPL-115-2023. Commissioner Briggs seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yea; Ms. Briggs yes; Mr. Wallace yes; Mr. Schell yes; Mr. Larsen yes.

Having five yes votes, the motion passed and the staff reports and related documents were admitted to the record.

Commissioner Schell moved for approval of FPL-115-2023 with the two conditions noted in the staff report. Commissioner Briggs seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Schell yes; Ms. Briggs yes; Mr. Larsen yes; Mr. Kirby yes; Mr. Wallace yes. Having five yes votes the motion passed and the application was approved.

VII. Other business

Chair Kirby asked if there was any other business.

Planning Manager Mayer stated none from staff.

VIII. Poll members for comment

Chair Kirby polled the members for comment. None of the members had a comment.

IX. Adjournment

Having no further business, Chair Kirby adjourned the December 4, 2023 meeting of the New Albany Planning Commission at 10:05 p.m.

Submitted by Deputy Clerk Madriguera, Esq.

DRAFT

Appendix

FDP-87-2023
- **Record of Action**

FPL-88-2023
- **Record of Action**

FPL-91-2023
- **Record of Action**

FPL-92-2023
- **Record of Action**

ZC-107-2023
- **Staff Report**
- **Record of Action**

ZC-110-2023
- **Staff Report**
- **Record of Action**

FPL-113-2023 [FPL-114-2023]
- **Staff Report**
- **Record of Action**

FPL-114-2023 [FPL-115-2023]
- **Staff Report**
- **Record of Action**

DRAFT

NEW ALBANY

Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear Aaron Underhill,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.

99 West Main Street • P.O. Box 188 • New Albany, Ohio 43054 • 614.855.3913 • Fax 939.2234

NEW ALBANY

Community Development Department

Decision and Record of Action

Tuesday, December 5, 2023

The New Albany Planning Commission took the following action on 12/04/2023 .

Final Development Plan

Location: Central College Rd

Applicant: EC New Vision Ohio LLC, c/o Aaron L. Underhill, Esq.

Application: FDP-87-2023

Request: Final development plan review and approval of 151 lot, age-restricted residential housing development on 63.5+/- acres for the subdivision known as the Courtyards at Haines Creek located at 8390 and 8306 Central College Road in Franklin County.
Motion: To table FDP-87-2023 until the January 17, 2024 regular meeting.

Commission Vote: Motion Table, 5-0

Result: FDP-87-2023 was Tabled to the January 17, 2024 Rnformal meeting, by a vote of 5-0.

Recorded in the Official Journal this December 5, 2023

Condition(s) of Approval:

N/A

Staff Certification:

Chelsea Nichols

Chelsea Nichols
Planner

NEW ALBANY

Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear Aaron Underhill,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.

99 West Main Street • P.O. Box 188 • New Albany, Ohio 43054 • 614.855.3913 • Fax 939.2234

NEW ALBANY

Community Development Department

Decision and Record of Action

Tuesday, December 5, 2023

The New Albany Planning Commission took the following action on 12/04/2023 .

Final Development Plan

Location: Central College Road

Applicant: EC New Vision Ohio LLC, c/o Aaron L. Underhill, Esq.

Application: FDP-88-2023

Request: Preliminary and final plat for phase one of Courtyards at Haines Creek located at 8390 and 8306 Central College Road in Franklin County.
Motion: To table FPL-88-2023 to the January 17, 2024 regular meeting.

Commission Vote: Motion Table, 5-0

Result: FPL-88-2023 was Tabled to the January 17th regular meeting, by a vote of 5-0.

Recorded in the Official Journal this December 4, 2023

Condition(s) of Approval:

N/A

Staff Certification:

Chelsea Nichols

Chelsea Nichols
Planner

NEW ALBANY

Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear Aaron Underill,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.

99 West Main Street • P.O. Box 188 • New Albany, Ohio 43054 • 614.855.3913 • Fax 939.2234

NEW ALBANY

Community Development Department

Decision and Record of Action

Tuesday, December 5, 2023

The New Albany Planning Commission took the following action on 12/04/2023 .

Final Development Plan

Location: Central College Road

Applicant: EC New Vision Ohio LLC, c/o Aaron L. Underhill, Esq.

Application: FDP-91-2023

Request: Preliminary and final plat for phase two of Courtyards at Haines Creek located at 8390 and 8306 Central College Road in Franklin County.
Motion: To table FPL-91-2023 to the January 17, 2024 regular meeting.

Commission Vote: Motion Table, 5-0

Result: FPL-91-2023 was Tabled to the January 17, 2024 regular meeting, by a vote of 5-0.

Recorded in the Official Journal this December 5, 2023

Condition(s) of Approval:

N/A

Staff Certification:

Chelsea Nichols

Chelsea Nichols
Planner

NEW ALBANY

Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear Aaron Underhill,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.

99 West Main Street • P.O. Box 188 • New Albany, Ohio 43054 • 614.855.3913 • Fax 939.2234

NEW ALBANY

Community Development Department

Decision and Record of Action

Tuesday, December 5, 2023

The New Albany Planning Commission took the following action on 12/04/2023 .

Final Development Plan

Location: Central College Road

Applicant: EC New Vision Ohio LLC, c/o Aaron L. Underhill, Esq.

Application: FDP-92-2023

Request: Preliminary and final plat for phase three of Courtyards at Haines Creek located at 8390 and 8306 Central College Road in Franklin County.
Motion: To table FPL-92-2023 to the January 17, 2024 regular meeting.

Commission Vote: Motion Table, 5-0

Result: FPL-92-2023 was Tabled to the January 17, 2024 regular meeting, by a vote of 5-0.

Recorded in the Official Journal this December 5, 2023

Condition(s) of Approval:

N/A

Staff Certification:

Chelsea Nichols

Chelsea Nichols
Planner

NEW ALBANY
COMMUNITY CONNECTS US

Planning Commission Staff Report
December 4, 2023 Meeting

NORTH CITY BUSINESS ZONING DISTRICT ZONING AMENDMENT

LOCATION:	7270 New Albany Condit Road (PIDs: 222-005258 and 222-005259)
APPLICANT:	The New Albany Company, LLC c/o Aaron L. Underhill, Esq.
REQUEST:	Zoning Amendment
ZONING:	I-PUD Infill Planned Development to L-GE Limited General Employment
STRATEGIC PLAN:	Employment Center
APPLICATION:	ZC-107-2023

Review based on: Application materials received October 20, 2023 and November 6, 2023.

Staff report completed by Chelsea Nichols, Planner.

I. REQUEST AND BACKGROUND

The applicant requests a review and recommendation to rezone approximately 12.737 acres. The request creates a new limitation text for the area known as the "North City Business Zoning District" by zoning the area to Limited General Employment (L-GE). The proposed rezoning facilitates the development of uses found throughout the New Albany International Business Park.

In 2021, this property was approved with an I-PUD zoning designation (Cornerstone Academy I-PUD District) to facilitate the development and operation of a public charter school campus for Cornerstone Academy. After that rezoning was approved, Cornerstone entered into a lease with the owner of an existing building located at 7525 West Campus Road, formerly known as NACOT I. The intent was to provide a temporary location for Cornerstone High School until such time as the new campus could be developed on the property that is the subject of this application. However, the use of the building was a great fit for the school, and Cornerstone Academy has now determined that it would like to remain on that site permanently and also acquire an adjacent building and other improved and unimproved real property to develop its campus at that other location. As part of that plan, Cornerstone Academy is acquiring an undeveloped parcel that is owned by NACO in exchange for the transfer of the property within this Zoning District to NACO. NACO seeks to rezone the property it is acquiring into the L-GE zoning classification, which was the zoning of the property before the approval of the Cornerstone Academy I-PUD.

The site is located in the Engage New Albany strategic plan's Employment Center future land use district. The zoning district meets the recommended use and development standards found in the Engage New Albany strategic plan. The text contains the same list of permitted, conditional, and prohibited uses as other similar zoning districts that are also zoned Limited General Employment (L-GE). This rezoning extends the same or similar zoning and development standards to this property as currently apply to its neighboring commercially zoned property in the general vicinity.

This application is solely for rezoning the site. The Rocky Fork-Blacklick Accord reviewed and recommended approval of the application on November 16, 2023 by a 9-0 vote.

II. SITE DESCRIPTION & USE

The overall site consists of 2 parcels and is located within Franklin County. The site is located to the northwest of and adjacent to the intersection of New Albany-Condit Road and New Albany Road East. The property is presently undeveloped and is generally bisected from southwest to northeast by a 110-foot wide gas line easement.

Neighboring uses and zoning districts include Office Campus District, Limited General Employment, Agriculture, and Infill Planned Unit Development. The site does not directly abut any residential parcels; however, there is a home located in the agricultural zoned property located immediately to the northeast of the site across New Albany-Condit Road. Subarea "B" of the Nottingham Trace subdivision is located on the north side of the property. This subarea is slated for commercial development at a later date. Reserve "C" of the Nottingham Trace subdivision is located diagonally to the northwest of the site and includes 23.7 acres of parkland.

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 a recommendation to City Council. The property owners within 200 feet of the property in question have been notified.

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 <u>underlined text</u>.

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).

A. New Albany Strategic Plan

The Engage New Albany 2020 strategic plan lists the following development standards for the Employment Center:

1. No freeway/pole signs are allowed.
2. Heavy landscaping is necessary to buffer these uses from adjacent residential areas [a landscaping plan can be submitted at a later date].
3. Plan office buildings within context of the area, not just the site, including building heights within development parcels.
4. All office developments are encouraged to employ shared parking or be designed to accommodate it.
5. All office developments should plan for regional stormwater management.
6. All associated mechanical operations should be concealed from the public right-of-way and screened architecturally or with landscape in an appealing manner.
7. Any periphery security should integrate with the existing landscape and maintain and enhance the character of the road corridor.
8. Combined curb cuts and cross-access easements are encouraged.
9. The use of materials, colors, and texture to break up large-scale facades is required.
10. Maximum building height is 80'.
11. Streetscape Roadway Character Classification is Business Park for New Albany Road East and Business Park Transitional for New Albany-Condit Road (see Table 1, below).
12. Parking should be located in rear of building and shared parking.

B. Use, Site and Layout

1. The proposed zoning text is a limitation text. A limitation text can only establish more restrictive requirements than the zoning code.
2. The applicant proposes the same development standards from nearby L-GE zoning districts within the New Albany International Business Park. Due to the proximity of this site to adjacent commercially zoned land in the existing business park, the site appears to be appropriate for commercial development.
3. This district has the same list of permitted, conditional, and prohibited General Employment uses as the neighboring L-GE zoning districts.
    - The limitation text allows for general office activities, data centers, warehouse & distribution, manufacturing and production, and research & production uses. Personal service and retail product sales and services are only allowed as accessory uses to a permitted use in this zoning district.
    - Conditional uses industrial manufacturing and assembly, car fleet/truck fleet parking, and limited educational institutions.
    - Prohibited uses include industrial product sales and services, mini-warehouses, off-premises signs, vehicle services, radio/television broadcast facilities, and sexually oriented businesses.
4. The text establishes the following setbacks:
    - There shall be a minimum pavement and building setback of 125 feet from the right-of-way of New Albany-Condit Road and New Albany Road East.
    - There shall be a minimum pavement and building setback of 25 feet from all perimeter boundaries of this zoning district that are not adjacent to a public right-of-way.
    - There shall be a zero-setback requirement for pavement and buildings from property lines that are interior to this zoning district (i.e., those property lines which are not perimeter boundary lines).
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. The primary challenge of the site is the location of the 110' gas easement which runs diagonally from the northeast to southwest corner of the site and bisects the site. No development can occur in this easement, other than access drives which must cross the easement precisely at 90 degrees. This easement, along with the large 125' building and pavement setbacks, limit the size and type of development that can occur on this site.
7. The standards incorporated into the zoning text are compatible with the surrounding area. The proposed zoning text will allow development to occur that will utilize the space available for development and leaves the remainder open for landscaping and green space.

C. Access, Loading, Parking

1. The zoning text states that the number, locations and spacing of curb cuts along public rights-of-way shall be determined and approved at the time that a certificate of appropriateness is issued for a project in this zoning district.
2. The proposed text requires right-of-way to be dedicated to the city for a distance of 50 feet as measured from the centerline of New Albany-Condit Road and for a distance of 50 feet as measured from the centerline of New Albany Road East.
    - <u>The city engineer comments that this amount of right-of-way is already provided along New Albany Road East but an additional 10 feet of public right-of-way is needed to be dedicated along New Albany-Condit Road where 50 feet is not already provided. Staff recommends a condition of approval that all city engineer's comments be addressed, subject to staff approval (condition #1).</u>
3. <u>In addition to right-of-way amounts, the city staff is recommending a condition of approval that the text be revised to require the property owner to grant easements</u>

adjacent to the right-of-way in order to install and maintain streetscape improvements and/or utilities. The proposed right-of-way widths and easement requirements are to be sufficient to accommodate the city street capital improvement projects (condition #2).

4. Parking is required be provided per code requirements (Chapter 1167) and will be evaluated at the time of development of the site.
5. An existing asphalt leisure trail with a width of 8 feet has been constructed along the zoning district's frontage along New Albany Road East. An asphalt leisure trail with a width of 8 feet shall be constructed by the applicant/developer along the zoning district's frontage on New Albany-Condit Road. This leisure trail shall be constructed to connect to the existing leisure trail that is located along the site's frontage on New Albany Road East.

D. Architectural Standards

6. The proposed rezoning implements many of the same standards and limitations set forth in the New Albany Architectural Design Guidelines and Requirements (Chapter 1157). However, the city Design Guidelines and Requirements (DGRs) do not provide architectural standards for warehouse and distribution type of 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 limitation text contains specific design requirements for uses not governed by the DGRs as those in other subareas of the business park, which ensures the quality design of these buildings throughout this portion of the business park.
7. The zoning text section V.A. permits 65-foot-tall buildings, subject to Section 1165.03 of the Codified Ordinances. The General Employment district does not typically have a height limitation. However, there are other L-GE districts that do implement a height restriction usually allowing up to 85-foot tall buildings. There are some L-GE districts that require a height maximum of 65 feet when adjacent to residential uses.
8. Section I.E.6 of the zoning text requires complete screening of all roof-mounted equipment on all four sides of the building using materials that are consistent and harmonious with the building's façade and character. The text indicates that the screening is provided to screen equipment from off-site view but also to buffer sound generated by the equipment.
9. The city staff recommends a condition of approval that the zoning text be updated to require building color palettes be as simple and unobtrusive as possible and that buildings shall avoid overly bright or jarring colors. The addition of this language will ensure constancy within the business park as this language has been established for other zoning districts where L-GE uses are also permitted (condition #3).

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

1. Maximum lot coverage for this zoning district is 75%. This matches what has been established for other zoning districts where L-GE uses are also permitted
2. The proposed zoning text states reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within perimeter and stream setbacks in this subarea. 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.
3. The zoning text requires a landscape treatment consisting of an average of 10 trees per 100 lineal feet of road frontage shall be installed and maintained along New Albany-Condit Road and New Albany Road East within a distance of 55 feet from the right-of-way, unless otherwise prohibited by an existing gas line easement that runs through the property. These trees shall consist of a mix of deciduous and evergreen species that are native to Ohio, with the locations, number, and spacing to be reviewed as part of a plan at the time of permitting.
4. Mounds shall be installed where possible, subject to the city landscape architect, and trees shall be installed on a mound that has a slope not to exceed 6:1 on the side facing the public street. The mound shall be a minimum of 3 feet and a maximum of 12 feet in

height, and its design shall be reviewed as part of a final development plan. Seventy percent of required trees shall be planted on the street side of the mound, and no trees shall be located within the upper quartile crest of the mound.

5. A four-board white horse fence has been installed along the zoning district's frontage along New Albany Road East. A four-board white horse fence shall be installed along the zoning district's frontage on New Albany-Condit Road. The existing four-board white horse fence along New Albany Road East shall remain.
6. The zoning text requires a Stream Corridor Protection Zone to be provided along the stream that generally runs east-west along the northern boundary line of this Zoning District. It shall be a minimum of 50 feet in width as measured southward from the centerline of the stream, it being the intent that a similar protection zone shall be provided by the property owners located to the north of the stream. Within the Stream Corridor Protection Zone, no improvements shall be permitted other than landscaping, and an asphalt leisure path running east-west with a location to be approved by City staff. Such leisure path shall connect to New Albany-Condit Road on the east and shall stub to the existing off-site public park to the northwest of this Zoning District.
7. Existing street trees along New Albany Road East shall remain and be maintained. Street trees shall be installed on New Albany-Condit Road at the rate of 4 trees per 100 linear feet. Street trees shall be a minimum of 3 inches in caliper at installation.
8. The zoning text requires all new utilities that are installed in this zoning district be located underground.

F. Lighting & Signage

1. All signage shall conform to the standards set forth in Codified Ordinance Section 1169.
2. The text requires that 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. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 30 feet in height.
3. No permanent colored lights or neon lights shall be used on the exterior of any building. Security lighting shall be of a motion sensor type.
4. All other lighting on the site shall be in accordance with City Code. Street lighting must meet the City standards and specifications.
5. Landscape uplighting from a concealed source shall be subject to staff approval. All uplighting fixtures must be screened by landscaping. Lighting details shall 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, E.P. Ferris reviewed the proposed rezoning application and provided the following comments. <u>Staff recommends a condition of approval that the comments of the city engineer comments are addressed and incorporated into the zoning text as appropriate, subject to staff approval (condition #1).</u>

1. A Traffic Impact Study will be required for review and approval once a development project is identified for this site.
2. The rezoning text states that 50' of public r/w as measured from road centerline will be provided along NA Road East and SR 605. This condition is already met along NA Road East. An additional 10' of public r/w will need to be dedicated along SR 605 where 50' is not already provided.

V. SUMMARY

This property had previously been zoned L-GE prior to the Cornerstone I-PUD rezoning. The proposed limitation text contains many of the same requirements as the previous L-GE text. It also contains a few improvements and clarifications learned from the Cornerstone rezoning regarding the gas easement and trail along the creek to the north of the site.

The limitation text provides for stricter limitations in use and design than the straight General Employment zoning districts and retains many of the requirements found in other existing and previously approved L-GE zoning texts. Due to the proximity of this location adjacent to commercially zoned land in the existing New Albany Business Park, the site appears to be appropriate for commercial development.

It appears that the proposed zoning text meets or exceeds a majority of the development standards found in both the Engage New Albany Strategic Plan.

1. The rezoning results in a more comprehensive planned redevelopment of the area and will ensure compatibility between uses (1111.06(a)).
2. The L-GE 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 allows for the development of businesses that generate revenue for the school district while eliminating residential units having a positive impact on the school district (1111.06(h)).

VI. ACTION

Suggested Motion for ZC-107-2023:

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

Move to recommend approval to city council of application ZC-107-2023, based on the findings in the staff report, with the following conditions:

1. The comments of the city engineer shall be addressed and incorporated into the zoning text as appropriate, subject to staff approval.
2. The text shall be revised to require the property owner to grant easements adjacent to the right-of-way in order to install and maintain streetscape improvements and/or utilities. The proposed right-of-way widths and easement requirements are to be sufficient enough to accommodate the city street capital improvement projects.
3. The zoning text be updated to require building color palettes be as simple and unobtrusive as possible and that buildings shall avoid overly bright or jarring colors.

Approximate Site Location:

Source: ArcGIS

City of New Albany
99 West Main Street
New Albany, Ohio 43054

MEMO

401.60-149
November 8, 2023

To: Chelsea Nichols
City Planner

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

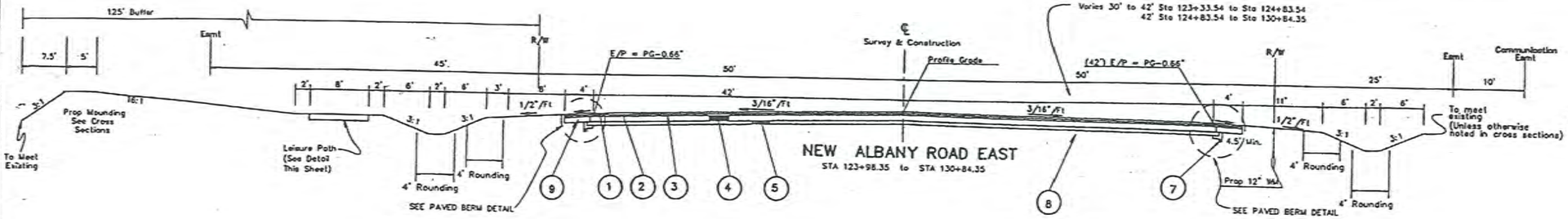
Re: Cornerstone - Rezoning

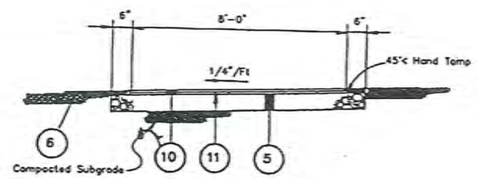
Our review comments are as follows:

1) We will require a Traffic Impact Study for review and approval once a development project is identified for this site.
2) The rezoning text states that 50' of public r/w as measured from road centerline will be provided along NA Road East and SR 605. This condition is already met along NA Road East. An additional 10' of public r/w will need to be dedicated along SR 605 where 50' is not already provided.

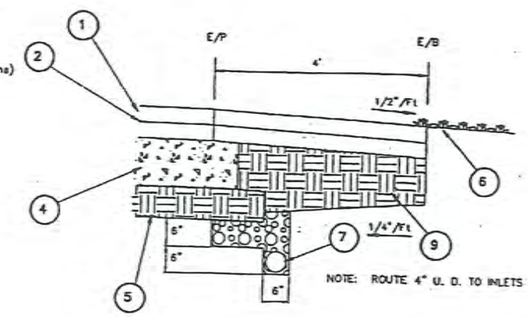
MEF/JMH

CC: Cara Denny, Engineering Manager
Josh Albright, Development Engineer
Dave Samuelson, P.E., Traffic Engineer

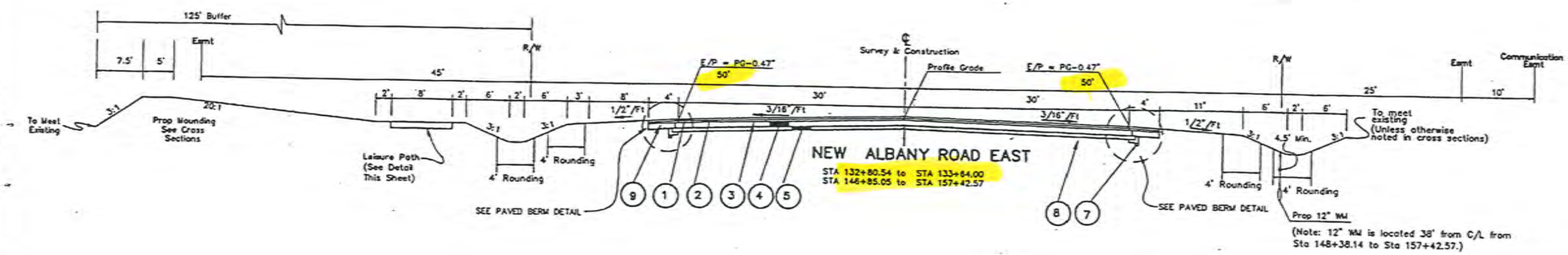




LEISURE PATH DETAIL
NO SCALE



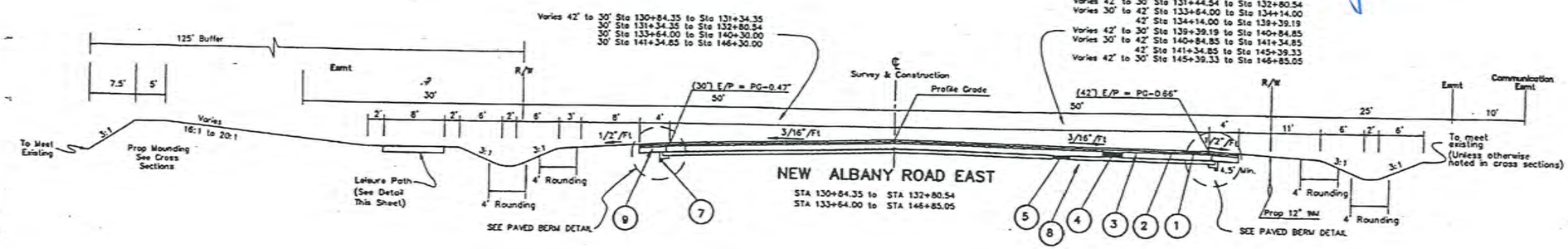
PAVED BERM DETAIL
NO SCALE



RW = 50' from ℄ ALREADY provided

PAVEMENT LEGEND

1. 1 1/4" Hot-mixed, Hot-laid Asphalt Concrete, Item 404
2. 1 1/4" Hot-mixed, Hot-laid Asphalt Concrete, Item 402
3. Bituminous Tack Coat, Item 407 Bituminous Material, 702.02 RC-70, RC-250 or 702.04 RS-1, RS-2 or MS-2. Applied at a Rate of 0.1 Gal. per Sq. Yd. and Cover Consisting of Crushed Gravel or Limestone Size No. 9.
4. 8" Portland Cement Concrete Base – Arterial, Item 305
5. 6" Aggregate Base, Item 304
6. Seeding and Mulching, Item 659
7. 4" Pipe Underdrain, Item 605
8. Subgrade Compaction, Item 203
9. 8" Aggregate Base, Item 304
10. 2 1/2" Hot-Mixed, Hot-Laid Asphalt Concrete, Item 404 (To be applied in 2 courses.)
11. Bituminus Prime Coat, Item 408, 702.02, RC-250, MC-30, MC-70, or MC-250 (Applied at 0.25 gal per sq.yd.)



VILLAGE OF NEW ALBANY
STREET, STORM & WATER IMPROVEMNT
FOR

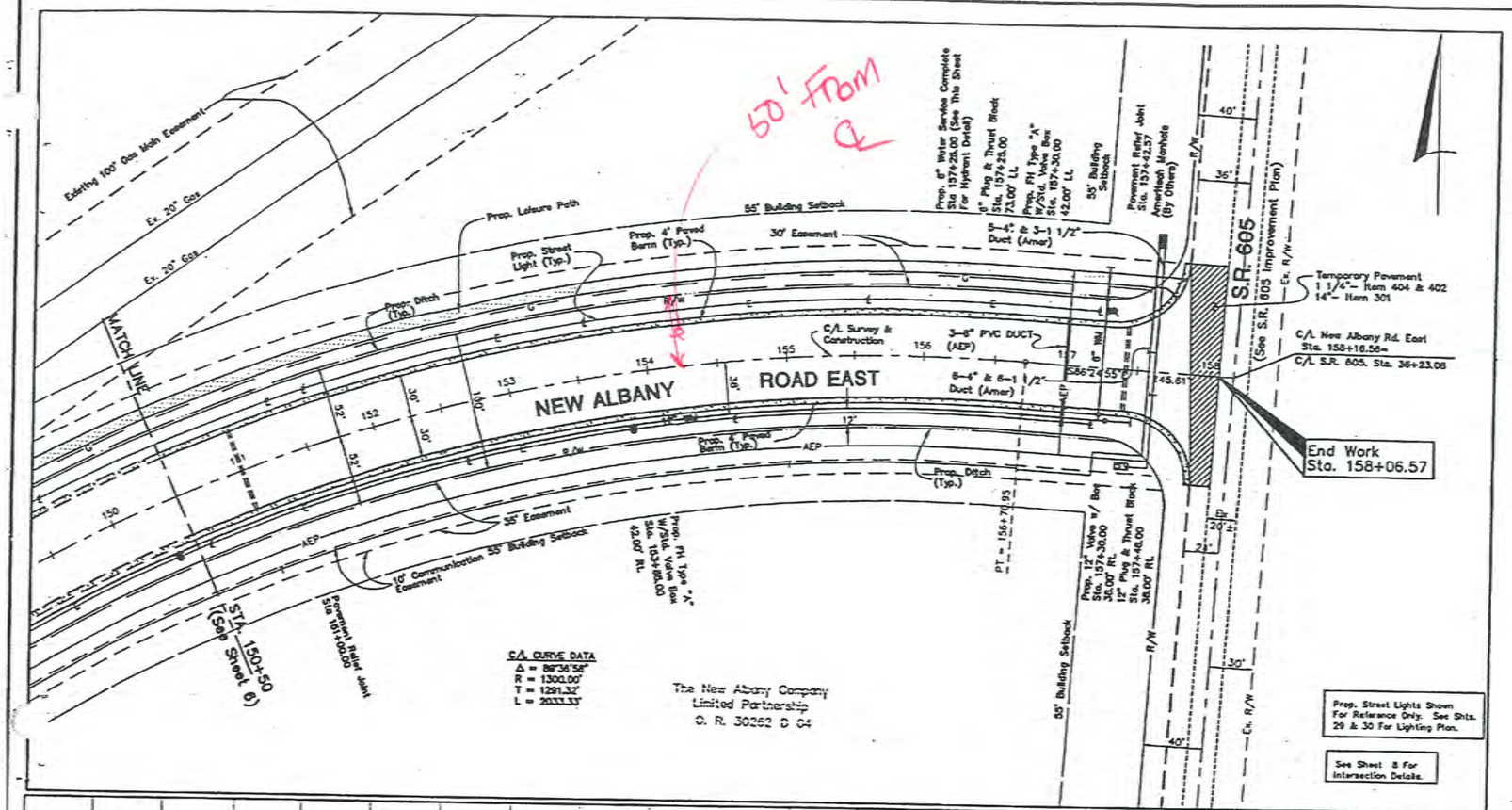
NEW ALBANY ROAD EAST

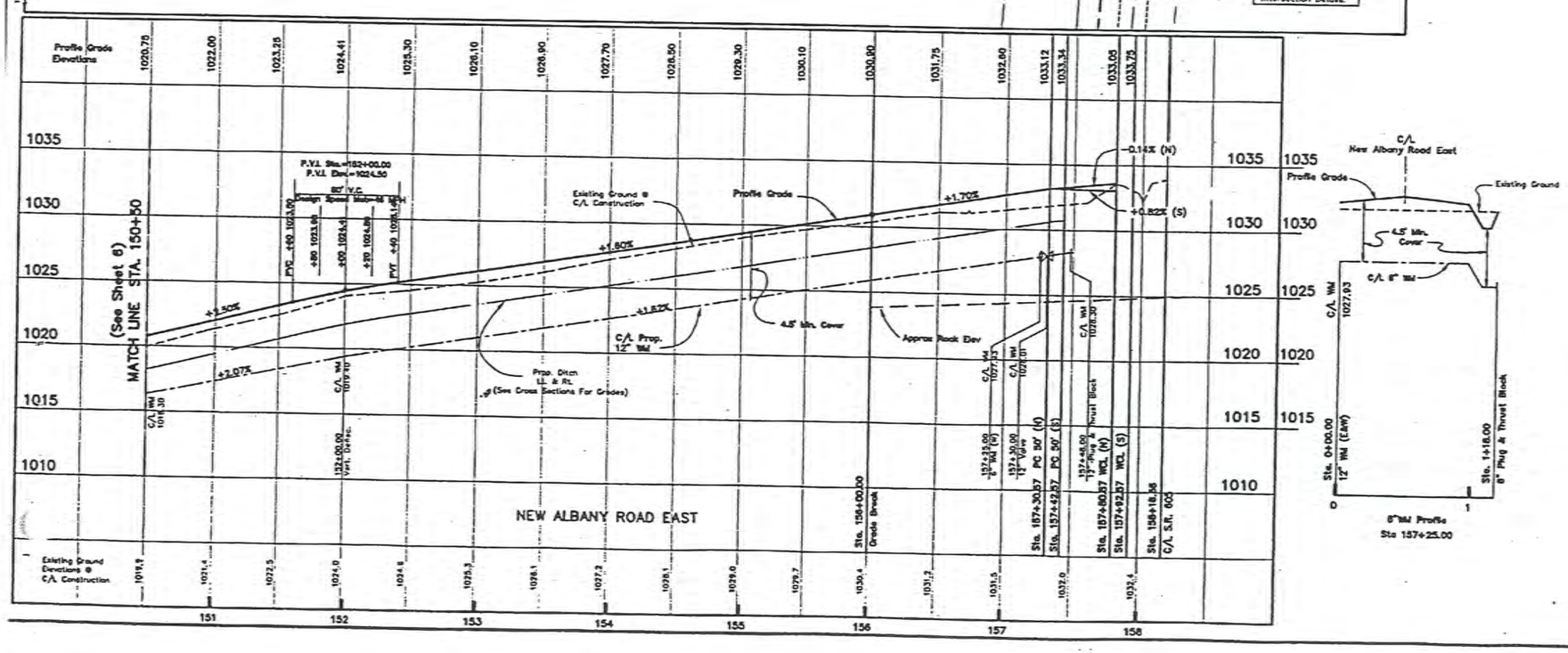
TYPICAL SECTIONS AND DETAILS

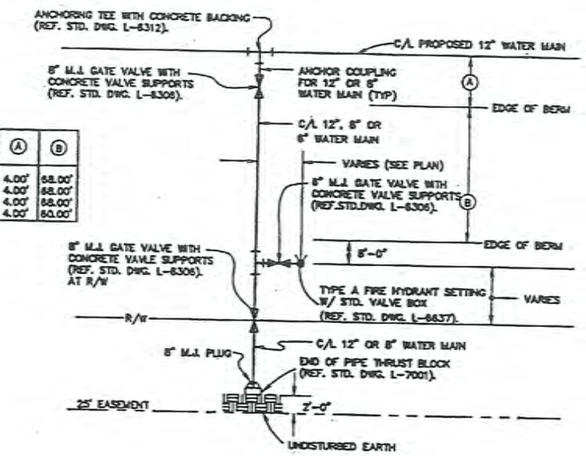
SCALE: NONE APRIL, 1997

EVANS, MECHWART, HAMBLETON & TILTON, INC.

3/31







HYDRANT STATION	Ⓐ	Ⓑ
132+60	4.00'	68.00'
136+50	4.00'	68.00'
146+21.09	4.00'	68.00'
157+30	4.00'	60.00'

SCHEMATIC HYDRANT DETAIL

TYPE A SETTING – 4 THUS

No Scale

VILLAGE OF NEW ALBANY, OHIO

STREET, STORM AND WATER IMPROVEMENT

FOR

NEW ALBANY ROAD EAST

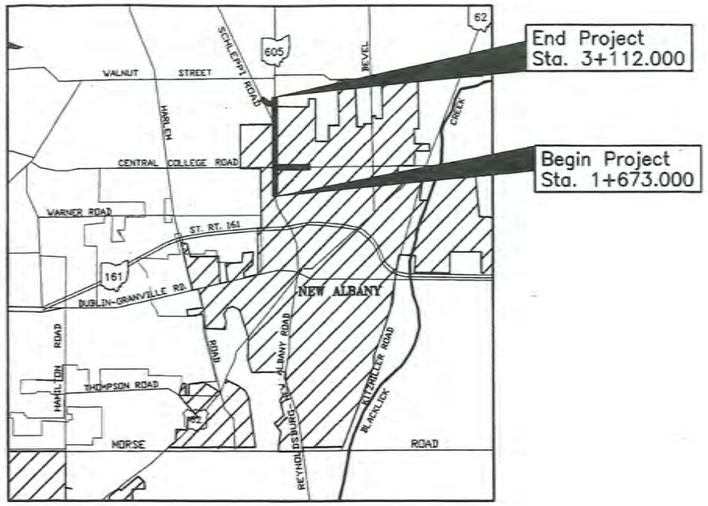
PLAN AND PROFILE

SCALE Horiz.: 1"=50' Vert.: 1"=5'

February, 1997

EVANS, MECHWART, HAMBLETON & TILTON, INC.
CONSULTING ENGINEERS & SURVEYORS

STATE OF OHIO
DEPARTMENT OF TRANSPORTATION
FRA 605-0.96
VILLAGE OF NEW ALBANY
PLAIN TOWNSHIP
FRANKLIN COUNTY



LOCATION MAP

LATITUDE: N40°06'10" LONGITUDE: W82°48'45"

SCALE IN KILOMETER

0 1 2 3 4

N

PORTION TO BE IMPROVED.....
DIVIDED HIGHWAYS.....
STATE & U.S. ROUTES.....
TOWNSHIP & COUNTY ROADS.....
OTHER ROADS .....

161
605

DESIGN DESIGNATION
(SEE SCHEMATIC PLAN, SHEET 2)

EARTH DISTURBED AREA SUMMARY
(CARRIED FROM SHEET 24)

PROJECT EARTH DISTURBED AREA =	3.969 HA
ESTIMATED CONTRACTOR EARTH DISTURBED AREA =	0.101 HA
NOTICE OF INTENT EARTH DISTURBED AREA =	4.070 HA

DESIGN EXCEPTIONS
NONE REQUIRED

UNDERGROUND UTILITIES
TWO WORKING DAYS
BEFORE YOU DIG
CALL **1-800-362-2764** (TOLL FREE)
OHIO UTILITIES PROTECTION SERVICE
NON-MEMBERS
MUST BE CALLED DIRECTLY

PLAN PREPARED BY
EVANS, MECHWART, HAMBLETON & TILTON, INC.
CONSULTING ENGINEERS & SURVEYORS
170 MILL STREET
GAHANNA, OHIO 43230

INDEX OF SHEETS

TITLE SHEET	1
SCHEMATIC PLAN	2
TYPICAL SECTIONS	3-6A
GENERAL NOTES	7-8A
MAINTENANCE OF TRAFFIC PLANS	9-15
GENERAL SUMMARY	16-17
SUB-SUMMARY	18
EARTHWORK & SEEDING SUB-SUMMARY	18A
CALCULATIONS	19-23
PROJECT SITE PLAN	24-25
PLAN & PROFILE S.R. 605	26-44
CROSS SECTIONS S.R. 605	45-61
PLAN & PROFILE CENTRAL COLLEGE ROAD	62-64
CROSS SECTIONS CENTRAL COLLEGE ROAD	65-67
PLAN & PROFILE SCHLEPPI ROAD	68-69
CROSS SECTIONS SCHLEPPI ROAD	70-72
INTERSECTION DETAILS	73-74
DRIVEWAY DETAILS & QUANTITIES	75
MISCELLANEOUS DETAILS	76
WATER WORKS	76A-76E
TRAFFIC CONTROL GENERAL SUMMARY	77
TRAFFIC CONTROL GENERAL NOTES	78-80
SIGNING & PAVEMENT MARKING SUBSUMMARIES	81-83
SIGNING & PAVEMENT MARKING PLANS	84-89
TRAFFIC SIGNAL	90-92B
LIGHTING GENERAL SUMMARY	93
LIGHTING	94-97
RIGHT-OF-WAY PLANS	98-117

RW varies from 40'-50'

PROJECT DESCRIPTION

THIS PROJECT CONSISTS OF WIDENING THE EXISTING PAVEMENT TO ADD A CENTER LEFT TURN LANE AND RIGHT TURN LANES AT TWO LOCATIONS.

THE LENGTH OF PROJECT IS 1.439 KILOMETERS WITH AN ADDITIONAL LENGTH OF 0.203 KILOMETERS OF WORK ALONG CENTRAL COLLEGE ROAD.

2002 SPECIFICATIONS

THE STANDARD SPECIFICATIONS OF THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION, INCLUDING CHANGES AND SUPPLEMENTAL SPECIFICATIONS LISTED IN THE PROPOSAL SHALL GOVERN THIS IMPROVEMENT.

I HEREBY APPROVE THESE PLANS AND DECLARE THAT THE MAKING OF THIS IMPROVEMENT WILL NOT REQUIRE THE CLOSING TO TRAFFIC OF THE HIGHWAY AND THAT PROVISIONS FOR THE MAINTENANCE AND SAFETY OF TRAFFIC WILL BE AS SET FORTH ON THE PLANS AND ESTIMATES.

APPROVED _____
DATE _____ ADMINISTRATOR, CITY OF COLUMBUS DIVISION OF WATER

APPROVED _____
DATE _____ DIRECTOR, DEPTARTMENT OF PUBLIC UTILITIES

APPROVED _____
DATE _____ DISTRICT DEPUTY DIRECTOR

APPROVED _____
DATE _____ DIRECTOR, DEPARTMENT OF TRANSPORTATION

Seal

STATE OF OHIO
RONALD S. BONNETTE
E-67476
REGISTERED
PROFESSIONAL ENGINEER

Ronald S. Bonnette
Ronald S. Bonnette
10/13/2004
Date

SUPPLEMENTAL PRINTS OF STANDARD CONSTRUCTION DRAWINGS
OHIO DEPARTMENT OF TRANSPORTATION

BP-3.1	7-16-04	CB-1.2	7-19-02	HL-10.12	4-19-02	MT-97.11	4-19-02	TC-71.10	4-19-02	802	7-19-02
BP-4.1	7-16-04	CB-2.1	7-19-02	HL-10.13	1-17-03	MT-99.20M	1-30-95	TC-81.20	1-16-04	832	4-17-04
BP-5.1	7-28-00	HW-2.2	7-19-02	HL-20.11	4-19-02	MT-101.60	10-18-02	TC-82.10	4-19-02	833	2-12-03
		I-1.2	7-19-02	HL-30.11	4-19-02	MT-105.10	10-18-02	TC-83.10	5-01-00	872	10-30-03
GR-1.1	7-16-04	MH-1.1	7-19-02	HL-30.22	4-19-02	MT-105.11	10-18-02	TC-83.20	1-16-04	908	4-18-03
GR-2.1	1-16-04	MH-1.2	7-19-02	HL-40.10	4-19-02	MT-120.00	3-01-00	TC-85.10	4-19-02		
GR-4.2	10-17-03			HL-60.11	1-16-04			TC-85.20	5-01-00		
GR-5.1	4-18-03	DM-1.1	7-18-03	HL-60.12	7-20-01	TC-21.20	1-19-01				
GR-5.2	1-16-04	DM-1.2	7-19-02	HL-60.31	7-20-01	TC-41.20	1-19-01			SPECIAL PROVISIONS	
GR-5.3	1-16-04	DM-3.1	7-19-02			TC-41.40	7-16-04				
		DM-4.3	7-19-02	MT-35.10	4-20-01	TC-42.20	7-16-04			NWP-14	9-20-99
RM-4.2M	4-18-03	DM-4.4	7-19-02	MT-95.31	7-16-04	TC-52.10	4-20-01				
				MT-95.32	7-16-04	TC-65.10	10-19-01				
CB-1.1	7-19-02	HL-10.11	1-16-04	MT-97.10	4-19-02	TC-65.12	10-19-01				

RECEIVED
OCT 21 2004
E.P. FERRIS AND ASSOCIATES, INC.

PLANS CERTIFIED BY:
NAME: DATE:
DISTRICT 6
OHIO DEPT. OF TRANSPORTATION

metric units

FEDERAL PROJECT NO. NONE
PID NO. 19100
CONSTRUCTION PROJECT NO.
RAILROAD INVOLVEMENT NONE
FRA 605-0.96

D:\PROJECT\505111\DWG\5511107A.DWG - 4 XREFS: 5511120; 5511120P; 5511127; 5511120N - PLOTTED BY JINGMINSON - October 13, 2004 - 9:20 AM

VILLAGE OF NEW ALBANY
FRANKLIN COUNTY
PLAIN TOWNSHIP
SEC.8, T.2, R.16, U.S.M.L.

metric units

NEW ALBANY ROAD EAST

(16) Novus Services, Inc.
Commerical

(22) The New Albany Company LLC
Commerical

(22/T1) T.B.A. = 0.024 Ha. (0.059 Ac.)

(17) The New Albany Company LLC
Agricultural
#7270

(17/WD) T.B.A = 0.298 Ha. (0.736 Ac.) Net
P.R.O.= 0.297 Ha. (0.734 Ac.)
Gross = 0.595 Ha. (1.470 Ac.)

(17/SH) 0.0004 Ha. (0.001 Ac.)
Instr.: 200203200070809

(17/SH-1) 0.0004 Ha. (0.001 Ac.)
Instr.: 200203200070809

S. R. 605

MATCH LINE STA. 2+640.00 SEE SHEET NO. 13

MATCH LINE STA. 2+790.00 SEE SHEET NO. 15

NOTE:
The Existing Right of Way width was determined as established in the County Commissioners Journal;
40' – New Albany–Condit Road to Schleppi Road – 1820 Vol. 5, Pg. 224
60' – Schleppi Road to Franklin County Line – 1838 Vol. 7, Pg. 187

VILLAGE OF NEW ALBANY
FRANKLIN COUNTY
PLAIN TOWNSHIP
SEC.8, T.2, R.16, U.S.M.L.

REV.	DATE	DESCRIPTION

RIGHT OF WAY PLAN

FRA 605-0.96

14/11/11

HORIZONTAL

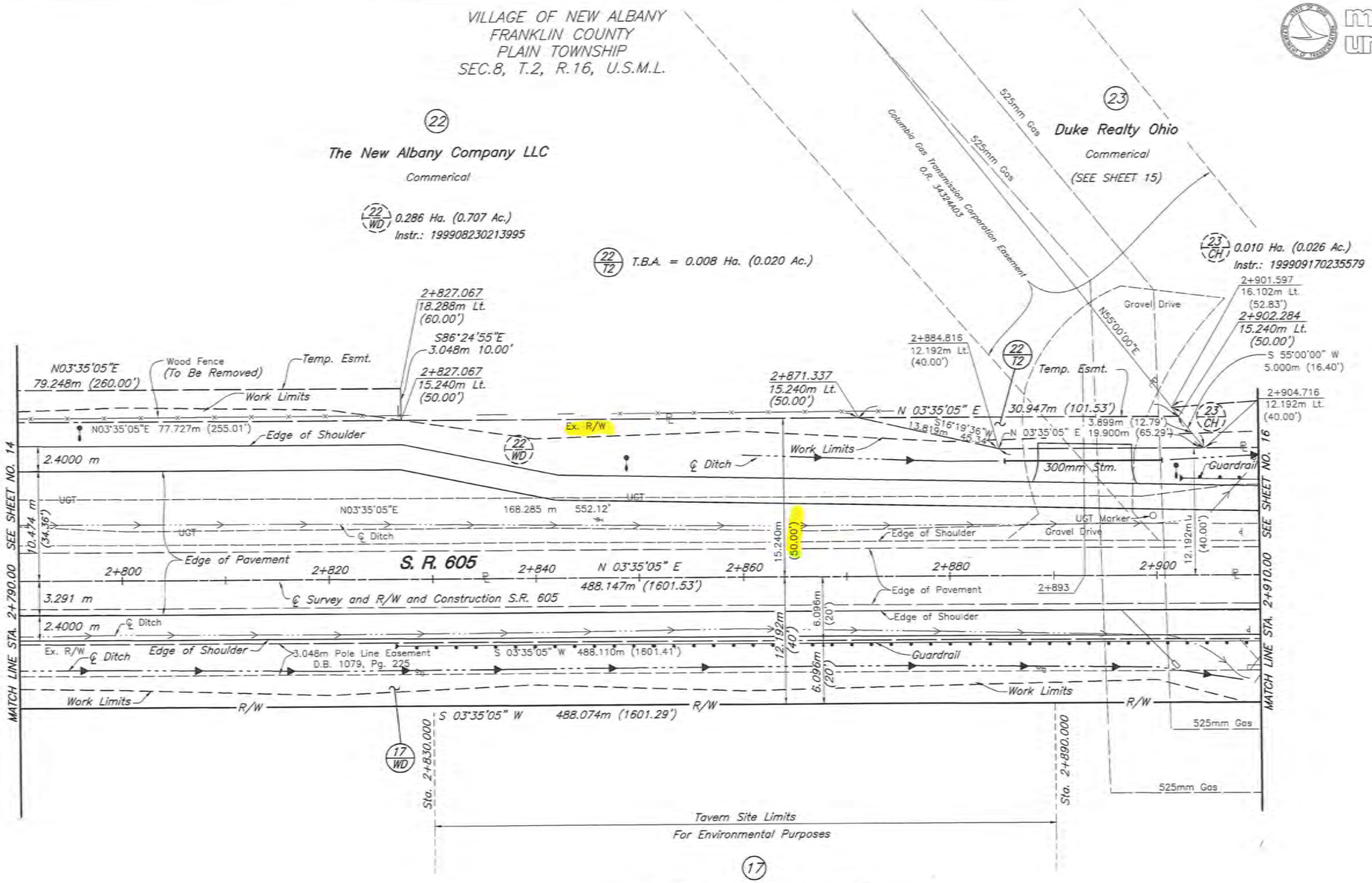
R/W DESIGNER RSB

R/W REVIEWER

PID NO.

VILLAGE OF NEW ALBANY
FRANKLIN COUNTY
PLAIN TOWNSHIP
SEC.8, T.2, R.16, U.S.M.L.

metric units



17

The New Albany Company LLC

Agricultural

#7270

(See Sheet 5)

NOTE:
The Existing Right of Way width was determined as established in the County Commissioners Journal;
40' – New Albany–Condit Road to Schleppi Road – 1820 Vol. 5, Pg. 224
60' – Schleppi Road to Franklin County Line – 1838 Vol. 7, Pg. 187

VILLAGE OF NEW ALBANY
FRANKLIN COUNTY
PLAIN TOWNSHIP
SEC.8, T.2, R.16, U.S.M.L.

REV.	DATE	DESCRIPTION

HORIZONTAL

PID NO.

R/W DESIGNER RSB

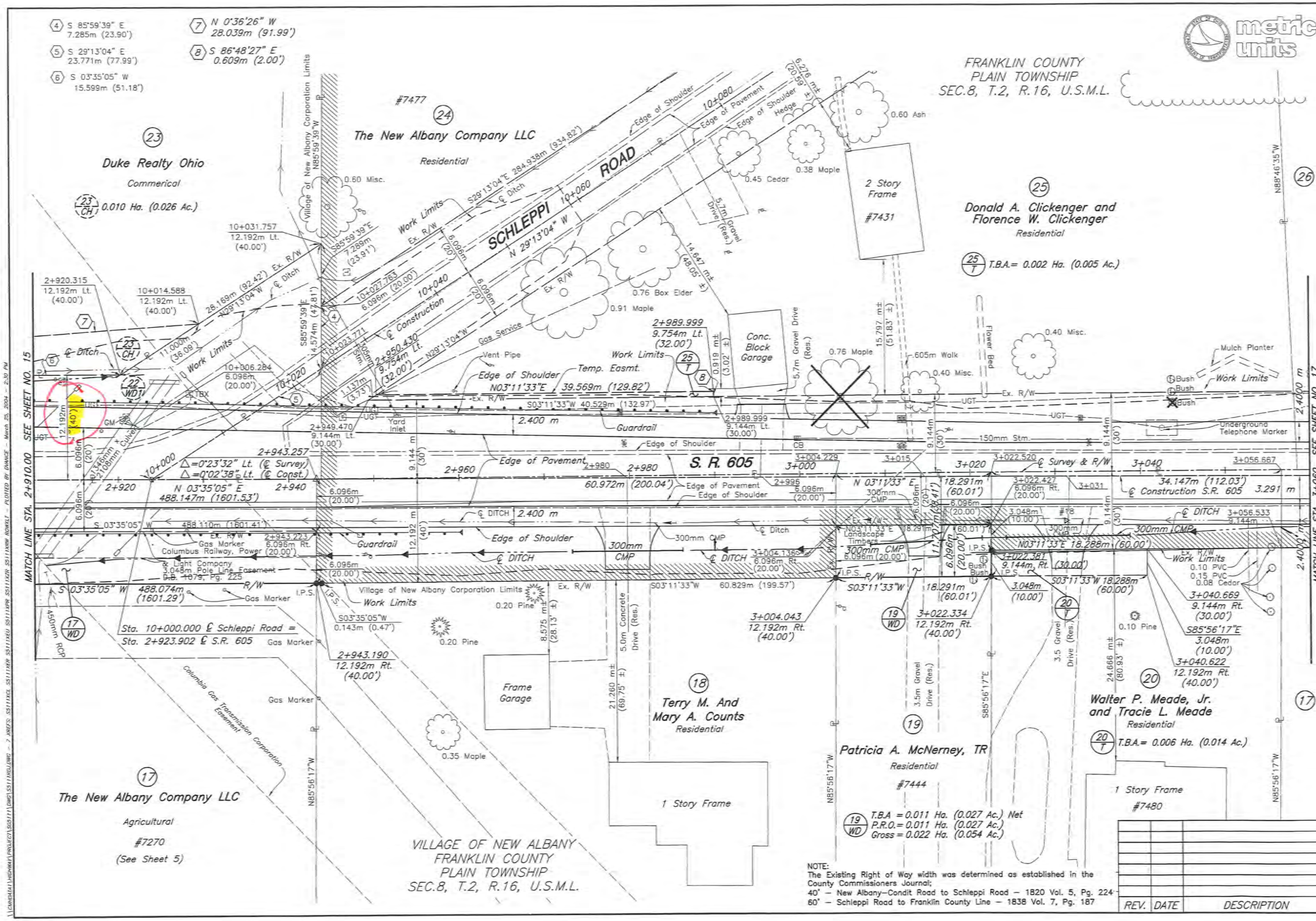
R/W REVIEWER

RIGHT OF WAY PLAN

FRA 605-0.96

15/11/11

\\CANDATA1\HIGHWAY\PROJECTS\0511\DWG\511DLGNC - 7 VARS: 511TXCL 511TXER 511TXEU 511TXPR 511TXPR 511TXZR ROWLET - PLOTTED BY DANCE - March 25, 2004 - 2:14 PM

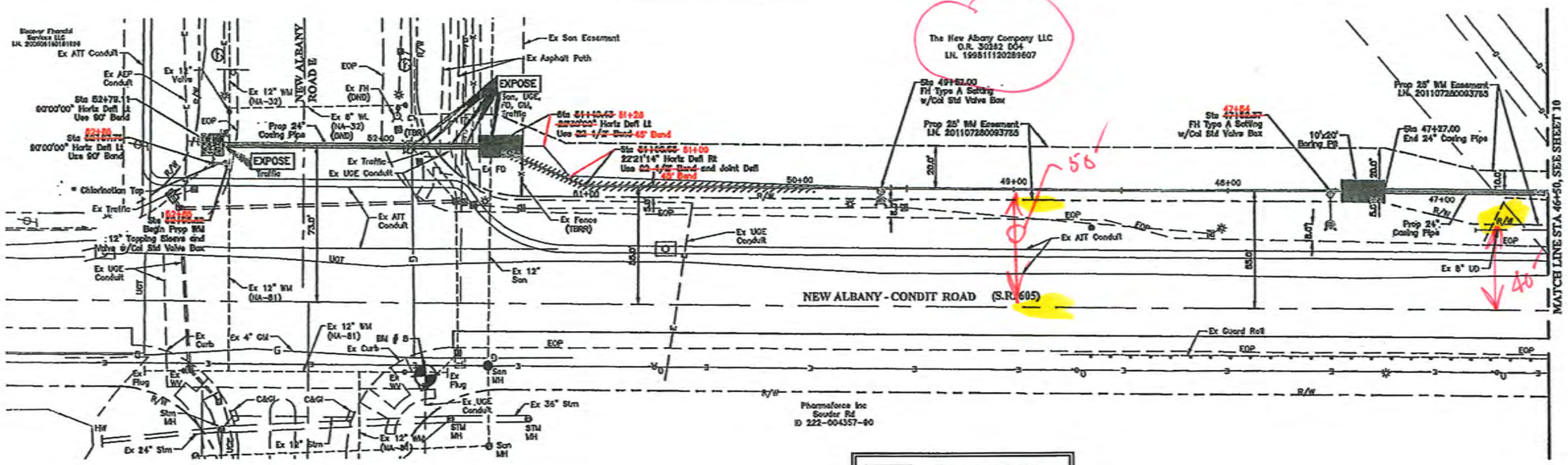

metric units
FRANKLIN COUNTY
PLAIN TOWNSHIP
SEC.8, T.2, R.16, U.S.M.L.
VILLAGE OF NEW ALBANY
FRANKLIN COUNTY
PLAIN TOWNSHIP
SEC.8, T.2, R.16, U.S.M.L.
SCHLEPPI ROAD
S. R. 605
Duke Realty Ohio
Commerical
0.010 Ha. (0.026 Ac.)
The New Albany Company LLC
Residential
#7477
Donald A. Clickenger and Florence W. Clickenger
Residential
T.B.A.= 0.002 Ha. (0.005 Ac.)
2 Story Frame
#7431
Terry M. And Mary A. Counts
Residential
1 Story Frame
Frame Garage
Conc. Block Garage
Patricia A. McNerney, TR
Residential
#7444
T.B.A = 0.011 Ha. (0.027 Ac.) Net
P.R.O.= 0.011 Ha. (0.027 Ac.)
Gross = 0.022 Ha. (0.054 Ac.)
Walter P. Meade, Jr. and Tracie L. Meade
Residential
T.B.A.= 0.006 Ha. (0.014 Ac.)
1 Story Frame
#7480
The New Albany Company LLC
Agricultural
#7270
(See Sheet 5)
Village of New Albany Corporation Limits
Columbus Railway, Power & Light Company
D.B. 1079, Pg. 225
Columbia Gas Transmission Corporation Easement
Sta. 10+000.000 ℄ Schleppi Road = Sta. 2+923.902 ℄ S.R. 605
MATCH LINE STA. 2+910.00 SEE SHEET NO. 15
MATCH LINE STA. 3+060 SEE SHEET NO. 17
RIGHT OF WAY PLAN
FRA 605-0.96
R/W DESIGNER RSB
R/W REVIEWER
HORIZONTAL
NOTE:
The Existing Right of Way width was determined as established in the County Commissioners Journal;
40' – New Albany–Condit Road to Schleppi Road – 1820 Vol. 5, Pg. 224
60' – Schleppi Road to Franklin County Line – 1838 Vol. 7, Pg. 187
REV. DATE DESCRIPTION
16
11
11

SEE SURVEY COORDINATE TABLE SHEET 4

GRAPHIC SCALE

0 15 30 60

1 inch = 30 feet



EXPOSE EX UTILITY — CONTRACTOR TO EXPOSE DENOTED UTILITY TO VERIFY LOCATION AND ELEVATION PRIOR TO WATER MAIN INSTALLATION; NOTIFY DESIGN ENGINEER IMMEDIATELY IF CONFLICTS EXIST.

EXPOSE AT BORING:

The Contractors shall be responsible to vacuum excavation and locate the existing utilities prior to completing the bore. The intent of this is to verify elevation of the existing utility. Surface features shall be carefully restored. Cost of this effort shall be included in the prior Bid for Item 608.

NOTES

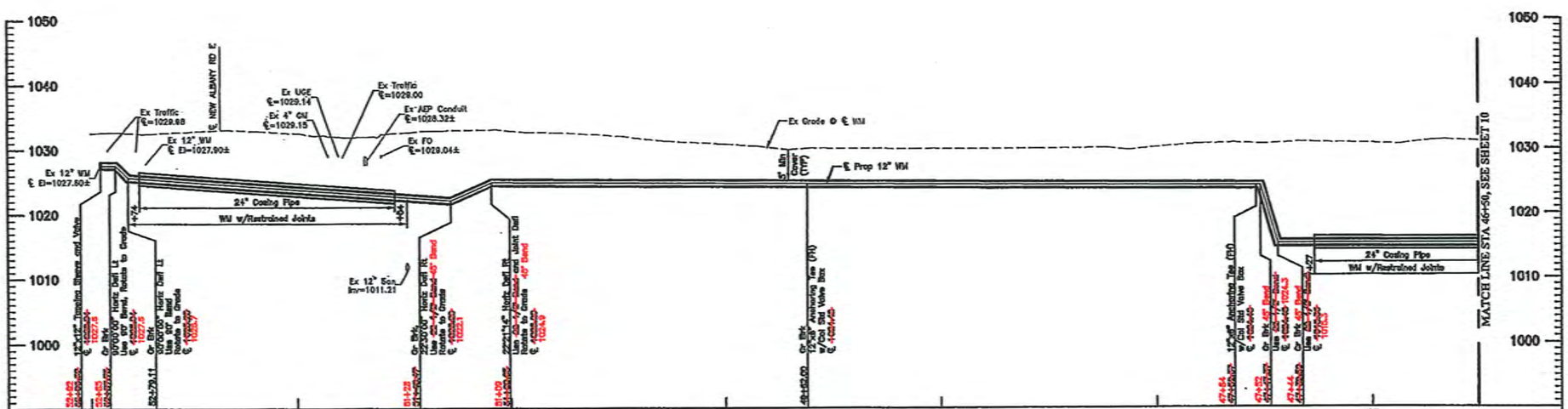
Where conflicts exist between the proposed water mains and gravity sewers, the water main shall be lowered. The Contractor shall expose all utilities or structures in advance of laying proposed water mains per CMSC Section 105.06. Payment for this work shall be included in the various water main items.

The Contractor is fully responsible for providing backing to the extent sufficient to guarantee the operation of the pipe under both the test and design pressures.

Reference applicable City of Columbus Standard Construction Drawings L-8310, L-8311, L-8312, L-7001 for concrete backing requirements.

Elevations shown in profile are centerline of pipe, cut depths are from surface to bottom of pipe.

* Contractor shall notify COC/DOPW (Water) to appropriately size both Chlorination Taps and Temporary Blow-Offs. Locations shown are assumed. Coordinate with DOPW for exact location prior to installation.



STATION		52		51		50		49		48		47	
SURFACE	1032.60	1032.87	1032.55	1032.82	1032.82	1032.06	1030.79	1030.15	1030.09	1030.06	1030.24	1030.72	1030.76	1031.12
℄ OF PIPE	1028.04	1025.20	1025.20	1025.20	1025.20	1024.94	1024.68	1024.48	1024.48	1024.48	1024.48	1024.48	1018.36	1018.36
CUT	5.11	8.72	8.40	7.97	8.18	7.68	6.67	6.22	6.18	6.15	6.31	6.79	13.45	13.81

AS-BUILT 02-09-12

REVISIONS

MARK	DATE	DESCRIPTION

CITY OF NEW ALBANY

CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO
WATER MAIN IMPROVEMENT
FOR
RESEARCH AND INFORMATION DISTRICT
SOUDER ROAD 12" WATER MAIN EXTENSION
PLAN AND PROFILE
STA 46+50 TO 52+87.07

EMHT
Bowen, Weinhardt, Henderson & Titus, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Fax: 614.775.4800
emht.com

DATE
August 2011

SCALE
Horiz: 1" = 30'
Vert: 1" = 10'

JOB NO.
2010-0549

SHEET
11/14

CODED NOTES

1. 245 LF of 30" Steel Casing Pipe to Be Installed Using Jack and Bore Methods for the 15" Sanitary Sewer crossing at Ex Stream. Casing Pipe shall start at Sta 4+47, and end at Sta. 6+92. Contractor to include cost for all bracing and support for excavation of jacking and receiving pits.

2. Contractor to expose Ex 20" Gas Transmission Main to verify location and elevation prior to Sanitary Sewer installation; notify the design engineer immediately if conflicts exist.

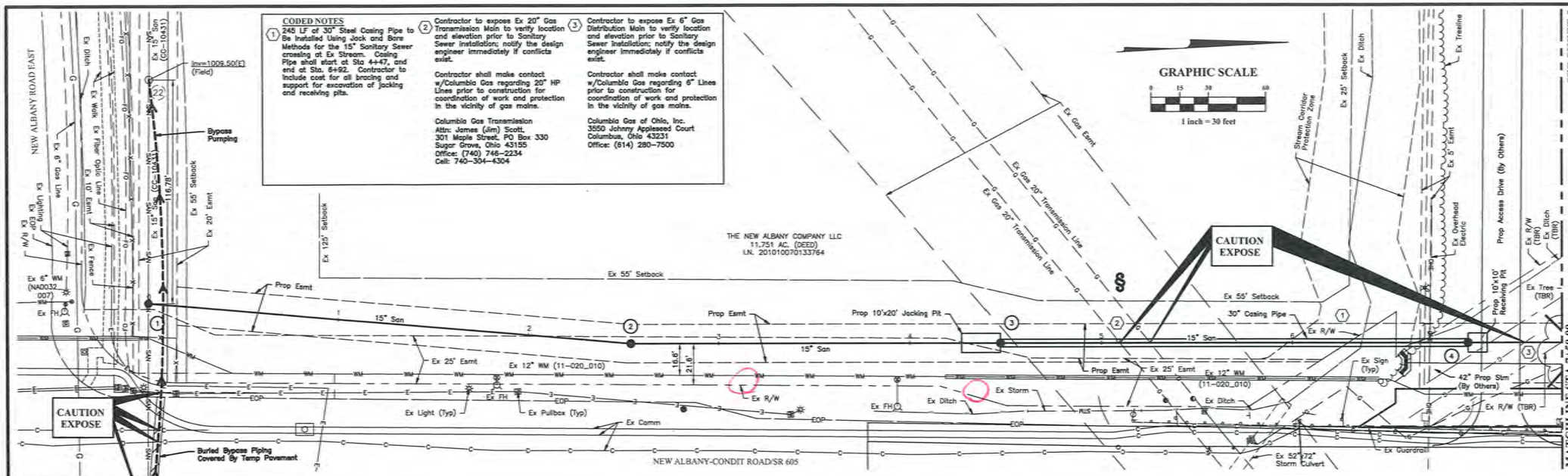
   Contractor shall make contact w/Columbia Gas regarding 20" HP Lines prior to construction for coordination of work and protection in the vicinity of gas mains.

   Columbia Gas Transmission
   Attn: James (Jim) Scott
   301 Maple Street, PO Box 330
   Sugar Grove, Ohio 43155
   Office: (740) 746-2234
   Cell: 740-304-4304

3. Contractor to expose Ex 6" Gas Distribution Main to verify location and elevation prior to Sanitary Sewer Installation; notify the design engineer immediately if conflicts exist.

   Contractor shall make contact w/Columbia Gas regarding 6" Lines prior to construction for coordination of work and protection in the vicinity of gas mains.

   Columbia Gas of Ohio, Inc.
   3550 Johnny Appleseed Court
   Columbus, Ohio 43231
   Office: (614) 280-7500



LEGEND

SanServ San MH	Proposed Sanitary Sewer
Water Serv WM (BO) FH Vlv	Watermain (BO)
Strm CB MH	Storm Sewer (BO)
ExStm STM ExCB ExMH	Existing Storm Sewer
SanServ ExSan SAN ExMH	Existing Sanitary Sewer
ExWater Serv ExWM WM ExFH ExVlv	Existing Watermain
Ex Gas Serv G	Existing Gas
C	Existing Comm
FO	Existing Fiber Optic Line
E	Existing Electric
	Existing Ditch
	Existing Utility Poles
	Existing Communication Pedestal
EOP	Edge of Pavement
TBR	To be removed
§	Contractor to verify invert and location of existing utility before construction.

BYPASS PUMPING NOTES

1. The Contractor shall place a temporary plug upstream of the project area at Existing MH 23. Design, placement and removal plans of temporary plug shall be included in the bypass pumping submittals.

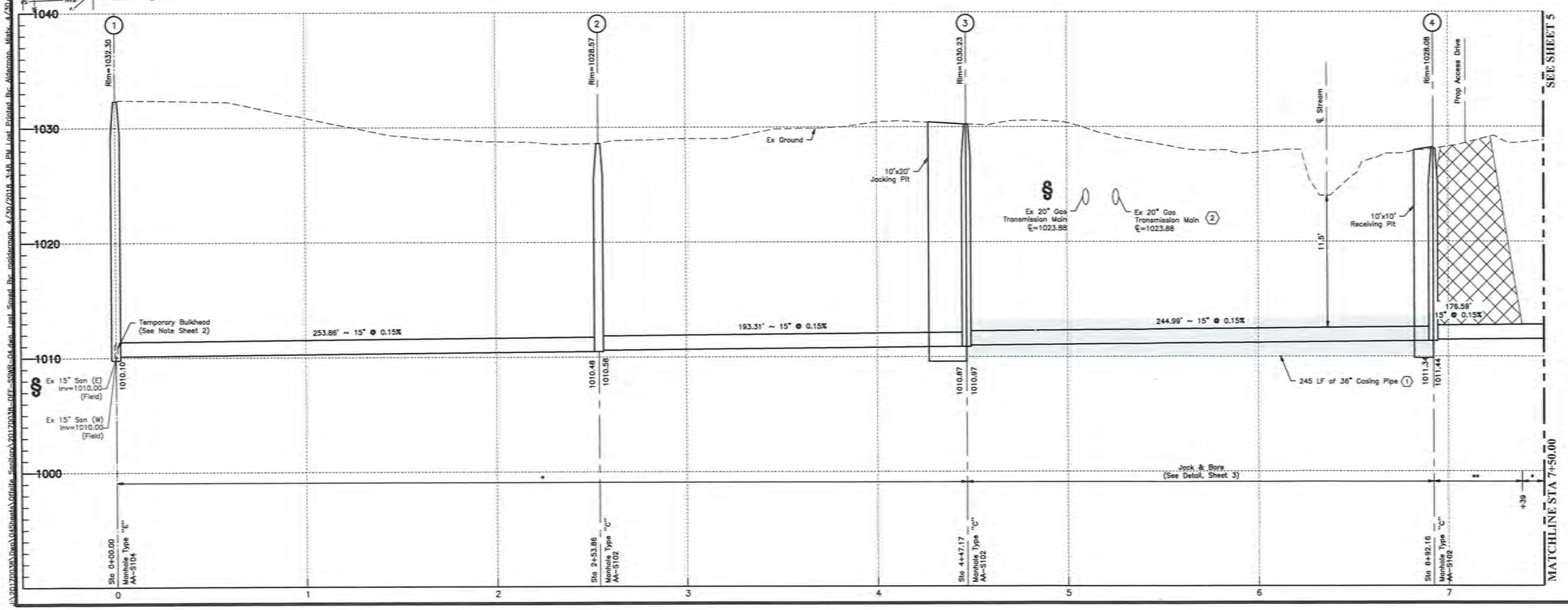
2. The gravity pipe capacity of the existing 15" sanitary sewer between Existing MH#23 and Ex MH#22 is 1125 gpm. This capacity is provided to assist the contractor with bidding on the project. The contractor will be solely responsible for any spills, structural flooding, etc. caused by his operations.

3. The Contractor shall provide all labor, materials and equipment necessary to install a leak free, temporary bypass of sanitary flows around the sections of pipe that are to be rehabilitated or replaced and any portion of the sewer that is to be videotaped or inspected. The Contractor shall use butt fused HDPE pipe or an alternative leak free material as approved by the City.

4. The pump and the temporary bypass sewer shall be of adequate capacity and size to handle the peak flow and any necessary dewatering. The bypass sewer shall be buried where crossing public streets, which are open to traffic, and shall either have temporary pavement. The bypass sewer may be laid over ground in all other instances within the established traffic control and public right-of-way areas. Access to all private drives shall be maintained by either laying the bypass sewer down the centerline of the road to allow local vehicles to pass and access drives on either side or by installing ramps to protect the bypass from traffic at driveway locations. Check valves shall be placed ahead of all pumping connections. The cost of all labor, materials and equipment including the cost of temporary ramps, where pumping crosses access and all other work required to restore any surface features damaged by the bypass pumping operation shall be included in the Contractor's Lump Sum price bid for Bypass Pumping.

MAINTENANCE OF TRAFFIC

If the Contractor chooses to propose an alternative bypass pumping and maintenance of traffic plan, they may do so by submitting both a schematic drawing and detailed written description of their alternative plan to the City Engineer for review and approval no less than two (2) weeks prior to the start of any work that requires bypass pumping. Refer to the maintenance of traffic plan sheets in the Nottingham Trace Phase 1 Street Plan for details.



NOTE
The Contractor shall field verify the line and grade of all the existing manhole prior to the start of construction. Verification shall be performed sufficiently in advance of construction so that if the field verified information is in conflict with the proposed design, the Engineer can be contacted to coordinate any necessary plan revisions and associated approvals.

All backfill should be compacted to min. max. 95% of the surrounding ground unless otherwise noted.

* Compacted Backfill Per Item 911.
** Compacted Granular Material Per Item 912. (Type 1 only)
Denoted Thus:

All elevations on this plan are based on NAVD 1988 Datum, unless otherwise noted.

Backfill shall be placed in accordance with OMSC Item 901.17.

Pipe with watertight joints is to be used from structure to structure at all storm crossings with the sanitary; this applies to sanitary mains and laterals.

Contractor shall provide minimum 18" vertical clearance between all utility crossings.

Structure Coordinate Table And Sanitary Sewer Table Located On Sheet 3.

REVISIONS

MARK	DATE	DESCRIPTION

PulteGroup

CITY OF NEW ALBANY, OHIO
SANITARY SEWER IMPROVEMENTS PLAN
FOR
NOTTINGHAM TRACE
OFFSITE SANITARY
PLAN & PROFILE SHEET

EMH&T
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

DATE
APRIL 2018

SCALE
Horiz: 1" = 30'
Vert: 1" = 5'

JOB NO.
20170038

SHEET
4/7

CC-17904

NEW ALBANY

Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear Aaron Underhill,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.

99 West Main Street • P.O. Box 188 • New Albany, Ohio 43054 • 614.855.3913 • Fax 939.2234

NEW ALBANY

Community Development Department

Decision and Record of Action

Tuesday, December 05, 2023

The New Albany Planning Commission took the following action on 12/04/2023 .

Zoning Amendment

Location: 7270 NEW ALBANY CONDIT RD
Applicant: Aaron Underhill, Esq.

Application: PLZC20230107
Request: Rezoning
Motion: Move to Approve

Commission Vote: Motion Approved with Conditions

Result: Zoning Amendment, PLZC20230107 was Approved with Conditions, by a vote of 5-0.

Recorded in the Official Journal this

Condition(s) of Approval:

1. The comments of the city engineer shall be addressed and incorporated into the zoning text as appropriate, subject to staff approval, with particular reference to the traffic study.
2. The text shall be revised to require the property owner to grant easements adjacent to the right-of-way in order to install and maintain streetscape improvements and/or utilities. The proposed right-of-way widths and easement requirements are to be sufficient enough to accommodate the city street capital improvement projects.
3. The zoning text be updated to require building color palettes be as simple and unobtrusive as possible and that buildings shall avoid overly bright or jarring colors, subject to the city architect at the time of review.
4. The text (section V.C.5.) shall be updated to state Solar Panel are subject to current or future code sections.

Staff Certification:

Chelsea Nichols

Chelsea Nichols
Planner

NEW ALBANY
COMMUNITY CONNECTS US

Planning Commission Staff Report
December 4, 2023 Meeting

WALTON FARMS ZONING DISTRICT
ZONING AMENDMENT

LOCATION:	6734 through 6800 Bevelhymer Road (PIDs: 222-000619, 222-000620, 222-000621)
APPLICANT:	Stephen Butler
REQUEST:	Zoning Change
ZONING:	Residential (R-1) to Infill Planned Unit Development (I-PUD)
STRATEGIC PLAN:	Residential
APPLICATION:	ZC-110-2023

Review based on: Application materials received on November 3, 2023 and November 21, 2023.

Staff report completed by Chelsea Nichols, Planner

I. REQUEST AND BACKGROUND

The applicant requests review and recommendation to the city council to rezone 5.23+/- acres to Infill Planned Unit Development (I-PUD) from Residential (R-1). This application proposes to rezone three parcels located northeast of the intersection of Bevelhymer Road and Walton Parkway, and north of the intersection of Walton Parkway and US-62, to create a new zoning district to be known as the Walton Farms Zoning District.

The proposed text allows for all uses within C-1, such as offices, personal services and retail, nursery schools and day care facilities, religious facilities, and veterinary offices (not including kennels). Swim schools shall also be permitted. This zoning district serves as a transitional area between the more intensive commercial uses to the south and the existing residential to the north.

This application is solely for rezoning the site. A preliminary site plan was submitted with this application but is subject to final review and approval as part of a final development plan application that will be evaluated by the Planning Commission at a later date.

The Rocky Fork-Blacklick Accord reviewed and recommended approval, with one condition, of the application on November 16, 2023 by a 9-0 vote. The condition of approval is that the applicant shall attempt to preserve existing trees.

II. SITE DESCRIPTION & USE

The zoning district is located on east side of Bevelhymer road, northeast of the intersection of Bevelhymer Road and Walton Parkway, and north of the intersection of Walton Parkway and US-62 in Franklin County. The neighboring uses and zoning districts include I-PUD to the south and west; as well as residential to the north, east and west. The site currently consists of three lots. The northern and southern most lots each contain one single-family home. The middle lot is undeveloped.

III. PLAN REVIEW

Planning Commission's review authority of the zoning amendment application is found under C.O. Sections 1107.02 and 1159. Upon review of the proposed amendment to the zoning map, the Commission is to make a recommendation to the city council. Staff's review is based on City

plans and studies, zoning text, and zoning regulations. 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).

A. Engage New Albany Strategic Plan

The 2020 Engage New Albany strategic plan designates the area as Residential future land use category. However, given the proposed rezoning, staff has evaluated this proposal against the Retail standards. The strategic plan lists the following development standards for the Employment Center 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. Combined curb cuts and cross-access easements between parking areas are preferred between individual buildings.
5. Retail building entrances should connect with pedestrian network and promote connectivity through the site.
6. Integrate outdoor spaces for food related businesses.

B. Use, Site and Layout

1. The proposed text rezones a total of 5.23+/- acres Residential (R-1) to Infill Planned Unit Development (I-PUD).
2. The 2020 Engage New Albany Strategic Plan designates the area as Residential future land use category. However, given the proposed rezoning, staff has evaluated this proposal against the Retail standards. The development's location is a transitional area between the more intensive commercial uses to the south and the existing residential to the north. In addition, the district allows commercial uses serving the regular day-to-day needs of nearby residents.
3. The proposed use is consistent with the zoning in the surrounding areas. Due to the proximity of this site to the State Route 161/Johnstown Road interchange and its location adjacent to commercially zoned land in Walton-62 I-PUD Zoning District, and other retail and restaurant uses within the Canini Trust Corp., the site is appropriate for retail development.
4. The proposed text allows for all uses within C-1, such as offices, personal services and retail, nursery schools and day care facilities, religious facilities, and veterinary offices (not including kennels). Swim schools shall also be permitted.
5. The following uses shall be prohibited in the development:
    a. Billboards and other off-premises signs, subject to the regulations of Section 1169.08(e).
    b. Armory.
    c. Sexually Oriented Businesses.
    d. Self-service laundries.
    e. Commercial radio transmitting or television station and appurtenances.
    f. Funeral Parlor.

g. Gasoline service stations, or retail convenience stores selling gasoline as an ancillary activity.
h. Kennels.
i. Residential uses.

4. The applicant is proposing the following setbacks. All setbacks are measured from right-of-way unless otherwise noted.
    a. Bevelhymer Road: There shall be a minimum pavement setback of 45 feet and a minimum building setback of 50 feet from Bevelhymer Road right-of-way. Patios, porches, awnings, and similar architectural elements can encroach up to 5 feet into the building setbacks.
        - The Engage New Albany Strategic Plan classifies this section of Bevelhymer Road as transitioning from rural roadway to business park roadway characteristics. Due to the proximity of adjacent commercially zoned and used properties, the street improvements in front of this site shall follow the recommended business park roadway characteristics found on page 106 of the strategic plan. The proposed setback within the zoning text accomplishes the plan's recommendations.
    b. Perimeters: There shall be a minimum pavement setback of 10 feet and a minimum building setback of 25 feet from all perimeter boundary lines of this Zoning District.
        - The neighborhood roadway characteristic must be achieved for the proposed road along the eastern boundary of the site. The proposed setbacks facilitate in achieving this.
    c. Interior Boundaries: Setbacks along all internal property boundaries between adjoining parcels within this Zoning District shall be zero for all buildings and pavement unless otherwise specified in this text.
        - This meets requirements of the Engage New Albany Strategic Plan as combined curb cuts and cross-access easements between parking areas are preferred between individual buildings.

C. Access, Loading, Parking

1. Vehicular access to the zoning district is provided from two full access curb cuts on Bevelhymer Road. However, the northern most access point is required be removed, if/when the future public road to the north and adjacent to the development is constructed. This meets standards of the Engage New Albany strategic plan as it calls for curb cuts on primary streets to be minimized and well-organized connections should be created within and between all retail establishments.
2. The developer shall dedicate right-of-way along Bevelhymer Road to the city of New Albany for a distance of 40 feet as measured from the centerline of Bevelhymer Road. The developer shall grant easements to the city of New Albany adjacent to the rights of way in order to install and maintain streetscape improvements and/or utilities. The proposed right-of-way width and easements are to be sufficient enough to accommodate the City street capital improvement projects. The City Engineer reviewed the public right-of-way commitments and has indicated that they are appropriate.
3. The text requires the construction of a new public street on the east side of the site. The proposed public road connects the existing street stub located to the south and a potential future road connection to the north. Per the zoning text, the developer shall dedicate 50 feet of right-of-way. Two full access curb cuts are proposed from this proposed public street.
4. The neighborhood roadway characteristic must be achieved for the proposed road along the eastern boundary of the site. This roadway characteristic is described in the Engage New Albany strategic plan. The following commitments are included for this roadway in the proposed zoning text for the site:
    a. Fifty feet of right-of-way shall be provided;

b. Within the right-of-way, a 6' tree lawn and 5' wide concrete sidewalk shall be provided on both sides of the road as development occurs; and
c. A 10-foot pavement and 25-foot building setback shall be provided as measured from the right-of-way line of this new roadway.

5. Vehicular circulation within the development generally shall be provided in accordance with the preliminary development plan that accompanies this text, with locations to be finalized at the time of final development plan approval. Internal drives may be provided as approved as part of a final development plan to provide efficiency of traffic movement within individual parcels.
6. Parking will be provided per the city's parking code requirements (Chapter 1167).
7. An 8-foot-wide asphalt leisure trail is required to be installed along the Bevelhymer Road frontage of the site.
8. A 5-foot wide concrete sidewalk shall be installed on the west side of the new public street and is to be constructed generally along or parallel to the drive as it runs along the rear boundary. <u>The city staff recommends a condition of approval that the zoning text be updated to clarify this requirement (condition #4).</u>
9. Individual parcels within the development shall establish at least one pedestrian connection to the sidewalk in some form, to be reviewed at the time of final development plan. Each building shall have a concreate sidewalk between its front façade and adjacent parking areas.
10. Per the zoning text, bicycle parking shall be provided on each parcel at the rate of one space per 2,500 square feet of gross building floor area located on that parcel, provided that in no circumstance shall any parcel be required to provide more than 10 bicycle parking spaces. <u>The city staff recommends a condition of approval that the zoning text be updated to clarify that this requirement is per parcel and per each business within the development (condition #5).</u>

D. Architectural Standards

1. The City's Design Guidelines and Requirements shall apply to this Zoning District. Any variation from the DGRs will require a variance application to be heard by the Planning Commission with a final development plan application.
2. The proposed zoning limits any single retail user space to 14,100 square feet of gross floor area of a building.
3. Buildings shall be designed to be seen from 360 degrees with the same caliber of finish on all facades/elevations.
4. The maximum building height (as measured per the Codified Ordinances) shall not exceed 35 feet. The maximum number of stories shall not exceed one and a half stories. This restriction on the number of stories is appropriate given this rezoning serves as a transitional area between the more intensive commercial uses to the south and the existing residential to the north.
5. The same palette of exterior finishes and color shall be used on all sides of a building. Brick, brick veneer, metal, cementitious products such as Hardiplank or its equivalent, wood, EIFS and composite material may be used as exterior wall finish materials where approved. Vinyl as an exterior material is prohibited. This is consistent with other I-PUD zoning districts in the area. This also meets city code and the city's DGRs.
6. The city's DGRs require an operable and active front door to be provided along all public roads.

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

1. There shall be a maximum impervious lot coverage of 80% in this zoning district, which is the same requirement as other nearby commercially zoned I-PUD zoning districts.
2. Deciduous street trees are required within the rights-of-way along Bevelhymer Road. Trees are to be a minimum of two-inch caliper and shall be provided at an average of 1 tree for every 30 linear feet of frontage on center.

3. Along the unnamed public road connection on the east side of the development, a double row of street trees shall be provided on the West side of the public road.
4. A four-board white horse fence shall be installed along Bevelhymer Road, except where vehicular or pedestrian access points for the development are provided. The white horse fence shall be extended along the entire frontage of Bevelhymer Road.
5. Any surface parking areas adjacent to Bevelhymer Road shall be screened from the respective rights-of-way with a minimum of a 30-inch tall continuous planting hedge, fence, wall or earth mound or any combination of the foregoing. The 30-inch height shall be measured from the adjacent parking area. This same screening shall apply to the new public street on the east side of the street. The city staff recommends a condition of approval that the text be updated to reflect such requirement (condition #3).
6. Within the required minimum pavement setback area along Bevelhymer Road, there shall be a minimum of 6 trees per 100 lineal feet.
7. The required amount of interior landscaping shall be a minimum of eight percent (8%) of the total area of parking lot pavement. The landscaping areas shall include both shrubs and parking lot trees as required by Codified Ordinance 1171.06(a)(3) and be arranged in such a manner so as to visually break up large expanses of pavement.
8. The applicant proposes a storm water basin on site. The city's landscape architect, MKSK, has reviewed the preliminary plan and their comments can be found on a separate memo that is attached. MKSK suggests a condition of approval that the applicant increase planting adjacent to the storm water basin. The tree should be planted in randomized spacing and species in groups of 3 to 9 trees (condition #1).

F. Lighting

1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Lighting along private drives internal to this subarea (if any) shall be presented for review and approval as part of a final development plan. Light poles within this subarea shall be black or New Albany green and constructed of metal. Parking lot lighting shall not exceed 18 feet in height. Parking lot lighting shall be from a controlled source in order to eliminate light spillage beyond the boundaries of the development. For any proposed development that is adjacent to property located outside of this Zoning District where residential uses exist or are permitted, a photometric plan demonstrating zero light spillage onto such properties shall be submitted for review and approval by the Planning Commission as part of a final development plan.
2. Landscape uplighting from a concealed source shall be permitted. Any ground lighting that is permitted shall be shielded and landscaped.
3. No permanent colored lights or neon lights shall be used on the exterior of any building. Security lighting, when used, shall be of a motion-sensor type. Exterior lighting fixtures shall be similar in appearance throughout this subarea.
4. All other lighting on the site shall be in accordance with the City's Codified Ordinances.

G. Signage

1. Permitted sizes, designs, colors, shapes, and other specifications for ground and building signs shall be consistent with the 2013 Trust Corp Signage Recommendations Plan which was approved by the City in 2013 for the real property located on the south side of U.S. Route 62/Johnstown Road. Any changes or deviations from that plan shall require the review and approval of the Planning Commission.
2. Two ground identification signs shall be permitted along each public street within this zoning district. One ground sign shall be permitted at each vehicular access point into this zoning district from a public street in order to identify users within this Zoning District. The ground signs shall be dual identification.
3. All signage shall conform to the standards set forth in Section 1169 of the Codified Ordinances.

IV. ENGINEER'S COMMENTS

The City Engineer, E.P. Ferris reviewed the proposed rezoning application and provided the following comments. Staff recommends a condition of approval that the comments of the city engineer are addressed and incorporated into the zoning text as appropriate, subject to staff approval (condition #2).

1. Refer to sheet CP3. Per City Code, the proposed sanitary sewer shown on this sheet must be extended to the upper most limits of the development parcel and must be 10' offset from the existing public water line. We will further evaluate sanitary sewer collection to serve this development once detailed construction plans become available.
2. Refer to sheets C4-C5. Spot elevations along parcel lines (e.g., at 50' intervals) adjacent to the development project along with contour information outside of the development parcel boundary are required to evaluate surface drainage during the 100-year storm event and to determine if offsite drainage is impeded in any way.
3. Sheet 3 of 9 of the development text states that an additional 10' of public r/w will be dedicated along the parcel frontage which will result in a total dedication of 40' as measured from the road center line. This is consistent with the dedication provided with the Bevelhymer Church project located north of the proposed development site.
4. Refer to sheet L-1, Landscape Plan. Provide intersection site distance triangles at each of the proposed Bevelhymer Road curb cuts and remove obstructions that may impede motorist view.
5. In accordance with code sections 1159.07(b)(2) J. and K., provide documentation indicating that all Army Corps of Engineer and Ohio EPA requirements have been met.
6. We reviewed a Traffic Impact Study associated with this site dated April 27, 2023 and a revision to this study dated June 14, 2023. Our concerns regarding traffic circulation have been adequately addressed.
7. Photometric analysis and fire truck turning radius analysis will be required as the project moves forward.
8. We will further evaluate storm water management, water distribution, sanitary sewer collection and roadway construction related details once detailed construction plans become available.

V. SUMMARY

The proposed zoning text for the new retail district is appropriate due to the proximity of other commercial and residential uses, the proximity of the Johnstown Road and S.R. 161 interchange, and the continued growth of amenities for the City. The rezoning serves as a transition from commercial to residential by requiring lower building heights not to exceed one and a half stories and permitting only low-intensity retail uses. The development provides strong pedestrian and vehicular connectivity by extending the street and stubbing it for potential future connection. The applicant commits to removing the northern most curb cut from Bevelhymer Road if and when the property to the north or east is redevelopment.

The proposed permitted and conditional uses and development standards are consistent with existing I-PUD district in the area, as well as the Engage New Albany Strategic Plan's retail land use category. The proposal matches the recommendations found in the city's 2020 Engage New Albany Strategic Plan. Land that has direct access to the expressway should be designated for office or commercial use.

The proposed district not only places additional commercial uses near the U.S. 161/Johnstown Road interchange, it also allows retail uses serving the regular day-to-day needs of nearby residents. The land is a transitional area between the more intensive commercial uses to the south and the existing residential to the north.

VI. ACTION

Suggested Motion for ZC-110-2023:

Move to recommend approval to Council of the rezoning application ZC-110-2019, subject to the following conditions:

1. The applicant shall increase planting adjacent to the storm water basin. The tree should be planted in randomized spacing and species in groups of 3 to 9 trees.
2. The comments of the city engineer shall be addressed and incorporated into the zoning text as appropriate, subject to staff approval.
3. The zoning text shall be updated to require surface parking areas adjacent to the new public road to be screened from the respective rights-of-way with a minimum of a 30-inch tall continuous planting hedge.
4. The zoning text shall be revised to clarify the requirement that the A 5-foot wide concrete sidewalk is to be installed on the west side of the public drive and to be constructed generally along or parallel to the drive as it runs along the rear boundary.
5. The zoning text shall be updated to clarify that the bicycle parking

Approximate site Location:

Source: ArcGIS

City of New Albany
99 West Main Street
New Albany, Ohio 43054

MEMO

404.663-01
November 8, 2023

To: Chelsea Nichols
City Planner

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

Re: Walton Farms Rezoning
ZC-110-2023

We reviewed the referenced submittal in accordance with Code Section 1159.07 (b)(2) PDP. Our review comments are as follows:

1. Refer to sheet CP3. Per City Code, the proposed sanitary sewer shown on this sheet must be extended to the upper most limits of the development parcel and must be 10' offset from the existing public water line. We will further evaluate sanitary sewer collection to serve this development once detailed construction plans become available.
2. Refer to sheets C4-C5. Spot elevations along parcel lines (e.g., at 50' intervals) adjacent to the development project along with contour information outside of the development parcel boundary are required to evaluate surface drainage during the 100-year storm event and to determine if offsite drainage is impeded in any way.
3. Sheet 3 of 9 of the development text states that an additional 10' of public r/w will be dedicated along the parcel frontage which will result in a total dedication of 40' as measured from the road center line. This is consistent with the dedication provided with the Bevelhymer Church project located north of the proposed development site.
4. Refer to sheet L-1, Landscape Plan. Provide intersection site distance triangles at each of the proposed Bevelhymer Road curb cuts and remove obstructions that may impede motorist view.
5. In accordance with code sections 1159.07(b)(2) J. and K., provide documentation indicating that all Army Corps of Engineer and Ohio EPA requirements have been met.
6. We reviewed a Traffic Impact Study associated with this site dated April 27, 2023 and a revision to this study dated June 14, 2023. Our concerns regarding traffic circulation have been adequately addressed.
7. Photometric analysis and fire truck turning radius analysis will be required as the project moves forward.
8. We will further evaluate storm water management, water distribution, sanitary sewer collection and roadway construction related details once detailed construction plans become available.

MEF/JMH

cc: Cara Denny, Engineering Manager
Joshua Albright, Development Engineer
Dave Samuelson, P.E., Traffic Engineer

NEW ALBANY

Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear Stephen Butler,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.

99 West Main Street • P.O. Box 188 • New Albany, Ohio 43054 • 614.855.3913 • Fax 939.2234

NEW ALBANY

Community Development Department

Decision and Record of Action

Wednesday, December 06, 2023

The New Albany Planning Commission took the following action on 12/04/2023 .

Zoning Amendment

Location: 6734 BEVELHYMER RD
Applicant: Stephen Butler,

Application: PLZC20230110
Request: Rezoning
Motion: To approve with conditions.

Commission Vote: Motion Approval with Conditions

Result: Zoning Amendment, PLZC20230110 was Approval with Conditions, by a vote of 3-2.

Recorded in the Official Journal this Wednesday, December 6, 2023.

Condition(s) of Approval:

1. The applicant shall increase planting adjacent to the storm water basin. The tree should be planted in randomized spacing and species in groups of 3 to 9 trees.
2. The comments of the city engineer shall be addressed and incorporated into the zoning text as appropriate, subject to staff approval.
3. The zoning text shall be updated to require surface parking areas adjacent to the new public road to be screened from the respective rights-of-way with a minimum of a 30-inch tall continuous planting hedge.
4. The zoning text shall be revised to clarify the requirement that the A 5-foot wide concrete sidewalk is to be installed on the west side of the public drive and to be constructed generally along or parallel to the drive as it runs along the rear boundary.
5. The zoning text shall be updated to clarify that the bicycle parking is required per building.
6. The proposed east Road shall be constructed as part of the first phase.
7. Additional information required at the time of the final development plan pertaining to parking and the timing of parking lot usage with an eye towards compatible uses.
8. The zoning text shall be amended (Section II.E.3.c) to include "subject to staff approval."

Staff Certification:

Chelsea Nichols

Chelsea Nichols
Planner

Planning Commission Staff Report
December 4, 2023 Meeting

NOTTINGHAM TRACE
PHASE 5 PRELIMINARY AND FINAL PLAT

LOCATION:	Nottingham Trace subdivision, generally located west of State Route 605, south of Walnut Street and east of the Upper Albany subdivision (PIDs: 222-005265 and 222-004443).
APPLICANT:	EMH&T c/o Curtis Prill
REQUEST:	Preliminary and Final Plat
ZONING:	Nottingham Trace I-PUD Zoning District
STRATEGIC PLAN:	Residential District
APPLICATION:	FPL-114-2023

Review based on: Application materials received on November 13, 2023.

Staff report completed by Chris Christian, Planner II.

I. REQUEST AND BACKGROUND

This final plat application is for phase 5 of the Nottingham Trace subdivision. This phase includes 42 residential lots, one reserve and three public streets on 9.001 acres.

The site was zoned on April 17, 2017 (O-01-2017). The Planning Commission approved a final development plan application for the 240-lot subdivision during their meeting on June 19, 2017 (FDP-30-2017).

II. SITE DESCRIPTION & USE

The 9.001+/- acre site is to be incorporated into the existing Nottingham Trace subdivision which exists immediately adjacent to it. The subdivision is located in Franklin County and is zoned to allow a maximum of 240 residential lots. At least 80% of the units within the development must have at least one occupant aged 55 and older.

III. PLAN REVIEW

The Planning Commission's review authority of the final plat is found under C.O. Section 1187. Upon review of the final plat, the Commission is to make a recommendation to the City Council. The staff's review is based on New Albany plans and studies, zoning text, and zoning regulations.

<u>Residential Lots</u>

- The final plat is consistent with the approved final development plan for the subdivision. The plat shows 42 residential lots. The proposed lot layout and dimensions match what is shown on the final development plan and meet the requirements of the zoning text.
  - The final plat appropriately shows the lot widths to be at least 50 feet at the building setback line, as required by zoning text section II(E)(4).
  - All lots shown on the final plat have an area of at least 6,000 sq. ft., as required by zoning text section II(E)(3).
  - The final plat appropriately shows the front yard setbacks to be 20 feet, as required by the zoning text section II(E)(5).

<u>Streets</u>

- The plat creates one new public dedicated street (Bailey Walk) and extends two existing streets. All of the new streets meet the right-of-way requirements in the zoning text:
  - Bullock Lane, with 50 feet of right-of-way.
  - Brinsley Lane, with 50 feet of right-of-way.
  - Bailey Walk, with 50 feet of right-of-way.
- The utility easements are shown on the plat.
- Per the city's subdivision regulations, C.O. 1187.04, all new streets shall be named and shall be subject to the approval of the Planning Commission. Bullock Lane and Brinsley Lane are existing streets that are to be extended with this development phase. Bailey Walk is a new public street and the name is consistent with what was shown on the approved final development plan. The meaning/significance of this street name is not known to city staff.

<u>Parkland, Open Space and Tree Preservation Areas</u>

- This phase of the plat contains one (1) new reserve shown as Reserve I on the plat with a total acreage of 0.880+/- acres.
  - According to the plat notes, the reserves shall be owned by the City of New Albany and maintained by the homeowner's association in perpetuity for the purpose of open space. Zoning text section II(G)(1) allows stormwater detention or retention ponds and related infrastructure, underground utility lines, leisure trails and landscaping to be installed in this reserve area.
- Note "H" on the final plat states that wood bollards must be placed along shared property lines where residential lots abut parkland and/or open space in order to provide a clear delineation between public and private spaces. This note is consistent with the requirements of other subdivisions in New Albany.
- C.O. 1187.04(d)(4) and (5) requires 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 and to the U.S. Army Corps of Engineers in compliance with Section 404 of the Clean Water Act. <u>Staff requests evidence of any permits received from the Ohio Environmental Protection Agency or U.S. Army Corps of Engineers as a condition of approval (condition #1).</u>
- The city codified ordinance 1159.11 states when a final plat is approved by Council, the owner shall file and record the same in the Office of the County Recorder within twelve (12) months unless such time is, for good cause shown, extended by resolution of Council. If not recorded within this time, the approval of the city council shall become null and void.

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 provided the following comments. <u>Staff recommends a condition of approval that these comments be addressed by the applicant, subject to staff approval (condition #2).</u>

1. Sheet 2: Provide drainage easements on the east side of Lots 156-157.
2. Sheet 2: Provide the missing Instrument Number information adjacent to lots 172-181 when available.
3. Sheet 2: Make it clear on the plat that above grade structures are not permitted in proposed Utility Easements where public water, sanitary and other underground public utilities are to be located.
4. Provide a summary of review comments provided by the Franklin County Engineer's office.

V. ACTION

Basis for Approval:

The final plat is generally consistent with the final development plan and meets code requirements. Should the Planning Commission approve the application, the following motion would be appropriate.

Suggested Motion for FPL-114-2023:

Move to approve final plat application FPL-114-2023 with the following conditions:

1. The applicant must provide evidence of any applications filed with the U.S. Army Corps of Engineers or Ohio Environmental Protection Agency, as well as any associated permits that are issued.
2. The city engineer comments are addressed, subject to staff approval.

Approximate Site Location:

Source: NearMap

City of New Albany
99 West Main Street
New Albany, Ohio 43054

MEMO

404.644-02
November 27, 2023

To: Christopher Christian
City Planner II

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

Re: Nottingham Trace
Final Plats
Phase 5 and Phase 6

We reviewed the referenced plats in accordance with Code Section 1187.06. Our review comments are as follows:

Phase 5

1. Sheet 2: Provide drainage easements on the east side of Lots 156-157.
2. Sheet 2: Provide the missing Instrument Number information adjacent to lots 172-181 when available.
3. Sheet 2: Make it clear on the plat that above grade structures are not permitted in proposed Utility Easements where public water, sanitary and other underground public utilities are to be located.
4. Provide a summary of review comments provided by the Franklin County Engineer's office.

Phase 6

5. Sheet 2: Provide the missing Plat Book information located in the note block located at the top right hand corner of the page.
6. Sheet 2: Make it clear on the plat that above grade structures are not permitted in proposed Utility Easements where public water, sanitary and other underground public utilities are to be located.
7. Provide a summary of review comments provided by the Franklin County Engineer's office.

MEF/JMH

cc: Josh Albright, Development Engineer
Chelsea Nichols, Planner
Cara Denny, Engineering Manager

NEW ALBANY

Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear EMH&T c/o Curtis Prill,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.

99 West Main Street • P.O. Box 188 • New Albany, Ohio 43054 • 614.855.3913 • Fax 939.2234

NEW ALBANY

Community Development Department

Decision and Record of Action

Tuesday, December 05, 2023

The New Albany Planning Commission took the following action on 12/04/2023 .

Final Plat

Location: **Nottingham Trace Subdivision**
Applicant: EMH&T c/o Curtis Prill,

Application: PLFPL20230113
Request: Preliminary and final plat for phase 5 of the Nottingham Trace subdivision which includes 42 lots on 9.001 +/- acres (PID: 222-005265).
Motion: Move to approve with conditions

Commission Vote: Motion Approved with Conditions, 5-0

Result: Final Plat, PLFPL20230113 was Approved with Conditions, by a vote of 5-0.

Recorded in the Official Journal this December 05, 2023

Condition(s) of Approval:

1. The applicant must provide evidence of any applications filed with the U.S. Army Corps of Engineers or Ohio Environmental Protection Agency, as well as any associated permits that are issued.
2. The city engineer comments are addressed, subject to staff approval:

   1. Sheet 2: Provide drainage easements on the east side of Lots 156-157.
   2. Sheet 2: Provide the missing Instrument Number information adjacent to lots 172-181 when available.
   3. Sheet 2: Make it clear on the plat that above grade structures are not permitted in proposed Utility Easements where public water, sanitary and other underground public utilities are to be located.
   4. Provide a summary of review comments provided by the Franklin County Engineer's office.

Staff Certification:

Chris Christian

Chris Christian

Planner II

NEW ALBANY
COMMUNITY CONNECTS US

Planning Commission Staff Report
December 4, 2023 Meeting

NOTTINGHAM TRACE
PHASE 6 PRELIMINARY AND FINAL PLAT

LOCATION:	Nottingham Trace subdivision, generally located west of State Route 605, south of Walnut Street and east of the Upper Albany subdivision (PIDs: 222-005265 and 222-004443).
APPLICANT:	EMH&T c/o Curtis Prill
REQUEST:	Preliminary and Final Plat
ZONING:	Nottingham Trace I-PUD Zoning District
STRATEGIC PLAN:	Residential District
APPLICATION:	FPL-115-2023

Review based on: Application materials received on November 13, 2023.

Staff report completed by Chris Christian, Planner II.

I. REQUEST AND BACKGROUND

This final plat application is for the 6th and final phase of the Nottingham Trace subdivision. This phase includes 44 residential lots, one reserve and three public streets on 9.430 acres.

The site was zoned on April 17, 2017 (O-01-2017). The Planning Commission approved a final development plan application for the 240-lot subdivision during their meeting on June 19, 2017 (FDP-30-2017).

II. SITE DESCRIPTION & USE

The 9.430+/- acre site is to be incorporated into the existing Nottingham Trace subdivision which exists immediately adjacent to it. The subdivision is located in Franklin County and is zoned to allow a maximum of 240 residential lots. At least 80% of the units within the development must have at least one occupant aged 55 and older.

III. PLAN REVIEW

The Planning Commission's review authority of the final plat is found under C.O. Section 1187. Upon review of the final plat, the Commission is to make a recommendation to the City Council. The staff's review is based on New Albany plans and studies, zoning text, and zoning regulations.

Residential Lots

- The final plat is consistent with the approved final development plan for the subdivision. The plat shows 44 residential lots. The proposed lot layout and dimensions match what is shown on the final development plan and meet the requirements of the zoning text.
  - The final plat appropriately shows the lot widths to be at least 50 feet at the building setback line, as required by zoning text section II(E)(4).
  - All lots shown on the final plat have an area of at least 6,000 sq. ft., as required by zoning text section II(E)(3).
  - The final plat appropriately shows the front yard setbacks to be 20 feet, as required by the zoning text section II(E)(5).

Streets

- The plat extends three existing, publicly dedicated streets. All of the new streets meet the right-of-way requirements in the zoning text:
  - Winterbek Avenue North, with 50 feet of right-of-way.
  - Linden Lane, with 50 feet of right-of-way.
  - Upper Albany Drive, with 50 feet of right-of-way.
- The utility easements are shown on the plat.
- Per the city's subdivision regulations, C.O. 1187.04, all new streets shall be named and shall be subject to the approval of the Planning Commission. All three streets are extensions of existing streets with previously approved names.

Parkland, Open Space and Tree Preservation Areas

- This phase of the plat contains one (1) new reserve shown as Reserve K on the plat with a total acreage of 0.751+/- acres.
  - According to the plat notes, the reserves shall be owned by the City of New Albany and maintained by the homeowner's association in perpetuity for the purpose of open space. Zoning text section II(G)(1) allows stormwater detention or retention ponds and related infrastructure, underground utility lines, leisure trails and landscaping to be installed in this reserve area.
- Note "H" on the final plat states that wood bollards must be placed along shared property lines where residential lots abut parkland and/or open space in order to provide a clear delineation between public and private spaces. This note is consistent with the requirements of other subdivisions in New Albany.
- C.O. 1187.04(d)(4) and (5) requires 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 and to the U.S. Army Corps of Engineers in compliance with Section 404 of the Clean Water Act. Staff requests evidence of any permits received from the Ohio Environmental Protection Agency or U.S. Army Corps of Engineers as a condition of approval (condition #1).
- The city codified ordinance 1159.11 states when a final plat is approved by Council, the owner shall file and record the same in the Office of the County Recorder within twelve (12) months unless such time is, for good cause shown, extended by resolution of Council. If not recorded within this time, the approval of the city council shall become null and void.

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 provided the following comments. Staff recommends a condition of approval that these comments be addressed by the applicant, subject to staff approval (condition #2).

1. Sheet 2: Provide the missing Plat Book information located in the note block located at the top right hand corner of the page.
2. Sheet 2: Make it clear on the plat that above grade structures are not permitted in proposed Utility Easements where public water, sanitary and other underground public utilities are to be located.
3. Provide a summary of review comments provided by the Franklin County Engineer's office.

V. ACTION

Basis for Approval:

The final plat is generally consistent with the final development plan and meets code requirements. Should the Planning Commission approve the application, the following motion would be appropriate.

Suggested Motion for FPL-115-2023:

Move to approve final plat application FPL-115-2023 with the following conditions:

1. The applicant must provide evidence of any applications filed with the U.S. Army Corps of Engineers or Ohio Environmental Protection Agency, as well as any associated permits that are issued.
2. The city engineer comments are addressed, subject to staff approval.

Approximate Site Location:

Source: NearMap

City of New Albany
99 West Main Street
New Albany, Ohio 43054

MEMO

404.644-02
November 27, 2023

To: Christopher Christian
City Planner II

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

Re: Nottingham Trace
Final Plats
Phase 5 and Phase 6

We reviewed the referenced plats in accordance with Code Section 1187.06. Our review comments are as follows:

Phase 5

1. Sheet 2: Provide drainage easements on the east side of Lots 156-157.
2. Sheet 2: Provide the missing Instrument Number information adjacent to lots 172-181 when available.
3. Sheet 2: Make it clear on the plat that above grade structures are not permitted in proposed Utility Easements where public water, sanitary and other underground public utilities are to be located.
4. Provide a summary of review comments provided by the Franklin County Engineer's office.

Phase 6

5. Sheet 2: Provide the missing Plat Book information located in the note block located at the top right hand corner of the page.
6. Sheet 2: Make it clear on the plat that above grade structures are not permitted in proposed Utility Easements where public water, sanitary and other underground public utilities are to be located.
7. Provide a summary of review comments provided by the Franklin County Engineer's office.

MEF/JMH

cc: Josh Albright, Development Engineer
Chelsea Nichols, Planner
Cara Denny, Engineering Manager

NEW ALBANY

Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear EMH&T c/o Curtis Prill,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.

99 West Main Street • P.O. Box 188 • New Albany, Ohio 43054 • 614.855.3913 • Fax 939.2234

NEW ALBANY

Community Development Department

Decision and Record of Action

Tuesday, December 05, 2023

The New Albany Planning Commission took the following action on 12/04/2023 .

Final Plat

Location: **Nottingham Trace Subdivision**
Applicant: EMH&T c/o Curtis Prill,

Application: PLFPL20230114
Request: Preliminary and final plat for phase 6 of the Nottingham Trace subdivision which includes 44 lots on 9.430 +/- acres (PID: 222-004443).
Motion: Move to approve with conditions

Commission Vote: Motion Approved with Conditions, 5-0

Result: Final Plat, PLFPL20230114 was Approved with Conditions, by a vote of 5-0.

Recorded in the Official Journal this December 05, 2023

Condition(s) of Approval:

1. The applicant must provide evidence of any applications filed with the U.S. Army Corps of Engineers or Ohio Environmental Protection Agency, as well as any associated permits that are issued.
2. The city engineer comments are addressed, subject to staff approval:

   1. Sheet 2: Provide the missing Plat Book information located in the note block located at the top right hand corner of the page.
   2. Sheet 2: Make it clear on the plat that above grade structures are not permitted in proposed Utility Easements where public water, sanitary and other underground public utilities are to be located.
   3. Provide a summary of review comments provided by the Franklin County Engineer's office.

Staff Certification:

Chris Christian

Chris Christian
Planner II

NEW ALBANY
COMMUNITY CONNECTS US

Planning Commission Staff Report
January 17, 2023 Meeting

COURTYARDS AT HAINES CREEK SUBDIVISION
FINAL DEVELOPMENT PLAN & PRELIMINARY PLATS

LOCATION:	Generally located at the northwest corner of the intersection at Central College Road and Jug Street Rd NW (PIDs: 222-005156, 222-005157, 222-005158, 222-005159).
APPLICANT:	EC New Vision Ohio LLC, c/o Aaron L. Underhill, Esq.
REQUEST:	Final Development Plan & Preliminary Plats
ZONING:	Courtyards at Haines Creek I-PUD Zoning District
STRATEGIC PLAN:	Residential District
APPLICATION:	FDP-87-2023 (and all three associated Plats FPL-88-2023, FPL-91-2023, and FPL-92-2023)

Staff report completed by Chelsea Nichols, Planner.

I. REQUEST

The applicant requests that the Courtyards at Haines Creek final development plan and all associated plat applications be tabled to the February 21, 2024 Planning Commission meeting. The applicant indicates they are currently working on making changes to their plans and request extra time to finalize their revised proposal.

II. ACTION

Move to table final development plan application **FDP-87-2023,** and all three associated plats **FPL-88-2023, FPL-91-2023,** and **FPL-92-2023,** to the Wednesday, February 21, 2024 regular planning commission meeting.

Approximate Site Location:

Source: ArcGIS

NEW ALBANY
COMMUNITY CONNECTS US

Planning Commission Staff Report
January 17, 2024 Meeting

RINCHEM
HAZARDOUS MATERIAL SETBACK VARIANCE

LOCATION:	3195 Harrison Road (PID: 095-111732-00.000, 095-111564-00.000)
APPLICANT:	Tuan Q. Luu with MDG Architecture Interiors on behalf of Rinchem Company LLC
REQUEST:	Variances to C.O. 1154.12(b)(3) to allow both outdoor storage and indoor storage of hazardous materials to encroach into the setback where code requires such material to be at least 200 feet from all property lines
ZONING:	Technology Manufacturing District (TMD)
STRATEGIC PLAN:	Employment Center
APPLICATION:	VAR-89-2023

Review based on: Application materials received on September 15, October 20 and November 1, 2023.

Staff report prepared by Chelsea Nichols, Planner.

I. REQUEST AND BACKGROUND

The applicant requests a variance to allow the storage of hazardous material to be setback less than the required 200 feet minimum for the current and future phases of the development. The current phase (phase one) includes the indoor storage of hazardous material setback 88' from the eastern property line and outdoor storage setback 35' from the northern property line and 30' feet from the eastern property line.

<u>The Planning Commission reviewed and tabled this application at the November 2023 meeting due to the applicant not being present at the meeting. The applicant's proposal, requested variance, and the associated materials are unchanged.</u>

The proposed project would support chemical storage and distribution for Intel's semiconductor manufacturing campus in New Albany.

ISO tank containers comply with the International Standard Organization (ISO) standards. They are suitable for transporting both hazardous and non-hazardous bulk liquids. ISO containers are made with stainless steel and housed inside a protective layer.

II. SITE DESCRIPTION & USE

The 29.8-acre property is located on the north side of Harrison Road NW; which is generally west of the intersection at Harrison Road NW and Clover Valley Road NW, within Licking County. The property is surrounded by vacant TMD zoned land to the north, south and east. The site is also adjacent to vacant L-GE zoned property to the southwest and residential properties to the west.

III. ASSESSMENT

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

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. EVALUATION

Variances to C.O. 1154.12(b)(3) to allow both outdoor storage and indoor storage of hazardous materials to encroach into the setback where code requires such material to be at least 200 feet from all property lines.
The following should be considered in the board's decision:

1. The city's Technology Manufacturing District (TMD) acknowledges that due to the nature of the permitted uses in the TMD, hazardous waste and materials storage and processing is anticipated. When such storage and/or processing are desired the following code requirements apply (chapter 1154.12(b)):
    a. The nature of the storage and processing shall be described in a detailed written statement that shall be submitted as part of an application for a Planning and Design Permit. This statement also shall provide details regarding the safety measures and protocols that are proposed to prevent the migration of any hazardous materials outside of designated containment areas and procedures that

will be implemented upon the occurrence of an event that does or has the potential to damage the environment, persons, or property. This information shall be provided so that relevant City departments and public safety providers will have notice of the presence of these storage and processing operations.

- The applicant states the phase one ISO yard containing hazardous materials is proposed 30' from the east property line and 35' from the north property line, screened by a 10' CMU wall at those property lines. An 8' tall chain link fence meets the CMU wall at both ends, wrapping the rest of the project area for phase one, ensuring the entirety of the development is screened.
- The ISO yard is separated into six individual, fully contained spill containment basins with sensors. The ISO yard does not meet the hazardous storage setback of 200' from the north or east property lines, but provides screening and protection in-lieu of separation.

b. All such storage and/or processing shall comply in all respects with state and federal law and regulations, and shall not be undertaken until such time as all necessary state and federal permits are received and copies of the same are provided to the City.

- The materials being stored are received in multiple containers approved by the US Department of Transportation.
- The interior storage of hazardous materials is to be compliant with the current local, state and federal building and fire codes. This project will utilize H-3 occupancy for the flammable storage area and H-4 for the corrosive storage material. The construction type for the building is IA, the exterior walls will be 3-hour rated. The building will be fully equipped with building and in-rack sprinkler system compliant with current fire code and per NFPA13.

c. <u>No such storage and/or processing shall occur within the greater of (A) two hundred (200) feet of any perimeter boundary of a parcel that is not under common ownership and (B) an otherwise applicable minimum building setback. The applicant proposes the following setbacks:</u>

- <u>Northern proposed setback for the outdoor storage: 35 feet [does not meet code, variance requested]</u>
- <u>Eastern proposed setback for the outdoor storage: 30 feet [does not meet code, variance requested]</u>
- <u>Eastern proposed setback for the building containing indoor storage: 88 feet [does not meet code, variance requested]</u>
- Southern proposed setback for building containing indoor storage: 235+/- feet [meets code]
- Western proposed setback for building (phase two) containing indoor storage: 593+/- feet [meets code]
- Western proposed setback for outdoor storage (phase two): 397+/- feet [meets code]

d. If such storage or processing is undertaken outside of a structure, then all exterior areas where these activities are occurring shall be surrounded by a masonry wall that is at least ten (10) feet in height, but only if they are wholly or partially visible in whole or in part from a public street right-of-way. Building facades may be used to meet this requirement. Any gates or doors shall include enhanced security features to ensure that unauthorized individuals cannot gain access to the area.

- The applicant proposes to surround the outdoor storage a 10' CMU wall at those property lines.

2. The variance request may be substantial. The large setbacks are due to the potentially significant impact on life, property, and the environment. The Planning Commission should take into consideration the safety precautions the company is installing onsite and the distances to neighboring properties. The adjacent properties include residential to the

west, and undeveloped properties to the north, east, and south that is also zoned TMD. Setback requirements are met to the west and south. The setback requirements are not met to the north and east.

3. The "spirit and intent" of the zoning requirement is to create separation between the hazardous material stored on-site and neighboring uses. The applicant proposes to construct a 10-foot-tall concrete masonry wall around the portions of the site where the setback encroachment is proposed in order to create a physical and visual separation.
4. There does not appear to be special conditions or circumstances that exist which are peculiar to the land or structure involved which are not also applicable to other lands or structures in the same zoning district.
5. It appears that the problem could be solved in some other manner other than the granting of a variance request. There are undeveloped properties to the north and east where additional land may be purchased and phases could be altered to initially store the hazardous material 200 feet away from the property lines.
6. The Planning Commission should consider if granting the variances will 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.
7. Granting the variance would not adversely affect the delivery of government services.

IV. RECOMMENDATION

The TMD zoning code contemplates and permits hazardous material to be stored outside within this portion of the business park. Due to the potential hazards of chemical storage, the codified ordinances require a minimum 200-foot setback from property lines regardless of the neighboring use. The large setback is intended to reduce the risks and protect neighboring properties from adverse health effects and physical hazards such as spills that can harm people and property.

V. ACTION

Should the Planning Commission find that the application has sufficient basis for approval, the following motion would be appropriate (conditions may be added):

Move to approve application VAR-89-2023 (conditions of approval may be added).

Approximate Site Location:

Permit # _____
Board _____
Mtg. Date _____

NEW ALBANY

Community Development Planning Application

Project Information

Site Address Harrison Road, New Albany, OH

Parcel Numbers 095-111732-00.000, 095-111564-00.000

Acres 29.8 # of lots created 1

Choose Application Type	Circle all Details that Apply			
. ☐Appeal				
☐☐Certificate of Appropriateness				
☐☐Conditional Use				
☐☐Development Plan	Preliminary	Final	Comprehensive	Amendment
☐☐Plat	Preliminary	Final		
☐☐Lot Changes	Combination	Split	Adjustment	
☐☐Minor Commercial Subdivision				
☐☐Vacation	Easement		Street	
☐✓Variance				
☐☐Extension Request				
☐☐Zoning	Amendment (rezoning)		Text Modification	

Description of Request: 1154.12 (Storage; Hazardous Materials). Outdoor storage of hazardous materials shall not occur within 200 feet of any perimeter boundary of all parcels that is not under common ownership. Permission is requested for outdoor storage within this 200' setback along the northern property line and eastern property line. The applicant proposes a 10'-0" tall CMU wall in lieu of the 200' setback.

Contacts

Property Owner's Name: Gary Huffman, Rinchem Company LLC
Address: 5131 Masthead Street NE
City, State, Zip: Albuquerque, NM 87109
Phone number: _____ Fax: _____
Email: ghuffman@rinchem.com

Applicant's Name: Tuan Q. Luu, MDG Architecture | Interiors
Address: 4875 SW Griffith Drive Suite 300
City, State, Zip: Beaverton, OR 97005
Phone number: 503-244-0552 Fax: _____
Email: tuan@mdgpc.com

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: 9-7-2023
Signature of Applicant _____ Date: 09/06/2023

New Albany, Ohio

Variance Application – Technology Manufacturing District

Rinchem - MISC-GRADE-23-000015 – Storage; Hazardous Materials Variance

Rinchem Company, LLC

Date: October 26th, 2023

APPLICANT
Rinchem Company, LLC
5131 Masthead Street NE
Albuquerque, NM 87109
Gary Huffman, ghuffman@rinchem.com

PREPARED FOR
City of New Albany
Community Development Department
99 West Main Street
P.O. Box 188
New Albany, Ohio 43054
Phone – 614-939-2254

PREPARED BY
First Forty Feet
412 NW Couch Street, Suite 405
Portland, Oregon 97209
Will Grimm, will@firstfortyfeet.com
Phone – 802-595-9448

ARCHITECT
MDG Architecture/Interiors
4875 SW Griffith Drive, Suite 300
Beaverton, Oregon 97005
Tuan Q. Luu – tuan@mdgpc.com
Phone – 503-244-0552

DEVELOPMENT LOCATION
Harrison Road, New Albany, OH

PARCEL
095-111732-00.000, 095-111564-00.000

LEGAL DESCRIPTION
29.829 AC LOT 12 & 13 R15 T2 Q2

Explanation of Intent

First Forty Feet, in collaboration with MDG, will be submitting for the following:

1) Variance application to 1154.12(b)(3) - STORAGE; HAZARDOUS MATERIALS.
   No such storage and/or processing shall occur within the greater of (A) two hundred (200) feet of any perimeter boundary of a parcel that is not under common ownership and (B) an otherwise applicable minimum building setback.

   Phase one – Outdoor storage of hazardous materials (ISO YARD); Indoor storage of hazardous materials (WAREHOUSE).
   Phase two – Outdoor storage of hazardous materials (ISO YARD EXPANSION).

PROJECT DESCRIPTION

The proposed development of Rinchem Company, LLC, will provide employment in chemical management solutions. Rinchem has proven expertise in creating and managing safe workplaces with high purity, pre-packaged chemicals and gases. This proposed development is approximately 30 acres of land for a chemical storage warehouse and storage yard. The entire development is divided into two separate phases. Phase one proposes an office, storage warehouses, and ISO yard (outdoor storage pad). For phase two, the ISO yard and warehouse will each almost double in size. A variance is requested to 1154.12(b)(3) as both the outdoor storage (phase one and two) and indoor storage (phase one) of hazardous materials does not meet the required setbacks, but provides screening and protection in-lieu of separation.

The phase one warehouse building will contain indoor storage of hazardous materials, but will be fully contained, with sprinklers, and meets all HMIS code regulations. The exterior walls (painted concrete tilt panels) will be fire-rated for three hours. The building does not meet the hazardous storage setback of 200′ from the east property line. At 88′ from the east property line, a variance is requested for indoor storage of hazardous materials for phase one, providing protection through robust building structure and containment curbs in-lieu of separation. The future phase two warehouse expansion will meet the hazardous materials setback and will not need to be considered as part of this variance application.

The phase one ISO yard containing hazardous materials is proposed 30′ from the east property line and 35′ from the north property line, screened by a 10′ CMU wall at those property lines. An 8′ tall chain link fence meets the CMU wall at both ends, wrapping the rest of the project area for phase one, ensuring the entirety of the development is screened. The ISO yard is separated into six individual fully contained spill containment basins with sensors. The ISO yard does not meet the hazardous storage setback of 200′ from the north or east property line, but provides screening and protection in-lieu of separation. The phase two ISO yard expansion included in this variance application will

also not meet the 200' setback from the north property line, but will use the same strategies of protection and screening as the phase one ISO yard.

SUBMITTAL REQUIREMENTS

(a) Name, address and phone number of the applicant. (pg. 2)

(b) Legal description of property as recorded in Franklin County Recorder's office. (pg. 2)

(c) Each application for a variance or appeal shall refer to the specific provisions of this Ordinance which apply. (pg. 3, 6)

(d) The names and addresses of all property owners within two hundred (200) feet, contiguous to, and directly across the street from the property, as appearing on the Franklin County Auditor's current tax list. (pg. 7 and attachment)

(e) A narrative statement explaining the following: (pg. 3, 6-7)

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

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

(3) The specific reasons why the variance or appeal is justified according to this chapter.

(4) Such other information regarding the application for appeal as may be pertinent or required for appropriate action by the Board of Zoning Appeals.

(f) A plot plan drawn to an appropriate scale showing the following: (see plans attached)

(1) The boundaries and dimensions of the lot.

(2) The nature of the special conditions or circumstances giving rise to the application for approval.

(3) The size and location of existing and proposed structures.

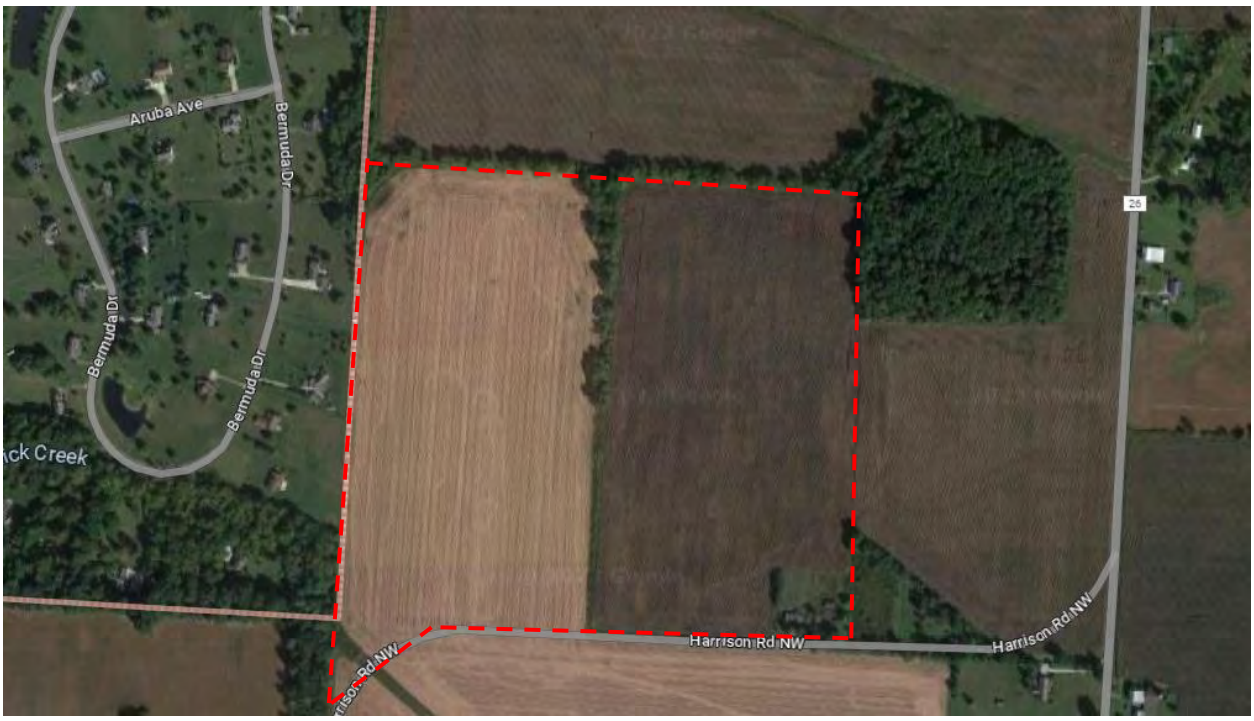
(4) The proposed use of all parts of the lots and structures, including accesses, walks, off-street parking and loading spaces, and landscaping.

(5) The relationship of the requested variance to the development standards.

(6) The use of land and location of structures on adjacent property.

Vicinity Map

Site Aerial



Detailed variance description: 1154.12(b)(3) (Storage; Hazardous Materials). Storage of hazardous materials shall not occur within 200 feet of any perimeter boundary of all parcels that is not under common ownership. Permission is requested for indoor and outdoor storage within this 200' setback. The site plan was designed to locate the hazardous materials storage in the warehouse and ISO yard as far from and out of view of the residential neighborhood (to the west) and Harrison Road (to the south) as possible. The materials being stored are received in multiple containers approved by the US Department of Transportation.

The ISO yard will be designed to be a fully contained slab isolated from the overall storm system. The yard can contain and accommodate 24-hours of an average 25 year rainfall plus the entire content of the ISO tanks. The rainfall data will be sourced from the NOAA Precipitation Frequency Data. Each ISO yard catch basin will be equipped with a sensor control mechanism installed before the connection with storm water discharge line to continuously monitor storm water and flow from the containment areas.

The interior storage of hazardous materials is to be compliant with the current local, state and federal building and fire codes. This project will utilize H-3 occupancy for the flammable storage area and H-4 for the corrosive storage material. The construction type for the building is IA, the exterior walls will be 3-hour rated. The building will be fully equipped with building and in-rack sprinkler system compliant with current fire code and per NFPA13. The slab of the building is designed to be fully contained for spill containment by creating a bathtub at the storage areas. The spill control measures are to be designed to contain the entire volume of the largest container stored in the facility, as well as secondary containment for the warehouse is designed to exceed the minimum depth of containment required to contain 20-minutes of sprinkler flow plus the entire volume of the largest container stored at the facility. An HMIS report will be completed for Hazardous Materials classifications categories for the building.

Granting the requested variance will not be contrary to the public interest, because: the public interest is to have hazardous materials away from residential and public right-of-ways. If the site layout were to comply with the 200' setback, the warehouse and ISO yard would be brought closer to residents and/or public right-of-ways. It would be in the best interest of the public to have the ISO yard screened in its proposed location.

Substantial justice would be done to the property-owner by granting the variance, because: due to the size of the property, 200' setbacks on the north, south, and east would reduce the site needed for operations by forcing the warehouse and ISO yard towards the center of the parcel, also making it inefficient for truck movement and site operations. Additionally, on the western side of the property there is a drainage

easement that ranges from 391’ to 422’ inward from the property line, further limiting site availability for operations.

Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship, because: relocating the warehouse and ISO yard to comply with the 200’ setback would disorder necessary site circulation, impacting the efficiency of services to Intel.

The proposed use will observe the spirit of the ordinance, because: the spirit of the ordinance is to shield the public from hazardous material storage, which this variance request fulfills. Additionally, the proposed development follows all local, state, and federal laws and codes to ensure safe and proper storage of hazardous materials.

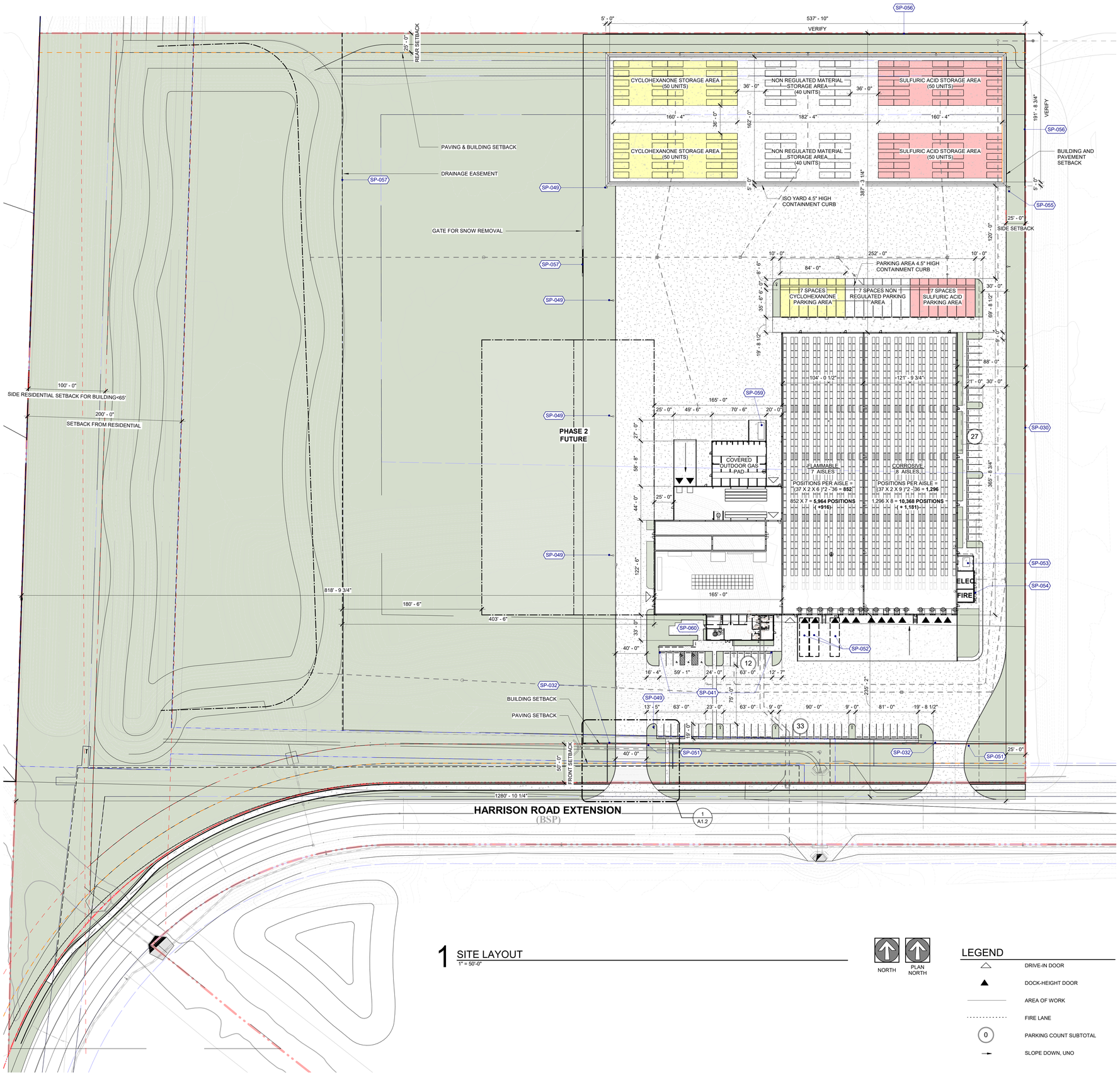
The proposed use will not diminish the values of surrounding properties because: the surrounding properties to the north and east, which are adjacent to the proposed warehouse and ISO yard, are also part of the Technology Manufacturing District of New Albany. Additionally, there is a CMU wall, fencing, and vegetation to provide further screening.

Property Owners within 200 Feet

Parcel Number	Engineer PIN	OWNER1	OWNER2	Address	City	State	Zip Code
037-112008-00.009" "	02151284315392005000""	STANIFER, MARK D	STANIFER, KRISTIN M	132 BERMUDA DR	JOHNSTOWN	OH	43031
037-112008-00.008" "	02151284315392004000""	POLING, TIFFANY	,	124 BERMUDA DR	JOHNSTOWN	OH	43031
037-112008-00.010" "	02151284315392006000""	DEBELIUS, FRANK M	DEBELIUS, MARILYN T	140 BERMUDA DR	JOHNSTOWN	OH	43031
095-111756-00.000" "	02150000400000043000""	MBJ HOLDINGS LLC,	,	8000 WALTON PKWY STE 120	NEW ALBANY	OH	43054
095-111732-00.002" "	02150000400000053000""	MBJ HOLDINGS LLC,	,	8000 WALTON PKWY STE 120	NEW ALBANY	OH	43054
095-112200-00.000" "	02150000400000072000""	MBJ HOLDINGS LLC,	,	8000 WALTON PKWY STE 120	NEW ALBANY	OH	43054
095-111978-00.000" "	02150000300000079000""	MBJ HOLDINGS LLC,	,	8000 WALTON PKWY STE 120	NEW ALBANY	OH	43054
095-111732-00.003" "	02150000400000045200""	COI NEW ALBANY TECH PARK LAND LLC,	,	4900 MAIN ST, STE 400	KANSAS CITY	MO	64112
095-111756-00.013" "	02150000400000043300""	PJP HOLDINGS LLC,	,	9005 SMITH'S MILL RD	NEW ALBANY	OH	43054
095-112062-00.000" "	02150000400000067000""	MBJ HOLDINGS LLC,	,	8000 WALTON PKWY STE 120	NEW ALBANY	OH	43054
095-112062-00.003" "	02150000400000045400""	COI NEW ALBANY TECH PARK LAND LLC,	,	4900 MAIN ST STE 400	KANSAS CITY	MO	64112
095-111732-00.022" "	02150000400000045300""	RINCHEM COMPANY LLC,	,	5131 MASTHEAD ST	ALBUQUERQUE	NM	87109
095-112062-00.002" "	02150000400000067100""	COI NEW ALBANY TECH PARK LAND LLC,	,	4900 MAIN STREET SUITE 400	KANSAS CITY	MO	64112
095-112620-00.000" "	02150000300000079200""	COI NEW ALBANY TECH PARK LAND LLC,	,	4900 MAIN ST, STE 400	KANSAS CITY	MO	64112
037-112008-00.012" "	02151283815392002000""	DRISCOLL, SCOTT	BECKNELL, KRISTIN	156 BERMUDA DR	JOHNSTOWN	OH	43031
037-112008-00.019" "	02150000316146008000""	MBJ HOLDINGS LLC,	,	8000 WALTON PKWY STE 120	NEW ALBANY	OH	43054
037-112008-00.011" "	02151283815392001000""	SHADWICK, JEFFREY A	SHADWICK, DONNA M	148 BERMUDA DR	JOHNSTOWN	OH	43031
095-111732-00.003" "	02150000400000045200""	COI NEW ALBANY TECH PARK LAND LLC,	,	4900 MAIN ST, STE 400	KANSAS CITY	MO	64112

Property Owners within 200 Feet

Parcel Number	Engineer PIN	OWNER1	OWNER2	Address	City	State	Zip Code
037-112008-00.009" "	02151284315392005000""	STANIFER, MARK D	STANIFER, KRISTIN M	132 BERMUDA DR	JOHNSTOWN	OH	43031
037-112008-00.008" "	02151284315392004000""	POLING, TIFFANY	,	124 BERMUDA DR	JOHNSTOWN	OH	43031
037-112008-00.010" "	02151284315392006000""	DEBELIUS, FRANK M	DEBELIUS, MARILYN T	140 BERMUDA DR	JOHNSTOWN	OH	43031
095-111756-00.000" "	02150000400000043000""	MBJ HOLDINGS LLC,	,	8000 WALTON PKWY STE 120	NEW ALBANY	OH	43054
095-111732-00.002" "	02150000400000053000""	MBJ HOLDINGS LLC,	,	8000 WALTON PKWY STE 120	NEW ALBANY	OH	43054
095-112200-00.000" "	02150000400000072000""	MBJ HOLDINGS LLC,	,	8000 WALTON PKWY STE 120	NEW ALBANY	OH	43054
095-111978-00.000" "	02150000300000079000""	MBJ HOLDINGS LLC,	,	8000 WALTON PKWY STE 120	NEW ALBANY	OH	43054
095-111732-00.003" "	02150000400000045200""	COI NEW ALBANY TECH PARK LAND LLC,	,	4900 MAIN ST, STE 400	KANSAS CITY	MO	64112
095-111756-00.013" "	02150000400000043300""	PJP HOLDINGS LLC,	,	9005 SMITH'S MILL RD	NEW ALBANY	OH	43054
095-112062-00.000" "	02150000400000067000""	MBJ HOLDINGS LLC,	,	8000 WALTON PKWY STE 120	NEW ALBANY	OH	43054
095-112062-00.003" "	02150000400000045400""	COI NEW ALBANY TECH PARK LAND LLC,	,	4900 MAIN ST STE 400	KANSAS CITY	MO	64112
095-111732-00.022" "	02150000400000045300""	RINCHEM COMPANY LLC,	,	5131 MASTHEAD ST	ALBUQUERQUE	NM	87109
095-112062-00.002" "	02150000400000067100""	COI NEW ALBANY TECH PARK LAND LLC,	,	4900 MAIN STREET SUITE 400	KANSAS CITY	MO	64112
095-112620-00.000" "	02150000300000079200""	COI NEW ALBANY TECH PARK LAND LLC,	,	4900 MAIN ST, STE 400	KANSAS CITY	MO	64112
037-112008-00.012" "	02151283815392002000""	DRISCOLL, SCOTT	BECKNELL, KRISTIN	156 BERMUDA DR	JOHNSTOWN	OH	43031
037-112008-00.019" "	02150000316146008000""	MBJ HOLDINGS LLC,	,	8000 WALTON PKWY STE 120	NEW ALBANY	OH	43054
037-112008-00.011" "	02151283815392001000""	SHADWICK, JEFFREY A	SHADWICK, DONNA M	148 BERMUDA DR	JOHNSTOWN	OH	43031
095-111732-00.003" "	02150000400000045200""	COI NEW ALBANY TECH PARK LAND LLC,	,	4900 MAIN ST, STE 400	KANSAS CITY	MO	64112



1 SITE LAYOUT
1" = 50'-0"

NORTH PLAN NORTH

LEGEND

- DRIVE-IN DOOR
- DOCK-HEIGHT DOOR
- AREA OF WORK
- FIRE LANE
- (0) PARKING COUNT SUBTOTAL
- SLOPE DOWN, UNO

GENERAL NOTES - SITE PLAN

1. GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO CONSTRUCTION, CONFLICTS ARE TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE START OF CONSTRUCTION RELATED TO SUCH.
2. REFER TO CIVIL DRAWINGS FOR GRADING AND UTILITY INFORMATION.
3. CONTRACTORS SHALL VERIFY ALL LOCATIONS OF EXISTING UTILITIES, CARE SHOULD BE TAKE TO AVOID DAMAGE TO OR DISTURBANCE OF EXISTING UTILITIES.
4. REFER TO CIVIL AND LANDSCAPE DRAWINGS FOR ALL PUBLIC RIGHT-OF-WAY IMPROVEMENTS.
5. THE CONSTRUCTION SHALL NOT RESTRICT A FIVE-FOOT CLEAR UNOBSTRUCTED ACCESS TO ANY WATER OR POWER DISTRIBUTION FACILITIES (POWER POLES, PULL BOXES, TRANSFORMERS, VAULTS, PUMPS, VALVES, METERS, APPURTENANCES, ETC.) OR THE LOCATION OF THE HOOK-UP.
6. THE CONSTRUCTION SHALL NOT BE WITHIN 10' OF ANY POWER LINES - WHETHER OR NOT THE POWER LINES ARE LOCATED ON THE PROPERTY. FAILURE TO COMPLY MAY CAUSE CONSTRUCTION DELAYS OR ADDITIONAL EXPENSES.
7. FIRE LANES SHALL BE DESIGNED TO SUPPORT A FIRE APPARATUS LOAD OF 75,000 LBS WITH A WHEEL LOAD OF 12,500 LBS.
8. DELEGATED DESIGN NFPA 13 FIRE SPRINKLER SYSTEM DESIGNED IN ACCORDANCE WITH OHIO FIRE CODE WILL BE A DEFERRED SUBMITTAL.

SITE AREA: 1298,443 SF = 29.8 ACRE

BUILDING AREA:

WAREHOUSE/ STORAGE:	104,145 SF
OFFICE:	2,888 SF
COVERED OUTDOOR STORAGE	10,273 SF
TOTAL	117,306 SF

ISO YARD/ PARKING/ PAVING AREA: 301,026 SF

LOT COVERAGE FOR IMPERV AREA: (301,026 +117,306 SF) / 1298,443 SF = 32.2 % <75 OK

REQUIRED LANDSCAPING: REFER TO LANDSCAPE PLAN.

CHAPTER 1167.05E: VEHICLE PARKING:
INDUSTRIAL/ BUSINESS SUPPORT 1/400GSF 2888/400= 7.22 SPACES REQ'D
INDISTRIAL/ WAREHOUSING 2 PER 3 EMPLOYEE DURING WORK SHIFT HAVING GREATEST NUMBER OF EMPLOYEES MAXIMUM NUMBER OF EMPLOYEE ALLOWED : 50 (50X2/3) = 33.3 SPACES REQ'D
ONE FOR EACH VEHICLE MAINTAINED ON THE PREMISES: 4 MAX.

TOTAL: 7.22+ 33.3 + 4= **44.6 SPACES REQUIRED > 73 PROPOSED, OKAY**
PER TABLE 1106.1, (2) ACCESSIBLE SPACES INCLUDING (1) VAN SPACE REQ'D

CHAPTER 1167.06: FOR 117,306 GSF BUILDING,
3 LOADING SPACES ARE REQUIRED (MIN: 12.0'W X 30.0'L X 15.0'H) 3 PROVIDED (OK)

Per OFC criteria:

5004.2.2.4 Outdoor Design:
Secondary containment for outdoor storage areas shall be designed to contain a spill from the largest vessel. If the area is open to rainfall, secondary containment shall be designed to include the volume of a 24-hour rainfall as determined by a 25 year storm, and provisions shall be made to drain accumulations of groundwater and rainwater.

NORTH ISO YARD AREA CONTAINMENT:
24 HR RAINFALL = 4.44"
LARGEST CONTAINER = 2500 GALLONS = 335 CUBIC FEET

EACH DRAINAGE AREA 180' X 160' = 28,800 SQUARE FEET, 4.44" OF RAINFALL=10,656 CUBIC FEET
DRAINAGE AREA NEEDS TO BE ABLE TO HOLD= 110,656 CUBIC FEET+335 CUBIC FEET= 10,991 CUBIC FEET
GRADING CONFIGURATION CAN ACCOMMODATE 8,451 CUBIC FEET, 2,540 CUBIC FEET IS NEEDED.
2,540/28800= 0.088'= 1.06" BERM IS REQUIRED. **(3" PROVIDED) SEE DETAIL #2/A1.2**

WEST ISO LOADING CONTAINMENT:
24 HR RAINFALL = 4.44"
LARGEST CONTAINER = 2500 GALLONS = 335 CUBIC FEET

EACH DRAINAGE AREA 40' X 84' = 3,360 SQUARE FEET, 4.44" OF RAINFALL=1,243.2 CUBIC FEET
DRAINAGE AREA NEEDS TO BE ABLE TO HOLD= 1,243 CUBIC FEET+335 CUBIC FEET= 1,578 CUBIC FEET
GRADING CONFIGURATION CAN ACCOMMODATE 1313 CUBIC FEET, 265 CUBIC FEET IS NEEDED.
265/3360= 0.079'= 0.95" BERM IS REQUIRED. **(3" PROVIDED) SEE DETAIL #3/A1.2**

PROVIDE VALVE WITH A CONTROL MECHANISM AT DESIGNATED DRAINAGE CATCH BASIN PRIOR TO CONNECTION WITH STORM DRAINAGE LINE. SEE PLAN FOR VALVE LOCATION ON PLAN #1/A1.2. ALL VALVES SHALL BE IN CLOSED POSITIONS. RINCHEM YARD TEAM SHALL DO DAILY YARD CHECKS PER RINCHEM PROTOCOL CSC-16. THE VALVE SHALL BE OPENED WHEN NO SPILL IS DETECTED.

AT ISO YARD AND TANKER STORAGE LOCATION, FILL JOINTS WITH JOINT FILLER COMPATIBLE WITH CYCLOHEXANONE AND SULFURIC ACID.

KEYNOTES

SP-030	FENCE, CHAIN LINK, 8'-0"H, SIGHT OBSCURING
SP-032	GATE, CHAIN LINK, 40'W MIN CLR. ELECTRIC GATES SHALL BE EQUIPPED WITH A MEANS FOR OPERATION BY FIRE DEPT PERSONNEL.
SP-041	ELECTRIC VEHICLE CHARGING PARKING SPACES
SP-049	POLE MOUNTED SITE LIGHTING
SP-051	GATE ACCESS CONTROL
SP-052	12' X 30' X 15' H LOADING SPACE
SP-053	GENERATOR PAD - 5'-0" BUFFER
SP-054	KNOX BOX FOR FIRE PUMP LOCATION, COORDINATE FINAL LOCATION(S) WITH FIRE MARSHAL
SP-055	PROVIDE ELECTRIC CHARGING STATION FOR ISO STORAGE LOADER, COORDINATE EXACT LOCATION WITH CLIENT
SP-056	10'-0" TALL CMU SITE WALL ADJACENT TO OUTDOOR STORAGE, EXTEND CMU WALL 5'-0" PAST EXTENT OF OUTDOOR STORAGE AREA
SP-057	DRAINAGE EASEMENT
SP-059	40 YARD DUMPSTER PAD, 6'-0" TALL CMU WALLS ON EITHER SIDE OF DUMPSTER TO PROVIDE SCREENING
SP-060	EMPLOYEE OUTDOOR PATIO

PLANNING AND DESIGN REVIEW

MDG
ARCHITECTURE | INTERIORS
4875 SW GRIFFITH DRIVE, SUITE 300
BEAVERTON, OREGON 97005
O | 503.244.0552

FOR REFERENCE ONLY

Client/ Owner:
RINCHEM COMPANY, LLC
5131 MASTHEAD STREET NE
ALBUQUERQUE, NM 87109

Project:
RINCHEM - NEW ALBANY

HARRISON ROAD
OHIO

Sheet Title:
SITE PLAN

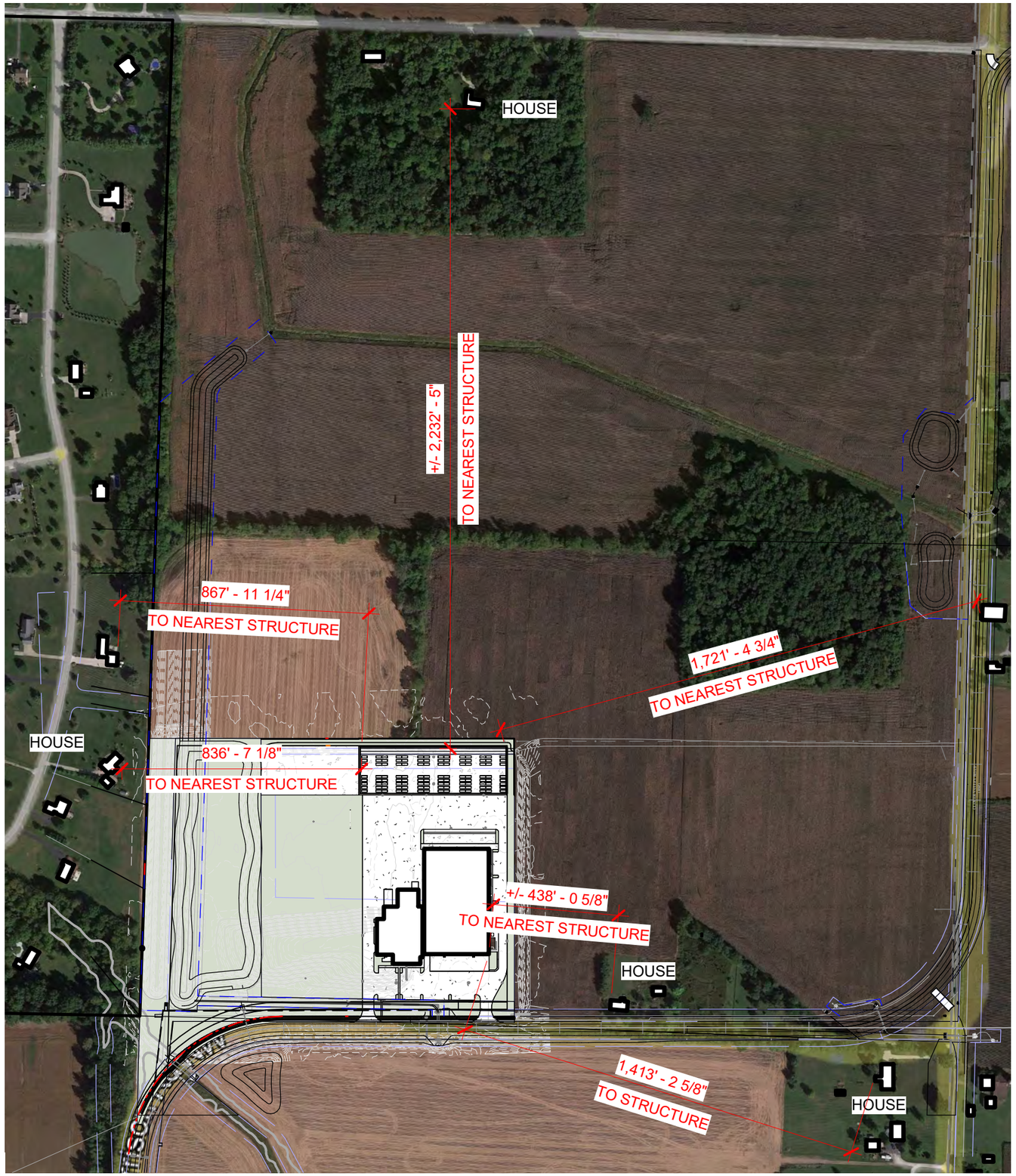
Revisions:

#	Description	Date

MDG, P.C., 2023, ALL RIGHTS RESERVED ©
THESE DRAWINGS ARE THE PROPERTY OF MDG, P.C., AND ARE NOT TO BE USED OR REPRODUCED IN ANY MANNER, EXCEPT WITH THE PRIOR WRITTEN PERMISSION OF MDG, P.C.

Date: 06/26/2023
Job Number: 122074
Sheet
A1.0

C:\Users\emillson\Documents\122074 - Rinchem Ohio - Central - 2023_emmanDMB8.rvt



VICINITY PLAN

1" = 400'-0"

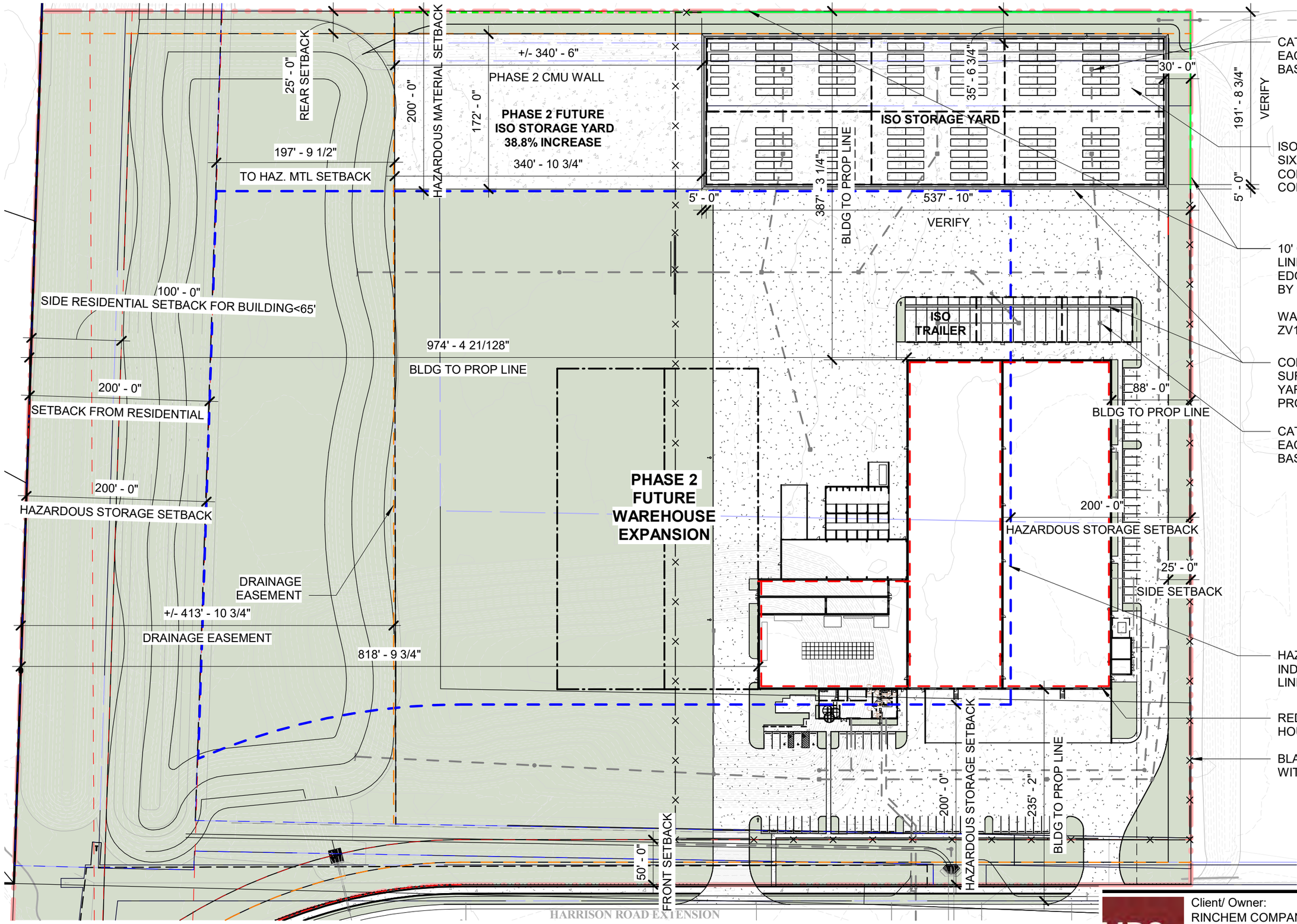
MDG
ARCHITECTURE | INTERIORS
4879 SW GRIFFITH DRIVE, SUITE 300
BEAVERTON, OREGON 97005
O | 503.244.0592

Client/ Owner:
RINCHEM COMPANY, LLC

Project:
RINCHEM - NEW ALBANY

ZV0.0
VICINITY PLAN

MDG, P.C., 2023, ALL RIGHTS RESERVED ©



CATCH BAIN WITH SENSOR AT EACH SPILL CONTAINMENT BASINS

ISO YARD SEPARATED INTO SIX INDIVIDUALLY FULLY CONTAINED SPILL CONTAINMENT BASINS

10' CMU WALL AT PROPERTY LINE - EXTEND 5'-0" PAST EDGE OF ISO YARD NOTED BY GREEN LINE IN PHASE I

WALL DETAIL PROVIDED ON ZV1.1

CONTAINMENT CURB SURROUNDS ISO STORAGE YARD. CURB DETAIL PROVIDED ON ZV1.2

CATCH BAIN WITH SENSOR AT EACH SPILL CONTAINMENT BASINS

HAZARDOUS STORAGE SETBACK INDICATED BY BLUE DASHED LINE

RED DASHED LINE INDICATES 3-HOUR FIRE-RATED WALL

BLACK CHAINLINK FENCE WITH VINYL

OVERALL SITE PLAN

1" = 100'-0"

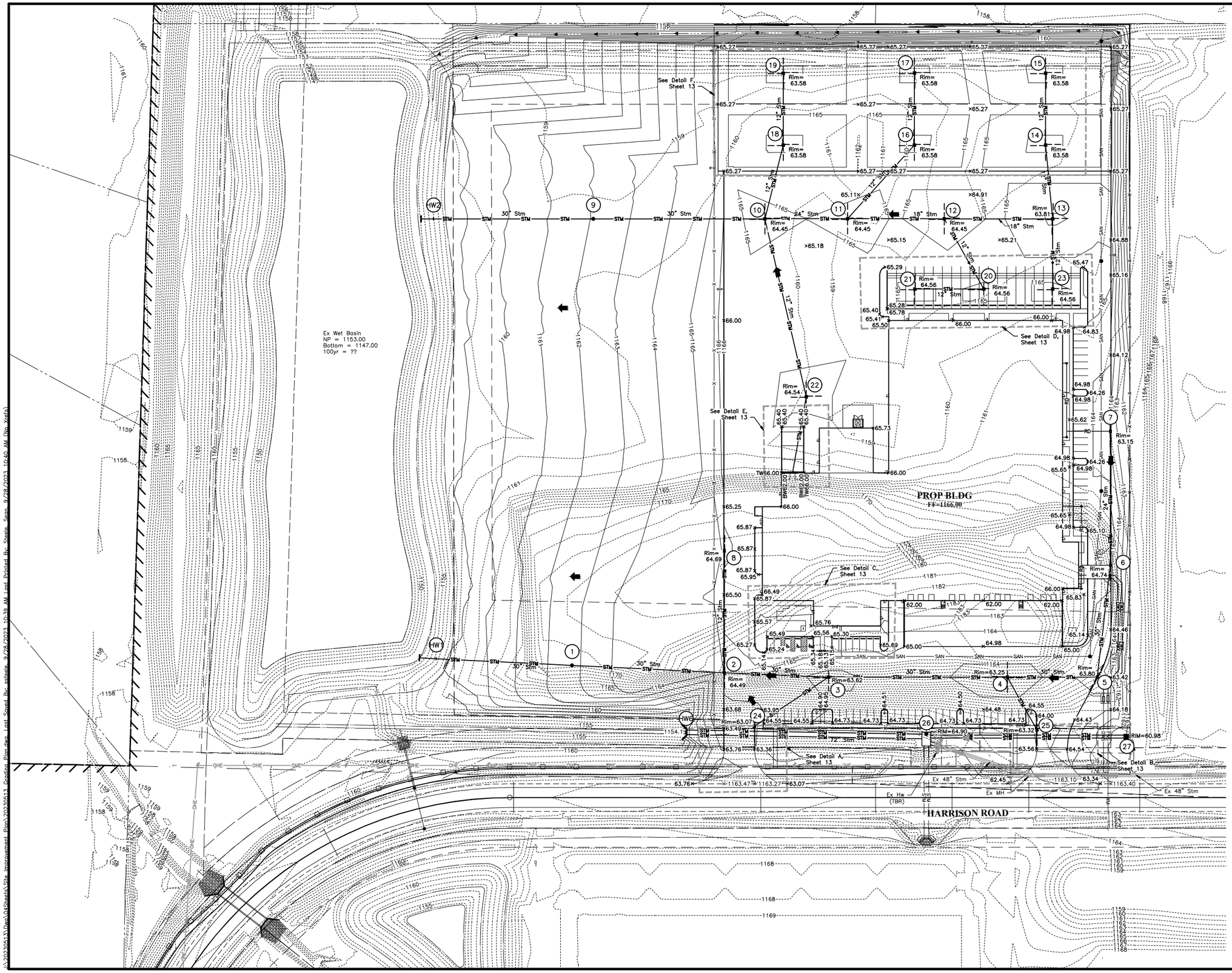
MDG ARCHITECTURE | INTERIORS
4875 SW GRIFFITH DRIVE, SUITE 300
BEAVERTON, OREGON 97005
O | 503.244.0552

Client/ Owner:
RINCHEM COMPANY, LLC

Project:
RINCHEM - NEW ALBANY

ZV1.0
OVERALL SITE

MDG, P.C., 2023, ALL RIGHTS RESERVED ©



LEGEND

EXISTING

- Contours (1171 / 1170)
- Storm Sewer (STM)
- Sanitary Sewer (SAN)
- Water Main (WM)
- Electric Duct Bank (EDB)
- Overhead Electric Line (OHE)
- Underground Electric Line (E)
- Telecomm Duct Bank (FO)
- Gas Main (GM)
- Lighting Conduit (UGL)
- Fire Hydrant
- Manhole
- Water Valve
- Catch Basin
- Light Pole
- Curb Inlet
- Communication Manhole
- Electric Duct Bank Manhole

PROPOSED

- Contours (821 / 820)
- Storm Sewer (STM)
- Roof Drain (RD)
- Underdrain
- Limits Of Disturbance
- Catch Basin
- Manhole (MH)
- Yard Drain
- Cleanout
- Curb & Gutter Inlet
- Major Flood Routing
- Flow Routes
- 50.00 Spot Elevation
- ME Match Existing

NOTES:

All Spot Grades Represent Face of Curb Or Top of Pavement Unless Otherwise Noted.

To Obtain Proposed Elevations on USGS NAVID88 Datum, Add 1100 to All Elevations Between 0.00 and 99.99. Elevations Shown Represent Final Pavement Elevations.

Stream/Wetland Buffer/Conservation Easement Grading, Direct Discharge Of Sediment Laden Water From Earthwork And/Or Trenches Or Tree Removal Are Prohibited. Tree Protection And Sediment Fence Shall Be Installed Per Sediment And Erosion Control Plan Prior To The Start Of Construction Activities. The Contractor Will Be Liable For Any Impacts Within The Buffers.

GRAPHIC SCALE

0 30 60 120

1 inch = 60 feet

REVISIONS

MARK	DATE	DESCRIPTION

RINCHEM

CITY OF NEW ALBANY, LICKING COUNTY, OHIO
SITE IMPROVEMENT PLAN
FOR
RINCHEM
3195 HARRISON ROAD NW
GRADING PLAN

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 866.775.5646
emht.com

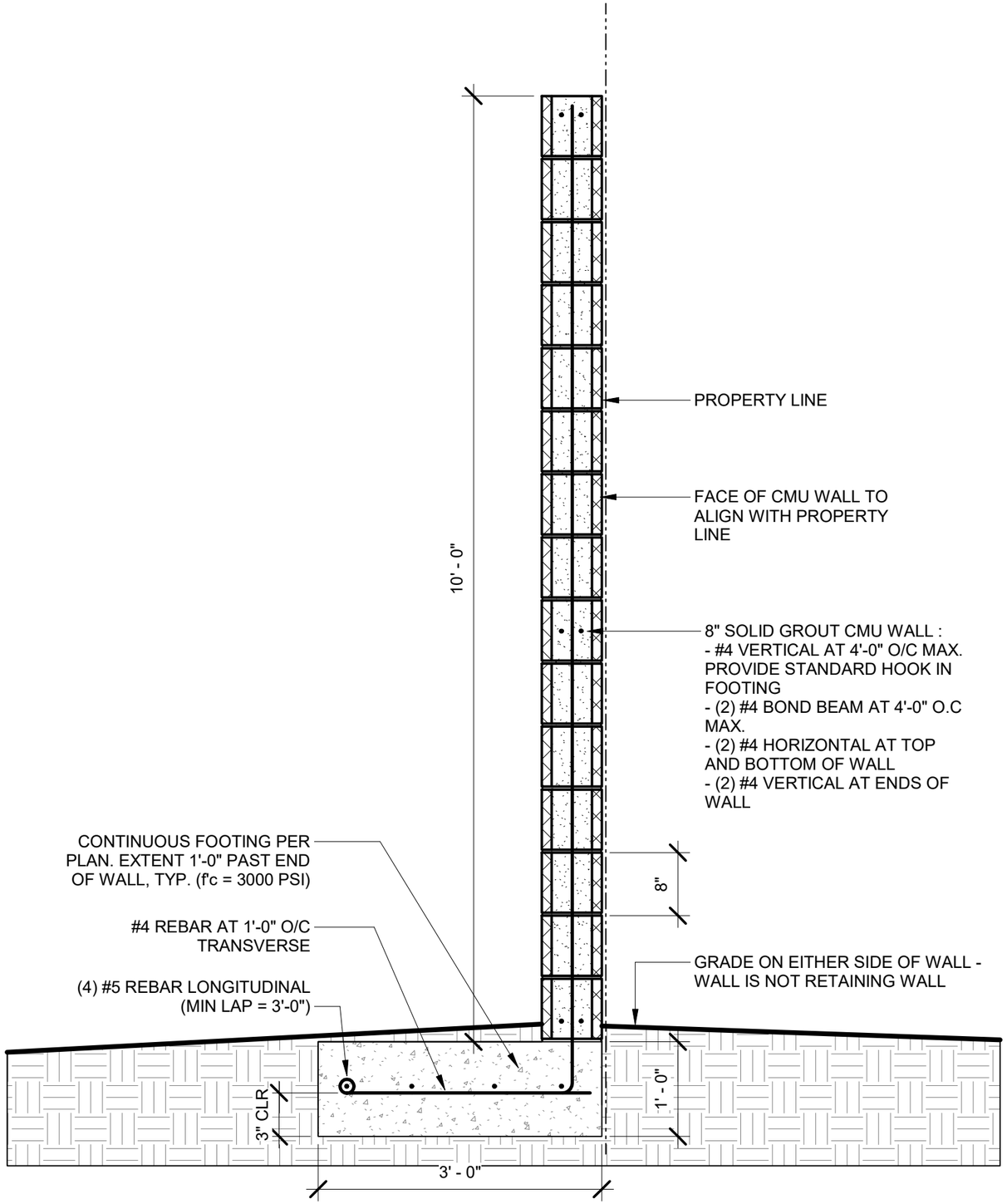
DATE
June 26, 2023

SCALE
1" = 60'

JOB NO.
2023-0513

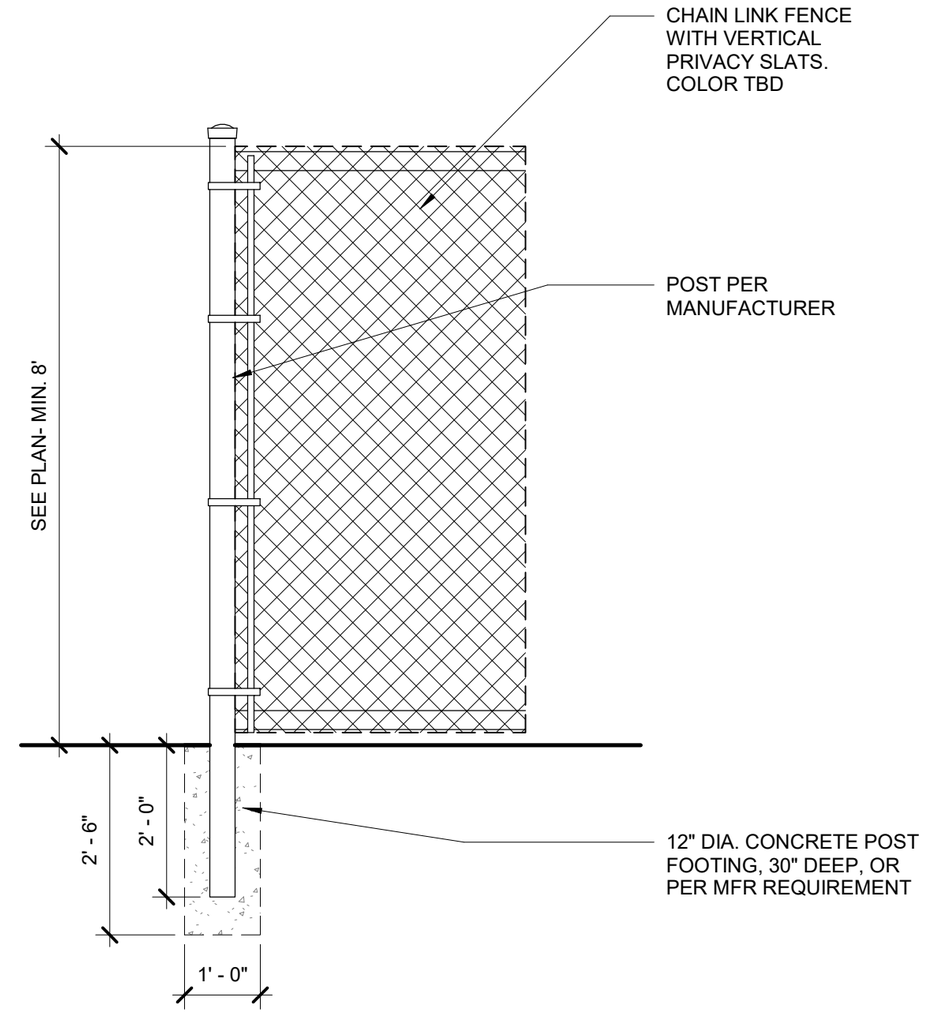
SHEET
12/30

J:\2023\0513\Dwg\04Sheets\Site Improvement Plan\2023\0513_Grading Plan.dwg, last Saved By: estestle, 9/28/2023 10:49 AM, last Printed By: Stestle, Sam, 9/28/2023 10:40 AM (No Xrefs)



CMU WALL

3/4" = 1'-0"



PERIMETER CHAINLINK FENCE

1/2" = 1'-0"

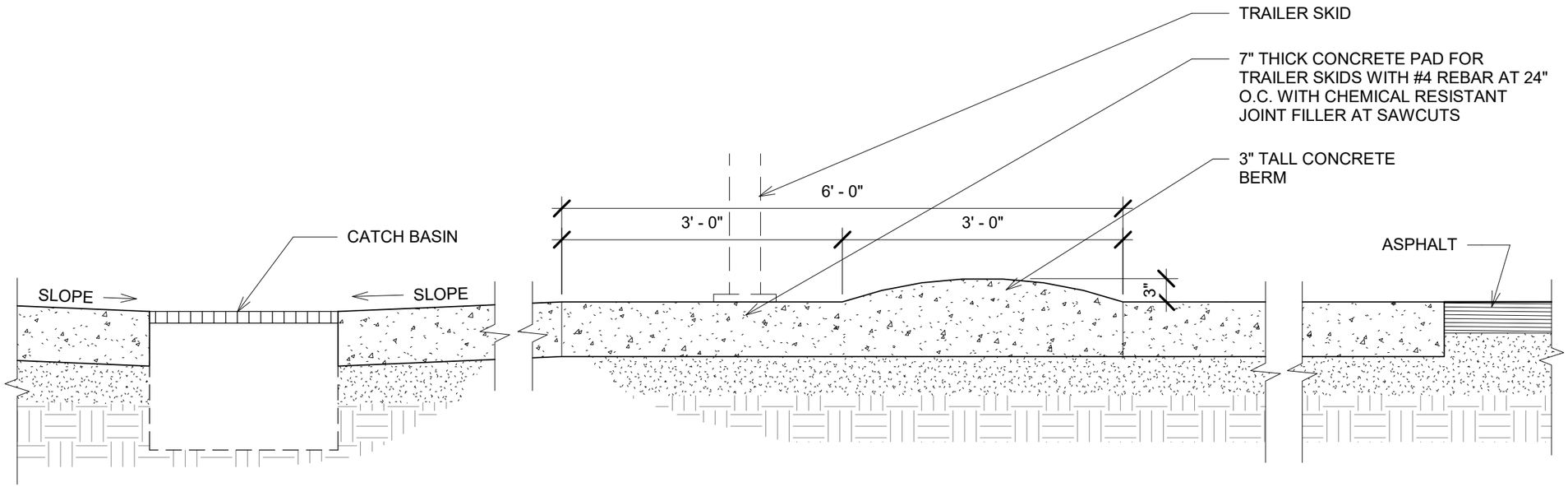
MDG ARCHITECTURE | INTERIORS
4879 SW GRIFFITH DRIVE, SUITE 300
BEAVERTON, OREGON 97005
O | 503.744.0592

Client/ Owner:
RINCHEM COMPANY, LLC

Project:
RINCHEM - NEW ALBANY

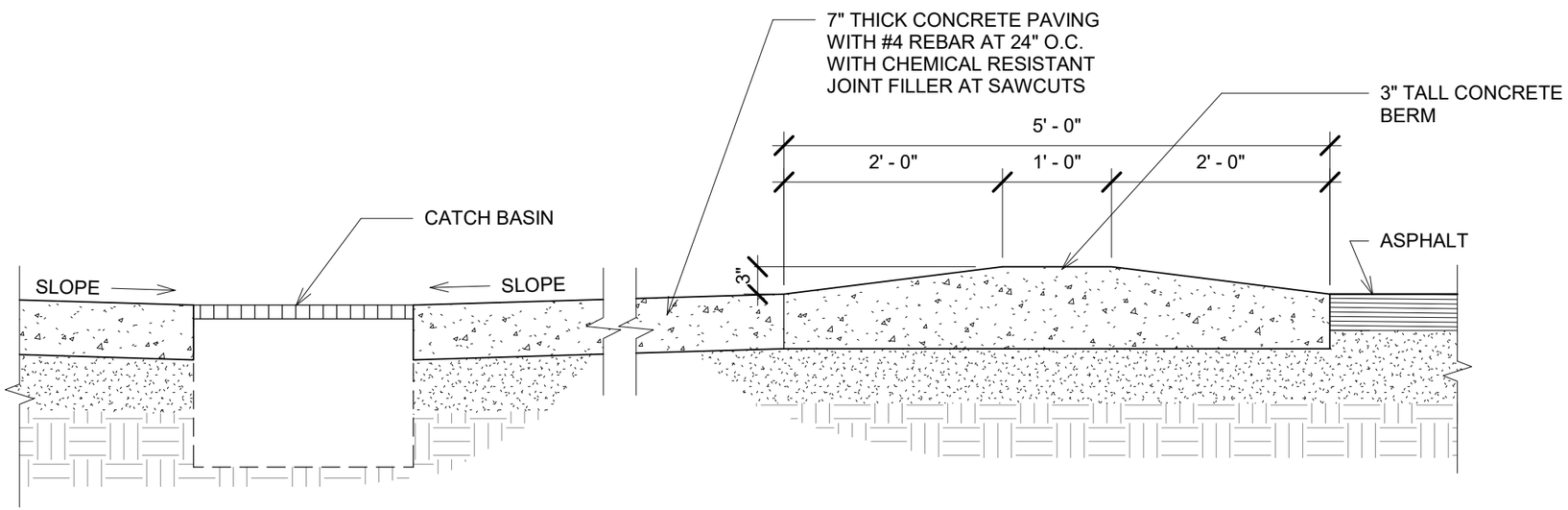
ZV1.1
FENCES

MDG, P.C., 2023, ALL RIGHTS RESERVED ©



CONTAINMENT AT ISO PARKING

3/4" = 1'-0"



CONTAINMENT AT ISO YARD

3/4" = 1'-0"

Per OFC criteria:

5004.2.2.4 Outdoor Design:
Secondary containment for outdoor storage areas shall be designed to contain a spill from the largest vessel. If the area is open to rainfall, secondary containment shall be designed to include the volume of a 24-hour rainfall as determined by a 25 year storm, and provisions shall be made to drain accumulations of groundwater and rainwater.

WEST ISO PARKING CONTAINMENT:
24 HR RAINFALL = 4.44"
LARGEST CONTAINER = 2500 GALLONS = 335 CUBIC FEET

EACH DRAINAGE AREA 40' X 84' = 3,360 SQUARE FEET, 4.44" OF RAINFALL=1,243.2 CUBIC FEET
DRAINAGE AREA NEEDS TO BE ABLE TO HOLD= 1,243 CUBIC FEET+335 CUBIC FEET= 1,578 CUBIC FEET
GRADING CONFIGURATION CAN ACCOMMODATE 1313 CUBIC FEET, 265 CUBIC FEET IS NEEDED.
265/3360= 0.079'= 0.95" BERM IS REQUIRED. **(3" PROVIDED) SEE DETAIL CONTAINMENT AT ISO PARKING**

NORTH ISO YARD AREA CONTAINMENT:
24 HR RAINFALL = 4.44"
LARGEST CONTAINER = 2500 GALLONS = 335 CUBIC FEET

EACH DRAINAGE AREA 180' X 160' = 28,800 SQUARE FEET, 4.44" OF RAINFALL=10,656 CUBIC FEET
DRAINAGE AREA NEEDS TO BE ABLE TO HOLD= 110,656 CUBIC FEET+335 CUBIC FEET= 10,991 CUBIC FEET
GRADING CONFIGURATION CAN ACCOMMODATE 8,451 CUBIC FEET, 2,540 CUBIC FEET IS NEEDED.
2,540/28800= 0.088'= 1.06" BERM IS REQUIRED**. (3" PROVIDED) SEE DETAIL CONTAINMENT AT ISO YARD**

PROVIDE VALVE WITH A CONTROL MECHANISM AT DESIGNATED DRAINAGE CATCH BASIN PRIOR TO CONNECTION WITH STORM DRAINAGE LINE. SEE PLAN FOR VALVE LOCATION ON PLAN # 1/A1.2. ALL VALVES SHALL BE IN CLOSED POSITIONS. RINCHEM YARD TEAM SHALL DO DAILY YARD CHECKS PER RINCHEM PROTOCOL CSC-16. THE VALVE SHALL BE OPENED WHEN NO SPILL IS DETECTED.

AT ISO YARD AND TANKER STORAGE LOCATION, FILL JOINTS WITH JOINT FILLER COMPATIBLE WITH CYCLOHEXANONE AND SULFURIC ACID.

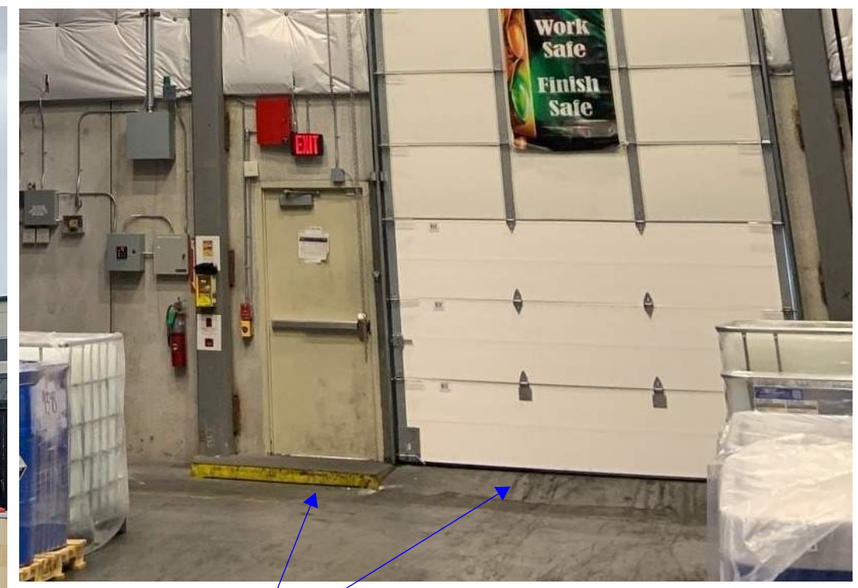
MDG
ARCHITECTURE | INTERIORS
4875 SW GRIFFITH DRIVE, SUITE 300
BEAVERTON, OREGON 97005
O | 503.744.0592

Client/ Owner:
RINCHEM COMPANY, LLC

Project:
RINCHEM - NEW ALBANY

ZV1.2
ISO YARD

MDG, P.C., 2023, ALL RIGHTS RESERVED ©



MDG
ARCHITECTURE | INTERIORS
4875 SW GRIFFITH DRIVE, SUITE 300
BEAVERTON, OREGON 97005
O | 503.244.0592

Client/ Owner:
RINCHEM COMPANY, LLC

Project:
RINCHEM - NEW ALBANY

ZV1.3
ISO YARD

MDG, P.C., 2023, ALL RIGHTS RESERVED ©

Response to Submittal requirement: 1154.12(b)(1)

Rinchem Company, LLC, is a chemical management solutions provider with proven expertise and over four decades of experience in creating and managing safe and efficient supply chains for high purity, pre-packaged chemicals and gases. We provide our customers with world class Warehousing, Trucking, International Freight Forwarding, and Logistics Technology/Analytics to bring the upmost safety, performance, and value to each one of our client's supply chains. We do this through our diverse network of temperature-controlled, hazardous materials compliant warehouses in locations across the globe and with a team of more than 500 hazmat-trained drivers with temperature-controlled, hazmat-customized trucks and trailers. Rinchem's transportation and warehousing network are linked through Chem-Star®, our proprietary, web-enabled software that provides all Rinchem lines of business and our customers with real-time visibility into inventory location and status.

Chem-Star® provides users the ability to create new material entries or edit existing material entries for products which are stored in the Chem-Star® Product Master Database. Chem-Star® users have the ability to select the Rinchem facility or facilities where their product is to be stored and the Product Master Database ensures that regulatory and storage specifications are accounted for before a material is received into a Rinchem facility. The Chem-Star® inventory management system allows customers to view inventory in real-time and update the status or attributes of the material on-hand. Customers through Chem-Star® have the ability to create and submit inbound or outbound orders as well as transfer orders of materials to other Rinchem facilities. With the Track and Trace features, customers have the ability to monitor in real-time the status of their materials from the time an order is placed to the expected time of delivery. The Analytics dashboards in Chem-Star® allows customers to view inventories and transactions as well as conduct planning for material receipt and shipping.

Rinchem Company, LLC stores and distributes finished chemical products, including hazardous and non-hazardous, toxic, and flammable substances. The chemical products warehoused are received from multiple manufacturers in containers approved by the U.S. Department of Transportation (DOT) typically ranging from 1 pint to 330 gallons in volume. Select facilities, including this proposed Ohio location, also receive and store specialty gases used in manufacturing in various size cylinders and ISO tanks with a volume of approximately 2,500-gallons when fully loaded. The Chem-Star® "Directed Put Away" feature dictates material storage based on the put-away rules that have been established to ensure products are stored in accordance with hazard class segregation and temperature control requirements. Rinchem does not manufacture, formulate, or otherwise engage in direct handling of chemicals outside of the containers in which the chemicals are received.

All Rinchem Company, LLC warehouses are constructed or retrofitted to be compliant with the current local, state, and federal building and fire design codes and standards. Occupancy and construction are based on the proposed use and chemical storage. This project will utilize the most stringent allowable occupancy classification codes in accordance with IBC Sections 304, 307, and 311. The High Hazard (storage) will have an occupancy classification of H-3 for the flammable storage area and H-4 for the corrosives storage. The electrical/mechanical rooms and office area will have standard occupancy classifications of S-1 and B, respectively. Construction types will be Type 1A for the High Hazard and electrical/mechanical rooms (warehouse) and Type IIB for the office area and covered outdoor storage area in accordance with IBC Table 601.

Rinchem, working with a contracted Fire Protection Engineer (FPE) and local fire code officials will provide the code requirements for protection from hazards associated with the materials being stored, the location of the material storage, and with the maximum expected quantities of hazardous materials to be stored by hazard classification category through submittal of a Hazardous Material Inventory Statement (HMIS). If requested by local fire officials, Rinchem and their FPE will evaluate Performance-based Design Alternatives in compliance to other requirements of IFC Chapter 50 (and other requirements of Chapters 51-67) in the areas of the facility where hazardous materials are stored to provide additional protection to people and property from the consequences of unauthorized discharges, fires, or explosions involving hazardous materials.

Safety features built into Rinchem warehouses to prevent the migration of chemical releases outside of the containment area (warehouse) include constructing beveled thresholds for spill control to contain the entire volume of the largest container stored in the facility (330-gallons). Secondary containment for the warehouse is designed to exceed the minimum depth of containment required to contain 20-minutes of sprinkler flow plus the entire volume of the largest container stored in the facility (330-gallons). The ISO yard will be constructed as such so that each drainage area within the ISO yard can accommodate 24-hours of an average of 25-years of rainfall plus the entire contents of one (1) ISO tank (2,500-gallons). The NOAA Precipitation Frequency Data Server or equivalent will be used to determine the average rainfall for the location. Drainage valves with a sensor control mechanism, or equivalent, will be installed at the drainage catch basins prior to the connection with the stormwater discharge lines in order to monitor stormwater and control stormwater flow from the containment areas. Joints are filled with a chemical-resistant joint filler.

Standard safety measures employed by Rinchem Company, LLC include documentation of policies and procedures through Standards of Performance (SOP's), Work Instructions (WI's), and Job Breakdowns (JBD's). These documents are managed by the Rinchem Quality team and maintained on the Rinchem server in the Quality Management System (QMS) database. Safety Data Sheets (SDS's) for all products received by Rinchem are reviewed prior to entry into the Chem-Star® Product Master Database. SDS's are stored in an on-line database maintained by Velocity EHS and are available to all employees. Additional safety measures include conducting periodic Workplace Hazard Assessments to ensure all employees have the required personal protective equipment (PPE) to safely perform their job functions and links to Warehouse Inspection Checklists located in QMS. These inspections are required to be conducted and include inspections of life safety systems such as emergency eyewash and shower stations, fire extinguishers, and emergency exit signage and lighting; safety/OSHA inspections of first-aid kits, racking integrity, ladders, and fall protection devices; and operating procedures such as daily facility start-up and shut-down protocols. Spill kits are also provided throughout the warehouse, at the ISO yard, and in close proximity to any fuel tanks such as emergency generators or oil-containing equipment. Although Rinchem facilities are non-responding locations, spill kits are provided to attempt to mitigate the migration of a chemical release outside of the warehouse or prevent chemical releases from entering stormwater catch basins or to migrate off-site.

Preventative maintenance (PM) of equipment used in the storage process, such as forklifts, ISO-loaders, HVAC systems, and fire control systems is maintained in QMS. PM's are scheduled through the QMS module based on manufactures recommended service intervals or regulatory requirements. QMS sends notifications to the responsible parties prior to maintenance due dates to ensure PM's are conducted

on-time. Another feature built-in to the maintenance module is for ad hoc repairs. This feature allows Rinchem to track excessive repairs in order to determine if the equipment is not functioning properly or needs to be replaced. Rinchem ensures that new and existing equipment, inspections, and testing of equipment used in the process complies with OSHA Recognized and Generally Accepted Good Engineering Practices (RAGAGEP).

Initial and refresher training is provided to all employees and documentation of completed trainings is recorded and maintained in the Rinchem Learning System (RLS) located on the Rinchem server. Initial Training is provided in conjunction with hazard communication and training in emergency procedures. The training includes an overview of the process, process safety information, and operating procedures and emphasizes specific safety and health hazards, emergency operations, including shutdown, and safe work practices applicable to the employee's job tasks. Rinchem ensures that employees are trained in the use of new equipment introduced into the process or changes to the operating procedures.

Rinchem Company, LLC provides details on the hazardous materials stored through the development of a Hazardous Material Management Plan (HMMP) and submission of Tier II reports required under Section 312 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA). Rinchem requests inclusion in community emergency response plans and annually sends community outreach letters to local emergency responders (fire, police) and local (LEPC) and/or state (SERC) emergency planning/response committees inviting the organizations to tour the facility and to observe our process or participate in a response drill.

All Rinchem locations are non-responding facilities and employees are not trained in emergency response. Along with developing a Business Continuity Plan for response to major events across the Rinchem network, each facility has developed an Emergency Action Plan (EAP) in accordance with 29 CFR 1910.38. The EAP lists the contact information for Rinchem Incident Command (IC), who must be contacted by the facility emergency coordinator (EC) in the event of an emergency or accidental chemical release. The EAP also contains the contact information for local, state, and federal emergency response organizations, local and Rinchem contracted spill response organizations, and critical vendors. Facilities are equipped with a fire alarm system that consists of deluge sprinkler system and foam suppression system in the flammable storage areas of the warehouse, fire extinguishers, and gas sensors at locations that store gas cylinders. Sprinkler and gas alarms annunciate locally, and the alarms are monitored continually by a central station monitoring service who will dispatch emergency responders when an event is received.

Respectfully submitted,

Ron Kantor
EHS Specialist II

Rinchem Company, LLC
Address: 5131 Masthead ST NE, Albuquerque, NM 87109 **Phone:** 1-505-345-3655
Website: http://www.rinchem.com **Email:** info@Rinchem.com

NEW ALBANY
COMMUNITY CONNECTS US

Planning Commission Staff Report
January 17, 2024 Meeting

7823 CALVERTON SQUARE
CONSERVATION AREA VARIANCE

LOCATION:	7823 Calverton Square (PID: 222-001816)
APPLICANT:	The Columbus Architectural Studio c/o Thad and Susanne Perry
REQUEST:	(A) Variance to the subdivision plat to allow an open paver patio to encroach a platted conservation area by 9 feet (B) Variance to the Reserve at New Albany PUD section 26.04.01 and the subdivision plat to allow a screened porch home addition to encroach into the minimum rear yard setback and a platted conservation area by 4 feet
ZONING:	Reserve at New Albany I-PUD
STRATEGIC PLAN:	Residential
APPLICATION:	VAR-104-2023

Review based on: Application materials received on December 15, 2023.

Staff report prepared by Stephen Mayer, Planning Manager.

I. REQUEST AND BACKGROUND

The applicant requests two variances. The first is to allow an existing paver patio to remain that is partially located within the conservation area. And the second request is to allow the construction of a home addition to encroach within the building setback and conservation area in the rear yard. The home addition is a screened-in porch located over the existing paver patio. During the city staff initial review of the application, it was discovered the paver patio is encroaching into a conservation area. The city staff couldn't locate any historically issued variances or permits for the paver patio so the applicant has added a request to allow it to remain as constructed.

At their November 21, 2023 meeting, the Planning Commission tabled this application to allow the applicant to submit the proposal to their subdivision HOA prior to the Planning Commission taking final action on the variances. The applicant has submitted a written approval from the homeowner's association for the paver patio and building addition. The city staff has received several emails from neighbors in support of the variances. There are no changes to the plans since the last meeting.

Section 18 of the Reserve at New Albany PUD text states that variances may be requested of the Planning Commission but must be approved by the city council. Accordingly, the Planning Commission is review and make a recommendation to city council regarding the variance requests.

II. SITE DESCRIPTION & USE

The 0.4-acre property is located in the Reserve at New Albany subdivision and contains a single-family residential home that was built in 1997. The property is surrounded by single family residential homes on all sides of the property.

III. ASSESSMENT

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. EVALUATION

(A) <u>Variance to the subdivision plat to allow an open paver patio to encroach a platted conservation area by 9 feet</u>

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

1. The applicant is requesting a variance to allow an open paver patio to encroach 9 feet into a conservation area located on the back of the property. There is a 30 foot conservation area which prohibits any structure or building from being constructed within it and is established by a subdivision plat note.

> ***NOTE "F" - CONSERVATION AREAS:*** *No structure or building shall be placed upon, in or under areas designated "Conversation Area" hereon, nor shall any work be performed thereon which would alter the natural state of such areas or damage any of the trees or vegetation thereon provided, however, 1) that there shall be such construction areas as may be required for the installation, operation and maintenance of utility and drainage facilities for the development as the developer may deem necessary for efficient development and 2) that within such areas in lots 10, 11, 18 and 19, such construction areas shall be re-planted and re-vegetated with a minimum 30 - 2 inch to 4 inch hardwood trees. Such maintenance within said "Conservation Area" shall occur only in easement areas designated on this plat unless otherwise approved by the Village of New Albany Engineer. Areas disturbed by such maintenance shall be restored as nearly as practical to their original condition. Not withstanding the foregoing, trees and/or vegetation which are dead or diseased may be removed therefrom.*

2. The codified ordinance section 1105.02(bbb) defines a structure as "anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground, including, among other things, walls, buildings, and patios. 'Structure' does not include fences."
3. That the special conditions and circumstances do not result from the action of the applicant. There is currently a paver patio constructed within the conservation easement. Based on aerial imagery, it appears the patio was constructed sometime between 1997 and 2000. The city staff could not locate any permits or variances associated with the paver patio. Therefore, a variance is required to allow the paver patio to remain within the conservation easement. The current property owners and applicant, Thad and Susanne Perry, purchased the property in 2023.
4. The variance does not appear to be substantial. This is a long-standing existing condition. The patio encroachment is very minor compared to the overall conservation area on the lot. The conservation area is 6,737 square feet, equating to 38.7% of the overall lot area. The area of the paver patio encroaching to the conservation easement is 279 square feet. The 279 square feet encroachment area is 4.1% of the conservation area on the lot.
5. The variance request appears to meet the spirit and intent of the zoning requirement. The Reserve at New Albany PUD text allows for open porches and patios to encroach into the required yard if a minimum distance of 20 feet is maintained to any rear lot line. The existing patio meets this requirement. Additionally, allowing the patio to remain will not alter or negatively impact any of the existing trees within the conservation area.
6. 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.
7. Granting the variance would not adversely affect the delivery of government services. There are no easements or public utilities located within the rear of the property.

(B) Variance to the Reserve at New Albany PUD section 26.04.01 and the subdivision plat to allow a screened-in porch (home addition) to encroach into the minimum rear yard setback and a platted conservation area by 4 feet

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

1. There are two zoning regulatory restrictions located within the rear of the property:
    - The first is a minimum 30 foot rear yard building setback. This is the standard building setback applicable to the entire residential subdivision.
    - The second is a 30 foot conservation area which prohibits any structure or building from being constructed within it established by a subdivision plat note. The conservation area is located on the rear of lots within the western half of the

subdivision.

2. The applicant is requesting a variance to allow a screened-in porch to encroach into both the minimum rear yard building setback and a platted conservation area by 4 feet. The screened in porch is considered a home addition since it is attached to the primary home.
3. The variance request does not appear to be substantial. The property is 0.4 acres (17,424 square feet). The conservation area is 6,737 square feet, equating to 38.7% of the overall lot area. The screened in porch is 457 square feet in size and 124 square feet of it is encroaching into the building setback and conservation areas. The 124 square feet encroachment area is 1.8% of the conservation area on the lot.
4. It appears the problem can be solved by some manner other than the granting of a variance. The existing house is located 3.5 feet from the rear yard setback line and conservation area so there is buildable space behind the home. The applicant could reduce the size of the screened in porch by 4 feet, and utilize the 3.5 feet of buildable space, and not need a variance.
5. There doesn't appear to be special conditions and circumstances that 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. Section 25.06 states "conservation areas will be designated in the rear of lots six (6) through thirteen (13) and sixteen (16) through twenty-four (24) in order to conserve the existing trees. The care of these areas will fall to each owner of a lot containing a conservation area. The subject property is lot 21 so the properties on both sides of it have the same conservation area.
6. 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.
7. Granting the variance would not adversely affect the delivery of government services. There are no easements or public utilities located within the rear of the property.

IV. SUMMARY

The applicant is requesting two variances with this application and the board should consider each on their own merits. The first is to allow an existing condition that they inherited from a previous owner to remain. The second variance is for a building addition on a portion of the existing paver patio space.

The existing paver patio within the backyard is an existing condition requiring a variance since there is no evidence of it being permitted. The patio area is surrounded by landscaping and allowing it to remain will not alter the spirit and intent of the conservation area which is to preserve trees.

The addition of the screened in porch is located on the existing paver patio that is partially located within a conservation easement. Therefore, allowing the home addition will not negatively any trees or other natural vegetation within the conservation area. The home addition is also encroaching into the required rear yard building setback but it does not appear to be substantial.

V. ACTION

Should the Planning Commission find that the application has sufficient basis for recommending approval, the following motions are appropriate:

Move to recommend approval of application VAR-104-2023 variance A to allow the existing open paver patio to encroach a platted conservation area by 9 feet (conditions of approval may be added).

Move to recommend approval of application VAR-104-2023 variance B to allow a screened porch home addition to encroach into the minimum rear yard setback and a platted conservation area by 4 feet (conditions of approval may be added).

Approximate Site Location:

Source: NearMap

Permit # _____
Board _____
Mtg. Date _____

NEW ALBANY

Community Development Planning Application

RECEIVED
OCT 20 2023
By

Project Information

Site Address 7823 Calverton Square, New Albany, Ohio 43054

Parcel Numbers 222-001816-00

Acres 0.40 acres # of lots created Not applicable

Choose Application Type	Circle all Details that Apply			
☐☐Appeal				
☐☐Certificate of Appropriateness				
☐☐Conditional Use				
☐☐Development Plan	Preliminary	Final	Comprehensive	Amendment
☐☐Plat	Preliminary	Final		
☐☐Lot Changes	Combination	Split	Adjustment	
☐☐Minor Commercial Subdivision				
☐☐Vacation	Easement		Street	
☒☐Variance				
☐☐Extension Request				
☐☐Zoning	Amendment (rezoning)		Text Modification	

Description of Request: Request variance from Reserve at New Albany PUD Section 26.04 (Rear Yard) to reduce rear yard setback at Lot 21 from 30'-0" to 26'-0" for a new screen porch 31'-0" in width.

Contacts

Property Owner's Name: Thad Perry & Susanne Perry
Address: 7823 Calverton Square
City, State, Zip: New Albany, Ohio 43054
Phone number: 614-537-3835 Fax: _____
Email: tssperry@sbcglobal.net susannegp@cs.com

Applicant's Name: Brenda Parker - The Columbus Architectural Studio
Address: 405 N Front Street
City, State, Zip: Columbus, Ohio 43215
Phone number: 614-586-5514 Fax: _____
Email: brenda.parker@cbusarch.com

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: Oct 19, 2023
Signature of Applicant _____ Date: Oct 18, 2023

Brenda Parker

From: Thad Perry <tssperry@sbcglobal.net>
Sent: Tuesday, December 5, 2023 3:14 PM
To: Brenda Parker; Sus Perry
Subject: Fwd: Perry Plans
Attachments: 2023.1018 7823 Calverton Screen Porch_11x17.pdf

Sent from my iPhone
Thad Perry

Begin forwarded message:

> **From:** Joseph Ciminello <ciminelloj@aol.com>
> **Date:** December 5, 2023 at 3:07:27 PM EST
> **To:** Thad R Perry <tssperry@sbcglobal.net>
> **Cc:** nancy morris <nancy.morris@mac.com>, Robert Franz <rxfranz@gmail.com>, Scott Cummans <scummans@gmail.com>
> **Subject: Re: Perry Plans**
>
> Thad,
>
> Please accept this email as approval from The Reserve at New Albany Architectural Review Board of the plans you submitted.
> The Board also supports your variance request to encroach 4' into the conservation area to accommodate the covered porch improvements as shown on the plan.
>
> Best,
> Joe Ciminello
> RANA ARB Member
>
> Sent from my iPhone
>
>> On Nov 22, 2023, at 3:16 PM, Thad R Perry <tssperry@sbcglobal.net> wrote:
>>
>> FYI
>>
>> Thad

Sierra Cratic-Smith

From: Stephen Mayer
Sent: Tuesday, December 12, 2023 2:54 PM
To: Sierra Cratic-Smith
Subject: FW: 7823 Calverton Sq- Approval

Follow Up Flag: Follow up
Flag Status: Flagged

Can respond to Patrick and let him know we'll add this email to the application and distribute it the Planning Commission?

Can you save this in the application folder on the H: drive (under submittals).

Thanks!

Stephen Mayer
Planning Manager
614.939.2229

From: Patrick Johnson <johnsonpa7@gmail.com>
Sent: Monday, December 11, 2023 9:31 PM
To: Stephen Mayer <smayer@newalbanyohio.org>
Subject: 7823 Calverton Sq- Approval

Good evening,

I hope this letter finds you well. I am writing to express my full support for the variance request submitted by my neighbors Susanne and Thad Perry.

After careful consideration, I want to inform the Planning Department that I have no objections to the variance request. I believe the proposed changes align with the best interests of our community.

If you require any further information or clarification from my end, please do not hesitate to reach out. I trust that the department will make decisions that benefit the community as a whole.

Sincerely,
Patrick and Dottie Johnson

4299 Brompton Court
New Albany, Ohio 43054

Sierra Cratic-Smith

From: Stephen Mayer
Sent: Monday, January 8, 2024 9:37 AM
To: Jeanne George
Cc: Sierra Cratic-Smith
Subject: RE: Suzanne and Thad Perry's screened in porch

Hi Jeanne,

We have received your email and we will include it in the Planning Commission's informational packet for their consideration.

Sincerely,
Steve

Stephen Mayer
Planning Manager
614.939.2229

From: Jeanne George <jspeech2@gmail.com>
Sent: Saturday, January 6, 2024 4:10 PM
To: Stephen Mayer <smayer@newalbanyohio.org>
Subject: Suzanne and Thad Perry's screened in porch

Hi

Bob and Jeanne George. right behind the Perry's. Lovely folks and patients of my husbands. We don't mind the extension at all. Have at it! We have plenty of coverage in our back yard at 4312 Vaux Link.

Thanks

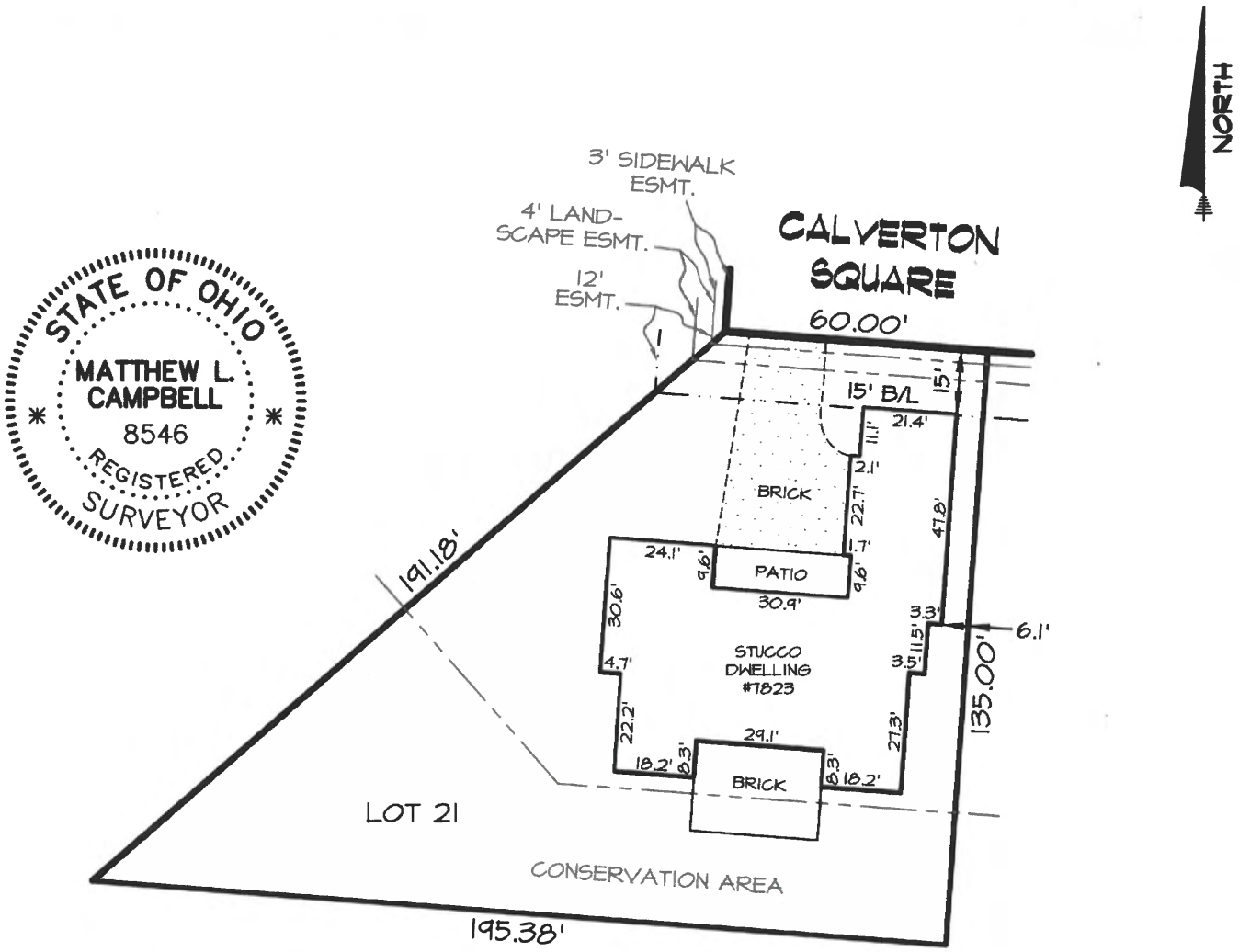
Jeanne G

CAMPBELL &
ASSOCIATES, INC.
Land Surveying

RECEIVED
OCT 20 2023
By

614.785.9340
Fax: 614.785.9342
77 E Wilson Bridge Road
Suite 205
Worthington, OH 43085
http://www.campbellsurvey.com

Mortgage Location Survey



STATE OF OHIO
MATTHEW L. CAMPBELL
8546
REGISTERED SURVEYOR

I/WE HAVE RECEIVED A COPY OF THIS SURVEY AND FIND THE CONDITIONS ACCEPTABLE TO ME/US.

_____
BUYER/OWNER

Street Address:
7823 Calverton Sq, New Albany, Ohio 43054

New Owner:
Thad R. Perry, Susanne G. Perry

Allotment: THE RESERVE AT NEW ALBANY

Record Info: Plat Book: 83 Page: 45

Client Order No: 23-918-LS **Date:** August 22, 2023

Present Owner:
Acme Rocket Powered Roller Skates LLC

This is to certify to:

Cbus Title Agency that a visual inspection of the property and buildings shown (if any) has been made and there are no apparent encroachments or visible easements unless otherwise shown. This service was not performed for the purpose of establishing boundary lines, and is not to be used for that purpose.

This Mortgage Location Survey has been prepared in accordance with Chapter 4733-38, Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37, Ohio Administrative Code.

Matthew L Campbell

Matthew L. Campbell - Reg. Surveyor No. 8546

EXHIBIT "A"

LEGAL DESCRIPTION

Situated in the State of Ohio, County of Franklin and City of New Albany:
Being Lot Number Twenty One (21) of THE RESERVE AT NEW ALBANY, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 83, Page 45, Recorder's Office, Franklin County, Ohio.

Prior Instrument Reference: 201911010146011

Parcel Number: 222-001816-00

Property Address: 7823 Calverton Square, New Albany, OH 43054

RECEIVED
OCT 20 2023
By

Alt ID	Site Address	Owner 1	Owner 2
222-001386-00	4282 VAUX LINK RD	CHAN DAVID L	MAI HUI
222-001387-00	4298 VAUX LINK RD	SULLIVAN DAVID P	SULLIVAN CASEY L
222-001388-00	4312 VAUX LINK RD	GEORGE JEANNE	GEORGE ROBERT A
222-001389-00	4320 VAUX LINK RD	MILLERICK SHAWN D	HIGGISTON SARAH J
222-001390-00	4328 VAUX LINK RD	DUNN YVETTE L	DUNN D GARDNER
222-001398-00	7755 ARBORETUM CT	SILVER JANICE R	
222-001849-00	4299 BROMPTON CT	JOHNSON PATRICK	
222-001850-00	4311 BROMPTON CT	GELLERT LARRY M	GELLERT ELLEN M
222-001851-00	4329 BROMPTON CT	ESCHLEMAN DAVID ELLIS	ESCHLEMAN SHARON
222-001819-00	7859 CALVERTON SQ	MORRIS STEPHEN	MORRIS NANCY E
222-001818-00	7845 CALVERTON SQ	KURTZ CHARLES LINDLEY II TR	KURTZ DEBORAH LYNN TR
222-001817-00	7833 CALVERTON SQ	RYAN DANIEL	RYAN STACEY
222-001816-00	7823 CALVERTON SQ	PERRY THAD R	PERRY SUSANNE G
222-001815-00	7815 CALVERTON SQ	YARGER JONATHAN L	NEITZEL RADHIKA D
222-001814-00	7814 CALVERTON SQ	LEVITIN HOWARD W	LEVITIN JENNY M
222-001813-00	7822 CALVERTON SQ	VERRET ALPHONSE P IV	GLANCY ERICA J
222-001812-00	7832 CALVERTON SQ	PATEL SUNNY MAHESH TR	RAVEENDRAN RESHMI P TR
222-001810-00	7858 CALVERTON SQ	CIMINELLO JOSEPH A	CIMINELLO MICHELLE

RECEIVED
OCT 20 2023
By

7823 Calverton Square, New Albany, Ohio 43054

Request variance from Reserve at New Albany PUD Section 26.04 (Rear Yard) to reduce the rear yard setback at Lot 21 from 30'-0" to 26'-0" for a new screen porch 31'-0" in width.

The property at 7823 Calverton is located in the Reserve at New Albany neighborhood and consists of a single-family French country style house with an auto-court in the front and a brick patio at the rear. Due to the spatial requirements of the front auto-court, the house is pushed back to the rear of the property; 33'-7" from the rear property line. With the rear yard setback requirement of 30', there is only 3'-7" of buildable area at the rear of the lot. There is an existing brick patio at the rear of the house that extends 9' into the rear yard setback.

The owners purchased the property with the thinking that they would be able to construct a screen porch utilizing the footprint of the existing brick patio. When they received the property survey, it was realized that there is a conservation area extending 30' from the rear property line which aligns with the 30' rear setback line.

The design of the screen porch was studied utilizing the allowable buildable area. This would only allow an interior depth of 11'-0". With the location of the existing doors from the house, and the projection of the existing fireplace, this limited dimension was unusable to accommodate a small dining table and small lounge area.

Multiple iterations were then studied to identify the ideal dimension that allowed for the proper use of the screen porch while minimizing the encroachment into the rear yard. This ideal dimension is 15'-0" which is a 4'-0" encroachment into the rear yard. The proposed dimensions of the new screen porch do not extend the full depth of the existing brick patio. The edge of the brick patio will remain in place to allow for movement in and out of the screen porch down to the yard and to the side yards.

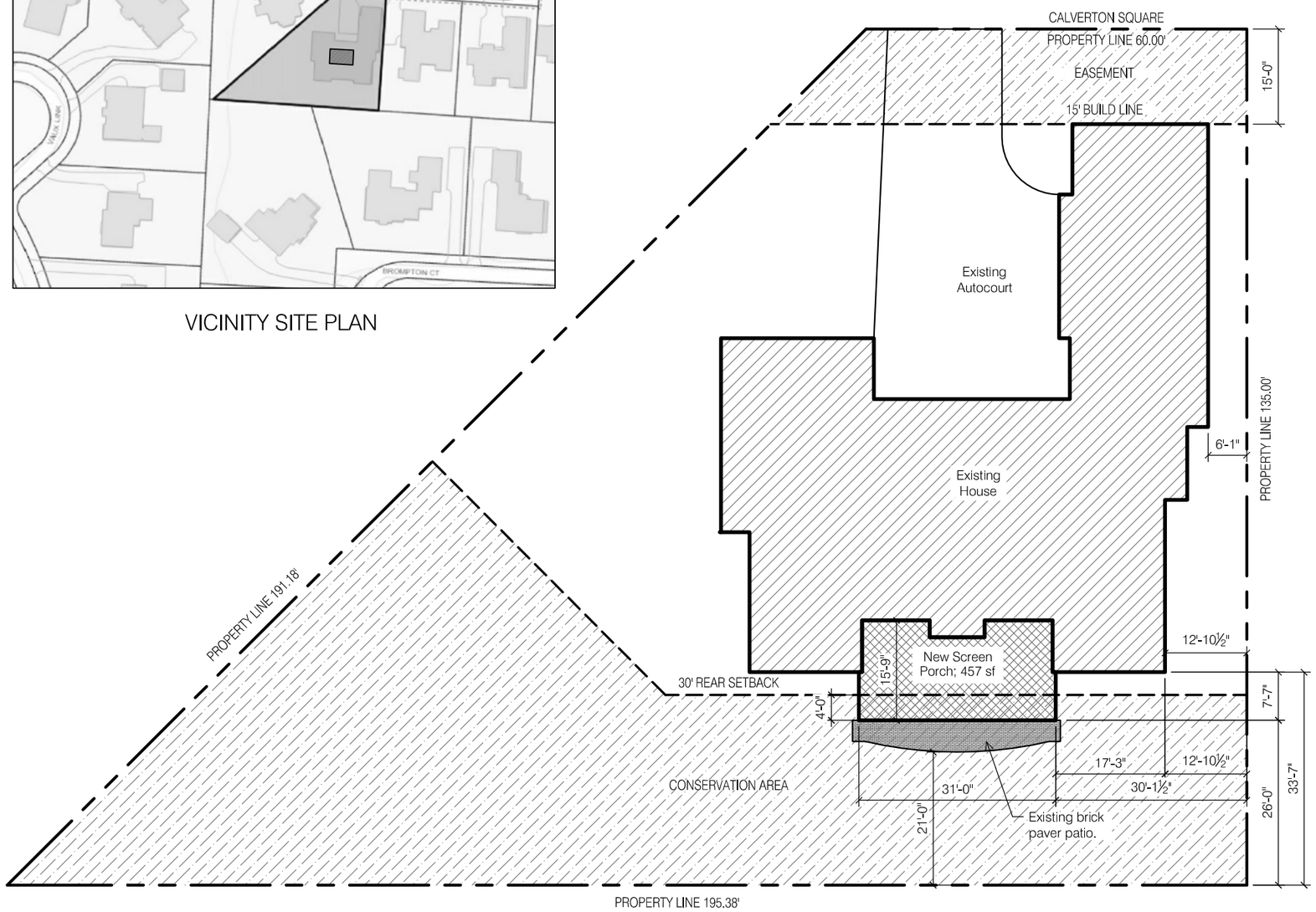
The 4'-0" encroachment into the rear yard results in a zoning variance request of reducing the rear yard setback from 30'-0" to 26'-0".

Regarding the conservation area, per the PUD, the conservation areas were identified in order to preserve the mature tree canopy at various lots throughout the development. The new screen porch is being constructed over an existing brick patio and will therefore not jeopardize the health of the tree canopy or negatively impact the tree canopy in any way. Therefore, the intent of the conservation area remains intact even with the screen porch encroachment.

The zoning variance request to reduce the rear yard setback from 30'-0" to 26'-0" would only be to allow for the single-story screen porch with an overall width of 31'-0".

RECEIVED
OCT 20 2023
By

VICINITY SITE PLAN



1 SITE PLAN

SCALE: 1" = 20'-0"

0 10 20 40

GENERAL INFORMATION

Address:	7823 Calverton Square New Albany, Ohio 43054
Franklin County Lot #:	222-001816-00
Scope of Project:	Construction of a new single-story screen porch addition at the rear of the house.
Screen Porch Addition:	457 sf

ZONING: PUD Residential

Lot Area & Lot Width	Actual	Zoning Req't
Lot Area:	0.40 acres 17,424 sf	

Screen Porch Setbacks	Actual	Zoning Req't
Side Yard East:	30'-1"	10'-0"
Rear Yard South:	26'-0"	30'-0"

Request variance from Reserve at New Albany PUD Section 26.04 (Rear Yard) to reduce the rear yard setback at Lot 21 from 30'-0" to 26'-0" for a new screen porch 31'-0" in width.

SHEET INDEX

A1.0 Site Plan & General Info
A2.1 Floor Plan - Demo
A2.2 Floor Plan - New Work
A3.1 Exterior Elevations
A4.1 Overall Section

DESIGN CRITERIA

Design Criteria:
Wind Speed = 115 mph
Seismic Category = A
Weathering = Severe
Frost Line Depth = 36"
Termite = Moderate to Heavy
Ice Barrier Underlayment = Yes, Required.
Floor Live Load = 40 psf
Snow Load Roof = 20 psf
Foundation Concrete Compressive Strength = 2,500
Slab Concrete Compressive Strength = 3,000; air-entrained 5%-7%

N

ARCHITECT
BRENDA PARKER
614-586-5514
brenda.parker@cbusarch.com

Oct 18, 2023

NEW SCREEN PORCH
7823 CALVERTON SQUARE
NEW ALBANY, OHIO 43054

Zoning Set

SCALE: As Noted

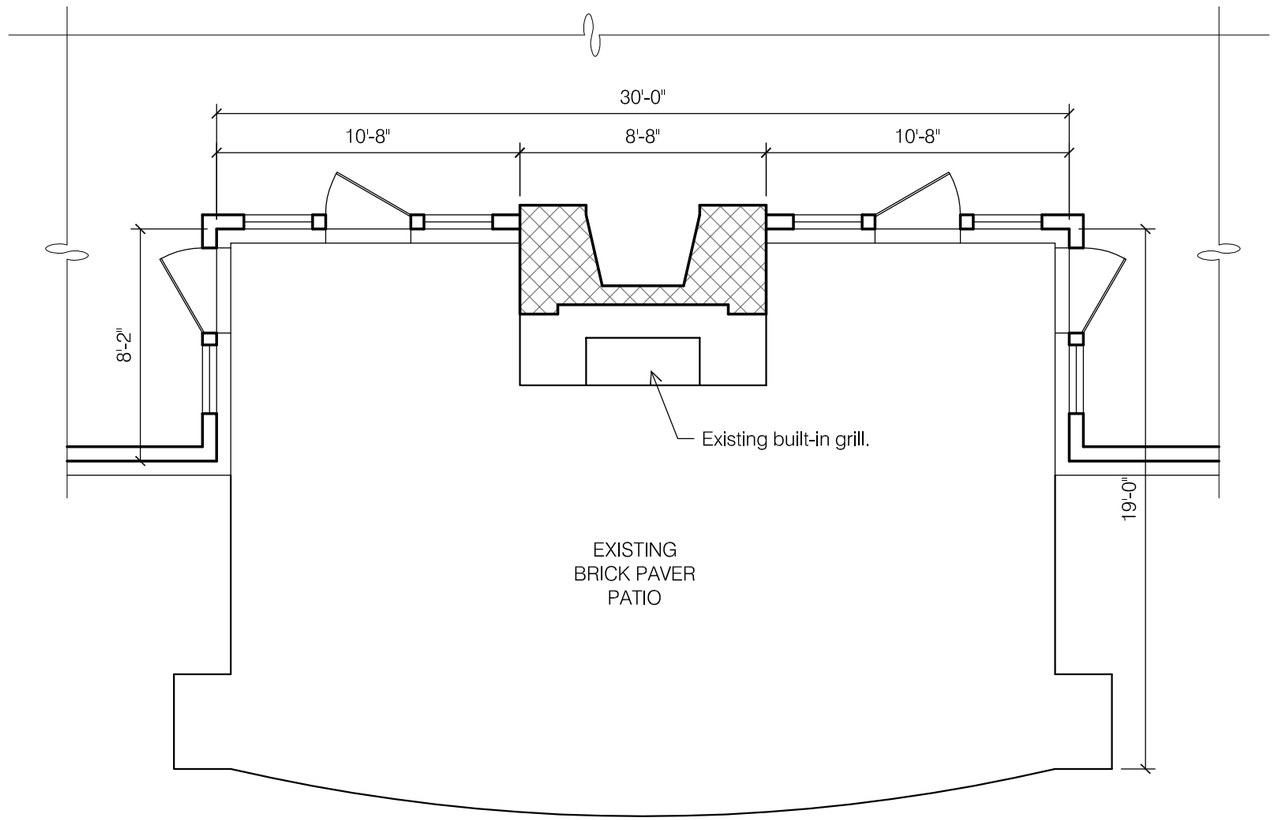
PROJECT NO.:

DATE: Oct 18, 2023

SITE PLAN & GENERAL INFO

SHEET NO.

A1.0



1 PARTIAL FLOOR PLAN - EXISTING

SCALE: 3/32" = 1'-0"

0 2 4 8 16

N

ARCHITECT
BRENDA PARKER
614-586-5514
brenda.parker@cbusarch.com

Oct 18, 2023

NEW SCREEN PORCH
7823 CALVERTON SQUARE
NEW ALBANY, OHIO 43054

Zoning Set

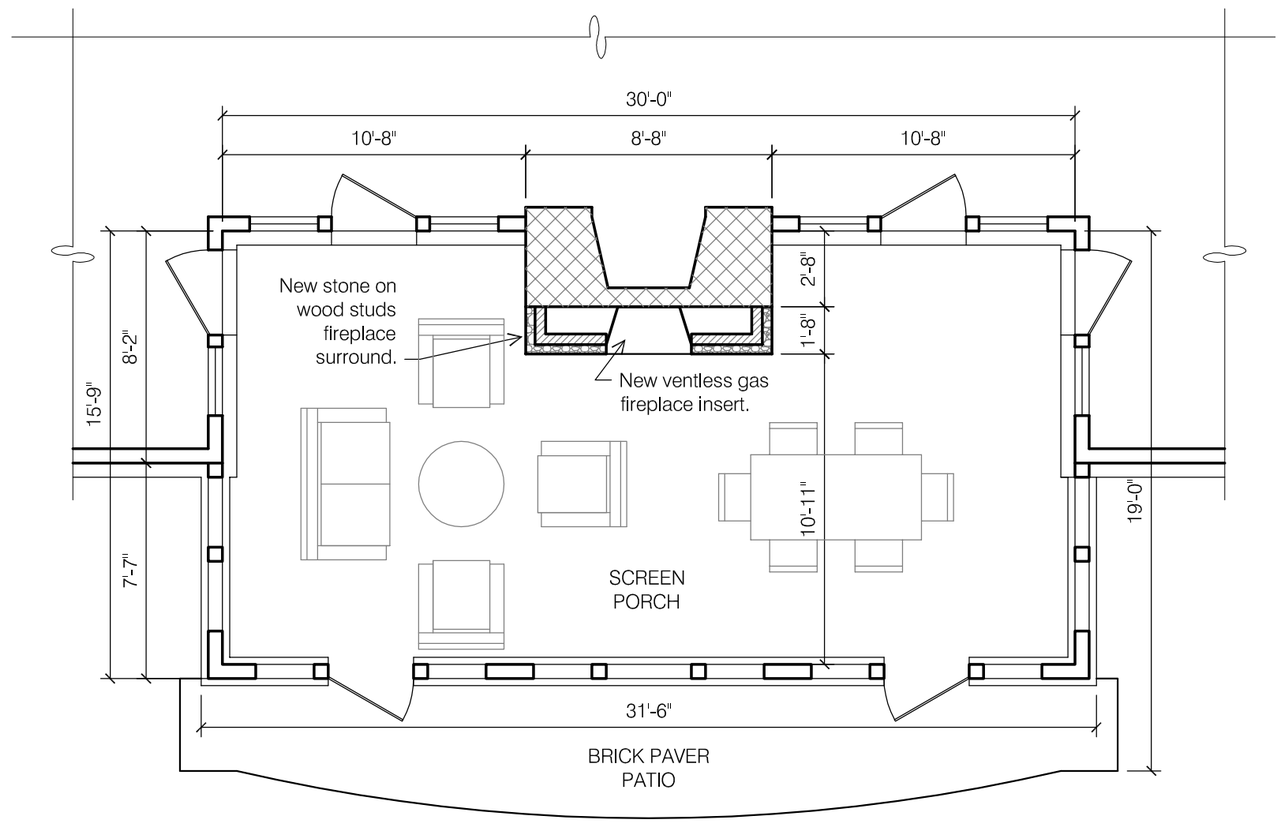
SCALE:
3/16"=1'-0"

PROJECT NO.:

DATE:
Oct 18, 2023

FLOOR PLAN - DEMO

SHEET NO.
A2.1



1 PARTIAL FLOOR PLAN - NEW WORK

SCALE: 3/32" = 1'-0"

0 2 4 8 16

ARCHITECT
BRENDA PARKER
614-586-5514
brenda.parker@cbusarch.com

Oct 18, 2023

NEW SCREEN PORCH
7823 CALVERTON SQUARE
NEW ALBANY, OHIO 43054

Zoning Set

SCALE: 3/16"=1'-0"

PROJECT NO.:

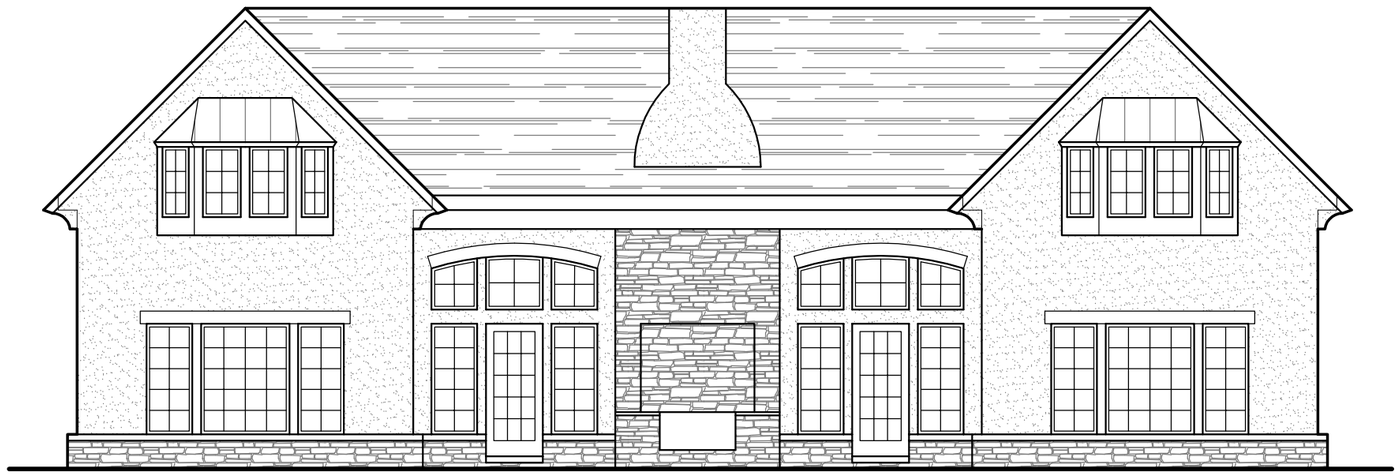
DATE: Oct 18, 2023

FLOOR PLAN - NEW WORK

SHEET NO.

A2.2

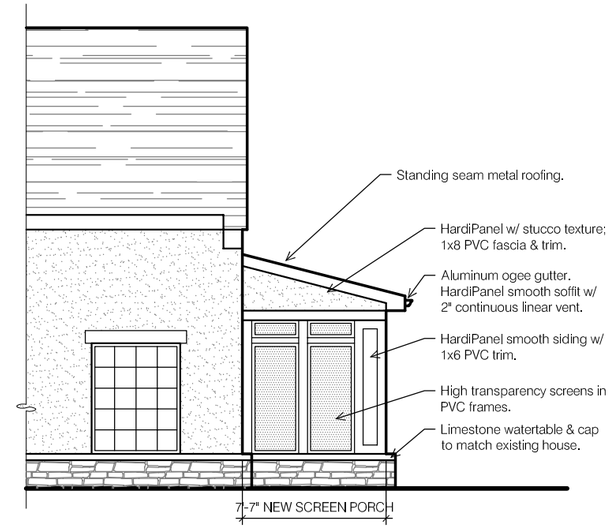
N



1 SOUTH ELEVATION - EXISTING

SCALE: 1/8" = 1'-0"

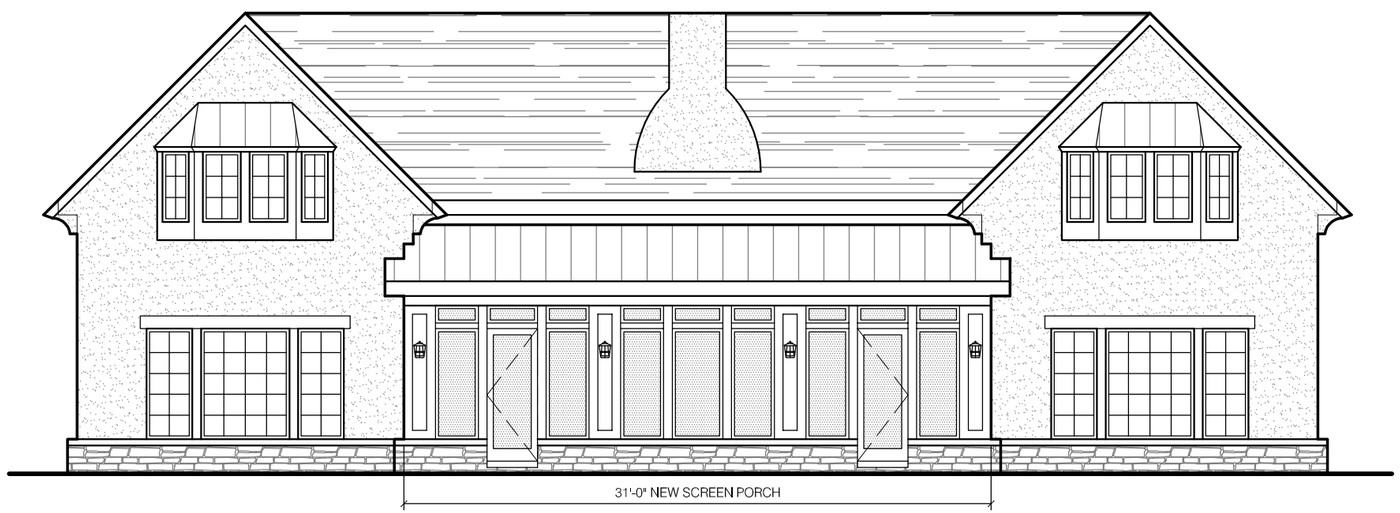
0 2 4 8 16



3 WEST ELEVATION - NEW WORK

SCALE: 1/8" = 1'-0"

0 2 4 8 16



2 SOUTH ELEVATION - NEW WORK

SCALE: 1/8" = 1'-0"

0 2 4 8 16

4 EAST ELEVATION - NEW WORK

SCALE: 1/8" = 1'-0"

0 2 4 8 16

ARCHITECT
BRENDA PARKER
614-586-5514
brenda.parker@cbusarch.com

NEW SCREEN PORCH
7823 CALVERTON SQUARE
NEW ALBANY, OHIO 43054

Zoning Set

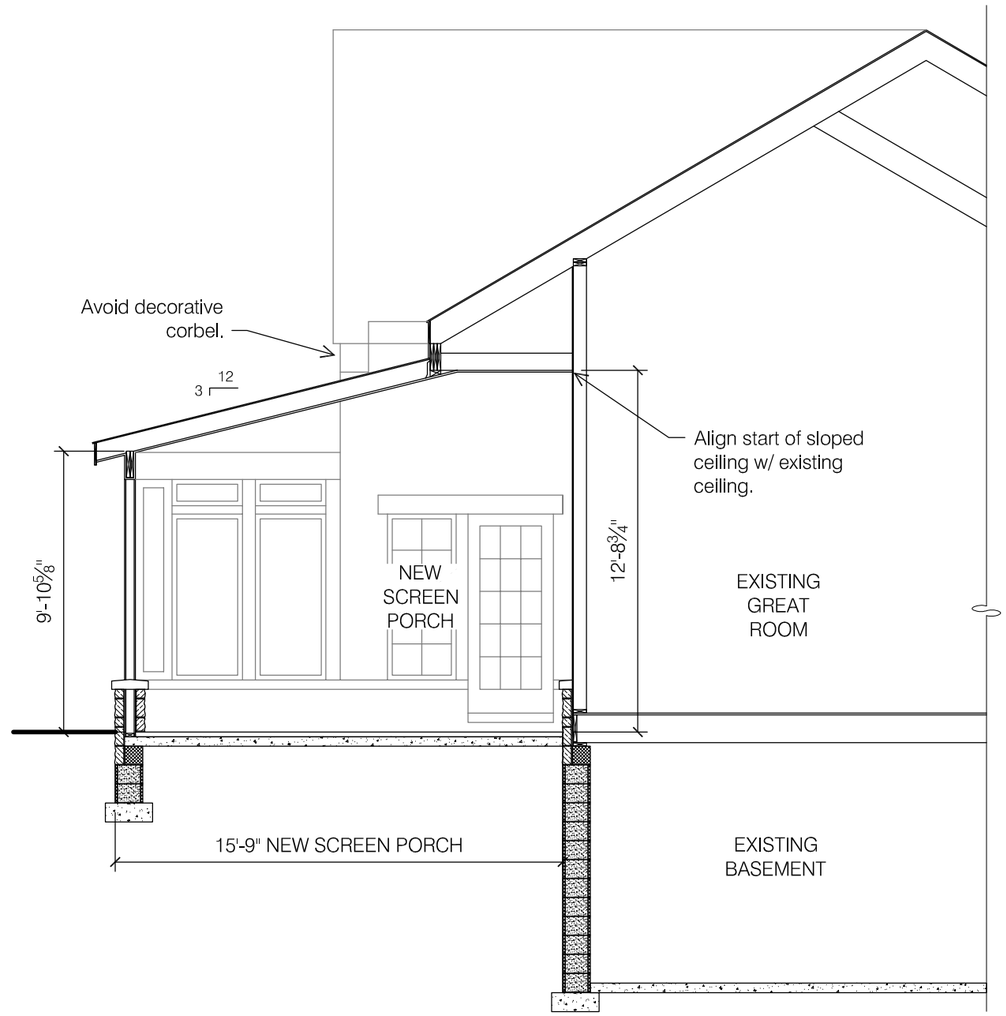
SCALE:
3/16"=1'-0"

PROJECT NO.:

DATE:
Oct 18, 2023

EXTERIOR ELEVATIONS

SHEET NO.
A3.1



1 OVERALL SECTION

SCALE: 3/16" = 1'-0"

0 1 2 4 8

ARCHITECT
BRENDA PARKER
614-586-5514
brenda.parker@cbusarch.com

NEW SCREEN PORCH
7823 CALVERTON SQUARE
NEW ALBANY, OHIO 43054

Zoning Set

SCALE:
3/16"=1'-0"

PROJECT NO.:

OVERALL SECTION

DATE:
Oct 18, 2023

SHEET NO.
A4.1

NEW ALBANY
COMMUNITY CONNECTS US

Planning Commission Staff Report
January 17, 2024 Meeting

OAKLAND NURSERY ZONING DISTRICT REZONING

LOCATION:	5211 and 5155 Johnstown Road (PID: 222-000297 and 220-001952)
REQUEST:	Re-Zoning
ZONING:	From R-2 (Low Density Single Family Residential District) & AG (Agriculture District) to I-PUD Planned Unit Development
STRATEGIC PLAN:	Parks & Green Space / Residential
APPLICATION:	ZC-125-2023
APPLICANT:	Ohio LLC, c/o Aaron Underhill, Esq.

Review based on: Application materials received December 15, 2023.

Staff report completed by Sierra Cratic-Smith, Planner

I. REQUEST AND BACKGROUND

The applicant requests a review for the rezoning of 9.88+/- acres. The request proposes to create a new zoning text for an area known as the "Oakland Nursery Zoning District" by zoning the area to Infill Planned Unit Development (I-PUD) from R-2 (Low Density Single Family Residential District) & AG (Agriculture District).

The rezoning proposes to allow for the continued operation of the existing garden center business and allows accessory uses such as product storage, employee parking, and housing seasonal staff in a neighboring residential home the business has purchased. Since the site is already substantially developed the applicant proposes to include the review of a parking lot expansion in conjunction with and as part of this rezoning application. The applicant proposes development standards that allow for the continued use and development pattern of the existing commercial business.

II. SITE DESCRIPTION & USE

Both sites are currently located along Johnstown Road/ US State Route 62. The site is located at the southwest corner of Johnstown Road and Thompson Road. The primary property is developed with a garden center on 8.407 acres of land and the residential property, adjacent to the garden center, stands on 1.485 acres of land.

The properties are adjacent to township residential and religious uses to the west. There are also religious uses and residential across the street along Johnstown Road and a residential subdivision across the street along Thompson Road.

III. PLAN REVIEW

The Planning Commission's review authority of the zoning amendment application is found under C.O. Chapters 1107.02. Upon review of the proposed amendment to the zoning map, the Commission is to make recommendation to city council. The 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 <u>underlined text</u>.

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).

Per Codified Ordinance Chapter 1159.08 the basis for approval of a preliminary development plan in an I-PUD shall be:

(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. Engage New Albany Strategic Plan

The 2020 Engage New Albany strategic plan designates the area as the Residential future land use category. However, given the proposed rezoning, staff has evaluated this proposal against the Retail standards. The strategic plan lists the following development standards for the Retail 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. Combined curb cuts and cross-access easements between parking areas are preferred between individual buildings.
5. Retail building entrances should connect with pedestrian network and promote connectivity through the site.
6. Integrate outdoor spaces for food related businesses.

B. Use, Site and Layout

1. The site is located within the Engage New Albany strategic plan's residential future land use district but contains a long-standing garden center business. The rezoning proposes to allow the continued operation of the existing garden center and allow for accessory uses such as product storage, employee parking, and housing seasonal staff in an adjacent residential home that the business has purchased.
2. The proposed zoning text permits the following uses:
   a) Lawn & garden centers.
   b) Greenhouses.
   c) Retail sales of plants, trees, bushes, shrubbery and similar living organisms.
   d) Retail sales of lawn and garden supplies and equipment, interior and exterior home décor, and related goods.
   e) One single family home as an accessory use to any permitted use, restricted to housing for employees of the owner or operator of the permitted use. Interior storage of supplies, materials, and goods associated with another permitted use shall be permitted with the home, but exterior storage of such items shall be prohibited.
   f) Exterior storage of plants, trees, bushes, shrubbery and other similar living organisms available for sale.
   g) Outdoor displays of goods for sale.
   h) Accessory structures for the storage of inventory, supplies, and equipment.
   i) Temporary outdoor festivals and events intended to draw customers to the primary uses on the site.
   j) Farmer's markets, when operating in conjunction with and during the hours of operation of another permitted use.
3. The proposed zoning text includes limitations on special event uses. The following limitations shall apply:
   a) Temporary outdoor festivals and farmer's markets will operate in conjunction with and during the hours of operation of another permitted use.
   b) Temporary signage shall only be permitted during October and December for the calendar year and will be reviewed administratively by city staff.
4. The zoning text establishes the following setbacks listed in the table below. Minimum setback requirements are being provided to apply to any new construction or development within this zoning district

SETBACKS	
Johnstown Road	The minimum setback from the right-of-way shall be 25 feet for pavement and 50 feet for buildings.
Thompson Road	The minimum setback from the right-of-way shall be 25 feet for pavement and 75 feet for buildings.
Southern & Western Boundaries	The minimum setback from the western perimeter boundary line of this zoning district shall be 25 feet for pavement and 60 feet for buildings.
Internal Boundaries	Setbacks along all internal property boundaries between adjoining parcels within this zoning district shall be zero for all buildings and pavement.

5. The site contains an existing channelized tributary to the Rocky Fork Creek. In order to match the existing development pattern the zoning text contains a provision that allows for existing structures, storage areas, and improved areas (including but not limited to paved, unpaved, and gravel areas) to be exempt from any required setbacks of the Codified Ordinances from streams or creeks or relating to riparian corridors. However, any new construction or modifications to existing improvements shall be required to comply with the city riparian corridor requirements.

C. Access, Loading, Parking

1. The single-family home shall provide for vehicular parking within a two-car garage and may provide for parking of at least two additional cars in the driveway just for employees.
2. The garden center business currently has two curb cuts: one on Johnstown Road and one on Thompson Road. The residential building contains its own curb cut on Johnstown Road. There are no additional curb cuts proposed or contemplated in the zoning text. Additional curb cuts will be evaluated with future development proposals.
3. The residential driveway shall be permitted to serve only the existing home on the site and access to other uses or improvements on the site from this driveway is prohibited.
4. The zoning text exempts the parking lot expansion from providing the typical parking lot islands and trees. This is consistent with the existing parking lot pattern. However, the spirit and intent of the landscaping code requirement appear to be met due to the nature of the business and the significant amount of landscaping on the site. However, it is required to provide the typical shrubs for headlight screening from the surrounding properties.
5. This application includes the review of a parking lot expansion in conjunction with and as part of this rezoning application since the site is already substantially developed. The parking lot expansion is on the residential home's property and is located beside and behind the home. There is an addition of 78 parking spaces for a total of 118 spaces.
    a. The parking lot expansion appears to be appropriately designed and located since it is behind the residential home and matches the current pavement setback that exists today along Johnstown Road.
    b. The code requires one parking space per 200 square feet of gross floor area for retail uses. According to the Franklin County Auditor, the garden center contains a total 12,357 +\- feet of retail space resulting in a minimum of 81 parking spaces being required. With the addition of 78 parking spaces, there area total of 118 spaces, which exceeds the minimum requirement of 81 spaces.
    c. The parking lot spaces and drive aisles meet all of the dimensional requirements found in the city parking code.
    d. There is no parking lot lighting proposed to be added.
    e. The applicant has submitted a truck turning study indicating that deliveries and emergency vehicles can navigate the site. The parking lot expansion is designed around this turning study to ensure there are no changes to the navigability of the site.
6. There is already an existing leisure trail along Johnstown Road so no additional trail is required as part of this parking lot expansion.

D. Architectural Standards

1. The proposed rezoning text is silent on architectural standards; therefore, the city's Design Guidelines & Requirements apply to this zoning district.
2. The zoning text requires that no individual building or structure in this zoning district shall exceed 8,000 square feet of gross floor area.

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

1. The zoning text includes a landscaping and buffer requirement along the portion of the boundary of this zoning district that is shared with the residential property. (PID 220-001797) This includes the western property line and the area extending from the

southernmost point of that shared boundary line on the west to the right-of-way of Johnstown Road on the east.

a. Within the pavement setbacks of this area, the text requires plantings that achieve an opaqueness of seventy-five percent (75%) during full foliage and attain ten (10) feet in height within five (5) years of planting.
b. As part of the parking lot expansion, the applicant has provided a landscape plan that includes 15 Green Giant trees along the portion of the western property line where there is no existing landscaping. The applicant indicates that the remainder of the boundary line contains existing landscaping that meets this code requirement.

2. Along all other perimeter boundary lines of this zoning district which are shared with parcels outside of this Zoning District, based on the existence of mature trees and vegetation near those lines either within the zoning district or on adjacent parcels, significant buffering exists and therefore Codified Ordinances Section 1171.05(c) does not apply.
3. The applicant is installing 5 new street trees along Johnstown Road where the parking lot expansion is located.
4. The landscape also proposed shrubs along the driveway of the residential home with other landscaping treatments in the front yard in order to keep the residential character of the home.
5. The landscape plan includes shrubs along Johnstown Road where the parking lot expansion is located to provide for headlight screening.
6. <u>The city landscape architect has reviewed and approved the proposed landscaping plan. The city landscape architect recommends that additional shrubs be provided along the southern terminus (behind the residential home) of the parking lot drive aisle to provide for additional headlight screening. Staff recommends a condition of approval that this landscaping be added (condition #1).</u>

F. Lighting & Signage

1. No lighting will be added to the new addition of the parking lot.
2. The proposed zoning text states the existing signage within the zoning district shall remain. However, temporary ground signs such as vertical banners and streamers shall be permitted for one consecutive 14-day period in both October and December of each calendar year as part of special business events.
3. All new signage shall comply to the requirements of the Codified Ordinances unless otherwise approved by the Planning Commission as part of the final development plan.

D. Other Considerations

1. The proposed zoning text states that any modifications or additions to improve the site within the zoning district in accordance with the Revised Parking Plan and the Revised Landscape Plan does not require a final development plan and shall be reviewed administratively by city staff. All other future expansions require a final development plan to be reviewed and approved by the Planning Commission.
2. All new utilities in this zoning district shall be installed underground.

IV. ENGINEER'S COMMENTS

The City Engineer, E.P. Ferris reviewed the proposed rezoning application and provided the following comments. <u>Staff recommends a condition of approval that the comments of the city engineer are addressed and incorporated into the zoning text as appropriate, subject to staff approval (condition #2).</u>

1) Add flood routing, contour and spot elevation data to the revised site plan showing that all drainage associated with the proposed additional parking will be directed toward the existing basin and away from adjoining parcels.
2) Provide a revised SW Report showing that the existing basin meets all water quantity and quality control requirements outlined in Code Section 1181 Stormwater Management and Runoff Control.

3) Where not already provided please provide legal descriptions and exhibits that dedicate 40' of r/w or easements as measured from the Thompson Road centerline and 45' of r/w as measured from the Johnstown Road centerline along all parcel frontages. Along Thompson Road provide an additional 10 feet of right-of-way and a 10-foot streetscape and utility easement in order to meet the strategic plan recommendations. These dedications are consistent with the Strategic Plan and previous r/w dedications for projects located in this area.

IV. SUMMARY

The rezoning application allows for the continued operation of the existing garden center business and ensures it is consistent with the spirit and intent of the city codified ordinances and strategic plan standards. Oakland Nursery is an established, long-standing business within the community and this rezoning supports its continued growth by expanding the parking lot and allowing for accessory uses such as product storage, employee parking, and housing seasonal staff in an adjacent residential home purchased by the business owner. Although the use of residential home is changing to commercial, the exterior of the home will be preserved to keep the residential character of the Johnstown Road corridor.

V. ACTION

Suggested Motion for ZC-125-2023:

Should the Planning Commission find that the application has sufficient basis for approval, the following motion would be appropriate (conditions may be added):

Move to approve application ZC-125-2023 based on the findings in the staff report subject to the following conditions.

1. Additional shrubs be provided along the southern terminus (behind the residential home) of the parking lot drive aisle to provide for additional headlight screening, subject to staff approval.
2. The comments of the city engineer shall be addressed and incorporated into the zoning text as appropriate, subject to staff approval.

Approximate Site Location:

Source: Near Map

Permit # _____
Board _____
Mtg. Date _____

NEW ALBANY

Community Development Planning Application

Project Information

Site Address 5211 Johnstown Rd., New Albany, OH 43054

Parcel Numbers 220-001952, 222-000297

Acres 9.89 +/- # of lots created N/A

Choose Application Type	Circle all Details that Apply			
Appeal				
Certificate of Appropriateness				
Conditional Use				
X Development Plan	Preliminary	Final	Comprehensive	Amendment
Plat	Preliminary	Final		
Lot Changes	Combination	Split	Adjustment	
Minor Commercial Subdivision				
Vacation	Easement		Street	
Variance				
Extension Request				
X Zoning	Amendment (rezoning)		Text Modification	

Description of Request: Rezoning of property presently having AG, Agricultural District, and R-2, single family residential classifications to permit continued operation of a lawn and garden center, nursery and related accessory uses.

Contacts

Property Owner's Name: Oakland Nursery, Inc.
Address: c/o Aaron Underhill, Underhill & Hodge, 8000 Walton Parkway, Suite 260
City, State, Zip: New Albany, OH 43054
Phone number: (614) 335-9320 Fax: _____
Email: aaron@uhlawfirm.com

Applicant's Name: Oakland Nursery, Inc.
Address: c/o Aaron Underhill, Underhill & Hodge, 8000 Walton Parkway, Suite 260
City, State, Zip: New Albany, OH 43054
Phone number: (614) 335-9320 Fax: _____
Email: aaron@uhlawfirm.com

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 By: Attorney for Owner Date: 12/15/23
Signature of Applicant By: Attorney for Applicant Date: 12/15/23

Oakland Nursery I-PUD Legal Description -Parcel 1 of 2

8.407 ACRES

Situated in the State of Ohio, County of Franklin, Township of Plain, located in Quarter Township 3, Township 2, Range 16, United States Military Lands, being the remainder of that 10.039 acre tract conveyed to Richard A. Winnestaffer by deed of record in Instrument Number 199910050250409 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning, for reference, at a railroad spike found in the original centerline of Thompson Road at the common corner of that 1.542 acre tract conveyed to Village of New Albany by deed of record in Instrument Number 200505200096849 and that 8.561 acre tract conveyed to Church Foundation of the Diocese of Southern Ohio by deed of record in Official Record 33811B10;

thence South 18° 03' 43" West, across the right-of-way of said Thompson Road, with the line common to said 1.542 and 8.561 acre tracts, a distance of 20.65 feet to an iron pin set in the southerly right-of-way line thereof, being the northeasterly corner of the remainder of said 10.039 acre tract and the TRUE POINT OF BEGINNING;

thence with the southerly line of said 1.542 acre tract, the southerly right-of-way line of said Thompson Road, the following courses and distances:

South 86° 19' 35" East, a distance of 618.89 feet to an iron pin set;

South 03° 40' 25" West, a distance of 10.00 feet to an iron pin set;

South 79° 35' 32" East, a distance of 42.64 feet to an iron pin set;

South 04° 43' 00" West, a distance of 28.00 feet to an iron pin set;

South 85° 12' 10" East, a distance of 101.98 feet to an iron pin set at a point of curvature;

with the arc of said curve to the right, having a central angle of 07° 40' 56", a radius of 457.82 feet, an arc length of 61.38 feet, a chord bearing and distance of South 60° 27' 24" East, 61.34 feet to an iron pin set; and

South 05° 49' 38" East, a distance of 46.38 feet to an iron pin set in the northeasterly right-of-way line of Johnstown Road (U. S. Route 62);

thence South 47° 23' 38" West, with the northeasterly line of said 1.542 acre tract, the northeasterly right-of-way line of said Johnstown Road, a distance of 67.29 feet to an iron pin set;

thence South 48° 15' 25" West, continuing with northeasterly lines, a distance of 471.13 feet to a 3/4 inch iron pin found in the northerly line of that 1.490 acre tract conveyed to Phillip K. and Lila J. Baker by deed of record in Official Record 27758E15;

thence North 86° 38' 05" West, with the northerly line of said 1.490 acre tract and the northerly line of that 2.060 acre tract conveyed to Stephen S. Tippett, Trustee and Pamela A. Tippett Trustee by deed of record in Instrument Number 200201230020970, (passing at 303.60 feet a 3/4 inch iron pin found) a total distance of 577.83 feet to a 5/8 inch iron pipe found in the easterly line of said 8.561 acre tract;

thence North 18° 03' 43" East, with the easterly line of said 8.561 acre tract, a distance of 521.15 feet to the TRUE POINT OF BEGINNING, and containing 8.407 acre of land, 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 above description was prepared from a field survey performed by EMH&T in January 2010.

Bearings shown herein are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments FRANK 78 and FRANK 178, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment, with a bearing of North 48° 15' 25" East for a portion of Johnstown Road.

STATE OF OHIO
HEATHER L. KING
S-8307
REGISTERED
PROFESSIONAL SURVEYOR

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King
Registered Surveyor No. 8307

2/1/11
Date

HLK: tb/January 31, 2011
8_407 ac 20110094ALTA

0 - 75 - H
All of
(220)
1952

DESCRIPTION VERIFIED
DEAN C. RINGLE, P.E., P.S.
BY: BB
DATE: 5/9/11
FRANKLIN COUNTY ENGINEER

Oakland Nursery I-PUD Legal Description -Parcel 2 of 2

LEGAL DESCRIPTION

File No : 01032-27310

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Quarter Township 3, Township 2, Range 16, United States Military Lands and being 1.490 acres out of the northeasterly corner of the original tract conveyed to Dale V. and Elizabeth Ann Armstrong by deed of record in Deed Book 2048, page 162, all references to records of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Beginning at a steel nail found in the centerline of Johnstown Road and at the Northeasterly corner of said Armstrong tract, being also the southeasterly corner of the Mary A. Borgman 10.039 acre tract;

Thence along the centerline of Johnstown Road, South 45 degrees 02' West, (passing a railroad spike at 0.85 feet), 367.37 feet to a nail, said nail being located North 45 degrees 02' East, 75.73 feet from a nail at the northeasterly corner of the Donald E. Good 1.224 acre tract;

Thence North 82 degrees 34' West, (being parallel to and 60.0 feet northerly at right angles from the northerly line of said 1.224 acre tract and passing an iron pin at 37.86 feet), 140.0 feet to an iron pin;

Thence across the said Armstrong tract, North 7 degrees 26' East, 244.47 feet to an iron pin in the northerly line of said tract, being also the southerly line of the Mary A. Borgman tract;

Thence along said line, South 89 degrees 51' 30" East, (passing an iron pin at 324.72 feet), 367.12 feet to the place of beginning, containing 1.490 acres, more or less.

All of (222) 000297

Surveyed by Matthew A. Kirk, Professional Surveyor No. 7865 on October 20, 2016.

Parcel No.: 222-000297-00

DESCRIPTION VERIFIED
Connie R. Robinson, Co. Eng.
BY: bmuether
03/26/2018
10:53:15 AM
*Submitted via digital format

DESCRIPTION VERIFIED
Connie R. Robinson, Co. Eng.
BY: JRW
DATE 4/2/2018

OAKLAND NURSERY I-PUD
ZONING DISTRICT

Information concerning specific Code requirements for rezoning submittal by Oakland Nursery, Inc.

Per C.O. 1111.03(c), a written statement of the existing use and zoning district.

Response: The existing use of the property is for a commercial nursery, lawn, and garden center with a greenhouse and associated storage and operations. A home also exists on the subject property. The commercial portions of the zoning district are in the process of being annexed to the City from Plan Township. The existing zoning of this portion of the site in the Township is SCPD, Select Planned Commercial District. Upon annexation, the Codified Ordinances automatically will apply the AG, Agricultural zoning district classification to that property. The existing home on the site is located within the City and is zoned R-2, single-family residential.

Per C.O. 1111.03(d), a written statement of the proposed use and zoning district.

Response: The existing use of the property is for a commercial nursery, lawn, and garden center with a greenhouse and associated storage and operations. A home also exists on the subject property. The permitted uses on the property will remain the same as have been operating on the site for over 25 years. An I-PUD zoning designation is being requested for the site in order to provide appropriate rights, standards, and requirements to accommodate existing conditions.

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 little impact on adjacent and proximate properties. This rezoning is necessary based on the annexation of the portions of the site on which commercial uses currently operate as Oakland Nursery. Upon annexation, the Codified Ordinances automatically provide that property is placed into the Ag, Agricultural zoning classification. Therefore, a rezoning is necessary to provide appropriate zoning use rights and development standards to accommodate existing uses and conditions. In addition, the zoning district will include a parcel that is already within the City which is under common ownership with the commercial property and contains an existing home in which employees of Oakland Nursery already reside. The two parcels will be combined, allowing the home to continue to be occupied by employees as an accessory use to the commercial uses, and also providing the opportunity to add commercial parking spaces within the zoning district.

Neighboring properties will not be affected by any changes in use of the properties. Where new parking is to be constructed, the adjacent residential property will be buffered in accordance with commitments that are set forth in the zoning text. In addition, the zoning text will prohibit the installation of light poles in order to protect the adjacent owner.

Per C.O. 1111.03(h) and 1159.07(b)(2)(H), a written statement regarding the potential impact of the proposed use on the student population of the local school district(s).

Response: The proposed use of and intensity of development on the property within the zoning district is not changing. Therefore, there will be no impact on the school district or the student population.

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: None, other than those which may exist at the time of the filing of this application.

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: The site is already developed. The only proposed change to improvements on the site is the addition of paved parking spaces. These improvements are expected to be undertaken in the spring and summer of 2024.

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 application is 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 application is required..

OAKLAND NURSERY
INFILL PLANNED DEVELOPMENT (I-PUD) DISTRICT

DEVELOPMENT STANDARDS TEXT

JANUARY 2, 2024

I. Summary: The property which is the subject of this text consists of 9.89+/- acres located to the west/southwest of and adjacent to the intersection of Johnstown Road and Thompson Road. It contains two existing uses. A large portion of the property is unincorporated in Plain Township but is in the process of being annexed to the City. Prior to completion of the annexation it is known as Franklin County Auditor Parcel Number 220-001952. Upon annexation of that parcel, the Codified Ordinances provide that it will be designated automatically with an AG, Agricultural zoning district classification. Oakland Nursery operates a nursery, greenhouse, and related retail sales operation on that parcel. The remainder of the property within the zoning district is located on a parcel that is in the City, is zoned R-2, Single-Family Residential under the Codified Ordinances, and contains an existing single-family home (Franklin County Auditor Parcel Number 222-000297). The property owner/applicant, Oakland Nursery, Inc., desires to provide for the continued use and operation of the existing business and residential uses and to add parking within the zoning district to serve the business operations.

II. Development Standards: Unless otherwise specified in the submitted drawings or in this written text, the provisions of the City of New Albany Codified Ordinances shall apply to this zoning district. The standards and requirements of Chapter 1147, C-2, General Business District shall apply as the baseline standards. In the event of a conflict between this text and/or the submitted drawings and a specific provision of the Codified Ordinances, this text and/or the drawings accompanying it shall govern.

The intent of this zoning district is to allow for the continued existence of structures and improvements on the property which exist on the date when this zoning district becomes legally effective. To this end, all existing improvements to the property within this zoning district on the effective date of this text shall be considered to be legally conforming to this I-PUD zoning classification and related standards and requirements. Should existing improvements be damaged or destroyed by fire, storm, or other casualty, then they shall be permitted to be reconstructed in the same locations and with the same or similar designs of those improvements as they existed prior to the casualty event. If existing improvements in the zoning district are proposed for replacement for any reason other than the occurrence of a casualty event, then said replacement improvements shall comply with the requirements of this text unless otherwise approved by the Planning Commission as part of a final development plan application.

III. Permitted Uses: Permitted uses in this zoning district shall include only the following. No other permitted uses or conditional uses shall be allowed to operate in this zoning district other than as follows:

A. Lawn and garden centers.

B. Greenhouses.

C. Retail sales of plants, trees, bushes, shrubbery, and similar living organisms.

D. Retail sales of lawn and garden supplies and equipment, interior and exterior home décor, and related goods.

E. One single-family home as an accessory use to any permitted use, restricted to housing for employees of the owner or operator of the permitted use. The use of the single-family home by occupants which are not employees of a business located within the zoning district shall not be permitted. Interior storage of supplies, materials, and goods associated with another permitted use shall be permitted with the home, but exterior storage of such items shall be prohibited.

F. Exterior storage of plants, trees, bushes, shrubbery, and other similar living organisms available for sale.

G. Outdoor displays of goods for sale.

H. Accessory structures for the storage of inventory, supplies, and equipment.

I. Temporary outdoor festivals and events intended to draw customers to the primary uses on the site, lasting no more than three consecutive days and operating during normal business hours, with no more than one such event being permitted in any single calendar month. A special event permit shall be obtained from the City for each such festival or event.

J. Farmer's markets, when operating in conjunction with and during the hours of operation of another permitted use.

IV. Lot, Building Size, and Setback Requirements:

A. Single Parcel: The two parcels that exist within this zoning district shall be combined into a single parcel following the legally effective approval of this text. Future subdivisions of the post-combination single parcel shall be permitted if approved in accordance with the subdivision regulations of the Codified Ordinances, provided that the existing home in this zoning district must be located on a parcel that also contains a permitted use.

B. Maximum Building Size: No individual building or structure in this zoning district shall exceed 8,000 square feet of gross floor area.

C. Setbacks: Minimum setback requirements are being provided to apply to any new construction or development within this zoning district and to any expansion or modification of existing improvements within the zoning district as they exist on the date when this text becomes

legally effective. Existing improvements shall be permitted to remain in their present locations even if they do not comply with these minimum setbacks and may be replaced in these same location if such replacement is caused by fire, storm, or other casualty event as contemplated in Section II above.

1. Johnstown Road: The minimum setback from the right-of-way of Johnstown Road shall be 25 feet for pavement and 50 feet for buildings.

2. Thompson Road: The minimum setback from the right-of-way of Thompson Road shall be 25 feet for pavement and 75 feet for buildings.

3. Western Perimeter Boundary: The minimum setback from the western perimeter boundary line of this zoning district shall be 25 feet for pavement and 60 feet for buildings.

4. Southern Perimeter Boundary: The minimum setback from the southern perimeter boundary line of this zoning district shall be 25 feet for pavement and 60 feet for buildings.

5. Stream Corridor Protection: Existing structures, storage areas, and improved areas (including but not limited to paved, unpaved, and gravel areas) shall be exempt from any required setbacks of the Codified Ordinances from streams or creeks or relating to riparian corridors. New construction or modifications to existing improvements shall be required to comply with such requirements.

6. Interior Boundaries: Setbacks along all internal property boundaries between adjoining parcels within this zoning district shall be zero for all buildings and pavement unless otherwise specified in this text.

V. Access, Loading, Parking and Other Traffic Commitments:

A. Vehicular Parking: Vehicular parking shall be permitted to be provided in accordance with conditions as they exist on the date when this text is legally effective, or may be provided in accordance with the accompanying revised parking plan (the "Revised Parking Plan"), which is intended to provide parking for all permitted and accessory uses on the site other than the single-family home. The single-family home shall provide for vehicular parking within a two-car garage and shall provide for parking of at least two additional cars in the driveway. Occupants of the home shall be required to use the garage and driveway parking spaces and shall not be permitted to use other parking spaces on the site unless parking a vehicle in one of those spaces while working. Any employee of the commercial uses in this zoning district may utilize parking on the driveway for the home, but customers shall not be permitted to park in that location.

B. Vehicular Access: Vehicular access to and from the zoning district shall be provided from existing access points. These include three access points on Johnstown Road, with the northernmost of these access points having full turn movements, the middle of these access points having right-in, right-out turn movements, and the southernmost of these access points being a residential driveway. The residential driveway shall be permitted to serve only the existing home on the site and access to other uses or improvements on the site from this driveway shall be prohibited. Another vehicular access drive is located on Thompson Road near the western edge of the zoning district and has full turn movements. Use of this access point by customer traffic shall be prohibited. Internal vehicular circulation within this zoning district shall be provided in accordance with existing conditions or that which is illustrated in the Revised Parking Plan.

C. Pedestrian Access: An existing paved asphalt leisure trail exists along Johnstown Road and shall remain. No leisure trail shall be required along the south side of Thompson Road unless a major modification to site improvements is made on the site other than those which are associated with the Revised Parking Plan or the Revised Landscaping Plan. The determination of what constitutes a major modification shall be made by City staff.

D. Rights-of-Way: No additional rights-of-way shall be required to be dedicated along Johnstown Road or Thompson Road.

E. Traffic Study: Given that the proposed zoning district accommodates existing uses and development and upon initial approval does not propose any increase in building square footages or intensity of uses, no traffic study shall be required. However, should additional square footage for permitted or accessory uses be proposed by the property owner in the future, the City Engineer shall have the right (but not the obligation) to require a traffic impact study or less detailed traffic analysis in order to evaluate the potential impacts of the additional square footage on the public street network.

VI. Buffering, Landscaping, Open Space and Screening Commitments:

A. Existing Landscaping: Landscaping within this zoning district shall remain as it exists on the legally effective date of this text, provided, however, that landscaping shall be modified along with the installation and construction of the Revised Parking Plan in accordance with a separate accompanying plan that is titled "Revised Landscaping Plan."

B. Along Public Streets: A four-board white horse fence exists along Johnstown Road and shall remain. The white horse fence continues for a short distance along Thompson Road. No further extension of the white horse fence westward shall be required along the Thompson Road frontage based on existing conditions, such as but not limited to existing trees.

C. Parking Lot Landscaping. Landscaping within the new parking areas shown on the Revised Parking Plan shall be landscaped in accordance with the Revised Landscaping Plan and

shall be exempt from any requirements for parking lot landscaping that are set forth in Codified Ordinances Chapter 1171.06(a), except that shall be screened from primary streets, residential areas, and open space by a three and one-half (3.5)-foot minimum height evergreen hedge or masonry wall, or combination of wall and plantings.

D. Landscape Buffer: Along the portion of the western boundary line of this zoning district which is shared with Franklin County Auditor Parcel Number 220-001797 (as it exists on the date when this text becomes legally effective), and in the area extending from the southernmost point of that shared boundary line on the west to the right-of-way of Johnstown Road on the east, a landscape buffer shall be planted in conjunction with the addition of parking spaces in accordance with the Revised Parking Plan. The buffer shall be located within the minimum required pavement setback and shall be planted with natural vegetation that is planted no closer than 3 feet from the property line, with a number and sizes of trees, shrubs, and/or other plantings which shall reach a minimum of 75% opacity at the time of fall foliage within 5 years of installation. This buffering shall be reviewed and shall be required to be approved by the City's Landscape Architect before installation and construction of the new parking spaces in accordance with the Revised Parking Plan may commence. Existing trees and vegetation may be used to assist in meeting the requirements of this paragraph. Minimum sizes at installation shall be 2 inches in caliper for ornamental trees, 2.5 inches in caliper for deciduous shade trees, and 6 feet tall for evergreen trees. Along all other perimeter boundary lines of this zoning district which are shared with parcels outside of this Zoning District, based on the existence of mature trees and vegetation near those lines either within the zoning district or on adjacent parcels, significant buffering exists and therefore Codified Ordinances Section 1171,05(c) shall not apply.

VII. Miscellaneous Standards and Requirements:

A. Signage: Existing signage within this zoning district shall be permitted to remain. Temporary ground signs such as vertical banners and streamers shall be permitted for one consecutive 14-day period in both October and December of each calendar year. Any new signage (other than said temporary signage or replacement signage that replicates existing signs) shall conform to the requirements of the Codified Ordinances unless otherwise approved by the Planning Commission as part of an amended final development plan. A property owner or applicant may present a master signage plan to the Planning Commission for its review and approval as part of an amended final development plan which, once approved, shall govern the regulation of signage on the site.

B. Lighting: Existing light poles and existing light fixtures shall be permitted to remain within this zoning district. The following requirements shall apply to any new lighting:

1. Poles: In order to protect neighboring properties from light spillage ort pollution, light poles shall be prohibited.

2. Prohibited Lighting: No permanent colored lights or neon lights shall be used on the exterior of any building.

C. Utilities: All new utilities in this zoning district shall be installed underground.

D. Final Development Plans: Due to the fact that this zoning district contains long-existing buildings, structures, and uses, there shall be no requirement for the review and approval of a final development plan application for the site in its present condition. The applicant has provided, along with this text and related application materials, previous site plans that were approved by Plain Township in the years 2000, 2001, 2011, 2015, and 2018, as well as a Private Site Improvement Plan from 2012 that allowed for internal vehicular circulation improvements to be constructed. These plans shall be used to document existing site conditions as of the legally effective date of this text.

Modifications or additions to improvements in this the zoning district which are to be made in accordance with the Revised Parking Plan and the Revised Landscaping Plan shall be reviewed at the staff level at the time of relevant permitting to ensure compliance of new or modified improvements with those plans. A final development plan application shall not be required to be reviewed or approved for improvements that are to be made in accordance with those two plans.

E. Variances: 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. The procedures and requirements of Chapter 1113, Variances of the Codified Ordinances shall be followed in cases of variances. The Planning Commission shall hear requests for variances in this zoning district.

AFFIDAVIT OF FACTS

I, Aaron L. Underhill, in my capacity as attorney for the applicant listed on the zoning application pertaining to 9.897+/- acres known as Franklin County Parcel Numbers 220-001952 and 222-000297, being first duly sworn, do hereby state and depose the following:

That accompanying this affidavit is a list of all property owners located within two hundred (200) feet of the parcel(s) that are the subject of the application and their addresses as appearing on the Franklin County Auditor's current tax list; and

That said list is based solely on the records of the Office of the Auditor of Franklin County, Ohio, as provided on its website on or about the date of this affidavit.

Further Affiant sayeth not.

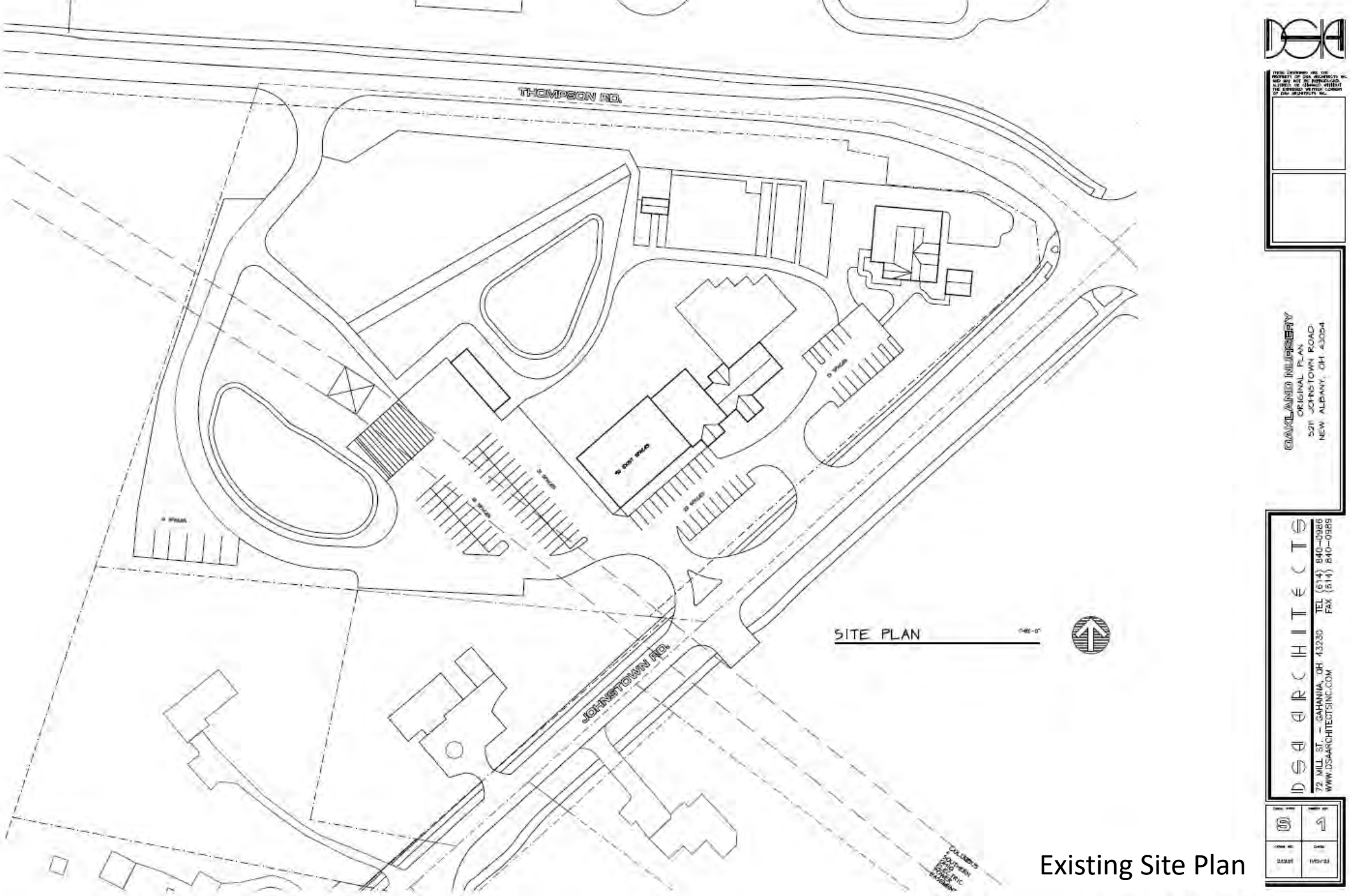
By:_____
Aaron L. Underhill
Attorney, Underhill & Hodge LLC

STATE OF OHIO
COUNTY OF FRANKLIN SS.

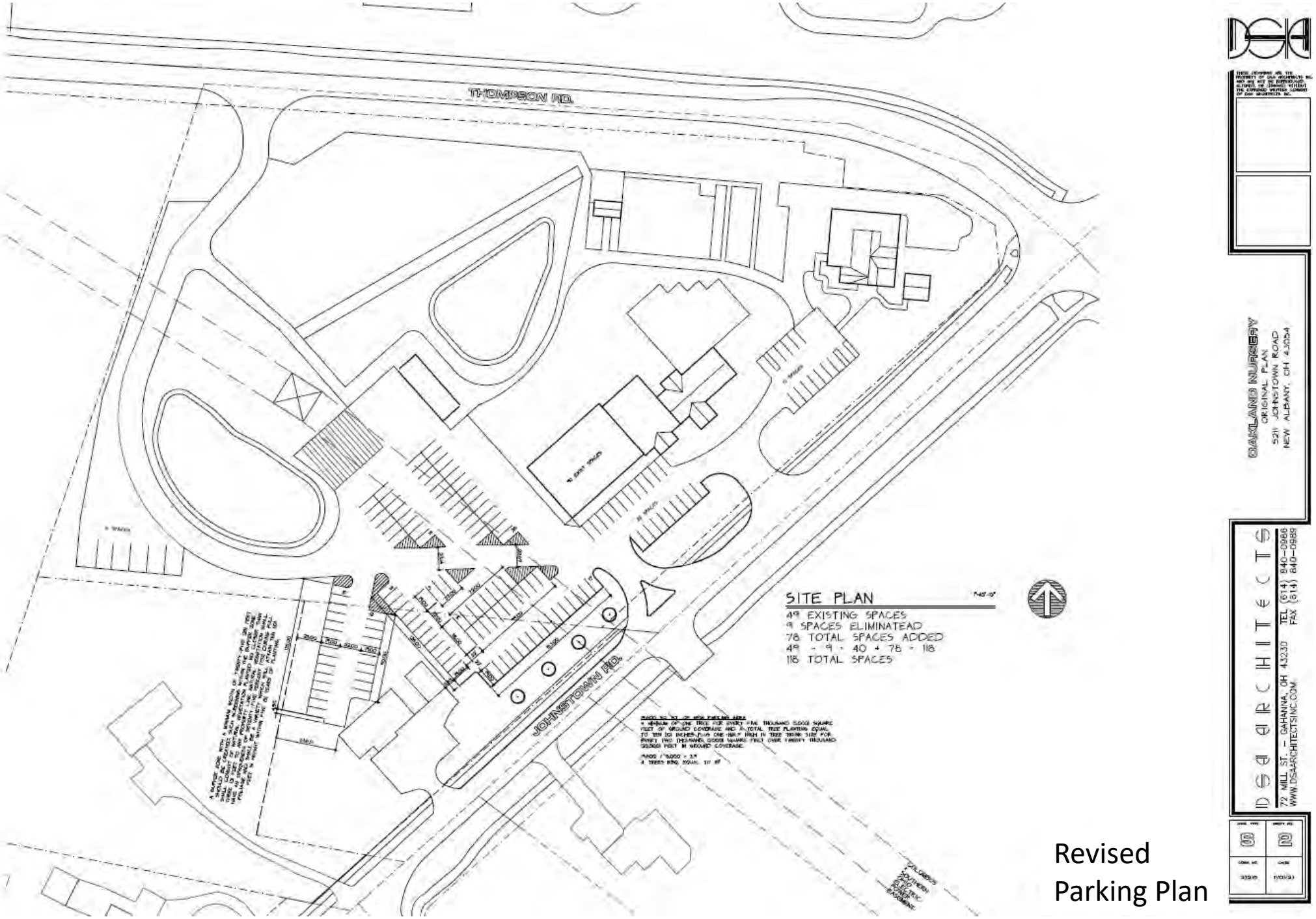
The foregoing instrument was acknowledged before me on the ____ day of _____ 2023, by Aaron L. Underhill, who acknowledged the foregoing signature to be his voluntary act and deed.

_____
Notary Public

My Commission Expires: _____

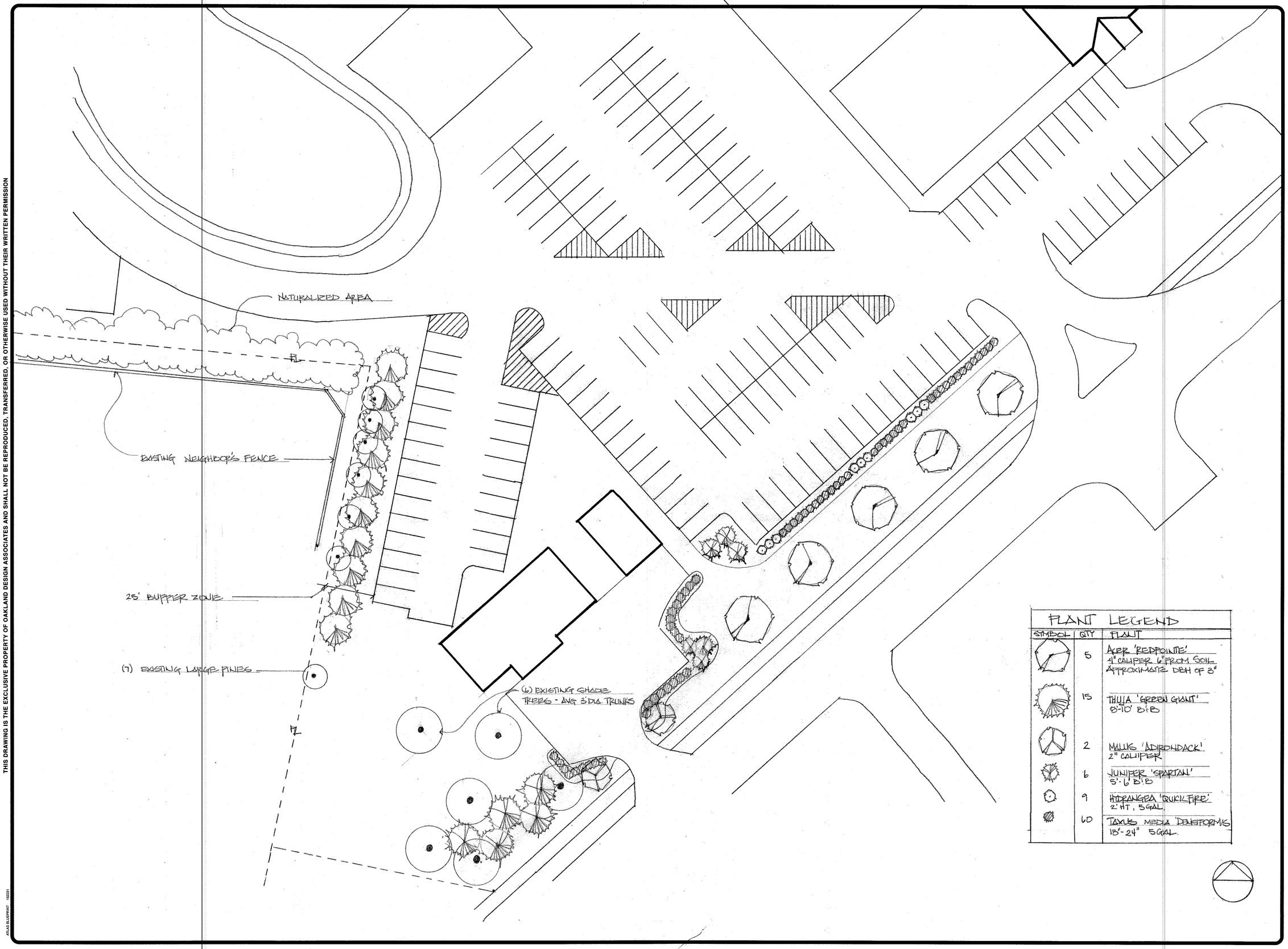


Existing Site Plan



Revised Parking Plan

THIS DRAWING IS THE EXCLUSIVE PROPERTY OF OAKLAND DESIGN ASSOCIATES AND SHALL NOT BE REPRODUCED, TRANSFERRED, OR OTHERWISE USED WITHOUT THEIR WRITTEN PERMISSION



REVISIONS	BY
1/4/24	LFB

OAKLAND NURSERY
5211 JOHNSTOWN RD.
NEW ALBANY, OH 43054

PLANTING PLAN

Oakland Design Associates
landscape architecture
site planning
construction management
1156 Oakland Park Avenue
Columbus, Ohio 43224
(614) 268-3834

DRAWN: L.F. POTKINS
CHECKED:
DATE: 12/14/23
SCALE: 1" = 20'-0"
JOB NO.
SHEET
OF SHEETS

ATLAS BLUEPRINT 182031

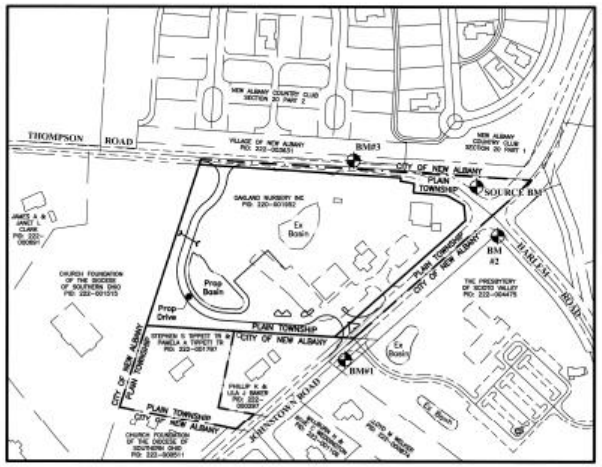
Site Construction Plan – 2012
Page 1

PLAIN TOWNSHIP, FRANKLIN COUNTY, OHIO
PRIVATE SITE IMPROVEMENT PLAN
FOR
OAKLAND NURSERY
2012

LOCATION MAP
Not To Scale

SHEET INDEX

Title Sheet 1
General Notes, Quantities And Details 2
Maintenance Of Traffic 3
Pavement Plan & Entrance Details 4
Grading Plan And Stormwater Pollution Prevention Plan 5
Storm Sewer Profiles And Culvert Details 6
Culvert Details 7
Stormwater Pollution Prevention Notes & Details 8



INDEX MAP
Scale: 1"=200'

OWNER

Oakland Nursery
Mark Reiner
1156 Oakland Park Avenue
Columbus, OH 43224
Tel: (614) 268-3511
Fax: (614) 268-3003

BENCH MARKS
(NAVD 1988)

Source BM — FCGS NA-18, Aluminum disk in the southeast corner of a culvert wingwall on the northerly side of Thompson Road just west of Johnstown Road/Harlem Road, 38.0 feet northeast of the centerline of Thompson Road and 98.0 feet northwest of the centerline of Johnstown Road.
Elev. = 963.596 (NAVD 88)

BM#1 — Railroad spike in the east side of the fourth utility pole west of the intersection of U.S. 62 and Harlem Road, on the south side of U.S. 62.
Elev. = 960.389 (NAVD 88)

BM#2 — Chiseled "X" on the west rim of a sanitary manhole located at the southeast corner of intersection of U.S. 62 and Harlem Road
Elev. = 963.995 (NAVD 88)

BM#3 — Chiseled "X" on the west bolt of a fire hydrant located on the east side of Thompson Road, being the 2nd fire hydrant north of the intersection of Thompson Road and Johnstown Road.
Elev. = 956.17 (NAVD 88)

OHIO Utilities Protection SERVICE
Call Before You Dig
800-362-2764 or 8-1-1
www.oups.org

STANDARD CONSTRUCTION DRAWINGS

The Standard Drawings listed on these plans shall be considered a part thereof:

City of Columbus

AA-S130	AA-S149
AA-S133	AA-S150
AA-S139	AA-S167
AA-S140	AA-S169

Registered Engineer No. 66927 — Date 7-30-12

Franklin County Engineer signatures below signify only concurrence with the general purpose and general location of the project. All technical details remain the responsibility of the engineer preparing the plans. Approval on the part of Franklin County Engineer's office is given for work within the Franklin County R/W only.

APPROVED BY:

Franklin County Engineer — Date 8-6-12

Franklin County Chief Deputy Engineer — Date 8-6-12

MARK	DATE	DESCRIPTION

REVISIONS

OAKLAND NURSERY

PLAIN TOWNSHIP, FRANKLIN COUNTY, OHIO
PRIVATE SITE IMPROVEMENT PLAN
FOR
OAKLAND NURSERY
TITLE SHEET

EMH&T
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Fax: 614.775.4800
emht.com

DATE: APRIL 27, 2012
SCALE: As Noted
JOB NO.: 20111089
SHEET: 1/8

GENERAL NOTES

The requirements of the City of Columbus, together with the Standard Specifications of the City of Columbus, 2012 Edition, including all supplements thereto in force on the date of contract, shall govern all materials and workmanship involved in the improvements shown on these plans except as such specifications are modified by the following notes or by the construction details set forth herein.

The Contractor is responsible to visit the site and verify the extent of work to be performed prior to making his bid. Special regard should be given to any removal items. All existing structures are to be removed, unless otherwise noted. Cost is to be included in the price bid for Item 201.

The Contractor shall obtain all necessary permits prior to construction.

The Contractor and Sub-Contractor shall be solely responsible for complying with all federal, state and local safety requirements, and to initiate, exercise, maintain, and supervise all safety requirements precautions and programs in connection with the work, for the protection of persons (including employees) and property, at all times.

The Contractor shall furnish and maintain sanitary convenience facilities for the workmen and inspectors for the duration of the work. Cost shall be included in the price bid for the storm sewer & grading improvement.

The identity and location of existing underground utility facilities known to be located in the area have been shown on these plans as accurately as possible with the information provided by the Owner or the underground utility facility. The Engineer assumes no responsibility for the accuracy or the location or the depths of the underground facilities shown on these plans.

The Contractor shall be responsible for the support, protection and restoration of all existing utilities. The cost of this work shall be included in the price bid for the various items.

The Contractor shall cause notice to be given, at least 48 hours prior to the start of construction, to the Ohio Utilities Protection Service (telephone 1-800-362-2764 toll free) and to the owners of underground utility facilities shown on the plans who are not members of a registered underground protection service in accordance with Section 153.64 of the Revised Code.

All fill placed for building pads shall be done so in accordance with and under the observation of a Registered Soils Engineer.

The Contractor shall be responsible to employ the services of a Registered Soils Engineer to insure the subgrade has been compacted in accordance with City of Columbus CMS Item 203.13 and the recommendations of the Soils Engineer.

The Contractor shall be responsible to furnish, erect, maintain, and remove all traffic control devices in accordance with the "Ohio Manual of Traffic Control Devices for Construction and Maintenance Operations", copies of which are available from the Ohio Department of Transportation Bureau, 1980 West Broad Street, Columbus, Ohio 43223.

Type "C" Steady Burn Lights shall be used on all barricades, drums and similar traffic control devices in use at night.

See "Item 614-Maintaining Traffic, As per plan" notes on sheet 3 for Maintenance of Traffic along Thompson/Johnstown Road.

Ingress and egress shall be maintained to public and private property at all times.

See foundation plans for building dimensions.
All radii shall be measured to the edge of pavement or face of curb, unless otherwise noted.

All dimensions shall be to the edge of pavement or face of curb unless otherwise noted. Expansion joints shall be placed at all work intersections with sidewalk, pavement and other walks.

All public and private utility companies shall be notified by the Contractor, in writing, at least seven (7) days in advance of beginning any construction operations.

The specifications of the American National Standards Institute (ANSI), American Water Works Association (AWWA) and the American Society for Testing And Materials (ASTM) herein referred to, unless otherwise noted, shall be the latest specifications of the respective organizations.

STORM SEWER

Pipe specifications for the plan improvements may be in accordance with the following (Except as designated within the profiles.)

- Reinforced concrete pipe ASTM C-76 (CMSC 706.02). Concrete classification shall be in conformance with the following unless otherwise referenced by the profiles.

  12" - 15" diameter pipe: Class IV
  18" - 24" diameter pipe: Class III
  30" - 60" diameter pipe: Class II

- P.V.C. sewer pipe ASTM D3034 with joints as per ASTM D3212. P.V.C. sewer pipe placement shall be limited to sewers through 15" diameter (CMSC 720.08).

- Smooth-lined corrugated polyethylene pipe (CMSC 726.10).

All bedding shall be in accordance with Standard Drawing AA-S151 for rigid pipe sewer and in accordance with Standard Drawing AA-S149 for flexible pipe sewer.

Cost of compacted backfill shall be included in the unit bid price for Item 901.

All standard catch basins in paved areas are to have grate and frame per NEENAH R-3405, or approved equal.

The flow in all sewers, drains, field tiles and watercourses encountered shall be maintained by the Contractor at his expense, and whenever such watercourses and drains are disturbed or destroyed during the prosecution of the work, they shall be restored by the Contractor at his own cost and expense to a condition satisfactory to the Owner.

All drain tile and storm sewers damaged, disturbed, or removed as a result of the Contractor's operations shall be replaced with the same quality pipe or better, maintaining the same gradient as existing. The drain tile and/or storm sewer shall be connected to the curb subdrain, storm sewer system or provided with an outlet into the roadway ditch as applicable. Replaced drain tile/storm sewer shall be laid on compacted bedding equal in density to surrounding stratum. Replacement shall be done at the time of the backfill operation. Cost of this work to be included in the price bid for the storm sewer improvements.

All existing inverts along with the proposed top of casting elevations shall be verified by the Contractor prior to construction of this sewer.

It is the Contractor's responsibility to schedule all needed inspections with the applicable agencies.

DEWATERING

The Contractor is responsible to provide all dewatering operations as required to accomplish the proposed construction operations.

Installation of any well, well point, pit or other device used for the purpose of removing groundwater from an aquifer shall be in accordance with the applicable requirements of the Ohio Department of Natural Resources.

The Contractor shall be responsible to place and maintain the necessary sediment control measures to filter the dewatering discharge. Cost for the above shall be included in the bid price for the storm sewer improvements.

The pumping of unfiltered sediment laden water into a storm system or water course is prohibited.

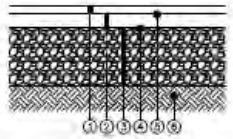
FRANKLIN COUNTY

The Contractor shall contact the Franklin County Engineer's Offices at (614-525-2489) two working days before disturbing any Franklin County Geodetic Monuments (vertical and/or horizontal) for reference and replacement.

The Contractor shall secure a written permit from the Franklin County Engineer's Office, 970 Dublin Road, a minimum of two working days prior to beginning work within Franklin County R/W. The Contractor may be required to post a bond with the Franklin County Engineer prior to issuance of the permit to insure proper restoration of the pavement and R/W. The Contractor shall provide the Franklin County Engineer's Office a 24-hour telephone number to be used in case of an emergency.

PLAIN TOWNSHIP

The Contractor shall contact the Plain Township Offices at (614-855-7770) two working days before disturbing any Franklin County Geodetic Monuments (vertical and/or horizontal) for reference and replacement.

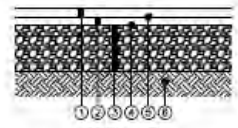


TYPICAL SECTION

1. Item 448, 1 1/2" Asphalt Concrete
2. Item 448, 2 1/2" Asphalt Concrete
3. Item 304, 10" Crushed Aggregate Base
4. Item 408, Bituminous Prime Coat (0.40 Gal/SY)
5. Item 407, Tack Coat (0.10 Gal/SY)
6. Item 204, Subgrade Compaction

NOTE: All Pavement Materials shall conform to the City of Columbus Construction and Material Specifications together with the State of Ohio, Department of Transportation Construction and Material Specifications.

TYPICAL HEAVY DUTY PAVEMENT SECTION
Not to Scale

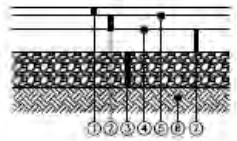


TYPICAL SECTION

1. Item 448, 1 1/2" Asphalt Concrete
2. Item 448, 1 1/2" Asphalt Concrete
3. Item 304, 8" Crushed Aggregate Base
4. Item 408, Bituminous Prime Coat (0.40 Gal/SY)
5. Item 407, Tack Coat (0.10 Gal/SY)
6. Item 204, Subgrade Compaction

NOTE: All Pavement Materials shall conform to the City of Columbus Construction and Material Specifications together with the State of Ohio, Department of Transportation Construction and Material Specifications.

TYPICAL STANDARD DUTY PAVEMENT SECTION
Not to Scale

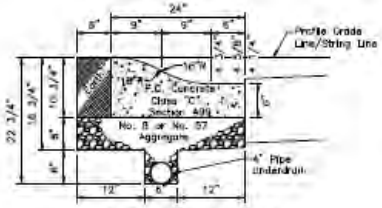


TYPICAL SECTION

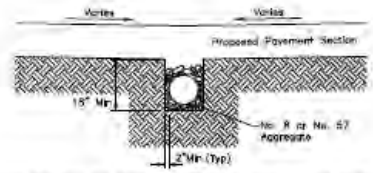
1. Item 448, 1 1/2" Asphalt Concrete
2. Item 448, 2 1/2" Asphalt Concrete
3. Item 304, 10" Crushed Aggregate Base
4. Item 408, Bituminous Prime Coat (0.40 Gal/SY)
5. Item 407, Tack Coat (0.10 Gal/SY)
6. Item 204, Subgrade Compaction
7. Item 301, 4" Asphalt Concrete Base

NOTE: All Pavement Materials shall conform to the City of Columbus Construction and Material Specifications together with the State of Ohio, Department of Transportation Construction and Material Specifications.

TYPICAL HEAVY DUTY PAVEMENT SECTION (Thompson Rd. R/W Only)
Not to Scale



MOUNTABLE CONCRETE CURB & GUTTER
Not to Scale
Portland Cement Concrete Class "C"
Standard Drawing 2020 (Modified)



Note: Reference Plan Sheet for Pipe Underdrain locations and lengths. The 4" diameter perforated pipe will connect into the designated Storm Structure (with inverts a minimum of 18" below top of casting). The perforated pipe shall be protected from heavy traffic after installation prior to placement of proposed paving. Costs shall be included in price bid for Item 608.

TYPICAL 4" PIPE UNDERDRAIN AT STRUCTURES WITHIN PAVEMENT
(See Location, Sheet 5)
Not to Scale

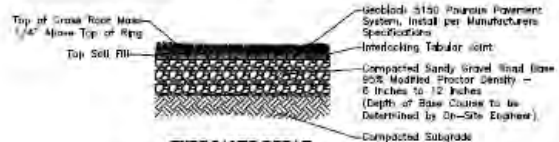
- A Geotechnical Report was not prepared for the project. Contractor to verify pavement design with Site Soil Engineer prior to construction.
- All pavement materials shall conform to The City Of Columbus Construction And Materials Specifications together with the State Of Ohio Department Of Transportation Construction And Materials Specifications.
- Pavement composition is similar to similar projects.

ESTIMATE OF QUANTITIES

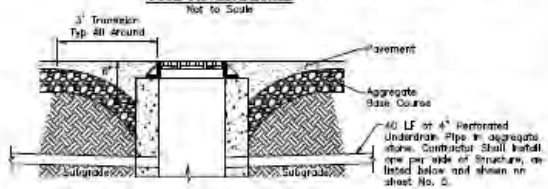
The Quantities Have Been Established As A Means For The City To Estimate The Necessary Development Fees. The Contractor Shall Be Solely Responsible For Determining The Required Bid Quantities Necessary For The Completion Of The Plan Improvements.

ITEM	QUANTITY	UNIT	DESCRIPTION
			SITE
202	863	SY	Pavement Removed (Parking Lot)
202	76	SY	Pavement Removed (Access Drives on Thompson Road)
202	55	LF	Fence Removed
202	130	LF	12" Pipe Removed
202	2	Each	12" Inlet Removed
255	635	LF	Specit Asphalt
614	Lump	Sum	Maintenance Of Traffic (As Per Plan)
			STORM
511	40	CY	Class "C" Concrete (Cast In Place Headwalls)
604	3	Each	10" Endwall (AA-S189)
604	4	Each	12" Endwall (AA-S189)
604	1	Each	12" Headwall (AA-S188)
901	105	LF	10" Storm Pipe, Concrete Encased
901	115	LF	12" Storm Pipe, w Type I Bedding
901	50	LF	12" Storm Pipe (706.02) Class II w/Type I Bedding
901	65	LF	98"x67" Pipe Arch Culvert
901	20	LF	12" Temporary Drive Pipe
			PAVEMENT
204	2,988	SY	Subgrade Compaction - Heavy Duty
204	2,490	SY	Subgrade Compaction - Standard Duty
301	11	CY	4" Asphalt Concrete Base - Heavy Duty (Thompson Rd. R/W Only)
304	930	CY	10" Aggregate Base - Heavy Duty
304	552	CY	8" Aggregate Base - Standard Duty
407	299	Gal	Tack Coat (0.1 Gal/SY) - Heavy Duty
407	250	Gal	Tack Coat (0.1 Gal/SY) - Standard Duty
408	1,196	Gal	Bituminous Prime Coat (0.4 Gal/SY) - Heavy Duty
408	1,000	Gal	Bituminous Prime Coat (0.4 Gal/SY) - Standard Duty
448	125	CY	1 1/2" Asphalt Concrete - Surface Course - Heavy Duty
448	208	CY	2 1/2" Asphalt Concrete - Intermediate Course - Heavy Duty
448	105	CY	1 1/2" Asphalt Concrete - Surface Course - Standard Duty
448	105	CY	1 1/2" Asphalt Concrete - Intermediate Course - Standard Duty
SPEC	267	SF	Geoblock 5150 Porous Pavement System, Complete
605	245	LF	4" Pipe Underdrains
608	109	LF	Mountable Concrete Curb
630	2	Each	R3-2, 24"x24" Sign w/wood post colored New Albany Green and include break-away holes
			EROSION CONTROL
207	2	Each	Straw Bale Barrier
207	3	Each	Filter Fabric Inlet Protection
207	1	Each	Stabilized Construction Entrance
207	1,165	LF	Sediment Control Fence
207	2	CY	Rock Channel Protection, Type "C"
671	90	SY	Erosion Control Matting

Calculated by: LDS | Date: 1/26/2012 | Checked: RJH | Date: 4/18/2012



TURF PAVER DETAIL
Not to Scale



The Contractor shall initially set the top of casting for an inlet structure within the paved areas to the elevation of the intermediate pavement course, Item 448. Prior to final paving of surface course, Item 448, the Contractor shall adjust the top of casting to match pavement grade. Cost of the above shall be included in the price bid for the various related paving items.

TYPICAL SECTION FOR STRUCTURES WITHIN PAVEMENT
Not to Scale

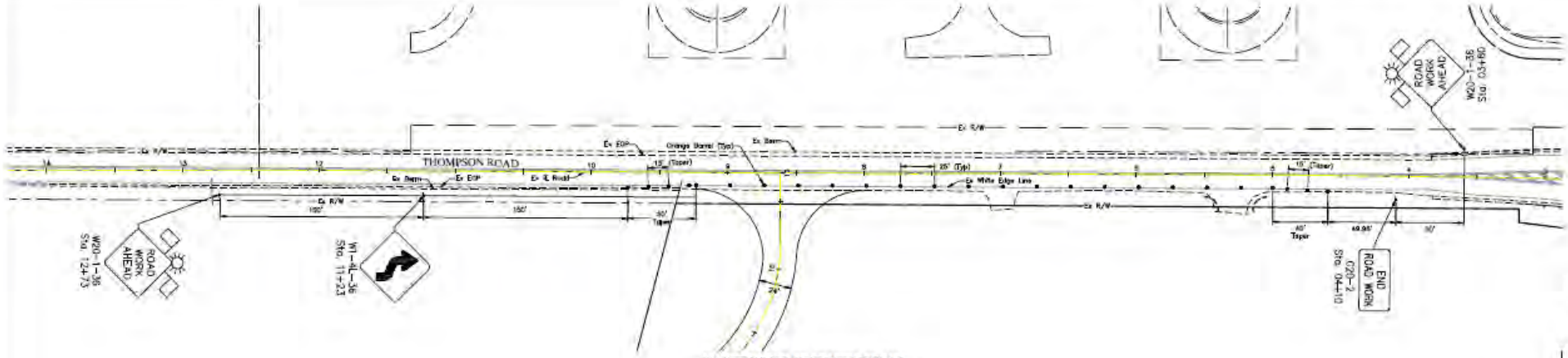
OAKLAND NURSERY

GENERAL NOTES, QUANTITIES AND DETAILS

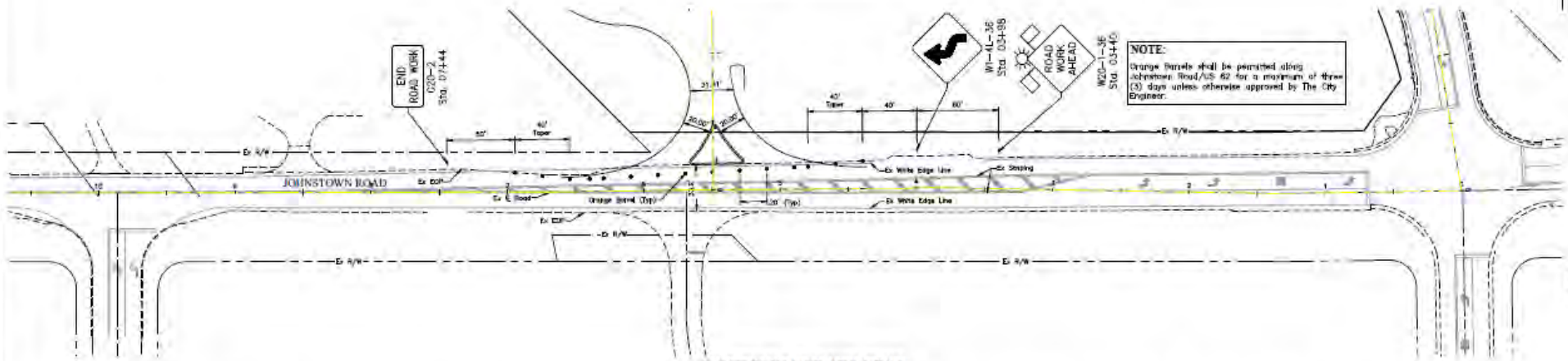
APRIL 27, 2012

2/8

Site Construction Plan – 2012
Page 2



MAINTENANCE OF TRAFFIC DETAIL
North Entrance at Thompson Road



NOTE:
Orange Barrels shall be permitted along Johnstown Road/US 62 for a maximum of three (3) days unless otherwise approved by The City Engineer.

MAINTENANCE OF TRAFFIC DETAIL
South Entrance at Johnstown Road

MAINTENANCE OF TRAFFIC

ITEM 614 MAINTAINING TRAFFIC, AS PER PLAN

The following is a suggested sequence of construction for this project. The Contractor may in lieu of this method of operation, submit in writing, his own method of operation to the Engineer for review and approval. However, the Contractor shall provide at the preconstruction conference a set of reproducible prints (scale 1"=40' or 1"=20') showing how he plans to maintain traffic in accordance with the OMUTCD and these traffic maintenance notes. These plans will have to be reviewed and approved by the Franklin County Engineer, the Contractor will be advised as to the review results in writing within thirty (30) days.

On Johnstown/Thompson Road, a minimum of two 10' lanes (one lane of traffic in each direction) shall be maintained during non-working hours, and peak periods (7a.m.-9a.m. and 3p.m.-6p.m.). Two-way one lane traffic is permitted during working non-peak hours. Two-way one-lane traffic shall be maintained as per the OMUTCD except that law enforcement officers (L.E.O.s) with emergency vehicles shall be substituted for each flag person.

Before work is started on this project the Contractor shall submit a written schedule of operation and a traffic maintenance control plan for approval. No work shall be started that will restrict any lane usage unless it is the intent of the Contractor to work full time with a full force in order to complete the work with no unnecessary delays.

The following devices must meet NCHRP 350 before the devices are installed on the project: drums, cones, vertical panels and the panel support, portable sign supports, temporary impact attenuators, temporary concrete barrier, and barricades. All construction signage shall be installed and covered before construction shall begin.

Faces of construction signs and reflective sheeting on barricades shall be Type H (MP). All orange construction signs shall be fluorescent orange. All sheeting will be tested for reflectivity per ODOT 730.192.

Vertical panels and drum bands shall be reflectorized with Type G (high intensity) sheeting complying with the requirements of 730.19. All signs and barricades, vertical panels, and drums will be like new and in good condition in conformance with "quality standards for work zone traffic control devices" published by ATSSA.

Maintenance of all Contractor supplied signs, barricades, vertical panels and drums is the Contractor's responsibility. If the Contractor fails to correct deficiencies within four hours of notification, Franklin County shall correct or hire someone to correct the deficiencies. The Contractor shall then be back charged per ODOT Specifications 614. In the case that back charging the Contractor is not applicable, the County will rescind and withhold all permits issued to the Contractor to work within county right of way until the issue is settled.

These provisions shall not in any way relieve the Contractor of any of his legal responsibilities or liabilities for the safety of the public. All barricades or closures shall have yellow type a low intensity flashing warning lights. Cones are not approved for use at night all barrels shall have yellow type C steady burn lights. All signs nine square feet (36" x 36") and over shall have yellow type a low intensity flashing warning lights and two flags. Drums shall be placed as follows: 25' c/c on tangents, 15' c/c on tapers, and 6' c/c in radii.

All work and traffic control devices shall be in accordance with ODOT CMS 614 and other applicable portions of the specifications, as well as the latest version of the OMUTCD.

Payment for all labor, equipment and materials shall be included in the lump sum contract price for Item 614, Maintaining Traffic, as Per Plan, unless separately itemized in the plan.

COORDINATION WITH THE COLUMBUS PAVING THE WAY PROGRAM (PTWP)

The Contractor shall notify the Project Engineer in writing of all traffic restrictions and upcoming maintenance of traffic changes on a weekly basis. When detours are planned, the notification shall be at the preconstruction meeting or 30 days in advance once construction has begun. Lane and ramp closures of less than two weeks duration and more than two days shall be reported at least 3 working days in advance. For short-term lane or ramp closures (2 days or less) notification shall be made at least one day in advanced.

Information shall include, but not be limited to, all construction activities that impact traffic at present and in the next 30 days. The report shall be of a format approved by the project engineer or one supplied by PTWP. The Contractor shall designate an individual who will be responsible to prepare this report at the preconstruction meeting. Any unforeseen impact to traffic shall be reported to the Project Engineer as soon as possible.

The Project Engineer shall provide this information to the PTWP program. All construction activities that interfere with traffic shall be reported to the PTWP. This information shall be provided to the Program Coordinator at (614) 645-3970, or by fax at (614) 645-5844.

OAKLAND NURSERY

PLAIN TOWNSHIP, FRANKLIN COUNTY, OHIO
PRIVATE SITE IMPROVEMENT PLAN
OAKLAND NURSERY
MAINTENANCE OF TRAFFIC

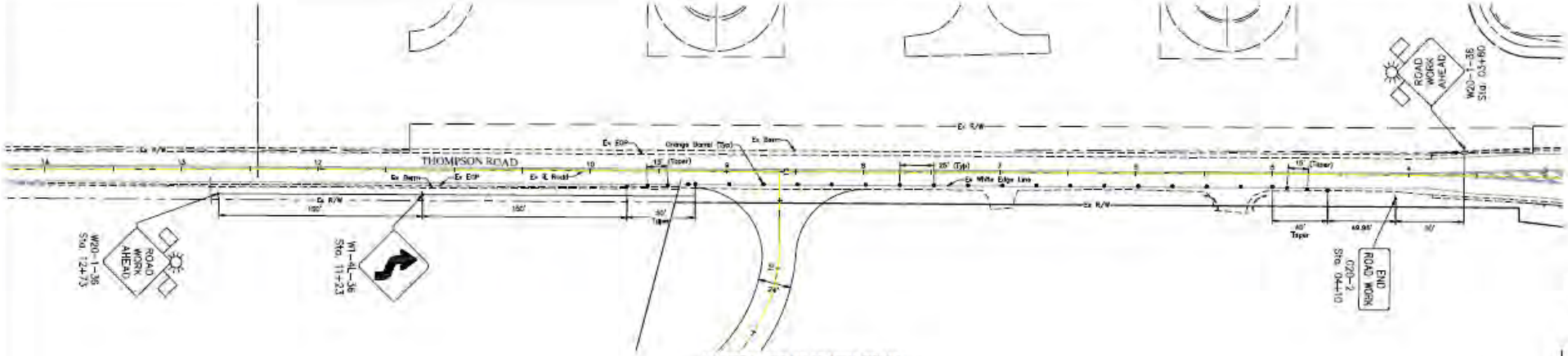
DATE
APRIL 27, 2012

SCALE
1" = 40'

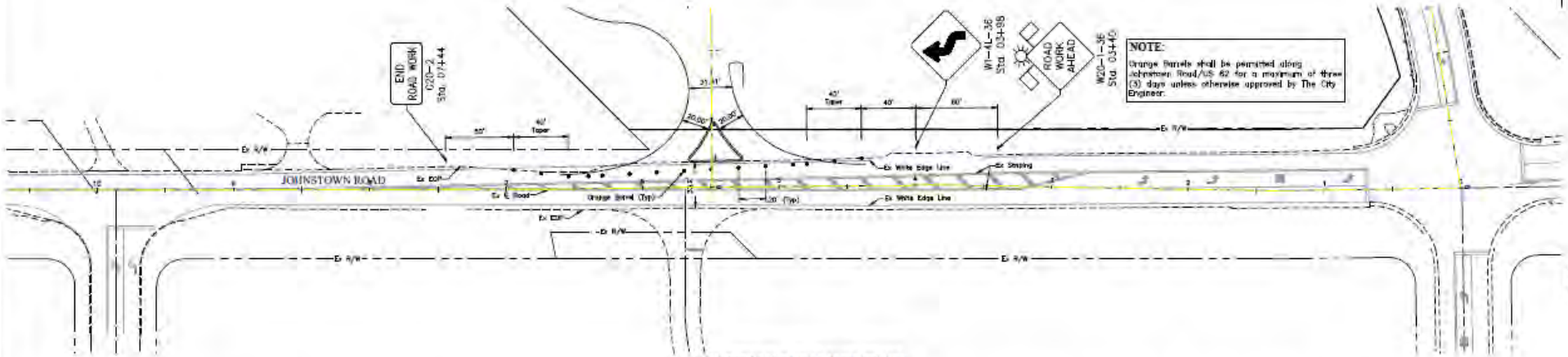
JOB NO.
2011-1000

SHEET
3/8

Site Construction Plan – 2012
Page 3



MAINTENANCE OF TRAFFIC DETAIL
North Entrance at Thompson Road



MAINTENANCE OF TRAFFIC DETAIL
South Entrance at Johnstown Road

MAINTENANCE OF TRAFFIC

ITEM 614 MAINTAINING TRAFFIC, AS PER PLAN

The following is a suggested sequence of construction for this project. The Contractor may in lieu of this method of operation, submit in writing, his own method of operation to the Engineer for review and approval. However, the Contractor shall provide at the preconstruction conference a set of reproducible prints (scale 1"=40' or 1"=20') showing how he plans to maintain traffic in accordance with the OMUTCD and these traffic maintenance notes. These plans will have to be reviewed and approved by the Franklin County Engineer, the Contractor will be advised as to the review results in writing within thirty (30) days.

On Johnstown/Thompson Road, a minimum of two 10' lanes (one lane of traffic in each direction) shall be maintained during non-working hours, and peak periods (7a.m.–9a.m. and 3p.m.–6p.m.). Two-way one lane traffic is permitted during working non-peak hours. Two-way one-lane traffic shall be maintained as per the OMUTCD except that law enforcement officers (L.E.O.s) with emergency vehicles shall be substituted for each flag person.

Before work is started on this project the Contractor shall submit a written schedule of operation and a traffic maintenance control plan for approval. No work shall be started that will restrict any lane usage unless it is the intent of the Contractor to work full time with a full force in order to complete the work with no unnecessary delays.

The following devices must meet NCHRP 350 before the devices are installed on the project: drums, cones, vertical panels and the panel support, portable sign supports, temporary impact attenuators, temporary concrete barrier, and barricades. All construction signage shall be installed and covered before construction shall begin.

Faces of construction signs and reflective sheeting on barricades shall be Type H (MP). All orange construction signs shall be fluorescent orange. All sheeting will be tested for reflectivity per ODOT 730.192.

Vertical panels and drum bands shall be reflectorized with Type G (high intensity) sheeting complying with the requirements of 730.19. All signs and barricades, vertical panels, and drums will be like new and in good condition in conformance with "quality standards for work zone traffic control devices" published by ATSSA.

Maintenance of all Contractor supplied signs, barricades, vertical panels and drums is the Contractor's responsibility. If the Contractor fails to correct deficiencies within four hours of notification, Franklin County shall correct or hire someone to correct the deficiencies. The Contractor shall then be back charged per ODOT Specifications 614. In the case that back charging the Contractor is not applicable, the County will rescind and withhold all permits issued to the Contractor to work within county right of way until the issue is settled.

These provisions shall not in any way relieve the Contractor of any of his legal responsibilities or liabilities for the safety of the public. All barricades at closures shall have yellow type a low intensity flashing warning lights. Cones are not approved for use at night all barrels shall have yellow type C steady burn lights. All signs nine square feet (36" x 36") and over shall have yellow type a low intensity flashing warning lights and two flags. Drums shall be placed as follows: 25' c/c on tangents, 15' c/c on tapers, and 8' c/c in radii.

All work and traffic control devices shall be in accordance with ODOT CMS 614 and other applicable portions of the specifications, as well as the latest version of the OMUTCD.

Payment for all labor, equipment and materials shall be included in the lump sum contract price for Item 614, Maintaining Traffic, as Per Plan, unless separately itemized in the plan.

COORDINATION WITH THE COLUMBUS PAVING THE WAY PROGRAM (PTWP)

The Contractor shall notify the Project Engineer in writing of all traffic restrictions and upcoming maintenance of traffic changes on a weekly basis. When detours are planned, the notification shall be on the preconstruction meeting or 30 days in advance once construction has begun. Lane and ramp closures of less than two weeks duration and more than two days shall be reported at least 3 working days in advance. For short-term lane or ramp closures (2 days or less) notification shall be made at least one day in advanced.

Information shall include, but not be limited to, all construction activities that impact traffic at present and in the next 30 days. The report shall be of a format approved by the project engineer or one supplied by PTWP. The Contractor shall designate an individual who will be responsible to prepare this report at the preconstruction meeting. Any unforeseen impact to traffic shall be reported to the Project Engineer as soon as possible.

The Project Engineer shall provide this information to the PTWP program. All construction activities that interfere with traffic shall be reported to the PTWP. This information shall be provided to the Program Coordinator at (614) 645-3970, or by fax at (614) 645-5844.

OAKLAND NURSERY

PLAIN TOWNSHIP, FRANKLIN COUNTY, OHIO
PRIVATE SITE IMPROVEMENT PLAN

OAKLAND NURSERY
MAINTENANCE OF TRAFFIC

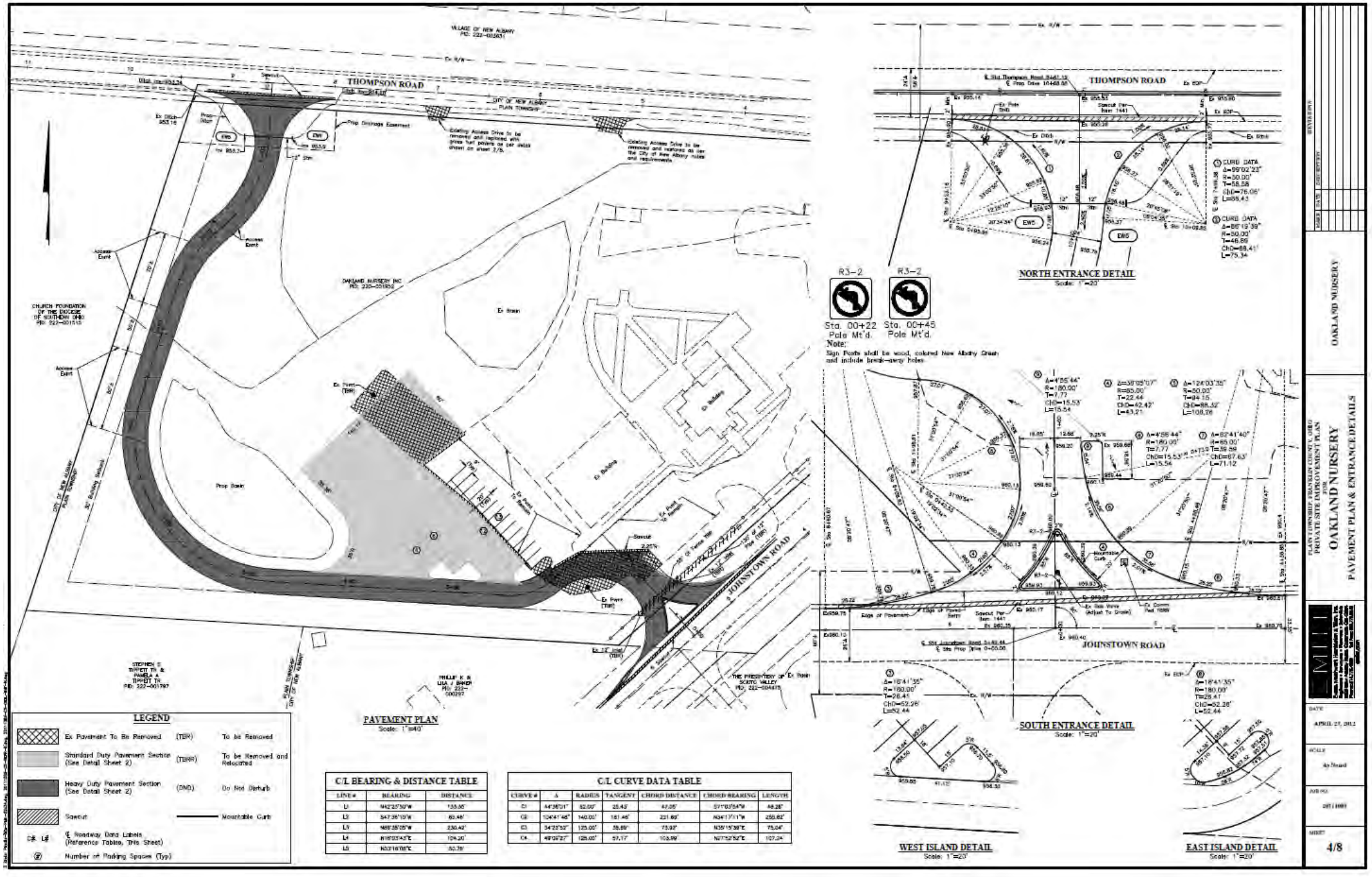
DATE
APRIL 27, 2012

SCALE
1" = 40'

JOB NO.
2011-1000

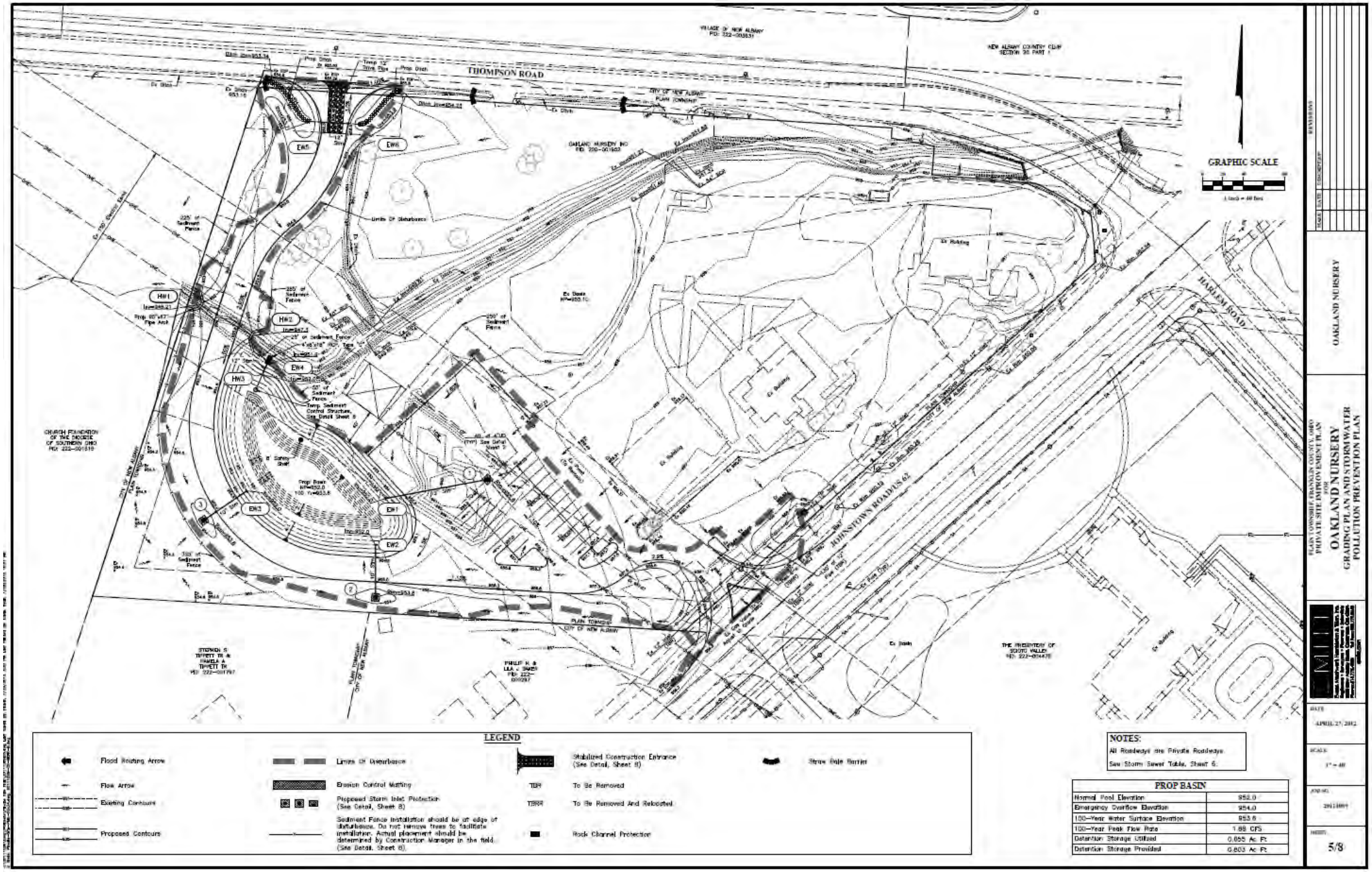
SHEET
3/8

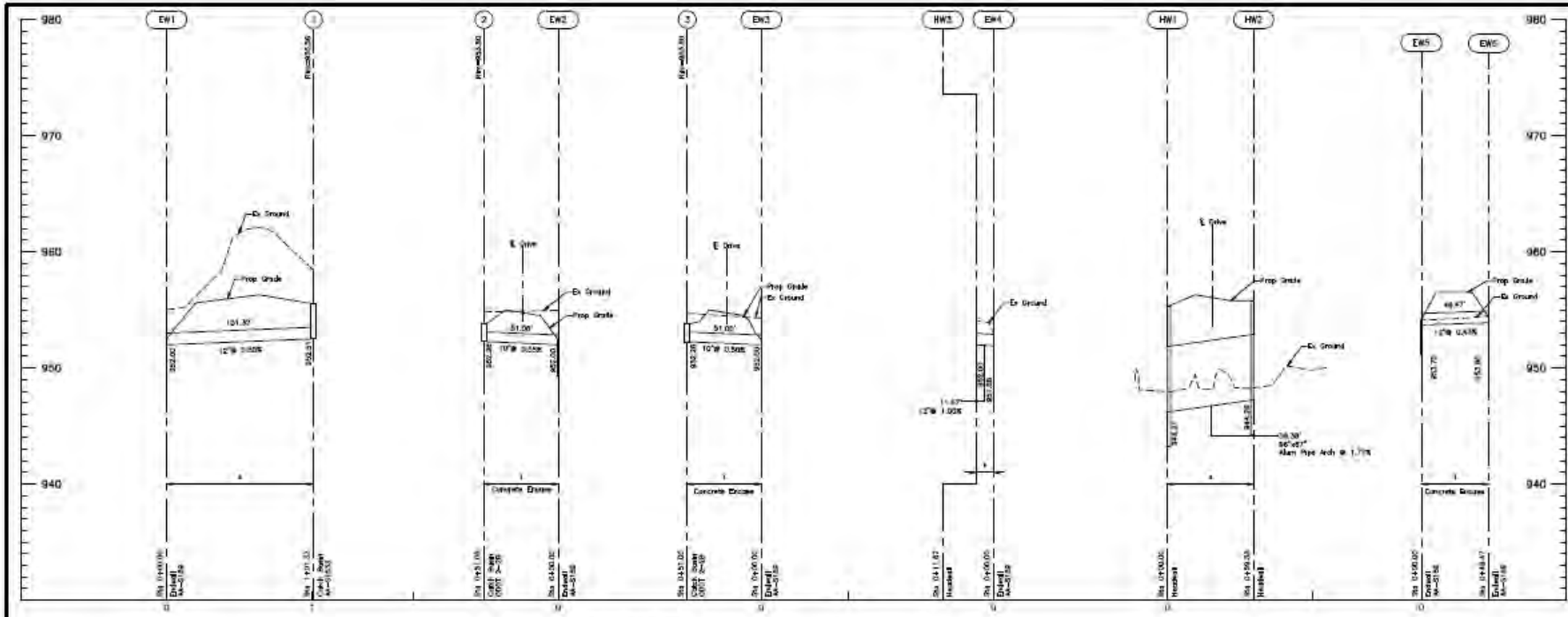
Site Construction Plan – 2012
Page 4



Site Construction Plan – 2012
Page 5

Site Construction Plan – 2012
Page 6





STORM PROFILES

Scale:
Horiz: 1"=40'
Vert: 1"=5'

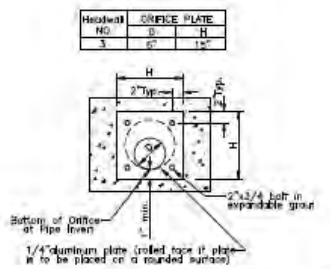
NOTES:

All backfill should be compacted to the density of the surrounding ground unless otherwise noted.

* Compacted Backfill in Accordance with O.M.S.C. Item 911

All fills are to be placed a minimum of 2.5' above the proposed storm sewer prior to the start of sewer construction per Item 203 of OMSC.

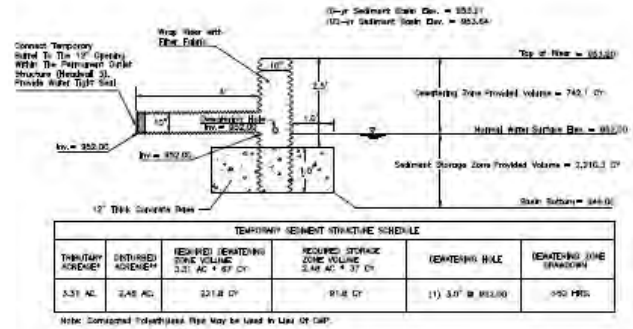
Denoted thus:



Headwall NO.	ORIFICE PLATE D	ORIFICE PLATE H
3	6"	14"

ORIFICE PLATE DETAIL

No Scale



TEMPORARY SEDIMENT STRUCTURE SCHEDULE

TRIBUTARY ACREAGE*	DISTURBED ACREAGE**	REQUIRED DEWATERING ZONE VOLUME 3.31 AC * 67 CY	REQUIRED STORAGE ZONE VOLUME 2.48 AC * 37 CY	DEWATERING HOLE	DEWATERING ZONE DRAWDOWN
3.31 AC.	2.48 AC.	221.8 CY	91.8 CY	(1) 3.0" @ 953.00	>50 HRS.

Note: Corrugated Polyethylene Pipe May be Used in Lieu Of CMP.

TEMPORARY SEDIMENT CONTROL STRUCTURE

Not To Scale

Site Construction Plan – 2012
Page 7

OAKLAND NURSERY

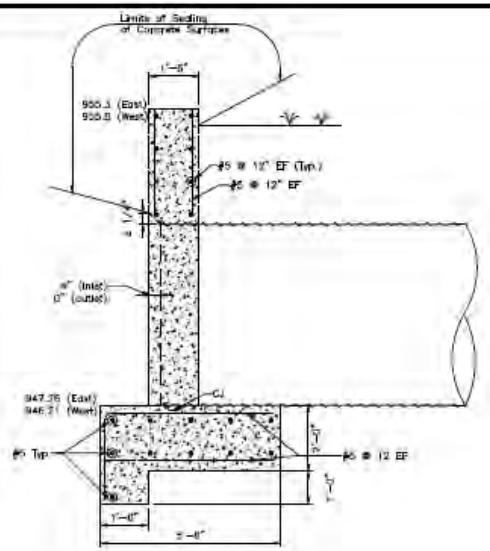
PLAIN TOWNSHIP, FRANKLIN COUNTY, OHIO
PRIVATE SITE IMPROVEMENT PLAN
FOR
OAKLAND NURSERY
STORM SEWER PROFILES AND CULVERT DETAILS

DATE
APRIL 27, 2012

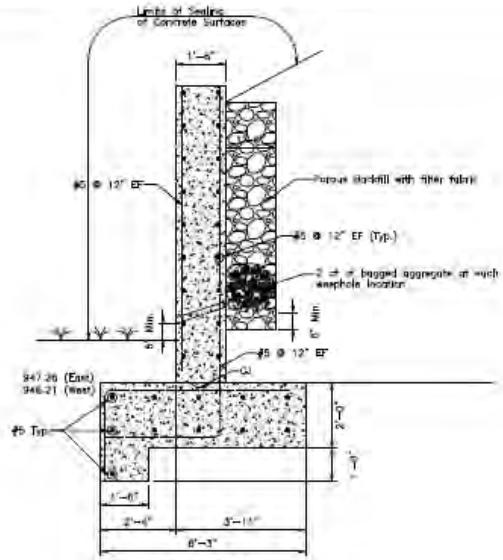
SCALE
As Noted

JOB NO.
2011-1899

SHEET
6/8



SECTION A-A



SECTION B-B

GENERAL NOTES

The proposed structure is a 96" x 57" Aluminum pipe-arch culvert on reinforced concrete footings, with concrete headwalls and wingwalls on reinforced concrete footings.

All labor, material, and equipment necessary to construct the culvert, in accordance with City of Columbus Construction and Materials Specifications (CMS) Item 603, including excavation, backfill, concrete, reinforcement, and slope protection shall be included in the Lump Sum price bid for the Culvert structure.

Design Loading is HS 20-44 and the Alternate Military Loading.

Design Earth cover is 2'-0"

Field cast concrete shall conform to City of Columbus Construction and Materials Specifications (CMS) Item 511, Class C, f'_c = 4000 psi. Testing of concrete specimens shall be performed in accordance with CMS Item 499.06 and 499.08. Item 499.08 shall be modified to allow the Franklin County Engineer to make additional materials specimens for testing, at their discretion.

Bars Reinforcing Steel shall conform to CMS Item 503, ASTM A615, A616 or A617, Grade 60.

The allowable foundation bearing pressure shall be designed to be 2000 psf, unless otherwise determined by a Registered Soils Engineer. Bottom of footings shall be cast against undisturbed earth.

If unsuitable bearing material occurs at the bottom of the footing elevation, the footing shown shall be deepened or widened to accommodate the changed condition. A Registered Soil Engineer employed by the Contractor shall verify the suitability of the bearing material and submit a note report to the Franklin County Engineer for review two days prior to constructing footings. The Design Engineer must approve any changes in the footing and notify the Franklin County Engineer regarding these changes prior to ordering construction.

UTILITY LINES

All expense involved in relocating (installing) the affected Utility Lines shall be borne by the Utility(ies). The Contractor and Utility(ies) are to cooperate in arranging their work in such a manner that inconvenience to either will be held to a minimum.

CULVERT

The aluminum pipe-arch culvert shall be supplied in accordance with City of Columbus Construction and Materials Specifications (CMS) Specification 707. Installation shall be in accordance with the City of Columbus CMS Specification 603.

REINFORCING STEEL

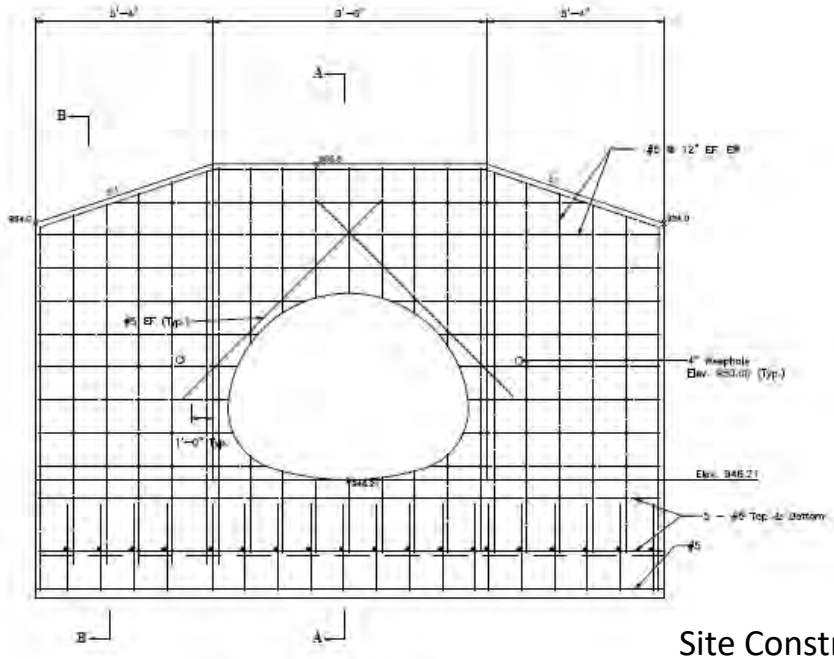
Reinforcing steel shop drawings shall be submitted to EMH&T, which will determine whether the proposed reinforcing and dimensions conform to the plans and specifications.
Splicing of bars to form vertical of bars. Minimum lap length, No. 5 bar – 2'-0". The clearance of reinforcing steel from the face of the concrete shall be 2" minimum except at bottom of footing where clearance shall be 3" minimum.

POROUS BACKFILL WITH FILTER FABRIC

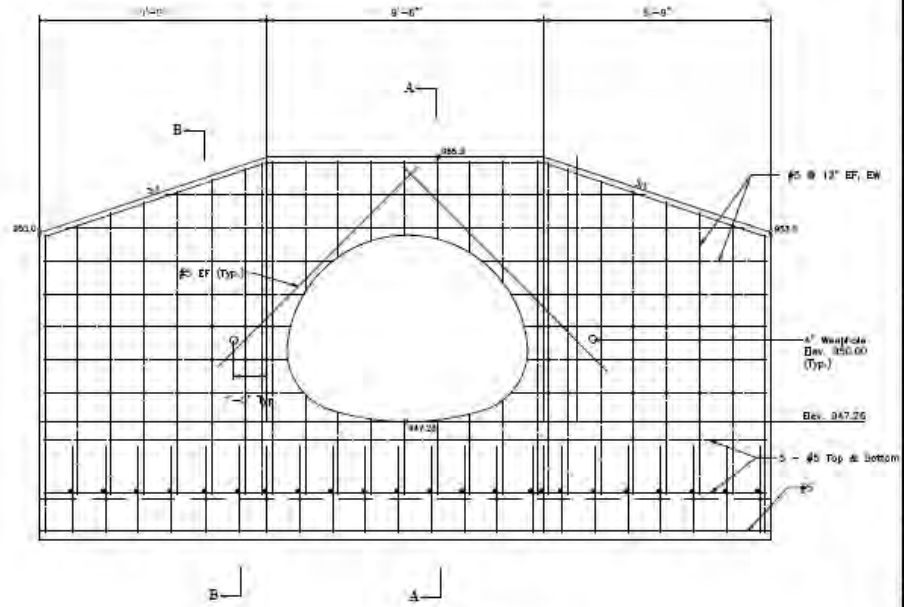
1'-6" Thick, shall be placed behind the wingwalls, and shall extend as shown on the plans. Bagged aggregate shall be placed at each weepholes.

LEGEND

EF – Each Face
CJ – Construction Joint



HEADWALL 1
WEST CULVERT CROSS SECTION



HEADWALL 2
EAST CULVERT CROSS SECTION

OAKLAND NURSERY

FRANKLIN TOWNSHIP, FRANKLIN COUNTY, OHIO
PRIVATE SITE IMPROVEMENT PLAN
FOR
OAKLAND NURSERY
CULVERT DETAILS

EMH&T

APRIL 27, 2012

1" = 10'

7/8

SITE NARRATIVE

PLAN DESIGNER: EMHART, Inc.
5500 New Albany Road
Columbus, Ohio 43054
Phone: (614) 775-4500
Fax: (614) 775-4800

OWNER: Oakland Nursery
1156 Oakland Park Avenue
Columbus, OH 43224
Tel: (614) 268-3511
Fax: (614) 268-3003

PROJECT DESCRIPTION: The project consists of the construction of an access drive through the site from US 62 to Thompson Road, that includes the installation of a 65" x 43" arch culvert at the access drive stream crossing, construction of additional parking areas, and the construction of a wet basin that will provide post-construction stormwater detention and water quality treatment. The basin will be used as a sediment basin during construction activities. An estimated 2.58 acres will be disturbed as a result of the proposed improvements.

EXISTING SITE CONDITIONS: The site consists of an existing nursery comprised of buildings, green houses, and asphalt and gravel paving and staging areas. The area of the proposed improvements consists of a mixture of woods and brush. A stream flows through the site from the east to the west.

RECEIVING STREAM: Stormwater runoff from the site will flow into the existing onsite stream that is tributary to the Rocky Fork Creek, Big Walnut Creek watershed.

ADJACENT AREAS: North – Thompson Road.
South – Single-family housing
East – Johnstown Road/US 62
West – Open Field

SOILS: The soil on the site consists of: Pm – Pewamo silty clay loam

EROSION AND SEDIMENT MEASURES: The proposed stormwater management basin will be used as a sediment basin during construction activities. Perimeter sediment fence and storm sewer inlet protection will be used to assist with the management of the construction site stormwater runoff. Temporary and permanent seeding applications will be used throughout construction activities to stabilize the disturbed areas.

PERMANENT STABILIZATION: The site will be stabilized by the use of temporary and permanent seeding applications.

MAINTENANCE: All erosion control devices are to be inspected by the construction superintendent at a minimum of once per every seven calendar days and within 24 hours of a 0.5 inch, 24 hour rain event. Any damaged controls are to be replaced/repaired immediately resulting from the observations made during the site inspections.

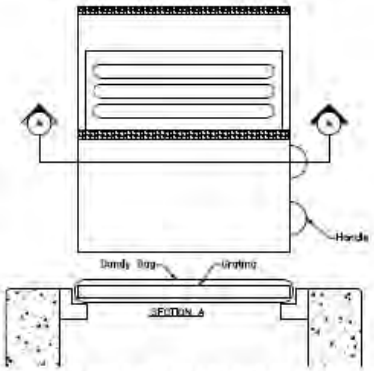
CONSTRUCTION SEQUENCE:
1. Construct the temporary construction entrance.
2. Install perimeter sediment fence and protection on the existing storm sewer inlets.
3. Clear the site that is necessary to install the proposed culvert within the existing stream. Isolate the area to be disturbed within the stream by installing check dams comprised of non-erodible material upstream and downstream of the proposed culvert footprint. Pump clean water from the stream around the disturbed area resulting from the culvert installation. Muddy water encountered within the isolated work area is to be pumped into a filter bag within an area of undisturbed vegetation.
4. Clear the remainder of the site, excavate the basin and install the proposed outlet structure, complete with the temporary riser pipe.
5. Commence with grading activities and the installation of the utilities. Install protection on the storm sewer inlets.
6. Establish a designated concrete washout area.
7. Construct the proposed parking lot and access drive.
8. Fine grade the site and permanently stabilize the disturbed areas.
9. Remove the temporary sediment controls.

SCHEDULE: The Contractor shall provide a schedule of operations to the owner. Sedimentation and erosion control features shall be placed in accordance with this schedule.

OHIO EPA FACILITY PERMIT NUMBER: #, issued on February ##, ####

SITE CONTACT: Mark Reiner
Phone: (614) 268-3511
Fax: (614) 268-3003
Email: mreiner@oaklandnursery.com

BMP Installation	Mark Reiner	Phone: (614) 268-3511	Fax: (614) 268-3003	Email: mreiner@oaklandnursery.com
BMP Maintenance	Same as above	Same as above	Same as above	Same as above
Site Stabilization and BMP Removal	Same as above	Same as above	Same as above	Same as above

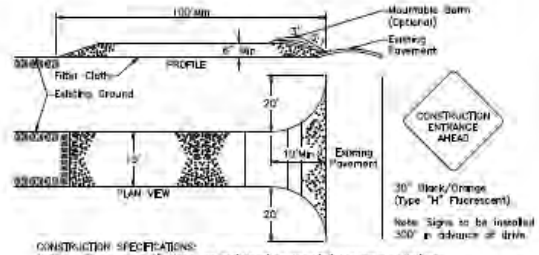


Installation: Stand grate on end. Place Dandy Bag over grate. Flip grate over so that open end is up. Pull up slack. Tuck flap in. Be sure seal of grate is completely covered by flap or Dandy Bag will not fit properly. Holding handles, carefully place Dandy Bag with grate inserted into Catch Basin frame so that red dot on the top of the Dandy Bag is visible.

Maintenance: After silt has dried, remove it from the surface of Dandy Bag with broom.

PROVIDE FOR INLETS: 1, 2, & 3

DANDY BAG
Not to Scale



CONSTRUCTION SPECIFICATIONS:
1. Stone Size – Use 2" stone, or reclaimed or recycled concrete equivalent.
2. Length – 100' Min
3. Thickness – Not less than six (6) inches.
4. Width – Fifteen (15) foot minimum, but not less than the full width at points where ingress or egress occurs.
5. Filter Cloth – will be placed over the entire area prior to placing of 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 will be permitted.
7. Maintenance – The entrance shall be maintained in a condition which will prevent tracking or flowing of sediment onto public right-of-way. This may require periodic top dressing with additional stone as conditions demand and repair and/or cleanout of any measure used to trap all sediment spilled, dropped, washed or tracked onto public rights of way must be removed immediately.
8. Washing – Wheels shall be cleaned to remove sediment prior to entrance onto public right-of-ways. 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

TEMPORARY AND PERMANENT SEEDING

The limits of seeding and mulching are as shown within the plan as indicated by the limits of disturbance. All areas not designated to be seeded shall remain under natural ground cover. Those areas disturbed outside the seeding limits shall be seeded and mulched at the Contractor's expense.

TEMPORARY SEEDING: Any area which will be left dormant (undisturbed) for more than 21 days shall be seeded 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 G/1000 SQ FT

PERMANENT SEEDING: Any area that is at final grade shall be seeded 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.

TEMPORARY SEEDING

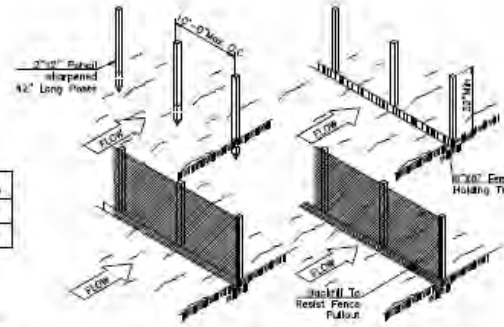
SEEDING DATES	SPECIES	LBS/1000 SQ FT	PER ACRE
March 1 to August 15	Oats Tall Fescue Annual Ryegrass	3 1 1	4 bushel 40 lb 40 lb
	Perennial Ryegrass Tall Fescue Annual Ryegrass	1 1 1	40 lb 40 lb 40 lb
March 1 to August 15	Rye Tall Fescue Annual Ryegrass	3 1 1	2 bushel 40 lb 40 lb
	Rye Tall Fescue Annual Ryegrass	3 1 1	2 bushel 40 lb 40 lb
	Perennial Ryegrass Tall Fescue Annual Ryegrass	1 1 1	40 lb 40 lb 40 lb
November 1 to Spring Seeding	Use mulch only, sodding practices or dormant seeding		

NOTE: Other approved seed species may be substituted.

TEMPORARY SEEDING

SEED MIX	SEEDING RATE LBS/ACRE	SEEDING RATE LBS/1000 SQ FT	NOTES
GENERAL USE:			
Creeping Red Fescue Perennial Ryegrass Kentucky Bluegrass	20–40 10–20 10–20	1/2–1 1/4–1/2 1/4–1/2	
Tall Fescue	40	1	
	40	1	
STEEP BANKS OR CUT SLOPES			
Tall Fescue	40	1	
Crown Vetch Tall Fescue	10 20	1/4 1/4	Do not seed later than August.
Flat Pea Tall Fescue	20 20	1/2 1/2	Do not seed later than August.
ROAD DITCHES AND SWALES			
Tall Fescue	40	1	
Dwarf Fescue Kentucky Bluegrass	10 5	2 1/4	
LAWNS			
Kentucky Bluegrass Perennial Ryegrass	60 60	1 1/2 1 1/2	
Kentucky Bluegrass Creeping Red Fescue	60 60	1 1/2 1 1/2	For shaded areas

NOTE: Other approved seed species may be substituted.



SILT FENCE:
This sediment barrier utilizes standard strength or extra strength synthetic filter fabrics. It is designed for situations in which only sheet or overland flows are expected. Material properties are listed in the provided table.
1. The height of a silt fence shall not exceed 36 inches (higher fences may impound volumes of water sufficient to cause failure of the structure).
2. The filter fabric shall be purchased in a continuous roll cut to the length of the barrier to avoid the use of joints. When joints are necessary, filter cloth shall be spliced together only at a support post, with a minimum of a 6 inch overlap, and securely sealed.
3. Posts shall be spaced a maximum of 6 feet apart at the barrier location and driven securely into the ground (minimum of 12 inches). Wood posts will be a minimum of 32 inches long when extra strength fabric is used without the wire support fence.
4. A trench shall be excavated approximately 4 inches wide and 6 inches deep along the line of posts and upslope from the barrier.
5. The standard strength filter fabric shall be stapled or wired to the fence, and 8 inches of the fabric shall be extended into the trench. The fabric shall not extend more than 36 inches above the original ground surface. Filter fabric shall not be stapled to existing trees.
6. The trench shall be backfilled and soil compacted over the filter fabric.
7. Silt fences shall be removed when they have served their useful purpose, but not before the upslope area has been permanently stabilized.
8. To prevent water ponded by the silt fence from flowing around the ends, each end shall be constructed upslope so that the ends are at a higher elevation.

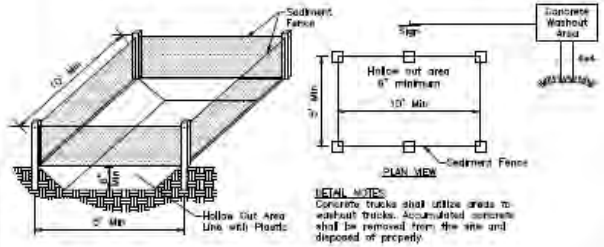
Sediment fence fabric shall be COOT, Type C Geotextile fabric or the equivalent to the following properties.

MATERIAL PROPERTIES

Maximum Tensile strength	120 lbs
Maximum Elongation at	60 lbs
Maximum Elongation at 60 lbs.	50%
Minimum Tear Strength	80 lbs
Minimum Burst Strength	200 psi
Apparent Opening Size	0.84 mm
Minimum Permeability	1×10^{-4} sec.
Ultraviolet Exposure Strength Retention	70%

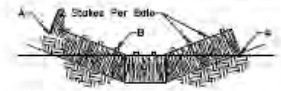
MAINTENANCE:
Silt fences and filter barriers shall be inspected immediately after each rainfall and at least daily during prolonged rainfall. Any required repairs shall be made immediately. Should the fabric on a silt fence or filter barrier decompose or become ineffective prior to the end of the expected usable life and the barrier is still necessary, the fabric shall be replaced promptly. Sediment deposits should be removed after each storm event. They must be removed when deposits reach approximately one-half the height of the barrier. Any sediment deposits remaining in place after the silt fence or filter barrier is no longer required shall be dressed to conform with the existing grade, prepared and seeded.

SEDIMENT FENCE
Not to Scale

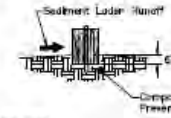


DETAIL NOTES:
Concrete trucks shall utilize areas to washout trucks. Accumulated concrete shall be removed from the site and disposed of properly.

CONCRETE WASHOUT AREA
Not to Scale



Points A Should Be Higher Than Point B



CHANNEL FLOW APPLICATIONS:

Bales shall be placed in a single row lengthwise, oriented perpendicular to the contour, with ends of adjacent bales tightly abutting one another.

The remaining steps for installing a straw bale barrier for sheet flow applications apply here, with the following addition.

The barrier shall be extended to such a length that the bottoms of the end bales are higher in elevation than the top of the lowest middle bale to assure that sediment-laden runoff will flow either through or over the barrier but not around it.

Note: Hay bales may be used in place of straw bales.

MAINTENANCE

Straw bales shall be inspected immediately after each rainfall and at least daily during prolonged rainfall.

Close attention shall be paid to the repair of damaged bales, and rills and undercutting beneath bales.

Necessary repairs to barriers or replacement of bales shall be accomplished promptly.

Sediment deposits should be removed after each rainfall. They must be removed when the level of deposition reaches approximately one-half the height of the barrier.

Any sediment deposits remaining in place after the straw bale barrier is no longer required shall be dressed to conform to the existing grade, prepared and seeded.

STRAW BALE BARRIER
Not to Scale

MARK	DATE	DESCRIPTION

OAKLAND NURSERY

PLAN CONTAINS FRANKLIN COUNTY, OHIO
PRIVATE SITE IMPROVEMENT PLAN
FOR
OAKLAND NURSERY
STORMWATER POLLUTION PREVENTION SITE & DETAILS

EMHART

DATE: APRIL 17, 2012

SCALE: 1" None

DRAWN: DHUBBS

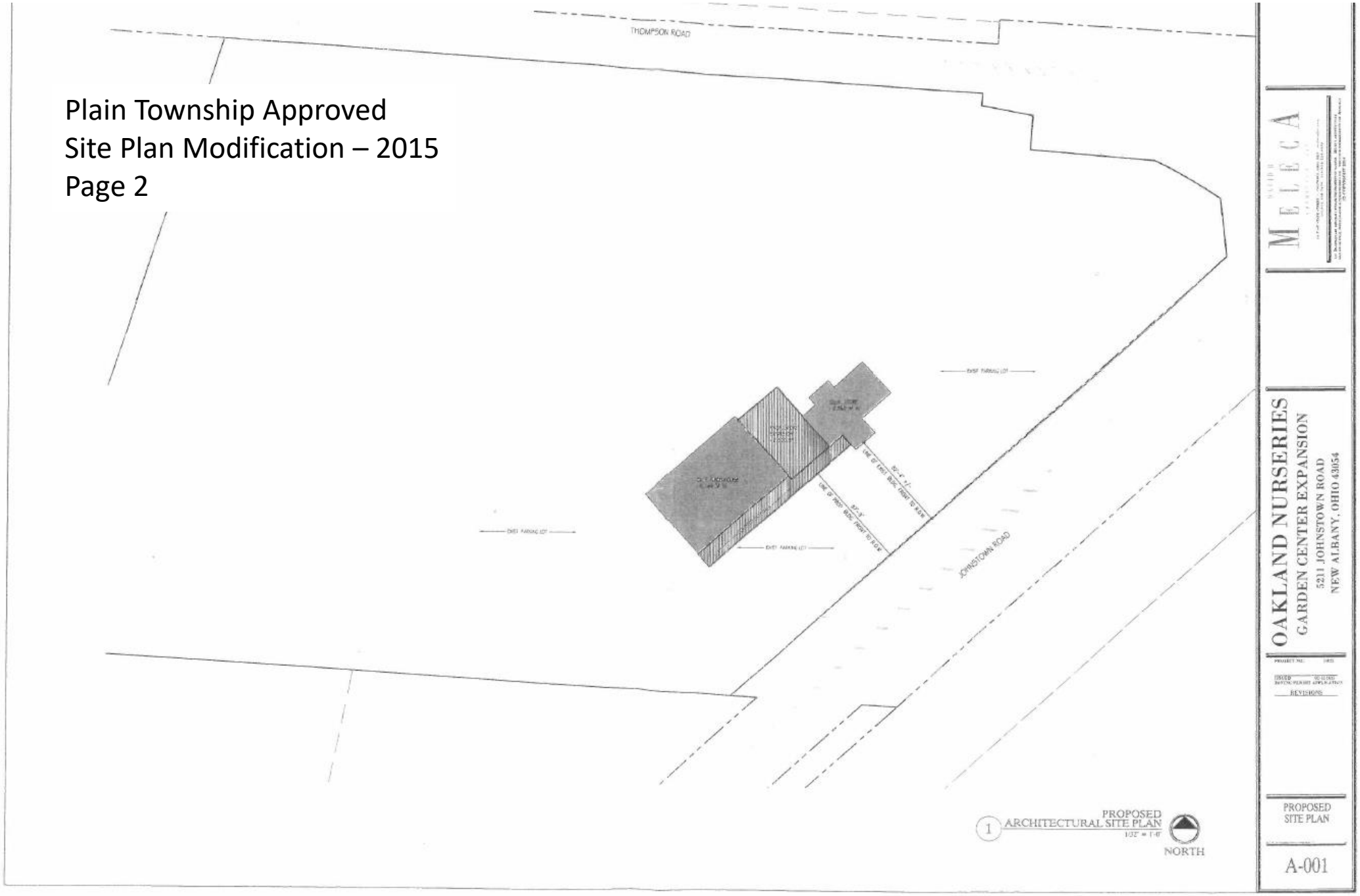
8/8

Plain Township Approved
Site Plan Modification – 2015
Page 1

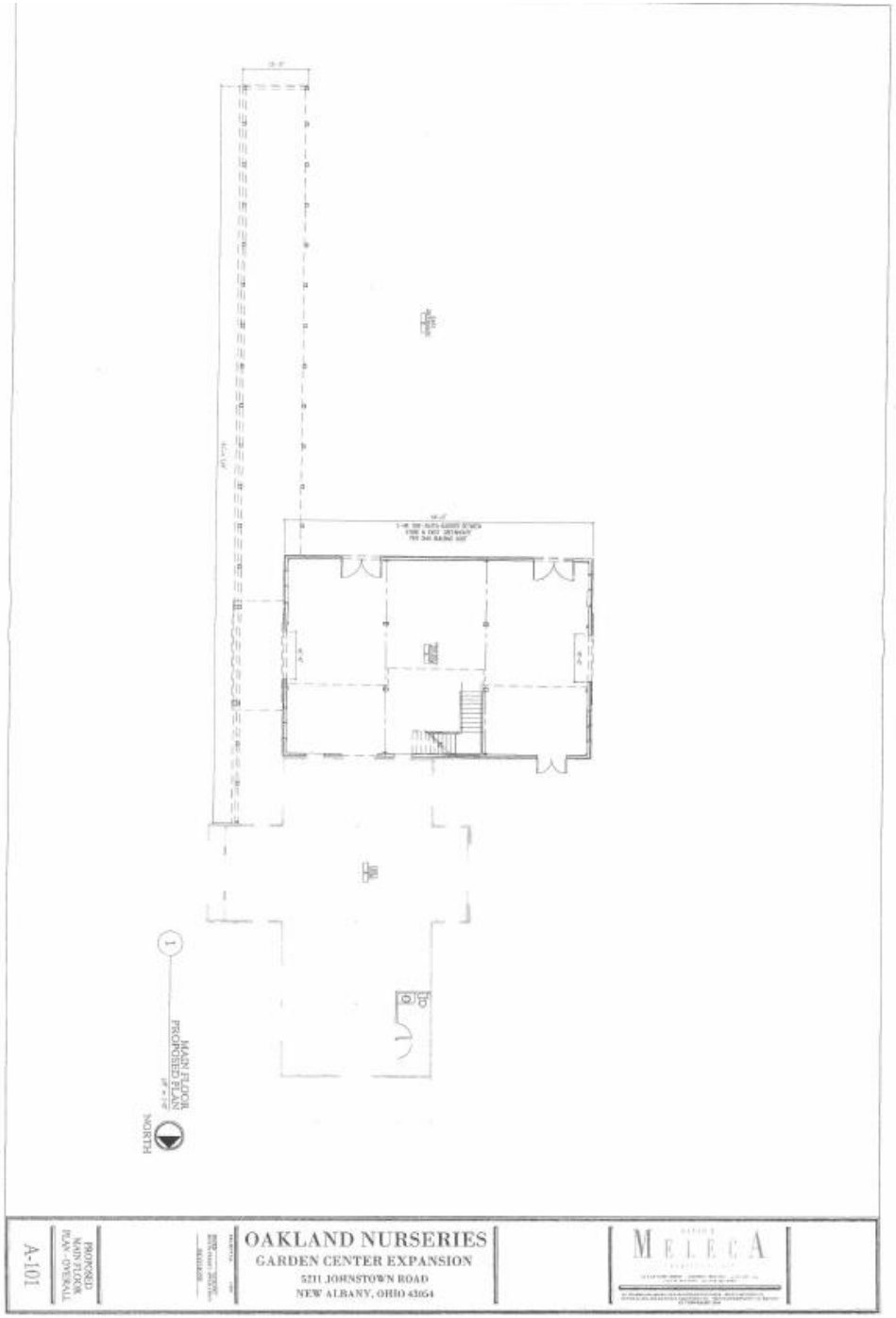
Oakland Nursery New Albany Proposed Minor Modification:

The purpose of the new addition at our location on 5211 Johnstown Rd is to create a contiguous enclosed shopping experience that incorporates the design and aesthetic feel of the existing structures. The new addition will span the currently open area between our garden center building and the existing greenhouse. The front of the new space will act as our main entrance to the store and the central location for customer check-out during our busier seasons. It will allow us to alleviate some the shopping congestion that exists in our current space and will allow us to display merchandise like houseplants and hard goods in a dry space with an abundance of natural light. This is a project we envisioned when we purchased the property five years ago, and is something we view as a necessity for the continued growth and success of the location.

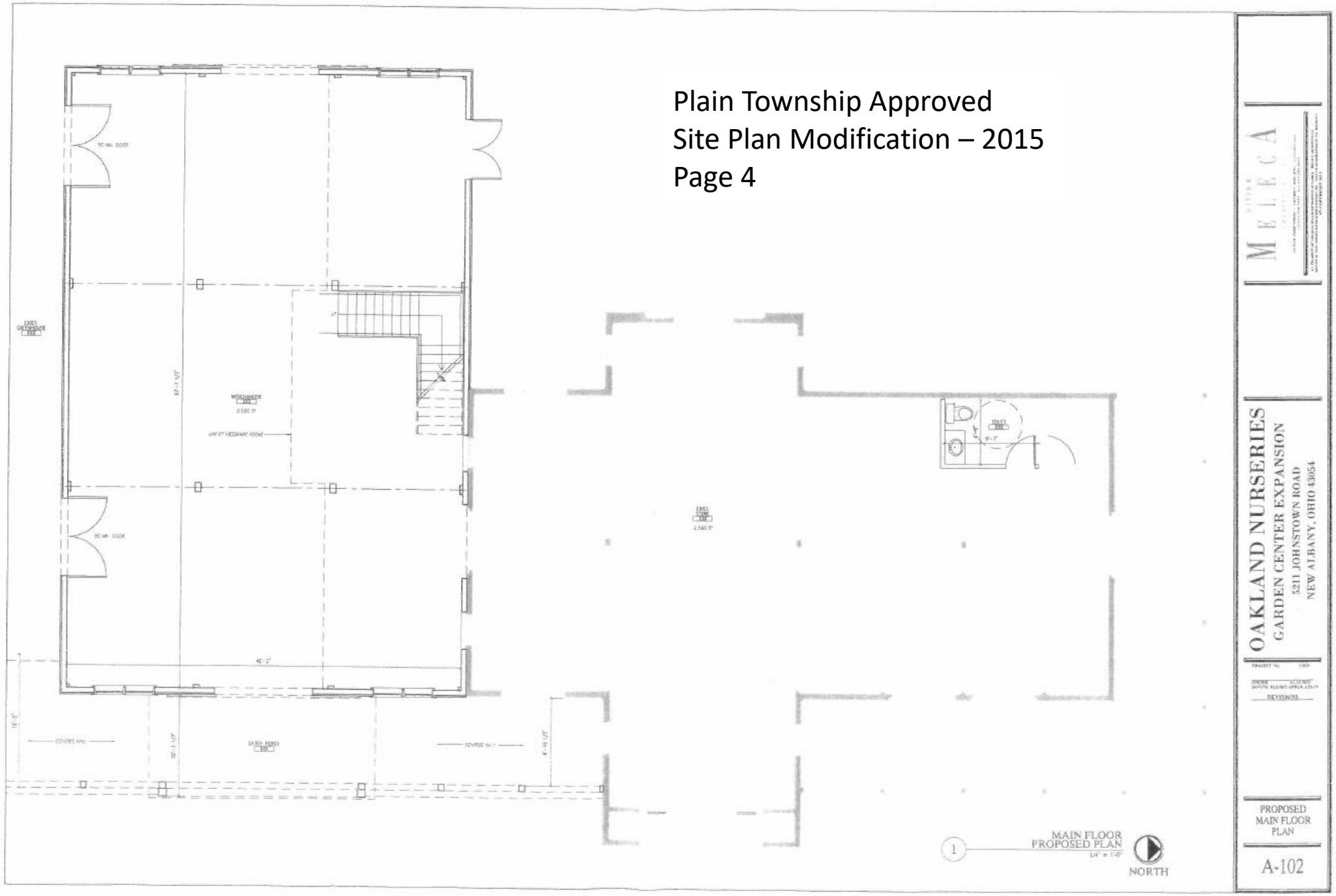
Plain Township Approved
Site Plan Modification – 2015
Page 2



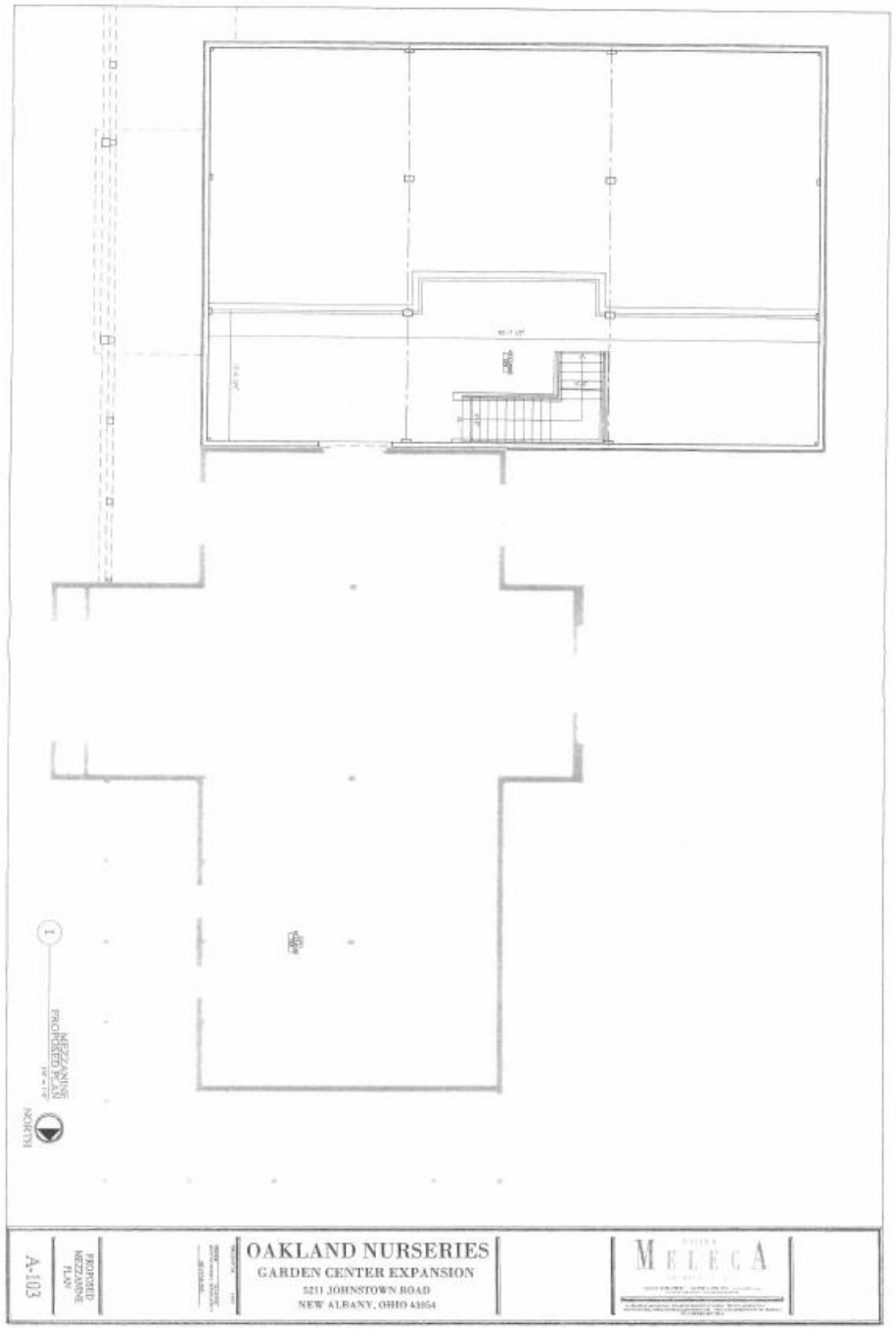
Plain Township Approved
Site Plan Modification – 2015
Page 3



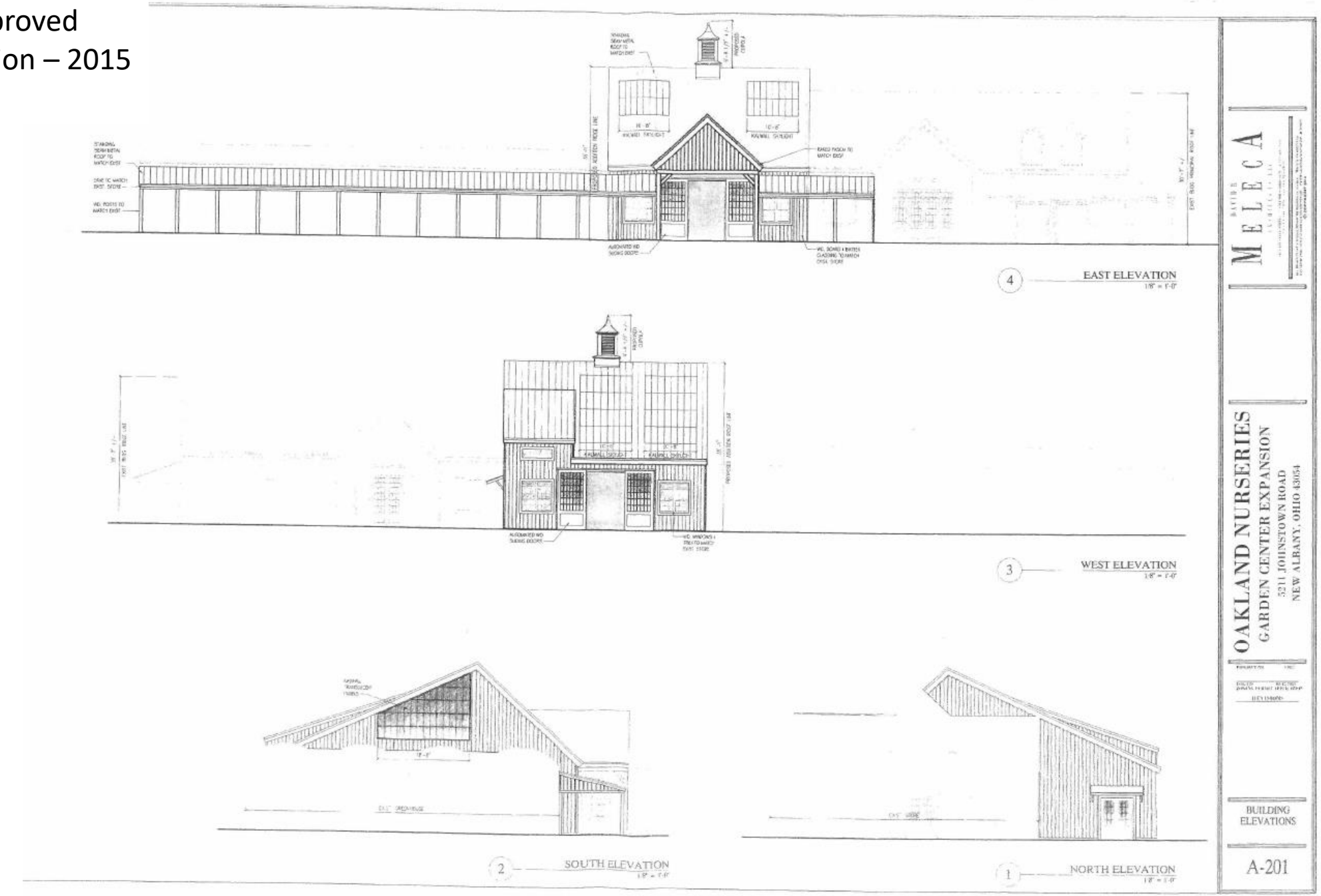
Plain Township Approved
Site Plan Modification – 2015
Page 4



Plain Township Approved
Site Plan Modification – 2015
Page 5



Plain Township Approved
Site Plan Modification – 2015
Page 6



Plain Township Approved
Site Plan Modification – 2018
Page 1

Minor Modification Description

Oakland Nursery-New Albany

June 6, 2018

Two minor modifications have been completed in the past year at our property on 5211 Johnstown Rd. I want to personally apologize that these projects were completed without going through the proper zoning approval. I take full responsibility in not truly understanding what size or type of project required a site modification plan and the subsequent zoning process that goes with it.

That being said, the completed projects both serve a very functional process. The new structure that was built serves as a straw barn and an adjoining pull barn to house our equipment at night and in the winter months. Before this structure was completed we were forced to stack bales of straw in the loading area on pallets and cover them with a large tarp. Not only was this very inefficient, it was extremely unsightly. Along the same lines, we are now able to park our forklift and skid steer in the barn to keep them out of the elements and help maintain a more aesthetically pleasing loading area.

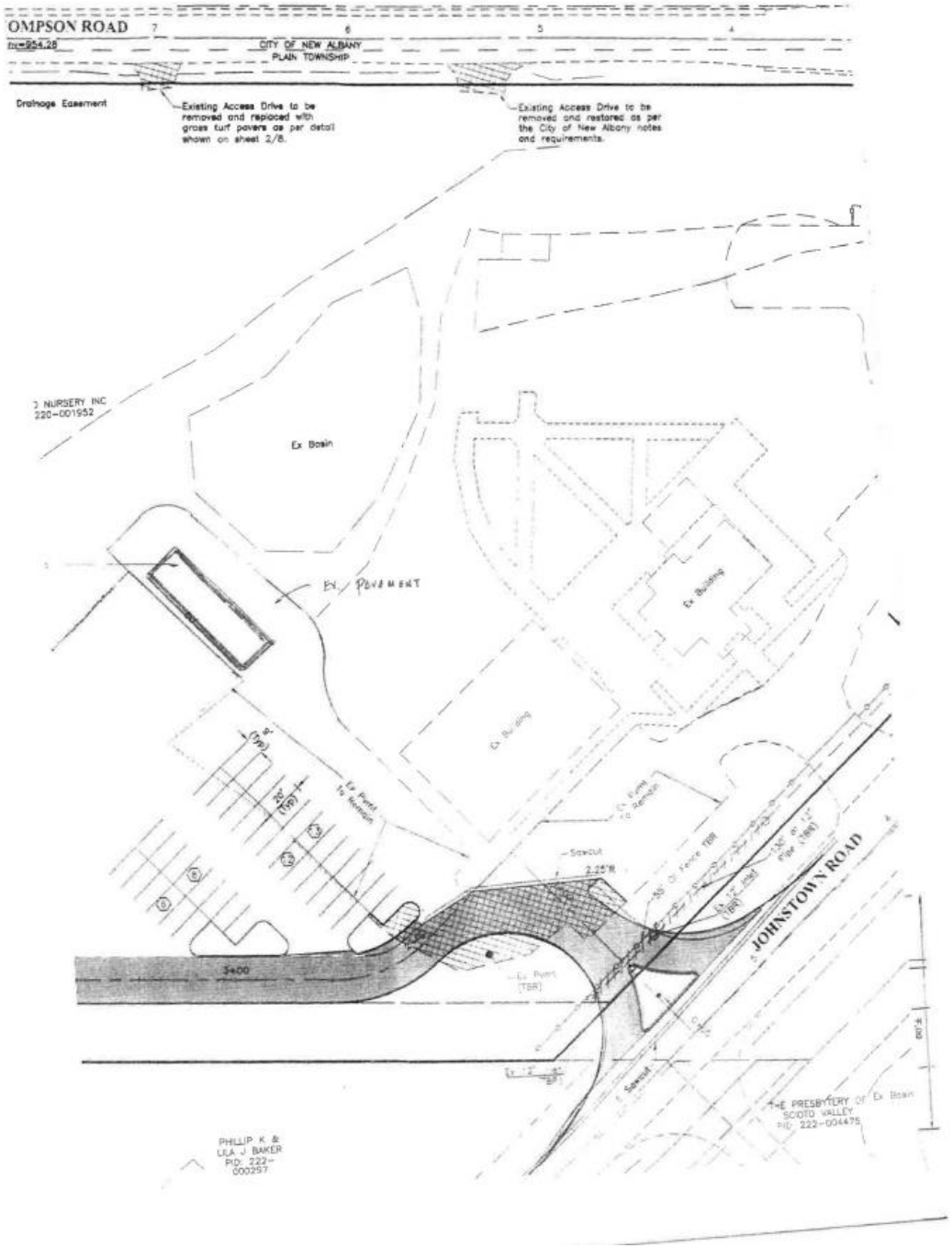
The second minor modification is in the North East corner of the property. This project involved the pouring of a concrete pad and stacking of Eco-Blocks to house bulk mulch and soil products. The pad was designed to comply with the required set-back along the property line and was poured to incorporate an existing storm drain in that area. That storm drain runs directly to the retention pond next to it. Our retention pond is vastly oversized and this new surface provides no addition run off issues. This corner of the property was extremely wet and virtually unusable for anything except overflow parking during our busier months. The main problem this new area solved was the storage of a sawdust pile we use in the overwintering of plant material. Building this area allows us to have a contained space where we can reuse this material from year to year. In past we stored some of the sawdust in piles in the back of the property and hauled it out with 20-30 dump truck loads over the course of 2-3 weeks. In addition we are storing some bulk mulch and topsoil in this area for our own landscape use and customer sales. The material is contained within the walls of the structure and should not exceed 6-8ft in height. The volume of truck traffic delivering the material this Spring has been minimal. We are winding down our busy season and have had 4 full dump truck loads delivered in the past 2 months.

I again apologize for the unconventional way in which this approval process was handled and would be happy to answer any further questions you may have going forward.

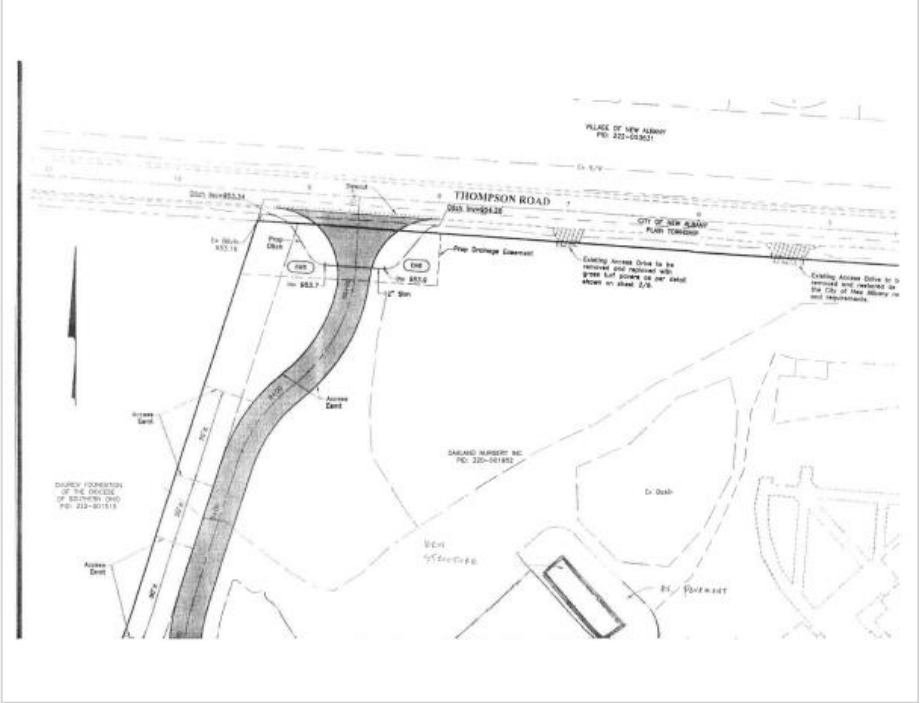
Sincerely,

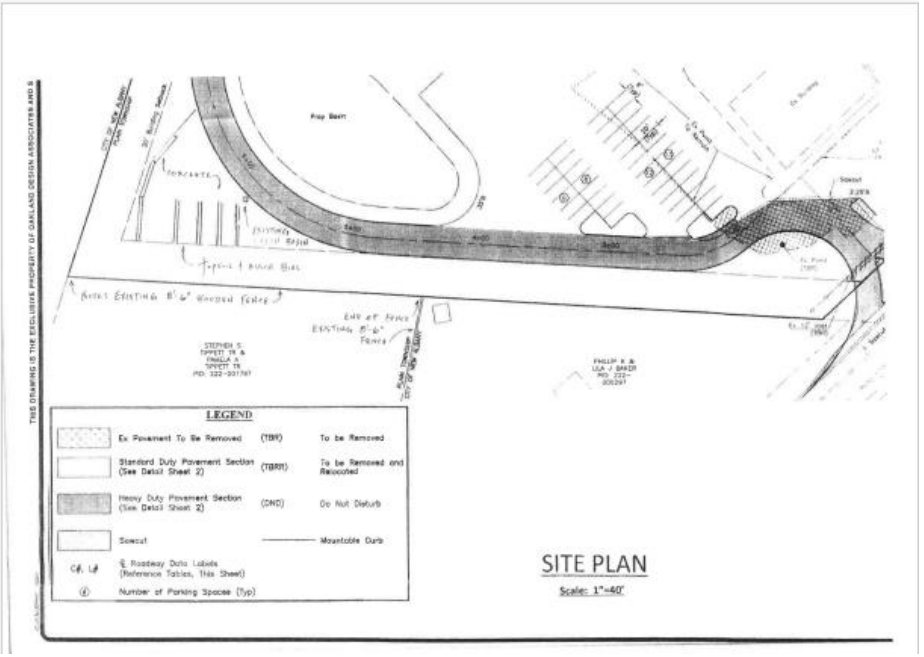
Mark Reiner
Vice President
Oakland Nursery
412-780-1505

Plain Township Approved
Site Plan Modification – 2018
Page 2

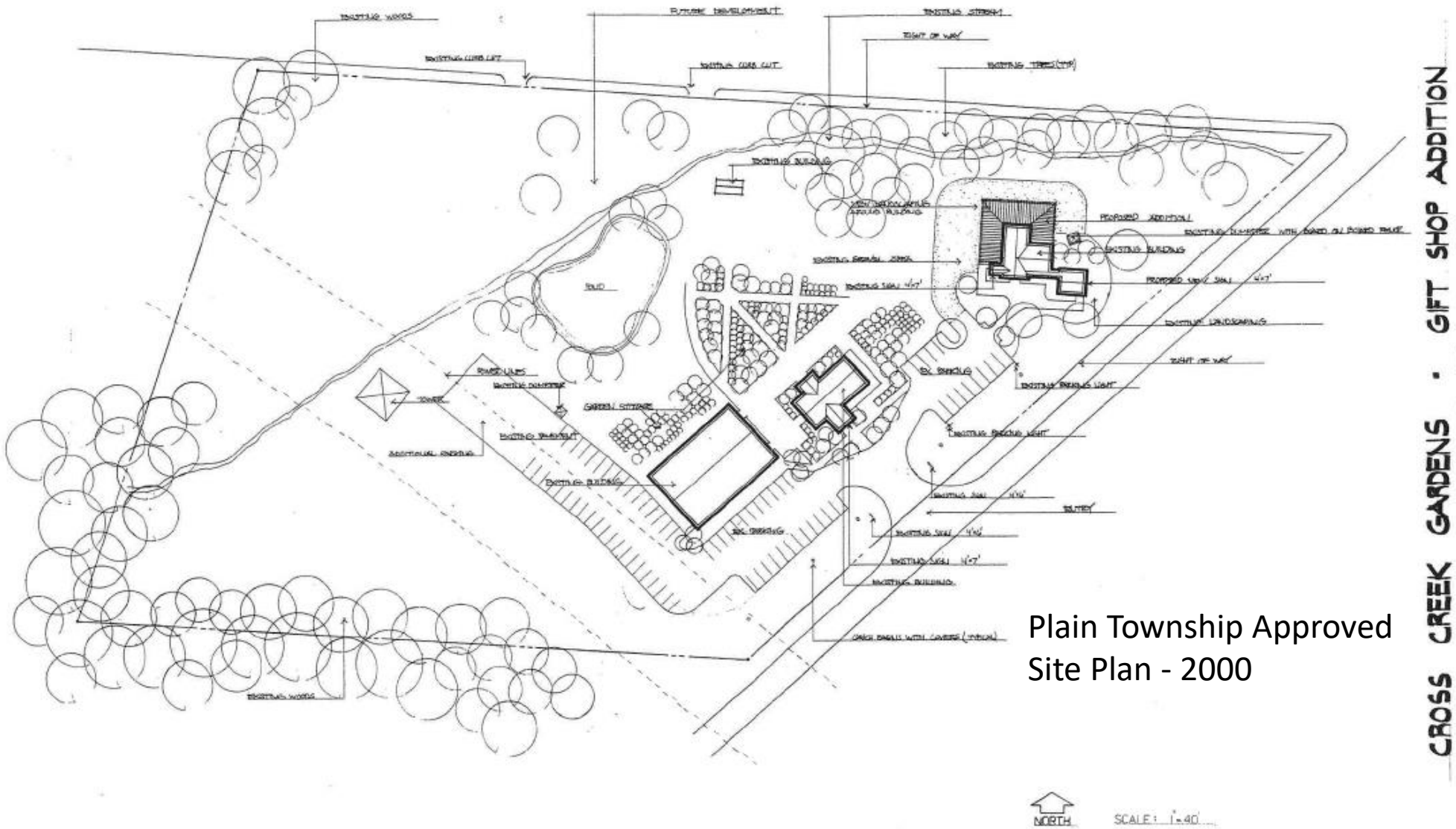


Plain Township Approved
Site Plan Modification – 2018
Page 3





updated site plan;
rec'd 8/2/2000 at FCPAS meeting



Plain Township Approved Site Plan - 2000

BEFORE THE ZONING COMMISSION

PLAIN TOWNSHIP, FRANKLIN COUNTY, OHIO

IN THE MATTER OF A ZONING AMENDMENT

*CASE NO.*_____

Richard Winnestaffer
(name)

5211 Johnstown Road
(address)

SAME
(address of subject property)

Parcel #220-001952

RECOMMENDATION OF ZONING AMENDMENT

This matter came in for a Minor Modification from the terms of Section 303.09, Article III of the Plain Township Zoning Resolution. Upon the report of the property owner, Richard Winnestaffer, and the evidence from proponents and opponents, and upon the exhibits, the Plain Township Zoning Commission, being fully advised in the premises, finds that the requirements of above listed Section of the Plain Township Zoning Resolution have been met.

Minor modifications to 5211 Johnstown Road are:

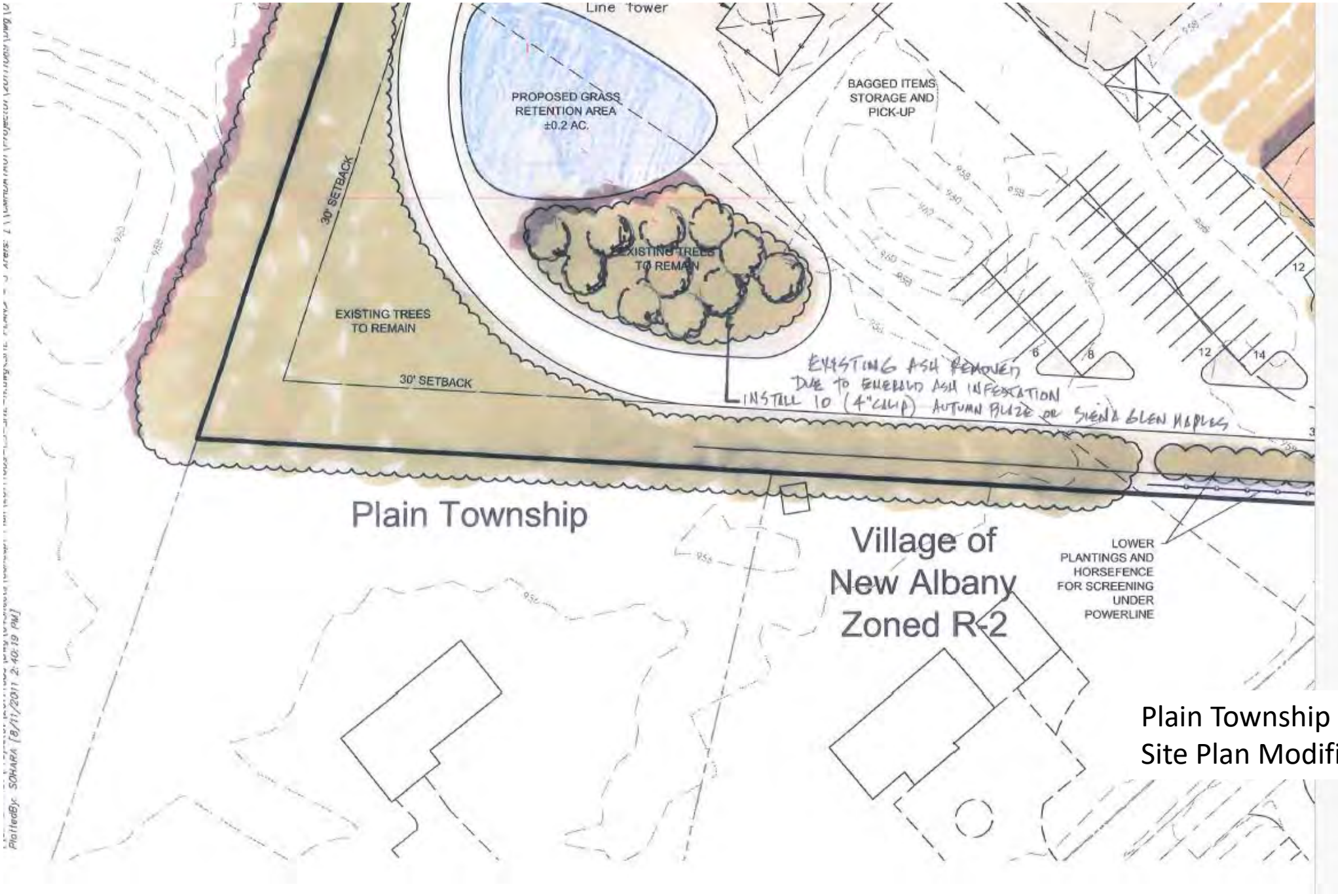
1. Move the Dumpster at the north east corner of the property facing Johnstown to the north east corner of the Point of View gift shop.

2. Build a fence on the east border of the parcel, along Johnstown Road, meeting stipulated setbacks.

3. A telecommunications antenna be placed on the American Electric Tower, not to exceed the current height of the Electric Tower, in the south west corner of the parcel (drawings attached). A circuitry panel will be at the base of said Tower.

It is therefore said that above said minor modifications to Parcel #220-001952, zoned Select Commercial Planned District, Section 303, Article III of the Plain Township Zoning Resolution, are granted.

Plain Township Approved
Site Plan Modification – 2001
(no plan available)



Plain Township Approved
Site Plan Modification – 2011

Planning Commission Staff Report
January 17, 2024 Meeting

7113 ARMSCOTE END
ARTIFICIAL LANDSCAPE VARIANCE

LOCATION:	7113 Armscote End (PID: 222-004851-00)
APPLICANT:	Alison & Jesse Carmen
REQUEST:	Variance to City Codified Ordinance Chapter 1171.07 to allow for artificial turfgrass.
ZONING:	Comprehensive Planned Unit Development: West Nine 2 Subarea C
STRATEGIC PLAN:	Residential
APPLICATION:	VAR-126-2023

Review based on: Application materials received on December 15, 2023.

Staff report prepared by Sierra Cratic-Smith, Planner

I. REQUEST AND BACKGROUND

The applicant requests a variance to allow the limited use of artificial turfgrass, about 76.4+/- square yards, within a fenced in pool area at 7113 Armscote End (PID: 222-004851). The current text is silent on prohibited landscape materials therefore C.O. 1171.07 applies which states artificial plants are prohibited and that all landscape materials shall be living plants for the landscaping material requirements for planting such as grass and ground cover, trees, and shrubs and hedges. The applicant requests a variance to allow for artificial turf around a pool instead of natural grass.

II. SITE DESCRIPTION & USE

The property is 0.74 acres in size and contains a single-family home. The lot is located in the New Albany Country Club Ebrington (West Nine) subdivision. The surrounding properties are located within the same subdivision and contain residential uses.

III. ASSESMENT

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. In accordance with C.O. 1113.05(b), all property owners within 200 feet of the subject property in question have been notified of the request via mail.

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.*

IV. EVALUATION

Variance to allow the limited use of artificial turfgrass, about 76.4+/- square yards, within a fenced in pool area.

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

1. The city landscaping chapter 1171.07 states artificial plants are prohibited and that all landscape materials shall be living plants for the landscaping material requirements for planting such as grass and ground cover, trees, and shrubs and hedges. The applicant requests a variance to allow for artificial turf around a pool instead of natural grass.
2. This variance does not appear to be substantial because of the limited size of the request. The 76.4+/- square yards is a minor portion of the lot. The parcel is about 3,605+/- square yards. This equates to about 2% of the entire lot.
3. It does not appear the essential character of the neighborhood would be substantially altered if the variance is approved. The site has a significant change in grade that results in a tiered patio design. As a result, the artificial turf is separated from the ground and is raised above the natural landscape so it's at the same grade as the pool. The artificial turf is located just in the immediate proximity of the pool. The applicant states that natural grass would wither and decay from the pool water and pet use; however, the artificial turfgrass will sustain under these harsh conditions.
4. In addition, there are a significant number of shrubs, installed around the pool and artificial turf and screen its view from offsite properties. The limited use and screening appear to result in zero or very limited view from properties. The artificial turf is in the rear yard where it is adjacent to the golf course and not other residential properties.

5. This variance preserves the spirit and intent of the zoning requirement because the artificial turf appears visibly the same and is used the same way as natural turf grass. The applicant has provided a sample showing its aesthetic quality.
6. This variance does not negatively impact the delivery of government services.
7. This problem can be solved by some manner other than the granting of the variance. It appears that installing natural landscape could be installed.
8. The city staff could not find any other variances approved for residential turf grass historically. However, artificial turfgrass is permitted for amenities such as putting greens in residential areas. And the zoning at the Courtyards at New Albany subdivision allows for artificial turf grass around the community pool in a similar layout as this request.
9. This variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed project.

IV. SUMMARY

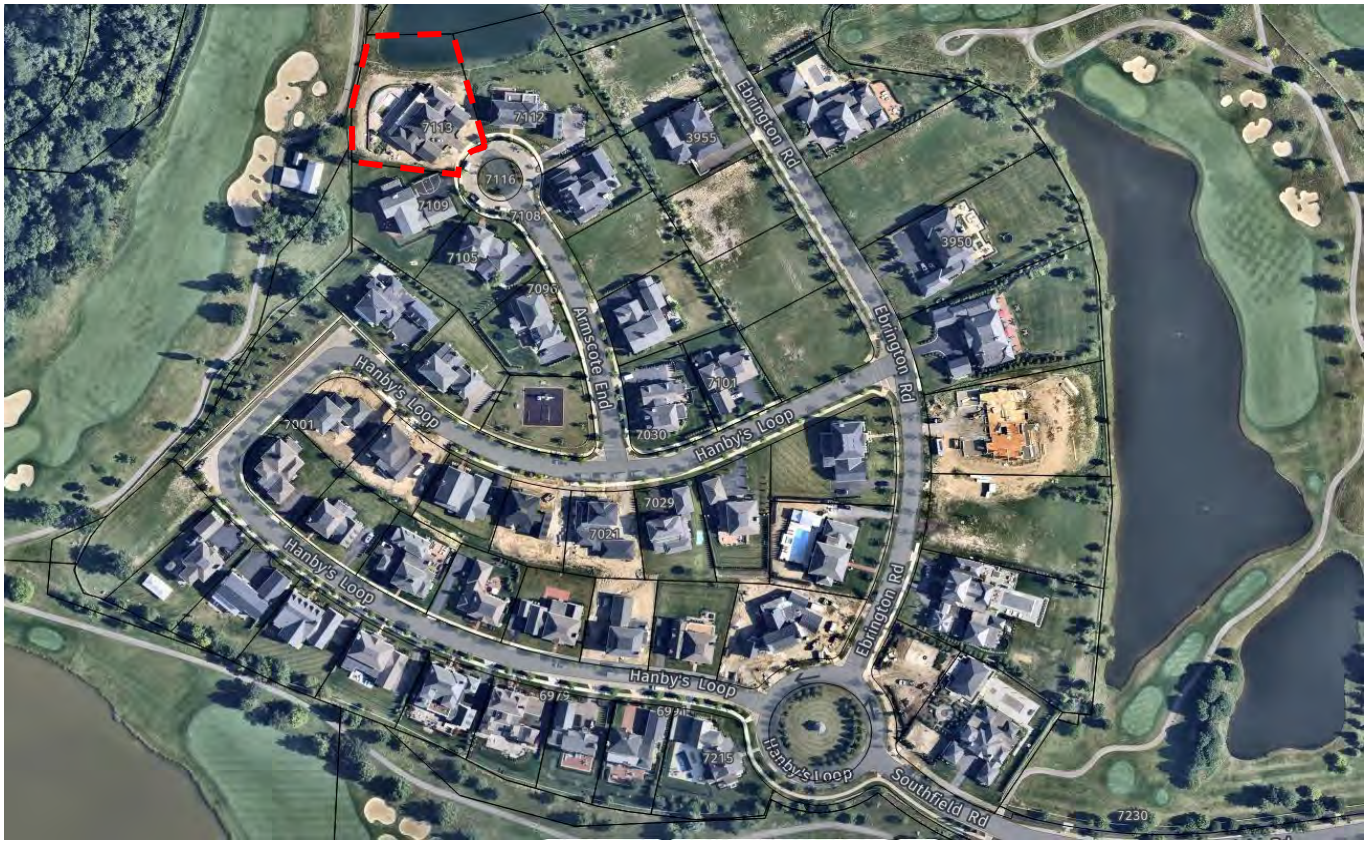
To summarize, the variance does not appear to be substantial considering the small area of artificial turfgrass requested when compared to the overall property and the significant amount of screening surrounding the artificial turf. The applicant requests the variance in order to provide more greenscape to the property instead of paving the area. They state that since it is such a small size and difficult to access, that the artificial turf is necessary to provide an alternative to hardscape.

V. ACTION

Should the Planning Commission find that the application has sufficient basis for disapproval, finding the following motion is appropriate.

Move to approve application VAR-126-2023 based on the findings in the staff report (conditions of approval may be added)

Approximate Site Location:



Source: NearMap

Permit # _____
Board _____
Mtg. Date _____

NEW ALBANY

Community Development Planning Application

Project Information

Site Address 7113 Armscote End, New Albany OH 43054

Parcel Numbers 222-004851-00

Acres 0.74 Acres # of lots created _____

Choose Application Type	Circle all Details that Apply			
☐ Appeal				
☐ Certificate of Appropriateness				
☐ Conditional Use				
☐ Development Plan	Preliminary	Final	Comprehensive	Amendment
☐ Plat	Preliminary	Final		
☐ Lot Changes	Combination	Split	Adjustment	
☐ Minor Commercial Subdivision				
☐ Vacation	Easement		Street	
☑ Variance				
☐ Extension Request				
☐ Zoning	Amendment (rezoning)		Text Modification	

Description of Request: Variance for the installation of 76.45 square yards of artificial turf in the rear yard of the residence adjacent to the pool and seperated from the rest of the property's lawn.

Contacts

Property Owner's Name: Alison & Jesse Carmen
Address: 7113 Armscote End
City, State, Zip: New Albany OH 43054
Phone number: 440-781-7836 Fax: _____
Email: akpcarmen@gmail.com

Applicant's Name: Marc Aubry (Greenscapes Landscape Co.)
Address: 4220 Winchester Pike
City, State, Zip: Columbus, OH 43232
Phone number: 614-837-1869 Fax: _____
Email: marcaubry@greenscapes.net

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 Alison Carmen Date: 12/15/2023
Signature of Applicant Marc Aubry Date: 12/15/2023

GreenScapes Landscape Co.
Landscape Architects and Contractors
4220 WINCHESTER PIKE • COLUMBUS, OHIO 43232-5612
(614) 837-1869 • Fax (614) 837-2393
www.GreenScapes.net
GreenScapes

December 15, 2023

The City of New Albany
Sierra Cratic-Smith
99 West Main Street
New Albany, OH 43054

Dear Sierra,

Please see the attached information for this zoning variance request. Copied below are the requirements that you sent to me that are necessary to have our case heard in front of the board. Please review my notes below and let me know if you need any additional information.

The application of a variance or an appeal shall be made on such forms as prescribed by staff and shall contain the following information:
(a) Name, address and phone number of the applicant. ***– See Planning Application***
(b) Legal description of property as recorded in Franklin County Recorder's office. ***– Exhibit 1***
(c) Each application for a variance or appeal shall refer to the specific provisions of this Ordinance which apply. ***– Exhibit 2***
(d) The names and addresses of all property owners within two hundred (200) feet, contiguous to, and directly across the street from the property, as appearing on the Franklin County Auditor's current tax list. ***– Exhibit 3***
(e) A narrative statement explaining the following: ***– Exhibit 4***
(1) The use for which variance or appeal is sought.
(2) Details of the variance or appeal that is applied for and the grounds on which it is claimed that the variance or appeal should be granted, as the case may be.
(3) The specific reasons why the variance or appeal is justified according to this chapter.
(4) Such other information regarding the application for appeal as may be pertinent or required for appropriate action by the Board of Zoning Appeals.
(f) A plot plan drawn to an appropriate scale showing the following: ***– See Landscape Plan***
(1) The boundaries and dimensions of the lot.
(2) The nature of the special conditions or circumstances giving rise to the application for approval.
(3) The size and location of existing and proposed structures.
(4) The proposed use of all parts of the lots and structures, including accesses, walks, off-street parking and loading spaces, and landscaping.
(5) The relationship of the requested variance to the development standards.
(6) The use of land and location of structures on adjacent property.

Best Regards,

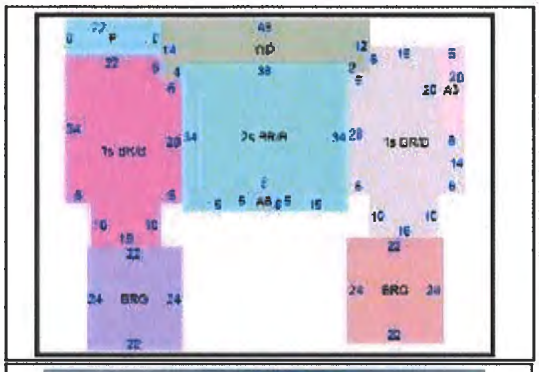
Marc Aubry, Lead Designer
GreenScapes Landscape Architects & Contractors

Exhibit 1

Franklin County Auditor - Michael Stinziano 222-004851-00

Owner Name	CARMEN JESSE CARMEN ALISON	**Prop. Class**	R - Residential
		Land Use	599 - OTHER RESIDENTIAL
		Tax District	222 - PLAIN TWP-NEW ALBANY CORP
Site Address	7113 ARMSCOTE END	**Sch. District**	2508 - NEW ALBANY-PLAIN LSD
		App Nbrhd	05102
		Tax Lein	No
LegalDescriptions	NEW ALBANY COUNTRY CLUB SECTION 28 PART 2 LOT 63	**CAUV Property**	No
		Owner Occ. Credit	2023: No 2024: No
		Homestead Credit	2023: No 2024: No
		Rental Registration	No
Owner Address	7460 KING GEORGE DR NEW ALBANY OH 43054	**Board of Revision**	No
		Zip Code	43054
		Annual Taxes	.00
Transfer Date	08/19/2021	**Taxes Paid**	.00
Transfer Price	.00	**Calculated Acreage**	.74
Instrument Type	QE	**Legal Acreage**	.00

	Current Market Value			Taxable Value		
	Land	**Improv**	**Total**	**Land**	**Improv**	**Total**
Base	$9,500	$0	$9,500	$3,330	$0	$3,330
TIF	$210,500	$1,058,300	$1,268,800	$73,680	$370,410	$444,090
Exempt	$0	$0	$0	$0	$0	$0
Total	$220,000	$1,058,300	$1,278,300	$77,010	$370,410	$447,420
CAUV	$0					



Building Data

Year Built	2021	**Full Baths**	4
Finished Area	4520	**Half Bath**	1
Rooms	10	**Heat/AC**	2
Bedrms	4	**Wood Fire**	/
Dining Rooms	1	**Stories**	2

Sketch Legend

0 2s BR/B 1252 Sq. Ft.
1 1s BR/B - 22/32:ONE STORY BRICK/UNF BASEMENT 1048 Sq. Ft.
2 1s BR/B - 22/32:ONE STORY BRICK/UNF BASEMENT 928 Sq. Ft.
3 OP/B - 13/32:OPEN FRAME PORCH/UNF BASEMENT 120 Sq. Ft.
4 BRG - 27:BRICK GARAGE 528 Sq. Ft.
5 BRG - 27:BRICK GARAGE 528 Sq. Ft.
6 1s BR/OMP - 22/25:ONE STORY BRICK/OPEN MASONRY PORCH 40 Sq. Ft.
7 P - 40:CONCRETE PATIO 176 Sq. Ft.
8 OP - 13:OPEN FRAME PORCH 510 Sq. Ft.

222-004851 09/02/2022

Disclaimer: The information on this web site is prepared from the real property inventory maintained by the Franklin County Auditor's Office. Users of this data are notified that the primary information source should be consulted for verification of the information contained on this site. The county and vendor assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.

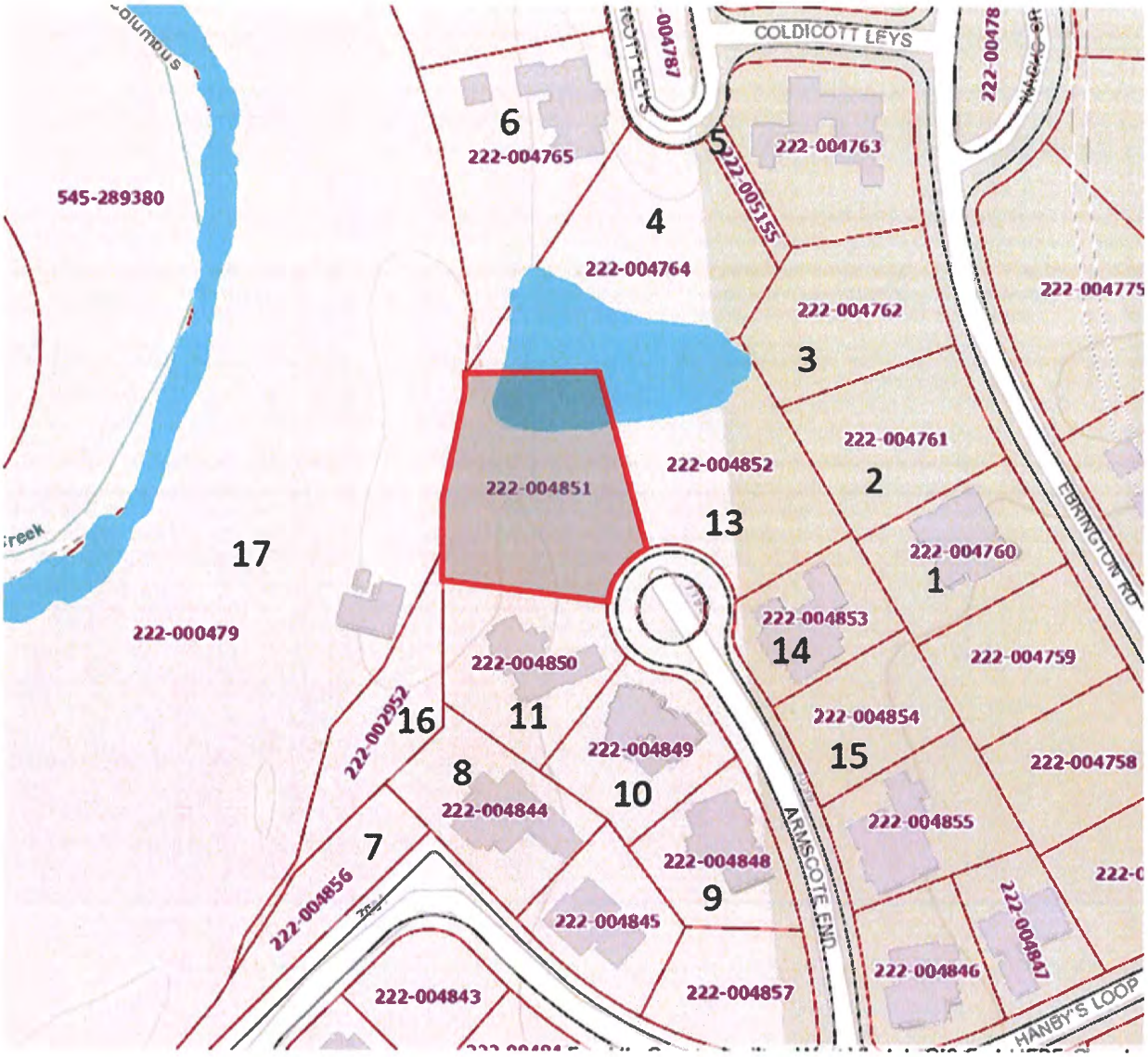

COLDICOTT LEYS
222-004781
222-004778
HARDING DR
6
222-004765
5
222-004763
222-005155
4
222-004764
222-004775
222-004762
3
222-004761
2
222-004852
222-004851
13
222-004760
1
EBRINGTON RD
545-289380
17
222-000479
222-004853
14
222-004759
222-004850
222-002952
16
11
222-004854
15
222-004849
222-004758
8
222-004844
10
222-004855
7
222-004848
9
222-004856
222-004845
222-004847
222-004846
222-004843
222-004857
ARMSCOTE END
HANBY'S LOOP

Exhibit 2

1171.07 LANDSCAPE MATERIALS.

Landscape materials utilized in meeting requirements of this section should complement the form of existing trees and plantings, as well as the general design and architecture of the developed area. The type of sun or shade should be considered in selecting plant materials. Artificial plants are prohibited. All landscape materials shall be living plants and shall meet the following requirements:

(a) Quality. All plant material shall conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under state regulations.

(b) Type. Added landscape elements shall observe and respect the size, placement, character and type of such materials employed on adjacent or nearby properties.

(c) Deciduous Trees. Trees which normally shed their leaves in the fall shall be species having an average mature crown spread of greater than fifteen (15) feet and having trunks which can be maintained with over five (5) feet of clear wood in areas where visibility is required, except at vehicular use intersections where the clear wood requirement shall be eight (8) feet. A minimum of ten (10) feet overall height, or a minimum caliper (trunk diameter as measured six (6) inches above ground) of at least two (2) inches immediately after planting shall be required. Trees of undesirable species, as listed in Section 1171.07 are prohibited.

(d) Evergreen Trees. Evergreen trees shall be a minimum of five (5) feet high with a minimum caliper of one and one-half (1½) inches immediately after planting.

(e) Shrubs and Hedges. Shrubs shall be planted at least two (2) feet in average height when planted and shall conform to opacity and other requirements within four (4) years after planting.

(f) Vines. Vines shall be at least twelve (12) inches high at planting and generally used in conjunction with walls or fences.

(g) Grass or Ground Cover. Grass of the fescue (Gramineae) or bluegrass (Poaceae) family shall be planted in species normally grown as permanent lawns, and may be sodded or seeded. In swales or other areas, reducing net or suitable mulch shall be used; nurse grass shall be sown for immediate protection until complete coverage otherwise is achieved. In certain cases, ground cover consisting of rocks, pebbles, sand or similar materials may be approved.

(h) Maintenance and Installation. All landscaping materials shall be installed in a sound and competent manner, according to accepted, good construction and planting procedures. The owner of the property shall be responsible for the continued proper maintenance of all landscaping materials, and shall keep them in a proper, neat and orderly appearance, free of refuse and debris at all times. All unhealthy or dead plant material installed pursuant to this section shall be replaced within one year.

(Ord. 30-2007. Passed 8-21-07.)

Exhibit 3

1. Mark & Nicole Stetson
3955 Ebrington Rd
New Albany, Ohio 43054

2. Mark & Nicole Stetson
Ebrington Rd
New Albany, Ohio 43054

3. Peacock 61 LLC TR
Ebrington Rd
New Albany, Ohio 43054

4. Peacock 61 LLC TR
Coldicott Leys
New Albany, Ohio 43054

5. Peacock 61 LLC TR
Coldicott Leys
New Albany, Ohio 43054

6. Elliot & Melanie Campbell
3805 Coldicott Leys
New Albany, Ohio 43054

7. City of New Albany
7014 Hanbys Lp
New Albany, Ohio 43054

8. Mark & Joy Alfonso
7014 Hanbys Lp
New Albany, Ohio 43054

9. Samuel & Karrie Short
7101 Armscote End
New Albany, Ohio 43054

10. Matthew Kallner
7105 Armscote End
New Albany, Ohio 43054

11. Gerald & Kristin Mathers
7109 Armscote End
New Albany, Ohio 43054

12. City of New Albany
Armscote End
New Albany, Ohio 43054

13. John & Kristin Dejohn
7112 Armscote End
New Albany, Ohio 43054

14. Robert Heit
7108 Armscote End
New Albany, Ohio 43054

15. Zeyn Mirza & Garcia Idabelle Diaz
Armscote End
New Albany, Ohio 43054

16. New Albany Co LLC
1 Club Ln
New Albany, Ohio 43054

17. New Albany Co LLC
5700 Thompson Rd
Columbus, Ohio 43230

Exhibit 4

After working with the Carmen's to build this unique design that meets their goals along with the City and NACCC requirements, we were surprised to learn about the City's disapproval of synthetic turf. During our courtesy review of the project with the building department to ensure we are in compliance with all of the City codes & permits it was suggested to look further in to the synthetic turf area with the planning department. The plan that we are working from was drawn by an outside Landscape Architect and we were selected for the construction. This was a new code for us and something that we have not encountered before with any other of our projects locally that included artificial turf.

The code mentions a prohibition on artificial plants, we are asking for a variance from the code. We feel that the design intent, along with the practical factors of the area along with the vast improvement of the product compared to those of the past warrants the approval of the variance. Also, the overall text of the code is ambiguous by using the words "artificial plants" and does not specifically talk about artificial turf creating confusion.

The selection of this turf was based on a few factors. The first was that the client wanted a usable surface while keeping the paved area to a minimum. This will be a high traffic area that will damage real grass. Also, the pool water will damage the grass as people exit the pool.

Another factor was that this is a very small area that is difficult to access for the weekly mowing of the grass. Mowing small areas such as this is very hard on the grass and will cause accelerated wear to the grass as well as inevitably get lawn trimming in the pool each time. In building the pool there was a great amount of gravel used to build up the area. This would greatly increase that amount of water that grass would need to thrive. Using turf eliminates the need for excess watering of the area.

The client also has pets that will use this area and using this turf will keep it looking green all year and eliminate dead spots from the pet use.

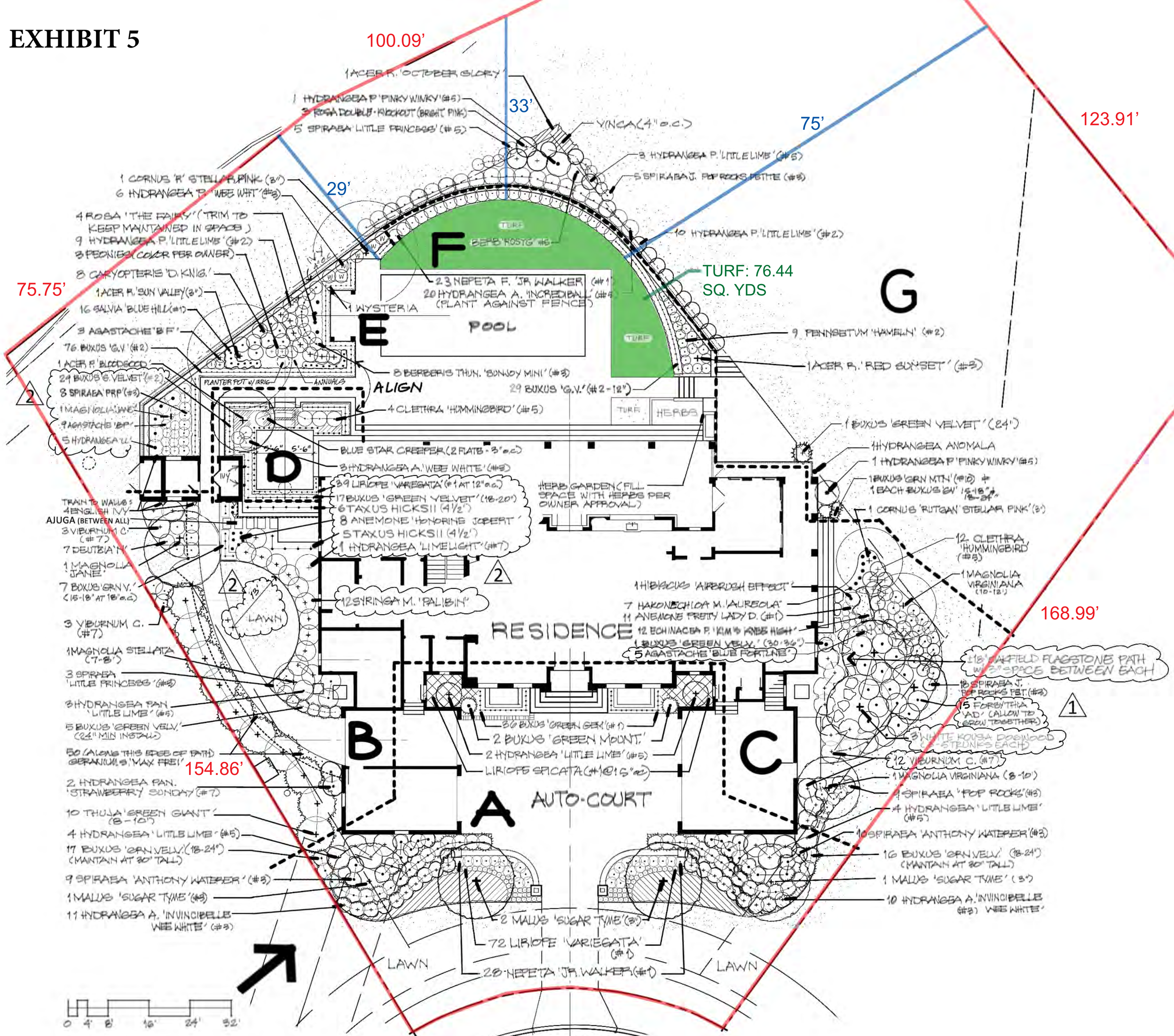
This turf can support all these concerns without becoming worn down as grass would tend to do.

The overall area of the turf is very small and completely separated from the rest of the grass. This area is at a raised elevation that will drain very well with the amount of gravel needed to build up the area and subsurface drain lines under the area. This raised location also makes it almost impossible for the surrounding properties to even see the turf area, while the client can enjoy its refined aesthetic and functional benefits.

Finally, there have been great advancements in the look of the turf. No longer does it look bright green and "artificial". Over the last number of years, across the country people are using more artificial turf to avoid watering, fertilizers, and the care that grass requires. This has led to a much better product that has a real look with varying lengths of grass blades, slightly changing shades of green and even a small amount of brown in the crown area to best mimic natural grass.

Highgrove Cresc
Ebrington Rd
Ebrington Rd
Armscote End
Hanby's Loop
Hanby's Loo
Google

EXHIBIT 5



PLANTING PLAN

CARMEN RESIDENCE

7113 ARMSCOTE END · NEW ALBANY · OHIO

JACOBS GRANT DESIGN ltd 614·440·1881 DECEMBER 2020 · REV 23-07-10

2 REV 23-10-31

1 REV 23-09-25