

New Albany Planning Commission Agenda

Wednesday, February 23, 2022 7:00pm

Members of the public must attend the meeting in-person to participate and provide comment at New Albany Village Hall at 99 West Main Street. The meeting will be streamed for viewing purposes only via Zoom Webinar. There is no public participation via the Zoom Webinar.

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- I. Call To Order
- II. Roll Call
- III. Action of Minutes: December 6, 2021 January 19, 2022

IV. Additions or Corrections to Agenda

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

- V. Hearing of Visitors for Items Not on Tonight's Agenda
- VII. Cases:

TM-12-2022 Zoning Text Amendment

Amendment to the Nottingham Trace subdivision PUD zoning text to allow spas to be constructed above ground.

Applicant: Pulte Homes, c/o Matthew Callahan

Motion of Acceptance of staff reports and related documents into the record for - TM-12-2022.

Motion of approval for application TM-12-2022 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

CU-15-2022 Conditional Use

Conditional use to allow a model home to be located in the Nottingham Trace subdivision (PIDs: 222-004904, 222-004905 and 222-004906).

Applicant: Pulte Homes, c/o Dawn Hargus

Motion of Acceptance of staff reports and related documents into the record for - CU-15-2022.

Motion of approval for application CU-15-2022 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

- VIII. Other Business
- IX. Poll members for comment
- X. Adjournment



Planning Commission met in regular session in the Council Chambers at Village Hall, 99 W. Main Street and was called to order by Planning Commission Chair Mr. Neil Kirby at 7:03 p.m.

Those answering roll call:

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

Staff members present: Steven Mayer, Development Services Coordinator; Jay Herskowitz for Ed Ferris, City Engineer; Benjamin Albrecht, Interim Law Director; and Josie Taylor, Clerk.

Moved by Mr. Wallace to approve the December 20, 2021 meeting minutes, seconded by Ms. Briggs. Upon roll call: Mr. Wallace, yea; Ms. Briggs, yea; Mr. Schell, yea; Mr. Kirby, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

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

Mr. Mayer stated none from staff.

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

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

FPL-132-2021 Final Plat

Final plat for the dedication of public right-of-way for Horizon Court which will begenerally located north of Jug Street, east of Beech Road and west of Harrison Road in Licking County (095-111756-00.000).

Applicant: LPC Midwest LLC

Mr. Mayer presented the staff reports for FPL-132-2021 and VAR-133-2021.

Mr. Kirby asked if there were Engineering comments.

Mr. Herkowitz stated procedural matters, such as showing cross access and drainage easements more clearly and the need for documentation of there being no wetland or Ohio Environment Protection Agency issues, were needed.

Mr. Kirby stated thank you. Mr. Kirby asked to hear from the applicant.

Mr. Tom Rubey, New Albany Company, stated they agreed with all of the conditions from staff and engineering and stated this was a conceptual plan. Mr. Rubey stated individual lots may later be developed. Mr. Rubey stated they did not intend to have public streets developed and they would have shared access between parcels. Mr. Rubey stated a regional storm water retention basin would be built offsite for these properties.

Mr. Zack Grabijas, Project Manager, LPC Midwest LLC, discussed the company's history, business, and current projects.

Mr. Schell asked what the vision was, did it involve more industrial, office, etc.

Mr. Grabijas stated it was industrial and mission critical.

Mr. Schell stated he knew this was conceptual, but asked if the development on the end would have a separate entrance.

Mr. Grabijas stated each of the potential properties would have their own entrance.

Mr. Schell asked if they might have larger users and not parcel it out.

Mr. Grabijas stated correct.

Mr. Kirby asked why use private roads, what were the advantages.

Mr. Rubey stated that all at this time was conceptual and there was no intention to build networks of public roads here. Mr. Rubey stated parking lots would have access to all for employee and engineering services, but the roads would not be like those in a subdivision.

Mr. Grabijas stated public roads usually needed more room and they would lose a lot of land if they were put in place.

Mr. Kirby asked if they would be big enough to fit a fire truck.

Mr. Grabijas stated yes.

Mr. Kirby asked if it would be big enough for two vehicles driving in opposite directions to drive by one another.

Mr. Grabijas stated yes.

Mr. Kirby asked if they would be built to the standard of a residential street that did not have parking on both sides.

Mr. Rubey stated the width and dimension would need to meet the requirements of emergency services but there would not be curbs or gutters.

Mr. Kirby asked if the roads would be the same size as those of a residential street.

Mr. Rubey stated yes.

Mr. Kirby asked what the minimum street width of a residential road was.

Mr. Herskowitz stated 26 feet.

Mr. Kirby asked if emergency services vehicles could then go down them.

Mr. Rubey stated yes.

- Mr. Kirby stated that some of the relief provided by this was that there was no automatic setback from a right-or-way.
- Mr. Rubey stated yes.
- Mr. Kirby asked if the New Albany Company owned the land.
- Mr. Rubey stated correct.
- Mr. Kirby asked if they also owned the land to the north of that, which followed Beech Road.
- Mr. Rubey stated correct.
- Mr. Kirby asked if there would be future connectivity to the parcel on the west of this, facing Jug Street.
- Mr. Rubey stated not to the west, but perhaps to the east.
- Mr. Kirby asked if this parcel was not looking to connect to Beech Road.
- Mr. Rubey stated correct. Mr. Rubey stated there would be a curb cuts on Jug Street and for emergency access, but not beyond.
- Mr. Kirby stated that as the New Albany Company owned both to the east and west, they were not denying access to anyone.
- Mr. Rubey stated correct.
- Mr. Kirby stated it did relieve them from the setbacks based on right-of-way.
- Mr. Rubey stated there were setback and preservation requirements that had previously been made which were reflected on the site plan.
- Mr. Kirby stated the variance for a cul-de-sac this long did not appear supportable without additional access points. Mr. Kirby asked if there were enforceable conditions that would prevent having an overlong cul-de-sac.
- Mr. Rubey stated he did not know but they could draft a condition and put it on record for appropriate private streets to meet City requirements for safety.
- Mr. Kirby asked if they would extend private access connectivity as they went.
- Mr. Rubey stated that, if from the north, then they might have permanent or temporary access points.
- Mr. Kirby stated right. Mr. Kirby stated a condition should never have more than 1,000 feet without a second access point.
- Mr. Rubey stated, or it should be agreeable to City emergency services and have plans acceptable to them.
- Mr. Kirby asked why not 1,000 feet if it was Code.

Mr. Rubey stated that made sense for residential lots, but thought those who provided emergency services had a better understanding of what their access needed to be.

Mr. Kirby stated they might disagree on that.

Mr. Wallace stated he was not fond of the straight shot layout of this road and asked if any consideration had been given to some type of undulation or curve for the road.

Mr. Rubey stated the basis for the design of this parcel was truck traffic that would use the culde-sac bulb and employees and others would use secondary access.

Mr. Kirby asked what the width of pavement was on the new road.

Mr. Herskowitz stated 26 feet.

Mr. Kirby asked what the width of Jug Street was.

Mr. Mayer stated it was currently between 22 to 24 feet.

Mr. Kirby asked if it were the same width as Jug Street, than it would be similar to other roads.

Mr. Wallace stated maybe, but they had an opportunity to put a bend in this road and asked if there had been any consideration to adding a curve, such as there was on Smiths Mill Road.

Mr. Rubey stated it was designed to maximize efficiency and it was never meant to have a curve.

Mr. Kirby stated they had similar cul-de-sacs in the Beauty Campus and asked if any racing had occurred there.

Mr. Mayer stated he was not aware of any.

Mr. Wallace stated there was a difference there as there was another road that went around the Beauty Campus.

Mr. Kirby asked for speakers from the public.

Mr. Bob Carr, a member of the public, stated he was here regarding the rezoning hearing.

Mr. Mayer indicated the rezoning was heard by a different board.

Mr. Carr stated he had been present for the December 20th discussion on rezoning.

Mr. Mayer stated staff was still working with that applicant, but at this time they had verbally withdrawn their application.

Ms. Wendy Brown, 168 Bermuda, stated she and her family had just purchased their lot and stated she was concerned about the wetlands and the water that would be brought onto her property. Ms. Brown stated she was concerned for her well and flooding on her land. Ms. Brown stated she was also concerned about traffic on the streets and noted that two (2) semi trucks could not fit on Jug Street.

Mr. Kirby stated that without an owner's permission this development could not change water conditions on others' lands.

Ms. Brown stated there would now be fewer fields to absorb the water.

Mr. Kirby stated they were required not to alter the drainage on others' property.

Mr. Rubey stated there would be storm water management and there would be a large regional basin for storm water demands for what would be developed here.

Ms. Brown asked what would be put in place for the neighbors the project would back to.

Mr. Rubey stated there had previously been commitments made regarding that area and he could provide copies of that to Ms. Brown.

Ms. Brown stated she would want a copy of that.

Mr. Rubey stated he would be happy to provide a copy and this project would abide by those commitments.

Ms. Brown stated that when they had presented those things they did not have such a long culde-sac.

Mr. Rubey stated it was an iterative process and noted that Ms. Brown might also consider speaking with her township offices.

Ms. Brown stated they were in Jersey Township and did not know they needed to go to New Albany

Mr. Kirby asked where Blacklick creek ran on this.

Ms. Brown stated it ran through her front yard.

Mr. Rubey showed where the creek ran on the presentation.

Mr. Kirby stated that those on Ms. Brown's side of the creek could possibly cooperate on drainage changes, if they wished.

Mr. Rubey stated there were lots of water problems there and this was not an opportunity to dewater the area. Mr. Rubey stated there were lots of Army Corp of Engineer and Environmental Protection Agency regulations there as well as wetlands. Mr. Rubey stated he was happy to help but could not go beyond Code requirements to neither increase nor decrease water.

Mr. Kirby asked if not even with the neighbors' permission to do so.

Mr. Rubey stated he could not commit to that.

Mr. Kirby stated they could explore the opportunity to do so.

Mr. Rubey stated he would follow the City Engineer's requirements but would be happy to help if they could.

Mr. Kirby asked what, due to the fact that improvements on Jug Street would be based on semi truck traffic, did the traffic study indicate.

Mr. Mayer stated the study included Jug Street to Beech Road and considered the connections shown in the presentation. Mr. Mayer stated that unrelated to this, the City planned to improve Jug Street. Mr. Mayer stated the study found there was no need for additional lanes.

Mr, Kirby asked if that would be revisited at time of development.

Mr. Mayer stated yes.

Mr. Kirby stated Mr. and Ms. Brown should have their well tested now, in case there were any changes later.

Mr. Grabijas stated they did not plan on changing the water that was there now but would manage the new impact in the area.

Ms. Brown stated they currently had fields with corn and soy and when they were taken away, due to the building, it would be hard for it not to affect the water flow.

Mr. Shull stated he appreciated the public coming and to please obtain Mr. Mayer's contact information.

Moved by Mr. Wallace to accept the staff reports and related documents into the record for FPL-132-2021, seconded by Mr. Schell. Upon roll call: Mr. Wallace, yea; Mr. Schell, yea; Ms. Briggs, yea; Mr. Kirby, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

Moved by Ms. Briggs to approve FPL-132-2021 based on the findings in the staff report with the following conditions:

- 1. The variance application (VAR-133-2021) associated with this new roadway must be approved;
- 2. The city engineer comments must be addressed, subject to staff approval;
- 3. Explore drainage issues as directed by the City Engineer; seconded by Mr. Kirby. Upon roll call: Ms. Briggs, yea; Mr. Kirby, yea; Mr. Schell, yea; Mr. Wallace, yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

VAR-133-2021 Variance

Variance to C.O. 1187.08(a)(5) to allow a cul-de-sac road to be 2,600+/-feet in length where city code allows a maximum length of 1,000 feetfor Horizon Court (095-111756-00.000). Applicant: LPC Midwest LLC

Moved by Mr. Wallace to accept the staff reports and related documents into the record for VAR-133-2021, seconded by Ms. Briggs. Upon roll call: Mr. Wallace, yea; Ms. Briggs, yea; Mr. Schell, yea; Mr. Kirby, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

Moved by Mr. Kirby to approve VAR-133-2021 with the findings in the staff report with the conditions in the staff report and the following additional condition:

3. Review and approval of all building plans by City service professionals regarding the alternative connectivity being sufficient;

seconded by Ms. Briggs. Upon roll call: Mr. Kirby, yea; Ms. Briggs, yea; Mr. Schell, yea; Mr. Wallace, no. Yea, 3; Nay, 1; Abstain, 0. Motion passed by a 3-1 vote.

Mr. Wallace stated he was not fond of the road configuration and felt it did not meet the Duncan requirements.

FDP-1-2022 Final Development Plan

Final development plan for a new office building located in the Canini Trust Corp, south of Forest Drive and in between the COTA Park and Ride and the New Avenue senior living facility(PID: 222-004965).

Applicant: Advanced Civil Design, Inc c/o Ryan Fowler

Mr. Mayer presented the staff report.

Mr. Kirby asked Mr. Mayer regarding the comment about four-sided architecture and a condition about that.

Mr. Mayer stated the architecture was four-sided and the condition was for roof top equipment screening. Mr. Mayer stated there was also one condition about signage and, while none had been submitted yet, staff recommended it be subject to staff approval.

Mr. Kirby asked if they could solve the problem with COTA with signage.

Mr. Mayer stated they were exploring that with COTA.

Mr. Kirby asked for Engineering comments.

Mr. Herskowitz stated they reviewed the final development plans and noted they needed to show monumentation at each corner of the property and where the property lines changed direction. Mr. Herskowitz stated they also needed written documentation from an environmental scientist indicating there were no wetland issues.

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

Mr. Ryan Fowler, Advanced Civil Design, Inc., discussed the project and design. Mr. Fowler stated he could answer any civil related questions and stated COTA was a concern on their end due to a shared drive.

Mr. Kirby asked if the applicant agreed with all the conditions.

Mr. Fowler stated the signage had been removed.

Mr. Kirby asked if the submittal had no signage at all.

Mr. Mayer stated it did not.

Mr. Kirby asked if it would revert to the underlying Code and design guide requirements.

Mr. Mayer stated that if not, then the applicant would return to the PC just for the signage.

Mr. Kirby asked the applicant if that was acceptable.

- Mr. Fowler stated yes.
- Mr. Wallace asked if the first condition was still in effect.
- Mr. Mayer stated yes.
- Mr. Wallace asked if the approval needed in the first condition from the 'property owner,' referred to COTA.
- Mr. Mayer stated it was COTA in this case.
- Mr. Schell stated it was an office building and asked if it were medical.
- Mr. Mayer stated the top half was for an optometry office and the other half was for medical or other lease.
- Mr. Schell asked if there were any traffic concerns.
- Mr. Mayer stated no.
- Mr. Kirby asked if members of the public had any comments. (No response.)

Moved by Mr. Kirby to accept the staff reports and related documents into the record for FDP-1-2022, seconded by Ms. Briggs. Upon roll call: Mr. Kirby, yea; Ms. Briggs, yea; Mr. Schell, yea; Mr. Wallace, yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

Moved by Mr. Schell to approve FDP-1-2022 based on the findings in the staff report, with the conditions listed in the staff report with the clarification to condition 1 that the term "property owner" refers to COTA and the following additional condition:

7. Signage is subject to staff approval; seconded by Mr. Wallace. Upon roll call: Mr. Schell, yea; Mr. Wallace, yea; Ms. Briggs, yea; Mr. Kirby, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

Other Business

Planning and Zoning Code updates

- Mr. Mayer discussed Planning and Zoning Code updates.
- Mr. Kirby asked if a recommendation to City Council was needed.
- Mr. Mayer stated they requested a recommendation to City Council.
- Mr. Wallace stated there were several references to Village and Village staff and asked if they should be changed to City.
- Mr. Mayer stated yes.
- Mr. Wallace stated there was also §1127.02(E), where references to "Community Development Directors" should be changed to "Director."

Mr. Mayer stated thank you.

Moved by Mr. Kirby to accept the staff reports and related documents into the record for the Planning and Zoning Code updates, seconded by Ms. Briggs. Upon roll call: Mr. Kirby, yea; Ms. Briggs, yea; Mr. Schell, yea; Mr. Wallace, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

Moved by Mr. Wallace to recommend the Planning and Zoning Code updates to City Council, seconded by Mr. Schell. Upon roll call: Mr. Wallace, yea; Mr. Schell, yea; Ms. Briggs, yea; Mr. Kirby, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

Poll Members for Comment

Mr. Shull congratulated Mr. Wallace for an additional two (2) year term on the PC.

Mr. Wallace stated it was his pleasure to serve.

Mr. Kirby stated that, based on his opinion, the variance this evening had been unsupported per the Duncan factors without the conditions that were added.

Mr. Mayer stated he appreciated the feedback.

Mr. Wallace stated variances were not his favorite and were problematic.

Mr. Kirby adjourned the meeting at 8:28 p.m.

Submitted by Josie Taylor.

APPENDIX



Planning Commission Staff Report January 19, 2022 Meeting

HORIZON COURT PRELIMINARY AND FINAL PLAT

LOCATION: Generally located north of Jug Street, east of Beech Road and west of Harrison

Road in Licking County (portion of PID: 095-111756-00.000).

APPLICANT: LPC Midwest LLC

REQUEST: Preliminary and Final Plat

ZONING: Limited General Employment (L-GE)

STRATEGIC PLAN: Employment Center

APPLICATION: FPL-132-2021

Review based on: Application materials received December 14, 2021 and January 3, 2022.

Staff report completed by Chris Christian, Planner.

I. REQUEST AND BACKGROUND

The application is for a combined preliminary and final plat for dedication of right-of-way for a new public road named, Horizon Court, in the Licking County portion of the New Albany Business Park.

The applicant also requests a variance to C.O. 1187.08(a)(5) to allow this cul-de-sac road to be 2,600+/- feet in length where city code allows a maximum length of 1,000 feet. The variance application is reviewed under a separate staff report (VAR-133-2021).

II. SITE DESCRIPTION & USE

The proposed plat area is located on a larger 365+/- acre undeveloped property, located in Licking County. The property is zoned L-GE and allows the same uses as the Personal Care and Beauty Park such as data center, manufacturing and production, office, distribution, and warehousing uses to be developed.

III. PLAN REVIEW

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

- This plat dedicates right-of-way to the City of New Albany for a new cul-de-sac road named Horizon Court. This new road will serve several commercial development sites that are planned to be built by the applicant.
- The Horizon Court dedication consists of approximately 2,620 +/- feet of new right-of-way north of Jug Street and east of Beech Road for a total of 3.77 acres.

- The proposed plat right-of-way width is designed to accommodate future traffic as a result of anticipated development in this area.
- There are no reserves being platted or lots being created within this new road extension.
- C.O. 1187.08(a)(5) requires a minimum cul-de-sac radius of 60 feet and the applicant is providing this amount. The applicant also proposes to dedicate a 10' water easement on the west side of the road and a 25' sanitary easement on the east side.
- While this roadway is not specifically envisioned in the Engage New Albany Strategic Plan, the 60 feet of right-of-way plus 35 feet of easements, totaling 95 feet, is consistent with the 67-115 foot recommendation in the strategic plan for a Business Park Roadway. This right-of-way width will allow for a typical 7.5-foot-wide tree lawn and 5-foot sidewalks to be provided on both sides of the road.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plan and provided the following comments. <u>Staff recommends a condition of approval that the city engineer comments be addressed, subject to staff approval.</u>

- 1. Provide more information on the plat regarding cross access easements that will accommodate emergency responders.
- 2. Obtain approval from the City of Columbus for the proposed 10' water line easement. Ensure that the easement is wide enough to maintain a minimum 7.5' offset from the water main and right-of-way and 20' offset from all building structures.
- 3. In accordance with code section 1187.06 (a)(2) show the angle and distance to the nearest street intersection.
- 4. Provide more information on the plat regarding the provision of utility easements to accommodate private utility providers (e.g., gas, telecom, electric, etc.).
- 5. In accordance with code sections 1187.06 (c)(1) and (2), provide written documentation indicating that Ohio EPA and Army Corps of Engineers permitting issues have been addressed.
- 6. Refer to Exhibit A. Reformat the plat in accordance with this exhibit including adding Horizon Court to the title block.
- 7. Show drainage easements on the plat associated with the regional basin. Provide the City's standard drainage easement note block on sheet 1 of the plat.
- 8. Label the instrument number for all existing easements shown on the plat.

V. RECOMMENDATION

Basis for Approval:

The proposed road plat is appropriate given the planned commercial development immediately adjacent to it. The Engage New Albany Strategic Plan does not envision a roadway connection in this area however, this road will serve as a connection to appropriately facilitate traffic within this development area and allow the immediate area to be commercially subdivided in order to expand the business park.

VI. ACTION

Suggested Motion for FPL-132-2021 (conditions may be added):

Move to approve FPL-132-2021 with the following condition:

- 1. The variance application (VAR-133-2021) associated with this new roadway must be approved.
- 2. The city engineer comments must be addressed, subject to staff approval.

Approximate Site Location:



Source: Google Earth



Planning Commission Staff Report January 19, 2022 Meeting

HORIZON COURT VARIANCE

LOCATION: Generally located north of Jug Street, east of Beech Road and west of Harrison

Road in Licking County (portion of PID: 095-111756-00.000).

APPLICANT: LPC Midwest LLC

REQUEST: (A) Variance to C.O. 1187.08(a)(5) to allow a cul-de-sac public street to be

2,600+/- feet in length where city code allows a maximum length of 1,000 feet

for Horizon Court.

ZONING: Limited General Employment (L-GE)

STRATEGIC PLAN: Employment Center APPLICATION: VAR-133-2021

Review based on: Application materials received December 14, 2021 and January 3, 2022.

Staff report completed by Chris Christian, Planner.

II. REQUEST AND BACKGROUND

The applicant requests a variance to C.O. 1187.08(a)(5) to allow a new public, cul-de-sac street to be 2,600+/- feet in length where city code allows a maximum length of 1,000 feet for Horizon Court.

A preliminary and final plat application has also been filed (FPL-132-2021) which is reviewed under a separate staff report.

II. SITE DESCRIPTION & USE

The proposed plat area is located on a larger 365+/- acre property in Licking County and is currently vacant. The property is zoned L-GE and allows the same uses as the Personal Care and Beauty Park such as data center, office, distribution, and warehousing uses to be developed.

III. EVALUATION

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

Criteria

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

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

1. Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.

- 2. Whether the variance is substantial.
- 3. Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a "substantial detriment."
- 4. Whether the variance would adversely affect the delivery of government services.
- 5. Whether the property owner purchased the property with knowledge of the zoning restriction.
- 6. Whether the problem can be solved by some manner other than the granting of a variance.
- 7. Whether the variance preserves the "spirit and intent" of the zoning requirement and whether "substantial justice" would be done by granting the variance.

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

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

Considerations and Basis for Decision

(A) Variance to C.O. 1187.08(a)(5) to allow a cul-de-sac public street to be 2,600+/- feet in length where city code allows a maximum length of 1,000 feet for Horizon Court.

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

- 1. C.O. 1187.08(a)(5) states that no cul-de-sac shall exceed six hundred (600) feet in length unless lot widths exceed one hundred (100) feet at building setback lines, then the maximum length shall not exceed one thousand (1,000) feet. The applicant proposes to construct a 2,600+/- foot long public, cul-de-sac road as part of a new commercial development therefore a variance is required.
- 2. This proposed street is not envisioned in the Engage New Albany Strategic Plan however, it will serve several large, commercial development sites that are planned to be developed immediately adjacent to it. Please refer to Exhibit A for the conceptual site/internal roadway connectivity plan.
- 3. The intent of reducing the length of cul-de-sacs is three-fold. Limiting the length of cul-de-sacs encourages multiple roadway connections, minimizes roadway congestion at the access intersection and provides sufficient ease of access for emergency responders.
- 4. The city traffic engineer has reviewed the application (see comments below) and states that even though the proposed cul-de-sac is longer than what is permitted, the applicant is meeting the spirit and intent of requirement based on the conceptual site/internal roadway plan by providing multiple roadway connections via shared and connected private drives in order to both minimize traffic congestion and provide sufficient access for emergency responders.
- 5. It does not appear adjoining properties suffer a "substantial detriment" since minimal traffic congestion is expected at the cul-de-sac entrance. The applicant submitted a traffic impact study for the street and anticipated development along it. The study concludes there are no intersection improvements warranted at Jug Street based on the anticipated low traffic volumes from the buildout of the sites shown in exhibit A.
- 6. It does not appear that the essential character of the neighborhood would be altered if the variance request is granted. As stated, a traffic impact study has been submitted and approved by

the city traffic engineer. The length of the cul-de-sac as well as the additional connections to Jug Street were included in this study. Based on the anticipated low volume of traffic that will be generated at the development site, no intersection improvements are warranted anywhere in the immediate area as part of this project. Additionally, granting the variance does not change any of the permitted uses or other development standards for the site as the request only pertains to the length of the proposed public road. While granting the variance will allow them to build a longer road, it will not grant them any special privilege in terms of the type and intensity of uses that can be developed on the property.

- 7. It does not appear that the variance would adversely affect the delivery of government services, affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity. The applicant is providing multiple connections along Jug Street into the development area which will allow sufficient access for emergency responders.
- 8. The applicant is providing multiple connections to distribute traffic throughout the road network in the immediate vicinity which accomplishes a recommendation in the Engage New Albany Strategic Plan. The plan also encourages cross-access easements be provided in between adjacent commercial sites. Staff recommends a condition of approval that private drive connections between sites and to Jug Street are provided as demonstrated in Exhibit A and that cross-access easements be recorded, subject to staff approval.

9.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the variance and referenced plan and provided the following comments.

- 1. The September 28, 2021, Traffic Impact Study (TIS) for this development was reviewed and approved. The TIS evaluated two accesses for this development, the middle drive (public road) and the drive along the east edge of the site (private drive). The results of the TIS are as follows:
 - a. No intersection improvements are needed at either site access, or at any nearby intersections. Low delays and small backups are expected at each access.
 - b. The TIS assumed most development traffic was routed through the Jug/Beech intersection, and the rest to the east towards Clover Valley Road. A cursory review of the results indicates that even if all site traffic were routed through the Jug/Beech intersection, the conclusions would still not change.
 - c. The review recommended the Jug Street frontage be improved to meet typical City standards (such as shoulder/ditch improvements).
- 2. A 2,600-ft cul-de-sac is proposed for this development as a main access and designed as a public street. A second access (private) along the east frontage appears to provide a continuous alignment to the north that curves near the north end of the property and intersects with the cul-de-sac. An access drive is also proposed along the west side of the site but is not continuous. The result is the development plan shows an alternative route to/from the end of the cul-de-sac.
 - a. Maximum cul-de-sac lengths (without any alternative access routes) are typically required under Zoning Codes due to the following reasons:
 - i. Minimizing roadway congestion at the access intersection-
 - 1. For this development, though, minimal traffic congestion is expected at the cul-de-sac entrance.
 - ii. To encourage design of alternative routes-
 - 1. Although alternative public routes are typically preferred, the additional site driveways may be viewed as providing alternate routes.
 - iii. To minimize delays for emergency response (police, medical, fire)-

- 1. This is a critical item for cul-de-sac design for any development, to ensure emergency response times are minimized. For extended cul-de-sac lengths, providing an alternative access becomes a critical factor for ensuring public safety.
- 2. For the development plan, the access along the east frontage appears to be continuous and could provide an alternative emergency response route. The applicant notes that cross access easements between parcels will be provided. It is recommended cross access easements be required as part of the development approval.
- 3. <u>It is recommended the applicant confirm that the east access driveway</u> can serve as an unimpeded alternative route for emergency response.

V. RECOMMENDATION

Basis for Approval:

Staff recommends approval of the variance request. This cul-de-sac street will be designed to primarily accommodate truck traffic and minimize the truck traffic throughout the rest of the campus. While the city strategic plan discourages cul-de-sacs, this proposal appears reasonable given the proposed development pattern and interconnectivity between sites and multiple public streets.

The surrounding development pattern meets the spirit and intent of the requirement and accomplishes the recommendations of the Engage New Albany Strategic Plan. This intent and recommendations are in place to encourage multiple roadway connections to be provided in order to both minimize traffic congestion and provide sufficient access for emergency responders. These goals are accomplished with the longer cul-de-sac as multiple alternative roadway connections are being provided between private sites as well as to Jug Street which allows traffic to be dispersed throughout the development site.

Granting the variance will not alter the character of the immediate area. The city traffic engineer has approved a traffic impact study for the overall development that takes the length of the cul-de-sac and additional roadway connections into consideration. Based on the expected low number of traffic volumes expected to be generated, no intersection improvements are warranted in the immediate area as part of the development.

VI. ACTION

Suggested Motion for VAR-133-2021 (conditions may be added):

Move to approve VAR-133-2021 with the following conditions of approval:

- 3. The preliminary and final plat application (FPL-132-2021) must be approved.
- 4. Cross access easements must be recorded and the private drives must be provided between the proposed commercial sites and to Jug Street as demonstrated in Exhibit A, subject to staff approval.

Approximate Site Location:



Source: Google Earth



Planning Commission Staff Report January 19, 2022 Meeting

FOREST DRIVE OFFICE BUILDING FINAL DEVELOPMENT PLAN

LOCATION: Located in the Canini Trust Corp, south of Forest Drive

(PID: 222-004965)

APPLICANT: Advanced Civil Design, Inc c/o Ryan Fowler

REQUEST: Final Development Plan

ZONING: Infill Planned Unit Development (I-PUD): Canini Trust Corp, subarea 8b

STRATEGIC PLAN: Retail

APPLICATION: FDP-1-2022

Review based on: Application materials received December 17, 2021 and January 4, 2022.

Staff report prepared by Chris Christian, Planner

III. REQUEST AND BACKGROUND

This application is a final development plan for a proposed 9,240 sq. ft. office building located in the Canini Trust Corp, south of Forest Drive and in between the COTA Park and Ride and the New Avenue senior living facility.

IV. SITE DESCRIPTION & USE

The 1.14 acre undeveloped site is located in the Canini Trust Corp, south of Forest Drive and in between the COTA Park and Ride and the New Avenue senior living facility.

III. EVALUATION

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

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

- (a) That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Zoning Code;
- (b) That the proposed development is in general conformity with the Strategic Plan/Rocky Fork-Blacklick Accord or portion thereof as it may apply;
- (c) That the proposed development advances the general welfare of the Municipality;
- (d) That the benefits, improved arrangement and design of the proposed development justify the deviation from standard development requirements included in the Zoning Ordinance;
- (e) Various types of land or building proposed in the project;
- (f) Where applicable, the relationship of buildings and structures to each other and to such other facilities as are appropriate with regard to land area; proposed density may not violate any contractual agreement contained in any utility contract then in effect;

- (g) Traffic and circulation systems within the proposed project as well as its appropriateness to existing facilities in the surrounding area;
- (h) Building heights of all structures with regard to their visual impact on adjacent facilities;
- (i) Front, side and rear yard definitions and uses where they occur at the development periphery;
- (j) Gross commercial building area;
- (k) Area ratios and designation of the land surfaces to which they apply;
- (l) Spaces between buildings and open areas;
- (m) Width of streets in the project;
- (n) Setbacks from streets;
- (o) Off-street parking and loading standards;
- (p) The order in which development will likely proceed in complex, multi-use, multi-phase developments;
- (q) The potential impact of the proposed plan on the student population of the local school district(s);
- (r) The Ohio Environmental Protection Agency's 401 permit, and/or isolated wetland permit (if required);
- (s) The U.S. Army Corps of Engineers 404 permit, or nationwide permit (if required).

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

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

Engage New Albany Strategic Plan Recommendations

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

- 1. Parking areas should promote pedestrians by including walkways and landscaping to enhance visual aspects of the development.
- 2. Combined curb cuts and cross access easements are encouraged.

- 3. Curb cuts on primary streets should be minimized and well-organized connections should be created within and between all retail establishments.
- 4. Retail building entrances should connect with the pedestrian network and promote connectivity through the site.
- 5. Integrate outdoor spaces for food related businesses.

A. Use, Site and Layout

- 1. The applicant proposes to develop a 9,240 sq. ft. office building on a 1.14 acre site. The site is located within subarea 8b of the Canini Trust Corp zoning district where office uses are permitted to be developed.
- 2. The proposed use is appropriate given the proximity of this site to State Route 161 and the surrounding commercial development surrounding this site. Some of the surrounding uses include Home2Suites, the Turkey Hill gas station, convenience store and car wash as well as the New Avenue Senior Living Facility.
- 3. Zoning text section 8b.01(8) requires that the total lot coverage, which includes areas of pavement and building, to not exceed 80% and the applicant is meeting this requirement with 74.6% total lot coverage.

4. The zoning text section 8b.01 requires the following setbacks:

Road	Requirement	Proposed	
Forest Drive (North)	20 foot pavement setback	25 foot pavement [meets code]	
	30 foot building	70 foot building [meets code]	
Western Property Line	0 foot pavement	0+/- foot pavement [meets code]	
(Adjacent to COTA			
Park and Ride)	0 foot building setback	102+/- foot building [meets code]	
Eastern Property Line	0 foot pavement	4+/- foot pavement [meets code]	
(Adjacent to New			
Avenue Senior Living	0 foot building setback	60+/- foot building [meets code]	
Facility)			
Southern Property Line	50 foot pavement	53+/- foot pavement [meets code]	
	100 foot building setback	102+/- foot building [meets code]	

5. The zoning text encourages shared access drives between sites by allowing for zero pavement setbacks. Historically, city staff and the Planning Commission have encouraged shared curb cuts and connecting drive aisles between sites. There is an existing drive aisle stubbed at the eastern boundary, along the Forest Drive frontage of the COTA Park and Ride site that aligns with the proposed drive aisle at this site. As proposed, the two drive aisles will not be connected. Staff is currently working with COTA to determine the appropriate legal mechanism to allow cross access if the drive aisles are connected. In order to accomplish the goals of the zoning text and maximize connectivity within this area, staff recommends a condition of approval that the two drive aisles be connected subject to staff approval.

B. Access, Loading, Parking

- 1. The site will be accessed via one curb cut on an existing driveway that was constructed as part of the adjacent New Avenue Senior Living Facility.
- 2. Codified Ordinance 1167.05(d)(17) requires a minimum of one parking space for every 250 square feet of gross floor area space. The building is 9,240 square feet in size therefore 37 parking spaces are required and the applicant is exceeding this requirement by providing 44.

- 3. Per C.O. 1167.03(a) the minimum parking space dimensions required are 9 feet wide and 19 feet long and the applicant is meeting this requirement.
- 4. Per C.O. 1167.03(a) the minimum maneuvering lane width size is 22 feet for this development type and this requirement is met.
- 5. According to C.O. 1167.06(b)(2) the applicant is not required to provide an off street loading space based on the size of the building.
- 6. Per the approved final development plan for the Forest Drive and the requirements of the zoning text, a 8 foot wide leisure trail is required to be provided along the Forest Drive site frontage and is met as there is an existing leisure in this location.

C. Architectural Standards

- 1. The purpose of the New Albany Design Guidelines and Requirements is to help ensure that the New Albany community enjoys the highest possible quality of architectural design.
- 2. The zoning text contains architectural standards and is also regulated by Section 6 of the Design Guidelines and Requirements (Commercial outside the Village Center).
- 3. The zoning text states that the maximum building height within this zoning district shall not exceed 35 feet. The proposed building height is approximately 21.4 +/- feet at its tallest, therefore this requirement is being met.
- 4. The applicant is proposing to use three variations of brick, stone and metal as building materials. The zoning text permits the use of these materials such as brick, pre-cast stone, wood, glass and other synthetic materials are permitted as long as they are used appropriately. The design of the building and use of materials is appropriate and consistent with other buildings in the immediate area.
- 5. Zoning text section 8b.03(2) states that all visible elevations of a building shall receive similar treatment in style, materials and design so that no visible side is of a lesser visual character than any other. The applicant is accomplishing this requirement by utilizing four-sided architecture.
- 6. DGR Section 6(I)(A)(12) states that buildings shall have operable and active front doors along all public and private roads. The applicant is exceeding this requirement by providing doors on all building elevations along with a sidewalk around the entire building.
- 7. C.O. 1171.05(b) states that all trash and garbage container systems must be screened. Based on the site plan, it appears that the trash container will be located in a screening system however these details were not submitted for review. Staff recommends a condition of approval that the trash container be fully screened from view.
- 8. A roof plan was not submitted as part the final development plan application. Staff recommends a condition of approval that all rooftop mechanical units be screened from adjacent properties for sight and sound in order to be consistent with the immediate area.
- 9. Zoning text section 8b.03(6) states that if a flat roof is used, strong cornice lines must be integrated and the applicant is meeting this.

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

- 1. Codified Ordinance 1171.06(a)(3) requires one tree per 10 parking spaces. The applicant is providing 44 parking spaces therefore requiring 4 trees and this requirement is met.
- 2. The zoning text section 8b.04(5)(a) requires that there be a minimum of eight (8) deciduous or ornamental trees per 100 lineal feet planted throughout the setback areas along Forest Drive. The site has approximately 159 feet of frontage along Forest Drive, requiring 13 trees to be installed and the applicant is exceeding this requirement by providing 14 trees.
- 3. The zoning text section 8b.04(5)(b) requires that there be a minimum of eight (8) deciduous or ornamental trees per 100 lineal feet planted on top of a mound within the setback area along the southern boundary of the site. The site has approximately 49 feet of frontage along this property line, requiring 4 trees to be installed on top of a mound and these requirements are met. The proposed mound is 5 feet tall which is similar in height of the mounds provided on adjacent sites.

- 4. Zoning text section 8b.04(2) requires that street trees must be planted along Forest Drive at a rate of one tree for every 30 feet. There is 150 feet of Forest Drive frontage therefore 5 street trees are required to be provided and this requirement is being met.
- 5. Per zoning text section 8b.04(4)(c) a minimum of 8% interior parking lot landscaping on the site. The applicant is meeting and exceeding this requirement by providing 15.2% interior parking landscaping on the site.
- 6. Per zoning text 8b.04(4)(a) parking lots shall be screened from rights-of-way within a minimum 36-inch-high evergreen landscape hedge or wall and this requirement is met.
- 7. The City Landscape Architect has reviewed the referenced plan in accordance with the landscaping requirements found in the New Albany Codified Ordinances and zoning text and provides the following comments. These comments can also be found in a separate memo attached to this staff report. Staff recommends all the City Landscape Architect's comments are met, subject to staff approval.
 - 1. Connect proposed drive to existing Park & Ride stub out. Adjust retaining wall as needed. See diagram.
 - 2. Provide a better pedestrian connection across the site from the leisure trail and align the walkway with the paving around/at the entrance of the building. Adjust parking and islands as needed. See diagram.
 - 3. Regrade the screening mound at the southwest corner of the site to provide better screening and appear more natural.
 - 4. Please provide all dumpster enclosure details to the city of New Albany for review.
 - 5. Tree species along the northern hedge and street trees should match the adjacent Park and Ride species.
 - 6. Replace all Magnolia with native, large deciduous shade trees.
 - 7. Replace the hedge row along Forest Dr with Sea Green Juniper. The proposed hedge should be aligned with Park & Ride's existing hedge. See diagram.
 - 8. Continue Sea Green Juniper hedge along the back of curb. Provide breaks in the hedge for tree plantings. See diagram.
 - 9. Provide random massings of large deciduous shade trees and evergreen trees on and around mound to provide additional screening from residents. Acceptable evergreen species include See diagram.
 - 10. Please provide a full planting plan with species and installation sizes to the city of New Albany for review.

E. Lighting & Signage

- 1. The applicant did not photometric plan and staff recommends a condition of approval that a photometric plan be submitted showing zero or near zero light spillage at the property lines.
- 2. Zoning text section 8b.05(d) and (e) requires all parking lot and private driveway light poles to be cut-off and downcast, not exceed 20 feet in height, painted New Albany Green and the use the same fixture that has been used at Dairy Queen and throughout the Canini Trust Corp. The applicant submitted a light fixture plan that verifies that these requirements will be met.
- 3. No building or site signage was submitted for review. Staff recommends a condition of approval that all building and site signage must meet city code, the Canini Trust Corp Sign Recommendations Plan and be subject to staff approval.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the application and provided the following comments. These comments can also be found in a separate memo attached to this staff report. <u>Staff recommends a condition of approval that the comments of the city engineer are addressed, subject to staff approval.</u>

- 1. Refer to Exhibit A. Revise the order of the signatures shown on the referenced submittal to match the signature block as shown on Exhibit A. Add the Monumentation note shown on Exhibit A to the referenced submittal.
- 2. In accordance with code section 1159.07(3)(D.), revise the FDP to show monuments at each corner and at each change of direction along the parcel boundary.
- 3. In accordance with code sections 1159.07 (b)(2) J and K, we recommend that the applicant provide documentation from an Environmental Scientist indicating that all OEPA and ACOE permitting requirements have been obtained or are not applicable.
- 4. Provide more information on the FDP regarding access easements to adjoining properties.
- 5. Refer to Exhibit B. Label the instrument number shown on Exhibit B on the FDP.
- 6. We will evaluate storm water management, sanitary sewer collection and roadway construction related details once construction plans become available

V. RECOMMENDATION

Staff recommends approval of the final development plan provided that the Planning Commission finds the proposal meets sufficient basis for approval. The proposal is meeting many of the goals of the Engage New Albany Strategic Plan such as providing pedestrian access along roadways and into the site and utilizing high quality building materials by incorporating four-sided architecture. The proposed development is in an appropriate location given the context of the surrounding area and will serve as an amenity for the New Albany Business Park. The proposed building is well designed and is consistent with other buildings in the immediate area.

V. ACTION

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

Move to approve final development plan application **FDP-1-2022**, subject to the following conditions:

- 1. The drive aisle on this property must be connected to the drive aisle on the adjacent COTA Park and Ride subject to the approval of the property owner and staff.
- 2. The proposed trash container must be fully screened from view.
- 3. All rooftop mechanical units must be fully screened for sight and sound.
- 4. The City Landscape Architect's comments must be addressed, subject to staff approval.
- 5. A photometric plan must be submitted showing zero or near zero candle foot light intensity at the property lines.
- 6. The City Engineer's comments must be addressed, subject to staff approval.





Source: Google Earth



Planning Commission met in regular session in the Council Chambers at Village Hall, 99 W. Main Street and was called to order by Planning Commission Chair Mr. Neil Kirby at 7:04 p.m.

Those answering roll call:

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

Staff members present: Steven Mayer, Planning Manager; Chris Christian, Planner; Mitch Banchefsky, City Attorney; Jennifer Chrysler, Community Development Director and Josie Taylor, Clerk.

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

Mr. Christian stated none from staff.

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

Other Business

Codified Ordinance 1154

Mr. Mayer discussed the intentions of Chapter 1154 and reviewed its provisions. Mr. Mayer asked the Planning Commission (hereafter, "PC") to recommend the adoption of Chapter 1154 to City Council.

Mr. Kirby asked if the design standards on page 15 for slopes and mounding had a minimum or maximum number for the slope, Mr. Kirby asked if it could be presented so that it should be at least this number or it cannot be more than this number.

Mr. Mayer stated right, so you could not do a 2:1 as that would be steeper.

Mr. Kirby stated right, as long as that could be clearly construed. Mr. Kirby asked if there was a maximum building height the fire department had previously noted for buildings and fire safety.

Mr. Mayer stated no and noted the fire department was part of the building review process and they could comment on the plans during that process.

Mr. Kirby asked if had been codified or baked in.

Mr. Mayer stated it had been baked in.

Mr. Kirby stated that when Discover had been done that had been an issue.

Mr, Mayer stated correct.

Mr. Schell asked if all were comfortable that this ordinance would set New Albany up for the next five (5) years or so.

Mr. Mayer stated he thought everything incorporated in this chapter had stood the test of time and hopefully there would not be any updates, but they do always try to improve.

Ms. Wiltrout asked staff to highlight difference between the existing and the new Code.

Mr. Mayer stated there were uses such as satellites and solar panels that were added. Mr. Mayer stated they also put in more safeguards with additional screening and setback standards.

Ms. Wiltrout asked Mr. Mayer to explain the process used in §1154.05(n) which requires the Community Development Director or his/her designee to make a determination regarding conditional uses.

Mr. Mayer stated this provision also existed in the office campus district. Mr. Mayer stated that to determine similar uses staff would look at chapter definitions and design intent and if they fit then that could be determined administratively. Mr. Mayer stated that if denied, then applicants could have the PC review.

Ms. Wiltrout asked if this was not an extra power for staff.

Mr. Mayer stated no.

Mr. Wallace noted he had some housekeeping notes on this ordinance. Mr. Wallace said that in §1154.03 there was a reference to the 'Director' but in other sections it was to the 'Community Development Director' and the references should be the same throughout. Mr. Wallace stated that in §1154.05(b) the word 'principle' was used but it should be 'principal.' Mr. Wallace stated a comma should also be placed after the word "car-pooling" as the sentence was confusing. Mr. Wallace asked if in §1154.05(f) there had been any thought of specific screening for those types of adjacent structures.

Mr. Mayer stated they would be subject to the same landscaping and mounding requirements as in any other development.

Mr. Wallace asked if the PC could review plans that were submitted.

Mr. Mayer stated the PC would not review them.

Ms. Jennifer Chrysler, Director of Community Development, stated they had tried to address screening and had determined the best way to deal with it was through color selection and additional setbacks.

Ms. Wiltrout stated right.

Mr. Wallace stated there was a distinction between concrete batch plants in a flagship project and in a primary project and asked what that was.

Mr. Mayer stated it was based on the size of the site. Mr. Mayer stated if it was a flagship project it was a permitted use and if it was a primary project then it was a conditional use.

Mr. Wallace stated okay. Mr. Wallace asked if the renewal language in §1154.06 had come about due to the conversation a couple of weeks ago about the existing concrete batch plant.

Mr. Mayer stated yes, it was made to have a limited lifespan.

Mr. Sloan Spalding, Mayor, City of New Albany, asked what the limit was.

Mr. Mayer stated four (4) years for a concrete batch plant in a primary project.

Mr. Wallace stated that in §1154.08(j) the reference provided was to §1154.08 but should be §1154.09.

Mr. Mayer stated thank you.

Mr. Wallace stated §1154.10(a)(1) had a capital "A" for the first clause but the second used a lower case "b" and either capital letters or lower case letters should be used, not both.

Mr. Mayer stated yes, he saw, okay.

Mr. Wallace stated §1154.11 made a distinction between subsections (a) and (c) and asked how they differed or worked together. Mr. Wallace asked if subsection (c) was just to indicate staff's forms should be used.

Mr. Mayer stated subsection (c) was about using the specific forms.

Mr. Wallace stated he saw the need to clarify this further as it could raise red flags. Mr. Wallace stated that §1154.11(d) should have a colon added after the word 'with' as it had a list of items following it. Mr. Wallace stated he was not sure of the use of the word 'storage' in §1154.12(b) as storage and processing are not operated. Mr. Mayer stated the language should be reviewed for clarity. Mr. Wallace noted there was also a reference to a zoning permit in §1154.12(b)(1) and said that was not clear. Mr. Wallace stated §1154.12(b)(4) was also not clear what was meant by '[b]uilding facades may be used to meet this requirement.'

Mr. Mayer said that was meant to say that a building could screen a hazardous storage tank.

Mr. Wallace stated okay, that made sense. Mr. Wallace stated language in §1154.13(b)(1)(G) excluded solar energy systems from any screening requirements and maybe there should be some as they could be unsightly.

Mr. Kirby said screening would not work as it could intrude on or compromise function.

Mr. Wallace stated screening could be required to the extent it would not prohibit access and function.

Mr. Kirby stated best efforts on screening.

Mr. Wallace stated his proposal would be: solar energy or systems shall be excluded from the requirements of the section to the extent the requirements prohibit or limit access necessary for function.

Mr. Kirby stated something along those lines.

Mr. Wallace stated the same thing should also be done in §1154.13(b)(1)(I).

Ms. Wiltrout asked who would make that determination.

Mr. Mayer stated it would have to be proven by the contractor or architect who would provide some type of documentation to staff.

Mr. Wiltrout stated it was not the PC then.

Mr. Mayer stated correct.

Mr. Wallace stated the first sentence in §1154.14(a) was long and ran on and might need a comma or may be better split into two (2) sentences.

Mr. Mayer stated yes.

Ms. Wiltrout asked who "they" were.

Mr. Wallace stated the phrase 'permitted by-right' in §1154.15(c) permitted did not need the dash.

Mr. Kirby stated the last entry in the table of contents had '1158.18' but should have '1154.18.'

Mr. Mayer stated thank you.

Mr. Schell asked if those looking at the community would be comfortable with the ordinance and would put the community ahead of the competition.

Ms. Chrysler stated she did. Ms. Chrysler stated those considering site selections looked at codes and ordinances and did not normally call. Ms. Chrysler stated having the information available increased transparency and absolutely, having one document was a big deal.

Mr. Kirby asked if Google or Facebook could rezone if they wished through this chapter.

Mr. Mayer stated he thought so.

Mr. Kirby stated that would be the win here.

Ms. Chrysler stated Facebook or Google were great examples and they might want to do that in the future if needed.

Mr. Mayer stated that other than mounding and landscaping he believed they had taken everything into consideration.

Ms. Chrysler stated there would be additional mounding.

Mr. Mayer stated yes.

Mr. Spalding asked if residential setbacks would still apply when the residence was outside the City.

Mr. Mayer stated that was correct.

Mr. Spalding asked if the hedgerows and trees required in parking lots would not affect sight lines, could there be deviation.

Mr. Mayer stated breaks were allowed for safety.

Mr. Spalding stated thank you.

Moved by Mr. Kirby to accept the staff reports and related documents into the record for Chapter 1154, seconded by Mr. Wallace. Upon roll call: Mr. Kirby, yea; Mr. Wallace, yea; Mr. Schell, yea; Ms. Briggs, yea; Ms. Wiltrout, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0 vote.

Moved by Mr. Wallace to recommend approval of Chapter 1154, with the recommendations and changes noted, to City Council, seconded by Ms. Briggs. Upon roll call: Mr. Wallace, yea; Ms. Briggs, yea; Ms. Wiltrout yea; Mr. Schell, yea; Mr. Kirby, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0 vote.

2021-2022 Planning Projects Update

Mr. Mayer discussed upcoming improvements and projects. Mr. Mayer said work on SR-161 and US-62 would enhance pedestrian safety with bike lanes and leisure path connections to the Village Center and Smiths Mill Road. Mr. Mayer stated the medians would have additional trees and there would be changes to the on and off ramps for pedestrian safety and improved sight lines.

Mr. Kirby asked if there could be lights used that prevented right turns when bikes were using the bike lane for safety as a control mechanism or warning.

Mr. Mayer stated that was a great comment and he would double check this issue with the service department. Mr. Mayer stated all the intersections would see improvements for pedestrians and traffic.

Mr. Kirby stated the buttons on crosswalks probably saved lives, particularly at night and a right turn on green could be a killer scenario.

Mr. Wallace stated there was an epidemic of no stopping at stop signs as well.

Mr. Mayer stated he would review signal use and warnings light and report back.

Mr. Spalding stated he believed there was such a lane on Westerville Road at SR-161.

Mr. Mayer stated Taylor Farm Park would have forested wetlands similar to the Ohio Department of Transportation's wetland on Fodor Road near Resurrection Church. Mr. Mayer stated there would be leisure trails of nearly two (2) miles with various loops. Mr. Mayer stated there would be a parking lot as part of phase 1 and the house and barn there now were being evaluated for use.

Mr. Kirby stated it was a historic house.

Mr. Mayer stated it was structurally sound and could be considered for reuse.

Mr. Kirby stated staff might want to consider a live-in caretaker so the property would be cared for and in use so that any concerns could be identified more readily.

Mr. Mayer stated all utilities were turned off at this time and police had enhanced patrols to the site.

Mr. Kirby stated they should get heat on to keep the house in shape.

Mr. Mayer stated Rose Run Park II included the area east US-62 and south of Granville Street and the Market Street extension from SR-605 to Third Street in the summer of 2022.

Mr. Kirby asked where the creek was.

Mr. Mayer showed the creek on screen and said it would not be impacted.

Mr. Kirby asked if Market Street would end on Third Street.

Mr. Mayer stated correct.

Mr. Kirby asked if the roundabout would be for next summer.

Mr. Mayer stated there was no timeline for construction yet, but the initial design plan should be by summer 2022.

Mr. Kirby stated he believed the area between Market Street and Village Hall might be showing more trees than were truly there.

Mr. Mayer stated it was a conceptual drawing.

Mr. Kirby stated developers might want to see what was actually there.

Mr. Mayer stated they anticipated additional code updates throughout 2022 and one of their big updates would be to the Design Guidelines & Requirements for things such as solar panels, for example.

Mr. Kirby stated it was hard to do this in zoning texts.

Mr. Mayer stated he agreed that would be a future code update.

Ms. Chrysler stated there were also minor updates on short term rentals.

Mr. Mayer stated they would also like to do a signage update for temporary and special events signage. Mr. Mayer stated the non-conforming code section was also being updated.

Mr. Kirby stated he looked forward to it.

Poll Members for Comment

None.

Mr. Kirby adjourned the meeting at 8:12 p.m.

Submitted by Josie Taylor.





To: Planning Commission

From: Community Development Department

Re: Codified Ordinance Chapter 1154

Date: November 30, 2021

Attached is the proposed codified ordinance 1154 Technology Manufacturing District (TMD) and accompanying New Albany Technology Manufacturing District Landscape and Architecture Standards Plan that is adopted by reference within the ordinance. Staff has inserted comments into Codified Ordinance 1154 to highlight or provide context certain standards.

The goals and intent for this new chapter are:

- Incorporate the best practices from the existing limitation texts and developments within the business park and codify those best practices.
- Provide greater flexibility for large campus developments while providing additional enhanced screening, mounding, and setbacks along principle arterial public streets and residents.
- Provide increased clarity and flexibility regarding permitted uses for developments.
- Allow for larger, holistic rezonings in order to reduce the number of limitation zoning districts. Just within Licking County there are 25 individual limitation and PUD texts (some with additional subareas). Most have verbatim or similar code requirements. However, having so many limitation texts creates complexity and confusion when determining zoning standards for a large sites that include multiple limitation texts. The TMD code will ensure consistency and simplicity for the administration and interpretation of zoning code requirements.

Please feel free to contact city staff if you have any questions.

CHAPTER 1154 - TMD TECHNOLOGY MANUFACTURING DISTRICT

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1154.01 - CONFLICT

Technology Manufacturing Zoning Districts may be established by application in accordance with Chapter 1111. Once property is designated in the TMD classification, the provisions of this chapter and the requirements contained herein, including the provisions of the New Albany Technology Manufacturing District Landscape and Architecture Standards Plan, which are incorporated by reference (see Section 1154.09), shall take precedence over all other conflicting regulations contained in the Codified Ordinances as it pertains to that property.

1154.02 - PURPOSE

These regulations are established to provide for a range of manufacturing, production, industrial and other employment-generating activity contained within or supporting at least one significant use or user. The TMD is intended to further the economic vitality of the City while protecting the health, safety and welfare of the users of the district and residents of the Municipality. It is also intended to streamline review procedures for new development, redevelopment, and expansions of existing development in order to efficiently address market demands, provide certainty of processes, and foster economic growth.

1154.03 - ELIGIBILITY

In order for property to be eligible to be classified with the TMD designation, it must be included within a zoning application pertaining to a minimum of 500 contiguous acres. Alternatively, a property will be so eligible if, when zoned with the TMD designation, its acreage plus the acreage contained within the continuous perimeter of contiguous property that is already zoned in the TMD classification together will equal at least 500 acres. Properties separated by a public right-of-way shall be considered to be contiguous for purposes of this provision.

Upon a rezoning of property into the TMD zoning classification, it shall be designated as "TMD" on the City's zoning map. The Director or his/her designee shall determine which of the project categories set forth in Section 1154.04 applies to an application for a permit for construction or improvements for development of property with a TMD classification. The review of the application shall be undertaken using the standards that apply to such category as provided in this Chapter.

1154.04 - PROJECT CATEGORIES

- (a) "Flagship Project." A Flagship Project shall be any development proposal on a single parcel or multiple contiguous parcels containing at least 500 acres which are under common ownership or control by a single person or business entity (and, if applicable, its affiliated persons or business entities). This category also shall include modifications to or expansions of an existing Flagship Project. Properties separated by a public right-of-way shall be considered to be contiguous for purposes of this provision.
- (b) "Primary Project." A Primary Project shall be any development proposal that is not a Flagship Project and which contains, as its primary use, at least one use which is permitted in the TMD.

1154.05 - PERMITTED USES

- (a) Any use specified as a permitted use or conditional use in the LI, Limited Industrial District under Section 1153 shall be a permitted use within the TMD, except that personal service (Section 1153.03(b)(2)) and retail product sales and service (Section 1153.03(b)(3)), shall be allowed only as accessory uses to a permitted use in this Zoning District and in accordance with Section 1154.07(a).
- (b) A park-and-ride facility providing daily parking as the principle use which may include accessory shelters for mass transit passengers or carpooling that typically includes parking lots and associated structures located along or near public transit routes.
- (c) Off-site parking
- (d) Parking structures
- (e) Agriculture
- (f) Bulk storage tanks, pads and distribution consisting of tanks, containers, and other similar structures used for the storage and eventual distribution of large quantities of liquids, chemicals, fuels, oils, or similar items to be used in, or are a waste byproduct of, manufacturing processes. Bulk storage tanks and pads may be located above ground and/or below ground, provided that above ground storage tanks and pads shall be subject to the required minimum building setbacks as provided in this Chapter 1154;

Commented [SM1]: PC Note: This allows Industrial Product Sales, Industrial Service, Industrial Manufacturing and Assembly, Manufacturing and Production, Warehouse and Distribution, Research and Production, General Office Activities & Data Centers, Vehicle Service, Radio/Television Broadcast Facility, Off-Premises Signs, Religious exercise facilities and related uses, Car fleet and truck fleet parking.

Commented [SM2]: PC Note: These have always been allowed, and exist, in the business park today but this code provides clarity by specifically calling out this out as a specific permitted use.

- (g) Essential services which for purposes of this Chapter 1154 shall mean the erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam, or water transmission or distribution systems; collection, communication, supply, or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, traffic signals, hydrants and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health, safety, or general welfare.
- (h) Water/wastewater treatment facilities consisting of private or public facilities and related infrastructure for the treatment of water and/or wastewater that serve a Flagship Project and are intended to and have projected capacity also to serve one or more Primary Projects. These facilities shall be required to utilize processes and infrastructure that provide environmental benefits such as (but not limited to) conservation, reduction of pollution, and reuse of water.
- (i) Bulk gas yards including generation, storage, and distribution that consists of facilities for the creation, manufacturing, production, and distribution of bulk gases used in electronics manufacturing and other industries. Such facilities are necessary in order to scale such production and distribution and to reduce costs, ensure adequate supplies to nearby uses, and achieve consistent purity of product. Typical components of these facilities may include compressors, water cooling plants, pre-purification units, and bulk tanks for storage, among others.
- (j) Electric Switch Yards
- (k) Concrete batch plants within a Flagship Project. These include the operation of a combination of equipment within and/or outside of a structure which bring together water, air, cementitious mixtures, and other aggregate materials to produce concrete for different application types, with the primary purpose of serving uses and users within the TMD.
- (I) Solar panels that are ground-mounted, on structures or over paved parking areas.
- (m) Truck cell phone lots. Characterized as short-term parking lots that are designated primarily for use by commercial trucks with drivers waiting to be alerted by cell phone or other means to pick up or drop off freight, supplies, and/or other materials and which may be used for overnight truck parking. Drivers of other vehicles also shall be permitted to use these lots. For purposes of this definition, the term "truck" shall include, but not be limited to: Semi-trailers, flatbeds, tankers, step deck trucks, box freight trucks, dump trucks, slinger trucks, tipper trucks, and cement trucks. These types of lots shall be paved if located within 300 feet of a public street right-of-way. Otherwise, they may be gravel, provided that (i) measures are taken to eliminate the migration of dust from the lot off-site and (ii) a wheel wash is provided for trucks when leaving a lot where wet or muddy conditions are present.
- (n) Similar uses, as provided in Section 1127.02(e), except that in the TMD, the Community Development Director or his/her designee shall be responsible for making this determination.

1154.06 - CONDITIONAL USES

Concrete batch plants located within a Primary Project shall be conditional uses within the TMD. The Planning Commission shall review these uses in accordance with the procedures and standards contained within Chapter 1115. In addition, in order to approve a concrete batch plant as a conditional

Commented [SM3]: PC Note: This exists in other chapters of the codified ordinances and is inserted here to cut down on cross-references to other code section. See C.O. 1127.02(g). The Chapter 1154 definition differs slightly from the one in general Code Section 1105.02, in that it removes the phrase "not including buildings" from the end of the last sentence of the latter Code section.

Commented [SM4]: PC Note: These have always been allowed, and exist, in the business park today but this code provides clarity by specifically calling out this out as a specific permitted use.

Commented [SM5]: PC Note: These have always been allowed, and exist, in the business park today but this code provides clarity by specifically calling out this out as a specific permitted use.

Commented [SM6]: PC Note: These have always been allowed, and exist, in the business park today but this code provides clarity by specifically calling out this out as a specific permitted use.

use within a Primary Project, the Planning Commission must determine that the operation of the use will not materially negatively impact the operations, safety, or viability of any existing uses within a Flagship Project. No concrete batch plants located within 1,500 feet of any perimeter boundary of a Flagship Project shall be reviewed by the Planning Commission unless all owners of real property within the Flagship Project have been provided with written notice of the date, time, and location of the hearing on the conditional use application at least 15 days prior to the date of the hearing. The approval of a conditional use pursuant to this Section 1154.06 shall be effective through the fourth anniversary of the date of the Planning Commission's order to approve the same. The operation of a concrete batch plant beyond this time shall require the filing, review, and approval of an additional conditional use application which, if approved, also shall be effective for a period of four years.

1154.07 - ACCESSORY USES

- (a) Personal service and retail product sales and services.
 - (1) Characteristics. These uses involve the sale, leasing, or rental of products or goods by the property owner of or tenant on a property, their affiliates, or third parties unrelated to the owner or tenant. They also include the provision of on-site product repair or services for consumer and business goods and/or on-site personal services or entertainment. Goods are displayed and sold on-site, and use or consumption is primarily on-site. Uses in this category are not permitted to be provided to the general public, but shall be provided to employees, contractors, and business visitors of the particular Flagship Project or Primary Project which they serve.
 - (2) Examples. Examples include but are not limited to Dry cleaning, Restaurants (without drive-throughs) and cafeterias, Medical, eye, and dental clinics, Pharmacies, Fitness centers (indoor and outdoor), Child day cares, Banks/credit unions.
- (b) Private or public security facilities
- (c) Security check points and gate houses
- (d) Public or private bus and shuttle transit stops
- (e) Satellite dishes
- (f) Wireless telecommunications facilities
- **1154.08 PARCEL AND YARD REQUIREMENTS.** The following requirements shall apply in the TMD to the exclusion of those found in Chapter **1165**:
- (a) <u>Minimum Parcel Area</u>. There shall be a minimum parcel area of 15 acres for Flagship Projects and a minimum parcel area of 5 acres for Primary Projects.
- (b) <u>Parcel Frontage</u>. All parcels shall abut a public street, or may instead abut a private drive if either (i) an adjacent parcel or parcels is under common ownership and has frontage on a public street, or (ii) a legally binding perpetual vehicular access easement over adjacent property(ies) that are not under common ownership is placed of record with the office of the recorder in the county in which

the parcel is located or will be of record prior to the issuance of a Planning and Design Permit for that parcel, as contemplated in Section 1154.10.

- (c) <u>Parcel Width</u>. All parcels shall have adequate width to provide for yards and distances as required by this Chapter.
- (d) <u>Setbacks from Public Rights-of-Way</u>. The following minimum setbacks shall apply to developments that are adjacent to public rights-of-way:
 - (1) Principal Arterial Streets. Minimum 300 feet for pavement and 500 feet for buildings from the rights-of-way of Principal Arterial Streets, as identified in the City's Strategic Plan. A mound that is a minimum of 6 feet in height and a maximum of 8 feet in height shall be provided within the required minimum pavement setback. Notwithstanding the foregoing, (A) the minimum pavement setback shall be reduced to 200 feet and the minimum building setback shall be reduced to 400 feet provided that a mound that is a minimum of 10 feet in height and a maximum of 12 feet in height is provided within the required minimum pavement setback, and (B) the minimum pavement setback shall be reduced to 100 feet and the minimum building setback shall be reduced to 300 feet provided that a mound that is a minimum of 13 feet in height and a maximum of 15 feet in height is provided within the required minimum pavement setback. All mounds shall include plantings as detailed in the New Albany Technology Manufacturing District Landscape and Architecture Standards Plan that is contemplated in Section 1154.09. The mounding requirements of this subsection may be waived by the Community Development Director or his/her designee where existing tree stands or forested areas achieve similar or better screening as would be present with the mounding. Accessory structures such as security facilities, gate houses, security checkpoints, solar panels, and bus and shuttle transit stops and related improvements may be located as close as 100 feet of the rights-of-way for Principal Arterial Streets and to the front or rear of required mounding.
 - (2) Major Collector, Other Public Streets, and Front Yards. Minimum 25 feet pavement and 50 feet building setbacks from (A) all rights-of-way other than those containing or planned to contain Principal Arterial Streets and (B) from any front property line that does not abut a public street right-of-way.
- (3) <u>Construction Site Setup</u>. For Flagship Projects, during any phases of construction there shall be a minimum 150 foot setback for pavement, material laydown and storage tanks and a minimum 200 foot setback for trailers, structures, buildings, and related items necessary for the construction of improvements. All construction site setup areas within Flagship Projects shall be screened so that they are not visible from adjacent public street rights-of-way.
- (e) <u>Side and Rear Yards</u>. The required minimum setbacks from side and rear parcel lines which are not contiguous with a public street right-of-way shall be 25 feet for buildings, structures, service areas, loading areas, and paved parking areas.
- (f) Residential Setbacks. Subject to the requirements in Section 1154.14(b), there shall be a one hundred (100)-foot building and pavement setback from any district where residences are a permitted use and when the requirements of Section 1154.08(d)(1) do not apply, provided, however,

that if a building will exceed 65 feet in height, the minimum required building setback shall be 300 feet. The setback requirements in the immediately preceding sentence shall not apply when (i) the property located within the district where residences are a permitted use is under common ownership with the relevant property or (ii) the owner(s) of the property or properties that are protected by this minimum setback requirement sign an affidavit that waives this requirement, which shall be filed with the City. If two contiguous properties have an intervening public street between them, they shall be considered to be abutting.

(g) <u>Interior Setbacks</u>. There shall be a zero minimum building and pavement setback requirement from interior parcel lines when the parcels on each side of a parcel line are under common ownership.

- (h) <u>Riparian Corridors</u>. Development in the TMD shall comply with the provisions of Chapter 1155 unless expressly provided in this subsection (h). All streams with a drainage area greater than fifty (50) acres and their riparian corridors shall be preserved. The corridor width shall be a minimum of one hundred (100) feet, with at least twenty-five (25) feet on each side of the centerline of the stream. No pavement, structures, or other impermeable surfaces or improvements shall be permitted in riparian corridors, except for paved leisure trails, benches, and bridges. New vegetation shall be permitted to be planted within these corridors.
- (i) <u>Maximum Parcel Coverage</u>. There shall be a maximum impervious parcel coverage of 85% on parcels containing Flagship Projects and 75% on parcels containing Primary Projects.
- (j) <u>Connectivity</u>. Leisure trails shall be provided in accordance with the requirements in the New Albany Technology Manufacturing District Landscape and Architecture Standards Plan which is referenced in Section 1154.08. The requirements of Section 1165.06 shall not apply in the TMD.
- (k) <u>Public Streets</u>. The developer shall dedicate property to the City or other relevant political subdivision as necessary to provide a minimum of 100 feet of right-of-way for Principal Arterial Streets or Major Collector Streets, provided, however, that the minimum required right-of-way to be dedicated to the City or other political subdivision for a Major Collector Street may be reduced to 80 feet if approved by the City Engineer. For public street typologies other than Principal Arterial Streets or Major Collector Streets, the developer shall dedicate property to the City or other relevant political subdivision as necessary to provide a minimum of 60 feet of right-of-way. The property owner shall grant easements to the City which are adjacent to the aforementioned rights-of-way to the minimum extent necessary to provide for the installation and maintenance of streetscape improvements and/or utilities.

1154.09 - DISTRICT LANDSCAPE AND ARCHITECTURE STANDARDS PLAN

(a) There is hereby adopted, and incorporated by reference, the New Albany Technology Manufacturing District Landscape and Architecture Standards Plan, as if set out at length herein. The New Albany Technology Manufacturing District Landscape and Architecture Standards Plan is meant to minimize references to other sections of the Planning and Zoning Code. The requirements contained therein shall take precedence over and supersede all other regulations contained in the Codified Ordinances, other than those contained in this Chapter 1154. Without limiting the foregoing, the buffering and screening requirements of Section 1171.05 and 1171.06 shall not be required and Chapter 1175 shall not apply to the TMD.

Commented [SM7]: PC Note: This is the same setback requirements as established in recently approved Jug Street North limitation zoning district.

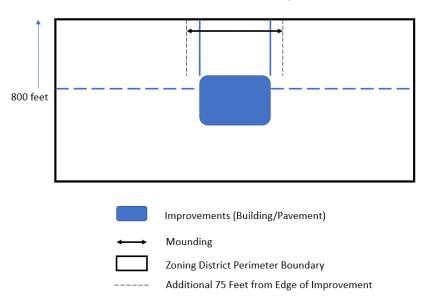
Commented [SM8]: PC Note: The one hundred (100) feet with at least twenty-five (25) feet on each side of the centerline of the stream is taken from city code and reproduced here to minimize references to other code chapters.

Commented [SM9]: PC Note: This chapter exempts developments from the city landscape code requirements. All of the typical city landscape code requirements have been incorporated into the Standards Plan. This separate plan includes the same landscaping standards as other landscape master plans presented and endorsed by the Planning Commission in the past. In this case it is formally being adopted as part of city code.

(b) Phasing of Screening: Required mounding and landscaping as required by the New Albany
Technology Manufacturing District Landscape and Architecture Standards Plan shall be installed along the entirety of public street frontages and Residential Property (defined in to 1154.14(b)) lines abutting the TMD concurrent with building construction unless construction of multiple buildings is phased, in which case required mounding and landscaping may be installed in phases. For each phase of development in the TMD, such required mounding and landscaping shall be installed when it is anticipated (as provided in plans associated with relevant permits) that buildings, paved parking areas, or above-ground equipment or utility infrastructure, once constructed within that phase, will be located within 800 feet of the relevant perimeter boundary line. At a minimum for each phase, this mounding and landscaping shall be installed along the portion of the relevant perimeter boundary line of the relevant property between two points which are determined by extending two straight lines from the perimeter boundary line of the property to the furthest distance on each side where planned improvements are to be constructed in that phase, and then adjusting those lines so that they are an additional distance of 150 apart. The following illustration is being provided as an example of this requirement:

Commented [SM10]: PC Note: Same phasing requirements the Planning Commission approved for the Jug Street North limitation text.

Perimeter Boundary



1154.10 - SUBMITTAL CONTENT AND REQUIREMENTS

- (a) A Planning and Design Permit is required for Flagship Projects and Primary Projects for any of the following:
 - (1) Construction or structural alteration of any building, including accessory buildings, paved areas, and site improvements other than landscaping that are visible in whole or in part from

the public right-of-way. For purposes of this Chapter 1154, (A) a building or accessory building shall be deemed to be "visible" if its first or second floor can be viewed from any public street right-of-way at a height of 6 feet above the grade of any portion of that right-of-way, and (b) paved areas and site improvements other than landscaping shall be deemed to be "visible" if they are located within 500 feet of a public street right-of-way and can be seen from that public street right-of-way at a height of 6 feet above the grade of any portion of that right-of-way.

- (2) Change in use of an existing building or accessory building.
- (b) At a minimum, an application for a Planning and Design Review Permit shall contain the following information in text or map form for the construction or structural alteration of any building, including accessory buildings, and/or other site improvements that are visible in whole or in part from the public right-of-way:
 - (1) Completed Planning and Design Permit Application;
 - (2) Memorandum of Understanding (MOU) for a traffic analysis detailing the potential impact of vehicular traffic to be generated from the proposed project unless the City waives this requirement;
 - (3) Dimensioned Site plan showing location of proposed improvements;
 - (4) Architectural renderings indicating building height, material, color palette and screening designs for each building façade;
 - (5) Master landscaping and grading plans including streetscape;
 - (6) Tree preservation plan where applicable;
 - (7) Sign plans indicating illustrations with height and area dimensions, lighting, dimensioned location on the site, materials, and colors; and
 - (8) Number and dimensions of existing and proposed off-street parking and/or loading spaces.
- (c) Zoning Permits, as contemplated in Sections 1109.02 through 1109.09, shall not be required in the TMD.
- (d) Any property zoned in the TMD classification shall not be considered to be located within the Architectural Review District as contemplated in Chapter 1157 and shall be exempt from all requirements contained in that Chapter.

1154.11 -PERMITTING PROCEDURE

- (a) The developer of a Flagship Project or Primary Project shall submit separate application submittals for independent review by each respective discipline:
 - (1) Planning and Design Permit Application
 - (2) Engineering Application.
 - (3) Commercial Building Permit Application

Commented [SM11]: PC Note: This changes the administrative review process. Given the anticipated complexity of the administrative review process, a new process has been created and incorporated into this codified ordinance chapter.

Commented [SM12]: PC Note: This has no effect on the review process. This is added for clarity to memorialize how this application type is not applicable.

- (b) The applicant shall have the option of filing the Planning and Design, engineering, and building permits as full or phased submittals. Under the phased plan review process, projects for construction may be broken into one or more phases for construction permits and work.
- (c) The applications for Planning and Design, engineering, and building permits shall be made on such forms as prescribed by the staff of the City of New Albany along with such plans, drawings, specifications and other materials as required by this Chapter 1154 and as otherwise may be needed by staff.
- (d) Once the submittal has been made, the materials for each permit type shall be reviewed by relevant City departments for compliance with this Chapter 1154, the New Albany Technology Manufacturing District Landscape and Architecture Standards Plan, uses, the submittal requirement checklists and all applicable codes and ordinances.

1154.12 - STORAGE; HAZARDOUS MATERIALS

- (a) <u>Outdoor Storage</u>. Outdoor storage of materials, equipment, and supplies shall be permitted. Outdoor storage areas for these items are not required to be screened if they are located so that they are not visible from a public street right-of-way or from ground level at a distance of 200 feet from any perimeter boundary line of a parcel that is not under common ownership. Otherwise, such outdoor storage areas shall be fully screened to a height of 8 feet. Outdoor storage areas (whether screened or unscreened) shall comply with minimum setback requirements for pavement.
- (b) <u>Hazardous Materials</u>. 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 operated:
 - (1) 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 Zoning 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.
 - (2) 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.
 - (3) No such storage and/or processing shall occur within the greater of (A) 200 feet of any perimeter boundary of a parcel that is not under common ownership and (b) an otherwise applicable minimum building setback.
 - (4) 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 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.

1154.13 - ARCHITECTURE

- (a) <u>Flagship Projects</u>. Flagship Projects shall not be subject to the requirements of the DGRs, provided that such projects meet the requirements of the New Albany Technology Manufacturing District Landscape and Architecture Standards Plan.
- (b) Primary Projects. The requirements of this Section 1154.13(b) shall apply only to Primary Projects:
 - (1) General Regulations for all Primary Projects
 - A. Service and Loading Areas: Service areas and loading docks shall be screened to limit visibility from off-site.
 - B. Building designs shall not mix architectural elements or ornamentation from different styles.
 - C. Buildings shall be required to employ a comparable use of materials on all elevations.
 - D. The number, location, spacing, and shapes of windows and door openings shall be carefully considered. Primary entrances to buildings shall be made sufficiently prominent that they can be easily identified from a distance.
 - E. For office buildings and complexes, achieving a human or pedestrian scale is of less concern. When achieving such a scale is desired, it may be achieved by careful attention to width of facades, size and spacing of window and door openings, and floor to floor heights on exterior walls.
 - F. Use of elements such as shutters, cupolas, dormers, and roof balustrades shall be avoided in building designs that are not based on traditional American architectural styles. Such elements may be employed only when they are common elements of a specific style, and this style shall be replicated in its entirety. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.
 - G. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed, located, or screened so as to minimize their visibility and visual impact from off-site. Solar energy systems shall be excluded from the requirements of this section.
 - H. Accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and construction as the nearest primary structure, if they are visible from a public street right-of-way. Fenestration themes that employ windows, panels

Commented [SM13]: PC Note: These requirements have been taken from General Employment limitation texts approved throughout the business park.

Commented [SM14]: PC Note: Solar panels and systems are excluded to ensure there are no barriers to direct

and piers that are consistent with the architectural vocabulary of the building are encouraged.

- I. Roof-Mounted Equipment. Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and to buffer sound generated by such equipment. Solar energy systems shall be excluded from the requirements of this section.
- J. All building elevations shall be designed to be compatible with each other and to reflect a consistent design approach.
- K. Gable or hip roofs shall be avoided unless a building design replicates a traditional American architectural style that employs such roof forms. In non-stylistic contemporary designs, low or flat roofs may be employed. Roof visibility shall be minimized.
- L. Exterior building materials shall be appropriate for contemporary suburban designs and shall avoid overly reflective surfaces. Traditional materials such as, but not limited to, wood, stone, brick, and concrete shall be permitted, along with contemporary materials such as, but not limited to, aluminum, metal, glass, stucco, or cementitious fiberboard (e.g., hardiplank or equivalent) shall be permitted on buildings not employing traditional styles. The use of reflective or mirrored glass shall be prohibited.
- M. Prefabricated metal buildings, untreated masonry block structures, and buildings featuring poured concrete exterior walls are prohibited. Notwithstanding the foregoing, ancillary structures built and operated for the purpose of enclosing equipment and which are not occupied by a tenants or persons on a regular basis may be constructed using pre-engineered metal.
- N. Generally, the quantity of materials selected for a building shall be minimized. A single material selection for the independent building components of roof, wall and accents is permitted (i.e., Architectural Grade shingle roof with Brick Masonry wall and EIFS Cornice and Accents).
- O. Loading docks are not required to have the same degree of finish as a main entry unless they are visible from a public right-of-way.
- P. Buildings and structure shall be designed to be harmonious in character to other buildings and structures within the same Flagship project or Primary Project, as appliable. Façade colors shall be coordinated to complement each other.
- (2) <u>Additional Standards for Non-Office Buildings within Primary Projects:</u> Buildings that are constructed to accommodate certain uses are not governed by the City's Design Guidelines and

Commented [SM15]: PC Note: Solar panels and systems are excluded to ensure there are no barriers to direct sunlight.

Requirements (DGRs). For example, buildings that are constructed for the operation of data centers, manufacturing, warehousing and/or distribution uses are not subject to the DGRs and can present challenges in meeting the community standard for architectural design. Such buildings are necessarily large and typically include long walls that together form a square or rectangular box. The goal for the development of buildings that are not subject to the DGRs is to balance the practical needs of these buildings with the desire to provide exterior designs that are attractive and complimentary to the architecture that will be found elsewhere in the TMD.

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

In designing such buildings, the user or applicant shall take into account the following, which are intended to set a level of expectation for the quality of design:

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

F. Utility yards, essential service areas, bulk storage areas and similar may be paved or gravel. HVAC, generators and similar equipment and associated gravel or concrete yards or pads shall be located subject to the minimum building setbacks.

1154.14 - LANDSCAPING

(a) Tree Preservation Zones shall be established within areas that will be preserved pursuant to applicable federal and state permits and determinations once they are approved and issued by the Ohio Environmental Protection Agency and the U.S. Army Corps of Engineers. These Preservation Areas shall be maintained, protected, and preserved in accordance with such permits. If allowed under applicable permits, trees within Preservation Zones may be removed if they present a potential danger to persons or property. Preservation Zones shall not include those areas where trees and/or wetland areas are allowed to be removed or filled by relevant permits. The final boundaries of the Preservation Zones shall be the same as the boundaries of the portions of the site that will be required to be preserved under applicable federal and state permits, as may be amended from time-to-time.

(b) Residential Buffering. For all perimeter boundaries where the minimum setbacks set forth in Section 1154.08(f) apply and which are not adjacent to a Principal Arterial Street (any real property meeting either of the foregoing criteria to be referred to herein as "Residential Property"), a minimum ten (10)-foot high mound shall be installed along the property line which shall include a landscape buffer on the mound which shall consist of a mixture of deciduous trees, evergreens and bushes to provide an opacity of 75% on the date that is 5 years after planting to a total height of fourteen (14) feet above the top of the mound. The plan for these areas must be reviewed and approved by the City's Landscape Architect. In areas where existing tree stands or forested areas are present, the City's Landscape Architect shall not require such mounding and landscaping where the height and opacity requirements can be met by preserving and/or supplementing the tree stands or forested areas.

1154.15 - SIGNAGE

(a) All signage shall conform to the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany unless otherwise included in the New Albany Technology Manufacturing District Landscape and Architecture Standards Plan.

(b) Flagship Project Address and Directional Signs. The quantity, locations, and area dimensions of address, directional and wayfinding signage internal to Flagship Projects and not visible from a public street right-of-way shall be permitted without any City permits based on the needs of the project to ensure safe flow of pedestrian and vehicular traffic.

(c) Signage as required by other local, state, and federal governmental agencies and regulations shall be permitted by-right.

1154.16 - LIGHTING

(a) All parking lot and private drive 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 and private drive lighting shall be of the same light source type and style. All light poles within parking lots and along private drives shall be black or New Albany green and constructed of metal. Light

Commented [SM16]: PC Note: This is the same language used in other limitation texts such Winding Hollow and Jug Street North limited general employment districts.

Commented [SM17]: PC Note: The mounding heights and landscaping requirements is taken from the recently approved Jug Street North limitation text. The Sergakis mound we referred to on the tour is 8 feet in height.

Commented [SM18]: PC Note: This is based on best practices and feedback learned from existing large sites such as Facebook and Google. Added here to provide clarity and allow flexibility for internal signage.

Commented [SM19]: PC Note: This is all typical language taken from the Limitation Texts the Planning Commission has approved for the New Albany business park.

poles shall not exceed 30 feet in height, except that light poles located within 300 feet of properties where residential uses exist or are permitted shall be no more than 18 feet in height

- (b) No permanent colored lights or neon lights shall be used on the exterior of any building.
- (c) All lighting standards and requirements which are not addressed in this Chapter 1154 shall be in accordance with other applicable provisions of the Codified Ordinances.
- (d) Public street lighting must meet the City standards and specifications.
- (e) No light spillage onto properties which are adjacent to property which is zoned in the TMD classification shall be permitted from lighting sources within the TMD.

1154.17 - PARKING AND LOADING

- (a) Flagship Projects shall not have any requirement to provide a minimum or maximum amount of vehicular parking spaces or loading spaces. Drive aisles, parking space, and loading space quantity and dimensions shall conform to the standards set forth in the New Albany Technology Manufacturing District Landscape and Architecture Standards Plan.
- (b) Primary Projects shall conform to the standards set forth in Chapter 1167 of the Codified Ordinances of the City of New Albany.

1154.18 - VARIANCES, WAIVERS, AND DEVIATIONS

- (a) <u>Variances</u>. Variances from the requirements of this Chapter 1154 or any other applicable provision of the Zoning Ordinance may be requested by an applicant with property that is zoned in the TMD classification. The Planning Commission shall hear and decide variance requests for property within the TMD. Any such variance shall be reviewed in accordance with the criteria, standards, and procedures set forth in Chapter 1113. Waivers or deviations from the New Albany Technology Manufacturing District Landscape and Architecture Standards Plan shall not be considered to be variances, and instead shall be reviewed in accordance with Section 1154.18(b).
- (b) <u>Waivers and Deviations</u>. The Community Development Director or his/her designee shall decide requests for waivers or deviations from the requirements of the New Albany Technology Manufacturing District Landscape and Architecture Standards Plan in conjunction with review of a Planning and Design Permit application, and such requests shall not be deemed to be variances. A waiver or deviation shall be approved if the Community Development Director or his/her designee finds:
 - a. The proposed waiver or deviation will result in a condition that is equal to or better than the condition or standard which was intended to be achieved by the strict application of the standard for which the request is made; and
 - b. The proposal will not cause adverse impacts to surrounding areas, or if such impacts may occur, they are reasonably mitigated.

Commented [SM20]: PC Note: This allows for flexibility in the Landscape and Architecture Standards Plan.



Planning Commission Staff Report February 23, 2022 Meeting

NOTTINGHAM TRACE I-PUD ZONING TEXT AMENDMENT

LOCATION: Nottingham Trace Subdivision
APPLICANT: Pulte Homes, c/o Matthew Callahan

REQUEST: PUD Text Amendment

ZONING: I-PUD Infill Planned Unit Development (Nottingham Trace)

STRATEGIC PLAN: Residential APPLICATION: TM-12-2022

Review based on: Application materials received January 27, 2022.

Staff report completed by Chris Christian, Planner.

I. REQUEST AND BACKGROUND

The applicant requests a modification to the Nottingham Trace I-PUD zoning text to allow spas to be constructed above ground. The zoning text currently states that spas may be constructed as part of the house and must be flush with the top of the paving.

On December 20, 2021, the Planning Commission tabled a variance application to allow a spa to be constructed above ground at 6164 Nottingham Loop located in this zoning district (VAR-120-2021).

II. SITE DESCRIPTION & USE

The Nottingham Trace subdivision contains 240 age-restricted lots and 69 of the lots have been developed or are currently under construction. The subdivision is approximately 89.6+/- acres.

The final development plan was approved on June 19, 2017 (FDP-31-2017). Phase 1 of this development was approved by the Planning Commission on September 18, 2017 and phases 2, 3 and 4 were approved on March 18, 2019.

III. NEW ALBANY SRATEGIC PLAN

The site is located within the Residential District land use district. The Engage New Albany Strategic Plan lists the following development standards for the Residential District:

- Organically shaped stormwater management ponds and areas should be incorporated into the overall design as natural features and assets to the community.
- Houses should front onto public open spaces and not back onto public parks or roads.
- All or adequate amounts of open space and parkland is strongly encouraged to be provided on-site.
- A hierarchy of open spaces is encouraged. Each development should have at least one
 open space located near the center of the development. Typically, neighborhood parks
 range from a half an acre to 5 acres. Multiple greens may be necessary in large
 developments to provide centrally located greens.
- Adequate amounts of open space and parkland are encouraged to be provided on site.

- Rear or side loaded garages are encouraged. When a garage faces the street, the front façade of the garage should be set back from the front facade of the house.
- Any proposed residential development outside of the Village Center shall have a base
 density of 1 dwelling unit per gross acre in order to preserve and protect the community's
 natural resources and support the overall land conservation goals of the community. A
 transfer of residential density can be used to achieve a gross density of 1 dwelling unit
 per acre.
- Private streets are at odds with many of the community's planning principles such as: interconnectivity, a hierarchy of street typologies and a connected community. To achieve these principles, streets within residential developments must be public.

IV. ASSESSMENT

Review is based on the city's Strategic Plan, existing zoning text, and planning, subdivision and zoning regulations, including the design standards. Primary concerns and issues have been indicated below, with needed action or recommended action in <u>underlined text</u>.

Per Codified Ordinance Chapter 1159.08 the basis for approval of 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).

<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:</u>

- (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).

V. EVALUATION

- 1. The applicant requests a modification to the Nottingham Trace I-PUD zoning text allow spas to be constructed above ground in the subdivision. The zoning text currently states that spas may be constructed as part of the house and must be flush with the top of the paving. Historically, city staff has interpreted this requirement to apply to hot tubs as well. Swimming pools are not permitted to be constructed in this subdivision.
- 2. Requiring swimming pools and spas to be of in ground construction is present in many older residential PUD texts in the city and has been carried over to newer I-PUD, residential zoning texts.
- 3. The intent of in-ground regulation is generally for aesthetic purposes and allows for the spa to be blend in with the backyard surroundings through the use of similar material of the pavement and patio.
- 4. The city pool and spa code does not require these items to be of in ground construction or screened from adjacent properties. While the proposed text modification would allow spas to be installed above ground, the text contains additional visual buffering requirements that exceed the city's standard regulations for spas which will not be changed. The text states that spas are required to be located in the rear yard, enclosed by fencing and screening from adjoining properties. Staff recommends a condition of approval that the text be revised to state that spas have to be "completely screened with fencing, landscaping or a combination of the two", subject to staff approval. With this condition, adequate screening of spas from adjacent properties will still be accomplished with the proposed modifications which is consistent in all respects with the purpose, intent and applicable standards of the Zoning Code.
- 5. Allowing above ground spas and hot tubs in this zoning district will not have an impact on public health, safety or general welfare.
- 6. There are no other proposed changes to the permitted uses or development standards within the district.

VI. RECOMMENDATION

Basis for Approval:

Staff recommends approval of the zoning text modification application. The city codified ordinances do not require spas to be in-ground so the text modification is consistent with city standards. While the applicant proposes to allow spas to be constructed above ground in the zoning district, there are additional visual buffering requirements built into the text that will provide screening from adjacent properties.

In-lieu of individual variances, the developer has taken the initiative to coordinate with staff this text modification in order for the Planning Commission to consider above ground spas comprehensively. Historically the Planning Commission and Board of Zoning Appeals have approved individual variances to allow above ground spas in other subdivisions where the same provision exists when additional screening is provided. This request is consistent with those approvals but allows for a holistic approach since the subdivision has very consistent lot sizing and pre-approved home elevations and layouts.

VII. ACTION

Suggested Motion for TM-12-2022:

Move to approve zoning text modification application TM-12-2022 (conditions of approval may be added).

Approximate site location:



Source: Google Earth

Permit #	
Board	
Mtg. Date	



Community Development Planning Application

	Site Address Pawkpi j co "Vtceg					
	Parcel Numbers # of lots created					
	Choose Application Type		Circle all Details that Apply			
Project Information	□ Appeal □ Certificate of Appr □ Conditional Use □ Development Plan □ Plat □ Lot Changes □ Minor Commercial □ Vacation □ Variance □ Extension Request	l Subdivision	Preliminary Preliminary Combination Easement	Final Final Split	Comprehensive Adjustment Street	Amendment
Pr			Amendment (rezoning) Text Modification			
	Description of Request: Amendment of zoning text in order to provide homeowners the ability to install a hot-tu or spa, subject to rules and regulations to be administered by the homeowners association for Nottingham Trace for appropriate and adequate screening such that any such hot-tub or spa that may be installed must be screened from view from neighboring dwelling units.					
Contacts	Property Owner's Nar Address: 697'Og City, State, Zip: E	exta''Rrceg''U'Uwky	5'422			<u> </u>
	City, State, Zip: F Phone number: 83 Email: Course				Fax:	
	Applicant's Name: Address: 69 City, State, Zip: Fy Phone number: 82	<u>Rwng'J</u> 97'O gytq''Rrceg'U	qo gu" J'Uwkg'422			
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.					
S	Signature of Owner Signature of Applican	Mati	thew J. (thew J. ('Allaha Allaha	Date	

Anneal			250.00
Appeal Cartificate of Appropriateness			230.00
Certificate of Appropriateness ARB – single and two family residential			100.00
	ARB – All other residential or commercial		300.00
	ARB - Signage		75.00
Conditional Use	The signage		600.00
	– Preliminary PUD	or Comprehensive	
2 C (Cropinon Time	Development Plan – Preliminary PUD or Comprehensive Planning fee First 10 acres		750.00
	Č	Each additional 5 acres or part thereof	50.00 / each
	Engineering fee	1-25 lots	155.00 / each
		Minimum fee	1000.00
	Engineering fee	26 - 50 lots	3875.00
	6 6	Each additional lot over 26	75.00 / each
	Engineering fee	Over 51 lots	5750.00
	2 2	Each additional lot over 51	50.00 / each
Development Plan	– Final PUD		
1	Planning fee	First 10 acres	650.00
		Each additional 5 acres or part thereof	50.00
	Engineering fee	1-25 lots	
		(minimum fee \$1,000.00)	155.00 / each
	Engineering fee	26-50 lots	3875.00
		Each additional lot over 26	75.00 / each
	Engineering fee	Over 51 lots	5750.00
		Each additional lot over 51	50.00 / each
Development Plan – Non-PUD			300.00
-	/ Text Amendment		600.00
Plat – Road Prelim	•		
	Planning fee		350.00
	Engineering fee	no lots on either side of street	1.00 / LF
		lots on one side of street	.50 / LF
		Minimum fee	1,000.00
Plat – Road Final			
	Planning fee		350.00
	Engineering fee	no lots on either side of street	1.00 / LF
		lots on one side of street	.50 / LF
		Minimum fee	1,000.00
Plat – Subdivision	•		650.00
	Planning	DI 11.	650.00
	F	Plus each lot	50.00 / each
	Engineering fee	1-25 lots	155.00 / each
	Engineering fee	(minimum fee \$1,000.00) 26 – 50 lots	3875.00 / each
	Engineering ice	Each lot over 26	75.00 / each
	Engineering fee	Over 51 lots	5750.00
	Engineering fee	Each lot over 51	50.00 / each
		Each lot over 31	JU.00 / Cacii

Plat – Subdivision Final					
Planning		650.00			
_	Plus each lot	15.00 / each			
Engineering fee	1-25 lots				
	(minimum fee \$1,000.00)	155.00 /each			
Engineering fee	26-50 lots	3875.00			
	Each lot over 26	75.00 / each			
Engineering fee	Over 51 lots	5750.00			
	Each lot over 51	50.00 / each			
Lot Changes		200.00			
Minor Commercial Subdivision		200.00			
Vacation (Street or Easement)	1200.00				
Variance					
Non-single family, commercial, subdivision, multiple properties		600.00			
Single Family residence		250.00			
In conjunction with Certification of Appropriateness		100.00			
Extension Request		0.00			
-					
Zoning					
Rezoning - First 10 acres		700.00			
	Each additional 5 acres or part thereof	50.00 / each			
Rezoning to Rocky Fork Blacklick Accord		250.00			
Text Modification		600.00			
Easement Encroachment		800.00			

NEW ALBANY NORTH ZONING DISTRICT

INFILL PLANNED UNIT DEVELOPMENT (I-PUD) ZONING TEXT

June 17, 2019

I. SUMMARY:

A. <u>Introduction:</u> The New Albany North Zoning District will facilitate the development of a first-of-its-kind residential community in the City of New Albany. The vast majority of this zoning district will consist of single-family housing that is age restricted in accordance with the "Housing for Older Persons Exemption" (codified at 42 U.S.C. § 3607) (the "<u>HOPA Exemption</u>") of The Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended, 42 U.S.C. 3601–3619) (the "<u>Act</u>"). The Act and the HOPA Exemption provide in part that, in order for a residential development to meet the requirements to be age-restricted, at least 80 percent of the units in the development must have at least one occupant who is 55 years of age or older. The applicant, Pulte Homes, is making the commitment to subject this community to the requirements of this law.

For several years, the local housing market in New Albany has been demanding expanded residential opportunities for members of the community who desire to continue to live in the City but seek to transition to smaller homes after their children have grown and moved away. In other parts of the City smaller efforts have been made to serve this group, but the market is demanding a project of greater substance. The product being provided on this property will be unique in many respects, providing age-restricted housing within a community that includes universal lawn maintenance, a private amenities center to serve the community, an extensive leisure path system, and a large green space in the southern portion of the community. This project will be the only one in New Albany of this scale that has made the commitment to subject itself to the age restriction provisions of federal law. The homes in this community will be sold at a price point that differentiates it from most other offerings in the City. This community will immediately and positively diversify the City's housing opportunities.

Some of the property is zoned with an AG, Agricultural District designation, while much of the property is zoned with an L-GE, Limited General Employment District classification which has been in place since 2010. The latter district allows a range of non-residential uses such as warehousing and distribution, data centers, offices, and light manufacturing. While this site has been offered to potential purchasers and developers of these types of uses, the availability of other more strategically located properties has, on every occasion, led them to other locations in the City. The information that the market is providing with respect to those uses, when combined with the demand for active adult housing, makes this a strong location for the uses that this zoning will allow. While the zoning will change the permitted uses on the property from commercial to residential, the age restriction that will be placed on the property still will provide a major financial benefit for the New Albany Plain Local School District.

In addition to the residential development that is contemplated, a small portion of this zoning district, consisting of 5.0+/- acres, will accommodate the development of a limited amount of neighborhood retail and office uses along the southern portion of the site's frontage on State Route 605/New Albany-Condit Road, and will allow for the continued existence and operation of a telecommunications tower. This will provide for a small pocket of convenient commercial opportunities to serve not only this neighborhood but also those working in nearby employment centers and traffic that passes this site regularly when going to and from the Metro Park and Bevelhymer Park located to the northeast of this site.

B. <u>Organization of the Zoning District:</u> This development consists of 94.6+/- acres and is divided into two subareas. Subarea A consists of 89.6+/- acres which will include the agerestricted residential uses described above. It is located to the west of and adjacent to State Route 605/New Albany-Condit Road, to the south of Walnut Street, and to the east and west of and adjacent to Schleppi Road. Subarea B will include 5.0+/- acres located in the southeastern portion of the zoning district with frontage along State Route 605/ New Albany-Condit Road.

II. SUBAREA A:

- A. Permitted Uses: Permitted uses in Subarea A shall be as follows:
 - 1. Single-family detached residences, subject to the age restriction requirements which are detailed in Section II.C below;
 - 2. Publicly or privately owned parks and open spaces;
 - 3. One private amenities center/clubhouse, which may include a fitness center, gathering spaces, and/or other recreational and social facilities, amenities, and improvements serving only the residents living in this zoning district; and
 - 4. A maximum of 2 residential model homes at any given time. A temporary sales office shall be permitted to be operated in Subarea A until the first model home is open for use. The temporary sales office shall consist of a temporary structure used by a homebuilder or developer to display home styles and lot availability in the subdivision to promote the sale of new housing units. The model homes and temporary sales office may be staffed and furnished. Model homes and temporary sales offices shall be subject to the review and approval of the Planning Commission in accordance with Section 1133.04(d) of the Codified Ordinances of the City of New Albany. Notwithstanding anything to the contrary in the City's Codified Ordinances, upon approval of a final plat by the City the developer may commence construction of one or both model homes. Construction of model homes may occur in advance of, or in conjunction with, installation of public infrastructure for the subdivision.
- B. <u>Development Standards</u>: Homes shall comply with the design guidelines of the development standards in this text. Unless otherwise specified in the submitted drawings or in

this written text the development standards of Title Five of Part Eleven of the Codified Ordinances of the City of New Albany shall apply to this subarea. If there is a conflict between the development standards contained in the Codified Ordinances and this text, the standards contained in this text shall govern.

C. Age Restriction: Homes within this subarea shall be age restricted in accordance with the Act and the HOPA Exemption so that a minimum of 80% of the homes shall be required to have at least one occupant that is age 55 or older. Should the Act and/or the HOPA Exemption be amended at any time following the effective date of this zoning text so that it becomes illegal to market and operate this subarea in accordance with the immediately preceding sentence, then this subarea shall be permitted to be developed and operated in accordance with the amended law. Prior to being issued a temporary or permanent certificate of occupancy for the first home in this subarea, the applicant/developer shall deliver written and legally binding documentation to the City to provide confirmation that the project legally complies with the Act and the HOPA Exemption. The issuance of a zoning compliance permit, building permit, or any other permit required to be issued by the City for the development of this subarea shall not constitute a representation or warranty by the City or any of its administrative or elected officials that the development project does, in fact, comply with the requirements of the Act and/or the HOPA Exemption. Compliance with the Act and the HOPA Exemption shall be the sole responsibility of the property owner(s), the applicant/developer of the property, and the HOA (as such term is defined in the next paragraph). Failure to comply with the Act and/or the HOPA Exemption shall constitute a zoning violation that is enforceable by the City.

Also, prior to receiving approval of a final plat for each phase of development within this subarea, the applicant/developer shall provide evidence to the City that it has recorded, with the Office of the Recorder of Franklin County, Ohio and against all portions of this subarea, a written restriction (a "Recorded Restriction") requiring that the real property that is the subject of the final plat may only be developed and operated in accordance with the Act and the HOPA Exemption as described in the immediately preceding paragraph. The Recorded Restriction shall provide the City with the legal right, as a third party beneficiary thereunder, to compel the applicant/developer and all other future owners of any portion of real property that is the subject of the final plat to adhere to the requirements of the Act and the HOPA Exemption. Prior to recording each Recorded Restriction, the applicant/developer shall deliver a draft copy of the Recorded Restriction to the City's Law Director for his reasonable review and confirmation (which shall not be unreasonably withheld or delayed) that the instrument does, in fact, require the real property which is the subject thereof to adhere to the requirements of the Act and the HOPA Exemption.

D. <u>Homeowners' Association:</u> Prior to selling the first home that is built in this subarea, the applicant/developer shall create a forced and funded homeowners' association (an "<u>HOA</u>") that shall apply to all property owners in this subarea. The written instruments that create the HOA shall be recorded if required by applicable law and shall require each homeowner in the subarea to pay an assessment charge to the HOA for the purpose of funding the HOA's operations and obligations. The HOA shall be responsible for maintaining the private amenities

center/clubhouse and associated improvements, maintaining entry signs and entry features, providing lawn maintenance on each individual lot, and maintaining open space and/or parkland as determined in an approved final development plan for this subarea. "Lawn maintenance" shall include, at a minimum, regular mowing of lawns, fertilization and weed treatment, landscape trimming and landscape bed edging, and other maintenance as determined by the HOA. Maintenance of the exterior facades and roofs of homes shall be the responsibility of each individual homeowner, provided, however, that the applicant/developer shall require, either in the documents that form the HOA or in rules and regulations otherwise adopted by the HOA and applicable to all homeowners, that the HOA shall implement and operate a program under which it provides for regular cleaning of the exterior facades of all homes in this subarea to ensure that they continue to maintain a clean appearance. The HOA shall include assessment charges for the purpose of covering these costs. The requirements of homeowners and the HOA with respect to the manner and frequency of cleaning of the exterior facades of homes shall be detailed by the applicant/developer as part of the final development plan for this subarea.

In addition to the foregoing, once the last home in this subarea has been sold by the applicant/developer to a third party purchaser, the HOA shall be responsible for undertaking all actions which are necessary in order for the community to comply with the requirements of the Act and HOPA Exemption as contemplated in Section II.C above. Such obligations shall include, but shall not be limited to, (i) the publishing of and adherence to policies and procedures that demonstrate the intent to operate as "55 or older" housing; and (ii) compliance with the Department of Housing and Urban Development's (HUD's) regulatory requirements for age verification of residents. No later than thirty (30) days after filing reports and any other required information with HUD or other regulatory authorities as required by the Act, the HOPA Exemption, and applicable federal administrative regulations, the applicant/developer (until such time as the last home in this subarea is sold to a third party) or the HOA (after such time as the last home in this subarea is sold to a third party) shall file copies of the same with the City for its records.

E. Density, Lot and Setback Commitments:

- 1. <u>Number of Units:</u> There shall be a maximum of 240 single-family units in this subarea. In addition, one private amenities center/clubhouse shall be permitted.
- 2. <u>Minimum Square Footage</u>: Each home shall have a minimum of 1,600 square feet of living area, exclusive of garages, basements, and porches.
- 3. <u>Minimum Lot Area:</u> There shall be a minimum lot area of 6,000 square feet for each lot.
- 4. <u>Minimum Lot Widths:</u> There shall be a minimum lot width of 50 feet at the building line. The minimum lot width at the building line to be provided for each individual lot shall be approved as part of the final development plan. There is no minimum lot width required at the right-of-way line.

- 5. <u>Lot Setbacks</u>: The minimum front yard setback shall be 20 feet from the edge of right of way for each home. The minimum side yard setback shall be 5 feet. The minimum rear yard setback shall be 20 feet, except as follows:
 - (a) The minimum rear yard setback shall be 40 feet for Lot Numbers 144-155 and the "Northwest Park" and "Middle Park", as shown on the approved preliminary development plan for this subarea;
 - (b) The minimum rear yard setback shall be 50 feet for Lot Numbers 109-113, as shown on the approved preliminary development plan for this subarea;
 - (c) The minimum rear yard setback shall be 35 feet for Lot Numbers 97-106, as shown on the approved preliminary development plan for this subarea; and
 - (d) The minimum rear yard setback shall be 15 feet for Lot Numbers 51-54, 73-76,83-96, 107-108, 131-134, 175-178, 197-200, and 221-224.
- 6. <u>Encroachments:</u> Stoops, steps, and covered porches shall be permitted to encroach a maximum of 5 feet within the front yard setback line. They shall not be permitted to encroach within rights-of-way or easements. Decks, patios, and screened porches may encroach a maximum of 6 feet into the minimum required rear yard setback.
- 7. "No-Build Zone": A "No-Build Zone" shall be located 160 feet from the centerline of the right-of-way of State Route 605/New Albany-Condit Road and located 250 feet from the centerline of Walnut Street. Within this No-Build Zone, only the following improvements shall be permitted: (a) The construction of public streets generally running parallel to State Route 605/New Albany-Condit Road and Walnut Street; (b) the construction of underground utility lines and underground storm water management infrastructure; (c) leisure trails, sidewalks, fences, trees, bushes, and other landscaping as approved as part of the final development plan for this subarea; and (d) a sign and related entry feature improvements at the entrance into the subarea from State Route 605/New Albany-Condit Road.
- 8. Street Frontage: All lots shall have frontage on and access to a public street. The primary front façade of each home generally shall be located parallel to the public right-of-way on which its lot fronts or, on a lot fronting on a curved right-of-way, generally parallel to the chord of the right-of-way. Notwithstanding the foregoing, City staff shall have the discretion to allow for a deviation from this requirement on irregularly-shaped lots in order to allow individual home placement to more accurately meet the intent of the neighborhood's design as contemplated by this text and the approved preliminary development plan and final development plan(s) for this subarea. On corner lots, the street on which the front facade of a home is required to be located shall be identified in and approved as part of a final development plan that includes that lot.

- F. <u>Access, Loading, Parking, Pedestrian, and Traffic-Related Commitments:</u>
 - 1. <u>Off-Street Parking:</u> All single-family homes shall be required to have a minimum of 2 off-street parking spaces on their driveways in addition to parking spaces within the garage.
 - 2. <u>On-Street Parking:</u> On-street parking shall be permitted on public streets within this subarea in accordance with the City's Codified Ordinances.
 - 3. <u>State Route 605/New Albany-Condit Road:</u> Prior to the issuance of the first building permit for any structure to be built in this subarea, the applicant/developer shall dedicate right-of-way to the City for a distance that extends 50 feet from the centerline of State Route 605/New Albany-Condit Road.
 - 4. <u>Access Points:</u> The primary access to the site will be from State Route 605. Additional access to the site will be provided from the following locations: Schleppi Rd. (reconfigured as shown on the preliminary development plan) and connection to the two existing stub streets located to the west of the property, being Upper Albany Drive and Winterbek Drive. Off-site improvements as required by the City Traffic Engineer in the traffic impact study for this development shall be installed by the developer.
 - 5. <u>Walnut Street:</u> Prior to the issuance of the first building permit for any structure to be built in this subarea, the applicant/developer shall dedicate right-of-way to the City for a distance that extends 50 feet from the centerline of Walnut Street.
 - 6. <u>Internal street widths and rights-of-way:</u> All streets within this development shall be public and shall be constructed to required public specifications. The right-of-way for internal streets within the development shall be 50 feet in width. Pavement for all internal streets shall be 27 feet in width, measured from back-of-curb to back-of-curb.
 - 7. <u>Schleppi Road:</u> All or portions of the right-of-way and pavement for Schleppi Road may be vacated and/or reconfigured within Subarea A. The applicant shall be required to obtain all necessary approvals from the City of New Albany and ODOT to allow for the vacation of and reconfiguration of the Schleppi Road right-of-way.
 - 8. <u>Public Sidewalks</u>: A public sidewalk shall be located within the right-of-way on each street. Sidewalks shall be 5 feet in width and shall be constructed of concrete. Sidewalks on single-loaded or unloaded streets shall be provided only in locations that are approved in a final development plan. The public sidewalks located in the existing residential community and stubbed to the southwestern portion of Subarea A shall be extended into Subarea A to connect with a leisure path in order to provide pedestrian connectivity between the two neighborhoods.

9. <u>Leisure Paths:</u> Asphalt leisure trails with a width of 8 feet shall be constructed by the applicant/developer in the following locations in this subarea: (a) Within the right-of-way or "No Build Zones" along State Route 605/New Albany-Condit Road and Walnut Street, (b) along the pocket parks in the northern portion of the subarea, (c) within the southern parkland of the subarea connecting to Winterbek Drive along the western boundary, to the amenity area, and extending to the eastern boundary of the subarea, and (d) around retention ponds in this subarea as identified in an approved final development plan. Additional leisure paths may be constructed within the parkland. Final locations of leisure trails shall be approved as part of one or more final development plans.

G. <u>Buffering, Landscaping, Open Space and Screening Commitments:</u>

- 1. Parkland and Open Space: A park shall be provided within the southern portion of this subarea as generally shown on the preliminary development plan with a size and configuration that is approved as part of a final development plan for this subarea. Where this park abuts residential lots, wood bollards (with a final design that is approved as part of the final development plan for this subarea) shall be placed and maintained along the shared property lines between such lots and the parkland in order to provide a clear delineation between public and private spaces. Ownership and maintenance of parkland and open space areas shown on the preliminary development plan shall be defined and approved with the final development plan. Additional open spaces may be provided within this subarea with configurations, ownership, and maintenance responsibilities defined and approved in the final development plan. Within parks and open spaces, existing trees and vegetation shall be preserved unless removal is necessary or desirable when applying sound horticultural practices, because they cause a potential hazard to persons or property, or they are of a noxious or invasive species. Proposed buildings, pavement, or any ancillary or accessory structures that include a foundation or that otherwise require a building permit shall be as approved at the time of the final development plan. Notwithstanding the foregoing, the following improvements and activities shall be permitted within the parks and easements may be reserved in favor of the developer and future property owners for the following:
 - (a) Storm water detention or retention ponds and related underground storm water management infrastructure;
 - (b) Underground utility lines and underground storm water management infrastructure;
 - (c) One or more paved leisure trails in locations which are approved as part of a final development plan for this subarea;
 - (d) Planting and maintenance of trees, bushes, and other landscaping as approved as part of a final development plan for this subarea;

- (e) Benches, pedestrian trash receptacles, and wayfinding signage; and
- (f) Preservation and maintenance of wooded and forested areas in keeping with good forestry management practices, including, but not necessarily limited to, the removal of dead, diseased, or decaying trees and the treatment or removal of noxious or invasive plant species.
- 2. <u>Amenity Area:</u> The private community clubhouse shall be located within the 1.9+/-acre open space/amenity area that is shown on the preliminary development plan. This parcel shall be owned and maintained by applicant (or its affiliated entities) or the HOA. The final size and configuration of this parcel shall be identified in an approved final development plan.
- 3. <u>Rural Road Corridors</u>: The final development plan for this subarea shall provide a landscaping plan and grading plan for the no-build zone/required setback areas for New Albany-Condit Road and Walnut Street. The landscaping plan shall be natural in character and shall maintain the character of these thoroughfares as rural roads to keep the areas as usable open space. In addition to the street tree requirements, within rural road setback, there shall be a minimum of 4 trees/100 lineal feet in natural hedgerow manner and shall be a mix of a minimum of 2" caliper trees subject to the approval of the city landscape architect.
- 4. Street Trees: Street trees shall be required on both sides of internal public streets, except that this requirement shall not apply to the sides of streets which abut parks or reserve areas (the planting requirements, if any, for these areas shall be approved as part of the relevant final development plan). Trees shall be a minimum of 2½ inches in caliper at installation and shall be spaced at an average distance of 30 feet on center, except that along Walnut Street and New Albany-Condit Road trees may be grouped, provided the quantity is equivalent to 1 tree per 30 feet or fraction thereof. This requirement may be waived in areas where existing vegetation occurs. Notwithstanding the foregoing, tree spacing on public streets may deviate from this spacing requirement if necessary or appropriate to provide a desirable streetscape, as approved as part of a final development plan. Trees shall not obstruct sight distance or signage, subject to staff approval. Street tree and signage locations shall be shown on the final development plan for review and approval.
- 5. Lot Trees: In addition to street trees, each lot shall provide a minimum of 1 deciduous tree in the front yard setback to create the appearance of a double row of street trees. Lot trees shall be the same species and size of the street trees. They shall be placed on the same consistent planting pattern as the street trees on the opposite side of the sidewalk. Corner lots shall provide a minimum of 1 deciduous tree in the front yard setback and three additional trees behind the public sidewalk in the setback along the additional right of way frontage along the side of the home.

- 6. Ornamental Fencing: A picket or similar style white, decorative fence may be installed along the front right-of-way line of the lots numbered 34-35, 51-54, 63-76, 133-136, 178-180, 199-202, and 221-224, as numbered on the preliminary development plan. In lieu of such picket fencing, the applicant and the City may agree on an alternative streetscape treatments on these lots and at other key focal points and locations of the overall site. Such alternative streetscape treatments shall be incorporated so as to create visual interest along the street frontage and other such focal points of the community. Examples of such streetscape treatments may include (but not be limited to) front yard lamp posts and/or a standard intersection or street corner treatments to include elements such as fencing or landscape plantings or other similar features. Such alternative streetscape treatment shall be approved as part of the final development plan.
- 7. Exemption to Section 1187.15(c)(6): Due to the nature of this subarea as an agerestricted community, it shall be exempt from the requirement of Section 1185.15(c)(6) that would otherwise require all residences to be located within 1,200 feet of playground equipment.
- 8. <u>Intersection Treatments</u>: Intersection treatments shall be provided at key intersections in conjunction with streetscape treatments indicated in item six (6) immediately above. Final details of such intersection treatments shall be included in the final development plan.
- 9. <u>Landscaping</u>: Except as otherwise provided in other sections of this text, the minimum landscaping size at installation shall be 2" caliper for deciduous shade and ornamental trees and 6' high for evergreen trees for the open spaces, amenity area, and parkland.

H. Architectural Standards – Homes:

1. <u>Maximum building height:</u> The maximum height of homes and the private amenities center/clubhouse shall be 35 feet as measured from finished grade at the front door to the ridge on the roof.

2. Exterior Materials:

(a) Appearance: The residences in this community will serve a very specific market, which demands efficiently designed homes with components that serve the particular needs of a restricted community. To this end, this community will not be required to strictly adhere to the City's Design Guidelines and Requirements (DGRs) and its Codified Ordinances. Instead, the intent is to meet the spirit and purpose of the DGRs and the Codified Ordinances by replicating the architectural styles of the DGRs while allowing for deviations to accommodate home designs that serve the active adult segment of the home buying market. Home designs are intended to use elements of traditional American architectural

themes and shall be designed in accordance with the architectural character of the homes which are depicted in the architectural elevations and/or renderings that have been filed with the preliminary development plan application. In addition, more detailed architectural elevations and/or renderings shall be submitted for approval by the Planning Commission as part of the final development plan application. The Planning Commission shall not have approval rights over each specific home to be constructed in this subarea, but instead shall approve a baseline set of architectural requirements and guidelines from which each home design will be based. A minimum of 50% of the homes in the community shall be 1-½ stories or be designed to have an appearance of 1-½ stories from the front elevation. Notwithstanding the foregoing, the homes on lots numbered 1-12, 25-34, 51-54, 63-76, 131-134, 175-178, 197-200, and 221-224 on the preliminary development plan shall all be 1-½ stories or 1-½ stories in appearance from the front elevation.

- (b) <u>Wall finish materials</u>: Brick, brick veneer, vinyl beaded siding, and cementitious/composite siding shall be permitted as exterior façade materials. Exterior wall finish materials must be used to complete massing elements. Each exterior façade of a home shall utilize one primary material, and that material shall be used on all elevations of that home. Exposed concrete foundation walls shall be prohibited; masonry materials, including brick or brick veneer, stone or synthetic stone shall be required to cover the exterior of foundation walls.
- (c) <u>Four-sided architecture:</u> Four-sided architecture shall be required on all homes, meaning that there shall be a consistent use of materials and design elements on all sides of the structure. Blank facades shall be prohibited. In addition, the term "four-sided architecture" shall mean:
 - (i) The same materials and details used on front elevations of homes shall be carried through to and utilized on all other elevations of the home in a manner that creates continuity and balance among all facades;
 - (ii) The side and rear elevations of each home shall display a high level of architectural quality and interest;
 - (iii) Any side elevation of a home that faces a public street on a corner lot and any side elevation of a home that is adjacent to open space or parkland shall include two or more windows trimmed in a light color that distinguishes the trim from the color of the façade's siding (except that houses with a primary façade color that is white shall be permitted to have white trim). In addition, such elevations

shall include at least one of the design elements from the following list:

- (A) Cornices above windows;
- (B) Shutters which appear to be open and appear to be operable and mounted on appropriate shutter hardware (hinges and shutter dogs);
- (C) Closed shutters that appear to completely cover one or more windows, although no window shall be required to be installed behind such shutters;
- (D) Doors;
- (E) Bay windows or bay elements; and
- (F) Chimney; or
- (G) Decorative louvers.
- (iv) When the side elevation of a home is found in a location other than as described in subsection (iii) above, that elevation shall be articulated with a minimum of at least one design element from the following list. In addition to any required side home element(s), the rear elevation of each home shall be articulated with a minimum of at least two of the design elements from the same list:
 - (A) Doors;
 - (B) Porches:
 - (C) Two or more windows (bay windows count as a window);
 - (D) Bay windows or bay elements;
 - (E) Chimney;
 - (F) Decorative louvers;
 - (G) Shutters which appear to be open and appear to be operable and mounted on appropriate shutter hardware (hinges and shutter dogs); or
 - (H) Closed shutters that appear to completely cover one or more windows, although no window shall be required to be installed behind such shutters.
- (d) <u>Single Style:</u> Homes shall not be designed in a manner that mixes elements from different architectural styles.
- (e) <u>Brick:</u> Details as to the use and application of brick only on the front elevation may be approved as a part of the final development plan for this subarea. Traditional brick detailing is required, such as, but not limited to,

traditional bonds, watertable caps, sills, jack arches, segmental arches and soldier courses.

- (f) <u>Vinyl Siding</u>: Vinyl siding, when used as a primary exterior façade material:
 - (i) Shall be beaded:
 - (ii) Shall have a minimum thickness of at least 0.044 inches; and
 - (iii) Shall have a "reveal" of at least 6 inches, meaning that the exposed portion of each horizontal run of siding shall meet this minimum dimension; and
 - siding that has been previously approved by the City for the residential subdivision known as "Windsor", which is generally located to the west of the State Route 161/U.S. Route 62 interchange. This provision shall not require vinyl siding used in this subarea to be of the same or similar specification as the vinyl siding that has been approved in the Windsor subdivision, but is meant to set a benchmark for the level of required quality for this material. The final approved specifications for approved vinyl siding in this subarea shall be approved by the Planning Commission as part of the final development plan for this subarea.
- (g) <u>Roofs:</u> The main house mass shall have pitched roofs which shall be required to have a minimum 6:12 rise over run or greater. Minor gables, dormers, and porch pediments are permitted to have minimum pitches of 4:12 rise over run. Roof pitches with rise over run of less than 6:12 are permitted on minor roofs (i.e. entry porches, dormers, etc.). Flat roofs shall be permitted only for porches, but must integrate strong cornice lines. Roofs may be of natural slate wood shake or wood shingle, or an architectural grade fiberglass asphalt shingle. Metal standing seam shall be permitted as a roof material only on porches. Solar panels shall be permitted to be installed on roofs on the rears of homes that face southward, provided that such panels are not visible from a public street.
- (h) <u>Windows:</u> Windows shall be of traditional themes. Simulated or true divided lite windows shall be required. Double-hung windows shall be required, provided that fixed panel accent windows and casement style windows may be used where appropriate. Windows shall be vinyl-clad. Trim detail and cornices shall be highly encouraged where architecturally appropriate above windows on the front facades of every home, on side elevations facing the public street on

corner lots, and on side elevations facing parkland or open space. Trim detail along all windows shall be light in color.

- (i) <u>Shutters:</u> Shutters shall be highly encouraged to be used on the front facades of homes in window locations which are architecturally appropriate. Required locations for shutters shall be identified for each home type in the final development plan. Shutters shall be dark in color, with the palette of permitted colors to be approved as part of the final development plan. Where used on any façade of a home (and regardless of whether they are open or appear to be closed), shutters shall be sized to cover the adjacent window and appear operable. Shutters shall be mounted on appropriate shutter hardware (hinges and shutter dogs). Shutters must be painted and may be solid paneled (raised paneled) or louvered.
- (j) <u>Exterior paint colors:</u> Exterior paint colors for siding, doors, shutters, fascias, cornices, soffits and miscellaneous trim shall be selected from preapproved color guide of historic colors, which shall be provided for review and approval as part of the first final development plan for this subarea.
- (k) <u>Gutters and downspouts:</u> Traditional half round gutters and/or ogee gutters with downspouts shall be used.
- (l) <u>Skylights</u>: Skylights in the roof shall be permitted, provided they are not visible from off-site.
- (m) <u>Chimneys:</u> Exposed exterior chimneys, when incorporated into a home design, shall be brick or brick veneer. Chimneys with wood, siding, or stucco shall be prohibited.
- (n) The front entrances to each home shall be a minimum of six inches (6") and range up to twenty-four (24") inches above the finished grade of the lot on which the home is located.
- (o) Other elements: Cupolas, lanterns, belvederes and/or window bays shall be permitted, provided that they are consistent with the architectural theme of the home.
- (p) <u>Architectural Diversity:</u> Several home designs with several exterior elevations for each home will be used to meet market demand and to provide diversity in terms of exterior appearances and finishes, subject to the requirements of this text. The same home design with the same front elevation shall not be constructed on lots that are adjacent to or directly across the street from one another. A lot shall be deemed to be directly across the street from any other lot that is located in whole or in part between two imaginary straight-line extensions

of the side lot lines for the first lot which extend to the opposite site of the public right-of-way on which the first lot has frontage. On corner lots, the diversity requirement shall be applied to the street on which the home's front façade is located.

In order to provide further details as to the means by which the commitment will be met as detailed in the immediately preceding paragraph, when filing the final development plan application for this subarea the applicant shall include, for review and approval by the Planning Commission, a matrix, chart, visual depictions, and/or text to further describe what will constitute different home designs. It is anticipated (but shall not necessarily required) that the requirement not to have the same home design on lots which are in close proximity to one another as described in the immediately preceding paragraph will be met if lots and homes that are subject to the requirement (a) have materially different floor plans and front elevations which result in clearly discernible differing exterior appearances for each home or (b) differ (in some combination) in terms of façade materials façade elements such as front porches, the presence or absence of dormers on front elevations, and/or with respect to the number of stories for the homes. The applicant may present additional design features to accomplish the intent of this subsection as part of a final development plan application, which such design features shall be approved or disapproved in the discretion of the Planning Commission.

(q) <u>Architectural Details</u>: Additional architectural details including roof plans; garage door design/colors; dormer details; entablature; and shutter specifications; columns, cornice and pediment details; window specifications; louver details, brick mould profile shall be provided at the final development plan for review by the Planning Commission.

3. <u>Lighting:</u>

- (a) Each home shall provide coach lights on the garage. Coach light locations shall be consistent from house to house. All coach lights shall have a photocell light sensor. Light fixtures shall be the same or substantially similar across all lots/homes. Coach lights and driveway lights shall have an opaque top.
- (b) Uplighting of the exterior of a home shall be prohibited.
- (c) Security lighting, when used, shall be of a motion sensor type.
- (d) Light poles within parking lot areas near the private amenities center/clubhouse shall not exceed 18 feet in height, 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.

- (e) Street lighting shall be provided at each street intersection with the fixture, color and spacing to be approved at time of final development plan. Street light height shall not exceed 18 feet in height. Street light poles and fixtures shall be consistent in height, color, and appearance throughout the subarea.
- (f) Lighting of entry features and any additional proposed lighting shall be provided and approved at time of final development plan. Ground mounted lighting shall be shielded and landscaped.
- (g) Fully shielded, cut-off type lighting fixtures shall be required. Exterior lighting fixtures shall be similar in appearance throughout this subarea.
- (g) Except as otherwise expressly provided in this text, lighting shall be provided in accordance with the City's Codified Ordinances.

4. Vehicular and Pedestrian Standards:

(a) Garages:

- (i) Garages shall be attached and may front on a public street. Each home shall provide a 2-car garage.
- (ii) Individual bay doors or double wide garage doors that have the appearance of individual bay doors when closed shall be required. The scale of the garage shall be minimized by low, one-story roof lines and low fascia lines. All garage doors shall contain decorative features and shall be of a color and style that is consistent with architecture of the home. The exterior color palates for each home, as specified in section II.H.2.(i) above, shall be selected and designed in a manner which deemphasizes the location and placement of the garage door. Garage doors that are white in color shall only be used in the circumstance when white is the primary exterior color of the individual home.
- (iii) <u>Garages</u>: Garages may be front-loaded. On at least 80% of the lots (i.e., a minimum of 192 lots) in this zoning district, garages shall not extend beyond the front façade of the home. Garages located on no more than 20% of the lots (i.e., no more than 48 lots) shall be permitted to extend forward of the front façade of the home only when the home includes a covered front porch, provided that such garage projection shall extend by no more than six feet (6') in front of the forward-most plane of the front porch and shall not encroach into the minimum required front yard setback. Homes with projecting garages shall not be located on the primary east/west street through the subdivision or along the street that

parallels State Route 605, unless approved by the Planning Commission at the time of the final development plan. In addition, homes with a garage that extends beyond the front porch as permitted hereunder shall not be located on adjacent lots (excluding lots with rear yard adjacencies). The front façade of a home shall be considered to be the single plane of a home's front façade or the forward-most plane of a front porch that is located closest to the front property line of the lot.

- (iv) <u>Garage doors (Vehicular)</u>: All garage doors shall be solid paneled. No glazing shall be permitted on garage doors unless they are consistent with the architectural theme.
- (v) <u>Garage doors (Pedestrian):</u> All pedestrian garage doors shall be solid paneled.
- (b) <u>Driveways and Entry Courts:</u> The appearance of driveways and entry courts shall be consistent throughout the neighborhood. Driveways shall be made of a durable material. Appropriate materials are brick, dark color concrete pavers, and asphalt with controlled edges. Concrete driveways are prohibited. Driveways shall be no more than 16 feet in width at the right-of-way line for lots with two car garages and 18 feet for lots with three car garages and each may taper to a wider width moving toward the street pavement to provide for maneuverability. Driveway widths shall be wider between the garage and the right-of-way on each lot so that parking for two cars side-by-side is accommodated. The wider portion of the driveway on the lot may extend up to 1 foot to the outside of both sides of the garage.

5. Attached Structures:

- (a) <u>Front Porches:</u> Front porches shall be permitted, provided that each porch has a roof and is not screened. Front porches shall be required in these locations:
 - (i) on all homes on lots that have their vehicular access from the southernmost public street within this subarea that generally runs east to west:
 - (ii) on all homes on lots that have their vehicular access from the easternmost public street in this subarea which parallels State Route 605; and
 - (iii) on at least 50% of the homes that are not located as described in subsections (i) or (ii) above.

(b) <u>Screened Porches:</u> Screened porches are encouraged on the rear or sides of homes but shall not be permitted on the front. Detailing shall be traditional wood in appearance with a break in screening at rail height. All screened porch trim shall be painted or stained. Roof lines of screened porches shall conform to the architectural style of the home and blend into the massing of the home.

6. <u>Swimming Pools/Spas:</u>

- (a) Swimming pools shall be prohibited in this subarea.
- (b) Spas shall be located in the rear yard within the building line of the site and shall be completely enclosed by fencing and screened from adjoining properties. Spas may be constructed as part of the house and may be installed above ground and shall be flush with the top of the paving.

7. Storage Buildings:

- (a) Storage Sheds: Storage sheds shall be prohibited.
- (b) <u>Equipment Storage</u>: Storage of all maintenance equipment shall be within garages or otherwise screened from off-site view. Such items should not be visible from streets, common open spaces, adjacent lots or developments.
- (c) <u>Vehicle Storage:</u> All campers, off-road vehicles (i.e. box trucks), and boats, must be parked within an enclosed garage. No undrivable vehicles or parts of vehicles may be stored outside.
- 8. <u>Mailboxes:</u> Each residence shall be required to install and maintain a standard mailbox as detailed in the final development plan for this subarea.
- 9. <u>House Numbering:</u> Each residence shall be required to install house numbers in a common location.
- 10. <u>Garbage Cans:</u> All garbage cans and other waste containers shall be kept in garages or within approved screened areas. Pedestrian garbage receptacles may be located on the exterior of the amenities center/private clubhouse, provided that they are placed within or covered by an enclosure made of materials and with colors that are complimentary to the building.
- I. Architectural and Development Standards Amenities Center/Clubhouse:
 - 1. <u>Maximum building height:</u> The maximum height of the private amenities center/clubhouse shall be 35 feet as measured from finished grade at the front door to the ridge on the roof.

- 2. <u>Appearance:</u> The amenities center/private clubhouse shall be 1 ½ stories in appearance or two stories in height. The architectural design and appearance of this structure shall be complimentary to and consistent with the homes in this subarea.
- 3. <u>Parking:</u> A parking lot may be provided near the private amenities center/clubhouse to provide for the parking needs of residents and other visitors of the residents in the community. The location of the parking lot and the number of spaces to be provided shall be determined at the time of approval of a final development plan for this subarea.
- J. <u>Graphics and Signage Commitments:</u> This subarea shall utilize standard City of New Albany street regulatory signage. Entry feature signage at the public street entries into the zoning district from State Route 605/New Albany Condit Road, Schleppi Road, and at one or both of the public streets that enter the site from the western boundary of this subarea shall be permitted with designs that are approved by the Planning Commission as part of a final development plan for this subarea. Other signage may be used subject to approval by the City of New Albany Planning Commission.
- K. <u>Utilities:</u> All new utility lines and wiring shall be placed underground. Utility easement locations and widths shall be determined in the final development plan for this subarea.

III. SUBAREA B:

- A. Permitted Uses: Permitted uses in Subarea B shall be as follows:
 - 1. Those uses listed in Section 1145.02 of the Codified Ordinances, C-1 Neighborhood Business District, but excluding funeral services. The conditional use listed in Section 1145.03(a) of the Codified Ordinances (veterinary offices, not including outside boarding of animals) shall be a conditional use in this subarea, provided that such conditional use shall be reviewed and approved in accordance with Chapter 1115 of the Codified Ordinances. The conditional use listed in Section 1145.03(b) of the Codified Ordinances (multi-family residences) shall not be permitted in this subarea.
 - 2. Dry cleaning establishments.
 - 3. Drive-thrus in association with a permitted use shall be conditional uses in this subarea and shall be reviewed in accordance with Chapter 1115 of the Codified Ordinances.
 - 4. No more than one Telecommunications Tower, Antenna Support Structure, and related Wireless Telecommunications Facilities (as such terms are defined in Section 1179.03 of the Codified Ordinances) and associated improvements as they exist on the

effective date of this zoning text, and as may be altered, modified, and/or replaced as provided in Chapter 1179 of the Codified Ordinances.

B. <u>Development Standards</u>: Buildings shall comply with the design guidelines of the development standards in this text. Unless otherwise specified in the submitted drawings or in this written text the development standards of Title Five of the Codified Ordinances of the City of New Albany shall apply to this subarea. If there is a conflict between the development standards contained in the Codified Ordinances and this text, the standards contained in this text shall govern.

C. <u>Density, Lot and Setback Commitments:</u>

- 1. <u>Density; Lot Coverage:</u> A maximum of 30,000 square feet of gross floor area shall be permitted in this subarea. Lot coverage by impervious surfaces and structures shall not exceed 70%. The existing cell tower and associated accessory structures shall not be counted for purposes of calculating permitted density and lot coverage.
- 2. Minimum Lot Area: There shall be no minimum lot area in this subarea.

3. Setbacks:

- (a) <u>State Route 605/New Albany-Condit Road</u>: The minimum setbacks from the centerline of the right-of-way of State Route 605/New Albany-Condit Road shall be 100 feet for pavement and 150 feet for buildings.
- (b) Northern Boundary: The minimum setbacks from those portions of the northern boundary line of this subarea that are adjacent to the public right-of-way of the street to be constructed to the north of this subarea shall be 25 feet for pavement and 50 feet for buildings, as measured from the edge of such right-of-way. The minimum setbacks from all other portions of the northern boundary line of this subarea shall be 25 feet for pavement and buildings.
- (c) <u>Southern Boundary:</u> The minimum setback from the southern perimeter boundary line of this subarea shall be 25 feet for pavement and buildings.
- (d) <u>Western Boundary:</u> The minimum setbacks from the western boundary of this subarea shall be 25 feet for pavement and 50 feet for buildings.
- (e) <u>Interior Parcel Lines:</u> There shall be a zero setback requirement for pavement and buildings with respect to interior parcel lines within this subarea.
- D. <u>Architectural Standards</u>: Buildings in this subarea shall be subject to the following architectural standards:

- 1. <u>Style</u>: If there is more than one building in this subarea, the architectural details, materials and colors of all buildings shall be compatible. Buildings shall be designed with a comparable level of detail on all sides. Buildings shall be constructed so that they can accommodate more than one tenant, even if a single tenant occupies the building. So-called "outparcels" and outparcel buildings shall be prohibited in this subarea.
- 2. <u>Height</u>: Buildings shall have exterior elevations that are a minimum of 1 story and a maximum of 2 stories in terms of function or appearance but in no instance shall exceed thirty-five (35) feet in height above the adjacent finished grade. Architectural elements such as parapets, cupolas, mechanical screening, or similar features may exceed these maximum building heights.
- 3. <u>Features</u>: The following architectural features shall be required and shall be scaled according to the size of the individual tenant. These features may be scaled to a group of smaller side-by-side tenants when architecturally appropriate:
 - (a) Roofs may be sloped or flat, provided that flat roofs utilize a heavy cornice;
 - (b) Roof elements that emphasize and reduce the building scale at the building storefront such as, but not limited to, dormers, cupolas, roof spires, and hip and gable roofs;
 - (c) Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and to buffer sound generated by such equipment.; and
 - (d) Complete screening of all ground-mounted mechanical and other equipment at ground level by walls, fencing, or landscaping that is consistent and harmonious with the materials on and character of the nearest primary building shall be required.
- 4. <u>Exterior Elevations</u>: All exterior elevations of each building shall be required to have the following characteristics:
 - (a) <u>Consistency of Finish</u>: The same palette of exterior finishes and color shall be used on all sides of each building. Unfinished rear facades of buildings shall be prohibited.
 - (b) <u>Exterior Wall Finish</u>: Cementitious products such as Hardiplank or its equivalent cementitious product, brick, brick veneer, metal, EIFS and composite material may be used as exterior wall finish materials where appropriate. Exterior

wall finish materials must be used to complete massing elements. The application of brick or brick veneer to a single building façade is prohibited.

- (c) <u>Roofs</u>: General roof massing shall incorporate pitched or flat roofs. If a flat roof is used, strong cornice lines must be integrated. Acceptable roof materials include natural and synthetic slate, cedar shake, dimensional asphalt shingle, and standing seam metal.
- (d) <u>Parapets</u>: Parapets shall use a classical cornice not to exceed three (3) feet in height with molded shapes made of any of the following durable materials: stone, cast stone, architectural pre-cast concrete, gypsum fiber reinforced concrete, expanded insulation finish system (EIFS), or similar materials.
- (e) <u>Fascias</u>: Roof fascias shall be proportioned to the scale of the roof element and shall employ classical molding details such as crown molding. The same material shall be used for fascias and cornices.
- (f) <u>Gutters and Downspouts</u>: Sloped roofs shall be required to employ gutters and downspouts for drainage.
- (g) <u>Gutter Specifications</u>: Gutters shall be of a metal type and shall be painted to match fascias.
- (h) <u>Exterior Doors</u>: All exterior doors other than doors whose primary purpose is for the entry or exit of customers shall be made of a heavy gauge metal.
- (i) <u>Drive-thrus</u>: Pick-up units shall include architectural details that are comparable and consistent with the architecture in the balance of the subarea. Drive-thru windows and speakers shall not be located along the front façade of a building.
- (j) <u>Playgrounds</u>: Outdoor playgrounds are prohibited.

E. Access, Parking, Site Circulation, and Traffic Commitments:

1. <u>Vehicular Access:</u> The number, locations and spacing of vehicular access points on public rights-of-way shall be determined and approved at the time that a final development plan is approved for this subarea. This subarea shall be permitted (a) at least one vehicular access point on State Route 605/New Albany Condit Road with a minimum permitted vehicular turn movement of right-in, right-out, and (b) at least one vehicular access point on the new public street to be constructed to the north of the subarea which extends westward into this zoning district from State Route 605/New

Albany-Condit Road. Off-site improvements as required by the City Traffic Engineer in the traffic impact study for this development shall be installed by the developer.

- 2. <u>Parking and Loading Spaces:</u> Parking and loading spaces shall be provided for each use as per Chapter 1167 of the Codified Ordinances of the City of New Albany. If deemed necessary by the City at the time of final development plan review for Subarea B, the final development plan shall provide for a reasonable number of parking spaces for use by visitors to the parkland located to the west of Subarea B.
- 3. <u>Leisure Paths:</u> Asphalt leisure trails with a width of 8 feet shall be constructed by the applicant/developer within the right-of-way or setback area along the length of State Route 605/New Albany-Condit Road within this subarea.
- 4. <u>Schleppi Road:</u> All or portions of the right-of-way and pavement for Schleppi Road may be vacated and/or reconfigured in Subarea B. The applicant shall be required to obtain all necessary approvals from the City of New Albany and ODOT to allow for the vacation of and reconfiguration of the Schleppi Road right-of-way.
- F. <u>Buffering</u>, <u>Landscaping</u>, <u>Open Space and Screening</u>: The following landscaping requirements shall apply to this subarea:
 - 1. <u>Screening of Parking, Loading and Service Areas:</u> Landscape buffers to screen parking, loading and service areas shall be located within the pavement setbacks along all public rights-of-way and subarea boundaries. These buffers may contain landscape material, mounding, or a combination of both and shall have a minimum height of four (4) feet and a minimum opacity of 75%. Mounds may be landscaped with a mix of shrubs, deciduous, evergreen, and ornamental trees subject to the approval of the city landscape architect
 - 2. <u>Rural Road Corridors</u>: The final development plan for this subarea shall provide a landscaping plan for the non-build zone/required setback areas for New Albany-Condit Road and Walnut Street. The landscaping plan shall be natural in character and shall maintain the character of these thoroughfares as rural roads. In addition to the street tree requirements, within rural road setback, there shall be a minimum of 4 trees per 100 lineal feet in natural hedgerow manner and shall be a mix of a minimum of 2" caliper trees subject to the approval of the city landscape architect.
 - 3. Street Trees: Street trees shall be required on both sides of internal public streets, except that this requirement shall not apply to the sides of streets which abut parks or reserve areas (the planting requirements, if any, for these areas shall be approved as part of the relevant final development plan). Trees shall be a minimum of 2 ½ inches in caliper at installation and shall be spaced at an average distance of 30 feet on center, except that along Walnut Street and New Albany-Condit Road trees may be grouped,

provided the quantity is equivalent to 1 tree per 30 feet or fraction thereof. This requirement may be waived in areas where existing vegetation occurs.

- 4. <u>Landscape Plans</u>; <u>Minimum On-Site Tree Sizes</u>: Unless otherwise set forth herein, minimum tree size at installation shall be no less than 2 ½ inches in caliper for shade trees, 6 feet in height for evergreen trees, 2 inches in caliper for ornamental trees, and 30 inches in height for shrubs. Caliper shall be measured 6 inches above grade. All landscape plans in this subarea are subject to review and approval by the City Landscape Architect.
- 5. <u>Buffering of Residential Uses</u>: Prior to commencing construction of any structures in Subarea B, the developer of Subarea B shall be required to provide screening of the uses and parking areas within Subarea B from the residential lots that are located immediately to the west of Subarea B on the south of the public street running east-west along the northern portion of the parkland. Such screening may be provided either within Subarea B or within the parkland and shall consist of landscaping, trees, and/or fencing that provides for a minimum opacity of 75% when looking from each of the aforementioned lots toward Subarea B, to a minimum height of 6 feet within two years of the start of construction of the first building within Subarea B. The location and type of landscaping shall be approved as part of the final development plan for Subarea B.

G. <u>Lighting</u>:

- 1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.
- 2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.
- 3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 18 feet in height.
- 4. Landscape uplighting from a concealed source shall not be permitted. Any ground lighting that is permitted shall be shielded and landscaped.
- 5. No permanent colored lights or neon lights shall be used on the exterior of any building.
- 6. Fully shielded, cut-off type lighting fixtures shall be required. Security lighting, when used, shall be of a motion-sensor type. Exterior lighting fixtures shall be similar in appearance throughout this subarea.

- 7. All other lighting on the site shall be in accordance with the City's Codified Ordinances.
- H. <u>Signage</u>: All signage shall conform to the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany, unless otherwise approved as part of a final development plan for this subarea.
- I. Utilities: All new electric lines and wiring shall be installed underground.

IV. Variances and Appeals:

- A. <u>Nature of Variance:</u> On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable development standards of this PUD 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.
- B. <u>Variance and Appeals Process:</u> The procedures and requirements of Chapter 1113, Appeal and Variances, of the Codified Ordinances of the City of New Albany shall be followed in cases of appeals. Requests for variances shall be heard by the Planning Commission.



Planning Commission Staff Report February 23, 2022 Meeting

NOTTINGHAM TRACE MODEL HOME CONDITIONAL USE

LOCATION: Nottingham Trace Subdivision
APPLICANT: Pulte Homes, c/o Dawn Hargus
REQUEST: Model Home Conditional Use

ZONING: I-PUD Infill Planned Unit Development (Nottingham Trace)

STRATEGIC PLAN: Residential APPLICATION: CU-15-2022

Review based on: Application materials received January 27, 2022.

Staff report completed by Chris Christian, Planner.

I. REQUEST

The applicant requests a renewed conditional use approval for a residential model home to be located on lot 6, 7, and 8 within the Nottingham Trace subdivision. The Planning Commission originally approved the conditional use on April 16, 2018 (CU-24-2018). A condition of approval was placed on the application stating that the conditional use expires after three years and that any extension of the use is subject to the review and approval of the board. The original conditional use approval has expired so the applicant has submitted a new application to allow for the continued use of the model home.

This unit serves as the model home and sales office for Pulte Homes of Ohio, LLC, for the homes within this subdivision. Two lots are used for a temporary parking lot to serve the model home and sales office. There are no proposed site or building modifications compared to what was originally approved in 2018 and all original conditions of approval have been met.

The requested duration of this conditional use is until all lots within the community have been sold or for a period of time to be no less two (2) years.

II. LOCATION

The proposed model home is located at lot 6, 7, and 8 of the subdivision. The Nottingham Trace subdivision contains 240 age-restricted lots and 69 of the lots have been developed or are currently under construction. The subdivision is approximately 89.6+/- acres.

The final development plan was approved on June 19, 2017 (FDP-31-2017). Phase 1 of this development was approved by the Planning Commission on September 18, 2017 and phases 2, 3 and 4 were approved on March 18, 2019.

III. EVALUATION

General Standards for Conditional Uses (C.O. 1115.03)

The Planning Commission shall not approve a conditional use unless it shall in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that

support conclusions that such use at the proposed location shall meet all of the following requirements:

- (a) The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance.
- (b) The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- (c) The use will not be hazardous to existing or future neighboring uses.
- (d) The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- (e) The proposed use will not be detrimental to the economic welfare of the community.
- (f) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- (g) Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.

<u>Residential model homes</u>. Per Code, these are newly constructed homes or temporary structures placed in a newly constructed subdivision and used by a homebuilder or developer to display home styles and lot availability in a subdivision to promote the sale of new housing units. The model home may be staffed and furnished. (C.O. 1165.11)

The criteria and the applicability of this application are detailed below (Section 1165.11(a)):

- 1. Appropriate location within the community.
 The model home location is not changing as part of this request. It is located on lot 6 and the temporary parking lot is located on lots 7 and 8. The model home is located close to the subdivision entrance along the primary drive when entering from New Albany-Condit Road on Nottingham Boulevard. There have been no complaints about the model home during the duration of the original conditional use.
- 2. It is integrated in the existing community with customary exterior residential lighting. The home will continue to utilize coach lighting fixtures consistent with the style and architectural features present on the other homes planned within the subdivision. This lighting was approved by the Planning Commission with the original conditional use application.
- 3. The use is approved with limited duration.
 - The applicant has stated that they would like to utilize the conditional use until all lots within the community have been sold or for a period of time no less than 2 years. Historically, the Planning Commission has approved conditional uses for other model homes within the community for 1-3 years depending on the size of the subdivision. Since this model is utilized for the entire 240 lot subdivision and only 69 homes have been built, staff recommends the model home approval is permitted for three (3) years and that any extension in time is subject to review and approval by the Planning Commission.
- 4. One sign is permitted.
 - The previously approved sign will remain at the site.
- 5. Shall not be used as a general real estate brokerage office.

 The applicant has stated that the model home will not be used as a general real estate brokerage office.

The Planning Commission is also to consider the following (1165.11 (b)):

- 1. Hours of operation
 - The previously approved hours of operation are not proposed to be changed. The model home operates Monday through Friday, from 11:00am to 6:00pm and 12:00pm to 5:00pm on Sunday.
- 2. Number of employees and maximum number of employees at the site at one time. The applicant states that there will be no more than 2 sales representatives staffing the house during its hours of operation which is the same as the original approval.
- 3. Provisions for parking for employees and customers

 There are no changes to the previously approved parking area and there are 11 parking spaces on site. Staff recommends a condition of approval that the temporary parking lot, parking lot lighting, and landscaping are removed at the expiration of the permit.
- 4. Size, lighting, content and location of signage

 There are no proposed changes to the previously approved site lighting or signage.
- 5. Landscaping and screening
 There are no proposed changes to the previously approved site landscaping.

IV. RECOMMENDATION

Staff recommends approval of the conditional use renewal request. There are no proposed changes to what was originally approved by the Planning Commission, all previous conditions of approval have been complied with and no complaints have been made about the site. The operational aspects of the model home are consistent with successfully operating model homes in other New Albany neighborhoods.

V. ACTION

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

Move to approve application CU-15-2022 with the following conditions, subject to staff approval:

- 1) The temporary parking lot, parking lot lighting, and landscaping are removed at the time that the permit expires.
- 2) The Conditional Use Permit is permitted for three (3) years and that any extension in time is subject to review and approval by the Planning Commission.
- 3) The sign associated with this application is removed at the time that the permit expires.

Approximate site location:



Source: Google Earth

Permit #	
Board	
Mtg. Date	



Community Development Planning Application

	Site Address Nottingham		Phase	1, lots 6,7,8
	Parcel Numbers 222-0049	104, 222	1-004	905, 222-004906
	Acres	# of lots cr	eated	
	Choose Application Type		Circle a	ll Details that Apply
Project Information	□□Appeal □□Certificate of Appropriateness □Conditional Use □□Development Plan □□Plat □□Lot Changes □□Minor Commercial Subdivision □□Vacation □□Variance □□Extension Request □□Zoning	Preliminary Preliminary Combination Easement Amendment (r	Final Final Split ezoning)	Comprehensive Amendment Adjustment Street Text Modification
	le and Conditional use to in the Nottingham Trace the sale's model & temp within Community have b	Communit	porary 2. Reque 10 5 10 t	parking lot on lots 7+8 st is for temporary use of until which time as lots I period of time dremed
	Property Owner's Name: Pul- Address: 475 Metro	ace Sow	SOF E	this LLC
	City, State, Zip: Uublin Of-	143017		Fax:
S	Email: Columbus Perr	nitse p	ulte.	im
Contacts	Applicant's Name:	o Hace	u c	
ပိ	Address: 475 m	Vetro Place	e South	Suite 200
	City, State, Zip: Dublin Phone number: 6/4-376	DH 430	17	Fax:
	Email: Qual haca	us@ Du	Ite. Con	rax.
Signature	Site visits to the property by City of N The Owner/Applicant, as signed below employees and appointed and elected of described in this application. I certify the true, correct and complete.	v, hereby authoric officials to visit,	zes Village o photograph a	of New Albany representatives, and post a notice on the property
	Signature of Owner Signature of Applicant	un House	us_	Date:

Appeal			250.00	
Certificate of Appr				
		two family residential	100.00	
	ARB – All other re	esidential or commercial	300.00	
	ARB - Signage		75.00	
Conditional Use			600.00	600.00
Development Plan	- Preliminary PUD	or Comprehensive		
	Planning fee	First 10 acres	750.00	
		Each additional 5 acres or part thereof	50.00 / each	
	Engineering fee	1-25 lots	155.00 / each	
		Minimum fee	1000.00	
	Engineering fee	26 – 50 lots	3875.00	
		Each additional lot over 26	75.00 / each	
	Engineering fee	Over 51 lots	5750.00	
	- -	Each additional lot over 51	50.00 / each	
Development Plan	– Final PUD			
	Planning fee	First 10 acres	650.00	
		Each additional 5 acres or part thereof	50.00	
	Engineering fee	1-25 lots		
		(minimum fee \$1,000.00)	155.00 / each	
	Engineering fee	26 - 50 lots	3875.00	
		Each additional lot over 26	75.00 / each	
	Engineering fee	Over 51 lots	5750.00	
	-	Each additional lot over 51	50.00 / each	
Development Plan	- Non-PUD		300.00	- 1
-	/ Text Amendment		600.00	
Plat - Road Prelim				
	Planning fee		350.00	
	Engineering fee	no lots on either side of street	1.00 / LF	
		lots on one side of street	.50 / LF	
		Minimum fee	1,000.00	
Plat – Road Final				
	Planning fee		350.00	
	Engineering fee	no lots on either side of street	1.00 / LF	
		lots on one side of street	.50 / LF	
		Minimum fee	1,000.00	-
Plat - Subdivision	Preliminary		_,	
_ 101	Planning		650.00	
		Plus each lot	50.00 / each	
	Engineering fee	1-25 lots		
		(minimum fee \$1,000.00)	155.00 / each	
Ĭ	Engineering fee	26 – 50 lots	3875.00	
		Each lot over 26	75.00 / each	
	Engineering fee	Over 51 lots	5750.00	
		Each lot over 51	50.00 / each	

Plat – Subdivision Final			
Planning		650.00	
	Plus each lot	15.00 / each	ï
Engineering fee	1-25 lots		
	(minimum fee \$1,000.00)	155.00 /each	
Engineering fee	26-50 lots	3875.00	
	Each lot over 26	75.00 / each	
Engineering fee	Over 51 lots	5750.00	
	Each lot over 51	50.00 / each	
Lot Changes		200.00	
Minor Commercial Subdivision		200.00	
Vacation (Street or Easement)		1200.00	
Variance			
Non-single family, commercial	cial, subdivision, multiple properties	600.00	
Single Family residence		250.00	
In conjunction with Certific	ation of Appropriateness	100.00	
Extension Request		0.00	
Zoning			
Rezoning - First	10 acres	700.00	
	Each additional 5 acres or part thereof	50.00 / each	- v
Rezoning to Roc	ky Fork Blacklick Accord	250.00	
Text Modification	_	600.00	
Easement Encroachment		800.00	

PulteGroup CITY OF NEW ALBANY

Vendor Number

311CIT128

Check Number

0051261072

Check Date

01/19/22

Invoice	Date	Со	Lot	Lot Address	Opt	Acct Cat	Acct Cat Description	Amount
663100006MPC2	01/19/22			mental description of the second seco			Preacquisition Land Costs	600.00
				Nottingham Tri	re			
	Z-X-X-1-2			model home				
				Nottingham Tri model home Conditional u	Se	rei	rewal	
				MABLE :			M-NEG(
				The second secon				
				作公原作 喜				
			1.5			in n		
		Jane		**** TOTAL ****				600.0

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Check Number Check Date >

0051261072 01/19/22

Void After 180 Days

PÁY

SIX HUNDRED AND 00/100 DOLLARS

\$****600.00

Bank of America Customer Connection Atlanta, Dekalb County,GA

TO THE ORDER OF CITY OF NEW ALBANY 99 WEST MAIN ST PO BOX 188 NEW ALBANY, OH 43054

"OO51261072" CO61112788C

3299039422#



City of New Albany Planning Commission 99 West Main Street PO Box 188 New Albany, OH 43054

RE: Application for Conditional Use for a Model Home to be located on lot 6 (parcel#222-004904), and a parking lot to be located on lot 7 (parcel#222-004905) and lot 8 (parcel#222-004906) in the Nottingham Trace Community.

Below is the requested documentation for our conditional use application for the model home to be located at the Nottingham Trace Community.

- **Legal Description**: Nottingham Trace, Phase 1, lot 6 (Sales Model), and lots 7 and 8 (Temporary Parking for Sales Model)
- Description of existing use: New Single-Family Residence
- Present zoning district: I-PUD
- Description of proposed conditional use:

The model home/sales center will be used to showcase our product offering in this community, and to conduct sales related business for the community.

A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading area, traffic circulation, open spaces, landscaping, refuse, and service areas, utilities, signs, yards, and such other information as the Commission may require to determine if the proposed conditional meets the intent and requirements of this Ordinance:

Please see Exhibits A and B for detail on the model home and the adjacent parking lot. Exhibit C contains the recorded plat for Phase 1 as well as an overall layout of the entire community. Locations for the proposed sales model and parking lot have been highlighted. Additional information pertaining to the specifications of all lighting and signage is provided below in the section pertaining to "other information".

 A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, light, fumes, and vibration on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district.

Lots 1 through 5 will be placed on hold to minimize the effects on adjoining properties. The sales model is the Martin Ray house type with a sales office located within the garage. The Martin Ray is one of the plans being offered within this community and therefore will comply with the general compatibility requirement. The model will cause no noise, odor, fume, or vibration impact on adjacent properties. Any glare or light will be minimized as lamp posts and lights consistent with the community will be utilized. The adjacent parking lot has been located in a

way to minimize any impact to adjacent homes and will be landscaped to provide additional buffer.

The names and addresses of all property owners within 200 feet, contiguous to, and directly across the street from the property, as appearing on the Franklin County's Auditor's current tax list. The applicant shall also provide the addresses of all property within the above reference boundaries:

Please see Exhibit D which illustrates the 200' buffer to adjoining property along with detail of the property owners within this area. All property within this buffer area is owned by the New Albany Company (8000 Walton Parkway, New Albany, OH 43054) or Pulte Homes of Ohio, LLC (475 Metro Place South, Suite 200, Dublin, OH 43017)

- Such other information regarding the property, proposed use, or surrounding area as may be pertinent to the deliberations of the Planning Commission.

Please see Exhibit E for all specifications related to our proposed signage, lighting, flagpole, and trash receptacle.

Please see Exhibit F for plans and elevations for the Martin Ray sales model.

The model home will be visible and easily accessible as you enter the community on Nottingham Boulevard. The model home will integrate within the residential character of the neighborhood. The home will have coach lights, landscaping lighting along the pathways, and the required electric post lamp (locations references on Exhibit A).

It is our intention to staff the sales office with two sales representatives. The hours of operation will be from 11a-6p Monday thru Saturday, and 12p to 5p on Sunday. The sales center shall not be used as a general real estate brokerage office where the sale of properties not owned or previously owned wholly or in art by the applicant occurs.

Parking spaces for access to the sales model will be available via the temporary parking lot located on lots 7 and 8. Access between the parking lot and sales model will be provided by landscaped pathways.

PulteGroup would like to request that the Planning Commission approve the use of this home as a sales model until which time that all lots within the community have been sold or for a period of time deemed appropriate by the Planning Commission not to be less than two years.

Respectfully Submitted,

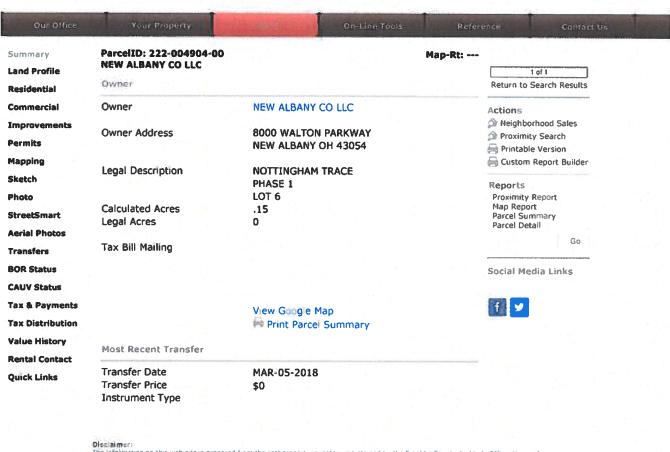
Dawn Hargus

Resource Scheduling Coordinator

DaunHorge

PulteGroup, Inc.

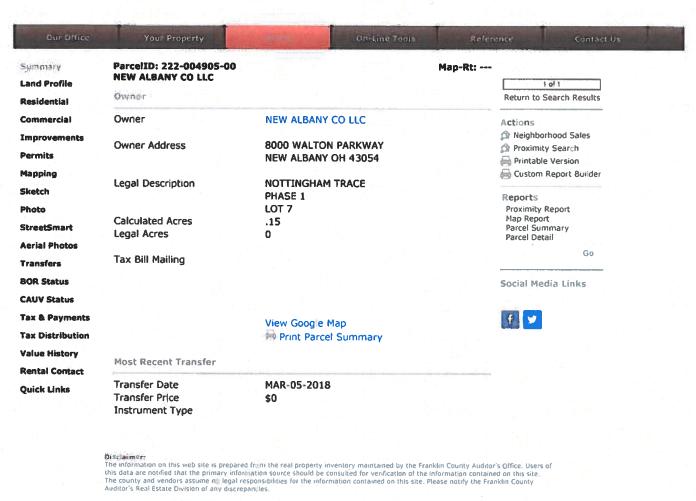




Disclaimer:
The information on this web site is prepared from the real property inventory maintained by the Franklin County Auditor's Office. Users of this data are notified that the primary information source should be consulted for verification of the information contained on this site. The county and vendors assume my legal respurpsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.

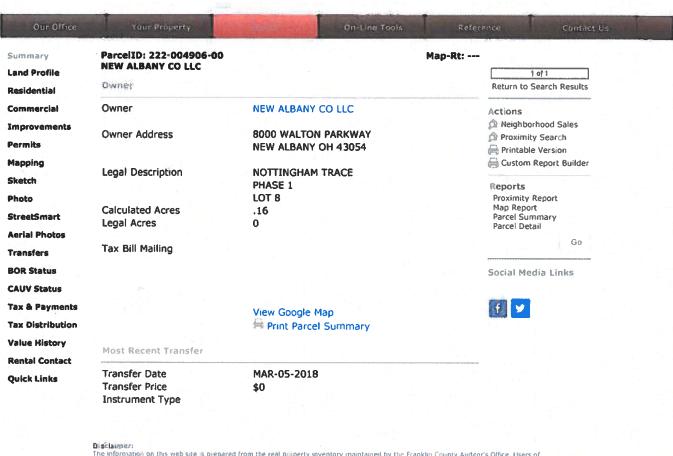
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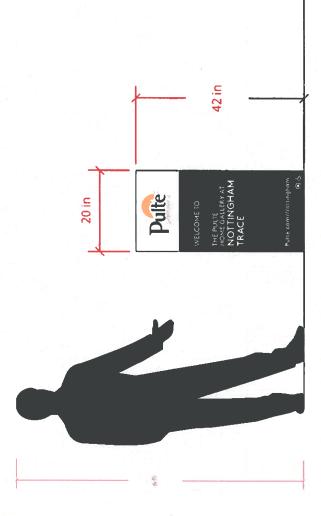
The information on this web site is prepared from the real property inventory maintained by the Franklin County Auditor's Office. Users of this data are notified that the primary information source slighted be consulted for verification of the information contained on this site. The county and vendors assume not legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.

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Nottingham Trace Home Gallery Sign

EXHIBIT E - SPECIFICATIONS

- - C=100 M=57 Y=12 K=61 ■ C=11 M=16 Y=18 K=32
 - PANTONE 131 C
 - D WHITE



Scale: 1/2" = 1' @ 8 1/2" x 11" document

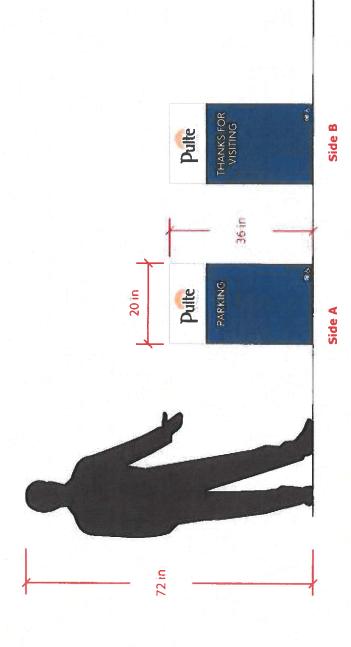


File Type: Home Gallery Quanity: 1 Finished Size: 20" x 42" (6 sq. ft.) Sides: 1

Scale: As Noted Date: 3/13/18 Rev. Date:

Nottingham Trace Parking / Thanks for Visiting

C=100 M=57 Y=12 K=61C=11 M=16 Y=18 K=32PANTONE 131 C

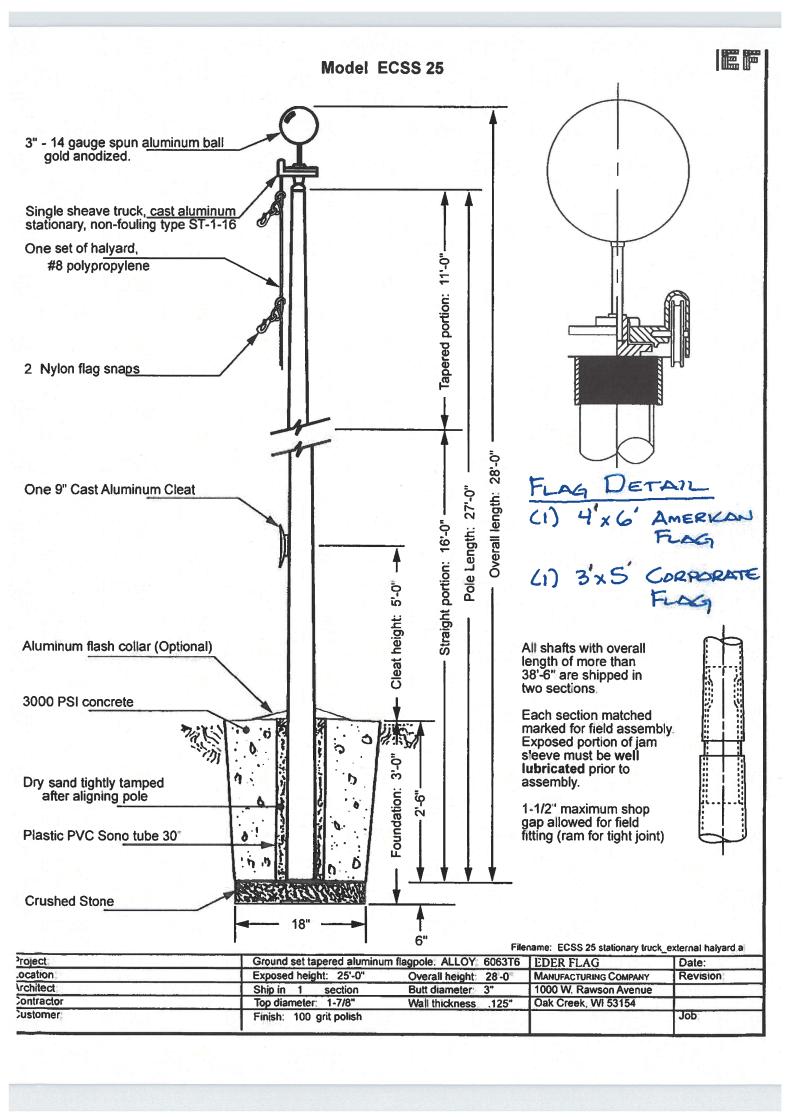


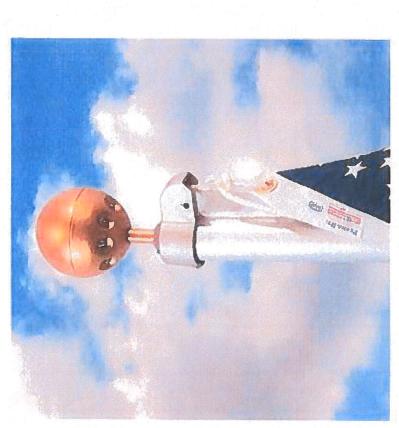
Scale: $1/2" = 1' \oplus 8 \ 1/2" \times 11"$ document



Sign Type: Parking / Thanks For Visiting Quantity: 1 Finished Size: 20" x 36" (5 sq. ft.) Sides: 2

Scale: As Noted Date: 3/13/18









ULTRA BRIGHT BALL TOP LIGHT

Email To A Friend

公公公公公公Write a review

Availability. In stock

\$110.00

O.

ADD TO CART





QUICK OVERVIEW

Utilizes 8 ultra bright 8mm LED lights
Made from a colored aluminum
Comes with 45ft power cord, plug, and photo sensor
Automatic on/off sensor
Plugs into an 110 outlet
Country of Origin: China



Receptacle Color: Black

Save Image











Images

Metrix 16 Gallon Trash Receptacle

Classic slat design with a modern twist.

Metrix 16-gallon receptacle features a lift-off lid for easy access to the inner liner.

Item Nº: L2008

Dimensions: 27°H x 17"Dia.

Weight: 46 lbs

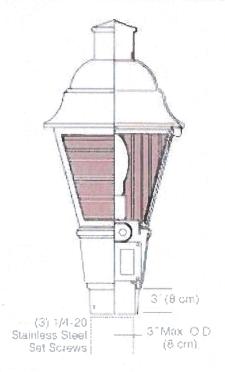
FEATURES

- · 20-year limited structural warranty with 7-year finish warranty against fading
- · Fade-resistant, powder coated steel slats feature a state-of-the-art primer proven to prevent rusting
- · Includes top, reusable plastic liner and adjustable rubber feet
- · Matching dual opening receptacles, recyclers and benches are
- · Also pairs well with the Exposition, Latitude or Park Lane benches
- · Federally ADA-compliant*
- · *Please check your local regulations for possible additional requirements.



Independence (V1503) Specification Sheet

Project Name:	Location:	MFG: Philips Hadco
Fixture Type:	Catalog No.:	Qty:



Ordering Guide

Example: V1503 A B3 N D 70S E

Product Code	V1503	Independence	
Finish	A B G H J	Black White Verde Bronze Green	
Optics	B3 B5	Type III Refractive Panels Type V Refractive Panels	
Photo Control	N	None	d _e rem
Socket	D G	Medium Mogul	
Wattage	70S 100S 70H 100H	70W HPS 100W HPS 70W MH 100W MH	*1 *1
Voltage	E F G H K	120V 208V 240V 277V 347V	

^{*1} Available with Medium base (D) socket only.

Specifications

HOUSING:

356 HM high-strength, low-copper, proprietary cast aluminum alloy. Hinged roof with stainless steel thumb screw. A weatherproof ballast assembly isolates the ballast from water and heat for longer life. Easy access to lamp. All non-ferrous fasteners prevent corrosion and ensure longer life. Slip Fitter Dimensions: 3" I.D. x 3" deep.

FINISH:

Thermoset polyester powdercoat is electrostatically applied after a five-stage conversion cleaning process and bonded by heat fusion thermosetting. Laboratory tested for superior weatherability and fade resistance in accordance with ASTM B-117-64 and ANSI/ASTM G53-77 specifications. For larger projects where a custom color is required contact the factory for more information.

OPTICAL ASSEMBLY:

Type III Refractive Panels. Type V Refractive Panels. Optically designed, U.V. stabilized, injection molded, acrylic refractive panels. Tool-less removal panels for ease of cleaning.

LAMPING:

HPS Mogul base: E23.5. MH and HPS Medium base: E17.

ELECTRICAL ASSEMBLY:

Ballast assemblies are mounted to an aluminum plate or spinning, which is mounted inside the ballast pod. 4kv rated medium base porcelain socket. Nickel-plated screw shell with center contact. 4kv rated mogul base porcelain socket. Nickel-plated screw shell with center contact.

BALLAST:

All HID ballasts are core and coil and regulated with power factors better than 90% (HPF). Ballast provides +/- 5% lamp power regulation with +/- 10% input voltage regulation. Ballasts are factory pre-wired and tested. Metal halide ballasts are capable of starting at -20° F or -30° C and HPS at -40° F or -40° C. NOTE: All ballasts are EISA / Title 20 / Title 24 compliant where applicable.

CERTIFICATIONS:

ETL Listed to U.S. safety standards for wet locations. cETL listed to Canadian safety standards for wet locations. Manufactured to ISO 9001:2008 Standards.

WARRANTY:

Three-year limited warranty

Height:

21 1/4" (54cm)

ISO 9001:2008 Registered

HADEG

Page 1 of 2



Note: Philips reserves the right to modify the above details to reflect changes in the cost of materials and/or production and/or design without prior notice.
100 Craftway Drive, Littlestown, PA 17340 | P: +1-717-359-7131 F: +1-717-359-9289 | http://www.hadco.com | Copyright 2011 Philips

Independence (V1503) Specification Sheet

Project Name:	Location:	MFG: Philips Hadco	
Fixture Type:	Catalog No.:	Qty:	

Width: 10 1/8" (26cm)

Max. EPA: 1.12 sq. ft.

Max. Weight: 20 lbs

IESNA Classifications: Semi Cutoff: Refractive Panels

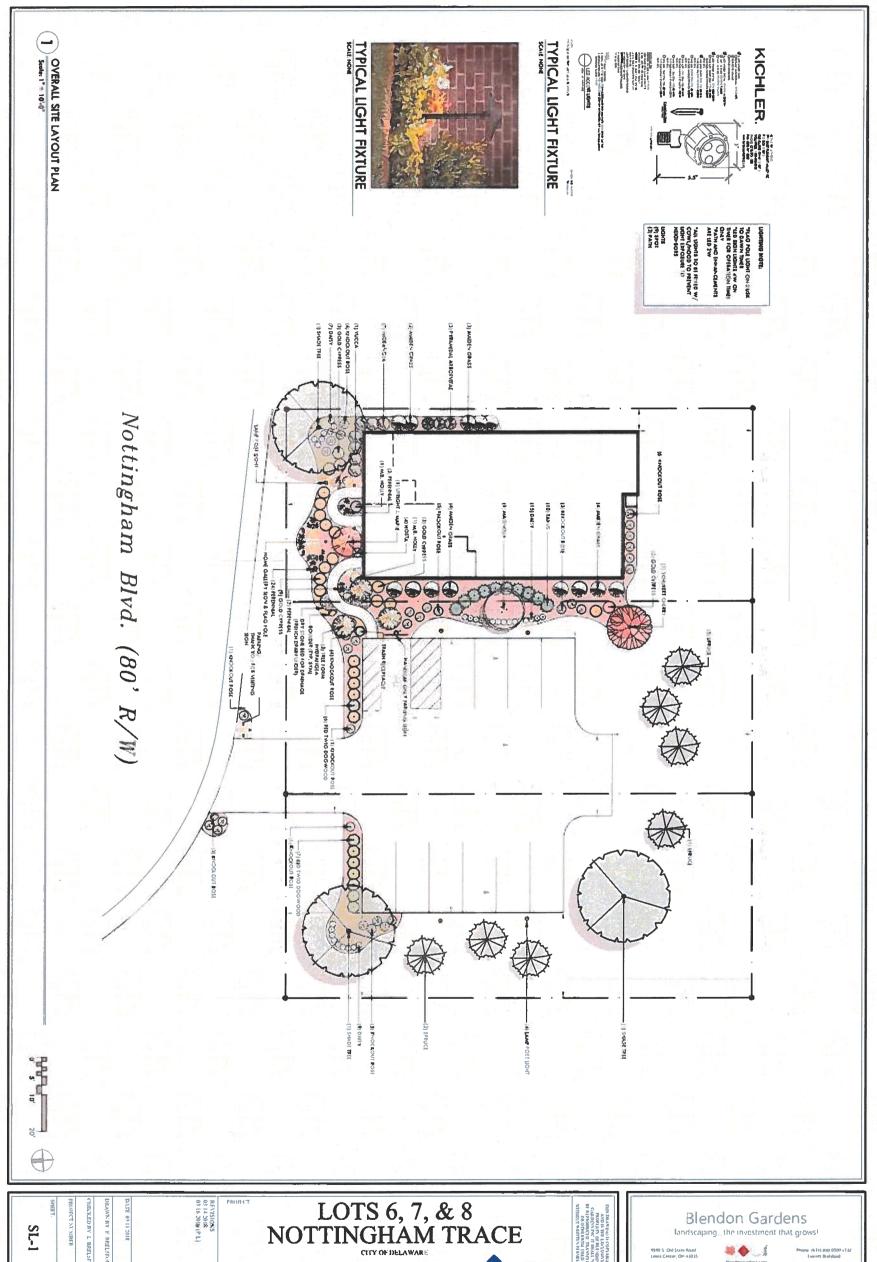
ISO 9001:2008 Registered



EXHIBIT A- LANDSCAPE PLAN

Blendon Gardens

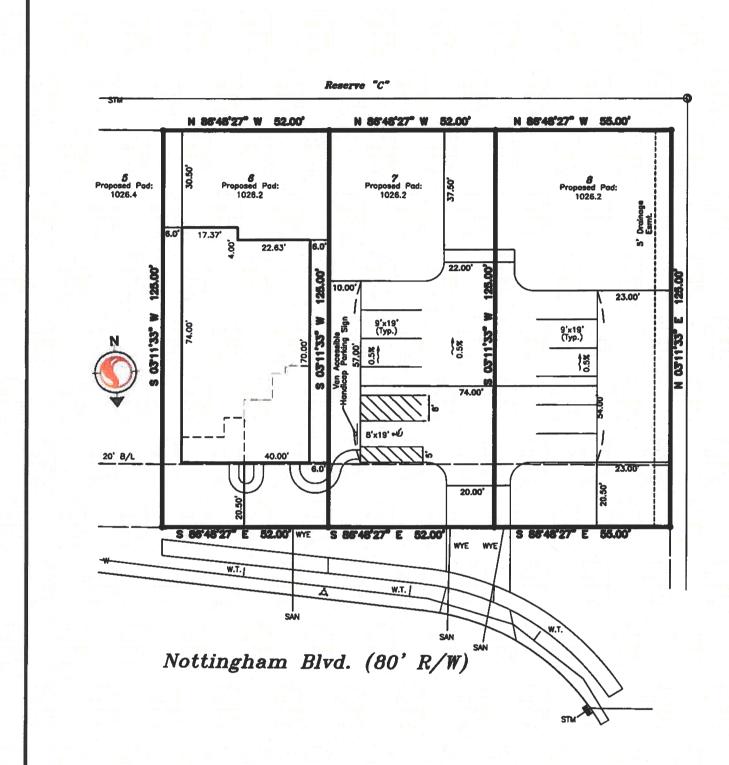
landscaping the investment that grows! * ...



Pulte

LANDSCAPE PLAN

SL-1



Lot No. 6,7&8 lies within Zone(s) X as designated on the FIRM Map No. 39049C0206K dated 6/17/08.

*Elevations are per Puite Group.

LOT: 6, 7 & 8

Nottingham Trace

Phase 1

Plat Book 124, Page 14 City of Delaware



Scale: 1"=30' March, 2018

Stantec

1500 Lake Shore Drive, Suite 100 Columbus, Ohio 43204 PHONE: (614) 486-4383 FAX: (614) 486-4387

Martin Ray

OR'N da

CHO
JOB 2812171

PLAT BOOK T24 PAGE 15

NOTTINGHAM TRACE PHASE 1

In Witness Wheneof, WILLIAM G. EBBRYG, Project of THE NEW ALBANY COMPANY LLC. has horento set his hand this "Not of day of Jan. 2018.

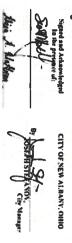


STATE OF OHIO
COUNTY OF FRANKLIN 4:

Before me, a Netan Public in and for said State, personally, appeared WILLIAM G. EBBING, President of THE NEW ALBANY (COMPANY LLC, who acknowledged the highing of the fireigning or tearment to be the columns as and devel and the velocity as and the columns and and developed the said and performs a said developed from the times and purposes the said benefit.



In Witness Whereof JOSEPH STEFANOV. Cit. Manager of CITY OF NEW ALBANY, OHIO. has hereune set his hand this. 2018. day of Kirming... 2018.



STATE OF ORIO
COUNTY OF FRANKLIN 5%

Heles me a Nam Public in and for said State personally appeared JONEPH EPANDY. City Manager of CITY OF NEW ALBANY, OHIO, who astoowindaged spin the freegraph measurest to be this voltancy act and dots and the colonial and deed of said CITY OF NEW ALBANY, OHIO for the uses and purposes reason been.

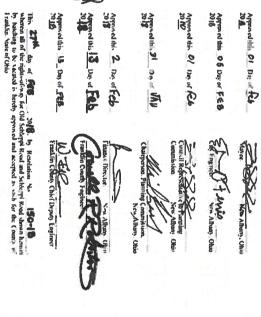
In Williams Thereof. I have bereunto set my hand and affixed my official seel that do of Filanuary... 2018 Chan Public. Moham State of Chan



title for more this _ day at MECC =

Book 124 Pages 014-617





Manufac Brown Franklin Count Commissioners

Transferred this Q day of 1.25% Audion. Frankin Coupy Ohio

Deput Aution Francis County Ohio

Recorded this a des of MARCH 188 10103080021859 Roselt Freshin County Old M.E. Marcu Cope Chine Report Report Records Linds Living Chin





CYN SAMPS

SURVEY DATA:

BASIS OF BEARINGS, the bearings shown betten are based on the same moviding as those shown on the platential "bea, Mahan Read Levilled Oilege Road and New Albany Confil Road Dedication and Leatments" of record in Vita Hout Roy Figs. 18.

SOURCE OF DATA. The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Frankin County, Othio

IBON PINS: Iron pins, where indicated heaven, index-olderwise noted are to be set and are tone pipes; thistone-sixteenths inch inside diameter, thinty, inches long with a plateic plug placed in the law end bearing the initials shill!! Iv.

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SURVEYED & PLATTED



We do thereby certify their we have surveyed the observe premises, prepared the objected pict and that soid and is consist. All dimensions are in feet and decimal parts thereof.



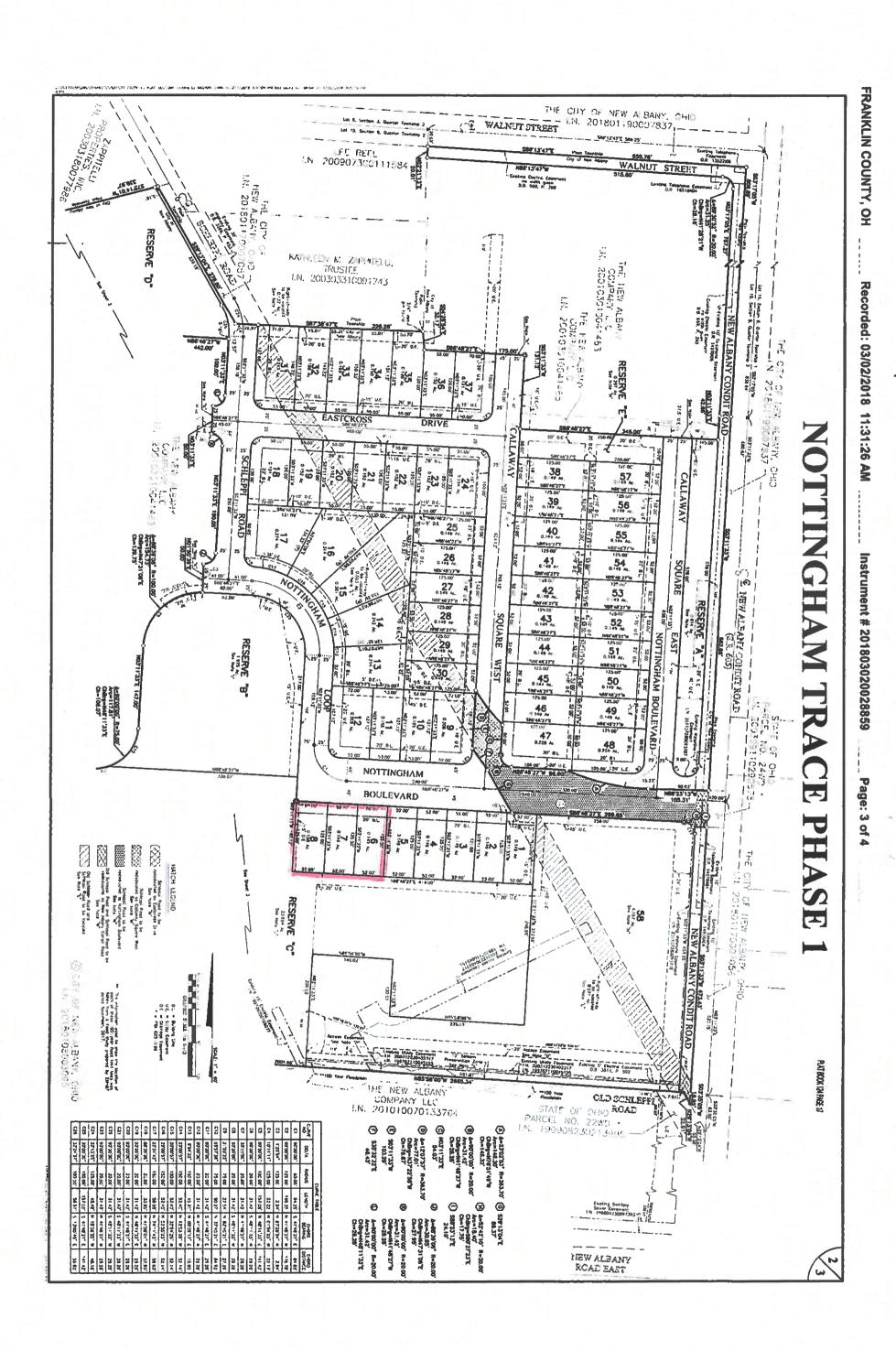
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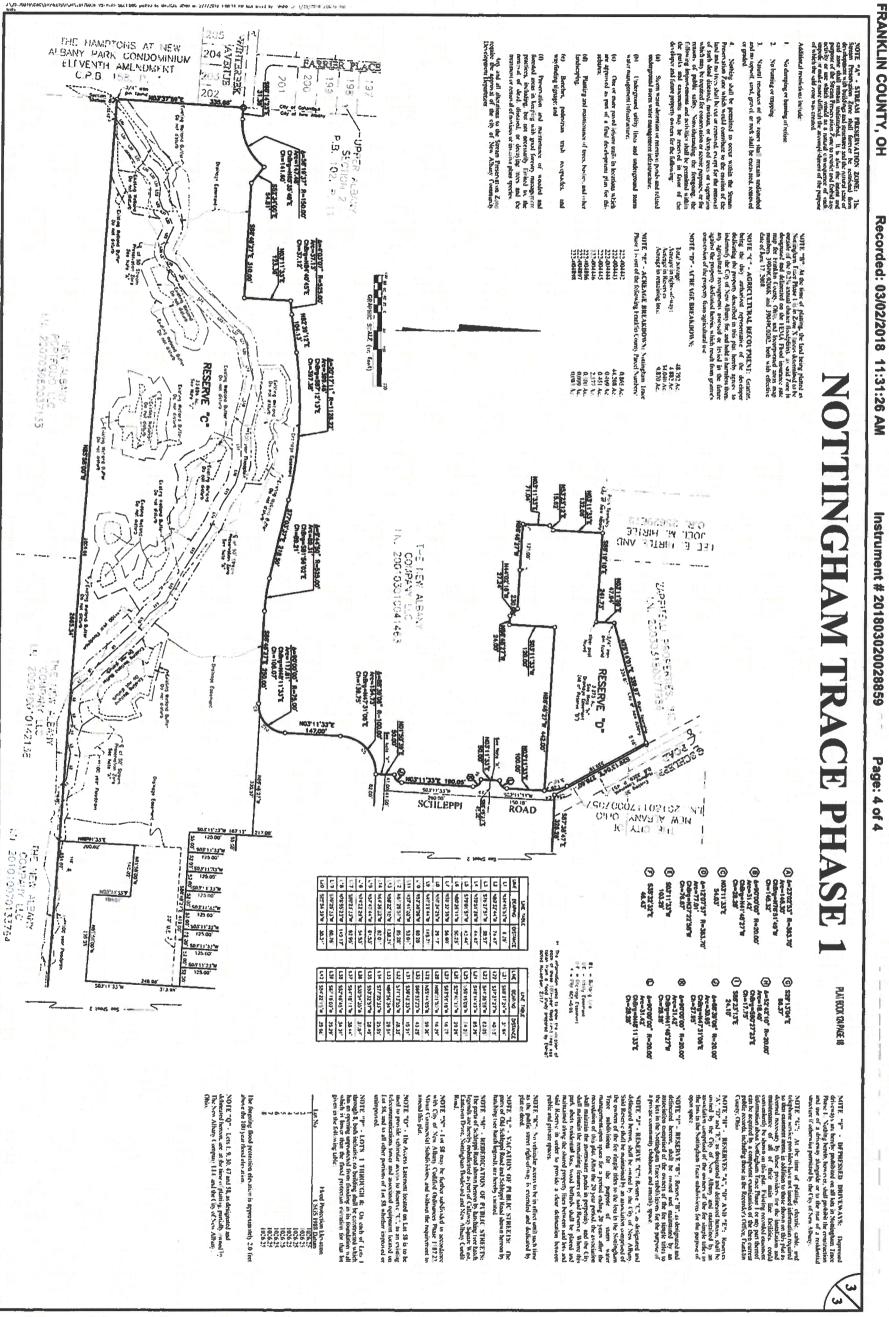
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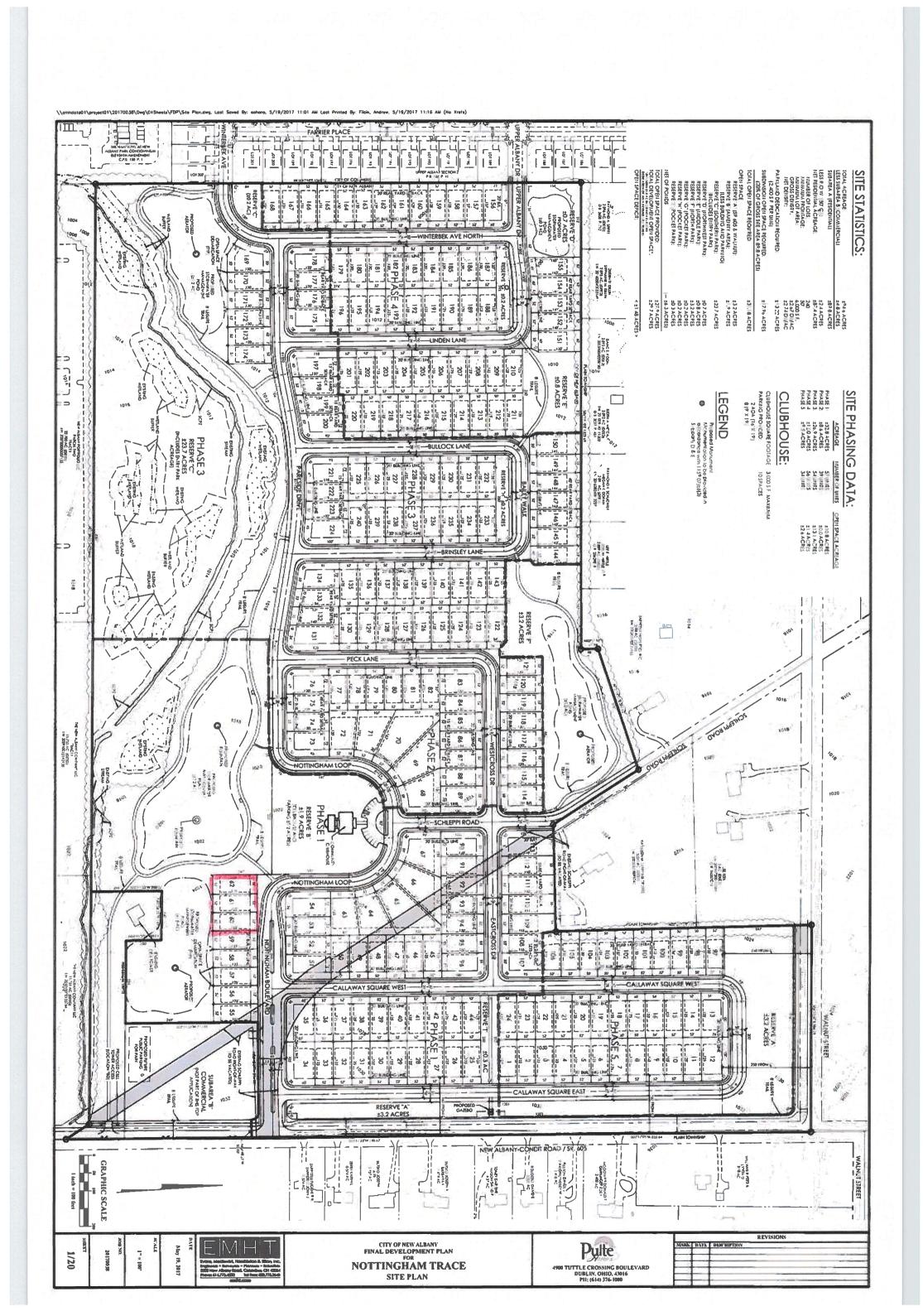
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PLOTTED: March 14, 2018 / Rudolph Sanchez / 1562-MARTIN RAY-CZ-BAS2-COVR.DWC

S-3 SHEETS
S-4 SHEETS
SO-3 SHEETS

Framing Details
Deck Framing Plans

Second Floor Utility Plan / Opt. Ughting Package / 4" Exterior Walls
STRUCTURAL DRAWINGS

Foundation Plans & First Floor Framing

2nd Floor Framing Plans

First Floor Utility Plan / Opt. Ughting Package / 4" Exterior Walls Second Floor Utility Plan / 4" Exterior Walls

First Floor Utility Plan / 4" Exterior Walls

STRUCTURAL DETAILS

SHEET INDEX-

Shee! Description

Zone General Notes

ARCHITECTURAL DETAILS

Building Sections 1 and 2 / Stab Foundation
Elevation HR2B Georgian - Stab / 2 Car Front Entry / Front, Side and Rear
Elevations, Roof Plan and Ventilation Schedule

Second Floor Plan / 4" Exterior Walls

ARCHITECTURAL DRAWINGS

Elevation HR28- Elevation Details

UTILITY DRAWINGS

Martin I Nottingham Trace

1900 GOLF RD. - SUITE 300 - SCH MIDWEST Z

F- PLANS AND	FLEVATION	2
	MUNICIPALITY	ARCHITECT
	(Building Dept.)	PulteGroup 1900 Gotf Rd Suite 300
		Schaumburg, IL 6017 Schaumburg, IL 6017 847-230,5400 www.Putte.com
	STRUCT, ENGINEER	MECH. ENG
ottingham Trace (Lot 6)	Mulhern & Kulp Engineers 20 s. Maple Street Suite 150 Ambles, PA 19002 21s.44.69.01 21s.44.69.01	
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		INE LOADS: WIND SPEED. MPH Sheeping 30 PSF ROOF LIVE LOAD: PSF Non-Sheeping 40 PSF STAW LOAD: PSF EXT, DECKS & STAIRS 40 PSF LATERAL LOAD: PGF DEAD LOAD: 10 PSF OHRER.	DESIGN LOADS and CRITERIA		•

NOTE: SCALES NOTED ON DRAWINGS RELATE TO FULL SIZE PLOTS ON 22,54 SHEETS - 11,17 SHEETS REPRESENT 1/2 SCALE PLOTS MARTIN RAY
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1562
LOTT 6 CZ

Martin Ray Cover Sheet Columbus Division

Midwest Zone Office 1900 Golf Road, Suite 300 Schaumburg, Illinois 60173

Dr. West

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NOTE: SCALES NOTED ON DRAWINGS RELATE TO FULL SIZE PLOTS ON 22-34 SHEETS - IT-17 SHEETS REPRESENT 1/2 SCALE PLOTS

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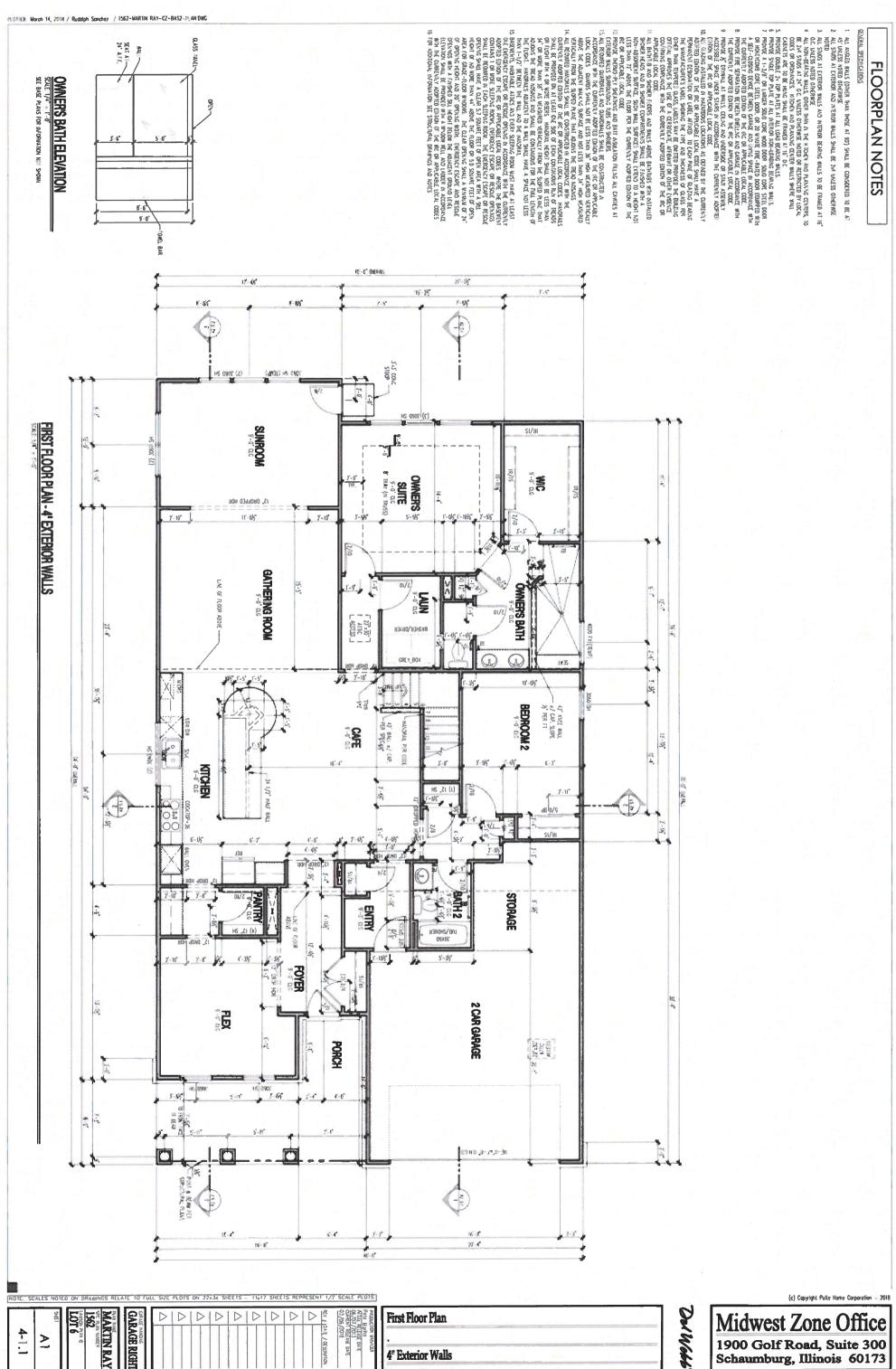
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Martin Ray General Notes Columbus Division

Dal Wash

(c) Copyright Pulte Hame Carporation - 2018

Midwest Zone Office 1900 Golf Road, Suite 300 Schaumburg, Illinois 60173



4" Exterior Walls

Midwest Zone Office 1900 Golf Road, Suite 300 Schaumburg, Illinois 60173

Second Floor Plan

4" Exterior Walls

MARTIN RAY
VC PAR NUREE
1562
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A1 4-2.2 (c) Copylight Pulte Home Corporation - 2018

Midwest Zone Office
1900 Golf Road, Suite 300
Schaumburg, Illinois 60173

NOTE SCALES NOTED ON DRAWINGS RELATE TO FULL SIZE PLOTS ON 22x34 SHEETS 11x17 SHEETS REPRESENT 1/2 SCALE PLOTS

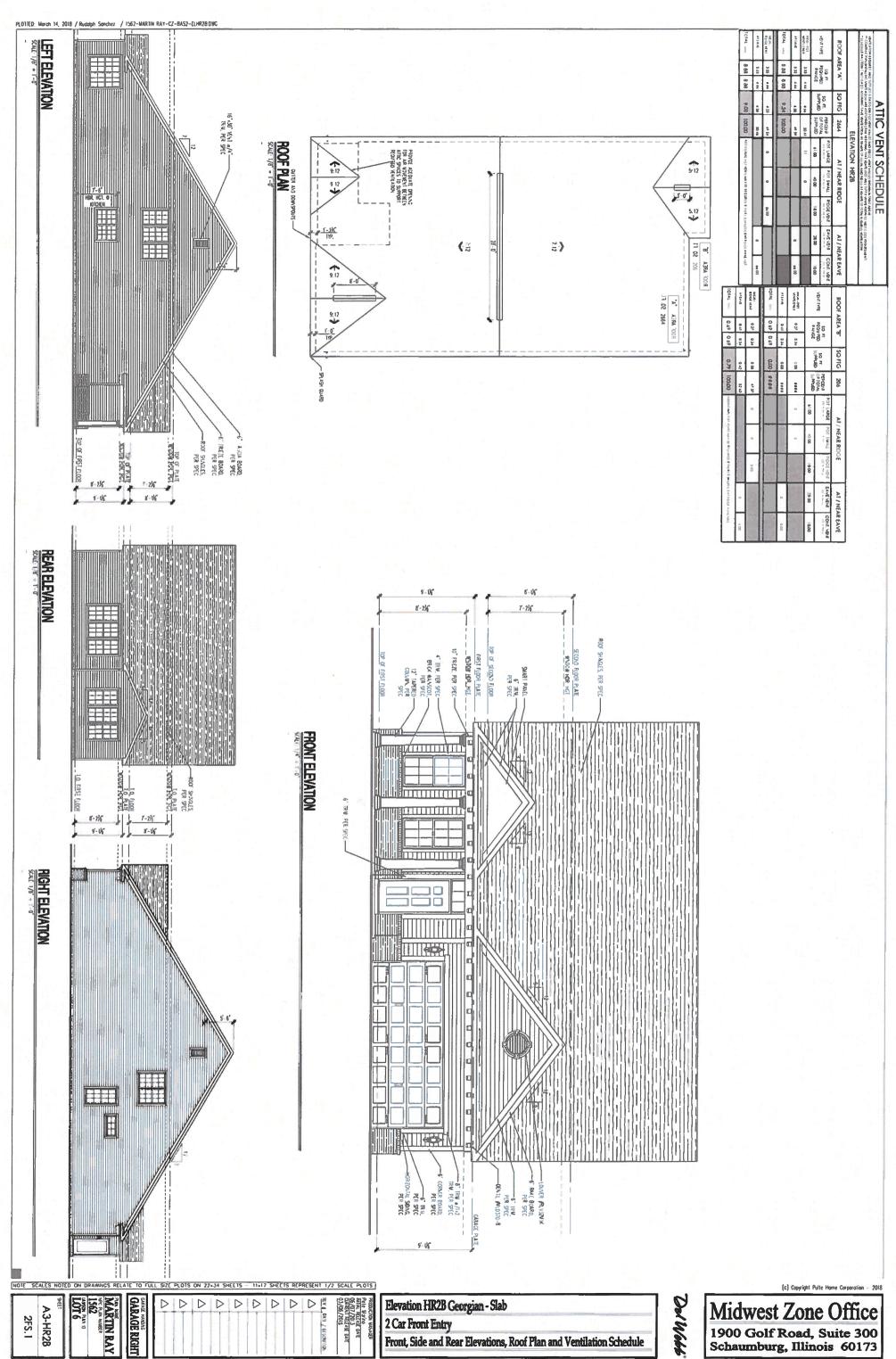
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PORT MOTOR

APTIMENT OF THE CONTROL OF THE CONTROL

Elevation HR2B Georgian - Slab
2 Car Front Entry
Front Elevation, First Floor Plan - Sales Office

(c) Copyright Pulle Home Corporation — 2018



Front, Side and Rear Elevations, Roof Plan and Ventilation Schedule

DelWash

1900 Golf Road, Suite 300 Schaumburg, Illinois 60173