

New Albany Planning Commission Agenda Monday, June 19, 2023 7:00pm

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

- I. Call to order
- II. Roll call
- **III.** Action on minutes: May 15, 2023
- **IV.** Additions or corrections to agenda Administration of the oath to all witnesses/applicants/staff who plan to speak regarding an application on tonight's agenda. "Do you swear to tell the truth and nothing but the truth."

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

VI. Cases:

ZC-07-2023 Rezoning and Preliminary Development Plan

Rezoning of 63.5+/- acres from Agricultural (AG) to Infill-Planned Unit Development (I-PUD) generally located at the northwest corner of the intersection at Central College Road and Jug Street Rd NW for an area to be known as the "Courtyards at Haines Creek Zoning District" (PIDs:222-005156, 222-005157, 222-005158, 222-005159).

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

Motion of Acceptance of staff reports and related documents into the record for ZC-07-2023.

Motion of approval for application ZC-07-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval

VII. Other business

- Drive-thru Menu Board Sign Code Workshop
- VIII. Poll members for comment
- IX. Adjournment



New Albany Planning Commission DRAFT Meeting Minutes

Monday, May 15, 2023

I. Call to order

The New Albany Planning Commission met in regular session on May 15, 2023 in the New Albany Village Hall. Chair Kirby called the meeting to order at 7:05 p.m.

II. Roll call

Those answering roll call:

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

Having all members present, the commission had a quorum to transact business.

Staff members present: Law Director Ben Albrecht; Planner II Chris Christian; Planner Sierra Cratic-Smith; Engineering Manager Cara Denny; Deputy Clerk Christina Madriguera.

III. Action on minutes: May 1, 2023

Chair Kirby asked if there were any additions or correction to the minutes from the May 1, 2023 and noted that he had already mentioned that the staff members present at the meeting were not listed on the minutes.

Commissioner Larsen moved to approve the minutes. Commissioner Briggs seconded the motion.

Upon roll call: Mr. Larsen, yes; Ms. Briggs, yes; Mr. Schell, yes; Mr. Wallace, yes; Mr. Kirby, yes. Having 5 yes votes; 0 no votes; and 0 abstentions, the May 1, 2023 meeting minutes were approved.

IV. Additions or corrections to agenda

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

Planner II Christian answered that one of the restrooms on the first floor was closed and a restroom on the second floor was available if needed.

Planner II Christian also stated that during Other business, he would like to demonstrate the city's new online zoning map.

Chair Kirby administered the oath to all present who wished to address the commission.

Chair Kirby noted that now would be a good time to silence cell phones.

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

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Chair Kirby asked whether there was anyone present who wished to address the commission on a matter not on tonight's agenda.

Hearing no response, Chair Kirby called the first case to the commission's attention.

VI. Cases:

ZC-11-2023 Rezoning

Request to rezone 1.765+/- acres located at 6A Hawksmoor from (I-PUD) Planned Unit Development to (I-PUD) Planned Unit Development for an area known as Hawksmoor North Amended (PIDs: 222-004874-00 and 222-005170-00). Applicant: Rebecca Mott, Plank Law Firm

Planner Cratic-Smith stated that with the commission's approval she would like to provide an overview of ZC-11-2023 and FPL-12-2023 at the same time.

The commission agreed.

Planner Cratic-Smith delivered the staff reports for ZC-11-2023 and FPL-12-2023, which were tabled at the May 1, 2023 commission meeting and involved the same property.

Chair Kirby asked for comments from engineering.

Engineering Manager Denny responded that there were no comments from engineering.

Chair Kirby asked whether the 2500 square foot limit for accessory structures was the foot print or the habitable area.

Planner Cratic-Smith responded that it was the area.

Chair Kirby continued, so if it is a 2-story house, it is limited to 2,500 square feet of heated space.

Planner II Christian answered that he believed that as far as our city code measured, that it would be the foot print and not the area of the entire structure.

Chair Kirby responded that he thought that was the case, particularly considering the size of the houses in Hawksmoor and he wanted to be sure that that was not misconstrued.

Commissioner Wallace asked whether basements were included in the 2,500 square feet.

Planner II Christian answered typically no, it is just the foot print of the home.

Commissioner Wallace asked whether basements were allowed.

Planner II Christian answered yes.

Commissioner Larsen clarified whether it was 2500 square feet per level, and whether a 2-story structure could be 5,000 square feet.

Planner II Christian answered that the 2,500 square foot limitation was measured at grade level, it would not be applied to upper and lower levels. Thus, hypothetically the structure could be 5,000 square feet.

Rebecca Mott, applicant and attorney from Plank Law Firm on behalf of the property owners, responded that the revised standards discussed in the application - the density, the 35-foot height

limit and 2,500 square foot size of the structures, applied to the permitted uses (the detached accessory structures). The standards would not apply to residential dwellings. She noted that no residential dwellings were planned and further that density was limited to one residential dwelling per lot. A residential dwelling on lot 6b would become the primary structure and lot 6b was limited to 3 total structures, which is consistent with code.

Commissioner Schell asked staff whether there had been any response from neighbors.

Planner Cratic-Smith answered that the city had received responses from neighbors indicating that they wanted to be sure that the setbacks were maintained. She indicated that these setbacks maintain the setbacks established in 2021. She further stated that there have not been any issues related to the accessory uses.

Commissioner Briggs then followed by asking Ms. Mott whether she had had any discussions or had gotten feedback from the neighbors or associations.

Ms. Mott responded that she has had in person meetings with neighbors and that she has met with neighbors and with two New Albany Country Club associations. She stated that she needs 2 declarations, 1 to add the new property and the second to replat the existing property. She stated that she anticipates meeting with the Hawskmoor subdivision and master community and her next meeting is scheduled for May 30-31. She added that she has not heard any opposition.

Commissioner Schell responded that he appreciated her addressing the concerns from the last meeting.

Chair Kirby asked for other questions.

Commissioner Larsen stated that he was uncomfortable with an unlimited standard.

Chair Kirby responded that there are lot coverage standards that will control eventually.

Commissioner Larsen followed that he agreed with Commissioner Schell's appreciation of Ms. Mott for addressing the concerns raised by the commission at the May 1st hearing.

Chair Kirby noted that there could be a condition when the commission gets to final plats. The back of lot 6 as it goes back is wall to wall trees and the commission would request that they are retained as development takes place. There are a lot of really nice trees there. Chair Kirby wanted to give the applicant a heads up that other Hawksmoor residents enjoyed the trees and while the commission could not mandate retention, they strongly suggested that the applicant take care of the trees, particularly on the west side. He continued and asked when the tree preservation zone is moved, when new trees would be planted.

Ms. Mott agreed that there are many trees on lot 6A and she stated that the property owners want to preserve as many as is feasible. She noted that moving the tree preservation zone to lot 6A from lots 4 and 5 will give the property owners more flexibility to install a path.

Chair Kirby noted the location of the new tree preservation zone was currently grass and asked when the area would be reforested or when new trees would be planted there.

Ms. Mott responded that there were no current plans to plant trees in the new zone where the grass is, but if trees were to be planted they would be $2\frac{1}{2}$ inch caliper. She further stated that the property owners were prohibited from removing trees but were not required to plant them.

Chair Kirby noted that he was referencing a prior discussion about planting trees in the new tree preservation zone, that there was value in planting immature trees, that he understood that trees took time to grow, and that he was interested in a solution that would not be hideously expensive.

Ms. Mott responded that she had not committed to that but would submit a landscape plan at final development that will include planting trees, and asked whether they should be evergreen.

Chair Kirby responded that there were trees in that area currently including oak, and maple, that are native to Ohio.

Ms. Mott responded that details regarding additional trees will be included in the final development plan.

Chair Kirby stated that his objective was to mitigate any shock or surprises at final development.

Commissioner Wallace asked Law Director Albrecht what the commission's standard of review should be, and whether it should be Codified Ordinance Chapter 1159.08 as stated on page 2 of the staff report.

Law Director Albrecht answered that yes, that was the standard of review.

Chair Kirby stated that for I-PUD the active zoning is the preliminary.

Law Director Albrecht responded yes.

Commissioner Wallace asked whether the commission would see a final development plan.

Ms. Mott responded yes.

Commissioner Wallace stated that it was difficult to tell from the pictures what trees were there now, he noted that he had driven past the property prior to the hearing on May 1st, and asked what trees were there now.

Ms. Mott responded that there were not as many as on the west side but she did not know the numbers; she continued that home was located on lot 5 and the pool would be on lot 4.

Chair Wallace continued that the point he was getting at was that any trees in the current tree protection zone screen the properties to the north. He further stated that, notwithstanding prior representations that the property owners would like to maintain as many trees as are feasible in that area while installing sidewalks or pathways, he would like some commitment from the property owners that the screening currently provided would be the screening committed to at the northern boundary in some capacity. He continued that Ms. Mott had stated that at present, the property owners had no intention of reforesting the northern boundary and remarked that if he were going to vote on this there should be a commitment to reforesting in order to keep the status quo, whatever that is. He further noted that the status quo was difficult to assess because of the limited photographs supplied with this application to assist in evaluation.

Ms. Mott responded that she would be submitting a landscape plan. She further asked about adding language to the text stating that the current status and quality of the plantings in the current tree protection zone shall be utilized in the tree preservation zone shifted in lot 6b. She continued that she would work with staff on that language.

Chair Kirby then confirmed that she would be agreeable to a final development plan that would include adding screening in the north tree preservation zone.

Ms. Mott responded yes and continued that height and caliper specifications should be included in order to mitigate loss of the new plantings, and that the plantings would be a mix of evergreens and trees native to Ohio. She stated that the concept is agreeable and she would work with staff on the language.

Chair Kirby responded that he would not mandate evergreens, there are not a lot of evergreens there at present. This is an effort to extend the woods that are already there, most of which are deciduous trees. His goal was to minimize surprises when the final development plan is reviewed. He further remarked that the understory would grow during the time that the deciduous trees are becoming established.

Commissioner Wallace noted that this should be added as a condition for this application.

Chair Kirby agreed and responded that the condition would be that the final development plan addresses screening in the north tree preservation zone. He asked if there was anyone from the public that had questions or would like to address the commission.

Ken Vitellas, 4090 Belmont Place. His property is north new preservation area. Mr. Vitellas had 2 questions. First, regarding the new preservation area, he asked whether all the setbacks were all 30 feet.

Planner Cratic-Smith answered yes.

Mr. Vitellas followed by asking what happened to and where was the 50-foot setback for the west corner that was agreed to last year.

Planner Cratic-Smith answered that it still existed basically as he had described.

Mr. Vitellas stated that he appreciated that and he appreciated the discussion surrounding the addition of new trees. He continued that an old house was razed about 1 ½ years ago and following that a 1-foot high and multiple feet long mound of dirt was laid and he was unsure what that was for and that there were pipes protruding from the mound. Now, as a result, it was unclear where the property line was located.

Chair Kirby asked, as a clarifying question, whether the mound changed his drainage.

Mr. Vitellas answered that it did not.

Chair Kirby explained that if it changed his drainage he [Mr. Vitellas] would have immediate recourse. The standard rule is that one property owner is not allowed to change another property owner's drainage.

Planner II Christian responded that he knew that a home was taken down in late 2020 early 2021 due to property maintenance concerns. He acknowledged that Mr. Vitellas had reached out to the city on several occasions. He continued that it is unclear what the long-term plans are for that area. If there are open maintenance concerns with the property, the city will certainly look into them. And he envisioned that development of the subject property would resolve the mound of dirt.

Mr. Vitellas remarked that he was uncertain what the pipes protruding from the mounds were for.

Ms. Mott responded that an alta survey of the adjacent property is underway so the pipes might mark the boundaries of the property. She further noted that at present her clients were not the owners of the property. They were in the process of purchasing the property. She stated that she

would collect Mr. Vitella's contact information and, once purchase of the property was complete, the mounds and property boundaries would be addressed.

Chair Kirby moved to accept the staff reports and related documents into the record for ZC-11-2023. Commissioner Wallace seconded the motion.

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

Upon roll call: Mr. Kirby, yes; Mr. Wallace, yes; Mr. Schell, yes; Ms. Briggs, yes; Mr. Larsen, yes. Having 5 yes votes; 0 no votes; and 0 abstentions, the staff reports and related documents were accepted into the record.

Chair Kirby moved for approval for application ZC-11-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval, and the following additional conditions:

- The final development plan addresses screening in the north preservation zone and replanting.
- The dirt pile is dealt with at or before the final development plan.

Commissioner Wallace seconded the motion.

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

Planner II Christian indicated that staff was clear.

Chair Kirby asked to hear the roll.

Upon roll call: Mr. Kirby, yes; Mr. Wallace, no; Mr. Larsen, yes; Ms. Briggs, yes; Mr. Schell, yes. Having 4 yes votes; 1 no vote; and 0 abstentions; the application was approved.

Commissioner Wallace stated that he voted no because, under the factors in 1159.08, element (d) (that the benefits, improved arrangement and design of the proposed development justify the proposed deviation from standard development requirements in that area), he did not think that this application met that standard. He further could not find that element (f) was met, (that the relationship of buildings and structures to each other and to such other facilities are appropriate). Commissioner Wallace further explained that this application is another example of a situation in the community where somebody is attempting to create a different type of housing environment than was intended for that area. This type of housing is more appropriate for the Farms, or possibly a separate lot like the next case on the agenda. He continued that we only need to look at the recent approval in Ebrington where a pool house is being built on the adjacent lot. Although the landscaping in the front looks very nice, the little pool house on the large adjacent lot does not look very good and is not a good entry point for that part of the community. He suspected that approval of this application would produce a similar situation and that is why he voted no.

FPL-12-2023 Final Plat Modification

Final plat for the re-subdivision of lots 4 and 6A within the Hawksmoor subdivision generally located north of Hawksmoor Drive (PIDs: 222-003482-00, 222-004874-00, and 222-005170-00). Applicant: Rebecca Mott, Plank Law Firm

Chair Kirby moved to accept the staff reports and related documents into the record for FPL-12-2023. Commissioner Schell seconded the motion.

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

Upon roll call: Mr. Kirby, yes; Mr. Schell, yes; Mr. Wallace, yes; Ms. Briggs, yes; Mr. Larsen, yes. Having 5 yes votes; 0 no votes; and 0 abstentions, the documents were accepted into the record.

Commissioner Schell moved for approval for application FPL-12-2023 based on the findings in the staff report with the 3 conditions listed in the staff report, subject to staff approval. Commissioner Larsen seconded the motion.

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

Upon roll call: Mr. Schell, yes; Mr. Larsen, yes; Ms. Briggs, yes; Mr. Wallace, no; Mr. Kirby, yes. Having 4 yes votes; 1 no vote; and 0 abstentions, the application was approved.

Commissioner Wallace stated that his reasons for voting no vote on this application were the same as the reasons for voting no on the prior application.

The commission thanked the applicant and wished her good luck. Chair Kirby particularly recognized the applicant's diligence in completing the homework following the May 1st hearing.

FDP-50-2023 Final Development Plan

Final development plan to allow for construction of a single residential home on 1.654 acres located at 4093 Reynoldsburg-New Albany Road (PID:222-000630). Applicant: Maletz Architecture & Build

Planner Cratic-Smith delivered the staff report

Engineer Denny delivered the engineering report.

Applicant Andrew Maletz spoke on behalf of the application. He stated that he understood that there were additional site-related items that needed to be incorporated into the plan and that he had no objection.

Chair Kirby asked, regarding the auto court, whether someone could explain the difference between rolled-in stone and gravel.

Mr. Maletz explained that he wanted to make the auto court softer in appearance than the asphalt driveway. Gravel was the term used but the material was actually a fine, white stone that would be rolled on site. The stone would be contained on the drive way and there would not be tire track marks.

Commissioner Schell confirmed the location of the auto court and the driveway on the site plan, and confirmed that the driveway would be asphalt and that it was only the auto court that would be rolled-in stone.

Mr. Maletz remarked that he was undergoing a review with the Hawksmoor hoa. The only concern expressed was adequate screening on the south side. There was a recommendation to move the property further to the north, which could be accomplished while still maintaining

required set backs however there is a scattered stand of trees to the north that he would like to preserve. Thus the property might be moved a foot or 2 to the north in order to satisfy the tall screening requirement to the south.

Commissioner Briggs asked, relatedly, whether the homes to the north were Belmont.

Planner Christian answered that that was part of a combined larger lot for a newly constructed home (that was not pictured).

Commissioner Larsen clarified, regarding the building materials, whether the asphalt shingles proposed for use would be architectural grade asphalt shingles.

Mr. Maletz responded that they would be architectural grade shingles with a minimum life of 30-years, typical of what was used in the Country Club Community.

Commissioner Briggs confirmed that this home, technically, would be part of the Hawksmoor subdivision.

Mr. Maletz answered that as he understood it, yes. Although it is a tack-on it is not part of the original Hawksmoor. It would be consistent with Hawskmoor requirements.

Chair Kirby asked whether the city was ok with the white rolled stone.

Planner II Christian answered yes.

Chair Kirby asked for other questions or comments.

Chair Kirby asked whether the applicant had a particular plan for the lot line and how the driveway would be screened.

Mr. Maletz responded that there would probably be a tight row of tall arbor vitae, green giants.

Chair Kirby commented that, as an offer of friendship to the neighbors, the applicant could see whether they would like any of them planted on their property.

Mr. Maletz responded that he has done so and that there have also been discussions about current shrubs and screening.

Chair Kirby asked whether anyone from the public had questions or comments.

Hearing no response, Chair Kirby moved for acceptance of staff reports and related documents into the record for FDP-50-2023. Commissioner Larsen seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing no response, Chair Kirby asked to hear the roll.

Upon roll call: Mr. Kirby, yes; Mr. Larsen, yes; Ms. Briggs, yes; Mr. Schell, yes; Mr. Wallace, yes. Having 5 yes votes; 0 no votes; and 0 abstentions, the documents were accepted into the record.

Commissioner Briggs moved for approval for application FDP-50-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval. Commissioner Schell seconded the motion.

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

Upon roll call: Ms. Briggs, yes; Mr. Schell, yes; Mr. Larsen, yes; Mr. Wallace, yes; Mr. Kirby, yes. Having 5 yes votes; 0 no votes; and 0 abstentions, the application was approved.

The commission thanked the applicant and wished him good luck.

VII. Other business

Planner II Christian provided a demonstration of the the city's new interactive zoning map. The map is searchable by address and shows all of the zoning and relevant text. It also shows a photo of the property and it has links to the auditor's website. He invited the commission to use it and to share it.

Chair Kirby asked whether it is more stable than the auditor's website.

Planner II Christian answered that it was much more stable. He further explained that variances will eventually be linked to corresponding addresses.

VIII. Poll members for comment and adjournment

Chair Kirby polled the members for comment. Hearing no comment from the commission members, Chair Kirby adjourned the meeting at 8:00 p.m.

Submitted by Deputy Clerk Christina Madriguera, Esq.

Appendix

ZC-11-2023 Rezoning Staff report Record of action

FPL-12-2023 Staff report Record of action

FDP-50-2023

Staff report Record of Action



HAWKSMOOR NORTH AMENDMENT I-PUD REZONING APPLICATION

LOCATION: APPLICANT: REQUEST:	6A Hawksmoor Drive (PIDs: 222-003484 and 222-005170) Plank Law LLC c/o Rebecca Mott Request to rezone 1.765+/- acres located at 6A Hawksmoor from (I- PUD) Planned Unit Development to (I-PUD) Planned Unit Development for an area known as Hawksmoor North Amended (PIDs: 222-004874- 00 and 222-005170-00).
ZONING:	Hawksmoor North Amend PUD
STRATEGIC PLAN:	Residential
APPLICATION:	ZC-11-2023

Review based on: Application materials received on April 11 and May 5, 2023 *Staff report prepared by Sierra Cratic-Smith, Planner.*

I. REQUEST AND BACKGROUND

The applicant requests to rezone lot 6A at 1.726+/- acres to Infill Planned Unit Development (I-PUD) from to Infill Planned Unit Development (I-PUD). The purpose of the rezoning is to allow the owners of lot 4 to develop the property with accessory structures while retaining the entitlements to construct a single-family residence in the future.

At their May 1, 2023 meeting, the Planning Commission tabled this application to allow the applicant to address the height, size and number of accessory structures within the PUD rezoning district. The applicant has submitted a revised PUD text that includes the following development standards:

- A new 35' building height limit for accessory structures such as detached garages, outbuildings, sheds, and/or pool house uses and structures (and any other structures similar in nature)
- A new 2,500 square foot (area) maximum size for accessory structures such as detached garages, outbuildings, sheds, and/or pool house uses and structures (and any other structures similar in nature)
- Continues to provide for a maximum density of one (1) primary residential dwelling (existing language), and adds a provision that no more than three (3) total structures on the Property (the 1.726 acres) are permitted, regardless of the structures status as a primary structure/use or accessory structure/use
- Additional language around the concept that the detached garages, outbuildings, sheds, and/or pool house uses and structures (and any other structures similar in nature) will not be used as a single-family dwelling.
- Additional language clarifying the setbacks run with the property (as shown in the zoning exhibit) regardless if this Property is combined with lots 4/5.

In addition, the rezoning continues to allow accessory structure standards to be constructed without a primary structure and to modify the development standards for accessory structures including:

• Increase the setbacks for accessory structures

• Relocates tree preservation zone from lot 4 to this parcel.

A final plat has been submitted on the agenda to relocate the existing tree preservation zone on lot 4 to the north side of this parcel.

In 2020, lot 6 was rezoned to Infill Planned Unit Development (I-PUD) from R-1 and Infill Planned Unit Development (I-PUD). It was approved with development standards that establishes enhanced setbacks and requires the tree preservation zone be relocated to a new location on the north side of the parcel.

II. SITE DESCRIPTION & USE

The property is 1.765 acres in size and located on along the north side of Hawksmoor Drive. The lot is currently undeveloped. It is located west of Reynoldsburg-New Albany Road and south of Belmont Place. The immediate neighboring zoning districts include the Hawksmoor I-PUD zoning district located south of and encompassing some portions of the district, Section 5 of the New Albany County Club and other residentially zoned and used properties to the east, west and north of this site.

III. PLAN REVIEW

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

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

<u>Per Codified Ordinance Chapter 1159.08</u> the basis for approval of a Preliminary Development Plan in an I-PUD shall be:

- (a) That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Zoning Code;
- (b) That the proposed development is in general conformity with the Strategic Plan or portion thereof as it may apply;
- (c) That the proposed development advances the general welfare of the Municipality;
- (d) That the benefits, improved arrangement and design of the proposed development justify the deviation from standard development requirements included in the Zoning Ordinance;
- (e) Various types of land or building proposed in the project;
- (f) Where applicable, the relationship of buildings and structures to each other and to such other facilities as are appropriate with regard to land area; proposed density of dwelling units may not violate any contractual agreement contained in any utility contract then in effect;
- (g) Traffic and circulation systems within the proposed project as well as its appropriateness to existing facilities in the surrounding area;
- (h) Building heights of all structures with regard to their visual impact on adjacent facilities;
- (i) Front, side and rear yard definitions and uses where they occur at the development periphery;
- (i) Gross commercial building area;
- (k) Area ratios and designation of the land surfaces to which they apply;
- (1) Spaces between buildings and open areas;
- (m) Width of streets in the project;
- (n) Setbacks from streets;
- (o) Off-street parking and loading standards;

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- (p) The order in which development will likely proceed in complex, multi-use, multi-phase developments;
- (q) The potential impact of the proposed plan on the student population of the local school district(s);
- (r) The Ohio Environmental Protection Agency's 401 permit, and/or isolated wetland permit (if required);
- (s) The U.S. Army Corps of Engineers 404 permit, or nationwide permit (if required).

A. New Albany Strategic Plan

The 2020 New Albany Strategic Plan lists the following development standards for the Neighborhood Residential District:

- 1. Houses should front onto public open spaces and not back onto public parks or roads.
- 2. Rear and side loaded garages are encouraged. When a garage faces the street, the front façade of the garage must be setback from the front façade of the house.
- 3. Streets should have five-foot wide sidewalks on both sides of the street, other than in locations approved for eight-foot leisure trails.
- 4. Cul-de-sacs are discouraged in all developments and a multiplicity of connections should be made.
- 5. All or adequate amounts of open space and parkland is strongly encouraged to be provided on-site.
- 6. A hierarchy of open spaces is encouraged. Each development should have at least one open space located near the center of development. Typically, neighborhood parks range from a half acre to 5 acres. Multiple greens may be necessary in large developments to provide centrally located greens.
- 7. Private streets are at odds with many of the community's planning principals, such as interconnectivity, a hierarchy of street typologies, and a connected community. Therefore, the streets within residential developments should be public.

B. Use, Site and Layout

- 1. The zoning district currently contains two residentially zoned parcels, the further west parcel in an "L" shape which is undeveloped and one east of Hawksmoor North which is undeveloped.
- 2. The applicant uses the existing Hawksmoor North zoning district development standards to create the proposed text. Due to the proposed I-PUD zoning classification the applicant must return to the Planning Commission for review and approval of a final development plan application for all primary and accessory structures.
- 3. The proposed rezoning modifies the development standards of accessory structures as a primary use of the lot and exempts the property from codified ordinance chapter 1165.04(a)(7) which states accessory structures cannot be constructed before a primary residential dwelling unit. The purpose of this exemption is to provide additional buildable space to construct more amenities for the owner(s) of lot 4.
- 4. One, future residential dwelling unit is still addressed within the text. This residential home is a potential future use and the property is required to be replatted before construction to ensure there is one home per lot.
- 5. The text retains the 50-foot minimum building setback from a line extending southward from the western-facing façade of the garage that exists on an adjacent parcel to the north. The proposed I-PUD text allows for accessory structures to have a 10 foot setback from the western property line when the building themselves are oriented to the west. The city staff recommends a condition of approval to requires accessory structures have the same 50 foot building setback if and when they are oriented to the west.
- 6. The I-PUD text establishes larger setbacks for accessory structures when there isn't a single home on the property. <u>The proposed setback standards for accessory structures are compared in Appendix A at the end of the staff report.</u>
- 7. The I-PUD text continues to provide for a maximum density of one (1) primary residential dwelling (existing language), and adds a provision that no more than three (3) total structures on the Property (the 1.726 acres) are permitted, regardless of the

structures status as a primary structure/use or accessory structure/use. This appears to be appropriate since it is the same number of structures that city code allows (primary dwelling plus two detached structures).

- 8. .
- 9. The I-PUD text states there be a maximum square footage of 2,500 square feet for accessory structures and residential buildings. The size doesn't appear to be out of character within the general area. Historically variances have been approved that allows for a 2,560 square foot accessory structure within the New Albany Farms subdivision and a 2,083 square foot accessory structure next door at 7 Hawksmoor.
- 10. The text adds a new 50-foot setback to the eastern boundary line of lot 6B and west of Reynoldsburg-New Albany Road.

C. Access, Loading, Parking

- 1. Parking will be provided per code requirements (Chapter 1167) and will be evaluated at the time of development of the site.
- 2. According to the text, the driveway will be connected to Hawksmoor Drive.
- 3. There is an existing sidewalk along Hawksmoor Drive and a leisure trail along 605 therefore there are no additional pedestrian connectivity requirements in the text or are required by the city's codified ordinances.

D. Architectural Standards

- 1. Due to the site being zoned I-PUD, the applicant must return to the Planning Commission for review and approval of a final development plan where final architectural details, in addition to other items will be reviewed in detail.
- 2. The text retains the maximum 45-foot building height for the primary residential home found in the existing Hawksmoor zoning text. A new 35 feet building height limit for accessory structures such as detached garages, outbuildings, sheds, and/or pool house uses and structures (and any other structures similar in nature) is proposed. This appears appropriate since it ensures a primary residential home is taller in height than accessory structures.
- 3. The text retains the development standards in the Hawksmoor North I-PUD and allows for homes to be oriented towards the south or west.
- 4. The proposed text permits the front façade of accessory structures to be oriented towards the western property line or towards the front of the property (Hawksmoor Drive) as well.
- 5. The proposed text retains and applies all the architectural standards for the design, materials and style from the Hawksmoor North rezoning text to accessory structures in addition to single family homes.

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

- 1. In order to prevent conflicting code requirements and establish a comprehensive planned redevelopment: the drainage easement, no build zone, and tree preservation zone north of lot 4 will be moved to the north of lot 6A. Therefore, about 5,976.30 +/- square feet of drainage easement, no build zone, and tree preservation zone will be located at the rear of the existing Hawksmoor parcel.
- 2. The text also retains the 20-foot wide tree preservation zone along a portion of the western boundary line of the western parcel.

F. Lighting and Utilities

- 1. The proposed text retains the lighting provisions of the existing Hawksmoor zoning text.
- 2. All new utilities are required to be installed underground which is consistent with the existing Hawksmoor zoning text.

IV. ENGINEERING'S COMMENTS

There are no engineering comments.

V. SUMMARY

PC 23 0515 Hawksmoor North Amendment Rezoning ZC-11-2023

The city codified ordinances define "accessory structure" as a subordinate structure or surface, located on the same lot as a principal building/structure, which is incidental to the use of the principal building/structure. The applicant has submitted a plat modification application that will combine lots 4 and 6A so there will be a principle dwelling unit (house) on the property with the larger accessory structures so the use will still be incidental to the use of the single family residence on lot 4.

Even though the proposed PUD text allows for larger and a greater quantity of accessory structures than the city code allows, there are also enhanced setbacks and buffers from neighboring properties to the north. The accessory structures cannot encroach with the tree preservation zones and must follow the same setbacks as the principle dwelling unit (house) thereby increasing the setbacks. Additionally, due to the shape of lot 6A being a flag lot, the larger accessory structures will likely be positioned behind the existing home so they will be less visible from the public streets and will appear subordinate since they are appropriately located to the rear of the principle dwelling unit. The accessory structures have enhanced architectural requirements since they must be designed in the same manner as principle dwelling units. There are large accessory structures constructed in the general area and the smallest house within the Hawksmoor subdivision is over 5,000 square feet. The new size maximum and building heights allows for a cohesive design while still preventing any accessory structures from disrupting the typical building hierarchy.

The PUD text requires a final development plan must be submitted for review and approval by the Planning Commission prior to the construction of any principle dwelling unit or accessory structures. This secondary review requires neighbor notification and the Planning Commission can ensure the design it is appropriate. The Hawksmoor subdivision is community consisting of large lots with large estate homes so having large buildings, used for accessory uses, does not appear to be out of character for this immediate area.

VI. ACTION

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

Move to recommend approval of application ZC-11-2023 based on the findings in the staff report with the following conditions, subject to staff approval.

1. There is a 50 foot building setback from the western property line when any primary or accessory structure's façade (the uses listed in Section II(B)) is facing west.

Approximate Site Location:



Quanaty Lot Coverage	Height	Size (Area/Sq Footage)	S etbacks		
1 Fer lot 20% of the parcel	45 feet ³	No Maximum	 South': 40 feet West': 10 or 50 feet (based on orientation) North': 20 feet East': 10 and 50 feet 	Principle Dwelling (dwelling)	
20% of the parcel	35 feet ³	2,500	 40 feet from Hawksmoor Dr. 10 feet from west if building facing west, east or north Northeast': 20 feet except shared boundary with PID 2222-001872 Northw est': 50 feet extending southward from 2222-001872 South': 20 feet East': 50 feet 	Detached Structures without a dwelling	
20% of the parcel	35 feet ³	2,500	• 10 feet from any rear lot line ²	Recreational Amenities without a dwelling	Proposed
20% of the parcel	کے feet	2,500	 10 feet from primary structure Side lot line: 10 feet from Rear lot line: 30 feet ⁵ 	Detached Structures with a dwelling	
ى 20% of the parcel	15 feet ⁵	2,500	• 10 feet from any side or rear lot line ⁵	Recreational Amenities with a dwelling	
∠ max 20% of the parcel	25 feet max	For lots between one (1) acre and two (2) acres, a structure may have an area up to one thousand two hundred 1,200 square feet,	 10 feet from primary structure Side lot line: 10 feet R ear lot line: 30 feet 	Detached Structures CO 1165(a)	Typical Co.
Utilimited 20% of the parcel	15 feet max	 No minimum or maximum² 	 Front lot line: 14 feet Side lot line: 5 feet 	Recreational Amenities CO 1165(b)	Typical Code Standards

<u>Appendix A</u>

¹ Hawksmoor North Amended PUD section III per (B)(3)(b)
 ² Hawksmoor North Amended PUD section III per (B)(5)
 ³ Hawksmoor North Amended PUD section III per (D)(1)

⁴ Hawksmoor North Amended PUD section III per (A)
 ⁵ City Codified Ordinance Chapter 1165 since PUD is silent in this scenario.

* This chart does not include the tree preservation zones.

<u>Appendix B</u>

Lot Number	Lot Size	Sq Foot Franklin Co
1 Hawksmoor	0.55 acre	5,529
2 Hawksmoor	0.37 acre	undeveloped
3 Hawksmoor	0.36 acre	5211
4 Hawksmoor	0.73 acre	5946
6 Hawksmoor	1.141 acre	undeveloped
7 Hawksmoor	2.98 acre	5147
8 Hawksmoor	3.29 acre	13,414
10 Hawksmoor	3.91 acre	10,790
11 Hawksmoor	1.62 acre	6,546
12 Hawksmoor	1.20 acre	9,777
15 Kensington	1.54 acre	6,211
16 Kensington	0.75 acre	undeveloped
17 Hawksmoor	0.45 acre	5,627
18 Hawksmoor	0.55 acre	undeveloped

Source: Franklin County's Auditor Website

Previous Variance Requests

					Variances Requested				
Number	Address	Type of Structure	Lot Area	Building footprint	Area	Location	Height of Garage	Number of Variances	Other
V-5-2017	7779 Lambton Park Road	Garage	31,363 sf (.72 ac)	3,364 sf	844 sf		23 ft +/-	1	Size
V-4-2017	4104 Harlem	Garage	40,075 sf (.92 ac)	1,554 sf	1,200 sf			1	Size
V-95-2016	5055 Johnstown Road	Garage	114,998 sf (5.28 ac)	2,423 sf	1,200 sf			1	Size
V-78-2016	15 Highgrove	Garage	116,305 sf (2.67 ac)	4,525 sf	1,040 sf		37 ft +/-	Total of 3	Size, number, materials
V-77-2016	7290 Waterston	Garage	14,810 sf (.34 ac)	2,376 sf	306 sf	Closer to Primary (7'-10')	15 ft +/-	1	Distance to primary
V-1-2012	7240 Waterston	Garage	13,503 sf (.31 ac)	2,163 sf	544 sf	In Front of Primary	20 ft 6 in	1	Location (in front of primary building)
V-18-2011	7203 Waterston	Garage	57,499 sf (1.32 ac)	2,504 sf	848 sf		29 ft	Total of 2	Size and height
V-13-2015	10 New Albany Farms Road	Garage	343,252 sf (7.88 ac)	4,748 sf	2,560 sf		27 ft 3 in	Total of 2	Size and height
V-63-2014	6958 Lambton Park	Garage	283,662 sf (6.512 ac)	4,130 sf	1,295 sf		29 ft	Total of 4	Size, height, design
V-17-2011	3915 RNA	Garage	107,026 sf (2.457 ac)	3,459 sf		In Front of Primary		Total of 2	Building new home behind existing barn
V-24-2015	7228 Greensward Drive	Garage	28,749 sf (.66 ac)	3,896 sf	1,040 sf		26 ft 3 in	Total of 3	Size, height and setback
V-82-2015	10 New Albany Farms Road	Garage	343,252 sf (7.88 ac)	4,748 sf	1,144 sf			Total of 2	Size and number
V-11-2011	7117 Lambton Park Road	Pool House				Closer to Primary		1	
V-3-2016	7363 Milton Court	Pool House	104,108 sf (2.39 ac)	2,949 sf	350 sf	In Front of Primary Closer to Primary Required—38' Requested—18'	19 ft 5 in	Total of 3	Height and location
V-13-2011	6057 Johnstown Road	Accessory Structure	60,984 sf (1.4 ac)	2,307 sf	1566 sf	Closer to Primary Required—55' Requested—22'	27 ft 8 in	Total of 2	Height and location
V-95-2015	1 Highgrove	Storage Building	58,806 sf (1.35 ac)	3,484 sf		Closer to Primary Required—55' Requested—26'	27 ft 5 in	Total of 2	Location and setback
V-68-2018	7435 Steeplechase Lane	Pergola	14,374 sf (.33 ac)	1,881 sf	256 sf	Rear yard		1	Size
V-12-2018	6917 Lambton Park	Pergola	51,836 sf (1.19 ac)	3,433 sf	320			2	Size and Material (metal)
V-7-2018	7096 Armscote End	Pergola	15,681 sf (.36 ac)	2,111 sf		Side Yard		2	Distance and Size

									Size and Material
V-34-2018	7269 Talanth Place	Pergola	10,890 sf (.25 ac)	3,433 sf	320 sf			2	(metal)
									Size, setbacks,
V-93-2016	4561 Neiswander	Pergola	21,780 sf (.50 sc)	1708 sf	252 sf			4	materials (metal)
V-10-11	7755 Arboretum	Fireplace/Patio	19,602 sf (.45 ac)	2,410 sf				2	Rear yard setback
V-4-11	25 Ealy Crossing	Open Sided Structure	23,958 sf (.55 ac)	1,857 sf	325 sf	In Front of Primary		2	Size and location
V-1-2013	7625 Skarlocken Green	Patio	14,374 sf (.33 ac)	1,779 sf		Front Yard Setback		1	Setback
V-24-2015	7228 Greensward Drive	Pavilion	28,749 sf (.66 ac)	3,896 sf		Closer to Primary	19 ft	2	Height and setback
V-160-2013	16 New Albany Farms Road	Pergola	182,255 sf (4.184 ac)	4,563 sf	480 sf			1	

Permit #	
Board	
Mtg. Date	



Community Development Planning Application

1	Site Address <u>1.141+/- acres known as Lot 6a of Hawksmoor and 0.585 acres on Reynoldsburg-New Albany</u> Rd.							
	Parcel Numbers 222-004874-00 and 222-005170-00 (Re-Zoning)							
	Acres <u>1.726 +/-</u> # of lots created After Re-Plat - One Lot to be Created							
		(*including Lots 4-5, see below)						
	Choose Application Type Circle all Details that Apply							
Project Information	 Certificate of Appropriateness Conditional Use Development Plan XaPlat Lot Changes Minor Commercial Subdivision Vacation 	Preliminary Preliminary Combination Easement	Final Final Split	Comprehensive Adjustment	Amendment			
et		Easement		Street				
Projec	□□ Variance □□Extension Request X又oning	Amendment (re	ezoning)	Text Modification				
	Description of Request: Re-zoning of the Property, mentioned above, to modify the existing zoning text to expand the Permitted Uses section, but retaining the existing zoning district of I-PUD. Also, a re-plat application to expand Lot 6a in Hawksmoor, to add property that is not in Hawksmoor, and make the additional property a part of Lot 6a of Hawksmoor in keeping with the spirit and intent of the origin							
	re-zoning of the Property, under the I-I application). *In addition, the re-plat							
Contacts	application). *In addition, the re-plat will include Lots 4-5 of Hawksmoor that Applicant owns. Property Owner's Name: Jeffrey H. Peters Address: 1988 Woodlands Place City, State, Zip: Powell, Ohio 43065 Phone number: Attn: Nicklaus Reis, Attorney - 614.464.5409 Fax:							
nts	Applicant's Name: Rebecca	I Mott Attorne	v for Andrey	w and Lisa Rumpke				
ů	Address: Plank Law Firm, LF							
	City, State, Zip: <u>Columbus, Ohio</u>		in oucer, i i					
	Phone number: <u>614-947-8600</u> Fax: <u>614-228-1790</u>							
Sec.	Email: <u>rjm@planklaw.com</u>							
Signature	Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.							
01	Signature of Owner			Date	e:			
	Signature of Applicant	meer G	Mot	t, a Home Date	e: 02/17/2023			
		/		. 0				

99 West Main Street • P.O. Box 188 • New Albany, Ohio 43054 • Phone 614.939.2254 • Fax 614.939.2234



Community Development Planning Application

	Site Address <u>1.141+/- acres known as</u>			.585 acres on Reynold	lsburg-New Albany Rd.				
	Parcel Numbers 222-004874-00 and 2 Acres 1.726 +/-	# of lots created After Re-Plat - One Lot to be Created							
	Acres	# of lots created (*including Lots 4-5, see below)							
1.4	Choose Application Type Circle all Details that Apply								
Project Information	 Appeal Certificate of Appropriateness Conditional Use Development Plan APlat Lot Changes Minor Commercial Subdivision Vacation Variance Extension Request XZoning 	Preliminary Preliminary Combination Easement Amendment (r	Final Final Split	Comprehensive Adjustment Street Text Modification	Amendment				
	to expand the Permitted Uses section, H Also, a re-plat application to expand L make the additional property a part of re-zoning of the Property, under the I- application). *In addition, the re-plat Property Owner's Name: Jeffrey	out retaining the e ot 6a in Hawksmo Lot 6a of Hawks PUD zoning that	xisting zon oor, to add <u>j</u> noor in kee was approv	property that is not in ping with the spirit an yed in 2020 (See mater	Hawksmoor, and d intent of the original rials attached to this				
Contacts	Address: <u>1988 Woodlands Place</u> City, State, Zip: <u>Powell, Ohio 4306</u> Phone number: <u>Attn: Nicklaus Rei</u> Email: <u>jhpeters5@gmail.com; r</u>	is, Attorney - 614 1jreis@vorys.com		Fax:					
Cor	Applicant's Name:RebeccaAddress:Plank Law Firm, LCity, State, Zip:Columbus, OhioPhone number:614-947-8600Email:rjm@planklaw.com	PA, 411 East Toy		ew and Lisa Rumpke loor 2 Fax: <u>614-22</u>	8-1790				
Signature	Site visits to the property by City of N The Owner/Applicant, as signed below employees and appointed and elected described in this application. I certify true, correct and complete.	v, hereby authoriz officials to visit, p	es Village	of New Albany repres and post a notice on the	ter $\frac{1}{2}$ ter $\frac{1}{2}$				

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HAWKSMOOR NORTH AMENDED (1.726 +/- Acres)

INFILL PLANNED UNIT DEVELOPMENT (I-PUD) TEXT

March 27, 2023

I. Introduction and Summary:

The real property that is the subject of this zoning text consists of 1.726 +/- acres configured in an "L" shape with frontage on Hawksmoor Drive. The southwestern portion of the real property consists of Lot 6a of the Hawksmoor subdivision (1.141 +/- acres), while the balance of the property (0.585 +/- acres) northeast of Lot 6a consists of a separate parcel of vacant land extending toward, but not to, Reynoldsburg-New Albany Road (collectively, referred to as "Property"), and as more particularly described in the legal description provided with this re-zoning application. The intent of this amended zoning text is to re-zone the Property (which was also known as the "western parcel" containing 1.72 +/- acres in the original zoning text, as amended). For the avoidance of all doubt, this zoning text and the re-zoning application do not include the real property currently known as Lots 4 and 5 of Hawksmoor, and commonly known as Franklin County Auditor Tax Parcel Id. No.: 222-003483-00 ("Lots 4 and 5"), which Lots 4 and 5 are subject to the separate I-PUD zoning text, approved on the date of April 20, 2004, by the City of New Albany (the "City") by Ordinance O-02-2004. Any use and area variances obtained for Lots 4 and 5 subsequent to that rezoning shall remain and shall be valid binding and run with the land until re-zoned.

II. <u>Permitted Uses</u>: Permitted uses in this zoning district will include:

A. The permitted uses contained in the Codified Ordinances of the City of New Albany, R-1 Single-Family Residential District, Section1131.02, and the accessory uses contained in Section 1131.03. At the request of the City, it should be noted that, if the Applicant, Applicant's successors and assigns, or any third party buyer, desires to construct a residential dwelling unit or home on the Property in the future, then the Applicant, or Applicant's successors and assigns, or any third party buyer, certaing two or more lots (since the original platted Lot 4 of Hawksmoor already contains a residential dwelling unit or home, and Lots 4 and 5 and this Property will become one platted lot in Hawksmoor under the re-plat application filed concurrently with this re-zoning application). No conditional uses will apply to this Property.

B. Detached garages, outbuildings, sheds, and/or pool house uses and structures (and any other structures similar in nature), including patio and paved areas, without a residential dwelling unit or home located on the Property. A primary residential dwelling unit or home shall not be required to be constructed on the Property. If no residential dwelling unit or home is located on the Property, and, if any one (1) or more of structures referenced under this Section II(B) are constructed on the Property, then said structures shall be deemed primary and principal uses and structures for all purposes hereunder and under the Codified Ordinances. If at any time, that a residential dwelling

Hawksmoor North Amended I-PUD Page 1 of 9 unit or home is located (or a structure referenced above in this Section II(B) is constructed, contains living quarters, and is used in such a manner to provide a primary residential dwelling unit for a single family) on the Property as permitted under Section II(A) above, then, any existing (or future constructed) structures as referenced and permitted under this Section II(B) located on (or to be located on) the Property shall be automatically deemed accessory uses and structures for all purposes under the Codified Ordinances; provided, however, the preceding sentence does not operate to impair in any way or manner the lot development standards that applied to any existing structures (provided those structures conformed to any and all of the lot development standards that applied, as set forth below in Section III herein, including, but not limited to, density, setbacks, height, square footage, and architectural standards, when those structures were actually constructed as principal and primary uses and structures).

III. <u>Development Standards</u>

The development standards set forth hereunder in this Section III apply to the Property (and not Lots 4 and 5), even if the Property is re-platted and combined with Lots 4 and 5 as one (1) platted lot within Hawksmoor, as it is the specific intention and desire by this re-zoning application and this zoning text that two (2) distinct and different zoning districts and two (2) I-PUD zoning texts (including, but not limited to, development standards) shall apply to (i) the Property (under this zoning text), and (ii) Lots 4 and 5 (under the zoning text approved as part of Ordinance O-02-2004). Unless otherwise specified in the submitted drawings or in this written zoning text, the development standards of Part Eleven of the Codified Ordinances of the City shall apply to the Property. In the event that any development standard which is set forth in this zoning text shall govern. When this zoning text is silent as to a particular development standard, then the development standard contained in the Codified Ordinances shall govern.

A. <u>Density</u>: There shall be a maximum of one (1) residential dwelling unit or home (or any structure with living quarters and used as a primary residential dwelling unit for a single family) permitted on the Property, if applicable. There shall be a maximum of three (3) total "structures" permitted on the Property. For purposes of this zoning text and as used in the preceding sentence, "structures" shall mean inclusive of (i) a residential dwelling and any of its accessory structures, and (ii) any and all detached garages, outbuildings, sheds, and/or pool house uses and structures (and any other structures similar in nature) that may be constructed on the Property without the construction of a residential dwelling unit on the Property. There shall be no maximum number of detached garages, outbuildings, sheds, and/or pool house uses and structures similar in nature), including patio and paved areas in the event that the permitted uses contained in Section II(B) (and listed immediately above) are constructed on the Property without the construction of a residential dwelling unit.

B. <u>Setbacks and Lot Commitments</u>:

1. <u>Street Frontages</u>: The Property shall have a minimum of 120 feet of frontage on Hawksmoor North Amended I-PUD Page 2 of 9 Hawksmoor Drive.

2. <u>Home Orientation</u>: The Property shall be developed with any of the Permitted Uses contained herein. If the Property is ever constructed with a residential dwelling unit or a home, it shall be oriented in one of two ways: With its front façade oriented toward Hawksmoor Drive in a similar manner as existing homes located to the east on the same street, or alternatively, with its front façade oriented to the west, provided that the latter circumstance (of front façade orientation) shall be permitted only if the residential dwelling unit or home is located to the north of the shared property line between the Property and Lots 4-5.

3. <u>Property Setbacks</u>: The following setback requirements shall apply to (i) any residential dwelling unit or home, and (ii) any and all detached garages, outbuildings, sheds, and/or pool house structures and any other structures similar in nature that are constructed without a residential dwelling unit or home on the Property, except as otherwise provided:

a. <u>Southern Property Line</u>: The minimum building setback shall be 40 feet as measured from the right-of-way of Hawksmoor Drive.

b. <u>Western Property Line</u>: There shall be a minimum building setback of 10 feet from the western boundary of the Property in the circumstance where any residential dwelling unit or home constructed on the Property is oriented to face Hawksmoor Drive, subject to any larger setbacks resulting from the tree preservation areas (addressed later in this zoning text). There shall be a minimum building setback of 10 feet from the western boundary of the Property in the circumstance where the front façade of any detached garages, outbuildings, sheds, and/or pool house structures and any other structures similar in nature that are located on the Property (without a residential dwelling unit or home being constructed) are oriented to face the west, oriented to face the east, or oriented to face Hawksmoor Drive, as the case may be, subject to any larger setbacks resulting from the tree preservation areas. However, there shall be a minimum building setback of 50 feet from the western boundary of the Property in the circumstance where any residential dwelling unit or home being tree preservation areas. However, there shall be a minimum building setback of 50 feet from the western boundary of the Property in the circumstance where any residential dwelling unit or home constructed on the Property is oriented to face the west.

c. <u>Northern and Southern Property Lines</u>: There shall be a minimum building setback of 20 feet for any structure constructed from each of the northern and southern boundaries of the Property, except that along the shared boundary line between the Property and the adjacent parcel to the north (Franklin County Auditor Tax Parcel Id. No.: 222-001872-00), there shall be a 50-foot minimum building separation from a line extending southward from the western-facing façade of the garage that exists on said adjacent parcel to the north (Franklin County Auditor Tax Parcel Id. No.: 222-001872-00) to and any structures constructed on the Property on the date of this text.

d. <u>Eastern Property Line</u>: There shall be a minimum building setback of 10 feet from the property line of Franklin County Auditor Tax Parcel Id. No.: 222-003482-00 and a minimum building setback of 50 feet from the property line of Franklin County Auditor Tax Parcel Id. No.: 222-000630-00.

Hawksmoor North Amended I-PUD Page 3 of 9 4. <u>Other Setbacks</u>: Setbacks for (i) a permitted residential dwelling unit or home (with or without accessory structures), and (ii) permitted detached garages, outbuildings, sheds, and/or pool house uses and structures (and any other structures similar in nature) that are constructed without a residential dwelling unit, in both events under (i) or (ii) as contemplated by Sections II(A) or (B) herein for Permitted Uses, shall be as stated in Section III(B)(3) hereinabove, unless there is no such standard provided, and then, the setback standard that shall apply shall be as required and stated in accordance with applicable provisions of the Codified Ordinances.

5. <u>Property Area (Square Footage) Requirements</u>: There shall be no minimum or maximum area or square footage requirements for a residential dwelling unit or home as permitted in Section II(A) <u>herein</u>; provided, however, there shall be a maximum area or square footage requirement of two thousand, five hundred square feet (2,500 s.f.) for any of those <u>-and</u> the structures that are constructed or uses as permitted contemplated under Section II(B) herein.

C. <u>Access, Parking and Traffic-Related Commitments</u>:

1. <u>Parking</u>: A garage attached to each primary residential dwelling unit or home, if applicable, shall be provided with a minimum of two vehicular parking spaces.

2. <u>Vehicular Access</u>: The primary vehicular access to and from the Property shall be provided using a driveway connecting to Hawksmoor Drive.

3. <u>Pedestrian Access</u>: An existing sidewalk is located along the Property frontage on Hawksmoor Drive. No additional pedestrian access improvements shall be required along the street.

4. <u>Public Street Rights-of-Way; Street Improvements</u>: No additional street rights-ofway shall be required to be dedicated to the City as it relates to this Property. No street improvements shall be required as a result of the development of the Property.

D. <u>Architectural Standards</u>:

1. <u>Maximum building heights</u>: The maximum building height for <u>any the permitted</u> principal and primary residential dwelling unit or home <u>shall be forty-five (45) feet as</u> <u>measured per the Codified Ordinances</u>. The maximum building height for <u>any the permitted</u> principal and primary structures, including detached garages, outbuildings, sheds, and/or pool house uses and structures (and any other structures similar in nature) <u>that are constructed without a residential dwelling unit or home</u> shall be <u>thirtyforty-five (345) feet</u> as measured per the Codified Ordinances.

2. <u>Exterior Materials</u>:

a. <u>Wall finish materials</u>: Brick, stone, wood siding, and composite siding

Hawksmoor North Amended I-PUD Page 4 of 9 materials (HardiHardie-plank, its equivalent, or of higher quality) shall be permitted as primary exterior façade materials.___Exterior wall finish materials must be used to complete massing elements. The application of brick to a single building facade is prohibited.

b. <u>Brick</u>: Brick shall be of a "handmade appearance". Traditional brick detailing is required, such as, but not limited to, traditional bonds, water table caps, sills, jack arches, segmental arches, and soldier courses.

c. <u>Siding</u>: Siding shall be cedar shiplap wood siding or composite material with a natural appearance. Wood or composite siding shall have brick chimneys and brick plinths to the height of the water table.

d. <u>Roof</u>: Pitched roofs shall be required to have a minimum 6:12 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 but must integrate strong cornice lines. Roofs may be of natural slate, wood shake or wood shingle, metal standing seam, or an architectural grade fiberglass asphalt shingle.

e. <u>Windows</u>: Windows shall be of traditional themes. Simulated or true divided lite windows shall be required.

f. <u>Shutters</u>: Where used, shutters shall be sized to cover the adjacent window and appear operable. Shutters shall be mounted on appropriate shutter hardware (hinges and shutter dogs).

g. <u>Gutters and downspouts</u>: Traditional half round gutters and/or ogee gutters with downspouts shall be used.

h. <u>Skylights</u>: Skylights in the roof shall be permitted. Cupolas, dormers, lanterns, belvederes, or window bays shall be permitted, provided they are consistent with the architectural theme.

i. <u>Design Approval</u>: The design of a residential dwelling unit or home and any permitted primary or principal structures shall be reviewed as part of a final development plan. Architectural designs for any residential dwelling unit or home and any permitted primary or principal structures shall meet the requirements of this text, unless a deviation or variance therefrom is expressly requested and approved as part of a final development plan. It is anticipated that, due to the nature of the proposed homes as "estate homes" and related primary or principal structures as custom, architectural designs may continue to evolve beyond the date of final development plan approval, and the property owner should be afforded flexibility in this regard in the same manner as would apply to a home being constructed in the City in a subdivision with numerous homes. To this end, architecture approved as part of a final development plan may be modified after the approval of final development plan without further review by the Planning Commission

> Hawksmoor North Amended I-PUD Page 5 of 9

and with the approval of City staff if (a) the modifications are permitted under the City's Design Guidelines and Requirements or by a variance granted therefrom which has been previously approved by the Planning Commission, (b) do not otherwise cause the need for a variance from this text or other relevant provisions of the Codified Ordinances, and (c) will not cause a substantial deviation from the massing or design of the home or other structure when compared to that which was approved by the Planning Commission. The intent is not to provide an overly stringent design review procedure in this zoning district when compared to homes in other areas of the City, but rather to provide the Planning Commission with oversight over major components of design while leaving more minor components to the review and approval of City staff in the same manner as other homes in the City.

3. <u>Vehicular and Pedestrian Standards</u>:

a. <u>Garages</u>:

i. <u>Garage Doors (Vehicular)</u>: Individual bay doors are required; double wide garage doors are prohibited. The width of garage doors shall not exceed nine (9) feet. All garage doors shall be solid paneled. No glazing shall be permitted on garage doors unless they are consistent with the architectural theme.

ii. <u>Garage Doors (Pedestrian)</u>: All pedestrian garage doors shall be solid paneled.

b. <u>Driveways and Entry Courts</u>: Driveways shall be made of a durable material. Appropriate materials are brick, dark color concrete pavers, asphalt with controlled edges, and rolled-in stone topping. Concrete driveways are prohibited where visible from off-site.

4. <u>Screened Porches</u>: Screened porches are permitted on the rear or side of the residential dwelling unit or home or any primary or principal structure. Detailing shall be traditional wood with a break in screening at rail height. Columns or full height vertical wood members shall be at least 6" x 6". All screened porch trim shall be painted. Roof lines of screened porches shall conform to the architectural style of the home or any primary or principal structure for which it appertains, and blend into the massing of the residential dwelling unit or home or any primary or principal structure.

5. <u>Service Areas</u>: Air conditioners/heat pumps, garbage cans and carts, irrigation controllers, pumps, generators, and meters which are visible from any point outside of the Property shall be entirely enclosed by a privacy wall, a fence, and/or landscaping that is a minimum of four (4) feet high.

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

a. All swimming pools/spas shall be located to meet the minimum building setback requirements on the Property and shall be completely enclosed and adequately screened from adjoining properties in accordance with the City's Codified Ordinances. Screening and enclosure of swimming pools/spas may be accomplished by installing and maintaining fencing that terminates at a structure so that the combination of fencing and walls of structures provides for complete enclosure of the pool or spa. For purposes of clarification, the foregoing provision is intended to allow complete enclosure of a pool/spa using a combination of fencing and structure walls and is not intended to allow for any gaps between fencing and walls that are large enough to allow a person to enter and exit the pool/spa area through such a gap and the requirements of Codified Ordinances Chapter 1173 must still be met.

b. All swimming pools/spas shall be in-ground construction. The swimming pool/spa equipment shall be within the enclosure and completely screened from adjoining properties.

c. Spas may be constructed provided that they shall be flush with the top of the paving. Spas shall be completely screened from off-site view by fencing or landscaping.

7. <u>Storage:</u>

a. <u>Equipment Storage</u>: Storage of all maintenance equipment shall be within garages or permitted storage structures or screened from off-site view. Such items should not be visible from streets and adjacent lots or developments.

b. <u>Vehicle Storage</u>: All campers, off-road vehicles, and boats must be parked within an enclosed garage. No inoperable vehicles or parts of vehicles may be stored outside.

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

1. <u>Tree Preservation Zone:</u>

a. Within tree preservation areas, no structures or pavement shall be permitted, and healthy mature trees shall be preserved unless they present a danger to persons or property or are of a noxious or invasive species. A 30-footwide tree preservation area/no build zone/drainage easement exists pursuant to the Hawksmoor plat [(as it also relates to Lots 4-5), as modified by the Re-Subdivision of Lot 6 (to Lot 6a), which is further modified by the re-plat for Lots 4-5 and the Property (filed concurrently with this re-zoning application for the Property)], and as it relates to the Property, is generally, as shown along the northern most property line totaling 342.36 +/- linear feet. This tree preservation area/no build zone/drainage easement shall remain, as shown on the concurrently filed replat.

Hawksmoor North Amended I-PUD Page 7 of 9 b. In addition, a 20-foot wide tree preservation zone was created along a portion of the western boundary line of the Property by the re-zoning and preliminary development plan approved in 2020. This 20-foot wide tree preservation zone will remain, as it exists, along a portion of the western boundary line of the Property, as shown on the accompanying vicinity map and the concurrently filed re-plat.

c. For the avoidance of all doubt, the 30-foot wide modified tree preservation area/no build zone/drainage easement, as shown on the re-plat (which includes former Lots 4-5) concurrently filed with this re-zoning application for the Property shall supersede and replace the tree preservation area/no build zone/drainage easement, as shown on the preliminary development plan approved as part of the I-PUD zoning text for Hawksmoor, approved on the date of April 20, 2004, by Ordinance O-02-2004, as it relates to and affects Lots 4-5. This zoning text for the Property, as defined herein, and the re-plat (the re-plat involving the Property and Lots 4-5) concurrently filed with this re-zoning application, together, shall control the modified tree preservation area.

2. <u>Street Trees</u>: Street trees exist within the rights-of-way of Hawksmoor Drive just outside of the boundaries of this zoning district. These trees shall remain, and no additional street tree plantings shall be required in these locations. Any street trees which are damaged by construction traffic serving this zoning district shall be replaced by the property owner at its expense.

3. <u>Fencing and Walls</u>:

a. <u>Temporary Fencing</u>: Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line. All temporary fences must be removed prior to the issuance of a certificate of occupancy.

b. <u>Hawksmoor Drive</u>: The landscaping hedge that exists along the zoning district's frontage on Hawksmoor Drive shall remain, except that limited portions may be removed to install a driveway and decorative brick piers on each side of the driveway, so as to be consistent with similar features for other parcels on Hawksmoor Drive.

F. <u>Miscellaneous Commitments</u>:

1. <u>Prohibited Storage Buildings</u>: Pre-fabricated storage buildings are prohibited.

2. <u>Sport and Recreational Equipment</u>: Basketball backboards and supports, swing sets and other children's play facilities shall be permitted, provided they are screened from adjoining properties.

3. <u>Utilities</u>: All proposed utilities shall be placed underground. Utility easement locations and widths shall be determined in the final development plan.

4. <u>Lighting</u>: Lighting shall be permitted in accordance with the requirements of the Codified Ordinances. One yard light shall be required to be located in the portion of the yard near Hawksmoor Drive to the east of the driveway providing access to and from this street, with a location, size, color, and fixtures which are consistent with those located on other lots within the Hawksmoor subdivision. The yard light shall have a photocell light sensor.

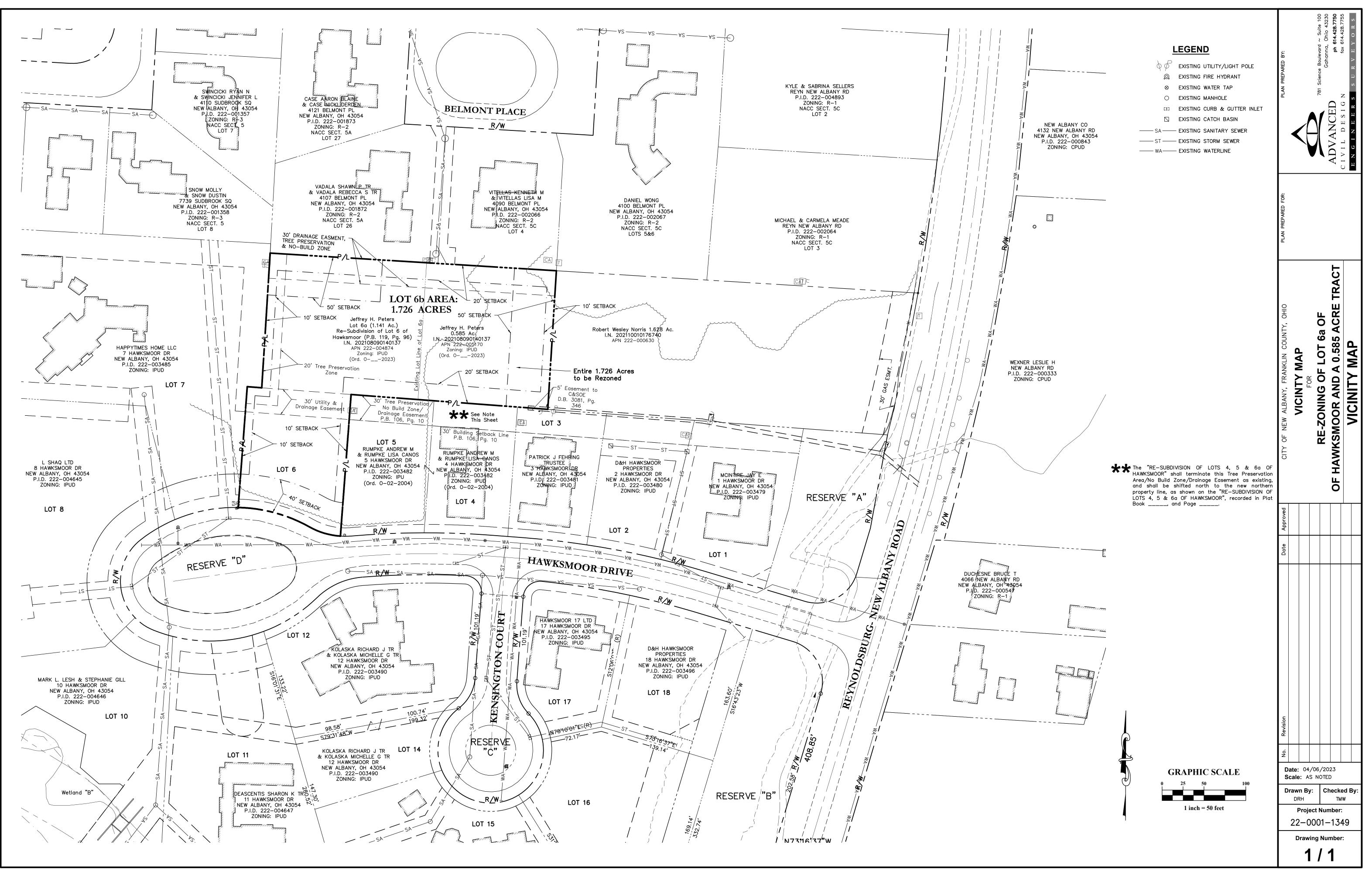
5. <u>Garbage Cans</u>: All garbage cans and other waste containers shall be kept in a garage, within buildings, or within other screened areas so that they cannot be viewed from off-site.

6. <u>Stormwater Structures Within the Drainage Easement Areas</u>: Above grade structures, dams, or other obstructions to the flow of stormwater runoff are permitted within the drainage easement areas, as delineated on the re-plat, with the approval of the City Engineer.

G. <u>Variances and Appeals</u>:

1. <u>Nature of Variance</u>: On this Property, extraordinary circumstances may exist making a strict enforcement of the applicable development standards of this I-PUD zoning 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.

2. <u>Variance and Appeals Process</u>: The procedures and requirements of Chapter 1113, Appeal and Variances, of the Codified Ordinances of the City shall be followed in cases of appeals. Requests for variances shall be heard by the Planning Commission.



LEGAL DESCRIPTION

File No.: 1905973

NEW LEGAL TO BE PROVIDED BY OHIO REGISTERED SURVEYOR, AND TO BE PART OF THE FOLLOWING.

Situated in the State of Ohio, County of Franklin, City of New Albany, Quarter Townships 3 and 4, Township 2, Range 16, United States Military Lands, being a 1.726 acre tract of land and being part of the remainder of the Original 3.153 acre tract of land conveyed to D&H Hawksmoor Properties Ltd. Of record in Instrument Number 201412310173119, being all of Lot 6A as numbered and delineated upon the plat "Resubdivision of Lot 6 of Hawksmoor" of record in Plat Book 119, Page 95, comprised of a 0.669 acre portion of said Original 3.153 acre tract conveyed to D&H Hawksmoor Properties Ltd. of record in Instrument Number 201412310173119 and Lot 6 as numbered and delineated upon the plat "Hawksmoor" of record in Plat Book 106. Page 10 as conveyed to D&H Hawksmoor Properties Ltd. Of record in Instrument Number 201212310201283, said 1.726 acres being more particularly described as follows:

Beginning for Reference at a pk nail found at a point in a curve at the current southeasterly corner of said remainder tract of Original 3.153 acre tract, being the southwesterly corner of a 0.234 acre tract, of land described as Parcel No. 40WD and conveyed to the Franklin County Commissioners of record in Official Record 4245E18, being the northwesterly corner of a 0.577 acre tract of land described as Parcel No. 35WD and conveyed to the Franklin County Commissioners of record 4547F04, being the northeasterly corner of Reserve "A" as numbered and delineated upon said "Hawksmoor" plat and being in the westerly right of way line of Reynoldsburg-New Albany Road;

Thence N 85° 41' 30" W, along the southerly line of said Original 3.153 acre tract and along a northerly line of said "Hawksmoor" plat, 406.70' feet to an iron pin set in the northerly line of Lot 3 as numbered and delineated upon said "Hawksmoor" plat (passing an iron pipe found at 100.4'), the True Point of Beginning;

Thence N 85° 41' 30" W. continuing along the southerly line of said Original 3.153 acre tract, along the southerly line of said "Re-subdivision" plat and along the northerly line of said "Hawksmoor" plat, 235.48 feet to an iron pipe found with a plastic cap inscribed "Advanced 7661" being in the southerly line of Lot 6A, being the southeasterly corner of said "Re-subdivision plat and at the northwesterly corner of Lot 5 as numbered and delineated upon said "Hawksmoor" plat (passing an iron pipe found with a plastic cap inscribed "Advanced 7661" at 154.8');

Thence S 04° 18 ' 30" W, along the easterly line of said Lot 6A of said "Re-Subdivision" plat and along the westerly line of said Lot 5, 169.56 feet to an iron pin found in a curve with a plastic cap inscribed "Advanced 7661" at a southeasterly corner of said Lot 6A of said "Re-Subdivision" plat, the southwesterly corner of said Lot 5 and being in the northerly right of way line of Hawksmoor Drive (R/W-50) as dedicated on said "Hawksmoor" plat;

Thence along the southerly lines of said Lot 6A of said "Re-Subdivision" plat and along said northerly right of way line, the following two (2) courses;

with a curve to the right, having a central angle of 25° 25' 10" and a radius of 87.00 feet, an arc length of 38.60 feet, a chord bearing and chord distance of N 73° 27' 41" W, 38.28 feet to an iron pipe found with a plastic cap inscribed "Advanced 7661" at a point of reverse curvature;

with a curve to the left, having a central angle of 27° 58' 56" and a radius of 183.00 feet, an arc length of 89.37 feet, a chord bearing and chord distance of N 74° 44' 34" W, 88.49 feet to a ³/₄-inch iron pipe found at the southwesterly corner of said Lot 6A of said "Re-Subdivision" plat and being the southeasterly corner of Lot 7 as numbered and delineated upon said "Hawksmoor" plat;

Thence along the common lines of said Lot 6A said "Re-Subdivision" plat and said Lot 7, the following two (2) courses;

N 04° 18' 30" E, 144.64 feet to a ³/₄-inch iron pipe found at a common corner thereof;

S 85° 41' 30" E, 17.38 feet to a ³/₄-inch iron pipe found at a southeasterly corner of said Lot 7, to a southwesterly corner of Lot 6A tract and a northwesterly corner of said "Re-Subdivision" plat;

Thence N 03° 33' 00" E, along the westerly line of said Lot 6A and along the easterly line of said Lot 7, 161.11 feet to an iron pin set at the northwesterly corner of said Lot 6A of said "Re-Subdivision" plat and being the southwesterly corner of Lot 26 as numbered and delineated upon "The New Albany Country Club Section 5A" of record in Plat Book 84, Page 63;

Thence S 86° 28' 00" E, along the northerly line of said Lot 6A of said "Re-Subdivision" plat, along the southerly line of said Lot 26 and along the southerly line of Lot 4 as numbered and delineated upon "The New Albany Country Club Section 5C" of record in Plat Book 87, Page 34, 342.36 feet to a ¾-inch iron pin found at the southeasterly corner of said Lot 4 and the southwesterly corner of Lot 5 as numbered and delineated upon said "Section 5C" plat (passing an iron pipe found with a plastic cap inscribed "Advanced 7661" at 187.6');

Thence S 03° 33' 00" W, across said Original 3.153 acre tract, 165.75 feet to the True Point of Beginning. Containing 1.726 acres, more or less of which 1.141 acres being out of APN: 222-004874 and 0.585 being out of APN: 222-000630. Subject to all legal restrictions and/or rights of ways.

The above description was prepared by Advanced Civil Design Inc. on June 4, 2021 and is based on existing Franklin County Auditor's records and Franklin County Recorder's records and information obtained from an actual field survey conducted in November of 2020.

All iron pins set are 5/8" diameter rebar, 30" long with a plastic cap inscribed "Advanced 7661".

The basis of bearings used for this exhibit are based on the NAD83 Ohio State Plane Coordinate System South Zone (NSRS 2007) which determines the bearing for the centerline of Kensington Court to be N04° 18' 30" E.

All references used in the description can be found at the Recorder's Office, Franklin County, Ohio.

Parcels Nos. 222-004874-00 and 222-005170-00

Project Narrative for Re-Zoning Application

[This Project Narrative is Submitted to Address Items as Outlined in Section 1111.03 of the Zoning Code for the City of New Albany as Re-Zoning Application Submittal Requirements]

The real property subject to this application for a re-zoning to the I-PUD zoning district, which is the existing zoning district for the real property, is to modify the zoning text (set of zoning regulations approved for the real property) to add to, and modify, the Permitted Uses section is comprised of the following parcels of land: (i) The real property containing 1.141 +/- acres, located at 6 Hawksmoor Drive, New Albany, Ohio 43054, depicted as Re-subdivision of Lot 6 of Hawksmoor, commonly known as Franklin County Auditor Tax Parcel Id. No.: 222-004874-00 ("Lot 6a") and (ii) the real property containing 0.585 +/- acres, located at Reynoldsburg-New Albany Road, New Albany, Ohio 43054, commonly known as Franklin County Auditor Tax Parcel Id. No.: 222-005170-00 ("Lots 35-36") (collectively, the 1.726 +/- acres of real property is defined as the "Property").

The Property, with the inclusion of Lots 4-5 of Hawksmoor, is also subject to the filing of a re-plat application, filed on the same date herewith, of Lot 6a of Hawksmoor to incorporate and include the entirety of the Property (and Lots 4-5) within the Hawksmoor subdivision. In addition, the Applicant and Applicant's legal counsel are working with the Hawksmoor subdivision lot owners and HOA to include this additional 0.585 +/- acres into Hawksmoor as a new Lot 6a (as the 1.141 +/- acres is already known as Lot 6a of Hawksmoor). This re-plat may create a new Lot number.

Applicant currently owns Lot 4 and Lot 5 within the Hawksmoor Subdivision, and Applicant desires to purchase this Property to create a continuation of the custom "estate home" and real property, as a family compound, and as contemplated by the original zoning text for Hawksmoor and the zoning text for the Western Parcel and the Eastern Parcel (with the Western Parcel, now, known as the Property and subject of the re-zoning application). The changes to the re-zoning to modify the zoning text to expand upon the Permitted Uses is to permit – just on this new Lot 6a of Hawksmoor – the construction of the types of structures outlined below.

This item, and the narrative above, addresses Sections 1111.03(c), (d), and (g) of the Zoning Code: (The proposed re-zoning will not affect any neighboring property owners in any material or substantial way, as the Property is already fully zoned to the I-PUD zoning district, last revised under Ordinance No.: 0-01-2021, and Applicant is retaining that same zoning classification. Applicant will fully comply with all standards, limitations, conditions, and restrictions concerning the Property, including but not limited to, exterior building materials and architectural styles and features, landscaping, and buffer areas, as detailed in the zoning text (as existing), except to add a provision for the following Permitted Uses, as listed below. [Note: Applicant and Applicant's legal counsel are committed to discussing and working with any and all neighboring property owners – whether those neighboring property owners are a part of Hawksmoor subdivision or own residences and real property north of the Property.]

- Detached garages, outbuildings, sheds, and/or pool house (and any other structures similar in nature) uses and structures that are accessory and incidental to a primary residential dwelling unit, whether the primary residential dwelling unit is located on the Property or on adjacent Property owned by Applicant, or Applicant's successor and assigns. A primary residential dwelling unit shall not be required to be constructed on the Property, so long as Applicant, or their successors and assigns, own adjacent real property that contains a primary residential dwelling unit. The detached garages, outbuildings, sheds, and/or pool house structures (and any other structures similar in nature) shall be deemed Principal and Primary Uses and Structures on the Property for all purposes of the zoning text and the Codified Ordinances of the City of New Albany.

Under the requirements of Section 1111.03(e), a vicinity map has been provided for the Property to be re-zoned.

Under the requirements of Section 1111.03(f), an affidavit and buffer report spreadsheet has been submitted with the re-zoning application listing all property owners within two hundred (200) feet of the Property.

This statement is given, as required under Section 1111.03(h) of the Zoning Code: There will be no impact on the school district, as there will be no plans to construct a primary residential dwelling unit on the Property as the primary residence of a person, persons, or family.

Applicant's newer configuration of Lot 6a (to include Lots 4-5), as a part of Hawksmoor, will be subject to any and all deed restrictions, easements, covenants, and encumbrances that are recorded and are currently a part of the land records of the Franklin County Recorder's Office. This item address requirements listed under Section 1111.03(i) of the Zoning Code.

In addition, Lot 6a, as expanded to include the 0.585 +/- acres that is currently not a part of Hawksmoor subdivision, may require an amendment to the current Declarations for Hawksmoor subdivision and any master declarations that bind the existing Lot 6a to add the additional real property (or the expansion property) to the Hawksmoor subdivision. Applicant and Applicant's legal counsel shall assess this matter and separately prepare any necessary instruments and work with the Hawksmoor lot owners and HOA to accomplish this addition, if required and necessary. Seller and Seller's legal counsel agree with this approach.

There shall be no material, measurable impacts to any governmental services or delivery of those services (sanitary sewer, electricity, water, natural gas, fire responders, access, USPS) or to any traffic generation, as the traffic impact study or access study would have been completed with the original re-zoning of the Property to the I-PUD zoning district if any such traffic study was required at that time for this 1.726 +/- acres (the Property) which was subject to the formerly approved re-zoning application and this re-zoning application. The access to the Property, to be re-zoned, will be from current Lot 6a to and from Hawksmoor Drive. The access to Lots 4-5 (although not subject to the re-zoning application) will require no change to existing access to those lots. There shall be no change visible or material measurable to any neighboring property owner or to the delivery of governmental services.

Per 1159.07(2)(j) Verification that an application, if required, has been submitted to the Ohio Environmental Protection Agency in compliance with Section 401 of the Clean Water Act in which anyone who wishes to discharge, dredge or fill material into waters of the United States must obtain a Water Quality Certification Permit from the Ohio Environmental Protection Agency. In the case of an isolated wetland either a general state or individual state isolated wetland permit must be obtained from the Ohio Environmental Protection Agency (Sections 6111.021 – 6111.024 of House Bill 231). Applicant states this is not applicable during this re-platting or re-zoning process because we have no construction drawings, and there has been no engineering performed on the Property, at this time. This will be determined at a future time when the Applicant conducts engineering review and submits for construction drawings approval and building permit application. However, Applicant will comply with any and all governmental rules, regulations, and laws affecting construction on, and development of, the Property.

Per 1159.07(2)(k) Verification that an application, if required, has been submitted to the U.S. Army Corps of Engineers in compliance with Section 404 of the Clean Water Act in which anyone who wishes to discharge, dredge, or fill material into waters of the United States must obtain either a nationwide or individual permit from the U.S. Army Corps of Engineers. *Applicant states this is not applicable during this re-platting or re-zoning process because we have no construction drawings, and there has been no engineering performed on the Property, at this time. This will be determined at a future time when the Applicant conducts engineering review and submits for construction drawings approval and building permit application. However, Applicant will comply with any and all governmental rules, regulations, and laws affecting construction on, and development of, the Property.*

The Applicant does not have a phasing or development schedule at this time.

Sections 1111.03(a) and (b) of the Zoning Code have been satisfied by the submittal of materials (including application form and zoning text) in the original application, as filed, and as part of the revised set of materials, including the re-zoning text and application form, as submitted with the re-zoning application, original and as revised.



Community Development Department

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

Dear Rebecca J Mott, Plank Law Firm LLC,

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

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

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

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

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, May 16, 2023

The New Albany Planning Commission took the following action on 05/15/2023 .

Zoning Amendment

Location: 6 HAWKSMOOR DR Applicant: Rebecca J Mott, Plank Law Firm LLC,

Application: PLZC20230011

 Request: To rezone 1.765+/- acres located at 6A Hawksmoor from (I-PUD) Planned Unit Development to (I-PUD) Planned Unit Development for an area known as Hawksmoor North Amended (PIDs: 222-004874-00 and 222-005170-00)
 Motion: To approve ZC20230011

Commission Vote: Motion Approval with Conditions, 4-1

Result: Zoning Amendment, PLZC20230011 was Approval with Conditions, by a vote of 4-1.

Recorded in the Official Journal this May 16, 2023

Condition(s) of Approval:

- 1. There is a 50 foot building setback from the western property line when any primary or accessory structure's façade (the uses listed in Section II(B)) is facing west.
- 2. When a final development plan is reviewed, the addition of trees and landscaping will be included for the new tree preservation zone.
- 3. The tree preservation zone must be staked and the mound along the northern property, 4090 Belmont Place, must be removed before the final development plan is reviewed.

Staff Certification:

Sierra Cratic-Smith

Sierra Cratic-Smith Planner



RESUBDIVISION OF LOTS 4 & 6A WITHIN THE HAWKSMOOR SUBDIVISION FINAL PLAT APPLICATION

LOCATION:	4 & 6A Hawksmoor Drive (PID: 222-004874, 222-005170 and 222-003482)
APPLICANT:	Plank Law LLC, Rebecca Mott
REQUEST:	Final Plat
ZONING:	Hawksmoor North I-PUD and Hawksmoor I-PUD
STRATEGIC PLAN:	Residential
APPLICATION:	FPL-12-2023

Review based on: Application materials received on April 11, 2023 and May 5, 2023

Staff report prepared by Sierra Cratic-Smith, Planner.

I. REQUEST AND BACKGROUND

The applicant requests review of a final plat for the resubdivision of lots 4 and 6 within the Hawksmoor subdivision, generally located along the north side of Hawksmoor Drive. In 2015, lot 6 was re-platted to add a 0.699-acre portion of the existing Fulton Parcel to lot 6 making it 1.141 acres (now known as lot 6A in the Hawksmoor North PUD). The applicant proposes to:

- Combine lots 4 and 6A into a single parcel.
- Relocate the tree preservation zone and easements on lot 4 to the northern boundary of lot 6.

At their May 1, 2023 meeting, the Planning Commission tabled this application to allow the applicant to revise the rezoning application that is associated with this property. There are no revisions to this final plat application since the May 1, 2023 hearing.

A similar application was heard in 2015 for the expansion of lot 6 in Hawksmoor from 0.442 acres to 1.141 acres. Another related application was heard in 2020 as part of a rezoning to create the Hawksmoor North PUD to adjust the parcel boundaries to create equal sized lots and establish the same zoning development standards found in the existing Hawksmoor (I-PUD) zoning text. In addition, a variance application was heard in 2022 to allow a pool to be located in the side yard. It was approved by planning commission with conditions such as combining lot 4 and 5 of Hawksmoor to ensure setbacks were met.

II. SITE DESCRIPTION & USE

Lot 6A is 1.765 acres in size and located on along the north side of Hawksmoor Drive and is currently undeveloped. Lot 4 is 0.73 acres and located within the Hawksmoor subdivision and contains a single-family home.

The Hawksmoor subdivision is located west of Reynoldsburg-New Albany Road and consists of 17 single family lots. The immediate neighboring zoning districts include the Hawksmoor I-PUD zoning district located south of and encompassing some portions of the district, Section 5 of the New Albany County Club and other residentially zoned and used properties to the east, west and north of this site.

III. EVALUATION

Planning Commission's review authority of the final plat is found under C.O. Section 1187. Upon review of the final plat the Commission is to make recommendation to City Council. 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 <u>underlined text</u>.

- 1. The approval of this final plat will increase the size of one lot that and allow more accessory structures built on the lot 6A property since lot 4 is developed with a home. There is a reduction in the number of lots, but the zoning permits the lot to be split again in the future for a single-family home.
- 2. The Planning Commission and city council established building setbacks and tree preservation zones adjacent to the properties to the north of this site. The applicant is retaining and keeping all previous front setback and tree preservation commitments, and applying the commitments to the new platted area. Other modifications to rear yard setbacks are evaluated as part of a rezoning application on tonight's agenda.
- 3. The zoning runs with the property. Therefore, this proposed 2.456-acre parcel will be zoned Hawksmoor North Amended I-PUD and Hawksmoor I-PUD. The setbacks are set by the zoning district.
- 4. The existing lot 4 has a 30-foot drainage easement, no build zone, and tree preservation zone along the rear and it will be removed/vacated. The new parcel area from the Fulton parcel is proposed to have a similar 30-foot-wide tree preservation, drainage easement, no build zone, and setback line. The plat keeps and expands the tree preservation zone on the northern property line. It has the same note and restrictions that exist today.
 - A note on the plat states, Tree preservation zone/No Build Zone/ Drainage Easement to read: "Within those areas designated hereon as "tree preservation/no build zone", no accessory buildings, fences, walks, steps or improvements of any kind shall be constructed with the exception of seeding and limited grading to allow proper drainage in order to preserve trees. No tree shall be removed without the approval of the City Manager or their designee. Dead plant material, and noxious plant material such as poison ivy and trees may be removed. This zone shall be maintained by the owners of the lot."
- 5. <u>As required by previous plats, staff recommends a note is added to the plat requiring that tree preservation zone markers are to be installed at the edge of the tree preservation zone. These markers will help to delineate the edge of this zone and avoid additional encroachment. The design of the markers will be provided by the applicant and must be approved by the city. Preservation zone markers are installed on site prior to the issuance of a building permit. The plat notes and locations are submitted and subject to staff approval.</u>
- 6. A tree survey was submitted in 2015 as part of the application for previous plat for lot 6.
 - The survey showed the proposed tree preservation zone on lot 6A has approximately 16 trees that are 6 inches DBH or larger. There are four ash trees, two in fair condition, and ten in good condition.
 - The survey only includes a portion of lot 4. There are at least eight trees that are 6 inches DBH or larger. There are two poor, two fair, and four good trees.
- 7. The existing tree preservation zone on lot 4 is 5,976.30 +/- square feet. The proposed new tree preservation zone is 6,221+/- square feet.
- 8. <u>The tree survey shows there are a substantial number of mature trees in the western</u> portion of the newly proposed tree preservation zone. The city staff recommends requiring the applicant to supplement the tree preservation with additional trees in the eastern portion to re-establish vegetation.
- 9. The previous application for Lot 6 in 2014 submitted an environmental statement letter indicating there are no wetlands or other environmental conditions that would require permits from the OEPA or US Army Corps of Engineers.
- 10. The plat appears to follow the zoning text's development standards. The zoning text allows a maximum of 17 lots. The applicant is proposing to increase the size of one

parcel for a total of 15 lots within the Hawksmoor North Amended and Hawksmoor zoning districts.

11. There are no reserves or open space areas being modified.

IV. ENGINEERING COMMENTS

The city engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1187.06 and provided the following comment(s):

- 1. The applicant provide written letters from private utility companies (e.g., gas, electric, telecommunications, etc.) identifying what utilities have been installed in the 30' utility and drainage easement and if it is acceptable to construct driveways through this area.
- 2. In accordance with code section 1187.06 section (c)(1) and (c)(2), that the applicant provide evidence that OEPA and ACOE permits are not required to allow construction within the expanded Lot 6 area with a building permit.
- 3. The applicant have the area to be re-platted reviewed by the Franklin County Engineer's office and a summary of the County Engineer review comments and the applicant's comment responses be provided for the city engineer's records.

Staff recommends all the City Engineer's comments are complied with and subject to staff approval.

V. SUMMARY

Similar to the 2015 expansion of lot 6's plat, the goal of this final plat is to relocate the tree preservation zone and easements to the northern boundary of the lot. Relocating the preservation zone and easements would allow for more cohesive development within the platted area. Currently, lot 4 has the tree preservation zone and easements located in the center of the platted properties (lots 4 and 6A) which splits the properties. The platted tree preservation restricts development and construction of any kind within it. Therefore, relocating the tree preservation zone and easements allows for sidewalks and pedestrian connections to be constructed between the future accessory structures and the existing residential home on lot 4. As part of the permitting process, the city engineer will review all improvements to ensure there are no negative impacts to the remaining drainage easement running through the property.

VI. ACTION

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

Move to approve application FPL-12-2023 with the following conditions (conditions of approval may be added).

- 1. A note requiring preservation zone markers be installed at the edge of the preservation zone is included on the plat. The design of the markers will be provided by the applicant and must be approved by the city. Preservation zone markers are installed on site prior to the issuance of a building permit. The plat notes and locations are submitted and subject to staff approval.
- 2. The applicant must supplement the tree preservation with additional trees in the eastern portion to re-establish vegetation.
- 3. The City Engineer's comments are complied with and subject to staff approval.

Approximate Site Location:



Source: NearMap

Permit #	
Board	
Mtg. Date	



Community Development Planning Application

1	Site Address 1.141+/- acres known as I	Lot 6a of Hawksr	noor and 0.5	585 acres on Reynold	sburg-New Albany Rd.
	Parcel Numbers 222-004874-00 and 222-005170-00 (Re-Zoning)				
and the	Acres 1.726 +/-	# of lots cr	eated After	Re-Plat - One Lot to	be Created
				uding Lots 4-5, see be	
	Choose Application Type		Circle a	ll Details that Apply	
Project Information	 Certificate of Appropriateness Conditional Use Development Plan XaPlat Lot Changes Minor Commercial Subdivision Vacation 	Preliminary Preliminary Combination Easement	Final Final Split	Comprehensive Adjustment	Amendment
et		Easement		Street	
Projec	□□Extension Request x又oning	Amendment (re	ezoning)	Text Modification	
	Description of Request: <u>Re-zoning</u> to expand the Permitted Uses section, b <u>Also, a re-plat application to expand Lo</u> <u>make the additional property a part of I</u> re-zoning of the Property, under the I-I	ut retaining the e t 6a in Hawksmo Lot 6a of Hawksr	xisting zoni or, to add p noor in keer	roperty that is not in I ping with the spirit and	lawksmoor, and intent of the original
	application). *In addition, the re-plat				
Contacts	Property Owner's Name: <u>Jeffrey I</u> Address: <u>1988 Woodlands Place</u> City, State, Zip: <u>Powell, Ohio 43065</u> Phone number: <u>Attn: Nicklaus Reis</u> Email: <u>jhpeters5@gmail.com; n</u>	5 s, Attorney - 614		Fax:	
int	Applicant's Name: Rebecca	J Mott Attorne	v for Andrey	w and Lisa Rumpke	
Ŭ	Address: Plank Law Firm, LF				
	City, State, Zip: <u>Columbus, Ohio</u>		motreet, m	001 2	
	Phone number: <u>614-947-8600</u>			Fax: 614-22	8-1790
Parts -	Email: <u>rjm@planklaw.com</u>				
8. a					
Signature	Site visits to the property by City of Ne The Owner/Applicant, as signed below employees and appointed and elected of described in this application. I certify the true, correct and complete.	, hereby authoriz	es Village o hotograph a	of New Albany represe and post a notice on th	entatives, le property
01	Signature of Owner			Date	e:
	Signature of Applicant	Lecca G	Mot	t, a Home Date	e: 02/17/2023
		/		. 0	

99 West Main Street • P.O. Box 188 • New Albany, Ohio 43054 • Phone 614.939.2254 • Fax 614.939.2234



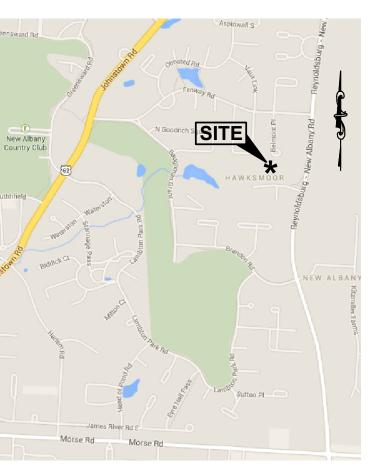
Community Development Planning Application

	Site Address 1.141+/- acres known as	Lot 6a of Hawks	moor and 0	.585 acres on Reynold	lsburg-New Albany Rd.
	Parcel Numbers 222-004874-00 and 2	222-005170-00 (H	Re-Zoning)	volumental contractor	And Street St
	Acres <u>1.726 +/-</u>	# of lots cr		r Re-Plat - One Lot to cluding Lots 4-5, see h	
	Choose Application Type				
Project Information	 Choose Application Type Appeal Certificate of Appropriateness Conditional Use Development Plan XMPlat Lot Changes Minor Commercial Subdivision Vacation Variance Extension Request 	Preliminary Preliminary Combination Easement	Final Final Split	all Details that Apply Comprehensive Adjustment Street	Amendment
Pro	XXZoning	Amendment (r	ezoning)	Text Modification	
Contacts	to expand the Permitted Uses section, I Also, a re-plat application to expand L make the additional property a part of re-zoning of the Property, under the I- application). *In addition, the re-plat Property Owner's Name: <u>Jeffrey</u> Address: <u>1988 Woodlands Place</u> City, State, Zip: <u>Powell, Ohio 4306</u> Phone number: <u>Attn: Nicklaus Rei</u> Email: <u>jhpeters5@gmail.com; reisting</u>	but retaining the e ot 6a in Hawksmo Lot 6a of Hawksmo PUD zoning that will include Lots H. Peters 55 is, Attorney - 614 njreis@vorys.com	xisting zon oor, to add j noor in kee was approv 4-5 of Haw .464.5409	property that is not in ping with the spirit and yed in 2020 (See mate yksmoor that Applican	Hawksmoor, and d intent of the original rials attached to this
Col	Applicant's Name:Rebecc.Address:Plank Law Firm, LCity, State, Zip:Columbus, OhioPhone number:614-947-8600Email:rjm@planklaw.com	PA, 411 East Toy		ew and Lisa Rumpke loor 2 Fax: <u>614-22</u>	28-1790
Signature	Site visits to the property by City of N The Owner/Applicant, as signed below employees and appointed and elected described in this application. I certify true, correct and complete.	v, hereby authoriz officials to visit, p	es Village hotograph	of New Albany repres and post a notice on the	te: 2132

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resubdivision of all of Lot 6a as nur	of Franklin, Village of New Albany, located in hip 2, Range 16, United States Military Lands, more or less, said 2.456 acres being a mbered and delineated upon the record plat of AWKSMOOR", of record in Plat Book 119, Page	RE-S
95, which contains 1.141 acres, all o Peters of record in Instrument Nur conveyed to Jeffrey H. Peters 202108090140137, and all of Lots 4 106, Page 10, all of said Lots 4 & 5 Cantos Rumpke of record in	of said Lot 6a standing in the name of Jeffrey H. mber 202108090140137, a 0.585 acre tract, as also of record in Instrument Number & 5 of "HAWKSMOOR", of record in Plat Book 5 standing in the name of Andrew M. and Lisa Instrument Numbers 201109010109415 & d in Recorder's Office, Franklin County, Ohio.	4, 5 &
authorized signature, do hereby cert	authorized signature, and Andrew M. Rumpke, tify that this plat correctly represents its Hawksmoor'', containing Lot 6b, and does	rTH sugar Run
designated on this plat as "Ea construction, operation and mainter above and beneath the surface of construction, operation and mainter lots and lands and for storm wa "Drainage Easement" on this plat, a the purpose of constructing, oper drainage swales and or other store structures, dams or other obstruct	n, over and under areas hereby platted, and asement" or "Drainage Easement" for the enance of all public and quasi public utilities of the ground and, where necessary, for the enance of service connections to all adjacent ter drainage. Within those areas designated an additional easement is hereby reserved for erating, and maintaining major storm water rm water drainage facilities. No above grade ctions to the flow of storm water runoff are ement areas as delineated on this plat unless of New Albany.	n Rd New Albany Gardens & Care Center
	setback lines for general utility and drainage ne Hawksmoor Landscape Plan and maintained sociation, Inc.	Boots Fort
In Witness Whereof, Jeffrey H. Pete hand this day of	ers, Authorized Signature, has hereunto set their , 2023.	
Signed and acknowledged In the presence of:	Jeffrey H. Peters	Donatos 🖷
	Ву	
Witness	Title	
Witness		
STATE OF OHIO COUNTY OF FRANKLIN ss:		
	an acid State, nersenally enneared	SURVEY DAT
Before me. a Notary Public in and to	or said State, dersonally addeared	
, authorized signer, who	or said State, personally appeared o acknowledged the signing the foregoing intary act and deed for the uses and	GPS survey of performed by
, authorized signer, who instrument to be their free and volu purposes expressed therein. Witness Thereof, I have hereunto se	o acknowledged the signing the foregoing Intary act and deed for the uses and et my hand and affixed my official seal this	GPS survey of performed by State Plane C determines th
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BDIVISION OF LOTS a OF HAWKSMOOR



LOCATION MAP NO SCALE

orse Rd

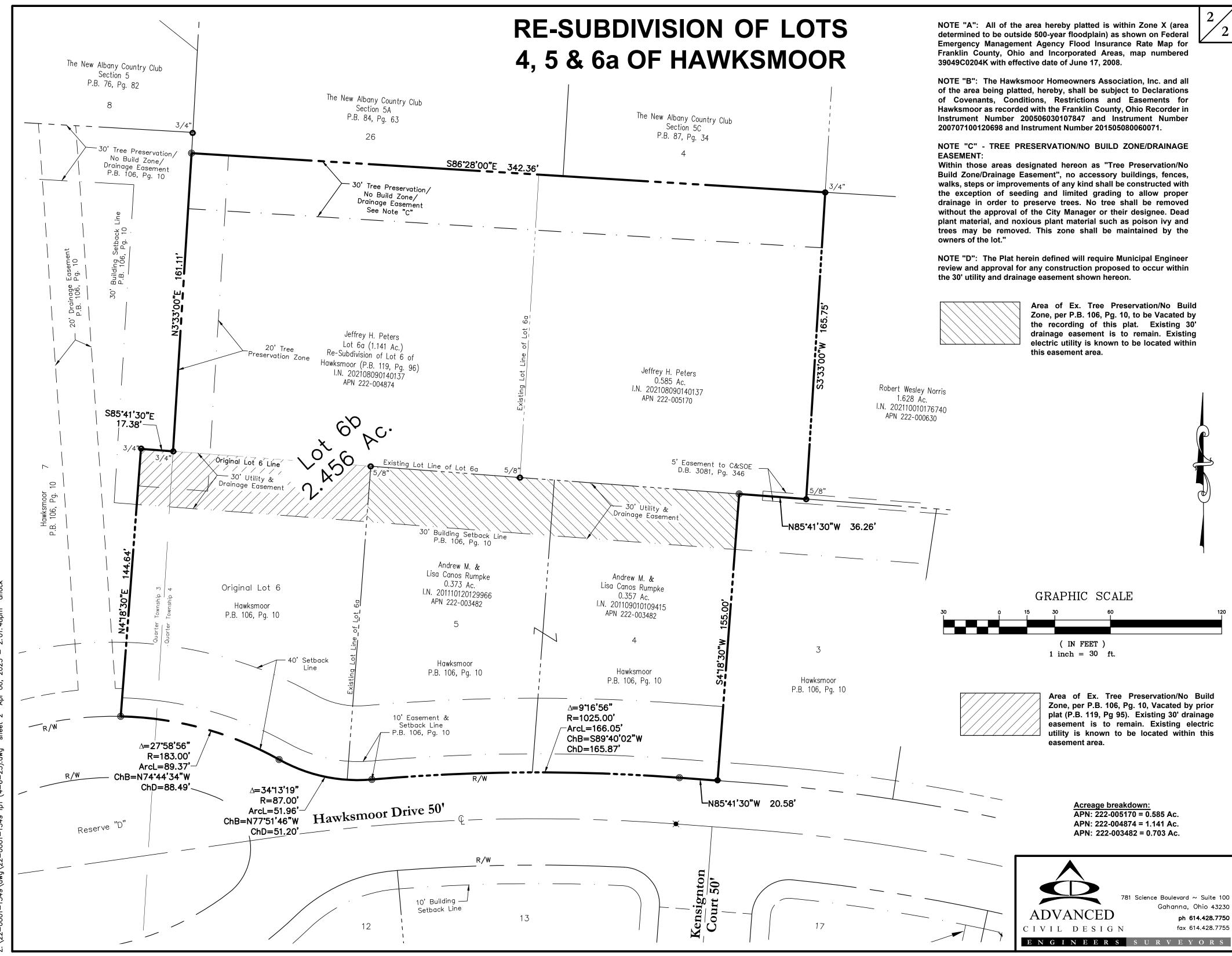
S: The bearings shown on this plat were transferred from a klin County Monuments "FCGS 9913-B" and "FCGS 9914-B" nklin County Engineer's Office, which was based on the Ohio ate System, Ohio South Zone, NAD83 (1986 adjustment) and ng between said monuments as N 10° 32' 24" E.

he sources of recorded survey data are the records of the Recorder, referenced in the plan and text of this plat.

dicated, unless otherwise noted, are to be set and are iron nths inch inside diameter, thirty inches long with a plastic cap ring the inscription "ADVANCED". These markers shall be set tion of the construction/installation of the street pavement and the Village of New Albany, Ohio's acceptance of these ments. The New Albany, Ohio, Municipal Engineer shall be the surveyor when the markers are in place.

ERS: Permanent markers, where indicated hereon, are to be irrty-inch long, solid iron pins, are to be set with the top end ce of the ground and then capped with an aluminum cap D". Once installed, the top of the cap shall be marked the actual location of the point. These markers shall be set tion of the construction/installation of the street pavement and the Village of New Albany, Ohio's acceptance of these ments. The New Albany, Ohio, Municipal Engineer shall be the surveyor when the markers are in place.

Approved this day of, 2023	Mayor, New Albany, Ohio
Approved this day of, 2023	Municipal Engineer, New Albany, Ohio
Approved this day of, 2023	Council Representative to Planning Commission, New Albany, Ohio
Approved this day of, 2023	Chairperson, Planning Commission New Albany, Ohio
Approved this day of, 2023	Finance Director, New Albany, Ohio
	No, passed, 2023, Albany, Ohio. Approval of this plat shall rior to, 2023.
Transferred this day of,	Auditor, Franklin County, Ohio Deputy Auditor, Franklin County, Ohio
Filed for record this day of , 2023 atM. Fee \$ File No	Recorder, Franklin County, Ohio
Recorded this day of, 2023	Deputy Recorder, Franklin County, Ohio
Plat Book, Pages	
	urveyed the above premises, prepared the rect. All dimensions are in feet and decima
 ○ = Iron Pin Set ◎ = Permanent Marker ● = Iron Pin Found ♥ = PK Nail Found 	
By Reg. Surveyor	



)23



Community Development Department

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

Dear Rebecca J Mott, Plank Law Firm LLC,

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

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

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

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

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, May 16, 2023

The New Albany Planning Commission took the following action on 05/15/2023 .

Preliminary Plat

Location: 6 HAWKSMOOR DR Applicant: Rebecca J Mott, Plank Law Firm LLC,

Application: PLFP20230012
 Request: A review of a final plat for the resubdivision of lots 4 and 6 within the Hawksmoor subdivision.
 Motion: To approve FP20230012

Commission Vote: Motion Approval with Conditions, 4-1

Result: Final Plat, PLFP20230012 was Approval with Conditions, by a vote of 4-1.

Recorded in the Official Journal this May 16, 2023

Condition(s) of Approval:

- 1. All engineering comments be addressed and revised.
 - Refer to Exhibit A. Revise the referenced FDP to include the signature block provided with Exhibit A and add the Monumentation note block and other note blocks highlighted on this exhibit.
 - Refer to Exhibit B. Revise sheet C100 to show public water mains and public sanitary sewers designed to serve this parcel.
 - Verify that 40' of public r/w as measured from the road centerline is provided along the parcels frontage.
 - A master landscape plan (see Exhibit C) was included with the submittal. Modify this sheet to show site distance triangles and ensure that proposed landscaping does not impede motorist view as vehicles exit the site drive onto RNA Rd.

Staff Certification:

Sierra Cratic-Smith

Sierra Cratic-Smith Planner



Planning Commission Staff Report May 15, 2023 Meeting

4093 REYNOLDSBURG NEW ALBANY ROAD FINAL DEVELOPMENT PLAN

LOCATION:4093 Reynoldsburg New Albany Road (PID: 222-000630)APPLICANT:Maletz Architect & BuildREQUEST:Final Development PlanZONING:Hawksmoor North I-PUDSTRATEGIC PLAN:Residential DistrictAPPLICATION:FDP-50-2023

Review based on: Application materials received April 27, 2023 Staff report completed by Sierra Cratic-Smith, Planner.

I. REQUEST AND BACKGROUND

The applicant requests review of a final development plan to allow for construction of a single residential home on 1.654 acres located at 4093 Reynoldsburg-New Albany Road (PID:222-000630).

Due to the specific development standards in the I-PUD zoning text the Planning Commission must review and approval of a final development plan application for all residential homes and accessory structures. The text states that it is anticipated that, due to the nature of the proposed homes and related structures as custom "estate homes", architectural designs may continue to evolve beyond the date of final development plan approval and the property owner should be afforded flexibility in this regard in the same manner as would apply to a home being constructed in the City in a subdivision with numerous homes. To this end, architecture approved as part of a final development plan may be modified after the approval of final development plan without further review by the Planning Commission and with the approval of City staff if (a) the modifications are permitted under the City's Design Guidelines and Requirements or by a variance granted therefrom which has been previously approved by the Planning Commission, (b) do not otherwise cause the need for a variance from this text or other relevant provisions of the Codified Ordinances, and (c) will not cause a substantial deviation from the massing or design of the home or other structure when compared to that which was approved by the Planning Commission.

II. SITE DESCRIPTION & USE

The property is 1.654 acres and located along the west side of Reynoldsburg-New Albany Road. It is north of the Hawksmoor subdivision and south of Belmont Place. The lot is currently undeveloped. However, there are single family residential homes located to the south of this lot in the Hawksmoor subdivision and north within the New Albany Country Club.

III. PLAN REVIEW

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

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

PC 23 0515 4093 Reynoldsburg Road FDP 50 2023

That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Zoning Code;

- (a) That the proposed development is in general conformity with the Strategic Plan/Rocky Fork-Blacklick Accord or portion thereof as it may apply;
- (b) That the proposed development advances the general welfare of the Municipality;
- *(c)* That the benefits, improved arrangement and design of the proposed development justify the deviation from standard development requirements included in the Zoning Ordinance;
- (d) Various types of land or building proposed in the project;
- (e) 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;
- *(f) Traffic and circulation systems within the proposed project as well as its appropriateness to existing facilities in the surrounding area;*
- (g) Building heights of all structures with regard to their visual impact on adjacent facilities;
- (*h*) Front, side and rear yard definitions and uses where they occur at the development periphery;
- *(i) Gross commercial building area;*
- (j) Area ratios and designation of the land surfaces to which they apply;
- (k) Spaces between buildings and open areas;
- *(l) Width of streets in the project;*
- (m) Setbacks from streets;
- (n) Off-street parking and loading standards;
- *(o) The order in which development will likely proceed in complex, multi-use, multi-phase developments;*
- (*p*) The potential impact of the proposed plan on the student population of the local school *district(s);*
- (q) The Ohio Environmental Protection Agency's 401 permit, and/or isolated wetland permit (if required);
- (r) 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.*

A. Engage New Albany Strategic Plan

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

- Houses should front onto public open spaces and not back onto public parks or streets.
- All or adequate amounts of open space and parkland is strongly 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.

The Engage New Albany Strategic Plan recommends the following standards as prerequisites for all development proposals in New Albany:

- Development should meet setback recommendations contained in strategic plan.
- Streets must be public and not gated. Cul-de-sacs are strongly discouraged.
- Parks and open spaces should be provided, publicly dedicated and meet the quantity requirements established in the city's subdivision regulations (i.e. 20% gross open space and 2,400 sf of parkland dedication for each lot).
 - All or adequate amounts of open space and parkland is strongly encouraged to be provided on-site. If it cannot be provided on-site, purchasing and publicly dedicating land to expand the Rocky Fork Metro Park or park space for the Joint Parks District is an acceptable alternative.
- The New Albany Design Guidelines & Requirements for residential development must be met.
- Quality streetscape elements, including an amenity zone, street trees, and sidewalks or leisure trails, and should be provided on both sides of all public streets.
- Homes should front streets, parks and open spaces.
- A residential density of 1 dwelling unit (du) per acre is required for single-family residential and a density of 3 du per acre for age restricted housing.
 - Higher density may be allowed if additional land is purchased and deed restricted. This type of density "offset" ensures that the gross density of the community will not be greater than 1 unit per acre. Any land purchased for use as an offset, should be within the NAPLS district or within the metro park zone.
 - 3 du/acre is only acceptable if 100% age restricted. Otherwise, the federal regulations and criteria for subdivisions to qualify as age-restricted must be accounted for when calculating density (i.e. 80% age restricted and 20% non-age restricted).
 - Age restriction must be recorded as a deed restriction and included as a requirement in the subdivision's zoning text.

B. Use, Site and Layout

1. Due to the I-PUD zoning text requirements this single family home must be reviewed and approved by the Planning Commission.

- 2. The applicant proposes to create a new two and a half story single residential family home on the property. The proposed home will be 5,085 +/- square feet with a 1,989 square foot finished basement for total occupiable area of 7,074 square feet.
- 3. The home meets all setback standards for the lot according to the Hawksmoor North zoning text:

Development Standard	Required	Proposed
Front yard setback	130 feet from right-of-	130 feet
	way	
Rear yard setback	50 feet	206 +/- feet
Side yard (northern lot	20 feet	31 +/- feet
line) setback		
Side yard (Southern lot	20 feet	24 +/- feet
line) setback		
Building Height	45 feet	38 feet 2 inches
Maximum lot coverage	None	6.35%

• The front façade faces Reynoldsburg New Albany Road as required by the Hawksmoor North PUD text. The city architect has reviewed and commented that the proposed orientation will feel natural on the site and matches the existing home orientation to the south.

C. Access, Loading, Parking

- 1. The property has an existing driveway currently on the property from a demolished house. The existing asphalt driveway is extended and leads to the four car garage from the public street. There is an additional gravel auto court in the front of the home.
- 2. According to the Hawksmoor North zoning text(3)(b), "driveways shall be made of durable material. Appropriate materials are brick, dark color concrete pavers, asphalt with controlled edges and rolled-in stone topping." The site plan shows the auto court area being gravel. The city staff recommends a condition of approval requiring the auto court material to be rolled-in stone, subject to staff approval.

D. Architectural Standards

a

1. According to the Hawksmoor North zoning text section (D)(2)(b), the follow materials and design are required:

Development	Required	Proposed
Standard		
Primary	Brick, stone, wood siding, and	Brick
exterior	composite siding	
façade	materials (Hardi-plank, its equivalent,	
materials	or of higher quality)	
Siding	Composite or cedar shiplap wood siding	Hardie Plank
Roof pitch	• 6:12 for major roofing	• 12:12 major roof
	(minimum)	• 10:11 minor roof
	• Less than 6:12 for minor roofing	• Flat roof with strong cornice
	permitted	
	• Flat roof for with cornice lines	
	permitted	
Gutters	Half round with downspouts	Half round with downspouts
Roof	Roofs may be of natural slate, wood	Asphalt shingle roof
Materials	shake or wood shingle, metal standing	
	seam, or an architectural grade	
	fiberglass asphalt shingle	

- 2. The PUD text requires exterior wall finish materials must be used to complete massing elements. The application of brick to a single building facade is prohibited by the zoning. The home design uses brick on all four sides of the building. There are two, rear screened-in porches that are hardie plank material. The design and material of the porches meets code requirements.
- 3. The home has a traditional American Georgian style using the brick and mortar design. The exterior consists of a soft white brick with matching copper gutters and spouts. Brick exterior finishes shall be house brick with a "handmade appearance" per the PUD requirements and traditional brick detailing is required. The city architect has reviewed the proposal and is supportive of the design and use of brick.
- 4. The PUD requires windows to be of traditional themes and that simulated or true divided light windows shall be required. The proposed design includes double hung white jack arch windows are made of aluminum clad.
- 5. Also, the addition of a screen porch is proposed to be on the rear of the home. It meets all requirements including the setbacks, height and screening rail height. Although the roofline is flat, it blends well with the exquisite architecture with strong cornice lines.

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

- <u>The PUD text states air conditioners/heat pumps, garbage cans and carts, irrigation</u> <u>controllers, pumps, generators, and meters which are visible from any point outside of the</u> <u>zoning district shall be entirely enclosed by a privacy wall, a fence, and/or landscaping</u> <u>that is a minimum of four feet high. The location of the items are not shown on the plans.</u> <u>The city staff recommends a condition of approval requiring that these are screened, per</u> <u>code requirements and be subject to staff approval.</u>
- 2. There will be a significant amount of landscaping planted on the property including:
 - The addition of 46 trees and shrubs.
 - 10 trees located along street.
 - 23 trees and shrubs along the driveway, auto court, and front entry.
 - 13 shrubs are in the rear.
 - The addition of 100 +/- evergreen shrubs.
 - The applicant has located the 7-8 foot tall Green Giant shrubs along the property line where the garage doors are located in order to screen them from the neighbor to the south.
- 3. The proposed residential home covers almost 7% of the lot.

F. Lighting & Signage

- 1. There shall be one traditional lamppost at the beginning of the driveway entry and one exterior gas lantern above the door entry way. This is consistent with other properties in the New Albany Country Club.
- 2. All new utilities are required to be installed underground which is consistent with the existing Hawksmoor North zoning text.

G. Other Considerations

1. None.

IV. ENGINEER'S COMMENTS

The city engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1159 and provided the following comment(s):

- 1. Refer to Exhibit A. Revise the referenced FDP to include the signature block provided with Exhibit A and add the Monumentation note block and other note blocks highlighted on this exhibit.
- 2. Refer to Exhibit B. Revise sheet C100 to show public water mains and public sanitary sewers designed to serve this parcel.

Verify that 40' of public r/w as measured from the road centerline is provided along the parcels frontage.
 A master landscape plan (see Exhibit C) was included with the submittal. Modify this sheet to show site distance triangles and ensure that proposed landscaping does not

impede motorist view as vehicles exit the site drive onto RNA Rd.

<u>Staff recommends all the City Engineer's comments are complied with and subject to staff approval.</u>

V. RECOMMENDATION *Basis for Approval:*

The proposed residential home is a large estate addition to the Hawksmoor North subdivision. The new residential home meets the quality and standards of the city of New Albany with its Georgian style architecture. Its style is similar in nature to neighboring properties.

The exterior materials like the white brick and mortar with aluminum clad double hung windows make it historically accurate. In addition, the home meets all setback standards and increases landscaping for the property. This home creates an abundance of buffering with an addition of almost 50 trees, 100 +/- shrubs,. Therefore, it meets all zoning standards and regulations according to the Hawksmoor North zoning text, city codified ordinance, and the Engage New Albany strategic plan thus creating a great appropriate addition to the city of New Albany.

VI. ACTION Suggested Motion for FDP-50-2023:

Move to approve final development plan application FDP-50-2023 based on the findings in the staff report with the following conditions.

- 1. The auto court material must be rolled-in stone, subject to staff approval.
- 2. Air conditioners/heat pumps, garbage cans and carts, irrigation controllers, pumps, generators, and meters which are visible from any point outside of the zoning district shall be entirely enclosed by a privacy wall, a fence, and/or landscaping that is a minimum of four feet high, subject to staff approval.
- 3. The City Engineer's comments are complied with and subject to staff approval.

Approximate Site Location:



Source: Nearmap

Narrative Statement

In accordance with the City of New Albany's requirements, we are submitting a Final Development Plan application for the proposed new residence to be located at 4093 New Albany Reynoldsburg Road (Parcel ID: 222-000630). The project involves the construction of a new two-story single-family residence, totaling approximately 4,945 square feet above grade, with an attached 4-car garage. The project includes a finished basement totaling approximately 1,936 square feet. The home will be wood frame construction with a brick exterior, aluminum clad double-hung windows and asphalt shingle roof. The design of the home is consistent with the tidewater Georgian aesthetic found throughout the New Albany community.

The home will be located along New Albany Reynoldsburg Road and is set back 130' from the property line running parallel to the road. The existing driveway will be utilized for access and will be resurfaced with asphalt as part of the overall scope of work. The building footprint area (including covered porches, dwelling and garage) totals 4,529 square feet, resulting in a lot coverage of 6.35%. Preliminary construction drawings, renderings and landscape plans have been submitted to the city as part of this application. The project has also been reviewed by Jay McIntyre, representative of the Hawksmoor HOA, with which this property is affiliated.

Thank you for considering this application and please let me know if you have any questions or require additional information.

Thanks, Andrew



Community Development Department Planning Application

Case #	
Board	15
Mtg. Date	2

	Site Address 4093 Reynolo	liburg New Alba	ny Rol New Albany OH 4305	4
	Parcel Numbers 222-000	0630		
	Acres 1.628	# of lots created		
	Choose Application Type	Circle all	l 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 Final Preliminary Final Combination Split Easement Amendment (rezoning)	Comprehensive Amendment Adjustment Street Text Modification	
	Description of Request: FDT	2		_
	<u></u>			-
				<u>x</u>
acts	Property Owner's Name: <u>Rob</u> Address: <u>S197 Sabin</u> City, State, Zip: <u>New Alba</u> Phone number: Email: <u>Coeccis1 Ck</u>	e Hall New AL	-	
Contacts	Applicant's Name: Address: City, State, Zip: Phone number: Email: City, City, City, State, Zip: Phone number: City, City, Cit	nie Hughes h St ny, Ohio 4305 -3107 tzarchitects.co	Fax: N/A	A WI
Signature	Site visits to the property by City of application. The Owner/Applicant, representatives, employees and app notice on the property described in and attached to this application is t	as signed below, hereby a pointed and elected officia a this application. I certify	uthorizes Village of New Albany ls to visit, photograph and post a that the information here within	
S	Signature of Owner Signature of Applicant	2 Mpm of	Date: Date: Date:	

DRAWING INDEX

COVER SHEET SITE CIVIL SITE PLAN FOUNDATION & STEEL LAYOUT PLAN 1ST FLOOR STEEL LAYOUT PLAN 2ND FLOOR/ROOF STEEL LAYOUT PLAN 1ST FLOOR WOOD LAYOUT 2ND FLOOR WOOD LAYOUT ROOF TRUSS LAYOUT STRUCTURAL SCHEDULE & DETAILS STRUCTURAL SCHEDULE & DETAILS STRUCTURAL SCHEDULE & DETAILS GENERAL STRUCTURAL NOTES FOUNDATION DETAILS WALL BRACING DETAILS BASEMENT PLAN MAIN FLOOR PLAN SECOND FLOOR PLAN	G000 C100 C110 S100 S101 S102 S102 S110 S112 S201 S201
RIGHT (EAST) ELEVATION	
LEFT (WEST) ELEVATION WALL SECTIONS	A203 A300
WALL SECTIONS/BUILDING SECTION	A310
DETAILS	A500
BASEMENT PLUMBING/HVAC	MP100
MAIN FLOOR PLUMBING/HVAC	MP110
SECOND FLOOR PLUMBING/HVAC	MP120
BASEMENT ELECTRICAL	E100
MAIN FLOOR ELECTRICAL	E110
SECOND FLOOR ELECTRICAL	E120

GENERAL NOTES

1. ALL WORK SHALL COMPLY WITH THE CURRENT EDITION OF THE RESIDENTIAL BUILDING CODE, UNLESS NOTED OTHERWISE.

2. IN THE EVENT OF A CONFLICT BETWEEN REFERENCED CODES AND REGULATIONS WITHIN THE DOCUMENTS THE MORE STRINGENT PROVISION SHALL GOVERN.

3. DIMENSIONS ARE TO CENTER OF STUD FOR INTERIOR WALLS AND FACE OF STUD FOR EXTERIOR WALLS UNLESS NOTED OTHERWISE.

4. CONTRACTOR SHALL FIELD VERIFY ALL MATERIALS, DIMENSIONS, AND CONDITIONS INDICATED ON DRAWINGS. THE ARCHITECT SHALL BE NOTIFIED IMMEDIATELY OF VARIATIONS FROM THE DRAWINGS.

5. EXISTING SITE EASEMENTS AND UTILITY CONDITIONS INDICATED TO REMAIN SHALL NOT BE DISTURBED BY THE WORK WITHOUT CONSENT OF THE ARCHITECT/OWNER, UNLESS SPECIFICALLY INDICATED OTHERWISE.

6. DESIGN LIVE LOAD = 40 PSF.

- 7. WIND LOAD 90 MPH 3 SECOND BURST.
- 8. DESIGN BEARING PRESSURE = 2500 PSF.

9. SNOW LOAD = 20 PSF

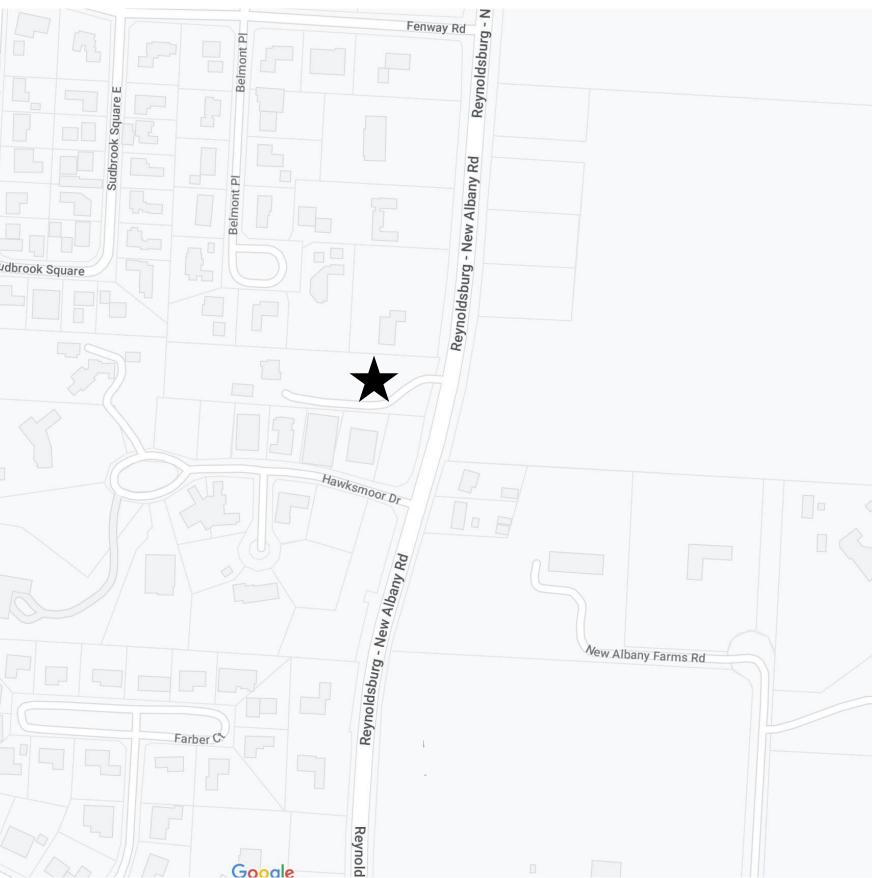
10. ALL GLAZING IN SLIDING DOORS AND SIDE LITES SHALL BE TEMPERED GLAZING PER RESIDENTIAL BUILDING CODE.



Parcel ID #222-000630.

4093 Reynoldsburg New Albany Road, New Albany, Ohio 43054

SITE LOCATION



11 . THE 2019 RESIDENTIAL BUILDING CODE, SHALL GOVERN UNLESS OTHERWISE QUALIFIED IN THE SPECIFICATION.

12. SITE WORK: INCLUDES ALL DEMOLITION, SITE CLEARING, EXCAVATION, FILLING, GRADING DRAINAGE, AND RELATED ITEMS NECESSARY TO COMPLETE THE WORK INDICATED ON DRAWINGS.

13. SPECIFICATIONS AND DRAWINGS INDICATE FINISHED STRUCTURE. BUILDER SHALL BE RESPONSIBLE FOR CONSTRUCTION METHODS, PROCEDURES, AND CONDITIONS (INCLUDING SAFETY), EXCEPT AS SPECIFICALLY INDICATED OTHERWISE IN THE CONTRACT DOCUMENTS.

14. CONSTRUCTION LOADS SHALL NOT OVERLOAD STRUCTURE NOR SHALL THEY BE IN EXCESS OF DESIGN LOADINGS INDICATED ON DRAWINGS.

15. CONTRACTOR SHALL VERIFY ALL MATERIALS, DIMENSIONS, AND CONDITIONS SHOWN ON STRUCTURAL DRAWINGS OR NOTED IN STRUCTURAL SPECIFICATIONS. ANY VARIANCES WITHIN STRUCTURAL DRAWINGS AND SPECIFICATIONS, OR WITH CONDITIONS ENCOUNTERED AT JOB SITE, SHALL BE REPORTED TO OWNER IN WRITING BEFORE COMMENCEMENT OF ANY WORK EFFECTED BY SUCH VARIANCE.

16. CONTRACTOR SHALL RIGIDLY ADHERE TO ALL LAWS, CODES, AND ORDINANCES WHICH APPLY TO THIS WORK AND NOTIFY AND RECEIVE CLARIFICATION FROM OWNER IN WRITING OF ANY VARIATIONS BETWEEN CONTRACT DOCUMENTS AND GOVERNING REGULATIONS.

17. ALL MANUFACTURED MATERIALS, COMPONENTS, FASTENERS, ASSEMBLIES, ETC., SHALL BE HANDLED AND INSTALLED IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS AND PROVISIONS OF THE 2013 RESIDENTIAL BUILDING CODE. RESEARCH RECOMMENDATIONS: WHERE SPECIFIC MANUFACTURED PRODUCTS ARE CALLED FOR, GENERIC EQUALS WHICH MEET APPLICABLE STANDARDS AND SPECIFICATIONS MAY BE SUBMITTED TO THE ARCHITECT IN WRITING FOR REVIEW.

CODE INFORMATION

BUILDING2019 RESIDENTAIL CODE OF OHIO MECHANCICAL2017 OHIO MECHANICAL CODE ELECTRICAL2017 NATIONAL ELECTRICAL CODE ENERGY2009 INTERNATION ENERCY CONSERVATION CODE

BUILDING & CODE SUMMARY

THE PROPOSED STRUCTURE SHALL CONSIST OF 2-STORY SINGLE-FAMILY HOME WITH WOOD FRAMING WITH PARTIAL BRICK VENEER, A FULL FINISHED BASEMENT, AND WOOD TRUSS/JOIST ROOF FRAMING. A THREE CAR ATTACHED GARAGE SHALL ALSO BE INCLUDED. THE NEW STRUCTURE SHALL UTILIZE THE EXISTING UTILITY SERVICE ROUTING LOCATED ON THE PROPERTY. SITE GRADING SHALL BE CONSISTENT WITH THE NEW ALBANY COUNTRY CLUB MASTER GRADING PLAN AND SITE PAVING EQUIREMENTS. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE 2019 RESIDENTIAL BUILDING CODE OF OHIO, AND IN COMPLIANCE WITH THE RULES AND REGULATIONS OF NEW ALBANY DEVELOPMENT REQUIREMENTS AND THE NEW ALBANY COUNTRY CLUB ARCHITECTURAL REVIEW BOARD.

ARCHITECT: MALETZ ARCHITECTS, INC. ANDREW MALETZ, OHIO LICENSE #99-12452

PROJECT AREA CALULATIONS

MAIN FLOOR = 2,996 SF SECOND FLOOR = 2,089 SF TOTAL SF (ABOVE GRADE) = 5,085 SF FUTURE CARADGE SUITE = 1210 SF

FINISHED BASEMENT = 1,989 SF UNFINISHED BASEMENT = 599 SF TOTAL BASEMENT = 2,588 SF

18. BUILDER SHALL INVESTIGATE SITE DURING CLEARING AND EARTHWORK OPERATIONS FOR FILLED EXCAVATIONS OR BURIED STRUCTURES SUCH AS CESS POOLS, CISTERNS, FOUNDATIONS, ETC. IF ANY SUCH ITEMS ARE FOUND, OWNER SHALL BE NOTIFIED IMMEDIATELY.

19. EXISTING CONDITIONS SCHEDULED OR INDICATED TO REMAIN UNCHANGED SHALL REMAIN UNLESS SPECIFICALLY IN WRITING BY THE LOCAL BUILDING INSPECTION DEPARTMENT.

20. ALL CONTRACTORS ARE RESPONSIBLE FOR REPAIRING OR REPLACING ANY DISTURBED OR DAMAGED MATERIALS DURING THE SCOPE OF THIS PROJECT.

21. CONTRACTOR IS TO EXTEND EXISTING SITE UTILITY LINES AS REQUIRED FOR NEW CONSTRUCTION.

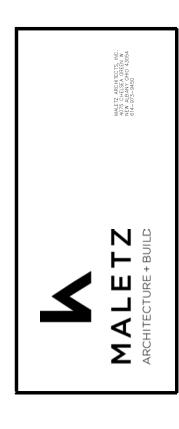
22. MAINTAIN MIN. FROST DEPTH REQUIRED IN ACCORDANCE WITH LOCAL BUILDING CODES AT ALL LOCATIONS. (NEW ALBANY, OH = 36")

23. COORDINATE LOCATION OF ALL DOWNSPOUTS WITH SITE CONTRACTOR.

24. ALL DOOR & W NOTED.

25. ALL HEADERS AT WINDOWS, CASED OPENINGS AND DOORS SPANNING LESS THAN 4'-0" IN WIDTH TO BE (2) 2x6. ALL HEADERS AT WINDOWS, CASED OPENINGS AND DOORS SPANNING BETWEEN 4'-0" AND 6'-0" IN WIDTH TO BE 2x8 AND 2x12 BOX HEADERS, RESPECTIVELY.

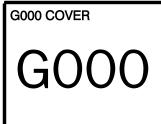
24. ALL DOOR & WINDOWS OPENINGS ARE CENTERED ON WALL OR 4" FROM CORNER UNLESS OTHERWISE

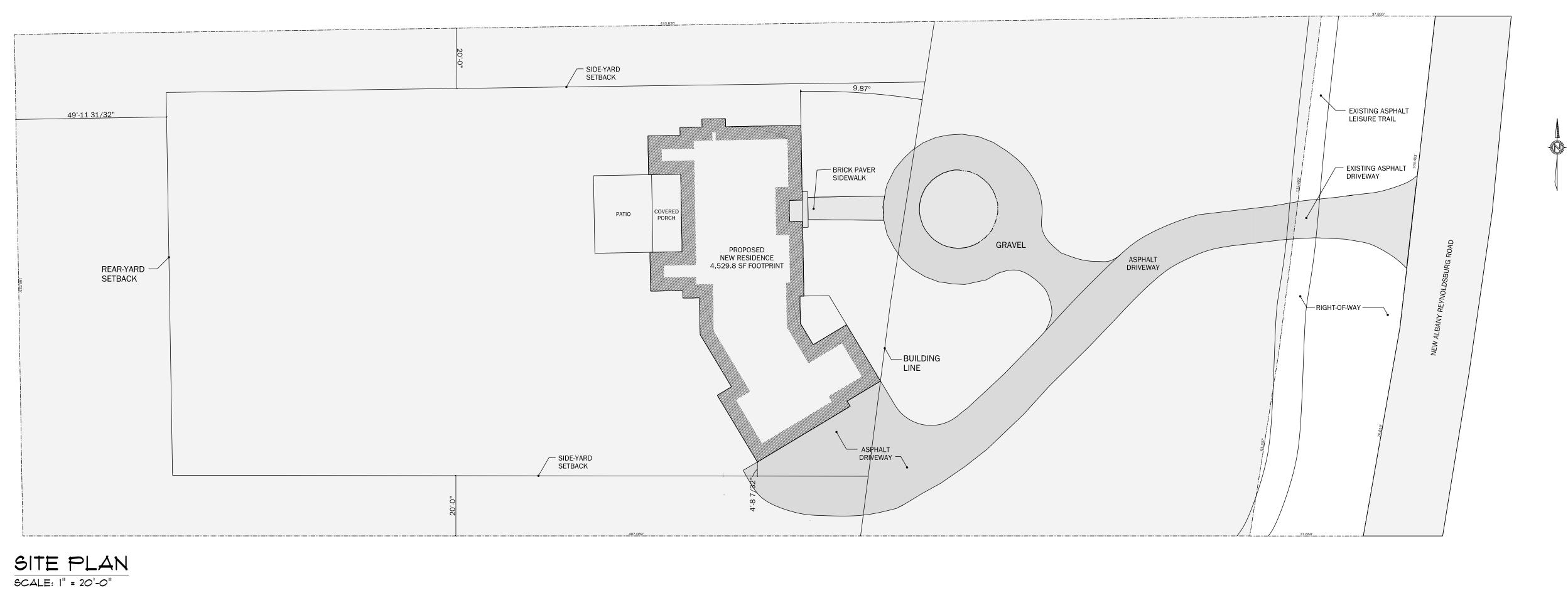


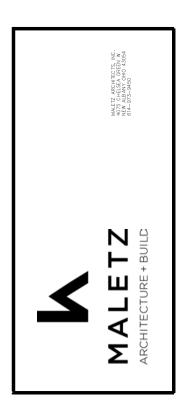
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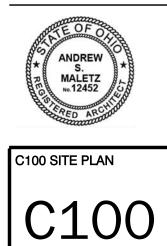


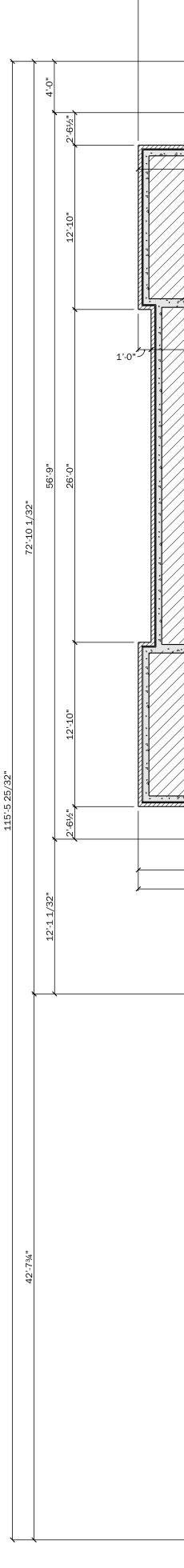




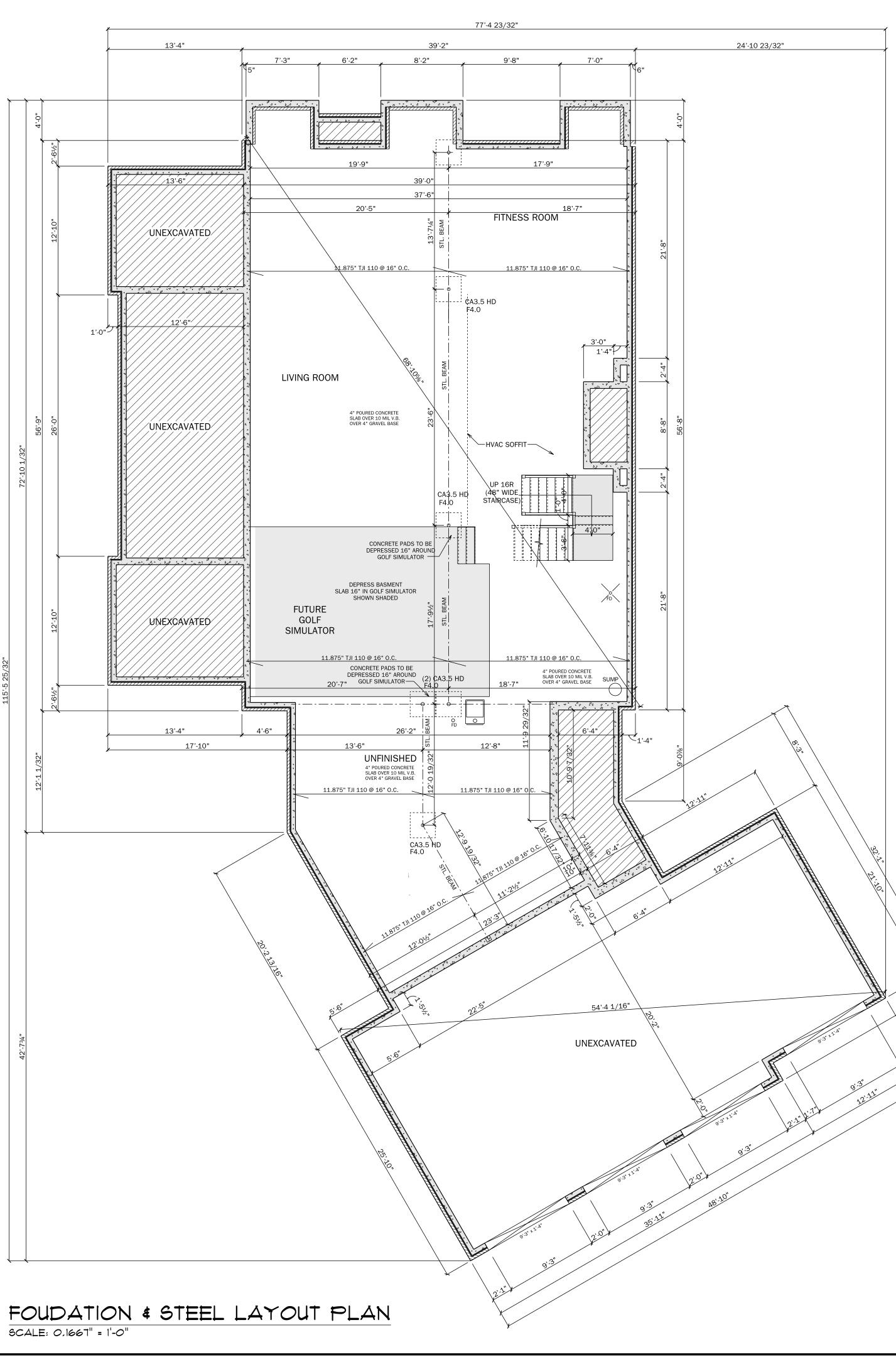
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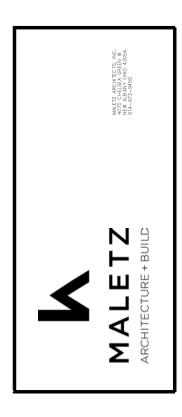
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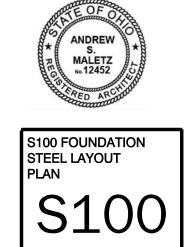
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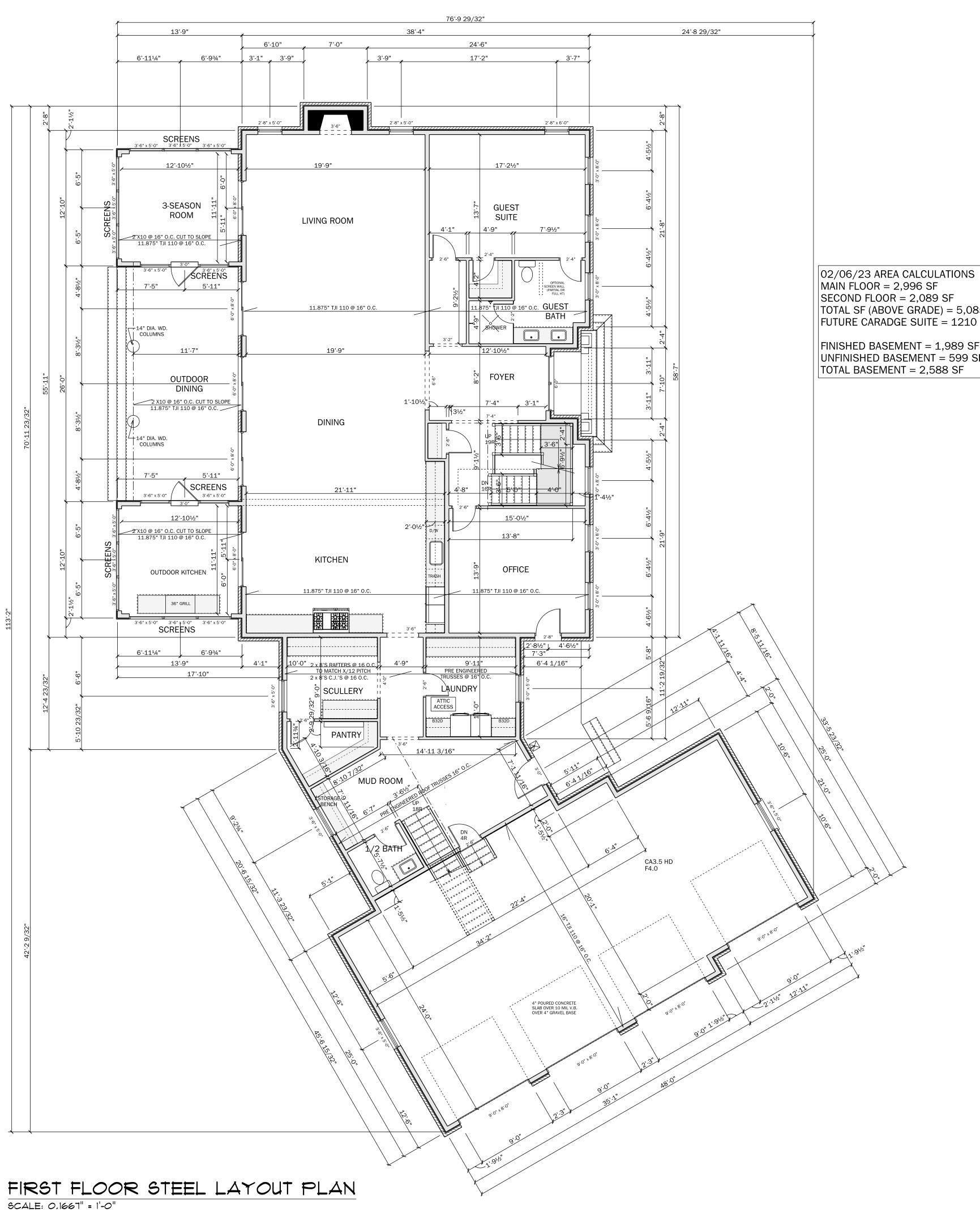




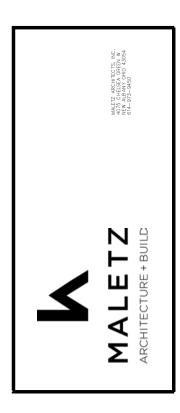
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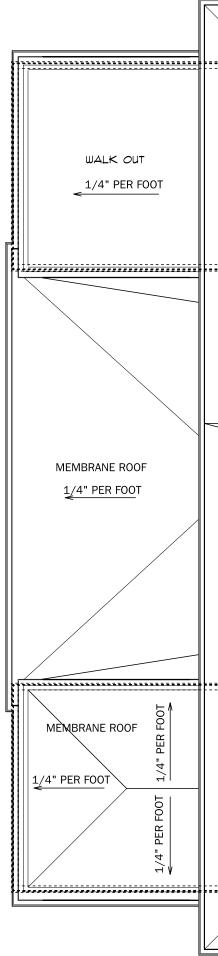
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FINISHED BASEMENT = 1,989 SF UNFINISHED BASEMENT = 599 SF TOTAL BASEMENT = 2,588 SF

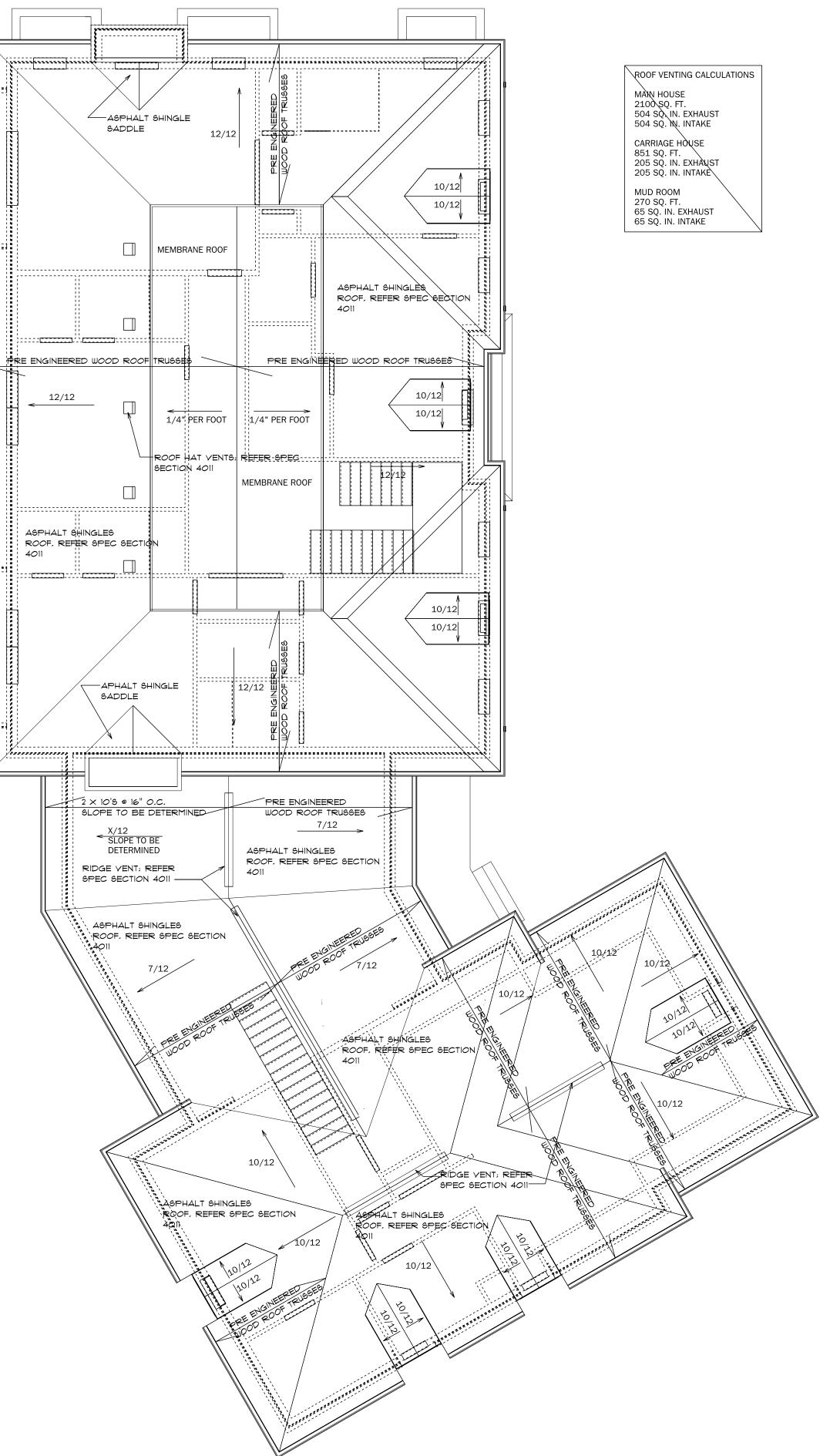


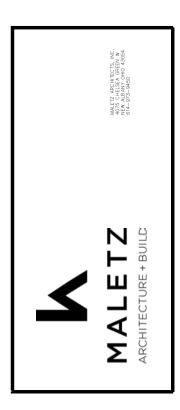
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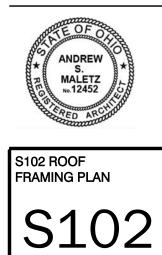




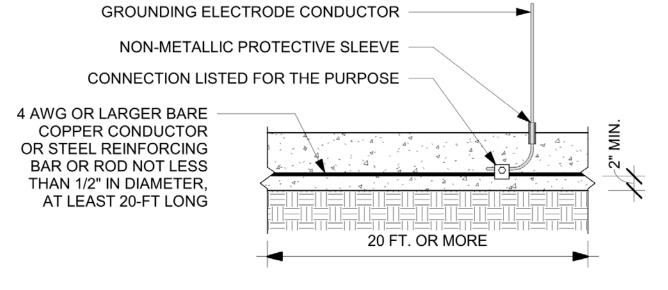


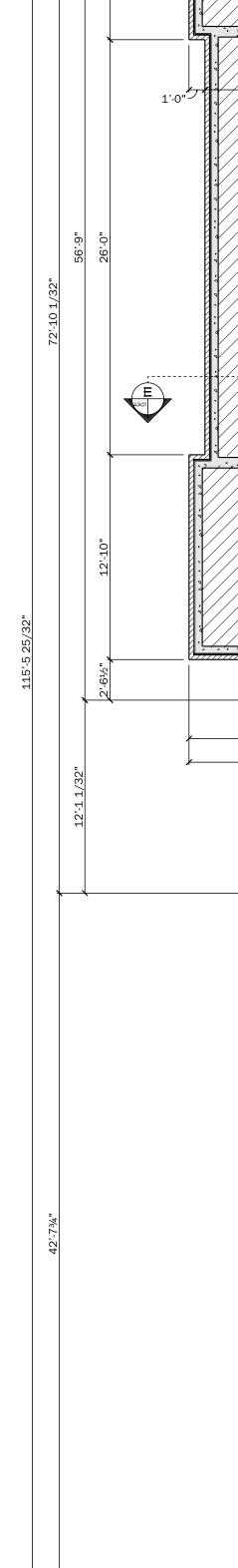
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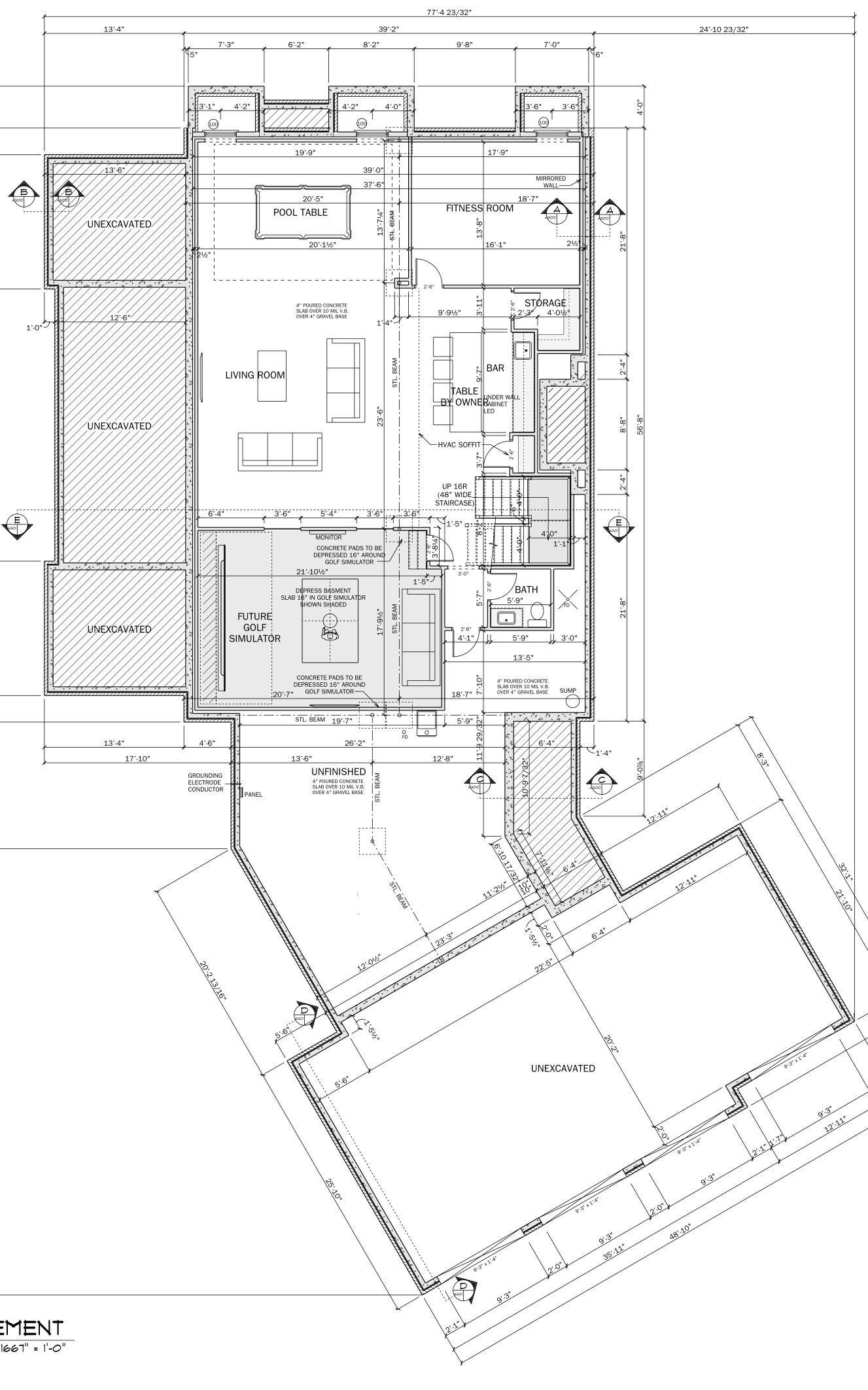








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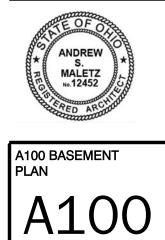


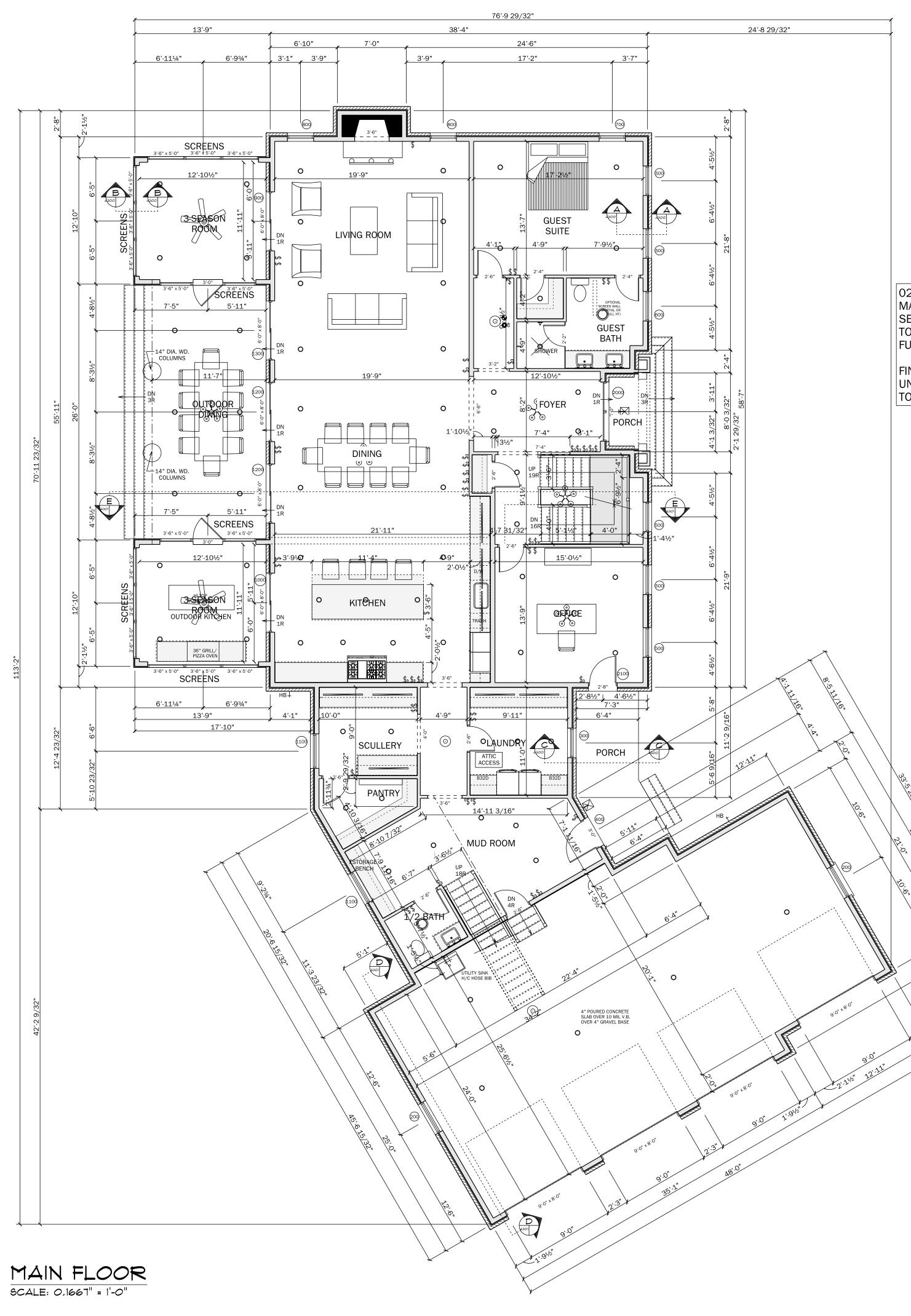
WINDOW SCHEDULE			
OPENING ID	R.O. SIZE	COMMENT	
100	36 3/4" X 36 3/4"	BRICK MOULD	
200	42 1/8" X 72 1/2"	BRICK MOULD	
300	36 1/8" X 73 1/2"	BRICK MOULD	
400	37" X 96 1/8"	BRICK MOULD	
500	38 1/8" X 98 9/16"	BRICK MOULD	
600	38 1/8" X 98 9/16"	BRICK MOULD	
700	34 1/8" X 77 1/2"	BRICK MOULD	
800	34 1/8" X 77 1/2"	BRICK MOULD	
900	71 3/4" X 120 1/4"	BRICK MOULD	
1000	71 3/4" X 120 1/8"	BRICK MOULD	
1100	42 1/8" X 73 1/2"	BRICK MOULD	
1200	71 3/4" X 120 1/4"	BRICK MOULD	
1300	71 3/4" X 120 1/4"	BRICK MOULD	
1400	30 1/8" X 49 1/4"	NO BRICK MOUL	
1500	36 1/8" X 61 1/2"	BRICK MOULD	
1600	36 1/8" X 61 1/2"	BRICK MOULD	
1700	34 1/8" X 61 1/2"	BRICK MOULD	
1800	71 1/2" X 65 1/2"	BRICK MOULD	
1900	71 3/4" X 83 1/4"	BRICK MOULD	
2000	72 13/16" X 120 1/8"	BRICK MOULD	
2100	37" X 96 1/8"	BRICK MOULD	
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	MALETZ ARCHATTECTS, INC. 4075 CHELESEA RETEN W. NEW ALBATY CHIO 43054 614 973-9450
ک	MALETZ ARCHITECTURE + BUILD

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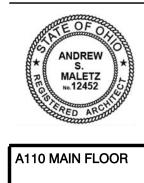
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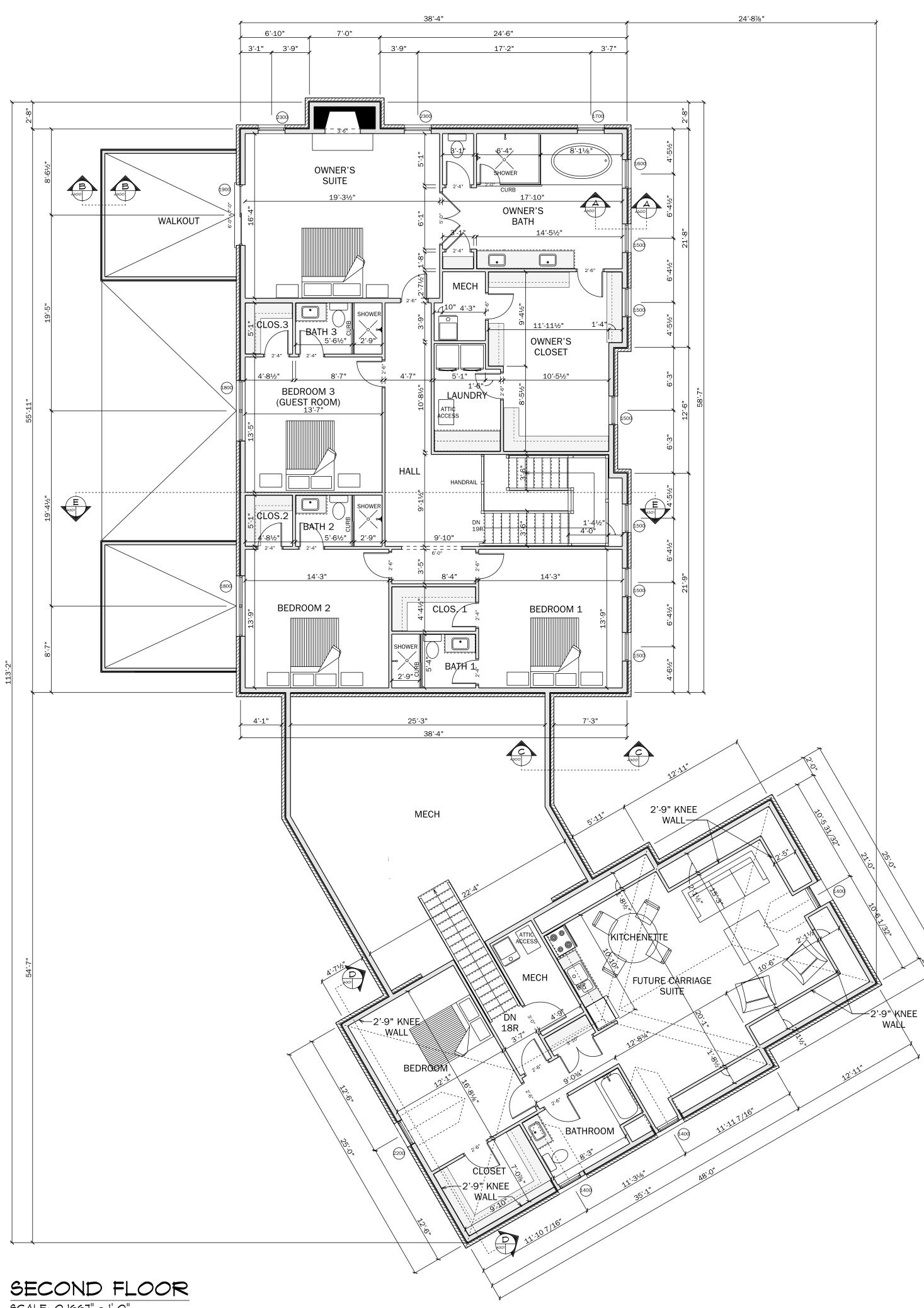
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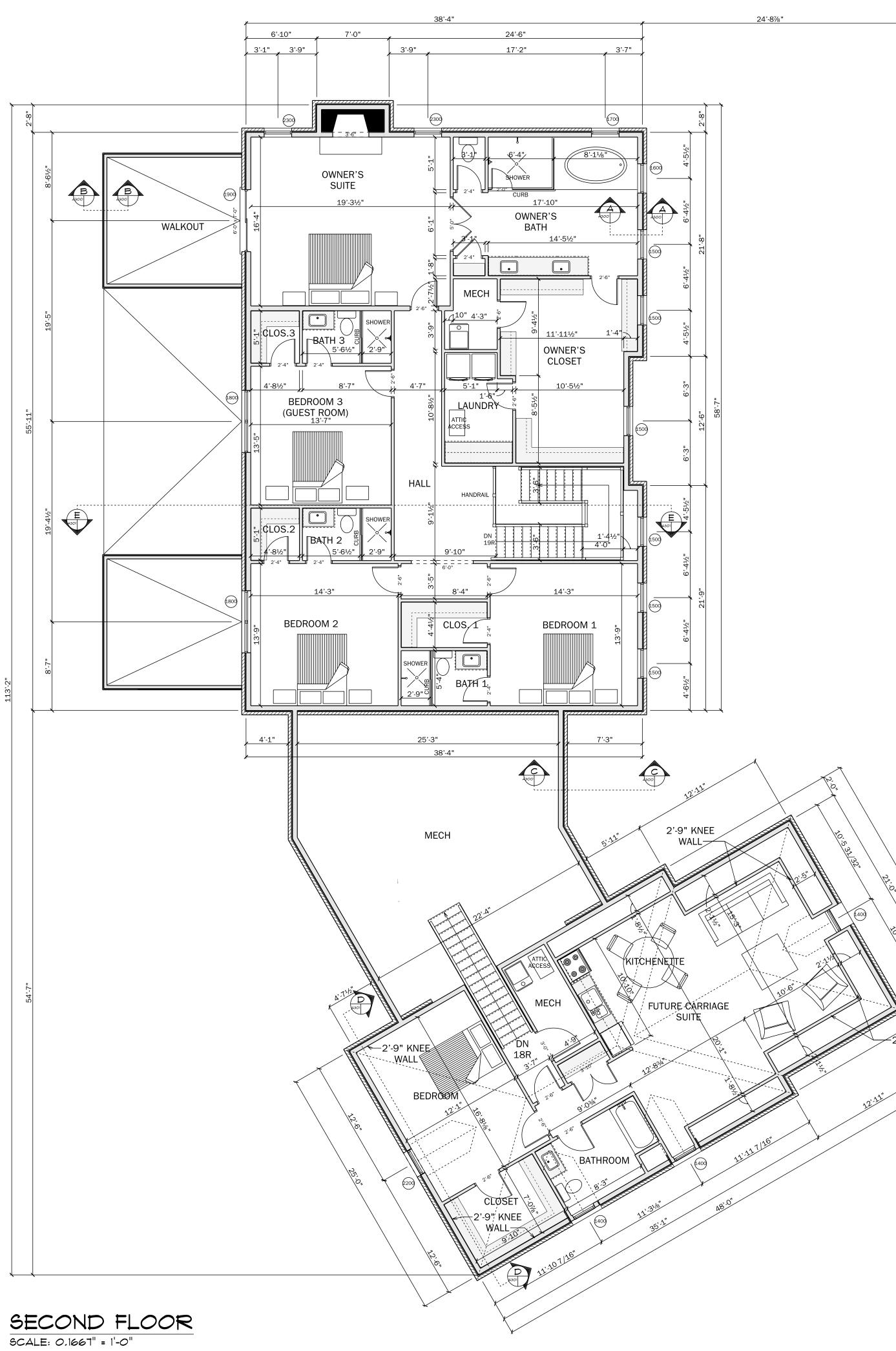
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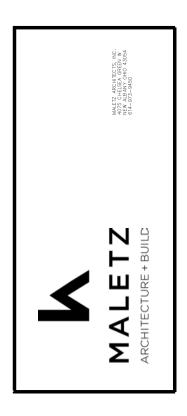


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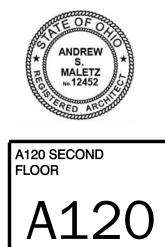
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900	71 3/4" X 120 1/4"	BRICK MOULD	
1000	71 3/4" X 120 1/8"	BRICK MOULD	
1100	42 1/8" X 73 1/2"	BRICK MOULD	
1200	71 3/4" X 120 1/4"	BRICK MOULD	
1300	71 3/4" X 120 1/4"	BRICK MOULD	
1400	30 1/8" X 49 1/4"	NO BRICK MOUL	
1500	36 1/8" X 61 1/2"	BRICK MOULD	
1600	36 1/8" X 61 1/2"	BRICK MOULD	
1700	34 1/8" X 61 1/2"	BRICK MOULD	
1800	71 1/2" X 65 1/2"	BRICK MOULD	
1900	71 3/4" X 83 1/4"	BRICK MOULD	
2000	72 13/16" X 120 1/8"	BRICK MOULD	
2100	37" X 96 1/8"	BRICK MOULD	
2200	30 3/4" X 48 1/2"	BRICK MOULD	
2300	34 1/8" X 61 1/2"	BRICK MOULD	

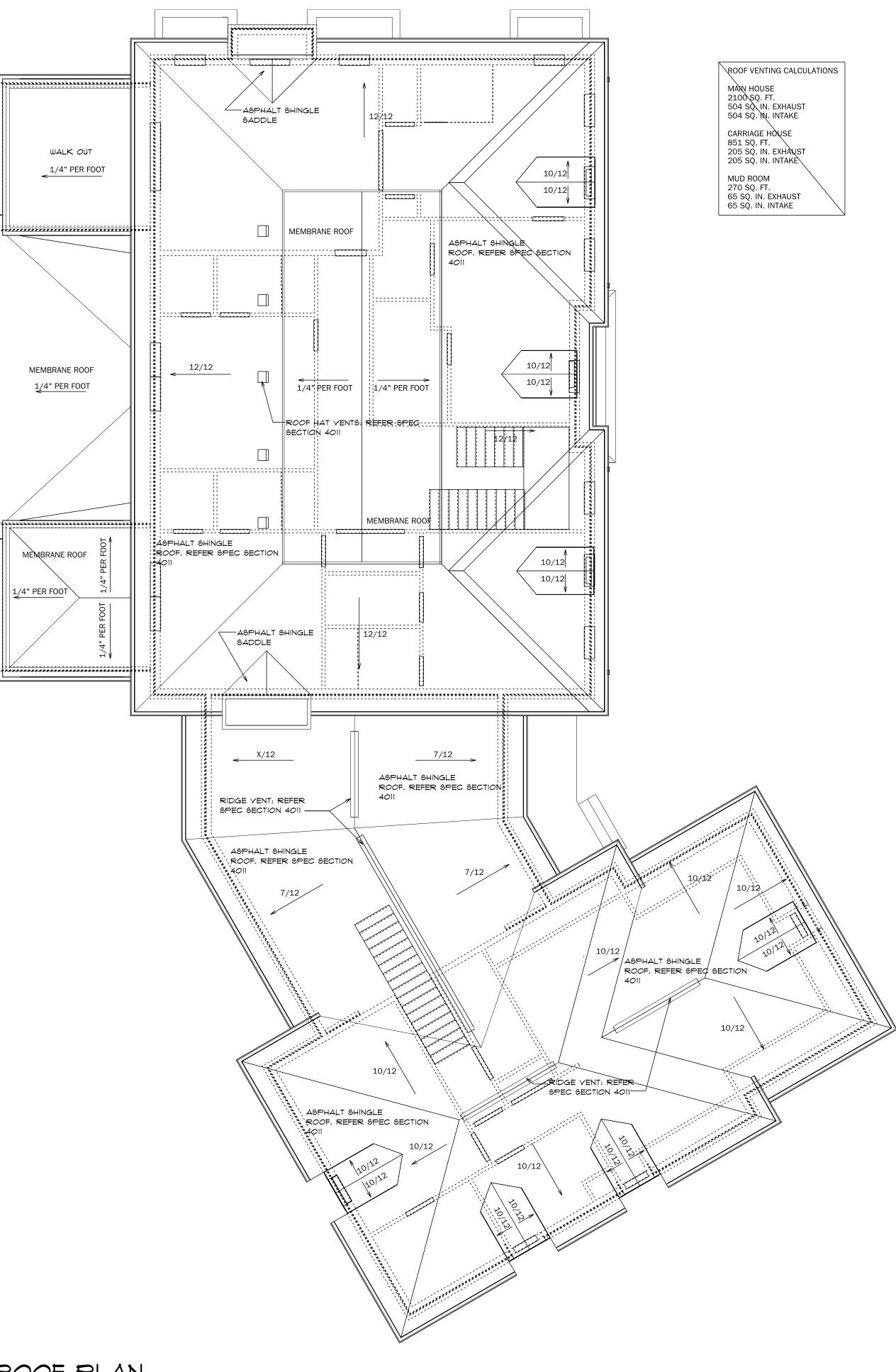


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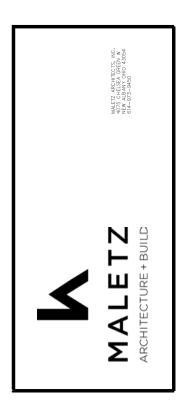


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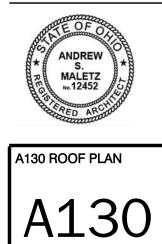


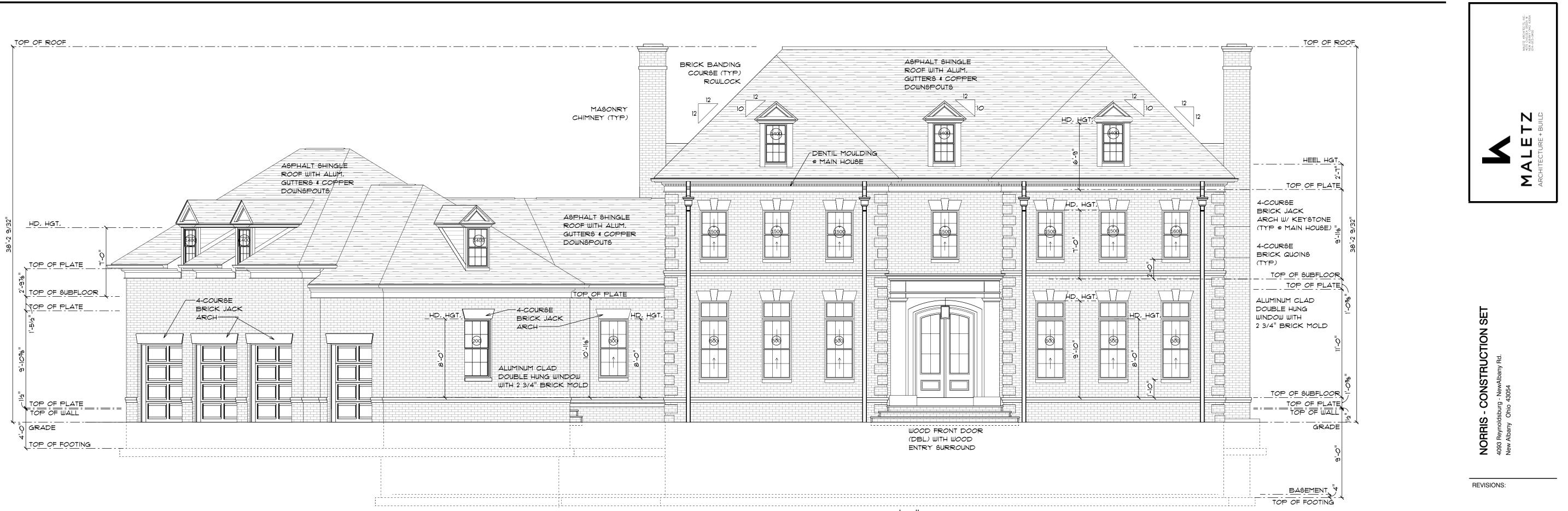




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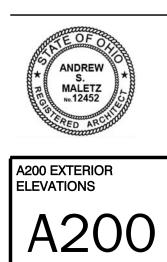


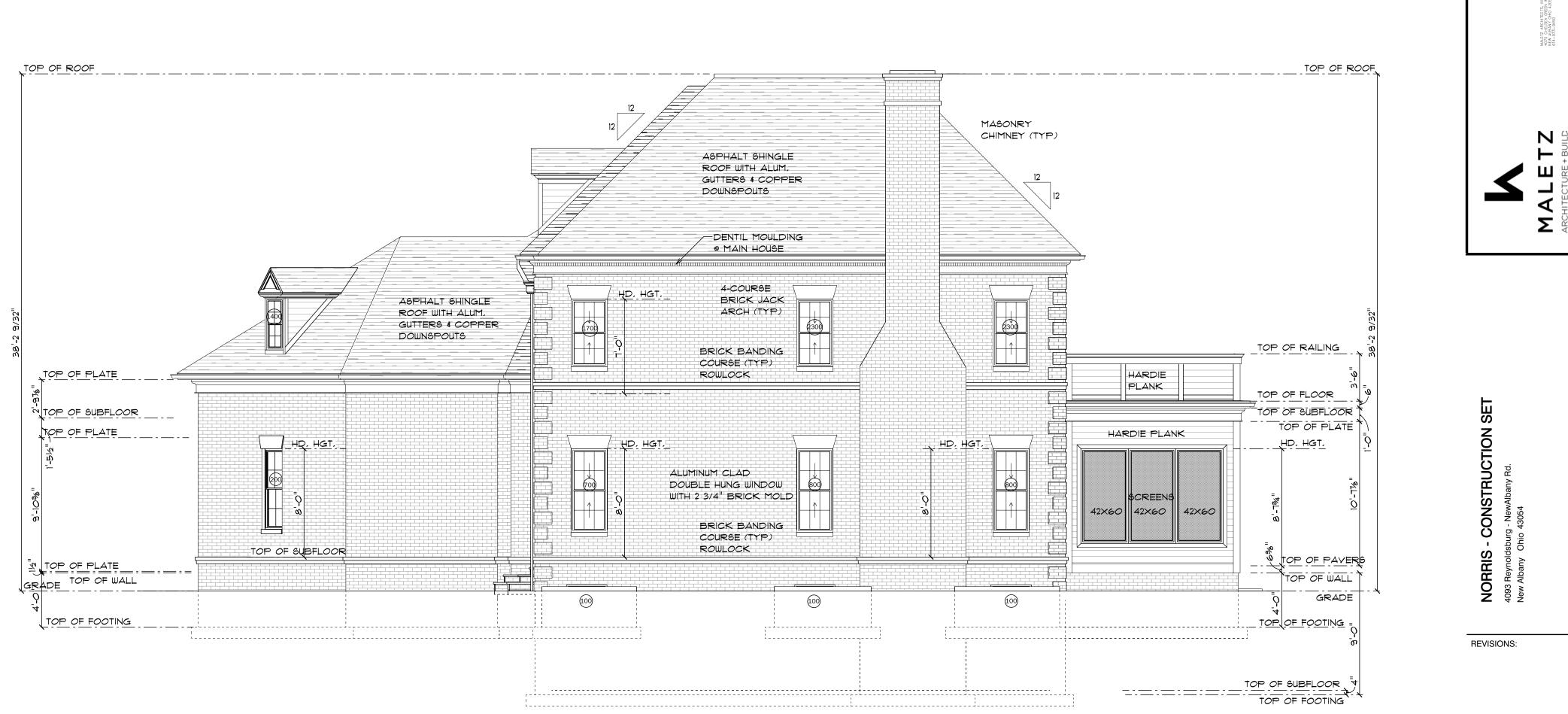


FRONT (EAST) ELEVATION SCALE: 3/16" = 1'-0"

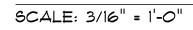


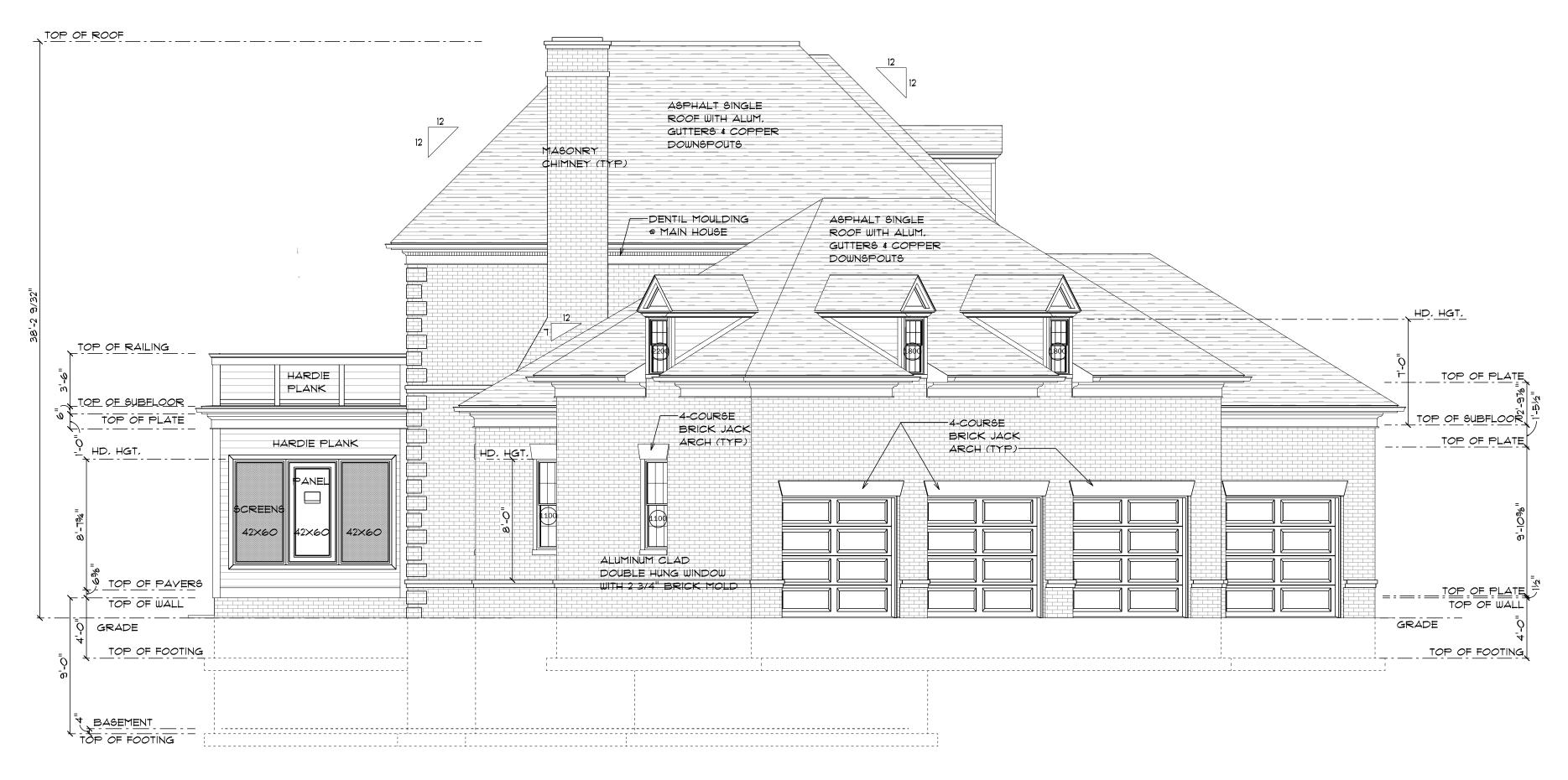
- 9'-0" BASEMENT 11'-0" MAIN FLOOR
- 9'-0" SECOND FLOOR



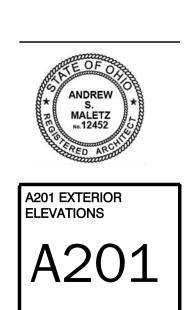


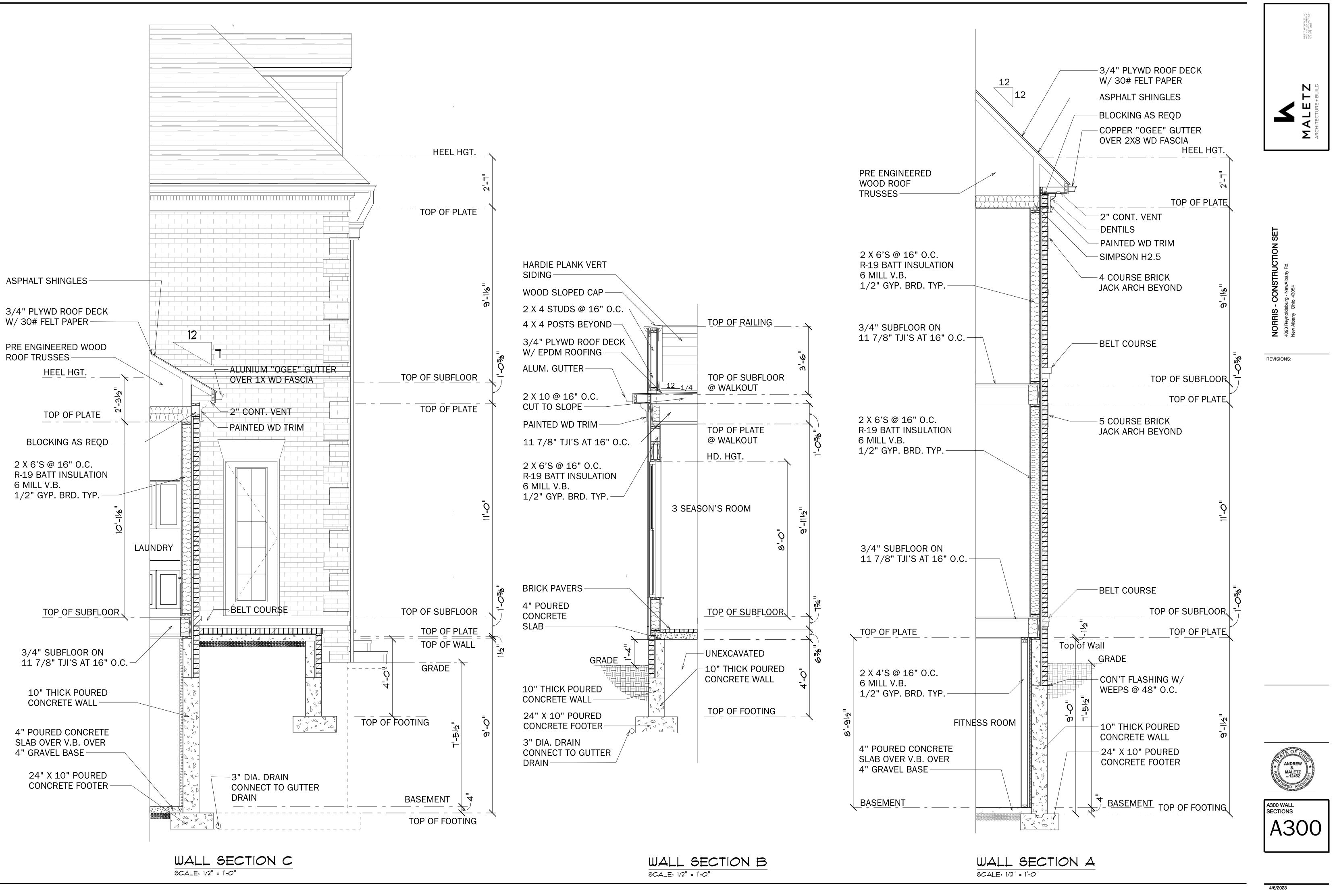


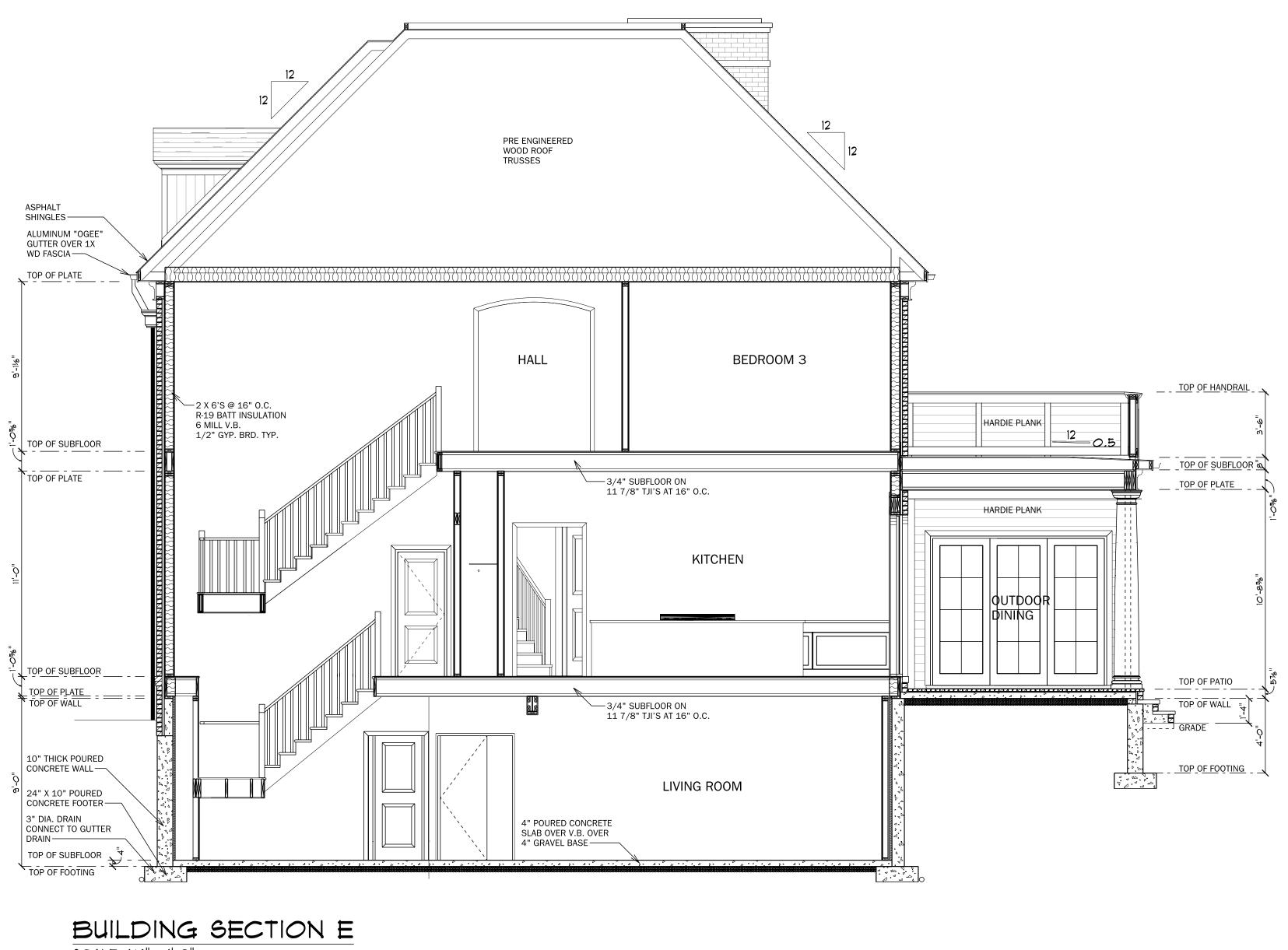




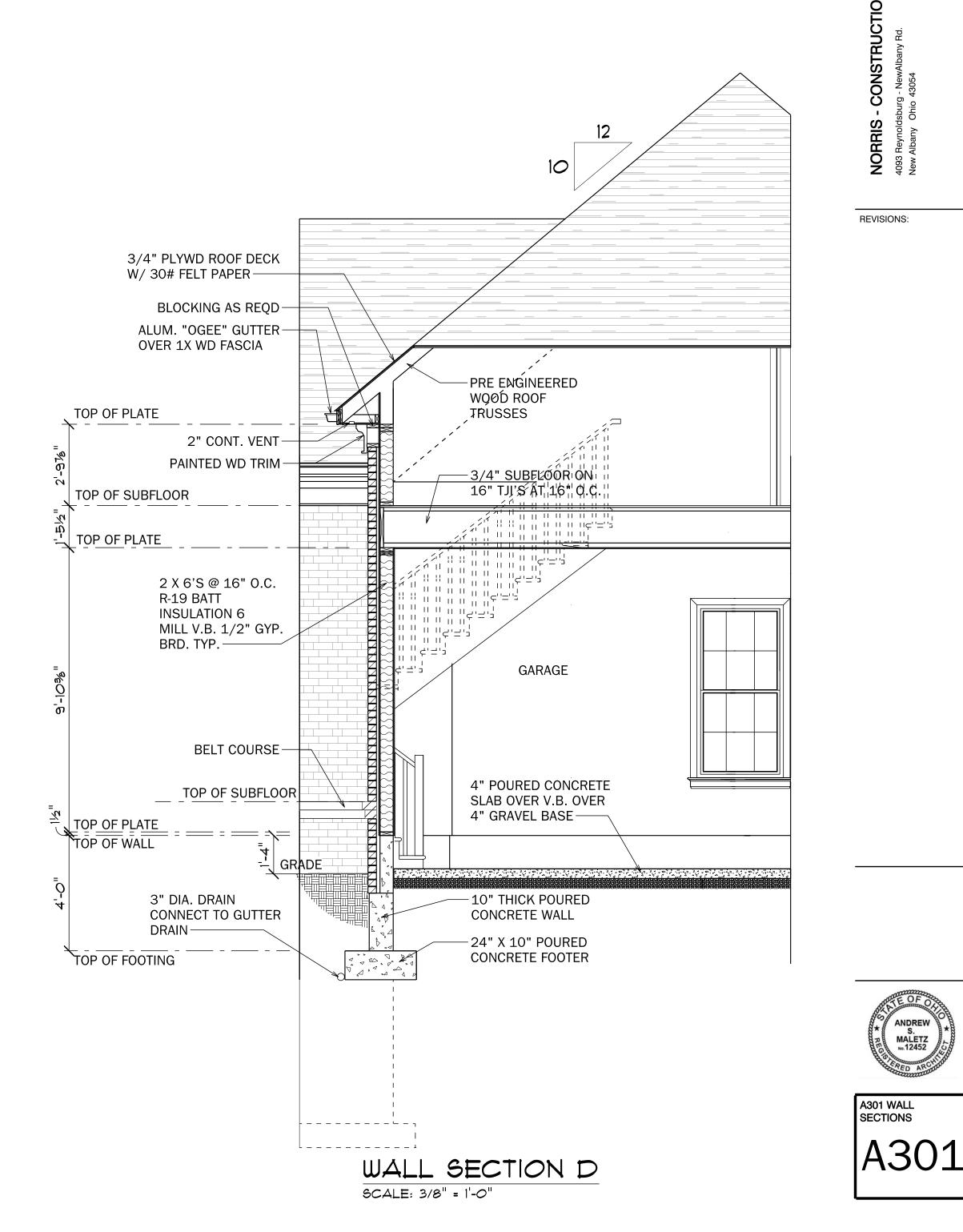
LEFT (SOUTH) ELEVATION SCALE: 3/16" = 1'-0"



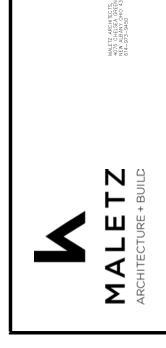


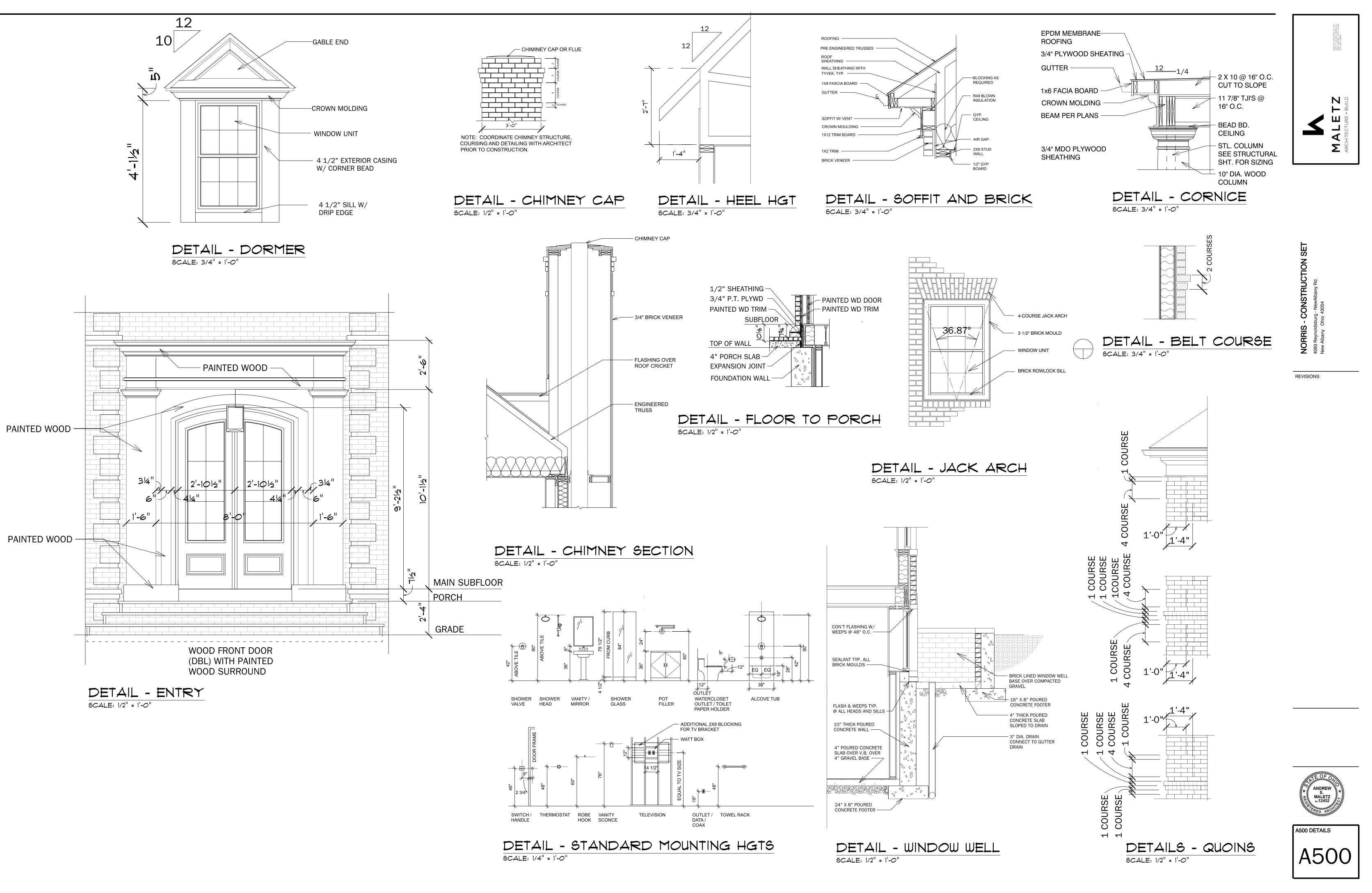


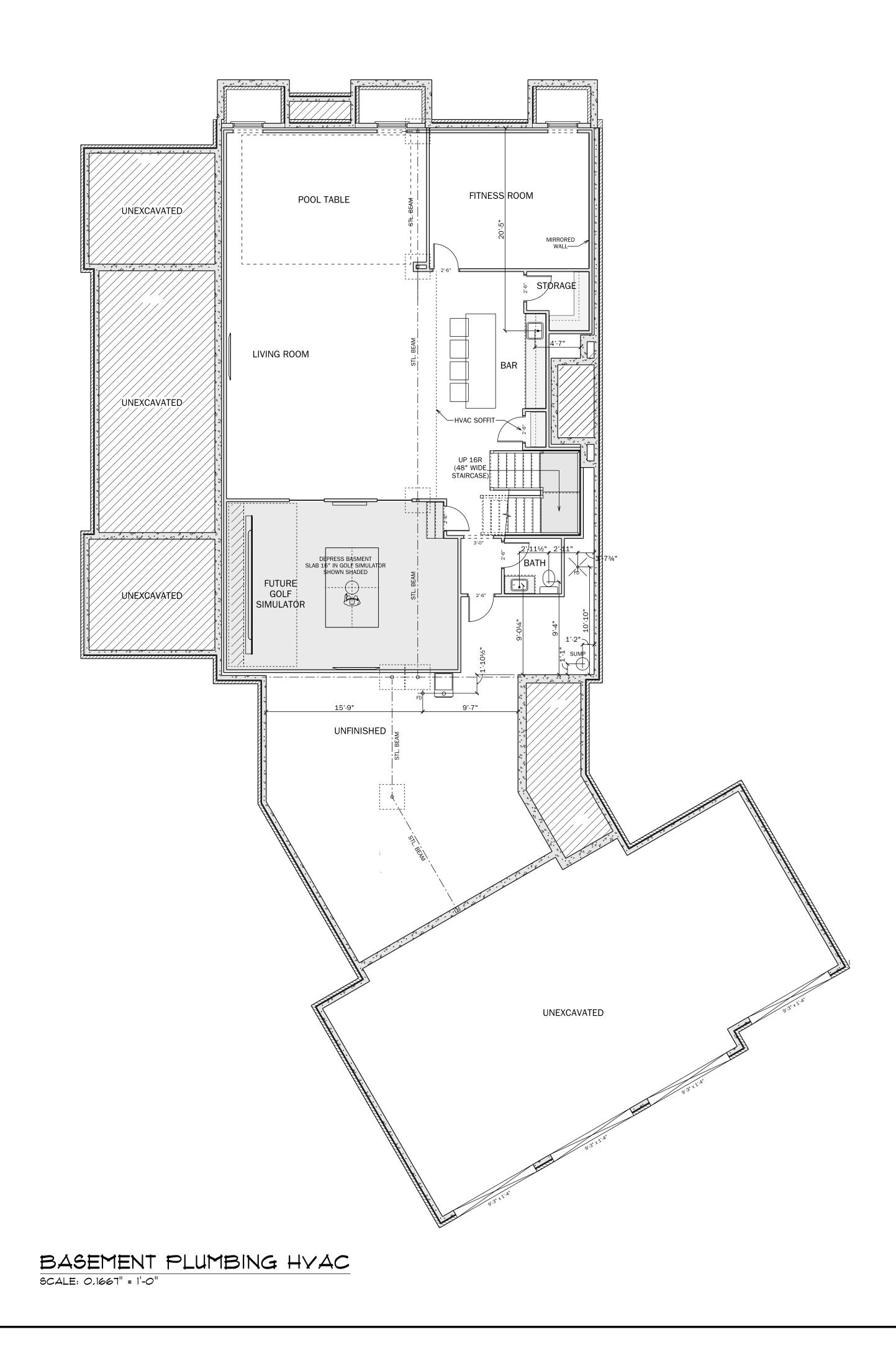
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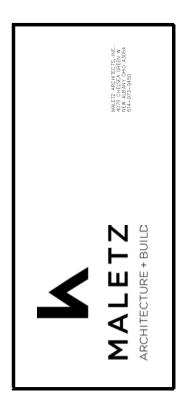


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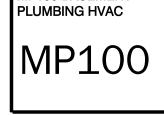




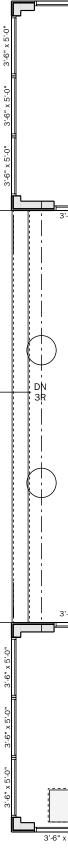
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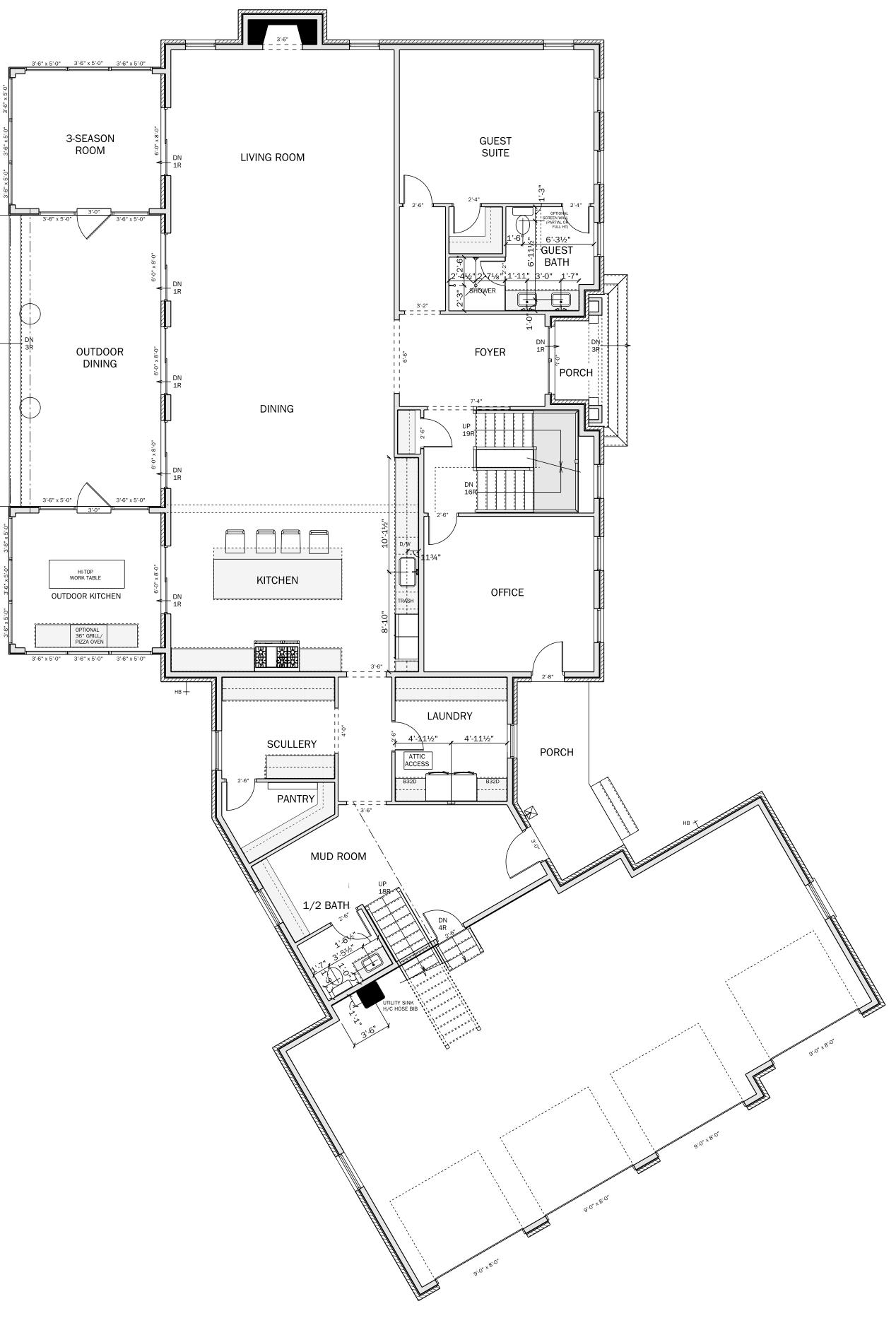




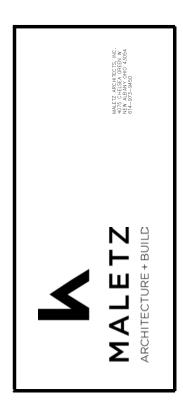
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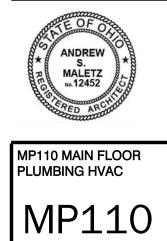


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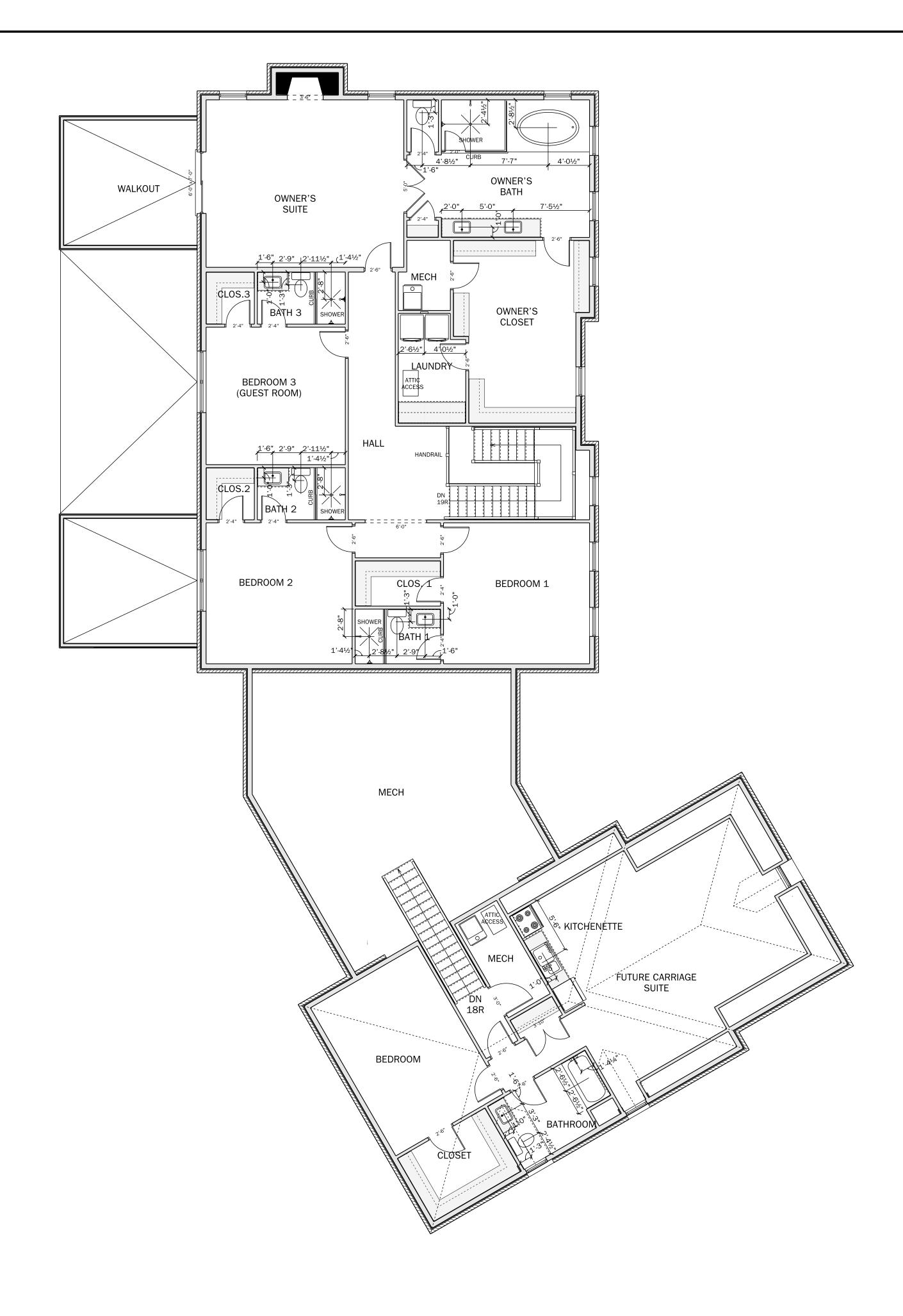


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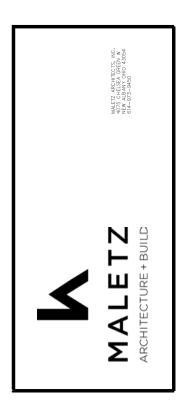
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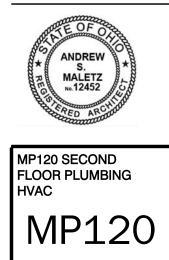


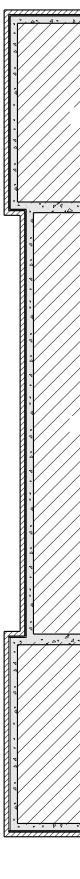




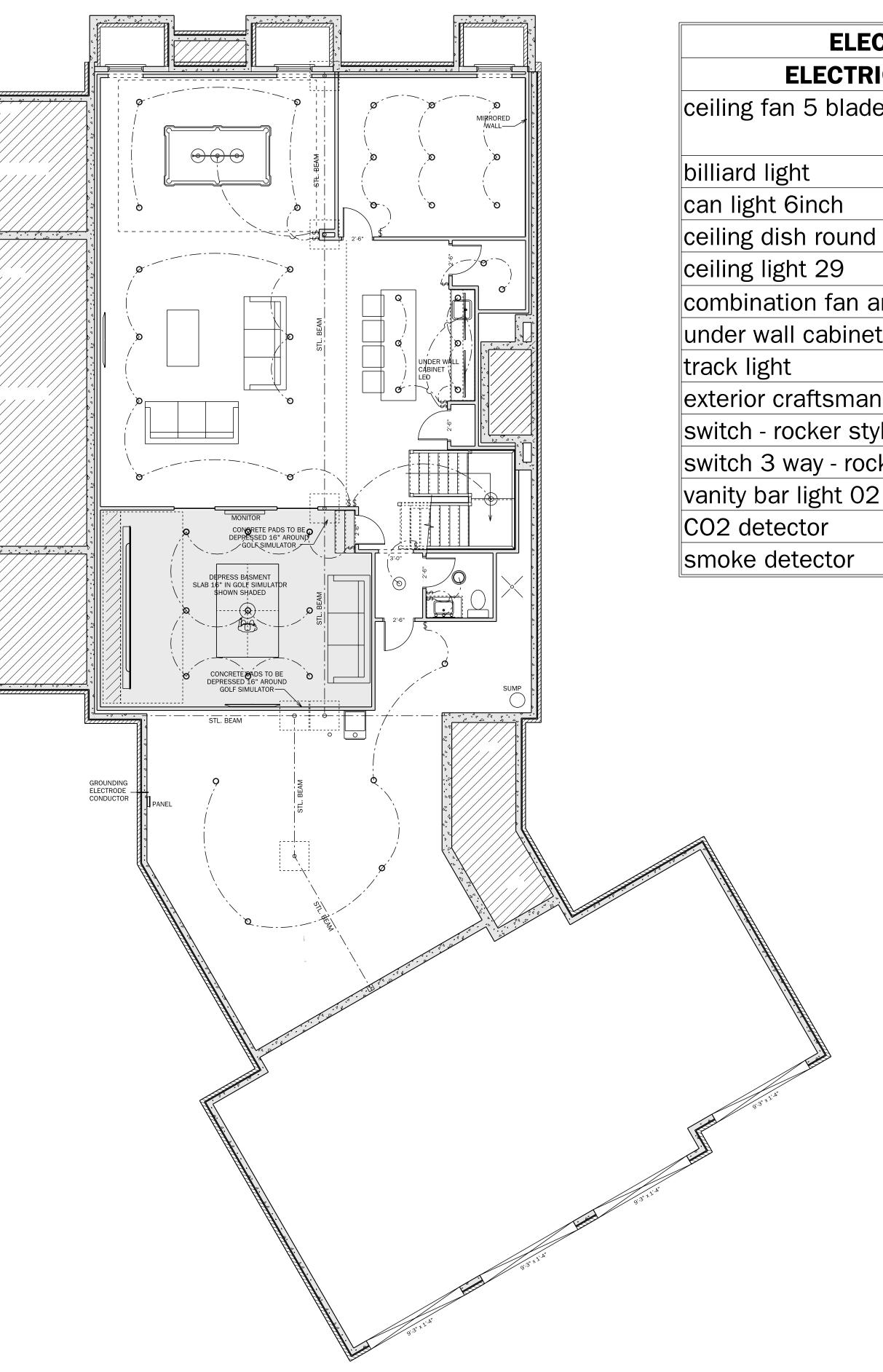
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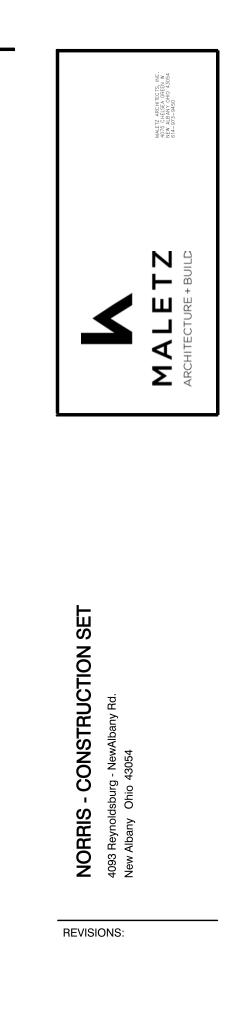






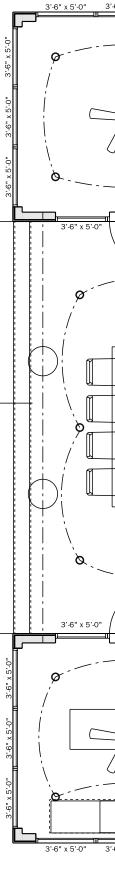


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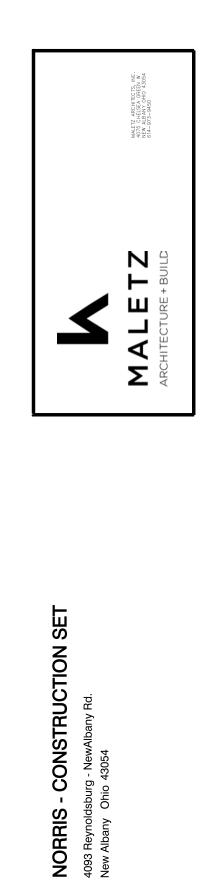
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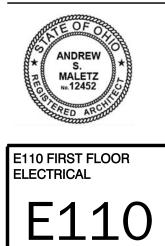




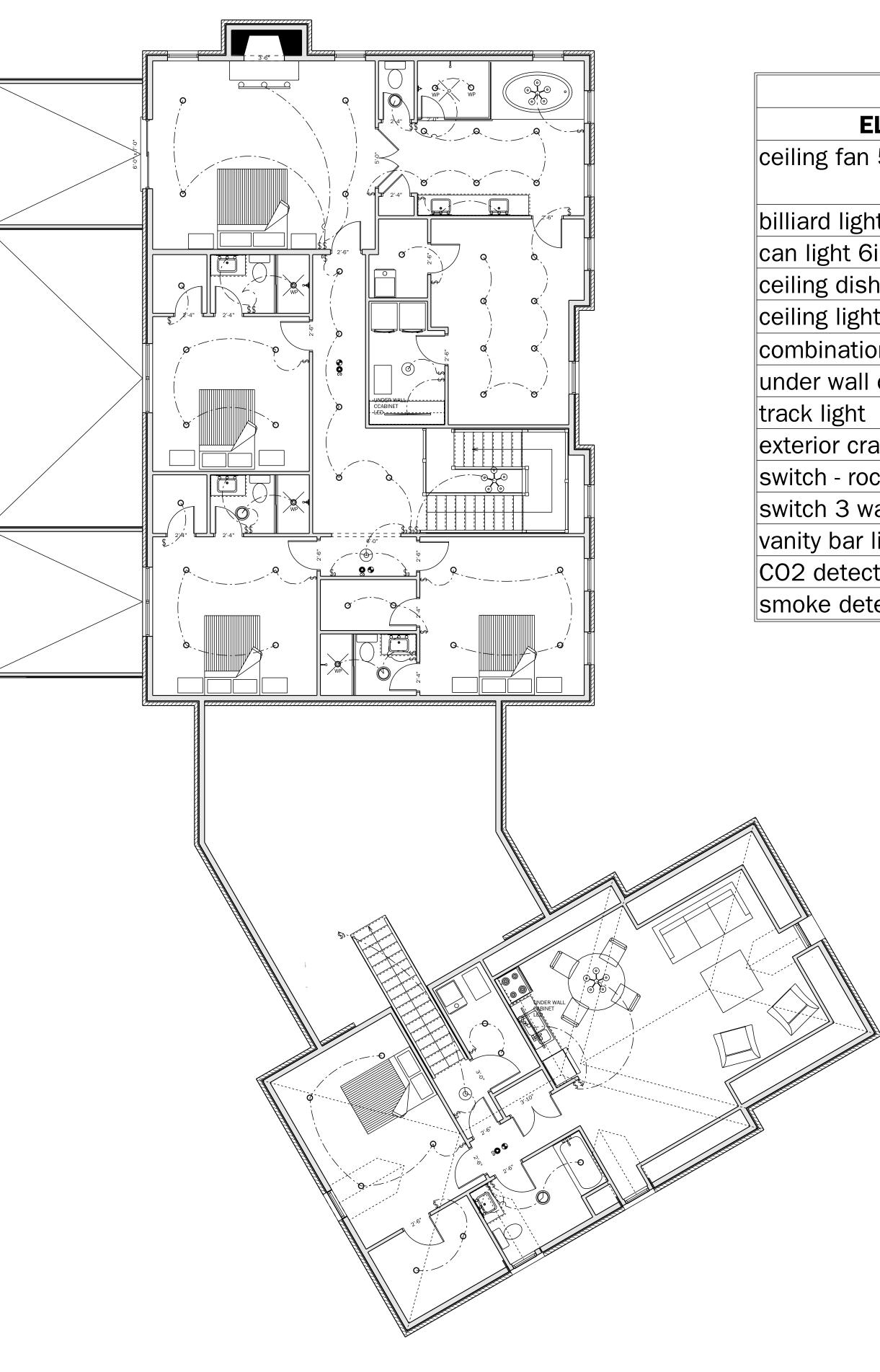
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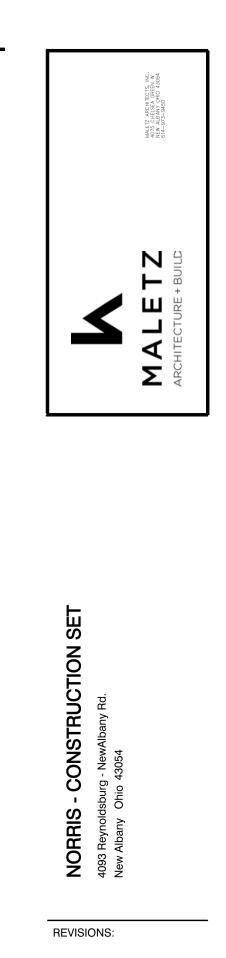


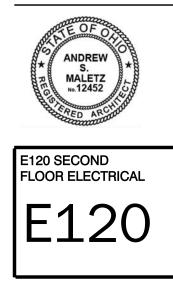




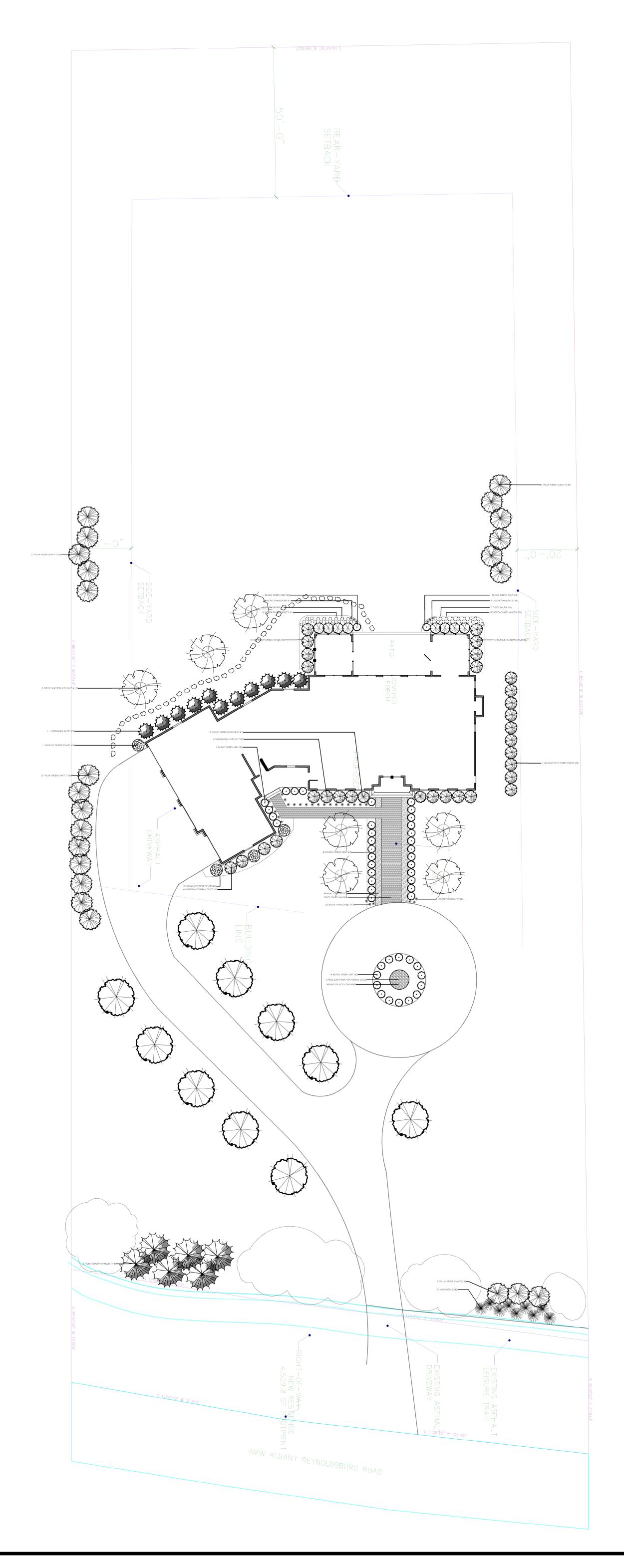
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NORRIS RESIDENCE MASTER LANDSCAPE PLAN

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4093 REYNOLDSBURG NEW ALBANY ROAD, NEW ALBANY OHIO 43054









Community Development Department

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

Dear Andrew Maletz

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

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

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

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

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, May 16, 2023

The New Albany Planning Commission took the following action on 05/15/2023 .

Final Development Plan

Location: 4093 Reynoldsburg New Albany Rd Applicant: Andrew Maletz

 Application: PLFDP20230050
 Request: To allow for construction of a single residential home on 1.654 acres located at 4093 Reynoldsburg-New Albany Road
 Motion: To approve FDP20230050

Commission Vote: Motion Approved, 5-0

Result: Final Development Plan, PLFDP20230050 was Approved, by a vote of 5-0.

Recorded in the Official Journal this May 16, 2023

Condition(s) of Approval: N/A.

Staff Certification:

Sierra Cratic-Smith

Sierra Cratic-Smith Planner



Planning Commission Staff Report June 19, 2023 Meeting

COURTYARDS AT HAINES CREEK ZONING DISTRICT ZONING AMENDMENT

LOCATION:	Generally located at the northwest corner of the intersection at Central College Road and Jug Street Rd NW for an area to be known as the "Courtyards at Haines Creek Zoning District" (PIDs: 222-005156, 222-005157, 222-005158, 222-005159).
APPLICANT:	EC New Vision Ohio LLC, c/o Aaron L. Underhill, Esq.
REQUEST:	Zoning Amendment
ZONING:	Agricultural (AG) to Infill-Planned Unit Development (I-PUD)
STRATEGIC PLAN:	Residential District
APPLICATION:	ZC-07-2023

Review based on: Application materials received on May 25, 2023.

Staff report completed by Chelsea Nichols, Planner.

I. REQUEST AND BACKGROUND

The applicant requests review and recommendation to city council to rezone 63.5+/- acres from Agricultural (AG) to Infill-Planned Unit Development (I-PUD). The proposed zoning permits permit 136 age-restricted and 15 non-age restricted lots within a new residential subdivision. The zoning area is known as the "Courtyards at Haines Creek Zoning District." The proposed zoning text is essentially the same as the approved zoning text for the existing Courtyards at New Albany subdivision.

On May 18, 2023, the Rocky-Fork Blacklick Accord Panel recommended approval of the application. The application met 87.5% of the Accord Town Residential land use district development standards.

The rezoning and preliminary development plan are scheduled to be heard by city council as an ordinance with an anticipated first reading on July 5, 2023 and second reading on July 18, 2023. Once the rezoning application has been approved by city council, the application must return to the Planning Commission with a final development plan application due to the Infill-Planned Unit Development (I-PUD) zoning classification.

II. SITE DESCRIPTION & USE

The 63.5+/- acre zoning area is located in Franklin County and is made up of four properties. There is one existing barn located on one of the properties. The site is generally located at the northwest corner of the intersection at Central College Road and Jug Street Rd NW. The site is located immediately west of the Licking County line and immediately, north of Agricultural zoned and residentially used properties, and there are unincorporated residentially zoned and used properties to the west and north of the site.

III. PLAN REVIEW

Planning Commission's review authority of the zoning amendment application is found under C.O. Chapters 1107.02 and 1159.09. Upon review of the proposed amendment to the zoning map, the Commission is to make recommendation to City Council. Staff's review is based on city plans

and studies, proposed zoning text, and the codified ordinances. Primary concerns and issues have been indicated below, with needed action or recommended action in <u>underlined text</u>.

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

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

<u>Per Codified Ordinance Chapter 1159.08</u> the basis for approval of a preliminary development plan in an I-PUD shall be:

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

A. Engage New Albany Strategic Plan

The site is located within the Residential District future 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.

The Engage New Albany Strategic Plan recommends the following standards as prerequisites for all development proposals in New Albany:

- Development should meet setback recommendations contained in strategic plan.
- Streets must be public and not gated. Cul-de-sacs are strongly discouraged.
- Parks and open spaces should be provided, publicly dedicated and meet the quantity requirements established in the city's subdivision regulations (i.e. 20% gross open space and 2,400 sf of parkland dedication for each lot).
 - All or adequate amounts of open space and parkland is strongly encouraged to be provided on-site. If it cannot be provided on-site, purchasing and publicly dedicating land to expand the Rocky Fork Metro Park or park space for the Joint Parks District is an acceptable alternative.
- The New Albany Design Guidelines & Requirements for residential development must be met.
- Quality streetscape elements, including an amenity zone, street trees, and sidewalks or leisure
- Trails and sidewalks should be provided on both sides of all public streets.
- Homes should front streets, parks and open spaces.
- A residential density of 1 dwelling unit (du) per acre is required for single-family residential and a density of 3 du per acre for age restricted housing.
 - Higher density may be allowed if additional land is purchased and deed restricted. This type of density "offset" ensures that the gross density of the community will not be greater than 1 unit per acre. Any land purchased for use as an offset, should be within the NAPLS district or within the metro park zone.
 - 3 du/acre is only acceptable if 100% age restricted. Otherwise, the federal regulations and criteria for subdivisions to qualify as age-restricted must be accounted for when calculating density (i.e. 80% age restricted and 20% non-age restricted).
 - $\circ\,$ Age restriction must be recorded as a deed restriction and included as a requirement in the subdivision's zoning text.

B. Use, Site and Layout

- 1. The proposed zoning is Infill-Planned Unit Development (I-PUD) that permits the development of a new 151 lot, age-restricted residential subdivision.
- 2. The Engage New Albany strategic plan residential land use district states that the gross density is 1 dwelling unit per acre for traditional single-family and up to 3 units per acre if the development is 100% age restricted.
 - This zoning district proposes 90% of the units to have occupants who are 55 years of age or older.
 - The applicant further agrees that the community shall not permit permanent residents within the 90% age-restricted units who are under the age of 21.

- With 151 units, that permits 136 age restricted and 15 non-age restricted lots within the subdivision on 63.5 gross acres. This equals out to be 2.38 units per acre which meets the strategic plan density recommendations.
- 3. A school impact statement has been submitted. The applicant estimates that 0.05 students per unit will be generated in 90% of the homes that are age-restricted and that 0.15 students per unit will be generated in the 10% of the homes that are not age-restricted for a total of 9 students. Based on an assumed 9 students generated, the applicant has projected this development to have a net positive financial impact on the school district.
- 4. The zoning district is made up of one subarea that is approximately 63.5 acres and permits the following uses:
 - Single-family detached homes, subject to the age restriction requirements detailed in the text;
 - Publicly or privately-owned parks and open spaces;
 - 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
 - Residential model homes and temporary sales offices that are subject to a conditional use approval by the Planning Commission.
- 5. Section IV requires homes within this subarea shall be age restricted in accordance with the Fair Housing Act and the HOPA Exemption so that a minimum of 90% of the homes shall be required to have at least one occupant that is age 55 or older. The applicant further agree that the community shall not permit permanent residents within the 90% age-restricted units who are under the age of 21 to the extent permitted by 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. Failure to comply with the Act and/or the HOPA Exemption shall constitute a zoning violation that is enforceable by the City.
- 6. The text requires the applicant/developer shall provide evidence to the city that it has recorded a written restriction requiring the property may only be developed and operated in accordance with the requirements listed above. Prior to recording the restriction, the text requires the applicant/developer to deliver a draft copy of the restriction to the city's law director for reasonable review and confirmation. These requirements are consistent with other age-restricted subdivisions in New Albany.
- 7. The zoning text establishes the following setbacks listed in the table below.

SETBACKS	
Central College Road and Just Street Rd NW	100-foot building and pavement setback from
(Engage New Albany strategic plan	the edge of the right-of-way, except homes
recommends 100-foot setback)	and other improvements on Lots 71 and 72
	shall be permitted within this setback.
Front Yard	20 feet, except for the Lane Homes facing
	Street 9, which shall have a minimum front
	yard setback of 15 feet.
Side Yard	5 feet
Rear Yard	50 feet for lots with rear boundary lines
	which also serve as the eastern and western
	perimeter boundary of this zoning district, 15
	feet for all other lots.

8. The Engage New Albany Strategic Plan identifies Central College Road and Jug Street Road NW as "Business Park Traditional" roadways and recommends a 100-foot setback. The applicant is meeting this recommendation by providing a 100-foot setback from these roadways (with the exception of lots 71 and 72 which are located at the bend of Jug

Street). This large setback is appropriate as it is sensitive to the rural character of the roadways and general area.

9. The zoning text states that all homes are not to back onto open space and reserve areas. The preliminary development plan demonstrates this requirement, meeting an important development standard of the Engage New Albany Strategic Plan.

C. Access, Loading, Parking

- 1. The primary access points to the site are from Central College Road and Jug Street Road NW in the general locations shown on the provided preliminary development plan. Prior to the issuance of the first building permit for any structure to be built in this zoning district the applicant shall dedicate right-of-way to the city for a distance that extends 40 feet from the centerlines of Central College Road and Just Street Road NW.
- 2. Right-of-way shall be dedicated for the future extension of two streets to the western boundary line of this zoning district, as shown on the preliminary development plan. The developer shall be required to construct the extension for a distance of 10 feet from its westernmost intersection. Signage shall be installed at the end of the 10-foot stubs which indicate that these streets may be extended in the future as a through street,
- 3. The text requires all internal streets to be dedicated as public streets and built to city standards. The right-of-way for these internal streets is required to be 50 feet with 26-foot pavement widths, measured from front of curb to front of curb. The right-of-way for Lanes shall be a minimum of 20 feet with a minimum of 16 feet of pavement. The proposed north-south Street shall have right-of-way of 60 feet in width. These requirements match those found in the city's subdivision regulations.
- 4. The text requires a 5-foot-wide public sidewalk to be constructed within the right-ofway on each internal subdivision street (other than the North-South Street, the south side of Street 2, and the north side of Street 8), in the general locations shown in the preliminary development plan.
- 5. The text requires 8-foot-wide, asphalt leisure trails to be installed along the north side of Central College Road, the west side of Jug Street rights-of-way, along the side of the North-South Street north to the intersection with Street 5 and 8, and along the north side of Street 8.
- 6. Additional paths and sidewalks through the development and open spaces are shown on the preliminary development plan. Details shall be presented for review with a final development plan and finalized at the time of final engineering.
- 7. The text requires all homes to have a minimum of 2 off-street parking spaces on their driveways in addition to a minimum of 2 parking spaces within the garage.

D. Architectural Standards

- 1. The New Albany Design Guidelines and Requirements (DGRs) ensure neighborhoods sustain their quality and vibrancy over time. These guidelines have been developed by New Albany to ensure that the community enjoys the highest possible quality of architectural design that has made the community successful thus far.
- 2. The PUD text states this development is not be required to strictly adhere to the City's Design Guidelines and Requirements (DGRs) and its Codified Ordinances. The text says 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.
- 3. The developer is designing homes for a certain age group whose form and function does not meet the architectural standards of the city's DGRs. The city's goals are to enhance some design elements of the proposed homes to help create quality neighborhoods that hold value over time. A streetscape goal for the project includes layering of features, intersection treatments, street trees, on lot landscaping, and front porches to mitigate the visual impact of the proposed double bay garage doors, that don't meet city's strategic plan standards, on the streetscape.

- 4. The text says the design intent of this neighborhood is to borrow from the tradition of the summer retreat camps popular in the 1990's. Examples include the Oak Bluffs Meeting Camp on Martha's Vineyard and Lakeside Ohio. These camps were a collection of small cottages around a central meeting house and green. The text says the proposed architecture aesthetic is consistent with the character of New Albany by referencing the "rectangular form houses." The homes in this community are simple forms, generally rectangular in shape.
- 5. The text requires all homes shall be a minimum of 1.5 stories or 1.5 stories in appearance from the front elevation thereby meeting one of the New Albany Strategic Plan's development standards recommendations that all houses should be a minimum of 1.5 stories in appearance and a maximum of three stories.
- 6. The New Albany Strategic Plan's development standards recommendation is that rear and side loaded garages are encouraged. When a garage faces the street, the front façade of the garage must be setback from the front façade of the house. In addition, the maximum width of a garage door facing the street is ten feet. The PUD text allows garages to face the street with double-bay garage doors. The text states garages must be setback at least 2 feet, 8 inches from the front façade of the home. However, the text defines the front façade as the forward-most plane of a front porch. The text requires all homes must have a front porch that is at least 90 square feet. These are the same design requirements as the existing Epcon development, Courtyards at New Albany.
- 7. The text permits brick, brick veneer, and cementitious/ composite siding. Vinyl siding is prohibited. The text requires 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.
- 8. The text states exposed concrete foundation walls shall be prohibited and, unless otherwise approved as part of a final development plan, shall be covered by (a) brick or brick veneer or (b) an extension of the primary building façade materials to the surrounding grade.
- 9. The city Design Guidelines and Requirements requires four-sided architecture. The proposed housing project offers side, courtyard living space instead of traditional rear-yard living space. In order to accommodate a private courtyard space on the side of homes, the neighboring property's side elevation is left blank without windows or doors. In an effort to meet the intent of the DGRs the PUD text prohibits blank façades and contains a definition and criteria for what four-sided architecture shall constitute in this neighborhood.
- 10. The PUD text allows for these blank façades only when adjacent to another side yard. The text requires 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 plus at least one of the design elements from the following list. These design elements all appear to be appropriate architectural elements since they add visual interest to the exterior of the home.
 - Cornices above windows
 - Shutters which appear to be open and appear to be operable and mounted on appropriate shutter hardware (hinges and shutter dogs);
 - Closed shutters that appear to completely cover one or more windows, although no window shall be required to be installed behind such shutters;
 - Doors;
 - Bay windows or bay elements;
 - Chimney; or
 - Decorative louvers.
- 11. Similarly, the PUD text requires the rear elevation of each home shall be articulated with a minimum of at least two of the design elements from the same list. These design elements all appear to be appropriate architectural elements since they add visual interest to the exterior of the home.
 - Doors;
 - Porches;

- Two or more windows (bay windows count as a window);
- Bay windows or bay elements;
- Chimney;
- Decorative louvers;
- Shutters which appear to be open and appear to be operable and mounted on appropriate shutter hardware (hinges and shutter dogs);
- Closed shutters that appear to be completely cover one or more windows, although no window shall be required to be installed behind such stutters.
- 12. The text allows roofs to be of natural slate wood shake or wood shingle, an architectural grade fiberglass asphalt shingle, or standing seam. Metal standing seam shall be permitted as roof material only on porches.
- 13. Solar panels are permitted to be installed on roofs on the rears of homes that face southward, provided they are not visible from a public street.
- 14. <u>Per the zoning text requirements, the applicant has provided architectural elevations and</u> <u>renderings. More detailed architectural elevations and/or renderings shall be submitted</u> <u>for approval by the Planning Commission as part of the final development plan.</u>

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

- 1. New Albany's Codified Ordinance requires that 2,400 square feet per home be dedicated as park land and 20% of the total acreage in the subdivision shall be dedicated as open space. For this development the total required park land and open space is 21.01 acres. The applicant is providing multiple reserve areas that consists of either open space or parkland, totaling 17.48 acres. Per C.O. 1187.16 wet and dry stormwater basins shall not be considered open space.
 - a. The proposal does not meet the Codified Ordinance requirements. The applicant commits to provide for an equivalent contribution toward the city's parkland and open space amenities through the purchase and dedication to the city or Franklin County Metro Parks of undeveloped land located elsewhere in the New Albany Plain Local School District, or alternatively by making an equivalent monetary contribution to the City for the purpose of funding other parkland development, leisure path, and/or other recreational programs or plans. This form and the amount of such contribution shall be approved as part of a final development plan for this zoning district.
- 2. The zoning text states ownership and maintenance of the parkland and open space areas which are shown on the preliminary development plan shall be defined and approved with the final development plan.
- 3. The PUD text states "due to the nature of this subarea as an age-restricted 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."
- 4. The strategic plan states that homes do not back onto open spaces or public roads. The applicant is meeting these recommendations by prohibiting homes from backing onto open space and providing open space around existing natural features.
- 5. 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 ¹/₂ inches in caliper at installation and shall be spaced at an average distance of 30 feet on center, except that a double row of trees shall be provided along the proposed North-South Street. These trees may be grouped, provided the quantity is equivalent to 1 tree per 30 feet or fraction thereof.
- 6. The zoning text commits to a Tree Preservation Zone which applies for a minimum distance of 100 feet from the right-of-way of Central College Road and Jug Street Road NW in Reserve A, in areas to the south of the intersection of Jug Street Road NW and a new public street connecting it to the new subdivision. The tree preservation zone shall also apply within the northwest corner of the zoning district and covering the tree line along the north property line of Reserve C.

- 7. The zoning text commits to buffering along the western perimeter boundary. Along with the landscaping plan that is filed as part of a final development plan, the applicant shall submit a report from a certified arborist. The report shall detail the conditions of existing trees within the minimum required rear yard setbacks on lots of homes that back to the western perimeter boundary line. The arborist's report will also detail the anticipated need to remove trees within that area in order to accommodate development, preserve the health of trees, and/or to ensure the safety of residents of homes that are to be constructed on those lots.
 - a. The landscape plan shall identify which trees are to be preserved based on the report and shall provide for the planting of replacement trees, landscaping, and/or other improvements to provide buffering between new homes and adjacent property to the west which is outside of this zoning district.
 - b. New trees and landscaping may be planted on the adjacent parcel to achieve the buffering objective if permission is obtained from the owners of such parcel.
 - c. The applicant shall share the arborist's report with the adjacent property owners and/or its authorized representatives on or before the date when the final development plan is filed with the City, and shall meet with the property owners (if they are willing) prior to the Planning Commission's hearing on the final development plan.

F. Lighting & Signage

- 1.No signage is proposed at this time. <u>The text states signage shall be reviewed by the</u> <u>Planning Commission with the final development plan.</u>
- 2. Each home must have coach lights on the garage. Uplighting of the exterior of a home shall be prohibited.
- 3. Security lighting, when used, shall be of a motion sensor type.
- 4. Light poles within parking lot areas near the 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.

IV. ENGINEER'S COMMENTS

The City Engineer has no further comments on this submittal other than those provided relating to the Traffic Access Study. <u>Staff recommends a condition of approval requiring all the City</u> <u>Engineer's Traffic Access Study comments are complied with and subject to staff approval.</u> The engineering comments can also be found under the separate cover from the consulting City Engineer, E.P. Ferris & Associates.

V. SUMMARY

The proposed use is appropriate for this location within the city as it is sensitive to the existing character of this portion of the city by preserving trees along the primary streets and edges of the subdivision. The street network, landscaping, and layout are desirable from a site planning perspective. The application includes many of the same amenities that have been successfully implemented in Epcon's Courtyards at New Albany subdivision. Overall, the Courtyards at New Albany has been successful and this proposal builds on that by committing to providing a historical color palette that will add more character to the subdivision. In addition, the zoning text and preliminary development plan provide a strong pedestrian network of trails and sidewalks to allow for future connections to neighboring site.

The Engage New Albany Strategic Plan Residential land use district states that the gross density is 1 dwelling unit per acre for traditional single-family homes and up to 3 units per acre if the development is 100% age restricted. This zoning district proposes 90% of the units to have occupants who are 55 years of age or older. The applicant further agrees that the community shall not permit permanent residents within the 90% age-restricted units who are under the age of 21.

Although the proposal is not meeting the open space requirements on site, it does commit to make an equivalent contribution through the purchase and dedication to the city or Franklin County Metro Parks of undeveloped land located elsewhere in the New Albany Plain Local School District, or alternatively by making an equivalent monetary contribution to the city for the purpose of funding other parkland development, leisure path, and/or other recreational programs or plans. This request will be evaluated by city council.

The subdivision is well designed through multiple connections to the primary streets and future street stubs if development should occur to the west and north. While the street network and layout is desirable from a site planning perspective, and shouldn't be overlooked, departing from the traditional American architectural style is a big consideration. The developer is designing homes for a certain age group whose form and function do not meet the architectural standards of the city's DGRs and has therefore exempted the residential subdivision from the city's codified architectural requirements known as the DGRs. The city staff does not want this departure to become the norm. In order to address these concerns, the applicant has committed to requiring every home be at least 1.5 stories, include a front porch, and use quality building materials such as brick and cementitious/composite material.

VI. ACTION

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

Move to approve application ZC-07-2023 based on the findings in the staff report with the following condition:

1) <u>That all the City Engineer's Traffic Access Study comments are complied with at the time of the final development plan, subject to staff approval:</u>

Approximate Site Location:



Source: Provided by applicant via EMH&T



404.616-02 May 31, 2023

To: Will Walther, Development Engineer

From: Matt Ferris, P.E., P.S.

By: David L. Samuelson, PE

Re: Courtyards at Haines Creek Development TAS Review

The following summarizes our review of the Courtyards at Haines Creek Development Traffic Access Study (TAS), dated April 6, 2023. Overall, we concur with the TAS recommendations. Detailed review comments are as follows:

- 1. The improvement recommendations indicate adding an eastbound left turn lane on Central College at the south site drive, for Year 2034 in the PM peak period. The TAS also notes the Jug at Beech signal will potentially operate at high delays on some of the approaches and that improvements will be needed related to the Intel development area. No additional improvements would be needed with the addition of site traffic at this signal. We concur.
- 2. Site trips were evaluated for the typical AM and PM commuter peak hour between 7-9 AM and between 4-6 PM. Retirees are anticipated at this site, and they may elect to travel during off peak periods (lower street volumes and delays). However, residents who still work are also expected and may commute during typical hours. Information on similar sites shows a wide variation between working/non-working residents. As a result, the TAS analysis of peak hour traffic is considered appropriate. Analyzing off-peak flows is not needed, as results would show lower delays and minimize road improvement needs.
- 3. The TAS indicates AM peak hour site trips of 53 total trips (17 in, 36 out) of which 32 total are oriented to and from the west, and 21 to and from the east. In the PM peak hour, there are 61 trips (37 in, 24 out), with 37 total oriented to and from the west, and 24 to and from the east. These volumes are considered nominal when dispersed on the various approaches at the signalized intersections to the east and west.
- 4. The nominal site traffic increase at the US 62 at Central College signal was a basis for not requiring analysis of this intersection, as any improvement needs for area development would be expected to accommodate the nominal site traffic added at this intersection. This was also affirmed from the analysis of the Jug at Beech signal noted previously.
- 5. For the Jug at Beech and US 62 at Central College signals, monitoring of signal operation and traffic flows is advised as areawide development proceeds.

MEF/DLS

cc: Steve Mayer, Planning Manager Cara Denny, Engineering Manager Chelsea Nichols, Planner





Permit #	
Board	
Mtg. Date	



Community Development Planning Application

	Site Address						
	00 5 1		and 222-005159				
	Choose Application Type Circle all Details that Apply						
Project Information	 Certificate of Appropriateness Conditional Use XDevelopment Plan Plat Interpretent Commercial Subdivision Vacation Variance 	minary Final minary Final bination Split ment	Comprehensive Amendment Adjustment Street				
Proj	□ Extension Request	ndment (rezoning)	Text Modification				
	Description of Request: Request to rezon Development to allow for the development of an em		Agricultural to I-PUD, Infill Planned Unit				
	Property Owner's Name: Homewood Cor Address: 2700 East Dublin-Granville Road	., Attn: Bill Moorhead					
S	Address: 2700 East Dublin-Granville Road City, State, Zip: Columbus, OH 43231 Phone number:		Fax:				
Contacts	Applicant's Name:EC New VisionAddress:Underhill & Hodge LLC, 8000City, State, Zip:New Albany, OH 43054	Dhio LLC, c/o Aaron L. Ui Walton Parkway, Suite 2					
	Phone number: 614.335.9320		Fax: 614.335.93 29				
	Email:aaron@uhlawfirm.com						
Signature	Site visits to the property by City of New All The Owner/Applicant, as signed below, herel employees and appointed and elected official described in this application. I certify that the true, correct and complete. Signature of Owner Signature of Applicant By:	y authorizes Village of to visit, photograph a	of New Albany representatives, and post a notice on the property				

AFFIDAVIT OF FACTS

I, Aaron L. Underhill, in my capacity as attorney for the applicant listed on the zoning application pertaining to 63.5+/- acres known as Franklin County Parcel Numbers 222-005156, 222-005157, 222-005158 and 222-005159, being first duly sworn, do hereby state and depose the following:

That accompanying this affidavit is a list of all property owners located within two hundred (200) feet of the parcel(s) that are the subject of the application and their addresses as appearing on the Franklin County Auditor's current tax list; and

That said list is based solely on the records of the Office of the Auditor of Franklin County, Ohio, as provided on its website on or about the date of this affidavit.

Further Affiant sayeth not.

By:

Aaron L. Underhill Attorney, Underhill & Hodge LLC

STATE OF OHIO COUNTY OF FRANKLIN SS.

The foregoing instrument was acknowledged before me on the day of 2023, by Aaron L. Underhill, who acknowledged the foregoing signature to be his voluntary act and deed.



KIMBERLY R. GRAYSON Notary Public, State of Ohio My Commission Expires 01-11-2026

Notary Public

My Commission Expires:

APPLICANT:	EC New Vision Ohio LLC 500 Stonehenge Parkway Dublin, OH 43017	Linda Menerey C/o EMHT INC 5500 New Albany Road Columbus, OH 43054
PROPERTY OWNER:	Homewood Corp. 2700 East Dublin-Granville Road Columbus, OH 43231	
ATTORNEY:	Aaron L. Underhill Underhill & Hodge LLC 8000 Walton Parkway, Suite 260 New Albany, OH 43054	
SURROUNDING PROPERTY OWNERS:	Douglas and Shawnmarie Lambert 8425 Clouse Road New Albany, OH 43054	John and Suah Hwang 5360 Aldie Mill Drive New Albany, OH 43054
Michael Hairston 8383 Central College Road New Albany, OH 43054	8400 Central College Road Propco LLC 213 Briarwood Drive Somers, NY 10589	John Saveson, Tr. 8370 Clouse Road New Albany, Ohio 43054
David Jones 8337 Clouse Road New Albany, Ohio 43054	Catherine Saveson and Richard Otten 8370 Clouse Road New Albany, Ohio 43054	Christine and Douglas Reader 8263 Clouse Road New Albany, Ohio 43054
Ronald and Tamara Davies 8200 Central College Road New Albany, Ohio 43054	Paul and Lisa Mason 8293 Central College Road New Albany, Ohio 43054	Randell and Stacy Conley 8275 Central College Road New Albany, Ohio 43054
Jonathan and Precious Singo 8237 Central College Road New Albany, Ohio 43054	Jamie Walker and Lisa Tsen 8221 Central College Road New Albany, Ohio 43054	Whitney Pagani 8257 Central College Road New Albany, Ohio 43054
Richard and Debbie Ulery 10929 York Road Etna, Ohio 43105	Jean Smythe, Tr. 8411 Central College Road New Albany, Ohio 43054	Paul and Christine Stamm 8433 Central College Road New Albany, Ohio 43054
Dean and Peggy Corwin 8397 Central College Road New Albany, Ohio 43054	Albert and Diana McRoberts 14624 Jug Street Johnstown, Ohio 43031	Saveson Acres Homeowners Association Ron Barrett 91 Fitzwilliam Lane Johnstown, Ohio 43031

DESCRIPTION FROM TITLE COMMITMENT NO. 22848859-JUT:

The land referred to in this commitment is described as follows: City of New Albany, County of Franklin, State of Ohio

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

PARCEL 1:

Being 10 acres, more or less, taken off the west side of 35 acres formerly owned by Jacob Kitsmiller, deceased, and the lands assigned to Catharine Kitsmiller, his widow, now deceased; commencing 47 rods 16 links west of the Franklin and Licking County line in the line of said lot and the south line of lands owned by David Hand; thence west with said line, 19 rods 3 links to the west line of the lot and east line of lands owned by said David Hand; thence south with said line 84 rods to the center of the road leading to Alexandria, Ohio; thence east with the center of said road, 19 rods 3 links to the west line of lands conveyed to Francis M. Doran for his natural life time and fee simple title to his children and heirs (said conveyance being recorded in Deed Book 330, page 490, Franklin County Deed Records); thence north with said west line, 84 rods to beginning, contained ten (10) acres, more or less, said land being in 1st Quarter, 2nd Township, Range 16. southeast part of Lot 10.

Note: Said first parcel is the same tract conveyed by Francis M. Doran and Dora A. Doran to Samuel F. Atwood and Gertrude Atwood, said conveyance being recorded in Deed Book 471 page 449, Franklin County, Ohio, Deed Records.

PARCEL 2:

Being 25 acres of land taken off the east side of 35 acres of land formerly owned by Jacob Kitsmiller, deceased, and the lands assigned to Catherine Kitsmiller, his widow, now deceased; Commencing in the center of the county road leading to Alexandria, Ohio, at the southwest corner of said lot and on the county line between Franklin and Licking Counties; thence running north with said county line 84 rods to the south line of lands owned by David Hand; thence west with said south line of said David Hand and the north line of this lot, 47 rods 16 links; thence south 84 rods to the center of said county road leading to Alexandria, Ohio; thence east with the center of said road, 47 rods, 16 links to the beginning, containing 25 acres in 1st Quarter, 2nd Township, Range 16, southeast part of Lot 10.

EXCEPTING THEREFROM THE FOLLOWING:

Being a 1.50 acre tract out of the James E. and Waneta Kitsmiller 25 acre tract, of record in Deed Book 1815, page 131, Recorder's Office, Franklin County, Ohio, deeded to Morris A. Kitsmiller, by deed of record, recorded in Deed Book 3355, page 234, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin marking the southeaster quarter of the aforesaid 25.00 acre tract and an angle point in the center line of Central College Road in the Franklin and Licking County line;

Thence North 587.27 feet along the center line of Central College Road (sometimes know as Alexandria Road), the Franklin and Licking County line to the true point of beginning of the herein described 1.50 acre tract;

Thence S. 89 deg. 39' W. 255.61 feet along the southerly fine of the herein described 1.50 acre tract to a point marking the southwest corner of said tract:

Thence North 255.61 feet to the northwest corner of said 1.50 acre tract;

Thence N 89 deg. 39' E. 255.61 feet along the northerly line of the herein described 1.50 acre tract to the northeasterly corner of said tract in the line between Franklin and Licking County;

Thence South 255.61 feet along the easterly line of the herein described 1.50 acre tract, the easterly line of aforesaid 25.00 acre tract, the Franklin and Licking County line to the place of beginning and containing 1.50 acres of land subject to all legal highways of record.

EXCEPTING THEREFROM THE FOLLOWING:

Being a 1.50 acre tract of land of the James E. and Waneta Kitsmiller 25 acre tract of record in Deed Book 1815 page 131, Recorder's Office, Franklin County, Ohio, deeded to Stanley L. Kitsmiller and Priscilla K. Kitsmiller, in Deed Book 3367, page 23 of the records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin in the center line of Central College Road and in the Franklin and Licking County Line, said point being an angle point in said road;

Thence S 89 deg. 39' W. 255.61 feet along the center line of said Central College Road to a point marking the southwesterly corner of the herein described 1.50 acre tract;

Thence North 255.61 feet along the westerly line of the herein described 1.50 acre tract to a point marking the northwesterly corner of said tract;

Thence N 89 deg. 30' E. 255.61 feet along the northerly line of said 1.50 acre tract to a point in the center line of Central College Road in the aforesaid Franklin and Licking County line the same being the northwesterly corner of said 1.50 acre tract;

Thence South 255.61 feet along the northerly line of said 1.50 acre tract to a point in the center line of Central College Road in the aforesaid Franklin and Licking County line the same being the northwesterly corner of said 1.50 acre tract;

Thence South 255.61 feet along the center line of said Central College Road and the line between Franklin and Licking County to the place of beginning and containing 1.50 acres of land subject to all legal highways of record.

PARCEL 3:

Being part of the east half of the southeast quarter of Section 10, Township 2, Range 16, U.S.M. Lands, beginning 41 poles south of the northeast corner of the east half of the southeast quarter of Section 10; thence west 82 poles; thence South 41 poles; thence east 82 poles; thence north 41 poles to the place of beginning, containing 21 acres, more or less.

PARCEL 4:

Being part of the east half of the southeast quarter of Section 10, Township 2 Range 16, U.S.M. Lands: Beginning at the southeast corner of said east half of the southeast corner of said east half of the southeast quarter of said section 10 and running north half the distance of the east line of said quarter section; thence west 82 poles; thence south to the south line of said Quarter Section; thence east to the place of beginning, supposed to contain 42.25 acres. Excepting therefrom the 35 acres set off and assigned as dower to Catherine Kitsmiller, described as follows: Beginning at the southeast corner of Section 10, Township 2, Range 16, U.S.M. Lands; thence north 80 poles; thence west 70 poles to the place of beginning, leaving the amount hereby conveyed and sold to the said David Hand of 28.25 acres of land, and being the same land that was sold by Emanuel Kitsmiller to the said Lafayette Clouse, being 28.25 acres of land, more or less.

ALTA/NSPS LAND TITLE SURVEY SECTION 10, TOWNSHIP 2, RANGE 16 UNITED STATES MILITARY DISTRICT CITY OF NEW ALBANY, COUNTY OF FRANKLIN, STATE OF OHIO

PARCEL 5:

Situated in the County of Franklin, State of Ohio, and being located in the first quarter, second township, Range 16, Southeast part of Lot 10 and being a 1.50 acre tract of land of the James E. and Waneta Kitsmiller 25 acre tract of record in Deed Book 1815 page 131, Recorder's Office, Franklin County, Ohio, deeded to Stanley L. Kitsmiller and Priscilla L Kitsmiller, in Deed Book 3367 page 23 of the records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin in the center line of Central College Road and in the Franklin and Licking County Line, said point being an angle point in said road;

Thence S 89 deg. 39' W. 255.61 feet along the center line of said Central College Road to a point marking the southwesterly corner of the herein described 1.50 acre tract;

Thence North 255.61 feet along the westerly line of the herein described 1.50 acre tract to a point marking the northwesterly corner of said tract;

Thence N. 89 deg. 39' E. 255.61 feet along the northerly line of said 1.50 acre tract to a point in the center line of Central College Road in the aforesaid Franklin and Licking County line, the same being the northwesterly corner of said 1.50 acre tract;

Thence South 255.61 feet along the center line of said Central College Road and the line between Franklin and Licking County to the place of beginning and containing 1.50 acres of land, subject to all legal highways.

PARCEL 6:

Situated in the County of Franklin, State of Ohio, 1st Quarter, 2nd Township, Range 16, southeast part of Lot 10 and being a 1.50 acre tract out of the James E. and Waneta Kitsmiller 25 acre tract, of record in Deed Book 1815, page 131, Recorder's Office, Franklin County, Ohio, deed to Morris A. Kitsmiller, by deed of record, recorded in Deed Book 3355, page 243, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin marking the southeasterly quarter of the aforesaid 25.00 acre tract and an angle point in the center line of Central College Road in the Franklin and Licking County line;

Thence North 587.27 feet along the center line of Central College Road (sometimes known as Alexandria Road), the Franklin and Licking County line to the true point of beginning of the herein described 1.50 acre tract;

Thence S. 89 deg. 39' W. 255.61 feet along the southerly line of the herein described 1.50 acre tract to a point marking the southwest corner of said tract;

Thence North 255.61 feet to the northwest corner of said 1.50 acre tract;

Thence N. 89 deg. 39' E. 255.61 feet along the northerly line of the herein described 1.50 acre tract to the northeasterly corner of said tract in the line between Franklin and Licking County;

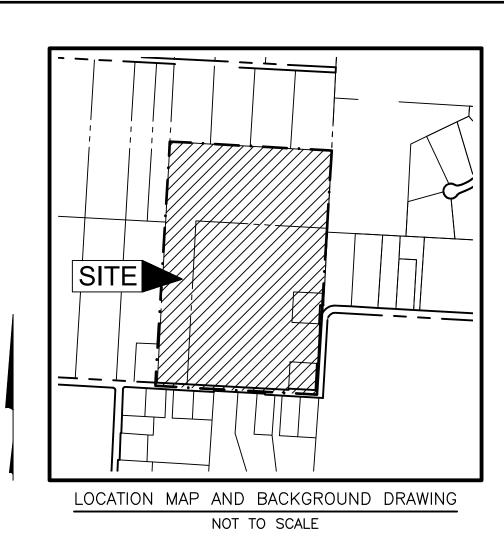
Thence South 255.61 feet along the easterly line of the herein described 1.50 acre tract, the easterly line of aforesaid 25.00 acre tract, the Franklin and Licking County line to the place of beginning and containing 1.50 acres of land subject, to all legal highways of record.

Schedule B Items from Title Commitment No. 2284889-JUT issued by First American Title Insurance Company with an effective date of August 22, 2022 at 8:00 A.M.

Items 1-16 NOT SURVEY RELATED ITEMS.

Item 17	Easement of record as set forth in Deed Book 3054, THE 10' TILE DRAINAGE DITCH EASEMENT IS LOCATED ON THE SUBJECT TRACT AS SHOW HEREON.
Item 18	Easement for Highway Purposes to the County of Fr record as set forth in Deed Book 3332, Page 302. TH HIGHWAY EASEMENT IS LOCATED ON THE S TRACT AS SHOWN HEREON.
Item 19	Easement for Highway Purposes to the County of Fr County of record as set forth in Deed Book 3370, Pa THE 30' HIGHWAY EASEMENTS ARE LOCATE THE SUBJECT TRACT AS SHOWN HEREON.
Item 20	Right-of-Way Easement to Licking Rural Electrifica of record as set forth in Deed Book 3405, Page 781. ELECTRIC EASEMENT IS LOCATED ON THE S TRACT (PARCEL 6 ONLY) BUT CANNOT BE D FROM THE DOCUMENT OF RECORD.
Item 21	Right-of-Way Easement to Licking Rural Electrifica of record as set forth in Deed Book 3480, Page 510. ELECTRIC EASEMENT IS LOCATED ON THE S TRACT (PARCELS 1, 2, 3, 4 AND 5) BUT CANNO DEPICTED FROM THE DOCUMENT OF RECOR
Item 22	Annexation Ordinance from Plain Township to City Albany of record as set forth in Instrument No. 202009140137205. THE SUBJECT TRACT IS LOO IN THE AREA DESCRIBED; NO EASEMENTS GRANTED THEREIN.

Items 23-25 NOT SURVEY RELATED ITEMS.



Page 612. WN

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Franklin Page 492. ED ON

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BASIS OF BEARINGS:

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected FrankliN COunty Engineering Department monuments Frank 80 and Frank 180. The portion of the centerline of Central College Road, having a bearing of South 86°52'49" East and monumented as shown hereon, is designated as the "basis of bearings" for this survey.

FEMA NOTE

According to the Federal Emergency Management Agency's Flood Insurance Rate Map No. 39049C0207K (dated June 17, 2008), the subject tract shown hereon lies within Zone X (areas determined to be outside of the 0.2% annual chance floodplain). Any floodplain lines shown are georeferenced and are not based on actual field elevations.

UTILITY STATEMENT:

A Utility Marking and Plans request was submitted to OHIO811on September 21, 2022. The surveyor makes no guarantee that the utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the utilities shown are in the exact location indicated, although she does certify that they are located as accurately as possible.

SURVEY NOTE:

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

TABLE A OPTIONAL ITEM NOTES:

9. No parking striping was observed on the subject tract at the time the fieldwork was conducted.

CERTIFICATION: Commitment No. 22848859-JUT

To: EC New Vision Ohio, LLC, Homewood Corporation, First American title Insurance Company and Unity Title, LLC:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys", jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 8, 9 and 13 of Table A thereof. The fieldwork was completed on September 30, 2022.

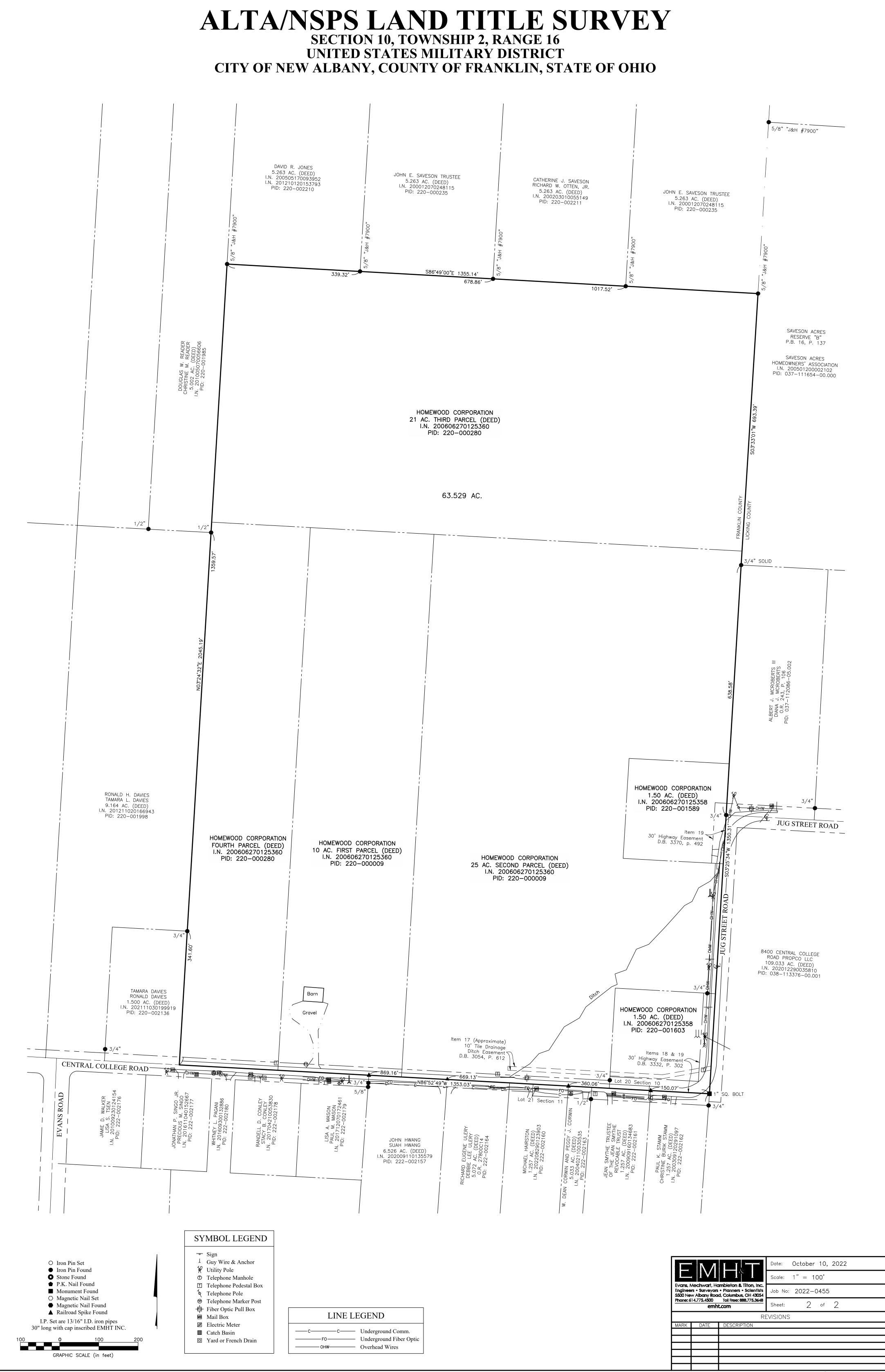


Heather L. King Professional Surveyor No. 8307 hking@emht.com

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Evans, Mechwart, Hambleton & Tilton, Inc. Engineers • Surveyors • Planners • Scientists 5500 New Albany Road, Columbus, OH 43054		Job No:	2022-0)455		
Phone: 614.775.4500 Toll Free: 888.775.3648 emht.com			Sheet:	1	of	2
		RE	EVISIONS			
MARK	DATE	DESCRIPTION				

EC- Central College & Jugg St. Planning / 20220455-VS-ALTA-01

Date



EC-Central College & Jugg St. Planning / 20220455-VS-ALTA-01



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

P: 614.335.9321 F: 614.335.9329 aaron@uhlawfirm.com

March 16, 2023

Chris Christian Planner II City of New Albany 99 W. Main Street New Albany, Ohio 43054

RE: Parkland and Open Space – Courtyards at Haines Creek Zoning District

Dear Chris:

EC New Vision Ohio LLC ("<u>Epcon</u>") is in contract to purchase 63.5+/ acres of real property located to the north of and adjacent to Central College Road and to west of and adjacent to the Franklin County-Licking County boundary line in the City of New Albany. Simultaneously with this letter, Epcon has submitted a rezoning application to the City of New Albany which seeks the approval of a residential community consisting of 151 homes which will be age-restricted in accordance with applicable federal law. The required open space and parkland for the community, if approved as submitted, is as follows:

Open space: 20% of gross acreage x 63.5 total acres = 12.7 acres

Parkland: 2,400 square feet per unit x 151 units = 362,400 square feet; 362,400 square feet divided by 43,560 square feet per acre = 8.31 acres

Identification of the final locations and sizes of parkland and open space within this new community will be determined as part of one or more final development plans based on the phasing of the project. The applicant proposes that, should it decide to develop the subdivision in more than one phase and therefore submit more than one final development plan for review and approval, each phase of the project will be evaluated independently for compliance with the parkland and open space requirements of the Codified Ordinances based on the number of units and the amount of acreage contained within the particular final development plan for that phase.

To the extent that a particular phase of development is deficient in terms of providing the Coderequired amount of dedicated parkland or open space, the applicant will pay a fee-in-lieu to the City in an amount equal to product of (a) the number of acres by which the phase is deficient in its provision of parkland and/or open space and (b) \$42,000.00, which is the City's accepted average per-acre value for acquiring land in the Rocky Fork Metro Park area. Epcon is cognizant of the fact that payments in lieu of the provision of on-site parkland and open space must be approved in accordance with relevant City procedures. However, we wanted to acknowledge the need to address this issue as we move forward through the zoning process.

Sincerely,

a m L. Thidulill

Aaron L. Underhill



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

P: 614.335.9321 F: 614.335.9329 aaron@uhlawfirm.com

March 16, 2023

Chris Christian Planner II City of New Albany 99 W. Main Street New Albany, Ohio 43054

RE: School Impact of Proposed Age-Restricted Residential Development (Courtyards at Haines Creek I-PUD)

Dear Chris:

EC New Vision Ohio LLC ("<u>Epcon</u>") is in contract to purchase 63.5+/ acres of real property located to the north of and adjacent to Central College Road and to west of and adjacent to the Franklin County-Licking County boundary line in the City of New Albany. Epcon has submitted a rezoning application to the City which seeks the approval of an I-PUD, Infill Planned Unit Development zoning classification to allow for the development of a residential community consisting of 151 homes which will be 90% age-restricted in accordance with applicable federal law. The proposed community will be similar to the Courtyards at New Albany neighborhood that Epcon developed on State Route 605. The purpose of this letter is to highlight how this project will be financially beneficial to the New Albany-Plain Local School District (NAPLSD).

Age Restriction

The pending rezoning application includes a commitment by Epcon to subject the 63.5+/- acres of singlefamily residential uses to age restrictions 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 legal 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. Epcon proposes to exceed this minimum threshold with this proposal.

School children from New Development

The school impact statement for the age-restricted Courtyards at New Albany and for the age-restricted Nottingham Trace subdivision to the north of that site assumed that 0.05 students per unit would be generated from the units that were age-restricted. The housing product in the current proposal is substantially similar to the Courtyards at New Albany and therefore the same student-per-home ratio should apply here. So, for purposes of this school impact analysis, the 0.05 students per unit will apply to 90% of the homes. While the remaining 10% of the units will not be age-restricted, they will include homes that are of the same designs and styles as the age-restricted units. Therefore, they are likely to generate more students, but not many. Just as was assumed in the Nottingham Trace subdivision's school impact statement, this letter assumes that 0.15 students per unit will be generated from the 10% of the units which are not age restricted.

Based on these assumptions, the proposed community is projected to generate 9 students:

 $0.9 \ge 151$ units ≥ 0.05 students = 6.8 students $0.1 \ge 151$ units ≥ 0.15 students = 2.2 students

9 students

On the other hand, the present zoning of the property is AG, Agricultural, allowing 1 housing unit per 5 acres. Therefore, the property would accommodate 12 traditional single-family homes right now (63.5 acres / 5 acres per unit = 12.7 units). Single-family homes are expected to generate 0.8 students per unit. Under the current AG zoning, the property would produce 10 schoolchildren (12 homes x 0.8 students per home = 9.6 students). The proposed development is projected to generate one less student than would the current zoning classification of the property, and the value that will be created for the school district with this proposal provides a far more beneficial result for the district.

The annual cost to educate a student in the NAPLSD is $$12,311.^{1}$ Of this amount, 85.7% is locally funded and the remainder (14.3%) is funded by the State of Ohio.² Therefore, there is an annual <u>local</u> cost to educate one student in the NAPLSD of \$10,550. Using this number as a baseline, the costs to educate the students that would reside in Epcon's development is anticipated to be \$94,950 (9 students x \$10,550 local cost to educate one student = \$94,950). Development under the current AG zoning of the property would bring a cost to educate students of \$105,500 (10 students x \$10,550 local cost to educate one student = \$105,500).

School District Revenue from New Development

The average value of the homes to be constructed in this development is projected to be \$575,000. At this price, each unit will have an assessed value of \$201,250 (0.35 x \$575,000 value = \$201,250). The 2022 effective residential millage rate (the most recent available) for the taxing district in which this property is located (Franklin County #222) is 83.096 mills. The school district currently collects 58.39% of this millage. Therefore, the annual real property taxes collected by the school district before rollbacks for each home in the new neighborhood will equal \$9,764 (\$201,250 Assessed Value x 0.083096 millage rate x 0.5839= \$9,764). This number is reduced by the 2.5% owner-occupied property tax rollback, leaving \$9,520 available to the schools from each home. As a result, in total at full buildout this community of 151 homes will generate \$1,437,520 annually in school district revenue (151 homes x \$9,520 school taxes).

On the other hand, under the existing AG zoning 12 traditional single-family homes that could be constructed on the subject property today would be worth an estimated \$1,000,000 each. This would yield an assessed value per home of $\$350,000 (0.35 \times \$1,000,000 \text{ value} = \$350,000)$. Applying the effective millage rate, each homeowner would be required to pay \$2\$,356 in annual taxes after applying the owner-occupied tax rollback, of which \$16,557 would be paid to the NAPLSD. Across 12 homes, this would provide \$19\$,684 of total annual taxes to the school district.

NAPLSD Fiscal Impact

The fiscal impact to the NAPLSD from the proposed development of the property by Epcon is substantial. The excess revenue to the school district after educating the relatively small number of students that may

¹ https://www.napls.us/Page/1696

² https://www.napls.us/Page/1694

reside in the community is \$1,342.570 (\$1,437,520 school tax revenue - \$94,950 cost to educate students = \$1,342,570 surplus). This is enough surplus revenue to cover the costs of educating 127 students living elsewhere in the district. The current AG zoning of the property would generate a surplus of only \$93,184 (\$198,684 school tax revenue - \$105,500 cost to educate students = \$93,184 surplus). So the net positive benefit to the NAPLSD from the development of the property in accordance with the requested I-PUD zoning is \$1,249,386.

We look forward to more dialogue on this application and its benefits as we move through the City's review process.

Sincerely,

ann L. Thidulill

Aaron L. Underhill



January 11, 2023

Mr. Steve Mayer City of New Albany Development Department 99 West Main Street New Albany, OH 43054

Subject: Courtyards at Haines Creek – Environmental Compliance

Dear Mr. Mayer,

This letter serves to inform the City of New Albany of environmental conditions associated with the Courtyards at Haines Creek project, located north of Central College Road and west of Jug Street, in the City of New Albany, Franklin County, Ohio. The property is approximately 63 acres in size and consists of agricultural fields with several woodlots.

The subject property was inspected by the Environmental Department of EMH&T in September, 2022. The northern one-third of the site consisted of an agricultural field that was in the process of drain tile repair by the owner. This field will be delineated for Waters of the U.S. in August, 2023. The southern two-thirds of the property was delineated and surveyed and contains a jurisdictional stream, jurisdictional wetlands, and isolated wetlands. The delineation report has not yet been coordinated with the U.S. Army Corps of Engineers (USACE).

The development concept will require a Nationwide Permit from the USACE and an Isolated Wetlands Permit from Ohio EPA. EMH&T is planning to prepare these permit applications for EC Vision Ohio LLC and will provide copies to the City of New Albany upon receipt.

If you have any questions regarding this information or require additional documentation, please do not hesitate to contact me at (614) 775-4515.

Sincerely,

EVANS, MECHWART, HAMBLETON & TILTON, INC.

noutr. milligen

Robert F. Milligan Director of Environmental Services Principal

Cc: Sydney Berry, EMH&T Aaron Underhill, Underhill & Hodge LLC



Utility Feasibility Summary **The Courtyards at Haines Creek** City of New Albany

1/16/23

The following is a summary of the proposed utilities:

Sanitary Sewer

The proposed development will utilize a system of underground sanitary sewers located outside the rightof-way and within easements. The proposed sanitary sewer system will connect to the 42" sanitary sewer (CC-19011) currently under construction and located along Central College Road. The entire site acreage of approximately 63.5 acres is tributary to this sanitary sewer. The proposed sanitary sewers will be designed to City of Columbus, New Albany and Ohio EPA standards.

<u>Water</u>

The proposed development will utilize a system of underground water mains located within the right of way and outside of the proposed face of curb. The proposed water mains will connect to a 20" water main currently being designed and located along the frontage of the property. Water main sizing and locations throughout the development will be finalized during final engineering.

Storm Water

Storm water management will be provided utilizing two proposed onsite retention basins located at the north and south ends of the site. The basins will be designed to meet the water quality and detention requirements of New Albany and the Ohio EPA. A storm sewer system will be constructed to collect and outlet storm water from the proposed development to the basins. The storm water facilities will outlet to the existing streams/wetlands located on the property. The proposed storm water system will be designed to meet the necessary requirements of New Albany and the Ohio EPA.

Private Utilities

Electric service in the area is provided by AEP. The gas provider for the area is Columbia Gas of Ohio. Telephone, cable and fiber optic service to the area is provided by a combination of AT&T and Charter Communications.

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COURTYARDS AT HAINES CREEK ZONING DISTRICT

INFILL PLANNED UNIT DEVELOPMENT (I-PUD) ZONING TEXT

May 23, 2023

I <u>Introduction</u>: The Courtyards at Haines Creek Zoning District will facilitate the development of an age-restricted residential community. The vast majority of this zoning district will consist of 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, Epcon Communities, commits to exceed the minimum percentage of age-restricted units by increasing it to 90% of the units. Furthermore, the applicant shall prohibit any permanent residents within the 90% age-restricted units who are under the age of 21 to the extent permitted by law.

The local housing market in New Albany continues to demand 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. The product being provided on this property will serve this need and will provide universal lawn maintenance, a private amenities center to serve the community, and homes that are specifically designed to serve the distinct needs and desires of an older resident.

II. <u>Permitted Uses</u>: Permitted uses in this zoning district shall be as follows:

A. Single-family detached residences, subject to the age restriction requirements which are detailed in Section IV below;

B. Publicly or privately-owned parks and open spaces;

C. One private amenities center/clubhouse, which may include a fitness center, gathering spaces, outdoor pool, and/or other recreational and social facilities, amenities, and improvements serving only the residents living in this zoning district; and

D. Residential model homes. A temporary sales office shall be permitted to be operated until the first model home is open for use. The temporary sales office shall consist of a temporary structure used by the 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 model homes and/or the private amenities

Courtyards at Haines Creek Zoning District

center/clubhouse. Construction of model homes and/or the private amenities center/clubhouse may occur in advance of, or in conjunction with, installation of public infrastructure for the subdivision.

III. <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 zoning district. 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.

IV. <u>Age Restriction</u>: Homes within this zoning district shall be age restricted in accordance with the Act and the HOPA Exemption so that 90% 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 zoning district in accordance with the immediately preceding sentence, then this zoning district shall be permitted to be developed and operated in accordance with the amended law. The applicant further agrees that the community shall not permit permanent residents within the 90% age-restricted units who are under the age of 21 to the extent permitted by law.

Prior to being issued a temporary or permanent certificate of occupancy for the first home in each phase of construction in this zoning district, the applicant/developer shall deliver written and legally binding documentation to the City to provide confirmation that the phase 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 zoning district 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 the issuance of the first building permit for construction of a home in this zoning district, 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 the zoning district, a written restriction (a "<u>Recorded Restriction</u>") requiring that the property 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 the Recorded Restriction, the applicant/developer shall deliver a draft copy of the Recorded Restriction to the City's Law Director for 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.

V. <u>Homeowners' Association</u>: Prior to selling the first home that is built in this zoning district, the applicant/developer shall create a forced and funded homeowners' association (an "<u>HOA</u>") that shall apply to all property owners in this zoning district. The written instruments that create the HOA shall be recorded if required by applicable law and shall require each homeowner in the zoning district 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. "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.

In addition to the foregoing, once the last home in this zoning district 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 this zoning test. 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 homes in the zoning district 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 zoning district is sold to a third party) or the HOA (after such time as the last home in this zoning district is sold to a third party) shall file copies of the same with the City for its records.

VI. Density, Lot and Setback Commitments:

A. <u>Number of Units</u>: There shall be a maximum of 151 units in this zoning district. In addition, one private amenities center/clubhouse shall be permitted with ancillary recreational uses.

B. <u>Unit Types:</u> Single-family units shall be permitted on all lots. Units may be front-loaded or rear-loaded. Rear-loaded units shall be accessed from a public "lane" and shall be referred to herein as "Lane Units."

- C. <u>Minimum Square Footage:</u> A maximum of 25% of the single-family homes may be a minimum of 1,400 square feet of living area. All other single-family homes shall have a minimum of 1,600 square feet of living area. Square footage of living area for any home shall be exclusive of garages, basements, and porches.
- D. <u>Minimum Lot Widths:</u> There shall be a minimum lot width of 52 feet at the building line.
- E. <u>Minimum Lot Depths</u>: The minimum lot depth shall be 115 feet.

F. <u>Minimum Setbacks:</u>

- 1. <u>Central College and Jug Street:</u> There shall be a minimum building and pavement setback of 100 feet as measured from the edge of the right of way of Central College Road/Jug Street, except that homes and other improvements on Lots 71 and 72 shall be permitted within this setback.
- 2. <u>Front Yards:</u> The minimum front yard setback shall be 20 feet from the edge of right-of-way for each home except for the Lane Homes facing Street 9 (such term being defined in Section VI), which shall have a minimum front yard setback of 15 feet.
- 3. <u>Side Yards:</u> The minimum side yard setback shall be 5 feet between the lot line and structures for all homes.
- 4. <u>Rear Yards:</u> The minimum rear yard setbacks shall be as follows:
 - a. On lots with rear boundary lines which also serve as the eastern and western perimeter boundary of this zoning district the minimum rear yard setback shall be 50 feet.
 - b. On all lots other than those which are described in the immediately preceding subsections b. and c., the minimum rear yard setback shall be 15 feet.
- G. Tree Preservation Zones: "Tree Preservation Zones" shall apply (1) for a minimum distance of 100 feet from the right-of-way of Central College Road and Jug Street in Reserve A, in areas to the south of the intersection of Jug Street and a new public street connecting it to the new subdivision, (2) within the northwest corner of the zoning district, and (3) covering the tree line along the north property line of Reserve C, all as generally shown on the Preliminary Development Plan. Within these areas, only the construction of roads, paths/trails/sidewalks, underground utility lines and underground storm water management infrastructure shall be permitted. Healthy mature trees and understory vegetation shall be preserved within these areas unless they conflict with the installation of permitted utility or storm water infrastructure. Trees and understory vegetation within the tree preservation zone plan may be trimmed, cut, or removed if they are diseased, dead, or of a noxious species or if they present a threat of danger to persons or property. When trees are removed from the Tree Preservation Zones due to utility installation, reasonable efforts shall be made to plant new trees in areas within or outside of (but near to) the Tree Preservation Zone in order to provide buffering from adjacent parcels outside of this zoning district. The number, species, and locations of new trees shall be reviewed by the Planning Commission as part of a final development plan and confirmed with a landscape plan provided with final engineering. Trees shall not be required to be planted in easements and/or locations that may harm the health of preserved trees or unreasonably encroach into the rear yards of lots.

- H. Buffering Western Perimeter Boundary: Along with the landscaping plan that is filed as part of a final development plan, the applicant shall submit a report from a certified arborist to detail the conditions of existing trees within the minimum required rear yard setbacks on lots of homes that back to the western perimeter boundary line of the zoning district and the anticipated need to remove trees within that area in order to accommodate development, preserve the health of trees, and/or to ensure the safety of residents of homes that are to be constructed on those lots. The landscape plan shall identify which trees will be preserved based on the report and shall provide for the planting of replacement trees, landscaping, and/or other improvements to provide buffering between new homes and adjacent property to the west which is outside of this zoning district. New trees and landscaping may be planted on the adjacent parcel to achieve the buffering objective if permission is obtained from the owners of such parcel. The applicant shall share the arborist's report with the adjacent property owners and/or its authorized representatives on or before the date when the final development plan is filed with the City, and shall meet with the property owners (if they are willing) prior to the Planning Commission's hearing on the final development plan.
- Encroachments Front and Rear Yards: 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.
- J. <u>Encroachments Side Yards:</u> Paver patios and concrete patios with associated elements such as, but not necessarily limited to, landscaping, water features, trellises, fireplaces, fire pits, counters, grilling areas, and other related or similar outdoor amenities shall be permitted to encroach into the minimum side yard on a lot with a residential unit that contains a side courtyard, provided that when two side yards are adjacent to one another, only one of them shall be permitted to have a side courtyard. Such courtyards may encroach past the shared lot line. Reciprocal easements burdening and benefiting each lot in this scenario shall be recorded to define the use and maintenance rights of the respective owners.

Where the courtyard condition is present and is not screened from the view of a public right-of-way by a structure or existing trees, a decorative fence, in locations to be approved as part of a final development plan, shall be installed and may extend past the building setback line to provide screening of the courtyard area from the right-of-way. A combination of landscaping and fencing also may be used to achieve the same screening objective, but solid fences shall be prohibited to provide this screening. Where the courtyard condition is adjacent to open space a decorative fence and landscaping may be installed between the lot line and the courtyard to provide screening. Screening shall have a minimum opacity of 75% to a height of 4 feet.

- K. <u>Encroachments (Easements)</u>: Encroachments shall not be allowed in storm or drainage easements in side or rear yards.
- L. <u>Street Frontage:</u> All lots shall have frontage on and shall have vehicular access to and from a public street or public Lane (such term being defined in Section VI.F). 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 zoning district. 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.

VII. Access, Loading, Parking, Pedestrian, and Traffic-Related Commitments:

A. <u>Off-Street Parking</u>: All homes shall be required to have a minimum of 2 off-street parking spaces on their driveways in addition to a minimum of 2 parking spaces within the garage.

B. <u>On-Street Parking</u>: On-street parking shall be permitted on the side of public streets that do not contain fire hydrants in accordance with the City's Codified Ordinances.

C. <u>Central College Road and Jug Street ROW</u>: Prior to the issuance of the first building permit for any structure to be built in this zoning district, the applicant/developer shall dedicate right-of-way to the City for a distance that extends 40 feet from the centerlines of Central College Road and Jug Street.

D. <u>Access Points</u>: The primary access points to the site will be from Central College Road and Jug Street in the general locations shown on the approved preliminary development plan and with final locations as approved as part of a final development plan. Right-of-way shall be dedicated for the future extension of two streets to the western boundary line of this zoning district, both as more specifically detailed in Section IV.E, as generally shown on the preliminary development plan.

E. <u>Internal street and alley widths and rights-of-way</u>: Internal vehicular routes within this zoning district shall consist of public streets and public Lanes. For purposes of this text, a "Lane" shall be defined to mean "a public lane providing vehicular access to and from garages located on the rears of residential units."

1. <u>Lanes</u>: The right-of-way for Lanes shall be a minimum of 20 feet with a minimum of 16 feet of pavement.

2. <u>Streets</u>: The right-of-way for internal streets within the development shall be 50 feet in width with the exception of the North-South Street that is to extend from Central College Road to the northern portion of the zoning district. The "<u>North-South Street</u>" shall have a right-

of-way of 60 feet in width. Pavement for all internal streets shall be 26 feet in width, measured from face to face of curbs. Public streets located in the northwestern and southwestern portions of the zoning district may be extended to the western property line by a party other than the developer at some future date, as shown on the preliminary development plan. In recognition that these street extensions may never be necessary (or will be necessary only with the redevelopment of property located to the west), the developer of this zoning district shall be required to construct the extension for a distance of 10 feet from its westernmost intersection internally within the zoning district. Signage shall be installed at the end of the 10-foot stubs which indicate that these streets may be extended in the future as a through street. The design of such signage shall be subject to staff approval. Disclosure of the likelihood of the future street extension shall be included as part of the land sale contract for the lots located immediately adjacent to the right-of-way for the extensions.

F. <u>Public Sidewalks</u>: A public sidewalk shall be located within the right-of-way on each street other than the North-South Street (south of the intersection with Streets 5 and 8), the south side of Street 2 and the north side of Street 8 in the general locations shown in the preliminary development plan and with final locations as approved in a final development plan. Sidewalks shall be 5 feet in width and shall be constructed of concrete. Sidewalks shall not be required within rights-of-way of Lanes.

G. <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 zoning district: (i) Along the north side of Central College and west side of Jug Street rights of way, (ii) along both sides of the North-South Street north to the intersection with Streets 5 and 8 and (iii) along the north side of Street 8.

H. <u>Additional Pedestrian Connectivity</u>: The applicant/developer will work with staff on the feasibility, location and material of a path with a minimum width of 8 feet to be constructed along the south side of the pond in Reserve A except that the path may be reduced to a minimum width of 5 feet in areas restricted by site conditions (trees, grading, etc.) Details shall be presented for review with a final development plan and finalized at time of final engineering. Additional leisure trails or paths may be presented for review with a final development plan.

VIII. Buffering, Landscaping, Open Space and Screening Commitments:

A. <u>Parkland and Open Space</u>: Parkland shall be dedicated to the City from locations as specifically approved as part of a final development plan. Where the side lot line of a residential lot abuts parkland or open space, a demarcation between them shall be provided consisting of fencing, landscaping, and/or other elements with a final design that is approved as part of a final development plan. Ownership and maintenance of the parkland and open space areas which are shown on the preliminary development plan shall be defined and approved with the final development plan. To the extent that parkland and/or open space requirements of the City's Codified Ordinances cannot be provided within this zoning district, the developer shall be required to provide for an equivalent contribution toward the City's parkland and open space amenities through the purchase and dedication to the City or Franklin County Metro Parks of undeveloped land located elsewhere in the New Albany Plain Local School District, or

alternatively by making an equivalent monetary contribution to the City for the purpose of funding other parkland development, leisure path, and/or other recreational programs or plans. The form and amount of such contribution shall be approved as part of a final development plan for this zoning district.

B. <u>Amenity Area</u>: The private community clubhouse shall be located as generally 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 and the design of the clubhouse shall be identified in an approved final development plan.

C. Street Trees: Street trees shall be required on both sides of internal public streets, except that this requirement shall not apply to Lanes or to the sides of streets which abut parks, open space 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 a double row of trees shall be provided along the proposed North-South Street. These trees may be grouped, provided the quantity is equivalent to 1 tree per 30 feet or fraction thereof. Notwithstanding the foregoing, tree spacing on public streets may deviate from this spacing requirement if necessary or appropriate to provide a desirable streetscape, or to avoid interfering with other required improvements. Trees shall not obstruct sight distance or signage, subject to staff approval. Street tree and signage locations shall be shown on a final development plan for review and approval. Trees will be preserved within the Tree Preservation Zone along Central College Road and Jug Street as generally shown in the preliminary development plan. The applicant will coordinate with staff on a plan that incorporates the use of existing trees and credits them toward street tree requirements along these roads.

D. <u>Lot Trees:</u> In addition to street trees, each lot shall provide a minimum of 1 deciduous tree in the front yard.

E. <u>Exemption to Section 1187.15(c)(6)</u>: Due to the nature of this zoning district 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.

F. <u>Landscaping</u>: Except as otherwise provided in other sections of this text, the minimum landscaping size at installation shall be 2 inches caliper for deciduous shade and ornamental trees and 6 feet high for evergreen trees for the open spaces, amenity area, and parkland. Artificial turf shall be permitted to be utilized within the fenced pool area of the amenity building, the bocce court and the fenced side and rear courtyards on individual lots.

G. <u>Perimeters:</u> The landscaping plan that is provided with the final development plan shall, in addition to other required items, indicate whether or not trees presently exist on this property along the northern, western and eastern boundary lines. The landscaping plan shall identify locations where grading, utility crossings and associated easements will occur that

necessitate the removal of trees from within the Tree Preservation Zone or within the required setback from the boundary lines of the zoning district.

IX. <u>Architectural Standards – Homes:</u>

A. <u>Design Intent:</u> The design of this neighborhood borrows from the tradition of the summer retreat camps popular in the 1900s. Examples include the Oak Bluffs Meeting Camp on Martha's Vineyard and Lakeside Ohio. These camps were a collection of small cottages around a central meeting house and green. In the proposed neighborhood an architectural aesthetic is employed which is consistent with the character of New Albany architecture, specifically referencing the "Rectangular Form Houses" which are described on Pages 10 and 11 of the City's Design Guidelines and Requirements as they exist on the date of this text. The homes in this community will be simple in their forms, generally rectangular in shape.

B. <u>Maximum building height:</u> All homes shall be a minimum of 1.5 stories or 1.5 stories in appearance from the front elevation. Maximum building height shall be 35 feet.

C. <u>Exterior Materials:</u>

1. 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 an age-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 a final development plan application. The Planning Commission shall not have approval rights over each specific home to be constructed in this zoning district, but instead shall approve a baseline set of architectural requirements and guidelines from which each home design will be based.

2. <u>Wall finish materials</u>: Brick, brick veneer, and cementitious/composite siding or equivalent shall be permitted as exterior façade materials. Vinyl siding shall be prohibited. Cementitious/composite siding or equivalent on a home shall have colors as generally noted in the architectural drawings provided with the preliminary development plan and as approved in one or more final development plans. 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 and,

unless otherwise approved as part of a final development plan, shall be covered by (a) brick or brick veneer or (b) an extension of the primary building façade material to the surrounding grade.

3. <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 on all units except on the side façade of a structure that is oriented toward a side courtyard serving a home on an adjacent lot. Side facades facing a courtyard may (but shall not be required) to include transom windows. The term "four-sided architecture" shall mean:

a. 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;

b. The side and rear elevations of each home shall display a high level of architectural quality and interest. Side elevations oriented towards another home's side courtyard shall not be required to install architectural elements, such as windows, that will impede on the privacy of the courtyard. Other architectural detailing and elements must be continued on the courtyard oriented elevation. The Base Elevations and Bonus Elevations for each home type as identified in the architectural drawings that accompany this text shall be deemed to meet the requirements of this subsection.

c. Any side or rear 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 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:

- 1. Cornices above windows;
- Shutters which appear to be open and appear to be operable and mounted on appropriate shutter hardware (hinges and shutter dogs);
- Closed shutters that appear to completely cover one or more windows, although no window shall be required to be installed behind such shutters;
- 4. Doors;
- 5. Bay windows or bay elements; and
- 6. Chimney; or
- 7. Decorative louvers.

Courtyards at Haines Creek Zoning District

d. When the side elevation of a home is found in a location other than one that is oriented toward a side courtyard or as described in subsection 3(c) 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), any rear elevation that is visible from a public right-of-way, open space, or parkland shall be articulated with a minimum of at least two of the design elements from the same list:

- 1. Doors;
- 2. Porches;
- 3. Two or more windows (bay windows count as a window);
- 4. Bay windows or bay elements;
- 5. Chimney;
- 6. Decorative louvers;
- Shutters which appear to be open and appear to be operable and mounted on appropriate shutter hardware (hinges and shutter dogs); or
- 8. Closed shutters that appear to completely cover one or more windows, although no window shall be required to be installed behind such shutters.

e. <u>Single Style:</u> Homes shall not be designed in a manner that mixes elements from different architectural styles.

f. <u>Brick:</u> When brick is used, traditional detailing is required, such as, but not limited to, traditional bonds, water table caps, sills, jack arches, segmental arches and soldier courses.

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, an architectural grade fiberglass asphalt shingle, or may be standing seam. 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, 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 and be based on historical color palette for this zoning district.

k. <u>Gutters and downspouts:</u> Traditional half round gutters and/or ogee gutters with downspouts shall be used.

I. <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. <u>Entrances</u>: 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. <u>Other elements:</u> 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 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.

Courtyards at Haines Creek Zoning District

q. <u>Front Porches</u>: Each home shall include a front porch. For purposes of this text, a "front porch" shall be defined as "a covered but unscreened area that is at least 90 square feet in size and adjacent to the home's front door."

r. <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.

X. <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 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, if provided 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 zoning district.

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, downcast, cut-off type lighting fixtures shall be required. Exterior lighting fixtures shall be similar in appearance throughout this zoning district.

H. Except as otherwise expressly provided in this text, lighting shall be provided in accordance with the City's Codified Ordinances.

XI. Garage, Attached Structure, and Driveway Standards:

A. <u>Garages:</u>

1. Garages shall be attached and may front on a public street. Each home shall provide a 2-car garage.

2. Individual bay doors or double wide garage doors that have the appearance of individual bay doors when closed shall be required. 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 shall be selected and designed in a manner which de-emphasizes 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.

3. Garages may be front-loaded or rear-loaded. Each garage shall be set back a minimum of 2 feet, 8 inches from the front façade of the home. 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.

4. <u>Garage doors (Vehicular):</u> All garage doors shall be solid paneled but may have windows provided that the interior of the garage cannot be viewed at a height of 6 feet when standing in the middle of the public street found in front of the garage. No glazing shall be permitted on garage doors unless they are consistent with the architectural theme.

5. <u>Garage doors (Pedestrian)</u>: All pedestrian garage doors shall be solid paneled.

B. <u>Driveways:</u> The appearance of driveways 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. The driveway may extend up to 1 foot to the outside of both sides of the garage. All driveway aprons (curb-cuts) shall be constructed to accommodate a maximum sixteen foot wide driveway at the right-of-way line. All driveways shall have a maximum grade of 8%.

XII. <u>Architectural and Development Standards – Amenities Center/Clubhouse:</u>

A. <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.

B. <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 zoning district.

C. <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 zoning district.

XIII. <u>Miscellaneous Standards:</u>

A. <u>Graphics and Signage Commitments:</u> This zoning district shall utilize standard City of New Albany street regulatory signage. Entry feature signage at the public street entries into the zoning district from Central College Road and Jug Street shall be permitted with designs that are approved by the Planning Commission as part of a final development plan for this zoning district. Entry feature signage may be provided at the entry into the zoning district along its northern perimeter at any time after the North-South Street extends northward past the northern perimeter boundary line of this zoning district. Other signage may be used subject to approval by the City of New Albany Planning Commission.

B. <u>Swimming Pools/Spas:</u> Swimming pools shall be prohibited in this zoning district except on the exterior of the private amenities clubhouse. When installed, spas shall be located in the side yard within courtyards and shall be completely enclosed by a minimum of 48-inch high fencing and screened from adjoining properties. No minimum setback shall be required for spas located in courtyards.

C. <u>Storage:</u>

1. <u>Storage Sheds:</u> Storage sheds shall be prohibited.

2. <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.

3. <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.

D. <u>Centralized Mailbox Units</u>: Location, design, and landscaping for grouped mailbox units shall be included in an application for a final development plan for review and approval by the Planning Commission.

E. <u>House Numbering</u>: Each residence shall be required to install house numbers in a common location

F. <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.

G. <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 zoning district.

H. <u>Phasing</u>: This zoning district may be developed in one or more phases. Each phase of development shall require the review and approval of a final development plan.

XIV. 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.

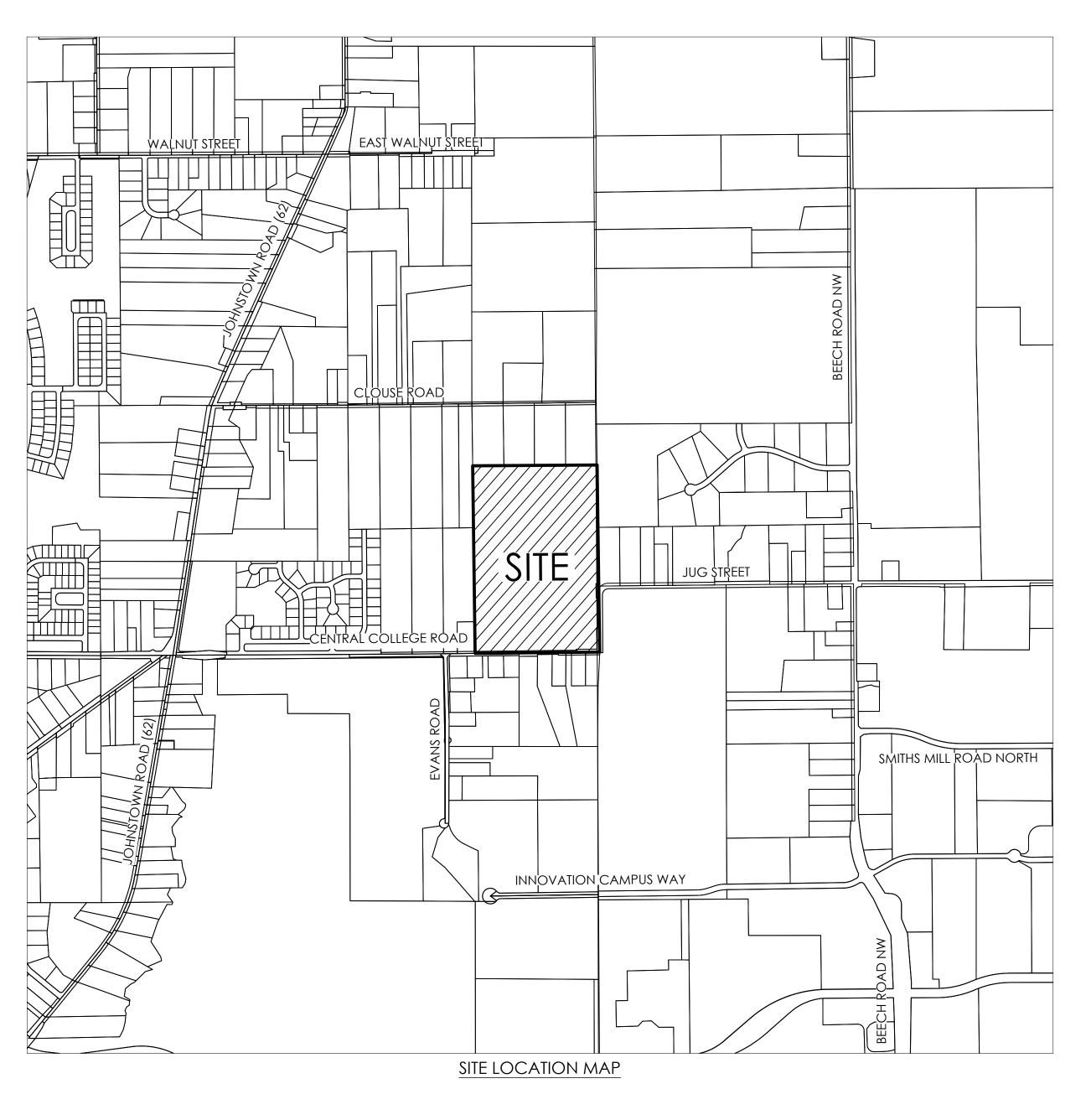
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PREPARED FOR: **EPCON COMMUNITIES** 500 STONEHENGE PARKWAY DUBLIN, OHIO 43017 P: (614) 761-1010

SUBMITTAL: JANUARY 13, 2023 MARCH 16, 2023 MAY 4, 2023 MAY 25, 2023

CIVIL ENGINEER, LAND PLANNER & LANDSCAPE ARCHITECT

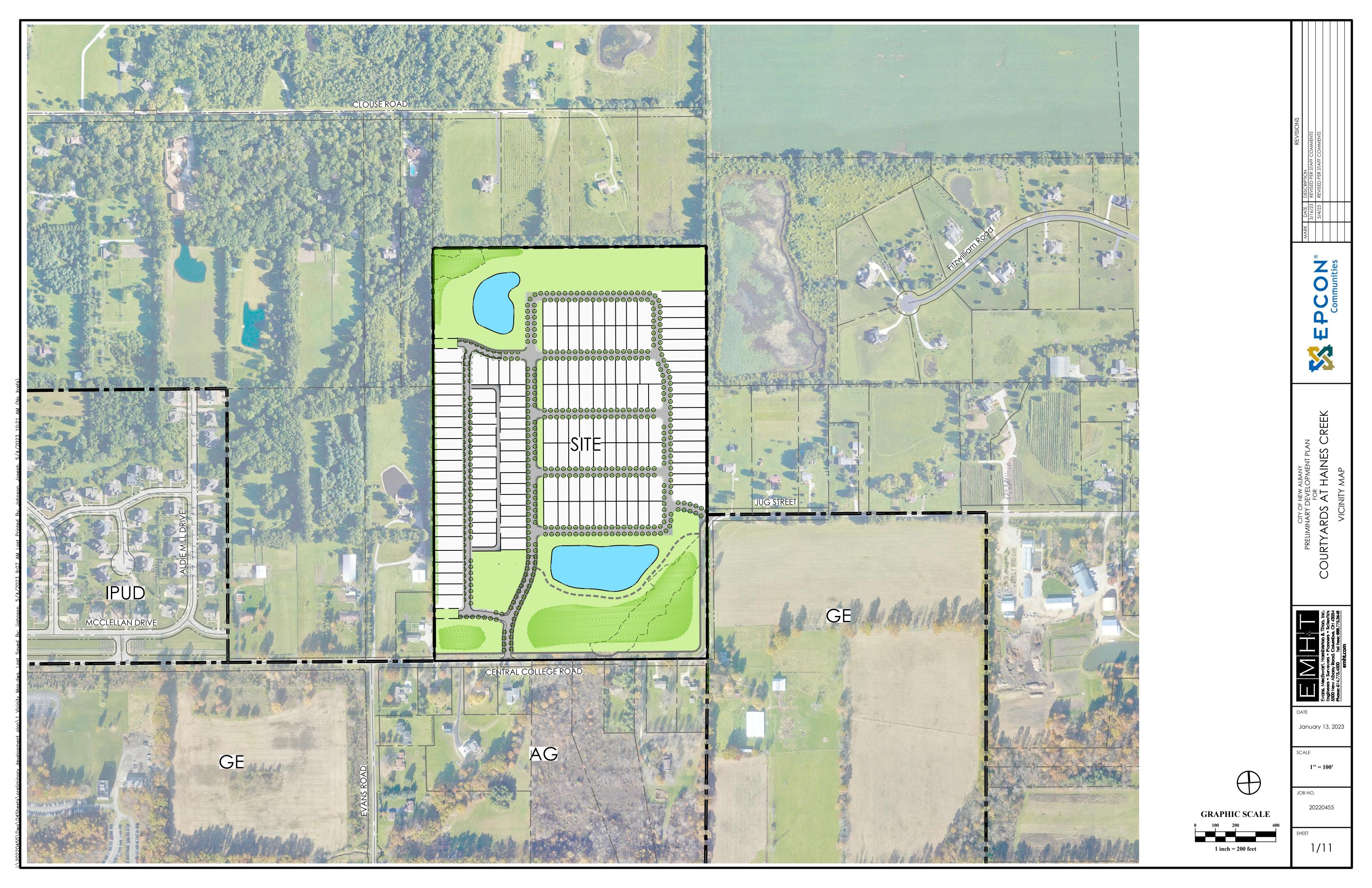


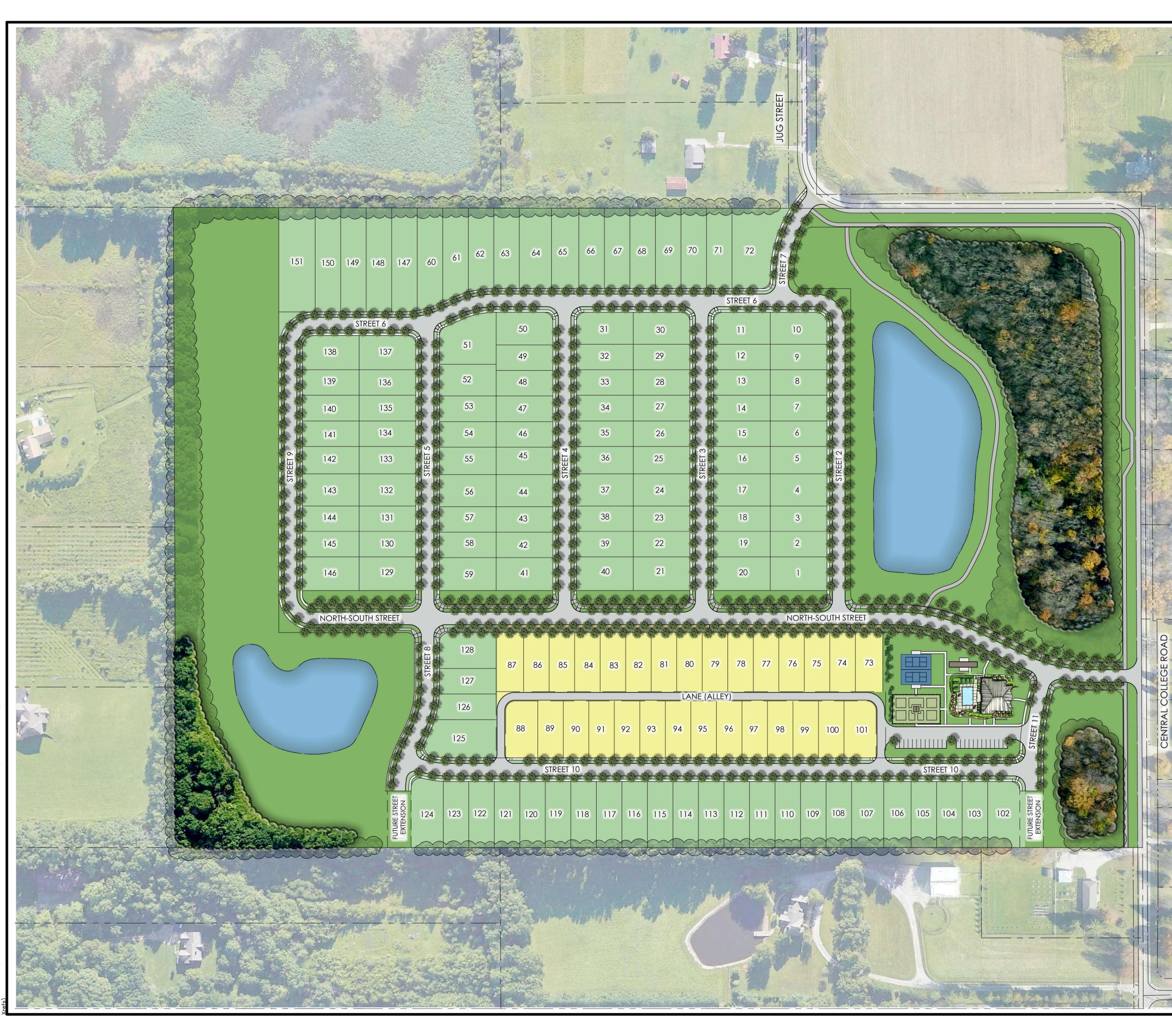


COURTYARDS AT HAINES CREEK CITY OF NEW ALBANY, OHIO PUD PRELIMINARY DEVELOPMENT PLAN

INDEX OF DRAWINGS

- SHEET 1: VICINITY MAP
- SHEET 2: ILLUSTRATIVE SITE PLAN
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- SITE PLAN SHEET 4:
- OPEN SPACE & PEDESTRIAN CONNECTIVITY PLAN SHEET 5:
- TYPICAL COMMUNITY AMENITIES PLAN SHEET 6:
- HOME LANDSCAPE CONCEPTS SHEET 7:
- STREET CROSS SECTIONS SHEET 8:
- SHEET 9: STREET CROSS SECTIONS
- SHEET 10: REPRESENTATIVE ARCHITECTURE
- SHEET 11: REPRESENTATIVE ARCHITECTURE





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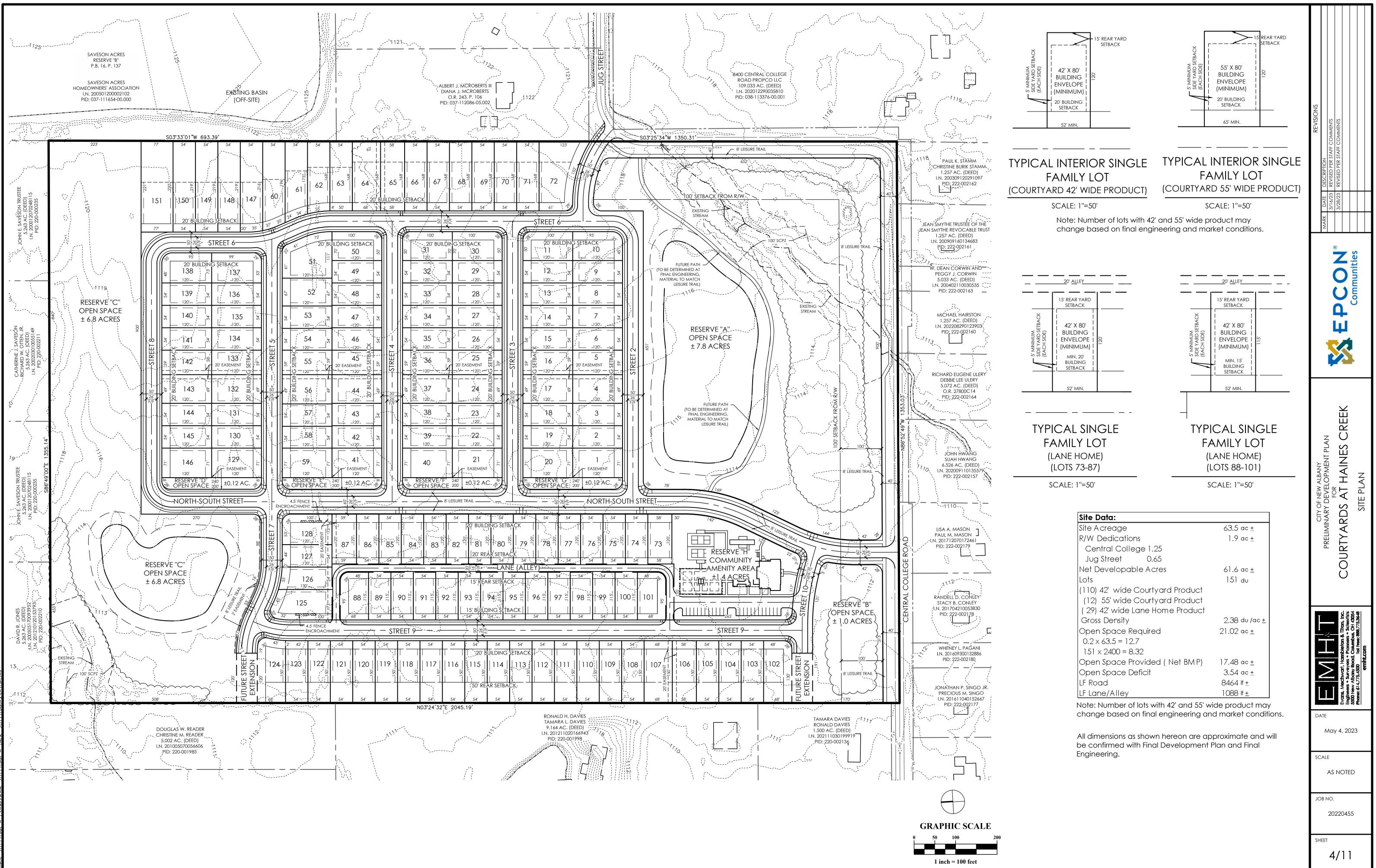


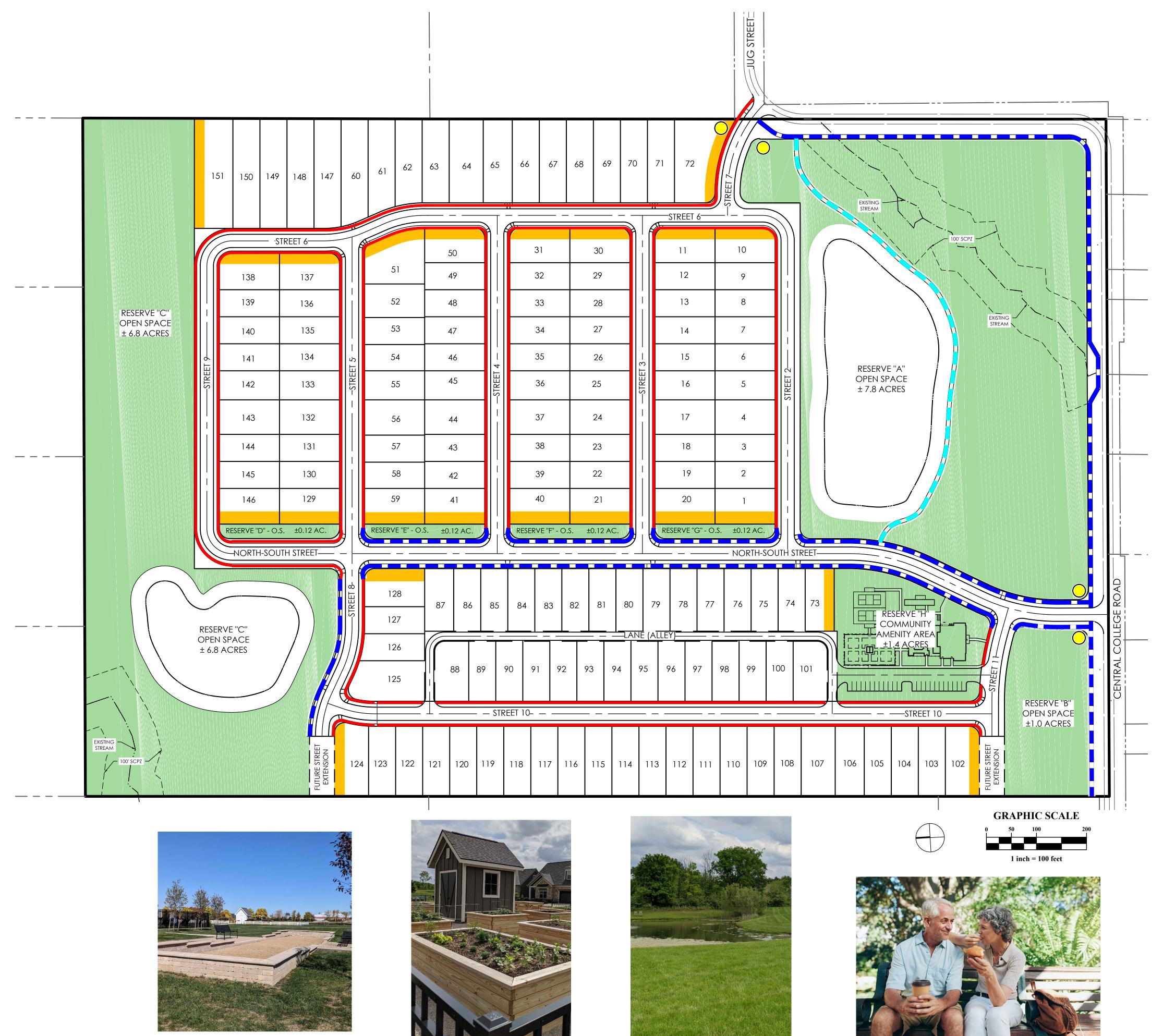
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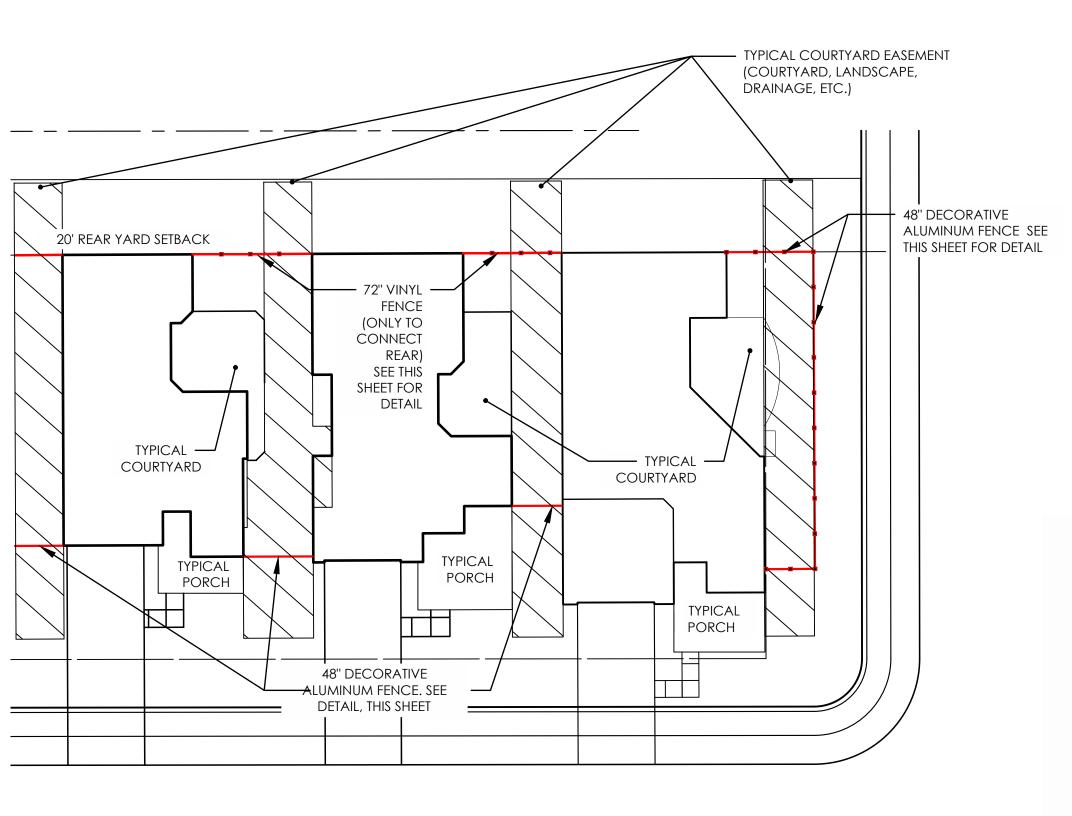


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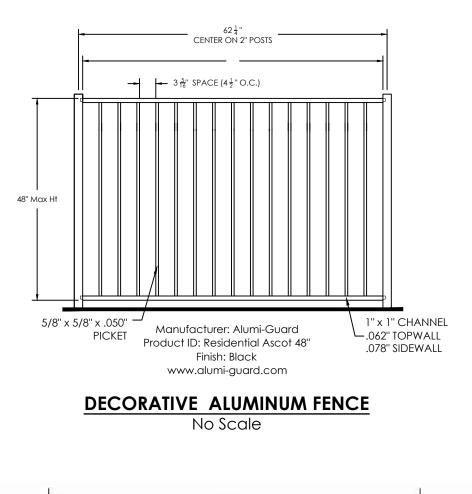
- **ON** Munities UE **Q** Щ S REEK \bigcirc PI AN HAINES BANY **A** CITY O NARY COURTYARDS PRFI liton, Inc. Scientists OH 43054 &775.3648 bleton & 1 Planners • Columbus, Toll Free: 88 Evans, Me Engineers 5500 News DATE January 13, 2023 SCALE 1'' = 100' JOB NO. 20220455 SHEET 6/11

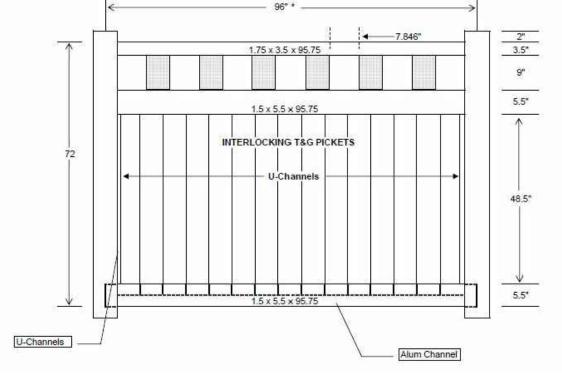


PLAN VIEW SCALE: 1" = 20'

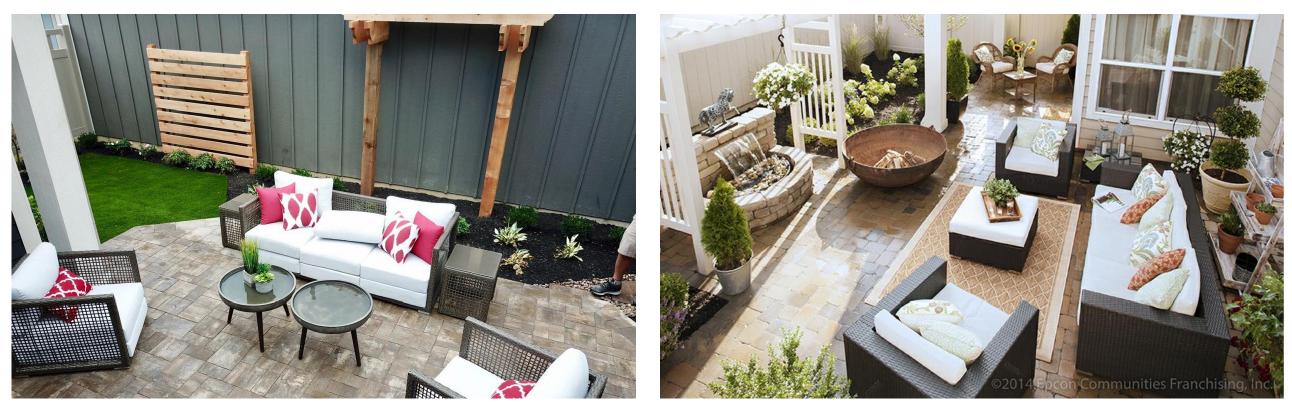


AERIAL VIEW : TYPICAL COURTYARDS





VINYL FENCE (ON REAR OF HOME) No Scale



TYPICAL COURTYARD



TYPICAL COURTYARD



TYPICAL COURTYARD



TYPICAL COURTYARD



TYPICAL COURTYARD ADJACENT TO STREET

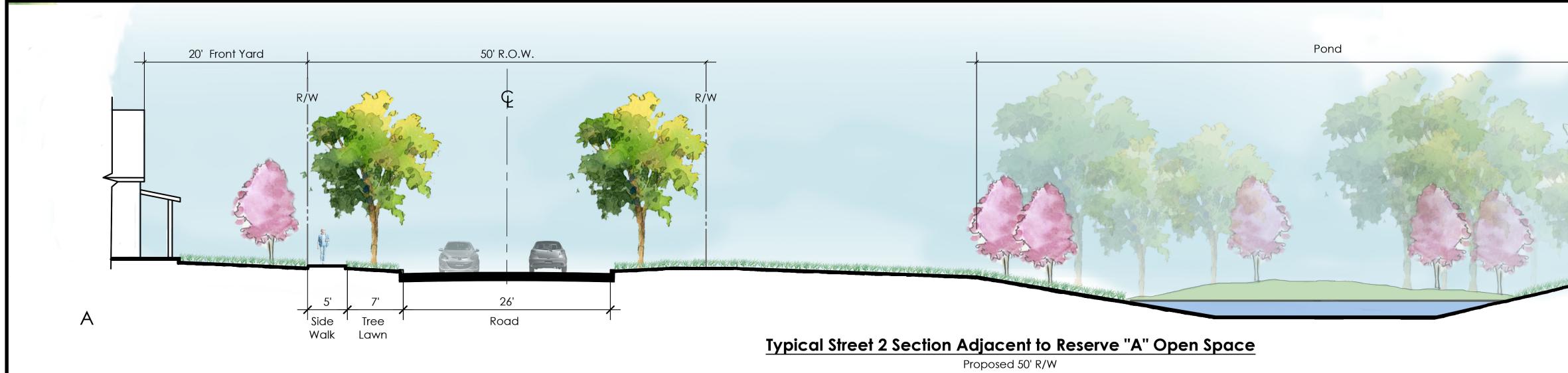
TYPICAL COURTYARD

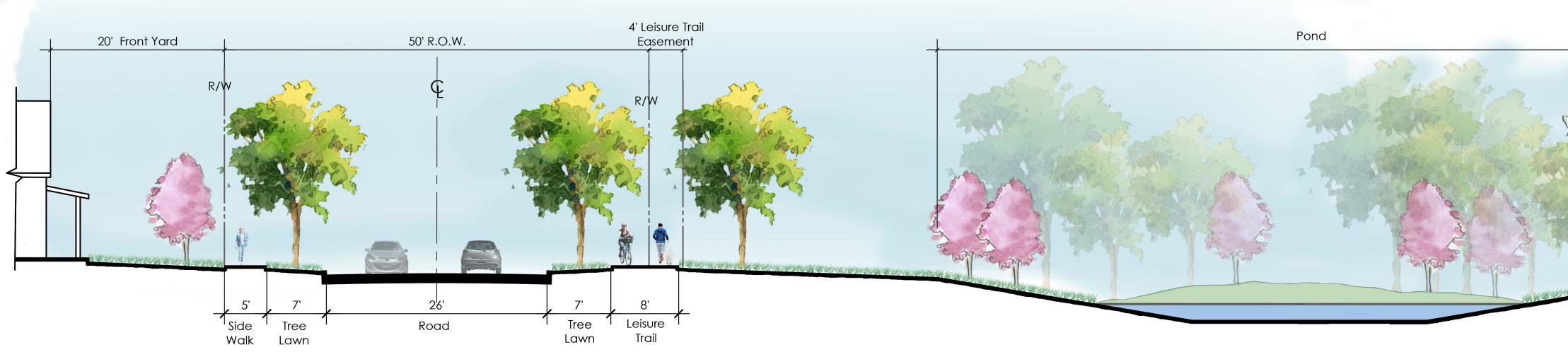
TYPICAL COURTYARD

TYPICAL COURTYARD

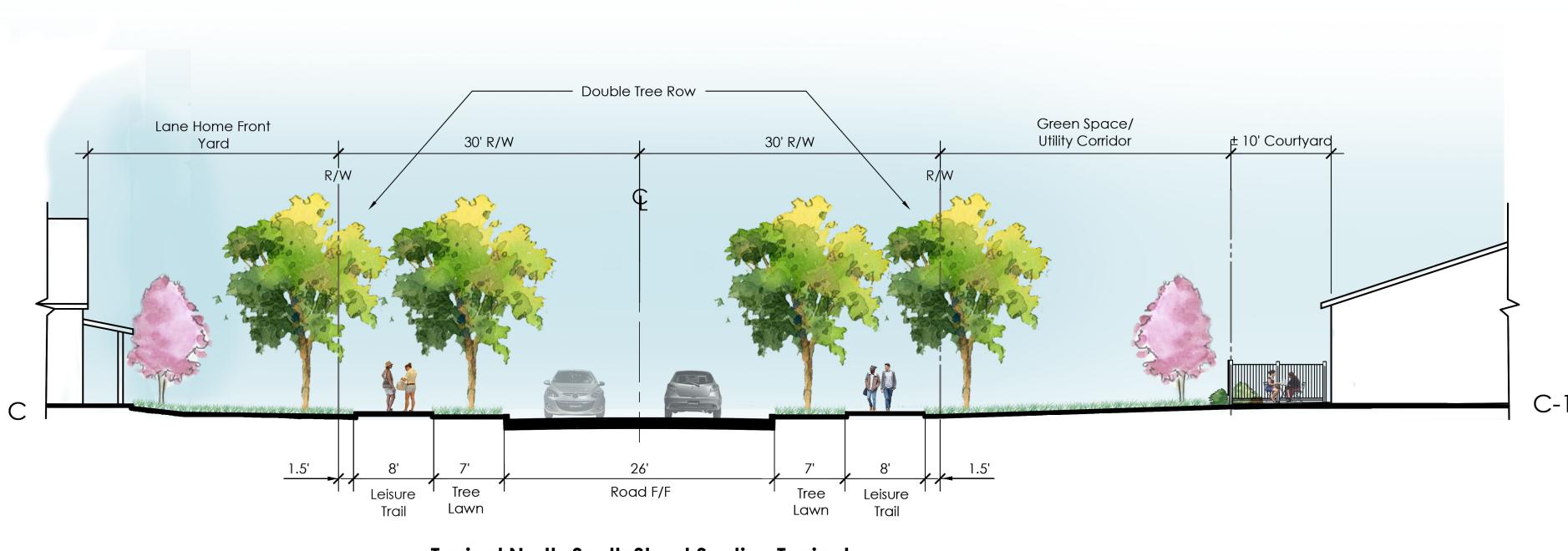
TYPICAL COURTYARD ADJACENT TO OPEN SPACE

REVISIONS	MARK DATE DESCRIPTION	EVISED PER STAFF COMMENTS	S	
		X E PCOL	Communities	
CITY OF NEW ALBANY		COURTYARDS AT HAINES CREEK	HOME LANDSCAPE CONCEPTS	
		Evans, Mechwart, Hambleton & Titon, Inc. Engineers • Surveyors • Planners • Scientists	5500 New Albcray Road, Columbus, OH 43054 Fhone: 614.775.4500 Toll Free: 888.775.3648 emht.com	
JC	DB NO 20 EET	S NOTE	55	



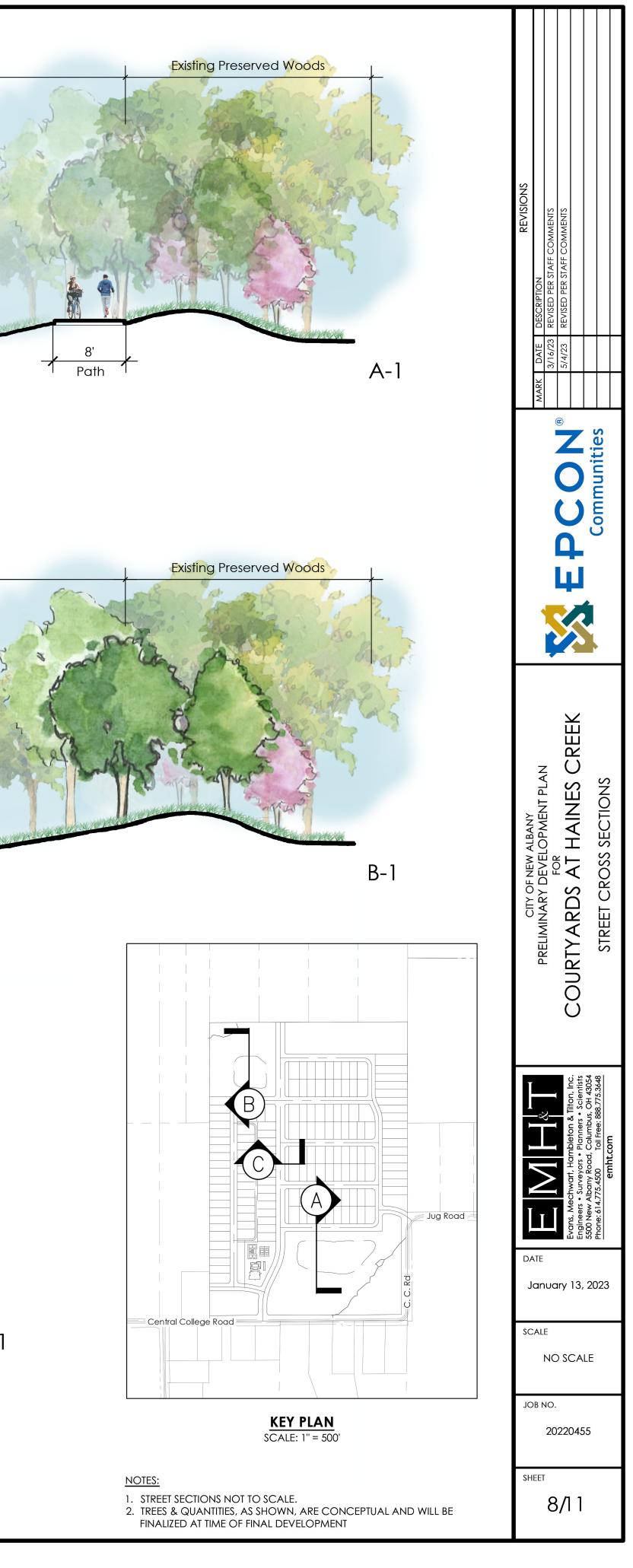


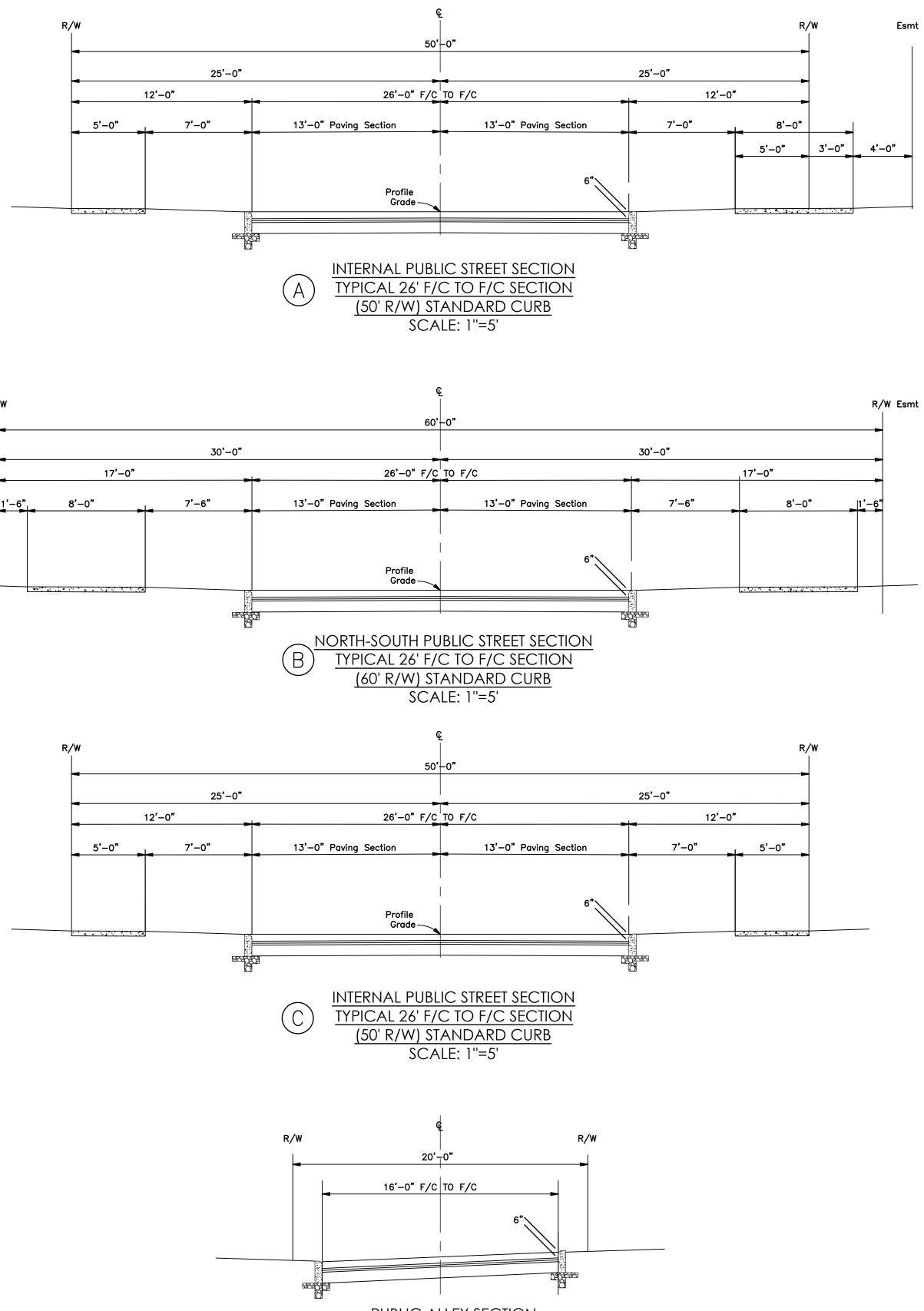
Typical Street 8 Section Adjacent to Reserve "C" Open Space Proposed 50' R/W

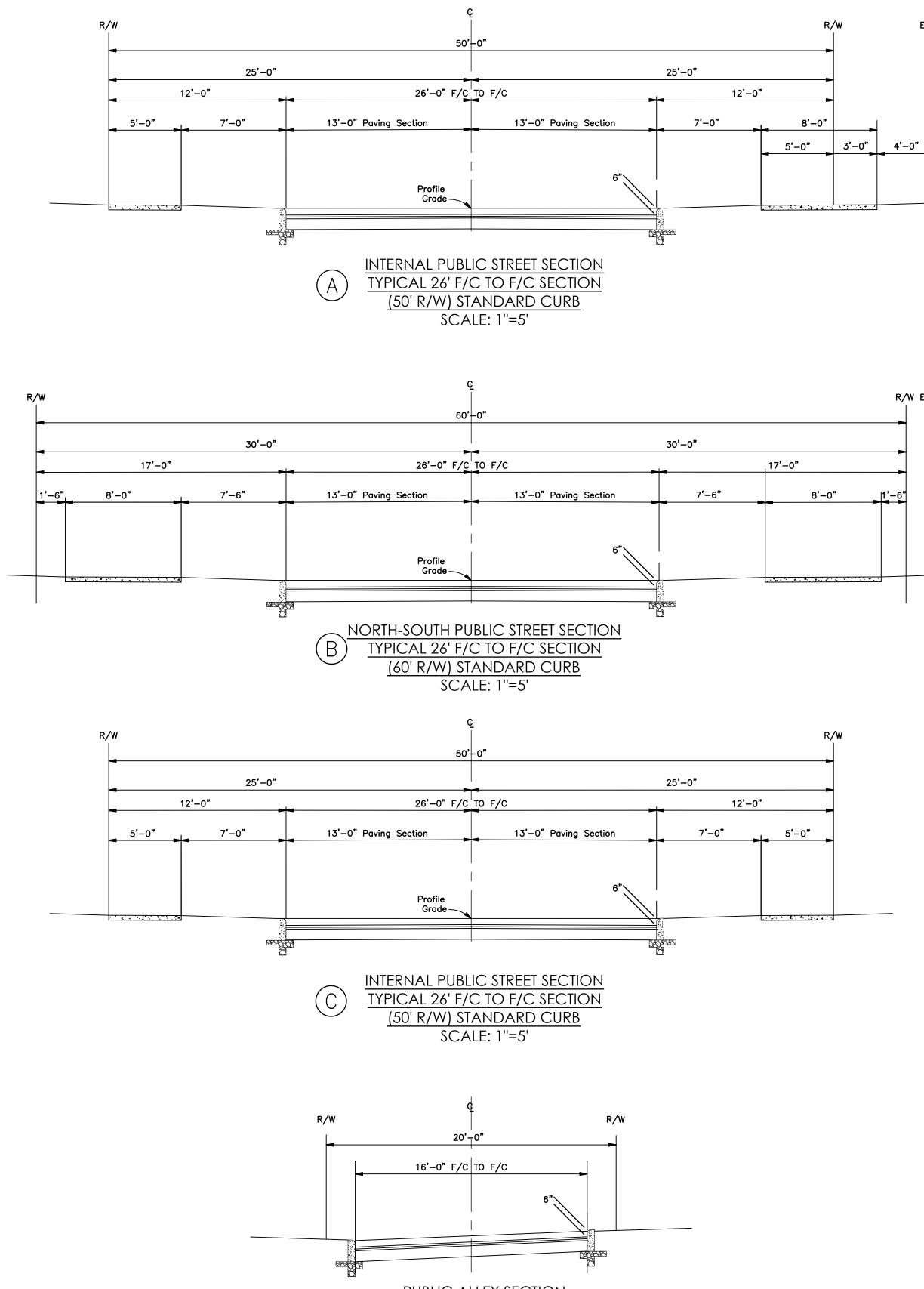


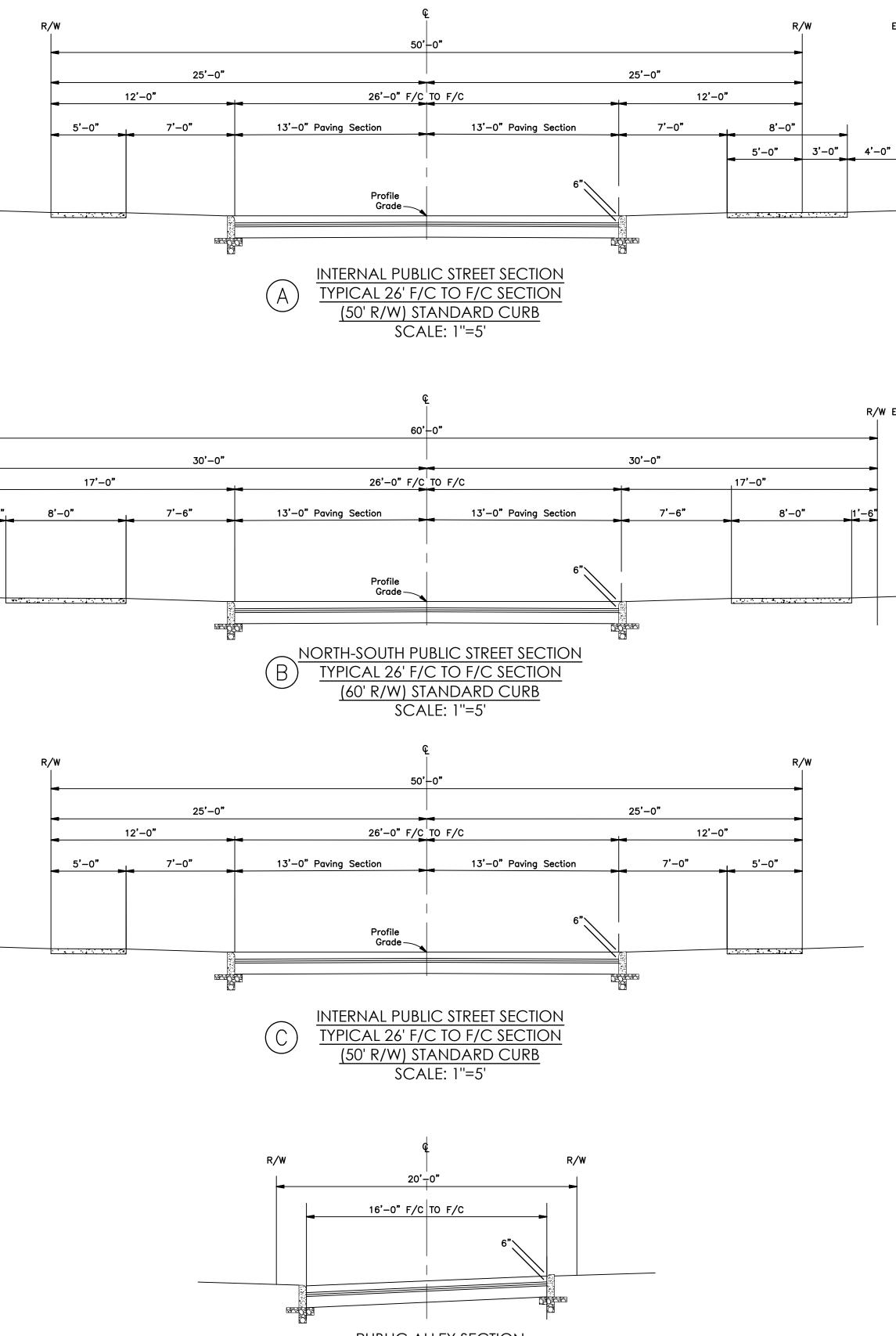
Typical North-South Street Section Typical

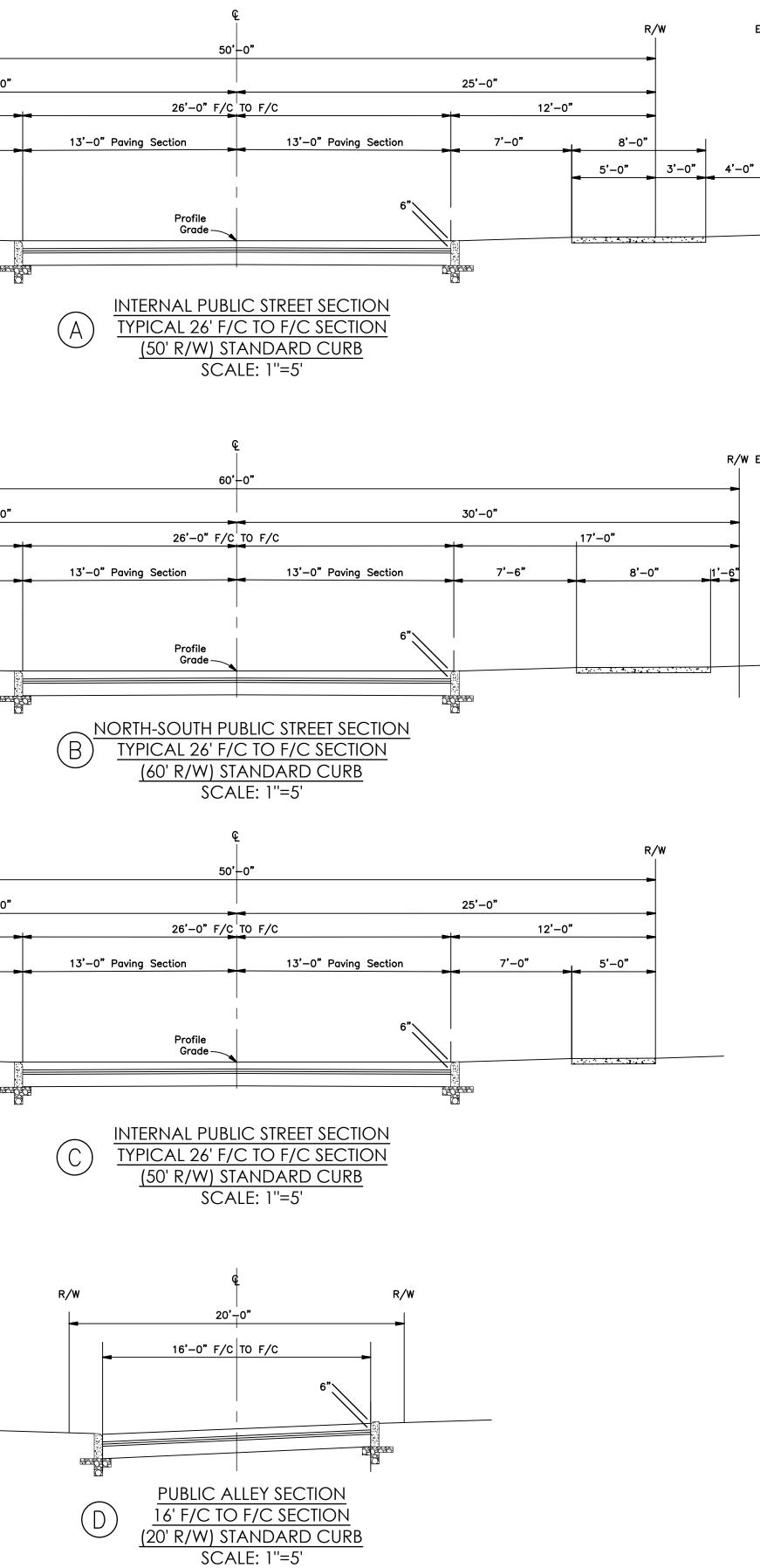
Proposed 60' R/W

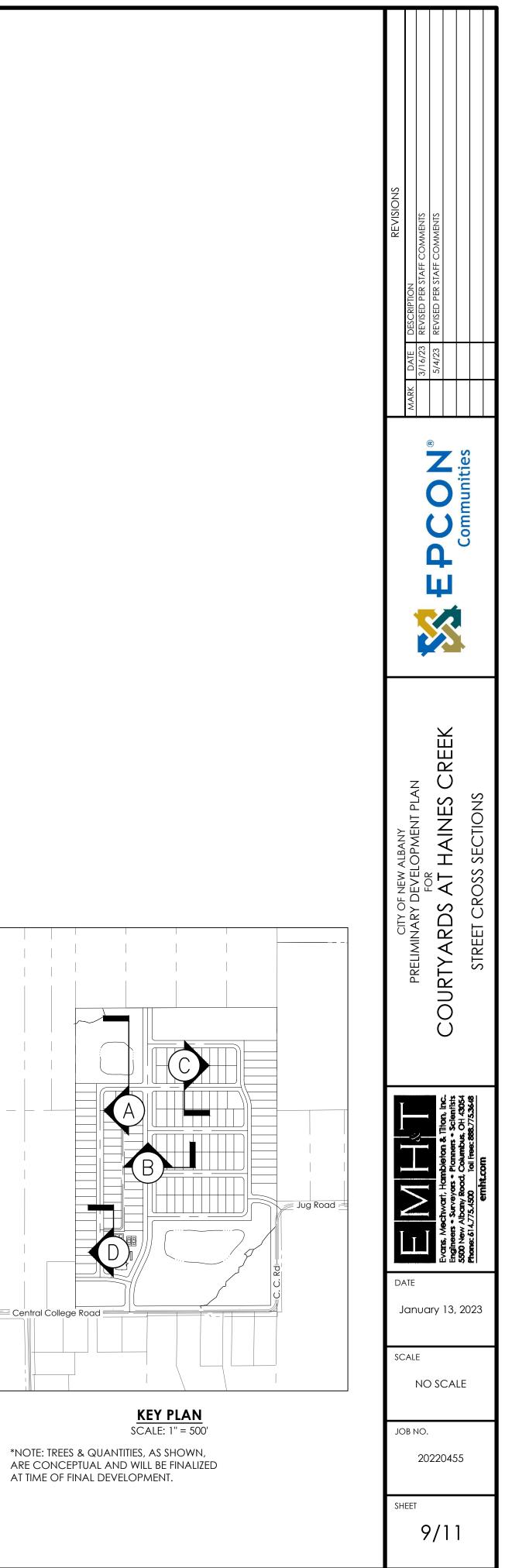


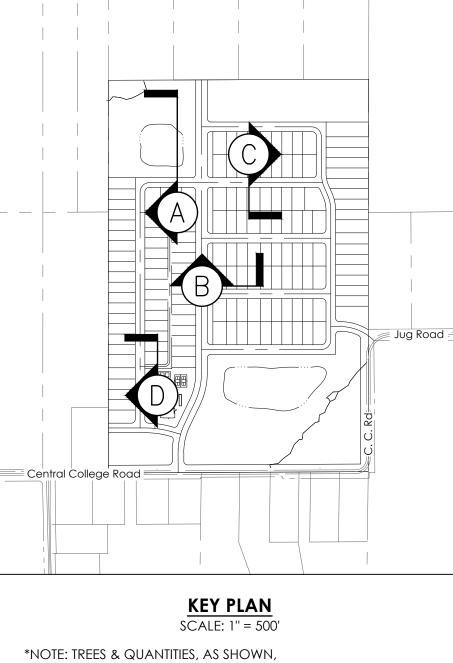


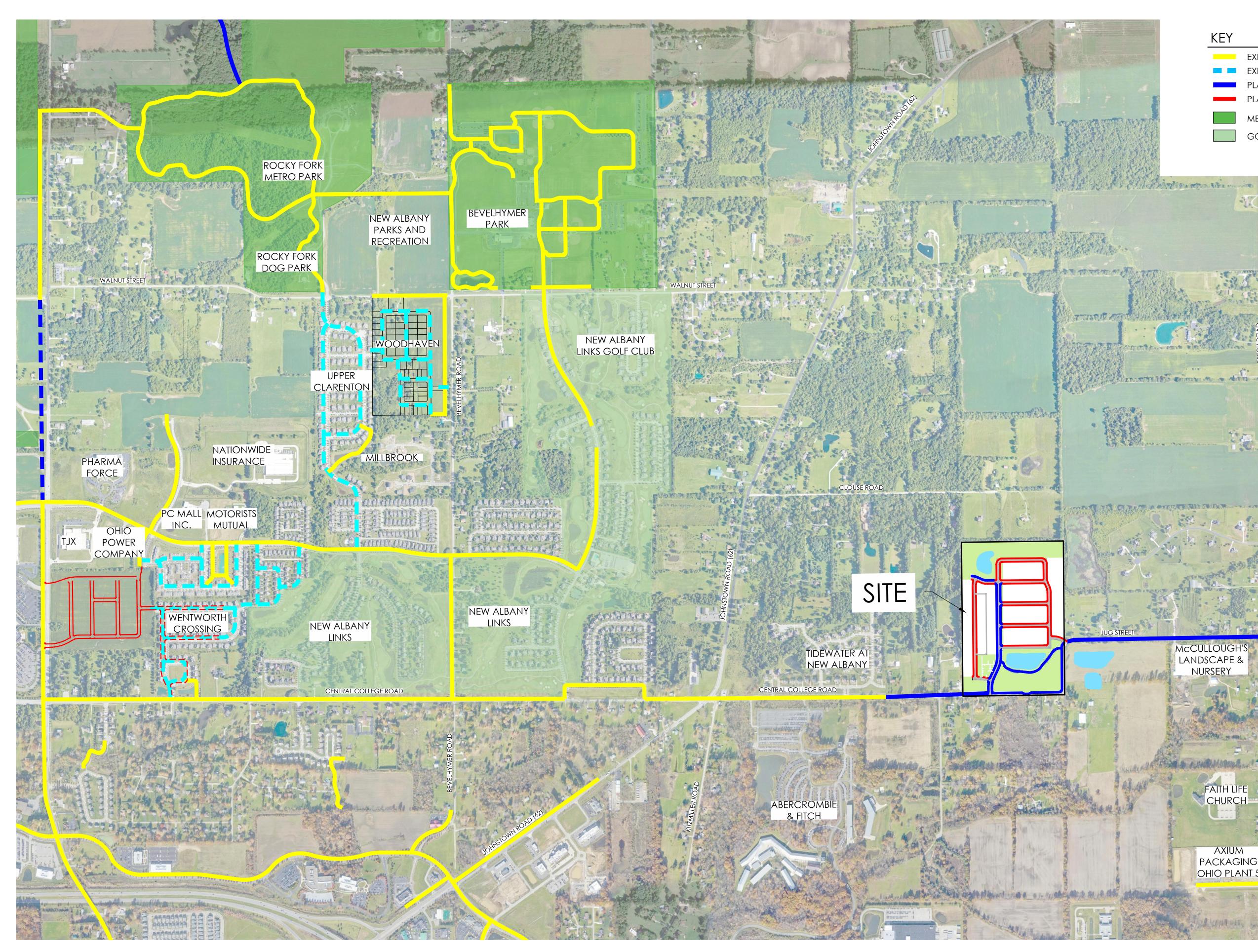
















EXISTING MULTI-USE PATHS EXISTING SIDEWALKS PLANNED MULTI-USE PATHS PLANNED SIDEWALKS METRO PARK PROPERTY

a stran

Antonio -

McCULLOUGH'S LANDSCAPE & NURSERY mandaffirth (# 1 C C C C AMAZON WEB SERVICES and some A MARCHARMAN 11 31 FAITH LIFE CHURCH KDC / ONE COLUMBUS AXIUM PACKAGING OHIO PLANT 5 24、与2694度、加速带

A. C.

REVISIONS	MARK DATE DESCRIPTION	3/16/23 REVISED PER STAFF COMMENTS	5/4/23 REVISED PER STAFF COMMENTS		Communities	
CITY OF NEW ALBANY	PRELIMINIARY DEVIEL OPAMENT PLAN				COMMINITY OPEN SPACE, AND PEDESTRIAN	CONNECTIVITY FLAN
J			Liven Markhaldman Handrick	C Evaluation international international and international internationae	500 New Alboray Road, Columbus, OH 43054 500 Permer & 14 775 4500 Tail Frae- 888 775 3448	
	DB N	10.	No 22(1/	045	55	

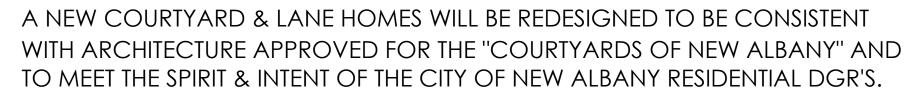




42' WIDE PRODUCT - (CAPRI, PALAZZO, PORTICO, AND PROVENANCE) (TYPICAL OF BUILT PRODUCT AT "COURTYARDS OF NEW ALBANY")

*

NEW BUILDING ELEVATIONS AND COLOR PALETTE (BASED ON HISTORICAL COLOR PALETTE) WILL BE PROVIDED WITH FINAL DEVELOPMENT PLAN.



REVISIONS	MARK DATE DESCRIPTION 3/28/23 REVISED PER STAFF COMMENTS	5/4/23 REVISED PER STAFF COMMENTS			
		Commutities			
CITY OF NEW ALBANY	CITY OF NEW ALBANY PRELIMINARY DEVELOPMENT PLAN FOR COURTYARDS AT HAINES CREEK REPRESENTATIVE ARCHITECTURE				
	EVAIRS, Mechwart, Hormblehon & Ilihon, Inc. Evans, Mechwart, Hormblehon & Ilihon, Inc. Engineers - Surveyors - Planners - Scientists 5500 New Albany Road, Columbus, OH 43054 Phone: 614.775.4500 Toll Free: 888.775.3648 Emht.com				
J	anuc :ALE	ary 13, 2023 D SCALE			
JC	ов NO. 20	0220455			



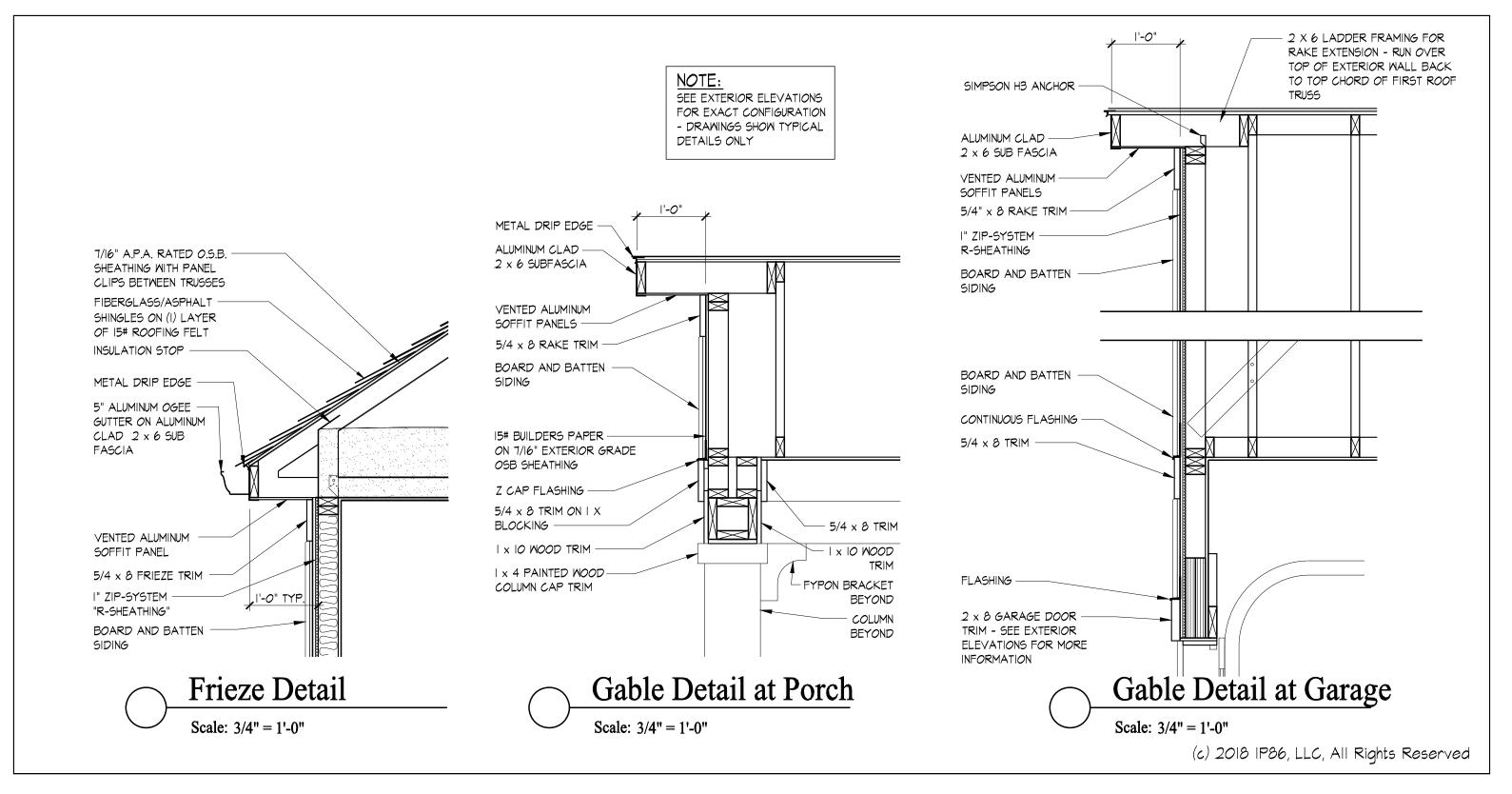


LANE HOME 42' WIDE PRODUCT - (BEDFORD, CLAY, HAVEN) (TYPICAL OF BUILT PRODUCT AT "COURTYARDS OF NEW ALBANY")

*

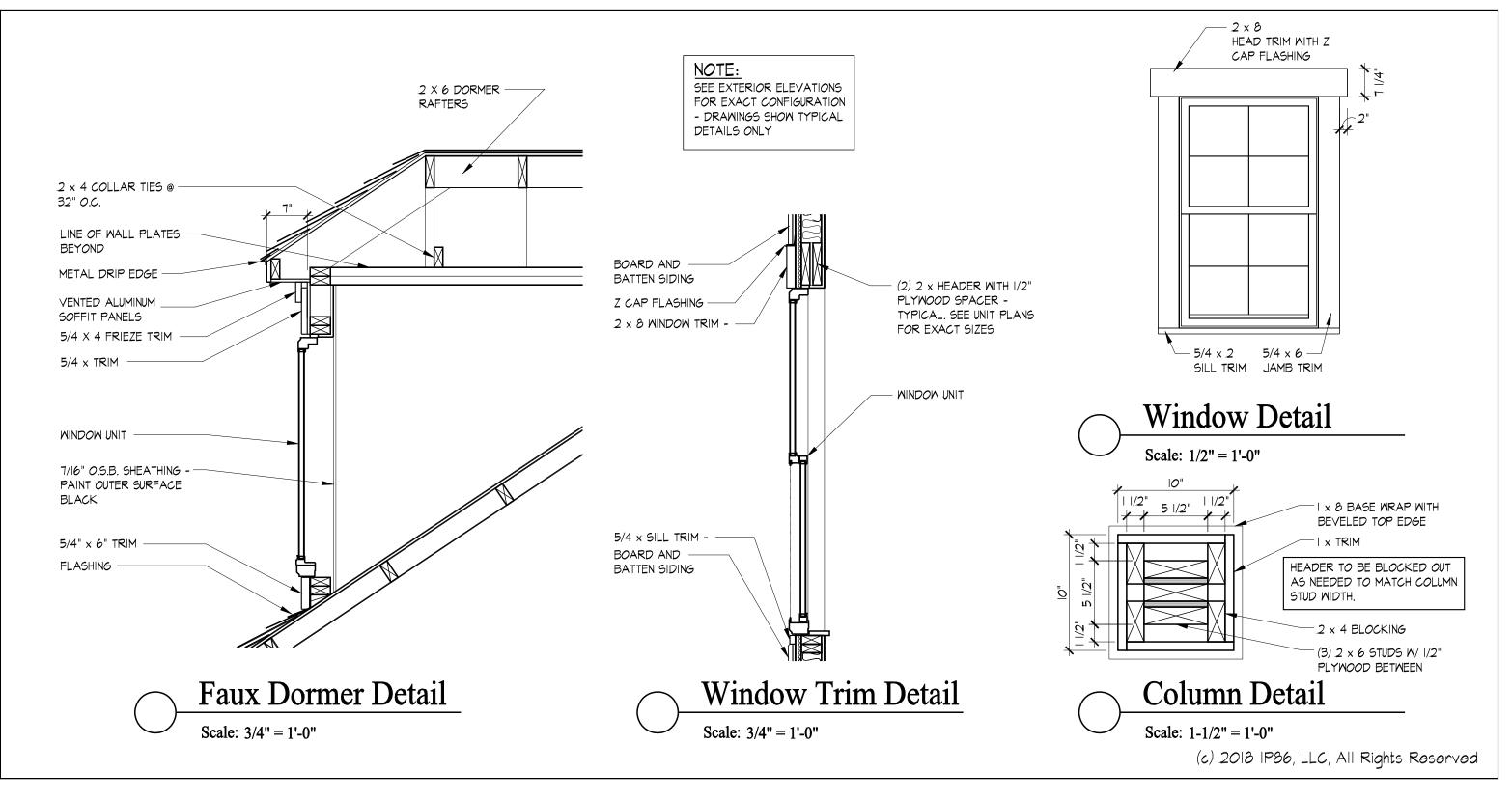


COURTYARDS AT HAINES CREEK TYPICAL UNIT DETAILS

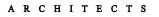


DEAN A. WENZ

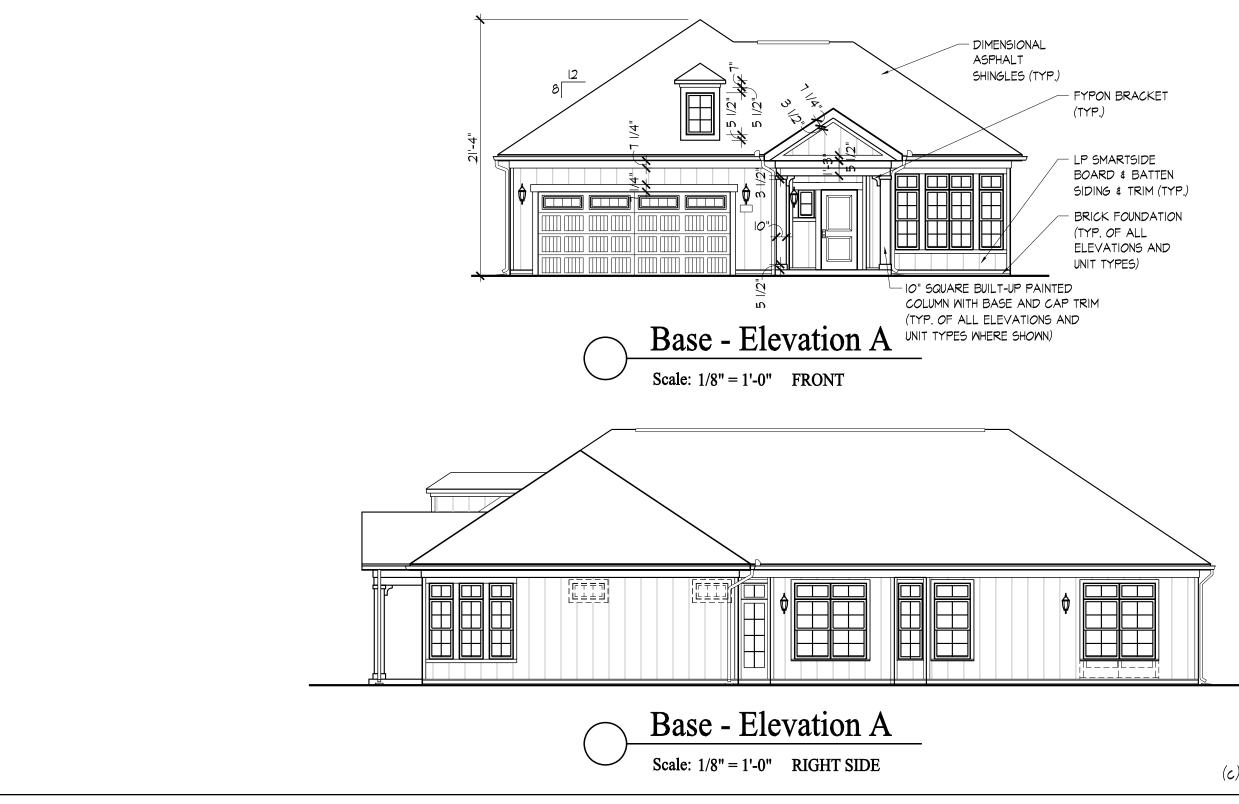
COURTYARDS AT HAINES CREEK TYPICAL UNIT DETAILS



DEAN A. WENZ

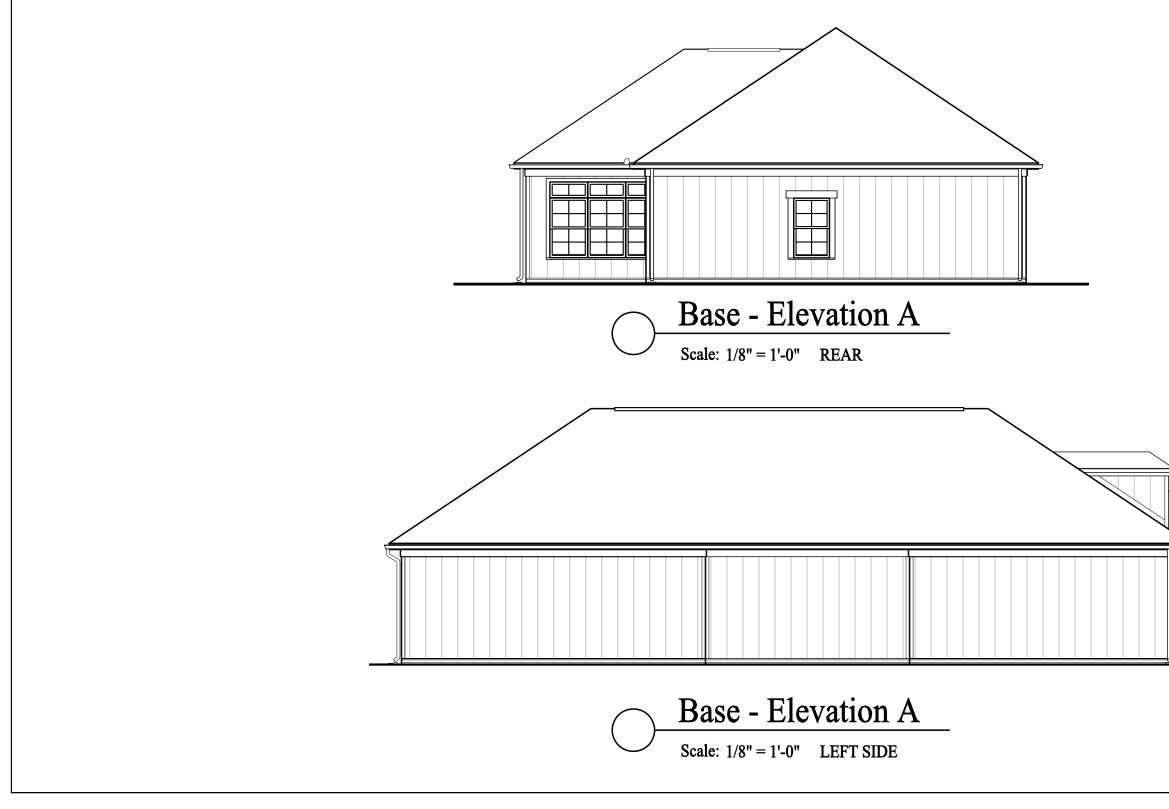


UNIT D-1 - PALAZZO



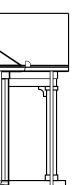
DEAN A. WENZ

UNIT D-1 - PALAZZO

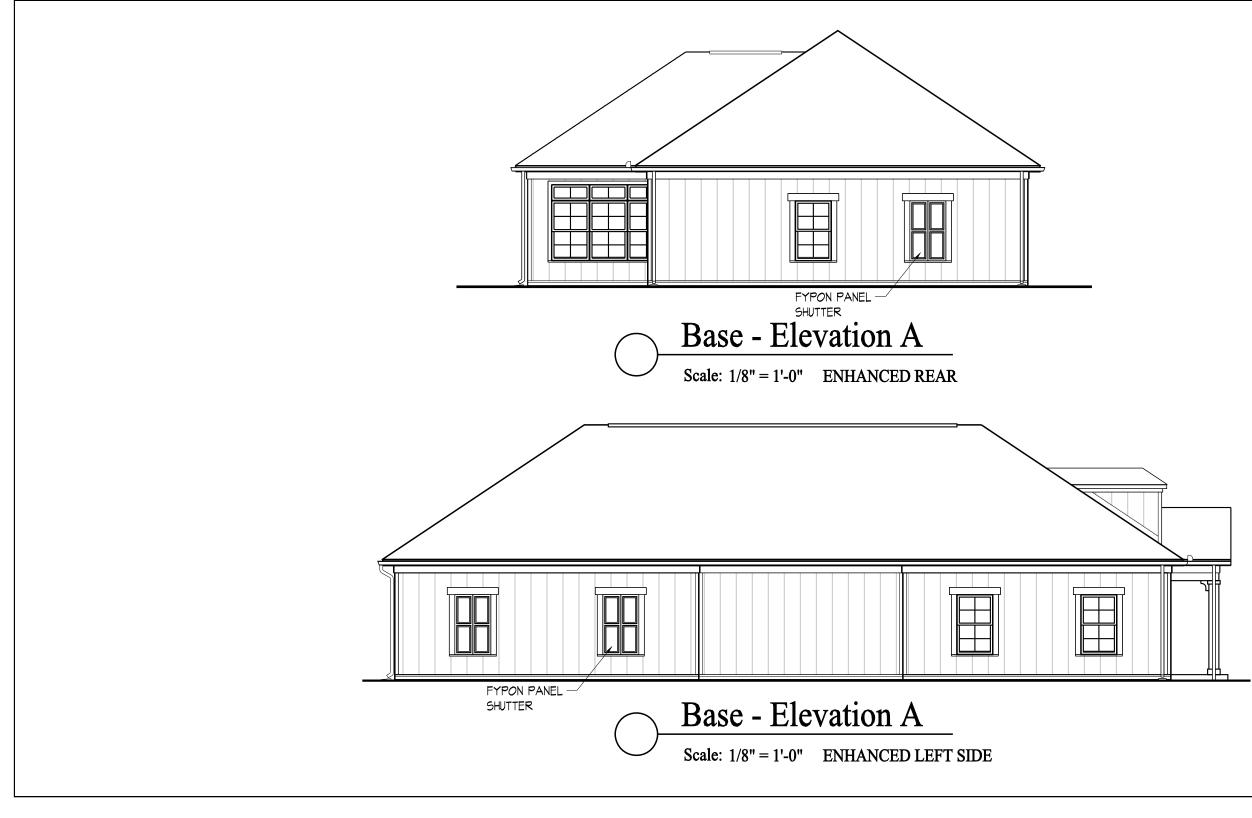


DEAN A. WENZ

ARCHITECTS

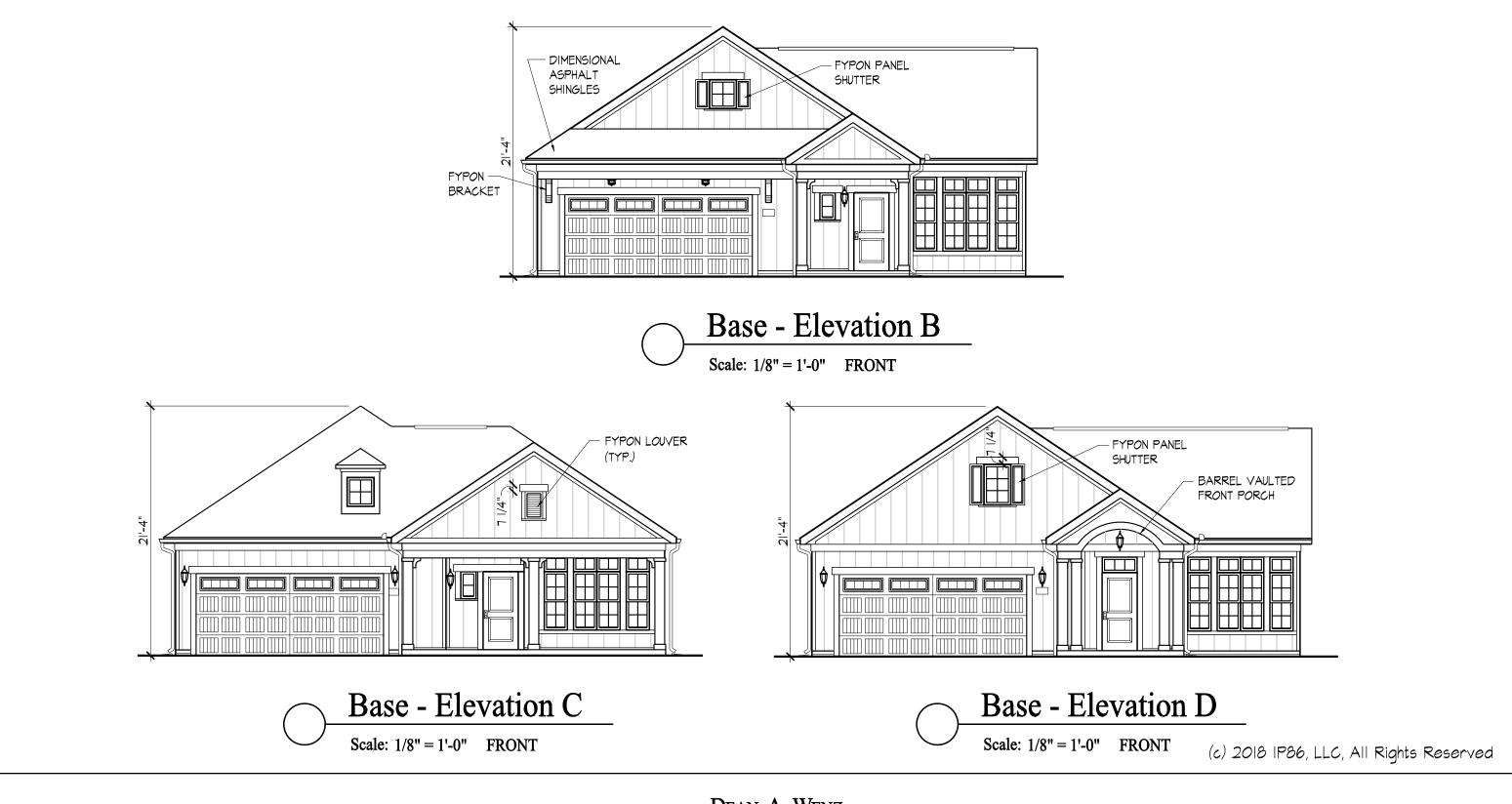


UNIT D-1 - PALAZZO



Dean A. Wenz

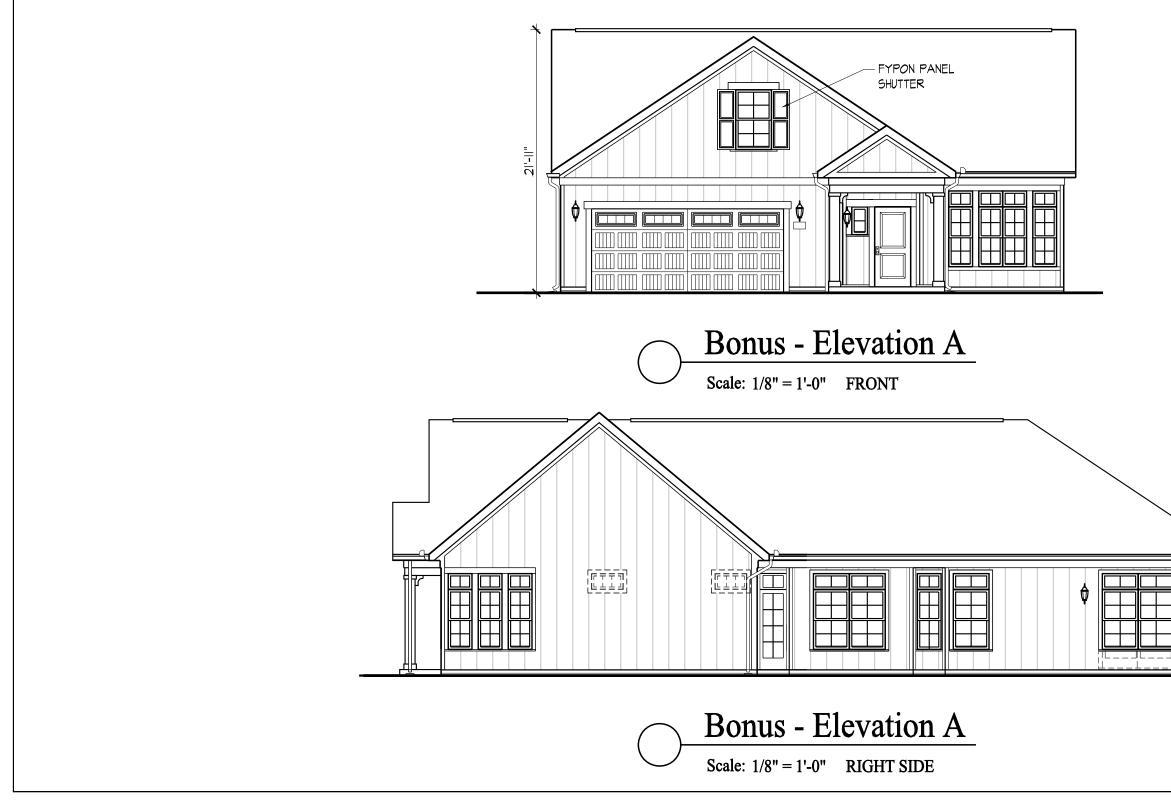
UNIT D-1 - PALAZZO



Dean A. Wenz

2463 East Main Street Bexley, Ohio 43209 Phone (614) 239-6868 www.wenz-architects.com

UNIT D-1 - PALAZZO



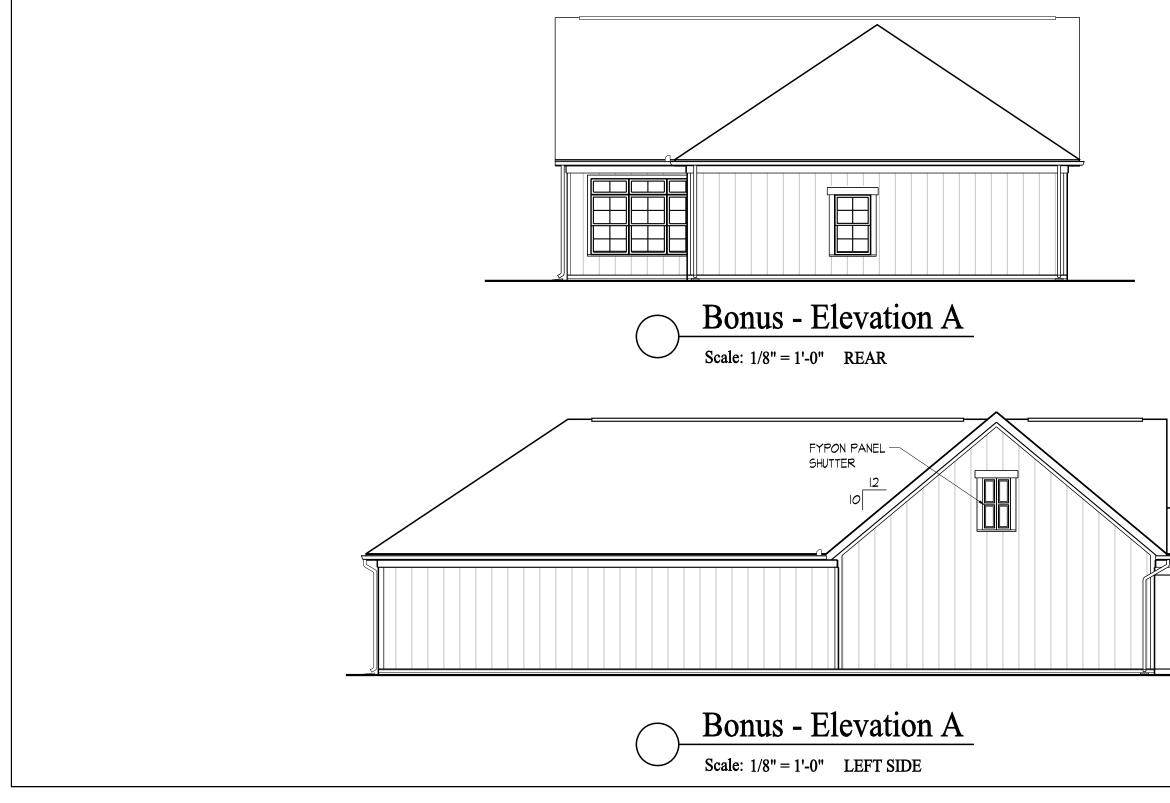
DEAN A. WENZ

A R C H I T E C T S

2463 East Main Street Bexley, Ohio 43209 Phone (614) 239-6868 www.wenz-architects.com

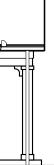


UNIT D-1 - PALAZZO

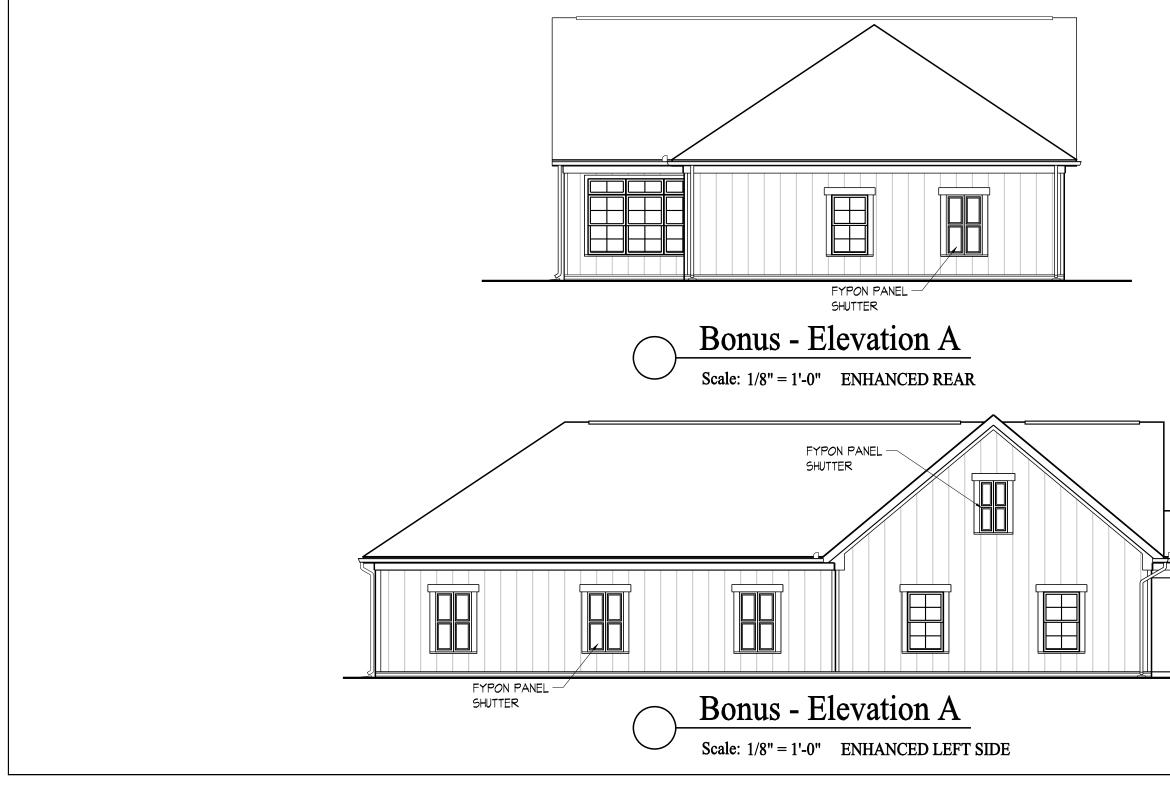


DEAN A. WENZ

ARCHITECTS



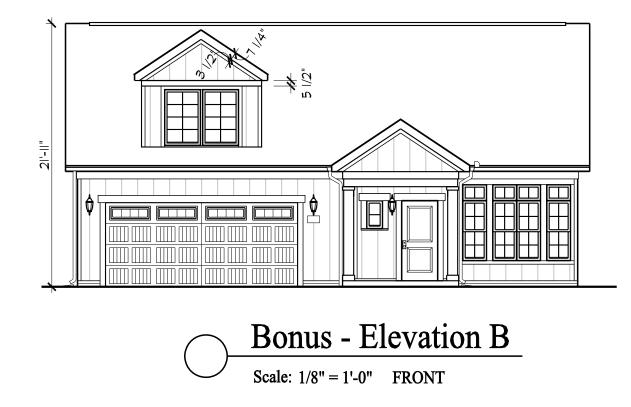
UNIT D-1 - PALAZZO



Dean A. Wenz



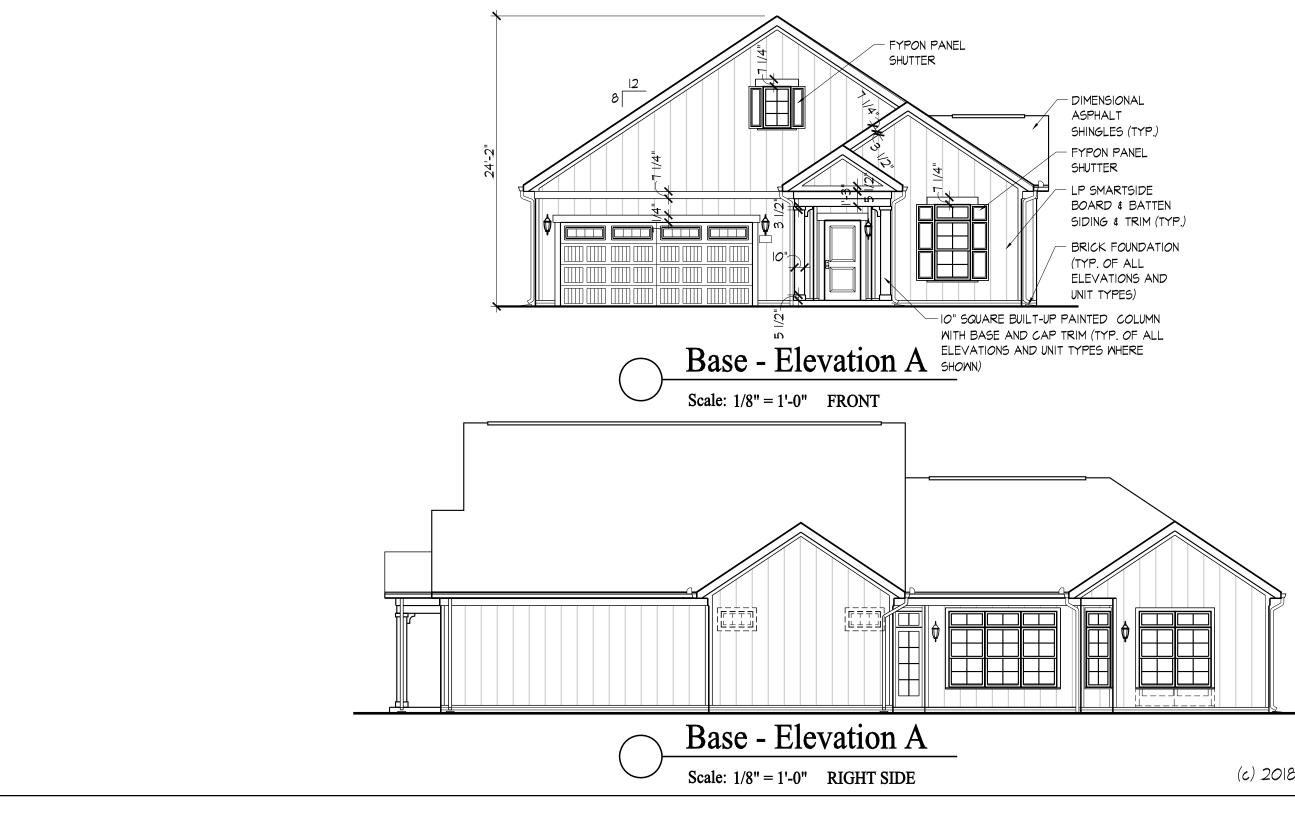
COURTYARDS AT HAINES CREEK UNIT D-1 - PALAZZO



DEAN A. WENZ

ARCHITECTS

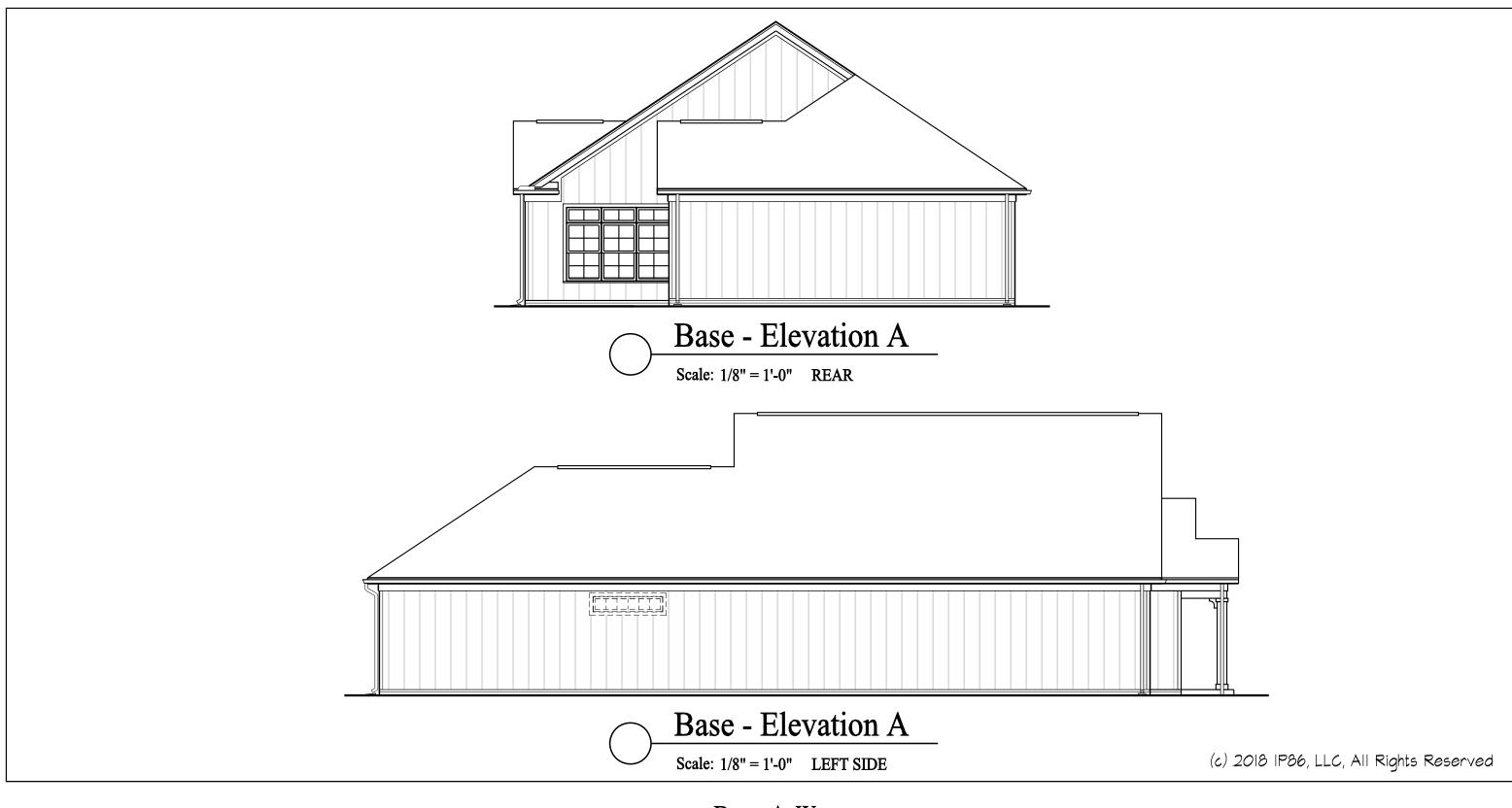
UNIT D-2 - PORTICO



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ARCHITECTS

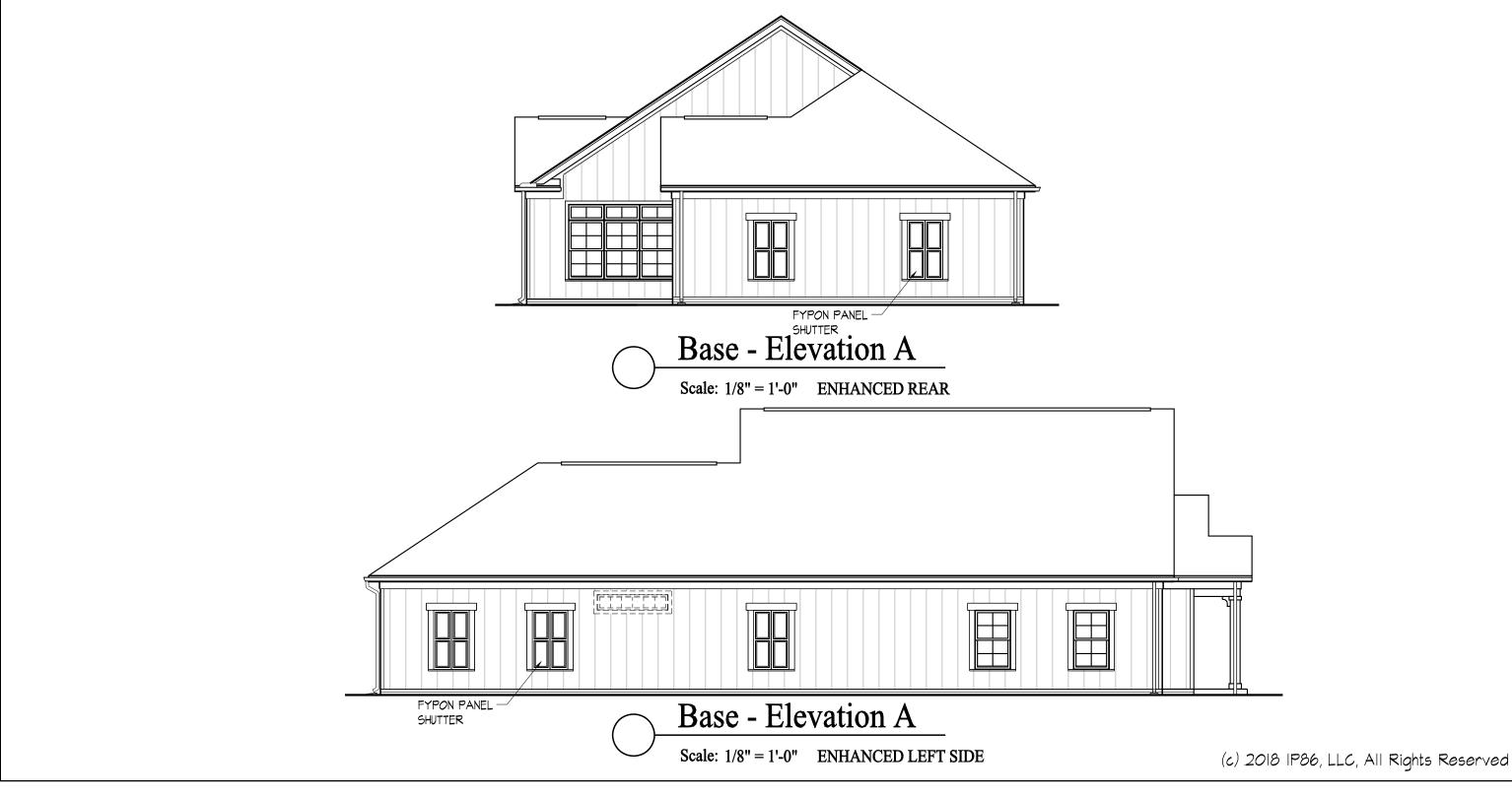
UNIT D-2 - PORTICO



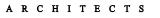
Dean A. Wenz

ARCHITECTS

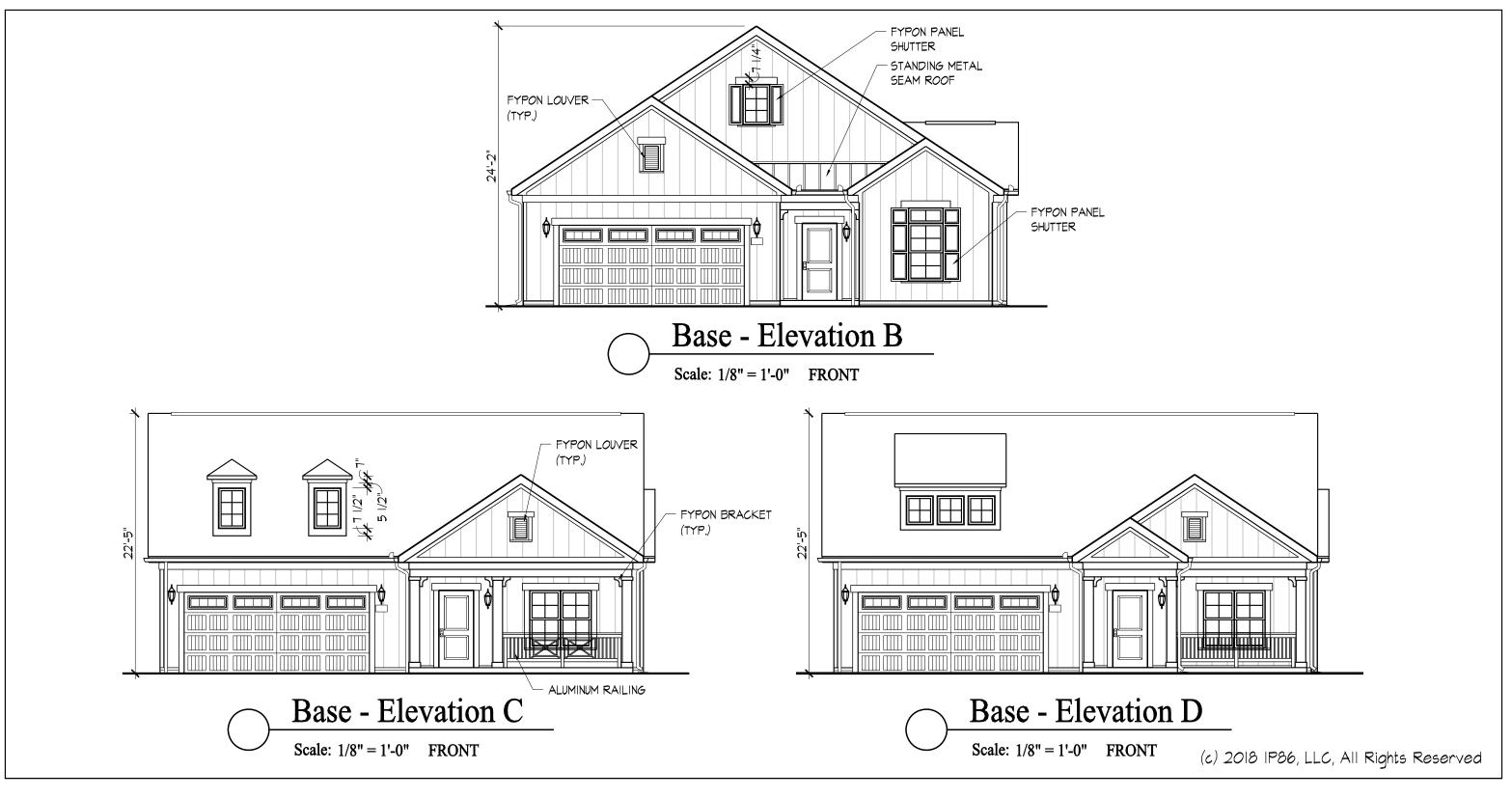
UNIT D-2 - PORTICO



DEAN A. WENZ



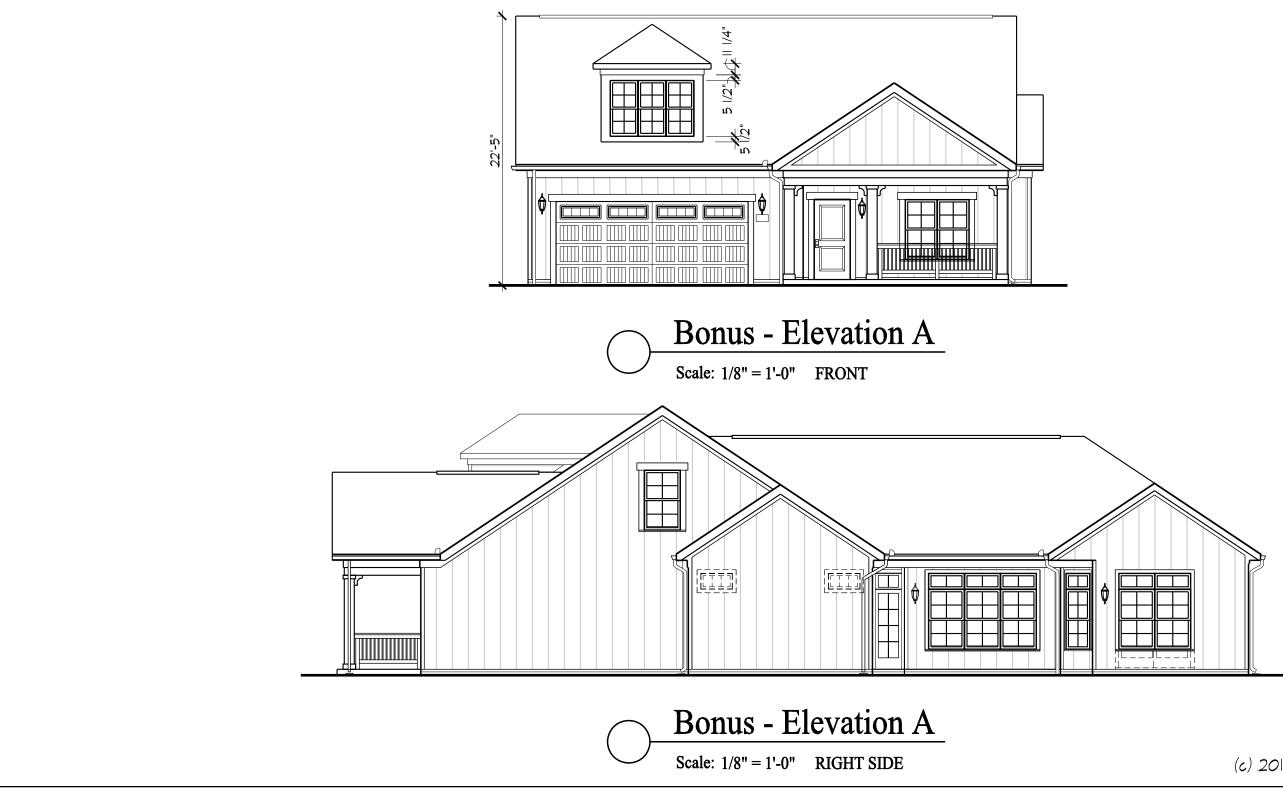
UNIT D-2 - PORTICO



Dean A. Wenz

A R C H I T E C T S

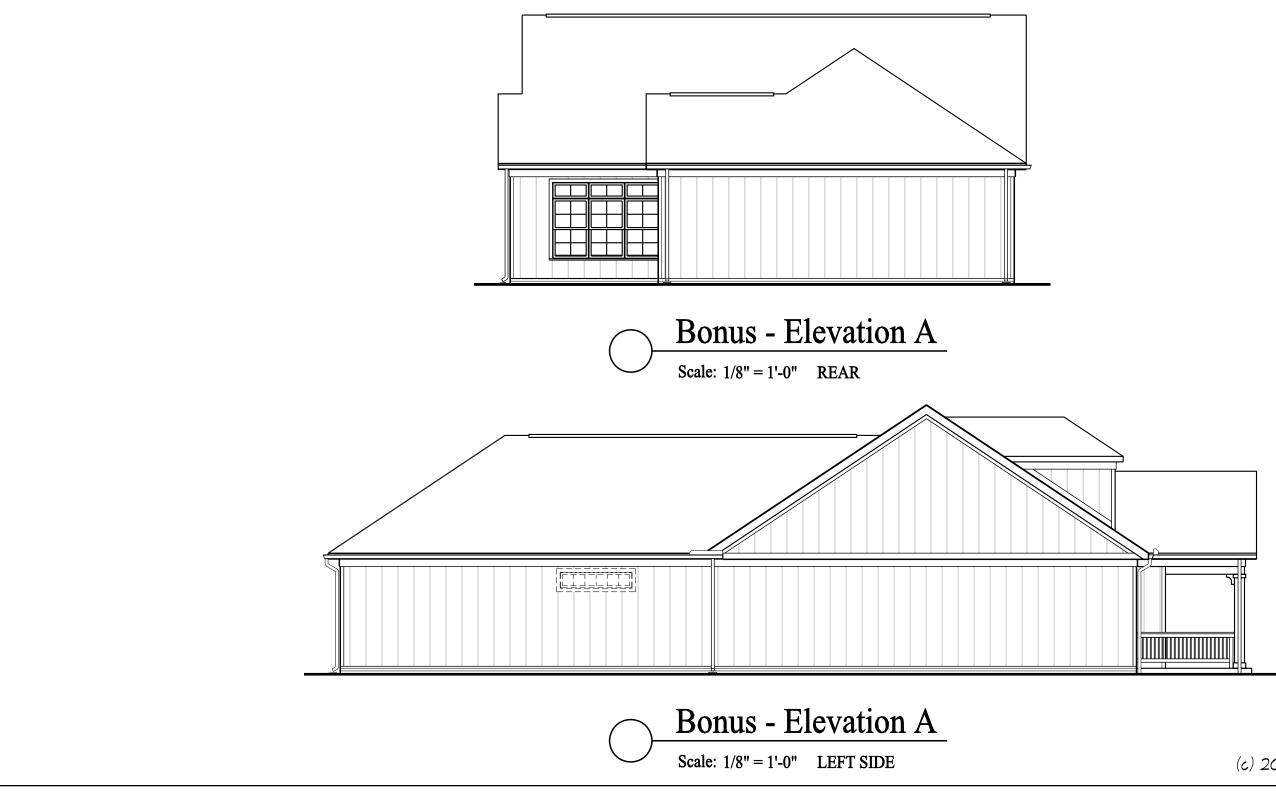
UNIT D-2 - PORTICO



DEAN A. WENZ

ARCHITECTS

UNIT D-2 - PORTICO

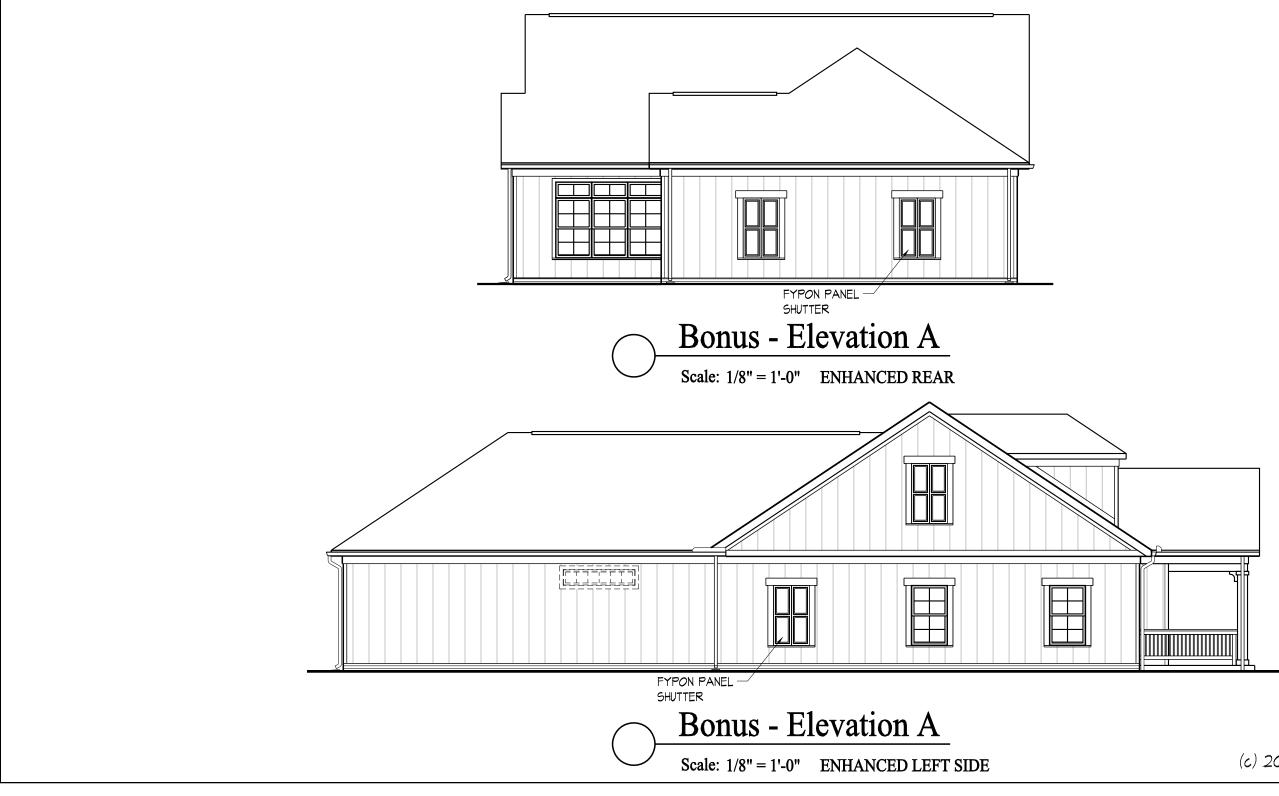


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UNIT D-2 - PORTICO



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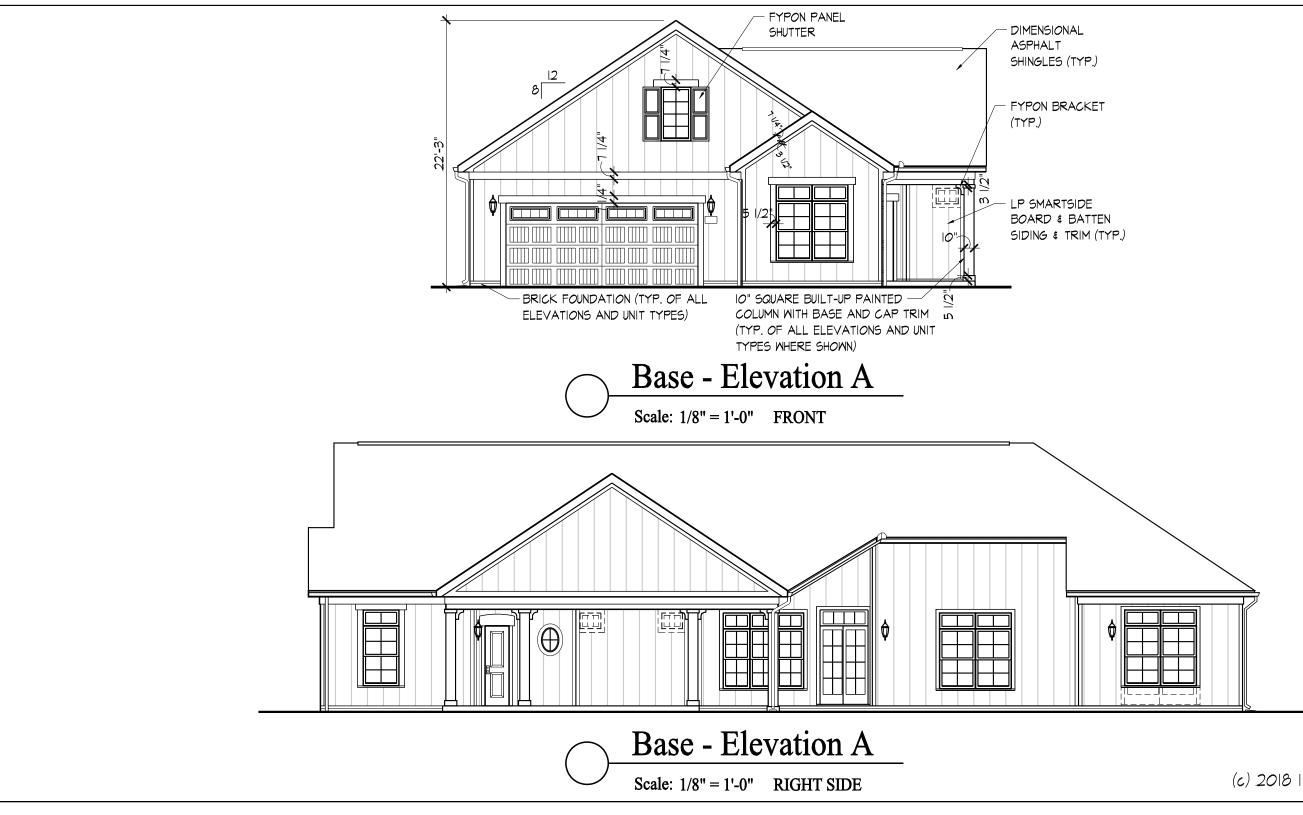
UNIT D-2 - PORTICO



DEAN A. WENZ

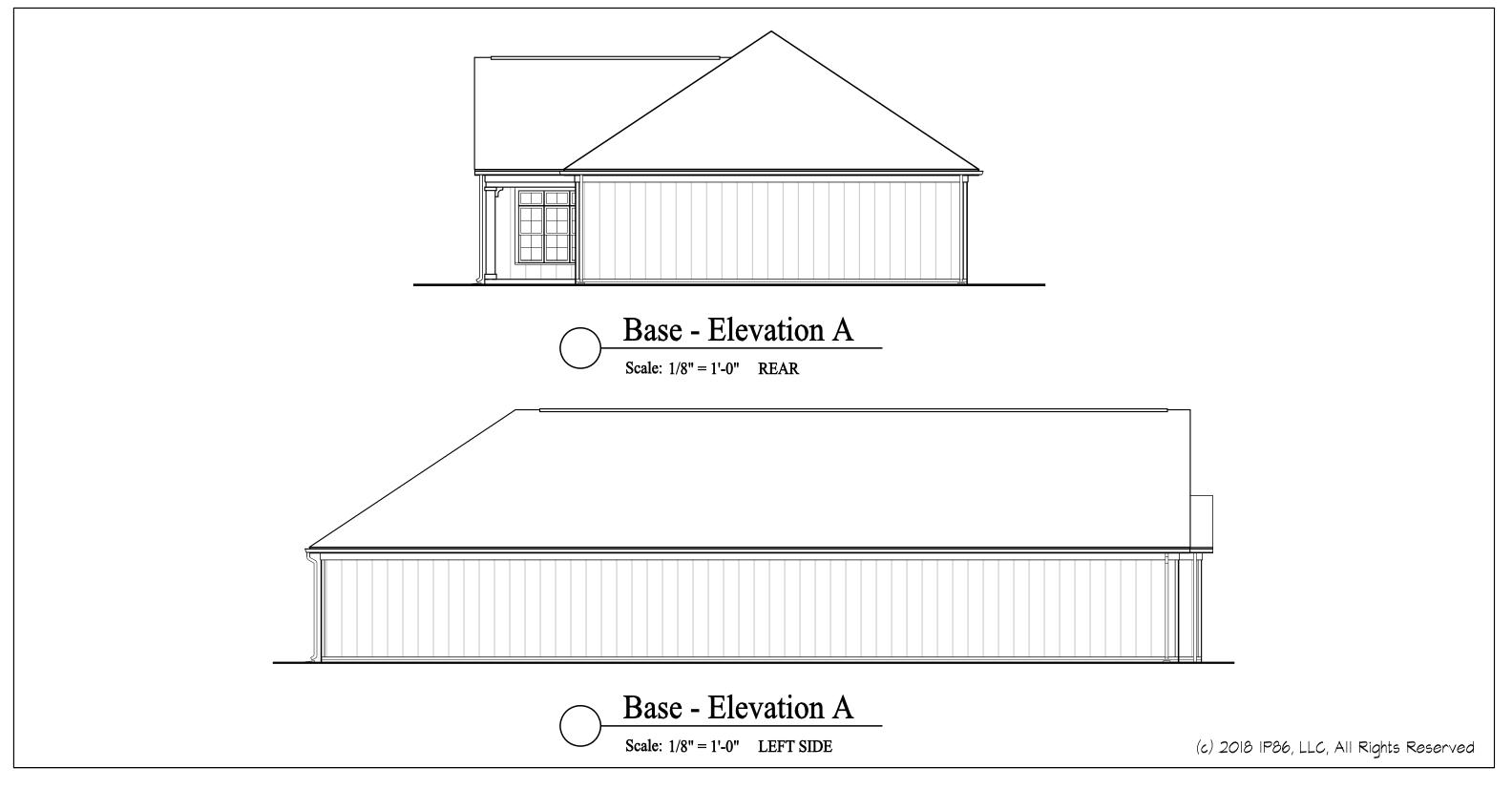
ARCHITECTS

UNIT D-3 - PROMENADE



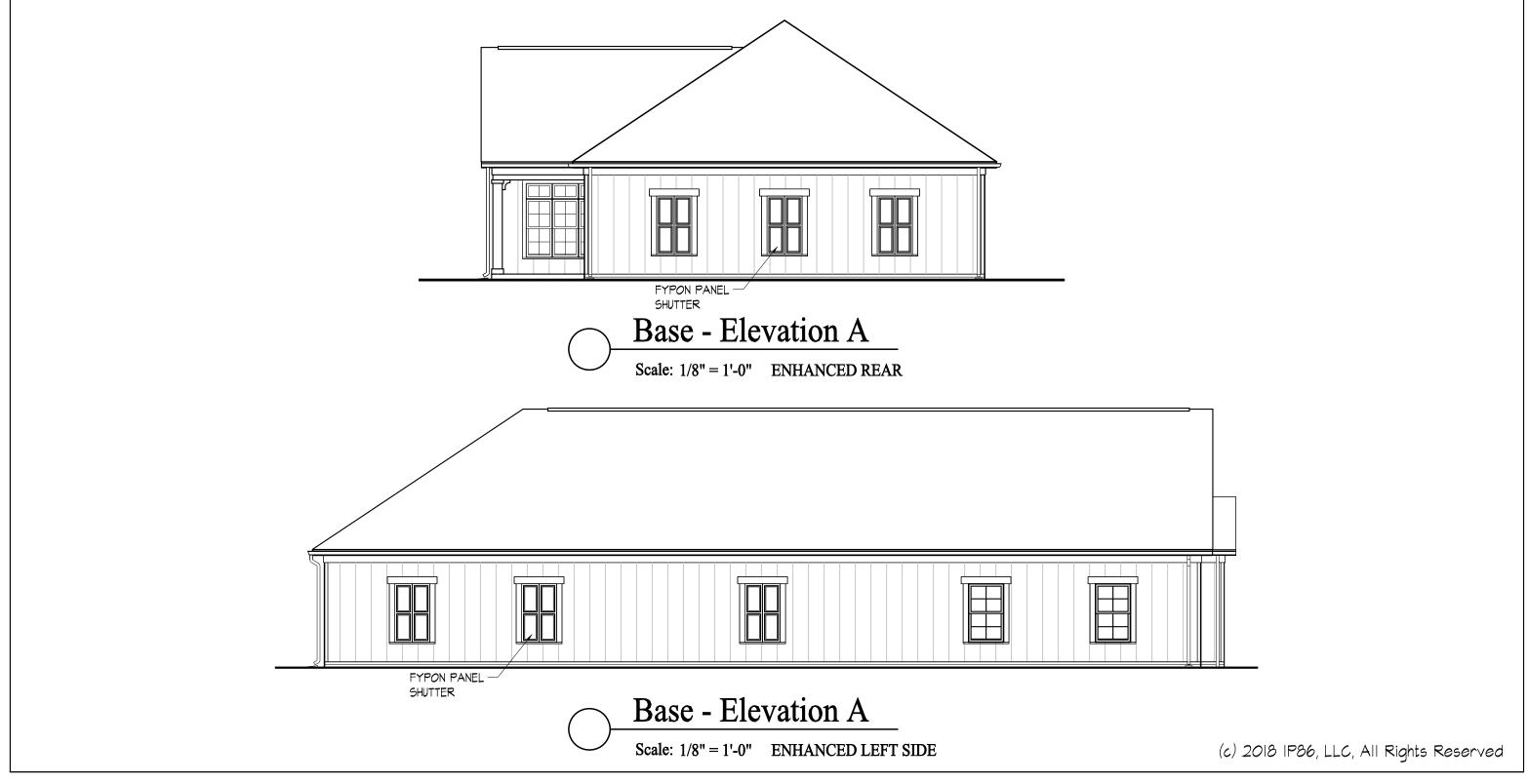
DEAN A. WENZ

A R C H I T E C T S



DEAN A. WENZ

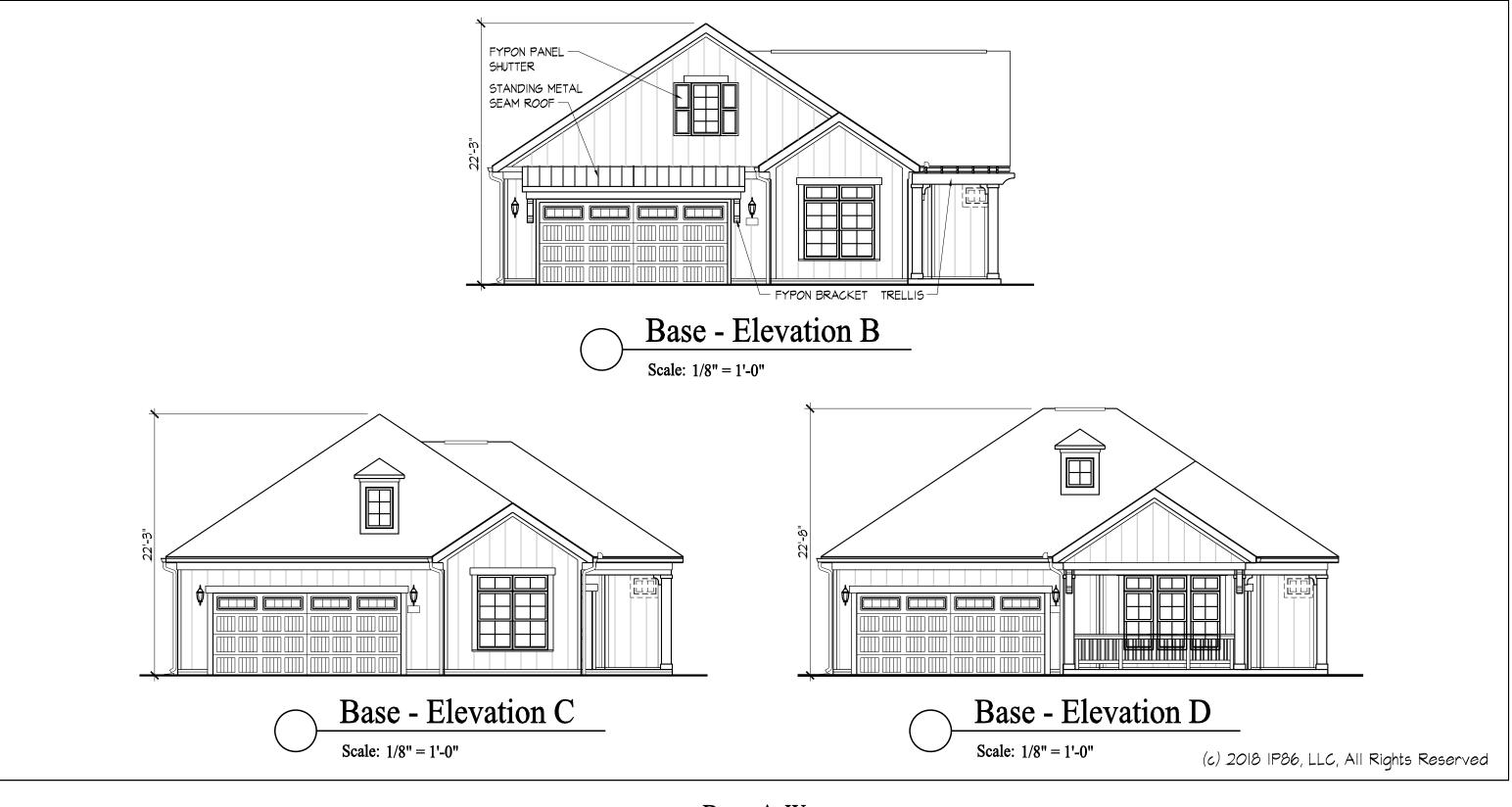
ARCHITECTS



DEAN A. WENZ

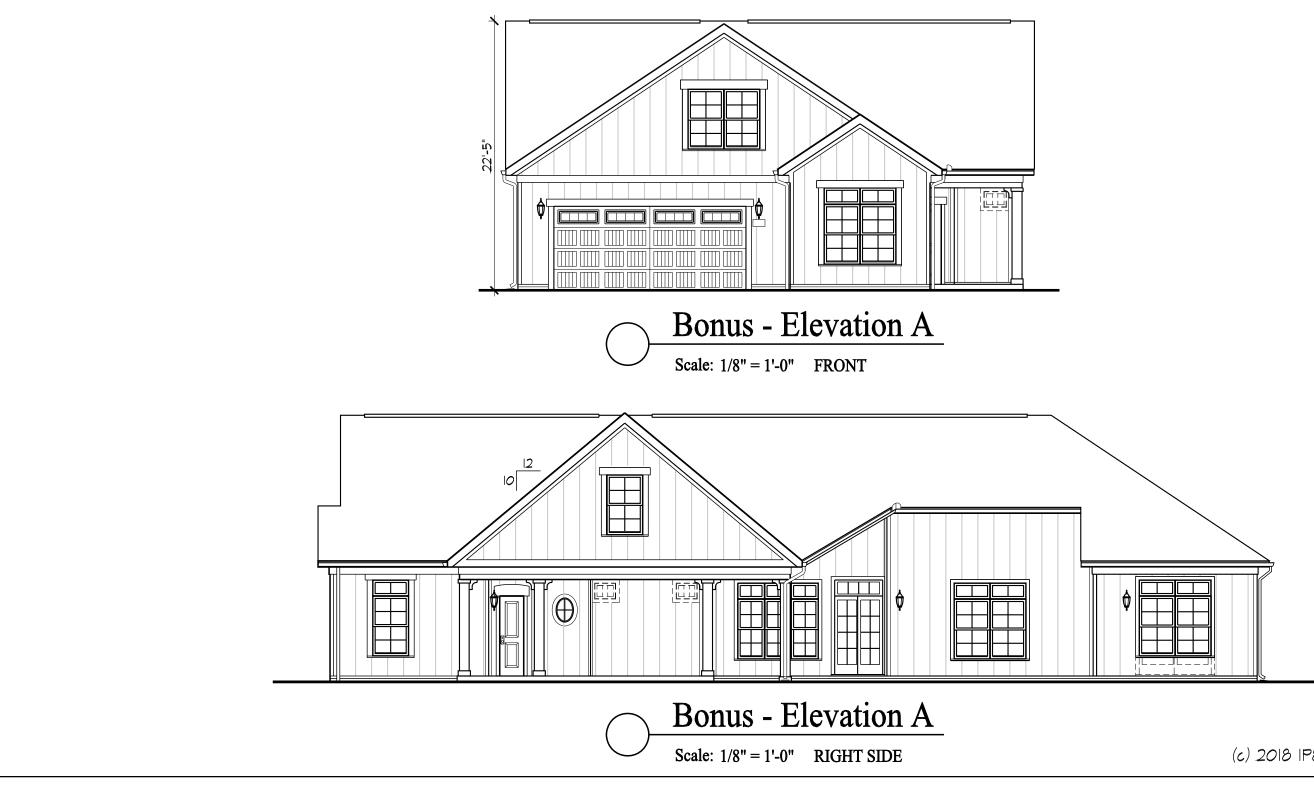
ARCHITECTS

UNIT D-3 - PROMENADE



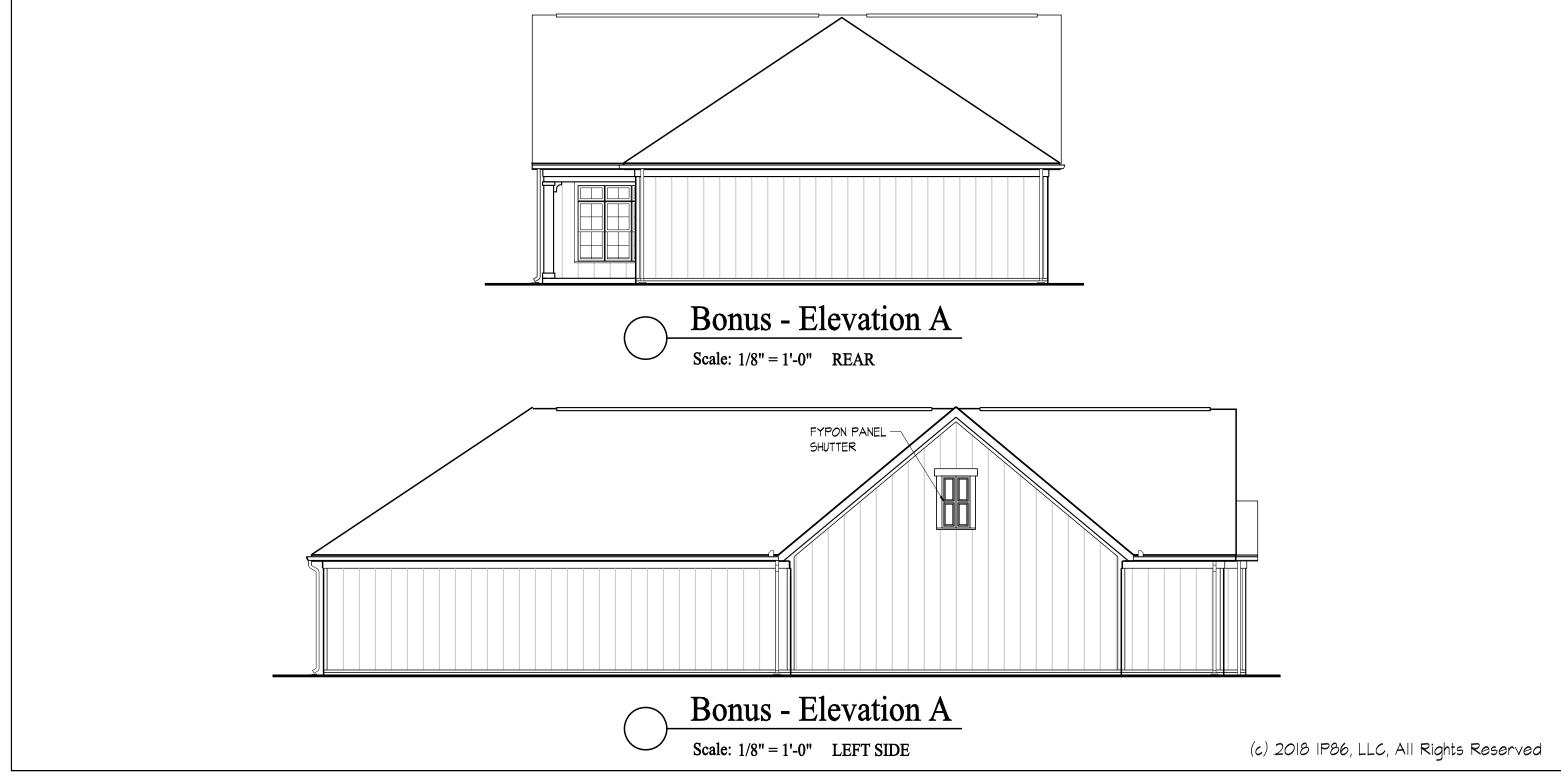
Dean A. Wenz

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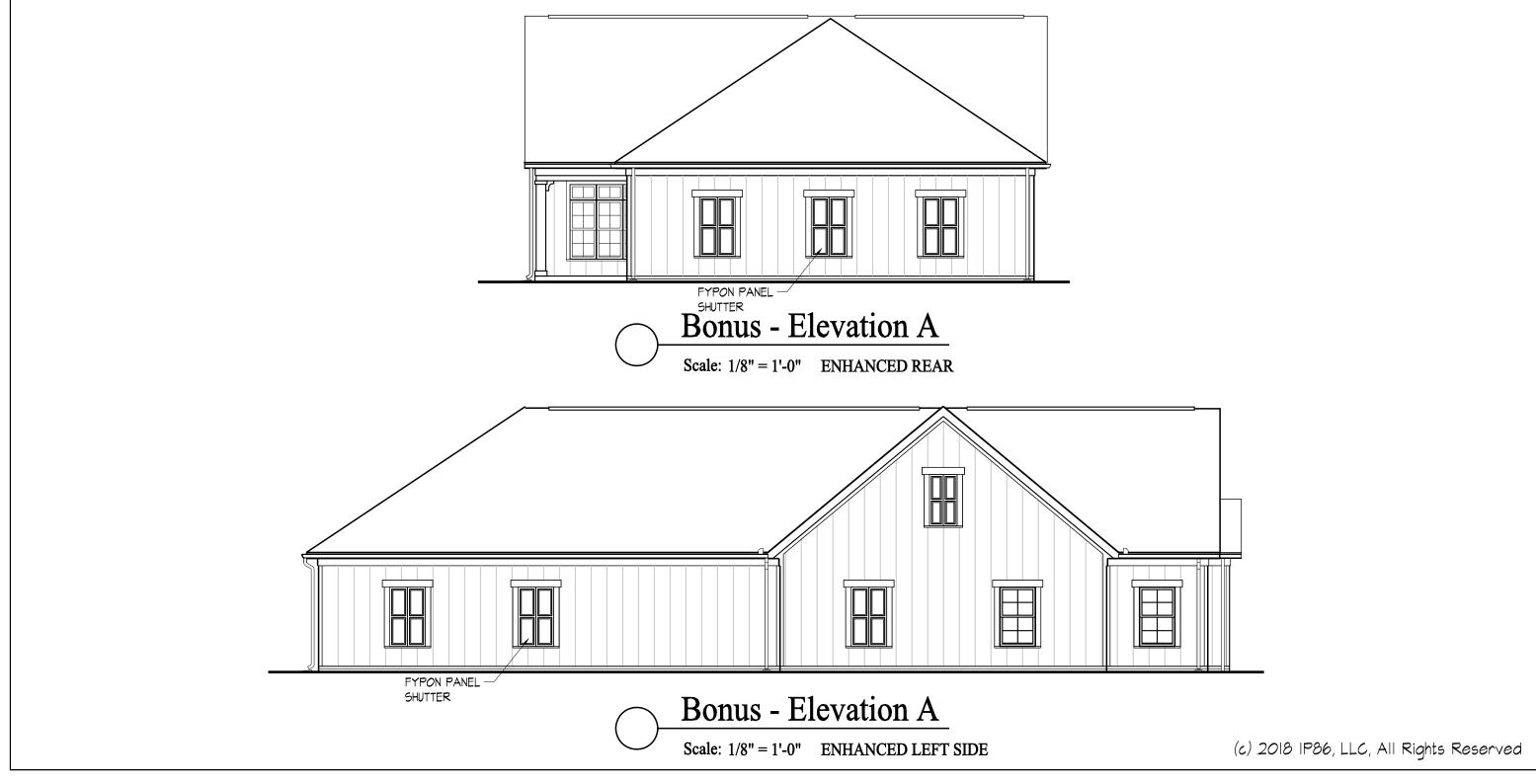
DEAN A. WENZ

ARCHITECTS



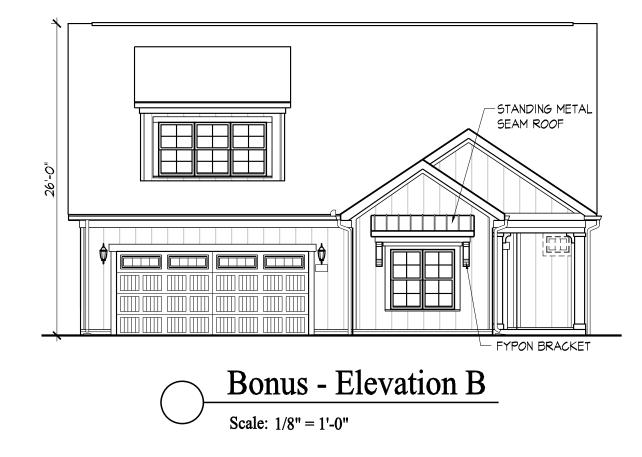
DEAN A. WENZ

ARCHITECTS



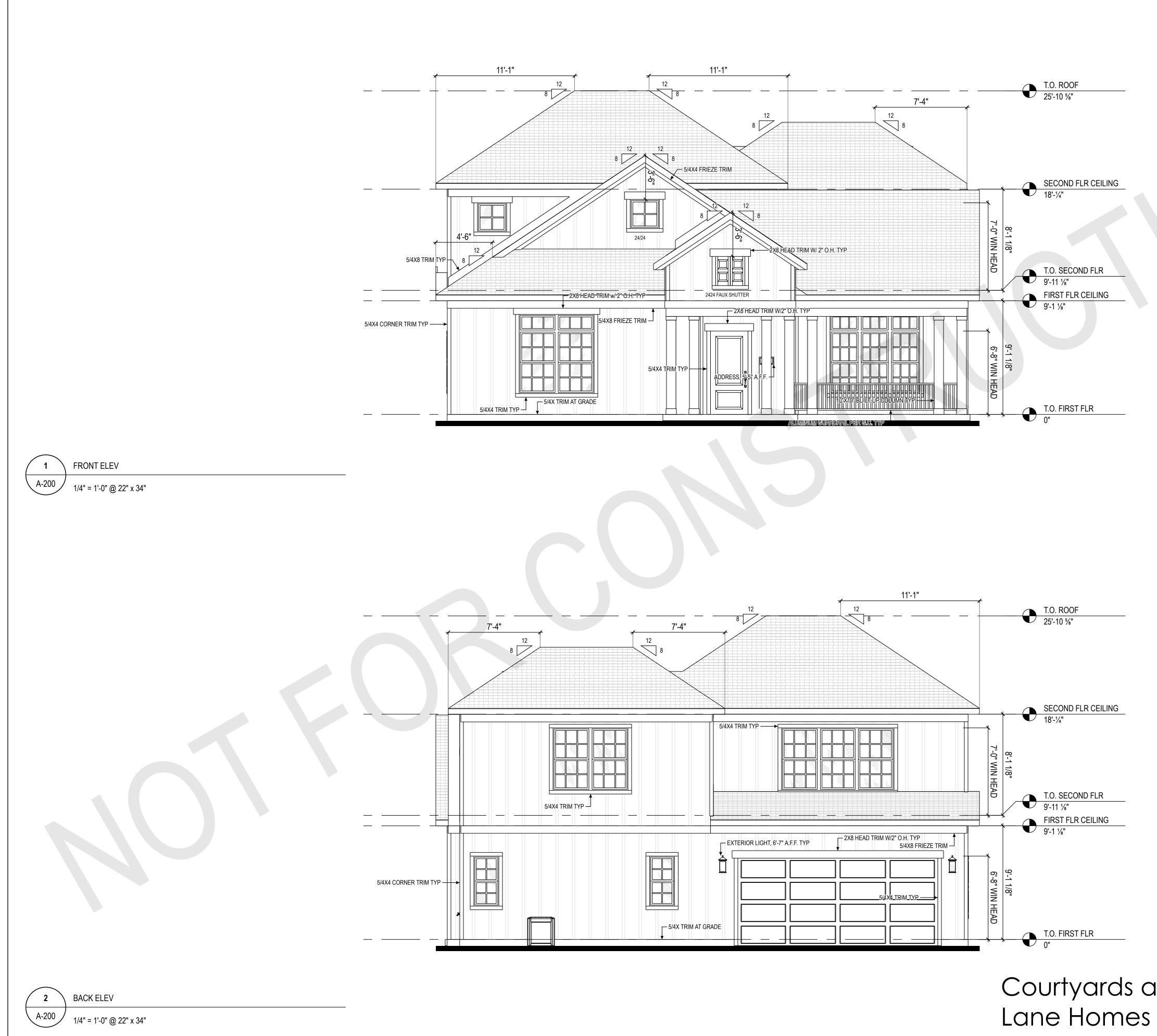
DEAN A. WENZ

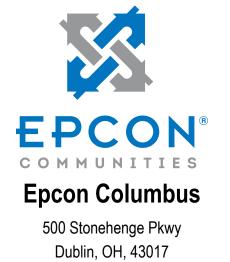
ARCHITECTS



DEAN A. WENZ

ARCHITECTS





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ISSUE	DESCRIPTION	DATE
01	BUILDER SET	4/11/2023

PROJECT

PLAN: Bedford ELEV: Bonus Elevation A LOT:

LOT ADDRESS:

DRAWING TITLE

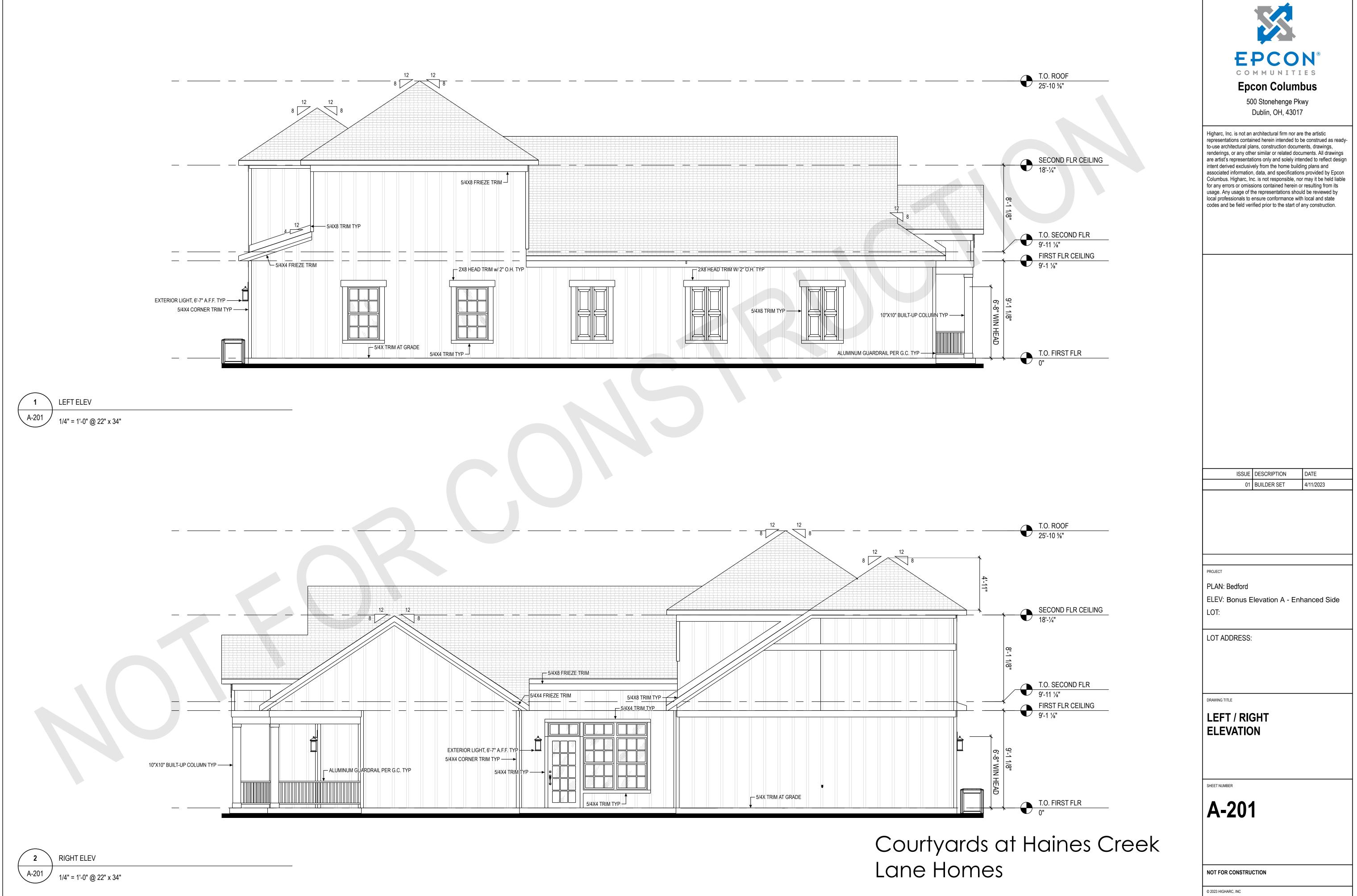
FRONT / BACK ELEVATION

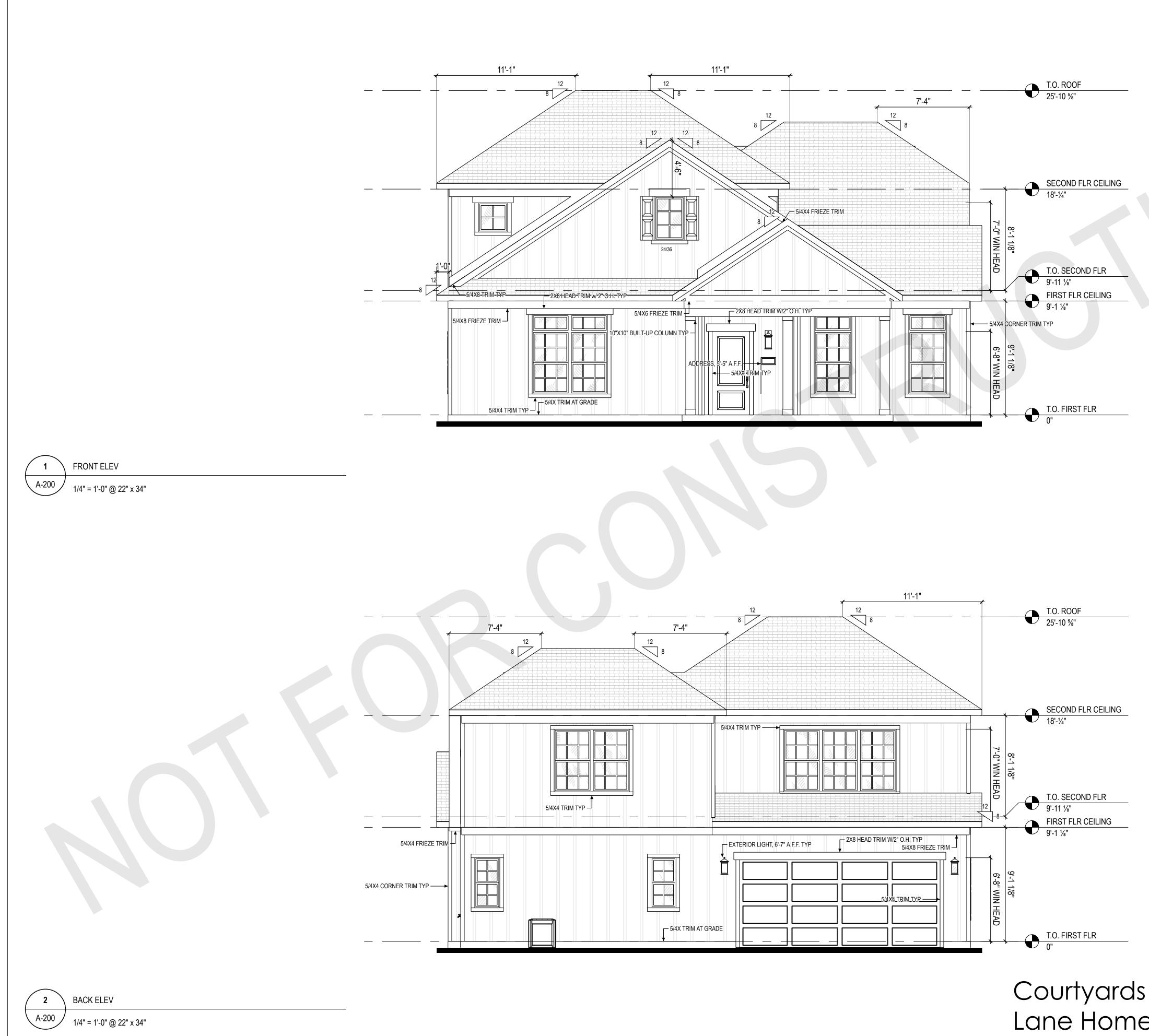
SHEET NUMBER

A-200

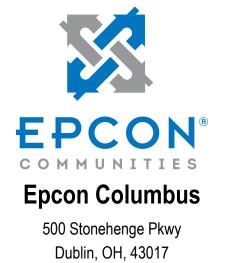
NOT FOR CONSTRUCTION

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Lane Homes



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	DESCRIPTION	DATE
01	BUILDER SET	4/11/2023

PROJECT

PLAN: Bedford ELEV: Bonus Elevation B LOT:

LOT ADDRESS:

DRAWING TITLE

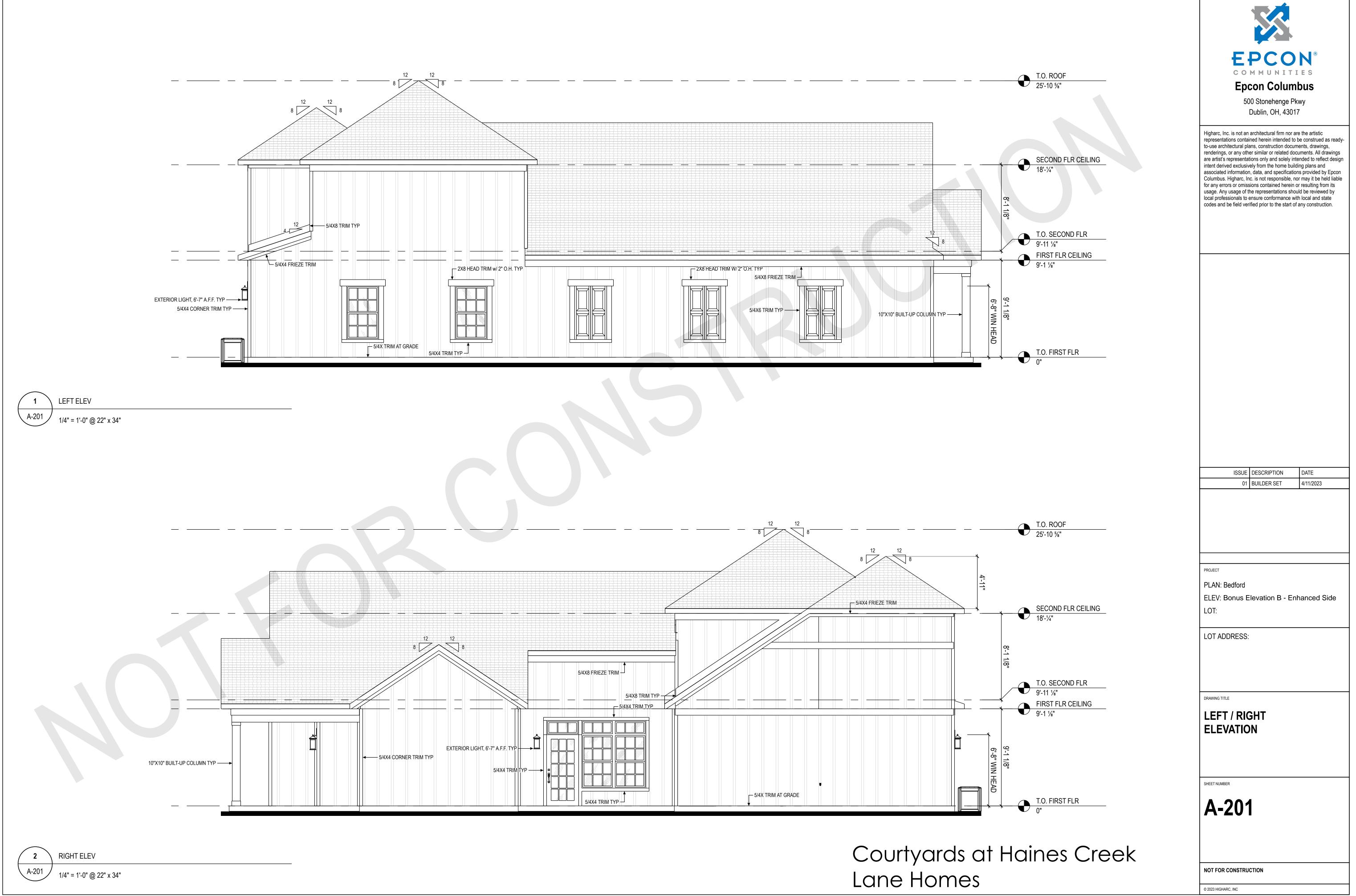
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SHEET NUMBER

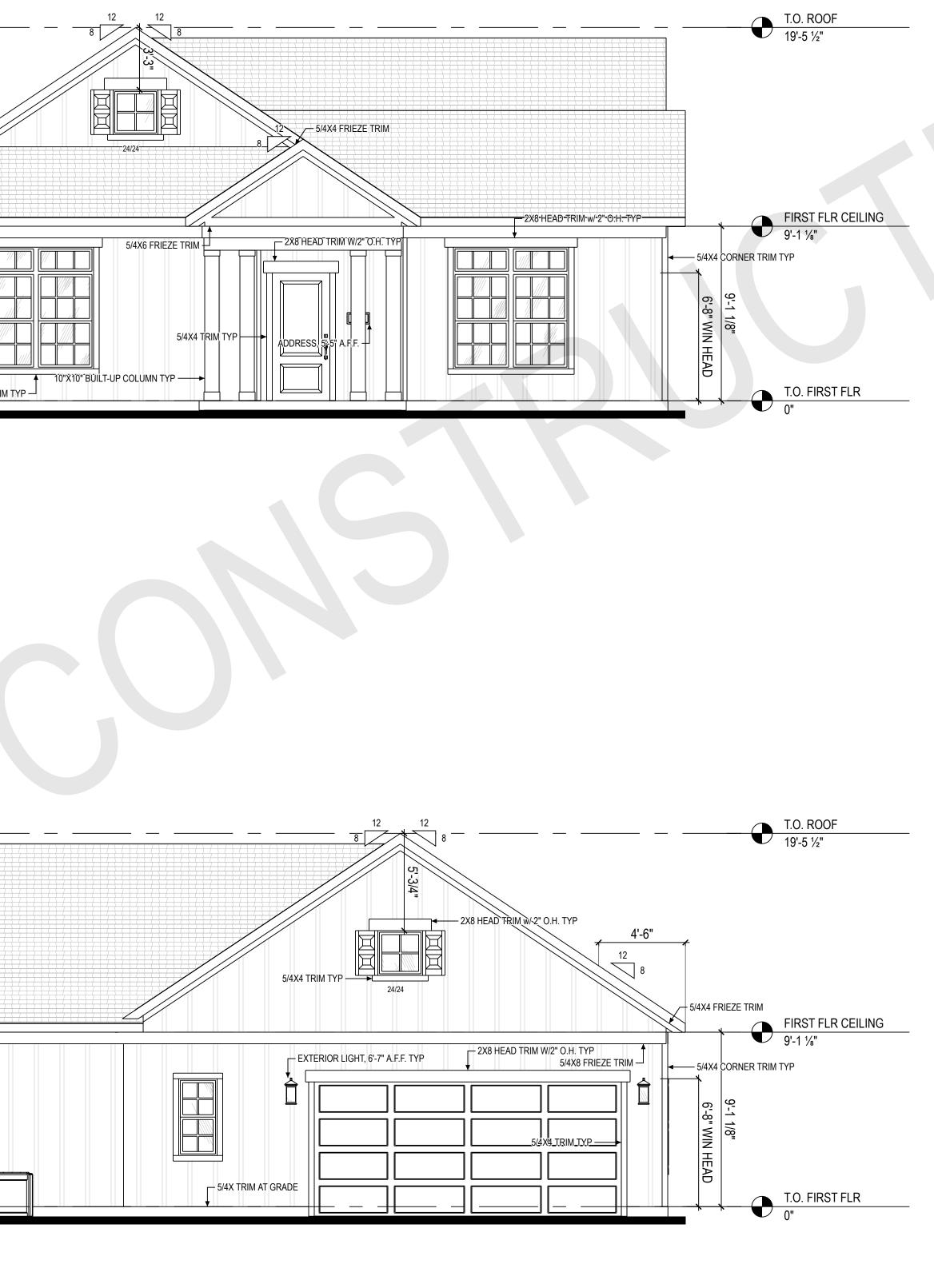
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NOT FOR CONSTRUCTION

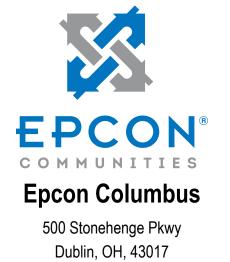
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4'-6" 5/4X8 FRIEZE TRIM -- 5/4X TRIM AT GRADE 5/4X4 TRIM TYP FRONT ELEV A-200 1/4" = 1'-0" @ 22" x 34" 5/4X4 TRIM TYP BACK ELEV 2 A-200 1/4" = 1'-0" @ 22" x 34"



Lane Homes



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ISSUE	DESCRIPTION	DATE

ISSUE	DESCRIPTION	DATE
01	BUILDER SET	4/11/2023

PROJECT

PLAN: Bedford ELEV: Ranch Elevation A LOT:

LOT ADDRESS:

DRAWING TITLE

FRONT / BACK

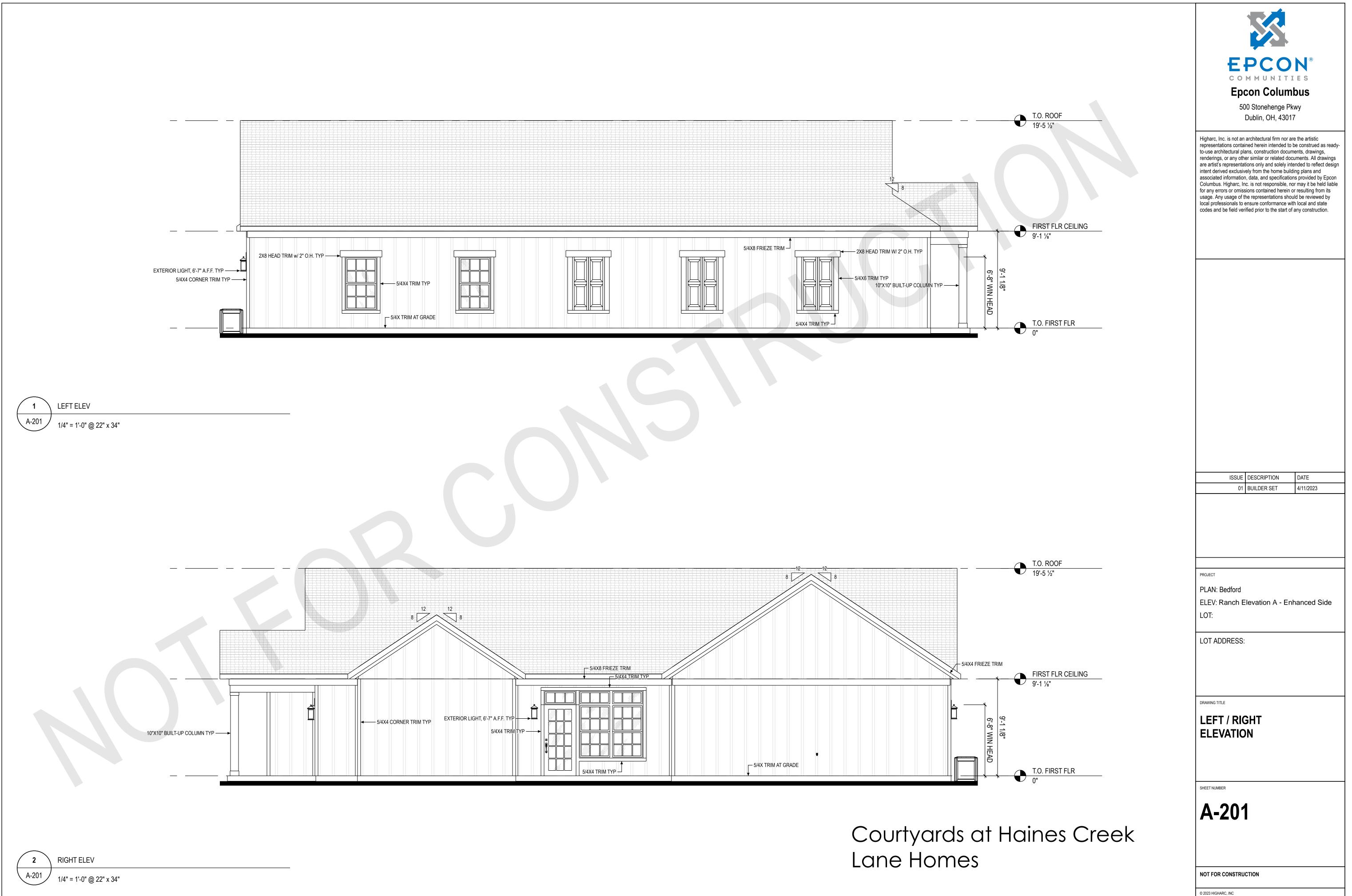
ELEVATION

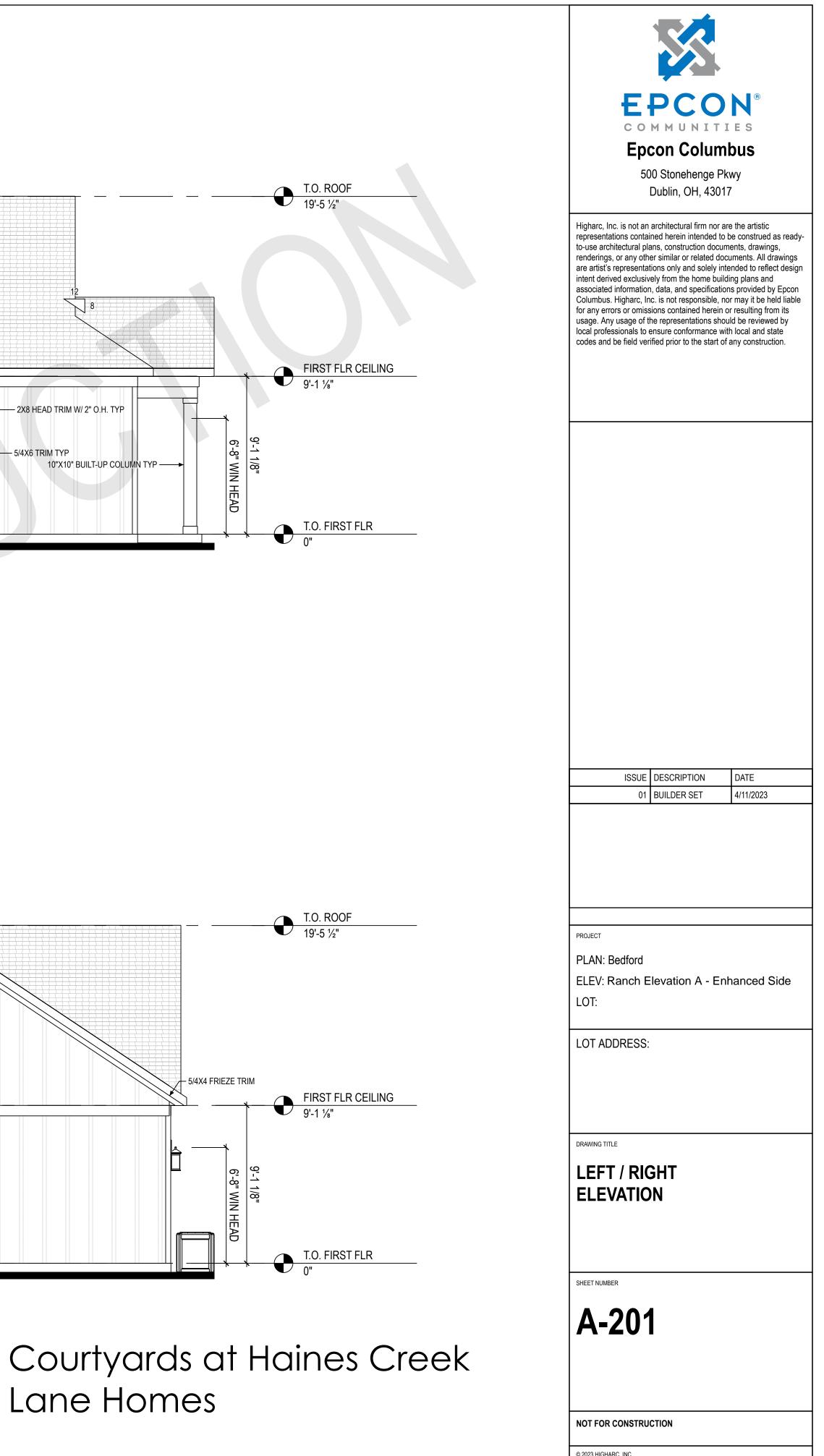
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A-200

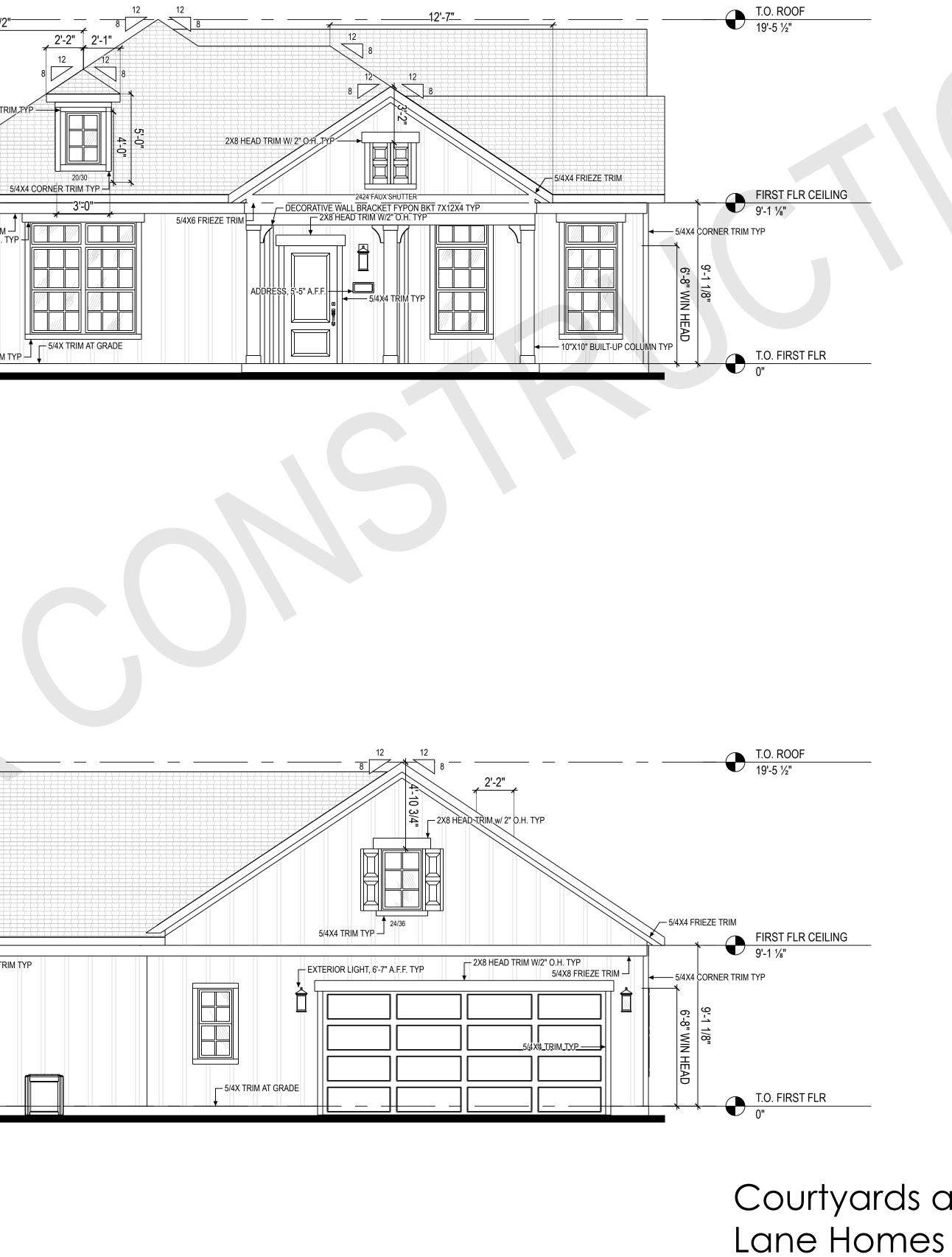
NOT FOR CONSTRUCTION

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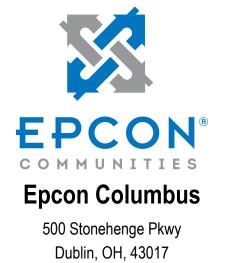
5/4X4 TRIM TYF 5/4X4 TRIM TYP — FRONT ELEV A-200 1/4" = 1'-0" @ 22" x 34" – 5/4X4 TRIM TYP BACK ELEV 2 A-200 1/4" = 1'-0" @ 22" x 34"



_1.2'-7''__

12

12



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ISSUE	DESCRIPTION	DATE
01	BUILDER SET	4/11/2023

PROJECT

PLAN: Bedford ELEV: Ranch Elevation B LOT:

LOT ADDRESS:

DRAWING TITLE

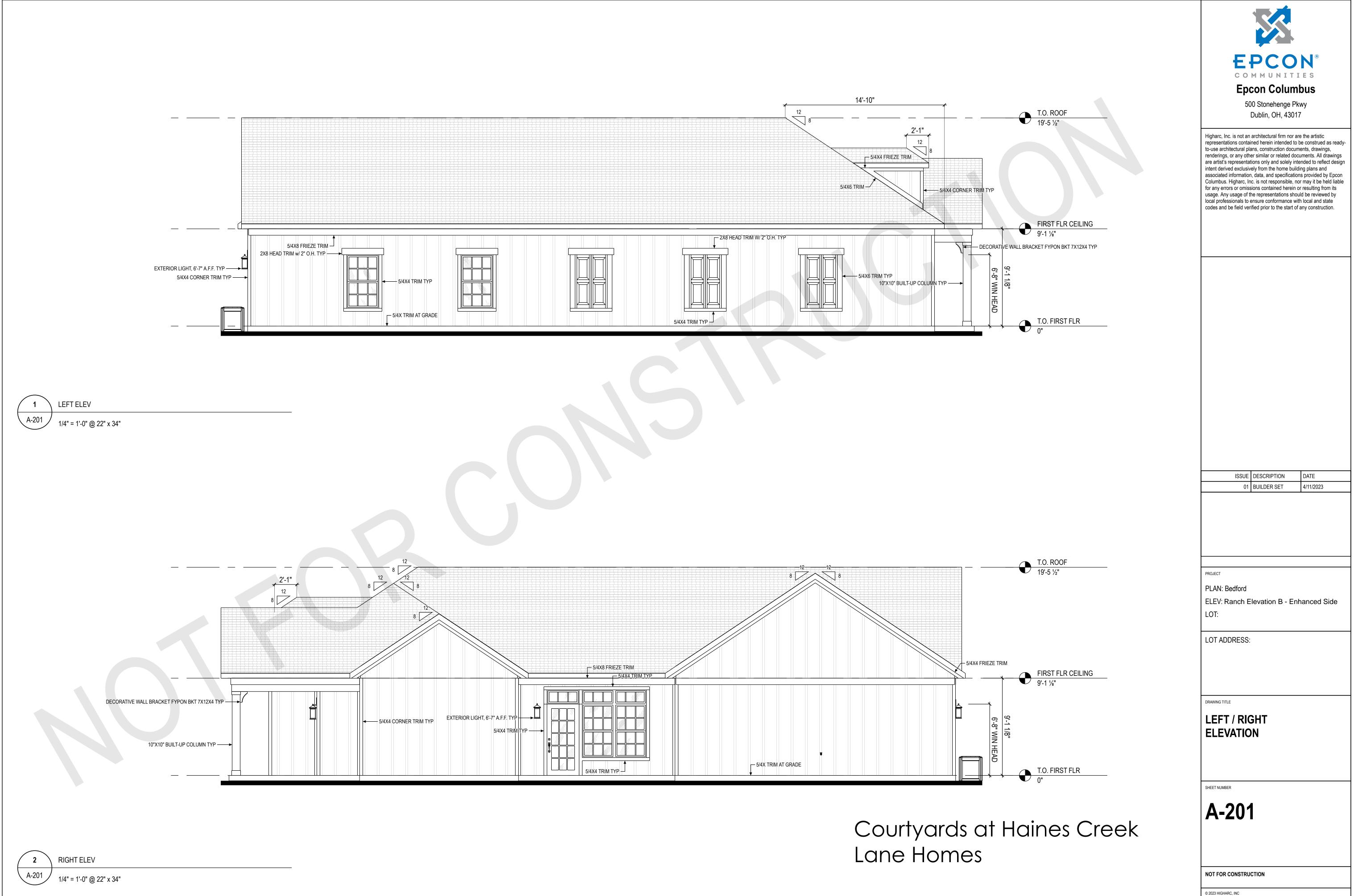
FRONT / BACK ELEVATION

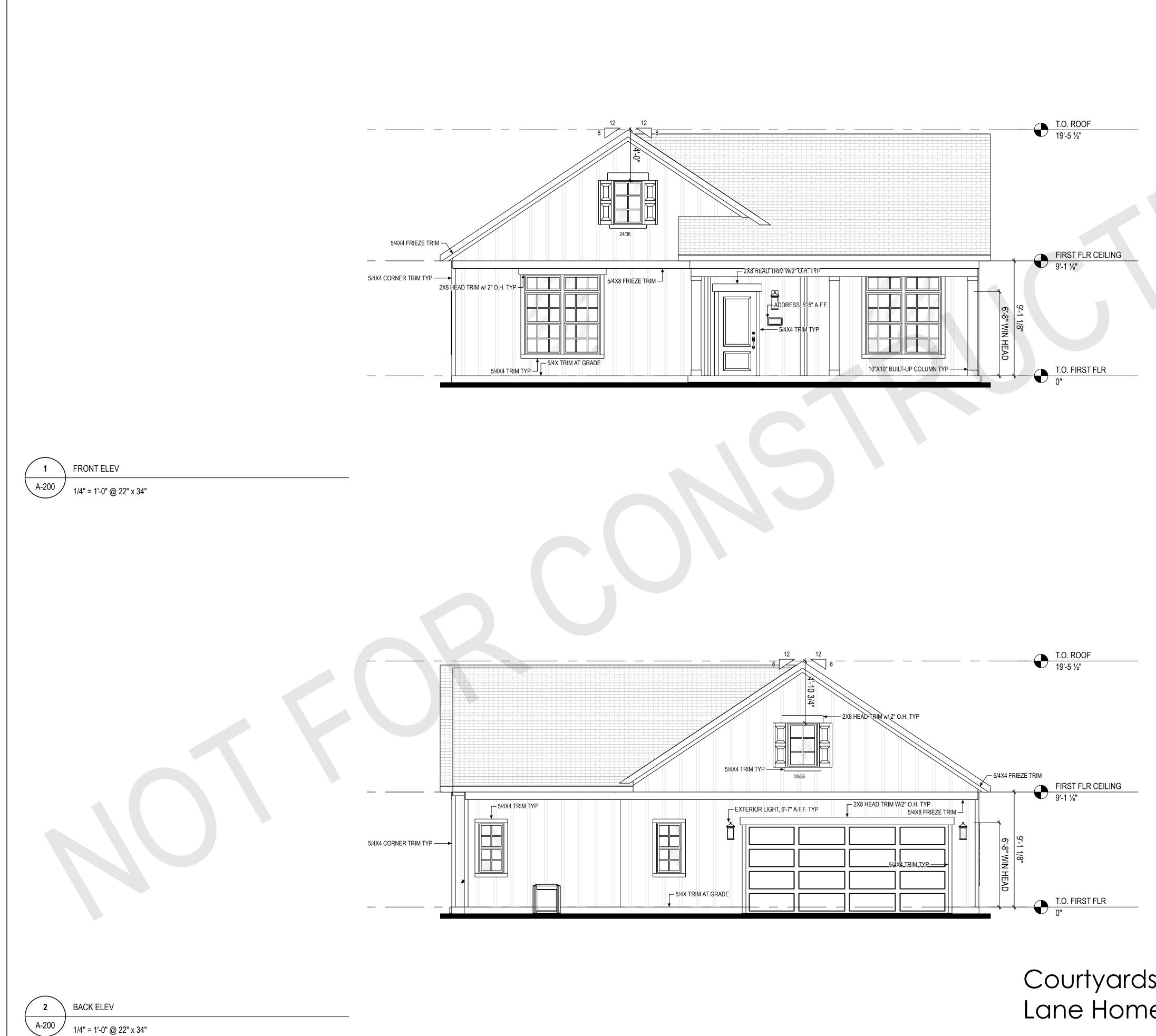
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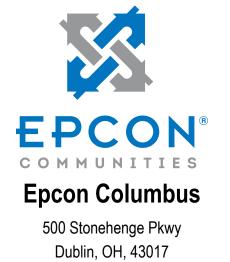
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Courtyards at Haines Creek Lane Homes



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ISSUE	DESCRIPTION	DATE
01	BUILDER SET	4/11/2023

PROJECT

PLAN: Bedford ELEV: Ranch Elevation C LOT:

LOT ADDRESS:

DRAWING TITLE

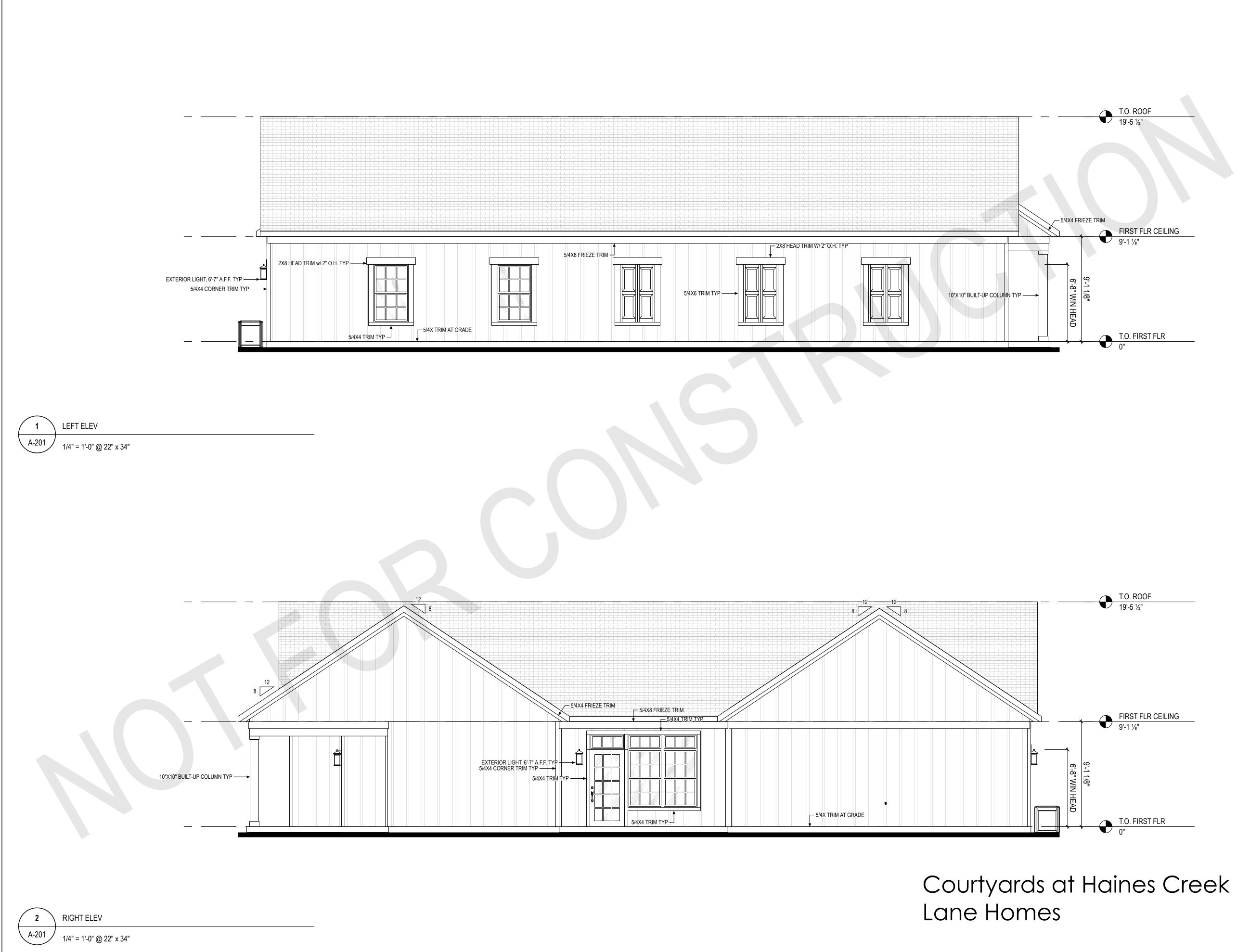
FRONT / BACK ELEVATION

SHEET NUMBER

A-200

NOT FOR CONSTRUCTION

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Lane Homes

NOT FOR CONSTRUCTION

A-201

SHEET NUMBER

LEFT / RIGHT ELEVATION

DRAWING TITLE

LOT ADDRESS:

LOT:

PLAN: Bedford

ELEV: Ranch Elevation C - Enhanced Side

PROJECT

01 BUILDER SET 4/11/2023

ISSUE DESCRIPTION DATE

FIRST FLR CEILING 9'-1 1/8" T.O. FIRST FLR U 0"

T.O. ROOF 19'-5 ½"

 FIRST FLR CEILING

 9'-1 1/8"

T.O. FIRST FLR

T.O. ROOF 19'-5 ½"



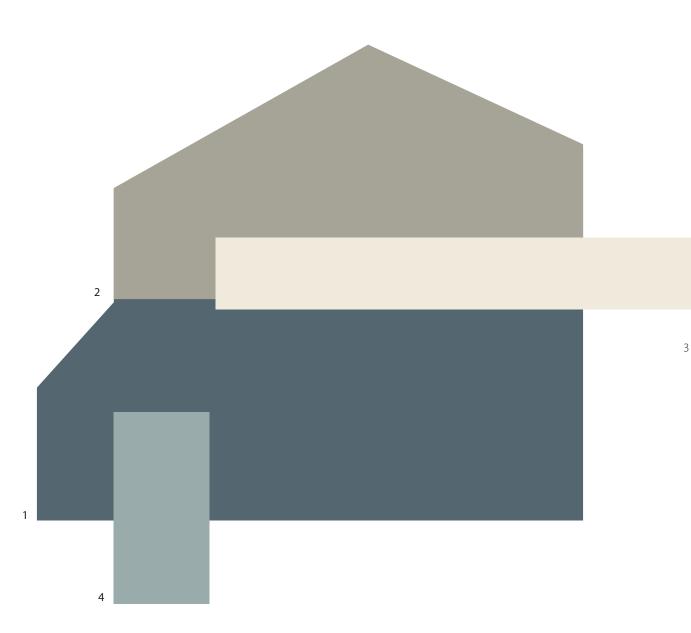
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to-use architectural plans, construction documents, drawings, renderings, or any other similar or related documents. All drawings are artist's representations only and solely intended to reflect design intent derived exclusively from the home building plans and



SHERWIN-WILLIAMS. HOMESCAPESTM Epcon New Albany Schemes



Farmhouse Scheme 1

1	Body	SW 0032 Needlepoint Navy	Brick
2	Secondary Body	SW 2821 Downing Stone	
3	Trim	SW 0050 Classic Light Buff	
4	Door	SW 0031 Dutch Tile Blue	
	Metal Roof	Black	
	Roof Shingle	Black	
	Windows	Black	
	Gutters & Downspouts	White	
	Porch Railings	White	
	Garage Door	White	

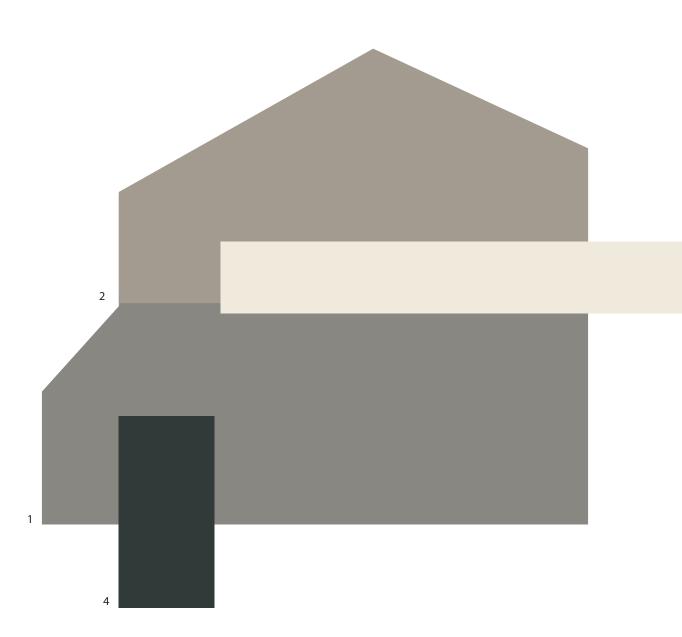
Dover White



Color samples shown approximate actual paint colors as closely as possible. 23-01-0747 3/15/2023



SHERWIN-WILLIAMS. HOMESCAPESTM Epcon New Albany Schemes



Farmhouse Scheme 2

Body	SW 00
Secondary Body	SW 00
Trim	SW 00
Door	SW 28
Metal Roof	Black
Roof Shingle	Black
Windows	Black
Gutters & Downspouts	White
Porch Railings	White
Garage Door	White

1

2

3

4

0077 Classic French Gray Brick 023 Pewter Tankard 050 Classic Light Buff 809 Rookwood Shutter Green

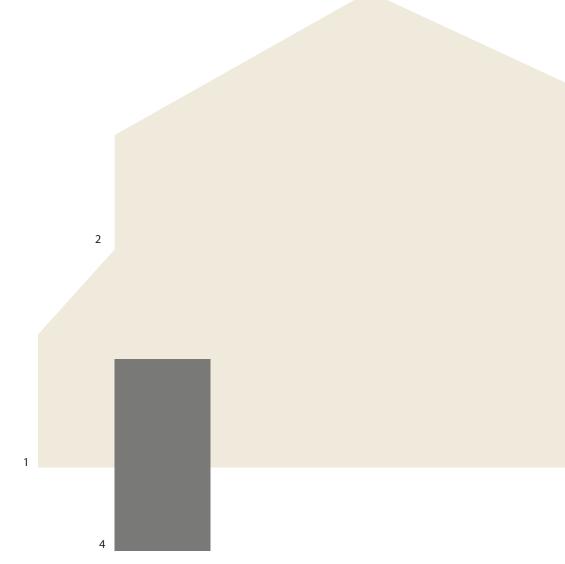
Dover White



Color samples shown approximate actual paint colors as closely as possible. 23-01-0747 3/15/2023



SHERWIN-WILLIAMS. HOMESCAPESTM Epcon New Albany Schemes



Farmhouse Scheme 3

1	Body	SW 0050 Classic Light Buff
2	Secondary Body	SW 0050 Classic Light Buff
3	Trim	SW 0050 Classic Light Buff
4	Door	SW 2849 Westchester Gray
	Metal Roof	Black
	Roof Shingle	Black
	Windows	Black
	Gutters & Downspouts	White
	Porch Railings	White
	Garage Door	White

0050 Classic Light Buff 0050 Classic Light Buff 2849 Westchester Gray

Brick

Dover White

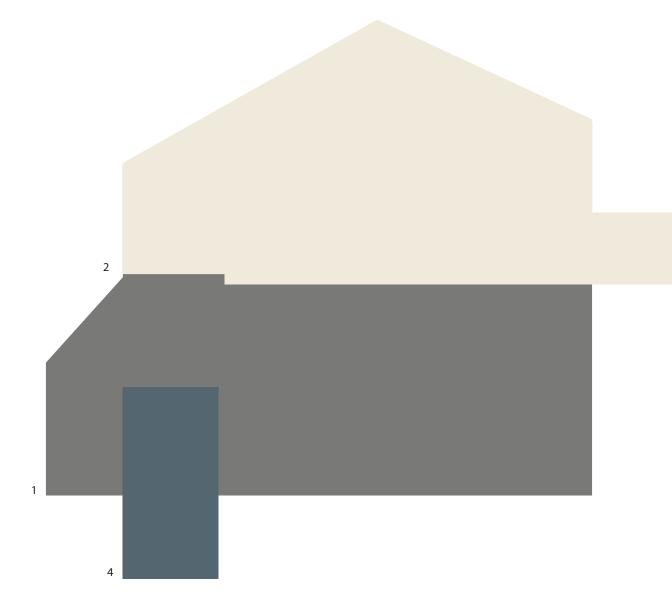


Color samples shown approximate actual paint colors as closely as possible. 23-01-0747 3/15/2023

3



SHERWIN-WILLIAMS. HOMESCAPES^M Epcon New Albany Schemes



Farmhouse Scheme 4

Brick

1	Body	SW 2849 Westchester Gray
2	Secondary Body	SW 0050 Classic Light Buff
3	Trim	SW 0050 Classic Light Buff
4	Door	SW 0032 Needlepoint Navy
	Metal Roof	Black
	Roof Shingle	Black
	Windows	Black
	Gutters & Downspouts	White
	Porch Railings	White
	Garage Door	White

Dover White



Color samples shown approximate actual paint colors as closely as possible. 23-01-0747 3/15/2023