



**Planning Commission Staff Report
January 17, 2024 Meeting**

**OAKLAND NURSERY ZONING DISTRICT
REZONING**

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

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

Staff report completed by Sierra Cratic-Smith, Planner

I. REQUEST AND BACKGROUND

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

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

II. SITE DESCRIPTION & USE

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

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

III. PLAN REVIEW

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

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

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

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

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

A. Engage New Albany Strategic Plan

The 2020 Engage New Albany strategic plan designates the area as the Residential future land use category. However, given the proposed rezoning, staff has evaluated this proposal against the Retail standards. The strategic plan lists the following development standards for the Retail land use category:

1. Parking areas should promote pedestrians by including walkways and landscaping to enhance visual aspects of the development.
2. Combined curb cuts and cross-access easements are encouraged.
3. Curb cuts on primary streets should be minimized and well-organized connections should be created within and between all retail establishments.

4. Combined curb cuts and cross-access easements between parking areas are preferred between individual buildings.
5. Retail building entrances should connect with pedestrian network and promote connectivity through the site.
6. Integrate outdoor spaces for food related businesses.

B. Use, Site and Layout

1. The site is located within the Engage New Albany strategic plan's residential future land use district but contains a long-standing garden center business. The rezoning proposes to allow the continued operation of the existing garden center and allow for accessory uses such as product storage, employee parking, and housing seasonal staff in an adjacent residential home that the business has purchased.
2. The proposed zoning text permits the following uses:
 - a) Lawn & garden centers.
 - b) Greenhouses.
 - c) Retail sales of plants, trees, bushes, shrubbery and similar living organisms.
 - d) Retail sales of lawn and garden supplies and equipment, interior and exterior home décor, and related goods.
 - e) One single family home as an accessory use to any permitted use, restricted to housing for employees of the owner or operator of the permitted use. Interior storage of supplies, materials, and goods associated with another permitted use shall be permitted with the home, but exterior storage of such items shall be prohibited.
 - f) Exterior storage of plants, trees, bushes, shrubbery and other similar living organisms available for sale.
 - g) Outdoor displays of goods for sale.
 - h) Accessory structures for the storage of inventory, supplies, and equipment.
 - i) Temporary outdoor festivals and events intended to draw customers to the primary uses on the site.
 - j) Farmer's markets, when operating in conjunction with and during the hours of operation of another permitted use.
3. The proposed zoning text includes limitations on special event uses. The following limitations shall apply:
 - a) Temporary outdoor festivals and farmer's markets will operate in conjunction with and during the hours of operation of another permitted use.
 - b) Temporary signage shall only be permitted during October and December for the calendar year and will be reviewed administratively by city staff.
4. The zoning text establishes the following setbacks listed in the table below. Minimum setback requirements are being provided to apply to any new construction or development within this zoning district

| SETBACKS | |
|-------------------------------|---|
| Johnstown Road | The minimum setback from the right-of-way shall be 25 feet for pavement and 50 feet for buildings. |
| Thompson Road | The minimum setback from the right-of-way shall be 25 feet for pavement and 75 feet for buildings. |
| Southern & Western Boundaries | The minimum setback from the western perimeter boundary line of this zoning district shall be 25 feet for pavement and 60 feet for buildings. |
| Internal Boundaries | Setbacks along all internal property boundaries between adjoining parcels within this zoning district shall be zero for all buildings and pavement. |

5. The site contains an existing channelized tributary to the Rocky Fork Creek. In order to match the existing development pattern the zoning text contains a provision that allows for existing structures, storage areas, and improved areas (including but not limited to paved, unpaved, and gravel areas) to be exempt from any required setbacks of the Codified Ordinances from streams or creeks or relating to riparian corridors. However, any new construction or modifications to existing improvements shall be required to comply with the city riparian corridor requirements.

C. Access, Loading, Parking

1. The single-family home shall provide for vehicular parking within a two-car garage and may provide for parking of at least two additional cars in the driveway just for employees.
2. The garden center business currently has two curb cuts: one on Johnstown Road and one on Thompson Road. The residential building contains its own curb cut on Johnstown Road. There are no additional curb cuts proposed or contemplated in the zoning text. Additional curb cuts will be evaluated with future development proposals.
3. The residential driveway shall be permitted to serve only the existing home on the site and access to other uses or improvements on the site from this driveway is prohibited.
4. The zoning text exempts the parking lot expansion from providing the typical parking lot islands and trees. This is consistent with the existing parking lot pattern. However, the spirit and intent of the landscaping code requirement appear to be met due to the nature of the business and the significant amount of landscaping on the site. However, it is required to provide the typical shrubs for headlight screening from the surrounding properties.
5. This application includes the review of a parking lot expansion in conjunction with and as part of this rezoning application since the site is already substantially developed. The parking lot expansion is on the residential home's property and is located beside and behind the home. There is an addition of 78 parking spaces for a total of 118 spaces.
 - a. The parking lot expansion appears to be appropriately designed and located since it is behind the residential home and matches the current pavement setback that exists today along Johnstown Road.
 - b. The code requires one parking space per 200 square feet of gross floor area for retail uses. According to the Franklin County Auditor, the garden center contains a total 12,357 +/- feet of retail space resulting in a minimum of 81 parking spaces being required. With the addition of 78 parking spaces, there area total of 118 spaces, which exceeds the minimum requirement of 81 spaces.
 - c. The parking lot spaces and drive aisles meet all of the dimensional requirements found in the city parking code.
 - d. There is no parking lot lighting proposed to be added.
 - e. The applicant has submitted a truck turning study indicating that deliveries and emergency vehicles can navigate the site. The parking lot expansion is designed around this turning study to ensure there are no changes to the navigability of the site.
6. There is already an existing leisure trail along Johnstown Road so no additional trail is required as part of this parking lot expansion.

D. Architectural Standards

1. The proposed rezoning text is silent on architectural standards; therefore, the city's Design Guidelines & Requirements apply to this zoning district.
2. The zoning text requires that no individual building or structure in this zoning district shall exceed 8,000 square feet of gross floor area.

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

1. The zoning text includes a landscaping and buffer requirement along the portion of the boundary of this zoning district that is shared with the residential property. (PID 220-001797) This includes the western property line and the area extending from the

southernmost point of that shared boundary line on the west to the right-of-way of Johnstown Road on the east.

- a. Within the pavement setbacks of this area, the text requires plantings that achieve an opaqueness of seventy-five percent (75%) during full foliage and attain ten (10) feet in height within five (5) years of planting.
 - b. As part of the parking lot expansion, the applicant has provided a landscape plan that includes 15 Green Giant trees along the portion of the western property line where there is no existing landscaping. The applicant indicates that the remainder of the boundary line contains existing landscaping that meets this code requirement.
2. Along all other perimeter boundary lines of this zoning district which are shared with parcels outside of this Zoning District, based on the existence of mature trees and vegetation near those lines either within the zoning district or on adjacent parcels, significant buffering exists and therefore Codified Ordinances Section 1171.05(c) does not apply.
 3. The applicant is installing 5 new street trees along Johnstown Road where the parking lot expansion is located.
 4. The landscape also proposed shrubs along the driveway of the residential home with other landscaping treatments in the front yard in order to keep the residential character of the home.
 5. The landscape plan includes shrubs along Johnstown Road where the parking lot expansion is located to provide for headlight screening.
 6. The city landscape architect has reviewed and approved the proposed landscaping plan. The city landscape architect recommends that additional shrubs be provided along the southern terminus (behind the residential home) of the parking lot drive aisle to provide for additional headlight screening. Staff recommends a condition of approval that this landscaping be added (condition #1).

F. Lighting & Signage

1. No lighting will be added to the new addition of the parking lot.
2. The proposed zoning text states the existing signage within the zoning district shall remain. However, temporary ground signs such as vertical banners and streamers shall be permitted for one consecutive 14-day period in both October and December of each calendar year as part of special business events.
3. All new signage shall comply to the requirements of the Codified Ordinances unless otherwise approved by the Planning Commission as part of the final development plan.

D. Other Considerations

1. The proposed zoning text states that any modifications or additions to improve the site within the zoning district in accordance with the Revised Parking Plan and the Revised Landscape Plan does not require a final development plan and shall be reviewed administratively by city staff. All other future expansions require a final development plan to be reviewed and approved by the Planning Commission.
2. All new utilities in this zoning district shall be installed underground.

IV. ENGINEER'S COMMENTS

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

- 1) Add flood routing, contour and spot elevation data to the revised site plan showing that all drainage associated with the proposed additional parking will be directed toward the existing basin and away from adjoining parcels.
- 2) Provide a revised SW Report showing that the existing basin meets all water quantity and quality control requirements outlined in Code Section 1181 Stormwater Management and Runoff Control.

- 3) Where not already provided please provide legal descriptions and exhibits that dedicate 40' of r/w or easements as measured from the Thompson Road centerline and 45' of r/w as measured from the Johnstown Road centerline along all parcel frontages. Along Thompson Road provide an additional 10 feet of right-of-way and a 10-foot streetscape and utility easement in order to meet the strategic plan recommendations. These dedications are consistent with the Strategic Plan and previous r/w dedications for projects located in this area.

IV. SUMMARY

The rezoning application allows for the continued operation of the existing garden center business and ensures it is consistent with the spirit and intent of the city codified ordinances and strategic plan standards. Oakland Nursery is an established, long-standing business within the community and this rezoning supports its continued growth by expanding the parking lot and allowing for accessory uses such as product storage, employee parking, and housing seasonal staff in an adjacent residential home purchased by the business owner. Although the use of residential home is changing to commercial, the exterior of the home will be preserved to keep the residential character of the Johnstown Road corridor.

V. ACTION

Suggested Motion for ZC-125-2023:

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

Move to approve application ZC-125-2023 based on the findings in the staff report subject to the following conditions.

1. Additional shrubs be provided along the southern terminus (behind the residential home) of the parking lot drive aisle to provide for additional headlight screening, subject to staff approval.
2. The comments of the city engineer shall be addressed and incorporated into the zoning text as appropriate, subject to staff approval.

Approximate Site Location:



Source: Near Map

Permit # _____
Board _____
Mtg. Date _____



Community Development Planning Application

Site Address 5211 Johnstown Rd., New Albany, OH 43054

Parcel Numbers 220-001952, 222-000297

Acres 9.89 +/-

of lots created N/A

Choose Application Type

Circle all Details that Apply

Appeal

Certificate of Appropriateness

Conditional Use

X Development Plan

Plat

Lot Changes

Minor Commercial Subdivision

Vacation

Variance

Extension Request

X Zoning

Preliminary

Final

Comprehensive

Amendment

Preliminary

Final

Combination

Split

Adjustment

Easement

Street

Amendment (rezoning)

Text Modification

Description of Request: Rezoning of property presently having AG, Agricultural District, and R-2, single family residential classifications to permit continued operation of a lawn and garden center, nursery and related accessory uses.

Property Owner's Name: Oakland Nursery, Inc.

Address: c/o Aaron Underhill, Underhill & Hodge, 8000 Walton Parkway, Suite 260

City, State, Zip: New Albany, OH 43054

Phone number: (614) 335-9320

Fax: _____

Email: aaron@uhlfirm.com

Applicant's Name: Oakland Nursery, Inc.

Address: c/o Aaron Underhill, Underhill & Hodge, 8000 Walton Parkway, Suite 260

City, State, Zip: New Albany, OH 43054

Phone number: (614) 335-9320

Fax: _____

Email: aaron@uhlfirm.com

Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.

Signature of Owner

By: Attorney for Owner

Date: 12/15/23

Signature of Applicant

By: Attorney for Applicant

Date: 12/15/23

Oakland Nursery I-PUD Legal Description -Parcel 1 of 2

8.407 ACRES

Situated in the State of Ohio, County of Franklin, Township of Plain, located in Quarter Township 3, Township 2, Range 16, United States Military Lands, being the remainder of that 10.039 acre tract conveyed to Richard A. Winnestaffer by deed of record in Instrument Number 199910050250409 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning, for reference, at a railroad spike found in the original centerline of Thompson Road at the common corner of that 1.542 acre tract conveyed to Village of New Albany by deed of record in Instrument Number 200505200096849 and that 8.561 acre tract conveyed to Church Foundation of the Diocese of Southern Ohio by deed of record in Official Record 33811B10;

thence South 18° 03' 43" West, across the right-of-way of said Thompson Road, with the line common to said 1.542 and 8.561 acre tracts, a distance of 20.65 feet to an iron pin set in the southerly right-of-way line thereof, being the northeasterly corner of the remainder of said 10.039 acre tract and the TRUE POINT OF BEGINNING;

thence with the southerly line of said 1.542 acre tract, the southerly right-of-way line of said Thompson Road, the following courses and distances:

South 86° 19' 35" East, a distance of 618.89 feet to an iron pin set;

South 03° 40' 25" West, a distance of 10.00 feet to an iron pin set;

South 79° 35' 32" East, a distance of 42.64 feet to an iron pin set;

South 04° 43' 00" West, a distance of 28.00 feet to an iron pin set;

South 85° 12' 10" East, a distance of 101.98 feet to an iron pin set at a point of curvature;

with the arc of said curve to the right, having a central angle of 07° 40' 56", a radius of 457.82 feet, an arc length of 61.38 feet, a chord bearing and distance of South 60° 27' 24" East, 61.34 feet to an iron pin set; and

South 05° 49' 38" East, a distance of 46.38 feet to an iron pin set in the northeasterly right-of-way line of Johnstown Road (U. S. Route 62);

thence South 47° 23' 38" West, with the northeasterly line of said 1.542 acre tract, the northeasterly right-of-way line of said Johnstown Road, a distance of 67.29 feet to an iron pin set;

thence South 48° 15' 25" West, continuing with northeasterly lines, a distance of 471.13 feet to a 3/4 inch iron pin found in the northerly line of that 1.490 acre tract conveyed to Phillip K. and Lila J. Baker by deed of record in Official Record 27758E15;

thence North 86° 38' 05" West, with the northerly line of said 1.490 acre tract and the northerly line of that 2.060 acre tract conveyed to Stephen S. Tippet, Trustee and Pamela A. Tippet Trustee by deed of record in Instrument Number 200201230020970, (passing at 303.60 feet a 3/4 inch iron pin found) a total distance of 577.83 feet to a 5/8 inch iron pipe found in the easterly line of said 8.561 acre tract;

thence North 18° 03' 43" East, with the easterly line of said 8.561 acre tract, a distance of 521.15 feet to the TRUE POINT OF BEGINNING, and containing 8.407 acre of land, more or less.

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

8.407 ACRES

-2-

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

The above description was prepared from a field survey performed by EMH&T in January 2010.

Bearings shown herein are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments FRANK 78 and FRANK 178, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment, with a bearing of North 48° 15' 25" East for a portion of Johnstown Road.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King
Heather L. King
Registered Surveyor No. 8307

2/7/11
Date

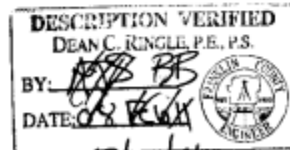
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Oakland Nursery I-PUD Legal Description -Parcel 2 of 2

LEGAL DESCRIPTION

File No.: 01032-27310

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Quarter Township 3, Township 2, Range 16, United States Military Lands and being 1.490 acres out of the northeasterly corner of the original tract conveyed to Dale V. and Elizabeth Ann Armstrong by deed of record in Deed Book 2048, page 162, all references to records of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Beginning at a steel nail found in the centerline of Johnstown Road and at the Northeasterly corner of said Armstrong tract, being also the southeasterly corner of the Mary A. Borgman 10.039 acre tract;

Thence along the centerline of Johnstown Road, South 45 degrees 02' West, (passing a railroad spike at 0.85 feet), 367.37 feet to a nail, said nail being located North 45 degrees 02' East, 75.73 feet from a nail at the northeasterly corner of the Donald E. Good 1.224 acre tract;

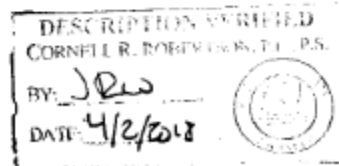
Thence North 82 degrees 34' West, (being parallel to and 60.0 feet northerly at right angles from the northerly line of said 1.224 acre tract and passing an iron pin at 37.86 feet), 140.0 feet to an iron pin;

Thence across the said Armstrong tract, North 7 degrees 26' East, 244.47 feet to an iron pin in the northerly line of said tract, being also the southerly line of the Mary A. Borgman tract;

Thence along said line, South 89 degrees 51' 30" East, (passing an iron pin at 324.72 feet), 367.12 feet to the place of beginning, containing 1.490 acres, more or less.

Surveyed by Matthew A. Kirk, Professional Surveyor No. 7865 on October 20, 2016.

Parcel No.: 222-000297-00



All of
(222)
000297

OAKLAND NURSERY I-PUD ZONING DISTRICT

Information concerning specific Code requirements for rezoning submittal by Oakland Nursery, Inc.

Per C.O. 1111.03(c), a written statement of the existing use and zoning district.

Response: The existing use of the property is for a commercial nursery, lawn, and garden center with a greenhouse and associated storage and operations. A home also exists on the subject property. The commercial portions of the zoning district are in the process of being annexed to the City from Plan Township. The existing zoning of this portion of the site in the Township is SCPD, Select Planned Commercial District. Upon annexation, the Codified Ordinances automatically will apply the AG, Agricultural zoning district classification to that property. The existing home on the site is located within the City and is zoned R-2, single-family residential.

Per C.O. 1111.03(d), a written statement of the proposed use and zoning district.

Response: The existing use of the property is for a commercial nursery, lawn, and garden center with a greenhouse and associated storage and operations. A home also exists on the subject property. The permitted uses on the property will remain the same as have been operating on the site for over 25 years. An I-PUD zoning designation is being requested for the site in order to provide appropriate rights, standards, and requirements to accommodate existing conditions.

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

Response: The proposed zoning amendment will have little impact on adjacent and proximate properties. This rezoning is necessary based on the annexation of the portions of the site on which commercial uses currently operate as Oakland Nursery. Upon annexation, the Codified Ordinances automatically provide that property is placed into the Ag, Agricultural zoning classification. Therefore, a rezoning is necessary to provide appropriate zoning use rights and development standards to accommodate existing uses and conditions. In addition, the zoning district will include a parcel that is already within the City which is under common ownership with the commercial property and contains an existing home in which employees of Oakland Nursery already reside. The two parcels will be combined, allowing the home to continue to be occupied by employees as an accessory use to the commercial uses, and also providing the opportunity to add commercial parking spaces within the zoning district.

Neighboring properties will not be affected by any changes in use of the properties. Where new parking is to be constructed, the adjacent residential property will be buffered in accordance with commitments that are set forth in the zoning text. In addition, the zoning text will prohibit the installation of light poles in order to protect the adjacent owner.

Per C.O. 1111.03(h) and 1159.07(b)(2)(H), a written statement regarding the potential impact of the proposed use on the student population of the local school district(s).

Response: The proposed use of and intensity of development on the property within the zoning district is not changing. Therefore, there will be no impact on the school district or the student population.

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

Response: None, other than those which may exist at the time of the filing of this application.

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

Response: The site is already developed. The only proposed change to improvements on the site is the addition of paved parking spaces. These improvements are expected to be undertaken in the spring and summer of 2024.

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

Response: No such application is required.

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

Response: No such application is required..

**OAKLAND NURSERY
INFILL PLANNED DEVELOPMENT (I-PUD) DISTRICT**

DEVELOPMENT STANDARDS TEXT

JANUARY 2, 2024

I. Summary: The property which is the subject of this text consists of 9.89+/- acres located to the west/southwest of and adjacent to the intersection of Johnstown Road and Thompson Road. It contains two existing uses. A large portion of the property is unincorporated in Plain Township but is in the process of being annexed to the City. Prior to completion of the annexation it is known as Franklin County Auditor Parcel Number 220-001952. Upon annexation of that parcel, the Codified Ordinances provide that it will be designated automatically with an AG, Agricultural zoning district classification. Oakland Nursery operates a nursery, greenhouse, and related retail sales operation on that parcel. The remainder of the property within the zoning district is located on a parcel that is in the City, is zoned R-2, Single-Family Residential under the Codified Ordinances, and contains an existing single-family home (Franklin County Auditor Parcel Number 222-000297). The property owner/applicant, Oakland Nursery, Inc., desires to provide for the continued use and operation of the existing business and residential uses and to add parking within the zoning district to serve the business operations.

II. Development Standards: Unless otherwise specified in the submitted drawings or in this written text, the provisions of the City of New Albany Codified Ordinances shall apply to this zoning district. The standards and requirements of Chapter 1147, C-2, General Business District shall apply as the baseline standards. In the event of a conflict between this text and/or the submitted drawings and a specific provision of the Codified Ordinances, this text and/or the drawings accompanying it shall govern.

The intent of this zoning district is to allow for the continued existence of structures and improvements on the property which exist on the date when this zoning district becomes legally effective. To this end, all existing improvements to the property within this zoning district on the effective date of this text shall be considered to be legally conforming to this I-PUD zoning classification and related standards and requirements. Should existing improvements be damaged or destroyed by fire, storm, or other casualty, then they shall be permitted to be reconstructed in the same locations and with the same or similar designs of those improvements as they existed prior to the casualty event. If existing improvements in the zoning district are proposed for replacement for any reason other than the occurrence of a casualty event, then said replacement improvements shall comply with the requirements of this text unless otherwise approved by the Planning Commission as part of a final development plan application.

III. Permitted Uses: Permitted uses in this zoning district shall include only the following. No other permitted uses or conditional uses shall be allowed to operate in this zoning district other than as follows:

- A. Lawn and garden centers.
- B. Greenhouses.
- C. Retail sales of plants, trees, bushes, shrubbery, and similar living organisms.
- D. Retail sales of lawn and garden supplies and equipment, interior and exterior home décor, and related goods.
- E. One single-family home as an accessory use to any permitted use, restricted to housing for employees of the owner or operator of the permitted use. The use of the single-family home by occupants which are not employees of a business located within the zoning district shall not be permitted. Interior storage of supplies, materials, and goods associated with another permitted use shall be permitted with the home, but exterior storage of such items shall be prohibited.
- F. Exterior storage of plants, trees, bushes, shrubbery, and other similar living organisms available for sale.
- G. Outdoor displays of goods for sale.
- H. Accessory structures for the storage of inventory, supplies, and equipment.
- I. Temporary outdoor festivals and events intended to draw customers to the primary uses on the site, lasting no more than three consecutive days and operating during normal business hours, with no more than one such event being permitted in any single calendar month. A special event permit shall be obtained from the City for each such festival or event.
- J. Farmer's markets, when operating in conjunction with and during the hours of operation of another permitted use.

IV. Lot, Building Size, and Setback Requirements:

- A. Single Parcel: The two parcels that exist within this zoning district shall be combined into a single parcel following the legally effective approval of this text. Future subdivisions of the post-combination single parcel shall be permitted if approved in accordance with the subdivision regulations of the Codified Ordinances, provided that the existing home in this zoning district must be located on a parcel that also contains a permitted use.
- B. Maximum Building Size: No individual building or structure in this zoning district shall exceed 8,000 square feet of gross floor area.
- C. Setbacks: Minimum setback requirements are being provided to apply to any new construction or development within this zoning district and to any expansion or modification of existing improvements within the zoning district as they exist on the date when this text becomes

legally effective. Existing improvements shall be permitted to remain in their present locations even if they do not comply with these minimum setbacks and may be replaced in these same location if such replacement is caused by fire, storm, or other casualty event as contemplated in Section II above.

1. Johnstown Road: The minimum setback from the right-of-way of Johnstown Road shall be 25 feet for pavement and 50 feet for buildings.

2. Thompson Road: The minimum setback from the right-of-way of Thompson Road shall be 25 feet for pavement and 75 feet for buildings.

3. Western Perimeter Boundary: The minimum setback from the western perimeter boundary line of this zoning district shall be 25 feet for pavement and 60 feet for buildings.

4. Southern Perimeter Boundary: The minimum setback from the southern perimeter boundary line of this zoning district shall be 25 feet for pavement and 60 feet for buildings.

5. Stream Corridor Protection: Existing structures, storage areas, and improved areas (including but not limited to paved, unpaved, and gravel areas) shall be exempt from any required setbacks of the Codified Ordinances from streams or creeks or relating to riparian corridors. New construction or modifications to existing improvements shall be required to comply with such requirements.

6. Interior Boundaries: Setbacks along all internal property boundaries between adjoining parcels within this zoning district shall be zero for all buildings and pavement unless otherwise specified in this text.

V. Access, Loading, Parking and Other Traffic Commitments:

A. Vehicular Parking: Vehicular parking shall be permitted to be provided in accordance with conditions as they exist on the date when this text is legally effective, or may be provided in accordance with the accompanying revised parking plan (the "Revised Parking Plan"), which is intended to provide parking for all permitted and accessory uses on the site other than the single-family home. The single-family home shall provide for vehicular parking within a two-car garage and shall provide for parking of at least two additional cars in the driveway. Occupants of the home shall be required to use the garage and driveway parking spaces and shall not be permitted to use other parking spaces on the site unless parking a vehicle in one of those spaces while working. Any employee of the commercial uses in this zoning district may utilize parking on the driveway for the home, but customers shall not be permitted to park in that location.

B. Vehicular Access: Vehicular access to and from the zoning district shall be provided from existing access points. These include three access points on Johnstown Road, with the northernmost of these access points having full turn movements, the middle of these access points having right-in, right-out turn movements, and the southernmost of these access points being a residential driveway. The residential driveway shall be permitted to serve only the existing home on the site and access to other uses or improvements on the site from this driveway shall be prohibited. Another vehicular access drive is located on Thompson Road near the western edge of the zoning district and has full turn movements. Use of this access point by customer traffic shall be prohibited. Internal vehicular circulation within this zoning district shall be provided in accordance with existing conditions or that which is illustrated in the Revised Parking Plan.

C. Pedestrian Access: An existing paved asphalt leisure trail exists along Johnstown Road and shall remain. No leisure trail shall be required along the south side of Thompson Road unless a major modification to site improvements is made on the site other than those which are associated with the Revised Parking Plan or the Revised Landscaping Plan. The determination of what constitutes a major modification shall be made by City staff.

D. Rights-of-Way: No additional rights-of-way shall be required to be dedicated along Johnstown Road or Thompson Road.

E. Traffic Study: Given that the proposed zoning district accommodates existing uses and development and upon initial approval does not propose any increase in building square footages or intensity of uses, no traffic study shall be required. However, should additional square footage for permitted or accessory uses be proposed by the property owner in the future, the City Engineer shall have the right (but not the obligation) to require a traffic impact study or less detailed traffic analysis in order to evaluate the potential impacts of the additional square footage on the public street network.

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

A. Existing Landscaping: Landscaping within this zoning district shall remain as it exists on the legally effective date of this text, provided, however, that landscaping shall be modified along with the installation and construction of the Revised Parking Plan in accordance with a separate accompanying plan that is titled "Revised Landscaping Plan."

B. Along Public Streets: A four-board white horse fence exists along Johnstown Road and shall remain. The white horse fence continues for a short distance along Thompson Road. No further extension of the white horse fence westward shall be required along the Thompson Road frontage based on existing conditions, such as but not limited to existing trees.

C. Parking Lot Landscaping: Landscaping within the new parking areas shown on the Revised Parking Plan shall be landscaped in accordance with the Revised Landscaping Plan and

shall be exempt from any requirements for parking lot landscaping that are set forth in Codified Ordinances Chapter 1171.06(a), except that shall be screened from primary streets, residential areas, and open space by a three and one-half (3.5)-foot minimum height evergreen hedge or masonry wall, or combination of wall and plantings.

D. Landscape Buffer: Along the portion of the western boundary line of this zoning district which is shared with Franklin County Auditor Parcel Number 220-001797 (as it exists on the date when this text becomes legally effective), and in the area extending from the southernmost point of that shared boundary line on the west to the right-of-way of Johnstown Road on the east, a landscape buffer shall be planted in conjunction with the addition of parking spaces in accordance with the Revised Parking Plan. The buffer shall be located within the minimum required pavement setback and shall be planted with natural vegetation that is planted no closer than 3 feet from the property line, with a number and sizes of trees, shrubs, and/or other plantings which shall reach a minimum of 75% opacity at the time of fall foliage within 5 years of installation. This buffering shall be reviewed and shall be required to be approved by the City's Landscape Architect before installation and construction of the new parking spaces in accordance with the Revised Parking Plan may commence. Existing trees and vegetation may be used to assist in meeting the requirements of this paragraph. Minimum sizes at installation shall be 2 inches in caliper for ornamental trees, 2.5 inches in caliper for deciduous shade trees, and 6 feet tall for evergreen trees. Along all other perimeter boundary lines of this zoning district which are shared with parcels outside of this Zoning District, based on the existence of mature trees and vegetation near those lines either within the zoning district or on adjacent parcels, significant buffering exists and therefore Codified Ordinances Section 1171.05(c) shall not apply.

VII. Miscellaneous Standards and Requirements:

A. Signage: Existing signage within this zoning district shall be permitted to remain. Temporary ground signs such as vertical banners and streamers shall be permitted for one consecutive 14-day period in both October and December of each calendar year. Any new signage (other than said temporary signage or replacement signage that replicates existing signs) shall conform to the requirements of the Codified Ordinances unless otherwise approved by the Planning Commission as part of an amended final development plan. A property owner or applicant may present a master signage plan to the Planning Commission for its review and approval as part of an amended final development plan which, once approved, shall govern the regulation of signage on the site.

B. Lighting: Existing light poles and existing light fixtures shall be permitted to remain within this zoning district. The following requirements shall apply to any new lighting:

1. Poles: In order to protect neighboring properties from light spillage or pollution, light poles shall be prohibited.

2. Prohibited Lighting: No permanent colored lights or neon lights shall be used on the exterior of any building.

C. Utilities: All new utilities in this zoning district shall be installed underground.

D. Final Development Plans: Due to the fact that this zoning district contains long-existing buildings, structures, and uses, there shall be no requirement for the review and approval of a final development plan application for the site in its present condition. The applicant has provided, along with this text and related application materials, previous site plans that were approved by Plain Township in the years 2000, 2001, 2011, 2015, and 2018, as well as a Private Site Improvement Plan from 2012 that allowed for internal vehicular circulation improvements to be constructed. These plans shall be used to document existing site conditions as of the legally effective date of this text.

Modifications or additions to improvements in this the zoning district which are to be made in accordance with the Revised Parking Plan and the Revised Landscaping Plan shall be reviewed at the staff level at the time of relevant permitting to ensure compliance of new or modified improvements with those plans. A final development plan application shall not be required to be reviewed or approved for improvements that are to be made in accordance with those two plans.

E. Variances: Extraordinary circumstances may exist making a strict enforcement of the applicable development standards of this text or the Zoning Ordinance unreasonable and, therefore, the procedure for variance from development standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change of the primary use of the land or structure permitted. The procedures and requirements of Chapter 1113, Variances of the Codified Ordinances shall be followed in cases of variances. The Planning Commission shall hear requests for variances in this zoning district.

AFFIDAVIT OF FACTS

I, Aaron L. Underhill, in my capacity as attorney for the applicant listed on the zoning application pertaining to 9.897+/- acres known as Franklin County Parcel Numbers 220-001952 and 222-000297, being first duly sworn, do hereby state and depose the following:

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

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

Further Affiant sayeth not.

By: _____
Aaron L. Underhill
Attorney, Underhill & Hodge LLC

STATE OF OHIO
COUNTY OF FRANKLIN SS.

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

Notary Public

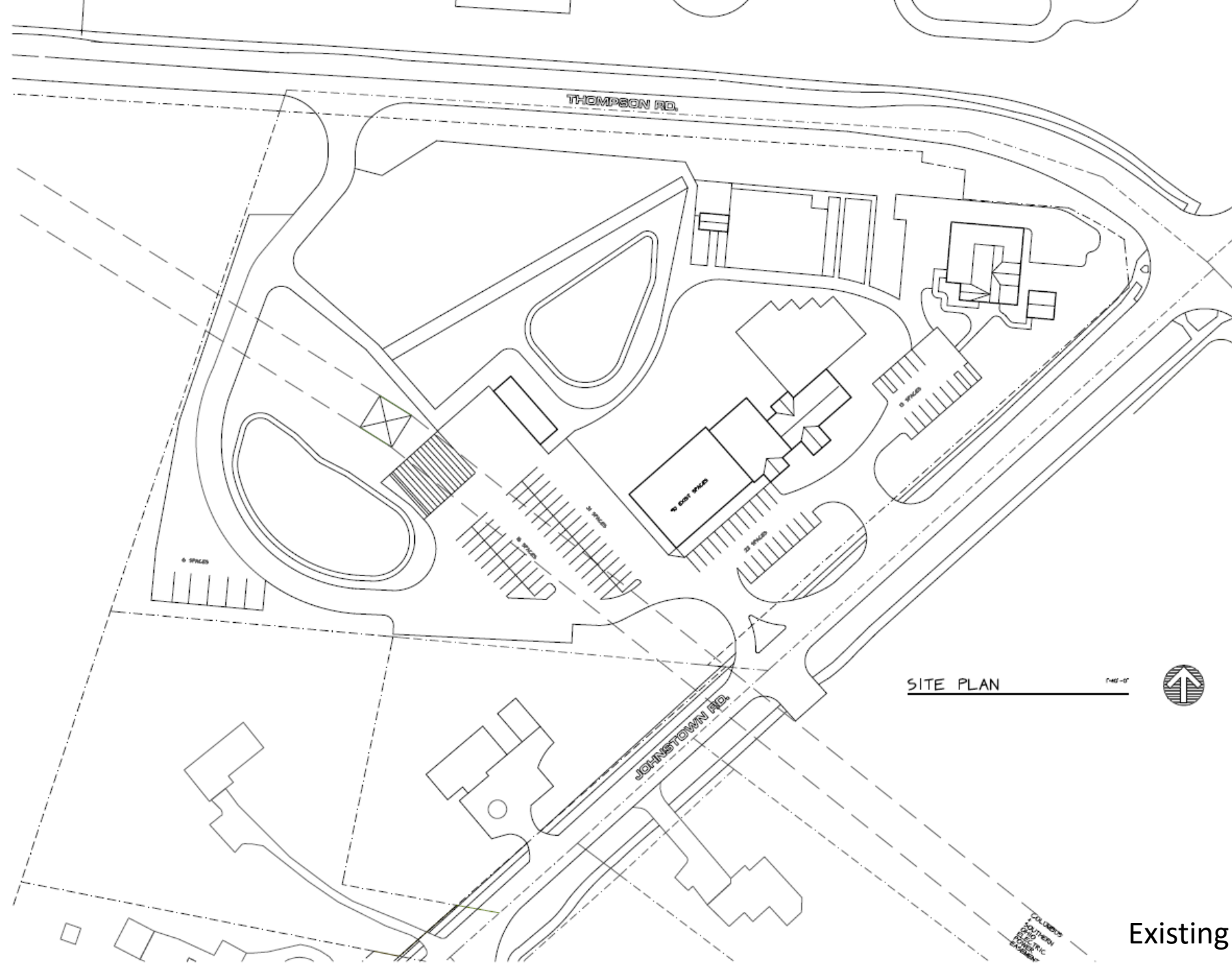
My Commission Expires: _____



OAKLAND NURSERY
ORIGINAL PLAN
5211 JOHNSTOWN ROAD
NEW ALBANY, OH 43054

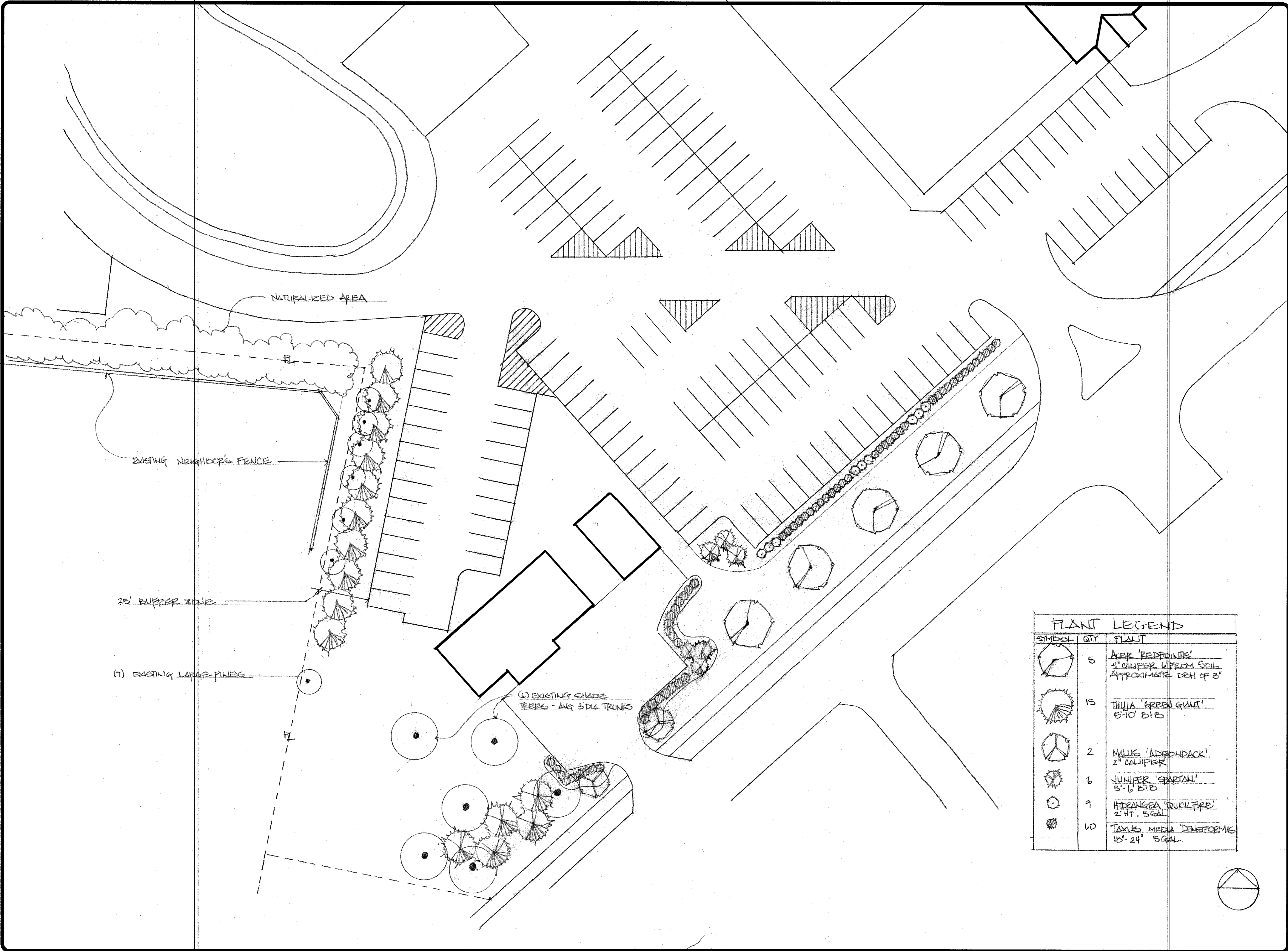
DESIGNERCHITECTS
772 MILL ST. - GAHANNA, OH 43230
WWW.DSAARCHITECTSINC.COM
TEL (614) 840-0986
FAX (614) 840-0989

| | |
|------------|-----------|
| DATE: 1992 | SHEET NO: |
| 8 | 1 |
| CONS. NO: | DATE: |
| 23235 | 1901/93 |



THIS DRAWING IS THE EXCLUSIVE PROPERTY OF OAKLAND DESIGN ASSOCIATES AND SHALL NOT BE REPRODUCED, TRANSFERRED, OR OTHERWISE USED WITHOUT THEIR WRITTEN PERMISSION

ATLAS BLUEPRINT 102231



| PLANT LEGEND | | |
|--------------|-----|---|
| SYMBOL | QTY | PLANT |
| | 5 | ACER 'REDPOINTE' 4" CALIPER, 6" FROM SOIL APPROXIMATE DBH OF 3" |
| | 15 | THUJA 'GREEN GIANT' 8'-10' B.B. |
| | 2 | MALUS 'ADIRONDACK' 2" CALIPER |
| | 6 | JUNIPER 'SPARTAN' 5'-6' B.B. |
| | 9 | HYDRANGEA 'QUICK FIRE' 2" HT, 5 GAL. |
| | 60 | TAXUS MEDIA 'DENSIFORMIS' 18"-24" 5 GAL. |

| REVISIONS | BY |
|-----------|-----|
| 1/4/24 | LFB |
| | |
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| | |
| | |
| | |
| | |
| | |

OAKLAND NURSERY
5211 JOHNSTOWN RD.
NEW ALBANY, OH 43054
PLANTING PLAN

landscape architecture
site planning
construction management
1156 Oakland Park Avenue
Columbus, Ohio 43224
(614) 268-3834

**Oakland
Design
Associates**

| |
|-----------------------|
| DRAWN L.F. POTKINS |
| CHECKED |
| DATE 12/14/23 |
| SCALE 1" = 20'-0" |
| JOB NO. |
| SHEET |

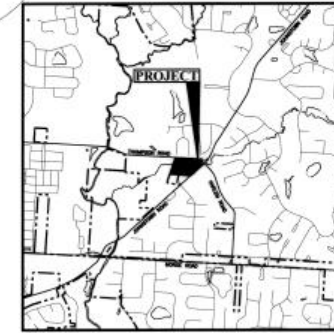
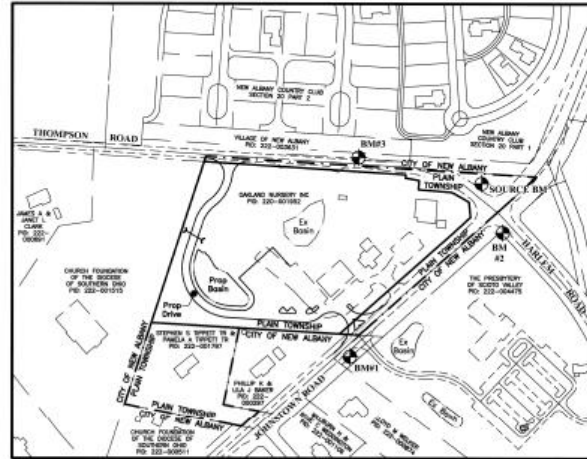
OF SHEETS

PLAIN TOWNSHIP, FRANKLIN COUNTY, OHIO PRIVATE SITE IMPROVEMENT PLAN FOR OAKLAND NURSERY 2012

SHEET INDEX

| | |
|--|---|
| Title Sheet..... | 1 |
| General Notes, Quantities And Details..... | 2 |
| Maintenance Of Traffic..... | 3 |
| Pavement Plan & Entrance Details..... | 4 |
| Grading Plan And Stormwater Pollution Prevention Plan..... | 5 |
| Storm Sewer Profiles And Culvert Details..... | 6 |
| Culvert Details..... | 7 |
| Stormwater Pollution Prevention Notes & Details..... | 8 |

| BENCH MARKS (NAVD 88) | |
|--------------------------|--|
| Source | FC05 NA-18, Aluminum disk in the southeast corner of a culvert wingwall on the northerly side of Thompson Road just west of Johnston Road/Harlem Road, 38.0 feet northeast of the centerline of Thompson Road and 98.0 feet northwest of the centerline of Johnston Road. Elev. = 963.596 (NAVD 88) |
| BM#1 | Railroad spike in the east side of the fourth utility pole west of the intersection of U.S. 62 and Harlem Road, on the south side of U.S. 62. Elev. = 960.389 (NAVD 88) |
| BM#2 | Chiseled "X" on the west rim of a sanitary manhole located at the southeast corner of intersection of U.S. 62 and Harlem Road Elev. = 963.995 (NAVD 88) |
| BM#3 | Chiseled "X" on the west ball of a fire hydrant located on the east side of Thompson Road, being the 2nd fire hydrant north of the intersection of Thompson Road and Johnstown Road. Elev. = 956.17 (NAVD 88) |



LOCATION MAP
Not To Scale

OWNER
Oakland Nursery
Mark Rainer
1156 Oakland Park Avenue
Columbus, OH 43224
Tel: (614) 268-3511
Fax: (614) 268-3003

STANDARD CONSTRUCTION DRAWINGS

The Standard Drawings listed on these plans shall be considered a part thereof:
City of Columbus

| | |
|---------|---------|
| AA-S130 | AA-S148 |
| AA-S133 | AA-S150 |
| AA-S139 | AA-S167 |
| AA-S140 | AA-S169 |

[Signature]
Registered Engineer No. 66927



7-30-12
Date

Franklin County Engineer signatures below signify only concurrence with the general purpose and general location of the project. All technical details remain the responsibility of the engineer preparing the plans. Approval on the part of Franklin County Engineer's office is given for work within the Franklin County R/W only.

APPROVED BY:

[Signature]
Franklin County Engineer
[Signature]
Franklin County Chief Deputy Engineer

8-6-12
Date

8-6-12
Date

| REVISION | DATE | DESCRIPTION |
|----------|------|-------------|
| | | |
| | | |
| | | |
| | | |

OAKLAND NURSERY

PLAIN TOWNSHIP, FRANKLIN COUNTY, OHIO
PRIVATE SITE IMPROVEMENT PLAN
FOR
OAKLAND NURSERY
TITLE SHEET



DATE
APRIL 27, 2012

SCALE
As Noted

JOB NO.
20111089

SHEET
1/8

GENERAL NOTES

The requirements of the City of Columbus, together with the Standard Specifications of the City of Columbus, 2012 Edition, including all supplements thereto in force on the date of contract, shall govern all materials and workmanship involved in the improvements shown on these plans except as such specifications are modified by the following notes or by the construction details set forth herein.

The Contractor is responsible to visit the site and verify the extent of work to be performed prior to making his bid. Special regard should be given to any removal items. All existing structures are to be removed, unless otherwise noted. Cost is to be included in the price bid for item 201.

The Contractor shall obtain all necessary permits prior to construction.

The Contractor and Sub-Contractor shall be solely responsible for complying with all federal, state and local safety requirements, and to instruct, supervise, maintain, and enforce all safety requirements, precautions and programs in connection with the work for the protection of persons (including employees) and property, at all times.

The Contractor shall furnish and maintain sanitary convenience facilities for the workmen and inspectors for the duration of the work. Cost shall be included in the price bid for the storm sewer & grading improvement.

The identity and location of existing underground utility facilities known to be located in the area have been shown on these plans as accurately as possible with the information provided by the owner of the underground utility facility. The Engineer assumes no responsibility for the accuracy of the location or the depths of the underground facilities shown on these plans.

The Contractor shall be responsible for the support, protection and restoration of all existing utilities. The cost of this work shall be included in the price bid for the various items.

The Contractor shall cause notice to be given, at least 48 hours prior to the start of construction, to the Ohio Utilities Protection Service (Telephone 1-800-352-2784 toll free) and to the owners of underground utility facilities shown on the plans who are not members of a registered underground protection service in accordance with Section 153.64 of the Revised Code.

All fill placed for building pads shall be done so in accordance with and under the observation of a Registered Soil Engineer.

The Contractor shall be responsible to employ the services of a Registered Soil Engineer to insure the subgrade has been compacted in accordance with City of Columbus CMS Item 203.13 and the recommendations of the Soil Engineer.

The Contractor shall be responsible to furnish, erect, maintain, and remove all traffic control devices in accordance with the "Ohio Manual of Traffic Control Devices for Construction and Maintenance Operations", copies of which are available from the Ohio Department of Transportation Bureau, 1980 West Broad Street, Columbus, Ohio 43223.

Type "C" Steady Burn Lights shall be used on all barricades, drums and similar traffic control devices in use at night.

See "Item 614-Maintaining Traffic, As per plan" notes on sheet 3 for Maintenance of Traffic along Thompson/Johann Road.

Ingress and egress shall be maintained to public and private property at all times.

See foundation plans for building dimensions.

All roads shall be measured to the edge of pavement or face of curb, unless otherwise noted.

All dimensions shall be to the edge of pavement or face of curb unless otherwise noted. Expansion joints shall be placed at all work intersections with stops, pavement and other walls.

All public and private utility companies shall be notified by the Contractor, in writing, at least seven (7) days in advance of beginning any construction operations.

The specifications of the American National Standards Institute (ANSI), American Water Works Association (AWWA) and the American Society for Testing and Materials (ASTM) herein preferred to, unless otherwise noted, shall be the latest specifications of the respective organizations.

STORM SEWER

Pipe specifications for the plan improvements may be in accordance with the following (Except as designated within the profiles.)

- Reinforced concrete pipe ASTM C-76 (CMSC 705.02). Concrete classification shall be in conformance with the following unless otherwise referenced by the profiles.

- 12" - 15" diameter pipe Class IV
- 18" - 24" diameter pipe Class III
- 30" - 60" diameter pipe Class II

- P.V.C. sewer pipe ASTM D3034 with joints as per ASTM D3212. P.V.C. sewer pipe placement shall be limited to sewers through 15" diameter (CMSC 720.08).

- Smooth-lined corrugated polyethylene pipe (CMSC 720.10).

All bedding shall be in accordance with Standard Drawing AA-S151 for rigid pipe sewer and in accordance with Standard Drawing AA-S148 for flexible pipe sewer.

Cost of compacted backfill shall be included in the unit bid price for item 901.

All standard catch basins in paved areas are to have grates and frame per NEENAH R-3405, or approved equal.

The flow in all sewers, drains, field tiles and watercourses encountered shall be maintained by the Contractor at his expense, and whenever such watercourses and drains are disturbed or destroyed during the prosecution of the work, they shall be restored by the Contractor at his own cost and expense to a condition satisfactory to the Owner.

All drain tile and storm sewers damaged, disturbed, or removed as a result of the Contractor's operations shall be replaced with the same quality pipe or better, maintaining the same gradient as existing. The drain tile and/or storm sewer shall be connected to the curb underdrain, storm sewer system or provided with an outlet into the roadway ditch or applicable. Replaced drain tile/storm sewer shall be laid on compacted bedding equal in density to surrounding stratum. Replacement shall be done at the time of the backfill operation. Cost of this work to be included in the price bid for the storm sewer improvements.

All existing inverts along with the proposed top of casting elevations shall be verified by the Contractor prior to construction of the sewer.

It is the Contractor's responsibility to schedule all needed inspections with the applicable agencies.

DEWATERING

The Contractor is responsible to provide all dewatering operations as required to accomplish the proposed construction operations.

Installation of any well, well point, pit or other device used for the purpose of removing groundwater from an aquifer shall be in accordance with the applicable requirements of the Ohio Department of Natural Resources.

The Contractor shall be responsible to place and maintain the necessary sediment control measures to filter the dewatering discharge. Cost for the above shall be included in the bid price for the storm sewer improvements.

The pumping of unfiltered sediment laden water into a storm system or water course is prohibited.

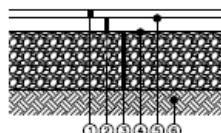
FRANKLIN COUNTY

The Contractor shall contact the Franklin County Engineer's Office at (614-525-2489) two working days before disturbing any Franklin County Geodetic Monuments (vertical and/or horizontal) for reference and replacement.

The Contractor shall secure a written permit from the Franklin County Engineer's Office, 970 Dublin Road, a minimum of two working days prior to beginning work within Franklin County R/W. The Contractor may be required to post a bond with the Franklin County Engineer prior to issuance of the permit to insure proper restoration of the pavement and R/W. The Contractor shall provide the Franklin County Engineer's Office a 24-hour telephone number to be used in case of an emergency.

PLAIN TOWNSHIP

The Contractor shall contact the Plain Township Offices at (614-855-7770) two working days before disturbing any Franklin County Geodetic Monuments (vertical and/or horizontal) for reference and replacement.

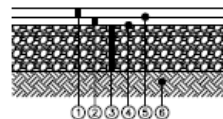


- Item 448, 1 1/2" Asphalt Concrete
- Item 448, 2 1/2" Asphalt Concrete
- Item 304, 10" Crushed Aggregate Base
- Item 408, Bituminous Prime Coat (0.40 Gal/Sy)
- Item 407, Tack Coat (0.10 Gal/Sy)
- Item 204, Subgrade Compaction

NOTE: All Pavement Materials shall conform to the City of Columbus Construction and Material Specifications together with the State of Ohio, Department of Transportation Construction and Material Specifications.

TYPICAL HEAVY DUTY PAVEMENT SECTION

Not to Scale

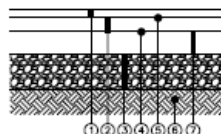


- Item 448, 1 1/2" Asphalt Concrete
- Item 448, 2 1/2" Asphalt Concrete
- Item 304, 8" Crushed Aggregate Base
- Item 408, Bituminous Prime Coat (0.40 Gal/Sy)
- Item 407, Tack Coat (0.10 Gal/Sy)
- Item 204, Subgrade Compaction

NOTE: All Pavement Materials shall conform to the City of Columbus Construction and Material Specifications together with the State of Ohio, Department of Transportation Construction and Material Specifications.

TYPICAL STANDARD DUTY PAVEMENT SECTION

Not to Scale



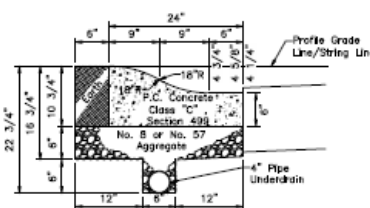
- Item 448, 1 1/2" Asphalt Concrete
- Item 448, 2 1/2" Asphalt Concrete
- Item 304, 10" Crushed Aggregate Base
- Item 408, Bituminous Prime Coat (0.40 Gal/Sy)
- Item 407, Tack Coat (0.10 Gal/Sy)
- Item 204, Subgrade Compaction
- Item 301, 4" Asphalt Concrete Base

NOTE: All Pavement Materials shall conform to the City of Columbus Construction and Material Specifications together with the State of Ohio, Department of Transportation Construction and Material Specifications.

TYPICAL HEAVY DUTY PAVEMENT SECTION

(Thompson Rd. R/W Only)

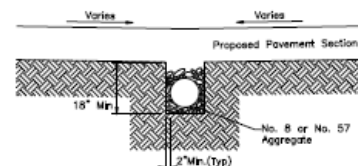
Not to Scale



MOUNTABLE CONCRETE CURB & GUTTER

Not to Scale

Portland Cement Concrete Class "C" Standard Drawing 2030 (Modified)



Note: Reference Plan Sheet for Pipe Underdrain locations and lengths. The 4" diameter perforated pipe will connect into the designated Storm Structure (with joints a minimum of 18" below top of casting). The perforated pipe shall be protected from heavy traffic after installation prior to placement of proposed paving. Costs shall be included in price bid for item 605.

TYPICAL 4" PIPE UNDERDRAIN AT STRUCTURES WITHIN PAVEMENT

(See Location, Sheet 5)

Not to Scale

ESTIMATE OF QUANTITIES

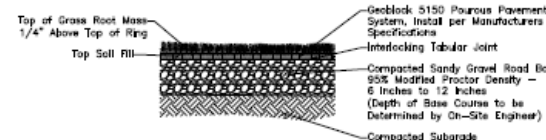
The Quantities Have Been Established As A Means For The City To Estimate The Necessary Development Fees. The Contractor Shall Be Solely Responsible For Determining The Required Bid Quantities Necessary For The Completion Of The Plan Improvements.

| ITEM | QUANTITY | UNIT | DESCRIPTION |
|------------------------|----------|------|--|
| SITE | | | |
| 202 | 893 | SY | Pavement Removed (Parking Lot) |
| 202 | 78 | SY | Pavement Removed (Access Drives on Thompson Road) |
| 202 | 55 | LF | Fence Removed |
| 202 | 130 | LF | 12" Pipe Removed |
| 202 | 2 | Each | 12" Inlet Removed |
| 255 | 635 | LF | Sawcut Asphalt |
| 614 | Lump | Sum | Maintenance Of Traffic (As Per Plan) |
| STORM | | | |
| 511 | 40 | CY | Class "C" Concrete (Cast In Place Headwalls) |
| 604 | 2 | Each | 10" Endwall (AA-S169) |
| 604 | 4 | Each | 12" Endwall (AA-S169) |
| 604 | 1 | Each | 12" Headwall (AA-S168) |
| 901 | 105 | LF | 10" Storm Pipe, Concrete Encased |
| 901 | 115 | LF | 12" Storm Pipe, w Type I Bedding |
| 901 | 50 | LF | 12" Storm Pipe (705.02) Class II w/Type I Bedding |
| 901 | 60 | LF | 96"x67" Pipe Arch Culvert |
| 901 | 20 | LF | 12" Temporary Drive Pipe |
| PAVEMENT | | | |
| 204 | 2,589 | SY | Subgrade Compaction - Heavy Duty |
| 204 | 2,490 | SY | Subgrade Compaction - Standard Duty |
| 301 | 11 | CY | 4" Asphalt Concrete Base - Heavy Duty (Thompson Rd. R/W Only) |
| 304 | 830 | CY | 10" Aggregate Base - Heavy Duty |
| 304 | 555 | CY | 8" Aggregate Base - Standard Duty |
| 407 | 299 | Gal | Tack Coat (0.1 Gal/Sy) - Heavy Duty |
| 407 | 250 | Gal | Tack Coat (0.1 Gal/Sy) - Standard Duty |
| 408 | 1,196 | Gal | Bituminous Prime Coat (0.4 Gal/Sy) - Heavy Duty |
| 408 | 1,000 | Gal | Bituminous Prime Coat (0.4 Gal/Sy) - Standard Duty |
| 448 | 125 | CY | 1 1/2" Asphalt Concrete - Surface Course - Heavy Duty |
| 448 | 208 | CY | 2 1/2" Asphalt Concrete - Intermediate Course - Heavy Duty |
| 448 | 105 | CY | 1 1/2" Asphalt Concrete - Surface Course - Standard Duty |
| 448 | 105 | CY | 1 1/2" Asphalt Concrete - Intermediate Course - Standard Duty |
| SP62 | 267 | SF | Geoblock 5150 Porous Pavement System, Complete |
| 605 | 245 | LF | 4" Pipe Underdrains |
| 609 | 109 | LF | Mountable Concrete Curb |
| 630 | 2 | Each | R3-2, 24"x24" Sign w/wood post colored New Albany Green and include break-away holes |
| EROSION CONTROL | | | |
| 207 | 3 | Each | Straw Bale Barrier |
| 207 | 3 | Each | Filter Fabric Inlet Protection |
| 207 | 1 | Each | Stabilized Construction Entrance |
| 207 | 1,165 | LF | Sediment Control Fence |
| 207 | 2 | CY | Rock Channel Protection, Type "C" |
| 671 | 90 | SY | Erosion Control Matting |

Calculated by: LDS

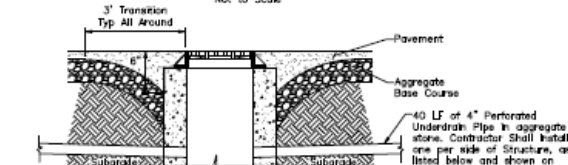
Date: 3/26/2012 Checked: B/H

Date: 4/18/2012



TURF PAVER DETAIL

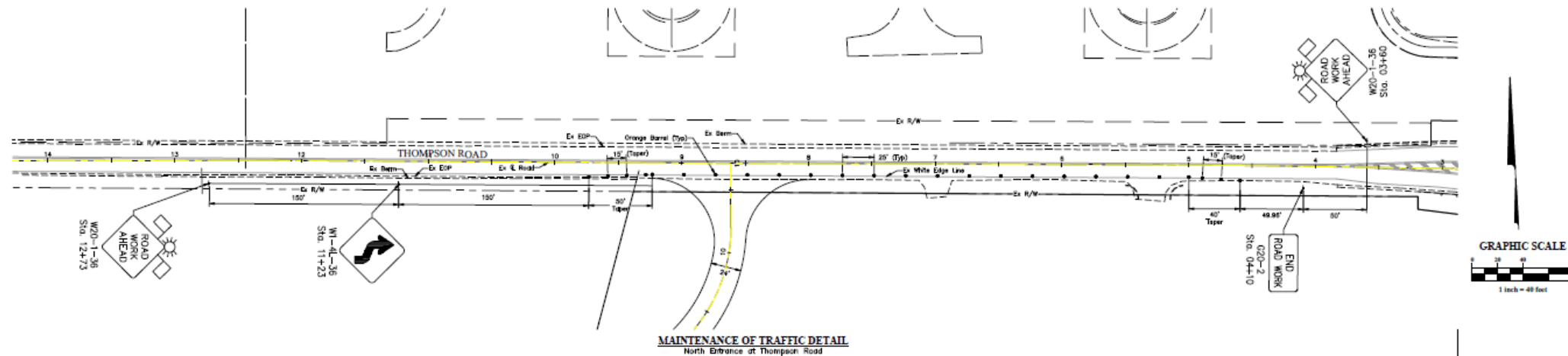
Not to Scale



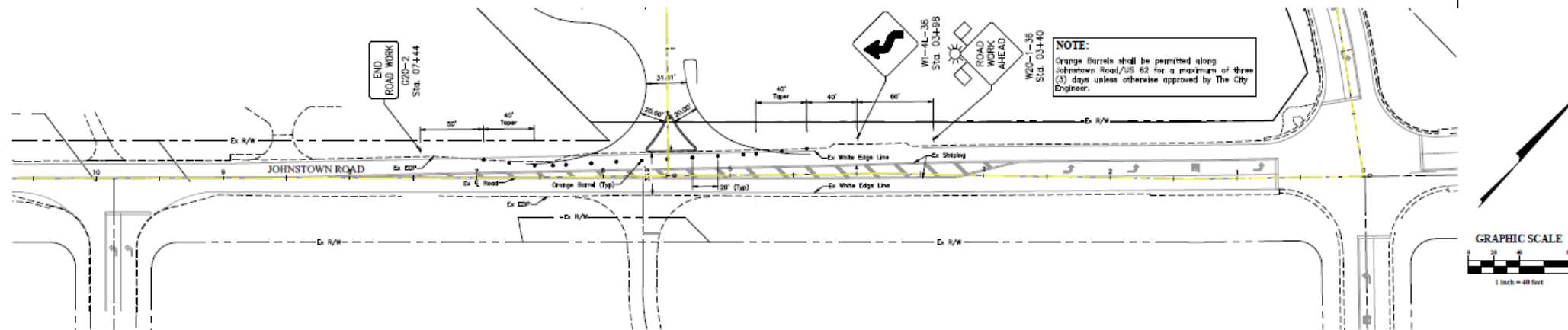
The Contractor shall initially set the top of casting for an inlet structure within the paved areas to the elevation of the intermediate pavement course, item 448. Prior to final paving of surface course, item 448, the Contractor shall adjust the top of casting to finish pavement grade. Cost of the above shall be included in the price bid for the various related paving items.

TYPICAL SECTION FOR STRUCTURES WITHIN PAVEMENT

Not to Scale



MAINTENANCE OF TRAFFIC DETAIL
North Entrance at Thompson Road



MAINTENANCE OF TRAFFIC DETAIL
South Entrance at Johnstown Road

MAINTENANCE OF TRAFFIC

ITEM 614 MAINTAINING TRAFFIC, AS PER PLAN

The following is a suggested sequence of construction for this project. The Contractor may in lieu of this method of operation, submit in writing, his own method or operation to the Engineer for review and approval. However, the Contractor shall provide at the preconstruction conference a set of reproducible prints (scale 1"=40' or 1"=20') showing how he plans to maintain traffic in accordance with the OMUTCD and these traffic maintenance notes. These plans will have to be reviewed and approved by the Franklin County Engineer, the Contractor will be advised as to the review results in writing within thirty (30) days.

On Johnstown/Thompson Road, a minimum of two 10' lanes (one lane of traffic in each direction) shall be maintained during non-working hours, and peak periods (7a.m.-9a.m. and 3p.m.-5p.m.). Two-way one lane traffic is permitted during working non-peak hours. Two-way one-lane traffic shall be maintained as per the OMUTCD except that law enforcement officers (L.E.O.s) with emergency vehicles shall be substituted for each flag person.

Before work is started on this project the Contractor shall submit a written schedule of operation and a traffic maintenance control plan for approval. No work shall be started that will restrict any lane usage unless it is the intent of the Contractor to work full time with a full force in order to complete the work with no unnecessary delays.

The following devices must meet NCHRP 350 before the devices are installed on the project: drums, cones, vertical panels and the panel support, portable sign supports, temporary impact attenuators, temporary concrete barrier, and barricades. All construction signage shall be installed and covered before construction shall begin.

Faces of construction signs and reflective sheeting on barricades shall be Type H (MP). All orange construction signs shall be fluorescent orange. All sheeting will be tested for reflectivity per ODOT 730.192.

Vertical panels and drum bands shall be reflectorized with Type G (high intensity) sheeting complying with the requirements of 730.19. All signs and barricades, vertical panels, and drums will be like new and in good condition in conformance with "quality standards for work zone traffic control devices" published by ATSSA.

Maintenance of all Contractor supplied signs, barricades, vertical panels and drums is the Contractor's responsibility. If the Contractor fails to correct deficiencies within four hours of notification, Franklin County shall correct or hire someone to correct the deficiencies. The Contractor shall then be back charged per ODOT Specifications 614. In the case that back charging the Contractor is not applicable, the County will rescind and withhold all permits issued to the Contractor to work within county right of way until the issue is settled.

NOTE:
Orange Barrels shall be permitted along Johnstown Road/US 62 for a maximum of three (3) days unless otherwise approved by The City Engineer.

COORDINATION WITH THE COLUMBUS PAVING THE WAY PROGRAM (PTWP)

The Contractor shall notify the Project Engineer in writing of all traffic restrictions and upcoming maintenance of traffic changes on a weekly basis. When detours are planned, the notification shall be at the preconstruction meeting or 30 days in advance once construction has begun. Lane and ramp closures of less than two weeks duration and more than two days shall be reported at least 3 working days in advance. For short-term lane or ramp closures (2 days or less) notification shall be made at least one day in advance.

Information shall include, but not be limited to, all construction activities that impact traffic at present and in the next 30 days. The report shall be of a format approved by the project engineer or one supplied by PTWP. The Contractor shall designate an individual who will be responsible to prepare this report at the preconstruction meeting. Any unforeseen impact to traffic shall be reported to the Project Engineer as soon as possible.

The Project Engineer shall provide this information to the PTWP program. All construction activities that interfere with traffic shall be reported to the PTWP. This information shall be provided to the Program Coordinator at (614) 645-3870, or by fax at (614) 645-5844.

Site Construction
Plan – 2012
Page 3

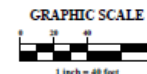
| DATE | REVISION |
|------|----------|
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OAKLAND NURSERY


PLAIN TOWNSHIP, FRANKLIN COUNTY, OHIO
PRIVATE SITE IMPROVEMENT PLAN
FOR
OAKLAND NURSERY
MAINTENANCE OF TRAFFIC



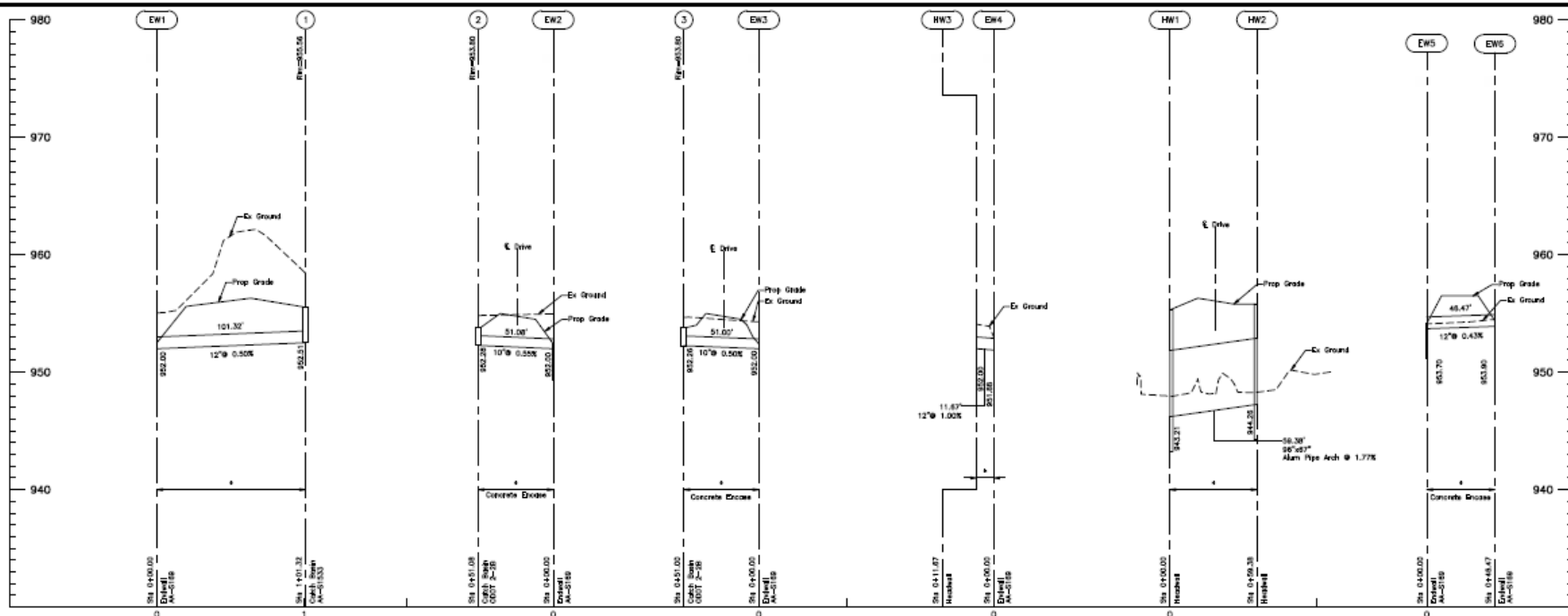
| | |
|---------|----------------|
| DATE | APRIL 27, 2012 |
| SCALE | 1" = 40' |
| JOB NO. | 20111009 |
| SHEET | 3/8 |



GRAPHIC SCALE



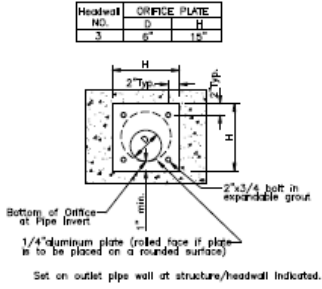
1 inch = 40 feet



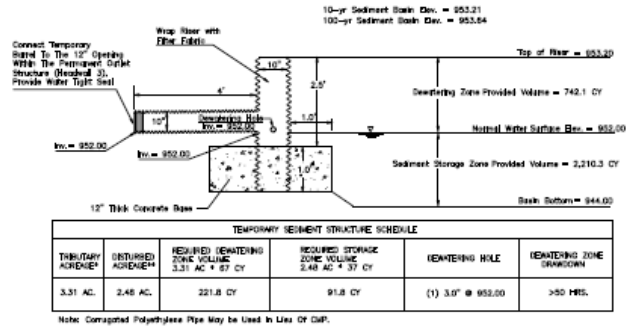
NOTES:

- All backfill should be compacted to the density of the surrounding ground unless otherwise noted.
- Compacted Backfill in Accordance With C.M.S.C. Item 911
- All fills are to be placed a minimum of 2.5' above the proposed storm sewer prior to the start of sewer construction per Item 203 of CMSC.
- Denoted thus:

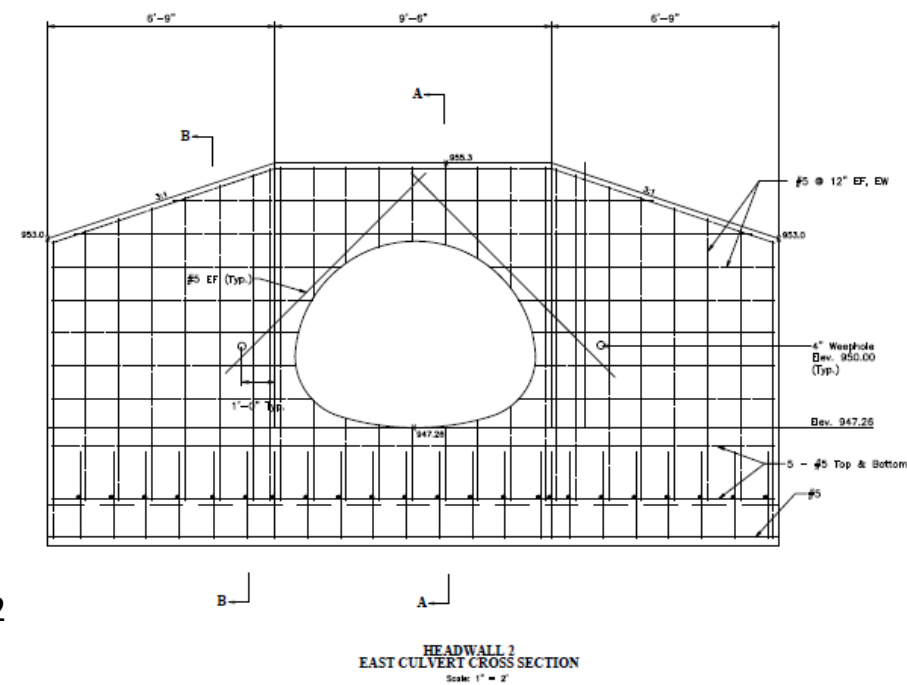
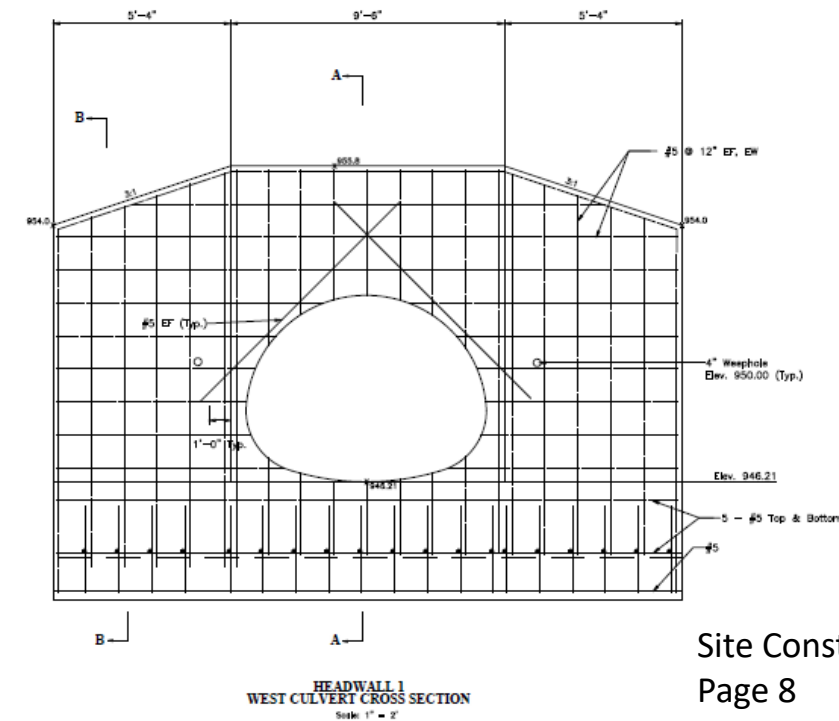
STORM PROFILES
Scale:
HORIZ: 1"=40'
VERT: 1"=5'



ORIFICE PLATE DETAIL
No Scale



TEMPORARY SEDIMENT CONTROL STRUCTURE
Not To Scale



1'-6" Thick, shall be placed behind the wingwalks, and shall extend as shown on the plans. Bogged aggregate shall be placed at each weephole.

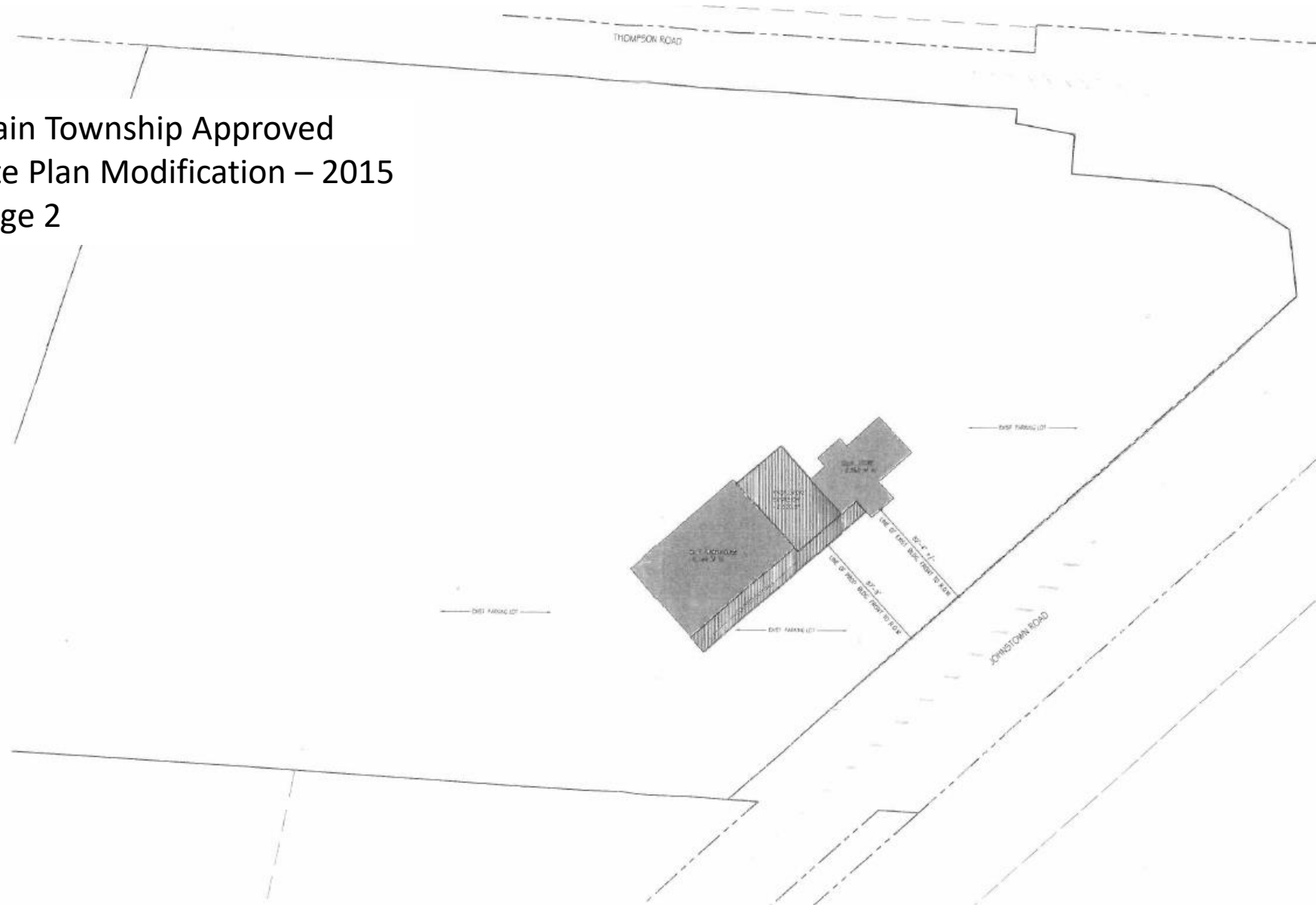
EF - Each Face
CJ - Construction Joint

Plain Township Approved
Site Plan Modification – 2015
Page 1

Oakland Nursery New Albany Proposed Minor Modification:

The purpose of the new addition at our location on 5211 Johnstown Rd is to create a contiguous enclosed shopping experience that incorporates the design and aesthetic feel of the existing structures. The new addition will span the currently open area between our garden center building and the existing greenhouse. The front of the new space will act as our main entrance to the store and the central location for customer check-out during our busier seasons. It will allow us to alleviate some the shopping congestion that exists in our current space and will allow us to display merchandise like houseplants and hard goods in a dry space with an abundance of natural light. This is a project we envisioned when we purchased the property five years ago, and is something we view as a necessity for the continued growth and success of the location.

Plain Township Approved
Site Plan Modification – 2015
Page 2



1 PROPOSED
ARCHITECTURAL SITE PLAN
1/32" = 1'-0"
NORTH

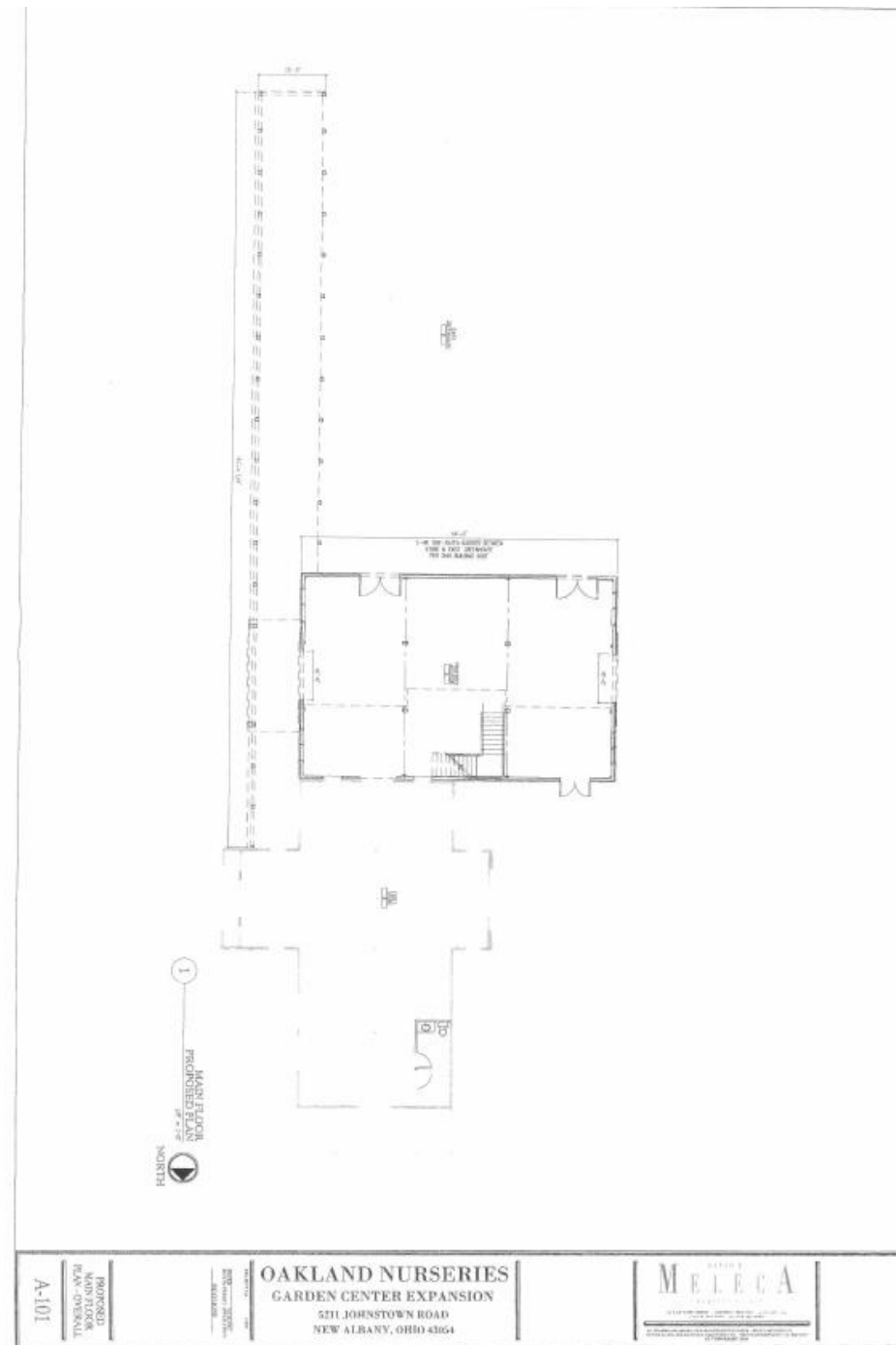
M E L C A
LANDSCAPE ARCHITECTS
11111 W. 12TH AVE., SUITE 100
DENVER, CO 80231
TEL: 303.751.1111
WWW.MELCA-PA.COM

OAKLAND NURSERIES
GARDEN CENTER EXPANSION
5211 JOHNSTOWN ROAD
NEW ALBANY, OHIO 43054

PROJECT NO. 0001
DATE: 01/11/15
DRAWN BY: J. L. L. / J. L. L.
CHECKED BY: J. L. L. / J. L. L.
REVISIONS:

PROPOSED
SITE PLAN
A-001

Plain Township Approved
Site Plan Modification – 2015
Page 3



[illegible]

2.545



①

MAIN FLOOR
PROPOSED PLAN
1/4" = 1'-0"



MELICA

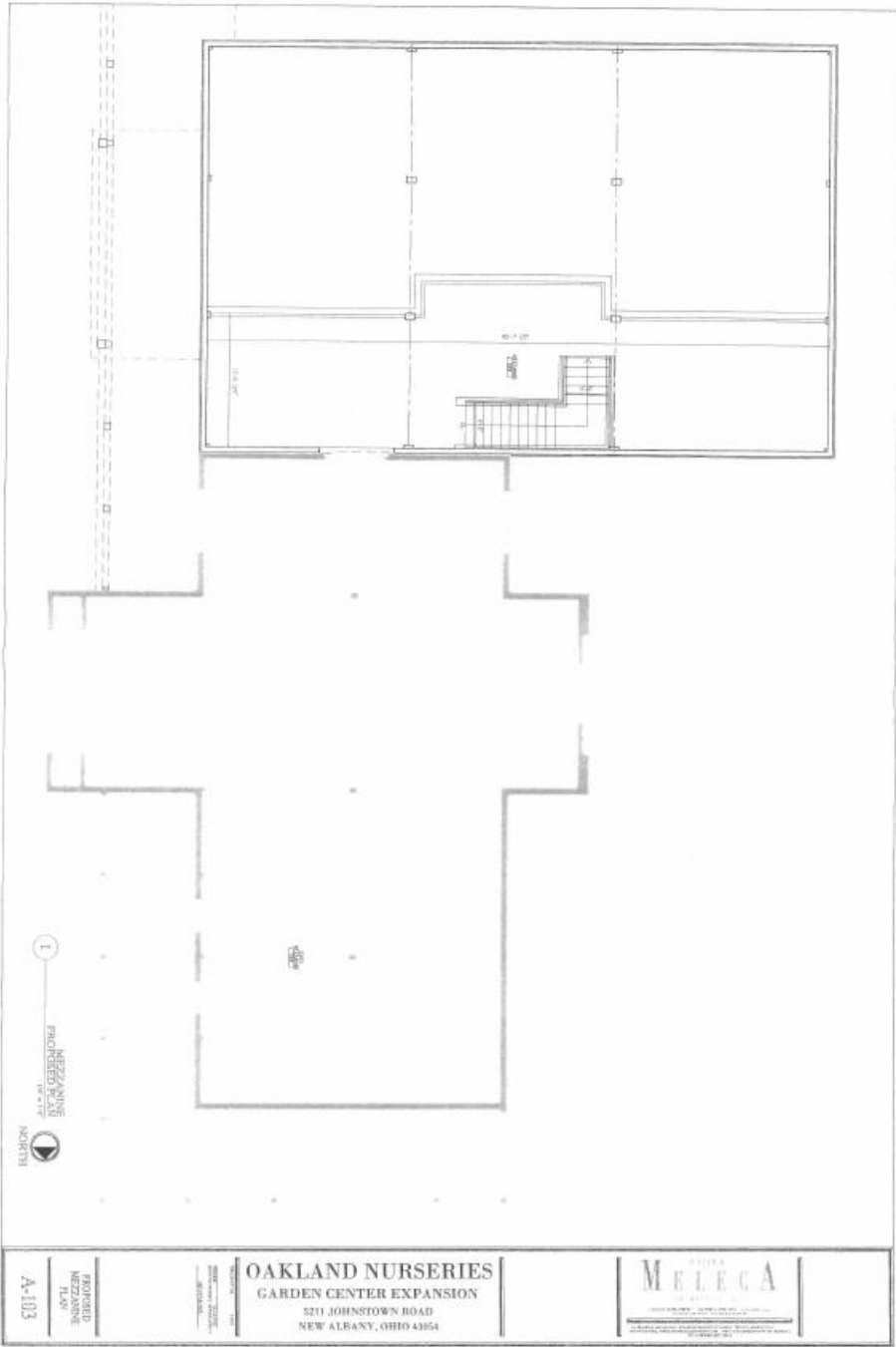
OAKLAND NURSERIES
GARDEN CENTER EXPANSION
5211 JOHNSTOWN ROAD
NEW ALBANY, OHIO 43054

PROJECT No. 1002
FROM WASHINGTON
PAGE 15-1002-APPLICATION
REVISIONS

PROPOSED
MAIN FLOOR
PLAN

A-102

Plain Township Approved
Site Plan Modification – 2015
Page 5



Page 6



A-201

Plain Township Approved
Site Plan Modification – 2018
Page 1

Minor Modification Description

Oakland Nursery-New Albany

June 6, 2018

Two minor modifications have been completed in the past year at our property on 5211 Johnstown Rd. I want to personally apologize that these projects were completed without going through the proper zoning approval. I take full responsibility in not truly understanding what size or type of project required a site modification plan and the subsequent zoning process that goes with it.

That being said, the completed projects both serve a very functional process. The new structure that was built serves as a straw barn and an adjoining pull barn to house our equipment at night and in the winter months. Before this structure was completed we were forced to stack bales of straw in the loading area on pallets and cover them with a large tarp. Not only was this very inefficient, it was extremely unsightly. Along the same lines, we are now able to park our forklift and skid steer in the barn to keep them out of the elements and help maintain a more aesthetically pleasing loading area.

The second minor modification is in the North East corner of the property. This project involved the pouring of a concrete pad and stacking of Eco-Blocks to house bulk mulch and soil products. The pad was designed to comply with the required set-back along the property line and was poured to incorporate an existing storm drain in that area. That storm drain runs directly to the retention pond next to it. Our retention pond is vastly oversized and this new surface provides no additional runoff issues. This corner of the property was extremely wet and virtually unusable for anything except overflow parking during our busier months. The main problem this new area solved was the storage of a sawdust pile we use in the overwintering of plant material. Building this area allows us to have a contained space where we can reuse this material from year to year. In the past we stored some of the sawdust in piles in the back of the property and hauled it out with 20-30 dump truck loads over the course of 2-3 weeks. In addition we are storing some bulk mulch and topsoil in this area for our own landscape use and customer sales. The material is contained within the walls of the structure and should not exceed 6-8ft in height. The volume of truck traffic delivering the material this Spring has been minimal. We are winding down our busy season and have had 4 full dump truck loads delivered in the past 2 months.

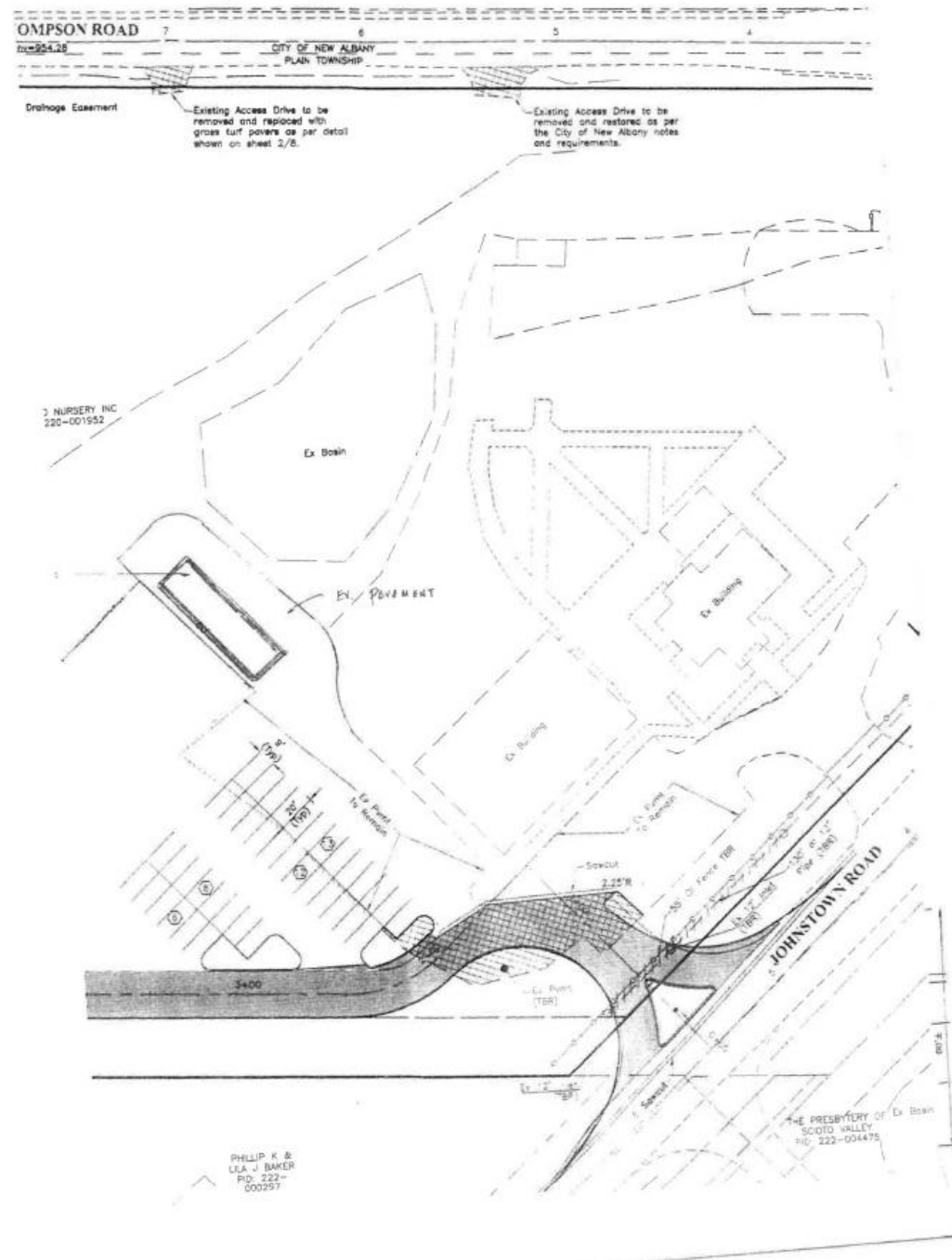
I again apologize for the unconventional way in which this approval process was handled and would be happy to answer any further questions you may have going forward.

Sincerely,

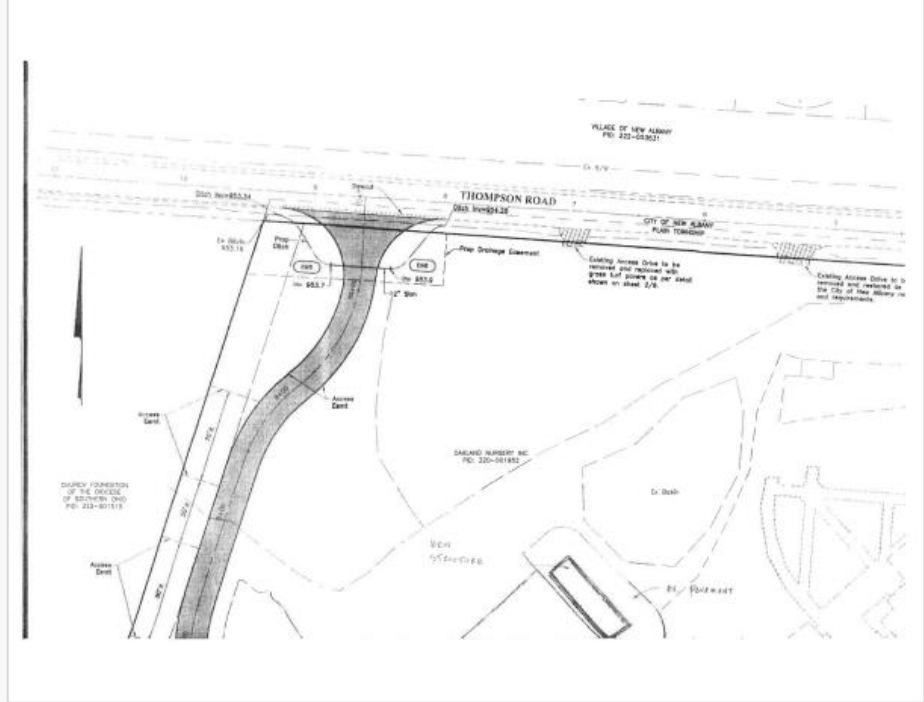


Mark Reiner
Vice President
Oakland Nursery
412-780-1505

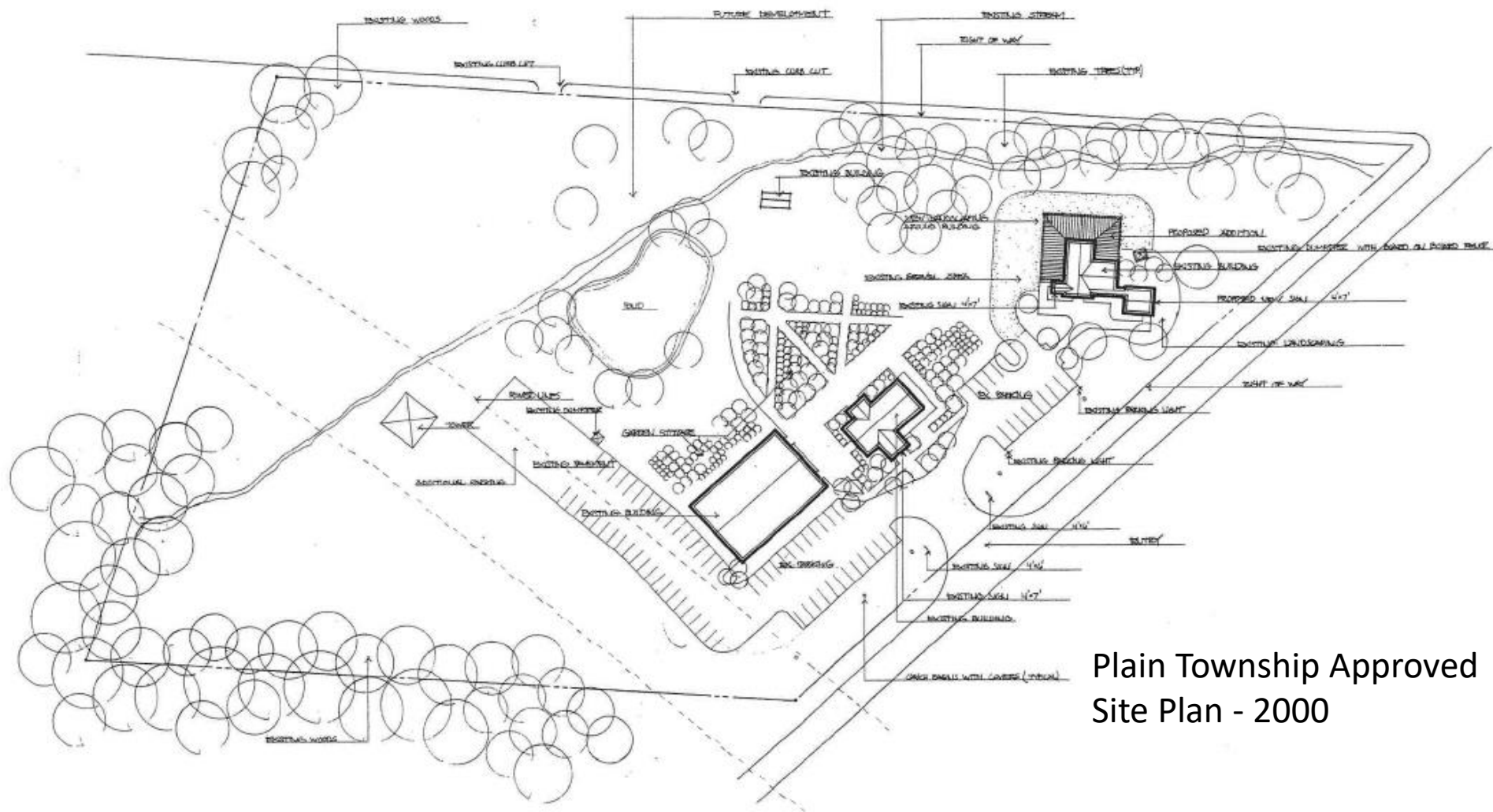
Page 2



Plain Township Approved
Site Plan Modification – 2018
Page 3



updated site plan;
rec'd 8/2/2000 at FCPAS meeting



CROSS CREEK GARDENS • GIFT SHOP ADDITION

WINN SCAPES

| | | | | | |
|------|--------------|-----|---------|------|-------|
| 1572 | JOHNSTON, ED | NEW | ZURBANT | OHIO | HOORH |
|------|--------------|-----|---------|------|-------|

6079 TAYLOR RD. GAYMAN, OHIO 43030

Plain Township Approved Site Plan - 2000



SCALE: 1"=40'

BEFORE THE ZONING COMMISSION
PLAIN TOWNSHIP, FRANKLIN COUNTY, OHIO
IN THE MATTER OF A ZONING AMENDMENT

CASE NO. _____

Richard Winnestaffer
(name)

5211 Johnstown Road
(address)

Parcel #220-001952

SAME
(address of subject property)

RECOMMENDATION OF ZONING AMENDMENT

This matter came in for a Minor Modification from the terms of Section 303.09, Article III of the Plain Township Zoning Resolution. Upon the report of the property owner, Richard Winnestaffer, and the evidence from proponents and opponents, and upon the exhibits, the Plain Township Zoning Commission, being fully advised in the premises, finds that the requirements of above listed Section of the Plain Township Zoning Resolution have been met.

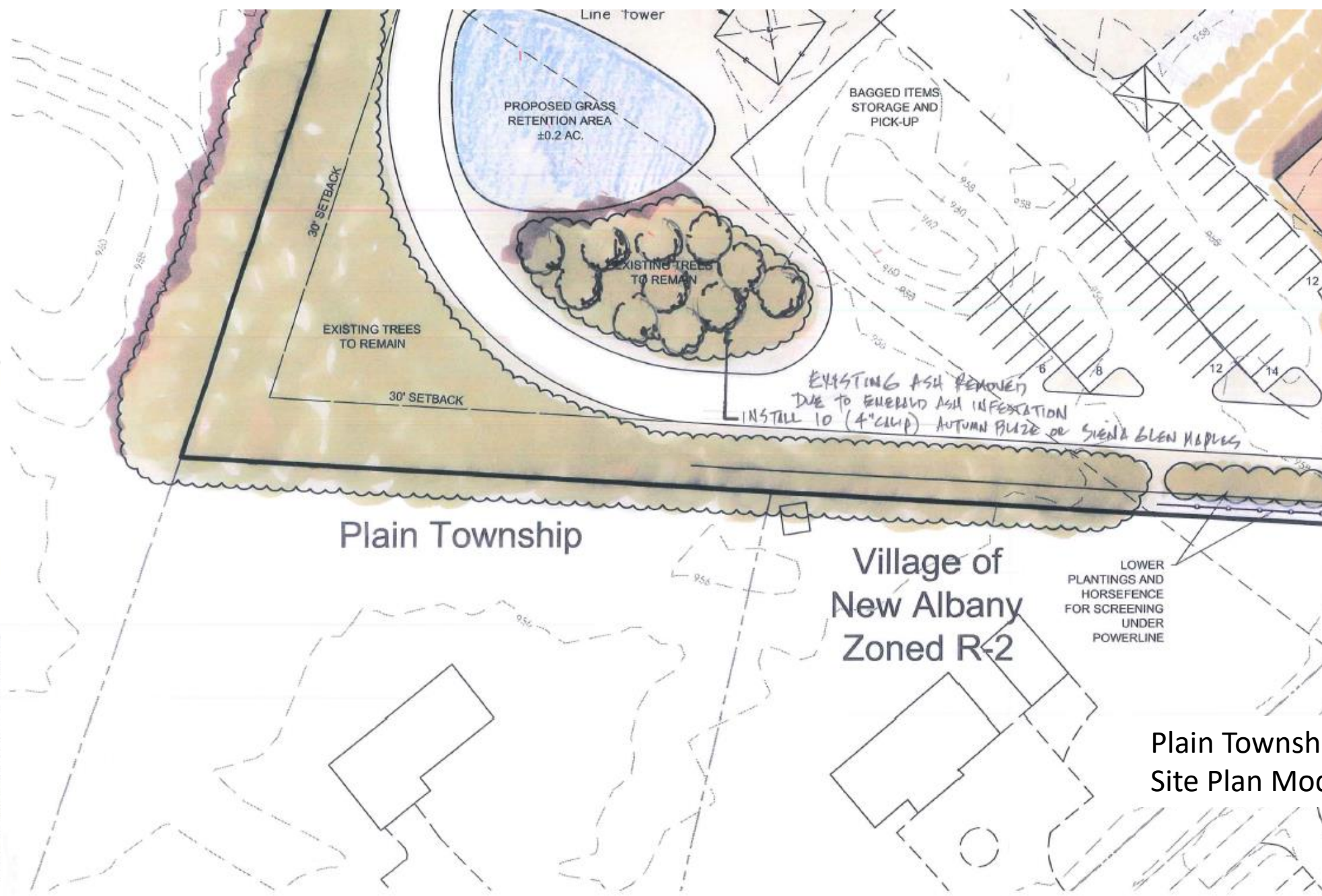
Minor modifications to 5211 Johnstown Road are:

1. Move the Dumpster at the north east corner of the property facing Johnstown to the north east corner of the Point of View gift shop.
2. Build a fence on the east border of the parcel, along Johnstown Road, meeting stipulated setbacks.
3. A telecommunications antenna be placed on the American Electric Tower, not to exceed the current height of the Electric Tower, in the south west corner of the parcel (drawings attached). A circuitry panel will be at the base of said Tower.

It is therefore said that above said minor modifications to Parcel #220-001952, zoned Select Commercial Planned District, Section 303, Article III of the Plain Township Zoning Resolution, are granted.

Plain Township Approved
Site Plan Modification – 2001
(no plan available)

✓ 11/10/11



Plain Township Approved
Site Plan Modification – 2011