

**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 only be permitted within the garage and/or barn. Exterior storage of such items shall be prohibited around the single-family home.
- 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 locations 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 future streetscape and utility easements.

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.

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: The property owner shall dedicate a minimum 40 feet of right-of-way or easements as measured from the Thompson Road centerline and 45 feet of right-of-way as measured from the Johnstown Road centerline along all parcel frontages. Along Thompson Road the property owner may provide 10 feet of right-of-way and a 10 foot streetscape and utility easement.

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. The three and one-half (3.5)-foot minimum height evergreen hedge is required along the southern terminus of the parking drive aisle generally located behind the residential structure.

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:

1. Existing Parking: Existing signage within this zoning district shall be permitted to remain.
2. Temporary Signage: 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.
3. New Signage: 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.

4. Employee Parking Signage There shall be a temporary parking sign to indicate employees are only permitted to park vehicles in the southern terminus whenever possible.

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.

**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.

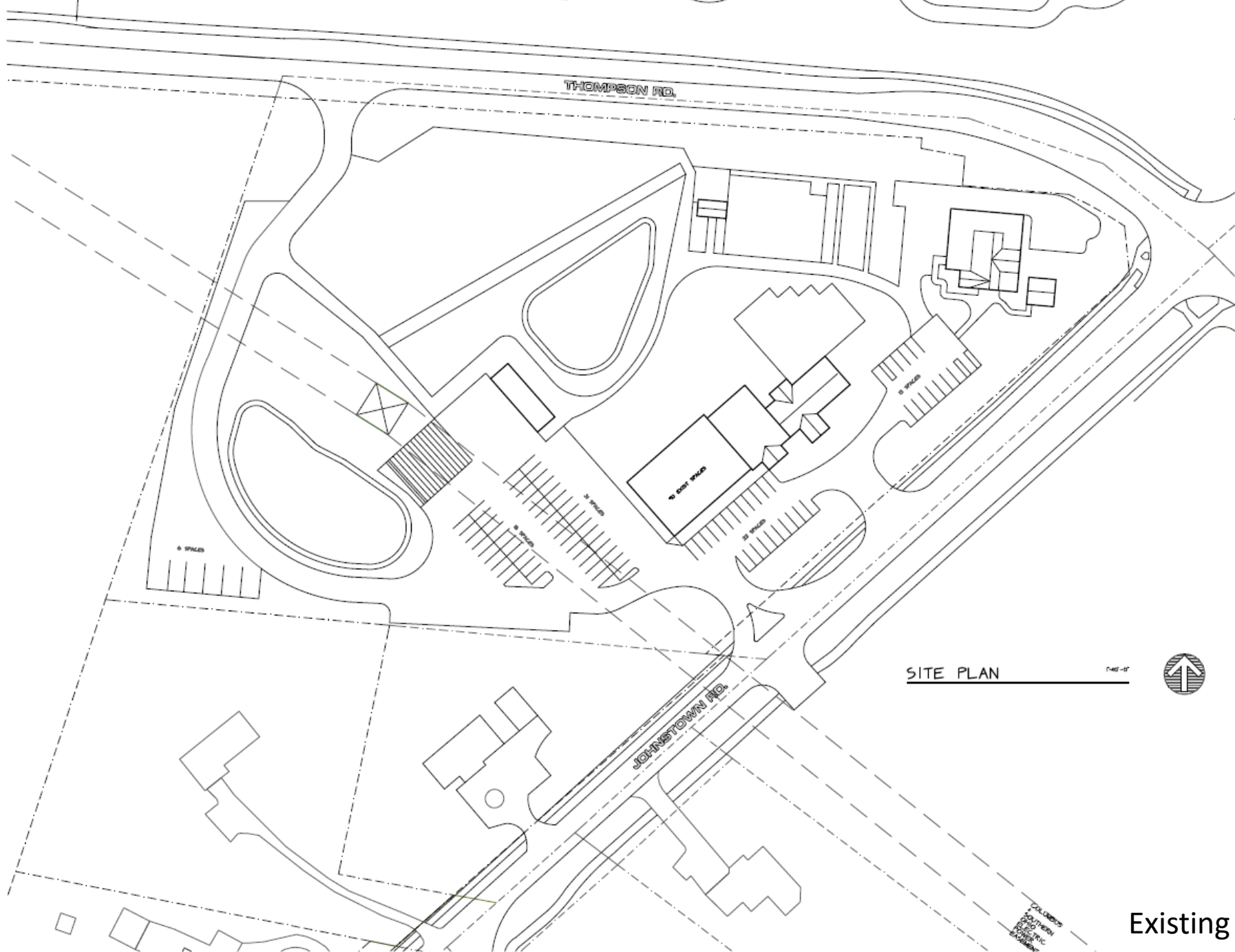
Response: The site is already developed. The only proposed change to improvements on the site is the addition of paved parking spaces. These improvements are expected to be undertaken in the spring and summer of 2024.

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..



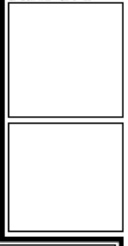
SITE PLAN 1-16-17



CONSULT
 SURVEY
 FIELD
 DATA
 10/10/17



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

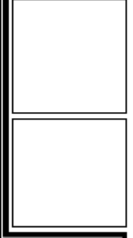
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DATE PLOTTED	SHEET NO.
10/10/17	1
DATE	DATE
10/10/17	10/10/17

Existing Site Plan



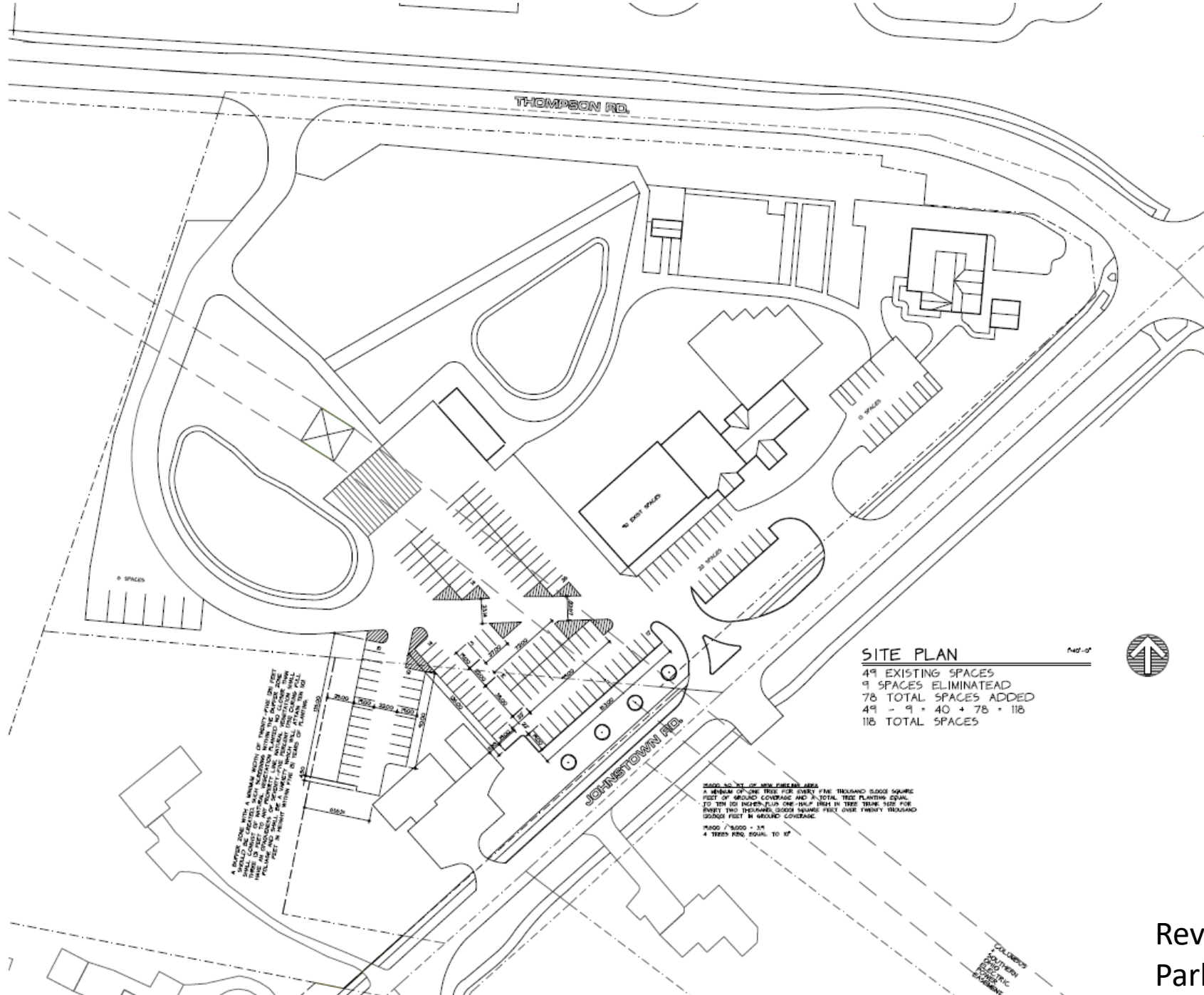
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OAKLAND NURSERY
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DATE: 11/09/23	SCALE: AS SHOWN
33235	11/09/23



SITE PLAN 1/4"=1'-0"
49 EXISTING SPACES
9 SPACES ELIMINATED
78 TOTAL SPACES ADDED
49 - 9 + 40 + 78 = 118
118 TOTAL SPACES



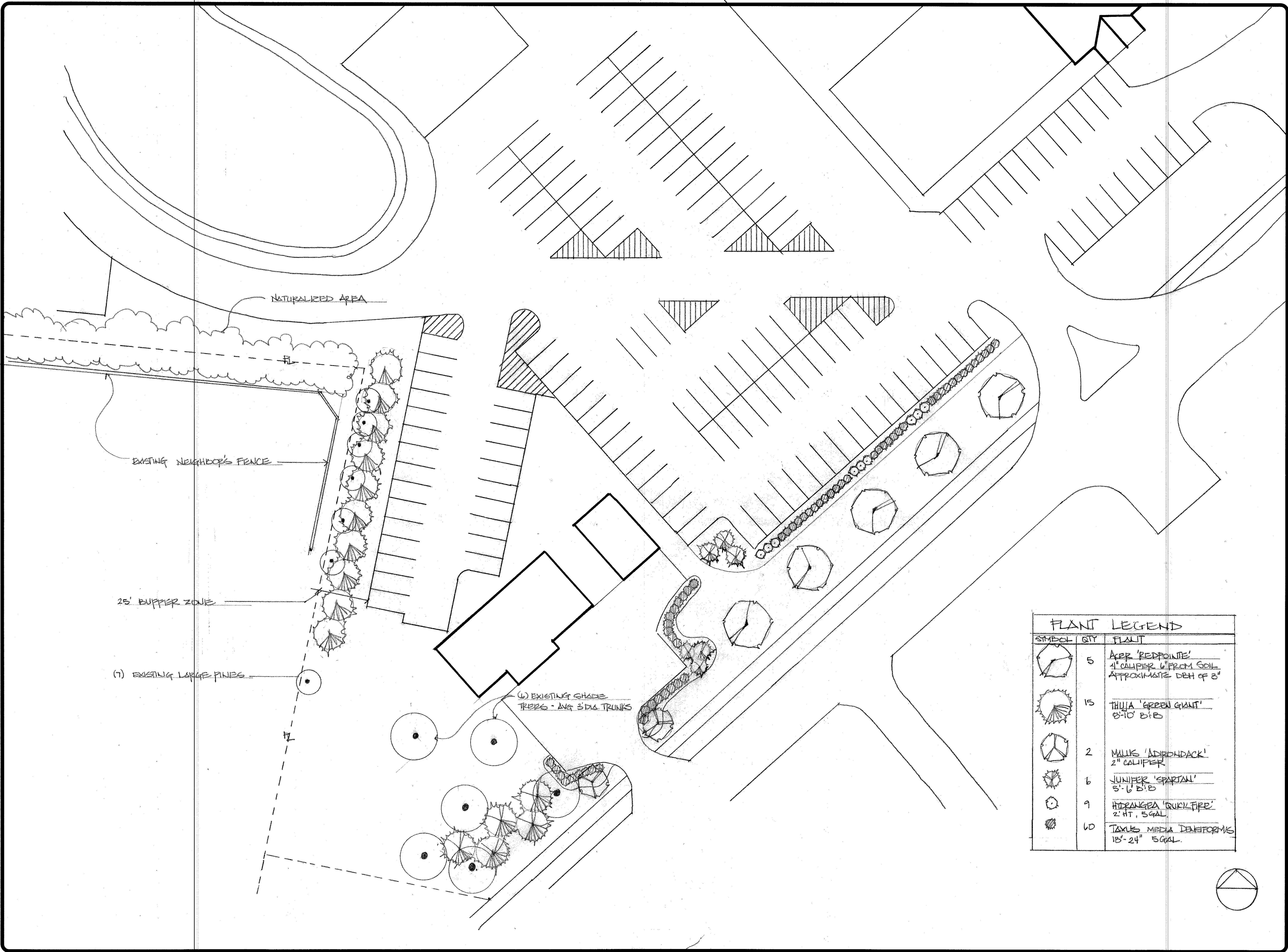
A BUFFER ZONE WITH A MINIMUM WIDTH OF TWENTY FEET SHALL BE MAINTAINED FROM THE DRIVE ON THE EAST SIDE OF THE DRIVEWAY TO THE DRIVEWAY. THE BUFFER ZONE SHALL BE MAINTAINED FROM THE DRIVEWAY TO THE DRIVEWAY AND SHALL BE MAINTAINED FROM THE DRIVEWAY TO THE DRIVEWAY. THE BUFFER ZONE SHALL BE MAINTAINED FROM THE DRIVEWAY TO THE DRIVEWAY.

MINIMUM TREE PLANTING AREA
A MINIMUM OF ONE TREE FOR EVERY FIVE THOUSAND SQUARE FEET OF GROUND COVERAGE AND A TOTAL TREE PLANTING EQUAL TO TEN (10) INCHES PLUS ONE HALF INCH IN TREE TRUNK SIZE FOR EVERY TWO THOUSAND SQUARE FEET OVER TWENTY THOUSAND SQUARE FEET IN GROUND COVERAGE.
SCALE: 1/8"=1'-0" x 1/4"
4 TREES REQ. EQUAL TO 17'

Revised
Parking Plan

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ATLAS BLUEPRINT 100221



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

REVISIONS	BY
1/4/24	LFB

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



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