



Prepared: 10/24/2019
Introduced: 11/05/2019
Revised: 11/12/2019
Adopted:
Effective:

ORDINANCE O-38-2019

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 16.62 +/- ACRES OF LAND GENERALLY LOCATED NORTH OF STATE ROUTE 161, WEST OF BEECH ROAD AND SOUTH OF SMITH'S MILL ROAD FOR AN AREA TO BE KNOWN AS THE "NORTHWEST BEECH INTERCHANGE ZONING DISTRICT" FROM ITS CURRENT ZONING OF "I-PUD" INFILL PLANNED UNIT DEVELOPMENT TO "I-PUD" INFILL PLANNED UNIT DEVELOPMENT AS REQUESTED BY THE NEW ALBANY COMPANY LLC C/O AARON UNDERHILL, ESQ.

WHEREAS, the Council of the City of New Albany has determined that it is necessary to rezone certain property located in the city of New Albany to promote orderly growth and development of lands; and

WHEREAS, the Planning Commission, and City Council on separate occasions have held public hearings and received public input into the amendment of the zoning ordinance; and

WHEREAS, pursuant to the application by The New Albany Company LLC c/o Aaron Underhill, the Planning Commission of the City of New Albany has reviewed the proposed ordinance amendment and recommended its approval.

NOW, THEREFORE, BE IT ORDAINED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. Council of the City of New Albany hereby amends the Zoning Ordinance Map of the City of New Albany to change the zoning classification of the following described site:

A. A 16.62-acre area of land general located north of State Route 161, west of Beech Road and south Smith's Mill Road for an area to be known as the "Northwest Beech Interchange Zoning District" from its current zoning of "IPUD" Infill Planned Unit Development to "I-PUD" Infill Planned Unit Development.

B. The zoning district's zoning text and site plan is hereby attached and marked Exhibit A.

Section 2. It is hereby found and determined that all formal actions of this council concerning and relating to the passage of this ordinance were adopted in an open meeting of the council and any decision making bodies of the City of New Albany which resulted in such formal action were in meetings open to the public or in compliance with all legal requirements of the City of New Albany, Counties of Franklin and Licking, State of Ohio.

Section 3. Pursuant to Article 6.07(B) of the New Albany Charter, this ordinance shall become effective thirty (30) days after adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2019.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchevsky
Law Director

EXHIBIT A - O-38-2019

NORTHWEST BEECH INTERCHANGE ZONING DISTRICT

INFILL PLANNED UNIT DEVELOPMENT (I-PUD) TEXT

OCTOBER 22, 2019

I. Introduction: The Northwest Beech Interchange Zoning District (hereinafter, the “Zoning District”) seeks to update and replace the zoning requirements for certain real property located to the northwest of the State Route 161/Beech Road interchange. This property includes 16.62+/- acres which, prior to the date of approval of this text, consisted of all of Subarea 1 and a small portion of Subarea 2 of the Beech/161 Northwest Quad Zoning District. Those portions of Subarea 2 of the Beech Northwest Quad Zoning District which are not included in this rezoning shall retain the rights and obligations that are applicable to that zoning district. For purposes of consistency, plans which accompany this text may refer to the property within this Zoning District as “Subarea 1”. Subarea 1 may be further labeled as Subarea 1-A, Subarea 1-B, and Subarea 1-C.

Since the approval of the Beech 161 Northwest Quad Zoning District, the market for outparcel uses at this interchange has solidified, providing further guidance as to the anticipated development pattern along the Beech Road and Smith’s Mill Road frontages and allowing the developer to identify the internal vehicular and pedestrian circulation system that will be needed to serve the outparcels. This rezoning serves to set the location of this circulation route and to update development standards to meet the needs and demands of the market. The internal circulation route will consist of a paved private drive with sidewalks as later described herein within the area that is identified in the accompanying preliminary development plan as the “Private Road”.

II. Permitted Uses:

A. C-3 Uses: Permitted and conditional uses within the portion of this Zoning District that is labeled in the preliminary development plan as Subarea 1-A shall include those set forth in the Codified Ordinances of the City of New Albany, Sections 1149.02 and 1149.03, C-3, Highway Business District. Conditional uses must be reviewed in accordance with Chapter 1115, Conditional Uses. A maximum of one gasoline service station is permitted within this Zoning District. In addition, vehicle charging stations shall be deemed to be permitted uses in this subarea. The following uses shall be prohibited:

1. Truck stops, travel centers, or similar uses
2. Self-storage facilities
3. Automobile sales

B. GE Uses: Permitted and conditional uses in Subarea 1-A also shall include those set forth in the Codified Ordinances of the City of New Albany, GE General Employment District, Sections 1153.02 and 1153.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses. Permitted and conditional uses in Subarea 1-B and Subarea 1-C shall include only those uses described in this Section II.B. The following uses shall be prohibited in all portions of this Zoning District:

1. Industrial product sales (See Section 1153.03(a)(1))
2. Industrial service (See Section 1153.03(a)(2))
3. Mini-warehouses (See Section 1153.03(a)(4)(c))
4. Radio/television broadcast facilities (See Section 1153.03(c)(1))
5. Sexually-oriented businesses (See Section 1153.03(c)(3))
6. Warehouse and distribution
7. Off-premise signs (unless approved by the Planning Commission as a part of a master sign plan or an approved Final Development Plan)
8. Within Subarea 1-B and Subarea 1-C: Personal service (See Section 1153.03(b)(2)) and retail product sales and service (See Section 1153.03(b)(3)), except that such uses shall be allowed as accessory uses to a permitted use in this subarea

III. Development Standards: Unless otherwise specified in the submitted drawings or in this written text, the development standards of Part Eleven of the Codified Ordinances of the City of New Albany shall apply to this Zoning District. Basic development standards are compiled regarding proposed density, site issues, traffic, circulation, landscape and architectural standards. These component standards ensure consistency and quality throughout the development.

IV. Setbacks; Lot Coverage:

A. State Route 161: There shall be a minimum building setback of 125 feet from the State Route 161 right-of-way. The minimum pavement setback from the State Route 161 right-of-way shall be the same as the northern boundary line of the gas line easement that burdens the Zoning District, which is described in that certain Gas Line Easement Amendment With Partial Release which is of record with the Office of the Recorder of Licking County, Ohio (the "Easement Agreement"). The minimum required pavement setback from the State Route 161 right-of-way shall not change in the future merely by the amendment of the Easement Agreement as it relates to this Zoning District.

B. Beech Road: There shall be a minimum building setback of 75 feet and a minimum pavement setback of 40 feet from the Beech Road right-of-way, provided that a canopy over gasoline tanks at a gas station as contemplated under Section II.B may encroach into the minimum building setback.

C. Smith's Mill Road: There shall be a minimum building setback of 75 feet and a minimum pavement setback of 55 feet from the Smith's Mill Road right-of-way.

D. Private Road: There shall be a minimum building and pavement setback of 15 feet from the boundary of the Private Road, as measured from the back of the curb of the Private Road.

E. Internal Parcel Lines: There shall be a minimum building and pavement setback of 10 feet for any parcel line that is not contiguous with the rights-of-way Beech Road or Smith's Mill Road or with the boundary of the Private Road.

F. Elimination of Setbacks: In the event that a parcel located within this subarea and an adjacent parcel located outside of this subarea (a) come under common ownership or control, (b) are zoned to allow compatible non-residential uses, and (c) are combined into a single parcel, then any minimum building, pavement or landscaping setbacks set forth in this text shall no longer apply with respect to these parcels.

G. Lot Coverage: There shall be a maximum lot coverage of 80% in this subarea, measured on a parcel-by-parcel basis. The Private Road and its associated improvements shall be exempt from this requirement.

V. Architectural Standards:

A. Non-Retail Uses: The following architectural standards shall apply to any building distinctively located outside of a retail development which does not contain a retail use as a primary use:

1. Building Height: The maximum building height for structures shall not exceed 65 feet.

2. Service and Loading Areas: Service and loading areas shall be screened in accordance with City Code.

3. Mechanical Equipment: The following standards shall be required and shall be scaled according to the size of the individual building or tenant. These features may be scaled to a group of smaller side-by-side tenants within the same building when architecturally appropriate:

a. Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment; and

b. Complete screening shall be required of all ground-mounted mechanical and other equipment at ground level by walls, fencing, or landscaping that is consistent and harmonious with the materials on and character of the nearest primary building.

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

In conjunction with an application for a certificate of appropriateness for each building or structure that is not subject to or governed by the DGRs, the applicant shall be required to submit to the City illustrations of the proposed exterior design of the building or structure for review and approval by the Design Review Committee contemplated in Section 1144.04(q) of the City Code. In designing such buildings, the user or applicant shall take into account the following, which are intended to set a level of expectation for the quality of design:

a. Architectural design for all portions of a building or structure that are visible from a public right-of-way (excluding public rights-of-way whose primary purpose is to accommodate truck traffic or service loading areas) shall meet the community standard in terms of quality while taking into account the unique nature of the use(s) that will be found therein.

b. Uninterrupted blank wall facades shall be prohibited to the extent that they are visible from a public right-of-way. Design variation on long exterior walls shall be employed in order to create visual interest. Examples of such design variations include, but are not limited to, the use of offsets, recesses and/or projections, banding, windows, and/or reveals; scoring of building facades; color changes; texture or material changes; and variety in building height.

c. The use of one or more architectural or design elements may be used to soften the aesthetics of the building, such as but not limited to canopies, porticos, overhangs, arches, outdoor patios, community spaces, or similar devices.

d. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.

5. Materials:

a. Cementitious products such as Hardi Plank or its equivalent, brick, wood siding, stone, cultured stone and composition material may be used as exterior wall finish materials. Exterior wall finish materials must be used to complete massing elements.

b. Prefabricated metal buildings, untreated masonry block structures, and buildings featuring poured concrete exterior walls are prohibited.

c. Generally, the quantity of materials selected for a building shall be minimized.

d. Loading docks are not required to have the same degree of finish as a main entry unless they are visible from a public right-of-way.

B. Architectural Standards for C-3 Uses: For purposes of this text, “C-3 Uses” shall mean any permitted or conditional use that is referred to in Section II.A above. Any structure containing any of the C-3 Uses as its primary use shall be subject to the following architectural standards:

1. Style: The architectural details, materials and colors of all outparcel buildings shall be compatible with the standards for the primary retail structure in the same subarea in which the outparcel is located. Buildings shall be designed with a comparable level of detail on all sides.

2. Service and Loading Areas: Service and loading areas shall be screened in accordance with the City Code.

3. Height: Buildings shall be a minimum of one (1) story and a maximum of two (2) stories. Hotels may exceed two stories in height and are permitted to be a maximum of 65 feet in height. Architectural elements such as parapets, cupolas, mechanical screening or similar features may exceed these maximum building heights.

4. Mechanical Equipment: The following standards shall be required and shall be scaled according to the size of the individual building or tenant. These features may be scaled to a group of smaller side-by-side tenants within the same building when architecturally appropriate:

a. complete screening shall be required of all roof-mounted equipment and appurtenances from the view of any public roadway with materials that are consistent and harmonious with the building’s façade and character; and

b. complete screening shall be required of all ground-mounted mechanical and other equipment at ground level by walls, fencing, or landscaping that is consistent and harmonious with the materials on and character of the nearest primary building. Such screening shall be provided in order to screen the equipment from off-site views and sound generated from such equipment.

5. Exterior Elevations: All exterior elevations of each building shall be required to have the following characteristics:

a. Consistency of Finish: The same palette of exterior finishes and color shall be used on all sides of each building.

b. Exterior Wall Finishes: Cementitious products such as Hardi Plank or its equivalent cementitious product, brick, wood siding, stone, cultured stone, metal, EIFS and composite material (except vinyl) shall be used as exterior wall finish materials where appropriate. Exterior wall finish materials must be used to complete massing elements. The application of brick veneer to a single building façade shall be prohibited. Alternative building materials may be used subject to Architectural Review District approval (Chapter 1157).

6. Roof: General roof massing shall incorporate pitched roofs. Flat roofs shall be permitted, but must integrate strong cornice lines. Acceptable roof materials include natural and synthetic slate, cedar shake, dimensional asphalt shingle, and standing seam metal. Roof elements shall be incorporated that emphasize and reduce the building scale at the building storefront such as, but not limited to, dormers, cupolas, roof spires, and hip and gable roofs.

7. Gutters and Downspouts: Sloped roofs shall be required to employ gutters and downspouts for drainage.

i. Gutter Specifications: Gutters shall be of a metal type and shall be painted to match fascias.

ii. Scuppers: Scuppers may be used on the rear of a building with a parapet in lieu of interior drains. Scupper boxes on the rear of a building shall be painted to blend in with the exterior color or shall be of a manufactured metal of a color which complements the finished material to which it is affixed. Through-wall scuppers may be permitted where parapet walls are used. Overflow drains may be an open scupper through a parapet. An open scupper shall be detailed to minimize its appearance on the building elevation.

8. Exterior Doors: All exterior doors other than doors whose primary purpose is for the entry or exit of customers shall be made of a heavy gauge metal. Such doors shall be painted with a color that blends with the color of the exterior masonry on the elevation on which the door is located.

9. Drive-thrus: A building located on an outparcel shall be permitted to have a pick-up unit on the side or rear of the structure. The pick-up unit shall include architectural details that are comparable to and consistent with the architecture in the balance of the subarea in which the pick-up unit is located.

10. Playgrounds: Outdoor playgrounds are prohibited.

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

A. Private Road: The Private Road shall be paved to provide two-way vehicular traffic. This access route shall be a private road built to public specifications. Any parcel that contains no improvements other than the Private Road and associated improvements shall not be subject to the minimum street frontage requirements for a parcel under the Codified Ordinances. The Private Road shall be subject to covenants, conditions, and restrictions (“CCRs”) covering the real property within this Zoning District which will be recorded prior to the transfer and conveyance of any real property in the Zoning District by the applicant to an unaffiliated third party and will provide easements for vehicular and pedestrian access and set forth the respective rights and obligations of all property owners in this Zoning District and property owners of adjacent property to the west relating to maintenance, repair, and replacement of improvements within the easement for the Private Road. The Private Road shall be within

a thirty foot (30') wide easement established under the CCRs, except near its intersections with each of Beech Road and Smith's Mill Road, where the easement width may be larger. The property owner shall, upon written request from the City, dedicate the Private Road to the City for use as a public street upon approval of a final plat by the City. The dedication shall include a right-of-way width of 42 feet for the portion of the Private Road extending westward from Beech Road, with an easement in favor of the City that is nine (9) feet in width on each side of that right-of-way to accommodate utilities, street trees, and sidewalks. The dedication shall include a right-of-way width of 30 feet for all other portions of the Private Road, with an easement in favor of the City that is 10 feet in width on each side of that right-of-way to accommodate utilities, street trees, and sidewalks.

B. Subarea 1-A Public Street Access: Subarea 1-A shall have the following rights of vehicular access:

1. One access point along Beech Road in the current location of the paved apron into the site. Such access point shall be restricted to right-in, right-out turn movements unless, at the time of final development plan approval for one or more outparcels the Planning Commission approves an additional left in and/or left out turn movement based on a traffic analysis presented by the applicant to the City and which has been approved and accepted by the City Traffic Engineer.
2. One additional access point with right-in, right-out turn movements may be permitted along Beech Road to the north of the access point described in the immediately preceding paragraph, but only if approved as part of a final development plan that includes a traffic analysis supporting the access point which has been approved by the City Traffic Engineer.
3. One additional access point on the south side of Smith's Mill Road, located at least 500 feet from the center of the intersection of Beech Road and Smith's Mill Road and located at a safe distance from the easternmost access point described in the immediately preceding subsection (c), with right-in, right out turn movements. Additional turn movements may be permitted if approved by the City based on a review of a traffic analysis provided by the applicant and which has been approved and accepted by the City Traffic Engineer. A total of three access points on the south side of Smith's Mill Road are permitted between this zoning district and the Beech/161 Northwest Quad zoning district.
4. A minimum of one vehicular access point with full turn movements shall be provided along the Private Road for each parcel. At the time of final development plan, two vehicular access points along the Private Road may be permitted for parcels with side and rear boundary lines that are contiguous with the Private Road, subject to approval of the city engineer and supported by a traffic analysis provided by the applicant. The City Engineer may waive this obligation in his discretion. An outparcel that is developed as a gas station use as referenced in Section II.A may have its permitted access point along the Private Road (or one of the access points along the Private Road, if more than one is permitted) to be at a width of up to forty feet (40') to facilitate gasoline tanker trucks and other large delivery vehicles.

C. Sidewalk; Pedestrian Circulation: A 5-foot wide concrete sidewalk shall be provided on both sides of all Private Roads. . Parking lot designs and pedestrian circulation routes shall provide safe, convenient, and efficient access for vehicles, pedestrians, and bicyclists. Pedestrian circulation via internal public and/or private walkways shall be encouraged. An 8-foot wide asphalt leisure trail shall be required along Beech Road and Smith's Mill Road.

D. Parking and Loading Spaces:

1. Parking and loading spaces shall be provided for each use per Section 1167 of the Codified Ordinances of the City of New Albany.

2. There shall be no more than two (2) rows of parking spaces in front of the principal building and one drive aisle in front of the principal building to provide vehicle circulation around each site, except if a hotel is built to the south of the portion of the Private Road extending westward into this Zoning District from Beech Road then additional parking is permitted in front of the building as approved by the Planning Commission.

VII. Buffering, Landscaping and Open Space: The following landscaping requirements shall apply to this Zoning District:

A. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within required setbacks. Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

B. A landscape plan for the entirety of the Beech Road and Smith's Mill Road street frontages within Subarea 1-A shall be filed along with the first final development plan for property within Subarea 1-A which includes a building.

C. SR 161 Treatment: A four-board white horse fence shall be required generally running parallel to State Route 161 along the perimeter of this Zoning District but outside of the right-of-way. The landscaping plan shall include plantings at the minimum rate of ten trees per 100 linear feet within the required minimum pavement setback from State Route 161 in all areas where existing trees are not preserved. Required trees may be grouped or spaced and existing trees may be used to meet the planting requirements. Trees planted pursuant to this paragraph shall be of species which are native to Central Ohio. No single species shall be used for more than one-third of the trees required by this paragraph. Minimum sizes for trees required to be planted pursuant to this paragraph shall be two (2) caliper inches.

D. Treatment along Beech Road and Smith's Mill Road: Within the minimum required pavement setbacks along each of Beech Road and Smith's Mill Road, landscaping shall be coordinated and consistent throughout. The following also shall be provided, as generally illustrated in the attached Exhibit A:

1. Fence: A four-board white horse fence shall be required along the street frontage. The final location will be determined with a final development plan approval for a specific development proposal, if required, or by City staff if no final development plan approval is required.

2. Setback Landscaping: A landscaped area shall be required behind the fence and within the required pavement setbacks. This buffer shall consist of deciduous shade trees planted at a rate equal to 10 trees or more for every 100 lineal feet of street frontage. Such trees may be equally spaced or randomly grouped and shall be of species which are native to Central Ohio. No single species shall be used for more than one-third of the trees required by this paragraph. Minimum sizes for trees required to be planted pursuant to this paragraph shall be two (2) or three (3) caliper inches, provided that no more than 50% of these trees shall be two (2) inches in caliper.

3. Gateway Feature: City Gateway features are planned throughout the Business Park and may be located in this Zoning District near the intersection of Beech Road and Smith's Mill Road. Once gateway feature design is finalized, it may be incorporated into the buffer treatment. If its design is not finalized prior to submitting a final development plan, adequate space shall be provided on the site and the landscape buffer shall be designed to incorporate this feature, subject to approval of the City Landscape Architect.

4. Screening of Parking: A landscape buffer to screen parking areas shall be located within the pavement setback along all public rights-of-way. This buffer may contain landscape material, mounding, or a combination of both and shall have a minimum height of 4 feet and a minimum opacity of 75%.

E. Interior Setback Lines: A landscape buffer shall be required within the required setback of any interior side parcel line (i.e., those lines not contiguous with a public right-of-way line or the boundary line of the Private Road. It shall consist of a ten (10) foot landscape buffer with grass and landscaping. Deciduous tree plantings shall be required in the buffer. Trees shall be planted a ratio of four (4) trees for every one-hundred (100) feet of side property line. Deciduous shrubs shall be planted under the trees. The landscaping material within interior side lot line buffers shall be coordinated along shared property lines to achieve a cohesive planting scheme.

F. Stormwater Basins: Wet and dry stormwater basins shall conform to the standards set forth in Section 1171.08 of the Codified Ordinances of the City of New Albany unless other design solutions are found to be appropriate. Other design solutions may be appropriate if the City Landscape Architect finds that an alternative design, shape, and appearance is appropriate in particular relationship to streetscape and other site design considerations. One or more stormwater basins may be shared to serve this Zoning District and the Beech/161 Northwest Quad Zoning District to accommodate the stormwater management needs of uses within this Zoning District, so as to eliminate the need for each parcel to have its own on-site basin.

G. Street Trees: A street tree row shall be established along the Private Road and all publicly dedicated rights-of-way (except SR 161) within or adjacent to this subarea and shall contain one (1) tree for every thirty (30) feet of road frontage. Trees shall be regularly spaced

along Beech Road and Smith's Mill Road. Street trees shall be located a minimum of ten (10) feet from the edge of the right-of-way unless the City's Landscape Architect approves planting these trees closer to the right-of-way or within the right-of-way. Minimum street tree size at installation shall be three (3) caliper inches. Street trees shall be installed on both sides of the entirety of the Private Road at the time that the Private Road is constructed. Street trees along Beech Road shall be installed along the entire street frontage of Subarea 1-A when the first parcel develops which has frontage on this street. Similarly, street trees along Smith's Mill Road shall be installed along the entire street frontage of Subarea 1-A when the first parcel develops which has frontage on this street.

H. Parking Areas: Within this Zoning District there shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular use area shall be landscaped or green space (or tree areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles. Parking areas should be designed to foster pedestrian connectivity by accommodating the required pedestrian connections/walkways and provide landscaping to enhance visual aspects of the development. Particular attention shall be given to quantity or plan material and size of parking lot landscape islands closest to buildings.

I. Pedestrian Circulation:

1. Leisure Trail: An eight (8) foot wide asphalt shared use path/leisure trail shall be provided along the south side of Smith's Mill Road and along the west side of Beech Road.

2. An internal pedestrian circulation system of walkways shall be created so that a pedestrian using a public walk or leisure trail along a public street can access the adjacent buildings through their parking lots as delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access drives.

3. Walkways, no less than five (5) feet in width, shall be provided along the full length of the building along any façade featuring a customer entrance and along any façade abutting public parking areas.

J. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than two and one half (2 ½") inches in caliper for deciduous trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

K. Mounding: Mounding, if employed, shall be included on the landscape plan which is subject to review and approval by the City Landscape Architect.

L. Bonding: All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation.

M. Decorative Silos: Decorative silos are permitted within this subarea. The location and features will be presented to the Planning Commission as a part of a final development plan.

VIII. Lighting:

A. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

B. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

C. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed thirty (30) feet in height.

D. Landscape uplighting from a concealed source shall not be permitted.

E. No permanent colored lights or neon lights shall be used on the exterior of any building.

F. All new electrical utilities that are installed in this subarea shall be located underground.

G. All other lighting on the site shall be in accordance with City Code.

H. Street lighting must meet the City Standards and Specifications.

IX. Signage:

A. A master sign plan for C-3 uses shall be filed for the entirety of this Zoning District along with the first final development plan that is filed which contains a building. With respect to gas station/convenience store signage, reference is made to signage at the existing gas station/convenience store use located to the east of the State Route 62/Walton Parkway as being representative of an appropriate design and specifications for signage for this use in this Zoning District. Signs for all uses that are permitted to be developed in the GE, General Employment zoning district category shall meet the applicable requirements of the Codified Ordinances unless a variance from such standards is approved by the Planning Commission.

B. Retail tenants are permitted one sandwich board sign, not to exceed six (6) square feet in area, per side. The signs may be placed on the sidewalk in front of the appropriate tenant space, but may not be sited in a location that interferes with vehicular sight distance. Sign panels may be dry erase or chalk boards. Sign panels may also be inserted into the sign frame. Changeable copy sign panels with individual letters or numbers are not permitted. Signs may be displayed only during business hours.

X. Utilities: All utilities installed by the Developer shall be underground.

XI. Limitation on Total Acreage to be Utilized for Commercial in the Beech Road/Smith's Mill

Road Area: For the purposes of developing property with commercial uses (C-3 Highway Business District with noted limitations), those areas that are found in the Business Park East – Innovation Zoning District, Subareas B and C, Business Park East Zoning District Subarea 5, Beech/161 Northwest Quad Zoning District, and the subareas included in this rezoning text, shall be limited to a total of no more than 92 acres of commercial development. The remainder of the acreage not used for commercial contained within Business Park East – Innovation Zoning District, Subareas B and C, Business Park East Zoning District Subarea 5, Beech/161 Northwest Quad Zoning District and the subareas included in this rezoning text shall be developed only with the uses permitted in the GE – General Employment District (excluding “Retail Product Sales and Service”) as specified in this text and those uses adopted in the zoning texts for the Business Park East Zoning District and the Business Park East Innovation Zoning District.

XII. Review Procedures:

A. **Development Review Procedure:** The acreage within this Zoning District could be developed with uses that are permitted in the GE, General Employment District, subject to the limitations described in this zoning text. It is the intent that development proposals for the operation of these uses (other than those which are retail in nature) will be processed and reviewed by the City in the same manner as if they were not being developed within a planned zoning district. Furthermore, it is the intent that any retail uses permitted in the GE District and any other use that is permitted under this zoning text but would not be permitted to be developed and operated in the GE, General Employment zoning classification of the City's Codified Ordinances will be subject to further review by the City's Planning Commission in accordance with relevant provisions of Chapter 1159 (Planned Unit Development) of the City's Codified Ordinances.

B. **Conditional Uses:** Any person owning or having an interest in property may file an application to use such property for one or more of the conditional uses provided for by City's Codified Ordinances Code or by this zoning text. Applications for conditional uses shall follow the procedure and comply with the requirements of Chapter 1115, Conditional Uses, of the Codified Ordinances of the City of New Albany.

C. **Appeals and Variances:**

1. **Appeals:**

a. **Taking of Appeals:** Appeals to the Board of Zoning Appeals concerning interpretation or administration of the text or the underlying zoning ordinance by the Zoning Officer or any other administrative official may be taken by any person aggrieved, including a tenant, or by a governmental officer, department, board, or bureau. Such appeal shall be taken within twenty days after the date of the decision by filing a notice of appeal specifying the grounds thereof with the officer from whom the appeal is taken and the Board of Zoning Appeals.

b. **Imminent Peril:** An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Officer certifies to the Board of

Zoning Appeals, after notice of appeal shall have been filed with him, that by reason of facts stated in the application a stay would, in his opinion, cause imminent peril to life or property. In such case, the proceeding shall not be stayed other than by a restraining order which may, on due cause shown, be granted by the Board of Zoning Appeals, after notice to the Zoning Officer or by judicial proceedings.

2. Nature of Variance: On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable development standards of the PUD portion 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.

3. Variance Process: The procedures and requirements of Chapter 1113, Variances of the Codified Ordinances of the City of New Albany shall be followed in cases of appeals. The Planning Commission shall hear requests for variances in this zoning district. The Private Road shall not be subject to the regulations of the subdivision standards found with Codified Ordinances Chapter 1187.

ZONING DESCRIPTION
13.98 ACRES

Situated in the State of Ohio, County of Licking, City of New Albany, located in Quarter Township 4, Township 2, Range 16, United States Military Lands, being part of that 49.534 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201010060020026 (all references refer to the records of the Recorder's Office, Licking County, Ohio), and being described as follows:

BEGINNING at the northeasterly corner of said 49.534 acre tract, at the intersection of the westerly right-of-way line of Beech Road with the southerly right-of-way line of Smith's Mill Road of record in Instrument Number 200505130014263;

Thence with the easterly line of said 49.534 acre tract and the westerly right-of-way line of said Beech Road, the following courses and distances:

South 01° 49' 28" West, distance of 229.72 feet to a point;

South 02° 39' 12" West, a distance of 475.03 feet to a point;

South 05° 39' 52" West, a distance of 357.00 feet to a point; and

South 03° 15' 23" West, a distance of 118.31 feet to a point at the southeasterly corner of said 49.534 acre tract, being in the northerly limited access right-of-way line of State Route 161;

Thence with the southerly line of said 49.534 acre tract and the northerly limited access right-of-way line of said State Route 161, the following courses and distances:

South 48° 20' 04" West, a distance of 97.08 feet to a point;

North 83° 41' 40" West, a distance of 185.45 feet to a point;

South 84° 06' 28" West, a distance of 141.50 feet to a point; and

South 66° 07' 43" West, a distance of 41.54 feet to a point;

Thence across said 49.534 acre tract, the following courses and distances:

North 02° 17' 21" East, a distance of 385.69 feet to a point;

South 87° 42' 39" East, a distance of 91.89 feet to a point;

North 05° 05' 07" East, a distance of 492.27 feet to a point of curvature;

With the arc of a curve to the left, having a central angle of 91° 08' 22", a radius of 60.00 feet, an arc length of 95.44 feet, a chord bearing of North 41° 03' 59" West and chord distance of 85.69 feet to a point of tangency;

North 86° 38' 10" West, a distance of 375.50 feet to a point; and

North 03° 21' 50" East, a distance of 338.30 feet to a point on the arc of a curve in the southerly right-of-way line of said Smiths Mill Road and the northerly line of said 49.534 acre tract;

Thence with the northerly line of said 49.534 acre tract and the southerly right-of-way line of said Smiths Mill Road, with the arc of a curve to the right, having a central angle of 04° 12' 49", a radius of 629.00 feet, an arc length of 46.26 feet, a chord bearing of South 88° 44' 35" East and chord distance of 46.25 feet to a point of tangency;

ZONING DESCRIPTION

13.98 ACRES

-2-

Thence South 86° 38' 10" East, continuing with the northerly line of said 49.534 acre tract and the southerly right-of-way line of said Smiths Mill Road, a distance of 722.30 feet to the POINT OF BEGINNING, containing 13.98 acres, more or less.

This description was prepared from record information and should be used for zoning purposes only.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

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**ZONING DESCRIPTION
SUBAREA 1-B
1.38 ACRES**

Situate in the State of Ohio, County of Licking, City of New Albany, located in Quarter Township 4, Township 2, Range 16, United States Military Lands, being part of that 49.534 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201010060020026, (all references refer to the records of the Recorder's Office, Licking County, Ohio), and being described as follows:

BEGINNING at the northeasterly corner of said 49.534 acre tract, at the intersection of the westerly right-of-way line of Beech Road with the southerly right-of-way line of Smith's Mill Road, of record in Instrument Number 200505130014263;

Thence North $86^{\circ} 38' 10''$ West, with said southerly right-of-way line, a distance of 722.30 feet to a point of curvature;

Continuing with said southerly right-of-way line, with the arc of a curve to the right, having a central angle of $03^{\circ} 52' 47''$, a radius of 629.00 feet, an arc length of 42.59 feet, a chord bearing of North $88^{\circ} 34' 34''$ West and chord distance of 42.58 feet to the TRUE POINT OF BEGINNING;

Thence across said 49.534 acre tract, the following courses and distances:

South $00^{\circ} 53' 44''$ East, a distance of 325.84 feet to a point;

North $86^{\circ} 38' 10''$ West, a distance of 216.45 feet to a point;

North $03^{\circ} 21' 50''$ East, a distance of 247.06 feet to a point on the arc of a curve in the said southerly right-of-way line;

Thence with said southerly right-of-way line, with the arc of a curve to the right, having a central angle of $18^{\circ} 58' 51''$, a radius of 629.00 feet, an arc length of 208.37 feet, a chord bearing of North $71^{\circ} 18' 40''$ East and chord distance of 207.42 feet to the TRUE POINT OF BEGINNING, containing 1.38 acres, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

**ZONING DESCRIPTION
SUBAREA 1-C
1.26 ACRES**

Situated in the State of Ohio, County of Licking, City of New Albany, located in Quarter Township 4, Township 2, Range 16, United States Military Lands, being part of that 45.928 acre tract conveyed to MJB Holdings, LLC by deed of record in Instrument Number 201010060020027, (all references refer to the records of the Recorder's Office, Licking County, Ohio) and being described as follows:

BEGINNING at the intersection of the westerly right-of-way line of Beech Road with the southerly right-of-way line of Smith's Mill Road, of record in Instrument Number 200505130014263;

Thence with the southerly right-of-way line of said Smith's Mill Road, the following courses and distances:

North 86° 38' 10" West, a distance of 722.30 feet to a point of curvature;

with the arc of a curve to the left, having a central angle of 40° 41' 41", a radius of 629.00 feet, an arc length of 446.75 feet, a chord bearing of South 73° 00' 59" West and chord distance of 437.42 feet to a point of tangency;

South 52° 40' 09" West, a distance of 361.72 feet to a point of curvature; and

with the arc of a curve to the right, having a central angle of 37° 26' 04", a radius of 1310.00 feet, an arc length of 855.90 feet, a chord bearing of South 71° 23' 11" West and chord distance of 840.75 feet to the TRUE POINT OF BEGINNING;

Thence across said 45.928 acre tract, the following courses and distances:

South 01° 29' 35" East, a distance of 296.21 feet to a point on the arc of a curve;

with the arc of a curve to the right, having a central angle of 05° 56' 02", a radius of 150.00 feet, an arc length of 15.54 feet, a chord bearing of South 79° 14' 45" West and chord distance of 15.53 feet to a point of tangency;

South 82° 12' 46" West, a distance of 175.98 feet to a point; and

North 03° 41' 47" East, a distance of 331.22 feet to a point in said southerly right-of-way line;

Thence South 86° 23' 10" East, with said southerly right-of-way line, a distance of 80.50 feet to a point of curvature;

Thence continuing with said southerly right-of-way line, with the arc of a curve to the left, having a central angle of 03° 30' 37", a radius of 1310.00 feet, an arc length of 80.26 feet, a chord bearing of South 88° 08' 29" East and chord distance of 80.25 feet to the TRUE POINT OF BEGINNING, containing 1.26 acres, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.



Prepared: 10/24/2019
Introduced: 11/05/2019
Revised:
Adopted:
Effective:

ORDINANCE O-39-2019

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 1.2 +/- ACRES OF LAND LOCATED AT 3180 BEECH ROAD FOR AN AREA TO BE KNOWN AS THE "JUG STREET NORTH EXPANSION ZONING DISTRICT" FROM ITS CURRENT ZONING OF "AG" AGRICULTURAL DISTRICT TO "L-GE" LIMITED GENERAL EMPLOYMENT AS REQUESTED BY MBJ HOLDINGS LLC C/O AARON UNDERHILL, ESQ.

WHEREAS, the Council of the City of New Albany has determined that it is necessary to rezone certain property located in the city of New Albany to promote orderly growth and development of lands; and

WHEREAS, the Planning Commission and City Council on separate occasions have held public hearings and received public input into the amendment of the zoning ordinance; and

WHEREAS, pursuant to the application by MBJ Holdings LLC c/o Aaron Underhill, the Planning Commission of the City of New Albany has reviewed the proposed ordinance amendment and recommended its approval.

NOW, THEREFORE, BE IT ORDAINED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. Council of the City of New Albany hereby amends the Zoning Ordinance Map of the City of New Albany to change the zoning classification of the following described site:

A. A 1.2 ± acre area of land located at 3180 Beech Road for an area to be known as the "Jug Street North Expansion Zoning District" from its current zoning of "Ag" Agricultural District to "L-GE" Limited General Employment;

B. The zoning district's zoning text and site plan is hereby attached and marked Exhibit A.

Section 2. It is hereby found and determined that all formal actions of this council concerning and relating to the passage of this ordinance were adopted in an open meeting of the council and any decision making bodies of the City of New Albany which resulted in such formal action were in meetings open to the public or in compliance with all legal requirements of the City of New Albany, Counties of Franklin and Licking, State of Ohio.

Section 3. Pursuant to Article 6.07(B) of the New Albany Charter, this ordinance shall become effective thirty (30) days after adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2019.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

Exhibit A - O-39-2019

JUG STREET NORTH ZONING DISTRICT EXPANSION

LIMITATION (L-GE) TEXT

September 18, 2019

The property that is the subject of this zoning text consists of 1.2+/- acres generally located to the east of and adjacent to Beech Road, generally to the north of its intersection with Jug Street. The Jug Street North Zoning District Extension (hereinafter, the “Zoning District”) serves to extend the same or similar zoning and development standards to the property as apply to the Jug Street North Zoning District, which surrounds this Zoning District on the north, east, and south and was approved by New Albany City Council in Ordinance O-17-2019. To the extent that a standard in this text conflicts with a standard that is provided in the City of New Albany’s Codified Ordinances, the standard contained in this text shall govern. This Zoning District shall be governed by the relevant provisions of the City’s Codified Ordinances to the extent that this text is silent on any particular matter.

A. Zoning Designation: L-GE, Limited General Employment District

B. Permitted Uses: The permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, GE, General Employment District, Sections 1153.02 and 1153.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses. The following uses from these code sections shall be prohibited:

1. Industrial product sales (See Section 1153.03(a)(1));
2. Industrial service (See Section 1153.03(a)(2));
3. Mini-warehouses (See Section 1153.03(a)(4)(c)). For purposes of clarification, this prohibition applies only to such facilities that are made available for rental to the general public.
4. Personal service (See Section 1153.03(b)(2)) and retail product sales and service (See Section 1153.03(b)(3)), except that such uses shall be allowed as accessory uses to a permitted use in this Zoning District;
5. Vehicle services (See Section 1153.03(b)(4));
6. Radio/television broadcast facilities (See Section 1153.03(c)(1)); and
7. Sexually-oriented businesses (See Section 1153.03(c)(3)).
8. Off-premise signs

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

1. Street Improvements: To the extent street improvements are required, the developer shall work with the City Manager or his designee to determine the appropriate timing and phasing of all required street improvements.
2. Vehicular Access Points – Generally: Subject to other provisions in this text, on public rights-of-way which exist on the date of this text, the number, locations, and spacing of

curbcuts shall be determined and approved by the City Manager or his designee in consultation with the developer at the time that a certificate of appropriateness is issued for a project in this Zoning District.

3. Parking and Loading: Parking and loading spaces shall be provided for each use per Section 1167 of the Codified Ordinances of the City of New Albany.

4. Traffic Analyses: In conjunction with the filing of an application with the City for a plat or private site development, a traffic study shall be filed by the applicant unless the City waives this requirement or modifies it to require less than a full study.

5. Dedication of Rights-of-Way: The developer shall dedicate property as directed by the City for public street rights-of-way as follows:

a. Beech Road: The total right-of-way for Beech Road shall be 100 feet. Right-of-way shall be dedicated to the City within this Zoning District to a width of 50 feet as measured from the centerline of Beech Road.

b. New Public Streets: All other public streets constructed within this zoning district shall have a right-of-way width that is appropriate for the character and anticipated usage of such streets as guided by the City of New Albany 2014 Strategic Plan and determined by the aforementioned traffic study.

D. Lot and Setback Commitments:

1. Lot Coverage: There shall be a maximum lot coverage in this Zoning District of 75%.

2. Setbacks:

a. Beech Road: There shall be a minimum building and pavement setback of 185 feet as measured from the centerline of Beech Road.

b. New Public Streets: There shall be a minimum building and pavement setback of 25 feet from the right-of-way for any new public street within this Zoning District.

c. Perimeter Boundaries: There shall be a minimum building and pavement setback of 25 feet from perimeter boundaries of this Zoning District which are not adjacent to a public right-of-way.

d. Elimination of Setbacks: In the event that a parcel located within this Zoning District and an adjacent parcel located outside of this Zoning District (i) come under common ownership or control, (ii) are zoned to allow compatible non-residential uses, and (iii) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text as they apply to common property lines shall no longer apply with respect to these parcels.

E. Architectural Standards:

1. **Building Height:** The maximum building height in this Zoning District shall be 65 feet.
2. **Service and Loading Areas:** Service areas and loading docks shall be screened to limit visibility from off-site.
3. **Building Design:**
 - a. Building designs shall not mix architectural elements or ornamentation from different styles.
 - b. Buildings shall be required to employ a comparable use of materials on all elevations.
 - c. The number, location, spacing, and shapes of windows and door openings shall be carefully considered. Primary entrances shall be made sufficiently prominent that they can be easily identified from a distance, except on buildings where pedestrian traffic is expected to be minimal such as, but not necessarily limited to, data centers or warehouses, or in the context of multi-building projects where the visibility of building entrances may be obstructed.
 - d. For office buildings and complexes, achieving a human or pedestrian scale is of less concern. When achieving such a scale is desired, it may be achieved by careful attention to width of facades, size and spacing of window and door openings, and floor to floor heights on exterior walls.
 - e. Use of elements such as shutters, cupolas, dormers, and roof balustrades shall be avoided in building designs that are not based on traditional American architectural styles. Such elements may be employed only when they are common elements of a specific style, and this style shall be replicated in its entirety. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.
 - f. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed, located, or screened so as to minimize their visibility and visual impact from off-site. Solar energy systems shall be excluded from the requirements of this section.
 - g. Except as contemplated in Section E.5.b below, accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and

construction as the nearest primary structure. Fenestration themes that employ windows, panels and piers that are consistent with the architectural vocabulary of the building are encouraged.

4. Building Form:

a. All building elevations shall be designed to be compatible with each other and to reflect a consistent design approach.

b. Gable or hip roofs shall be avoided unless a building design replicates a traditional American architectural style that employs such roof forms. In non-stylistic contemporary designs, low or flat roofs may be employed. Roof visibility shall be minimized.

5. Materials:

a. Exterior building materials shall be appropriate for contemporary suburban designs and shall avoid overly reflective surfaces. Traditional materials such as, but not limited to, wood, stone, brick, and concrete shall be permitted, along with contemporary materials such as, but not limited to, aluminum, metal, glass, stucco, or cementitious fiberboard (e.g., hardiplank or equivalent) shall be permitted on buildings not employing traditional styles. The use of reflective or mirrored glass shall be prohibited.

b. Prefabricated metal buildings, untreated masonry block structures, and buildings featuring poured concrete exterior walls are prohibited. Notwithstanding the foregoing, ancillary structures built and operated for the purpose of enclosing equipment and which are not occupied by tenants or persons on a regular basis may be constructed using pre-engineered metal.

c. Generally, the quantity of materials selected for a building shall be minimized. A single material selection for the independent building components of roof, wall and accents is permitted (i.e., Architectural Grade shingle roof with Brick Masonry wall and EIFS Cornice and Accents).

d. Loading docks are not required to have the same degree of finish as a main entry unless they are visible from a public right-of-way.

e. Additional Standards for Uses Not Governed by DGRs: Buildings that are constructed to accommodate certain uses are not governed by the City's Design Guidelines and Requirements (DGRs). For example, buildings that are constructed for the operation of warehousing and/or distribution uses are not subject to the DGRs and can present challenges in meeting the community standard for

architectural design. Such buildings are necessarily large and typically include long walls that together form a square or rectangular box. The goal for the development of buildings that are not subject to the DGRs is to balance the practical needs of these buildings with the desire to provide exterior designs that are attractive and complimentary to the architecture that will be found elsewhere in this zoning district.

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

In conjunction with an application for a certificate of appropriateness for each building or structure in this Zoning District that is not subject to or governed by the DGRs, and subject to Section J of this text, the applicant shall be required to submit to the City illustrations of the proposed exterior design of the building or structure for review and approval by the Design Review Committee contemplated in Section 1157.08(a)(1)(D) of the City Code. In designing such buildings, the user or applicant shall take into account the following, which are intended to set a level of expectation for the quality of design:

- i. Architectural design for all portions of a building or structure that are visible from a public right-of-way (excluding public rights-of-way whose primary purpose is to accommodate truck traffic or service loading areas) shall meet the community standard in terms of quality while taking into account the unique nature of the use(s) that will be found therein.
- ii. Uninterrupted blank wall facades shall be prohibited to the extent that they are visible from a public right-of-way. Design variations on long exterior walls shall be employed in order to create visual interest. Examples of such design variations include, but are not limited to, the use of offsets, recesses and/or projections, banding, windows, and/or reveals; scoring of building facades; color changes; texture or material changes; and variety in building height.
- iii. The use of one or more architectural or design elements may be used to soften the aesthetics of the building, such as but not limited to canopies, porticos, overhangs, arches, outdoor patios, community spaces, or similar devices.

iv. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.

v. Landscaping and/or the use of existing vegetation shall be utilized where appropriate to enhance the aesthetics of the building and to lessen its visual impact when viewed from public rights-of-way.

vi. HVAC, generators and similar equipment and associated gravel or concrete yards or pads shall be located subject to the minimum building setbacks.

3. Roof-Mounted Equipment: Screening of all roof-mounted equipment shall be required on all four sides of buildings using materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided not only in order to screen the equipment from off-site view but also to buffer sound generated by such equipment. Parapets (among other architectural elements) may be used to provide screening. Where a building is screened from view outside of the Zoning District by a building located within this Zoning District, City staff may waive or reduce these screening requirements provided that the developer demonstrates adequate buffering of sound from off-site.

F. Buffering, Preservation, Landscaping, and Screening: The following landscaping requirements shall apply to this Zoning District:

1. Buffering: Buffering of uses and improvements from adjacent rights-of-way located outside of the Zoning District and from other property that is adjacent to this Zoning District shall be provided by means of tree preservation as well as mounding and plantings as detailed in this subsection.

a. Tree Preservation: Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

b. Street Frontage Preservation Area: A "Street Frontage Preservation Area" shall be deemed to include the minimum pavement setback from the Beech Road right-of-way. Within the Street Frontage Preservation Area, the developer shall preserve existing healthy and mature trees and vegetation, provided, however, that public or private utilities may be installed within 60 feet of the centerline of Beech Road and/or may cross the Street Frontage Preservation Area (and trees may be removed as a result of such installations or crossings) provided, however, that the developer shall use good faith efforts to install utility crossings in a manner that minimizes the impact on healthy and mature trees. Trees within the

Street Frontage Preservation Area may be removed if they present a danger to persons or property.

2. Screening: Screening by way of mounding and plantings shall be provided near the public right-of-way for Beech Road. A minimum eight (8) foot high mound shall be installed along the property line that is shared with the public right-of-way of Beech Road (after any required right-of-way dedicated is completed pursuant to this text) and shall include a landscape buffer on the mound which shall consist of a mixture of deciduous trees, evergreens and bushes to provide an opacity of 75% on the date that is 5 years after planting to a total height of twelve (12) feet above ground level. This mound shall be installed within the minimum pavement setback, except that where a detention pond is located within the minimum setback area, the required mounding and landscaping shall be installed between the detention pond and the impervious improvements which are located closest thereto. The plan for this area must be reviewed and approved by the City's Landscape Architect. Utilities may be placed within or cross through the perimeter which abuts the right-of-way for Beech Road and the screening provided for above, and vehicular access drives may cross through such areas as well.

3. Street Trees: A street tree row shall be established along all publicly dedicated rights-of-way within or adjacent to this Zoning District and shall contain one (1) tree for every thirty (30) feet of road frontage. Trees may be grouped or regularly spaced. Minimum street tree size at installation shall be three (3) caliper inches. This requirement may be waived in areas where existing vegetation occurs, subject to approval of the City Landscape Architect. All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation.

4. Parking Areas: Within this Zoning District, there shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular use area shall be landscaped or green space (or treed areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.

5. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for shade trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

6. Pedestrian Circulation: Unless they are part of a campus which for safety or security reasons requires access by the public to be restricted, for buildings whose primary use is office, an internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk along a public street can access the adjacent buildings through their parking lots as delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access drives. Pedestrian connections shall be provided between parking lots and the front of buildings. A building shall be considered to have offices as its primary use when greater than 50% of its total square footage is

occupied by office uses. The requirements of this paragraph shall not apply to any building with a main entrance which is located 500 feet or more from a public right-of-way.

7. All project landscape plans are subject to review and approval by the City Landscape Architect.

8. Master Landscape Standards Plan: The City of New Albany Business Campus South – Beech Road South Landscape Standards Master Plan which was previously created for the Beech Road corridor and approved by the Planning Commission on June 5, 2017 shall apply to the Beech Road frontage in this Zoning District. New landscaping installed within the pavement setback along Beech Road shall be coordinated and consistent throughout the length of the Zoning District's frontage on that street. Similarly, new landscaping installed within the pavement setback along Jug Street shall be coordinated and consistent throughout the length of the Zoning District's frontage on that street.

G. Lighting:

1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 30 feet in height, except that light poles located within 300 feet of properties where residential uses exist or are permitted shall be no higher than 18 feet in height.

4. Landscape uplighting from a concealed source shall be subject to staff approval. All uplighting fixtures must be screened by landscaping. Lighting details shall be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

5. No permanent colored lights or neon lights shall be used on the exterior of any building.

6. All other lighting on the site shall be in accordance with City Code.

7. Street lighting must meet the City Standards and Specifications.

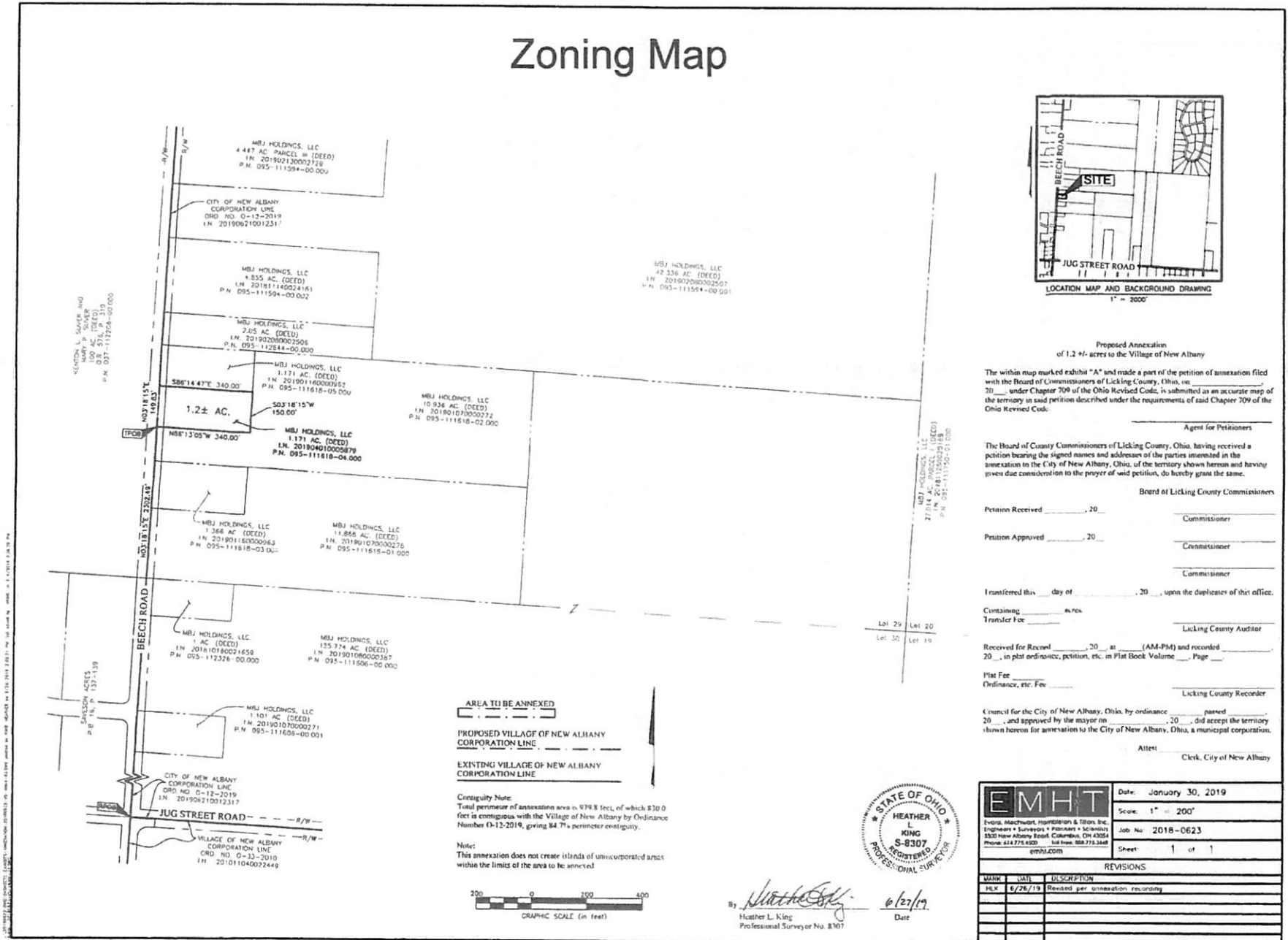
H. Signage: All signage shall conform to the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany.

I. Utilities: Except as provided in this subsection I, all utility lines in this Zoning District shall be installed underground. Above-ground electric utility poles serving private improvements within the Zoning District shall be permitted within an individual parcel (or multiple contiguous parcels under common ownership) provided that they shall be located at least 300 feet from the nearest edge of public rights-of-way, shall be of a monopole design, and shall not exceed the minimum height required by applicable utility installation standards. Reasonable efforts shall be made to minimize the visibility of such above-ground electric utility poles from any public roadway.

For the purposes of this subsection I, connections by way of piping, cables, or conduits between a building and ground mounted equipment or accessory structures may be installed above-ground provided that, when such a connection is to be made between a building façade that is oriented toward a public right-of-way and ground-mounted equipment or an accessory structure located between that building façade and the public right-of-way:

1. The ground mounted equipment or structure is located at least 200 feet from the centerline of the public right-of-way or the piping, cables, and/or conduits between a building and ground mounted equipment or structures are not visible from the public right-of-way; and
2. The connection is installed for its entire length at its minimum functional design height, which shall not exceed 125% of the ground mounted equipment or structure to which the connection is made; and
3. The connection is on the rear of the ground-mounted equipment or structure (i.e., the side which faces the building where the other end of the connection is being made).

Zoning Map



Proposed Annexation
of 1.2 +/- acres to the Village of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on _____, 20____ under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

Agent for Petitioners

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners

Petition Received _____, 20____ Commissioner

Petition Approved _____, 20____ Commissioner

Transferred this _____ day of _____, 20____, upon the duplicates of this office.

Containing _____ sheets

Transfer Fee _____ Licking County Auditor

Received for Record _____, 20____ at _____ (AM-PM) and recorded

20____, in plat ordinance, petition, etc. in Plat Book Volume _____ Page _____

Plat Fee _____ Licking County Recorder

Ordinance, etc. Fee _____

Council for the City of New Albany, Ohio, by ordinance _____ passed _____, 20____, and approved by the mayor on _____, 20____, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

Attest: _____ Clerk, City of New Albany