



ORDINANCE O-06-2022

AN ORDINANCE TO APPROVE THE FINAL PLAT AND ACCEPT RIGHT-OF-WAY DEDICATION AND EASEMENTS FOR HORIZON COURT AND ASSOCIATED VARIANCE TO C.O. 1187.08(a)(5) TO ALLOW A PUBLIC CUL-DE-SAC STREET TO BE 2,600+/- FEET IN LENGTH WHERE CITY CODE ALLOWS A MAXIMUM LENGTH OF 1,000 FEET, AS REQUESTED BY LPC MIDWEST LLC

WHEREAS, an application to approve the final plat for Horizon Court has been submitted with an associated variance request to C.O. 1187.08(a)(5) to allow a public cul-de-sac street to be 2,600+/- feet in length where city code allows a maximum length of 1,000 feet; and

WHEREAS, the city will be the recipient (grantee) of the right of way dedication of approximately 3.77 acres; and

WHEREAS, the intent of code requirement is still met with the approval of the variance request as private drive connections and cross access easements will be provided between commercial sites to ensure traffic congestion is minimized and sufficient access for emergency responders is provided; and

WHEREAS, the New Albany Planning Commission recommended approval of the final plat and variance request at the January 19, 2022 public meeting (FPL-132-2021 & V-133-2021); and

WHEREAS, the city engineer certifies that Horizon Court meets all other requirements of chapter 1187 of the Codified Ordinances, stormwater management, design requirements and will meet all other requirements of the city.

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

Section 1: The final plat is attached to this ordinance as Exhibit A and made a part herein approved.

Section 2: LPC Midwest LLC is hereby granted a variance to C.O. 1187.08(a)(5) to permit a public cul-de-sac street to be 2,600+/- feet in length.

Section 3: It is hereby found and determined that all formal actions of council concerning and relating to the adoption of this legislation were adopted in an open meeting of council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121 of the Ohio Revised Code, and further pursuant to Ohio General Assembly 133 – House Bill 404 effective November 22, 2020.


Section 4: Pursuant to Article VI, Section 6.07(B) of the City of New Albany Charter, this ordinance shall take effect on and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this 15 day of March, 2022.

Attest:



Sloan T. Spalding
Mayor



Jennifer H. Mason
Clerk of Council

Approved as to form:



Benjamin S. Albrecht
Interim Law Director

Legislation dates:	
Prepared:	02/04/2022
Introduced:	03/01/2022
Revised:	
Adopted:	03/15/2022
Effective:	04/14/2022

EXHIBIT A

Exhibit A - O-06-2022

HORIZON COURT DEDICATION AND EASEMENTS



PROJECT DATA
 TOTAL AREA: 3.770 ACRES
 LOT AREA: 0.020 ACRES
 ROAD RIGHT-OF-WAY: 3.770 ACRES
 RESEMPLED SPACE: 0.000 ACRES
 FLOOD ZONE: F1 (FLOOD HAZEL, SUSCEPTIBLE, SLOWLY)
 ZONING DISTRICT: GENERAL EMPLOYMENT DISTRICT (GE)
 LOTS: 0

LEGEND

- 6" CAPPIED IRON PIN SET
- 6" IRON PIN FOUND
- 1" IRON PIPE FOUND
- ▲ NAIL SET
- ▲ NAIL FOUND
- ▲ RR SPIKE SET

BEARINGS ARE BASED ON THE STATE PLANE
 COORDINATE SYSTEM, OHIO SOUTH (NAD83) AND
 WITHIN PORTION OF THE CENTERLINE OF 410
 STREET ROAD BEING 50% TYPE.

Situated in the State of Ohio, County of Licking, City of New Albany, and in Lots 18, 20, 22, and 30, Quarter Township 2, Township 2, Range 15, United States Military District, containing 3.770 acres of land, more or less, and including a part of a 305.07 acre tract of land conveyed to MEU Holdings, LLC, as described in Instrument No. 20191200020048 and Instrument No. 20200400000102, Licking County Recorder's Office.

Easements are hereby reserved to, over, and under areas designated on this plat as "Private Utility Easement". Each of the aforementioned designated easements permit the construction, operation, and maintenance of all public and quasi-public utilities above, beneath, and on the surface of the ground, and, where necessary, for the construction, operation and maintenance of various connections to all adjacent lots and lots for storm water drainage. Within those areas designated "Private Utility Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage systems and/or other storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Private Utility Easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer. No building shall be constructed in any area over which easements are hereby reserved. Easement areas shown herein outside of the defined areas are within lands owned by the undersigned and easements are hereby reserved therefor for the uses and purposes expressed herein.

Easements are hereby reserved to, over and under areas designated on this plat as "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath, and on the surface of the ground, and, where necessary, for the construction, operation and maintenance of various connections to all adjacent lots and lots for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage systems and/or other storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer. No building shall be constructed in any area over which easements are hereby reserved. Easement areas shown herein outside of the defined areas are within lands owned by the undersigned and easements are hereby reserved therefor for the uses and purposes expressed herein.

Easements are hereby reserved to, over and under areas designated on this plat as "Private Drainage Easement" for the construction, operation and maintenance of storm water runoff drains, ditches and ditches. Such facilities shall be owned and maintained by an association composed of the owners to the abutting lots in the New Albany Business Park East. Within those areas designated "Private Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage systems and/or other storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer. No building shall be constructed in any area over which easements are hereby reserved. Easement areas shown herein outside of the defined areas are within lands owned by the undersigned and easements are hereby reserved therefor for the uses and purposes expressed herein.

We, the undersigned MEU Holdings, LLC, a Delaware limited liability company, being the owner of the land depicted herein, certify that the attached plat correctly represents our "HORIZON COURT DEDICATION AND EASEMENTS", a subdivision of lots numbered _____, and do hereby accept this plat and do voluntarily dedicate _____ acres for public use and right-of-way as shown herein and on hereinafter defined.

IN WITNESS WHEREOF, I, _____, MANAGING MEMBER OF MEU HOLDINGS, LLC, HAS HERETO SET HIS HANDS THIS _____ DAY OF _____, 20____.

Signed and Acknowledged in the presence of: MEU HOLDINGS, LLC, a Delaware limited liability company
 For: _____ Managing Member

STATE OF OHIO)
) SS
 COUNTY OF LICKING)

This is an acknowledgment certificate, no oath or affirmation was administered to the signor with regard to this recorded act.

This foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, the managing member of MEU Holdings, LLC, a Delaware limited liability company, on behalf of the limited liability company.

My commission expires _____ Notary Public, State of Ohio

APPROVED THIS _____ DAY OF _____, 20____, _____ MAYOR, NEW ALBANY, OHIO
 APPROVED THIS _____ DAY OF _____, 20____, _____ CITY ENGINEER, NEW ALBANY, OHIO
 APPROVED THIS _____ DAY OF _____, 20____, _____ COUNCIL REPRESENTATIVE TO PLANNING COMMISSION, NEW ALBANY, OHIO
 APPROVED THIS _____ DAY OF _____, 20____, _____ CHAIRPERSON, PLANNING COMMISSION, NEW ALBANY, OHIO
 APPROVED THIS _____ DAY OF _____, 20____, _____ FINANCE DIRECTOR, NEW ALBANY, OHIO

Approved and accepted by Ordinance No. _____ passed _____ whereby all of Horizon Court shown dedicated herein is accepted, as such by the Council for the City of New Albany, Ohio. Approval of this plat shall become null and void unless recorded prior to _____.

TRANSFERRED THIS _____ DAY OF _____, 20____, _____ AUDITOR, LICKING COUNTY, OHIO
 RECORDED THIS _____ DAY OF _____, 20____, _____ RECORDER, LICKING COUNTY, OHIO
 AT _____ A.M./P.M. IN PLAT CABINET _____, SLIDE _____
 FEE \$ _____

This _____ day of _____, _____, rights of way for public streets and roads herein dedicated to public use are hereby accepted by the County of Licking, State of Ohio. Street improvements within said dedicated right-of-way shall not be accepted for public use and/or maintenance unless and until construction is complete and streets are formally accepted by Licking County.

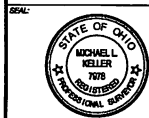


I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED IN THE FOREGOING TITLE CAPTION AND THAT SAID SURVEY AND PLAT ARE ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Michael L. Keller
 MICHAEL L. KELLER
 OHIO PROFESSIONAL SURVEYOR NO. 7670

1/28/2022
 DATE

THE KLEINGERS GROUP
 CIVIL ENGINEERING | www.kleingers.com
 SURVEYING | 300 Weyburn Rd
 LANDSCAPE ARCHITECTURE | Columbus, OH 43002
 614.943.0111



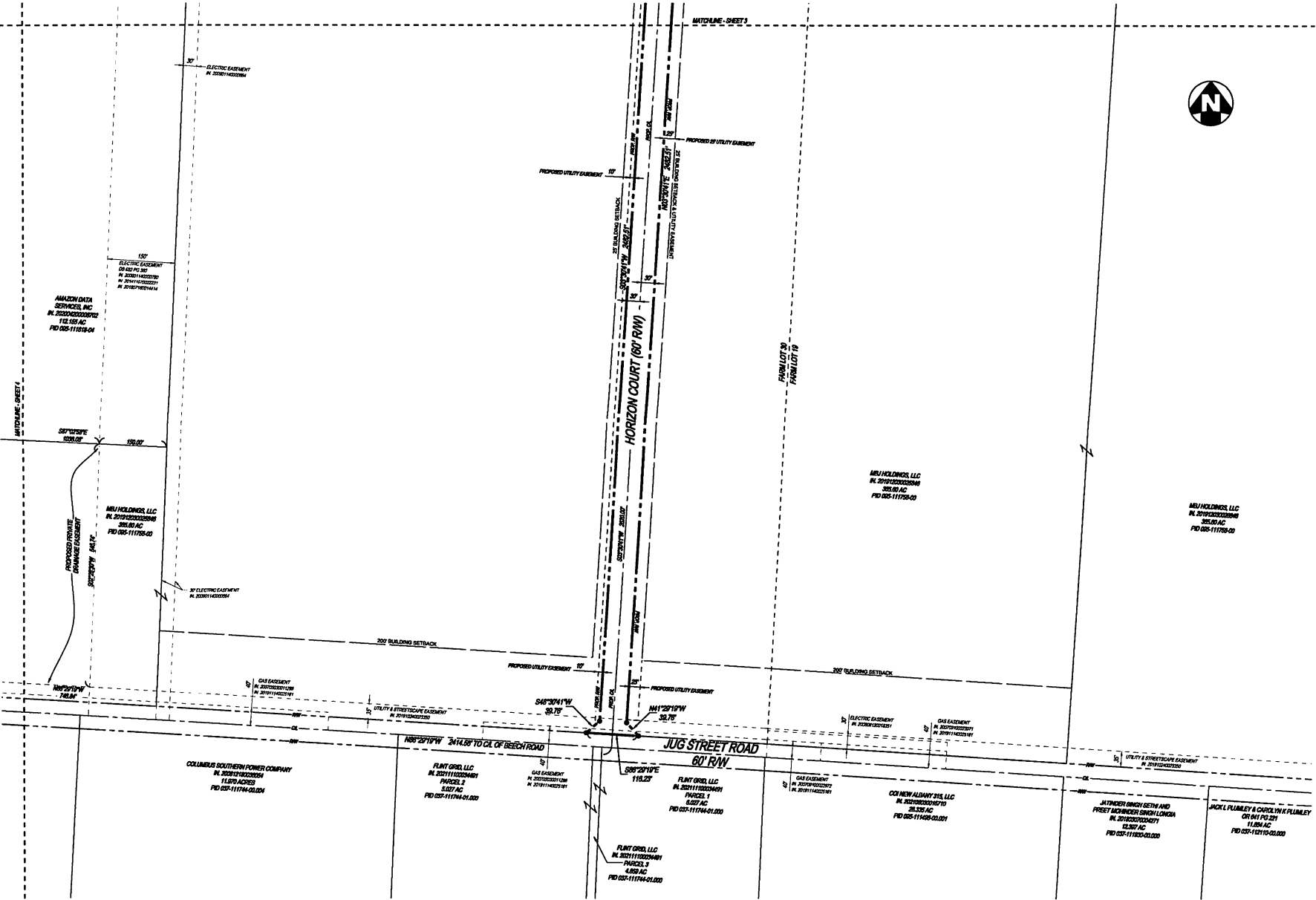
NO. DATE DESCRIPTION

HORIZON COURT DEDICATION
 LOTS 18, 20, 22, 30
 QTR. TWP. 2, TWP. 2, R. 15, U.S.M.D.
 CITY OF NEW ALBANY
 LICKING COUNTY, OHIO

PROJECT NO: 210617.000
 DATE: 1/28/2022
 SCALE: 1" = 100'
 0 50 100 200

SHEET NAME:
RECORD PLAT
 SHEET NO:
1 OF 4

HORIZON COURT DEDICATION AND EASEMENTS



NO.	DATE	DESCRIPTION

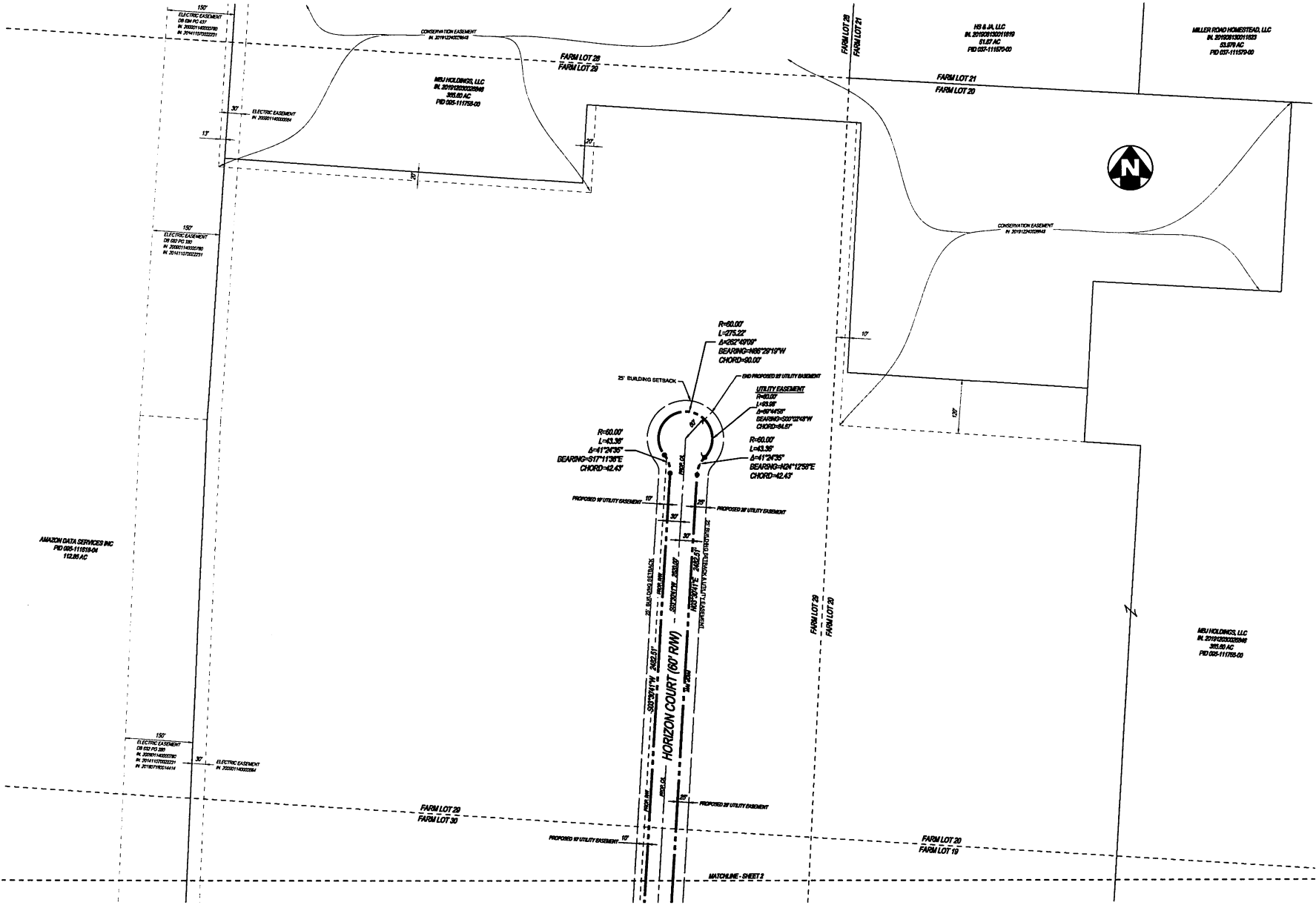
HORIZON COURT DEDICATION
 LOTS 19, 20, 29, 30
 QTR. TWP. 2, TWP. 2, R. 15, U.S.M.D.
 CITY OF NEW ALBANY
 LICKING COUNTY, OHIO

PROJECT NO:	210617.000
DATE:	1/29/2023
SCALE:	1" = 10'

SHEET NAME:
RECORD PLAT

SHEET NO.
2 OF 4

HORIZON COURT DEDICATION AND EASEMENTS



THE KLEINGERS GROUP
 CIVIL ENGINEERING SURVEYING LANDSCAPE ARCHITECTURE
 www.kleingers.com
 205 Westington Rd
 Suite B
 Westerville, OH 43081
 614.682.4311



NO.	DATE	DESCRIPTION

HORIZON COURT DEDICATION
 LOTS 19, 20, 23, 30
 CTR. TWP. 2, TWP. 2, R. 15, U.S.M.D.
 CITY OF NEW ALBANY
 LICKING COUNTY, OHIO

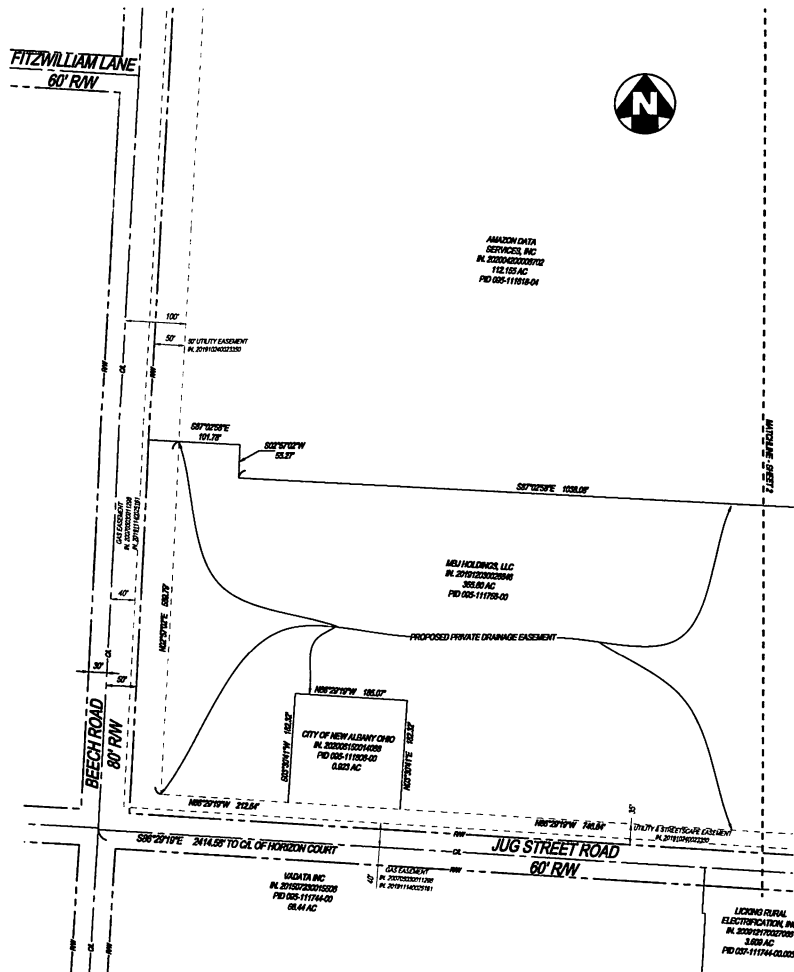
PROJECT NO: 210617.000
 DATE: 1/28/2023

SCALE: 1" = 100'

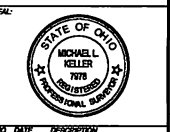
SHEET NAME:
RECORD PLAT

SHEET NO.
3 OF 4

HORIZON COURT DEDICATION AND EASEMENTS




THE KLEINGERS GROUP
 CIVIL ENGINEERING SURVEYING LANDSCAPE ARCHITECTURE
 www.kleingers.com
 303 Worthington Rd
 Suite B
 Westerville, OH 43082
 614.882.4311



NO.	DATE	DESCRIPTION

HORIZON COURT DEDICATION
 LOTS 19, 20, 29, 30
 CTR. TWP. 2, TWP. 2, R. 15, U.S.M.D.
 CITY OF NEW ALBANY
 LICKING COUNTY, OHIO

PROJECT NO: 210617.000
 DATE: 1/28/2022
 SCALE: 1" = 100'


GUEST NAME:
RECORD PLAT

GUEST NO:
4 OF 4