



ORDINANCE O-21-2021

AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 38.09+/- ACRES FROM PLAIN TOWNSHIP, FRANKLIN COUNTY TO THE CITY OF NEW ALBANY

WHEREAS, pursuant to the petition filed by Matthew Cull, Esq., agent for petitioner, with the Franklin County Development and Planning Department, on March 19, 2021, and

WHEREAS, the foregoing Resolution #0254-21 of the Franklin County Commissioners granting the petition was delivered to the City of New Albany on April 9, 2021 and more than sixty (60) days have lapsed since the Resolution of the Board of County Commissioners was transmitted to the City of New Albany, and

WHEREAS, pursuant to New Albany Codified Ordinance 1125.05, all newly annexed areas shall immediately be zoned into the Agricultural District and shall be subject to the regulations and restrictions pertaining thereto, and

WHEREAS, pursuant to New Albany Codified Ordinance 1125.06, all future annexed properties shall be added to the applicable New Albany Community Authority as described therein and are subject to a special property assessment in compliance therewith, and

WHEREAS, The New Albany City Council has determined that annexation of the real estate is in the best interests of the residents of the City of New Albany.

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

Section 1: The application of property owners set forth in Franklin County requesting the annexation of 38.09+/- acres, which is contiguous to the City of New Albany, is hereby accepted, and the corporate boundaries of New Albany shall be extended to include the territory, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully written.

Section 2: An accurate map of the territory attached as Exhibit B, the petition for its annexation, other related documents, and a certified transcript of the proceedings of the Franklin County Board of Commissioners regarding the annexation proceedings have been on file with the Clerk of Council of the City of New Albany for sixty (60) days prior to being presented to this Council as required by law, and are hereby accepted.

Section 3: Council of the City of New Albany hereby accepts the annexation of a 38.09+/-acre tract, situated in Plain Township, Franklin County, Ohio, the same being land of the owners set forth above, for annexation to the City of New Albany.

Section 4: The clerk is herewith directed to deliver certified copies of this ordinance and other proceedings relative to the annexation to the County Auditor, County Recorder, and the Secretary of State.


Section 5. 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 the 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 all legal requirements, including Section 121 of the Ohio Revised Code, and further pursuant to Ohio General Assembly 133 – House Bill 404 effective November 22, 2020.

Section 6. Pursuant to Article VI, Section 6.07(b) of the charter of the City of New Albany, this ordinance shall be in effect on and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this 6 day of June, 2021.

Attest:


Sloan T. Spalding
Mayor


Jennifer H. Mason
Clerk of Council

Approved as to form:



Mitchell H. Banchefsky
Law Director

Legislation dates:

Prepared:	06/04/2021
Introduced:	06/15/2021
Revised:	
Adopted:	07/06/2021
Effective:	08/05/2021

**CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION**

I certify that copies of Ordinance **O-21-2021** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on July 7, 2021.


Jennifer Mason, Clerk of Council

7/7/21
Date

RECEIVED

FEB 16 2021

Franklin County Engineer
Cornell R. Robertson, P.E., P.S.

RECEIVED

MAR 19 2021

Franklin County Planning Department
Franklin County, OH

ANX-08-21

**PROPOSED ANNEXATION
38.09± ACRES**

**ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE**

**CORNELL R. ROBERTSON, P.E., P.S.
FRANKLIN COUNTY ENGINEER**

By **FAZ/LH** Date **2/16/2021**

FROM: TOWNSHIP OF PLAIN

TO: CITY OF NEW ALBANY

Situated in the State of Ohio, County of Franklin, Township of Plain, lying Section 9, Quarter Township 1, Township 2, Range 16, United States Military District, being all of that 5.500 acre tract conveyed to Carol Pemberton by deed of record in Instrument Number 200312020382691, that 16.500 acre tract conveyed to William Hoelcher by deed of record in Instrument Number 200912230185700, and that 16.080 acre tract conveyed to William Hoelcher by deed of record in Official Record 17783A01, (all references are to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

BEGINNING at Franklin County Geodetic Survey monument 4475 found at the centerline intersection of Walnut Street (C.R. 19) with Bevelhymmer Road (C.R. 192), the northeasterly corner of said 16.500 acre tract;

Thence southerly, with the centerline of said Bevelhymmer Road, the easterly line of said 16.500 and 16.080 acre tracts, a distance of approximately 1629 feet to a point at the common corner of said 16.080 acre tract and that 1 acre tract conveyed to Patricia Phillips by deed of record in Instrument Number 200405240118867;

Thence westerly, with the southerly line of said 16.080 acre tract, the northerly line of said 1 acre tract and that 3.700 acre tract conveyed to Brian Dishong and Megan Dishong by deed of record in Instrument Number 201801020000415, a distance of approximately 1024 feet to a point in the easterly line of that subdivision entitled "Upper Clarenton Section 1", of record in Plat Book 108, Page 38, being in the existing City of New Albany corporation line, as established by Ordinance Number 31-96, of record in Official Record 34456G14;

Thence northerly, with the westerly line of said 16.080, 16.500 and 5.500 acre tracts, the easterly line of said "Upper Clarenton Section 1", that subdivision entitled "Upper Clarenton Section 2", of record in Plat Book 109, Page 56, and that 0.719 acre tract conveyed to Sean S. Alley and Stephanie J. Alley by deed of record in Instrument Number 200204250104240, partially with said existing City of New Albany corporation line, and across said Walnut Street, a distance of approximately 1628 feet to a point in the centerline of said Walnut Street, being the common corner of said 5.500 and 0.719 acre tracts;

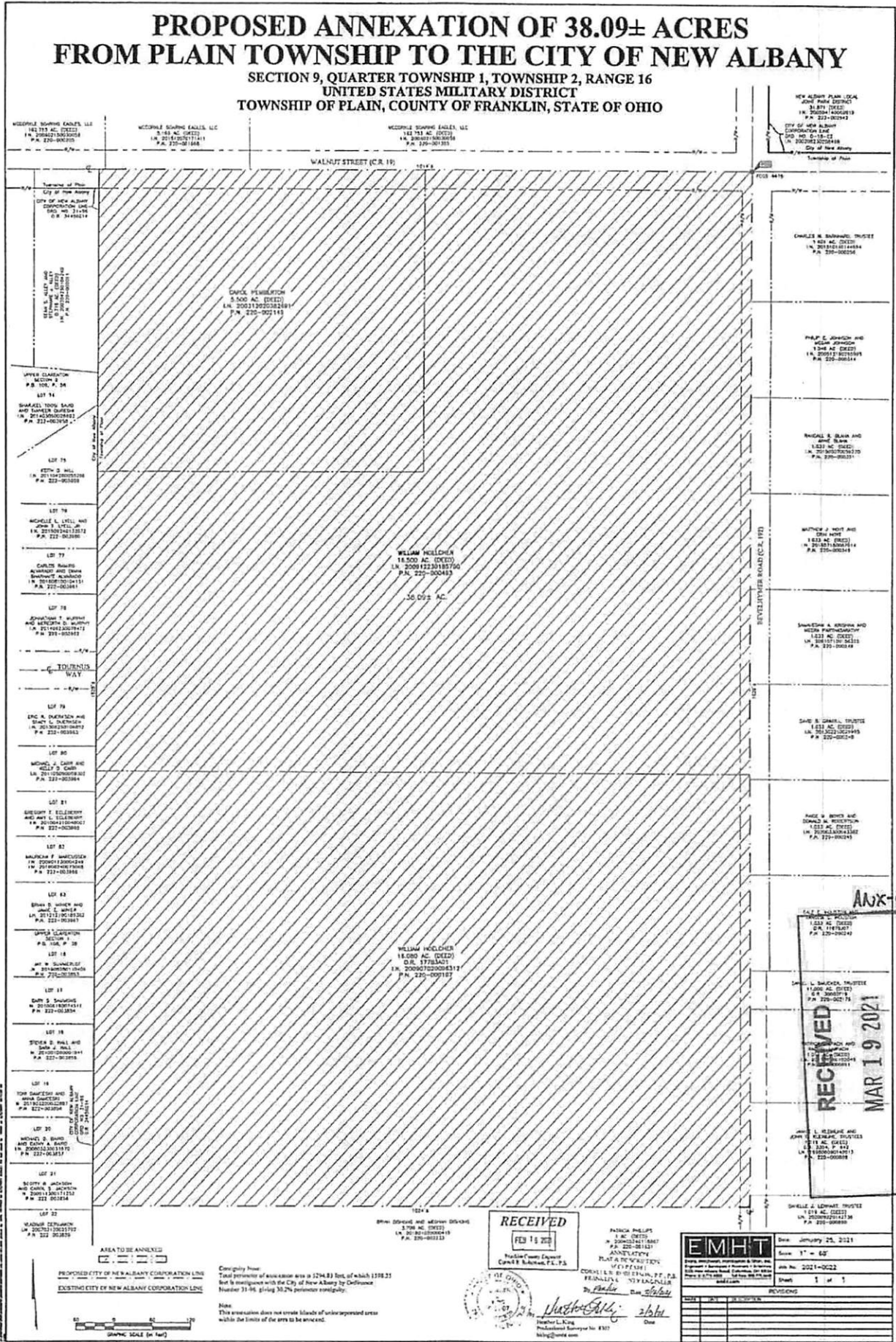
Thence easterly, with the centerline of said Walnut Street, the northerly line of said 5.500 and 16.500 acre tracts, a distance of approximately 1014 feet to the POINT OF BEGINNING, containing 38.09 acres, more or less.

This description is for annexation purposes only and is not to be used for transfer.

Total perimeter of annexation area is 5294.83 feet, of which 1598.25 feet is contiguous with the City of New Albany by Ordinance Number 31-96, giving 30.2% perimeter contiguity.



EVANS, MECHWART, HAMBLETON & TILTON, INC.





ORDINANCE O-22-2021

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 38.09 +/- ACRES OF LAND LOCATED AT 7555 BEVELHYMER ROAD AND 7325 WALNUT STREET FOR AN AREA TO BE KNOWN AS THE "WOODHAVEN ZONING DISTRICT" FROM ITS CURRENT ZONING OF AGRICULTURAL (AG) TO "I-PUD" INFILL-PLANNED UNIT DEVELOPMENT AS REQUESTED BY ALTO REAL ESTATE, LLC C/O PATRICK FISHER

** As amended by council -
see 7/6/21 minutes*

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

WHEREAS, the Rocky Fork-Blacklick Accord, Planning Commission, and 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 ALTO Real Estate, LLC c/o Patrick Fisher, the Rocky Fork-Blacklick Accord and Planning Commission have 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 hereby amends the Zoning Ordinance Map of the City of New Albany to change the zoning classification of the following described site:

A. A 38.09 ± acre area of land located at 7555 Bevelhymer Road and 7325 Walnut Street (PIDs: 220-000107-00, 220-000493-00 and 220-002149-00) for an area to be known as the "Woodhaven Zoning District" from its current zoning of Agricultural District (AG) to Infill-Planned Unit Development (I-PUD).

B. The zoning district's zoning text and preliminary development plan are 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 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.

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 6 day of June, 2021.

* AS amended
by council
7/6/21 - See
minutes

Attest:


Sloan T. Spalding
Mayor


Jennifer H. Mason
Clerk of Council

Approved as to form:


Mitchell H. Banachefsky
Law Director

Legislation dates:

Prepared:	06/01/2021
Introduced:	06/15/2021
Revised:	06/22/2021 → 07/06/21
Adopted:	07/06/2021
Effective:	08/05/2021

WOODHAVEN

CITY OF NEW ALBANY- FRANKLIN COUNTY, OHIO

I-PUD PRELIMINARY DEVELOPMENT PLAN



PREPARED FOR:
ALTO REAL ESTATE, LLC.
6262 EITERMAN ROAD
DUBLIN, OHIO 43016
P: (614) 764-0032

ENGINEER, PLANNER AND LANDSCAPE ARCHITECT:
EMH&T
5500 NEW ALBANY ROAD
NEW ALBANY, OHIO 43054

DEVELOPMENT CONSULTANT:
LORETO (LARRY) CANINI
CANINI ASSOCIATES
WWW.CANINIASSOCIATES.COM

PC SUBMITTAL: MAY 7, 2021
COUNCIL SUBMITTAL : JUNE 18, 2021

WOODHAVEN I-PUD REZONING

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- Landscape Cross Sections
- Community Open Space and Pedestrian Connectivity Plan
- Typical Traditional Single Family Architecture
- Typical Age Restricted Single Family Architecture

SECTION I – Application Materials

Permit # _____
Board _____
Mtg. Date _____



Community Development Planning Application

Project Information	Site Address <u>7555 Bevelhymer Road, 7325 Walnut Street</u>																																																												
	Parcel Numbers <u>220-000107-00, 220-000493-00, 220-002149-00</u>																																																												
	Acres <u>+/- 38 Acres</u>	# of lots created <u>60</u>																																																											
	<table border="1"> <thead> <tr> <th>Choose Application Type</th> <th colspan="4">Circle all Details that Apply</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Appeal</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Certificate of Appropriateness</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Conditional Use</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Development Plan</td> <td><u>Preliminary</u></td> <td>Final</td> <td>Comprehensive</td> <td>Amendment</td> </tr> <tr> <td><input type="checkbox"/> Plat</td> <td>Preliminary</td> <td>Final</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Lot Changes</td> <td>Combination</td> <td>Split</td> <td>Adjustment</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Minor Commercial Subdivision</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Vacation</td> <td>Easement</td> <td></td> <td>Street</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Variance</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Extension Request</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Zoning</td> <td><u>Amendment (rezoning)</u></td> <td></td> <td>Text Modification</td> <td></td> </tr> </tbody> </table>		Choose Application Type	Circle all Details that Apply				<input type="checkbox"/> Appeal					<input type="checkbox"/> Certificate of Appropriateness					<input type="checkbox"/> Conditional Use					<input checked="" type="checkbox"/> Development Plan	<u>Preliminary</u>	Final	Comprehensive	Amendment	<input type="checkbox"/> Plat	Preliminary	Final			<input type="checkbox"/> Lot Changes	Combination	Split	Adjustment		<input type="checkbox"/> Minor Commercial Subdivision					<input type="checkbox"/> Vacation	Easement		Street		<input type="checkbox"/> Variance					<input type="checkbox"/> Extension Request					<input checked="" type="checkbox"/> Zoning	<u>Amendment (rezoning)</u>		Text Modification
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Description of Request: <u>Rezoned approximately +/- 38 Acres to PUD for the development of 59 new single family lots and to maintain home on new lot for property located at 7325 Walnut Street for a total of 60 single family lots.</u>																																																													
<p>* COURTESY CALL:</p> <p>PLEASE CONTACT AT LEAST 24 HRS. BEFORE SITE VISITS. WE HAVE A LARGE DOG THAT NEEDS TO BE CONTAINED FOR THE SAFETY OF THE CITY WORKERS.</p> <p><i>SINCERELY, William Hoelcher</i></p>																																																													
Contacts	Property Owner's Name: <u>William Hoelcher / Carol Pemberton</u> Address: <u>7555 Bevelhymer Road / 7325 Walnut Road</u> City, State, Zip: <u>Westerville, Ohio 43081</u> Phone number: <u>614-855-7639</u> / <u>614-566-7764</u> Fax: <u>none</u> Email: <u>nhoelcher@yahoo.com</u> / <u>none</u>																																																												
	Applicant's Name: <u>ALTO Real Estate, LLC c/o Patrick Fisher</u> Address: <u>6262 Eiterman Road</u> City, State, Zip: <u>Dublin, Ohio 43016</u> Phone number: <u>614-764-0032</u> Fax: <u>614-764-1620</u> Email: <u>pfisher@gioffredo.com</u>																																																												
Signature	Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.																																																												
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WOODHAVEN Properties located w/in 200' of Re-Zoned Property

PID	Site Address	Owner	Owner Address if Different
7325 Walnut St: 220-002149: Properties within 220'			
220-000205-00	Walnut St	McCorkle Soaring Eagles LLC	755 Bluffview Dr, Columbus Oh 43235
220-001668-00	7276 Walnut St	McCorkle Soaring Eagles LLC	5634 Jeffries Ct., Westerville, Oh 43082
220-001355-00	Walnut St	McCorkle Soaring Eagles LLC	755 Bluffview Dr, Columbus Oh 43235
220-000493-00	Bevelhymmer Rd	Hoeftcher William Tod	DUPLICATE
220-002149-00	7325 Walnut St	Carol Pemberton	DUPLICATE
222-003957-00	7398 N Upper Clarenton Dr.	Shelly M. Gittens and Richard A. Collins	
222-003958-00	7388 N Upper Clarenton Dr.	Sajid Sharjeel Toosi & Tanveer Qureshi	
222-003959-00	7378 S Upper Clarenton Dr.	Keith D. Hill	
222-003960-00	7368 S Upper Clarenton Dr.	Michelle L. & John T. Lyell	
222-003961-00	7358 S Upper Clarenton Dr.	Diana Skarnaite & Carlos Ramiro Alvarado	
222-003962-00	7348 S Upper Clarenton Dr.	Johnathan T. & Meredith D. Murphy	
222-002011-00	7277 Walnut St	Sean S. & Stephanie J. Alley Sean S	
222-002016-00	7255 Walnut St	Kevin Sheets	
220-000493: Properties within 220'			
220-001353-00	Walnut St	McCorkle Soaring Eagles LLC	DUPLICATE
220-000177-00	7555 Bevelhymmer Rd	Hoeftcher William Tod	DUPLICATE
220-000493-00	Bevelhymmer Rd	Hoeftcher William Tod	DUPLICATE
220-002149-00	7325 Walnut St	Pemberton Carol	DUPLICATE
220-000256-00	7393 Walnut St	Charles N. Barnhard, Trustee	
220-000344-00	7598 Bevelhymmer Rd	Philip E. & Megan L. Johnson	
220-000331-00	7590 Bevelhymmer Rd	Randall R. & Anne Blaha	
220-000346-00	7582 Bevelhymmer Rd	Matthew J. & Erin Hoyt	
220-000249-00	7574 Bevelhymmer Rd	Samavedam A. Krishna & Meera Parthasarathy	
220-000248-00	7566 Bevelhymmer Rd	David B. Grabill, Trustee	
220-000245-00	7558 Bevelhymmer Rd	Paige M. Boyer & Donald M. Robertson	
220-000242-00	7550 Bevelhymmer Rd	Dale E. & Vangela G. Houston	

222-003957-00	7398 N Upper Clarenton Dr.	Shelly M. Gittens & Richard A. Collins	
222-003958-00	7388 N Upper Clarenton Dr.	Sana Sharaf Tossi, Qureshi Tanveer	DUPLICATE
222-003959-00	7378 S Upper Clarenton Dr.	Hill Keith D	DUPLICATE
222-003960-00	7368 S Upper Clarenton Dr.	Lyell Michelle L.	DUPLICATE
222-003961-00	7358 S Upper Clarenton Dr.	Alvarado Carlos Ramiro	DUPLICATE
222-003962-00	7348 S Upper Clarenton Dr.	Murphy Johnathan T	DUPLICATE
222-003963-00	7338 S Upper Clarenton Dr.	Eric R. & Stacey L. Duerksen	
222-003964-00	7328 S Upper Clarenton Dr.	Michael J. & Kelly D. Carr	
222-003965-00	7318 S Upper Clarenton Dr.	Gregory T. & Amy L. Ecleberry	
222-003966-00	7308 S Upper Clarenton Dr.	Mauricha F. Marcussen	
222-003967-00	7298 S Upper Clarenton Dr.	Brian D. & Jamie E. Minier	
7555 Bevelhymer: 220-000107 Properties within 220'			
220-002233-00	7441 Bevelhymer Rd	Brian and Meghan Dishong	
220-001631-00	7447 Bevelhymer Rd	Patricia Phillips, Trustee	
220-000249-00	7574 Bevelhymer Rd	Samaradan A. Krishna	DUPLICATE
220-000248-00	7566 Bevelhymer Rd	David B. Grubb, Trustee	DUPLICATE
220-000243-00	7558 Bevelhymer Rd	Paige M. Buyer	DUPLICATE
220-000242-00	7550 Bevelhymer Rd	Dale C. Houston	DUPLICATE
220-002176-00	7530 Bevelhymer Rd	Daniel L. Smucker	
220-000891-00	7522 Bevelhymer Rd	Patrick & Rachel Limpach	
220-000889-00	7498 Bevelhymer Rd	Janice L. & John B. Kleinline, Co- Trustees	
220-000890-00	7480 Bevelhymer Rd	Danelle J. Lenhart Danelle, Trustee	
222-004789-00	7435 Bevelhymer Rd	Robert J. Riddle & Johnna M. Evans	
222-004797-00	7110 Longfield Ct	Christopher Miranda	
222-004796-00	7120 Longfield Ct	Joseph N. and Danielle A. Aniano	
222-004795-00	7130 Longfield Ct	Brian C. & Rebecca S. Werth	
222-004794-00	7140 Longfield Ct	Scott R. & Caitlin Miller	
222-004793-00	7150 Longfield Ct	Kevin M. & Kimberly D. Shaw	
222-004792-00	7160 Longfield Ct	John A. & Megan Xali McMullin	
222-004790-00	7445 Steeplechase Ln	An Phuoc Dang Nguyen	

222-003894-00	Kiernan Dr	M/I Homes of Central Ohio LLC	3 Easton Oval, Columbus Oh 43219
222-003853-00	7288 S Upper Clarenton Dr.	Jay W. Summerlot	5521 Steele Ct., New Albany, OH 43054
222-003854-00	7278 S Upper Clarenton Dr.	Gary S. Sammons	
222-003855-00	7268 S Upper Clarenton Dr.	Steven D. & Sara J. Hall	
222-003856-00	7258 S Upper Clarenton Dr.	Toni & Anna Damceski	
222-003857-00	7248 S Upper Clarenton Dr.	Michael D. & Cathy A. Baird	
222-003858-00	7238 S Upper Clarenton Dr.	Scotty B. & Carol S. Jackson	
222-003859-00	7228 S Upper Clarenton Dr.	Vladimir Cervjakov	
222-003860-00	7218 S Upper Clarenton Dr.	Angela M. & Conrad T. Mahoney	
222-003861-00	7208 S Upper Clarenton Dr.	David G. & Josefina B. Taylor	
222-003877-00	7205 S Upper Clarenton Dr.	Mark A. & Elizabeth L. Leskowskyak	
222-003878-00	7235 S Upper Clarenton Dr.	Manish Thakur & Ranju Jha	
222-003887-00	8442 Galdino Dr	Jeffery W. & Brynn L. Steckman	
222-003888-00	8443 Kiernan Dr	Naomi L. Towers	
222-003962-00	7348 S Upper Clarenton Dr.	Johnathan T. & Meredith D. Murphy	DUPLICATE
222-003963-00	7338 S Upper Clarenton Dr.	Eric R. Dugkesen	DUPLICATE
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222-003965-00	7318 S Upper Clarenton Dr.	Gregory T. & Amy L. Edleberry	DUPLICATE
222-003966-00	7308 S Upper Clarenton Dr.	Mauricia F. Marussan	DUPLICATE
222-003967-00	7298 S Upper Clarenton	Brian D. and Jamie E. Miller	DUPLICATE
222-003972-00	8446 Leisner Av	Christopher M. & Jill S. King	
222-003973-00	8447 Tournus Wy	Brett M. & Elizabeth H. White	
222-004549-00	Dean Farm Rd	Upper Clarenton Homeowners Association	PO Box 1068, New Albany OH 43054
222-001996-00	7464 Bevelhymmer Rd	Michel H. Dos Santons	

**WOODHAVEN
I-PUD
ZONING DISTRICT**

**Information concerning specific Code requirements for
Rezoning submittal by Alto Real Estate**

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. Properties to the west and south, the Millbrook subdivision further south, properties east of Bevelhymmer and the New Albany Links golf course and single family community are developed with similar residential uses. Properties to the north are either agriculture or recreational uses. This zoning will permit the property to be developed consistent with the existing residential development pattern in the area.

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: Upon the completion of the zoning for this property and prior to selling the property to any third party, the property will be made subject to a master property owners' association and separate association for the age restricted homes. The property also will be subjected to a recorded declaration to place the requirement to age restrict the homes in the public record.

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: Development of the site is anticipated to occur soon after approval of the annexation of the property, accompanying rezoning application, a later final development plan and engineering.

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: The property was recently delineated for Waters of the U.S. by the Environmental Department of EMH&T. The delineation report is currently under review at the U.S. Army Corps of Engineers (USACE). Assuming the USACE agrees with the delineation and issues an Approved Jurisdictional Determination (AJD), we intend to file and obtain an Isolated Wetlands Permit from Ohio EPA to impact the isolated wetlands for lot development. We anticipate that permit being issued in May 2021 and can provide a copy upon request.

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: See Response above. At the time that an application for a certificate of zoning compliance or an application for a building permit is filed with the City of New Albany, the applicant shall provide evidence of the results of its conclusions in regard to this verification.

WOODHAVEN ZONING DISTRICT

INFILL PLANNED UNIT DEVELOPMENT (I-PUD) ZONING TEXT

June 18, 2021

I. Introduction:

The Woodhaven Zoning District is located at the southwest corner of Walnut Street and Bevelhymer Road, east of Upper Clarenton. The site consists of 3 properties totaling approximately 38 acres. This new residential community will facilitate the development of a multi-generational neighborhood to include a mix of traditional single family homes (Woodhaven Estates) and homes marketed to persons fifty-five years of age or older (The Post at Woodhaven). The site will extend critical pedestrian linkages making it within walking distance to Bevelhymer Park, the Metropark and a bike ride away from adjacent commercial and the Village Center. The proposed community will provide a transition from existing large lots fronting Walnut Street to the west by creating two large lots along the western frontage. The proposed western most lot will allow for construction of a new home and the existing home located at 7325 Walnut Street will be re-platted for a new lot of approximately one acre.

The age restricted portion of Woodhaven, which is grouped on the southern side of the site, (the "The Post at Woodhaven") will consist of housing that is age restricted in accordance with the "Housing for Older Persons Exemption" (codified at 42 U.S.C. § 3607) (the "HOPA Exemption") of The Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended, 42 U.S.C. 3601–3619) (the "Act"). The Act and the HOPA Exemption provide in part that, in order for a residential development to meet the requirements to be age-restricted, at least 80 percent of the homes in the development must have at least one occupant who is 55 years of age or older. The applicant, developer and homebuilder commit to exceed the 80 percent minimum by subjecting all of the homes in The Post at Woodhaven to the age restriction.

The local housing market in New Albany continues to demand expanded residential opportunities for members of the community who desire to continue to live in the City but seek to transition to smaller homes after their children have grown and moved away. The age restricted product being provided in The Post at Woodhaven are specifically designed to serve the distinct needs and desires of an older resident.

II. Permitted and Accessory Uses:

Permitted and accessory uses in this zoning district shall be as follows:

A. Single-family detached residences ("Traditional Single-Family")

- B. Single-family detached residences subject to the age restriction requirements which are detailed in Section IV below ("Age Restricted Single-Family" or "AR Single Family");
- C. Publicly or privately-owned parks and open spaces;
- D. Accessory Uses in accordance with Section 1131.03 of the Codified Ordinances of the City of New Albany.
- E. Residential model homes. Model homes and temporary sales offices shall be subject to the review and approval of the Planning Commission in accordance with Section 1133.04(d) of the Codified Ordinances of the City of New Albany. Notwithstanding anything to the contrary in the City's Codified Ordinances, upon approval of a final plat by the City, the developer may commence construction of model homes/temporary sales trailer in advance of, or in conjunction with, installation of public infrastructure for the subdivision.

III. Development Standards: Homes shall comply with the design guidelines of the development standards in this text. Unless otherwise specified in the submitted drawings or in this written text, the development standards of Title Five of Part Eleven of the Codified Ordinances of the City of New Albany apply to this zoning district. If there is a conflict between the development standards contained in the Codified Ordinances and this text, the standards contained in this text shall govern.

IV. Age Restriction:

- 1. Homes within The Post at Woodhaven portion of this zoning district shall be age restricted in accordance with the Act and the HOPA Exemption so that 100% of the homes shall be required to have at least one occupant that is age 55 or older. Should the Act and/or the HOPA Exemption be amended at any time following the effective date of this zoning text so that it becomes illegal to market and operate this zoning district in accordance with the immediately preceding sentence, then this zoning district shall be permitted to be developed and operated in accordance with the amended law.
- 2. Prior to being issued a temporary or permanent certificate of occupancy for the age restricted home construction in this zoning district, the applicant/developer shall deliver written and legally binding documentation to the City to provide confirmation that the phase legally complies with the Act and the HOPA Exemption. The issuance of a zoning compliance permit, building permit, or any other permit required to be issued by the City for the development of this zoning district shall not constitute a representation or warranty by the City or any of its administrative or elected officials that the development project does, in

fact, comply with the requirements of the Act and/or the HOPA Exemption. Compliance with the Act and the HOPA Exemption shall be the sole responsibility of the property owner(s), the applicant/developer of the property, and the HOA (as such term is defined in the next paragraph). Failure to comply with the Act and/or the HOPA Exemption shall constitute a zoning violation that is enforceable by the City.

3. Also, prior to the issuance of the first building permit for construction of a home in this zoning district, the applicant/developer shall provide evidence to the City that it has recorded, with the Office of the Recorder of Franklin County, Ohio and against the homes located in The Post at Woodhaven, a written restriction (a "Recorded Restriction") requiring that the property may only be developed and operated in accordance with the Act and the HOPA Exemption as described in the immediately preceding paragraph. The Recorded Restriction shall provide the City with the legal right, as a third-party beneficiary thereunder, to compel the applicant/developer and all other future owners of any portion of real property that is the subject of the final plat to adhere to the requirements of the Act and the HOPA Exemption. Prior to recording the Recorded Restriction, the applicant/developer shall deliver a draft copy of the Recorded Restriction to the City's Law Director for reasonable review and confirmation (which shall not be unreasonably withheld or delayed) that the instrument does, in fact, require the real property which is the subject thereof to adhere to the requirements of the Act and the HOPA Exemption.

V. Homeowners' Association:

1. Prior to selling the first home built in this zoning district, the applicant/developer shall create a forced and funded "master" home owners' association (an "HOA") that shall apply to all property owners in this zoning district, excluding the existing home located on Lot 1. If the home on Lot 1 is demolished and a new home is built, it shall be required to be part of the "master" home owners' association. A separate home owners' association will be created for The Post at Woodhaven. The written instruments that create the HOA's shall be recorded if required by applicable law and shall require each homeowner in the zoning district to pay an assessment charge to the HOA for the purpose of funding the HOA's operations and obligations. The HOA shall be responsible for maintaining entry signs, entry features, and maintaining open space and/or parkland as determined in an approved final development plan for this zoning district.
2. In addition to the foregoing, once the last home in this zoning district has been sold by the applicant/developer to a third-party purchaser, the HOA shall be responsible for undertaking all actions which are necessary

in order for the community to comply with the requirements of the Act and HOPA Exemption as contemplated in Section IV above. Such obligations shall include, but shall not be limited to, (i) the publishing of and adherence to policies and procedures that demonstrate the intent to operate all homes in the zoning district as "55 or older" housing; and (ii) compliance with the Department of Housing and Urban Development's (HUD's) regulatory requirements for age verification of residents. No later than thirty (30) days after filing reports and any other required information with HUD or other regulatory authorities as required by the Act, the HOPA Exemption, and applicable federal administrative regulations, the applicant/developer (until such time as the last home in this zoning district is sold to a third party) or the HOA (after such time as the last home in this zoning district is sold to a third party) shall file copies of the same with the City for its records.


VI. Density, Lot and Setback Commitments:

- A. Number of Homes: There shall be a maximum of 60 homes in this zoning district. This number includes the existing home on Lot 1 included in the development. This zoning shall not restrict the home on Lot 1 from being demolished and a new home constructed on Lot 1 to the guidelines contained within this zoning district.
- B. Home Types: Two types of residential homes shall be permitted, specifically traditional single-family detached homes and detached homes specifically designed for persons fifty-five years of age or older.
 - 1. Traditional Single-Family homes shall be permitted on not more than 38 lots including the existing home on Lot 1.
 - 2. AR Single-Family homes shall be permitted on not more than 22 lots.
- C. Minimum Square Footage:
 - 1. Traditional Single-Family homes shall have a minimum of 2,000 square feet of living area.
 - 2. AR Single-Family homes shall have a minimum of 1,600 square feet of living area.
- D. Minimum Lot Widths: Lot widths shall be measured at the front building line.
 - 1. Traditional Single-Family homes shall have a minimum lot width of 80 feet.
 - 2. AR Single-Family homes shall have a minimum lot width of 57 feet.

E. Minimum Lot Depths:

1. Traditional Single-Family homes shall have a minimum lot depth of 120 feet.
2. AR Single-Family homes shall have a minimum lot depth of 115 feet.

F. Minimum Setbacks: Setbacks shall apply to all principal and accessory structures.

-  1. Perimeter Street Setbacks: There shall be a minimum building and pavement setback of 250 feet as measured from the centerlines of Walnut Street and Bevelhymer Road, excluding Lots 1 and 2 located along Walnut Road. Staff will work with the applicant on shifting the location of the internal roads to ensure all public rights-of-way have the same building setbacks at the time of final development plan

2. Front Yards:

- a. The minimum front yard setback for Lots 1 and 2 shall be 120 feet from the centerline of Walnut Road.
- b. Traditional Single-Family homes on lots 3- 38 shall have a minimum 20 foot front setback from each right of way.
- c. AR Single-Family homes on Lots 39-60 shall have a minimum 20 foot front setback from the right of way..

3. Side Yards:

- a. Lot 1 shall have a minimum side yard of 10 feet per side.
- b. Lot 2 shall have a minimum side yard of 10 feet on the east side and 40 feet on the west side.
- c. All other lots shall have a minimum side yard of 5 feet per side.

4. Rear Yards: The minimum rear yard setbacks shall be as follows:

- a. On lots with rear boundary lines along Upper Clarenton/west property line and Lots 1 and 2, the minimum rear yard setback shall be 30 feet.
- b. On all lots other than those which are described above, the minimum rear yard setback shall be 25 feet.

5. Home Placement: All homes within this subdivision must be accessed from a public road and not back onto open space or reserve areas.

6. Garage Setbacks: See Section XI in this text.

7. Lot Coverage:

a. Traditional Single-Family lots shall have a maximum ground floor building coverage of 40%.

b. AR Single-Family lots shall have a maximum ground floor building coverage of 50%

G. Encroachments:

1. Front and Rear Yards: On all lots, stoops, steps, and covered porches shall be permitted to encroach a maximum of 5 feet within the front yard setback line. They shall not be permitted to encroach within rights-of-way or easements. Decks, patios, and screened porches may encroach a maximum of 5 feet into the minimum required rear yard setback.

2. Side Yards: On all lots, bay windows, chimneys and air conditioner condenser units are permitted in the side yard. A driveway may encroach up to four feet into the side yard.

H. Street Frontage:


1. All lots shall have frontage on and access to a public street. The primary front façade of each home shall be located parallel to the public right-of-way on which its lot fronts or, on a lot fronting on a curved right-of-way, parallel to the chord of the right-of-way.

2. Notwithstanding the foregoing, City staff shall have the discretion to allow for a deviation from this requirement on irregularly-shaped lots in order to allow individual home placement to more accurately meet the intent of the neighborhood's design as contemplated by this text and the approved preliminary development plan and final development plan(s) for this zoning district.

3. On corner lots, the street on which the front facade of a home is required to be located shall be identified and approved as part of a final development plan that includes that lot.

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

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

- B. On-Street Parking: On-street parking shall be permitted on public streets within this zoning district in accordance with the City's Codified Ordinances.
- C. Walnut Street and Bevelhymer Road ROW: Prior to the issuance of the first building permit for any structure to be built in this zoning district, the applicant/developer shall dedicate right-of-way to the City for a minimum distance of 40 feet from the centerline of Walnut Street and Bevelhymer Road. Additional right-of-way may be required depending on the outcome of the traffic study.
- D. In conjunction with the filing of a final development plan with the City 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. The study must include, but not be limited to, the Bevelhymer Road and Walnut Street intersection, study the need for an additional curb cut on Walnut Street, and the new curb cut into the subdivision on Bevelhymer Road.
- E. Access Points:
1. The primary access to the site will be a public street intersecting with Bevelhymer Road and aligned across from the Smucker Property on the east side of Bevelhymer Road as generally shown on the approved preliminary development plan. Final location shall be approved as part of a final development plan.
 -  2. A second public vehicular access point shall be located at the extension of Tournis Way.
 3. A public street shall be stubbed from this development to the south property line to provide for a potential future connection through adjacent single family lots with Steeplechase lane.
 4. A public street connection to Walnut Street shall be made in the subdivision with the final location to be determined and submitted with the Final Development Plan.
- F. Internal Street Widths and Rights-of-Way:
1. All streets within this development shall be public and shall be constructed to required public specifications.
 2. The right-of-way for internal streets within the development shall be 50 feet in width.

3. Pavement for all internal streets shall be 26 feet in width, measured from face to face of curbs.

F. Public Sidewalks:

1. A public sidewalk shall be located within the right-of-way on each street in the general locations shown in the preliminary development plan and with final locations as approved in a final development plan.
2. Sidewalks shall be 5 feet in width and shall be constructed of concrete.

G. Leisure Paths:

1. Asphalt leisure trails with a width of 8 feet shall be constructed by the applicant/developer along the property's frontage on Walnut Street and Bevelhymer Road.
2. A leisure trail shall be provided at the northeast corner of the subdivision in order to provide a more direct connection from the subdivision to Walnut Street as part of the final development plan. Additional leisure paths or sidewalk connections through the open space may be provided with final locations to be approved as part of a final development plan.

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

A. Parkland and Open Space:

1. Parkland shall be dedicated to the City from locations that are generally approved in the preliminary development plan and as specifically approved as part of a final development plan.
2. Due to the multi-generational nature of this zoning district and the lots within The Post at Woodhaven being age-restricted, this development shall be exempt from the requirement of Section 1185.15(c)(6) that would otherwise require all residences to be located within 1,200 feet of playground equipment. The adjacency to the Metropark (approximately 1200 feet), Bevelhymer Park (less than 600 feet) and extension of the leisure trails along both Walnut and Bevelhymer Roads provides ample opportunities for active and passive recreational opportunities for the residents of this zoning district. Parkland and open space amenities and final locations be subject to review and approval by the city landscape architect.
3. Where the side or rear lot line of a residential lot abuts parkland or open space, a demarcation between them shall be provided consisting of

fencing, landscaping, and/or other elements with a final design that is approved as part of the final development plan.

4. Ownership and maintenance of the parkland and open space areas which are shown on the preliminary development plan shall be defined and approved with the final development plan.

B. Rural Road Corridors: The final development plan for this zoning district shall provide a landscaping plan and grading plan for the required minimum no-build zone/required setback area for Walnut Street and Bevelhymer Road. The landscaping plan shall be natural in character and shall maintain the character of these thoroughfares. In addition to the street tree requirements, within rural road setback, there shall be a minimum of 4 trees/100 lined feet in natural hedgerow manner and shall be a mix of a minimum of 2" caliper trees subject to the approval of the city landscape architect.

C. Street Trees:

1. Street trees shall be required on both sides of internal public streets, unless otherwise approved as part of a final development plan
2. Trees shall be a minimum of 3 inches in caliper dbh at installation and shall be spaced at an average distance of 30 feet on center, except that along Walnut Street and Bevelhymer Road, trees may be grouped, provided the quantity is equivalent to 1 tree per 30 feet or fraction thereof. Smaller diameter trees may be approved by the city landscape architect if there are shortages at the time of development.
3. Notwithstanding the foregoing, tree spacing on public streets may deviate from this spacing requirement if necessary or appropriate to provide a desirable streetscape, or to avoid interfering with other required improvements.
4. Trees shall not obstruct sight distance or signage, subject to staff approval. Street tree and signage locations shall be shown on the final development plan for review and approval.

D. Exemption to Section 1187.15(c)(6): Due to the nature of this zoning district with a portion of the lots being age-restricted, these lots shall be exempt from the requirement of Section 1185.15(c)(6) that would otherwise require all residences to be located within 1,200 feet of playground equipment. The applicant envisions activities that engage the multi-generational nature of the proposed community instead of providing playground equipment for just the Traditional Single-Family component. These multi-generational activities may include but not be limited to a community garden, gathering area with

pavilion, picnic tables, benches, bocce court and/or areas for informal play. Final locations and details shall be provided with Final Development Plan.

- E. Landscaping: Except as otherwise provided in other sections of this text, the minimum size of landscape materials at installation shall be per Section 1171.07 of the City of New Albany Codified Ordinances.
- F. Perimeters: The landscaping plan that is provided with the final development plan shall, in addition to other required items, indicate whether or not trees presently exist on this property along the southern and western boundary lines. The landscaping plan shall identify locations where utility crossings and associated easements will occur that necessitate the removal of trees from within these areas.

G. Tree Preservation:

- 1. Reasonable and good faith efforts will be made to preserve existing trees and perimeter tree rows currently existing on the property.
- 2. A minimum 40 foot tree preservation area shall be maintained from the west property line of Lot 2. This preservation area shall not preclude the extension or connection of required utility extensions in this area.
- 3. Consideration will be given to laying out streets, lots and structures to avoid the unnecessary destruction of these wooded areas. Additionally, 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.
- 4. Tree preservation zones must be established at the time of a final development plan/final plat along the southern and northwest boundaries of the zoning district.

IX. Architectural Standards:

A. Design Intent:

- 1. All Traditional Single-Family homes shall comply with the design guidelines of the development standards in this text and the City's Design Guidelines contained within Sections 1 Design Guidelines and Requirements and Section 5: Residential Outside the Village Center, except as outlined below.

2. The AR Single-Family Homes will serve a very specific market, which demands efficiently designed homes with components that serve the particular needs of an age-restricted community. The homes within The Post at Woodhaven will not be required to strictly adhere to the City's Design Guidelines and Requirements (DGRs) and its Codified Ordinances. Instead, the intent is to meet the spirit and purpose of the DGRs and the Codified Ordinances while allowing for deviations to accommodate home designs that serve the active adult segment of the home buying market. All AR Single-Family Homes shall be built with Craftsman Architecture as the single style with different variations used throughout.
3. All home designs in Woodhaven are intended to use elements of traditional American architectural themes and shall be designed in accordance with the architectural character of the homes which are depicted in the architectural elevations and/or renderings that have been filed with the preliminary development plan application. In addition, more detailed architectural elevations and/or renderings shall be submitted for approval by the Planning Commission as part of the final development plan application.
4. The Planning Commission shall not have approval rights over each specific home to be constructed in this zoning district, but instead shall approve a baseline set of architectural requirements and guidelines from which each home design will be based.

B. Exterior Materials:

1. Wall finish materials:

- a. Brick, brick veneer, stone, simulated stone and cementitious or composite siding or equivalent shall be permitted as exterior façade materials. Vinyl siding shall be prohibited. The use of stone is only permitted when it is complimentary to a specific architectural style as approved as part of a final development plan and by the city architect.
- b. Cementitious/composite siding or equivalent on a home shall utilize colors from an approved "historic color palette" as approved as part of a final development plan. Exterior wall finish materials must be used to complete massing elements.
- c. Each exterior façade of a home shall utilize one primary material, and that material shall be used on all elevations of that home.

- d. Exposed concrete foundation walls shall be prohibited and shall be covered by (a) brick or brick veneer or (b) an extension of the primary building façade material to the surrounding grade.
- 2. Four-sided architecture: Four-sided architecture shall be required on all homes, meaning that there shall be a consistent use of materials and design elements on all sides of the structure. Blank facades shall be prohibited on all units. The term "four-sided architecture" shall mean:
 - a. The same materials and details used on front elevations of homes shall be carried through to and utilized on all other elevations of the home in a manner that creates continuity and balance among all facades. The application of brick, brick veneer, stone, stone veneer or cementitious material to a single building façade is prohibited.
 - b. The side and rear elevations of each home shall display a high level of architectural quality and interest.
- 3. Brick: When brick is used, traditional detailing is required, such as, but not limited to, traditional bonds, water table caps, sills, jack arches, segmental arches and soldier courses.
- 4. Roofs: The main house mass shall have pitched roofs which shall be required to have a minimum 6:12 rise over run or greater. Minor gables, dormers, and porch pediments are permitted to have minimum pitches of 4:12 rise over run. Roof pitches with rise over run of less than 6:12 are permitted on minor roofs (i.e. entry porches, dormers, etc.). Flat roofs shall be permitted only for porches, but must integrate strong cornice lines. Roofs may be of natural slate wood shake or wood shingle, an architectural grade fiberglass asphalt shingle, or may be standing seam. Metal standing seam shall be permitted as a roof material only on porches. Solar panels shall be permitted to be installed on roofs on the rears of homes, provided that such panels are not visible from a public street.
- 5. Windows: Windows shall be of traditional themes. Simulated or true divided lite windows shall be required. Double-hung windows shall be required, provided that fixed panel accent windows and casement style windows may be used where appropriate. Windows shall be vinyl-clad. Trim detail and cornices shall be highly encouraged where architecturally appropriate above windows on the front facades of every home, on side elevations facing the public street on corner lots, and on side elevations facing parkland or open space. Trim detail along all windows shall be light in color.

6. Shutters: Shutters shall be highly encouraged to be used on the front facades of homes in window locations which are architecturally appropriate. Required locations for shutters shall be identified for each home type in the final development plan. Shutters shall be dark in color, with the palette of permitted colors to be approved as part of the final development plan. Where used on any façade of a home (and regardless of whether they are open or appear to be closed), shutters shall be sized to cover the adjacent window and appear operable. Shutters shall be mounted on appropriate shutter hardware (hinges and shutter dogs). Shutters must be painted and may be solid paneled (raised paneled) or louvered.
 7. Exterior paint colors: Exterior paint colors for siding, doors, shutters, fascias, cornices, soffits and miscellaneous trim shall be selected from pre-approved color guide of historic colors, which shall be provided for review and approval as part of the first final development plan for this zoning district.
 8. Gutters and downspouts: Traditional half round gutters and/or ogee gutters with downspouts shall be used.
 9. Skylights: Skylights in the roof shall be permitted, provided they are not visible from off-site.
 10. Chimneys: Exposed exterior chimneys, when incorporated into a home design, shall be brick or brick veneer. Chimneys with wood, siding, or stucco shall be prohibited.
 11. Front Entrance: The front entrances to each home shall be a minimum of six inches (6") and range up to twenty-four (24") inches above the finished grade of the lot on which the home is located.
 12. Other elements: Cupolas, lanterns, belvederes and/or window bays shall be permitted, provided that they are consistent with the architectural theme of the home.
 13. Architectural Details: Additional architectural details including roof plans; garage door design/colors; dormer details; entablature; and shutter specifications; columns, cornice and pediment details; window locations and specifications; louver details, brick mould profile shall be provided at the final development plan for review by the Planning Commission.
- C. Front Porches: Every home (both Traditional Single-Family and AR Single-Family home shall include a front porch. For purposes of this text, a "front porch" shall be defined as "a covered but unscreened area that is at least 35

square feet in size and adjacent to the home's front door." The existing home on Lot 1 shall be excluded from this requirement.

- D. Screened Porches: Screened porches are encouraged on the rear or sides of homes but shall not be permitted on the front. Detailing shall be traditional wood in appearance with a break in screening at rail height. All screened porch trim shall be painted or stained. Roof lines of screened porches shall conform to the architectural style of the home and blend into the massing of the home.

E. Maximum Building Height:

1. The maximum height of the Traditional Single-Family homes shall be 45 feet measured from finished grade at the front door to the ridge on the roof and a minimum of 1.5 stories (or 1.5 stories in appearance) and a maximum of 2.5 stories.
2. The maximum height of the AR Single-Family homes shall be 35 feet measured from finished grade at the front door to the ridge on the roof and shall be a minimum of 1.5 stories or 1.5 stories in appearance from the front elevation.

X. Lighting:

- A. Each home shall provide coach lights on the garage. Coach light locations shall be consistent from house to house. All coach lights shall have a photocell light sensor. Light fixtures shall be the same or substantially similar across all lots/homes. Coach lights shall have an opaque top.
- B. Uplighting of the exterior of a home shall be prohibited.
- C. Security lighting, when used, shall be of a motion sensor type.
- D. Street lighting shall be provided at each street intersection with the fixture, color and spacing to be approved at time of final development plan. Street light height shall not exceed 18 feet in height. Street light poles and fixtures shall be consistent in height, color, and appearance throughout the zoning district.
- E. Lighting of entry features and any additional proposed lighting shall be provided and approved at time of final development plan. Ground mounted lighting shall be shielded and landscaped.
- F. Fully shielded, downcast, cut-off type lighting fixtures shall be required. Exterior lighting fixtures shall be similar in appearance throughout this zoning district.

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

XI. Garage, Attached Structure, and Driveway Standards:

A. Garages:

1. Garages shall be attached and may front on a public street. Each home shall provide a minimum of 2-car garage.
2. Garages may be front-loaded, provided that the following provisions are met.
3. Each AR Single-Family home shall have a garage set back a minimum of 2 feet, 8 inches from the front façade of the home. The "front façade of a home" shall be considered to be the single plane of a home's front façade or the forward-most plane of a front porch that is located closest to the front property line of the lot. If a front loaded garage is utilized, a minimum of 9 foot wide and maximum 10 foot wide single bay doors must be used.
4. All Traditional Single-Family homes shall have a front loaded garage setback at a minimum of 10 feet from the foundation of the front of the porch. Side loaded garages cannot project beyond the side façade of a home located on a corner lot that faces the street. If a front loaded garage is utilized, a minimum of 9 foot wide and maximum 10 foot wide single bay doors must be used.
5. All garage doors shall be solid paneled but may have windows provided that the interior of the garage cannot be viewed at a height of 6 feet when standing in the middle of the public street found in front of the garage. No glazing shall be permitted on garage doors unless they are consistent with the architectural theme.
6. Individual bay doors or double wide garage doors that have the appearance of individual bay doors when closed shall be required. All garage doors shall contain decorative features and shall be of a color and style that is consistent with architecture of the home. The exterior color palates for each home shall be selected and designed in a manner which de-emphasizes the location and placement of the garage door. Garage doors that are white in color shall only be used in the circumstance when white is the primary exterior color of the individual home.
7. All pedestrian garage doors shall be solid paneled.

B. Driveways:

1. Driveways shall be made of a durable material. Appropriate materials are brick, dark color concrete pavers, and asphalt with controlled edges. The driveway may extend up to 1 foot to the outside of both sides of the garage.
2. All driveway aprons (curb-cuts) shall be constructed to accommodate a maximum sixteen foot wide driveway at the right-of-way line.
3. All driveways shall have a maximum grade of 8%.

XII. Miscellaneous Standards:

- A. Graphics and Signage Commitments: This zoning district shall utilize standard City of New Albany street regulatory signage. Entry feature signage at the public street entry into the zoning district from Bevelhymer Road shall be permitted with designs that are approved by the Planning Commission as part of a final development plan for this zoning district. Other signage may be used subject to approval by the City of New Albany Planning Commission.

B. Storage:

1. Pre-fabricated Storage Sheds: Pre-fabricated storage sheds shall be prohibited.
 2. Equipment Storage: Storage of all maintenance equipment shall be within garages or otherwise screened from off-site view. Such items should not be visible from streets, common open spaces, adjacent lots or developments.
 3. Vehicle Storage: All campers, off-road vehicles (i.e. box trucks), and boats, must be parked within an enclosed garage. No undrivable vehicles or parts of vehicles may be stored outside.
- C. Garbage Cans: All garbage cans and other waste containers shall be kept in garages or within approved screened areas. Pedestrian garbage receptacles may be located on the exterior of the amenities center/private clubhouse, provided that they are placed within or covered by an enclosure made of materials and with colors that are complimentary to the building.
- D. Utilities: All new utility lines and wiring shall be placed underground. Utility easement locations and widths shall be determined in the final development plan for this zoning district.

XIII. Variances and Appeals:

- A. Nature of Variance: On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable development standards of this PUD text or the Zoning Ordinance unreasonable and, therefore, the procedure for variance from development standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change of the primary use of the land or structure permitted.
- B. Variance and Appeals Process: The procedures and requirements of Chapter 1113, Appeal and Variances, of the Codified Ordinances of the City of New Albany shall be followed in cases of appeals. Requests for variances shall be heard by the Planning Commission.

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March 17, 2021

Mr. Stephen Mayer
Planning Manager
City of New Albany
99 W. Main Street
New Albany, Ohio 43054
smayer@newalbanyohio.org

**Re: School Impact Statement of Proposed Alto Real Estate Residential Development
("Woodhaven")**

Mr. Mayer:

Alto Real Estate, LLC ("Alto") is in contract to purchase 38.09+/- acres of real property located to the south of and adjacent to Walnut Street (C.R. 19), to the west of and adjacent to Bevelhymer Road (C.R. 192) and east of the Upper Clarenton neighborhood. Simultaneously with this letter, Alto has submitted an annexation application to Franklin County and a rezoning application to the City of New Albany which seeks the approval of a residential community consisting of sixty (60)¹ single-family homes (the "Woodhaven"), twenty-two (22) of which, grouped separately on the southern portion of the site, will be 100% age-restricted in accordance with applicable federal law (the "The Post at Woodhaven"). The purpose of this letter is to highlight how this project will be financially beneficial to the New Albany-Plain Local School District (NAPLSD).

Age Restriction

The pending rezoning application includes a commitment by Alto to subject approximately the 2.62 +/- acres of single-family residential uses to age restrictions in accordance with the "Housing for Older Persons Exemption" (codified at 42 U.S.C. § 3607)(the "HOPA Exemption") of The Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended, 42 U.S.C. 3601-3619)(the "Act"). The Act and the HOPA Exemption provide in part that, in order for a residential development to meet legal requirements to be age-restricted, at least 80 percent of the units in the development must have at least one occupant who is 55 years of age or older. Alto proposes to go beyond the minimum threshold for the percentage of homes to be age-restricted and to subject every home in The Post at Woodhaven to the restriction.

Schoolchildren from New Development

Historically, school impact statements provided as part of the re-zoning process for residential developments in New Albany have assumed that 0.8 students would be generated by each Traditional Single-Family home and 0.05 students would be generated by each Age Restricted Single-Family home. Based on these assumptions, the proposed community would place an estimated 31.5 students

¹ Of the sixty (60) total homes planned for Woodhaven, fifty-nine (59) will be new construction and one (1) is the existing single-family home located at 7325 Walnut Street, Westerville, Oh 43081 which will remain.

into the NAPLSD (38 Traditional Single-Family homes x 0.8 students/home = 30.4 students, plus 22 Age Restricted Single-Family homes x 0.05 students/home = 1.1 students).

The NAPLSD's website states that its cost to educate one student is \$12,160 annually². Based off of this number, the estimated annual cost to educate the students that could reside in the Community is \$383,040 (31.5 students x \$12,160 annual per student cost). At present, the State of Ohio funds 14.3% of the costs to educate students in the school district, leaving 85.7% to be funded at the local level.³ Therefore, residents and businesses within the school district's boundaries will be responsible for funding an estimated \$328,265 (85.7% of cost annually to educate students from this Community).

School District Revenue from New Development

The average value of the homes to be constructed in this development is conservatively projected to be \$700,000 for Traditional Single-Family homes and \$500,000 for Age Restricted Single-Family homes. At these price points, each Traditional Single-Family unit will have an assessed value of \$245,000 (35% x \$700,000) and each Age Restricted Single-Family unit will have an assessed value of \$175,000 (35% x \$500,000 value). The 2020 effective residential millage rate (the most recent available) for the taxing district (Franklin County #222) in which this property will be located following annexation is 80.5016 mills. After factoring in reductions for Non-Business (0.0928) and Owner Occupancy (0.023210) Credits ("Reductions"), and then applying the portion of the property tax allocated to the school district (currently 61.21%) ("School Allocation Percentage"), the annual real property taxes generated by each home in the Community and collected by the school district will be calculated as follows:

Traditional Single-Family Homes (38):

Per Home:

Adjusted Tax:	\$19,722.89	(\$245,000 Assessed Value x 0.0805016 millage rate)
Current Tax:	\$17,434.84	(Adjusted Tax – Reductions of \$1,830.284 & \$457.77)
School Funding:	\$10,671.87	(Current Tax x School Allocation Percentage)

Total:

School Funding:	\$405,531	(School Funding Per Home x 38)
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Age Restricted Single-Family Homes (22):

Per Home:

Adjusted Tax:	\$14,087.78	(\$175,000 Assessed Value x 0.0805016 millage rate)
Current Tax:	\$12,453.45	(Adjusted Tax – Reductions of \$1,307.35 & \$326.98)
School Funding:	\$7,622.76	(Current Tax x School Allocation Percentage)

Total:

School Funding:	\$167,700	(School Funding Per Home x 22)
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² <https://www.napls.us/Page/1696>

³ <https://www.napls.us/Page/1694>

Based on the above calculations, it is estimated that at full buildout, the Community of 60 homes will generate \$573,231 annually in school district revenue.

NAPLSD Fiscal Impact

The result of the calculations above is that annual school revenue from the development of Woodhaven that will go toward the cost of educating students will exceed the costs of educating the students who live in this community by \$244,966 (\$573,231 annual revenue to school district - \$328,265 cost to educate students). Therefore, the proposed development will result in a substantial surplus for the schools. There will enough surplus revenue to cover the costs of educating a little more than 22 students living elsewhere in the district.

In closing, Woodhaven will serve the dual purposes of creating a new and unique residential product offering in New Albany, and providing a significant financial boost for the school district. We look forward to more dialogue on this application and its benefits as we move through the City's review process.

Respectfully Submitted,


Matthew T. Cull



Engineers, Surveyors, Planners, Scientists

Utility Feasibility Summary

WOODHAVEN

City of New Albany

3/14/2021

The following is a summary of the proposed utilities:

Sanitary Sewer

The proposed Woodhaven Development will utilize a system of underground sanitary sewers located within the right of way and outside of the proposed face of curb. The proposed sanitary sewer system will connect to two existing 8" sanitary sewers (CC-14185) located along the western property line. The entire site acreage of approximately 38 acres is tributary to this sanitary sewer. The proposed sanitary sewers will be designed to City of Columbus, New Albany and Ohio EPA standards.

Water

The proposed development will utilize a system of underground water mains located within the right of way and outside of the proposed face of curb. The proposed water main will connect to the existing 8" water main located to the west at the end of existing Tournus Way.

Storm Water

Storm water management will be provided utilizing two proposed onsite retention basins located at the southwestern portion of the site. The basins will be designed to meet the water quality and detention requirements of New Albany and the Ohio EPA. A storm sewer system will be constructed to collect and outlet storm water from the proposed development to the basins. The storm water facilities will outlet to the existing ditch at the southwestern corner of the site. The proposed storm water system will be designed to meet the necessary requirements of New Albany and the Ohio EPA.

Private Utilities

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



March 10, 2021

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

Subject: WOODHAVEN – Environmental Compliance

Dear Mr. Mayer,

This letter serves to inform the City of New Albany of environmental conditions associated with the Woodhaven project, located west of Bevelhymer Road, and south of Walnut Road, in Plain Township, Franklin County, Ohio. The property consists of an agricultural field with several farmsteads and wooded areas.

The property was recently delineated for Waters of the U.S. by the Environmental Department of EMH&T. The delineation report is currently under review at the U.S. Army Corps of Engineers (USACE). Assuming the USACE agrees with the delineation and issues an Approved Jurisdictional Determination (AJD), the property will contain two isolated wetlands and a nonjurisdictional agricultural ditch.

Once we receive the AJD from the USACE, we intend to file and obtain an Isolated Wetlands Permit from Ohio EPA to impact one of the isolated wetlands and a portion of another for lot development. We anticipate that permit being issued in May 2021 and can provide a copy upon request.

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

Sincerely,

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Robert F. Milligan
Director of Environmental Services
Principal

Cc: Linda Menerey, EMH&T



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, HUNTINGTON DISTRICT
502 8TH STREET
HUNTINGTON, WV 25701

March 22, 2021

Regulatory Division
North Branch
LRH-2021-130-SCR

APPROVED JURISDICTIONAL DETERMINATION

Mr. Patrick Fisher
Alto Real Estate, LLC
6262 Eiterman Road
Dublin, Ohio 43016

Dear Mr. Fisher:

I refer to the *Delineation of Waters of the United States, Alto Real Estate, LLC* dated February 8, 2021 and submitted on your behalf by EMH&T. You have requested an approved jurisdictional determination (JD) for the aquatic resources located on the approximate 37.63-acre site. The property is located at 7555 Bevelhymer Road, at the southwest corner of Bevelhymer and Walnut Roads, in Plain Township, Franklin County, Ohio at approximately 40.110333 latitude, -82.793806 longitude. On-site waters flow to Sugar Run, an indirect tributary to the Scioto River, a navigable water of the United States. Your JD request has been assigned the following file number: LRH-2021-130-SCR. Please reference this number on all future correspondence related to this JD request.

The United States Army Corps of Engineers' (Corps) authority to regulate waters of the United States is based on the definitions and limits of jurisdiction contained in 33 CFR 328, including the amendment to 33 CFR 328.3 (85 Federal Register 22250), and 33 CFR 329. Section 404 of the Clean Water Act (Section 404) requires a Department of the Army (DA) permit be obtained prior to the discharge of dredged or fill material into waters of the United States, including wetlands. Section 10 of the Rivers and Harbors Act of 1899 (Section 10) requires a DA permit be obtained for any work in, on, over or under navigable water.

The Navigable Waters Protection Rule, which became effective on June 22, 2020, was followed in this verification of Section 404 jurisdiction for the features located within the approved JD boundary. A total of two (2) wetlands and one (1) ditch were delineated within the approved JD area of interest as depicted on the enclosed map titled "Delineation Map" submitted with the JD report dated February 8, 2021. These aquatic resources are also listed in the enclosed Table 1.

It has been determined that Wetlands A and B do not meet the definition of an adjacent wetland (33 CFR 328.3(c)(1)(i)-(iv)) and are not considered waters of the United States per 33 CFR 328.3(b)(1). It has been determined that the Agricultural Ditch is not a water of the United States per 33 CFR 328.3(a)(1) or (2), was not constructed in an adjacent wetland per 33 CFR 328.2 (a)(4), and is not considered a water of the United States per 33 CFR 328.3(b)(5). Wetlands A and B and the Agricultural Ditch are not subject to regulation under Section 404. However, you should contact the

Ohio Environmental Protection Agency, Division of Surface Water, at (614) 664-2001 to determine state permit requirements.

This jurisdictional verification is valid for a period of five (5) years from the date of this letter unless new information warrants revision of the delineation prior to the expiration date. This letter contains an approved JD for the subject site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the Great Lakes and Ohio River Division Office at the following address:

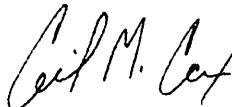
Appeal Review Officer
U.S. Army Corps of Engineers
Great Lakes and Ohio River Division
550 Main Street Room 10-714
Cincinnati, OH 45202-3222
TEL (513) 684-7261; FAX (513) 684-2460

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. **It is not necessary to submit an RFA form to the Division office if you do not object to the determination in this letter.**

The determination included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This JD may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are United States Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

A copy of this letter will be provided to the Ohio Environmental Protection Agency at Lazarus Government Building, Post Office Box 1049 Columbus, Ohio 43216-3669 and your agent, Bryan Lombard with EMH&T, Inc. If you have any questions concerning the above, please contact Kayla Osborne of the North Branch at 304-399-5850, by mail at the above address, or by email at kayla.n.osborne@usace.army.mil.

Sincerely,



Cecil M. Cox
Regulatory Project Manager
North Branch

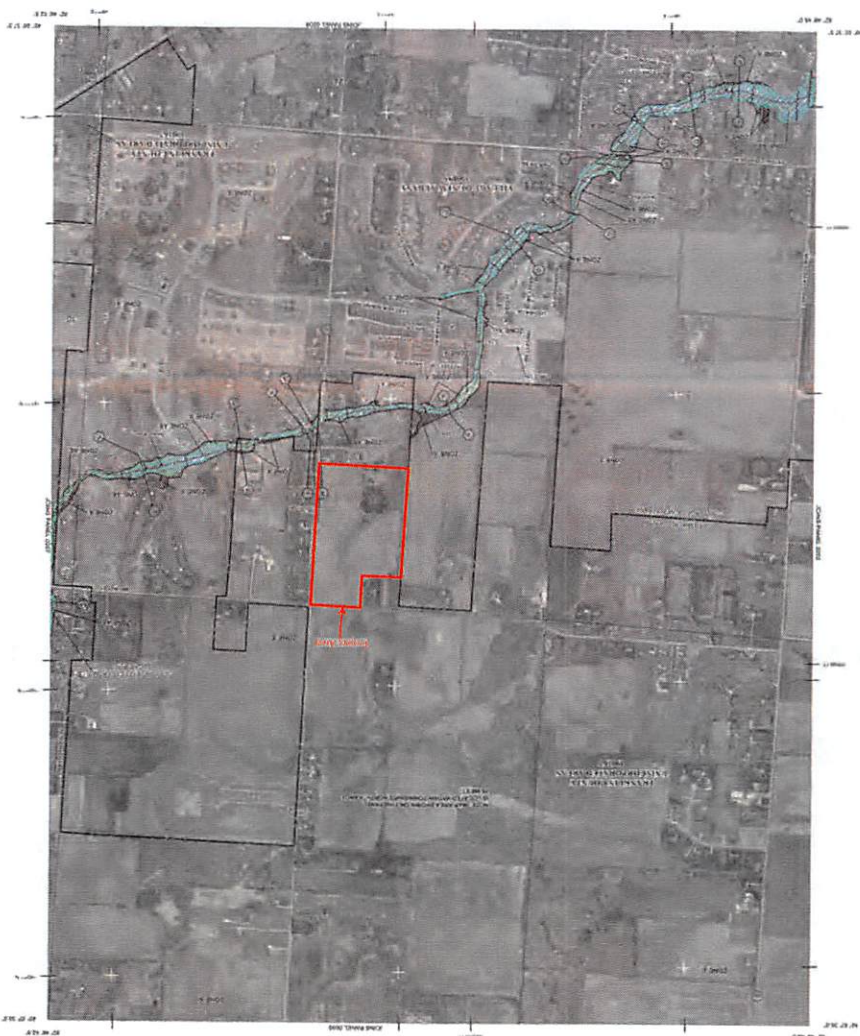
Enclosures

cc:

Bryan Lombard, EMH&T, Inc. (via email)
Ohio Environmental Protection Agency (via email)

Table 1. Non-jurisdictional features associated with the Bevelhymer Road Approved JD, LRH-2021-113-SCR

Aquatic Resources	Latitude & Longitude (°N) (°W)		Cowardin Class	Linear feet and/or Acres in review area	Regulatory Authority
Wetland A	40.10851	-82.79545	Forested	0.26 acre	None; Excluded under (b) (1)
Wetland B	40.11099	-82.79519	Forested	0.04 acre	None; Excluded under (b) (1)
Agricultural Ditch	40.10920	-82.79456	Ephemeral	983 linear feet	None; Excluded under (b) (5)

[illegible]

PANEL INDEX

[illegible]



Matthew T. Cull, Esq.
matthewcull@kephartfisher.com
207 North Fourth Street, Columbus, Ohio 43215
p: 614.469.1882 f: 614.469.1887

May 28, 2021

City of New Albany
99 W. Main Street
New Albany, Ohio 43054
c/o Christopher Christian

**Re: Proposal of Fee-In-Lieu Payment Toward Metro Park Land Acquisition For
"Woodhaven" (#ZC-15-2021)**

Mr. Christian:

Alto Real Estate, LLC ("Alto") is the applicant on the I-PUD zoning amendment application submitted on May 7, 2021 (#ZC-15-2021), which proposes to rezone 38.09+/- acres of real property located at and adjacent to the south-west intersection of Walnut Street (C.R. 19) and Bevelhymer Road (C.R. 192) (the "Application"). The Application proposes a residential community to be named "Woodhaven", consisting of thirty-seven (37)¹ traditional single-family homes and twenty-two (22) age-restricted single-family homes, which will be grouped separately on the southern portion of the site and 100% age restricted in accordance with applicable federal law.

As currently proposed, Woodhaven will have a total density of 1.57 dwelling units ("du") per acre. This exceeds the residential density set forth in the *Engage New Albany Strategic Plan* (2020) ("Strategic Plan"), which recommends a maximum of one (1) du per acre for traditional single-family homes and three (3) du per acre for age restricted housing.² However, greater than the recommended density may be permitted at the development site through the purchase and deed restriction of additional land meeting specified criteria, referred to as a density "offset".³ Applying the foregoing density recommendations to the Woodhaven Application's 38.09 gross acres, proposed number and allocation of single-family and age restricted homes, the density "offset" for the Woodhaven development would require the purchase of an additional 6.24 acres of land⁴

In line with the recent discussions between Alto representatives and members of New Albany's planning and development staff, in-lieu of Alto itself purchasing and restricting the density "offset" land, we request the City of New Albany consider and permit Alto to make a one-time payment of One Hundred Fifty Thousand Dollars (\$150,000) to New Albany (or to Metro Parks if so decided) (the "Fee-in-Lieu Payment"). The proposed Fee-in-Lieu Payment was arrived at by multiplying the required acreage for the density "offset" land (6.24 acres) by \$24,038.46⁵, the per acre average land acquisition cost for undeveloped/unimproved land within the Metro Park growth area. We believe the Fee-in-Lieu Payment, if approved, will benefit all parties involved, meet the spirit and intent of the Strategic Plan and provide additional flexibility to the City of New Albany and the Metro Parks.

Thank you for your attention to and consideration of this request. Please let us know should you have any questions or require additional information at this time.

Respectfully Submitted,

Matthew T. Cull

¹ Woodhaven will have a total of 60 single-family homes, as the existing residence at 7325 Walnut St will remain.

² *Engage New Albany Strategic Plan* (2020); Future Land Use Plan (Page 57)

³ *Strategic Plan* at Page 57 and 80

⁴ 37 acres for the Single-Family Units (37 at 1 du per acre) + 7.33 acres for Age Restricted Units (22 at 3 du per acre) = 44.33 total acres required. 44.33 acres (required) - 38.09 gross acres (provided) = 6.24 acres (density "offset")

⁵ The per acre cost provided to Alto by New Albany city staff

SECTION II – Development Plan Materials

WOODHAVEN

CITY OF NEW ALBANY, OHIO
PUD
PRELIMINARY DEVELOPMENT PLAN

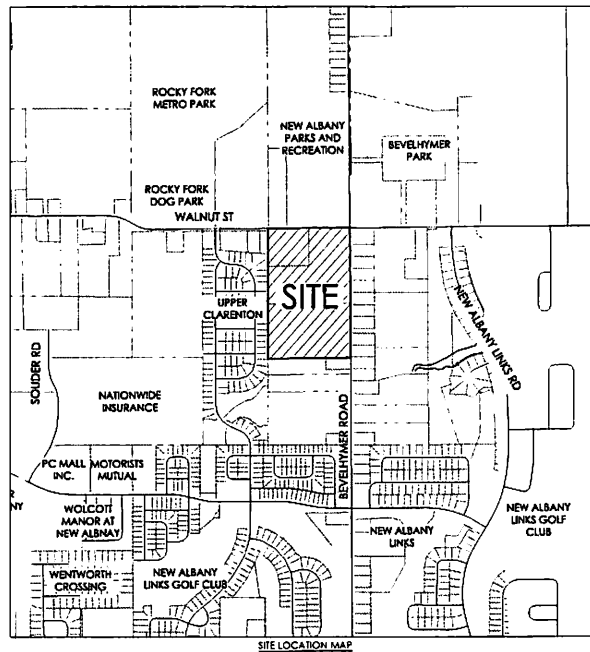
PREPARED FOR:
ALTO REAL ESTATE, LLC.
6262 EITERMAN ROAD
DUBLIN, OHIO 43016
P: (614) 764-0032

SUBMITTAL:
MAY 7, 2021

CIVIL ENGINEER, LAND PLANNER
& LANDSCAPE ARCHITECT



DEVELOPMENT CONSULTANT:
LORETO (LARRY) CANINI
CANINI ASSOCIATES
WWW.CANINIASSOCIATES.COM



SITE LOCATION MAP

INDEX OF DRAWINGS

- SHEET 1: ILLUSTRATIVE PLAN
- SHEET 2: VICINITY MAP
- SHEET 3: EXISTING CONDITIONS
- SHEET 4: SITE PLAN
- SHEET 5: OPEN SPACE AND PEDESTRIAN CONNECTIVITY PLAN
- SHEET 6: LANDSCAPE CROSS SECTIONS
- SHEET 7: COMMUNITY OPEN SPACE AND PEDESTRIAN CONNECTIVITY PLAN



KEY

- NET**
- Without Single Family
 - Woodchoven Estates (Traditional Single Family)
 - The First Woodchoven (Age Restricted Single Family)

Site Data

Site Area (Gross)	± 38.09 ac
Site Area (Net 40' R/W Deductions)	± 33.7 ac
Lots	60 dv
1 Existing Single Family Home – (JUL)	
37 Traditional Single Family Lots (Lots 3-38)	
22 Age Restricted Lots (Lots 39-60)	
Gross Density	± 1.57 dv/ac
Net Density	± 1.68 dv/ac

Open Space Functional Calculations (Based on Net Acreage)

Open Space / Functional Requirement = 10.44 ac / 29.2 %

- 13.7 ac x 30 = 71.4 ac (Open Space)
- 60 ac x 2.60 = 156 ac (Parkland)

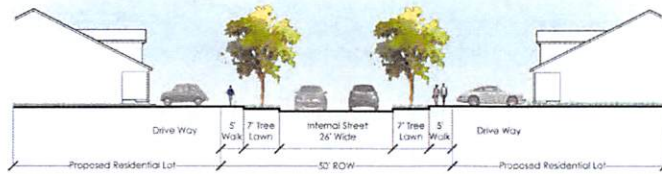
Open Space / Functional Provided = 11.4 ac / 31.9 %

(Open Space is net of pond from bank of pond)

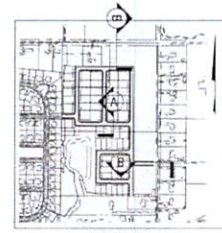
- 250 Rural Corridor = 8.4 ac
- OW Canal 5.6 ac = 2.6 ac = 3.0 ac

GRAPHIC SCALE





Cross Section A: Internal Street
NOT TO SCALE



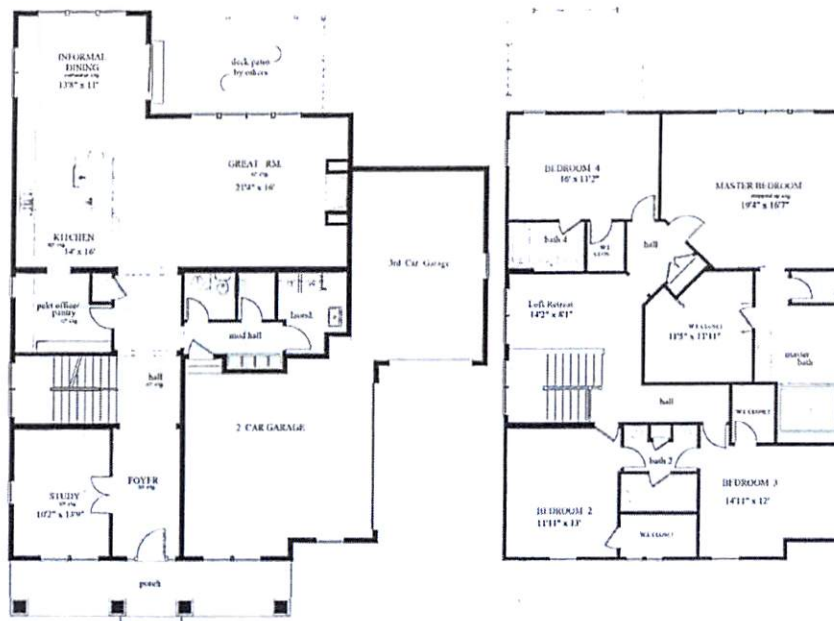
LOCATION MAP
NOT TO SCALE



Cross Section B: Walnut Street and Bevelmyer Road
NOT TO SCALE



DATE	11/11/2021
SCALE	As Shown
JOB NO.	202104018
DRAWN	6/7
<div> <div> <div>WOODHAVEN</div> <div>Preliminary Development Plan</div> <div>Phase 1: Walnut Corridor Setback</div> <div>LANDSCAPE STREET CROSS SECTIONS</div> </div> <div> <div>EMHT</div> <div>Environmental Management & Technology, Inc.</div> <div>10000 Woodloch Forest Drive, Suite 100</div> <div>Woodloch Forest, OH 43086</div> <div>Phone: 614.770.1100</div> <div>www.emht.com</div> </div> </div>	
<div> <div> <div>Altis Real Estate</div> <div>4252 Ebermann Road</div> <div>Dublin, OH 43016</div> </div> </div>	



FIRST FLOOR PLAN

SECOND FLOOR PLAN

WOODHAVEN
CONCEPTUAL- TRADITIONAL SINGLE FAMILY



Life's Better in a Bob Webb Home.

614.530.4926 | bobwebb.com

BOB WEBB

Est. 1960



WOODHAVEN
CONCEPTUAL- TRADITIONAL SINGLE FAMILY

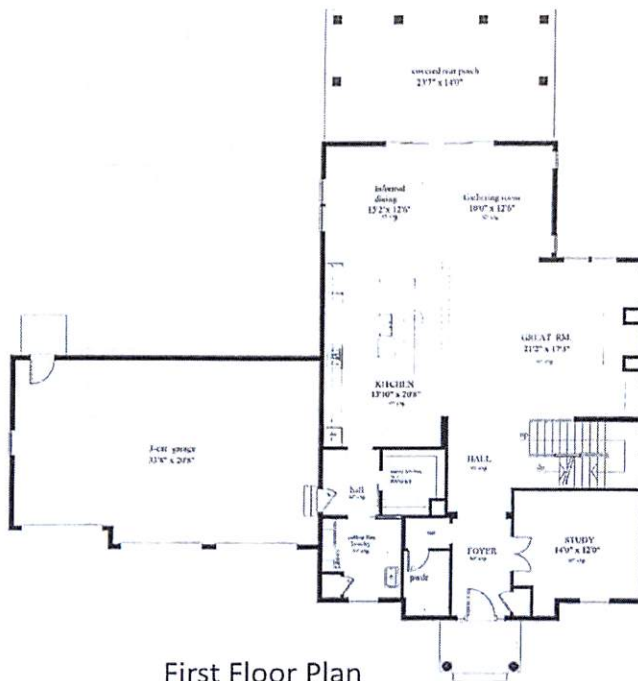


Life's Better in a Bob Webb Home.

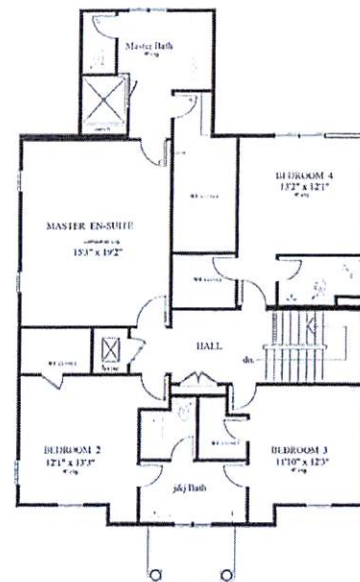
614.530.4926 | bobwebb.com

BOB WEBB

Est. 1960



First Floor Plan



Second Floor Plan

WOODHAVEN
CONCEPTUAL- TRADITIONAL SINGLE FAMILY

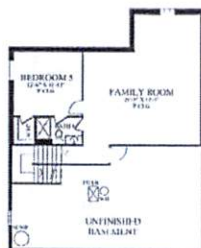
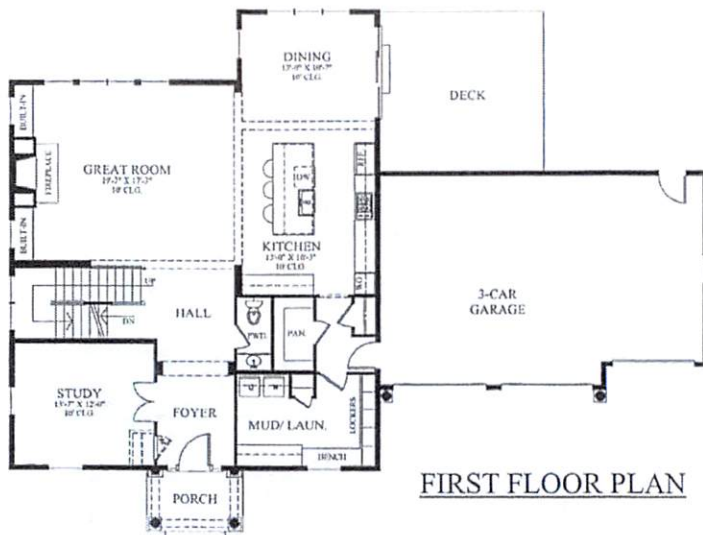


Life's Better in a Bob Webb Home.

614.530.4926 | bobwebb.com

BOB WEBB

Est. 1960



WOODHAVEN
CONCEPTUAL- TRADITIONAL SINGLE FAMILY

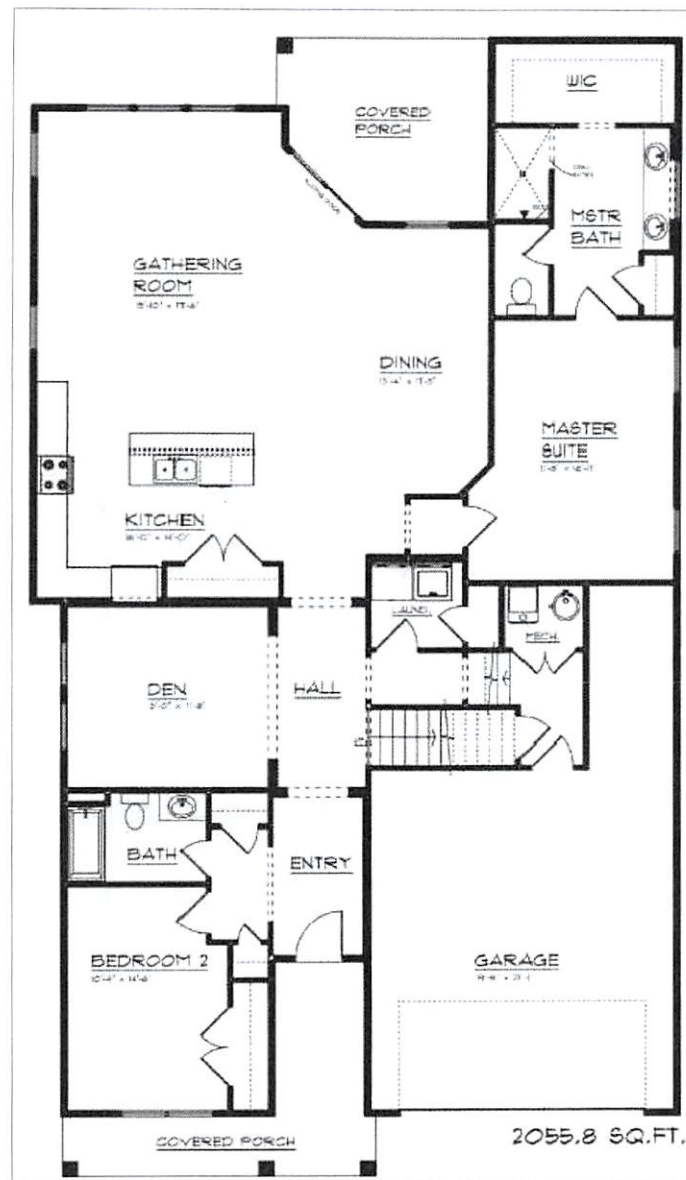


Life's Better in a Bob Webb Home.

614.530.4926 | bobwebb.com

BOB WEBB

Est. 1960



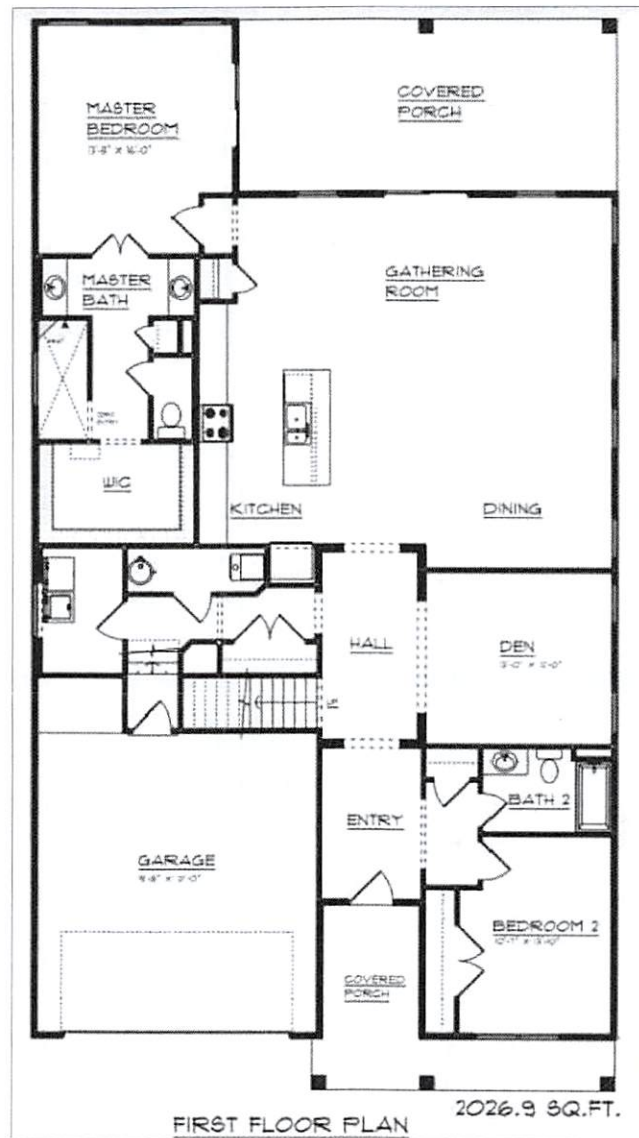
the "Sierra" plan



Craftsman Elevation

Woodhaven - Conceptual Architecture

Simplified Living - AR Single Family



the "Stanford" plan



Craftsman Elevation

Woodhaven - Conceptual Architecture

Simplified Living - AR Single Family



ORDINANCE O-23-2021

AN ORDINANCE TO ADOPT A TAX BUDGET FOR THE CITY OF NEW ALBANY, OHIO FOR FISCAL YEAR ENDING DECEMBER 31, 2022

WHEREAS, the City of New Albany is required under Ohio Revised Code (ORC) 5705.30 to prepare and submit a tax budget for fiscal year 2022 to the County Budget Commission on or before July 15, 2021; and

WHEREAS, a tentative budget for the City of New Albany for the fiscal year 2022 has been presented to council at a hearing held thereon as required by law.

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

Section 1. The tax budget for the City of New Albany, Ohio for the Year 2022 is hereby adopted, a copy of which is attached as Schedule A and is incorporated into this ordinance as if fully rewritten herein.

Section 2. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of the 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 3. Pursuant to Article VI, Section 6.07(B) of the Charter of the City of New Albany, this ordinance shall be in effect on and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this 02 day of June, 2021.

Attest:



Sloan T. Spalding
Mayor



Jennifer H. Mason
Clerk of Council

Approved as to form:



Mitchell H. Banchevsky
Law Director

Legislation dates:

Prepared: 06/02/2021
Introduced: 06/15/2021
Revised: 06/15/2021 – exhibit A
Adopted: 07/06/2021
Effective: 08/05/2021

CITY OF NEW ALBANY
FRANKLIN COUNTY, OHIO
99 W. MAIN STREET, PO BOX 188
NEW ALBANY, OHIO 43054

Schedule A

FAILURE TO COMPLY WITH SEC. 5705.28 R.C. SHALL RESULT
IN LOSS OF LOCAL GOVERNMENT FUND ALLOCATION.

To the Franklin County Auditor:

The following Budget year beginning January 1, 2022 has been adopted by Council and is herewith submitted for consideration of the County Budget Commission.

Bethany Staats, CPA, Director of Finance
July 6, 2021

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND
COUNTY AUDITOR'S ESTIMATED RATES.**

For Municipal Use		For Budget Commission Use		For County Auditor Use	
FUND CATEGORY/TYPE (which are requesting general property tax revenue)	BUDGET YEAR AMOUNT REQUESTED OF BUDGET COMMISSION INSIDE/OUTSIDE	BUDGET YEAR AMOUNT APPROVED BY BUDGET COMMISSION INSIDE 10 MILL LIMITATION	BUDGET YEAR TO BE DERIVED FROM LEVIES OUTSIDE 10 MILL LIMITATION	COUNTY AUDITOR'S ESTIMATE OF TAX RATE TO BE LEVIED	
				INSIDE 10 MILL LIMIT BUDGET YEAR	OUTSIDE 10 MILL LIMIT BUDGET YEAR
	Column 1	Column 2	Column 3	Column 4	Column 5
<u>GOVERNMENTAL FUNDS</u>					
General Fund	\$ 1,349,524				
<u>SPECIAL REVENUE FUNDS</u>					
No Special Revenue Funds	\$0				
<u>PROPRIETARY FUNDS</u>					
No Proprietary Funds	\$0				
<u>FIDUCIARY FUNDS</u>					
No Fiduciary Funds	\$0				
TOTAL ALL FUNDS	\$1,349,524				

SCHEDULE A

CITY OF NEW ALBANY, OHIO

EXHIBIT I

FUND NAME: GENERAL FUND (101)FUND TYPE/CLASSIFICATION: GOVERNMENTAL - GENERAL

This Exhibit is to be used for General Fund Only.

DESCRIPTION (1)	2019 ACTUAL (2)	2020 ACTUAL (3)	CURRENT YEAR ESTIMATED 2021 (4)	NEXT YEAR ESTIMATED 2022 (5)
REVENUES				
Local Taxes				
General Property Tax - Real Estate	\$ 1,203,623	\$ 1,251,973	\$ 1,349,524	\$ 1,349,524
Tangible Personal Property Tax	-	-	-	-
Municipal Income Tax	21,526,837	21,965,716	20,257,176	19,649,461
Other Local Taxes	439,849	236,594	155,098	156,649
Total Local Taxes	\$ 23,170,309	\$ 23,454,283	\$ 21,761,799	\$ 21,155,634
Intergovernmental Revenues				
State Shared Taxes and Permits				
Local Government	\$ 56,803	\$ 73,637	\$ 74,970	\$ 73,471
Kilowatt Hour Tax	-	-	-	-
Estate Tax	-	-	-	-
Cigarette Tax	37	92	75	76
Liquor and Beer Permits	14,467	14,393	15,000	15,150
Property Tax Allocation	125,864	126,563	141,023	141,023
Other State Shared Taxes and Permits	-	-	-	-
Total State Shared Taxes and Permits	\$ 197,171	\$ 214,685	\$ 231,068	\$ 229,720
Grants or Other Aid:				
Federal Grants or Aid	\$ -	\$ -	\$ -	\$ -
State Grants or Aid	2,531	3,272	-	-
Other Grants or Aid	32,125	84,201	22,211	22,433
Total Grants or Other Aid	34,656	87,474	22,211	22,433
Total Intergovernmental Revenues	\$ 231,827	\$ 302,159	\$ 253,279	\$ 252,153
Service Charges, Permits & Misc Revenues				
Investment Earnings	\$ 701,751	\$ 522,457	\$ 258,211	\$ 260,793
Charges for Services	367,692	148,189	233,074	235,405
Fines, Licenses, and Permits	907,159	780,398	899,082	908,073
Miscellaneous	248,032	1,721,216	538,633	544,020
Total Svc Charges, Permits & Misc Revenues	\$ 2,224,634	\$ 3,172,260	\$ 1,929,000	\$ 1,948,290
Other Financing Sources:				
Proceeds from Sale of Assets	\$ 5,868	\$ 13,807	\$ 25,000	\$ 25,250
Transfers	-	-	-	-
Advances	-	275,000	-	-
Other Sources	-	-	-	-
Total Other Financing Sources	\$ 5,868	\$ 288,807	\$ 25,000	\$ 25,250
TOTAL REVENUE	\$ 25,632,638	\$ 27,217,508	\$ 23,969,078	\$ 23,381,327

CITY OF NEW ALBANY, OHIO

EXHIBIT IFUND NAME: GENERAL FUND (101)

This Exhibit is to be used for General Fund Only.

FUND TYPE/CLASSIFICATION: GOVERNMENTAL - GENERAL

DESCRIPTION (1)	2019 ACTUAL (2)	2020 ACTUAL (3)	CURRENT YEAR ESTIMATED 2021 (4)	NEXT YEAR ESTIMATED 2022 (5)
EXPENDITURES				
<u>Police (1000)</u>				
Salary & Related	\$ 4,311,539	\$ 4,756,694	\$ 5,603,141	\$ 5,799,251
Operating & Contractual Services	199,976	204,853	365,948	378,756
Capital Outlay	-	-	-	-
Total Police	\$ 4,511,515	\$ 4,961,547	\$ 5,969,089	\$ 6,178,007
<u>Land & Building Maintenance (6000)</u>				
Salary & Related	\$ 62,666	\$ 67,458	\$ 74,664	\$ 77,277
Operating & Contractual Services	845,476	1,275,932	1,770,199	1,832,156
Capital Outlay	21,177	23,456	2,000	2,070
Total Parks & Lands	\$ 929,318	\$ 1,366,845	\$ 1,846,863	\$ 1,911,503
<u>Community Development (4000)</u>				
Salary & Related	\$ 1,503,608	\$ 1,742,933	\$ 1,718,330	\$ 1,778,472
Operating & Contractual Services	1,262,476	1,308,561	1,546,122	1,600,236
Capital Outlay	-	-	-	-
Total Community Development	\$ 2,766,084	\$ 3,051,494	\$ 3,264,452	\$ 3,378,708
<u>Public Service (5000)</u>				
Salary & Related	\$ 2,687,909	\$ 2,916,469	\$ 3,580,373	\$ 3,705,686
Operating & Contractual Services	970,166	717,348	1,204,004	1,246,144
Capital Outlay	-	-	-	-
Total Public Service	\$ 3,658,075	\$ 3,633,817	\$ 4,784,377	\$ 4,951,830
<u>General Government (7000)</u>				
Salary & Related	\$ 2,199,522	\$ 2,318,382	\$ 2,809,598	\$ 2,907,934
Operating & Contractual Services	2,422,356	2,756,427	3,920,775	4,058,002
Capital Outlay	58,042	45,516	18,527	19,175
Total General Government	\$ 4,679,919	\$ 5,120,324	\$ 6,748,900	\$ 6,985,112
<u>Debt Service from General Fund (8000)</u>				
Redemption of Principal	\$ -	\$ -	\$ -	\$ -
Interest	-	-	-	-
Other Debt Service	-	-	-	-
Total Debt Service	\$ -	\$ -	\$ -	\$ -
<u>Other Uses of Funds (9000)</u>				
Transfers (to all funds; including Capital)	\$ 4,509,723	\$ 2,868,185	\$ 6,041,677	\$ 2,471,989
Advances	-	-	-	-
Contingencies	-	-	-	-
Other Uses of Funds	-	-	-	-
Total Other Uses of Funds	\$ 4,509,723	\$ 2,868,185	\$ 6,041,677	\$ 2,471,989
TOTAL EXPENDITURES	\$ 21,054,634	\$ 21,002,212	\$ 28,655,358	\$ 25,877,149
Revenues Over (Under) Expenditures	\$ 4,578,004	\$ 6,215,297	\$ (4,686,280)	\$ (2,495,822)
Beginning Fund Balance	\$ 16,773,327	\$ 21,351,331	\$ 27,566,628	\$ 22,880,348
Ending Cash Fund Balance	\$ 21,351,331	\$ 27,566,628	\$ 22,880,348	\$ 20,384,526
Est/Actual Encumbrances (at end of year)	\$ 1,573,677	\$ 1,434,850	\$ 1,463,547	\$ 1,492,818
Est/Actual Unencumbered (at end of year)	\$ 19,777,654	\$ 26,131,778	\$ 21,416,801	\$ 18,891,708

CITY OF NEW ALBANY, OHIO
FISCAL YEAR 2022 TAX BUDGET
PROJECTED FUND BALANCES

EXHIBIT III

FUND CATEGORY/TYPE	ESTIMATED UNENCUMBERED BAL 1/1/22	ESTIMATED 2022 REVENUE	TOTAL AVAIL FOR EXPENDITURE	EST 2022 EXPENSES /ENC	ESTIMATED UNENC BAL 12/31/2022
GOVERNMENTAL:					
<u>GENERAL</u>					
101 - General	22,880,348	23,381,327	46,261,675	27,369,967	18,891,708
906 - Unclaimed Funds	1,934	-	1,934	-	1,934
TOTAL GENERAL FUNDS	\$ 22,882,282	\$ 23,381,327	\$ 46,263,609	\$ 27,369,967	\$ 18,893,642
<u>SPECIAL REVENUE:</u>					
201 - Street Construction, Maint & Repair	1,043,908	597,400	1,641,308	439,050	1,202,258
202 - State Highway	125,363	43,260	168,623	20,000	148,623
203 - Permissive Tax	217,786	73,130	290,916	66,950	223,966
210 - Alcohol Education	14,474	1,030	15,504	1,030	14,474
211 - Drug Use Prevention	63,164	37,080	100,244	37,080	63,164
213 - Law Enforcement & Ed	7,155	1,030	8,185	1,000	7,185
216 - K9 Fund	4,551	15,771	20,322	17,271	3,051
217 - Safety Town	111,523	43,260	154,783	35,020	119,763
218 - DUI Grant	17,201	5,150	22,351	2,575	19,776
219 - Law Enforcement Assistance	7,820	-	7,820	-	7,820
221 - Economic Development NAECA	-	2,242,086	2,242,086	2,242,086	-
222 - Economic Development NACA	2,294,402	3,100,000	5,394,402	3,100,000	2,294,402
223 - Oak Grove EOZ	-	3,546,707	3,546,707	3,546,707	-
224 - Central College EOZ	-	1,698,698	1,698,698	1,698,698	-
225 - Oak Grove II EOZ	-	1,366,076	1,366,076	1,366,076	-
226 - Blacklick EOZ	-	4,176,236	4,176,236	4,176,236	-
230 - Wentworth Crossing TIF	639,030	323,200	962,230	289,780	672,450
231 - Hawksmoor TIF	326,490	159,580	486,070	164,181	321,889
232 - Enclave TIF	60,520	57,570	118,090	83,690	34,400
233 - Saunton TIF	254,178	137,360	391,538	171,500	220,038
234 - Richmond Square TIF	148,892	172,710	321,602	163,992	157,610
235 - Tidewater I TIF	362,816	354,510	717,326	433,900	283,426
236 - Ealy Crossing TIF	274,217	318,150	592,367	345,320	247,047
237 - Upper Clarenton TIF	1,019,076	515,100	1,534,176	429,895	1,104,281
238 - Balfour Green TIF	109,130	46,460	155,590	29,490	126,100
239 - Straits Farm TIF	-	301,990	301,990	301,990	-
240 - Oxford TIF	-	257,500	257,500	257,500	-
241 - Schleppi Residential TIF	-	-	-	-	-
250 - Blacklick TIF	1,624,310	1,722,050	3,346,360	951,367	2,394,993
251 - Blacklick II TIF	193,102	36,360	229,462	515	228,947
252 - Village Center TIF	76,417	912,535	988,952	867,790	121,162
253 - Research Tech District TIF	1,419,861	272,700	1,692,561	12,360	1,680,201
254 - Oak Grove II TIF	3,163,240	1,388,750	4,551,990	20,200	4,531,790
255 - Schleppi Commercial TIF	-	-	-	-	-
258 - Windsor TIF	6,403,524	2,787,600	9,191,124	1,493,364	7,697,760
259 - Village Center II TIF	-	-	-	-	-
280 - Hotel Excise Tax	-	108,150	108,150	108,150	-
281 - Healthy New Albany Facilities	640,226	1,095,850	1,736,076	1,114,983	621,093
290 - Alcohol Indigent	12,065	1,000	13,065	-	13,065
291 - Mayors Court Computer	6,137	4,120	10,257	3,000	7,257
299 - Severance Liability Fund	979,623	200,000	1,179,623	200,000	979,623
TOTAL SPECIAL REVENUE FUNDS	\$ 21,620,201	\$ 28,120,159	\$ 49,740,360	\$ 24,192,746	\$ 25,547,614
<u>DEBT SERVICE FUNDS:</u>					
301 - Debt Service	374,381	6,652,127	7,026,508	6,652,127	374,381
TOTAL DEBT SERVICE	\$ 374,381	\$ 6,652,127	\$ 7,026,508	\$ 6,652,127	\$ 374,381
<u>CAPITAL PROJECT FUNDS:</u>					
401 - Capital Improvements	344,133	2,893,674	3,237,807	3,237,807	-
403 - Bond Improvements	223,878	-	223,878	223,878	-
404 - Park Improvements	1,826,830	707,968	2,534,798	2,534,798	-
405 - Water & Sanitary Improvements	8,405,094	334,750	8,739,844	8,739,844	-
410 - Infrastructure Replacement	10,719,625	551,500	11,271,125	11,271,125	-
411 - Leisure Trail Improvements	332,045	25,750	357,795	357,795	-
415 - Capital Equip Replacement	3,706,127	1,133,727	4,839,854	4,839,854	-
420 - OPWC Greensward Roundabout	4,760,051	975,629	5,735,680	5,735,680	-
422 - Economic Development Capital Improvement	-	-	-	-	-
501 - Water & Sanitary Sewer Impr.	8,771,621	-	8,771,621	8,771,621	-
TOTAL CAPITAL PROJECT FUNDS	\$ 39,089,404	\$ 6,622,998	\$ 45,712,402	\$ 45,712,402	\$ -
TOTAL (MEMORANDUM ONLY)	\$ 83,966,268	\$ 64,776,611	\$ 148,742,879	\$ 103,927,242	\$ 44,815,637

CITY OF NEW ALBANY, OHIO
FISCAL YEAR 2022 TAX BUDGET
SCHEDULE OF OUTSTANDING DEBT

EXHIBIT V

PURPOSE OF BONDS AND NOTES	Authority for Levy Outside 10 mill Limit *	Date of Issue	Due Date	Ordinance or Resolution	Serial or Term	Rate of Interest	Amounts of Bonds and Notes Outstanding beginning of year 01/01/22	BUDGET YEAR		FY 2022
								Amount Required for Principal and Interest 1/1/22 to 12/31/22	Amt Receivable from Outside Sources to Meet Debt Payments	Amount Required for Principal and Interest 1/1/22 to 12/31/22
Payable from Debt Service:										
<u>INSIDE 10 MILL LIMIT:</u>										
Capital Facilities Bonds, Series 2018	NA	7/11/2018	12/1/2037	O-08-2018	Serial	1.52% - 3.24%	\$14,655,000	\$1,295,225	\$0	\$1,295,225
Cap Impr Bonds - Public Facs, Taxable Refunding, Series 2016	NA	11/23/2016	12/1/2027	O-35-2016	Serial	2.39% - 2.50%	\$3,870,000	\$694,493	\$0	\$694,493
2013 Refunding - 2010 BABs	NA	5/1/2013	12/1/2024		Serial/Term	1.50% - 4.00%	\$1,100,000	\$495,588	\$0	\$498,938
Various Purpose Refunding Ltd Tax GO Bonds, Series 2012	NA	1/1/2012	12/1/2030		Serial	2.00% - 5.00%	\$5,830,000	\$858,788	\$0	\$858,788
Capital Facilities Ltd. Tax GO Bonds, Series 2014	NA	12/1/2014	12/1/2030		Serial	0.85% - 4.00%	\$3,820,000	\$549,925	\$0	\$549,925
TOTAL							\$29,275,000	\$3,894,018	\$0	\$3,894,018
<u>OUTSIDE 10 MILL LIMIT:</u>										
None	-	-	-	-	-	-	\$0	\$0	\$0	\$0
TOTAL							\$0	\$0	\$0	\$0

* If the Levy is outside the 10 mill limit by vote enter the words "by vote" and the date of the election. If outside the 10 mill limit without a vote, enter the reference to the statute under which the levy is exempt from the 10 mill limit.

CITY OF NEW ALBANY, OHIO

OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES

The Budget Commission of Franklin County, Ohio, hereby makes the following Official Certificate of Estimated Resources for the City of New Albany for the BUDGET YEAR beginning January 1st, 2022.

FUND	Estimated Unenc Bal as of 1/1/2022	Real Estate Property Tax	Personal Property Tax	Local Government Funds	Rollback, Homestead and Personal Prop Tax Exemption	Other Sources	Total
<u>GOVERNMENTAL FUNDS</u>	\$ 83,966,268	\$ 1,349,524	\$ -	\$ 73,471	\$ 141,023	\$ 63,212,593	\$ 148,742,879
General Fund	22,880,348	1,349,524	-	73,471	141,023	21,817,309	46,261,675
Unclaimed Funds	1,934	-	-	-	-	-	1,934
Special Revenue Funds	21,620,201	-	-	-	-	28,120,159	49,740,360
Debt Service Funds	374,381	-	-	-	-	6,652,127	7,026,508
Capital Project Funds	39,089,404	-	-	-	-	6,622,998	45,712,402
<u>PROPRIETARY FUNDS</u>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Enterprise Funds	-	-	-	-	-	-	-
Internal Service Funds	-	-	-	-	-	-	-
<u>FIDUCIARY FUNDS</u>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Trust and Agency Funds	-	-	-	-	-	-	-
TOTAL ALL FUNDS	\$ 83,966,268	\$ 1,349,524	\$ -	\$ 73,471	\$ 141,023	\$ 63,212,593	\$ 148,742,879

The Budget Commission further certifies that its action on the foregoing budget and the County Auditor's Estimate of the rate of each tax necessary to be levied within and outside the 10 mill limitation is set forth in the proper columns of the preceding pages and the total amount approved for each fund must govern the amount of appropriation from such fund.

DATE _____, 2021

Budget
Commission



ORDINANCE O-24-2021

AN ORDINANCE TO AMEND CHAPTER 1131 "R-1 RESIDENTIAL ESTATE DISTRICT" OF THE CITY OF NEW ALBANY, OHIO'S CODIFIED ORDINANCES AS REQUESTED BY THE CITY OF NEW ALBANY

WHEREAS, in response to public comment it has been found that the Codified Ordinances of the City of New Albany, Chapter 1131, needs to be amended; and

WHEREAS, it has been found that the Codified Ordinances of the City of New Albany, Chapter 1131, needs to be updated to modernize the code to add the feeding, grazing or sheltering of poultry as a conditional use to single-family residential developments which occur at low densities; and

WHEREAS, the Planning Commission has held a public hearing and received public input into the amendments and recommended approval of the proposed amendments to the codified ordinance at its meeting on June 7, 2021.

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

Section 1: That portions of Codified Ordinance Chapter 1131 "R-1 Residential Estate District" be amended as set forth in Exhibit A, which depicts these amendments in colored ink.

Section 2. It is hereby found and determined that all formal actions of this 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 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 6 day of June, 2021.

Attest:




Sloan T. Spalding
Mayor



Jennifer H. Mason
Clerk of Council

Approved as to form:



Mitchell H. Banchefsky
Law Director

Legislation dates:

Prepared: 06/01/2021

Introduced: 06/15/2021

Revised:

Adopted: 07/06/2021

Effective: 07/06/2021

EXHIBIT A – O-24-2021
PART ELEVEN - PLANNING AND ZONING CODE
TITLE THREE - ZONING DISTRICTS AND REGULATIONS
CHAPTER 1131 R-1 RESIDENTIAL ESTATE DISTRICT

CHAPTER 1131 R-1 RESIDENTIAL ESTATE DISTRICT¹

1131.01 PURPOSE.

This district is established to accommodate single-family residential development at low densities, similar to what exists in particular areas on the periphery of the Village not served by public water and sewer facilities, and to discourage large concentrations of intensive development where that intensity would be inconsistent with the existing character of the area.

(Ord. 08-2006. Passed 9-5-06.)

1131.02 PERMITTED USES.

- (a) Single-family detached dwellings.
- (b) Publicly-owned parks, playgrounds and open space.
- (c) Religious exercise facilities and related uses.

(Ord. 34-95. Passed 9-19-95; Ord. 08-2006. Passed 9-5-06.)

1131.03 ACCESSORY USES.

- (a) Private detached garages or carports.
- (b) Tool and/or garden sheds.
- (c) Temporary buildings for uses incidental to construction work, which shall be removed upon completion or abandonment of the construction work.
- (d) Private swimming pools and tennis courts, for primary use by occupants of the principal use of the property. Private swimming pools shall be subject to the regulations of Chapter 1173.
- (e) Dishes or other devices for the reception of television signals, provided such device is for sole use by occupants of the principal use of the property on which the device is located, such device is not located in any front or side yard, and is located not less than forty (40) feet from any adjoining property lines and complies with the provisions of Chapter 1177.
- (f) Home occupations, subject to the regulations of Section 1165.09.

(Ord. 08-2006. Passed 9-5-06.)

¹Cross reference(s)—District established - see P. & Z. Ch. 1125Cross reference(s)—;
Cross reference(s)— Lots and yards - see P. & Z. 1165.01Cross reference(s)— et seq.;
Cross reference(s)— Accessory uses - see P. & Z. 1165.06Cross reference(s)—;
Cross reference(s)— Home occupations - see P. & Z. 1165.09Cross reference(s)—

1131.04 CONDITIONAL USES.

- (a) Golf courses and/or country clubs, provided a development plan showing location of all facilities is submitted and approved by the Planning Commission.
- (b) Privately-owned parks and recreation areas.
- (c) Public schools offering general educational courses and having no rooms regularly used for housing or sleeping of students, providing they occupy an amount of acreage that meets or exceeds state standards.
- (d) Residential model homes and temporary lot sales offices. These are newly-constructed homes or temporary structures placed in a newly-constructed subdivision and used by a homebuilder or developer to display home styles and lot availability in a subdivision to promote the sale of new housing units. The model home or sales office may be staffed and furnished.
 - (1) When making its decision to approve, disapprove or approve with conditions an application for a residential model home, the Planning Commission shall consider that the model home:
 - A. Is appropriately located within the community and sited so that it is easily accessible without creating a nuisance or hazard to nearby properties.
 - B. Is integrated into the residential character of the neighborhood with external lighting in conformity with customary residential lighting.
 - C. Is approved with a limited duration which shall be determined by the Planning Commission after consultation with the applicant. Extensions of time may be granted by the Planning Commission, but decisions must be based on the same criteria as outlined in this section.
 - D. Is identified by no more than one sign which shall be in compliance with regulations governing signage.
 - E. Shall not be used as a general real estate brokerage office where the sale of properties not owned or previously owned wholly or in part by the applicant occurs.
 - (2) The Planning Commission shall also consider and may set conditions on the following as part of its decision to allow a residential model home:
 - A. Hours of operation.
 - B. Number and types of employees; and maximum number of employees to be on the site at any one time.
 - C. Provisions for parking for employees and customers.
 - D. Size, lighting, content and location of signage (no internally lighted signage shall be permitted).
 - E. Landscaping and screening.
 - (3) The use of temporary sales offices (i.e., manufactured homes, mobile homes or trailers) on the site of a newly constructed subdivision shall be discouraged. In addition to the above-listed criteria for model homes, permission to occupy a temporary sales office for the purpose of home and lot sales within a newly constructed subdivision shall be granted only if the following conditions are met:
 - A. Such facility is located on a main arterial roadway or highway.
 - B. Such facility is substantially screened by the use of landscaping and/or mounding.
 - C. Such facility shall not create a nuisance to surrounding properties.
 - D. Such other conditions as the Planning Commission deems appropriate.

-
- E. Sales offices in trailers or mobile homes are permitted for a duration of twelve (12) months. Users of such facilities may apply to the Planning Commission for an extension of an additional twelve (12) months.

(e) Feeding, grazing or sheltering of poultry, in pens or confined areas. "Poultry" shall mean domestic fowl, such as chickens, turkeys, ducks, geese, and similar animals.

(1) The Planning Commission shall consider and may set conditions on the following as part of its decision to allow the feeding, grazing or sheltering of poultry: type of poultry, location/distance from property lines, limiting the number of animals, enclosures/structure requirements, fence requirements, noise conditions, sanitary standards, prohibition of specific animals such as rooster(s), sale of animal products and the killing/slaughter animals on site.

(Ord. 34-95. Passed 9-19-95; Ord. 08-2006. Passed 9-5-06.)

1131.05 DEVELOPMENT STANDARDS.

- (a) Lot Area . The minimum lot size shall be as required by the Franklin County Health Department, but in no case shall be less than forty thousand (40,000) square feet exclusive of rights-of-way or easements.
- (b) Minimum Lot Width . For each principal use, there shall be lot width of not less than one hundred fifty (150) feet with frontage on a publicly dedicated, improved street or highway. Minimum lot width on curved street shall be one hundred (100) feet.
- (c) Minimum Front Yard Depth . Fifty (50) feet.
- (d) Minimum Side Yard Width . Twenty (20) feet.
- (e) Minimum Sum of Side Yard Widths . Forty (40) feet.
- (f) Minimum Rear Yard Depth . Fifty (50) feet.
- (g) Maximum Building Height . Forty-five (45) feet.
- (g) Maximum Building Height . Forty-five (45) feet.

(Ord. 08-2006. Passed 9-5-06.)

1131.06 LOT AND AREA REGULATIONS; ALL NONRESIDENTIAL USES.

The area or parcel of land for nonresidential uses shall not be less than that required to provide a site adequate for the principal and accessory buildings, off-street parking and other accessory buildings, off-street parking and other accessory uses, setbacks, yards and open spaces to accommodate the facility and maintain the character of the neighborhood.

(Ord. 08-2006. Passed 9-5-06.)