

THE HAMLET AT SUGAR RUN ZONING DISTRICT
INFILL PLANNED UNIT DEVELOPMENT (I-PUD) TEXT

November 22, 2022

I. BACKGROUND AND ORGANIZATION OF THE DISTRICT:

A. Introduction: The Hamlet at Sugar Run Zoning District (hereinafter, the “Zoning District”) seeks to facilitate the development of a “hamlet” as contemplated in a recent update to the Engage New Albany 2020 Strategic Plan and related amendments to City Code (the “New Hamlet Standards”). The applicant strives to create a truly unique mixed use community combining live, work, and play opportunities in a single, pedestrian-friendly environment. Sugar Run Creek and surrounding open spaces will provide an important core around which the site is planned and around which activity will revolve.

B. Location and Subareas: This Zoning District consists of 32.6+/- acres located to the southwest and southeast of the intersection of Central College Road and New Albany-Condit Road (a.k.a. State Route 605). It includes an assemblage of various township-era single family parcels that historically have been under fractured ownership and have been used as owner-occupied/renter-occupied residences but are now owned or controlled by a single business entity, namely the applicant. The development proposal includes 5 subareas:

1. Subarea 1: Subarea 1 consists of 5.0+/- acres located in the northwestern quadrant of the Zoning District. It is found to the south of and adjacent to Central College Road. Its western boundary is the corporate boundary line separating New Albany and the City of Columbus. This subarea will accommodate restaurant, retail, service-oriented, office, and similar development, as well residential units in limited locations as contemplated later in this text.

2. Subarea 2: Subarea 2 consists of 10.5+/- acres located to the southwest of, and adjacent, to the intersection of Central College Road and New Albany-Condit Road. This subarea will contain residential townhomes, a limited number of residential units to be constructed as “flats”, and related amenities, and will provide flexibility to allow for some commercial uses in the western portion of the subarea.

3. Subarea 3: Subarea 3 consists of 5.25+/- acres and is located to the southeast of and adjacent to the intersection of Central College Road and New Albany-Condit Road. This subarea is to be developed with single family residential and townhomes.

4. Subarea 4: Subarea 4 contains 4.4+/- acres. It is irregularly shaped to include the central portion of the Zoning District with an extension eastward to and across New Albany-Condit Road to encompass Sugar Run Creek. This subarea is intended to be the center of recreational and social activities to serve not only this Zoning District but also residents and visitors from throughout the City. It will contain parkland and open space in close proximity to commercial and residential uses.

5. Subarea 5: Subarea 5 consists of 7.4+/- acres and is the southern portion of the Zoning District. This subarea is intended to provide senior living opportunities with a limited mix of supporting uses, or a limited number of townhomes or single-family homes as provided later in this text. Notwithstanding the foregoing, if a senior living project is developed in Subarea 5, townhomes and/or single-family homes shall not be permitted unless such townhomes/single-family homes are a part of the senior living project's operations.

C. Development Standards: This text is intended to apply development standards and requirements that are particular to this Zoning District. Where it provides standards and/or requirements that conflict with those which are set forth in the Codified Ordinances, the provisions of this text shall govern. Where this text is silent on a particular standard or requirement and the Codified Ordinances address that item or standard, then development and operation of uses in this Zoning District shall comply with the relevant provisions of the Codified Ordinances. Development standards which are particular to each subarea are provided below. In addition, each subarea shall be subject to the generally applicable standards of Section II.

II. GENERALLY APPLICABLE STANDARDS:

A. Use Ratio: Subject to any other applicable density requirements that may otherwise apply to this subarea as set forth in this zoning text, a minimum of 200 square feet of commercial tenant space shall be provided in this Zoning District for every residential unit that is constructed. Senior Living Uses (such term being defined in the standards which are applicable to Subarea 5 below) shall not be deemed to be commercial uses for purposes of meeting the minimum required ratio, nor shall they be deemed to be residential uses for which corresponding commercial development is required. A maximum of 6 residential units per gross acre shall be permitted within this Zoning District (individual subareas may exceed this density provided that the overall Zoning District meets this requirement).

B. Parkland and Open Space; Central Green: A minimum of 25% of the total area of the Zoning District shall be set aside as open space or dedicated parkland. Individual subareas are not required to meet this minimum standard. A central green space (a "Central Green") shall be provided to connect the parkland in Subarea 4 to uses and development within Subarea 1 and Subarea 2 and to provide a central point for recreation, social gatherings, and activity. The Central Green shall be located in Subarea 1 and may also extend into Subarea 2, with its final specifications

and configuration will be determined as part of a final development plan review and approval. With the first final development plan application that is filed in this Zoning District, a parks and open space plan shall be provided for review and approval by the Planning Commission which details acreages and boundaries of parkland and open space throughout the district.

C. Streets and Drives:

1. New Central Street and New Southern Street: A new public street shall be constructed from the western edge of the right-of-way of New Albany-Condit Road to the southern edge of the right-of-way of Central College Road, as generally shown in the preliminary development plan (the “New Central Street”). Additional access may be provided to and from an existing private road located to the west of and adjacent to Subarea 1 (located in the City of Columbus) to provide for a vehicular connection to New Albany Road East, if permission to use the private road is obtained from relevant parties or if said private road ever becomes a public street. The New Central Street shall be stubbed to the western boundary line of Subarea 1 and bollards shall be installed until such time as this connection is permitted.

Another new public street shall be constructed through Subarea 5 generally running east to west from the western edge of the right-of-way of New Albany-Condit Road to the western perimeter boundary line of Subarea 5 (the “New Southern Street”), where it shall be stubbed to connect to future development should it occur on property located to the west in the City of Columbus. The location of the New Southern Street as shown on the preliminary development plan is conceptual, and its final location shall be driven by the actual uses and development patterns within Subarea 5. If requested by the City of New Albany, the property owner shall dedicate additional right-of-way at the intersection of this street with New Albany-Condit Road in order to accommodate the installation of a roundabout. The amount of right-of-way needed at such time shall be determined by the city. The additional right-of-way dedicated to the City (if any) for a roundabout (i.e. over and above the right-of-way required to be dedicated in the absence of a roundabout) shall be credited toward the minimum open space and parkland requirements for the Zoning District.

The final alignments and designs of the New Central Street and the New Southern Street shall be reviewed as part of relevant final development plans and final plats. The New Central Street and the New Southern Street each shall have a minimum right-of-way width of 50 feet and a minimum pavement width of 26 feet measured face-of-curb to face-of-curb. On-street parking shall be permitted on one or both sides of the New Central Street and the New Southern Street except where such parking would interfere with safe access for vehicles or pedestrians, as determined at the time of approval of a final plat. The New Central Street shall be constructed along with the first development that occurs in

Subarea 1 or Subarea 2, and the New Southern Street shall be constructed along with the first development that occurs in Subarea 5.

2. Subarea 3 Entry Street: Vehicular access to and from Subarea 3 shall be provided using a new public street (the “Subarea 3 Entry Street”) which aligns with the intersection of New Albany-Condit Road and the New Central Street. The Subarea 3 Entry Street shall extend to the first intersection with an internal Alley (such term being later defined herein) within this subarea. The Subarea 3 Entry Street shall have a minimum right-of-way width of 50 feet and a minimum pavement width of 26 feet measured face-of-curb to face-of-curb. On-street parking shall be permitted on one or both sides of the Subarea 3 Entry Street except where such parking would interfere with safe access for vehicles or pedestrians, as determined at the time of approval of a final plat. The final alignment and design of the Subarea 3 Entry Street shall be reviewed as part of relevant final development plans and final plats. The Subarea 3 Entry Street shall be constructed along with the first development that occurs in Subarea 3.

3. Alleys; Private Drives: Any vehicular access route within this Zoning District other than the New Central Street, the New Southern Street, the Subarea 3 Entry Road, or a private access drive shall be deemed to be an “Alley”. An Alley is intended to provide access to parking areas and garages and/or to provide other internal routes of circulation where slower vehicle speeds are expected and encouraged as compared to typical public streets. All Alleys shall be public. Any Alley running behind only the rears of buildings shall have a minimum of 14 feet of right-of-way and a minimum of 14 feet of pavement, and shall not be required to include sidewalks, street trees, or tree lawns. An Alley that runs in the front of a building shall have a minimum of 20 feet of right-of-way and shall include a 5-foot wide concrete sidewalk on both sides of the Alley along with street trees either within the right-of-way or in an adjacent yard, with the number of street trees and required spacing to be determined as part of a final development plan that includes the Alley. Any vehicular access route in this Zoning District which is not the New Central Street, the New Southern Street, the Subarea 3 Entry Road, or an Alley shall be deemed to be a “private drive” which shall be owned and/or maintained by the relevant property owner or a property owners’ association. The locations of and specifications for private drives shall be approved as part of final development plans in this Zoning District.

4. Central College Road and New Albany-Condit Road Rights-of-Way. Rights-of-way shall be dedicated to the City for a distance of 50 feet southward from the centerline of Central College Road and for a distance of 40 feet to each side of the centerline of New Albany-Condit Road. Additional right-of-way shall be provided for a future northbound right turn lane on New Albany-Condit Road south of Central College. The final length shall be determined at the time of the FDP, consistent with the approved traffic study.

5. Street Trees. Street trees shall be required on both sides of the New Central Street, the New Southern Street, and the Subarea 3 Entry Road. shall be a minimum of 3 inches in caliper at installation and shall be spaced at an average distance of 30 feet on center. This requirement may be waived in areas where existing vegetation occurs. Notwithstanding the foregoing, tree spacing may deviate from this requirement if necessary or appropriate to provide a desirable streetscape, as approved as part of a final development plan. Street trees shall be shown on a final development plan for review and approval.

6. Rooftop Screening. Complete screening of all roof-top mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and to buffer sound generate by such equipment. Solar energy equipment shall be exempt from this requirement to the extent that any such screening would interfere with its functionality.

D. Preliminary Development Plan: The preliminary development plan that accompanies this text is intended, with respect to Subarea 1 and Subarea 5, to demonstrate possible layouts of potential uses, buildings, improvements, and amenities. In these subareas, the market will dictate and influence actual development patterns, which may differ from what is illustrated on the preliminary development plan given. The final development plan review process will provide details for individual developments within these subareas, and shall comply with the standards and requirements of this text unless otherwise approved at that review stage. Plans for Subarea 2, Subarea 3, and Subarea 4 are more refined at the time of the preliminary development plan review and generally provide accurate anticipated plans for development. Notwithstanding the foregoing, given the nature of this Zoning District as a mixed use development, proposed developments may provide some modifications to the preliminary development plans for these subareas at the time of final development plan reviews in order to integrate uses appropriately to further the goals of the development.

III. SUBAREA 1: The provisions of this Section III shall apply to Subarea 1.

A. Permitted Uses: The following permitted and conditional uses shall be allowed in Subarea 1:

1. The permitted uses contained in the Codified Ordinances of the City of New Albany, C-3 Business District, Section 1149.02, shall be permitted in Subarea 1. Conditional uses contained in Section 1149.03 of the Codified Ordinances shall be allowed in this subarea. Conditional uses shall comply and shall be reviewed in accordance with Chapter 1115 of the Codified Ordinances. Notwithstanding any of the foregoing, the following uses shall be prohibited in Subarea 1:

- a. Funeral services.

- b. Self-service laundries.
- c. Gasoline service stations or retail convenience stores selling gasoline as an ancillary activity.
- d. Motor vehicle sales and service establishments.
- e. Car washes or similar uses.
- f. Carryout food and beverage establishments with drive-through facilities.
- g. Drive-throughs except for those serving banks or other financial institutions, pharmacies, or coffee shops. Drive-throughs shall not be permitted in conjunction with fast-food restaurants. For purposes of this text, a “coffee shop” shall be defined to mean a commercial operation in which coffee beans, espresso or espresso-based products, and/or brewed coffee are sold for public consumption. Pick-up windows and “curb-side pick up” locations shall be permitted. These shall be defined to mean “a dedicated parking spot or window from which food and/or beverages are picked up by a consumer in a motor vehicle who ordered the food and/or beverages from a location off-site.” Pick-up windows, “curb-side pick up” locations or permitted drive-throughs shall be reviewed as conditional uses and shall not be located on the front of a building which faces Central College Road.

2. “Ghost Kitchens”, defined to mean “professional food preparation and cooking facilities set up for the preparation of delivery-only meals. Delivery may be made to visitors of uses, places, or events within Subarea 3 or to locations elsewhere within and/or outside of the Zoning District.” A Ghost Kitchen need not be for a single restaurant and may contain kitchen space and facilities for more than one restaurant brand. It also may be permitted to be operated as part of or in conjunction with other permitted restaurants or permitted food concepts.

3. Special Event Venues: Special event venues such as, but not limited to, wedding venues, banquet facilities, and gathering venues for special occasions.

4. “Markets”, defined to mean “farmers markets, artisan and artist markets, craft markets, flea markets, antique markets, and similar markets. These permitted uses may be located indoors or outdoors. Markets may include Food Trucks, and other temporary outdoor food preparation concessions or providers shall be permitted only as part of a Market and not as stand-alone or independent uses.”

5. Arts. Artisan and artist creative spaces and galleries.

6. Nano Breweries: Nano breweries and beer gardens. A “Nano Brewery” is defined to mean “a brewery with on-site production of no more than 15 barrels per week.”

7. Distilleries: Distilleries. A “Distillery” is defined to mean “a small facility, consisting of no more than 5,000 gross square feet, from which liquor is manufactured on a limited basis for on-site or off-premises consumption.”

8. “Food Trucks”, defined to mean “licensed and operable motor vehicles or trailers with a kitchen where food is prepared for purchase by walk-up customers.” Food Trucks shall be subject to the following operational requirements:

a. Distance From Central Green: Food Trucks shall be located within the Central Green or no further than 100 feet from a perimeter boundary of the Central Green.

b. Power Source: Food Trucks shall be powered using a permanent electric source provided within the Zoning District. Outdoor generators shall not be permitted to be used to power Food Trucks.

c. Signs: Signage shall be permitted on the exteriors of Food Trucks without a permit being necessary if (a) it is painted on or permanently affixed to the Food Truck, or (b) consists of a menu or advertisement meant to provide information to on-site customers.

d. Trash Receptacles: At least one trash can/receptacle shall be provided near each food truck in a location that is not visible from adjacent public streets. No liquid waste or grease shall be disposed into sanitary sewers or storm drains.

9. “Seasonal Dining Spaces”, defined to mean “dining and/or beverage consumption spaces located outside of a permanent structure which provide for outdoor seating opportunities using inflatable bubbles or other means of shelter or separation and which utilize portable heating devices, as necessary.”

10. Limited Multi-Family: Multi-family residential units configured as “flats”, but only if a building containing such units fronts on the Central Green or on Sugar Run Creek.

B. Lot and Setback Commitments:

1. Application of C-3 Development Standards: Except as otherwise expressly set forth in this subsection II.B, the development standards contained in Codified Ordinances Section 1149.04 shall apply to this subarea.

2. Limitation on Individual Users: No single use or user shall occupy more than 10,000 square feet of gross floor area within a building.

3. Central College Road: There shall be a minimum pavement setback and a minimum building setback of 65 feet as measured from the centerline of Central College Road as it exists on the date that this text becomes legally effective.

4. Western Perimeter Boundary: A minimum pavement setback of 5 feet and a minimum building setback of 20 feet from the western perimeter boundary line.

5. Interior Boundaries: Setbacks from all internal property boundaries between adjoining parcels within this subarea or from shared boundary lines between subareas in this Zoning District shall be zero feet for pavement and buildings.

6. Lot Coverage: The maximum lot coverage shall be 90%. Lot coverage shall be defined as the area covered by buildings and impervious surfaces. Lot coverage shall be measured across the entire subarea, meaning that individual parcels within this subarea may exceed the maximum lot coverage percentage as long as the entire subarea does not exceed the maximum.

C. Access and Parking:

1. Vehicular Access: Vehicular access to and from Subarea 1 shall be provided from the New Central Street, which shall provide one full movement access point on each of Central College Road and New Albany-Condit Road.

2. Vehicular Parking: Given the integrated development program for this Zoning District, the applicant shall be required to submit a comprehensive shared parking model as part of the review and approval of the first final development plan in any of Subarea 1, Subarea 2, or Subarea 4. Parking to accommodate uses in Subarea 4 shall be provided in Subarea 1. The applicant shall provide an independent demand study and shared parking analysis that analyzes hourly and peak demands for commercial, office, parkland, and residential uses based on shared parking principles and ratios. Parking shall be provided in accordance with the parking demand study and shared parking analysis that is approved as part of one or more final development plans. If the mixture of uses in a subarea, where the parking model is required, substantially changes the model must be resubmitted to staff for review.

3. Bicycle Parking: Bicycle parking shall be provided at the rate of one space per 2,000 square feet of gross building floor area located in this subarea.

D. Architectural Standards:

1. Application of DGRs: Except as otherwise set forth in this text, the City's Design Guidelines and Requirements (DGRs) shall apply to this subarea, provided, however, that deviations from them shall be permitted if approved as part of a final development plan application.

2. Design Intent: The designs of buildings in this subarea shall be derived from examples of traditional American architecture, and/or vernacular architecture, and/or any complimentary style of architecture thereof taking into account the nature of the proposed use and the scale of the building. Buildings shall be designed to be seen from 360 degrees, where all four elevations shall meet a consistent level of design and design elements. Creative architectural design and character shall be supported when provided to improve the sustainability and reduce the environmental impact of a development proposal. Detailed architectural elevations shall be submitted for approval as part of a final development plan application.

3. Height: The maximum building height (as measured per the Codified Ordinances) shall not exceed (a) 40 feet if any portion of the building is located within 250 feet of the southern right-of-way of Central College Road, or (b) 50 feet in other locations. Architectural elements including, but not limited to, monitors, chimneys, and cupolas may exceed the height limitations of this text as permitted by the Codified Ordinances.

4. Features: The following architectural features shall be required and shall be scaled according to the size of the individual tenant. These features may be scaled to a group of smaller side-by-side tenants when architecturally appropriate:

a. Roofs may be sloped or flat;

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

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

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

a. Consistency of Finish: The palette of exterior finishes and color shall be cohesive and harmonious with the materials on and character on all sides of a building. Unfinished rear facades of buildings shall be prohibited.

b. Exterior Wall Finish: Brick, brick veneer, metal, cementitious products such as Hardiplank or its equivalent, wood, EIFS and composite material may be used as exterior wall finish materials where appropriate. Exterior wall finish materials must be used to complete massing elements. The application of brick or brick veneer to a single building façade is prohibited. Spandrel glass shall be permitted on the rear facades of buildings, while reflective or mirrored glass shall be prohibited.

c. Roof Materials: Acceptable materials for sloped roofs include dimensional asphalt shingles, natural and synthetic slate, cedar shake, and standing seam metal.

d. Fascias: When applicable, roof fascias shall be proportioned to the scale of the roof element.

e. Gutters and Downspouts: Sloped roofs shall be required to employ gutters and downspouts for drainage. All gutters shall be of a metal type and shall be painted to match fascias.

f. Exterior Doors: All exterior doors other than doors whose primary purpose is for the entry or exit of customers shall be made of a heavy gauge metal.

g. Prefabricated Buildings: Prefabricated metal buildings, untreated masonry block structures, and buildings featuring an exterior finish entirely of glass are prohibited.

6. Operable Doors: The requirement in the DGRs that an operable and active front door is to be provided along a public street shall apply along Central College Road only for multi-tenant buildings. Single-tenant buildings shall be exempt from this requirement provided that such buildings have a pedestrian entrance on one or both sides and further provided that the façade of a building facing Central College Road instead shall include an architectural feature or other design element that encourages pedestrian activity.

IV. SUBAREA 2: The provisions of this Section IV shall apply to Subarea 2.

A. Permitted Uses: Permitted uses in this subarea shall include:

1. Single-family attached or detached townhome residential units. A “detached townhome” shall be defined to mean “a residential unit that is designed in the same manner as an attached townhome product but which is detached from other townhomes but with a relatively small setback from other townhome units.”

2. Single-family detached homes.

3. Home occupations, subject to the regulations of Codified Ordinances Section 1165.07.

4. Uses which are permitted uses or conditional uses in Subarea 1 (provided that such conditional uses are reviewed and approved in accordance with Chapter 1115 of the Codified Ordinances), but only within the area that is delineated on the accompanying preliminary development plan as the “Transition Zone” (the “Transition Zone”). Food Trucks also shall be permitted to be operated within the Transition Zone. Uses that are permitted or conditional pursuant to this subsection shall be subject to the same development standards as apply to them in Subarea 1.

5. Model homes shall be permitted in this subarea to market permitted residential units in Subarea 1 and in Subarea 3. The model home shall be subject to the review and approval of the Planning Commission in accordance with Section 1133.04(d) of the Codified Ordinances. 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 the building containing the model home. Construction of the model home may occur in advance of, or in conjunction with, installation of public infrastructure for the subdivision. No occupancy or use of the model home shall be permitted until all relevant public infrastructure improvements serving the home are acted by the City.

B. Density, Unit, and Setback Requirements – Residential: The standards contained in this Section IV.B shall apply to townhome development:

1. Types of Units: Dwellings shall consist of attached or detached townhome units, attached units configured as “flats”, and/or detached single-family homes, provided that that no more than 20% of the homes in this subarea shall be detached single-family homes and no more than 20% of the units shall be “flats”. Buildings located along the Central College Road or New Albany-Condit Road shall front on those streets and shall consist of only attached townhomes.

2. Lot Size: There shall be no minimum lot width or size in this subarea. Townhomes may be located on individual fee simple lots or may be subject to a condominium form of ownership.

3. Lot Coverage. The maximum lot coverage shall be 90%. Lot coverage shall be defined as the area covered by buildings and impervious surfaces. Lot coverage shall

be measured across the entire subarea, meaning that individual parcels within this subarea may exceed the maximum lot coverage percentage as long as the entire subarea does not exceed the maximum.

4. Setbacks. The following setback requirements shall apply to this subarea:

a. Central College Road. There shall be a minimum pavement setback and a minimum building setback of 65 feet from the centerline of Central College Road as it exists on the date that this text becomes legally effective.

b. New Albany-Condit Road. There shall be a minimum pavement setback and a minimum building setback of 65 feet from the centerline of New Albany-Condit Road as it exists on the date that this text becomes legally effective.

c. Along New Street. There shall be a maximum building setback of 5 feet from the right-of-way of the New Street in order to ensure an urban-feeling edge of buildings along that street.

d. Front Yards. There shall be a zero front and rear yard setback requirement for all residential units, provided that front yard setbacks along public streets shall be provided as contemplated above.

d. Minimum Separation. The minimum separation between homes or buildings containing attached townhomes shall be 10 feet. There shall be a zero setback requirement between individual attached townhome units in a building. There shall be a minimum building separation of 5 feet between detached townhome units, and 10 feet between a detached townhome and another type of unit. There shall be a zero front yard setback requirement for all units.

C. Access and Parking:

1. Vehicular Access: Vehicular access to and from Subarea 2 shall be provided using a combination of the New Street and a private drive system within the subarea.

2. Off-Street Parking: A minimum two-car garage shall be provided within each townhome unit. A paved parking lot shall be provided in this subarea which shall provide for shared parking opportunities among residents and tenants/users of subareas in this Zoning District. Given the integrated development program for this Zoning District, the applicant shall be required to submit a comprehensive shared parking model as part of the review and approval of the first final development plan in any of Subarea 1, Subarea 2, or Subarea 4. Parking to accommodate uses in Subarea 4 shall be provided in Subarea 1. The applicant shall provide an independent demand study and shared parking analysis that analyzes hourly and peak demands for commercial, office, parkland, and residential uses based on shared parking principles and ratios. Parking shall be provided in accordance

with the parking demand study and shared parking analysis that is approved as part of one or more final development plans.

3. Parking Plan: Given the integrated development program for this Zoning District, the applicant shall be required to submit a comprehensive shared parking model as part of the review and approval of the first final development plan in this subarea or in Subareas 1 or 4. The applicant shall provide an independent demand study and shared parking analysis that analyzes hourly and peak demands for commercial, office, and residential uses based on shared parking principles and ratios. If the mixture of uses in a subarea, where the parking model is required, substantially changes the model must be resubmitted to staff for review.

4. Sidewalks: A public sidewalk shall be located within the right-of-way on both sides of the New Central Street. Public sidewalks shall be a minimum of 5 feet in width and private sidewalks shall be a minimum of 4 feet in width. All sidewalks shall be constructed of concrete.

D. Landscaping Plan: A landscaping plan shall be provided with a final development plan application for this subarea for review and approval by the City Landscape Architect. The landscaping plan shall provide specifications for required plantings on individual parcels and reserve areas and shall provide detailed requirements for landscaping along Central College Road and New Albany-Condit Road. The landscaping treatment shall be consistent along both sides of New Albany-Condit Road.

E. Architectural Standards:

1. Application of DGRs: Except as otherwise set forth in this text, the City's Design Guidelines and Requirements (DGRs) shall apply to this subarea, provided, however, that deviations from them shall be permitted if approved as part of a final development plan application.

2. Design Intent: The designs of buildings in this subarea shall be derived from examples of traditional American architecture, vernacular architecture, and/or any complimentary style of architecture. The intent for the character of the building designs in this subarea is to use Richmond Square in the City's Village Center as inspiration, although actual designs of buildings are likely to be designed to provide a distinct product. Examples of general design intent for townhomes are included along with the preliminary development plan, but specific designs shall be presented for approval as part of a final development plan. Buildings shall be designed to be seen from 360 degrees, where all four elevations shall meet a consistent level of design and design elements.

3. Maximum Building Height: The maximum height of buildings in this subarea shall be 40 feet, except that buildings within the Transition Zone and greater than 250 feet from the southern right-of-way of Central College Road shall have a maximum height of 50 feet.

4. Exterior Materials:

a. Appearance: Detailed architectural elevations shall be submitted for approval by the Planning Commission as part of a final development plan application.

b. Wall Finish Materials: Brick, brick veneer, cementitious/composite siding or equivalent, shall be permitted as primary and secondary exterior façade materials as well as for trim and accent elements. EIFS, wood, and aluminum also shall be permitted as trim or accent elements. The use of vinyl siding shall be prohibited. Exterior wall finish materials must be used to complete massing elements. Exposed foundation walls shall be prohibited.

c. Four-Sided Architecture: Four-sided architecture shall be required on all buildings, meaning that there shall be a cohesive use of design elements on all sides of the structure in a manner that creates continuity and balance among all facades.

5. Roofs: Roofs shall be sloped.

6. Garages:

a. Locations: Garages shall be attached and shall be located at the rear of each residential unit.

b. Designs: 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 or complimentary to the architecture of the home. 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 adjacent private drive. If a garage door faces an Alley, it shall be exempt from the maximum width requirements contained in the DGRs.

c. Pedestrian Doors: All pedestrian garage doors shall be solid paneled.

F. Miscellaneous Standards:

1. Swimming Pools/Spas: Swimming pools shall be prohibited in this subarea. Spas shall be permitted in the rear yard but must be completely screened from adjoining properties and shall have a fence or building façade around it on all four sides in accordance with relevant provisions of the Codified Ordinances. Spas shall be flush with the top of surrounding paving, decking, or similar surfaces and shall have a minimum setback of 5 feet from any property line..

2. Storage:

a. Storage Sheds: Storage sheds shall be prohibited.

b. 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, or adjacent lots or developments.

c. Vehicle Storage: All campers, off-road vehicles, box trucks, and boats, must be parked within an enclosed garage. No undrivable vehicles or parts of vehicles may be stored outside.

3. Mailboxes: Due to recently enacted federal postal rules and regulations, individual mailboxes are no longer permitted to be located to the front of each home. Instead, cluster mailbox units shall be utilized at a single location. This location and the design of the cluster mailbox units shall be reviewed and approved as part of a final development plan for this subarea.

4. Garbage Cans: All garbage cans and other waste containers shall be kept in garages or within approved screened areas.

V. SUBAREA 3: The provisions of this Section V shall apply to Subarea 3.

A. Permitted Uses: Permitted uses in this subarea shall be as follows:

1. Single-family attached townhome residences.

2. Single-family detached residences.

3. Model homes shall be permitted in this subarea to market permitted residential units in Subarea 1 and in Subarea 3. Model homes shall be subject to the review and approval of the Planning Commission in accordance with Section 1133.04(d) of the Codified Ordinances. 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 the building containing the model home. Construction of the model home may occur in advance of, or in conjunction with, installation of public infrastructure for the subdivision. No occupancy or use of the model home shall be permitted until all relevant public infrastructure improvements serving the home are acted by the City.

4. Home occupations, subject to the regulations of Codified Ordinances Section 1165.07.

B. Number of Units: There shall be a maximum of 45 homes in this subarea, with a maximum of 10 of these homes to be single-family detached dwelling units. Single-family detached dwelling units shall not front or back onto New Albany-Condit Road or Central College Road. Attached townhome dwelling units may front on these streets and shall not back onto them.

1. Lot Size: There shall be no minimum lot width or size in this subarea. Townhomes may be located on individual fee simple lots or may be subject to a condominium form of ownership.

2. Lot Coverage. The maximum lot coverage shall be 75%. Lot coverage shall be defined as the area covered by buildings and impervious surfaces. Lot coverage shall be measured across the entire subarea, meaning that individual parcels within this subarea may exceed the maximum lot coverage percentage as long as the entire subarea does not exceed the maximum.

3. Setbacks. The following setback requirements shall apply to this subarea:

a. Central College Road. There shall be a minimum pavement setback and a minimum building setback of 65 feet from the centerline of Central College Road as it exists on the date that this text becomes legally effective.

b. New Albany-Condit Road. There shall be a minimum pavement setback and a minimum building setback of 65 feet from the centerline of New Albany-Condit Road as it exists on the date that this text becomes legally effective.

c. Along Primary Entry Road. There shall be a maximum building setback of 5 feet from the edge of pavement of the Primary Entry Road (such term being later defined herein) to ensure an urban-feeling edge of buildings along that street..

d. Minimum Separation: The minimum separation between buildings shall be 10 feet. There shall be a zero setback requirement between individual townhome units in a building.

e. Front Yards. There shall be a zero front and rear yard setback requirement for all residential units, provided that front yard setbacks along public streets shall be provided as contemplated above.

C. Access and Parking:

1. Vehicular Access: Vehicular access to and from Subarea 3 shall be provided using the Subarea 3 Entry Street, which shall align with the intersection of New Albany-Condit Road and the New Street.

2. Off-Street Parking: A minimum two-car garage shall be provided within each residential unit. Parking may be provided on private drives.

3. Sidewalks: A public sidewalk shall be located within the right-of-way on both sides of the Subarea 3 Entry Street. Public sidewalks shall be a minimum of 5 feet in width and private sidewalks shall be a minimum of 4 feet in width. All sidewalks shall be constructed of concrete.

D. Landscaping Plan: A landscaping plan shall be provided with a final development plan application for this subarea for review and approval by the Planning Commission. The landscaping plan shall provide specifications for required plantings on individual parcels and reserve areas and shall provide detailed requirements for landscaping along Central College Road and New Albany-Condit Road. The landscaping treatment shall be consistent along both sides of New Albany-Condit Road.

E. Architectural Standards:

1. Application of DGRs: Except as otherwise set forth in this text, the City's Design Guidelines and Requirements (DGRs) shall apply to this subarea, provided, however, that deviations from them shall be permitted if approved as part of a final development plan application.

2. Design Intent: The designs of buildings in this subarea shall be derived from examples of traditional American architecture, vernacular architecture, and/or any complimentary style of architecture. The intent for the character of the building designs in this subarea is to use Richmond Square in the City's Village Center as inspiration, although actual designs of buildings are likely to be designed to provide a distinct product. Examples of general design intent for townhomes are included along with the preliminary development plan, but specific designs shall be presented for approval as part of a final development plan. Buildings shall be designed to be seen from 360 degrees, where all four elevations shall meet a consistent level of design and design elements.

3. Maximum Building Height: The maximum height of buildings in this subarea shall be 40 feet.

4. Exterior Materials:

a. Appearance: Detailed architectural elevations shall be submitted for approval by the Planning Commission as part of a final development plan application.

b. Wall Finish Materials: Brick, brick veneer, cementitious/composite siding or equivalent, shall be permitted as primary and secondary exterior façade materials as well as for trim and accent elements. EIFS, wood, and aluminum also shall be permitted as trim or accent elements. The use of vinyl siding shall be prohibited. Exterior wall finish materials must be used to complete massing elements. Exposed foundation walls shall be prohibited.

c. Four-Sided Architecture: Four-sided architecture shall be required on all buildings, meaning that there shall be a cohesive use of design elements on all sides of the structure in a manner that creates continuity and balance among all facades.

5. Roofs: Roofs shall be sloped.

F. Garages:

1. Locations: Garages shall be attached and shall be located to the rear of each residential unit.

2. Designs: 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 or complimentary to the architecture of the home. 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 adjacent private drive. If a garage door faces an Alley, it shall be exempt from the maximum width requirements contained in the DGRs.

3. Pedestrian Doors: All pedestrian garage doors shall be solid paneled.

G. Miscellaneous Standards:

1. Swimming Pools/Spas: Swimming pools shall be prohibited in this subarea. Spas shall be permitted in the rear yard but must be completely screened from adjoining properties and shall have a fence or building façade around it on all four sides in accordance with relevant provisions of the Codified Ordinances. Spas shall be flush with the top of surrounding paving, decking, or similar surfaces and shall have a minimum setback of 5 feet from any property line...

2. Storage:

a. Storage Sheds: Storage sheds shall be prohibited.

b. 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, or adjacent lots or developments.

c. Vehicle Storage: All campers, off-road vehicles, box trucks, and boats, must be parked within an enclosed garage. No undrivable vehicles or parts of vehicles may be stored outside.

3. Mailboxes: Due to recently enacted federal postal rules and regulations, individual mailboxes are no longer permitted to be located to the front of each home. Instead, cluster mailbox units shall be utilized at a single location. This location and the design of the cluster mailbox units shall be reviewed and approved as part of a final development plan for this subarea.

4. Garbage Cans: All garbage cans and other waste containers shall be kept in garages or within approved screened areas.

VI. SUBAREA 4: The provisions of this Section VI shall apply to Subarea 4.

A. Intent: Subarea 4 is intended to be the core of this Zoning District and will serve as an organizing element which is an amenity for the hamlet and an attraction for the larger New Albany community. Using the Sugar Run Creek as the Zoning District's backbone, the goal will be to capitalize on its prominence by creating associated green space and leisure trails. Subarea 4 will provide an area serving recreational, entertainment, and social opportunities.

B. Permitted uses in this subarea shall include:

1. Parks/Open Space: Parks, open space, dog parks, public restrooms, and other customary amenities and activities related thereto.

2. Recreation: Athletic fields, athletic courts, playgrounds, and similar uses.

3. “Outdoor entertainment stages”, defined to mean stages that are covered or uncovered but not completely enclosed and from which concerts, theatre productions, and other artistic performances are given.

4. “Outdoor Markets”, defined to mean Markets (as described in the standards for Subarea 1 above) which are located in venues that are not completely enclosed within a structure.

5. Food Trucks, subject to the same development standards as apply to the operation of this uses in Subarea 1, except relating to the maximum distance requirement from the perimeter boundary of the Central Green.

C. Operational Requirements and Limitations: Given the unique nature of certain permitted uses in this subarea, certain operational requirements and limitations are being provided in order to ensure their appropriate operations, if such uses are operated in Subarea 4:

1. Recreational Uses: Athletic fields, athletic courts, playgrounds, and similar uses may be lighted, provided that such lighting is turned off by 10:00 P.M.

2. Outdoor Entertainment Stages: Performances from Outdoor Entertainment Stages shall not begin before 9:00 A.M. and shall be completed by no later than 10:00 P.M., except that on Memorial Day, Independence Day, and Labor Day (and their associated weekends) performances shall be completed by 11:00 P.M.

3. Outdoor Markets: Outdoor Markets shall be permitted to be operated for no more than 96 hours in a row and shall be permitted to be operational only between 9:00 A.M. and 10:00 P.M. Permanently located restaurants and other food service providers shall be exempt from this provision.

D. Minimum Setbacks:

1. New Albany-Condit Road: There shall be a minimum pavement and building setback of 65 feet from the centerline of New Albany-Condit Road as it exists on the date that this text becomes legally effective.

2. Stream Corridor Protection Zone: A “Stream Corridor Protection Zone” shall be provided along Sugar Run Creek for a minimum width of 100 feet, provided that a minimum of 25 feet shall be provided to each side of the centerline of the creek. The amount of the Stream Corridor Protection Zone that is located on either side of the creek may vary, provided that the foregoing minimums are met. Within the Stream Corridor Protection Zone, buildings and structures shall be prohibited. Pavement shall be prohibited within the Stream Corridor Protection Zone except for leisure paths. Benches, trash receptacles, and pet waste stations shall be permitted within the Stream Corridor Protection Zone in locations which are approved as part of a final development plan. The native understory within this area shall be maintained whenever possible, provided, however, that the removal of any invasive species shall be permitted.

3. Perimeter Boundaries: The minimum pavement setback shall be 0 feet and the minimum building setback shall be 10 feet from the northern boundary line of this subarea. There shall be a minimum pavement and building setback of 25 feet from the western and southern boundaries of this subarea.

4. Interior Parcel Lines: There shall be a zero pavement and building setback from all interior parcel lines within this subarea, provided that all applicable building code requirements are met.

E. Access and Parking:

1. Vehicular Access: There shall be no direct vehicular access to and from Subarea 4. One or more maintenance access and/or service drives may be installed to serve this subarea. An emergency access drive must be installed to serve the subarea from Central College Road. The final locations of such access drives shall be determined as part of a final development plan application within this subarea.

2. Parking Plan: Given the integrated development program for this Zoning District, the applicant shall be required to submit a comprehensive shared parking model as part of the review and approval of the first final development plan in any of Subarea 1, Subarea 2, or Subarea 4. The applicant shall provide an independent demand study and shared parking analysis that analyzes hourly and peak demands for commercial, office, parkland, and residential uses based on shared parking principles and ratios. Parking shall be provided in accordance with the parking demand study and shared parking analysis that is approved as part of one or more final development plans. If the mixture of uses in a subarea, where the parking model is required, substantially changes the model must be resubmitted to staff for review.

3. Off-Street Parking: Parking shall be provided in Subarea 1 to serve the permitted uses in this subarea as well as parking for uses in Subarea 1. Notwithstanding the foregoing, given the integrated development program for this zoning district, the applicant and the City will agree to a comprehensive shared parking model as part of the review and approval of the first final development plan in this subarea or in Subarea 1. The applicant will provide an independent demand study and shared parking analysis that analyzes peak commercial, office and residential uses based on shared parking principles and ratios.

F. Landscaping Plan: A landscaping plan shall be provided with a final development plan application for this subarea for review and approval by the Planning Commission. The landscaping plan shall provide specifications for required plantings on individual parcels and reserve areas and shall provide detailed requirements for screening, buffering, and/or landscaping along New Albany-Condit Road.

VII. SUBAREA 5: The provisions of this Section VII shall apply to Subarea 5.

A. Permitted Uses: Permitted uses in this subarea are set forth in this Section VII.A. Only one of the permitted uses shall be permitted to developed and operated in this subarea, it being the intent that no two permitted uses will be operated at the same time. An applicant for a final development plan shall elect to develop the subarea with one of the permitted uses listed in Sections VII.A.1 through VII.A.3 below, and once a final development plan is approved for the selected use and development commences in accordance with he approved final development plan, the permitted uses which were not

included in the approved final development plan shall not be allowed to be developed or operated in the subarea. For purposes of this limitation, the uses in Sections VII.A1 and VII.A.2 shall be deemed to be a single use.

1. Senior Living Uses: “Senior Living Uses” shall be defined to mean the development and operation of Assisted Living Facilities, Memory Care Facilities and Skilled Nursing Facilities, either individually or in some combination thereof, as well as any Independent Living Facility that is a component of a senior living community that includes an Assisted Living Facility. For purposes of this text, certain terms shall have the meanings provided below:

a. “Assisted Living Facilities” shall be defined to mean “facilities providing living accommodations for senior citizens, the elderly, and/or individuals with disabilities residing in individual units within a building that includes multiple living units and also provides assistance from on-site staff with respect to some activities of daily living such as, but not limited to, hygiene, dressing, provision of meals, dispensing and administration of medication, and mobility assistance.” Individual living units in such facilities may provide a living room, a kitchen, and one or more studio or self-contained bedrooms. These facilities may provide for common dining areas and meal preparation by on-site staff.

b. “Memory Care Facilities” shall be defined to mean “facilities providing for care of individuals living on-site who suffer from dementia or similar memory impairment conditions.” These facilities may include on-site nursing staff, physicians and caregivers. These types of facilities may have special security measures in place for the protection and safety of residents. Memory Care Facilities will have some elements which are similar to Assisted Living Facilities but are distinguished from them based on the nature of residents’ health and the elevated level of care that is necessary to be provided.

c. “Skilled Nursing Facilities” shall be defined to mean “facilities in a more institutional setting than Assisted Living or Independent Living Facilities, which require government-issued licenses in order to operate, and that customarily provide high and skilled levels of care due to residents’ complex medical problems, restrictions on mobility, and infirmities.” In these facilities, many residents generally require assistance with movement from one place to another, bathing, and other basic activities of daily living.

d. “Independent Living Facilities” shall be defined to mean “attached or detached residential units for senior residents aged 55 and over who largely have the ability to take care of their own basic needs.” These facilities have residents who are generally more active than in other senior living environments.

2. Senior Living Supporting Uses: Any uses ancillary to the operation of any Senior Living Use (“Senior Living Supporting Uses”) shall be permitted in association with the operation of a permitted Senior Living Use, provided that such uses are intended primarily for usage by residents and their families and guests and shall not be marketed (but will be open) to the general public. Senior Living Supporting Uses include, but are not limited to:

- a. Retail stores primarily engaged in selling merchandise for personal or household consumption;
- b. Cafes and restaurants with no drive-throughs;
- c. Coffee shops;
- d. Beauty salons, barber shops, nail salons, and spas;
- e. Pools;
- f. Theaters;
- g. Fitness centers;
- h. Gymnasiums;
- i. Areas of worship; and
- j. Medical service facilities.

3. Townhomes: Single-family attached townhome residential units in buildings containing no less than three units. Townhomes shall be permitted only if no Senior Living Uses and/or Senior Living Supporting Uses are developed or operated in Subarea 5. A maximum of 35 townhome units shall be permitted in this subarea. Home occupations shall be permitted in association with townhome units, subject to the regulations of Codified Ordinances Section 1165.07.

4. Single-Family Detached Residences: Single-family attached residences, but only if no Senior Living Uses or Senior Living Supporting Uses are developed or operated in Subarea 5. A maximum of 25 single-family detached units shall be permitted in this subarea. Home occupations shall be permitted in association with townhome units, subject to the regulations of Codified Ordinances Section 1165.07.

B. Conditional Uses: The following uses shall be conditional uses in this subarea, provided that the conditional uses comply with and are reviewed in accordance with Chapter 1115 of the Codified Ordinances:

1. Administrative, business, professional, and medical offices as provided in Codified Ordinances Section 1143.02(a), (b), and (c); and
2. Daycares and preschools.

C. Design Intent: The preliminary development plan for this subarea is intended to illustrate one site plan that conforms to the requirements of this zoning text. The final development plan for this subarea may differ from the preliminary development plan. Such differences shall be deemed to be permissible provided that the final development plan meets the requirements of this zoning text, subject to any waivers that are approved by the Planning Commission as part of a final development plan.

D. Lot and Setback Commitments:

1. Lot Coverage: The maximum lot coverage shall be 70%. Lot coverage shall be defined as the area covered by buildings and impervious surfaces. Lot coverage shall be measured across the entire subarea, meaning that individual parcels within this subarea may exceed the maximum lot coverage percentage as long as the entire subarea does not exceed the maximum.

2. Setbacks:

a. New Albany-Condit Road: There shall be a minimum pavement and building setback of 200 feet from the centerline of State Route 605/New Albany-Condit Road as it exists on the effective date of this text.

b. New Southern Street: There shall be a minimum building setback of 15 feet from the right-of-way of the New Southern Street.

c. Western Perimeter Boundary: There shall be a minimum pavement setback of 10 feet and a minimum building setback of 20 feet from the western perimeter boundary of this subarea.

d. Northern Perimeter Boundary: There shall be a minimum pavement setback of 0 feet and a minimum building setback of 20 feet from the northern perimeter boundary of this subarea.

e. Southern Perimeter Boundary: There shall be a minimum pavement setback of 10 feet and a minimum building setback of 20 feet from the southern perimeter boundary line of this subarea.

f. Interior Parcel Lines: There shall be a zero minimum setback required for buildings and pavement from interior parcel lines within this subarea.

g. Townhomes: Setback and building separation requirements for townhome units and buildings shall be the same as apply to such units and buildings for Subarea 2.

h. Single-Family Detached Units: Single-family detached units shall have a minimum side yard setback of 5 feet, a minimum front yard setback of 10 feet, and a minimum rear yard setback of 10 feet.

E. Access and Parking:

1. Vehicular Access: Vehicular access to and from Subarea 5 shall be provided from one full movement access point on New Albany-Condit Road at a new intersection with New Southern Street

2. Public Sidewalks: A public sidewalk shall be provided along one both sides of the new public street to be constructed in this subarea. This sidewalk shall be 5 feet in width and shall be constructed of concrete.

3. Vehicular Parking: Vehicular parking shall be provided at the following minimum rates for each permitted use type:

a. Assisted Living Facilities (including those that contain an Independent Living Facility component): 1 space per employee on the largest shift, plus 0.5 spaces per residential unit in the facility.

b. Memory Care Facilities: 1 space per employee on the largest shift, plus one space per 10 beds in the facility.

c. Skilled Nursing Facilities: 1 space per employee on the largest shift, plus one space per 10 beds in the facility.

d. Senior Living Supporting Uses: No additional parking required.

e. On-Street Parking: On-street parking shall be permitted along the new public street in this subarea in accordance with the Codified Ordinances. Each on-street parking space on this new street may be counted as one-half of one space for purposes of determining if minimum parking for uses in the subarea are being met.

f. Townhomes and Single-Family: Off-street parking for townhomes and single-family detached homes shall be provided at the minimum rate of three parking spaces per unit. At least two parking spaces shall be provided within an enclosed garage. Additional required off-street parking spaces for townhomes may be provided on driveways or in shared parking areas. Additional required off-street parking spaces for single-family detached homes shall be provided on driveways.

F. Architectural Standards:

1. Application of DGRs: The designs of buildings in this subarea shall be derived from examples of traditional American architecture, vernacular architecture, and/or any complimentary style of architecture thereof taking into account the nature of the proposed use and the scale of the building. Except as otherwise set forth in this text, the City's Design Guidelines and Requirements (DGRs) shall apply to this Zoning District, provided, however, that deviations from them shall be permitted if approved as part of a separate waiver application reviewed by Planning Commission in conjunction with a final development plan application.

2. Style: Buildings shall be designed to be seen from 360 degrees with the same caliber of finish on all facades/elevations. Building additions, whether attached or detached, but excluding carports, shall be of similar design, materials, and construction.

3. Height: The maximum building height (as measured per the Codified Ordinances) shall not exceed 50 feet for Senior Living Uses and 40 feet for townhomes. Architectural elements such as, but not limited to, monitors, chimneys, and cupolas may exceed the height limitations of this text as permitted by the Codified Ordinances.

4. Features: The following architectural features shall be required for Senior Living Uses and shall be scaled according to the size of the individual tenant. These features may be scaled to a group of smaller side-by-side tenants when architecturally appropriate:

a. Roofs may be sloped or flat;

b. Roof elements that emphasize and reduce the building scale at the building storefront such as, but not limited to, dormers, cupolas, roof spires, and hip and gable roofs;

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

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

5. Exterior Elevations: Exterior designs for townhomes shall have the same requirements as apply to such units in Subarea 2. All exterior elevations of each building for other permitted uses in this Subarea 5 shall be required to have the following characteristics:

a. Consistency of Finish: The same palette of exterior finishes and color shall be used on all sides of a building. Unfinished rear facades of buildings shall be prohibited.

b. Exterior Wall Finish: Brick, brick veneer, metal, cementitious products such as Hardiplank or its equivalent, wood, EIFS and composite material may be used as exterior wall finish materials where appropriate. Exterior wall finish materials must be used to complete massing elements. The application of brick or brick veneer to only a single building façade is prohibited. Spandrel glass shall be permitted on the rear facades of buildings, while reflective or mirrored glass shall be prohibited. The use of vinyl as a building material is prohibited.

c. Roofs: Acceptable roof materials for sloped roofs include dimensional asphalt shingles, natural and synthetic slate, cedar shake, and standing seam metal.

d. Parapets: Parapets shall use a cornice with molded shapes made of any of the following durable materials: stone, cast stone, architectural pre-cast concrete, gypsum fiber reinforced concrete, expanded insulation finish system (EIFS), metal, cementitious products, vinyl, or similar materials.

e. Fascias: Roof fascias shall be proportioned to the scale of the roof element. The same material shall be used for fascias and cornices.

f. Gutters and Downspouts: Sloped roofs shall be required to employ gutters and downspouts for drainage. All gutters shall be of a metal type and shall be painted to match fascias.

g. Exterior Doors: All exterior doors other than doors whose primary purpose is for the entry or exit of customers shall be made of a heavy gauge metal.

h. Prefabricated Buildings: Except for any structures ancillary to a primary building located on a single parcel, prefabricated metal buildings, untreated masonry block structures, and buildings featuring an exterior finish entirely of glass are also prohibited.

VIII. GENERALLY APPLICABLE STANDARDS AND PROCEDURES: The provisions of this Section VIII shall apply to the entirety of the Zoning District unless otherwise expressly noted.

A. Parkland and Open Space Ownership and Maintenance Obligations: Areas determined as parkland at the time of a final development plan application shall be owned by the city. Areas identified as open space at the time of a final development plan application may be publicly or privately owned. Maintenance obligations for parkland and open space areas shall be determined at the time of a final development plan application.

B.

B. Traffic Study: A traffic study has been filed for the property that is located within this Zoning District. Improvements to the interior and adjacent public street network shall be provided by the developer(s) of this Zoning District as required (and with timing recommended) by the approved traffic study.

C. Leisure Trails; Mulched Paths: An asphalt leisure trail that is 8 feet in width shall be constructed along the Zoning District's frontages on Central College Road and the east and west sides of New Albany-Condit Road in locations which are reviewed and approved as part of a final development plan. Mulched paths may be permitted only along or near Sugar Run Creek, subject to the review and approval of city staff. The locations and specifications for leisure trails and mulched paths shall be approved as part of relevant final development plans.

D. Reciprocal Easements: A declaration of reciprocal easements or a reciprocal easement agreement shall be recorded against relevant real property within this Zoning District as necessary or desirable in order to provide for perpetual vehicular and pedestrian cross access, cross utility, cross parking, and other easements for the efficient development of the Zoning District. Maintenance of private drives and private sidewalks internal to this Zoning District shall be the responsibility of one or more forced and funded property owners' associations which are created for this purpose.

E. Loading and Service Areas: All loading and service areas shall be fully screened from the view of vehicles or pedestrian located on public street rights-of-way by the use of walls, fences, and/or landscaping.

F. Phasing of Improvements: The phasing of the development of this Zoning District is dependent upon market conditions. Each phase shall include an appropriate share of the proposed streets and circulation system, landscaping and outdoor spaces, screening and other site and architectural amenities of the entire project. The extent of these improvements shall be determined for each phase of a specific project at the time of the project's final development plan approval, and will not necessarily be based solely upon a proportional or equal share of the entire site. Requirements for a phased project may include off-site improvements.

G. Utilities: All new utilities shall be installed underground.

H. Service Areas and Dumpsters: All service areas and dumpsters shall be fully screened from all public streets and from adjacent properties located outside of this Zoning District at ground level with walls, fencing, landscaping, or some combination thereof. Walls shall be of the same materials used on nearby building walls and shall be complemented with landscaping. Exterior storage of materials, supplies, equipment, or products is prohibited.

I. Internal Buffering Exemption. The screening requirements of Codified Ordinances Section 1171.05 shall not apply to interior parcel or subarea boundaries in this Zoning District.

J. Graphics and Signage:

1. Intent. Based on the various uses contained within the “hamlet” that is being created by and through this Zoning District, signage needs are unique and require flexibility, not in an effort to deviate from the community standard but instead to properly and adequately identify uses, users, and tenants, and to promote efficient wayfinding. A master sign plan for one or more subareas shall be filed as part of a final development plan for review and approval by the Planning Commission. In the event of a conflict between this text and/or an approved master sign plan and a relevant provision of the Codified Ordinances, this text and/or the approved master sign plan shall govern. Where any signage standard is not addressed in this text and/or an approved master sign plan, the relevant provisions of the Codified Ordinances shall govern. All signs described in this section shall be designed so that they are consistent with the context of the building on which they are located in terms of scale, size, and design. Signs shall not block or cover any portions of architectural detailing, windows, entries or doorways.

2. Street and Entry Signage: This subarea shall utilize standard City of New Albany street regulatory signage. Entry feature signage at the entries into the Zoning District on Central College Road and State Route 605, shall be permitted with a design that is approved by the Planning Commission as part of a final development plan.

3. Types. The following types of signs shall be permitted in this Zoning District:

a. Wall Signs: A “Wall Sign” shall be defined for purposes of this text to mean “a sign attached to a building which identifies an occupant of that building.” Wall Signs shall be permitted as follows:

i. Subarea 1: For each single tenant building in Subarea 1, one Wall Sign shall be permitted on the façade of the building that is oriented toward Central College Road. For any multi-tenant building, a wall sign

may be located above the entry door for that tenant on both (A) the building façade which faces Central College Road and (B) the building façade that faces southward. The maximum permitted dimensions and heights for these signs shall be determined as part of an approved final development plan but shall be appropriately sized in relating to the architectural design of the building and shall be adequate to identify the building from off-site. Due to the unique environment that will be created in Subarea 1 and within the Transition Zone, creative wall signage may be employed in those locations. A master sign plan shall be presented for approval with a final development plan application for these areas.

ii. Other Subareas: No Wall Signs shall be permitted in Subarea 2 (outside of the Transition Zone) or Subarea 3

b. Ancillary Wall Signs. Ancillary wall signs (“Ancillary Wall Signs”) shall be permitted in order to identify particular uses within a building, to provide addresses for such uses, and to promote efficient wayfinding into the building(s). Ancillary Wall Signs shall be permitted on buildings in any location other than within Subarea 2 (outside of the Transition Zone) or Subarea 3 where they shall be prohibited. The permissible maximum dimensions of this type of sign shall be established in a final development plan along with general requirements for locations. It is the intent that once they are established, the applicant may relocate, remove, or replace these signs in accordance with the approved dimensions and requirements without the need to obtain approval of an amended final development plan application, but the applicant shall be required to obtain any necessary sign permits.

c. Window Signs. Window signs shall be permitted only as allowed under relevant provisions of the Codified Ordinances.

d. Primary Monument Signs. “Primary Monument Signs” shall be permitted as provided in this subsection, and are defined to mean “ground-mounted signs which identify an individual use or user or jointly identifies users or users within the Zoning District, and/or which identify the development as a whole within the Zoning District.” One Primary Monument Sign shall be permitted at the vehicular access point for this Zoning District along Central College Road and at both vehicular access points for this Zoning District from New Albany-Condit Road. These signs may be so-called “off-premises” signs. The final locations and dimensions of these signs shall be provided by the applicant in a final development plan.

e. Secondary Entry Monument Signs. “Secondary Monument Signs” shall be permitted to be located near each building to identify uses or users within that building. A Secondary Monument Sign is defined to mean “a sign which identifies uses and users to visitors, is located on the same parcel as the use or user which it identifies, and is not a Primary Monument Sign. The final locations and dimensions of these signs shall be provided by the applicant in a final development plan.

f. Directional Signs. “Directional Signs” shall be permitted internally within this Zoning District, and are defined to mean “signs used for purposes of directing vehicular and pedestrian traffic to particular locations and not for the primary purpose of advertising or identification.” The permissible maximum dimensions of this type of sign shall be established in a final development plan along with general requirements for locations, and it is the intent that once they are established the applicant may relocate, remove, or replace these signs in accordance with the approved dimensions and requirements without the need to obtain approval of an amended final development plan application, but the applicant shall be required to obtain any necessary sign permits.

M. Lighting:

1. Street Lighting: Public street lights may be removed, relocated, replaced, and/or supplemented if necessary to accommodate the installation and operation of access points onto public streets and to adequately light these areas, as approved as part of a final development plan. New street lights shall be the same or substantially similar style, color, and specifications as existing street lights.

2. Parking Lots and Driveways: All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Lighting along private drives internal to this subarea (if any) shall be presented for review and approval as part of a final development plan. Light poles within this subarea shall be black or New Albany green and constructed of metal. Parking lot lighting shall not exceed 18 feet in height. Parking lot lighting shall be from a controlled source in order to eliminate light spillage beyond the boundaries of the site.

3. Ground-Mounted Lighting: Landscape uplighting from a concealed source shall not be permitted. Any ground lighting that is permitted shall be shielded and landscaped.

4. Prohibited Lighting: No permanent colored lights or neon lights shall be used on the exterior of any building unless such lighted in located in Subarea 3 and is not visible from a public right-of-way.

5. Security Lighting: Security lighting, when used, shall be of a motion-sensor type.

6. Other Requirements: All other lighting on the site shall be in accordance with the City's Codified Ordinances.

N. Review Process; Appeals and Waivers:

1. Architectural Review Board: All final development plan applications in this Zoning District shall be reviewed by the City's Architectural Review Board (ARB) prior to being presented for review by the Planning Commission (PC). The ARB shall provide a recommendation of approval, approval with conditions, or disapproval of each final development plan application to the Planning Commission using the same review criteria for a final development plan application as is required to be applied by the Planning Commission pursuant to relevant provisions of the Codified Ordinances. The Planning Commission shall be the decision-making body as to the approval, approval with conditions, or disapproval of each final development plan application in accordance with the requirements of the Codified Ordinances and shall not be bound by the recommendation of the ARB.

2. Appeals:

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

b. Imminent Peril: An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Officer certifies to the Board of Zoning Appeals, after notice of appeal shall have been filed with them, that by reason of facts stated in the application a stay would, in his opinion, cause imminent peril to life or property. In such case, the proceeding shall not be stayed other than by a restraining order which may, on due cause shown, be granted by the Board of Zoning Appeals, after notice to the Zoning Officer or by judicial proceedings.

Waivers. Deviations from development standards in this text or in the Codified Ordinances are subject to the waiver process. A waiver to the standards may be approved by the Planning Commission (PC), after review and recommendation by the Architectural Review Board (ARB), upon the request of an

applicant as part of a final development plan application. The consideration of a waiver request shall be deemed to constitute an administrative proceeding. The PC shall be the decision-making body as to the approval, approval with conditions, or disapproval of each waiver application in accordance with the requirements of this text and shall not be bound by the recommendation of the ARB. In considering a request for a waiver, each of the ARB and the PC shall conduct a public meeting in conjunction with the application.

a. Application for Waiver. An applicant desiring to have a requirement of this zoning waived must apply for the waiver in conjunction with a final development plan application. The waiver request will be reviewed by the ARB (which shall provide a recommendation on the request to the PC) and the PC, which shall make the final decision to approve, approve with conditions, or disapprove the waiver. The applicant shall indicate the nature of the waiver sought and provide a statement explaining why the waiver should be granted. Any drawings or other materials needed to support the waiver application, as determined by city staff, shall be submitted with the waiver request.

b. Action by ARB and the PC. Along with its recommendation on a final development plan application, the ARB shall make a recommendation of any waiver requests. Along with its decision to approve, approve with conditions, or disapprove a final development plan application, the PC also shall make a decision to approve, approve with conditions, or disapprove a waiver request application. The ARB shall only recommend approval of, and the PC shall only approve (with or without supplementary conditions), the waiver application if they find that the waiver, if granted, would:

i. Provide an appropriate design or pattern of development considering the context in which the development is proposed and the purpose of the particular standard. In evaluating the context as it is used in the criteria, the reviewing body may consider the relationship of the proposed development with adjacent structures, the immediate neighborhood setting, and a broader vicinity to determine if the waiver is warranted;

ii. Substantially meet the intent of the standard that the applicant is attempting to seek a waiver from, and fit within the goals of the City's Strategic Plan;

iii. Be necessary for reasons of fairness due to unusual building, structure, or site – specific conditions; and

iv. Not detrimentally affect the public health, safety or general welfare.