



ORDINANCE O-42-2025

AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 2.0 +/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY

WHEREAS, pursuant to the petition filed by Underhill & Hodge, LLC, agents for petitioner, with the Licking County Commissioners, on August 19, 2025, and

WHEREAS, the foregoing Resolution #25-0709-COMM, dated August 28, 2025 and as corrected on September 2, 2025, of the Licking County Commissioners granting the petition was delivered to the City of New Albany on September 9, 2025, and more than sixty (60) days have elapsed since the foregoing resolution and transcript was transmitted to the City of New Albany, and

WHEREAS, pursuant to the Road Maintenance Agreement between the City of New Albany and the Township of Jersey signed on July 22, 2022 and authorized by R-20-2022, the City of New Albany assumed responsibility for the maintenance and improvements of the section of Beech Road impacted by this annexation, 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, the real estate is located in Licking County and is subject to the "New Albany East Community Authority" and subject to a special property assessment in compliance therewith, and

WHEREAS, 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 Licking County requesting the annexation of 2.0 +/- 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 Licking 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 2.0 +/- acre tract, situated in Jersey Township, Licking 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 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 121.22 of the Ohio Revised Code.

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

CERTIFIED AS ADOPTED this _____ day of _____, 2025.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared: 10/20/2025

Introduced: 11/18/2025

Revised:

Adopted:

Effective:

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

I certify that copies of Ordinance **O-42-2025** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on _____, 2025.

Jennifer Mason, Clerk of Council

Date

**PROPOSED ANNEXATION OF
2.0± ACRES**

FROM: JERSEY TOWNSHIP

TO: CITY OF NEW ALBANY

Situated in the State of Ohio, County of Licking, Township of Jersey, lying in Lot 33, Quarter Township 2, Township 2, Range 15, United States Military Lands, being all of that 2.000 acre tract conveyed to Faith Life Church, Inc. by deed of record in Instrument Number 202209260023391 (all references refer to the records of the Recorder's Office, Licking County, Ohio) being more particularly described as follows:

Beginning, for reference, in the centerline of Beech Road (County Road 88) at the common corner of said Lot 33 and Lots 31, 32 and 34 of said Quarter Township 2, Township 2, Range 16, being in the existing City of New Albany Corporation Line as established by Ordinance Number O-33-2010, of record in Instrument Number 201011040022449 and City of New Albany Corporation Line as established by Ordinance Number O-07-2018, of record in Instrument Number 201808140016837, being the common easterly corner of that 11.625 acre tract conveyed to Faith Life Church, Inc. by deed of record in Instrument Number 2020103000292356 and that tract conveyed to Deanna J. Boehm-Napoli by deeds of record in Official Record 718, Page 620 and Instrument Number 202408150014002;

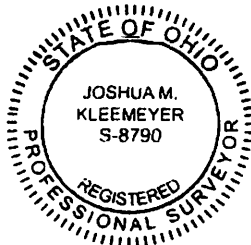
Thence South 03° 27' 52" West, with the centerline of said Beech Road, with the line common to said Sections 32 and 33, and with said existing City of New Albany Corporation Line (O-33-2010) and (O-07-2018), a distance of 498.17 feet to the TRUE POINT OF BEGINNING;

Thence South 03° 27' 52" West, continuing with the centerline of said Beech Road, with the line common to said Sections 32 and 33, with the easterly line of said 2.000 acre tract and with said existing City of New Albany Corporation Line (O-33-2010) and (O-07-2018), a distance of 174.13 feet to a point;

Thence North 86° 57' 43" West, with the southerly line of said 2.000 acre tract and with the existing City of New Albany Corporation Line (O-07-2018), a distance of 500.39 feet to a point at the southwesterly corner of said 2.000 acre tract and in the easterly line of that 22.622 acre tract conveyed to Faith Life Church, Inc. by deed of record in Instrument Number 202010300029235;

Thence North 03° 27' 52" East, with the westerly line of said 2.000 acre tract, with the easterly line said 22.622 acre tract and with said existing City of New Albany Corporation Line (O-07-2018), a distance of 174.13 feet to a point at the northwesterly corner of said 2.000 acre tract;

Thence South 86° 57' 43" East, with the northerly line of said 2.000 acre tract, with the southerly line of said 22.622 acre tract and with said existing City of New Albany Corporation Line (O-07-2018), a distance of 500.39 feet to the TRUE POINT OF BEGINNING, containing 2.000 acres, more or less.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature of Joshua M. Kleemeyer in black ink.

Joshua M. Kleemeyer
Professional Surveyor No. 8790

12/9/24

PROPOSED ANNEXATION OF 2.0 ± ACRES TO THE CITY OF NEW ALBANY FROM JERSEY TOWNSHIP

LOT 33, QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 15
UNITED STATES MILITARY LANDS
TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO

Exhibit B - O-42-2025

FAITH LIFE CHURCH, INC.
11.625 AC. (DEED)
I.N. 20201030029235
P.N. 094-111510-00.000

DEANNA J. BOELHM-NAPOLI
O.R. 718, P. 520
I.N. 202408150014002
P.N. 037-111510-00.004

CITY OF NEW ALBANY
CORPORATION LINE
ORD. NO. 0-07-2018
I.N. 201808140016837

CITY OF NEW ALBANY
CORPORATION LINE
ORD. NO. 0-07-2018
I.N. 201808140016837

FAITH LIFE CHURCH, INC.
2.000 AC. (DEED)
I.N. 202209280023391
P.N. 037-111510-00.005

2.0± AC.

FAITH LIFE CHURCH, INC.
2.0000 AC. (DEED)
I.N. 201208070012549
P.N. 095-111504-00.003

CITY OF NEW ALBANY
CORPORATION LINE
ORD. NO. 0-07-2018
I.N. 201808140016837



By John M. Kleemeyer 12/4/24
John M. Kleemeyer
Professional Surveyor No. 8790
jkleemeyer@emht.com

Proposed Annexation
of 2.0 ± acres to the City of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on August 19, 2025, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

Agent for Petitioners

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

Board of Licking County Commissioners

Petition Received August 19, 2025

Petition Approved August 20, 2025

Transferred this ___ day of ___, 20___, upon the duplicates of this office

Containing ___ acres.

Transfer Fee ___

Licking County Auditor

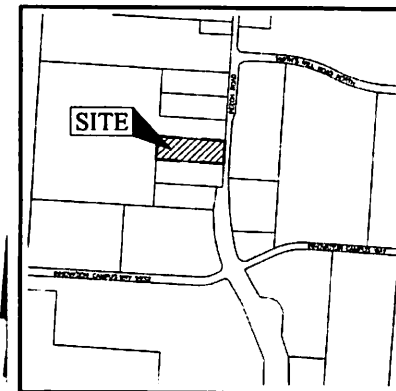
Received for Record ___, 20___, at ___ (AM-PM) and recorded
Page ___, 20___, in plat ordinance, petition, etc. in Plat Book Volume ___

Plat Fee ___
Ordinance, etc. Fee ___

Licking County Recorder

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

Attest ___
Clerk, City of New Albany



LOCATION MAP AND BACKGROUND DRAWING
SCALE: 1" = 1000'

AREA TO BE ANNEXED

PROPOSED CITY OF NEW ALBANY CORPORATION LINE

EXISTING CITY OF NEW ALBANY CORPORATION LINE

Contiguity Note:
Total perimeter of annexation area is 1349.0 feet, of which
1349.0 feet is contiguous with the City of New Albany by
Ordinance Numbers O-33-2010 and O-07-2018, giving 100%
perimeter contiguity.

Note:
This annexation does not create islands of unincorporated
areas within the limits of the area to be annexed.

EMHT Evans, Mechwart, Hornbostel & Titus, Inc. Engineers • Surveyors • Planners • Scientists 3500 New Albany Road, Columbus, OH 43224 Phone: 614.775.4500 Fax: 614.775.3448 emht.com		Date: December 9, 2024																														
		Scale: 1" = 60'																														
		Job No: 2023-0031																														
		Sheet: 1 of 1																														
REVISIONS <table border="1"> <thead> <tr> <th>MARK</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>			MARK	DATE	DESCRIPTION																											
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ORDINANCE O-44-2025

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 2+/- ACRES OF LAND GENERALLY LOCATED AT 2365 BEECH ROAD, NORTH OF INNOVATION CAMPUS WAY AND SOUTH OF JUG STREET, FROM AGRICULTURAL DISTRICT (AG) TO AN EXISTING INFILL PLANNED UNIT DEVELOPMENT (I-PUD) KNOWN AS "FAITH LIFE CHURCH I-PUD ZONING DISTRICT" AS REQUESTED BY FAITH LIFE CHURCH, C/O AARON UNDERHILL ESQ.

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

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

WHEREAS, pursuant to the application by Faith Life Church, c/o Aaron Underhill Esq., the Planning Commission has reviewed the proposed ordinance amendment and recommended its approval unanimously.

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 2+/- acre site within Licking County, generally located at 2365 Beech Road, north of Innovation Campus Way and south of Jug Street, from its current zoning of Agricultural District (AG) to Infill Planned Unit Development (I-PUD).
- B. The zoning district text and boundary map 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 121.22 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 _____ day of _____, 2025.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared: 11/21/2025

Introduced: 12/02/2025

Revised:

Adopted:

Effective:

**PROPOSED ANNEXATION OF 2.0 ± ACRES
TO THE CITY OF NEW ALBANY FROM JERSEY TOWNSHIP**
LOT 33, QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 15
UNITED STATES MILITARY LANDS
TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO

Exhibit A - O-44-2025

FAITH LIFE CHURCH, INC.
11.625 AC. (DEED)
I.N. 20201030029235
PN: 095-111510-00.000

DEANNA J. BOEHM - NAPOLI
O.R. 718, P. 820
I.N. 202408150014002
PN: 037-111510-00.004

CITY OF NEW ALBANY
CORPORATION LINE
ORD. NO. 0-07-2018
I.N. 201808140016837

CITY OF NEW ALBANY
CORPORATION LINE
ORD. NO. 0-07-2018
I.N. 201808140016837

FAITH LIFE CHURCH, INC.
2.000 AC. (DEED)
I.N. 202209260023391
PN: 037-111510-00.005
2.0 ± AC.

FAITH LIFE CHURCH, INC.
2.0000 AC. (DEED)
I.N. 201209070012549
PN: 095-111504-00.003

CITY OF NEW ALBANY
CORPORATION LINE
ORD. NO. 0-07-2018
I.N. 201808140016837



Proposed Annexation
of 2.0 +/- acres to the City of New Albany

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

Agent for Petitioners

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

Board of Licking County Commissioners

Petition Received _____, 20____ Commissioner

Petition Approved _____, 20____ Commissioner

Commissioner

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

Containing _____ acres.
Transfer Fee _____

Licking County Auditor

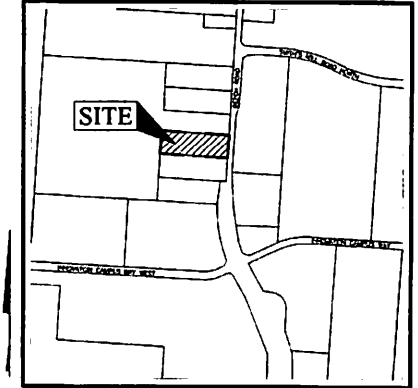
Received for Record _____, 20____, at _____ (AM-PM) and recorded _____, 20____, in plat ordinance, petition, etc. in Plat Book Volume _____, Page _____.

Plat Fee _____
Ordinance, etc. Fee _____

Licking County Recorder

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

Attest _____
Clerk, City of New Albany



LOCATION MAP AND BACKGROUND DRAWING
SCALE: 1" = 1000'

AREA TO BE ANNEXED

PROPOSED CITY OF NEW ALBANY CORPORATION LINE

EXISTING CITY OF NEW ALBANY CORPORATION LINE

Contiguity Note:

Total perimeter of annexation area is 1349.0 feet, of which 1349.0 feet is contiguous with the City of New Albany by Ordinance Numbers O-33-2010 and O-07-2018, giving 100% perimeter contiguity.

Note:

This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

EMHT Evans, Mechwart, Hamilton & Thon, Inc. Engineers • Surveyors • Planners • Scientists 5503 New Albany Road, Columbus, OH 43254 Phone: 614.775.4300 Fax: 614.775.3648 emht.com		Date: December 9, 2024 Scale: 1" = 60' Job No: 2023-0031 Sheet: 1 of 1
REVISIONS		
MARK	DATE	DESCRIPTION

FAITH LIFE CHURCH ZONING DISTRICT EXPANSION

INFILL PLANNED DEVELOPMENT (I-PUD) DEVELOPMENT STANDARDS TEXT

October 31, 2025

I. Summary: This I-PUD zoning district consists of 2.0+/- acres located to the west of and adjacent to Beech Road in Licking County, generally between Jug Street on the north and Innovation Campus Way West on the south. The property within this zoning district is being annexed to the City from Jersey Township. The property presently contains an existing home and detached garage that will remain. The intent of this zoning is to facilitate the integration of the property into the existing Faith Life Church campus and to provide similar rights to it as apply to the campus.

II. Development and Use Standards: Unless otherwise specified in this written text, the same use and development standards that apply to the Faith Life Church campus as approved in City Council Ordinance ORD-13-2018 shall apply to this zoning district. The previously approved zoning text that was included in ORD-13-2018 is hereby incorporated herein by reference. In addition to other permitted and accessory uses, the temporary residential living facilities that are permitted to be operated on the campus as detailed in Section III.B of the zoning text approved in ORD-13-2018 shall be permitted to be operated on the 2.0+/- acres of property that is included in this text.

III. Existing Conditions: The existing improvements to the property that is the subject of this text shall be permitted to remain and no final development plan approval shall be required for the same. Modifications to these improvements or redevelopment of the property shall require approval of a final development plan.

FAITH LIFE CHURCH ZONING DISTRICT

INFILL PLANNED DEVELOPMENT (I-PUD) DEVELOPMENT STANDARDS TEXT

June 8, 2018

I. Summary: This I-PUD zoning district consists of 36.2+/- acres located to the west of and adjacent to Beech Road in Licking County, generally between Jug Street on the north and Innovation Campus Way West on the south. The property within this zoning district is being annexed to the City from Jersey Township. The property presently contains a church consisting of 52,000+/- square feet, with associated parking areas and other related improvements. In addition, two homes currently exist near the site's frontage on Beech Road, one in the northern portion of the site and the other in the southern portion. These homes provide temporary living arrangements and life skills training for individuals who are experiencing difficulties unrelated to substance abuse.

The applicant, Faith Life Church, seeks this rezoning in order to memorialize its rights to continue to operate the existing uses and improvements on the site upon its annexation to the City, and to provide for the expansion of the church's facilities and related uses. The currently anticipated expansion will include an additional 154,000+/- square feet of building area for the church itself and will provide for the construction of two additional ancillary structures that will include uses that are in support of the Church's outreach programs.

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

III. Permitted Uses: Permitted uses in this zoning district shall be as follows:

- A. Churches and other religious institutions.
- B. Temporary residential living facilities made available on a charitable basis to individuals that have suffered from abuse, are having financial problems, or are experiencing some other personal difficulties unrelated to drug and/or alcohol abuse. This use shall only be permitted in the homes noted on the preliminary development plan which have the addresses of 2337 Beech Road and 2487 Beech Road, or similar replacement structures if approved as part of a final development plan. No single structure used for these purposes shall exceed 3,000 square feet in size, and no more than two temporary residential living facility structures shall be permitted in this zoning district. For purposes of this zoning text, a residential living facility shall be "temporary" if individuals generally are permitted to reside there for a continuous period of no more than one (1) calendar year. Temporary or permanent residential living facilities with no affiliation with a church or religious institution operating in this zoning district and any residential uses for which rent is being charged to tenants shall be prohibited. In addition, (i) residential and non-residential drug and/or alcohol treatment facilities and (ii) halfway houses shall not be permitted in this zoning district. For purposes of this text, a

“halfway house” shall be defined as a “residential facility helping former drug addicts, prisoners, psychiatric patients, or others to adjust to life in general society.”

- C. One “provision outreach center”, defined for purposes of this text to mean “a building operated on a charitable basis by a church or other religious facility located within this zoning district, which provides a place where individuals are provided services to enhance their life and/or job skills or where such individuals provide services for others.” The provision outreach center identified in the preliminary development plan is intended to provide computer classes, job training, and a youth auto repair shop servicing no more than three automobiles at a time which will be donated to and/or used by those served by on-site temporary residential living facilities. Garage doors for the youth auto repair shop shall be oriented so that they are not facing Beech Road or to the north. The provision outreach center shall not exceed 16,000 square feet in size.
- D. Accessory uses to the religious exercise facility including, but not necessarily limited to, the following uses, provided that no such individual use shall exceed 5,000 square feet of gross floor area unless approved as a conditional use pursuant to Chapter 1115 of the Codified Ordinances:
 - i. Adult and child day care
 - ii. Preschools
 - iii. Parochial schools serving students in primary or secondary grades
 - iv. Technical and educational classroom facilities
 - vii. Restaurants, coffee shops, and cafes, but only within the primary church structure
- E. The following uses within a structure that is primarily operated as a church or other religious facility:
 - i. Gymnasiums or similar facilities
 - ii. Administrative offices
 - iii. Television, radio, and internet streaming or similar productions, provided, however, that any antennas or communications towers shall not be permitted unless approved in accordance with applicable requirements of the Codified Ordinances
 - iv. Outreach programs
- F. One facilities support building, not to exceed 8,000 square feet in size. The facilities support building is intended to provide storage for equipment, furniture, and other personal property used on-site.
- G. Playgrounds, parks, open space, play fields, and related or similar recreational uses.

IV. Density and Lot Coverage:

- A. Density: The maximum total density for all structures in this zoning district shall be 8,000 square feet per gross acre.
- B. Maximum Lot Coverage: The maximum lot coverage in this zoning district shall be 70%.

V. Setback and Lot Commitments:

A. Beech Road: There shall be a minimum building and pavement setback of 100 feet from the existing edge of the right-of-way of Beech Road. Sidewalks serving structures that exist on the date that this zoning text becomes legally effective may encroach up to 10 feet into the required minimum pavement setback from Beech Road.

B. Perimeter Boundaries: There shall be a minimum pavement setback of 25 feet and a minimum building setback of 50 feet from all perimeter boundaries of this zoning district, except that all improvements that exist on the effective date of this text which encroach into these minimum required setbacks shall be permitted to remain.

C. New Public Street: There shall be a minimum building and pavement setback of 25 feet from the edge of right-of-way for the new public street contemplated in Section VI.A of this text, except that if right-of-way is not dedicated to the City pursuant to the Right-of-Way Dedication Agreement that is described in that same section, then this setback requirement shall no longer be effective.

D. Conformity of Existing Improvements: Structures and pavement which exist on the effective date of this text shall be considered to be legally conforming under this zoning text and the Codified Ordinances and may be repaired and/or replaced in the event of a casualty event such as (but not limited to) storm, fire, or flood damage. New structures not being constructed for the purpose of replacing existing structures that have been damaged or destroyed by a casualty event shall be required to adhere to the minimum setback requirements of this text.

E. Interior Setbacks: There shall be a zero setback requirement for pavement and buildings from property lines that are interior to this zoning district (i.e., those property lines which are not perimeter boundary lines).

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

V. Architectural Standards: Existing structures within this zoning district on the date this zoning text becomes legally effective shall not be required to be modified to meet the requirements of this Section V. Except as provided in the immediately preceding sentence, architecture for buildings in this zoning district shall be governed by the requirements of the City's Design Guidelines and Requirements for Institutional and Civic Buildings. In addition, the following architectural requirements shall apply to this site:

A. Building Height: The maximum building height for primary structures shall not exceed 50 feet when measured to the top of the roof. Architectural elements such as but not limited to steeples, parapets, and cupolas shall be subject to Section 1165.07 of the Codified Ordinances. The steeple element which is proposed for the expanded portion of the primary structure in this zoning district shall not exceed a maximum height of 80 feet. , Minor architectural elements on the steeple that exceed the height requirement must be reviewed and approved by the city's Architectural Review

Board and Planning Commission as part of a final development plan application review and if the boards determine it to be architecturally appropriate. Accessory structures shall not exceed 35 feet in height, except that architectural features such as parapets, chimneys, and cupolas may exceed this height limitation if architecturally appropriate.

B. Service and Loading Areas: Service areas and loading docks shall be fully screened from the view of public rights-of-way.

C. General Requirements:

1. Building designs shall not mix architectural elements or ornamentation from different styles. All building elevations shall be designed to be compatible with each other and to reflect a consistent design approach.
2. Buildings shall be required to employ a comparable use of materials on all elevations.
3. Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent 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/attenuate sound generated by such equipment.
4. Photos of all facades of existing primary, secondary, and accessory structures within this zoning district shall be submitted along with the first final development plan application that is filed in this zoning district in order to provide a record of their architectural character and design. In addition, at the same time the property owner shall submit to the City copies of all building plans for existing buildings to the extent that such plans exist.

D. Primary Building: The following provisions and requirements shall apply to the existing and expanded primary church building in this zoning district:

1. The existing primary church building has the appearance shown in photos that accompany this text. The addition to this building will reflect an architectural style and character that compliments the existing structure and is reflected in elevation drawings and renderings that also accompany this text. The final architectural design of the addition to the existing primary building and of any new accessory buildings shall be reviewed as part of a final development plan. Future changes to existing or new structures shall require the review and approval of an amended final development plan.
2. The addition to the existing primary building will use materials that are substantially similar or complimentary to the existing building. The primary building color will be earth tones of light and medium sand and the primary exterior building material shall be split-face concrete masonry units (CMU). Light sand is the main body color of the existing building, with contrasting bands and outlines in darker sand-tone split-face masonry; the proposed addition will repeat this palette and add a deeper earth-tone contrast color for some wall surface. Earth-toned, stone column bases/piers at

the new main and secondary entries will add textural variation and emphasize the entries.

3. The new addition shall repeat existing Exterior Insulation and Finish Systems (EIFS)/stucco finishes in light sand coordinated with the light CMU wall areas, and darker contrasting stucco treatment in keeping with the amber color that emphasizes the current main entry.
 4. The proposed addition will mirror the existing curved tinted glass and clear anodized aluminum framed curtain wall, capped with insulated aluminum wall panels. This is a major feature of the current building, which provides a strong contrast and adds interest against the solid earth-toned masonry and stucco. The new addition will extend this curved curtain wall to the east, terminating at a new Steeple feature element.
 5. The new steeple structure will also incorporate tinted glass and clear anodized aluminum framed curtain wall to match the existing building and new curtain wall, and it will be constructed over a split-face CMU base, to be located at the corner of the new church chapel. The new steeple also will include structural steel and concrete visible through the glass and aluminum framed curtain walls.
 6. Visible structural steel in the steeple feature element and at entries will also stand in strong contrast to the earth tones of masonry and stucco finishes, adding interest to the overall design and tying it to the character of the nearby Beauty Campus.
 6. A new main entry will be further emphasized with a barrel vault roof canopy structure finished in standing seam metal roof panels that travels through the main building to act as a connecting spine extending from this new front east entry to the rear west secondary entry. This canopy/spine element will utilize similar materials and colors mentioned, including split-face CMU, EIFS, metal wall panels, steel columns on stone piers, aluminum framed glazing.
- E. **Accessory structures:** Primary exterior materials to be permitted on accessory structures (i.e., all structures in this zoning district other than the primary structure) shall include, but not be limited to, brick, brick veneer, stone, stone veneer, wood, fiber cement board, metal board and batten, and/or hardi-plank (or similar composite materials). Vinyl siding shall be prohibited. Prefabricated metal buildings, untreated masonry block structures, and buildings featuring an exterior finished primarily of glass are not permitted. Poured concrete exterior walls are prohibited. Notwithstanding the foregoing, the same or similar exterior materials which are found on the primary church building that exists on the site on the effective date of this text and/or the same or similar exterior façade materials that are approved by the Planning Commission for the expansion of that building as part of a final development plan shall be permitted for new accessory constructed within this zoning district which are located at least 350 feet from the centerline of Beech Road.

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

- A. **New Public Street:** Subject to the sentence that immediately follows, right-of-way shall be dedicated to the City at a width of 50 feet to provide for a new public street to be constructed by the City extending westward from the current intersection of Beech Road and Smith's Mill Road North through the northern portion of the zoning district, and easements shall be dedicated to the City adjacent to such right-of-way in order to accommodate public and private utilities. The dedication of the right-of-way and easements shall be completed only as required by and through a separate written agreement by and between the property owner and the City which will be considered and approved by City Council in its sole discretion at the same meeting where it considers legislation to approve this rezoning.
- B. **Beech Road:** A maximum of 50 feet of public right-of-way as measured from the road centerline be dedicated for each parcel located adjacent to Beech Road.
- C. **Access:** Vehicular access to and from this zoning district shall be provided as follows:
1. **Center Access Point:** A full movement access point generally extending from Beech Road into the center of the zoning district as generally shown on the preliminary development plan and as approved as part of a final development plan.
 2. **Northern Access Point:** A second full movement access point generally aligned with the existing intersection of Beech Road and Smith's Mill Road North. A private drive extending into the site from the existing intersection shall be utilized until such time as the City elects to accept the dedication of public right-of-way and utility easements and to construct a public street running east-west through this zoning district in the general location shown in the preliminary development plan and as contemplated in Section VI.1 above. The new public street, if constructed, shall be constructed by the City at no cost to the property owner at a time and with specifications that are solely determined by the City. During the time when the new public street is being constructed, the City shall provide the property owner with temporary alternative vehicular access to and from the zoning district to replace the northern access point to and from Beech Road, with full movements at least during periods when religious services are being held.
 3. **From New Public Street:** If and when the new east-west public street is constructed, access shall be provided into the zoning district from this street with access into the zoning district from this street to be generally provided at the same or similar locations as provided from the private access drive that is contemplated in the immediately preceding paragraph.
 4. **Driveways Serving Residential Structures:** Two separate driveways serving existing residential structures near Beech Road shall be permitted, provided that such driveways shall only be allowed to serve such structures.
- D. **Parking Spaces:** Parking for church and similar uses shall be provided at the minimum rates of 1 space for every 3 seats in the main sanctuary/auditorium, 3 spaces for each classroom, and 1 space for every 250 square feet of office uses. Parking for all other permitted or accessory uses shall be provided in accordance with City Code Chapter 1167.

E. Loading Spaces: A minimum of 2 loading spaces shall be required for the primary building from which church and related accessory uses are operated. Loading spaces for all other uses shall be provided in accordance with City Code Chapter 1167.

F. Pedestrian Crossing: At the time of its filing of a final development plan application, the applicant shall work with the City Engineer to determine if a pedestrian crossing is practicable to provide a connection from the existing bike path on the east side of Beech Road to this zoning district.

VII. Buffering, Landscaping, Open Spaces, and Screening:

A. Existing Landscaping: All landscaping which exist in this zoning district on the effective date of this text shall be deemed to be permitted and legally conforming with this zoning. At such time as any existing landscaping is replaced for any reason, the replacement landscaping shall conform to the requirements of this Section VII.

B. Landscaping Plan: A landscaping plan shall be submitted with a final development plan application for review by the Planning Commission.

C. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within the setbacks in this subarea. 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.

D. White Horse Fence: A four-board white horse fence shall be installed and maintained along the zoning district's frontages on Beech Road. The fence shall be located one foot from the edge of the Beech Road right-of-way unless otherwise approved by the Planning Commission as part of a final development plan.

E. Street Trees: A street tree row shall be established along the Beech Road right-of-way behind the white horse fence that is contemplated in the immediately preceding provision and shall contain 1 tree for every 30 feet of street frontage. Trees may be grouped or regularly spaced. Minimum street tree size at installation shall be three (3) caliper inches. This requirement may be waived in areas where existing vegetation occurs, subject to approval of the City Landscape Architect.

F. Temporary Fences: Snow fences shall be used as temporary barriers during construction around vegetation. All temporary fences must be removed prior to the issuance of a certificate of occupancy.

G. Along New Public Street: Installation of street trees, fencing, and other improvements within the right-of-way or associated easements for the new east-west public street shall be the responsibility of the City at such time as the City constructs that street.

VIII. Lighting:

- A. Existing light poles and fixtures in this zoning district shall be permitted to remain until they are voluntarily replaced or need to be replaced due to a casualty event or the end of their useful life. All new and replacement lighting shall conform to the requirements of this text.
- B. All parking lot and private street lighting shall be cut-off type fixtures and down cast.
- C. All new or replacement parking lot lighting shall be of the same light source type and style.
- D. All light poles shall be black or New Albany Green and constructed of metal. Gooseneck fixtures shall be utilized on light poles. Light poles shall not exceed 20 feet in height.
- E. Uplighting of the church steeple shall be prohibited unless approved as part of a final development plan which demonstrates that such light does not extend to property outside of this zoning district and that the lighting does not exceed a level of brightness than is greater than that which is required in order for the steeple to be seen from Beech Road during nighttime hours, both as determined by the Planning Commission in its sole discretion.
- F. No permanent colored lights or neon lights shall be used on the exterior of any building.
- G. Flood lighting of buildings shall not be permitted.
- H. All other lighting within this zoning district shall be in accordance with the Codified Ordinances. A lighting plan shall be permitted as part of a final development plan application which shall, among other items, detail the level of illumination from lighting within the zoning district and on adjacent properties.

IX. Signage:

- A. Existing Signage: All signs which exist in this zoning district on the effective date of this text shall be deemed to be permitted signs which are legally conforming with this zoning. At such time as any existing sign is replaced for any reason, the replacement sign shall conform to the requirements of this Section IX. An inventory of existing signs within this zoning district shall be filed with the first final development plan application for this zoning district which shall include photos of such signs and a plan illustrating their locations.
- B. Regulation of Signage and Graphics: Unless otherwise set forth herein, the requirement of Chapter 1169 (Display Signs and Outdoor Advertising) shall apply to this zoning district. Final details for all signs shall be submitted with a final development plan application for review by the Planning Commission.
- C. Intent: Proposed signage for this zoning district seeks to provide for clear identification of the use from off-site and on-site and to promote efficient wayfinding. The location of the primary building in this zoning district is set back a considerable distance from Beech Road, the public street from which vehicles will access the site. In addition, a large industrial building sits off-site to the southeast between the primary building and Beech Road, almost entirely obstructing the primary building from the view of Beech Road when driving northward. Once within the zoning district, the property does or will contain

several other buildings and includes a large amount of acreage, causing the need to provide easy identification of uses through signage.

D. **Wall Signs:** Wall signs shall be permitted on structures other than the primary church building only as approved as part of a final development plan and shall be used only for the purpose of identifying the use of the building to pedestrian and vehicular traffic that is internal to the zoning district. Wall signs shall be permitted on the primary church building as follows (as generally depicted in materials accompanying this text, subject to review at the time of final development plan):

1. On each of the east-facing and west-facing elevations of the building, one wall sign shall be permitted to be installed so that the top of the sign is no higher than 40 feet from grade. This sign shall not exceed 120 square feet in area.
2. On the north-facing elevation of the building, one wall sign shall be permitted to be installed so that the top of the sign is no higher than 40 feet from grade, but only at such time as construction of the new public street commences as contemplated in Section VI.A above. This sign shall not exceed 120 square feet in area.
3. No wall signs shall be permitted on the south-facing elevation of the building.
4. Secondary wall signs on the primary building in this subarea) shall be permitted to identify uses within the building and/or to promote wayfinding. These signs shall be placed where architecturally appropriate (as determined by the Planning Commission as part of its review of a final development plan). The number, sizes, locations, and other specifications for these signs shall be subject to the review of the Planning Commission as part of a final development plan. Such signs shall be of a smaller size and installed at a shorter height than other permitted wall signage.

E. **Ground Signs:** A ground sign shall be permitted at each of the central and northern vehicular access points into the zoning district along Beech Road. In addition, if the public street that is contemplated in Section VI.A is constructed in the future, a ground sign identifying the religious use within the zoning district shall be permitted at one access point into the site from the street. These signs may be monument signs or dual post signs as defined in Section 1169.17(b) and (c) of the Codified Ordinances.

F. **Directional signage:** Directional and wayfinding signage shall be permitted within this zoning district as permitted by the Codified Ordinances. The applicant shall provide a plan for designs and locations of such signs for review by the Planning Commission as part of a final development plan application.

X. **Miscellaneous:**

A. **Utilities:** All new utility lines including water supply, sanitary water service, electricity, telephone and gas, and their connections or feeder lines shall be placed underground.

B. **General Matters:**

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

2. Appeals and Variances:

i. Appeals:

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

(B) Imminent Peril: An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Officer certifies to the Board of Zoning Appeals, after notice of appeal shall have been filed with him, that by reason of facts stated in the application of 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.

ii. Nature of Variance: On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable development standards of the PUD portion of this text or the Zoning Ordinance unreasonable and, therefore, the procedure for variance from development standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change of the primary use of the land or structure permitted.

iii. Variance Process: The procedures and requirements of Chapter 1113, Variances of the Codified Ordinances of the City of New Albany shall be followed in cases of appeals. The Planning Commission shall hear requests for variances in this zoning district.



ORDINANCE O-45-2025

APPROPRIATION AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NEW ALBANY, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2025 AND TO AUTHORIZE A TRANSFER AND ADVANCE FROM THE GENERAL FUND

WHEREAS, it is necessary to increase and/or transfer expenditure appropriations within multiple funds to ensure expenditures do not exceed appropriations;

WHEREAS, it is necessary to reduce certain expenditure appropriations in multiple funds at year end to ensure that funds are not over-appropriated; and

WHEREAS, it is the city's intention to stay in compliance with all Ohio Revised Code budgetary requirements.

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. Council hereby authorizes the following amendments to appropriations for the year ended December 31, 2025:

Fund	Department	Category	Increase/ (Decrease)
101 - General	Finance	Operating & Contractual Services	\$ 120,000
101 - General	N/A	Transfers & Other Financing Uses	3,650,002
221 - Economic Development - NAECA	N/A	Transfers & Other Financing Uses	83,357
228 - Subdivision Development	Community Development	Operating & Contractual Services	1,000,000
230 - Wentworth Crossing TIF	General Administration	Operating & Contractual Services	32,000
231 - Hawksmoor TIF	General Administration	Operating & Contractual Services	13,000
232 - Endave TIF	General Administration	Operating & Contractual Services	6,000
233 - Saunton TIF	General Administration	Operating & Contractual Services	9,000
234 - Richmond Square TIF	General Administration	Operating & Contractual Services	12,000
236 - Ealy Crossing TIF	General Administration	Operating & Contractual Services	48,000
237 - Upper Clarenton TIF	General Administration	Operating & Contractual Services	34,000
239 - Straits Farm TIF	General Administration	Operating & Contractual Services	22,000
240 - Oxford TIF	General Administration	Operating & Contractual Services	72,049
240 - Oxford TIF	N/A	Transfers & Other Financing Uses	(71,161)

Fund	Department	Category	Increase/ (Decrease)
241 - Schleppi Residential TIF	General Administration	Operating & Contractual Services	114,385
241 - Schleppi Residential TIF	N/A	Transfers & Other Financing Uses	(64,185)
251 - Blacklick II TIF	General Administration	Operating & Contractual Services	27,000
252 - Village Center TIF	General Administration	Operating & Contractual Services	144,000
253 - Research & Technology District TIF	General Administration	Operating & Contractual Services	173,000
258 - Windsor TIF	General Administration	Operating & Contractual Services	155,000
258 - Windsor TIF	N/A	Transfers & Other Financing Uses	(5,000,000)
401 - Capital Improvement	N/A	Capital	5,150,200
401 - Capital Improvement	Finance	Operating & Contractual Services	40,000
402 - Village Center Improvement	N/A	Capital	(3,200,000)
404 - Park Improvement	Finance	Operating & Contractual Services	10,000
405 - Water & Sewer Capital Improvement	N/A	Capital	120,000
415 - Capital Equipment Replacement	N/A	Capital	(350,000)
417 - Oak Grove II Infrastructure	Finance	Operating & Contractual Services	30,000
422 - Economic Development Capital	N/A	Capital	(700,000)
Total Appropriation Amendments			\$ 1,679,647

Section 2. Council hereby authorizes Budget Transfers as follows:

Fund	Department	Category	Increase/ (Decrease)
101 - General	Administrative Services	Operating & Contractual Services	\$ (4,000,000)
101 - General	N/A	Transfers & Other Financing Uses	4,000,000

Section 3. Council hereby authorizes the following transfer and advance from the General fund:

From	To	Type	Amount
101 - General	401 - Capital Improvement	Transfer	15,000,002
101 - General	403 - Bond Improvement	Advance	3,250,000
Total Transfers and Advances			\$ 18,250,002

Section 4. Council hereby authorizes the finance director to make transfers as needed between appropriation line items of funds to bring expenditures in line with appropriation line items and restore appropriations reduced within this ordinance if necessary to bring expenditures in line with appropriation line items.

Section 5. Council hereby authorizes the finance director to increase appropriations as needed up to \$100,000 to accommodate unforeseen expenditures and ensure amounts are within appropriations.

Section 6. Council hereby authorizes the finance director to adjust appropriations within the following funds in accordance with actual receipts received in 2025 to ensure compliance with ORC 5705.36(A)(4) for the fiscal year ended December 31, 2025:

Fund
223 - Oak Grove Economic Opportunity Zone
224 - Central College Economic Opportunity Zone
225 - Oak Grove II Economic Opportunity Zone
226 - Blacklick Economic Opportunity Zone
239 - Straits Farm TIF
240 - Oxford TIF
241 - Schleppi Residential TIF
259 - Village Center II TIF
280 - Hotel Excise Tax

Section 7. Council hereby authorizes the finance director to adjust appropriations within the following funds in accordance with actual expenditures in 2025 to ensure compliance with ORC 5705.40 and ORC 5705.41 for the fiscal year ended December 31, 2025:

Fund
228 - Subdivision Development
229 - Builders Escrow

Section 8. Council hereby authorizes the finance director to reduce appropriations within any fund to ensure compliance with ORC 5705.36(A)(4) for the fiscal year ended December 31, 2025, so long as compliance with ORC 5705.40 and ORC 5705.41 is maintained.

Section 9. 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 121.22 of the Ohio Revised Code.

Section 10. Pursuant to Article VI, Section 6.07(A) 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 _____ day of _____, 2025.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin Albrecht
Law Director

Legislation dates:

Prepared: 11/21/2025
Introduced: 12/02/2025
Revised: 12/08/2025
Revised: 12/12/2025
Revised:
Adopted:
Effective:



ORDINANCE O-46-2025

AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 101.1+/- ACRES FROM PLAIN TOWNSHIP, FRANKLIN COUNTY TO THE CITY OF NEW ALBANY

WHEREAS, pursuant to the petition filed by Aaron L. Underhill, Esq., agent for petitioner, with the Franklin County Development and Planning Department, on September 11, 2025; and

WHEREAS, the foregoing Resolution #0733-25 of the Franklin County Commissioners granting the petition was delivered to the City of New Albany on October 7, 2025 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 qualifying annexed properties shall be added to the applicable New 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 101.1+/- 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 101.1+/- 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 qualifying annexed property shall be added to the New Albany East Community Authority, which is the existing applicable New Community Authority for the property.

Section 5. 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 6. 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 121.22 of the Ohio Revised Code.

Section 7. 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 _____ day of _____, 2025.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared: 12/02/2025

Introduced: 12/16/2025

Revised:

Adopted:

Effective:

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

I certify that copies of Ordinance **O-46-2025** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on _____, 2025.

Jennifer Mason, Clerk of Council

Date

RECEIVED

MAY 30 2025

Exhibit A - O-46-2025

FRANKLIN COUNTY ENGINEER
ADAM W. FOWLER, P.E., P.S.

**PROPOSED ANNEXATION OF
101.1± ACRES**

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
ADAM W. FOWLER, P.E., P.S.
FRANKLIN COUNTY ENGINEER

BY: FDA/GMA DATE: 5-30-25

FROM: PLAIN TOWNSHIP

TO: CITY OF NEW ALBANY

Situated in the State of Ohio, County of Franklin, Township of Plain, lying in Section 1, Township 2, Range 16, being all of that 94.634 acre tract conveyed to MJB Holdings, LLC by deed of record in Instrument Number 202211170158119 (Franklin County) and those 2.338 and 2.725 acre tracts conveyed to MJB Holdings, LLC by deed of record in Instrument Number 202211170158118 (Franklin County), all of that 1.500 acre tract conveyed to Liu Yun by deed of record in Instrument Number 199808250216073 (Franklin County), and all of that 5.010 acre tract conveyed to Jeffrey A. Cotrill and Kelly K. Cotrill by deed of record in Instrument Number 200312050387666 (Franklin County), (all references are to the records of the Recorder's Office, Franklin and Licking Counties, Ohio, as noted) being more particularly described as follows:

Beginning, for reference, at FCGS 1571 found at the easterly common corner of said Section 1 and Section 10, Township 2, Range 16, in the westerly line of Lot 37, Quarter Township 2, Township 2, Range 15, United States Military District, being on the line common to Franklin County and Licking County, the line common to Plain Township and City of New Albany, being in the easterly line of that 57.87 acre tract conveyed to Olde Albany Limited Liability Company by deed of record in Instrument Number 200209130228211 (Franklin County), the westerly line of 197.341 acre tract conveyed to Microsoft Corporation by deed of record in Instrument Number 202403120004091 (Licking County) and that existing City of New Albany corporation line as established by Ordinance Number O-15-2023, of record in Instrument Number 202304200006825 (Licking County);

Thence North 03° 06' 55" East, with said County line, said existing City of New Albany corporation line (O-15-2023) and that existing City of New Albany corporation line established by Ordinance Number O-28-2022, of record in 202211160027367 (Licking County), the line common to Plain Township and City of New Albany, the easterly line of said Section 1, said 57.87 acre tract and that 30.15 acre tract conveyed to Sridhar Reddy Thumma by deeds of record in Instrument Numbers 202204130057131 and 202204130057132 (Franklin County), the westerly line of said Lot 37 and Lot 38, Quarter Township 2, said 197.341 acre tract and that 201.001 acre tract conveyed to Amazon Data Services, Inc. by deed of record in Instrument Number 202301170000954 (Licking County), a distance of 1150.59 feet to a point at the common corner of said 94.634 acre and 30.15 acre tracts, being the TRUE POINT OF BEGINNING;

Thence North 86° 18' 53" West, with the line common to said 94.634 acre and 30.15 acre tracts, a distance of 1314.46 feet to a point at the northeast corner of that 11.632 acre tract conveyed to Daniel S. Wilson by deed of record in Instrument Number 200912180183050 (Franklin County);

Thence North 86° 51' 53" West, with the line common to said 94.634 acre and 11.632 acre tracts, a distance of 605.80 feet to a 3/4 inch iron pipe found at the northeasterly corner of that 5.100 acre tract conveyed to TCC Properties by deed of record in Instrument Number 201003110029046 (Franklin County);

Thence North 85° 15' 23" West, with the southerly line of said 94.634 acre tract, the northerly line of said 5.100 acre tract and that 1.5 acre tract conveyed to E. M. Management Services Inc. by deed of record in Instrument Number 202310170108705 (Franklin County), a distance of 799.50 feet to a point in the centerline of right-of-way of Johnstown Road (I.C.H. No. 23; Columbus-Millersburg Road)(U.S. 62)(Variable Width);

Thence North 03° 25' 06" East, with said centerline of right-of-way, the westerly line of said 94.634 acre tract, a distance of 126.54 feet to a point of curvature in the centerline of construction of said Johnstown Road;

Thence with said centerline of construction, the westerly line of said 94.634 acre and 2.725 acre tracts, with the arc of a curve to the right, having a central angle of 39° 33' 00", a radius of 383.06 feet, an arc length of 264.42 feet, a chord bearing of North 23° 11' 36" East and chord distance of 259.20 feet to a point of tangency;

Thence North 42° 58' 06" East, with said centerline of right-of-way, the westerly lines of said 2.725 and 2.338 acre tracts, a distance of 224.95 feet to a point at the southwesterly corner of said 5.010 acre tract;

101.1± ACRES

- 2 -

Thence North 44° 40' 32" East, with the centerline of said Johnstown Road, the northwesterly line of said 5.010 acre, 1.500 acre, and 94.634 acre tracts, a distance of 1122.73 feet to a point;

Thence with the centerline of said Johnstown Road and the northwesterly line of said 94.634 acre tract, the following courses and distances:

North 49° 59' 06" East, a distance of 789.62 feet to a point;

North 66° 23' 06" East, a distance of 606.95 feet to a point; and

North 65° 46' 06" East, a distance of 700.70 feet to a point in the lines common to said Franklin County and Licking County, said Section 1 and Lot 39 of said Township 2, Range 15, the easterly line of said Plain Township, at the northerly common corner of said 94.634 acre and 201.001 acre tracts, and an angle point in said existing City of New Albany corporation line (O-28-2022);

Thence South 03° 06' 55" West, with said County line, the line common to said 94.634 acre and 201.001 acre tracts, said Plain Township and City of New Albany, with said existing City of New Albany corporation line (O-28-2022), the easterly line of said Section 1, the westerly line of said Lots 39 and 38, a distance of 2553.49 feet to the TRUE POINT OF BEGINNING, containing 101.1 acres, more or less.

This description is for annexation purposes only and should not be used for transfer or be interpreted as a boundary survey.

Total perimeter of annexation area is 9103.94 feet, of which 2553.49 feet is contiguous with the City of New Albany giving 28.0% perimeter contiguity.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King
Heather L. King
Professional Surveyor No. 8307

5/29/25
Date

HLLK: unp
101 1 ac 20250094-VS-ANNX-01.docx

PRELIMINARY APPROVAL

ADAM W. FOWLER, P.E., P.S.

fasanto

05/23/2025 11:31:09 AM

PENDING ORIGINALS

*Submitted via digital format

Please return this approval, along with the original description and plat of survey, as prepared by the surveyor, signed, sealed, and dated in blue ink.



ORDINANCE O-47-2025

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 101.1+/- ACRES OF LAND GENERALLY LOCATED EAST OF JOHNSTOWN ROAD AND NORTH OF WALNUT STREET, FROM AGRICULTURAL DISTRICT (AG) TO LIMITED GENERAL EMPLOYMENT (L-GE) FOR AN AREA TO BE KNOWN AS "U.S. 62 BUSINESS ZONING DISTRICT" AS REQUESTED BY MBJ HOLDINGS LLC, C/O AARON UNDERHILL, ESQ.

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

WHEREAS, the Rocky Fork-Blacklick Accord, New Albany Planning Commission and New Albany City Council on separate occasions have held public hearings and received public input into the amendment of the zoning ordinance; and

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

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 101.1+/- acre site within Franklin County, generally located east of Johnstown Road and north of Walnut Street, from its current zoning of Agricultural (AG) to Limited General Employment (L-GE).
- B. The zoning district's limitation text and boundary map 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 121.22 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 _____ day of _____, 2026.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared: 12/05/2025

Introduced: 12/16/2025

Revised:

Adopted:

Effective:

U.S. 62 BUSINESS ZONING DISTRICT

LIMITATION (L-GE) TEXT

October 31, 2025

The U.S. 62 Business Zoning District (hereinafter, the “Zoning District”) consists of 101.1+/- acres located to the south and east of and adjacent to U.S. Route 62 and to the west of and adjacent to the shared boundary line of Franklin County and Licking County. This rezoning serves to extend the same or similar zoning and development standards to property being annexed to the City as currently apply to much of the New Albany International Business Park.

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

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

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

III. Lot and Setback Commitments:

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

B. Setbacks:

1. U.S. Route 62: There shall be a minimum pavement and building setback of 185 feet from the centerline of the right-of-way of U.S. Route 62.

2. Eastern Perimeter Boundary: There shall be a minimum pavement

and building setback of 25 feet from the eastern perimeter boundary line of this Zoning District.

3. Southern Perimeter Boundary: There shall be a minimum pavement and building setback of 100 feet from the southern perimeter boundary line of this Zoning District.

4. Elimination of Setbacks: In the event that a parcel located within this Zoning District and an adjacent parcel located within or outside of this Zoning District (i) come under common ownership or control, (ii) are zoned to allow compatible non-residential uses, and (iii) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text as they apply to common property lines shall no longer apply with respect to these parcels. Section 1153.04(g) of the Codified Ordinances also shall apply to this Zoning District.

IV. Architectural Standards:

A. Service and Loading Areas: Service areas and loading areas shall be screened in accordance with the Codified Ordinances.

B. Building Design:

1. Building designs shall not mix architectural elements or ornamentation from different styles.

2. Buildings shall be required to employ a comparable use of materials on all elevations.

3. The number, location, spacing, and shapes of windows and door openings shall be carefully considered. Primary entrances to buildings shall be made sufficiently prominent that they can be easily identified from a distance.

4. For office buildings and complexes, achieving a human or pedestrian scale is of less concern. When achieving such a scale is desired, it may be achieved by careful attention to width of facades, size and spacing of window and door openings, and floor to floor heights on exterior walls.

5. All elevations of a building that are visible from a public right-of-way shall receive similar treatment in terms of style, materials, and design so that such elevations are not of a lesser visual character than any other.

6. Use of elements such as shutters, cupolas, dormers, and roof balustrades shall be avoided in building designs that are not based on

traditional American architectural styles. Such elements may be employed only when they are common elements of a specific style, and this style shall be replicated in its entirety. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.

7. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed, located, or screened so as to minimize their visibility and visual impact from off-site. Solar energy systems shall be excluded from the requirements of this section.

8. Accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and construction as the nearest primary structure. Fenestration themes that employ windows, panels and piers that are consistent with the architectural vocabulary of the building are encouraged. Accessory structures, generators, storage tanks, trash receptacles or any other similar improvement must be located behind a building façade that does not front on a public right-of-way.

C. Building Form:

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

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

D. Materials:

1. Exterior building materials shall be appropriate for contemporary suburban designs and shall avoid overly reflective surfaces. Traditional materials such as, but not limited to, wood, stone, brick, and concrete shall be permitted, and contemporary materials such as, but not limited to, aluminum, metal, glass, stucco, or cementitious fiberboard (e.g., hardiplank or equivalent) shall be permitted on buildings not employing traditional styles. Architectural precast concrete panels and/or poured-in-place concrete tilt-up panels shall be permitted. The use of reflective or mirrored glass shall be prohibited.

2. Prefabricated metal buildings and untreated masonry block structures are prohibited. Notwithstanding the foregoing, ancillary structures built and operated for the purpose of enclosing equipment and

which are not occupied by tenants or persons on a regular basis may be constructed using pre-engineered metal.

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

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

5. Additional Standards for Uses Not Governed by DGRs: Buildings that are constructed to accommodate certain uses are not governed by the City's Design Guidelines and Requirements (DGRs). For example, buildings that are constructed for the operation of data centers, warehousing and/or distribution uses are not subject to the DGRs and can present challenges in meeting the community standard for architectural design. Such buildings are necessarily large and typically include long walls that together form a square or rectangular box. The goal for the development of buildings that are not subject to the DGRs is to balance the practical needs of these buildings with the desire to provide exterior designs that are attractive and complimentary to the architecture that will be found elsewhere in this Zoning District.

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

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

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

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

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

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

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

6. Roof-Mounted Equipment: 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.

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

A. Vehicular Access: The developer shall work with the City Manager or their designee to determine the need for appropriate timing and phasing of street improvements to serve this Zoning District. Subject to other provisions in this text, on public rights-of-way which exist on the date of this text the number, locations, and spacing of curbcuts shall be determined and approved by the City Manager or their designee in consultation with the developer at the time that a certificate of appropriateness is issued for a project in this Zoning District.

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

C. Rights-of-Way: The property owner shall dedicate right-of-way for U.S. Route 62 to the appropriate governmental entity at a distance of 60 feet as measured from the existing centerline of U.S. Route 62. The property owner shall grant easements to the City which are adjacent to the aforementioned right-of-way to the extent necessary to provide for the installation and maintenance of streetscape improvements, public utility

lines, and leisure paths.

D. Private Roads: Any creation of private roads is subject to staff approval.

VI. Buffering, Landscaping, Open Space, and Screening: A landscaping plan shall be approved as part of the City's review of a certificate of appropriateness application for each portion of this Zoning District that is proposed for development. The following landscaping requirements shall apply to this Zoning District:

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

B. Landscaping Required Adjacent to Residential Uses: For those perimeter boundaries which abut properties containing existing residential uses or, as determined at the time that an application is filed for a building permit ("Building Permit") in this Zoning District, has a zoning classification which permits the development and operation of residential uses thereon that are not owned by the developer (any real property meeting either of the foregoing criteria to be referred to herein as "Residential Property"), a minimum six (6) foot high mound shall be installed along the property line and shall include a landscape buffer on the mound which shall consist of a mixture of deciduous trees, evergreens and bushes to provide an opacity of 75% on the date that is 5 years after planting to a total height of 10 feet above ground level.. Where existing trees are present, these requirements may be waived in order to preserve the trees. The requirements of this paragraph shall not apply in locations where any utility easement that exists prior to the date of this text prohibits the installation of mounding and/or landscaping within it.

C. Fencing: A standard New Albany white four-board horse fence may (but shall not be required to) be provided within the public right-of-way.

D. Stormwater Management: Wet and dry stormwater basins shall conform to the standards set forth in Section 1171.08 of the Codified Ordinances of the City of New Albany.

E. Perimeter Landscaping: In addition to street trees a tree row shall be established within the building and pavement setback along U.S. Route 62 frontage and shall contain eight (8) trees for every one hundred (100) feet of street frontage. Trees may be grouped or regularly spaced. Street trees shall be located within the right-of-way. Minimum street tree size at installation shall be three (3) caliper inches. This requirement may be waived in areas where existing vegetation occurs or in areas subject to overhead electric transmission lines, subject to approval of the City Landscape Architect.

F. Parking Areas: Within this Zoning District, there shall be no less than one

(1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular use area shall be landscaped or green space (or treed areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.

G. Pedestrian Circulation: An 8-foot-wide asphalt leisure path shall be installed along the U.S. Route 62 frontage of the site.

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

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

VII. Lighting:

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

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

C. Lighting details shall be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

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

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

F. All other lighting on the site shall be in accordance with City Code. Street lighting must meet the City standards and specifications.

G. Solar Panels may be incorporate and installed as appropriate.

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

IX. Utilities: All new utilities installed solely to serve this Zoning District shall be

installed underground.

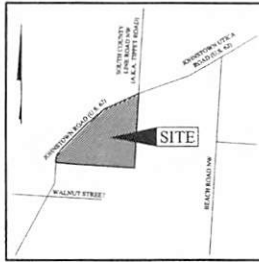
X. Noise Regulations: The Codified Ordinances currently contain provisions relating to sound which are broad, meaning that noise impacts are evaluated on a site-specific basis. Generally, the goal is to ensure that overall sound levels on a property following development will not impose material negative impacts on neighboring property owners. The City intends to begin evaluating potential updates to the Codified Ordinances to provide more objective standards for evaluating potential and existing sound impacts.

Following approval of this zoning, the applicant will work diligently with the City to identify best practices to mitigate sound impacts from new development within this Zoning District, which shall include consultation and coordination with experts to be hired by the City. Should the Codified Ordinances be updated at the time when the first building permit application is filed for development in any portion of the Zoning District, then such development shall comply with those updated standards. In the event that the Codified Ordinances have not been updated by that time, then as a condition of building permit issuance the applicant for this zoning application and the City staff shall negotiate and execute an agreement, to be signed by the City Manager and a representative of the applicant, which details sound mitigation measures and requirements to be applied to the site. Once such an agreement is signed, its contents shall constitute an addendum to the approved zoning text and the standards set forth therein shall become requirements for the Zoning District which are enforceable in the same manner as other zoning requirements. Ultimately, each new user is responsible for maintaining and mitigating noise levels in accordance with such an agreement.

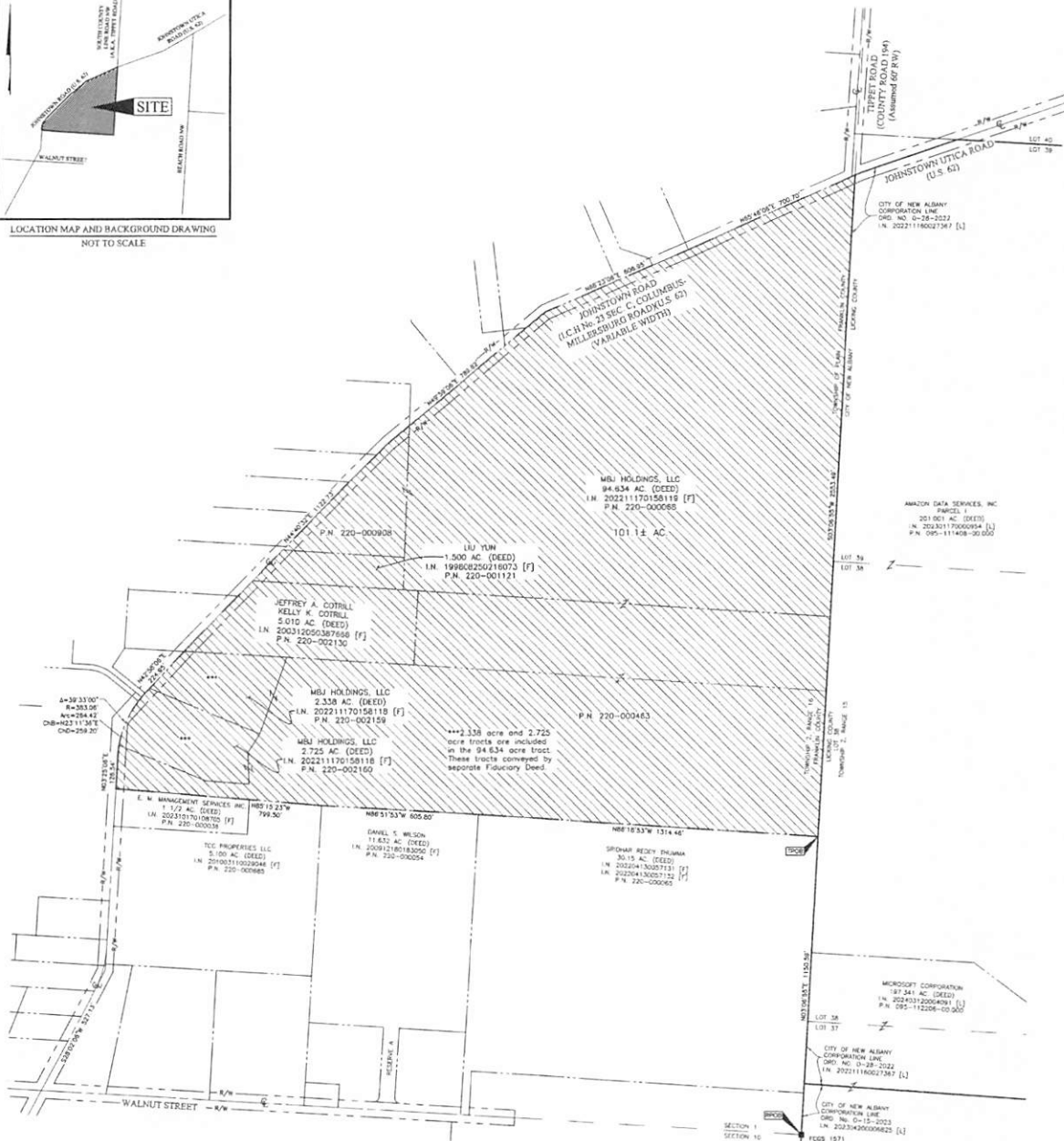
EXHIBIT "B"

PROPOSED ANNEXATION OF 101.1± ACRES TO THE CITY OF NEW ALBANY FROM PLAIN TOWNSHIP

SECTION 1, TOWNSHIP 2, RANGE 16
UNITED STATES MILITARY DISTRICT
TOWNSHIP OF PLAIN, COUNTY OF FRANKLIN, STATE OF OHIO



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE



PRELIMINARY APPROVAL
MAY 19, 2025
BY: [Signature]
FOR: [Signature]
SUBMITTED ON: [Signature]

AREA TO BE ANNEXED
PROPOSED CITY OF NEW ALBANY CORPORATION LINE
EXISTING CITY OF NEW ALBANY CORPORATION LINE

CONTIGUITY NOTE:
Total perimeter of annexation area is 9103.54 feet, of which 2553.49 feet is contiguous with the City of New Albany giving 28.0% perimeter contiguity.

NOTE:
This annexation does not cross islands of unincorporated areas within the limits of the area to be annexed.

SCALE (in feet)
0 200



Heather L. King
Professional Surveyor No. 83307
hking@emht.com

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
ADAM W. FOWLER, P.E., P.S.
FRANKLIN COUNTY ENGINEER
BY: [Signature] DATE: 5-30-25
RECEIVED
MAY 30 2025
FRANKLIN COUNTY ENGINEER
ADAM W. FOWLER, P.E., P.S.

SURVEY NOTE:
This exhibit is for annexation purposes only and should not be interpreted as a boundary survey.

NOTE:
[L] = Licking County Recorder's Office
[F] = Franklin County Recorder's Office

EMHT			Date:	May 19, 2025
Bates, Macneil, Macneil & Bates, Inc. Engineers - Surveyors - Planners - Architects 801 New Albany Road, Columbus, OH 43260 Phone: 614.778.4400 Fax: 614.778.4401 emht.com			Scale:	1" = 200'
			Job No:	2025-0094
			Sheet:	1 of 1
REVISIONS				
NO.	DATE	DESCRIPTION		



ORDINANCE O-48-2025

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 1.116+/- ACRES OF LAND LOCATED AT 6600 NEW ALBANY-CONDIT ROAD FROM THE RURAL RESIDENTIAL SUB-DISTRICT OF THE URBAN CENTER CODE TO AN INFILL PLANNED UNIT DEVELOPMENT (I-PUD) FOR AN AREA TO BE KNOWN AS THE "605 NEIGHBORHOOD OFFICE DISTRICT" AS REQUESTED BY ROB RIDDLE, C/O AARON UNDERHILL, ESQ., UNDERHILL & HODGE LLC

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

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

WHEREAS, pursuant to the application by Rob Riddle, c/o Aaron Underhill, Esq., Underhill & Hodge LLC, the Architectural Review Board and Planning Commission have reviewed the proposed ordinance amendment and recommended its approval at their respective hearings on October 13, 2025, and December 1, 2025.

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 1.116+/- acre site within Franklin County, located at 6600 New Albany-Condit Road, from its current zoning of Urban Center Code (UCC) Rural Residential to Infill Planned Unit Development (I-PUD).
- B. The zoning district text and boundary map 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 121.22 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 _____ day of _____, 2026.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared: 12/05/2025

Introduced: 12/16/2025

Revised:

Adopted:

Effective:

**605 NEIGHBORHOOD OFFICE DISTRICT
INFILL PLANNED DEVELOPMENT (I-PUD)
DEVELOPMENT STANDARDS TEXT**

December 4, 2025

I. Summary: The property which is the subject of this text consists of 1.116+/- acres known as Franklin County Auditor parcel number 222-000640. It is located to the east of and adjacent to New Albany-Condit Road and to the south of and adjacent to State Route 161. An existing home consisting of approximately 1,516 square feet of gross floor area is located within the western portion of the site, and an accessory structure containing approximately 3,000 square feet of gross floor area is located within the eastern portion of the property. A second accessory structure is located between them and will be removed from the site following approval of this rezoning. The home is currently being leased as a residence and the accessory structure is being used for storage. An unpaved access drive and unpaved parking areas also exist on the site. This application is to facilitate updates of the home (including, without limitation, the conversion of the garage in the home) and the accessory structure in order to allow them to be used as professional office space and related uses and to provide for paving and striping of parking areas.

The property is presently zoned under the Urban Center Code's Rural Residential subdistrict. The permitted uses in that sub-district include residential located within a "large detached structure", parkland and open space, and the following non-residential uses located within a "campus" setting: convalescent/congregate care centers, general and special hospital and clinics, day care centers, government facilities, educational facilities, and religious uses. Given the property's adjacency to the State Route 161 expressway and the planned construction of a sound barrier wall within the highway's right-of-way running parallel to the property's northern boundary line, the site is not attractive for development of a new large detached home. With the relatively small amount of acreage on the property, and the property's adjacency to the highway and the sound barrier, it would not provide optimal open space nor does it lend itself to development of a "campus-like" setting.

Office uses are much more appropriate and practical along the edge of the highway. The repurposing of the home will enhance aesthetics and provide a modest economic development opportunity for the City. A preliminary development plan for the use of and updates to the subject property has been filed along with this text.

II. Development Standards - Generally: Unless otherwise specified in the submitted drawings or in this written text, the standards and requirements of the City's Urban Center Code shall apply to this zoning district. In the event of a conflict between this text or the submitted drawings and a specific provision of the provision of the Codified Ordinances, this text and/or the drawings shall govern.

III. Uses:

A. Permitted uses in this zoning district shall include the following. A single use or multiple permitted uses may be operated at any time, provided, however, that if multiple uses are permitted then they shall be related, as determined by City staff. For example, a real estate sales office and a real estate title insurance company are related uses.

1. Administrative and business offices not carrying on retail trade with the public and having no stock of goods maintained for sale to customers such as (but not necessarily limited to):

- a. Real estate sales and associated services.
- b. Insurance agents and brokers and associated services.
- c. Professional, legal, engineering and architectural services.
- d. Accounting, auditing and other bookkeeping services.
- e. Brokers and dealers in securities, investments and associated services, not including commercial banks and savings institutions.

2. Organizations and associations organized on a profit or non-profit basis for promotion of membership interests, including:

- a. Business associations.
- b. Professional membership organizations.
- c. Civic, social and fraternal organizations.
- d. Charitable organizations.

3. Storage within the existing accessory building on the property, limited to materials and equipment associated with another permitted use in this zoning district.

IV. Lot and Setback Commitments:

A. Minimum Parcel Size and Frontage: A lot or parcel within this zoning district shall be the exact size of the existing lot and shall have the exact amount of frontage on a public street as the existing frontage.

B. New Albany-Condit Road: There shall be a minimum pavement and building setback from the right-of-way of New Albany-Condit Road that is equal to the closest portion of the existing home from the right-of-way.

C. State Route 161: There shall be a minimum pavement and building setback of 5 feet from the right-of-way of State Route 161.

D. Other Perimeter Boundaries: There shall be a minimum pavement setback of 15 feet and a minimum building setback of 50 feet from the eastern (rear) boundary line of the zoning district. There shall be a minimum pavement and building setback of 5 feet from the southern (side) boundary line of the zoning district, except that pavement for the driveway may encroach into the southern boundary line setback up to 2.5 feet.

E. Lot Coverage: There shall be a maximum lot coverage of 80%.

V. Access, Loading, Parking and Other Traffic Commitments

A. Parking and Loading: A maximum of 20 vehicular parking spaces shall be provided. In addition, box trucks may park in the northeastern corner of the property in the area generally shown on the preliminary development plan. All parking spaces shall be located to the rear of a line running along the rear of the existing home structure and extending north and south to the side perimeter boundary lines of the zoning district. The parking area shall extend no farther east than a line running along the rear of the existing accessory structure and extending north and south to the side perimeter boundary lines of the zoning district. One loading space shall be provided along the northern portion of the existing accessory building that is to remain.

B. Vehicular Access: Vehicular access to the zoning district shall be provided from one full movement access point on New Albany-Condit Road in its existing location. The final development plan shall include details to further delineate the route to access the driveway from the driveway on the parcel to the south of and adjacent to this zoning district for review and approval by the Planning Commission.

C. Pedestrian Access: An existing pedestrian path exists along a portion of this zoning district which is located to the north of the existing vehicular access point. The extension of this path southward is inhibited by existing grade. The City has identified this section of State Route 605 as an important pedestrian and vehicular connection that establishes a gateway into the Village Center. Due to the existing right-of-way and topographical constraints along this roadway, the City is in the process of starting a roadway and connectivity plan that will guide future roadway and pedestrian improvements along State Route 605. Once this roadway and connectivity plan is complete, the property owner shall pay a fee in lieu of the construction of an extension of the path at such time as the City Manager or their designee deems it to be appropriate. The fee in lieu amount shall be approved by City Council.

D. Rights-of-Way: No additional right-of-way shall be required to be dedicated along New Albany-Condit Road or State Route 161.

E. Loading and Service Areas: Loading and service areas shall be fully screened from off-site view of property adjacent to the zoning district to the south and east by the use of buildings, walls, fences, and/or landscaping.

VI. Architectural Standards:

A. Application of Urban Center Code: The remodeling and updates of existing buildings that are to remain on the property shall be completed generally in accordance with the images and drawings which accompany the preliminary development plan application, and more specifically in accordance with the images, drawings, and specifications in an approved final development plan.

B. Height: Maximum building height (as measured per the Codified Ordinances) shall not exceed 35 feet. Existing buildings are permitted to be one story in height.

C. Pavement: Driveways and parking areas shall be asphalt, brick, stone, or simulated stone.

D. Materials: Building façade materials shall be wood, brick, or Hardie board.

E. Windows: The existing buildings may retain their existing windows and shutters.

VII. Buffering, Landscaping, and Screening Commitments

A. Street Trees: Deciduous street trees shall be planted within the right-of-way along New Albany-Condit Road. Trees shall be spaced at an average distance of 30 feet on center. Street trees shall not obstruct site distance or signage, subject to staff approval. As an alternative to installing the street trees, the developer may pay the City a fee in lieu that is equal to the amount of trees required to be planted. This fee in lieu shall be approved by City staff.

B. New Fencing: A new fence shall be installed along the southern boundary line of the property. The fence shall be 6 feet in height and shall have a design and specifications as approved in a final development plan application. Where installed, the fence shall provide complete opacity between this zoning district and the adjacent property to the south.

C. Screening of Parking: Any surface parking areas shall be screened from the right-of-way or from adjacent property with a minimum of a 3.5-foot-tall continuous planting hedge, fence, or wall or any combination of the foregoing. Height shall be measured from the adjacent parking area. No such screening shall be required where existing trees instead provide adequate screening.

D. Minimum Tree Sizes.

<u>Tree</u>	<u>Perimeter Minimum Tree Size</u>	<u>Parking Lot Minimum Tree Size</u>
Ornamental Tree	2" Caliper	2" Caliper
Deciduous Shade Trees	2 ½" Caliper	2 ½" Caliper
Evergreen Trees	6' – 8' tall	4' tall

E. Interior Landscaping. Parking lot landscaping shall be provided as generally illustrated in the preliminary development plan and as more particularly set forth in an approved final development plan.

F. Mechanical Equipment: Any external mechanical equipment shall be screened at ground level from all adjacent public streets and from properties which are outside of but adjacent to this zoning district with materials that are similar to or the same as used on the majority of the relevant building or with fencing and/or landscaping. Complete screening of all roof-mounted equipment from perimeter property boundary lines and adjacent properties 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. Roof-mounted solar equipment is exempt from this screening requirement.

G. Service Areas and Dumpsters: All service areas (including, without limitation, loading docks) and dumpsters shall be fully screened from all public roads and from adjacent properties located outside of this zoning district at ground level with walls, fencing, or landscaping. Existing trees may be used to provide this screening where appropriate. Walls shall be of the same materials used on the building walls and shall be complemented with landscaping. Exterior storage of materials, supplies, equipment, or products is prohibited.

VIII. Lighting:

A. Street Lighting: No new street lighting shall be required along the perimeter rights-of-way adjacent to this zoning district.

B. Parking Lots and Driveways: Lighting shall be provided along the perimeters of the parking lot and the vehicular drive in accordance with specifications provided in a final development plan. Such lighting shall not exceed three (3) feet in height and shall have fixtures that are black or New Albany green. Lighting within these areas shall be provided in a manner that eliminates off-site light spillage.

C. Ground-Mounted Lighting: Landscape uplighting shall not be permitted. Any ground lighting that is permitted shall be shielded and landscaped.

D. Prohibited Lighting: No permanent colored lights or neon lights shall be used on the exterior of any building.

E. Consistent Appearance: Exterior lighting fixtures shall be similar in appearance on each structure. Uplighting of buildings is prohibited.

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

IX. Graphics and Signage Commitment

A. Locations: A wall sign shall be permitted on the front façade of the home that is being converted to office use and shall identify the user within that structure. This sign shall comply with the requirements of the Codified Ordinances for wall signage on a structure located in the Historic Core or the Village Core of the Village Center. In addition, a single post sign shall be permitted to identify the user of the accessory building that is to remain on the site if that user is different from the user occupying the converted home. It shall comply with the requirements in the Codified Ordinances for this type of sign if it were located in the Historic Core or the Village Core of the Village Center, except that it shall have a maximum sign area of 12 square feet per side. The post sign shall be set back at least 5 feet from the right-of-way of New Albany-Condit Road and at least 5 feet from any side property line of the zoning district. For any new building, permitted sign types and specifications shall be based on the building typology that is constructed pursuant to the Urban Center Code.

B. Specifications: Permitted sizes, designs, colors, shapes, and other specifications for ground and building signs shall be in accordance with the Codified Ordinances.

C. Illumination: Internally illuminated wall-mounted and ground-mounted signage shall be prohibited.

D. Prohibited Signs: No signs shall be painted directly on the surface of the building, wall or fence. Temporary or permanent interior window advertisements are prohibited.

X. General Matters

A. Review Procedures

1. Rezoning: The rezoning procedures of Codified Ordinances Chapters 1111, 1157, and 1159 shall apply to this zoning district.

2. Final Development Plans: The initial final development plan application for this zoning district shall be reviewed by the City's Architectural Review Board (ARB) prior to being presented for review by the Planning Commission. The ARB shall provide a recommendation of approval, approval with conditions, or disapproval of a 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.

Redevelopment of the property in this zoning district which involves the voluntary demolition of one or both structures that are being converted to office uses and/or the construction of a new building shall not be permitted unless a further rezoning of the property occurs. Redevelopment of the property after an involuntary action (such as a

property casualty event) with buildings and structures which are similar in floor area and height to those which are to remain on the property in accordance with this text shall not require a rezoning but instead may approved as part of a final development plan to be reviewed by the ARB (which shall make a recommendation) and by the Planning Commission (which shall make a final decision on the application).

3. Other Modifications: Site modifications proposed outside of an initial final development plan application for this zoning district or which do not otherwise require review and approval of a final development plan as contemplated in the second paragraph of Section X.A.2 above shall be subject to certificate of appropriateness review under Codified Ordinances Section 1157.07.

4. Demolition: At the time of approval of the preliminary development plan, there are three existing structures on the site. A certificate of appropriateness to allow for the demolition of accessory structures may be reviewed and approved by city staff and shall not require Architectural Review Board approval. Demolition of the existing home that is being converted to office use requires a certificate of appropriateness to be issued by the Architectural Review Board who shall review the application in accordance with the standards found in Codified Ordinances Section 1157.10.

B. Appeals:

1. 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.

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

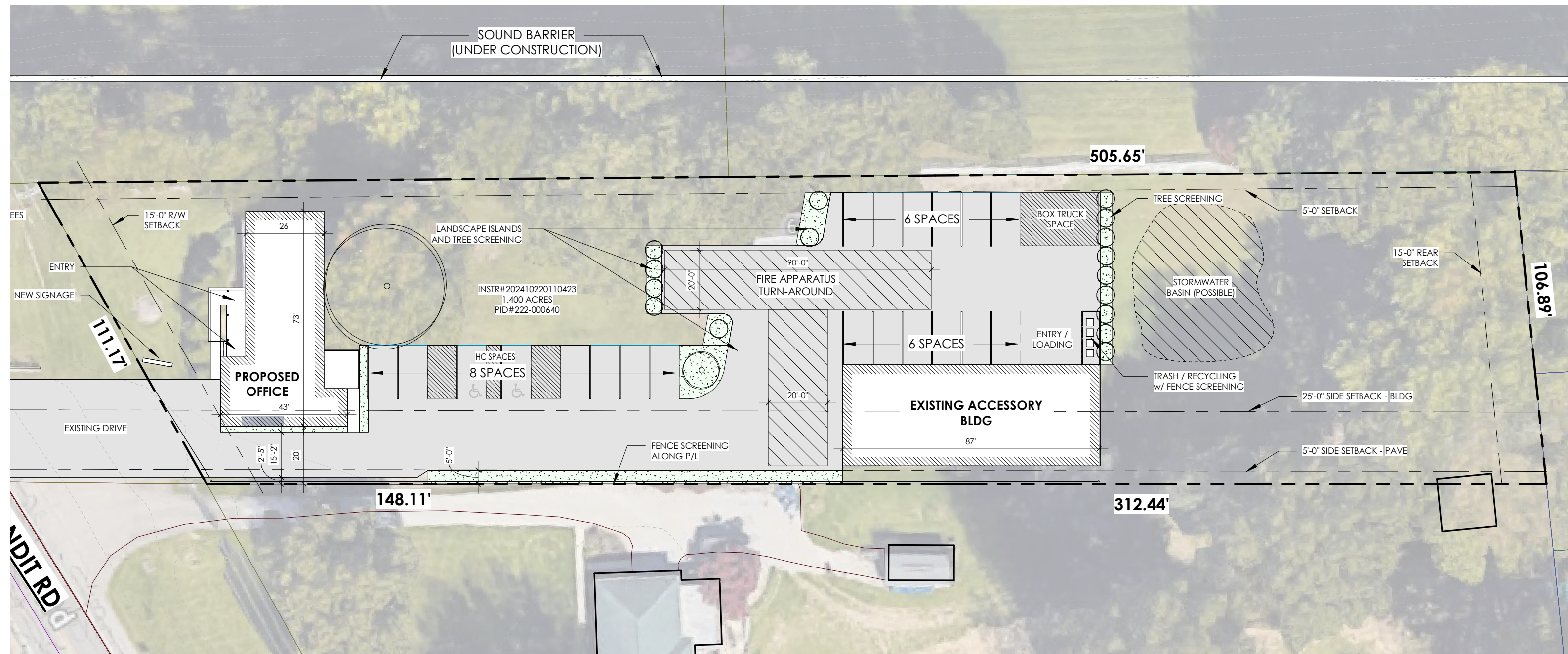
C. Waivers:

1. Deviations from development standards in this text or in the Codified Ordinances, as part of a final development plan application, are subject to the waiver process as described in city code. The consideration of a waiver request shall be deemed to constitute an administrative proceeding. The Planning Commission 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 that are associated with

a final development plan. In considering a request for a waiver, the Planning Commission shall conduct a public meeting in conjunction with the application.

2. Deviations from development standards in this text or in the Codified Ordinances, as part of a certificate of appropriateness application, are subject to the waiver process as described in city code. The consideration of a waiver request shall be deemed to constitute an administrative proceeding. The Architectural Review Board 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 that are associated with a certificate of appropriateness application. In considering a request for a waiver, the Architectural Review Board shall conduct a public meeting in conjunction with the application.

PROPOSED SITE PLAN





RESOLUTION R-43-2025

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A 2026 HEALTH SERVICES CONTRACT BETWEEN THE CITY OF NEW ALBANY, OHIO AND THE DISTRICT ADVISORY COUNCIL OF THE FRANKLIN COUNTY GENERAL HEALTH DISTRICT AND FRANKLIN COUNTY PUBLIC HEALTH

WHEREAS, the City of New Albany is required to provide public health services including plumbing inspection services in the City of New Albany; and

WHEREAS, the District Advisory Council of the Franklin County General Health District will provide such services.

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

Section 1. The city manager is hereby authorized to execute a contract with the District Advisory Council of the Franklin County General Health District and Franklin County Public Health, the same as or substantially similar to Exhibit A attached hereto, to provide public health services on behalf of the City of New Albany for the period of January 1, 2026 through December 31, 2026.

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 and that all deliberations of this council and 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 121.22 of the Ohio Revised Code.

Section 3. Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2025.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared: 11/16/2025

Introduced: 12/16/2025

Revised:

Adopted:

Effective:

Exhibit A - R-43-2025

PUBLIC HEALTH SERVICES CONTRACT
Between
FRANKLIN COUNTY BOARD OF HEALTH
And
CITY OF NEW ALBANY

This Public Health Services Contract (the "Contract") entered into by and between the City of New Albany (hereafter referred to as "City"), with its principal address being 99 West Main Street, New Albany, OH 43054, and the Board of Health of the Franklin County Public Health (hereafter referred to as "Board" or "FCPH") for 2026 Public Health Services (the "Services") under the approval of Resolution No. 25-128, dated August 12, 2025.

WHEREAS, FCPH is a general health district as defined under Ohio Revised Code ("ORC") Section 3709.01.

WHEREAS, ORC Section 3709.08 authorizes cities in Franklin County, Ohio to contract with the Board to provide the Services to and within the City.

WHEREAS, the District Advisory Council (hereafter referred to as "Council") of the Franklin County Public Health, created by ORC 3709.03, after giving due notice by publication, as required by law, held a public meeting on March 18, 2025 at which members representing the Council voted affirmatively to provide public health services to the cities in Franklin County, by a majority vote, and authorized the Chairman of the Council to enter into a contract with the Mayor of each city to provide public health services therein.

WHEREAS, FCPH is engaged in the governance of providing public health services as described in this Contract and the Scope of Work, attached hereto and incorporated herein as Exhibit A, and has the knowledge, skills and resources to provide such services in accordance with Ohio law and the terms and conditions of this Contract.

WHEREAS, pursuant to ORC 3709.08(C), the Contract was submitted to the State of Ohio's director of health. FCPH is organized and equipped to provide the services and shall have the powers and shall perform all the duties required of the board of health or the authority having the duties of a board of health within the City.

WHEREAS, the City is willing to contract with the Board for such services in accordance with Ohio law and the terms and conditions of this Contract.

NOW THEREFORE, for the mutual considerations herein specified, the City and FCPH, hereby agree to the terms and conditions, as follows:

SECTION 1 – SERVICES

The Board shall, for the consideration hereinafter stated, furnish to the City, and inhabitants thereof, such public health services as are furnished to all cities, villages, townships and the inhabitants thereof, of Franklin County, Ohio, or as may be requested by the City and/or included in the listing of services provided in Exhibit A. The Services shall include all services as allowed by law according to the most current version of the

Ohio Revised Code and as listed in Exhibit A. The Services shall meet the minimum standards and optimal achievable standards for boards of health and local health departments, pursuant to ORC Section 3701.342, and shall include enforcement of all rules and regulations, pursuant to the Ohio Administrative Code and the enforcement of the following Franklin County Public Health Regulations:

- (100) Definitions
- (103) Plumbing and Medical Gas for Commercial, Public and Residential Buildings and Places
- (104) Rabies Control
- (105) Approval of Building Plans
- (106) Sewage Treatment Systems
- (199) Administration and Enforcement

The current version of the above-referenced regulations of Franklin County Public Health shall apply to, and be enforceable within, the jurisdiction of the Franklin County Public Health and the City.

The City Attorney shall be responsible for any litigation involving enforcement of Health Regulations within the corporate limits of the City.

SECTION 2 – TERM AND TERMINATION

The term of this Contract shall begin on January 1, 2026, and end on December 31, 2026, subject to the termination provisions herein. Either party to this Contract shall have the right to terminate the Contract upon 90 days written notice. During the period between the submission of the written notice of termination and the effective date of the termination of this Agreement, the parties shall be bound by the full force and effect of this Agreement. This Contract shall not have any renewal terms.

FCPH agrees that upon receipt of written request from the City, it shall meet with the City within thirty (30) calendar days, unless otherwise mutually agreed, to discuss modifying the terms of this Contract, including but not limited to permitting the Licking County Health Department to provide certain public health services within the portions of the City that are contained within the geographical boundaries of Licking County.

No amendment(s), modification(s) or variation(s) of the terms and conditions of this Contract shall be valid unless the same are in writing and approved and signed by the parties hereto. Writing shall include electronic documents and electronic signatures.

SECTION 3 – COMMUNICATION

The Board will provide ongoing communication with the Mayor/City Manager and his or her designees through notification at least quarterly. This communication will provide information on timely public health topics, upcoming events and featured services. Reports and other information about direct services that are being provided to the City will be provided upon request.

SECTION 4 – PUBLIC HEALTH PAYMENT, FEES & CHARGES

The City shall pay the Board for Services furnished to the City. The fee for such payment shall be based on a per capita rate of \$10.4923. The total cost for the Services for 2026 shall not exceed \$117,219.99 (the "Fee"), notwithstanding any fee established pursuant to the sections set forth below.

Such Fee shall be paid to the Board in installments of 50% of the total contract amount in January 2026 and 50% of the total contract amount in June 2026 through the process of withholding such amounts from the semi-annual real estate tax settlement distribution to be received by the City and transferred to the Board by the Settlement Officer of the Franklin County Auditor.

In any instance where the Board expends funds to abate a nuisance within the City, pursuant to Section 1 above, the Board may invoice the City for the costs of such nuisance abatement and the City shall pay such cost. The cost of any such abatement shall be in addition to the Fee set forth herein.

The Board agrees to certify such nuisance abatement costs to the Franklin County Auditor to be recorded as a lien upon the property and shall reimburse all funds recovered under such a lien to the City, less the cost of abatement services.

SECTION 5 – PLUMBING AND MEDICAL GAS SERVICES AND FEES

5.01 Plumbing Services and Fees

The City, through its Development Department, shall receive all plumbing plans for the Intel project. FCPH shall conduct plan review electronically using the City's plan review software. The City shall ensure that FCPH has adequate access to such software, as needed, to complete such plan review for the Intel project. FCPH shall directly receive all other plumbing plans, conduct reviews, and collect and retain such fees for plan review outside the Intel project.

FCPH shall charge the City \$80.00 per hour at quarter-hour increments with a minimum of one-half hour per set of plans for the Intel project. FCPH will track the time spent on plan review for the Intel project and invoice the City monthly for the cost. The City shall pay said amount within thirty (30) days after receipt of the invoice.

FCPH shall charge the City \$125.00 per plumbing inspection performed at the Intel project when working under the City's flagship building permit. FCPH will track each plumbing inspection performed at the Intel project and invoice the City monthly for the cost. The City shall pay each invoice within thirty (30) days after receipt of the invoice.

To the extent as may be required for the Intel project, or permitted by Ohio's public records laws, FCPH shall keep any confidential records/information obtained from the City related to the Intel project confidential and exempt from public disclosure. Additionally, to the extent FCPH is conducting plumbing inspections on behalf of the City for the Intel project the Health Commissioner will execute a non-disclosure agreement on behalf of the FCPH provided the agreement is not in conflict with Ohio law and subject to approval to form by the Franklin County Prosecutor's office. The Health Commissioner

will also train employees regarding this obligation concerning confidential information obtained through inspections.

The City, through its Development Department, shall issue plumbing permits and collect fees for such permits. The fees to be charged by the City shall be the most current fees charged by the FCPH. The City shall pay FCPH sixty (60) percent of all plumbing permit fees collected by the City. FCPH shall then invoice the City for sixty (60) percent of the permit fees collected based on the City's monthly statements. The City shall pay said amount within thirty (30) days after receipt of the invoice.

FCPH shall conduct inspections for all plumbing installations within the City. Inspectors shall be state certified Plumbing Inspectors and Plumbing Plans Examiners by the Ohio Board of Building Standards.

5.02 Medical Gas Services and Fees

FCPH shall receive all medical gas plans and shall provide plan reviews and inspections for all medical gas installations within the City. FCPH will issue permits, collect, and retain fees for such medical gas plans and permits. Inspectors shall be certified by the American Society of Safety Engineers (ASSE) and the Ohio Board of Building Standard as Medical Gas Inspectors.

SECTION 6 – ACTUAL LIABILITIES

The City shall be responsible for any litigation involving enforcement of health regulations within the corporate limits of the City.

Each party to this Contract shall be responsible for any liability, claim, loss, damage or expenses, including without limitation, reasonable attorney fees, arising from its negligent acts or omissions in connection with its performance of this Contract, or its failure to comply with the terms of this Contract, as determined by a court of competent jurisdiction. Nothing in this section shall be construed as an obligation of the either party to defend, hold harmless, or indemnify any other party, entity, or individual, even for claims that are the result of negligent acts or omissions of such other party.

SECTION 7 – GOVERNING LAW AND VENUE

This Contract and any claims arising in any way out of this Contract shall be governed by the laws of the State of Ohio. Any litigation arising out of or relating in any way to this Contract or the performance hereunder shall be brought only in an Ohio court of competent jurisdiction in Franklin County, Ohio, and the City hereby irrevocably consents to such jurisdiction.

SECTION 8 – APPROVAL

This Contract is approved by the authority of the City Manager of New Albany.

Signature Page to Follow

The City has determined that Franklin County Public Health is organized and equipped to adequately provide the Services that are the subject of this Contract. **IN WITNESS WHEREOF**, the parties to this agreement have hereunto set their hands and seals and have executed this agreement the day and year written below.

DISTRICT ADVISORY COUNCIL OF THE
FRANKLIN COUNTY GENERAL HEALTH DISTRICT

Chairperson Date

FRANKLIN COUNTY PUBLIC HEALTH

Joe Mazzola, MPA Date
Health Commissioner

THE CITY OF NEW ALBANY, OHIO

Joseph Stefanov Date
City Manager

APPROVED AS TO FORM:

Shayla D. Favor
Prosecuting Attorney
Franklin County, Ohio

Assistant Prosecuting Attorney Date
Attorney for Franklin County Public Health

Ben Albrecht Date
Law Director

FINANCIAL CERTIFICATE

It is hereby certified that the amount required to meet the contract agreement, obligation, payment of expenditure for the above has been lawfully appropriated, authorized or directed for such purpose and is in the treasury or in the process of collection to the credit of the proper fund and is free from any obligation or certificated now outstanding.

Bethany Staats
Finance Director

Date

EXHIBIT A SCOPE OF WORK

Franklin County Public Health ("Board"), hereby agrees to provide health services for the City for the calendar year 2026 as set forth below ("Services").

- The Board shall have full authority to be and act as the public health authority for the City
- The Services described in the schedule listed below in this Exhibit will be provided by the Board to the City.
- The Services will include all necessary medical, nursing, sanitary, laboratory and such other health services as are required by the Statutes of the State of Ohio.

The followings specific services shall be a part of the Services provided under this Contract:

List of Functions, Programs and Services	
Administrative Services:	
Administration	
Budget, Accounts Payable, Accounts Receivable	
Communication & Marketing	
Grant Writing & Management	
Records Management	
Reports - Financial & Statistical	
Data Services:	
Community Health Assessment	
Health Data	
Environmental Health:	
Body Art Business Approval, Inspection and Education	
Food Service Operation Licensing, Inspection & Education	
Healthy Homes (Lead, Radon) Inspection & Education	
Vector Control Education	
Public Health Nuisance Enforcement & Education	
Plumbing & Medical Gas Inspections	
Public Swimming Pool & Spa Licensing, Inspection & Education	
Rabies Surveillance - Animal bite investigation and follow up	
Retail Food Establishment Licensing, Inspection & Education	
School Facilities Inspection & Education	
Sewage Treatment System Permitting, Inspection & Education	
Solid Waste, Construction and Demolition Facility, Transfer Station Inspection & Enforcement	
Sustainability Education and Efforts	
Temporary Park Camp Licensing, Enforcement & Inspection	
Water Quality Permitting, Testing & Education	
Epidemiology, Surveillance, Investigation Services:	
Reportable Infectious Disease investigation and follow-up(excluding HIV/AIDS; STD; TB)	

Disease Outbreak Management
Health Systems & Planning:
Community Health Action Teams
Community Outreach and Education
Nutrition & Physical Activity Education Programs
Safe Routes To Schools
Tobacco Prevention
Injury Prevention/Opiate Crisis/Harm Reduction Programs & Education
Naloxone Education and Resources
Emergency Preparedness and Planning
Planning and Cities' Readiness Initiative Activities
Peer Support Specialist
Community Health Improvement Plan
Immunization Services:
Childhood and Adult Vaccine Administration Services
Occupational Health:
Immunizations - Fee for Service
Maternal & Child Health:
Complex Medical Help (CMH) Public Health
Nursing Case Management Services
Safe Sleep & Infant Mortality Prevention Initiatives & Education

The Board maintains a range of grant funded programs for citizens throughout the County who are income qualified.

THE BOARD RESERVES THE RIGHT TO AMEND THIS EXHIBIT AT ANYTIME PRIOR TO AUTHORIZATION OF THE CITY COUNCIL AND THE BOARD OF HEALTH ANNUALLY.

Certificate Of Completion

Envelope Id: 26A0A5FD-299C-474C-83B2-176C37FEA8C9
Subject: Please DocuSign: New Albany - Health Services & Plumbing City Contract
Source Envelope:
Document Pages: 9
Certificate Pages: 5
AutoNav: Enabled
EnvelopeId Stamping: Enabled
Time Zone: (UTC-05:00) Eastern Time (US & Canada)

Status: Sent

Envelope Originator:
Debra Smith
373 S. High Street
Columbus, OH 43215
Debra.Smith@franklincountyohio.gov
IP Address: 2600:382:a764:4

Record Tracking

Status: Original
11/21/2025 3:01:35 PM
Security Appliance Status: Connected
Storage Appliance Status: Connected
Holder: Debra Smith
Debra.Smith@franklincountyohio.gov
Pool: StateLocal
Pool: Franklin County, Ohio

Location: DocuSign

Location: Docusign

Signer Events

Debra Smith
Debra.Smith@franklincountyohio.gov
Franklin County Public Health
Security Level: Email, Account Authentication
(None)

Signature

Completed

Using IP Address:
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Timestamp

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Viewed: 11/21/2025 3:04:16 PM
Signed: 11/21/2025 3:04:55 PM

Electronic Record and Signature Disclosure:
Not Offered via Docusign

Joseph Stefanov
jstefanov@newalbanyohio.org
Security Level: Email, Account Authentication
(None)

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Benjamin Albrecht
balbrecht@fishelldowney.com
Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Accepted: 11/8/2024 8:30:56 AM
ID: 9ad37692-933e-48e7-83d8-4a49fb6002f0

Bethany Staats
bstaats@newalbanyohio.org
Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Accepted: 1/7/2025 5:41:40 PM
ID: 732070d1-2858-487a-8269-119d9ebba3ca

Robin Moorhead
RMoorhead@franklincountyohio.gov
Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via Docusign

Signer Events	Signature	Timestamp
Joe Mazzola JoeMazzola@franklincountyohio.gov Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via Docusign		

Joe Martin
Joe_Martin@BrownTwp.org
Security Level: Email, Account Authentication (None)
Electronic Record and Signature Disclosure:
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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp

Chelsea Wildermuth
cwildermuth@franklincountyohio.gov
Security Level: Email, Account Authentication (None)
Electronic Record and Signature Disclosure:
Not Offered via Docusign

Alicia McGovern
amcgovern@newalbanyohio.org
Security Level: Email, Account Authentication (None)
Electronic Record and Signature Disclosure:
Not Offered via Docusign

Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
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Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Carahsoft OBO Franklin County (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Carahsoft OBO Franklin County:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: julielust@franklincountyohio.gov

To advise Carahsoft OBO Franklin County of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at julielust@franklincountyohio.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from Carahsoft OBO Franklin County

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to julielust@franklincountyohio.gov and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Carahsoft OBO Franklin County

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to julielust@franklincountyohio.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Carahsoft OBO Franklin County as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Carahsoft OBO Franklin County during the course of your relationship with Carahsoft OBO Franklin County.



RESOLUTION R-44-2025

A RESOLUTION TO ADOPT AND APPROVE THE CITY'S CYBERSECURITY PROGRAM AND TO AUTHORIZE THE CITY MANAGER TO DESIGNATE THE PROGRAM'S ADMINISTRATOR

WHEREAS, the Ohio General Assembly enacted House Bill 96, establishing Section 9.64 of the Ohio Revised Code, which requires each political subdivision to adopt a cybersecurity program designed to safeguard its data, information technology systems, and related resources, ensuring their confidentiality, integrity, and availability; and

WHEREAS, Section 9.64 mandates that such a cybersecurity program be consistent with generally accepted cybersecurity standards and best practices, including those developed by the National Institute of Security and Technology (NIST) and the Center for Internet Security (CIS); and

WHEREAS, Section 9.64(B) further provides that, in the event of a ransomware incident, a political subdivision shall not pay or otherwise comply with a ransom demand unless formally authorized by its legislative authority through passage of a resolution or ordinance, which must specifically state why the payment or compliance is in the best interest of the political subdivision; and

WHEREAS, the City of New Albany recognizes the importance of maintaining effective cybersecurity measures to protect City operations, data, and public trust.

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

Section 1. Council hereby adopts and approves the city's cybersecurity program in accordance with the requirements of Ohio Revised Code Section 9.64, ensuring alignment with National Institute of Standards and Technology (NIST) and the Center for Internet Security (CIS) best practices and authorizes the city manager to designate a program administrator.

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 and that all deliberations of this council and 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 121.22 of the Ohio Revised Code.

Section 3. Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2025.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared: 12/04/2025

Introduced: 12/16/2025

Revised:

Adopted:

Effective:



RESOLUTION R-45-2025

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LIMITED NOTICE TO PROCEED AGREEMENT WITH MESSER CONSTRUCTION FOR PHASE TWO OF THE ROSE RUN PARK/VETERANS MEMORIAL PROJECT

WHEREAS, the continued development of the Village Center is a priority for the city of New Albany; and

WHEREAS, the second phase of the Rose Run Park project implements a vision that has been planned for years with extensive community input that will honor the community's veterans, increase amenities for residents and expand police department operations within the Village Center; and

WHEREAS, the second phase of the project includes a Veteran's Memorial, a parking lot, bridges over Rose Run Creek, stream restoration, public walking paths, a plaza with pavilion and restrooms, roadway improvements, and utility undergrounding; and

WHEREAS, council approved Resolution R-59-2021 that authorized a Construction Manager at Risk (CMR) contract with Messer Construction for phase 2 of the Rose Run Park project; and

WHEREAS, Resolution R-59-2021 specifies that a Guaranteed Maximum Price (GMP) will be established for Rose Run Park Phase 2 and council will be presented with additional legislation authorizing the city manager to enter into a Guaranteed Maximum Price Amendment to the contract; and

WHEREAS, the project is in the final stages of design and the parties are working toward a GMP Amendment to present to council in Spring 2026; and

WHEREAS, the project has a significant amount of work that is needed to be done to accommodate city operations and enable the construction of the project's main components to begin, the CMR would like to mobilize prior to the execution of the GMP Amendment; and

WHEREAS, this Limited Notice to Proceed (LNTP) in a not to exceed amount of \$3,898,234 will allow the CMR to proceed with a portion of the work, and

WHEREAS, this Limited Notice to Proceed (LNTP) is only intended to facilitate mobilization and the limited amount of work outlined in the document; and

WHEREAS, the CMR construction delivery method is exempt from traditional competitive bidding requirements under Section 123.32 of the New Albany Codified Ordinances.

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

Section 1. The city manager is hereby authorized to enter into a Limited Notice to Proceed Agreement not to exceed \$3,898,234 with Messer Construction for phase 2 of Rose Run Park/Veterans Memorial.

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 121.22 of the Ohio Revised Code.

Section 3. Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2025.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared: 11/25/2025

Introduced: 12/16/2025

Revised:

Adopted:

Effective:

Exhibit A - R-45-2025



Messer Construction Co.
3705 Business Park Drive
Columbus, OH 43204-5007
(614) 275-0141 Phone
(614) 275-0145 Fax
www.messer.com

November 24, 2025

Mr. Joseph Stefanov
City Manager
99 West Main Street
New Albany, OH 43054

**Re: New Albany Rose Run Park – Phase 2
Limited Notice to Proceed #1**

Mr. Stefanov:

Attached please find our Limited Notice to Proceed #1 documents that include the following:

- Limited Notice to Proceed #1 Agreement
- Limited Notice to Proceed #1 Exhibit No. 1 – Estimate
- Limited Notice to Proceed #1 Exhibit No. 2 – Schedule

If you have any questions or concerns, please call (614) 554-1385.

Sincerely,

A handwritten signature in black ink, appearing to read "Brandon C. Riggins".

Brandon C. Riggins
Senior Project Executive
Messer Construction Co.
briggins@messer.com

Cc: Adrienne Joly
Ryan Ohly
Ken Miller
File

LIMITED NOTICE TO PROCEED #1

City of New Albany, Ohio (Owner) has engaged **Messer Construction Co.** (Construction Manager) to perform its Rose Run Park - Phase 2 (Project) and Owner and Construction Manager have previously entered into a definitive contract for the project based on AIA forms A133 and A201 signed May 15, 2022 (CM Agreement), Change Order # OCO 1 (signed April 7, 2022), Change Order # OCO 2 (January 20, 2023), and Change Order # OCO 3 (October 10, 2025). The parties are working toward Rose Run Park - Phase 2 Guaranteed Maximum Price No. 1 (GMP #1) and in the interim, the Owner now desires to authorize Construction Manager to proceed with a portion of the Work further described in Exhibit No. 1 (Limited Work) and Exhibit No. 2 that is intended to be covered, in due course, by GMP #1, subject to the following:

1. **Authorization to Proceed with Limited Work.** Owner hereby authorizes Construction Manager to proceed with performance of the Limited Work upon execution of this Limited Notice to Proceed #1 by both parties and continuing through May 2026. Owner acknowledges that the Limited Work cannot be completed by the end of May 2026, and if this Limited Notice to Proceed expires without being extended or replaced by agreements for the completion of the Limited Work, the Limited Work will be left in an incomplete state. For performance of the Limited Work, Owner shall compensate Construction Manager for the applicable General Conditions, General Requirements, Cost of the Work and Construction Manager's Construction Phase Fee, as defined in and subject to the procedures set forth in the CM Agreement. Owner shall approve the Subcontractors, Vendors and Suppliers selected by Construction Manager to perform the Limited Work and no further bidding or approval procedures are required for Construction Manager to enter into those subcontracts.
2. **Cost Estimates and Limitations.** Construction Manager's estimate of the total charges to the Owner for the Limited Work that Construction Manager expects to be able to accomplish under this Limited Notice to Proceed No. 1, is an allowance of \$3,898,234. This is not a guaranteed maximum price. This agreement is based on the allowance identified in Exhibit No. 1 and is subject to change based on the final scope of work approved. It is also subject to changes based on any circumstance which would justify a Change Order or use of contingency under the CM Agreement, including but not limited to encountering unanticipated concealed conditions. However, total billings from the Construction Manager to the Owner shall not exceed \$3,898,234 without prior written approval of the Owner. It is understood that these billings will occur in part after the May 2026 time frame of performance.
3. **Duration and Extension.** If Construction Manager has not received notice of Owner's election to extend this Limited Notice to Proceed and the parties have not entered into GMP #1 by May 1, 2026, then Construction Manager shall begin to wind down the Limited Work so that it can cease on May 31, 2026, with only demobilization activities occurring after that time. Owner shall have the right, by giving notice to Construction Manager not later than May 15, 2026, to extend this Limited Notice to Proceed for Limited Work to continue through June 2026; in that case, Construction Manager estimates that the additional amount billable to the Owner for June work will not exceed \$1,000,000, and the overall total billings from the Construction Manager to the Owner shall not exceed \$4,898,234 without prior written approval of the Owner. If this Limited

Notice to Proceed is not extended by June 15, 2026, and the parties have not further extended it by mutual agreement or signed GMP #1, then Construction Manager shall begin to wind down the Limited Work so that it can cease on June 30, 2026, with only demobilization activities occurring after that time.

4. General Terms and Conditions. Unless inapplicable in context, the general terms and conditions of the CM Agreement shall apply to all Limited Work performed hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this Limited Notice to Proceed No. 1, as of the date of execution by the last party.

OWNER: City of New Albany Ohio

BY: (Signature) **TITLE:** **DATE:**

Acknowledged and accepted:

**CONSTRUCTION
MANAGER:** Messer Construction Co.

BY: (Signature) **TITLE:** **DATE:**

New Albany Rose Run Park - Phase 2
Limited Notice to Proceed No. 1
Exhibit No. 1

November 24th, 2025

Description	Quantity	Unit	Cost/Unit	Amount
0200.000 - DIVISION 2 - EXISTING CONDITIONS			\$	376,765
0241.130 - Site Demolition		sf	\$	269,265
Hauling of demo debris	750.00	cy	\$ 28.00	\$ 21,000
Remove site pavement	36,222.00	sf	\$ 1.00	\$ 36,222
Hauling of demo debris	2,400.00	cy	\$ 29.98	\$ 71,946
Remove Sidewalk	4,351.00	sf	\$ 1.80	\$ 7,832
Remove Unit Paver and relocate	776.00	sf	\$ 1.80	\$ 1,397
Misc. Demo Signs, feature, bollards etc.	1.00	ls	\$ 20,000.00	\$ 20,000
Remove site pavement	22,732.00	sf	\$ 1.00	\$ 22,732
Remove Sidewalk	684.00	sf	\$ 4.00	\$ 2,736
Remove curbing	272.00	lf	\$ 5.00	\$ 1,360
Remove Site wall	90.00	lf	\$ 5.00	\$ 450
Relocate headstone	3.00	ea	\$ 1,000.00	\$ 3,000
Remove curbing	860.00	lf	\$ 6.00	\$ 5,160
Remove fencing	90.00	lf	\$ 4.00	\$ 360
Remove fencing	295.00	lf	\$ 6.00	\$ 1,770
Remove site feature	27.00	ea	\$ 500.00	\$ 13,500
Demolish dumpster enclosure	1.00	ea	\$ 1,500.00	\$ 1,500
Demolish dumpster enclosure	1.00	ea	\$ 3,500.00	\$ 3,500
Demo bollards	3.00	ea	\$ 150.00	\$ 450
Demo light poles	3.00	ea	\$ 500.00	\$ 1,500
Demo sign and post	9.00	ea	\$ 150.00	\$ 1,350
Curb cuts	3.00	ea	\$ 500.00	\$ 1,500
Demo site north of creek	1.00	ls	\$ 50,000.00	\$ 50,000
0241.160 - Structure Demolition		sf	\$	107,500
Building demolition - on Main Street	1.00	ls	\$ 25,000.00	\$ 25,000
Demo Building Gas Station	1.00	ls	\$ 25,000.00	\$ 25,000
Building demolition - on Dublin Granville	1.00	ls	\$ 35,000.00	\$ 35,000
Separate Building from Utilities - Allowance	3.00	ea	\$ 7,500.00	\$ 22,500
3100.000 - DIVISION 31 - EARTHWORK			\$	732,749
3123.160 - Mass Excavation			\$	714,758
Mobilization - Early Package	1.00	ls	\$ 15,000.00	\$ 15,000
Site coordination, phasing Early Package	3.00	ea	\$ 15,000.00	\$ 45,000
Rough site grading - temp parking areas	3,500.00	sy	\$ 5.00	\$ 17,500
Clear & grub - along creek	0.50	acre	\$ 35,000.00	\$ 17,500
Clear & grub - Heavily Wooded near PD	1.00	acre	\$ 45,000.00	\$ 45,000
Clear & grub - for temp parking	0.50	acre	\$ 35,000.00	\$ 17,500
Tree removal, LG (includes stump removal/grinding)	4.00	ea	\$ 1,200.00	\$ 4,800
Tree removal, MD (includes stump removal/grinding)	12.00	ea	\$ 600.00	\$ 7,200
Tree removal, SM (includes stump removal/grinding)	103.00	ea	\$ 450.00	\$ 46,350
Crown reduction for walnut tree	1.00	ea	\$ 1,500.00	\$ 1,500
Hand dig and re-install trees	4.00	ea	\$ 2,500.00	\$ 10,000
Spade & relocate tree	2.00	ea	\$ 1,500.00	\$ 3,000
Temporary laydown - 1' deep, install & remove	120,000.00	sf	\$ 3.50	\$ 420,000
Temporary construction fencing - Tree Protection	2,034.00	lf	\$ 12.00	\$ 24,408
Concrete washout	1.00	ea	\$ 5,000.00	\$ 5,000
Temporary laydown - 1' deep, install & remove - north of creek	10,000.00	sf	\$ 3.50	\$ 35,000
3125.000 - Erosion & Sedimentation Controls			\$	17,991
Silt protection fence (install & remove)	2,797.00	lf	\$ 3.00	\$ 8,391
Inlet protection	15.00	ea	\$ 400.00	\$ 6,000
Maintain erosion control measures	80.00	ch	\$ 45.00	\$ 3,600
3200.000 - DIVISION 32 - EXTERIOR IMPROVEMENTS			\$	525,000
3212.160 - Asphalt Pavement & Markings		sf	\$	525,000
Light duty asphalt - "temp" lots	5,000.00	sy	\$ 102.00	\$ 510,000
Patching at aprons	1.00	ls	\$ 15,000.00	\$ 15,000
3300.000 - DIVISION 33 - UTILITIES			\$	861,338
3310.000 - Site Domestic Water			\$	145,000
Relocate water line for NAPD	450.00	lf	\$ 150.00	\$ 67,500

New Albany Rose Run Park - Phase 2
Limited Notice to Proceed No. 1
Exhibit No. 1

November 24th, 2025

Description	Quantity	Unit	Cost/Unit	Amount
Tie-in to existing	2.00	ea	\$ 5,000.00	\$ 10,000
Relocate fire water line for NAPD	450.00	lf	\$ 150.00	\$ 67,500
3330.000 - Site Sanitary		sf		\$ 563,330
Abandon existing sanitary service	54.00	lf	\$ 77.40	\$ 4,180
12" sanitary line - ~25' depth	390.00	lf	\$ 1,145.00	\$ 446,550
3" sanitary line	12.00	lf	\$ 425.00	\$ 5,100
3" sanitary line - trailer hookup	50.00	lf	\$ 425.00	\$ 21,250
Manhole	3.00	ea	\$ 22,500.00	\$ 67,500
Connect to existing - Sanitary	1.00	ea	\$ 18,750.00	\$ 18,750
3340.000 - Site Storm		sf		\$ 66,008
Site storm - temp parking lots	344.00	lf	\$ 157.00	\$ 54,008
Precast catch basin	2.00	ea	\$ 3,000.00	\$ 6,000
Tie-into existing storm manhole	2.00	ea	\$ 3,000.00	\$ 6,000
3370.000 - Site Electric				\$ 87,000
Light poles & associated power - "temp" parking area and trailer area	8.00	ea	\$ 9,000.00	\$ 72,000
Power to trailer	1.00	ls	\$ 15,000.00	\$ 15,000
9910.000 - DIVISION 99 - CM	6.00	mo	\$ 97,085.09	\$ 582,511
9910.300 - General Requirements				\$ 555,511
Field office w/ Security - setup/skirting	1.00	ls	\$ 20,000.00	\$ 20,000
Water & sanitary hookup to trailer, inc. tap fees	1.00	ls	\$ 15,000.00	\$ 15,000
Deck at Field Office	1.00	ls	\$ 19,999.90	\$ 20,000
Field office w/ Security - rental	6.00	mo	\$ 7,968.00	\$ 47,808
3rd Party Cleaning Service - Office Trailer Cleaning	6.00	mo	\$ 1,000.00	\$ 6,000
Permitting/inspections - Trailer & Deck	1.00	ls	\$ 1,000.00	\$ 1,000
Storage/tool shed	6.00	mo	\$ 155.00	\$ 930
Office equipment & supplies	6.00	mo	\$ 1,500.00	\$ 9,000
Gravel laydown - maintenance (24hr/mo)	6.00	mo	\$ 1,899.00	\$ 11,394
Temporary construction fencing w/ screen	2,050.00	lf	\$ 20.00	\$ 41,000
Water filler barriers with fence - 1,400', 6 mo	233.00	ea	\$ 270.00	\$ 62,910
Temporary gates	7.00	ea	\$ 10,000.00	\$ 70,000
Water filler barriers with fence - 880', 1 mo	147.00	ea	\$ 45.00	\$ 6,615
Network Setup	1.00	ls	\$ 850.00	\$ 850
Network Equipment & Service Charges (5-10 Users)	6.00	mo	\$ 850.00	\$ 5,100
Miscellaneous Office Supplies	6.00	mo	\$ 150.00	\$ 900
Project Technology Bundle	6.00	mo	\$ 2,000.00	\$ 12,000
LCP Tracker	1.00	ls	\$ 11,000.00	\$ 11,000
AEP aid to construction allowance - Temp police parking lot service	1.00	ls	\$ 5,000.00	\$ 5,000
Temp power & lighting consumption - Allowance	6.00	mo	\$ 500.00	\$ 3,000
Misc. Technology Charges - (jobsite cameras, hyperlinked drawings, etc)	1.00	ls	\$ 500.00	\$ 500
Toilet service (4 ea/mo, 2 mo)	8.00	ea	\$ 95.00	\$ 760
Protect/restore existing property	1.00	ls	\$ 2,500.00	\$ 2,500
Snow removal	80.00	hr	\$ 80.45	\$ 6,436
Traffic control	80.00	hr	\$ 90.00	\$ 7,200
Project sign	4.00	ea	\$ 1,500.00	\$ 6,000
Dumpsters - 1/mo	6.00	ea	\$ 500.00	\$ 3,000
General clean up, snow, fence maintenance (1L - 6 mo Full Time)	1,038.00	hr	\$ 79.00	\$ 82,002
General clean up, snow, fence maintenance - tools & equipment	1,038.00	hr	\$ 14.00	\$ 14,532
Ice & drinking cups	6.00	mo	\$ 100.00	\$ 600
Professional surveyor	96.00	hr	\$ 100.00	\$ 9,600
Street cleaning (sweeper attachment, fuel, 2 mh/day)	6.00	mo	\$ 4,355.00	\$ 26,130
Street cleaning - water and dust control (every Friday)	6.00	mo	\$ 5,844.00	\$ 35,064
Trucking (4 hr/week)	40.00	hr	\$ 52.00	\$ 2,080
Gator/Site Transportation (2ea)	6.00	mo	\$ 1,600.00	\$ 9,600
9910.500 - Hoisting		sf		\$ 15,000
Skid Steer w/ attachments	6.00	mo	\$ 2,250.00	\$ 13,500
Fuel (50gal/mo)	300.00	gal	\$ 5.00	\$ 1,500
9910.600 - Safety				\$ 12,000
Safety/First Aid	6.00	mo	\$ 2,000.00	\$ 12,000

New Albany Rose Run Park - Phase 2
Limited Notice to Proceed No. 1
Exhibit No. 1

November 24th, 2025

<i>Description</i>	<i>Quantity</i>	<i>Unit</i>	<i>Cost/Unit</i>	<i>Amount</i>
Direct Cost Subtotal			\$	3,078,362
General Conditions			\$	503,000
Subtotal			\$	3,581,362
Sub Default Insur. (SDI)	1.04	%	\$	37,246
Contractor Control Ins.(CCIP)	20.00	\$/1000	\$	77,965
Builder's Risk Insurance	0.11	%	\$	4,288
Corporate Activity Tax (CAT)	0.26	%	\$	9,622
Subtotal			\$	3,710,483
Construction Contingency	3.00	%	\$	111,315
Subtotal			\$	3,821,798
CM Fee	2.00	%	\$	76,436
GRAND TOTAL			\$	3,898,234



RESOLUTION R-46-2025

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A FOURTH AMENDED AND RESTATED COMMUNITY REINVESTMENT AREA AGREEMENT AND ANY RELATED AGREEMENTS WITH SIDECAT LLC, AND MAKING RELATED AUTHORIZATIONS

WHEREAS, Sidecat LLC, a Delaware limited liability company (the "Company"), previously acquired land in the City of New Albany (the "Project Site") for development of data center facilities (the "Project"), and in support of the development of the Project the City and the Company entered into a Community Reinvestment Area Agreement dated August 14, 2017 (the "Original CRA Agreement") pursuant to City Resolution No. R-32-2017 adopted on July 31, 2017; and then initially amended and restated on May 22, 2019 (the "First Amended and Restated Agreement") pursuant to City Resolution No. R-27-2019 adopted on May 21, 2019, and then subsequently amended and restated on May 29, 2025 (the "Second Amended and Restated Agreement") pursuant to City Resolution No. R-15-2025 adopted on April 15, 2025; and then subsequently amended and restated on September 12, 2025 (the "Third Amended and Restated Agreement") pursuant to City Resolution No. R-30-2025 and adopted on September 2, 2025.

WHEREAS, the Company has acquired or will acquire additional land (the "Additional Land") for the Project that is not subject to the Original CRA Agreement, the First Amended and Restated CRA Agreement, the Second Amended and Restated CRA Agreement and the Third Amended and Restated Agreement (collectively, the "CRA Agreements"), and the City and the Company desire to amend the CRA Agreements to incorporate this Additional Land and enter into a fourth amended and restated CRA Agreement (the "Fourth Amended and Restated CRA Agreement"); and

WHEREAS, Council previously created the current Oak Grove II Community Reinvestment Area by its Resolution No. R-17-09 adopted March 3, 2009, as supplemented by its Resolutions No. R-41-10 adopted July 6, 2010, No. R-72-10 adopted November 16, 2010, No. R-53-12 adopted October 12, 2012, No. R-26-13 adopted July 16, 2013, No. R-72-14 adopted September 9, 2014, No. R-49-2015 adopted November 17, 2015, No. R-45-16 adopted November 1, 2016, No. R-02-17 adopted February 7, 2017, No. R-17-18 adopted July 17, 2018, No. R-41-18 adopted November 6, 2018, No. R-05-2019 adopted February 19, 2019, No. R-37-2019 adopted August 6, 2019, No. R-15-2021 adopted April 6, 2021, No. R-46-2021 adopted September 21, 2021, No. R-09-2022 adopted February 1, 2022, No. R-18-2022 adopted May 3, 2022, No. R-38-2022 adopted November 15, 2022, No. R-21-2023 adopted April 18, 2023, No. R-46-2023 adopted November 7, 2023, and No. R-25-2025 adopted July 15, 2025; and

WHEREAS, the Company has submitted to the City an application for the Fourth Amended and Restated CRA Agreement referred to in Section 1 of this Resolution (the "Agreement Application"); and

WHEREAS, the City's Housing Officer, duly designated under Ohio Revised Code Section 3735.65, has reviewed the Agreement Application and has recommended the same to City Council on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Area and improve the economic climate of the City; and

WHEREAS, the City, having the appropriate legal authority, desires to provide certain property tax incentives to encourage the development of the Project on the Additional Land; and

WHEREAS, the Additional Land is located in the Licking County Joint Vocational School District (also known as "Career and Technology Education Centers of Licking County" or "C-TEC") the Johnstown-Monroe Local School District, and the Boards of Education of both those School Districts have waived their rights to both receive notice under Section 5709.83 of the Revised Code and approve the Fourth Amended and Restated CRA Agreement; and

WHEREAS, the Company requires an adequate supply of water and sewer services for the development and operation of the Project and the City and Company may desire to enter into a memorandum of understanding or one more related agreements addressing the availability and supply of water and sewer services for the development and operation of the Project.

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

Section 1. Fourth Amended and Restated Community Reinvestment Area Agreement. The Fourth Amended and Restated Community Reinvestment Area Agreement by and between the City and the Company, in the form presently on file with the Clerk of the Council, is hereby approved and authorized with any changes therein and amendments thereto not inconsistent with this Resolution and not substantially adverse to this City and which shall be approved by the City Manager. The City Manager, for and in the name of this City, with the advice of the Director of Law, is hereby authorized to execute that Fourth Amended and Restated Community Reinvestment Area Agreement and approve the character of any changes and any amendments thereto as consistent with this Resolution and not substantially adverse to the City, as evidenced conclusively by his execution of that Fourth Amended and Restated Community Reinvestment Area Agreement.

Section 2. Water and Sewer Services. The City Manager, for and in the name of this City, is hereby authorized to execute a memorandum of understanding or one or more related agreements addressing the availability and supply of water and sewer services for the development and operation of the Project.

Section 3. Further Authorizations. Council further hereby authorizes and directs the City Manager, the Director of Law, the Director of Finance, the Community Development Director, the Clerk of Council, or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Resolution and

the transactions referenced or contemplated in this Resolution, including the Fourth Amended and Restated Community Reinvestment Area Agreement and a memorandum of understanding or one or more related agreements addressing the availability and supply of water and sewer services as approved in this Resolution.

Section 4. Compliance with the Law. Council finds and determines that all formal actions of Council and any of its committees concerning and relating to the adoption of this resolution were taken in an open meeting of Council and any of its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Ohio Revised Code.

Section 5. Effective Date. This resolution is declared to be in full force and effect from and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this _____ day of _____, 2025.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared: 12/05/2025

Introduced: 12/16/2025

Revised:

Adopted:

Effective:



RESOLUTION R-47-2025

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH NBBJ DESIGN FOR DESIGN SERVICES RELATED TO THE CREATION OF A LONG-RANGE LAND USE PLAN FOR JERSEY TOWNSHIP AS PRESCRIBED IN THE COOPERATIVE ECONOMIC DEVELOPMENT AGREEMENT THAT WAS PREVIOUSLY ADOPTED BY THE CITY AND TOWNSHIP

WHEREAS, the city of New Albany and Jersey Township have entered into a Cooperative Economic Development Agreement (“CEDA”) to guide coordinated long-term planning, infrastructure investments, and economic development within the cooperative district; and

WHEREAS, Section 8(a) of the CEDA identifies the creation of a long-range land use plan for Jersey Township as a joint responsibility of the parties and establishes that the city shall contribute an amount not to exceed \$200,000 toward consultant services for the preparation of the land use plan; and

WHEREAS, the city’s financial contribution to the land use plan will be reimbursed under terms of the CEDA when the accompanying Joint Economic Development Districts begin to produce revenue; and

WHEREAS, the development of a comprehensive land use plan is necessary to support orderly development, infrastructure planning, and consistent application of land use policies within the cooperative district; and

WHEREAS, representatives of the city and township have evaluated the qualifications of various planning firms and determined that NBBJ Design is best suited to develop the Jersey Township Land Use Plan.

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

Section 1. The city manager is hereby authorized to enter into a professional services contract with NBBJ Design for design services related to the creation of a long-range land use plan for Jersey Township as prescribed in the Cooperative Economic Development Agreement that was previously adopted by the city and township with the city’s share not exceeding \$200,000.

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 all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2025.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared: 12/05/2025

Introduced: 12/16/2025

Revised:

Adopted:

Effective: